



BOARD OF SELECTMEN

TOWN HALL
365 BOSTON ROAD
BILLERICA, MASSACHUSETTS 01821
978-671-0939
FAX: 978-671-0947

Kimberly J. Conway, *Chairman*
Andrew N. Deslaurier, *Vice Chairman*
Edward J. Giroux, *Secretary*
George J. Simolaris, Jr., *Member*
Michael S. Rosa, *Member*

MEETING MINUTES

MARCH 18, 2019

A regular meeting of the Board of Selectman was held on Monday, March 18, 2019 at 7:00 p.m. in the Conway Hearing Room. Present were Selectman Kimberly Conway, Chairman, Selectman Edward Giroux, Secretary, Selectman Michael Rosa, Member, Selectman George Simolaris, Member, Town Manager John Curran, and Assistant Town Manager Cathleen O'Dea. Absent was Selectman Andrew Deslaurier, Vice Chairman.

CALL TO ORDER

Chairman Conway asked for a moment of silence for Daniel "Bubba" Goodwin who was very active in Billerica Pop Warner and Billerica Little League and a member of the School Committee. Mr. Goodwin passed away suddenly last week.

Open Microphone

Mr. Richard Mason, 16 Westwood Avenue, came to the podium regarding towing business.

Vacancies on Boards and Committees

Selectman Giroux stated that there were four (4) vacancies on the Scholarship Foundation Committee.

Selectman Giroux stated that the Billerica Health and Wellness Fair will be held on Saturday, April 13, 2019 at the Elks Hall on Webb Brook Road, from 10 to 1 p.m. Over 70 vendors will be participating this year to help in our community's effort to support the Health and Wellbeing of

America's Yankee Doodle Town

MEETING MINUTES

MARCH 18, 2019

-2

Billerica's residents through its mission to Engage-Educate- Energize . Please join us for information, displays, activities as well the opportunity to pick up our free updated booklet listing all the sponsors, vendors, and important related contact information we are lucky enough to have available to all here in Billerica.

All other announcements may be viewed on the Town of Billerica Website, Selectmen’s page.

MINUTES

February 25, 2019 (Executive Session)

Selectman Giroux, seconded by Selectman Rosa, made a motion to accept the Executive Session Minutes of February 25, 2019.

It was voted:

- 4 – In Favor
- 0 – Opposed
- 1 – Absent (Selectman Deslaurier)

Selectman Giroux, seconded by Selectman Rosa made a motion to release the Executive Session Minutes of February 25, 2019.

- 1 – In Favor (Selectman Rosa)
- 3 – Opposed
- 1- Absent (Selectman Deslaurier)

Chairman Conway stated the Executive Session Minutes of February 25, 2019 will not be released pursuant to MGL Chapter 30A, Section 22

January 28, 2019 (Regular Session)

Selectman Giroux, seconded by Selectman Rosa, made a motion to accept the Regular Session Minutes of January 28, 2019.

It was voted:

- 4 – In Favor
- 0 – Opposed
- 1 – Absent (Selectman Deslaurier)

MEETING MINUTES

MARCH 18, 2019

-3

PUBLIC HEARINGS

7:15 p.m. National Grid/Verizon-Alexander Road-National Grid is to Install 1 pole to service new customer at 15 Alexander Road, Plan #26755423.

Selectman Giroux, seconded by Selectman Rosa, made a motion to open the Public Hearing.

It was voted:

4 – In Favor

0 - Opposed

1 – Absent (Selectman Deslaurier)

Due to the fact that no one from National Grid was present for this item, the Public Hearing will be continued until Monday, April 8, 2019 at 7:15 p.m.

Selectman Giroux, seconded by Selectman Rosa, made a motion that this Public Hearing be continued to Monday, April 8, 2019 at 7:15 p.m.

It was voted:

4 – In Favor

0 – Opposed

1 – Absent (Selectmen Deslaurier)

Selectman Rosa would like to make sure it was known that there will be Street Opening permits involved due to conduits.

Town Manager's Report

-Fiscal Efficiency

- Professional Recognition

Town Manager John Curran highlighted for the Board items on his Town Manager's Report; i.e., Cable Contracts, Middlesex 3 Meeting, Permit Alley, Fire Station Pre-Bid Meeting and Clerical Classification Study.

MEETING MINUTES

MARCH 18, 2019

-4

Relative to the Cable Contract negotiations, Selectman Rosa asked if there could be a more substantial Senior Citizen Discount offered and about the leverage of the various packages they offer. Selectman Rosa asked when the bids were due in for the Fire Station.

Mr. Curran stated he thought it would be within the next 30 days.

Selectman Giroux asked what role do the cable companies have in retrofitting the Howe School.

Mr. Curran stated they do not have a role per se, but how the grants are structured that are given to the Town. Mr. Curran stated they want to make sure they are conducive in funding the Howe School project.

Selectman Giroux asked Mr. Curran if he expects bids back from all who asked for the bid packages.

Selectman Simolaris asked why there have been no Cable Advisory Committee meetings in a year.

Mr. Curran suggested asking the Committee Chairman.

Selectman Simolaris also commented on the Governor's office and the State Legislature wanting to change zoning changes from a 2/3 vote to a majority.

Mr. Curran explained what the process will entail.

Selectman Simolaris asked what the bids for the Fire Station will entail.

Mr. Curran stated it was for the full design of the station.

Selectman Simolaris asked if it would be in the same location in Pinehurst.

Mr. Curran stated it would be but will have a mechanical bay.

MEETING MINUTES

MARCH 18, 2019

-5

In response to Selectman Simolaris' question, Mr. Curran stated the Town would erect a Quonset hut type structure while the new station is under construction. He further stated the station will probably take less than 2 years to build.

Selectman Conway asked if the Town would go back out to bid for demolition and construction. Mr. Curran stated yes and would go back to Town Meeting for construction costs. Mr. Curran further stated it would probably be Fall Town Meeting.

Chairman Conway clarified that at the Middlesex 3 Meeting that it was not just a shortage of affordable housing, but a about a shortage of all housing that was mentioned.

Mr. Curran stated yes, it was for housing in the state in general.

Discussion on Remaining Portions of Cabot Land and Putting them in Conservation

Chairman Conway stated Selectman Rosa asked for this to be on the Agenda. Selectman Deslaurier is also working on this in another way. Selectman Deslaurier is having a delay. He is supposed to be calling in. Chairman Conway asked if this discussion could be postponed until the Warrant Article agenda item to enable Selectman Deslaurier to call in if he can.

Selectman Rosa passed out copies of the report from the Cabot Land Use Committee that was previously presented to the Board of Selectmen. He stated that he put this on the Agenda to discuss the process of putting the remaining portion in Conservation.

Selectman Rosa read the motion from the Cabot Land Use Committee Report.

Selectman Rosa also clarified with Mr. Curran that the process for the 10.888 acres was because we were using it for wetland mitigation for the Middlesex Turnpike project.

Selectman Rosa asked if there is a warrant article necessary to convey the remaining property to Conservation.

MEETING MINUTES

MARCH 18, 2019

-6

Mr. Curran stated you probably would need a warrant article even though the circumstances are different.

Selectman Rosa asked Chairman Conway if Mr. Curran and possibly add a placeholder for the warrant for moving the process along.

Mr. Curran stated he has no problem with keeping the land and using it for passive recreation, but just as the Town used the first 10 acres for mitigation with the DEP; if as an example the DPW is relocated and the Town has to replicate Conservation land, this is a good way to move something Town owned to Conservation land. Mr. Curran stated his reservation is that you are eliminating the opportunity to use it to mitigate the impacts of trying to lift a conservation restriction on the land behind the Water Treatment Plant.

Selectman Rosa stated he can appreciate Mr. Curran wanting to hold off in the event he would do other wetland replications. But having it in conservation protects it.. He further stated his goal is to protect the remaining property so that nothing happens to it.

Selectman Simolaris commented that the land where the temporary road on River Street was installed was already pristine. He had a concern that this property could be developed in the same manner

Selectman Giroux stated that the spring warrant has already closed. He suggested referring this back to the Cabot Land Use Committee . He stated he does not want to take any options away from the Town on what they can do with it.

Selectman Giroux asked if you could put the Bike Path there with conservation restrictions.

Mr. Curran stated you could put the Bike Path there. It is already routed around the 10 acre portion.

Selectman Rosa stated they have taken land before and transferred it to Conservation without a warrant article. Why would this be different. He cited the 19 acres behind the Locke Middle School.

MEETING MINUTES

MARCH 18, 2019

-7

Mr. Curran stated that land was donated with the intent of it being donated to Conservation. It had to be accepted by Conservation and then accepted by the Board. The land in question now is town property being conveyed to Conservation.

Selectman Rosa stated that the land isn't being sold, it is just moving it to another town entity.

Mary McBride, Chairman of the Cabot Land Use Committee came to the podium to answer questions from the Board.

Chairman Conway asked for clarification on why the Committee did not vote to place the entire parcel for conservation.

Ms. McBride stated the committee came back to consider some projects for the property. They did not vote on anything concerning the 10.888 acres.

Ms. McBride asked that if it should go to Fall Town Meeting, to give the Cabot Land Use Committee an opportunity to weigh in.

Chairman Conway agreed this matter should go back to the committee.

Selectman Rosa stated that we need to find out if a warrant article is necessary . He also stated that if the Cabot Land Use Committee has a meeting on the subject , talk with the committee about a recommendation.

NEW BUSINESS

KHD, Inc., d/b/a High Octane Harley Davidson, One Chelmsford RD, N. Billerica, MA

Re: Request for One Day Beer and Wine Licenses for the following:

- Saturday, May 4, 2019, 11:00 a.m.-4:00 p.m.**
- Thursday, May 16, 2019, 5:00 p.m.-8:30 p.m.**
- Thursday, May 30, 2019, 5:00 p.m.-8:30 p.m.**
- Saturday, June 1, 2019, 11:00 a.m.-4:00 p.m.**
- Thursday, June 13, 2019, 5:00 p.m.-8:30 p.m.**
- Thursday, June 27, 2019, 5:00 p.m.-8:30 p.m.**

MEETING MINUTES

MARCH 18, 2019

-8

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board approve a One Day Beer and Wine License for High Octane Harley Davidson, One Chelmsford Road, for Saturday, May 4, 2019 from 11:00 a.m. to 4:00 p.m.

It was voted:

4 – In Favor
0 – Opposed
1 – Absent (Selectman Deslaurier)

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board approve a One Day Beer and Wine License for High Octane Harley Davidson, One Chelmsford Road, for Thursday, May 16, 2019 from 5:00 p.m. to 8:30 p.m.

It was voted:

4 – In Favor
0 – Opposed
1 – Absent (Selectman Deslaurier)

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board approve a One Day Beer and Wine License for High Octane Harley Davidson, One Chelmsford Road, for Thursday, May 30, 2019 from 5:00 p.m. to 8:30 p.m.

It was voted:

4 – In Favor
0 – Opposed
1 – Absent (Selectman Deslaurier)

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board approve a One Day Beer and Wine License for High Octane Harley Davidson, One Chelmsford Road, for Saturday, June 1, 2019 from 11:00 a.m. to 4:00 p.m.

It was voted:

4 – In Favor
0 – Opposed
1 – Absent (Selectman Deslaurier)

MEETING MINUTES

MARCH 18, 2019

-9

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board approve a One Day Beer and Wine License for High Octane Harley Davidson, One Chelmsford Road, for Thursday, June 13, 2019 from 5:00 p.m. to 8:30 p.m.

It was voted: 4 – In Favor
0 – Opposed
1 – Absent (Selectman Deslaurier)

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board approve a One Day Beer and Wine License for High Octane Harley Davidson, One Chelmsford Road, for Thursday, June 27, 2019 from 5:00 p.m. to 8:30 p.m.

It was voted: 4 – In Favor
0 – Opposed
1 – Absent (Selectman Deslaurier)

Billerica Little League Opening Day Parade, Saturday, April 27, 2019 @ 8:00 a.m.

Selectman Simolaris commented on the history of the Little League Parade.

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board approve the route for the Billerica Little League Opening Day Parade on Saturday, April 27, 2019 @ 8:00 a.m.

It was voted: 4 – In Favor
0 – Opposed
1 – Absent (Selectman Deslaurier)

Fuel Storage License Name Change from A'Ampolo Automotive to JJJ Realty Trust for premises located at 299 Boston Road (Name Change only).

Deputy Fire Chief Stephen Kennedy, John Saad and Sal D'Ampolo came to the podium for this item.

MEETING MINUTES

MARCH 18, 2019

-10

Selectman Simolaris commented that Mr. D’Ampolo has been a mainstay in Billerica for many years and wished him well in his retirement.

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectman approve a name change for a Fuel Storage License from D’Ampolo Automotive, Inc. to JJJ Realty Trust for premises located at 299 Boston Road.

It was voted:

4 – In Favor

0 – Opposed

1 – Absent (Selectman Deslaurier)

The entire Board wished Sal well in his retirement.

Shawsheen River Watershed Association , Re: Permission and Acceptance of Road Signs as Town Property at Designated Sights Relative to the Shawsheen River.

Sharon Lapham and Laurie Hartwick from the Shawsheen River Watershed Association appeared at the podium for this item.

Ms. Lapham stated they were there to present signs that were purchased from a Community Grant.

Selectman Rosa confirmed that the Association would like the signs deemed municipal signs and have the Town maintain them

Mr. Curran asked if the signs were already installed.

Ms. Lapham stated no. The grant was made so that the Town would install the signs.

Ms. Lapham showed the Board the actual signs to be installed.

Selectman Rosa suggested that the Association get together with the DPW to make sure they are in sync on where the signs should be installed.

MEETING MINUTES

MARCH 18, 2019

-11

Chairman Conway asked about the signs that were to be installed after approval by the Conservation Commission. She stated she is not comfortable voting on this without prior approval from Conservation.

Ms. Lapham stated she had spoken with the Conservation Director on placing the Buckingham signs so as not to infringe on wetlands and neighbors.

Mr. Curran stated that this should go through Conservation.

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen accept as Municipal Signs the signs as presented by the SWRA contingent upon approval from the Conservation Department/Commission.

It was voted:

4 – In Favor

0 – Opposed

1 – Absent (Selectman Deslaurier)

Billerica Recreation, Permission to place 4 Lawn Signs on the Town Common from April 29 through May 4, 2019 to advertise Clean Up Green Up scheduled for May 4, 2019.

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen grant permission for Billerica Recreation to place 4 Lawn Signs on the Town Common from April 29 through May 4, 2019 to advertise Clean Up Green Up scheduled for May 4, 2019.

It was voted:

4 – In Favor

0 – Opposed

1 – Absent (Selectman Deslaurier)

Billerica Recreation, Permission to place 4 Lawn Signs on the Town Common from June 13 through August 6, 2019 to advertise their Summer Concert Series

MEETING MINUTES

MARCH 18, 2019

-12

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen grant permission for Billerica Recreation to place 4 Lawn Signs on the Town Common from June 13 through August 6, 2019 to advertise their Summer Concert Series.

It was voted:

4 – In Favor

0 – Opposed

1 – Absent (Selectman Deslaurier)

Spring 2019 Town Meeting Warrant Articles

Chairman Conway stated that Selectman Deslaurier had intended to call into the meeting. He had a family emergency. She asked Mr. Curran if this could be postponed until he could be present.

Mr. Curran stated this was to approve the warrant not the warrant articles. If the Board is comfortable they could move the warrant . They could take articles separately and vote to endorse or not endorse.

Selectman Rosa stated that Mr. Curran is asking the Board to vote on Articles prior to a certain deadline prior to sending it to the final warrant.

Mr. Curran detailed each of the articles for the Board and answered questions.

Article 2

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 2 to hear the Reports of Town Departments.

It was voted:

4 – In Favor

0 – Opposed

1 – Absent (Selectman Deslaurier)

Article 3

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 3 to Transfer Funds between 2019 Budget Line Items.

MEETING MINUTES
MARCH 18, 2019

-13

It was voted:

4 – In Favor
0 – Opposed
1 – Absent

Article 4,5,and 6

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Articles, 4, 5, and 6.

It was voted:

3 – In Favor
0 – Opposed
1 – Abstention (Selectman Conway)
1 – Absent (Selectman Deslaurier)

Articles 11,15,16,17,19, and 20

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Articles 11, 15, 16, 17, 19, and 20.

It was voted:

4 - In Favor
0 – Opposed
1 – Absent (Selectman Deslaurier)

Articles 12,13, and 14

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Articles 12, 13, and 14.

It was voted:

3 – In Favor
0 – Opposed
1 – Abstention (Selectman Conway)
1- Absent (Selectman Deslaurier)

Article 18

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectman authorize Article 18.

MEETING MINUTES

MARCH 18, 2019

-14

It was voted:

- 3 – In Favor
- 0 – Opposed
- 1 – Abstention (Selectman Conway)
- 1 – Absent (Selectman Deslaurier)

Articles 21,22, and 23

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 21.

It was voted:

- 3 – In Favor
- 1 – Opposed
- 1 – Absent (Selectman Deslaurier)

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 22.

It was voted:

- 4 – In Favor
- 0 – Opposed
- 1 – Absent (Selectman Deslaurier)

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 23.

It was voted:

- 4 – In Favor
- 0 – Opposed
- 1 Absent (Selectman Deslaurier)

Article 26

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 26.

It was voted:

- 4 – In Favor
- 0 – Opposed
- 1 – Absent (Selectman Deslaurier)

MEETING MINUTES

MARCH 18, 2019

-15

Article 27

Selectman Simolaris asked what the Plant improvements were relative to this article.

Mr. Curran explained the improvements and the money associated with each improvement.

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 27.

It was voted:

4 – In Favor

0 – Opposed

1 – Absent (Selectman Deslaurier)

Selectman Deslaurier joined the meeting via telephone at 8:15 p.m.

Article 28

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 28.

It was voted:

5 – In Favor

0 – Opposed

Article 29

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 29.

It was voted:

5 – In Favor

0 – Opposed

MEETING MINUTES

MARCH 18, 2019

-16

Article 30

Selectman Simolaris asked about stopping ground water from coming into the sewer system.

Mr. Curran explained the process.

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 30.

It was voted:

5 – In Favor

0 – Opposed

Article 31

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 31.

It was voted:

5 – In Favor

0 – Opposed

Article 32

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 32.

It was voted:

5 – In Favor

0 – Opposed

MEETING MINUTES

MARCH 18, 2019

-17

Article 34

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 34.

It was voted: 5 – In Favor
0 – Opposed

Article 35

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 35.

It was voted: 5 – In Favor
0 – Opposed

Article 36

Selectman Rosa asked that if the poles were owned by National Grid, would they be doing the installation.

Mr. Curran stated the Town would do the installation through the program.

Mr. Curran stated the Town is doing this in conjunction with National Grid.

Selectman Rosa asked if it would include public participation.

Mr. Curran stated he would look into it.

Selectman Giroux, seconded by Selectman Rosa, made a motion to authorized Article 36 as amended to include the words “purchase and install”.

It was voted: 5 – In Favor
0 – Opposed

MEETING MINUTES

MARCH 18, 2019

-18

Article 37

Selectman Simolaris asked how much the tax break is for the TIFF Agreement

Mr. Curran stated it will be about \$5,000,000.00 per year.

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 37.

It was voted:

5 – In Favor

0 – Opposed

Article 38

Mr. Curran stated this article had been submitted in the Fall and has been amended and resubmitted for the Spring session. The amendments were reviewed by Mr. Curran and the Board.

Mr. Curran stated in response to Selectmen Simolaris' question that it is not "by right", it is a special permit that goes through the Planning Board.

Selectman Rosa stated that this article is to create the PUD overlay and to place it in a specific location. The article lacks the definition on what an Industrial Park is.

Selectman Rosa stated he would like to work with Mr. Curran and Mr. Rob Anderson on this article. He further stated he hopes the Board does not support the article at this time. He would like to see the short falls of this article filled in, and make it an article that protects the Town.

Selectman Giroux stated that the Board is just voting to include the article in the warrant. He stated that Town Meeting should be able to weigh in on this. There is ample time for amendments to be made.

MEETING MINUTES

MARCH 18, 2019

-19

Selectman Simolaris expressed his concern on the 35' between buildings and cutting down on the amount of open space.

Selectman Deslaurier stated he fully supports this article moving forward. This is responsible development. Selectman Deslaurier referenced Alpine Village and the disruptions to the neighborhood.

Chairman Conway stated she will be supporting this article. She encouraged Selectman Rosa in any fine tuning of this article that needs to be done. She further stated that people that are pro open space should be supporting this article. This location is exactly where housing development should go.

Selectman Rosa stated there is no language in in the article that ties residential development to commercial industrial development. Selectman Rosa referenced 3rd Avenue. No residential development went in until all industrial development did. Traffic needs to be addressed. Selectman Rosa stated his concerns about pushing the parking lot up to the back where Marshall, Elliott, and Mallard Streets are. It is impossible to do a traffic mitigation where there are homes right there and because of the way the houses are constructed on small lots. That is where the traffic will be funneled.

Selectman Giroux, seconded by Selectman Deslaurier, made a motion that the Board of Selectmen authorize Article 38.

It was voted:

3 – In Favor

2 – Opposed (Selectmen Rosa and Simolaris)

Article 39

Commenting on this article, Selectman Rosa stated this should be a strictly worded document stating what is intended to be done not what you think will be done. Selectman Rosa further stated he hopes will vote against this article.

MEETING MINUTES

MARCH 18, 2019

-20

Selectman Giroux, seconded by Selectman Deslaurier, made a motion that the Board authorize Article 39.

It was voted:

3 – In Favor

2 – Opposed (Selectmen Rosa and Simolaris)

Article 40

Selectman Simolaris confirmed with Mr. Curran that the property owner was in favor of this article and asked about buffer zones for neighboring Streets in the area.

Mr. Curran stated the property owner is in favor, and there are neighborhood buffer zones in place.

Selectman Rosa again expressed his concerns that you blindly overlay a property not knowing what is going to be there, you give people a legal right to do what they want. These types of petitions should go before Town Meeting as well as the Planning Board process.

Selectman Giroux, seconded by Selectman Deslaurier, made a motion that the Board of Selectmen authorized Article 40.

It was voted:

3 – In Favor

1 – Opposed (Selectman Rosa)

1 – Abstention (Selectman Simolaris)

Article 41

Selectman Simolaris clarified with Mr. Curran the intent of the Article.

Selectman Rosa asked if Town Counsel had reviewed this article.

Mr. Curran stated he had reviewed this with Town Counsel. He further stated he would do research to see if there was any case law.

MEETING MINUTES

MARCH 18, 2019

-21

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectman authorize Article 41.

It was voted: 5 – In Favor
0 – Opposed

Article 42

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 42.

It was voted: 5 – In Favor
0 – Opposed

Article 43

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board of Selectmen authorize Article 43.

It was voted: 5 – In Favor
0 – Opposed

Request for Public Hearing for Srija Foods, d/b/a Pinehurst Tavern, 786 Boston Road, for afterhours service of alcohol

Chairman Conway stated she will be recusing herself from this item. Chairman Conway left the Hearing Room.

Police Chief Dan Rosa came to the podium and stated the purpose of the hearing was for after - hours service of alcohol. Chief Rosa stated there has been a lack of cooperation from the establishment. There may be other violations as well.

MEETING MINUTES

MARCH 18, 2019

-22

Selectman Rosa asked if there should be a specific reason to ask for a hearing.

Chief Rosa stated this was for after- hours service violation.

Selectman Rosa, seconded by Selectman Simolaris, made a motion that the Board of Selectmen schedule a Show Cause Hearing for Srija Foods, d/b/a Pinehurst Tavern, 786 Boston Road on April 8, 2019 at 7:30 p.m.

It was voted:

3 – In Favor

0 – Opposed

1 – Abstention (Selectman Conway)

1 – Absent (Selectman Deslaurier)

Chairman Conway returned to the Hearing Room after this article had been addressed.

MEETING SCHEDULE

April 8 and 22, 2019

Selectman Rosa wished luck to all of the candidates running for office in the upcoming election on April 6th. He encouraged residents to get out and vote.

ADJOURNMENT

Selectman Giroux, seconded by Selectman Rosa, made a motion to adjourn.

It was voted:

5 – In Favor

0 – Opposed

Chairman Conway adjourned the meeting at 9:15 p.m.

A TRUE COPY ATTEST

MEETING MINUTES

MARCH 18, 2019

-22

Selectman Rosa asked if there should be a specific reason to ask for a hearing.

Chief Rosa stated this was for after- hours service violation.

Selectman Rosa, seconded by Selectman Simolaris, made a motion that the Board of Selectmen schedule a Show Cause Hearing for Srijia Foods, d/b/a Pinehurst Tavern, 786 Boston Road on April 8, 2019 at 7:30 p.m.

It was voted:

3 – In Favor

0 – Opposed

1 – Abstention (Selectman Conway)

1 – Absent (Selectman Deslaurier)

Chairman Conway returned to the Hearing Room after this article had been addressed.

MEETING SCHEDULE

April 8 and 22, 2019

Selectman Rosa wished luck to all of the candidates running for office in the upcoming election on April 6th. He encouraged residents to get out and vote.

ADJOURNMENT

Selectman Giroux, seconded by Selectman Rosa, made a motion to adjourn.

It was voted:

5 – In Favor

0 – Opposed

Chairman Conway adjourned the meeting at 9:15 p.m.

A TRUE COPY ATTEST



Sue Aker, Recording Secretary