

**BILLERICA FINANCE COMMITTEE MINUTES**  
**April 13, 2021**

A Meeting of the Billerica Finance Committee was held on Tuesday April 13, 2021 at 7:00 p.m. via Zoom Video Conferencing Communication App.

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

**CALL TO ORDER:**

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

**PUBLIC COMMENT:**

Carole Reardon of 18 Pinedale spoke about concerns she has about BEAM and Project Support. She requested that the Finance Committee investigate the possible mixing of these two entities because they are different and she believes their funding is being mixed by the School Department.

Doreen Healey came forward to speak about Article 14 as well. She echoed much of what Ms. Reardon said. Mr. Curran will review.

**ADVERTISED PUBLIC HEARING:**

Rino Moriconi seconded by Donald Damon made a motion to open the Public Hearing.

A roll call vote was taken

It was voted 11-0:

John Kleschinsky – Aye  
Cheri Gargalianos - Aye  
Rino Moriconi - Aye  
Doug Meagher – Aye  
Don Damon – Aye  
John Mulloy – Aye  
Kelley Sardina - Aye  
Mary McBride – Aye  
Doug Fogerty - Aye  
Phil Newfell - Aye  
Dave Gagliardi - Aye

Patrick Logue joined the meeting at 7:20 pm.

**ARTICLES: – John Curran, Town Manager, and Paul Watson, Town Accountant**  
**Article 31 – Required ID for in-person Voting – Craig Rich**

This article seeks to require the Town to require a valid ID for in-person voting. Mr. Rich went over his reasons for the article and why voter identification is needed.

Chairman Gagliardi opened the floor to the committee for questions or concerns. The Chairman also asked if Mr. Rich was aware that the Town Counsel has ruled that such changes in election requirements may not be made at Town Meeting because elections are not governed by Town ByLaw? Some of the committee believes there would be a financial impact with having to have extra people working the polls to help get people through the lines since possibly showing an ID may slow up the lines. There is a possibility of lawsuits. Whenever a Petitioner Article is placed on the warrant, it has to go into the warrant whether it is legal or not. The decision is made further on down the line, where the moderator can decide if he will allow it to go on the Town Meeting floor based on Town Counsel's opinion. According to By-Law the Finance Committee is required by law to hear all warrant articles regardless of what they are. Other committee members feel that if people had their ID ready it really would not slow things down that much. What about people without ID's, would there be a way for people to get an ID without a cost? The number of people coming out to vote could decrease if they must show ID. Has the Town spent any money on voter fraud? Probably none. The cost of this could be a burden on the Town. Are there any other towns in Massachusetts require ID? Not yet. Has any cost analysis been done? Not to Mr. Rich's knowledge. No

Doug Meagher seconded by Don Damon made a motion to recommend Article 31 as printed in the Warrant.

A roll call vote was taken

It was voted 3-6-2:

John Kleschinsky –Abstain  
Cheri Gargalianos - Nay  
Rino Moriconi - Nay  
Doug Meagher – Nay  
Don Damon – Aye  
John Mulloy – Aye  
Mary McBride – Nay  
Doug Fogerty - Nay  
Patrick Logue - Aye  
Phil Newfell - Abstain  
Dave Gagliardi – Nay

**Article 32 – Zoning Change for Animal Hospital – Joe Mercado**

This Article will be heard at a future meeting.

**Article 27 – To Amend Zoning By-Law (Sec 5, Regulation of Uses, Building and Structures) – Select Board**

This article eliminates By-Law 5 E.10; and a majority (3-2) of members of the Select Board believe it needs to be scrapped and replaced. Selectman Rosa and Chairman Burns went over their reasons and concerns for wanting this ByLaw gone. They are

asking to rescind the existing ByLaw. Selectman Rosa stated that this is a backup in case what the Planning Board is putting forward fails. He is hoping the Finance Committee will vote in favor of this Article and Article 28. Selectwoman Conway came forward and stated that she voted against this Article and Article 28 and hopes the Finance Committee will as well.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Has this article gone before the Planning Board? What was their vote? Yes, it did and it was defeated, the Planning Board did not support it. Was there an Article that looked a lot like this last year that passed then was rescinded? That was a moratorium. Articles 27 and 28 will come after the Planning Board Articles 29 and 30. Finance Committee is divided on this; some agree the P U D needs to be removed and Article 27 and 28 should replace it. Selectman Rosa read Town Counsel's opinion regarding the order of the Articles at Town Meeting. If the Planning Board Articles pass the Selectmen will withdraw their two Articles 27 and 28.

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

A roll call vote was taken  
It was voted 3-8:

John Kleschinsky – Nay  
Cheri Gargalianos - Nay  
Rino Moriconi - Nay  
Doug Meagher – Nay  
Don Damon – Aye  
John Mulloy – Aye  
Mary McBride – Nay  
Doug Fogerty - Nay  
Patrick Logue - Aye  
Phil Newfell - Nay  
Dave Gagliardi - Nay

**Article 28 – To Amend Zoning By-Law – Select Board**

Chairman Gagliardi opened the floor to the committee for questions or concerns. Are these all a 2/3 vote for Article 27, 28, 29 and 30? It is a 2/3 vote required for Articles 29 & 30. Article 29 will require a majority vote. The only difference between these two articles and the Planning Board's article is the Planning Board removes the overlay zoning and the parcels it was placed on in one article. The Select Board Articles are broken down into two articles so if Planning Board Article 29 passes, then both of the Select Boards articles (27 & 28) will be withdrawn.

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

A roll call vote was taken  
It was voted 3-8:

John Kleschinsky – Nay

Cheri Gargalianos - Nay  
Rino Moriconi - Nay  
Doug Meagher – Nay  
Don Damon – Aye  
John Mulloy – Aye  
Mary McBride – Nay  
Doug Fogerty - Nay  
Patrick Logue - Aye  
Phil Newfell - Nay  
Dave Gagliardi - Nay

**Article 11 – Fiscal Year 2022 Water Enterprise Budget**

Article 11 has already been discussed at the previous meeting, only needs to be voted on. In the Preliminary Warrant it is still listed as a place holder. The actual Budget number will be in the Final Warrant, and is noted below.

Doug Meagher seconded by Mary McBride made a motion to recommend Article 11 as printed in the Warrant in the amount of \$6,693,286.

A roll call vote was taken  
It was voted 9-2:

John Kleschinsky – Aye  
Cheri Gargalianos - Aye  
Rino Moriconi - Aye  
Doug Meagher – Aye  
Don Damon – Nay  
John Mulloy – Aye  
Mary McBride – Aye  
Doug Fogerty - Aye  
Patrick Logue - Nay  
Phil Newfell - Aye  
Dave Gagliardi - Aye

**Article 12 – Fiscal Year 2022 Sewer Enterprise Budget**

Doug Meagher seconded by Mary McBride made a motion to recommend Article 12 as printed in the Preliminary Warrant in the amount of \$8,449,311.

A roll call vote was taken  
It was voted 10-1:

John Kleschinsky – Aye  
Cheri Gargalianos - Aye  
Rino Moriconi - Aye  
Doug Meagher – Aye  
Don Damon – Nay  
John Mulloy – Aye  
Mary McBride – Aye  
Doug Fogerty - Aye

Patrick Logue - Aye  
Phil Newfell - Aye  
Dave Gagliardi - Aye

**Article 1 – To Set Compensation of Elected Officials (Select Board)**

Doug Meagher reached out to the Mass Selectmen’s Association to ask if they had figures for a point of information on the number of Select Boards in the state that are compensated. They did not have an exact number but in FY 2019 they did a survey and of the approximate 294 towns, 49 communities reported that they pay a stipend to their Select Board Members. That’s well over 200 towns that do not pay a stipend. They did not have the information as to the size of the Towns. The amounts are probably not an exact number.

Doug Meagher seconded by Mary McBride made a motion to recommend Article 1 as printed in the Preliminary Warrant.

A roll call vote was taken  
It was voted 6-5:

John Kleschinsky – Aye  
Cheri Gargalianos - Nay  
Rino Moriconi - Aye  
Doug Meagher – Nay  
Don Damon – Aye  
John Mulloy – Aye  
Mary McBride – Nay  
Doug Fogerty - Aye  
Patrick Logue - Aye  
Phil Newfell - Nay  
Dave Gagliardi - Nay

**Article 2 – To Set compensation of Elected Official (Town Clerk)**

Doug Meagher seconded by Don Damon made a motion to recommend Article 21 as printed in the Preliminary Warrant.

A roll call vote was taken  
It was voted 11-0:

John Kleschinsky – Aye  
Cheri Gargalianos - Aye  
Rino Moriconi - Aye  
Doug Meagher – Aye  
Don Damon – Aye  
John Mulloy – Aye  
Mary McBride – Aye  
Doug Fogerty - Aye  
Patrick Logue - Aye  
Phil Newfell - Aye  
Dave Gagliardi - Aye

**Article 3 – To Hear Reports of Town Departments, Committees and Officers**

Asking for the reports to be submitted in writing. If received prior to Final Warrant printing, they will be in the book.

Doug Meagher seconded by Mary McBride made a motion to recommend Article 3 as printed in the Preliminary Warrant.

A roll call vote was taken  
It was voted 11-0:

John Kleschinsky – Aye  
Cheri Gargalianos - Aye  
Rino Moriconi - Aye  
Doug Meagher – Aye  
Don Damon – Aye  
John Mulloy – Aye  
Mary McBride – Aye  
Doug Fogerty - Aye  
Patrick Logue - Aye  
Phil Newfell - Aye  
Dave Gagliardi - Aye

**Article 4 – To Transfer Funds Between 2021 Budget Line Items**

Moved to the April 22, 2021 meeting

Doug Meagher seconded by Rino Moriconi made a motion to close the Public Hearing.

A roll call vote was taken  
It was voted 11-0:

John Kleschinsky – Aye  
Cheri Gargalianos - Aye  
Rino Moriconi - Aye  
Doug Meagher – Aye  
Don Damon – Aye  
John Mulloy – Aye  
Mary McBride – Aye  
Doug Fogerty - Aye  
Patrick Logue - Aye  
Phil Newfell - Aye  
Dave Gagliardi - Aye

**MISCELLANEOUS CORRESPONDENCE – not subject to discussion**

Don Damon asked about the format of Town Meeting, will it be the same as last year. Yes, it will, which means the voting will be done by the Precinct Captain. Another year without using the electronic voting devices, he thought it was a ByLaw, but it is not a requirement of the ByLaw.

Next Meeting will be April 22, 2021.

**ADJOURNMENT:**

Doug Meagher seconded by Mary McBride made a motion to adjourn.

A roll call vote was taken

It was voted 11-0:

John Kleschinsky - Aye  
Cheri Gargalianos–Aye  
Rino Moriconi - Aye  
Doug Meagher – Aye  
Don Damon – Aye  
John Mulloy – Aye  
Mary McBride – Aye  
Doug Fogerty – Aye  
Patrick Logue - Aye  
Phil Newfell - Aye  
Dave Gagliardi - Aye

Chairman David Gagliardi adjourned the meeting at 8:29 pm.

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Joyce MacMillan, Recording Clerk