

**BILLERICA FINANCE COMMITTEE MINUTES**  
**April 26, 2022**

A Meeting of the Billerica Finance Committee was held on Tuesday April 26, 2022, at 6:00 p.m. via Zoom Video Conferencing Communication App.

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

Excused: Doug Fogerty, Member and Patrick Logue, Member

**CALL TO ORDER:**

Chairman David Gagliardi called the meeting to order at 7:04 p.m.

**PUBLIC COMMENT:**

None

**WARRANT ARTICLES:**

**Article 25 - General By-Law Article XX Amendment – John Burrows**

To see if the Town will vote to delete the following language from Article XX, Section 2, Subsection C of the General By-Laws of the Town of Billerica.

Mr. Burrows read Article XX, Section 2, Subsection C for the committee and then went on to explain why he would like to see this change happen. He believes that taxpayers should have the first option to work on good paying jobs regardless if the unemployment rate is high or low. Billerica is a blue-collar town and no shortages of contractors to get the job done.

Chairman Gagliardi asked Mr. Burrows is he was aware of Town Counsel's opinion on this. Yes, he basically said this does not identify the enforcement of it. Just like the Board of Health can give out a \$300 fine for not wearing a mask, the Select Board as the Chief Policy Makers has a Construction Policy in affect and can set a policy to apply a \$300 fine if the construction company is not in compliance. Mr. Burrows only wants to remove the unemployment portion.

Chairman Gagliardi opened the floor to the committee for questions and concerns. Ms. McBride asked Mr. Burrows if he would consider putting this off and come before the General By-Law Review Committee. Mr. Burrows declined but did agree to come speak with the committee when they meet. If this only impacts Billerica residents, how would this impact other rules as to hiring union and non-union laborers or other groups? Not sure. This is about residents and everyone having an opportunity to work premium wage jobs. You must be a resident over 183 days, qualified, and there would be a 25% Billerica resident requirement, etc. Does not matter union or non-union. But what if the job is a union job only and they could not get anyone from Billerica that was union?

There really is not a problem with manpower, there's always co-op programs through vocational schools and we are fortunate we have Shawsheen Tech in town. How did the Select Board vote on this last night? The vote was 5 – 0 in favor. How is this monitoring committee working, have they caught anybody doing anything wrong? During COVID, we were up 17%. During that time there were more reasons to enforce the rules. Did Town Counsel not agree with this or that it could not be enforced? He has concerns about enforceability of the By-Law as it is right now. When was the General By-Laws Committee put back together? It is appointed by the moderator; it has been fully appointed and has not started sessions yet. The whole idea behind this is to give Billerica residents first opportunity to work on local jobs, is that correct? Absolutely. The 6% unemployment rate will not mater, correct? Any job that uses Billerica Taxpayer funds should have Billerica Residents working on it. How will you get 25% Billerica residents on the job? If the job requires four people, then at least one should be from Billerica. If the job requires 100 people, then at least 25 should be from Billerica. How can you mix union and non-union on a job? There will always be an opportunity to hire from Billerica. There is plenty of local contractors to use to make up the 25%. Who would enforce this? In the By-Laws, Under the Construction Employment, there is a section titled Billerica Residents Employment Monitoring Committee. What happens if they find a violation? What will that committee do? They would write it up and pass it on to the Town Manager and Building Inspector and issue a \$300 fine. It is \$300 per day per violation. This article is about deleting something that is already deemed unenforceable. This should go before the General By-Law Committee.

Doug Meagher seconded by Don Damon made a motion to recommend Article 25 to Town Meeting as printed in the Warrant.

A roll call vote was taken  
It was voted 6-2:

Don Damon – Aye  
Phil Newfell - Nay  
Doug Meagher - Aye  
Rino Moriconi – Aye  
Mary McBride – Aye  
Sharon Healey - Aye  
Kelley Sardina - Aye  
Dave Gagliardi – Nay

John Mulloy left the meeting at 6:30

**Water Enterprise Reserve Fund Transfer – Fred Russell**

A handout (with a description of the reason for the transfer along with a copy of a quote to replace the system) was given to the committee prior to the meeting. Mr. Russell explained the rate of flow of the raw water pumped from the Concord River for the Town's drinking water supply is controlled by Variable Frequency Drives (VFD), which are located in the water intake's electrical building (adjacent to the Highway Division Building at 250 Boston Road). The VFDs emit substantial amounts of heat when they

operate. This heat must be controlled in the building to prevent damage to the SCADA system and communication equipment also located in the structure. To protect this equipment from excessive heat the building is equipped with two independent air conditioning systems; one functions as a backup. One of the outdoor AC condensers for the primary system recently developed a severe leak that cannot be repaired and as a result the unit and complete system must be replaced. The attached quote is for replacement of the damaged unit. It includes removal and disposal of the existing unit, supplying and installing the new compressor and heat exchanger, wiring the new equipment and start up.

Chairman Gagliardi opened the floor to the committee for questions and concerns. Is the amount to be taken out of the Water Enterprise Reserve Fund \$26,510.00? Yes. Do we know what the total is in the reserve fund right now? I believe it is about \$83,000. Is this item on the agenda? Yes, an amended agenda was sent out and it is posted online and in the Clerk's office. There are two units, is the other one the same age as the broken one? No, it is about 6 or 7 years newer. The one that is functioning should be good for a while. The broken unit is about 13 years old. There was a question on the dates on the purchase order. When did we purchase the last unit? About 6 or 7 years ago. What part of the unit is not working? The condenser unit and duct work need to be replaced.

Doug Meagher seconded by Mary McBride made a motion to approve the Water Enterprise Reserve Fund Transfer in the amount of \$26,510.

A roll call vote was taken  
It was voted 7-1:

Don Damon – Aye  
Phil Newfell - Aye  
Doug Meagher - Aye  
Rino Moriconi – Aye  
Mary McBride – Aye  
Sharon Healey - Aye  
Kelley Sardina - Nay  
Dave Gagliardi – Aye

**REVIEW MINUTES:**

**Approve Minutes for April 12 and 21, 2022**

Moved to the next meeting

**MISCELLANEOUS CORRESPONDENCE – not subject to discussion**

None

**ADJOURNMENT:**

Mary McBride seconded by Rino Moriconi made motion to adjourn.

A roll call vote was taken  
It was voted 8-0:

Don Damon – Aye  
Phil Newfell - Aye  
Doug Meagher - Aye  
Rino Moriconi – Aye  
Mary McBride – Aye  
Sharon Healey - Aye  
Kelley Sardina - Aye  
Dave Gagliardi – Aye

Chairman David Gagliardi adjourned the meeting at 6:51 pm.

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Joyce MacMillan, Recording Clerk