

MEETING MINUTES **FOR FEBRUARY 27, 2012**

A Regular Meeting of the Board of Selectmen was held on Monday, February 27, 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

MOMENT OF SILENCE

A Moment of Silence was given for retired Fire Chief Harry Martell, Jr. who passed away on Saturday, February 18, 2012. His original appointment date was February 20, 1955. He was appointed Fire Chief on September 12, 1972 and he retired from the Town of Billerica on March 17, 1984.

OPEN MICROPHONE

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

ANNOUNCEMENTS

VACANCIES ON BOARDS AND COMMITTEES

Secretary Michael Rosa stated the following Boards and Committees have vacancies:

POSITION

MEMBERS

Selectmen Appointments

Beautification Committee	3
Cable Advisory Committee	1
Communications Committee	4

BOARD OF SELECTMEN MEETING MINUTES
FEBRUARY 27, 2012

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

Applicants should have some knowledge of Municipal Government. Brief job descriptions are available at the Selectmen's Office.

COUNCIL ON AGING RESPITE COMPANION CARE

Secretary Michael Rosa stated the Respite Companion Care Program helps families care for their loved ones, allowing elders to remain at home as long as possible. The compassionate, experienced Respite Companion Staff is capable of caring for individuals with dementia, Alzheimer's or other health conditions that require supervision. Respite Companions will come to the home and prepare light meals, help with shopping lists and be dependable caregivers. The Respite Companions can also provide transportation for errands and appointments for elders who do not drive or need help managing their bundles. Respite Companions are available to work morning, noon or night, seven days a week. Please call Lauren Gray at 978-671-0916, extension 226 to learn more about how the Respite Companion Program can help you.

COUNCIL ON AGING VAN

Secretary Michael Rosa stated the Council on Aging, along with providing van transportation for seniors to do errands, will take seniors to medical appointments in Billerica only. The COA van will now run on Tuesday, Wednesday, Thursday and Friday from 9:00 AM until 2:00 PM. The cost is \$2 round trip. A two-day notice is preferred, however, we will try to accommodate one day and same day appointments. Please call Ruth at 978-671-0916, x229.

COUNCIL ON AGING ACTIVITIES

Secretary Michael Rosa 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 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 Michael Rosa 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.

TOWN OF BILLERICA MERCURY RECOVERY PROGRAM

Secretary Michael Rosa stated residents and contractors can bring mercury thermostats to the Town Hall, Board of Health, Room G03, Monday through Friday, from 9:00 AM until 3:00 PM. This is a program sponsored by Wheelabrator of North Andover.

TOWN OF BILLERICA ALL NIGHT PARKING/SNOW EMERGENCY BAN

Secretary Michael Rosa stated the All Night Parking/Snow Emergency Ban will be in full force on all Billerica roadways until March 15th, 2012. Vehicles found parked in the roadway longer than two (2) hours between Midnight and 6:00 AM during the above dates will be tagged and subject to a \$25.00 fine. If a vehicle is parked as to interfere with snow removal, a fine will be assessed and will be subject to towing. Upon declaration of a snow emergency by the Town Manager, parking on all public ways will be prohibited. Vehicles found parked on public ways will be subject to a \$50.00 fine and towing. The Chief of Police requests the cooperation of all residents to comply with this public safety ordinance to insure that snow plowing operations will not be hampered by illegally parked vehicles.

DPW WATER CONSERVATION REBATE PROGRAM

Secretary Michael Rosa 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.

FALL 2012 TOWN MEETING WARRANT ARTICLES

Secretary Michael Rosa stated in accordance with the Billerica Home Rule Charter, the Board of Selectmen will be accepting Warrant Articles for the Spring Town Meeting scheduled for Tuesday, May 1, 2012. Warrant articles will be accepted until Monday, March 12th, 2012 prior to 4:00 PM in the Town Manager’s Office.

FIGHT FOR EDUCATION AMATEUR BOXING SHOW ON APRIL 27, 2012

Secretary Michael Rosa stated Billerica Partners for Education is presenting their 15th Annual Fundraiser “Fight for Education”. This is an Amateur Boxing Show featuring ten bouts of the Golden Glove Champions. There will be a silent auction of sports memorabilia, a buffet dinner and raffles. There will be a grand prize of \$1,000 cash or a trip to Las Vegas or Disney World. This event will be held at the Billerica Elks Hall on April 27th, 2012 from 7:00 PM until 10:30 PM. For information call 978-528-7908.

CEMETERY COMMISSION MEETING CHANGES

Secretary Michael Rosa stated in January 2012, in an effort to better serve residents, the Cemetery Commission voted to change the time of its meetings to evenings at 7:00 PM from the customary mornings at 10:00 AM. The next Cemetery Commission Meeting is March 12, 2012 and will be held in Room 110 of the Town Hall and the public is invited. By changing meetings to evenings, the Cemetery Commission hopes this will be more convenient for residents.

PRESENTATION

MR. JOHN PISCATELI, CHAIRMAN OF THE YANKEE DOODLE BIKE PATH COMMITTEE, RE: REQUEST TO EXTEND DEADLINE FOR THE COMMITTEE'S REPORT TO THE BOARD OF SELECTMEN

Mr. John Piscatelli, Chairman of the Yankee Doodle Bike Path Committee, came to the podium and gave a presentation explaining the Yankee Doodle Bike Path Committee's request to extend their deadline of April 30, 2012 to report back to the Board of Selectmen regarding their assigned task of obtaining from owners a commitment to donate or sell to the Town the necessary rights of way along the existing rail line or a suitable alternate route through their properties for the purpose of creating a Bike Path.

Brief discussions ensued regarding supporting this request of extending this deadline.

Selectman Michael Rosa, seconded by Selectman David Gagliardi, made a motion that the Board extend the Yankee Doodle Bike Path Committee's deadline to report back to the Board of Selectmen to June 4, 2012.

It was voted: 5 – In Favor
 0 – Opposed

MINUTES

JANUARY 30, 2012 (REGULAR SESSION)

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion to accept the January 30, 2012 Regular Session Meeting Minutes as submitted.

It was voted: 5 – In Favor
 0 – Opposed

FEBRUARY 6, 2012 (REGULAR SESSION)

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion to accept the February 6, 2012 Regular Session Meeting Minutes as submitted.

It was voted: 5 – In Favor
 0 – Opposed

PUBLIC HEARING

**KHD INC., D/B/A HIGH OCTANE HARLEY DAVIDSON, RE:
CLASS I LICENSE AT ONE CHELMSFORD ROAD IN BILLERICA
(ADVERTISED AND ABUTTER NOTIFICATION NOT REQUIRED)**

Secretary Michael Rosa stated that KHD Inc., d/b/a High Octane Harley Davidson has applied for a Class I License at One Chelmsford Road in Billerica. Hours of operation are Weekdays, 8:00 AM until 9:00 PM, Saturday, 8:00 AM until 7:00 PM and Sunday, 10:00 AM until 6:00 PM. Manager of Record is Paul Veracka of 285 Grange Park, Bridgewater, MA.

Selectman Michael Rosa, seconded by Selectman David Gagliardi, made a motion to open this Public Hearing.

It was voted: 5 – In Favor
 0 – Opposed

Ms. Charlyn Veracka and Mr. David Veracka came to the podium and answered questions from the Board.

Chairman Robert Correnti stated you have gone before the Board of Appeals and you have a copy of the Zoning Board of Appeals decision and right now you are in the midst of a twenty day appeal period. The only change is the change in ownership. Hours of operation are Weekdays, 8:00 AM until 9:00 PM, Saturday, 8:00 AM until 7:00 PM and Sunday, 10:00 AM until 6:00 PM.

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

Selectman Michael Rosa, seconded by Selectman David Gagliardi, made a motion to close this Public Hearing.

It was voted: 5 – In Favor
 0 – Opposed

Selectman Michael Rosa, seconded by Selectman David Gagliardi, made a motion that the Board grant a Class I License to KHD Inc., d/b/a High Octane Harley Davidson at One Chelmsford Road in Billerica contingent upon the Zoning Board of Appeals being finalized and all the conditions in the Zoning Board of Appeals Special Permits A thru G.

It was voted: 5 – In Favor
 0 – Opposed

OLD BUSINESS

TOWN MANAGER REPORTS

Town Manager John Curran stated I did hand out to each of you a Town Manager Report at the beginning of this meeting tonight.

FISCAL EFFICIENCY

Town Manager John Curran stated the Water Department saved approximately \$18,000 by replacing 240 feet of water main in house. This work was done on Ilford Road. It was installed for \$13,108 as opposed to a contractor's bid of \$31,000. Similarly, the Water Department saved \$16,000 by replacing a 140 feet of water main on Wild Crest Avenue in house. The cost to the Town was approximately \$9,000 as opposed to a contractor's quote of \$25,000.

STANDING RULES – SECOND READING

Secretary Michael Rosa stated this is the second reading. This is a revision to the Board of Selectmen's Policy 2.0, Board of Selectmen Meetings, Standing Rules. Item 2.7 was added based upon some previous discussion among this Board's members dealing with continuation of Public Hearings.

Selectman Michael Rosa, seconded by Selectman David Gagliardi, made a motion to accept the Standing Rules as presented.

It was voted: 5 – In Favor
 0 – Opposed

NEW BUSINESS

COMMUNITY CABLE FUND GRANT CRITERIA AND APPLICATION

Chairman Robert Correnti stated this is the first reading of the Community Cable Fund Grant Criteria. This is similar to our Community Funds, except this is tailored just for cable. Individuals can apply for a grant for cable related programs. Board members are welcome to take a look and if you have any recommendations, please let me know.

**DORA CAFÉ, INC. LOCATED AT 240C NASHUA ROAD, RE:
COMMON VICTUALLER LICENSE**

Secretary Michael Rosa stated Dora Café, Inc located at 240C Nashua Road is seeking a Common Victualler License. The Manager's name is Victor Correa Felix and their hours of operation are Weekdays, 6:00 AM until 3:00 PM, Saturday, 6:00 AM until 3:00 PM and Sunday 6:00 AM until 3:00 PM.

Mr. Victor Correa Felix, Manager of Dora Café, Inc. came to the podium and answered questions from the Board.

Chairman Robert Correnti stated you did appear before the Zoning Board of Appeals on February 15th and Board members have a copy of that decision. You are currently within the twenty day period for appeals. We have your application for a Common Victualler's License and your hours of operation are Weekdays, 6:00 AM until 3:00 PM, Saturday, 6:00 AM until 3:00 PM and Sunday 6:00 AM until 3:00 PM.

Selectman Michael Rosa, seconded by Selectman David Gagliardi, made a motion to grant a Common Victualler License to Dora Café, Inc. located at 240C Nashua Road. Hours of operation are Weekdays, 6:00 AM until 3:00 PM, Saturday, 6:00 AM until 3:00 PM and Sunday 6:00 AM until 3:00 PM. This is contingent upon the Zoning Board of Appeals decision being finalized and all the conditions in the Zoning Board of Appeals decisions A thru G.

It was voted: 5 – In Favor
 0 – Opposed

HANSCOM BASE REDUCTIONS

Selectman Andrew Deslaurier stated we all learned recently that Hanscom Air Force Base in Bedford is once again on the Base Closure List. I feel confident in saying that everyone on this Board feels this would negatively impact this community. Not just Billerica, but all of our surrounding communities. Hanscom brings so much to this area. This would affect many major businesses and contractors. Hanscom is an R&D facility that develops and tests and strengthens our nation's military through intelligence science and design and research. What is done there benefits us from a safety standpoint, not only here in this country, but across the world. We need to, as a community, show a united front that we want this base to stay. We need to add our voice to this fight to keep Hanscom open. I submit to this Board that we send this letter to Governor Patrick.

Brief discussions ensued regarding the Board's full support of sending this letter to Governor Patrick.

BOARD OF SELECTMEN MEETING MINUTES
FEBRUARY 27, 2012

Selectman Andrew Deslaurier read the following letter into the record:

His Excellency Deval Patrick
Governor of Massachusetts
State House
Boston, MA 0133

Dear Governor Patrick:

The Merrimack Valley has been connected to Hanscom Air Force Base for over half a century. This connection has brought significant benefits to the communities that surround and host the AFB, and thousands of area residents have brought their expertise and talents to improving and supporting our nation's defense through direct service to the base. The reduction of opportunities for these people will negatively affect the massive support structure that has been built to fortify the greatest defense on earth.

Multiple Merrimack Valley businesses and contractors have contributed to the success of Hanscom, and the communities that border the base have become home to these contractors. Many major employers have been positioned close to the base to help facilitate ongoing research. Reducing the workforce in this dramatic fashion will cause these businesses to face an additional economic obstacle in an already challenging environment.

The Board of Selectmen strongly urges you to push for reconsideration of the base reductions at Hanscom Air Force Base. We believe that these reductions will negatively impact the economic environment of the surrounding community and reduce the opportunity for scientific exchange between the top engineering firms in the country and the armed forces. In a period when strong economic and community engines need the utmost support, we cannot afford this negative impact to the fabric of the Merrimack Valley. We thank you for your efforts in working to reverse this decision.

Selectman Andrew Deslaurier, seconded by Selectman Michael Rosa, made a motion that the Board send this letter to Governor Patrick in support of re-evaluating the closure of Hanscom Air Force Base.

It was voted: 5 – In Favor
 0 – Opposed

BOARD OF SELECTMEN APPOINTMENTS

MUNICIPAL AFFORDABLE HOUSING TRUST – BANKER POSITION

Selectman Michael Rosa, seconded by Selectman David Gagliardi, made a motion that the Board appoint Donald Queenin of 4 Markham Terrace, Woburn, MA to the Municipal Affordable Housing Trust, Banker Position.

It was voted: 5 – In Favor
 0 – Opposed

TRAFFIC MANAGEMENT COMMITTEE

Selectman Michael Rosa, seconded by Selectman David Gagliardi, made a motion that the Board appoint Daniel Powderly of 15 Patricia Road to the Traffic Management Committee.

It was voted: 5 – In Favor
 0 – Opposed

PRESENTATION

MIDDLESEX RETIREMENT BOARD, RE: UPDATE ON PENSION REFORM AND BENEFITS

Mr. Thomas Gibson, Chairman of the Middlesex County Retirement Board, came to the podium and gave a very lengthy and informative presentation regarding Pension Reform and Benefits. This presentation is on file in the Selectmen’s Office.

Brief discussions ensued regarding unfunded liability issues, allocation issues, qualifying age issues, actuarial tables, cost of living increases, social security offsets and changes in the laws.

The Board thanked Mr. Thomas Gibson for his presentation.

NEW BUSINESS

FISCAL YEAR 2012/2013 BUDGET PRESENTATION

Town Manager John Curran stated before I begin, I just want everyone to know that I will have this powerpoint Fiscal Year 2012/2013 Budget Presentation put on the Town's website in PDF format.

Town Manager John Curran proceeded to give a very informative, lengthy and detailed presentation of the Fiscal Year 2012/2013 Budget. This Budget Presentation is on file in the Board of Selectmen's Office.

Brief discussions ensued regarding various aspects of the Fiscal Year 2012/2013 Budget. Some of the areas discussed involved sewerage, Allen Road, excess levy capacity, new growth, utility and chemical scale-back issues, customer service and Police Cruiser re-use issues.

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Board approve the Fiscal Year 2012/2013 Budget as presented, excluding the Police Department.

It was voted: 5 – In Favor
 0 – Opposed

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Board approve the Fiscal Year 2012/2013 Budget for the Billerica Police Department.

It was voted: 4 – In Favor
 0 – Opposed
 1 – Abstained (Selectman Accomando)

The Board congratulated Town Manager John Curran on doing a job well done with the Fiscal Year 2012/2013 Budget.

Town Manager John Curran thanked Town Accountant Paul Watson, Treasurer/Collector John Clark, Assistant Town Manager Cathy O'Dea, Susan Michelini and Susan Aker for their help regarding putting together the Fiscal Year 2012/2013 Budget and all the Budget Books.

BOARD OF SELECTMEN MEETING MINUTES
FEBRUARY 27, 2012

MEETING SCHEDULE

March 12 and 26, 2012
April 9 and 30, 2012

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion to adjourn at 9:06 PM.

It was voted: 5 – In Favor
 0 – Opposed

A TRUE COPY ATTEST

Susan Michelini, Recording Secretary