

MEETING MINUTES
JUNE 17, 2013

A Regular Meeting of the Board of Selectmen was held on Monday, June 17, 2013 in the Conway Hearing Room at 7:00 p.m. Present were Selectman David Gagliardi, Chairman, Selectman Robert Accomando, Vice Chairman, Selectman Michael Rosa, Secretary, Selectman George Simolaris, Member, Town Manager John Curran, and Assistant Town Manager Cathleen O'Dea. Absent was Selectman Andrew Deslaurier.

CALL TO ORDER

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

There was a moment of silence for former Assistant Town Manager Evelyn Haines who passed away on June 11, 2013.

There was a moment of silence for Jacqueline G. Gurney, Town Meeting member and member of the League of Women Voters who recently passed away in June.

OPEN MICROPHONE

Virginia Musker, 12 Fawn Lane, came to the podium and questioned the Chairman regarding an item she had requested be put on the agenda and the reason it was not.

A discussion took place.

Relative to Mrs. Musker's statements, Town Manager John Curran stated for the record that he did not agree with Mrs. Musker's comments.

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ANNOUNCEMENTS

VACANCIES ON BOARDS AND COMMITTEES

VACANCIES

BOARD OF SELECTMEN

Cable Advisory Committee	1 members to 2016
Cabot Land Re-Use Com.	4 members to 2016
Commission on Disability	3 members to 2016
Constables for the Town	2 for 2014
Elderly & Disabled Taxation	
Fund Committee	1 member to 2016
Financial & Compliance	
Audit Committee	2 members to 2014
Historic Districts Commission	1 member to 2016
	1 alternate member to 2014
Historical Commission	1 member to 2016

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Open Space & Rec Committee 1 member to 2016

Scholarship Foundation Com 2 members to 2016

Traffic Management Committee 1 member (Center) to 2016

Water Conservation Oversight

Committee 1 member to 2016 and one for 2015

Water/Sewer Oversight Board 1 member to 2015

6/12/13

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 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, 9:00 a.m. until 3:00 p.m. This is a program sponsored by Wheelabrator of North Andover.

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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 rebate. Go to www.billericadpw.org or contact the DPW Director's office for list of qualifying models. Qualifying toilet rebates are \$100.00. Qualifying urinal rebates are \$25. Qualifying clothes washer rebates are \$225.00. All rebates are \$100. 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 within 90 days of purchase.

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

Secretary Michael Rosa stated the Sunshine Gal's Kitchen prepares and serves meals on the fourth Saturday of each month between 12:00 Noon and 1:30 p.m. 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.

PUBLIC SAFETY MEMORIAL

Secretary Michael Rosa stated the Billerica Public Safety Memorial, which will honor Billerica Police, Fire and Paramedics, who have died in the line of active duty, will be located in front of Town Hall. It will be built with private funding. The dedication is planned for the Fall of 2013. Help make this memorial possible by making a tax deductible donation. Donations of \$75.00 or more will be recognized on a plaque in Town Hall. For more information and a copy of the donation form, which is important to insure proper recognition of donors, please go to www.billericapublicsafetymemorial.org. The donation and donation form can be sent to the Billerica Public Safety Memorial Fund, care of the Billerica Board of Selectmen, Billerica Town Hall, 365 Boston Road, Billerica, MA 01821.

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**MERRIMACK VALLEY HOUSING PARTNERSHIP, PROJECT GENESIS, HOME BUYER TRAINING CLASSES
2013 SCHEDULE**

Secretary Michael Rosa stated the Merrimack Valley Housing Partnership, Project Genesis, is hosting Home Buyer Training Classes to promote responsible and sustainable home ownership. They will have classes in English, Spanish and Khmer. Classes will be held at Middlesex Community College in downtown Lowell. You can register online at 222.mvhop.org or call 978-459-8490.

MEETING AGENDA

June 17, 2013

ADDENDUM

ANNOUNCEMENT:

1. **SUMMER CONCERT SERIES-** Billerica Recreation scheduled a series of Concerts on the Common for Tuesday evenings from 6:30 p.m. to 9:00 p.m.:

July 2 Good Olde Boys

July 4 BBQ, Music & Activities. Sponsored by the Billerica Lion's Club from **11:00 a.m. to 3:00 p.m.**

July 9 The Risen

July 16 Rampage Trio Band

July 23 Beatle Tracks

July 30 Jimmy East & The Soldiers of Soul

August 6 Country Mile Band

National Night Out ** Billerica Police Department
6:00 p.m.

Ice Cream Festival ** Friends of Billerica Library
6:30 p.m.

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It was voted: 4 – In Favor
0 – Opposed

NEW BUSINESS

BOARD OF SELECTMAN APPOINTMENTS

ARTS COUNCIL

Selectman Michael Rosa, seconded by Selectman Robert Accomando made a motion that the Board of Selectman appoint Virginia Musker, Barbara Bourdon and Carol Bertolucci to the Arts Council.

It was voted: 4 – In Favor
0 – Opposed

BOARD OF APPEALS

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Board of Selectman reappoint Ellen Sargent as a regular member of the Zoning Board of Appeals.

It was voted: 4 – In Favor
0 – Opposed

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Board of Selectman reappoint Ralph McKenna as an alternate member to the Zoning Board of Appeals.

It was voted: 4 – In Favor
0 – Opposed

CABLE ADVISORY COMMITTEE

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Board of Selectmen appoint Robert M. Correnti to the Cable Advisory Committee

It was voted: 4 – In Favor
0 – Opposed

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CABOT LAND RE-USE COMMITTEE

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Board of Selectmen reappoint Grant Whiteway, Sr. to the Cabot Land Re-Use Committee

It was voted: 4 – In Favor
0 – Opposed

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Board of Selectmen appoint Marlise Henderson to the Cabot Land Re-Use Committee.

It was voted: 4 – In Favor
0 – Opposed

CONSERVATION COMMISSION

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Board of Selectmen reappoint Diane DePaso and Peter Martell to the Conservation Commission

It was voted: 4 – In Favor
0 – Opposed

Secretary Michael Rosa stated that there was an interview with Mr. John Bowen and Mr. Jeff Connell for the Conservation Commission.

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Board of Selectmen appoint John Bowen for the Conservation Commission.

It was voted: 4 – In Favor
0 – Opposed

Secretary Rosa thanked Mr. Connell for applying and will check on the number of alternates allowed on the Conservation Commission.

CONSTABLE FOR THE TOWN

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Board of Selectmen reappoint John F. Gray, Jr. as a Constable for the Town.

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It was voted: 4 – In Favor
0 – Opposed

COUNCIL ON AGING

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Board of Selectmen reappoint Grace Gullotti and Daniel J. Hurley as regular members to the Council on Aging.

It was voted: 4 – In Favor
0 – Opposed

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Board of Selectmen reappoint Priscilla Vaughn and Barbara Flaherty as alternate members to the Council on Aging.

It was voted: 4 – In Favor
0 – Opposed

FENCE VIEWER

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Board of Selectmen reappoint Donald MacDonald as Fence Viewer.

It was voted: 4 – In Favor
0 – Opposed

HISTORIC DISTRICTS COMMISSION

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Board of Selectmen reappoint Mary K. McBride to the Historic Districts Commission.

It was voted: 4 – in Favor
0 – Opposed

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It was voted: 4 – In Favor'
0 – Opposed

WATER/SEWER OVERSIGHT BOARD

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Board of Selectmen appoint Don Gadbois to the Water/Sewer Oversight Board.

It was voted: 4 – In Favor
0 – Opposed

TOWN MANAGER REVIEW

Chairman David Gagliardi stated he had a composite review from all of the Board Members relative to the Town Manager's review.

Chairman Gagliardi then read the rating ranges as well as some of the actual ratings for each of the categories.

Chairman Gagliardi then opened up the floor for discussion or comments from the Board and asked Board members to confine their comments to their own comments and opinions.

Secretary Michael Rosa stated that he would like to see the comments in their entirety on the Website.

Chairman David Gagliardi stated that the entire report would be available for public review and would look into getting the information on the website.

After comments and discussion from Board members, Chairman Gagliardi then opened the floor up to Town Manager John Curran for his comments.

Mr. Curran stated that he would take all of the comments from the Board under advisement, and reemphasized his commitment to the Town.

Chairman David Gagliardi concluded the review process by stating that he hoped Board members would meet with Mr. Curran regarding their comments.

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SALEM ROAD SOUND BARRIER

Secretary Michael Rosa stated that he requested this be put on the agenda as a follow up to Open Mic comments at a previous meeting.

Secretary Rosa compiled information relative to a sound barrier on Salem Road.

Secretary Rosa then asked Town Manager John Curran to look into the matter further.

Town Manager John Currant stated the he has provided the Board with a memo relative to this issue and is actively looking into it.

TOWN CENTER

Secretary Michael Rosa discussed the status of the Town Center regarding traffic issues and some ideas to send to the Traffic Management Committee.

Chairman David Gagliardi explained to the public the make- up of the Traffic Management Committee and their role as advisors to the Selectmen.

Selectmen Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen send the Town Center to the Traffic Management Committee to look at the following issues, but not limited to the following issues:

- Traffic lights at the Center at Charnstaffe lane and Concord Road
- Crossing Lights throughout the Center.
- Recalibration and replacing lights
- Overall pedestrian safety
- Sidewalk issue from the Center Post Office to K-Mart

It was voted:

4 – In Favor

0 –Opposed

**SECOND ANNUAL FRIENDS OF THE POOR WALK, SEPTEMBER 28, 2013 FROM 9:00 A.M. TO NOON,
BEGINNING AND ENDING AT THE BILLERICA BOYS AND GIRLS CLUB.**

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen grant permission to the Friends of the Poor for their walk on September 28, 2013

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Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen grant a One Day Beer and Wine License to KHD, Inc. d/b/a High Octane Harley Davidson, One Chelmsford Road, for Saturday July 6, 2013 from 11:00 a.m. to 5:00 p.m.

It was voted: 4 – In Favor
0 – Opposed

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen grant a One Day beer and Wine License to KHD, Inc., d/b/a High Octane Harley Davidson, One Chelmsford Road, for Thursday August 1, 2013 from 11:00 a.m. to 5:00 p.m.

It was voted: 4 – In Favor
0 – Opposed

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen grant a One Day Beer and Wine License to KHD, Inc., d/b/a High Octane Harley Davidson, One Chelmsford Road, for Thursday, August 15, 2013 from 11:00 a.m. to 5:00 p.m.

It was voted: 4 – In Favor
0 – Oppose

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen grant a One Day Beer and Wine License to KHD, Inc., d/b/a High Octane Harley Davidson, One Chelmsford Road, for Thursday, August 29, 2013 from 11:00 a.m. to 5:00 p.m.

It was voted: 4 – In Favor
0 –Opposed

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen grant a One Day Beer and Wine License to KHD, Inc., d/b/a High Octane Harley Davidson, One Chelmsford Road, for Thursday, September 12, 2013 from 11:00 a.m. to 5:00 p.m.

It was voted: 4 – In Favor
0 –Opposed

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Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen grant a One Day Beer and Wine License to KHD, Inc., d/b/a High Octane Harley Davidson, One Chelmsford Road, for Thursday, September 26, 2013 from 11:00 a.m. to 5:00 p.m.

It was voted: 4 – In Favor
 0 – Opposed

All of these Licenses are contingent upon the Traffic Safety Officers approval.

MEETING SCHEDULE

There will be no meetings for the month of July. The next meetings will be August 12, and August 26, 2013, and September 23, 2013

EXECUTIVE SESSION, (M.G.L., CHAPTER 39, S 23b, 3, COLLECTIVE BARGAINING, AND TO CONSIDER THE PURCHASE/EXCHANGE LEASE OR VALUE OF REAL PROPERTY AND TO DISCUSS THE STRATEGY WITH RESPECT TO LITIGATION RELATIVE TO THE MIDDLESEX HOUSE OF CORRECTION

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion to adjourn at 8:20 p.m. to Executive Session (M.G.L., Chapter 39, S23b,3) for the purpose of discussing Collective Bargaining, and to consider the Purchase/Exchange Lease or Value of Real Property and to discuss the strategy with respect to litigation relative to the Middlesex House of Correction.

It was voted: Selectman Robert Accomando Aye
 Selectman George Simolaris Aye
 Selectman Michael Rosa Aye
 Selectman David Gagliardi Aye

A TRUE COPY ATTEST

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