



**SELECT BOARD**  
TOWN HALL  
365 BOSTON ROAD  
BILLERICA, MASSACHUSETTS 01821  
978-671-0939  
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Michael A. Riley, *Chair*  
Kimberly J. Conway, *Vice Chair*  
Andrew N. Deslaurier, *Secretary*  
Michael S. Rosa, *Member*  
John J. Burrows, *Member*

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phone 1 929 205 6099

webinar id: 834 7713 8002

**\*REVISED on 09/14/23 – New Time**

**BILLERICA SELECT BOARD AGENDA  
SEPTEMBER 18, 2023 @ 6:30 PM**

**365 BOSTON ROAD, THOMAS CONWAY HEARING ROOM #205 AND HYBRID VIA ZOOM**

**Call to order 6:30 PM**

1. Open Microphone
2. Discussion and Vote on Final Special Town Meeting Warrant

**Meeting Schedule**

September 25, 2023, October 2, 2023, and October 3, 2023 (Start of Town Meeting)

# TOWN OF BILLERICA

## FINAL WARRANT



# SPECIAL FALL TOWN MEETING

Annual Fall Town Meeting  
Thursday, October 5, 2023

Billerica Town Hall Auditorium

<b>Article Number</b>	<b>Purpose</b>	<b>Value</b>	<b>Funding Source</b>	<b>Submitted by:</b>	<b>Finance Committee Recommendation</b>
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*Committee Articles*

1	To Establish and Transfer Monies into the Opioid Settlement Stabilization Fund			Town Manager; authorized by the Select Board	Reserves Recommendation
2	To Amend Article 1, Section 6.1 and 6.2 of Proposed Budget: Submission to the Finance Committee			Select Board Member Michael Rosa	Reserves Recommendation
3	National Grid Easement for 11 Concord Road			Town Manager; authorized by the Select Board	Reserves Recommendation

**FINAL WARRANT  
OCTOBER 5, 2023  
SPECIAL FALL TOWN MEETING**

Middlesex, ss.

To Any Constable in the Town of Billerica

Greetings,

You are hereby authorized and requested to notify and warn the inhabitants of said Town of Billerica qualified by law to vote in Elections and Town Affairs, to meet at the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA on Thursday, October 5, 2023 at 7:00 PM and subsequent Thursdays and Tuesdays until all of the business in the Warrant shall have been acted upon, then and there to vote on the following articles:

**ARTICLE 1 - TO ESTABLISH AND TRANSFER MONIES INTO THE OPIOID SETTLEMENT STABILIZATION FUND**

To see if the Town will vote, pursuant to the provisions of G.L. c.40, §5B, to create a new special purpose stabilization fund, to be known as the Opioid Settlement Stabilization Fund, which may be expended for all of the purposes allowed by law, including those outlined in applicable opioid-litigation settlement documents, a document prepared by the Substance Addiction Bureau of the Commonwealth's Office of Health and Human Services Department, found at <https://www.mass.gov/doc/massachusetts-abatement-terms/download> entitled "Abatement Strategies", and consistent with any state guidelines or regulations further clarifying allowable uses of opioid litigation settlement funds; and further, to adopt the last paragraph of said §5B and dedicate to such fund, without further appropriation, 100% of the opioid litigation settlement funds received by the Town; and further, to transfer from available funds the sum of \$200,873.40, equal to that received by the Town from opioid litigation settlements resulting from the Town's participation in the national Opioid Multi-District Litigation into said Opioid Settlement Stabilization Fund; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not made final recommendation.*

**Article 1 Explanation:** The Massachusetts Department of Revenue Guidelines require these settlement monies to be appropriated in a segregated fund. These monies can be used for the support of prevention, harm reduction, treatment and recovery programs as directed by the National Opioid Settlements Agreements. The proposed warrant article allows for the creation of a special purpose stabilization fund into which would be transferred a sum equal to that received from settlement funds and into which future settlement funds would automatically be deposited through adoption of the last paragraph of the statute. The funds to be transferred into the Opioid Settlement Stabilization Fund would come from available funds.

**ARTICLE 2 - TO AMEND ARTICLE 1, SECTION 6.1 AND 6.2 OF PROPOSED BUDGET: SUBMISSION TO THE FINANCE COMMITTEE**

To see if the Town will Vote to amend the Billerica General By-Law, Article 1, Section 6, Proposed Budget as follows, with underlined language inserted therein:

Article 1 Section 6

6. PROPOSED BUDGET: SUBMISSION TO FINANCE COMMITTEE

6.1 At least sixty (60) days before the Town Meeting is scheduled to meet in its Spring session, the Town Manager shall file with the Finance Committee and provide for publication of a proposed detailed and ratified by the ~~Select Board of Selectmen~~ operating budget and capital budget for the ensuing fiscal year, as provided for in Section 5-3 of the Charter. The proposed budget shall also be posted on the Town’s website. Any defect in the posting of the proposed budget on the Town’s website shall not invalidate the notice requirements of this By-Law.

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The proposed budget shall include:

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(a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by town agency, function and work programs, and the proposed methods of financing such expenditures;

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(b) Proposed capital expenditures during the ensuing fiscal year, detailed by town agency, and the proposed method of financing each such capital expenditure;

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(c) Estimated surplus revenue and free cash at the end of the current fiscal year, including estimated balances in any special accounts established for specific purposes.

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6.2 At least sixty-five (65) days before Town Meeting is scheduled to meet in its Spring session, the School Superintendent shall file with the Town Manager and provide for publication of a proposed, detailed operating and capital budget for the ensuing fiscal year.

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The budget shall be arranged to show the actual and estimated income and expenditures for the previous, current and ensuing fiscal years, and shall indicate, in separate sections:

(a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by school, agency, function and work programs.

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(b) Proposed capital expenditures during the ensuing fiscal year, detailed by school, agency, and the proposed method of financing each such capital expenditure.

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(c) School population projections

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Notwithstanding the said date for formal submission, the Town Manager may, insofar as it is practical to do so, submit preliminary information and data to the Finance Committee in advance of such date, in order to assist it in the performance of its duties. The proposed school budget shall also be posted on the Town's website. Any defect in the posting of the proposed school budget on the Town's website shall not invalidate the notice requirements of this By-Law.

Or act in relation thereto.

Submitted by Select Board Member Michael Rosa

***Finance Committee has not yet made final recommendation.***

Article 2 Explanation: This article is intended to compel a comprehensive and detailed budget submission from the School Department to the Town.

**ARTICLE 3 - MASSACHUSETTS ELECTRIC COMPANY EASEMENT FOR 11 CONCORD ROAD**

To see if the Town will vote to authorize the Select Board to grant and convey to Massachusetts Electric Company on such terms and conditions as the Select Board deems appropriate, permanent utility easements in a portion or portions of Town-owned property, said property being the site of the former Masonic Hall located at 11 Concord Road, Billerica and described in a plan of land recorded with the Middlesex North Registry of Deeds in Book 70, Plan 97, which portion or portions are approximately shown on a plan on file with the Town Clerk; and further to authorize the Select Board to enter into such agreements and execute such documents and instruments as necessary to effectuate the purposes of this article; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

***Finance Committee has not yet made final recommendation.***

Article 3 Explanation: This article is to allow an easement for National Grid to install a pole on Town owned property at 11 Concord Road.