

MEETING MINUTES FOR
SEPTEMBER 23, 2013

A regular meeting of the Board of Selectmen was held on Monday, September 23, 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 Andrew Deslaurier, Member, Selectman George Simolaris, Member, John Curran, Town Manager, Cathleen O’Dea, Assistant Town Manager.

CALL TO ORDER

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

OPEN MICROPHONE

George Simolaris. 476 Boston Road came to the podium and expressed his opinion on sidewalks from the Post Office to the Billerica Mall.

ANNOUNCEMENTS

VACANCIES ON BOARDS AND COMMITTEES

BOARD OF SELECTMEN

| | |
|---|--------------------------|
| Cable Advisory Committee | 1 members to 2016 |
| Cabot Land Re-Use Com. | 3 members to 2016 |
| Commission on Disability Elderly & Disabled Taxation | 3 members to 2016 |
| Fund Committee | 1 member to 2016 |
| Financial & Compliance Audit Committee | 2 members to 2014 |
| Historical Commission | 1 member to 2016 |
| Open Space & Recreation Com | 1 member |
| Scholarship Foundation Com | 3 members to 2016 |

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Water Conservation Oversight
Committee
9/20/13

I member to 2016

COUNCIL ON AGING ACTIVITIES

RESPITE COMPANION CARE ~There's No Place Like Home

The Respite Companion program helps families care for their loved ones, allowing elders to remain at home as long as possible. Respite Companions are available to seven days a week. Please call Lauren Gray, 978-671-0916 ext.: 226 to learn how the Respite Companion program can help you.

COA TV Program – “FOREVER YOUNG” -- Check out the Billerica Council on Aging’s BATV program, Forever Young. A new show airs, monthly, on Comcast Channel 8 and Verizon Channel 31.

COA Van Service - The van helps seniors do errands and tend to local medical appointments five days a week. The van will take seniors, age 60+, and the cost is \$1.00 each way.

The hours are:

| Monday | Tuesday | Wednesday | Thursday | Friday |
|-------------|-------------|-------------|-------------|-------------|
| 8:00 – 2:30 | 8:00 – 3:30 | 8:00 - 3:30 | 8:00 – 3:30 | 8:00 – 2:30 |

- Monday and Friday last pick up is 2:00p.m.
- Tues, Wed, and Thurs. Last pick up is 3:00 p.m.

Respite Companion Program helps families care for their elder loved ones and provides peace of mind and respite for the caregiver. This program, provided by the Billerica Council on Aging, is exclusive to Billerica residents. For more information please contact Lauren Gray. 978-671-0916.

Games for Your Brain—Stay mentally alert. Billerica COA offers many opportunities to

Challenge your Brain. Join us for Scrabble, Party Bridge, Cribbage, Hearts, Whist, etc. If

You are interested in playing any of these please call the Senior Center at 978-671-0916 we will connect you with others who have the same interest and add new games to our schedule.

Scrabble Anyone? Join us for Scrabble every Monday at 1.00 p.m.

Sign up at the front desk. Two to three players needed for each game.

Blood Pressure begins again--- Tues. Sept.3rd at 9:00 a.m.

Sen. Donnelly Office Hours— Wed. Sept. 4th at 9:30 a.m.

The Senator’s office number is 617-722-1432

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Caregiver's Support—Wed. Sept. 4 & 18 at 10:00a.m. This is facilitated by Mary Coakley.

Pharmacy Clinic and Blood Pressure Reading—Thurs., Sept. 5th & 19th at 10:00a.m. Dr. Chin will be here to give Blood Pressure readings and a free pharmacist consultation.

Men's Group—Thurs. Sept. 5th at 1:00 p.m.

Tai Chi on the Lawn—Thurs. Sept. 5, 12, 19 & 26. Enjoy the last days of Summer outdoors.

Horseshoes—Thurs. Sept. 5, 12, 19, & 26 at 10:00 a.m. Join while the weather is still nice.

If you like horseshoes, you are sure to enjoy these friendly games of horseshoes at the Senior Center.

Bowling at Collins Bowladrome--Thurs. at 9:30 a.m. Join us at the Collins Bowladrome.

Billerica Bandstand is Back!!!—Mon. Sept. 9th at 11:00 a.m.-\$4.00 per person. Enjoy lunch and dancing.

Podiatry Appointments—Tues. Sept. 10th starting at 9:00 am. Dr. Timothy Downs is the Podiatrist. Please make an appt. at front desk. Cost is \$25.

Free Cardmaking Class—Wed. Sept. 11th at 10:30 a.m. Instructor Janet Habeshian will be hosting a fun filled hour, make-it, take-it card session.

New Computer Classes—

- Beg.1 on Tues Sept. 10,17 & 24 at 10:30 a.m.
- Facebook on Thurs. Sept. 12, 19, & 26 at 2:00 p.m.
- Windows 7 Laptop Class on Sept. 12,19,26, 15 at 10:30 a.m.
\$10 per 6 week class. Please sign up at the front desk.

Grief and Healing—Wed. Sept. 11th at 11:00 a.m. Facilitated by Susan Bailey, Chaplain at the Merrimack Valley Hospice.

Shine Appointments—**Thurs. Sept. 12th & 25th** with the SHINE counselor Sherry Palo. **or on Monday Sept. 9th & 23rd** with Margaret Frazier, our new SHINE Counselor.

They will provide free confidential counseling on all aspects of Medicare and related health Insurance programs. Please make an appointment 978-671-0916.

Reiki Clinic—Thurs., Sept. 12 & 26 & at 9:30 a.m. Reiki Master, Rosemarie Bass and her staff facilitates. Please call for an appointment.

Yankee Doodle Homecoming Parade—Sept. 13, 14, & 15th, "Celebrating our Schools"

Sept. 14th at 8:00 a.m. to decorate the float at the Sr. Ctr., Marchers meet at 9:00a.m. at K-mart. Marchers please wear Green and White. Please call Linda at 978-671-0916 if you would like to participate.

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Preventing Fraud Issues When Remodeling—Sept. 18 at 10:30 a.m. Ron Habeshian Jr. from JayRon Const. will conduct an informal discussion which will include the importance of preventive home maintenance. Light refreshments served. Please sign up.

Learn about our VNA Middlesex East Telehealth Kiosk—Sept. 19th at 10:00 a.m. Learn how to check your vital signs here at the Billerica COA by using the visiting Nurses Association of Middlesex East Telehealth Kiosk. Nancy Carney will show you how easy it is to use. Please sign up at the front desk.

Book Club--Tues. Sept 24th at 10:30 a.m. Facilitated by Kathleen Kelley. The Book is "People of the Book" by Geraldine Brooks.

History Lecture---Thurs. Sept. 26th at 10:00 a.m. Paul Hogman will lecture on "Old Schawamb Mill".

Meditation---Wed. Sept.. 25th at 10:15 a.m. This is facilitated by Marion Goddard.

Wisdom Works job Workshop-- Sept. 18th & 25th and Oct. 2nd & 9th from 6:00p.m. to 8:00 p.m. at the Billerica Senior Center. Modules include: Skills Assessment, Resume/Cover Letter, Job search Strategies and Social Networking tools. Registration fee is \$10.00. If you are interested or want more information please contact Director Donna Popkin at 978-671-0916 ext. 221

MERRIMACK VALLEY LEAD PAINT REMOVAL PROGRAM

Secretary Michael Rosa stated that for information on the Lead paint removal program to contact the Billerica Board of Health at 978-671-0931.

TOWN OF BILLERICA MERCURY RECOVERY PROGRAM

Secretary Michael Rosa stated that for information on the Mercury Recovery Program to contact the Billerica Board of Health 978-671-0931.

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

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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.

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.

LAHEY HOSPITAL MEDICAL CENTER HEALTH BILLERICA HEALTH ASSESSMENT

Secretary Michael Rosa stated that the Lahey Hospital Medical Center will present the results of the Billerica Health Assessment at a public meeting to be held at the Billerica Council on Aging on September 24, 2013 from 5:30 p.m.-7:00 p.m. All ages are welcome.

MINUTES

Secretary Michael Rosa stated that he would like to see the specific points for the Memorandum of Understanding for the Billerica Dog Park be added to the August 26, 2013 Minutes.

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier made a motion that the Billerica Board of Selectmen accept the minutes of August 26, 2013 as amended by adding the points to be addressed in the Memorandum of Understanding on Page 9.

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It was voted: 5 – In Favor
 0 - Opposed

PRESENTATIONS

BAY CIRCUIT TRAILS

Ms. Marlise Henderson came to the podium and gave a presentation on the Bay Circuit Trail.

The Board thanked Ms. Henderson for her informative presentation.

BILLERICA HOUSING AUTHORITY RE: REGIONALIZATION

Mr. Bob Cox, Director of the Billerica Housing Authority came to the podium and gave a presentation to the Board relative to the Housing Authority's position on the proposed legislation for the regionalization of Housing Authorities. He asked the Board's support of House Bill 1094 as an alternative to regionalization, as well as House Bill 1102, House Bill 1145, and Senate Bill 612. Mr. Cox said he had spoken to both Senator Donnelly and Representative Lombardo who both support the Housing Authority's position against Regionalization.

A discussion and questions took place among the Board members.

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Billerica Board of Selectmen send a letter in support of House Bills 1094, 1102, 1145 and Senate Bill 612.

It was voted: 5 – In Favor
 0 – Opposed

PUBLIC HEARING

GIBBS OIL LTD PARTNERSHIP D/B/A GIBBS OIL, 297 BOSTON ROAD RE: AMENDMENT TO UNDERGROUND STORAGE LICENSE OF THREE (3) 10,000 GALLON GASOLINE TANKS TO TWO (2) 10,000 GALLON GASOLINE TANKS AND ONE (1) 10,000 GALLON SPLIT TANK (6,000 GALLONS GASOLINE AND 4,000 GALLONS DIESEL) ALSO A 2,000 SQUARE FOOT CONVENIENCE STORE.

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OLD BUSINESS

PROFESSIONAL RECOGNITION

Town Manager John Curran congratulated Marilyn Keating on her retirement after 18 years with the Billerica Council on Aging as an Outreach Assistant.

Mr. Curran also recognized four members of the Billerica Police Department who have been promoted.

Lieutenant Roy Frost assumed the position of Assistant Chief effective September 1, 2013.

Lieutenant Jerry Roach assumes command of the Criminal Bureau effective September 29, 2013.

Lieutenant Troy Opland takes over as Administrative Lieutenant effective September 1, 2013. Lieutenant Opland will remain EMS Administrator.

Sergeant John Zarro will assume the Details Records functions effective September 8, 2013.

FISCAL EFFICIENCIES

The Town installed a water main on Bridle Road from 137 Bridle Road to Hancock Street. It is 770 linear feet. It was done in-house at a cost of \$34,000. Had it been contracted out, the cost would have been \$73,000.

The Town received a Tree Grant for \$500.00 from the New England Parks Association.

The Town has also consolidated all servers to virtual servers.

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Billerica Board of Selectmen send a letter thanking Marilyn Keating for her years of service.

It was voted:

5 – In Favor

0 – Opposed

BILLERICA MOOSE LODGE WEEKDAY AND SUNDAY ENTERTAINMENT LICENSE

Tom Murphy, Administrator of the Billerica Moose Lodge came to the podium to request a Weekday and Sunday Entertainment License in order to have live music at the club.

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Selectman Andrew Delaurier expressed his gratitude to the Moose Lodge for their consideration of the neighbors when they have functions.

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Billerica Board of Selectmen grant to the Billerica Moose Lodge, #2648, doing business at 104 Boston Road an Entertainment License; weekday hours will be noon to 7:00 p.m., Sunday, noon to 7:00 p.m., and Saturday noon to 7:00 p.m. outside and inside.

It was voted: 5 - In Favor
0 – Opposed

NEW BUSINESS

BILLERICA HOLIDAY FESTIVAL COMMITTEE RE: ONE DAY ALL ALCOHOLIC LICENSE FOR FRIDAY, NOVEMBER 23, 2013 FROM 6:00 P.M. TO 10:00 P.M.

George Merrill, Chairman and John Gagliardi, Secretary of the Billerica Holiday Festival Committee came to the podium to request a One Day All Alcoholic License for Friday, November 22, 2013 from 6:00 p.m. to 10:00 p.m. for the kick-off reception for the Holiday Festival activities. He also asked that the fee be waived.

Selectman Michael Rosa, seconded by Selectmen Robert Accomando, made a motion that the Billerica Board of Selectmen grant the Billerica Holiday Festival Committee a One Day All Alcoholic License for Friday, November 22, 2013 from 6:00 p.m. to 10:00 p.m. and waive the fee.

It was voted: 5 – In Favor
0 - Opposed

Secretary Rosa stated that their insurance is on file.

BILLERICA HOLIDAY FESTIVAL COMMITTEE, RE: REQUEST TO HANG BANNERS ON TELEPHONE POLES

Chairman George Merrill and Secretary John Gagliardi from the Holiday Festival Committee appeared at the podium to seek permission to hang banners on telephone poles.

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Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier made a motion that the Billerica Board of Selectmen grant the Billerica Holiday Festival Committee permission to install fundraiser banners on the telephone poles.

It was voted:

5 – In Favor

0 – Opposed

BILLERICA HOLIDAY FESTIVAL COMMITTEE, RE: REQUEST TO CLOSE OFF A PORTION OF BLANCHARD AVENUE AND USE OF THE COUNCIL ON AGING YARD AND SIDE PARKING LOT ON SATURDAY, DECEMBER 7, 2013

George Merrill, Chairman and John Gagliardi, Secretary, of the Holiday Festival Committee came to the podium to request permission to close off a portion of Blanchard Avenue and use the COA's yard and side parking lot on Saturday, December 7, 2013.

Chairman David Gagliardi asked Mr. Merrill if they had checked with the neighbors regarding this request.

Mr. Merrill responded that he had had checked with all pertinent authorities and had left flyers at all the neighbors' homes. He said he did speak personally with one neighbor.

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Billerica Board of Selectmen grant permission to the Holiday Festival Committee to close off a portion of Blanchard Avenue, as discussed with the Traffic Safety Officer, and also the use of the Council on Aging side parking lot and yard on December 7, 2013.

It was voted:

5 – In Favor

0 – Opposed

MR. BRIAN GALLANT, RE: REQUEST TO REFINANCE CURRENT MORTGAGE AND ADD KELLY GALLANT TO THE DEED.

Brian and Kelly Gallant came to the podium to request permission to refinance their Affordable Housing Unit and add Kelly Gallant's name to the deed.

Secretary Michael Rosa asked the Gallant's if they had investigated the fact that since they were adding Mrs. Gallant's name to the deed, did they still fall into the affordable guidelines, where it is no longer a single occupant.

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Mr. Gallant responded that once you had been in residence for five years you were locked into the affordability.

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Billerica Board of Selectmen approve the refinance of the mortgage at 53 Baldwin Road, Unit 202, Billerica, MA.

It was voted: 5 – In Favor
0 – Opposed

MR. TOM ACQUAVELLA, CUBMASTER, PACK 54, RE: REQUEST TO PLACE SIGNS ON THE COMMON AND IN FRONT OF TOWN HALL

In the absence of Mr. Acquavella, Dan Kane, Assistant Cubmaster came to the podium to request permission to place three (3) signs on the Common and one (1) in front of Town Hall to promote scouting and to direct people to the Scouting website.

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Billerica Board of Selectmen grant permission to the Billerica Boy Scouts, Pack 54, to place three (3) signs on the Town Common and one (1) in front of Town Hall from September 23 through October 23, 2013.

It was voted: 5 – In Favor
0 – Opposed

BILLERICA PUBLIC LIBRARY FOUNDATION, INC., REG: ALL DAY BEER AND WINE LICENSE FOR THE 17TH ANNUAL WINE TASTING ON FRIDAY, OCTOBER 25, 2013 FROM 7:00 P.M. – 9:00 P.M. AT THE LIBRARY AND ALSO WAIVE THE FEES.

Assistant Library Director Greg McClay, came to the podium on behalf of the Billerica Library Foundation to request a One Day Beer and Wine License for the 17th Annual Wine Tasting on October 25, 2013.

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Billerica Board of Selectmen grant a One Day Beer and Wine License to the Billerica Library Foundation for their annual Wine Tasting for Friday, October 25, 2013 from 7:00 p.m. – 9:00 p.m. and waive the fees.

It was voted: 5 – In Favor
0 – Opposed

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TRANSITIONING SCHOOL PROPERTY TO TOWN CONTROL AND MAINTENANCE

Selectman Andrew Deslaurier put this item on the agenda to begin a dialogue regarding putting all school buildings under the maintenance control of the Town. Selectman Deslaurier stated that this would free up the Schools to concentrate on the education of the students and continue all the great things going on in the different schools. Selectman Deslaurier further stated that there would have to be some Charter changes to change the process.

Secretary Michael Rosa agreed with Selectman Deslaurier about having the maintenance of all buildings under one jurisdiction. Secretary Rosa stated that because there would need to be Charter changes, it might be a good idea to begin with the maintenance of the outside of the buildings as he didn't see any language in the charter prohibiting the Town from doing that.

Selectman Robert Accomando stated that he agreed that Parks and Recreation should take over the regular maintenance of the green areas of all Town properties.

Selectman George Simolaris inquired about getting a Facilities Manager for the Town's properties.

Town Manager John Curran replied there was a Facilities Manager on the School side, but not on the Towns. He further stated that if all of the properties were consolidated, there would have to be a Facilities Manager.

REQUESTS FROM SELECTMAN GEORGE SIMOLARIS

Selectman George Simolaris submitted a memorandum outlining four different items:

TO SEE IF THE BOARD WILL APPROVE SEEKING AN OUTSIDE LEGAL OPINON ON THE PRISON EXPANSION

Selectman Simolaris recapped the history of the prison expansion. He would like to obtain a second legal opinion on the matter. Selectman Simolaris called several law firms in the area regarding this. He was told by one firm that that they could do a preliminary study for \$1900.00.

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Chairman David Gagliardi inquired of Selectman Simolaris what these attorneys could do that Town Counsel had not already done.

Selectman Simolaris responded that a preliminary study needed to be done first.

Secretary Michael Rosa stated he didn't see any issue with having a second legal opinion.

Selectman Andrew Deslaurier said that this move is happening no matter what. He further stated that it is wrong to keep promising citizens that this can be stopped since every avenue is being explored. He feels that the Town should keep going in the direction it is going for the best possible outcome.

Selectman Robert Accomando stated that even if there is a second legal opinion, the expansion is still happening.

Chairman David Gagliardi stated that he could not vote for something where he had not seen an actual pro forma stating the cost.

Selectman George Simolaris, seconded by Selectman Michael Rosa made a motion to see if the Board will vote to approve seeking an outside legal opinion up to \$2,000.00 for a preliminary evaluation of possibilities to stop the Prison expansion

It was voted: 2 – In Favor
3 - Opposed

UPDATE ON SIDEWALKS BETWEEN THE CENTER POST OFFICE AND K-MART

Selectman George Simolaris asked about the report of the Safety Officer regarding the absence of sidewalks between the center Post Office and K-Mart.

Town Manager John Curran stated that he had spoken with the Engineer and was told that when you do a project like this you do the sidewalk and the Street work at the same time. Otherwise, you would have a new sidewalk with patchwork and it would also have an effect in the curb lines on the Street. There is also the ripple over to the other side of the Street.

He further stated it would impact the intersection project as well. The intersection project is \$800,000 and together with the sidewalk and the Street, the project would cost approximately \$1.2 million.

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Mr. Curran said that at the last Selectmen's Meeting a motion was made to send a letter to the DOT requesting that the Town be allowed to repair the sidewalk themselves. Mr. Curran stated that he had drafted a letter to DOT requesting they fund this project.

Mr. Curran asked the Board if they wanted to use Town funds to pay for the work on a State road or do they want the DOT to do the work and use their own funds.

Mr. Curran requested clarification on whether the Board wanted him to write the letter. He reviewed the minutes of that meeting where it was stated that there was a letter to be written. Mr. Curran was not directed to write the letter. The letter was for the Town to fund the project on State land. Even if the Town funded the project, it would still be a State project. The Town would have no management rights over the project because the Town has no rights or access to their jurisdiction.

Selectman Andrew Deslaurier inquired of Selectman Simolaris why the residents at Rose Hill Manor should be put ahead of other Streets in Town who did not have a safe place to walk.

Selectman Simolaris responded that because of the sidewalks location, students and residents of the Elderly Housing on River Street would be using the sidewalk.

Selectman Deslaurier stated that many neighborhoods have this problem. Focus should not be placed in any one neighborhood.

Selectman Robert Accomando stated that this project would take a considerably longer time to complete than the three days Selectman Simolaris said it would take because of all the work it entails.

Secretary Michael Rosa stated that the issue was do we want the Town Manager to write a letter asking them to review the area? Does the Town pay for it or should the State be asked to pay for it.

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier made a motion that the Billerica Board of Selectman send a letter to the State to review the sidewalk project from the Center Post Office and K-Mart and request the State to fund the project.

It was voted:

5 – In Favor

0 – Opposed

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PETITIONS TO GOVERNOR DEVAL PATRICK TO STOP THE PRISON EXPANSION

Selectman George Simolaris spoke about the petitions to the Governor relative to stopping the expansion of the Billerica House of Correction that he and other residents have initiated. They collected 1500 signatures. The petitions and a letter was given to Representative Marc Lombardo and he presented them to the Governor's Scheduling Office. To date, there has been no response from the Governor.

Selectman George Simolaris, seconded by Selectman Michael Rosa, made a motion that the Billerica Board of Selectmen send a letter to Governor Deval Patrick requesting a response on the status of the signed petitions.

It was voted:

5 – In Favor

0 – Opposed

Town Manager John Curran asked Chairman David Gagliardi who would draft the letter.

Chairman Gagliardi stated he would have the Secretary write the letter.

FLIGHT PATTERNS OVER BILLERICA

Selectman George Simolaris stated that he had been approached by residents regarding low flying planes during the evening hours.

Selectman Simolaris would like to know how the flights plans are designated and lodge a complaint to the FAA.

Chairman David Gagliardi replied that planes require lift and to do that they need to fly into the wind and land with the wind at their tail. He further stated the flight patterns are determined by the direction of the wind.

Selectman George Simolaris requested that the Town Manager or the Secretary write a letter to the FAA inquiring how the flight plans have changed in reference to Billerica and register a complaint regarding the noise.

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Chairman David Gagliardi requested Secretary Michael Rosa write the letter.

RECYCLING

Secretary Michael Rosa stated that since the inception of the single stream recycling two months ago, recycling has gone up 3.5%.

The trash per month savings is \$3,312.00 over the two month period.

If residents require a second recycling bin, they can get one for \$45.00.

COMMUNITY FUNDS

Secretary Michael Rosa stated that the application for the 2013 Community Funds will be accepted up until 4:00 p.m. November 1, 2013 in the Selectmen's Office. The recipients will be announced at the December 9, 2013 meeting and the funds will be presented on December 16, 2013.

TOWN MANAGER'S CONTRACT

Chairman David Gagliardi stated that the matter of the Town Manager's Contract will be taken up at the meeting of October 7, 2013.

APPOINTMENT – ARTS COUNCIL

Secretary Michael Rosa stated that the appointments for the Arts Council would be on the October 7, 2013 agenda due to the fact they do not know how many openings there are and there are three applicants.

FALL 2013 TOWN MEETING WARRANT

Secretary Michael Rosa questioned the fact of the Town Manager having the authority to submit Warrant Articles on behalf of the Board of Selectmen.

Town Manager John Curran stated that when the Preliminary Warrant was published he spoke to the Chairman regarding any articles on the Warrant that may be a cause for concern for the Board. If that was the case, then a Special Meeting needed to be held. The Town Manager received no communication that there was any concern with any of the articles.

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Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen support Article 1 of the Special Fall 2013 Town Meeting Warrant.

It was voted: 5 – In Favor
0 – Opposed

ARTICLE 2 – PAY THE BALANCE OF THE PARKER SCHOOL PROJECT EXPENSES

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen support Article 2 of the Special Fall 2013 Town Meeting.

It was voted: 5 – In Favor
0 – Opposed

FALL TOWN MEETING WARRANT (REGULAR WARRANT)

ARTICLE 37 – TO ACCEPT THE PROVISIONS OF M.G.L. CHAPTER 59, SECTION 5N

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen support Article 37.

It was voted: 5 – In Favor
0 – Opposed

Chairman David Gagliardi stated that Selectman Robert Accomando left the room.

ARTICLE 15 – TO AMEND VARIOUS FISCAL YEAR 2014 TOWN AND SCHOOL OPERATING BUDGET LINE ITEMS

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Billerica Board of Selectmen support Article 15.

It was voted: 4 – In Favor
0 – Opposed

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ARTICLE 16 – TO FUND THE DEBT STABILIZATION FUND

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Billerica Board of Selectmen support Article 16.

It was voted: 4 – In Favor
0 – Opposed

ARTICLE 17 – TO FUND FISCAL YEAR 2014 TOWN CAPITAL BUDGET

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Billerica Board of Selectmen support Article 17.

ARTICLE 20 – TO FUND THE DEVELOPMENT OF A SEWER COLLECTION SYSTEM OPERATION AND MAINTENANCE PLAN

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Billerica Board of Selectmen support Article 20.

It was voted: 4 – In Favor
0 – Opposed

ARTICLE 23 – TO FUND THE DESIGN, BIDDING AND CONSTRUCTION OF ENHANCEMENTS TO THE WASTEWATER TREATMENT FACILITY TO ALLOW FOR SINGLE SHIFT OPERATIONS

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Billerica Board of Selectmen support Article 23.

It was voted: 4 – In Favor
0 – Opposed

ARTICLE 24 – TO FUND THE DESIGN OF SEWER NEEDS AREA 2 & 8

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Billerica Board of Selectmen support Article 24.

It was voted: 4 – In Favor
0 – Opposed

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Selectman Accomando returned to the room.

ARTICLE 25 – TO FUND THE REHABILITATION OF THE WATER MAINS PROGRAM

Selectman Michael Rosa, seconded by Selectman Andrew Deslaurier, made a motion that the Billerica Board of Selectmen support Article 25.

It was voted: 5 – In Favor
0 – Opposed

ARTICLE 27 – TO FUND YANKEE DOODLE BIKE PATH DESIGN

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen support Article 27.

It was voted: 5 – In Favor
0 – Opposed

ARTICLE 36 – TO APPROPRIATE THE PREMIUM PAID TO THE TOWN UPON THE SALE OF BONDS OR NOTES ISSUED FOR THE PARKER SCHOOL PROJECT

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen support Article 36.

It was voted: 5 – In Favor
0 – Opposed

ARTICLE 38 – TO ACCEPT THE PROVISIONS OF CHAPTER 126 OF THE ACTS OF 1988 AND CHAPTER 73 OF THE ACTS OF 1986

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen support Article 38.

It was voted: 5 – In Favor
0 - Opposed

ARTICLE 46 – TO CHANGE PURPOSE OF MICOZZI BEACH FROM CONSERVATION TO PARKS, PLAYGROUNDS AND RECREATION

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Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectman support Article 46.

It was voted: 5 – In Favor
0 - Opposed

ARTICLE 48 – 12 HARNDEN ROAD LAND TRANSFER AUTHORIZATION

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion that the Billerica Board of Selectmen support Article 48.

It was voted: 5 – In Favor
0 – Opposed

MEETING SCHEDULE

Selectman Michael Rosa stated that the Meeting schedule would be October 7 and October 21, 2013 and October 1, October 3, October 8, October 10, October 15 and October 18 before Town Meeting at 7:00 p.m. if needed.

ADJOURNMENT

Selectman Michael Rosa, seconded by Selectman Robert Accomando, made a motion to adjourn.

It was voted: 5 – In Favor
0 – Opposed

Chairman David Gagliardi adjourned the meeting at 10:30 p.m.

A TRUE COPY ATTEST

Sue Aker, Recording Secretary

