

BILLERICA FINANCE COMMITTEE MINUTES
April 28, 2020

A meeting of the Billerica Finance Committee was held on Thursday April 28, 2020 at 6:00 p.m. via Zoom Video Conferencing Communication App.

Present: David Gagliardi, Chairman, Douglas Meagher, Vice Chairman, Mary McBride, Secretary, Donald Damon, Member, Patrick Logue, Member, Rino Moriconi, Member, Douglas Fogerty, Member, John Mulloy, Member, Philip Newfell, Member, Anthony Ventresca, Member, Cheri Gargalianos, Member, John Kleschinsky, 1st Associate, Town Accountant, Paul Watson, Ex-Officio and Joyce MacMillan, Recording Clerk

Excused: Kelley Sardina, 2nd Associate

CALL TO ORDER:

Chairman David Gagliardi called the meeting to order at 6:48 p.m.

PUBLIC COMMENT:

N/A

WARRANT ARTICLES:

Participants: John Curran, Town Manager; Clancy Main, Management Analyst; Steve Lentine, Attorney at Law; Steve Dresser, of Dresser, Williams and Way, Inc.; Harry "Chip" O'Hare, President of the Middlesex Corporate Park Association; Mark LaLumiere, Building Commissioner; and Abdul Alkhatib, Director of Public Works

Article 35 Zoning ByLaw: Section 5.E.11: Elderly Community Overlay District – Steve Lentine and Steve Dresser

Attorney Lentine provided handouts via email prior to the meeting. This article would create an over 65 overlay district which would allow for garden style (single floor living) units for people over 65, their spouses and caregivers.

Chairman Gagliardi prior to opening the floor for questions stated that Town Counsel has not given his input as of yet on any of these warrant articles. A question was asked if this has gone before the Planning Board yet. No, it has not. They are waiting for a meeting/public hearing date. Other questions included when will we have Town Counsel's input? How many units would there be (48), is it cost beneficial to the town (tax vs cost), when would they break ground, could it be smaller, do all seniors get a tax break, and what other boards/committees do they still need to go through. What is a garden style and what would the price range be on them. Would there be a Home Owner Association (HOA)? There will be four floors, with parking on the bottom, and each unit would be one level living, with two bedroom two bathrooms and laundry (in unit).

Doug Meagher, seconded by Rino Moriconi made a motion to recommend Article 35 as printed in the preliminary warrant, pending opinion of Town Counsel.

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

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

Article 36 Application of Above Article to 120 Rangeway Road – Steve Lentine and Steve Dresser

Discussed together with Article 35, this property belonged to Jesse Merritt who recently passed and lived in Billerica since 1955. The house on the property is the Otis Lincoln house (1840) which will be saved and used for a meeting area or function area.

Doug Meagher, seconded by Mary McBride made a motion to recommend Article 36 as printed in the preliminary warrant, pending opinion of Town Counsel.

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

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

Article 25 Dunham Rd/Plank St Betterment – John Curran, Steve Lentine and Chip O’Hare

Attorney Lentine included a handout for the committee showing a list of the petitioners. This hand out was also given to the Board of Selectmen in March.

John Curran explained this has been in the making over 10 years. Most of the businesses owners are all on board and the costs are to be spread amongst the all the businesses. This Voluntary Betterment Petition is to improve Dunham Road and Plank Street.

Chairman Gagliardi opened the floor to the committee for questions or concerns. The questions and concerns were regarding out of state business owners, whether or not these roads were Accepted roads (they are not), once these roads are paved and inspected they can be put on a warrant article to be Accepted. Under bonding of the town, would it be on the debt schedule. It would be carried like a Debt Exclusion. Other questions regarding the total assessed figure (about \$7 billion) of property in town. Will it slow any town projects? The answer to that was no.

Doug Meagher, seconded by Don Damon made a motion to recommend Article 25 as printed in the preliminary warrant, pending opinion of Town Counsel.

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

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

Article 33 5.C.4 Zoning Bylaw Change – Mark LaLumiere

Mark LaLumiere – This is a housekeeping article to basically close a loophole in the existing zoning. This article pertains to multifamily homes in a residential district. The zoning that is allowed in the village residence district is currently allowed in the multifamily. Village residence does not have any dimensional controls and this warrant article will close the loophole for dimensional requirements in a residential district.

Chairman Gagliardi opened the floor to the committee for questions or concerns. The committee wanted to know how long the loophole had been there. What about revenue, would the revenue be better with two houses on the lot, would this control the size of the homes being built, what would the financial benefit be to the town, Are any of the current construction taking advantage of this loophole, how is the current requirements detrimental to the town. With the current law the resident does not need any neighbor input, they could build right up against the neighbor or very close to the street etc.

Doug Meagher, seconded by Mary McBride made a motion to recommend Article 33 as printed in the preliminary warrant, pending opinion of Town Counsel.

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

Cheri Gargalianos – Aye
John Mulloy – Aye
Doug Meagher – Aye

Don Damon – Aye
Patrick Logue – Nay
Phil Newfell - Aye
Tony Ventresca – Nay
Mary McBride – Aye
Doug Fogerty – Aye
Rino Moriconi - Aye
Dave Gagliardi – Aye

Article 19 Replacement of Water Mains – Abdul Alkhatib

John Curran and Abdul Alkhatib explained there is a section of water mains that need to be replaced; there are frequent breaks in the area of Boston Road from Floyd Street up to the Concord River Bridge. They are looking to transfer \$600,000 from Water Enterprise Fund Retained Earnings to cover this expense.

Chairman Gagliardi opened the floor to the committee for questions or concerns. There was some concern about taking this project on now while people are home and not working and revenues are down. Also why was the amount increased – it was due to the bids. When the bids came in they were well over the original amount.

Doug Meagher, seconded by Mary McBride made a motion to recommend Article 19 in the amount of \$600,000 from the retained earnings, pending opinion of Town Counsel.

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

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

Article 20 WasteWater Treatment Plant Equipment – Abdul Alkhatib

Abdul Alkhatib is looking for the town to appropriate funds form the Sewer Plant Expansion to replace the old 2008 F250 pickup for the sewer division.

Chairman Gagliardi opened the floor to the committee for questions or concerns. No questions at this time.

Doug Meagher, seconded by Patrick Logue made a motion to recommend article 20 as printed in the preliminary warrant for \$65,000, as printed in the preliminary warrant, pending opinion of Town Counsel.

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

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

Article 21 WasteWater Treatment Plant Equipment – Abdul Alkhatib

Abdul Alkhatib stated this article is to replace one 2010 blower at the Wastewater Treatment Plant that is starting to fail. The life span is approximately 5 years/37000 hours.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Some of the concerns were in regards to the age of the current blower and why the lifespan is so short. These blowers constantly run, there are two blowers that alternate but when they are running it is 24/7. If one is down for any reason, the other is just running constantly. There were questions about what would happen if they did not make the purchase. Then they would not meet regulations. The committee also wanted to know how much was in the plant expansion funds and do the blowers do anything other than blow air and why they are so expensive.

This article will be reworded for clarity for the Final Warrant. Meagher, seconded by Mary McBride made a motion to recommend article 21 in the amount of \$445,000, as printed in the preliminary warrant, pending opinion of Town Counsel.

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

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

Article 26 WasteWater Treatment Plant Improvements– Abdul Alkhatib

Abdul Alkhatib - This is an article that was approved by Spring Town Meeting last year for \$9.5 million and the project ended up being \$2.3 million short. They are asking for the town to appropriate a sum of money from the Massachusetts Clean Water Trust for the construction and improvements at the Wastewater Treatment Plant.

Chairman Gagliardi opened the floor to the committee for questions or concerns. There were questions regarding where the funding was coming from, what is the actual amount, why wouldn't it come out of the wastewater fund, what will the rate be on the borrowed funds, Could this be funded without borrowing,

Doug Meagher, seconded by Patrick Logue made a motion to recommend article 26 in the amount of \$2.36 million, as printed in the preliminary warrant, pending opinion of Town Counsel.

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

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

Article 1 Set Compensation of Officials – John Curran

John Curran stated this article is to fix the compensation for elected officials (Selectmen and Town Clerk). The only increase is for the Town Clerk.

Some members of the committee would like to see this article separated because the Town Clerk receives a salary and the Board of Selectmen receives a stipend. The Clerk is an elected official but paid as an employee and the selectmen are elected but are volunteers. There was much discussion on the pros and cons of this issue.

Cheri Gargalianos, seconded by Tony Ventresca made a motion to separate the Selectmen in one article and Town Clerk in another.

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

- Cheri Gargalianos – Aye
- John Mulloy – Nay
- Doug Meagher – Aye
- Don Damon – Nay

Patrick Logue – Nay
Phil Newfell - Aye
Tony Ventresca – Nay
Mary McBride – Nay
Doug Fogerty – Nay
Rino Moriconi - Nay
Dave Gagliardi - Nay

Doug Meagher, seconded by Rino Moriconi made a motion to recommend article 1, as printed in the preliminary warrant, pending opinion of Town Counsel.

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

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

Article 2 Hear Reports at Town Meeting – John Curran

John Curran is asking to dispense with the reading of reports and include written reports in the Town Meeting book, since it is the goal to conduct all of the business of Town Meeting is a one full day session this time.

Chairman Gagliardi opened the floor to the committee for questions or concerns. There was a question regarding whether or not the annual reports would be read at Town Meeting.

Doug Meagher, seconded by Mary McBride made a motion to recommend article 2, as printed in the preliminary warrant, pending opinion of Town Counsel.

A roll call vote was taken
It was voted 5-5-1:

Cheri Gargalianos – Aye
John Mulloy – Nay
Doug Meagher – Aye
Don Damon – Abstained
Patrick Logue – Nay
Phil Newfell - Aye
Tony Ventresca – Aye
Mary McBride – Nay
Doug Fogerty – Aye

Rino Moriconi - Nay
Dave Gagliardi - Nay

Article 16 To Transfer Funds – John Curran

Dave Gagliardi stated that this is a standard article for allowing the Town Manager to transfer funds under \$5,000 and go before the Finance Committee if they exceed \$5000.

Chairman Gagliardi opened the floor to the committee for questions or concerns. Anthony Ventresca, seconded by Patrick Logue, made a motion to add that the Town Manager would inform the Finance Committee chairman, whether or not a transfer was made, by the first Tuesday of each month.

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

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

Doug Meagher, seconded by Rino Moriconi made a motion to recommend article 16, as amended and pending opinion of Town Counsel.

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

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

Article 17 To Authorize Revolving Funds – Paul Watson and John Curran

Paul Watson stated there were no changes to this article, no changes to the spending limits.

Chairman Gagliardi opened the floor to the committee for questions or concerns. The committee asked if there would any increases to the Flu Shot Program for a potential Covid-19 vaccine and what are the balances of these accounts.

Doug Meagher, seconded by Rino Moriconi made a motion to recommend article 17, as printed in the preliminary warrant and pending opinion of Town Counsel.

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

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

It was requested to be able to reserve the right to revisit this vote once they receive the figures for the revolving fund balances.

REVIEW OF APRIL 14, 2020 MINUTES:

Mistake on page 10 regarding the Cable Advisory vote, one vote was missing

Doug Meagher, seconded by Mary McBride made a motion to accept the minutes of April 14, 2020 as amended.

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

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

MISCELLANEOUS CORRESPONDENCE – not subject to discussion

Next Meeting date is May 5, 2020 and possibly May 12, 2020

ADJOURNMENT:

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

A roll call vote was taken

It was voted unanimously, 11-0:

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

Chairman David Gagliardi adjourned the meeting at 9:50 pm.

Joyce MacMillan, Recording Clerk