

MEETING MINUTES **FOR APRIL 30, 2012**

A Regular Meeting of the Board of Selectmen was held on Monday, April 30, 2012 in the Conway Hearing Room at 7:00 PM. Present were Selectman Robert Correnti, Chairman, Selectman Robert Accomando, Vice Chairman, Selectman Michael Rosa, Secretary, Selectman Andrew Deslaurier, Member, Selectman David Gagliardi, Member, Town Manager John Curran and Assistant Town Manager Cathleen O'Dea.

CALL TO ORDER

Chairman Robert Correnti stated I would like to take a moment to congratulate those who were successful in the recent Town Election and to welcome Selectman Deslaurier back to the Board. To those who were unsuccessful, we thank you for your interest and we truly hope your spirit of volunteerism will continue and that you will remain involved. Before we reorganize, I want to thank each Board Member. We worked well together this past year with one common goal, to serve all the residents of Billerica. Our meetings were professional and efficient. Discussion was healthy. The debate was respectful with no political grandstanding or posturing. Decisions were made based upon facts. Each year we seek to build upon the successes of the previous year and this past year was no different. Over the past year, as a team, we successfully maintained our aggressive Economic Development efforts to attract new businesses to Billerica. Our Economic Development Coordinator, our Town Assessor and Town Manager continue to get results. Efforts to move a Superfund tax delinquent parcel over to a revenue producing parcel is gaining momentum. Most importantly, the Town's looming significant liability under the Federal Government's Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) will potentially be drastically diminished, saving taxpayers millions. Lastly, the Town will realize energy savings in excess of \$6 million dollars over 20 years. The stalled Billerica portion of the Middlesex Turnpike Expansion Project has been successfully re-activated after years of no results from Beacon Hill, despite an investment of some \$4 million dollars of Billerica taxpayer dollars. The persistent efforts of NMCOG and the Town Manager resuscitated this

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project. Their efforts brought the project back to life. They brought the project before the right people and justified the projects merits and importance, and now the Town is the beneficiary of a \$21 million dollar State-funded project with major economic benefits. This is truly a significant accomplishment and kudos to the Town Manager and NMCOG. Discussion of the Town Center Improvement Project, in response to input from residents, has begun by engaging stakeholders and residents early on in the process. We produced another budget that did not “tax to the limit”, thus providing some relief to tax payers. The Board enacted a process to provide equity and rate relief to those not connected to Town water, but who are connected to Town sewer. Efficiencies across the board continue to be emphasized providing cost savings to the taxpayer. In a joint effort with employee representatives, a savings of approximately \$1,500,000 was realized through plan design changes in the Town’s Group Health Insurance. The Board took strong public positions regarding cuts in the MBTA, the closing of Hanscom, the support for a National African American Revolutionary War Patriots Memorial and vigorously opposed the moving of high risk prisoners to the Middlesex House of Correction in Billerica. In excess of \$30 million dollars has been committed to sewerage infrastructure and the Board remains resolute in its commitment to get more sewer pipe in the ground. Our Comprehensive Wastewater Management Plan was updated and adopted. We are making a re-commitment to the Military Community Covenant, signed in 2010, to increase support to families of those deployed. After years of dormancy, The Yankee Doodle Bike Path is under active review to determine its viability and costs prior to any expenditure of taxpayer monies. A reorganization of certain Town Departments, to improve customer service and efficiency, resulted not only in cost savings, but also included bringing on board an IT Director within the cost savings achieved through the re-organization. For the first time in years, a Renewal Employment Agreement has been negotiated for the Town Manager, finally providing stability of leadership in the Administration. The location for a permanent Public Safety Memorial honoring those Billerica Fire, Police, and EMTs killed in the line of duty has been approved and the Memorials design is in its final stages. The Board endorsed and opted into the Public Safety Mutual Aid Law providing a cost savings resource to our residents. Through the efforts and recommendation of the Board’s Affordable Housing Sub-Committee, an Affordable Housing Trust was formed to explore new affordable housing for Billerica. The Board’s Policies and Procedures have been updated and expanded. A Memorial Naming of an Island Policy was adopted to formalize the honoring of an island for Veterans or distinguished citizens. An Investment Policy, as well as a Fraud Policy, were both adopted. The Community Funds Policy was amended regarding the utilization of awarded funds. Through the efforts and recommendation of the Board’s Cable Advisory Committee, a Community Cable Capital Fund Grant Program was established to encourage and support worthwhile community cable related projects/needs. A Water Conservation Fund and Rebate Policy were adopted to encourage water conservation. Through improved communications, the visibility of the Board and its members at various Town events and functions increased, bringing local government closer to those we serve. While commendable, our past accomplishments only serve to strengthen us for the future. Each year the bar is raised and each year the Board commits itself to

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accomplishing more. Next year will certainly be no different. I particularly want to thank Vice Chairman Bob Accomando and Secretary Mike Rosa for their diligence and support this past year. In addition, I can assure you all that each Selectman cares and represents you well. I want to express my gratitude and appreciation to each of my fellow Board Members and to the Town Manager John Curran and Assistant Town Manager Cathy O’Dea. We had a good year working together as a team and I thank you all. To those behind the scenes – Jeanne LeGallo, who handles all the details pulling our agendas together and Sue Michelini, who expeditiously prepares the Meeting Minutes – we thank you both. A big thanks to Gerry, Pierre and Neil, the award winning BATV crew, whose countless volunteer hours bring these broadcasts to the residents. One last statement before we re-organize. In many years past, after Town Elections, the reorganization of the Board became entangled in politics. Some were muscled out. I admit in the past, on occasion, I was the “sticker” and I may also have been on the receiving end as a reluctant “stickee”. However, at our meetings this past year, we took politics out and served the residents well. Let’s continue in that same spirit and take the politics out of every reorganization of this Board. Starting tonight, let’s agree to an annual transition plan based upon rotating seniority, where one moves into the position of Secretary, then moves up to Chair, then moves to Vice Chair (providing as Vice Chair, if necessary, experience and support to the Chair). This simple clear rotation gives everyone an opportunity, and most importantly, takes the politics out of the process. Each one of us was elected to represent all residents. Each one of us deserves the same opportunities on this board as other members. So let’s agree to a process free of politics. I would ask that members support this plan and establish this as a tradition for this Board. We’ve checked our politics and egos at the door all year. Let’s continue to do so and adopt a plan that is equitable for all and takes the politics out of the reorganization process. With agreement to this and based upon seniority, Selectman Deslaurier, who has been Secretary, would become the Chair, which is what he’s seeking. Selectman Gagliardi would become the Secretary, which is what he’s seeking. I would become the Vice Chair. But I stress that I am advocating for a plan and not for any position for myself. My position this year has been made clear to each Board Member. I am advocating only for a fair non-political process and I am offering to step aside for consideration this year as Vice Chair to get such a plan adopted. Let Selectman Accomando, who has indicated to me he feels well suited to the Vice Chair, remain as Vice Chair. This will finally demonstrate our commitment to a non politicized process. But whatever the will of the Board, let’s continue to work as a team. Thank you.

REORGANIZATION OF THE BOARD OF SELECTMEN

Chairman Robert Correnti stated I would like to open up nominations for the reorganization of the Board of Selectman. I would like to begin with the nominations for Chairman.

Selectman Michael Rosa, seconded by Selectman David Gagliardi, made a motion to nominate Selectman Andrew Deslaurier as Chairman.

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Chairman Robert Correnti asked if there were any other nominations for Chairman. There were none.

It was voted: 5 – In Favor
 0 – Opposed

Selectman Andrew Deslaurier accepted the nomination of Chairman and thanked the other Board members and everyone who voted at home for their support and most especially his long-suffering family for their unending support.

Chairman Andrew Deslaurier stated I would like to open up the nominations for Vice Chairman.

Selectman Robert Accomando, seconded by Selectman David Gagliardi, made a motion to nominate Selectman Michael Rosa as Vice Chairman.

Chairman Andrew Deslaurier asked if there were any other nominations for Vice Chairman. There were none.

It was voted: 5 – In Favor
 0 – Opposed

Chairman Andrew Deslaurier stated I would like to open up the nominations for Secretary.

Selectman Michael Rosa, seconded by Selectman Robert Correnti, made a motion to nominate Selectman David Gagliardi as Secretary.

Chairman Andrew Deslaurier asked if there were any other nominations for Secretary. There were none.

It was voted: 5 – In Favor
 0 – Opposed

OPEN MICROPHONE

There was no one present who wished to speak at Open Microphone.

ANNOUNCEMENTS

VACANCIES ON BOARDS AND COMMITTEES

Secretary David Gagliardi stated the Board of Selectmen, Town Manager and Town Moderator are accepting applications for the following positions:

<u>POSITION</u>	<u># MEMBERS</u>
<u>Selectmen Appointments</u>	
Beautification Committee	3
Cable Advisory Committee	1
Communications Committee	4
Commission on Disability	1
Elderly and Disabled Taxation Fund Committee	2
Historic Districts Commission	1 alt.
Historical Commission	2
Housing Partnership Committee	3
Open Space & Recreation Committee	4
Scholarship Foundation Committee	2
Water Conservation Oversight Committee	1

COUNCIL ON AGING ACTIVITIES

Secretary David Gagliardi stated the Billerica Senior Center is located at 25 Concord Road and their hours are 8:30 AM until 4:00 PM, Monday thru Friday. They have many activities and programs scheduled and for more information on these activities call 978-671-0916 or go to their website www.billericacoa.org.

MERRIMACK VALLEY LEAD PAINT REMOVAL PROGRAM

Secretary David Gagliardi stated the Merrimack Valley Housing Partnership is sponsoring the Merrimack Valley Lead Paint Removal Program. Funds are available for Lead Paint Removal in Billerica. You can receive financial and technical assistance for removing lead paint. Both owner-occupied and investor properties are eligible. Single family homes may receive up to \$20,000 per unit. Multi-family homes may receive up to \$16,000 per unit. All projects will result in a letter of Full De-leading Compliance. This grant is geared towards low-income families with children under six years of age. You do not need to pay back any grant funds. For more information call Ryan DeMoura at 978-446-7200, extension 1440 or visit www.Lowellma.gov/lead for guidelines.

DPW WATER CONSERVATION REBATE PROGRAM

Secretary David Gagliardi stated the Town of Billerica has a Rebate Program for the replacement of toilets, urinals and clothes washers with water conserving features. The “Water Conservation Fund” was established to mitigate the demands on the Town water supply and allows the DPW to offer these rebates. To qualify for the rebate, Billerica water customers must be in good standing and own the property where the fixtures will be changed out. Tenants may participate with written permission from the property owner. Toilets, urinals and clothes washers must be specific models to qualify for the rebate. Go to www.billericadpw.org or contact the DPW Director’s Office for a list of qualifying models. Qualifying toilet rebates are \$100. Qualifying urinal rebates are \$25. Qualifying clothes washer rebates are \$225. All rebates will be applied as a credit on your water bill. Rebate applications can be picked up at the DPW Director’s Office at Town Hall or at the Water Treatment Facility located at 270 Treble Cove Road. Applications must be submitted to the DPW Office within 90 days of purchase.

TOWN MEETING

Secretary David Gagliardi stated Town Meeting begins tomorrow, Tuesday, May 1st, 2012 at 7:30 PM in the Town Hall Auditorium.

BILLERICA COMMUNITY CLEAN-UP/GREEN-UP DAY ON SATURDAY, MAY 5TH AND THE THIRD ANNUAL DROP-OFF EVENT ON MAY 6TH, 2012

Secretary David Gagliardi stated the Billerica Community Alliance and the Town of Billerica will be hosting their annual Clean-Up/Green-Up Event on Saturday, May 5, 2012. They are looking for residents and businesses to take a few hours to help cleanup and green up public roads and areas around Billerica. You can clean up roadside trash and trash in your neighborhood, near your school or business or along roadways and parks. If you don’t know where to help out, they have a list of streets that could use your help. If you provide the manpower, they will provide trash and leaf bags and arrange for the pickup. Come to the Billerica Senior Center on Saturday, May 5th between 8:30 AM and Noon to register and pick up your bags. If you need more information, contact the Billerica Community Alliance at 978-667-4174 or info@billerica-alliance.org.

Secretary David Gagliardi further stated the Billerica Recycling Committee invites you to Donate – Reuse – Recycle on May 5th from 9:00 AM until 1:00 PM at the Marshall Middle School located at 15 Floyd Street. They are looking for items to donate, reuse and recycle and for more information please call Mary Delahanty, Billerica’s Recycling Coordinator, at 978-671-1337.

STAGE II MANDATORY WATER CONSERVATION VIOLATION NOTICE

Secretary David Gagliardi stated the Town of Billerica will implement a Stage II Mandatory Water Conservation Ban effective May 1st thru October 1st, 2012. Outside water usage is limited to odd/even allocation program. Odd numbered addresses may water on odd numbered calendar days. Even numbered addresses may water on even numbered calendar days. All residents may water on the 31st day of May, July and August. The first violation for both residential and commercial/industrial is a written citation. The second violation is \$50 for residential and \$100 for commercial/industrial. Subsequent violations are \$100 residential and \$200 for commercial/industrial. If you have any questions, please call 978-671-0957.

SUNSHINE GALS KITCHEN – MEALS PREPARED AND SERVED FOR NEEDY FAMILIES LIVING IN BILLERICA

Secretary David Gagliardi stated the Sunshine Gals Kitchen prepares and serves meals on the fourth Saturday of each month between 12:00 Noon and 1:30 PM for needy families living in Billerica. This luncheon is homemade and prepared and served at the First Parish Church located in Billerica Center. If you have any questions, please call Jo Leary at 978-270-4509 or go to sunshinegals@yahoo.com.

PRESENTATION

Attorney Stephen J. Lentine came to the podium and gave a very informative presentation regarding Spring Town Meeting Warrant Articles 31 and 32. Copies of these Warrant Articles are on file in the Selectmen's Office.

Very, very lengthy discussions/debate ensued regarding the pros and cons of these two Warrant Articles and each Board members support or non-support of these two Warrant Articles.

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion that the Board support Article 31.

It was voted: 3 – In Favor (Selectmen Deslaurier, Correnti & Accomando)
 2 – Opposed (Selectmen Rosa & Gagliardi)

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion that the Board support Article 32.

It was voted: 3 – In Favor (Selectmen Deslaurier, Correnti & Accomando)
 2 – Opposed (Selectmen Rosa & Gagliardi)

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The Board thanked Attorney Stephen Lentine for his presentation.

Selectman Michael Rosa asked that the Town Moderator be made aware of this vote along with the fact that there will be a minority report.

MINUTES

APRIL 9, 2012 (REGULAR SESSION)

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion to accept the April 9, 2012 Regular Session Meeting Minutes as submitted.

It was voted: 5 – In Favor
 0 – Opposed

PUBLIC HEARING

**LEGENDARY MD, INC., D/B/A MAX AND DYLAN'S, RE:
TRANSFER OF A RESTAURANT ALL ALCOHOLIC LICENSE
FROM ALARCON FAMILY ENTERPRISES, LLC D/B/A PEDRO'S
FINE LATIN CUISINE, 15 MIDDLESEX TURNPIKE**

Secretary David Gagliardi stated Legendary MD, Inc., d/b/a Max and Dylans, has applied for a transfer of a Restaurant All Alcoholic License from Alarcon Family Enterprises, LLC, d/b/a Pedro's Fine Latin Cuisine, at premises located at 15 Middlesex Turnpike in Billerica.

Selectman David Gagliardi, seconded by Selectman Robert Accomando, made a motion to open this Public Hearing.

It was voted: 5 – In Favor
 0 – Opposed

Attorney James Dangora, Jr. came to the podium and stated I am here tonight representing Legendary MD, Inc., d/b/a Max and Dylans, who has applied for a transfer of a Restaurant All Alcoholic License from Alarcon Family Enterprises, LLC, d/b/a Pedro's Fine Latin Cuisine for premises located at 15 Middlesex Turnpike in Billerica. Manager of Record will be Christopher Damian of 31 Winford Way in Medford, MA. Mr. Damian has a long history in the restaurant management business, having spent the past eight years as a part owner of Legendary Restaurant Group working at their City Square operations (Max and Dylans). Mr. Damian has a one-hundred percent interest in the Legendary Restaurant Group operation and is TIPS Certified, having completed an

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updated course on April 10, 2012. The physical property will remain under the ownership of Naked Real Estate, LLC, while Legendary MD will be signing a lease for the facility. The new restaurant will be called Max and Dylans and is owned by Legendary MD, Incorporated. This corporation owns numerous restaurants in the Boston area, including Scullay Square, Tavern on the Water, Max and Dylans and Papagayo. All of these restaurants operate with a full alcohol license and there have never been any issues regarding the sale of alcohol in their establishments. If all goes well, there next step is to go through the ABCC. They hope to be up and running by this summer; hopefully by July 1st. We have all of the Town sign-offs. The package is complete in all its requirements. In respect to the Common Victuallers License, we have been before the Zoning Board of Appeals and we do have a Restaurant Use Special Permit. Hours of operation fixed by the Zoning Board of Appeals are 8:00 AM until 1:00 AM Weekdays and 10:00 AM until 1:00 AM on Sunday. We ask that the Common Victuallers License mirror these ZBA hours. The Billerica Police Department has no objections to the transfer of the alcohol license or the proposed Manager of Record. In closing, when these restaurants are operating at full tilt, they employ somewhere between 60 to 70 people. They do prefer hiring locals, thus I feel this would be a great opportunity for employment in Billerica. With respect to entertainment, they may sometimes have a DJ or sometimes live music.

Brief discussions ensued regarding hours of operation for each license.

Chairman Andrew Deslaurier asked if there was anyone present who wished to speak at this Public Hearing. There was no one.

Selectman Michael Rosa, seconded by Selectman Robert Correnti, made a motion to close this Public Hearing.

It was voted: 5 – In Favor
 0 – Opposed

Selectman David Gagliardi, seconded by Selectman Michael Rosa , made a motion that the Board approve the transfer of a Restaurant All Alcoholic License from Alarcon Family Enterprises, LLC, d/b/a Pedro's Fine Latin Cuisine, at premises located at 15 Middlesex Turnpike in Billerica, to Legendary MD, Inc., d/b/a Max and Dylans. Hours of operation will be 8:00 AM until 1:00 AM Monday thru Saturday and 12:00 Noon until 12:00 Midnight on Sunday. This is contingent upon the Zoning Board of Appeal conditions A thru F.

It was voted: 5 – In Favor
 0 – Opposed

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Selectman David Gagliardi, seconded by Selectman Michael Rosa , made a motion that the Board approve an Entertainment License for a Live Band and/or a DJ for Legendary MD, Inc., d/b/a Max and Dylans for premises located at 15 Middlesex Turnpike in Billerica Weekdays from 5:00 PM until Midnight and Sundays Noon until 11:00 PM.

It was voted: 5 – In Favor
 0 – Opposed

Selectman David Gagliardi, seconded by Selectman Michael Rosa , made a motion that the Board approve the transfer of a Common Victuallers License Alarcon Family Enterprises, LLC, d/b/a Pedro’s Fine Latin Cuisine, at premises located at 15 Middlesex Turnpike in Billerica, to Legendary MD, Inc., d/b/a Max and Dylans. Hours of operation will be 8:00 AM until 1:00 AM Monday thru Saturday and 10:00 AM until 1:00 AM on Sunday. This is contingent upon the Zoning Board of Appeal conditions A thru F.

It was voted: 5 – In Favor
 0 – Opposed

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion that the Board approve the Manager of Record to be Christopher Damian of 31 Winford Way in Medford, MA.

It was voted: 5 – In Favor
 0 – Opposed

OLD BUSINESS

TOWN MANAGER REPORTS

WHIPPLE ROAD BRIDGE

Town Manager John Curran stated I would like to mention some good news regarding the Whipple Road Bridge, which has been closed now for approximately 18 months. I met at the site of the bridge with the Secretary of Transportation Richard Davies along with Chairman Correnti, DPW Director Alkhatib, Town Engineer Kelley Conway, Rep. Lombardo, Rep. Miceli, the Town Manager’s from Wilmington and Tewksbury and their staff. Richard Davies committed to funding \$130,000 towards the project and he will allow the aforementioned Towns to use their vendors to avoid the time consumption of the bidding process. The Towns will be responsible for the remainder of the cost, which is expected to be approximately \$100,000 split between the three communities. Billerica will use Chapter 90 Funds for this purpose. This project will begin in two months.

PROFESSIONAL RECOGNITION

Town Manager John Curran stated I would like to professionally recognize Isabel Tourkantonis, our Conservation Land Use Assistant, who has been selected by the New England Water Environmental Association to participate as a judge in the Stockholm Jr. Water Prize Competition. This is an international competition for high school students to address issues facing our water resources. Her selection shows how much she is respected among her peers in her field. I would ask that a letter from the Board of Selectmen be placed in her personnel file.

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion that the Board place a letter of Professional Recognition in Isabel Tourkantonis' personnel file.

It was voted: 5 – In Favor
 0 – Opposed

NEW BUSINESS

**RBV BILLERICA LLC, D/B/A COURTYARD BY MARRIOTT, 70
CONCORD ROAD, RE: CHANGE OF MANAGER FROM KAREN
GUNIAN TO VILMA AJANEL**

Secretary David Gagliardi stated RBV Billerica LLC, d/b/a Courtyard by Marriott, which is located at 70 Concord Road, is requesting a Change of Manager from Karen Gunian to Vilma Ajanel.

Ms. Vilma Ajanel from 14 Louisburgh Street in Lawrence, MA came to the podium and introduced herself.

Brief discussions ensued regarding the Change in Manager being the only change, the fact that Ms. Ajanel is TIPS Certified and will provide the Selectmen's Office with a copy of her certification, the fact that she has read the Rules and Regulations for the Licensing and Sale of Alcoholic Beverages and her agreement to sign a copy for the Selectmen's Office.

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion that the Board approve the request from RBV Billerica LLC, d/b/a Courtyard by Marriott, located at 70 Concord Road, for a Change of Manager from Karen Gunian to Vilma Ajanel contingent upon the receipt of her TIPS Certification.

It was voted: 5 – In Favor
 0 – Opposed

BILLERICA ROD AND GUN CLUB, 216 POND STREET, RE: ONE DAY ALL ALCOHOLIC LICENSE FOR MAY 19, 2012

Secretary David Gagliardi stated the Billerica Rod and Gun Club located at 216 Pond Street is requesting a One Day All Alcoholic License for May 19, 2012 from Noon to Midnight for a Fundraiser. Their insurance information is on file in the Selectmen's Office.

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion that the Board approve the One Day All Alcoholic License for the Billerica Rod and Gun Club located at 216 Pond Street for May 19, 2012 from Noon to Midnight for a Fundraiser.

It was voted: 5 – In Favor
 0 – Opposed

KHD INC., D/B/A HIGH OCTANE HARLEY DAVIDSON, RE: ONE DAY BEER AND WINE LICENSES FOR THURSDAY, MAY 10, 2012 AND THURSDAY, MAY 24, 2012

Secretary David Gagliardi stated KHD Inc., d/b/a High Octane Harley Davidson located at 1 Chelmsford Street is seeking a One Day Beer and Wine License for Thursday, May 10, 2012 and Thursday, May 24, 2012 from 5:00 PM until 9:00 PM. Their insurance information is on file in the Selectmen's Office.

Mr. Paul Veracka, owner of KHD Inc., d/b/a High Octane Harley Davidson located at 1 Chelmsford Street came to the podium and stated we are seeking a One Day Beer and Wine License for Thursday, May 10, 2012 and Thursday, May 24, 2012 from 5:00 PM until 9:00 PM for Bike Nights. We did have a successful Bike Night last Thursday which went off without a hitch.

Selectman Michael Rosa stated when you came before us the last time I told you that we need an individual application for each date. So in the future, we need individual applications for each individual date. Also, there were no hours on the application.

Mr. Paul Veracka stated the hours being requested are 5:00 PM until 9:00 PM on both nights.

Selectman Michael Rosa stated are these events outdoors or indoors? The application does not state this information.

Mr. Paul Veracks stated both of these will be outdoor events.

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Selectman Michael Rosa stated in the future make sure you add all that additional information and present these to us in individual applications.

Secretary David Gagliardi stated have you contacted Safety Officer Martin Conway regarding these two events?

Mr. Paul Veracka stated we contacted him before for last Thursday's event, but not for these two events.

Brief discussions ensued regarding the fact that each date requested must have an individual application, hours of operation must be stated, whether or not it is indoors or outdoors must be stated and each application must include written permission from the Traffic Safety Officer.

Selectman David Gagliardi, seconded by Selectman Robert Correnti, made a motion that the Board approve a One Day Beer and Wine License for KHD Inc., d/b/a High Octane Harley Davidson located at 1 Chelmsford Street for Thursday, May 10, 2012 from 5:00 PM until 9:00 PM on the grounds of High Octane Harley Davidson, pending the approval of the Traffic Safety Officer.

It was voted: 4 – In Favor
 1 – Opposed (Selectman Deslaurier)

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion that the Board approve a One Day Beer and Wine License for KHD Inc., d/b/a High Octane Harley Davidson located at 1 Chelmsford Street for Thursday, May 24, 2012 from 5:00 PM until 9:00 PM on the grounds of High Octane Harley Davidson, pending the approval of the Traffic Safety Officer.

It was voted: 4 – In Favor
 1 – Opposed (Selectman Deslaurier)

NEW ENGLAND PEDIATRIC CARE, 78 BOSTON ROAD, RE: 19TH
ANNUAL "COOL KIDS" 5 K ROAD RACE/FUN WALK ON
SUNDAY, MAY 20, 2012

Secretary David Gagliardi stated the New England Pediatric Care located at 78 Boston Road is requesting permission to hold their 19th Annual "Cool Kids" 5K Road Race/Fun Walk on Sunday, May 20th, 2012. All safety concerns and issues have been addressed with Police Safety Officer Martin Conway.

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Selectman David Gagliardi, seconded by Selectman Robert Correnti, made a motion that the Board approve the request by New England Pediatric Care located at 78 Boston Road to hold their 19th Annual “Cool Kids” 5K Road Race/Fun Walk on Sunday, May 20th, 2012. This is subject to all conditions imposed by the Traffic Safety Officer.

It was voted: 5 – In Favor
 0 – Opposed

KARATE CENTER, 7 MARSHALL STREET, RE: USE OF THE TOWN COMMON TO HOST A KARATE-A-THON TO BENEFIT AUTISM SPEAKS

Secretary David Gagliardi stated the Alan Kessler Karate Center that is located at 7 Marshall Street is requesting permission to use the Town Common in late May or early June to host a Karate-A-Thon to benefit “Autism Speaks”.

Mr. Alan Kessler came to the podium and stated what we want to do is have a 24 hour marathon “Karate-A-Thon” to benefit “Autism Speaks” in the Town Center on the Town Common. People can make donations on the internet. We will also need a few signs on the Town Common.

Brief discussions ensued.

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion that the Board approve the request by the Alan Kessler Karate Center of 7 Marshall Street to hold a Karate-a-Thon on the Town Common on June 16th, 2012 commencing at 8:00 AM and ending on June 17th at 8:00 AM, contingent upon approval of the Traffic Safety Officer.

It was voted: 5 – In Favor
 0 – Opposed

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion that the Board approve the request by the Alan Kessler Karate Center of 7 Marshall Street to have four sign locations on the Town Common from 8:00 AM on June 16th to 8:00 AM on June 17th.

It was voted: 5 – In Favor
 0 – Opposed

**BOARD OF SELECTMEN APPOINTMENTS (BONDED
CONSTABLES)**

Selectman Robert Correnti stated these are reappointments and Police Chief Daniel Rosa has no objections to the appointments of Richard E. Settle and Harold F. Morang as Bonded Constables in the Town of Billerica.

Selectman Robert Correnti, seconded by Selectman Michael Rosa, made a motion that the Board approve the appointment of Harold F. Morang of 148 Raven Road in Lowell as a Bonded Constable in the Town of Billerica. This appointment commences on June 30, 2012 and expires on June 30, 2015.

It was voted: 5 – In Favor
 0 – Opposed

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion that the Board approve the appointment of Richard E. Settle of 31 Staples Street in Billerica as a Bonded Constable in the Town of Billerica. This appointment commences on June 30, 2012 and expires on June 30, 2015.

It was voted: 5 – In Favor
 0 – Opposed

POWERS AND SULLIVAN AUDIT REPORT

Mr. Jim Powers, Audit Partner in charge of the engagement from Powers and Sullivan and Mr. Todd Jurczyk, Audit Manager in charge of the engagement from Powers and Sullivan came to the podium and gave a very lengthy, detailed and informative Financial Audit Summary/Report Presentation. This presentation is on file in the Selectmen's Office.

Brief discussions ensued regarding various issues of the Audit Report and the audit process in general.

The Board thanked Mr. Jim Powers and Mr. Todd Jurczyk for their presentation.

Town Manager John Curran stated at this time I would just like to recognize the Town's Financial Team. Town Accountant Paul Watson and Treasurer John Clark, who do great work. I cannot tell you what a relief it is to have such a strong Financial Team. Their hard work shows in the Audit Report that the controls are strong and it limits the risk of exposure from anything such as carelessness, fraud, crime or anything else. I cannot say enough how lucky we are to have such a strong Financial Team. I also want to mention all the other people in their offices such as Terry, Tish, Judy, Leslie, Carol, Elaine and

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Katie on the Treasurer's side and then Ginny and Jill on the Accountant's side. They do a lot of work every day to keep the place running. I want to make sure they are mentioned and that the Board recognizes their contribution. I would also like to mention this Board of Selectmen, who have been very supportive of all of our policies and all of our planning for the future and that is why everything works so well.

Selectman David Gagliardi stated before we close, I would just like to mention that I think the transition formula that Selectman Correnti mentioned at the beginning of this meeting regarding taking the "politics out" of the reorganization of the Board is a good idea. I would like to suggest making this an actual policy that will go into our Policies and Procedures. As far as I am concerned, anything that takes the politics out of this room is a good idea.

Brief discussions ensued regarding the pros and cons of possibly making this an actual policy in the Board's Policies and Procedures.

MEETING SCHEDULE

May 7 and 21, 2012
June 4 and 11, 2012
No meetings in July!

May 1, 3, 8, 10, 15, 17, 22 and 24 at 6:00 PM prior to Town Meeting, if necessary.

Selectman David Gagliardi, seconded by Selectman Michael Rosa, made a motion to adjourn at 9:22 PM.

It was voted: 5 – In Favor
 0 – Opposed

A TRUE COPY ATTEST

Susan Michelini, Recording Secretary