



**TOWN OF BILLERICA
SELECT BOARD MINUTES
FEBRUARY 27, 2023**

Members Present: Chair Andrew Deslaurier, Vice Chair Michael Riley, Secretary Kimberly Conway, Member Michael Rosa, and Member John Burrows

Members Absent: None

Staff Present: Town Manager John Curran, Assistant Town Manager Clancy Main, and Director of Administrative Services Robert Maynard

Chair Deslaurier stated that the meeting is a hybrid meeting with a Zoom option.

Call to Order 7:00 PM

Chair Deslaurier called the meeting to order.

The Pledge of Allegiance was recited.

1. Open Microphone

There was no one in person or online for open microphone.

Announcements

2. Vacancies on Boards and Committees

Secretary Conway read the list of vacancies of boards and committees.

3. All Other Announcements may be Viewed on the Town of Billerica Website

Public Hearing

Approval of Meeting Minutes

4. January 23, 2023

MOTION - Secretary Conway made a motion to approve the Select Board meeting minutes of January 23, 2023 as presented. The motion was seconded by Member Rosa and unanimously voted 5-0.

5. February 06, 2023

MOTION - Secretary Conway made a motion to approve the Select Board meeting minutes of February 6, 2023 as presented. The motion was seconded by Member Rosa and unanimously voted 5-0.

Appointments

6. Billerica Youth Advisory Committee (BYAC) – Paulia Kirik

MOTION - Secretary Conway made a motion to appoint Paulia Kirik to the Billerica Youth Advisory Committee as a regular member for Billerica High School. The term will expire August 30, 2023. The motion was seconded by Member Rosa and unanimously voted 5-0.

Old Business

7. Town Manager’s Contract – Discussion and Vote

Chair Deslaurier thanked Vice Chair Riley for being on the negotiation sub-committee with him.

Vice Chair Riley stated that this contract represents what Mr. Curran has done for Billerica and brings his salary more in line with surrounding Town Managers salary.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
FEBRUARY 27, 2023**

Member Rosa asked that the highlights be read into the record. Vice Chair Riley stated that the highlights of the contract are: the term of the contract is from February 27, 2023 to June 30, 2027; 3% increase on top of last contract total compensation; auto stipend remains the same, deferred compensation is increase from \$4,000 to \$12,000, added longevity clause to be 3% on top of base for every five years; sick days accumulation cap increased from 70 to 100 days; increased number of sick days being used for immediate family or day care needs from 5 to 20 days; increased number of severance months from 5 to 12 for termination without cause. Member Rosa stated that he understands that Mr. Curran has had one of his best reviews in a while but this contract is a little rich in areas but it seems to bring it line with other communities.

Member Burrows stated that the 3% increase seems fair but the other bonuses seem a little much with the sick leave buy back and severance increase. Mr. Curran stated that it is not a sick leave buy-back, it just allows accumulation of sick days. Member Burrows stated that this seems like a sweet deal for you.

Secretary Conway stated that we are lucky to have Mr. Curran but this is a little rich for this time. We are pushing back on budgets but this is a huge bump. Is this a total of 8% increase for 1 or 3 years? Mr. Curran replied one year. Secretary Conway stated that means this is a total of 18% for three years and she cannot support this. She is fine with the additional sick time and severance but the hardworking employees are not seeing an increase like this. If it was 8% over 3 years she would be fine with it. Vice Chair Riley stated that this will bring him to the average of other communities. Secretary Conway replied no, this will put him above everyone else.

MOTION - Vice Chair Riley made a motion to support and approve the Town Manager's contract as presented. The motion was seconded by Secretary Conway and voted 3-2. Vice Chair Riley, Member Rosa and Chair Deslaurier voted in favor. Secretary Conway and Member Burrows voting against.

8. Town Manager's Report

Mr. Curran presented his report.

• New DPW Building

Mr. Curran stated that the town held a public hearing on February 8th. They will continue to work on the design and with the residents.

Secretary Conway stated that it is a good job that the Town is doing by listening to the residents.

Member Rosa stated that the meeting was great for the DPW but it showed how insufficient parking there is at the Howe. We need to think about putting in a crosswalk with flashing lights when the Boston Road is redone.

• PHR Ribbon Cutting

Mr. Curran stated that the ribbon cutting ceremony will be held on Friday, March 31st at 5:15 PM before the first lacrosse games.

Member Rosa stated that this is the same day as the Black Tie Bingo event and the day before elections. Mr. Curran replied that you have mentioned that previously and they will look at the date again. Member Rosa stated that when the Bubba Shack is dedicated, his family should be invited.

Member Burrows stated that this is before the first game of the season against Burlington.

• Potential Warrant Articles

Mr. Curran stated that they have been working with staff on potential warrant articles. Member Rosa also suggested an article regarding how the School Department presents their budget. He would like a full budget picture and not just a summary of the final number.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
FEBRUARY 27, 2023**

Member Rosa stated that one of the articles is to move the stormwater bylaw from the Board of Health to the Engineering Department which he is concerned about because it takes a public hearing away from the residents. Mr. Curran replied that is correct but Engineering will incorporate public participation and abutters will be notified. Member Rosa stated that the school has a detailed budget but they do not present it. A \$100 million budget is summarized in 16 slides. That is not right and the detailed budget should be submitted for review.

Secretary Conway stated that she agrees with Member Rosa on the School budget. They have the details and they should be presented. This would not change the Charter, we just want more details. Mr. Curran replied that was correct.

Vice Chair Riley agreed with having the school provide a detailed budget. He also agrees with the stormwater bylaw going from the Board of Health to Engineering. He added that there would be a public hearing if they had to appear before the Planning Board.

Member Burrows stated that he is also going to get a warrant article for the recording policy.

Chair Deslaurier stated that there is merit in requesting the School to provide a detailed budget.

- **Town Manager/Select Board Goals**

Mr. Curran stated that his office is working on the goals and will be presenting them at the next meeting.

- **Recreation/COA**

Mr. Curran stated that the architect has met with the Capital Facilities Committee. They will be submitting options to them on March 28th.

- **Farmers Market – Old Ditson**

Mr. Curran stated that the Town will be holding an information session on March 28th at 7:00 PM at Town Hall.

Member Rosa stated that the Safety Officer should also weigh in on this issue. It may require them to submit some details and maps.

Secretary Conway asked why the Town is hosting an information session. It's not a Town function. Mr. Curran stated that he thinks it's the right thing to do and will affect a lot of residents. Secretary Conway asked what happens if the residents in this area are against it, what is Plan B. Mr. Curran replied he doesn't know but they have had positive feedback. Secretary Conway stated that we should get them back in the center as soon as possible.

Vice Chair Riley stated that an information session is a good idea and he is concerned with parking on that site.

Chair Deslaurier agrees with Secretary Conway. This is a private organization. Will they be bringing maps of where things will go? Mr. Curran replied yes, they will have a layout for the food trucks, vendors and parking. Chair Deslaurier asked what is the expectation of the parking lot that the Emerald Rose uses because it is town property. Mr. Curran stated that they do use it but the Farmer's Market should not overlap that much.

- **North Billerica Fire Station**

Mr. Curran stated the last Town Meeting appropriated \$25,000 for a structural study at the North Billerica Fire Station. The station is safe but some repairs will need to be made over the next few months. There will most likely be an article at the Town Fall Meeting for a million dollars to further stabilize the building, fix some HVAC issues, fix the roof and possible renovation of living quarters. This should extend the life of the building for another 20-25 years.

Member Rosa asked if we had an estimate on the living quarters. Mr. Curran replied not yet. Member Rosa stated that the new Pinehurst Station has a separate room for turnout gear and that should be in all the stations.

Vice Chair Riley stated that this station is in tough shape. How much was the new Pinehurst Station? Mr. Curran replied about \$10 million.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
FEBRUARY 27, 2023**

Member Burrows stated that this station is awful. We should look at Chelmsford because they did a prefab modular addition to one of their stations. It is a waste of time to do a study because this building is awful.

Chair Deslaurier agreed with Member Burrows. This station is awful and we really need to put some thought into this.

9. FY24 Initial Budget Presentation

Mr. Curran presented the FY24 initial budget. Chair Deslaurier stated that for the record, each member of the Select Board meets with the Town Manager individually prior to tonight so we have already gone over the budget.

Secretary Conway stated that in the Fall, all the contracts hopefully will be settled. These contracts are not included in this budget so this is not the real budget and asked if FY23 was updated to include the actions from the fall Town Meeting. Mr. Curran replied yes, the slide was updated to include all budget items from the fall Town Meeting. Secretary Conway asked how we compare by percentages with our neighboring communities. Mr. Curran replied that our shared costs are very similar but he can look at this. Secretary Conway stated that the new trash contract is a huge hit. We should do another educational training course on recycling. Mr. Curran stated that they can look at this.

Member Rosa stated that he would have liked to have the PowerPoint presentation ahead of time. It's amazing that the municipal side of the budget has only gone up .47% and this includes Town Hall, DPW, Police, Fire, EMTs, Paramedics, Water/Sewer Treatment, Recreation, COA, Library and the School goes up 3.92% and they only have two objects, educate the kids and maintain 7 schools. Mr. Curran replied most of the budget is salaries. Will the recently passed Student Opportunity Act fund help the schools? Mr. Curran replied he doesn't believe this will help because of Billerica's student population. Member Rosa stated that the \$800,000 free cash from last year is being put into an account for retro pay when the contracts are signed. Mr. Curran replied that was correct. Member Rosa asked if the water/sewer enterprise fund is subsidized. Mr. Curran replied that it is tied to the expiring debt but he will double check. Member Rosa stated that should be looked at. Member Rosa stated that they are \$27 million under the levy with \$3.9 million projected and there is only \$700,000 projected in new growth, which is low. Mr. Curran replied that it is closer to \$3-4 million. Member Rosa stated that anything over that becomes free cash. Mr. Curran replied no, we don't take new growth. The value of new growth spreads out the impact for tax increases. Member Rosa asked where we are with general receipts like Building Permits. Mr. Curran stated that receipts do go into the free cash and it isn't carried for budget purposes. There was 13.4 million for local receipts.

Member Burrows stated that Shawsheen Tech has a new person for their Business Agent, so that is probably why you don't have their budget yet. Member Burrows stated that he would like to know how many abatements are given by the Assessors. We recently gave a \$1 million abatement to a business owner and then he sold the building 6 months later for a profit. Mr. Curran stated that we don't issue many abatements and the Assessor fights the commercial abatements in Boston.

Vice Chair Riley stated that staying to 2% is great but we need to retain our great employees. Mr. Curran stated that they can discuss this during the financial working session. We need to focus on the impacts to the levy that will impact the tax bill. It's difficult to keep employees. Vice Chair Riley stated that it's hard to say that when there are people in the Town Manager's office who have benefitted from industry standards. Our employees should be compensated for the great work they do. Mr. Curran stated that they have been looking at industry standards.

Chair Deslaurier stated that work sessions are valuable to discuss different options but what he has heard is that people want sidewalks. The taxes were raised because the median value of a home in Billerica went from \$451,000 to \$521,000.

MOTION - Secretary Conway made a motion to recommend the FY2024 budget to Town Meeting. The motion was seconded by Member Rosa and unanimously voted 5-0.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
FEBRUARY 27, 2023**

10. 2nd Reading Permanent Outdoor Seating Regulations

Erika Jarram appeared via Zoom to discuss the second reading of the outdoor seating regulations. Ms. Jarram stated that she has provided a cover memo and has incorporated the discussion items from last meeting.

Member Rosa stated that he had wanted something in Section 3 that required umbrellas to be properly secured so they don't go flying during inclement weather. He witnessed an umbrella fly out of its holder and injure a woman. Ms. Jarram stated that she added that in Article II, 2nd paragraph but if you want it in in Section 3, she can add it there too.

Vice Chair Riley stated that it shouldn't be listed twice, it fits better in Section 3 and perhaps use the words "properly anchored".

Member Burrows stated that we just raised the residents' taxes and now we are waiving the fees for businesses again. Ms. Jerram stated that the majority of Board agreed to that at the last meeting because the business are already paying fees with their Common Victualler's license.

MOTION - Secretary Conway made a motion to accept the permanent outdoor seating regulation as amended. The motion was seconded by Member Rosa and unanimously voted 5-0.

11. Update and Discussion on Dedication of a Town Parcel for the Snowden/Finnegan Family (Voted on June 6, 2022) – Requested by Member Burrows

Member Burrows stated that it's been almost a year since we discussed this and nothing has happened. Vice Chair Riley stated that he made the motion that the Town Manager work with the family and will get that started. Mr. Curran stated that they are looking at a few options.

New Business

12. Auditorium Renovation Discussion (ARPA)

Mr. Curran stated that the total cost of the auditorium renovations is \$2 million. They have funding of 1.12 million dollars so he is proposing using ARPA funds from other projects including \$500,000 from the Howe project and the HVAC projects from Town Hall and the Library should turn in about \$400,000.

Secretary Conway agrees that the auditorium is awful and asked if we can get a guarantee the acoustics will be better. Mr. Curran stated that the HVAC is the issue and that is being addressed but he doubts he can get a guarantee.

Member Rosa stated that he agrees that the balcony has been a waste of space but \$2 million is a huge about of money when the new fire station in Pinehurst was \$10 million. He thinks we can get more value for the money. Mr. Curran stated that the costs of construction has tripled since the fire station was built.

Member Burrows stated that this project should be subject to the residency requirement and a great opportunity to use Shawsheen Tech.

Chair Deslaurier stated that this is a good investment.

MOTION - Secretary Conway made a motion to adjust the use of ARPA funding for the Buck Auditorium renovation as presented by the Town Manager's memo dated January 6, 2023. The motion was seconded by Member Rosa and unanimously voted 5-0.



**TOWN OF BILLERICA
SELECT BOARD MINUTES
FEBRUARY 27, 2023**

Meeting Schedule – March 6, 2023 and March 20, 2022

MOTION - Secretary Conway made a motion to go into Executive Session pursuant to G.L. c. 30A, §21 (3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares. There will be no additional business conducted once we come out of Executive Session other than adjournment. The motion was seconded by Member Rosa and unanimously voted 5-0. On a roll call vote: Secretary Conway voted Aye, Vice Chair Riley voted Aye, Member Rosa voted Aye, Member Burrows voted Aye and Chair Deslaurier voted Aye.

MOTION - Secretary Conway made a motion to adjourn the February 27, 2023 Select Board meeting at 10:15 PM. The motion was seconded by Member Rosa and unanimously voted 5-0.

*Respectfully Submitted by Dawn McDowell,
Recording Secretary*



**TOWN OF BILLERICA
SELECT BOARD MINUTES
FEBRUARY 27, 2023**

Exhibits for the Select Board Meeting – February 27, 2023

Call to order 7:00 PM

1. **Open Microphone**– No Exhibits

Announcements

2. **Vacancies on Boards and Committees**- Vacancies list
3. **All other announcements may be viewed on the Town of Billerica website** – No Exhibits

Fiscal Efficiency and Public Recognition

Public Hearing

Old Business

Approval of Minutes

4. **January 23, 2023** – Minutes
5. **February 6, 2023** – Minutes

Appointments

6. **Billerica Youth Advisory Committee (BYAC) – Paulia Kirik** – Application dated 2/3/23

Old Business

7. **Town Manager’s Contract – Discussion and Vote** – Draft Employment Contract, Major Points of Employment Agreement between the Town of Billerica and John Curran, TM Salary Compensation
8. **Town Manager’s Report** – Town Manager’s Report dated 2/22/23
9. **FY24 Final Budget Presentation** – FY2024 Budget Book and Presentation
10. **2nd Reading of Permanent Outdoor Seating Regulations** – Memo from Planning and Community Development Staff dated 2/22/23, Draft Outdoor Dining Regulations dated 2/27/23
11. **Update and Discussion on Dedication of a Town Parcel for a Snowden/Finnegan Family (Voted on June 6, 2022) – Requested by Member Burrows** – Excerpts of Meeting Minutes from 6/6/22

New Business

12. **Auditorium Renovation Discussion (ARPA)** – Memo from J. Curran dated 1/6/23

Executive Session

13. **Pursuant to G.L. c. 30A, §21 (3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares** – No Exhibits

Meeting Schedule

March 6, 2023 and March 20, 2022

Approved On: March 20, 2023