

BILLERICA FINANCE COMMITTEE MINUTES
April 12, 2022

A Public Meeting of the Billerica Finance Committee was held on Tuesday April 12, 2022, at 7:00 p.m. in room 210 of the Town Hall

Present: David Gagliardi, Chairman; Doug Meagher, Vice Chairman; Mary McBride, Secretary; Donald Damon, Member; Doug Fogerty, Member, Patrick Logue, Member; Rino Moriconi, Member; John Mulloy, Member; Philip Newfell, Member; Kelley Sardina, 1st Associate, Sharon Healey, 2nd Associate; Paul Watson, Ex-Officio Town Accountant; and Joyce MacMillan, Recording Clerk.

CALL TO ORDER:

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

PUBLIC COMMENT:

None

BUDGET:

Billerica Public Schools – Tim Piwowar, Superintendent; Robin Hulsoor, Director of Finance and Operations; and Jill Geiser, Assistant Superintendent

Dave Gagliardi, Doug Meagher, Doug Fogerty and Sharon Healey disclosed that they each have a family member that works for the school department, but that Ethics has said each can vote on the bottom-line Budget.

The committee was given handouts prior to the meeting. Mr. Piwowar, Ms. Hulsoor and Ms. Geiser went over their handouts/presentation for the committee of what was new, changed or stayed the same.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Mr. Piwowar mentioned a credit from Valley Collaborative, is that due to overcharging? No, it is due to good financial operations and a conservative budget at Valley. They are increasing their tuition for the first time in six or seven years. Projection for next year is about thirty-eight private students, nineteen for Valley and ten for other collaboratives. Sports costs, is it per semester? No, per season with a family cap of \$800. There is a Fall, winter, and spring season. Homeless transportation, in twenty-one actual was \$15,645 and budgeted for FY 22 and 23 is \$145,000 why the big difference? Due to COVID, it is normally about \$145,000. It went down during COVID due to being remote. What kind of things go without when you reduce the school discretionary line item in individual schools' budgets? Some staff training, professional development, some supplies, things like that. It is a little easier on some levels than others with the move to electronic media. Legal services, you said that was labor counsel? Yes. And you are comfortable with that with the five contracts that you will be negotiating? Yes, been doing it for ten years now and we are comfortable with it.

Do you look out for the educational changes for the kids starting out K through five, the world changes and if what they learned in their first six years become irrelevant? Yes, they have been addressing that issue, they have committee working on what is coming next. Will all five collective bargaining be ready for Fall? Hopefully. They are each currently in the early stages of negotiations. Is Chapter 70 going down? No, it is just not going up as fast. The increase in athletics and the decrease to coaches' salaries, are we going to back fill them? The additional revenue goes into the revolving account, and we will be able to use coaches' salary in the revolver. Other salaries went up by 6.43% (about a half million). System wide/elementary school music teachers, change is zero. Systemwide professional salary, elementary specialist is 2.0, should be it be 4.0? Yes, it is an error in the book, it should be 4.0. What is alternative HS salary? It is the evening diploma program, what is formerly known as night school. Guidance system assessment for \$10,000, what is that? That was for PSAT, because they were not able to give them in person in 2021. Can we get something on the revolving funds? Robin will get it over to the committee as soon as possible. On the cafeteria, what kind of funding are we getting from the state or federal government? The student meal reimbursement will be ending on June 30, 2022. In September we will be back to students paying for lunches. With all the school ball fields being taken care of by the Town now, there should be a savings there. The Town took over the maintenance of the fields in 2019, the savings were already captured back in 2019. Is postage going up or is usage going down? We are reducing the amount spent on postage. Homeless Transportation is going up to \$145,000, is there any assistance from the state on that? The state stopped funding transportation in the early 2000's. Do you know the amount you received in COVID funds for FY 2021/22? It was \$79,000 in school nutrition, \$191,000 state COVID preventive funds, just over a million in COVID federal relief, \$352,000 for one, \$796,000 for two, \$1.8 million for three, and a million for municipal. Some of these funds were in 2021, some spent in 2022 and some to carry over into future years. It is not all spent right away. The five Collective Bargaining agreements, I believe were a warrant article last year regarding the five that were already voted on. Yes, they were a one-year extension, they all expire in June of 2022. You mentioned adding positions to reduce class sizes, what is the recommended class size for middle and high school? The classroom sizes currently range from 20 to 24 for the middle schools.

Doug Meagher, seconded by Rino Moriconi made a motion to recommend the Billerica Public Schools Budget in the amount of \$71,516,709 pending school committee final vote.

It was voted:

10 – In favor

1 – Opposed – Kelley Sardina

WARRANT ARTICLES:

Article 9 – Vote FY23 Town & School Budget – Dave Gagliardi

Doug Meagher, seconded by Mary McBride made a motion to recommend the final FY23 Town and School Budget in the amount of \$172,242,027.

It was voted:

10 – In favor

1 – Opposed – Kelley Sardina

Article 28 – Petitioner Article (To Amend Zoning ByLaws) – James Dangora, Jr.

Chairman Dave Gagliardi recused himself, he is an abutter to an abutter. Doug Meagher is Acting Chair for this Article.

To see if the Town will vote to amend the Zoning By-Laws and official Zoning Map by re-zoning from a Neighborhood Residence District to an Industrial District, a parcel of land located along Concord Road in said Town.

Attorney Dangora sent a detailed copy of his presentation prior to the meeting, both electronically and with hard copies dropped off earlier.

His client, Berkeley Investments, a local, independent real estate and development company, has entered into an agreement with the property's current owner, Cabot Corporation, to purchase 22.8 acres of land at the intersection of Concord Road and Middlesex Turnpike in order to develop the site as a biomanufacturing and life science center. There is no specific client at this stage, but Morgan Pierson from Berkeley Investments said that in their operations Berkeley is aware of multiple life science businesses seeking this type of desirable research and development space.

Although much of the property is already zoned Industrial, a 4.256 acre parcel is zoned Neighborhood Residential. Cabot required that the Residential acreage be included in the purchase. Berkeley would like to rezone the 4.256 to Industrial. This would help bring in a company that would create good paying jobs in the area and could create a potential tax revenue of \$1.2 million to 2.4 million, according to Billerica Chief Assessor John Speidel.

Acting Chairman Meagher opened the floor to the committee for questions or concerns. Berkeley already went before the Planning Board; their vote was five in favor and two opposed. They still need to go before the Conservation Committee. Do you already have a tenant? No, they cannot actively market at this stage. There does seem to be a demand for this type of building. The plans in the presentation show there would be a buffer from the road, they will set the building back as far as they are allowed without interfering with the wetlands. It makes sense to rezone, and the tax revenue sounds good. Have you spoken with the abutters? Yes, last night at the Planning Board meeting. If the actual construction is completed and you do not find tenants, would we still be looking at the same possible tax revenue? Not sure but it would still be fairly significant. Do you know how many employees there would be? No, depends on the company that goes in, but the potential is about 200 to 250. What about truck deliveries, will there be large trucks? There could be but it is still an unknown until a tenant is determined. Has the Town Assessor already estimated the tax benefit? Yes, that is who the figures came from for the potential tax revenue. You said there is a

large demand for this type of building? Yes, it is not an office building, it will be for research and development. If zoning is changed, how of that 4.2 acres will be used? None of the building would be on it. Maybe about 20% for parking and the second entrance. Would the taxes increase for that 4.2 acres if the zoning is changed? Yes, it would be taxed at a higher rate. Does commercial pay the same water and sewer rates as residential? Not sure. Is the Town Administration on board with this? Yes, they had a meeting with the Town Manager, the Planning Director, and the Building Commissioner. How many tenants would there be? No more than two. What were the two objections from the Planning Board? They believe it was for the residents across the street. Have you purchased the land already? No, Cabot still owns the land. Why is Cabot Corp not here? Not sure why. Are the Bike Path plans part of the deal? The bike path plans were given to the site team.

Mary McBride seconded by Rino Moriconi made a motion to recommend Article 28 as printed in the Preliminary Warrant.

It was voted:

8 – In favor

1 – Opposed – Don Damon

Article 27 – Petitioner Article (To Elect Board of Health) – Daryl Deshler

To see if the Town will vote to amend section 14.2 of the Town By-Laws (the Board of Health shall consist of five (5) members, appointed by the Town Manager for terms of three (3) years each so arranged that as nearly an equal number of such terms as is possible shall expire each year) to read: The Board of Health shall consist of five (5) members, to be elected by the citizens of the Town during a regularly scheduled Town election for terms of three (3) years each so arranged that as nearly an equal number of such terms as is possible shall expire each year.

Chairman Gagliardi asked Mr. Deshler if he was aware of Town Counsel’s opinion. He said he is aware. For the record, Town Counsel stated to make this type of an amendment, it would require a charter change. The Charter specifically lays out the boards and committees that are elected and the Board of Health is not one of them.

Mr. Deshler stated that the BOH is not mentioned in the charter, the only place it is mentioned is in the ByLaws. He disagrees with Town Counsel. The ByLaws are an amendment that was created by Town Meeting so it should be able to be changed by the Town’s General ByLaws via Town Meeting. The original appointment of the BOH being appointed by the Town Manager was via a Town Meeting vote to change the General ByLaws.

Chairman Gagliardi explained why the Charter would have to be changed. It is because the Charter specifically states which boards and committees are to be elected positions.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Was this on the last Town Meeting Warrant? Yes, it did not get the discussion it deserved,

and it was pulled. If it becomes an elected position, who would the BOH take direction from? Some of the committee members believe this change will politicize the Board of Health, and while others believe it is politicized by being appointed. The most popular would be voted instead of the person most suited for the position. There was a commission to study this back in 1977 and in 1978 the final report was submitted. The result said, "We are suggesting that the Office of the Board of Health, the Sewer Commission and the Cemetery be made an appointed office that technical skills which incumbents these offices should have can better be assured to appointment system rather than the ballot." When was the charter last revised? 2016, it is done every 10 years. Mr. Deshler was asked if he had any legal background. He does not but he has consulted his brother, who is an attorney. Do you know how many towns in Massachusetts have elected BOH positions? He does not know. He did know that Chelmsford, Tewksbury, and Burlington have elected BOH positions. If it is an elected position, then anyone could run, correct? Yes. Maybe the wording should be changed to read that you must have a health background to run for the position. Another suggestion made by a committee member was to speak with the Select Board when they preparing to vote on the Town Manger's appointment choice, make your feelings known to them regarding the choice. The Select Board has 15 days to say Yea or Nay to the Town Manager's choices.

Doug Meagher seconded by Patrick Logue made a motion to recommend Article 27 as printed in the Preliminary Warrant.

It was voted:

3 – In favor – Kelley Sardina,
Patrick Logue, Don Damon
8 – opposed

Article 26 – To Rename Substance Abuse Committee – Dina Favreau

To see if the Town will vote to resolve to establish a policy for the renaming of the Committee to eliminate the stigmatizing language currently included in its title in an ongoing effort to bring the Committee current and in line with statewide policies and changes that have taken place over the last decade.

Ms. Favreau explained why they are asking for this change to bring the Committees title up to date with the recommended policies and procedures issued by the Department of Public Health five years ago through the Bureau of Substance Addiction Services.

Chairman Gagliardi asked Ms. Favreau if she was aware of Town Counsel's opinion. Town Meeting Created the Committee so Town Meeting is the only one who can change the committee. However, Town Counsel saw the word policy and a policy must go through the Select Board. Just reword the article to see if the Town will vote to change the name to Billerica Substance Awareness and Prevention Committee.

Chairman Gagliardi opened the floor to the committee for questions or concerns. How many people are on the board? Eleven (11). Do you have stationery and other items

that would need to change? Yes, the website and some marketing materials would need to be changed and anything with the logo. If passed, we would make the change the next time we order the materials. The impact financially would not be a lot.

Mary McBride seconded by Kelley Sardina made a motion to recommend Article 26 as amended.

It was voted: 11 – In favor
0 – Opposed

MISCELLANEOUS CORRESPONDENCE – not subject to discussion

The next meeting will be Tuesday April 26, 2022.

ADJOURNMENT:

Rino Moriconi, seconded by Don Damon made motion to adjourn.

It was voted: 11 – In favor
0 – Opposed

Chairman David Gagliardi adjourned the meeting at 9:58 pm.

Joyce MacMillan, Recording Clerk