

BILLERICA FINANCE COMMITTEE MINUTES

April 4, 2023

A meeting and Public Hearing of the Billerica Finance Committee was held on Tuesday April 4, 2023, at 7:00 p.m. in Room 210 in the Town Hall.

Present: David Gagliardi, Chairman; John Mulloy, Vice Chairman; Mary McBride, Secretary; Donald Damon, Member; Douglas Fogerty, Member; Sharon Healey, Member; Patrick Logue, Member; Philip Newfell, Member; Larry Norman, Member; Darlene Torre, Member; Brian Dorrington, 2nd Associate; Paul Watson, Ex-Officio Town Accountant; and Joyce MacMillan, Recording Clerk.

Excused: Doug Meagher, Member

CALL TO ORDER:

Chairman Dave Gagliardi called the meeting to order at 7:00 p.m.

PUBLIC COMMENT:

None

FY24 BUDGET:

Conservation Budget – Isabel Tourkantonis, Recreation Director

A summary of the budget and a summary of programs and services and day-to-day activities.

Chairman Gagliardi opened the floor to the committee for questions or concerns. A short discussion regarding the Billerica beaver population and beaver control. Under supplies and expenses is signage and education, can you explain this? Conservation provides metal placards around town for different areas to help make folk aware of the environment and help provide good stewardship of sensitive areas near wetlands and such.

John Mulloy seconded by Patrick Logue made a motion to recommend the Conservation Commission Budget in the amount of \$264,350.

It was voted:

10 – In favor
0 – Opposed
1 – Abstain - Fogerty

Board of Health – Kristel Bennett, BOH Director

A summary is provided in the budget book. There are not too many changes this year. COVID has calmed down some and we are focusing on day-to-day operations.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Are you still doing COVID Boosters? Yes, you can contact the nurse about that. What about COVID tests? Yes, we have lots of tests, come down to get some. Funeral Director Permits, is that so the funeral homes can operate? Yes, it is a Mass General Law they operate under the Board of Health. How are things in the BOH now with the downturn of COVID? We still get the upticks of COVID, but the numbers are trending down. We have Food Safety, nuisance complaints, and a couple of hoarding houses come along. The work never stops for the Board of Health. What will the BOH do with the extra time now that you do not have to deal with storm water? We are trying to focus on Mental Health and start a hoarding program. We have several homes identified and we want to make sure people can live in their homes safely. It is a team approach with the COA, Police and Fire. We are also making sure we are up to date

with all the state changes, they just updated the housing code. Does the BOH have any role as to where or how the Opioid funds are spent? There are discussions between the BOH, the Substance Awareness Committee, the Administration, and the Police. Can you elaborate on the 233 complaints issued? I see there were 20 for mask complaints but do we issue many fines? Yes, but not many and the revenue we get from the fines goes to the General Fund. Do you do anything with Food Safety and outreach with restaurants? There was a pause to food safety and education, and we are working on getting that going. We want to bring back in-service training, grease training and looking into inspectional software and setting up training dates for use of it. Last year was the first year for the Community Services Coordinator, looking at what this person does (tax prep, immigration attorney), would a part time nurse or LPN be better? Tax prep is not what they are doing. The department gets many calls for resources, saying the need tax preparation, or I need a referral for housing, and it is usually people that fall in the gap where they are not eligible for COA, Veteran Service or qualify for services through the schools, etc. In the future they would like to add a Social Services worker.

John Mulloy, seconded by Larry Norman made a motion to recommend the Board of Health Budget in the amount of \$482,443.

It was voted:

9 – In favor
2 – Opposed –Logue &
Newfell

Building Department – Mark LaLumiere, Building Commissioner

Mark LaLumiere provided the committee with a handout prior to the meeting and there is a summary in the budget book. The budget decreased this year due to retirements.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Under the number of permits, there in 1400 building permits, are they single family, new construction, or something else? It is probably 60/40 residential vs commercial. Less commercial but greater fees, the inspectors are out more often with the commercial sites. It can be construction of new buildings, tear down rebuilds, decks, sheds, kitchen/bath remodels, insulation, roofs, and windows and more. Town-owned tax title land, does that fall under the building Department? If there is a permit on it. Building on an unaccepted road, does the builder have to bring the road up to standard? Depending on the situation, there are many variables to take into consideration such as where the property is. Is it in the middle of the street with buildings on each side, is it an end lot, etc. You were working on building fees, have you got anywhere with that? There is a warrant article that will be coming before the Town Meeting. The building fees have not been raised in well over 10 years. For the longevity payment, you're at step 9 and get \$2100 but then you have Mr. Vitale at step 5, and he gets \$2800, why is that? It is based on years of service not the step. Is the milage a negotiated rate? It is a flat rate. Do you require SEER2 for the new installation of a furnace? With the new energy code, yes. The new energy code goes into effect July 1, 2023. On supplies and expenses, where are the decreases coming from? Previously we had money for tablets. That was a one-time expenditure. Also, contract services went down. Why? The excess funds were for scanning/digitized documents. We are all caught up and from here on all incoming and created documents will be scanned. Where do the \$1.1 million and surplus fees go? Into the general fund. Unauthorized signage around town, mostly notices stapled to a telephone pole, how are they handled? Our Inspectors removes them, and so does the DPW. We do call the

people to ask them to come pick up their signs so we can fine them. The signs are not usually picked up. Do you ever have criminal fines? We do not have the ability to charge criminal fines, but certain violations we can request prosecutions.

John Mulloy seconded by Don Damon made a motion to recommend the Building Department Budget in the amount of \$765,066.

It was voted:

10 – In favor
1 – Opposed - Dorrington

Veterans Services – Donnie Jarvis, Veterans Services Director

Donnie Jarvis started in the department in September, he has modified the budget slightly from previous years to better serve the veterans in town. There is a line item for Veterans benefits that we decreased funding because they were not utilizing all the funds. Some of the funds were reallocated to create new line items that would help them reach, connect, and serve more veterans in town.

Chairman Gagliardi opened the floor to the committee for questions or concerns. There is \$6400 for Veteran Outreach, what will your outreach consist of? Part of the funds will be for mailers to all the veterans in town that we will send out twice a year. One went out in November, and another will go out in May. About how many veterans are there in town? From the list Jarvis pulled, there are just under 1800. He believes it is actually about 2000, 1800 comes from the census. We are doing a BATV program on June 12, 2023, (which is National Women’s Veterans Day) in honor of the women veterans in Billerica, which is about 170. There was mention about a project you were doing with veteran head stones, what is that? There is a Mass state law that is called Care of Veterans graves, we have created the Veteran Grave Officer position. Currently it will be Donnie Jarvis and an appointed Veteran from town. Starting in Spring when the weather is a little warmer, we will create Billerica’s Honor Platoon where volunteers will take care of veteran graves from Spring to Fall.

John Mulloy seconded by Larry Norman made a motion to recommend the Veterans Services Budget in the amount of \$404,696.

It was voted:

9 – In favor
0 – Opposed
2 – Abstain – Logue & Newfell

WARRANT ARTICLES:

Article 25 – Community Preservation Committee Recommendations – Travis Brown, CPC Chairman

To see if the Town will vote to appropriate or reserve the sum of \$1,100,000 from Community Preservation Fund annual revenues for committee administrative expenses, debt service and special purpose fund balance. See Warrant for complete list.

Travis Brown provided the committee with a handout prior to the meeting and gave a brief description of the CPC and some of the great projects they were part of. Then went over the current projects looking for funding that have been approved by the CPC.

Chairman Gagliardi opened the floor to the committee for questions or concerns. The FCCB, what is this one for? First Congregational Church Billerica, the sill is disintegrated. If nothing is done with it, the building is at risk. The building has been a part of the town's history since the 1820's. Is there any way to separate the projects into multiple CPC articles? It can be asked on the Town Meeting floor. The new construction on Mason Ave., is that going to be a single or multi family? Single family.

The document preservation, is there any kind of display component? It is the storage area downstairs in the Howe Building, there will be archival shelving, storage, and boxes, it will not be for display. They can pull items and rotate the historical pieces to be displayed. The Masonic offices and meeting rooms, who will be using them? The first floor of the building will continue to be used by the Community Food Pantry. The FCCB project description stated something about helping for the use of the community. How does it help the community? Currently, many groups meet there, the Boy Scouts, AA, there is a preschool/daycare there and gamblers Anonymous, the Yankee Doodle Committee meets there, and other groups. The Housing Project, who owns the land? The Housing Authority owns it. Once these projects are done, what would the CPC balance be? A little over a million dollars. On the FCCB, what is the payback as far as the town is concerned? This project is for Historical Preservation, the building is a historical building, and this is a way to help preserve this structure. Were there any other projects submitted that were turned down? No, there were a couple that were withdrawn but not turned down. Is the church being asked to put a Historic Restriction on the property similar to what was asked of the Clara Sexton House? The church is already registered as a historic building, not sure they would need the restriction. Travis said he would get back to the committee regarding that question.

John Mulloy, seconded by Darlene Torre, made a motion to recommend Article 25 as printed in the Preliminary Warrant.

It was voted:

8 – In favor
3 – Opposed –
Dorrington, Logue &
Mulloy

Article 42 – Petitioner Article – Steve Lentine, Attorney

To see if the Town will vote to amend the Zoning By-Laws and the Zoning Map by re-zoning from Neighborhood Residence Zone to Neighborhood Business Zone, the land owned Brian D. Goguen and Laureen Goguen, identified as Billerica Assessor's Map 69, Parcel 77-1, having a present street address of 164 Concord Road, Billerica and as shown on the attached perimeter plan entitled "ReZoning Plan, 164Concord Road, Billerica, MA, dated March 10, 2023, bounded and described as follows: See Exhibit A attached in the Preliminary Warrant.

Attorney Lentine gave a brief overview of the article, stating the owners of the property, Brian and Laureen Goguen (164 Concord Road) are petitioning to re-zone the property from neighborhood residence to neighborhood business. They would like to make their nephew Thomas Goguen a Tom a partner in the Tax/Financial Adviser business, as Brian would like to lessen his hours and start to move towards retirement. They purchased the property about 20 years ago and had to get a special permit to use the home as a residence and office. This

type of petition will need two thirds vote at the Town Meeting. They have a Planning Board meeting April 10, 2023, for a recommendation for Town Meeting. The building for FY23 is assessed at \$718,600 and results in taxes over \$10,000. If re-zoned, the potential taxes could be about \$19,000.

Chairman Gagliardi opened the floor to the committee for questions or concerns and asked the committee to keep their questions to financial only. Will the re-zoning restrict what kind of business can be done on the property? Yes, would not be able to put a fast-food place or anything like that on it. Why is the house not on the state or local historic registry? It is on their to do list to investigate that. (It actually is on the State list, working to add it to the local.) If it is zoned to be a neighborhood business, does that mean it can no longer be used as a home? It would not be able to be both, it could be one or the other. Have any neighbors expressed concern? Brian did speak to his immediate neighbors, two are okay with it, one is against it and the other he has not spoken to enough. The Planning Board will hear this Article next week. What do you think the property's value would be if it was rezoned? We did ask a real estate person to give us an idea of what it would be worth, it is not an official evaluation, but he did think it would be worth more as a residence. How many staff members are there? At this time six, of whom two that have been there for over 20 years along with Tom and Brian.

John Mulloy, seconded by Patrick Logue, made a motion to recommend Article 42 as printed in the preliminary warrant.

It was voted:

11 – In favor
0 – Opposed

Article 30 – New Vehicle for Assessors Office – John Speidel, Town Assessor

To see if the Town will vote to transfer from Overlay Surplus the amount of \$35,000 to fund the purchase and equipping of a new vehicle for purposes of data collection and appraisal services for the Board of Assessors Office, including any costs incidental or related thereto.

They have three people that go out in the field regularly and they have two vehicles, a fairly new Equinox that's nice and an old Ford LTD that is scary to drive.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Is \$35,000 enough? Yes, we're looking at a small Toyota. What do you use the vehicles for? We have one person that must go to every house in town once every ten years for an inspection. The Assistant Assessor takes care of permits, abatements and anyone that wants their house looked at. Then there is one person that makes Personal Property and business visits all day. Besides the Fire and Police, how many departments have vehicles assigned to them? DPW and Recreation and Conservation not sure who else. Would it be more feasible to have a fleet type pool of vehicles? It would be something to investigate while we are also looking into what we would do if we were to purchase electric vehicles.

John Mulloy, seconded by Don Damon made a motion to recommend Article 30 as printed in the Preliminary Warrant.

It was voted:

11 – In favor
0 – Opposed

Article 31 – To Fund Appraisal and Consulting Costs to Defend the Town I Trials at the Massachusetts Appellate Tax Board - John Speidel, Town Assessor

To see if the Town will vote to transfer from Overlay Surplus the amount of \$215,000 to fund appraisal and consulting costs to defend the Town in trials at the Massachusetts Appellate Tax Board.

John Speidel stated the Town is involved in a lot of Appellate Tax Board cases. There are a couple of big lawsuits going on with a lot of money at stake. Between Real Estate and Personal Property, the value is about \$120 million.

Chairman Gagliardi opened the floor to the committee for questions or concerns. The current data Center says the property is \$30 million and we say its \$54 million, what's the difference in taxes? It's about \$700,000 difference per year. This is a multiyear case. What is the retainer, and did we already pay that? We have an attorney on retainer. It won't be more than the \$215,000, will it? It could be, we just never know.

John Mulloy, seconded by Larry Norman, made a motion to recommend Article 31 as printed in the preliminary warrant.

It was voted:

11 – In favor
0 – Opposed

Article 40 – Increase Income Limits on Clause 41 Seniors – John Speidel, Town Assessor

To see if the Town will vote in accordance with G.L. c. 59, 85 clause 41D, to increase the whole estate allowance for applicants for real estate tax exemption under G.L. c. 59 85, clause 41C annually by an amount equal to the increase in the Consumer Price Index published by the United States Department of Labor, Bureau of Labor Statistics, for such year, with the Department of Revenue to annually inform the Town of the amount of this increase.

John Speidel stated that they could raise it through the COLA and this year it was 5%. The maximum asset values were created back in the 70s and they're much too low because they haven't been increased. We would like to increase the minimum asset and income amounts for Clause 41C every year by the COLA as determined by the department of Revenue.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Is this a percentage increase? This year (FY23) the COLA was 5%. We don't know what the FY24 COLA percentage is yet. Do other communities do this? Yes, Chelmsford, Carlisle and Bedford are a few of the communities that do. Under these guidelines can a senior apply even if they do not meet the guidelines? They can submit it, but it would be denied.

John Mulloy, seconded by Patrick Logue, made a motion to recommend Article 40 as printed in the preliminary warrant.

It was voted:

11 – In favor
0 – Opposed

Darlene Torre left the meeting at 9:50 pm

Article 26 – Restoration of Water Tanks – Fred Russell

To see if the Town will vote to raise and appropriate, transfer, or borrow a sum of \$3,000,000 for design, bidding, and construction for the complete restoration of the Boston Road Water Storage Tank and partial restoration of the Crosby Hill Water Storage Tank, including any costs incidental or related thereto.

This is for the two water tanks in town, the big one near the mall and is about 7.5 million gallons and the smaller tank on Crosby Hill holds about 1.5 million gallons. A complete restoration will be done on the one on Boston Road which was last done back in 2006, 17 years ago. Under the American Water Works Associations goals of standards says they should be done about every 13 to 15 years. The Crosby Hill tank was done not as long ago. However, they are calling for that tank to be replaced with a larger tank to get a better hydraulic capacity.

Chairman Gagliardi opened the floor to the committee for questions or concerns. When would this take place? If we get funding in May then it would go out to bid this summer and it would be best to do it at “off peak hours” which would be the fall. How much for each tank? The Crosby tank would be about \$100,000 and the rest would be the big tank. About how much would a new tank cost? About \$6 to \$6.5 million. What would the capacity be on that one? About 3 to 3.5 million gallons. Do the tanks each have different telecommunications? Yes. What happens to them during restoration? They will have to be removed. Will that disrupt service in the area? We don’t know yet, that will be determined in the Design and Bidding process included in this Article.

John Mulloy, seconded by Don Damon made a motion to recommend Article 26 as amended.

It was voted:

10 – In favor
0 – Opposed

Article 27 – Unidirectional Water Flushing – Fred Russell

To see if the Town will vote to appropriate from Water Retained Earnings the sum of \$100,000 for the development of a Townwide Unidirectional Water Flushing Program, including any costs incidental or related thereto.

This would be a new way of flushing the system. Start at the source and would valve off hydrants, flush the mains first then branch out. The currant flushing program is not what it should be. This and the cleaning of the water tanks should be a big help to alleviating the brown water issues.

Chairman Gagliardi opened the floor to the committee for questions or concerns. How much will get done for \$100,000? It is a one-time cost, to create a Program for long-term standards for the Water staff to follow. You are still doing the annual checks on the hydrants? Yes. How many miles of water pipes do we have? Roughly 200 miles. Do other communities do their flushing the way we currently do it? Not sure but the communities that do this Unidirectional Flushing have had great success with it.

John Mulloy, seconded by Mary McBride, made a motion to recommend Article 27 as printed in the preliminary warrant.

It was voted:

10 – In favor
0 – Opposed

Article 28 – Repairs of Sanitary Sewer Pump Stations – Fred Russell

To see if the Town will vote to appropriate from Wastewater Retained Earnings the sum of \$100,000 for the repair and reconstruction of three existing sanitary sewer pump stations, including design and construction cost and any costs incidental or related thereto.

This is to rebuild the motors on three existing pump stations. The funds are just to purchase the equipment, the staff does all the servicing and save hundreds of thousands of dollars.

Chairman Gagliardi opened the floor to the committee for questions or concerns. The staff does all the rebuilding. Yes, all of it. How much is in the Wastewater Retained Earnings Account? About a million dollars.

John Mulloy, seconded by Larry Norman, made a motion to recommend Article 28 as printed in the preliminary warrant.

It was voted:

9 – In favor
0 – Opposed
1 – Abstain - Damon

Article 29 – To Fund the Upgrades to the Existing SCADA System at the Water Resource Recovery Facility (WasteWater) – Fred Russell

To see if the Town will vote to appropriate from Wastewater Retained Earnings the sum of \$250,000 for upgrades to the existing SCADA system at the Water Resource Recovery (WasteWater) Facility, including any costs incidental or related thereto.

This is to replace the SCADA System which is the brains of the Wastewater System. It will be funded by WasteWater Retained Earnings. The current system is very old, and we can no longer get parts for it.

Chairman Gagliardi opened the floor to the committee for questions or concerns. The new system will be state of the art. Does the Water Treatment Plant have the same system. They do, but theirs is more up-to-date. What does SCADA stand for? Supervisory Control and Data Acquisition. It is a closed loop system so no one can tamper with it. There is someone at the plant all the time and an on-call list. What is the function of the Water Resource Recovery Facility? It's just a new name for the WasteWater Treatment Plant. Will there be an operating cost with this? No, we have our own operators.

John Mulloy seconded by Patrick Logue made a motion to recommend Article 29 as printed in the preliminary warrant.

It was voted:

10 – In favor
0 – Opposed

Miscellaneous Correspondence:

Next Finance Committee Meeting Tuesday April 13, 2023

ADJOURNMENT:

Larry Norman, seconded by Sharon Healey made a motion to adjourn.

It was voted:

10 – In favor
0 – Opposed

Chairman David Gagliardi adjourned the meeting at 10:18 pm.

Joyce MacMillan, Recording Clerk