

**BILLERICA SELECT BOARD MEETING MINUTES
MARCH 8, 2021**

A regular meeting of the Select Board was held on Monday, March 8, 2021 at 7:00PM via Zoom Conference. In attendance were Chairman Mike Rosa, Vice Chairman John Burrows, Secretary Dan Burns, Selectman Kim Conway, Selectman Andrew Deslaurier, Town Manager John Curran, Asst Town Manager Cathy O’Dea and Zoom Administrator Clancy Main. Roll call vote

Chairman Rosa comments - Minutes of January 25 and February 8 will not be taken up tonight. There are adjustments that need to be made.

Also, today is International Womens Day – Recognizing the achievements of women.

OPEN MICROPHONE

No one for open mic.

VACANCIES ON BOARDS AND COMMITTEES (see attached)

APPOINTMENTS

James H. Davis, Jr. reappointment Democrat to Board of Registrars for 3 years. Motion to appoint-Seconded by Selectman Burrows. Selectman Deslaurier-Aye, Selectman Conway-Aye, Selectman Burrows-Aye, Selectman Burns-Aye, Chairman Rosa-Aye

Roll call vote (5-0)

Stephen Strykowski reappointment to Council on Aging for 3 years. Motion to appoint-Seconded by Selectman Burrows. Selectman Conway-Aye, Selectman Deslaurier-Aye, Selectman Burrows-Aye, Selectman Burns-Aye, Chairman Rosa-Aye

Roll call vote (5-0)

Michael Parker applicant for Water/Sewer Oversight Board 3 year term. Motion to appoint-Seconded by Selectman Burrows. Selectman Burns-Aye, Selectman Burrows-Aye, Selectman Conway-Aye, Selectman Deslaurier-Aye, Chairman Rosa-Aye.

Roll call vote (5-0)

PRESENTATION FROM CHAIRMAN MICHAEL RILEY BILLERICA PLANNING BOARD (see attached)

Chairman Riley thanks the board for inviting him to the meeting.

Selectman Deslaurier wants Mr. Riley to tell residents “where do we go from here”. Mr. Riley comments - The Planning Board is at a “rough draft” stage which is on the town website.

Selectman Deslaurier asks how does the board update the language. Mr. Riley - Under the PUD’s there is a moratorium but it doesn’t affect the mall. Its going to make the vision much better. Selectman Deslaurier is glad you are doing this work. Mr. Riley says hes had several residents reach out to him. Hes spoken to business owners, r.e. agents, developers-he’s even reached out to architects in Bedford, MA.

Selectman Deslaurier asks how has this new language changed? Mr. Riley says this bylaw is formed for Billerica-specifically from Tower Farm to 129 area. It comes from our master plan and visions.

Selectman Deslaurier encourages residents to reach out and thanks Mr. Riley.

Chairman Rosa agrees with Selectman Deslaurier. Residents need to reach out if they have questions. Is there a draft out there. NO comments Mr. Riley. Mr. Riley said they are getting rid of the PUD. He wants residents to see the bylaw prior to it going to attorneys and prior to it going to town meeting.

Chairman Rosa asks – its going to be a zoning bylaw that replaces the PUD? Mr. Riley comments- lets hope.

Selectman Conway asks will you be ready for spring town meeting? Yes. The plan that was just approved for Billerica mall – would that have been approved with this new bylaw? No – because you now will have a 3 story max. There would be more protections in place. Selectman Conway says how to you insure that happens? Is anything binding? Yes – this bylaw spells out there must be commercial/retail on the first floor. It prohibits residential on the first floor. Selectman Conway asks how do residents get in touch with you – email? Call the office? Mr. Riley says himself, Matthew Battcock, Patricia Fleming, Mark LaLumiere or Denise McClure.

This is not poliltics....this is for the benefit of Billerica says Mr. Riley. Mr. Riley wants this to be positive. Lets talk about what we want.

Selectman Conway says she likes what Planning Board is doing. She closes with saying that peoples concerns are they don’t want it in their back yard. She urges him to continue on.

Selectman Burns thanks him for his efforts. Mixed use works and could happen here. What do you see Mr. Riley is the difference between what was called PUD and mixed use overlay? Got rid of PUDR – it didn’t fit the vision of what the community wants. Talk about walkable cities... the importance of the bikepath. We are adding connectivity. Control the density.

Selectman Burns is looking forward to the proposed bylaw in its entirety. He wants something that will work for the community. Does the new bylaw support only townhouses or cluster developments? Mr. Riley says it sounds like no.

Selectman Burrows how will the governors housing choice affect this. It already has. There's a lot of things in that economic bill – money – for areas near transit. Do you think there is a way we can up our affordable units? Mr. Riley says we can encourage more affordable housing. With mixed use is there anyway that the buildings are built correctly? Yes – the building inspector.

Mark LaLumiere - The building code will address this. The big differences are high limitations. Another change is out of ZBA hands and entirely in Planning. It encourages redevelopment.

Selectman Burrows asks will there be a design standard. Mr. Riley says yes there will. There is a section on design guidelines.

Chairman Rosa thanks Mr. Riley for coming and recognizing that there have been concerns. It's not secret that I have been PUDs since its inception. There are no specifics about the height of the building. Mr. Riley says - Yes this is a draft..... Chairman Rosa says you should have included the nuts and bolts.

Chairman Rosa has a few other questions such as what is the corridor? Is it within the article that you are going to have what the corridor consists of? Will you have a separate article? Mr. Riley responds it's just the overlay district. There's 3 – mall area, other end of Boston Rd, and Nashua and Rangeway Roads in the 2016 version. Chairman Rosa asks – your gonna ask town meeting to rescind the PUDG, rescind all the overlays, and then we'll go forward with this mixed use overlay. With any overlay it can be placed anywhere in town. Are you proposing that when we pass the mixed use overlay and try to focus it in a certain area but leave it up to the owners of those properties. Mr. Riley responds that it will include the overlays as well. Chairman Rosa asks if it will be a separate article? Mr. Riley believes it is. Chairman Rosa thinks we need to get council involved immediately. This is super important to the community. Because a PUD is so poorly worded we are going to now rescind it – that the reason we'll have commercial buildings at the mall and have condos put in their place.

We need to get town council involved with regards to placing the overlays. Mr. Riley believes town council is now involved and he's in agreement with Chairman Rosa. Chairman Rosa asks who is interacting with town council? Mr. Riley responds – the Planning Director.

Proclamation for Christine West and Joanne White

Chairman Rosa states we appreciate all of our people that have been on the front lines.

Proclamation for Tom and Bill Paskiewicz

Stan's Towing provided over 80 years of service.

PUBLIC HEARING

Motion to open public hearing seconded by Selectmen Burrows. Selectman Burns-Aye, Selectman Burrows-Aye, Selectman Conway-Aye, Selectman Deslaurier-Aye, Chairman Rosa-Aye

JP Retailers, Inc. d/b/a JP Beer & Wine 326 Salem Rd transfer of license and alteration of premises. Mr. Jag Chani owner states that his tenant is not renewing his lease. Chairman Rosa gives a history – originally it was a convenience store with small section to sell beer & wine. Mr. Chani says convenience

store is no longer there and its just beer & wine. Sunday hours are 10am – 11pm. Lt. Jerry Roche does not recommend 8-11PM for Sunday hours.

Selectman Conway asks if Mr. Chani wants to sell this business? The neighborhood can not support this business. Selectman Conway asks Mr. Curran how long does it take to get the town licensing? Mr. Chani responds - The liquor license side takes time through the state. Selectman Conway wishes there was more the town could do for a small business owner like him.

Mark LaLumiere wants to comment on the dilemma. Every time Mr. Chani brings a new business into town it needs to go before the ZBA. Each business needs a new condition that the original license is not transferrable to the next owner. Every time a restaurant fails, he's back at square 1 and has to file for a new permit.

Selectman Burns moves that the board close the public hearing for JP Beer & Wine. Seconded by Selectman Burrows. Selectman Conway-Aye, Selectman Burns-Aye, Selectman Deslaurier-Aye, Selectman Burrows-Aye, Chairman Rosa-Aye Public hearing is closed.

Selectman Burns moves the board approve the transfer of the beer & wine license to Mr. Jag Chani. Hours of operation will be Monday -Friday 8am -11pm Sat 8am-11pm and Sun 10am-11pm. Seconded by Selectman Burrows. Selectman Burns-Aye, Selectman Conway-abstain, Selectman Burrows-Aye, Selectman Deslaurier-Aye, Chairman Rosa-Aye.

Roll call vote (4-1)

Selectman Burns moves to approve alteration of premises. Seconded Selectman Burrows. Selectman Burns-Aye, Selectman Conway-Aye, Selectman Burrows-Aye, Selectman Deslaurier-Aye, Chairman Rosa-Aye

Roll call vote (5-0)

Town Managers Report (see attached)

Selectman Burns says people should take action to try to get teachers vaccinated. He's happy about the boat launch. He's overall happy with the town managers report. People need to keep their masks on.

Selectman Deslaurier comments that 50% of our teachers are already vaccinated. Has all first responders been vaccinated at this point. Mr. Curran states its been offered to all. Any questions Mr. Curran that come up on budget process? Mr. Curran - No its just a level service budget. Ditson demo starts in May and finish in July & Vining is May to August due to more hazmat.

Selectman Conway asking about the time capsule. Clancy says last best guess is that it doesn't exist. She asks town manager when CPC meeting is scheduled for Masonic and PHR. End of March beginning of April according to Mr. Curran. Kuddos to teachers getting vaccines. State did a terrible job with administering vaccines.

Selectman Burrows a few people asked him about the budget. People in different departments are getting different amounts of a raise. They get their step and increase which are compared to cities and towns.

Chairman Rosa wishes the state would step it up with the vaccines. He has sent out numerous letters along with various organizations so that we can get more vaccines. I appreciate you speaking about the budget Mr. Curran. Great news on the boat launch. With the schools I would add- should we try to promote any arts and crafts with others in town. Mr. Curran will give it some thought and get back to the board. The peak in covid – people are getting frustrated. Keep up the effort. Mr. Curran wants to talk about Joanne White and Christine West – what a great job they have been doing. Kerri Rufo also has participated and done a great job. Clancy Main also is exceptional.

Vote on hours of town meeting and spring election

Selectman Burns makes a motion to set the annual town meeting to commence on Saturday, May 8, 2021 at 10AM. Seconded by Selectman Burrows. Selectman Burns-Aye, Selectman Burrows-Aye, Selectman Deslaurier-Aye, Selectman Conway-Aye, Chairman Rosa-Aye.

Roll call vote (5-0)

Selectman Burns moves the board approve the town elections to be held Sat., April 10, 2021 from 8am-8pm. Seconded by Selectman Burrows. Selectman Burns-Aye, Selectman Deslaurier-Aye, Selectman Conway-Aye, Selectman Burrows-Aye, Chairman Rosa-Aye.

Roll call vote (5-0)

Continued Outdoor Dining for Restaurants

Chairman Rosa put this on the agenda. Restuarants are still struggling. We need to continue outdoor dining til 12/31/2021. Start date for outdoor dining is March 9, 2021.

Selectman Deslaurier is in agreement. Selectman Burns is in agreement. He has a question about outdoor entertainment- is there anything we should be working on regarding this? Chairman Rosa says this is strictly outdoor dining. Entertainment can utilize the license if they have it. Mr. Curran says that is correct. If someone wants to expand their outdoor entertainment this time around they will have to go through the regular permit process. ***This is meant for outdoor dining.***

Motion made to have outdoor dining rules and regulations in force effective March 9, 2021 – December 31, 2021. Seconded by Selectman Burrows. Selectman Burns-Aye, Selectman Conway-Aye, Selectman Deslaurier-Aye, Selectman Burrows-Aye, Chairman Rosa-Aye.

Roll call vote (5-0)

Supreme Pizza transfer of license

New owner Tariq Khan asks about inspections. He has all signoffs so he’s all set to go.

Selectman Burns makes a motion to approve transfer the license to new owner Tariq Kahn. Hours of operation are Monday-Friday 11am-10pm, Sat. 11am-10pm, Sun 11am-10pm. Motion seconded by Selectman Burrows. Selectman Burns-Aye, Selectman Burrows-Aye, Selectman Conway-Aye, Selectman Deslaurier-Aye, Chairman Rosa-Aye

Roll call vote (5-0)

Kent Scholarship

Chairman Rosa wants to thank Ralph McKenna for his years of service with the scholarship. 8 - \$1,000 scholarships. 4 for BMHS and 4 for SVTHS.

Selectman Burns makes a motion to approve the disbursement of \$8,000. from the Kent Scholarship Fund to be used for the sole purpose of providing 8 - \$1,000. Scholarships – 4 for BMHS students and 4 for SVTHS (Billerica resident) students. Seconded by Selectman Burrows. Selectman Burns-Aye, Selectman Burrows-Aye, Selectman Conway-Aye, Selectman Deslaurier-Aye, Chairman Rosa-Aye

Roll call vote (5-0)

Review of Spring 2021 warrant (see attached)

Chairman Rosa has a question on #14-unaccounted for water compliance plan. His question is “is that’s something that is mandated by DEP?” Mr. Curran says YES. A tremendous amount of water was being lost due to faulty meter readings and a major water break.

Chairman Rosa thinks he should plug in 2 place holders for Planning Board articles. Mr. Curran agrees. Chairman Rosa would like to see the order of articles 21 and 22 to come before the planning board articles. He continues on that there should be a meeting between himself, town council and chairman of planning board. We don’t want to get pigeon - holed with something we don’t want.

Selectman Deslaurier makes a comment that it is a board vote to reorder articles. Chairman Rosa says he mentioned it – he doesn’t have a problem with voting it. Chairman Rosa says first step is to rescind and then put in new mixed use overlay. Selectman Deslauriers point is that we are reordering articles that don’t even exist. Chairman Rosa comments - The boards 2 articles exist....

Selectman Conway comments that we’ve wandered into an area that really doesn’t belong to the board of selectman. We aren’t zoning experts. They don’t need our approval. They have zoning experts that do their job. She hopes everyone at home can see what is happened. Last meeting they voted to change order of articles just for this purpose. She thinks this is thinly veiled. Let the Planning Board do their job. Leave our 2 articles at the very end as a safety net. Selectman Conway says what we are doing is wrong and not appropriate.

Chairman Rosa says he takes offense to this. No one did a good job previously. Chairman Rosa and Selectman Conway go back and forth as to who said what and both accuse each other of stating things that are not factually correct. Each have their own opinion about the process.

Selectman Burrows questions revolving funds 2 million dollars for Project Beam. Last year \$85,000 was transferred to pay for a nurse. Beam is funded through health insurance. It should be self funded. Mr. Curran says its to set the spending limit that they can take in.

Selectman Burrows comments - As for the zoning I’d like to have Mr. Riley back again. We need more sets of eyes looking at zoning. We don’t need any surprises.

Selectman Burns says nothing funny is going on with the warrant articles. The PUD bylaw is not viable as it sits right now. Selectman Burns goes on to say Mr. Riley said the PUD's need to be removed. It doesn't matter where they (warrant articles) land in the warrant as long as they achieve the same goals. Get rid of the old bylaw and put new ones in place. He doesn't have any issue with the order.

Selectman Deslaurier asks what is Boston Road 75% design? Mr. Curran says that is the project in front of town hall. The CPA dollar amounts – can that be changed? 10.4 million - 3 coming from free cash and 7.5 million coming from CPA and borrowing which will be free cash.

Selectman Conway apologies if she offended anyone but she wants to know if anyone ever remembers changing the order of articles? Chairman Rosa says yes – he thinks it was in 2016 there were a number of articles due to the use of free cash and the board organized those. Through the Charter the board has the right to do it. Selectman Conway is curious why the change this year?

Mr. Curran is setting up a meeting between Chairman Rosa, Chairman Riley and town council.

Selectman Burns comments next meeting is on March 22, 2021 and April 12, 2021.

Selectman Burns makes a motion to adjourn. Seconded by Selectman Burrows. Selectman Conway-Aye, Selectman Burns-Aye, Selectman Deslaurier-Aye, Selectman Burrows-Aye, Chairman Rosa-Aye.

Roll call vote (5-0)

A true copy attest

Patricia E. Battcock

VACANCIES ON BOARDS AND COMMITTEES

SELECT BOARD APPOINTMENTS

<u>POSITION</u>	<u>OPENINGS</u>	<u>TERM EXPIRES</u>
Fence Viewer	1	2022
Scholarship Foundation Committee	4	2023
	1	2022
	1	2021
Water/Sewer Oversight Board	3	2023
	2	2022
	2	2021
Billerica Affordable Housing Trust		
1 – Attorney		
1 – Banker		

EXECUTIVE SUMMARY

MIXED USE OVERLAY ZONING DISTRICT

The Town of Billerica adopted the Planned Unit Development Overlay Zoning District (PUD) along with the designation of properties to be included within the Overlay District through Town Meeting. The Planned Unit Development District consisted of the PUD-G (General Business) and the PUD-R (Residential). Since that adoption, there have been concerns and questions raised, particularly by the Planning Board, pertaining to the District and whether it achieved the goals for the areas. In addition, warrant article 26 pertaining to review of the PUD By-Law was submitted to the 2020 Special Fall Town Meeting as part of a moratorium. Town Meeting, through this moratorium article, directed the Planning Board accordingly:

“During the moratorium period, the Town, through its’ Planning Board, shall undertake a planning process to study, review, analyze and address whether any revisions the Zoning Bylaw relative to Planned Unit Developments are needed or desirable to provide for mixed use development consistent with the Town's future general planning goals for economic development and goals of the Town’s Master Plan.”

This prompted the Planning Board Chair, to utilize the Smart Growth Committee to review the existing PUD By-Law and revise the By-Law to address the goals and vision for the area. Since Fall Town Meeting, the Smart Growth Committee has held many public meetings, a Community Forum, and developed a survey to gain public input pertaining to the goals and vision for the Boston Road Corridor and the revisions necessary to develop a By-Law to meet those goals and vision for the Town’s Master Plan and the areas these overlays affect. The Committee determined two fundamental changes that would be necessary to address the vision for the Corridor and they are as follows:

- Revising the existing PUD By-Law would not create a usable By-Law to address the vision for the Corridor, thus a new by-law, the Mixed Use Overlay District, would be developed.
- Removing the PUD-R in its entirety was necessary, as the PUD-R was not contributing to the overall vision.

Below is a summary of some of the key elements contained within the new Mixed Use Overlay Zoning District:

Purpose and/or Vision for the Corridor

The vision for the Corridor is to encourage the construction of Mixed Use Developments, increase pedestrian activity and provide alternate modes of transportation. The goal is to increase residents within the corridor in order to spur additional commercial development throughout the area as spelled out as far back as the 2002 Master Plan. It states as part of the Town’s housing goals:

“Planning Board and Director of Planning to draft and propose zoning bylaw changes to allow mixed use affordable developments/housing units over or within commercial property in certain areas. This would be by special permit of the Planning Board.”

Accordingly, the major objectives of the District are:

- Permit a mix of land uses, densities and building types in one development.
- Facilitate high quality, integrated planning of developments beneficial to the Town and constructed in a manner which is highly responsive to specific sites and their surroundings.
- Require more rigorous development standards than those found in other zoning districts.
- Provide a mechanism to accommodate development reuse and redevelopment in specified locations, which is in the public interest and may not otherwise be permitted within the Town’s Zoning By-Law
- Create mixed use developments that work together to create a unified sense of place and purpose
- Facilitate the development of a mix of uses that contribute to a vibrant business environment and increases street level activity
- Promote a greater variety of housing choice and create diversity of housing opportunities in the corridor
- Create connectivity of uses and promote pedestrian activity
- Develop uses that are compatibility with the Town’s character and historic or traditional context
- Create a balanced and vibrant mix of compatible uses
- Create development nodes in order to plan for a comprehensive corridor
- Create a retail and restaurant base that residents can utilize
- Encourage the reuse of existing buildings and the construction of new, innovative designs that enhance the corridor

Sub-Zones

The Mixed Use Overlay District will create two sub-zones, as there may be different requirements for each sub-zone to meet the goals of the sub-zone. The two sub-zones will act as anchors to the Boston Road Corridor to increase commercial development options within and between the zones. The specific boundaries of the two sub-zones are shown on the Town of Billerica Zoning Map as the existing PUD Overlay District. The goals of the sub-zones are as follows:

Sub-Zone A: Town Center

The goal of this sub-zone is to preserve the historic character of the Town Center while providing additional opportunities for a diversity of housing options, commercial development, and pedestrian activity.

Sub-Zone B: Boston Road

The goal of this sub-zone is to provide additional opportunities for commercial growth through the addition of housing. This sub-zone will also act as an anchor to increase commercial growth along Boston Road outside of this Overlay District.

Special Permit

All development projects within the Mixed Use Overlay District will require a special permit and the Planning Board is the designated Special Permit Granting Authority. There is criteria that needs to be met by each project proposed within the District. For example, all mixed use development shall contain a balance of commercial and residential uses; uses shall be constructed simultaneously; uses shall be designed to generate pedestrian traffic; parking shall be located to the rear or side of the building, whenever physically feasible; parking lots shall be cohesive and not separated by use.

Density Requirements

A maximum density is set for the residential uses for each sub-zone and there are density bonuses for developments that provide improved pedestrian access in Sub-Zone A, developments that provide for alternate modes of transportation in Sub-Zone B, and developments in both sub-zones that provide affordable housing in excess of 10%. A proposed project may only utilize one density bonus option.

Dimensional Requirements

There are minimal setback requirements within the District in order to encourage projects to relate to the street, encourage pedestrian access, and allow for parking to be located in the rear.

Affordable Housing Requirement

Every development proposing five (5) residential units or more within the Mixed Use Overlay District must provide a minimum of 10% of the housing units as affordable.

Design Guidelines

There are design guidelines for all development projects proposed within the District. For example, residential units must be located on the upper floors, buildings on a corner lot should relate to the corner, site lighting should be integral to the design of the project, and projects outside the Historic District should adhere to the Historic District requirements when feasible.

Height

The maximum height in both Sub-Zones is three (3) stories

Parking

Required parking for the residential units is a minimum of 1.5 parking spaces per unit. There are options available for shared parking or off-site parking.



MEMORANDUM

TO: Board of Selectmen

FROM: John C. Curran, Town Manager

CC: Cathy O'Dea, Clancy Main

SUBJECT: Town Manager's Report, March 8, 2021

DATE: March 5, 2021

Vaccinations

The Town has administered 300 vaccines to date and we are scheduled to administer 100 more on Monday. The availability of supply is very low. The Town will vaccinate the residents of the Housing Authority through a clinic being held at the Billerica Housing Authority on Tuesday March 9th from 11:00am to 1:00pm.

Budget Process

The budget was presented to the Finance Committee on March 2, 2021. They have reviewed the DPW budgets, accounting, Select Board, Town Clerk, Registrars, Elections, Shawsheen and Systems Administration.

PHR and Masonic

The Peggy Hannon Rizza Article was presented to the CPC and it will be the subject of a public hearing to be scheduled later this month. The Masonic Hall CPC request was presented as well. Both of them seemed to go well.

Boston Road Boat Launch

The State Fishing and Boating Access Division issued a request for quotes for wetland delineation and wetland mitigation to 15 different consulting firms to supplement the survey and wetland information they currently have. The bids are due on March 22, 2021. At that point they will award a contract and issue a Notice to Proceed for this work. Upon completion of the work they will be able to finalize the Notice of Intent filing with the Billerica Conservation Commission. They will keep the Town posted as things progress.

Katie Durand Boat Launch

This office met with the Katie Durand Boat Launch Sub-Committee last week. Isabel and Kelley Conway have been working with BETA to design 3 options for the property at 8 Carter Ave. The options are all similar in nature except for the shape and design of the traffic circle. All three options were presented to the subcommittee and consensus was reached on a preferred option. The

subcommittee will be presenting all the options to the Conservation Commission on Wednesday. Once the Commission votes to make a decision I will distribute the plan accordingly.

Vining and Ditson


The Town has been working with BETA and other vendors for the Ditson and Vining Projects – below are some updates:

- 1) National grid removed the gas meter. They will excavate the gas line, remove the piping, and cut the service on the street at the main. This will be done in the coming weeks depending on the weather condition. The electric service was cut for the Vining School and will be cut for Ditson in the coming weeks.
- 2) Site meeting was held with Isabel, Mark, and BETA at Vining. The wetland flags and buffer zone were reviewed. BETA will prepare the draft plan and share it with Isabel. The targeted ConComm meeting date is 3/10.
- 3) BETA will schedule the excavation of the test pits required for the stormwater drainage for the additional parking spaces at Vining.
- 4) The existing condition site survey has been completed for the Vining site. The draft copy is attached. The field survey was completed for the Ditson site and they are working on the site plan. It will be ready next 1-2 weeks.
- 5) The hazardous material assessment report is finalized by Tighe & Bond. The report will be included in the contract documents.
- 6) Two different fencing contractors visited the site and they are finalizing their estimates. We will proceed with the lowest quote. The fencing will be installed on the first and second week of April.
- 7) Timberguy Furniture Company (the Owner is a former Vining student) visited the school. His team removed some of the timbers and chalkboards from the school. He will make some furniture from those materials and donate it to the Town. He will coordinate it with me and Clancy.
- 8) BETA is working on the front end of the contract documents. We will review it with the Town and get their comments. We will also share some of the plans with the Town Departments. Fire Department and BOH may want to see the plan for how the UST (underground oil tank) will be removed from the Ditson site.
- 9) We need to coordinate the removal and transfer of the chalkboard cabinet from Ditson School since the Howe School project is on hold for now.
- 10) The schedule is still the same: Demolition will start for the Ditson School at the beginning of May and finish at the end of July. Vining will start at the end of May and finish at the end of August. I also attached calendar schedules for both projects.
- 11) The project budget is attached. We will have more updates on the budget once we have more information with the contract documents.

COVID 19 Update

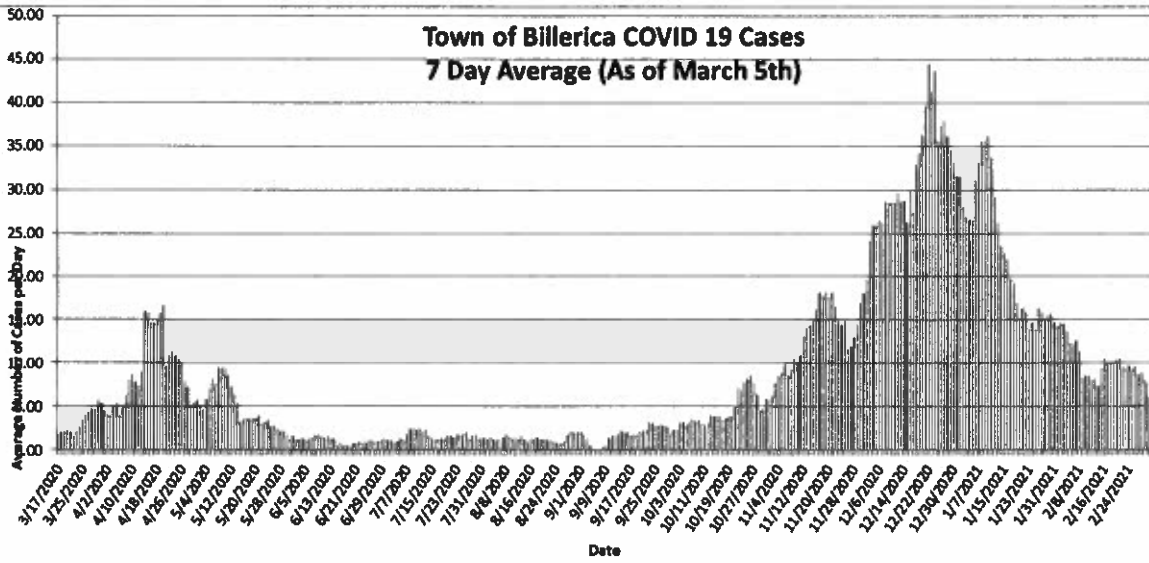
The Town seems to be plateauing. The positivity rate has increased slightly.



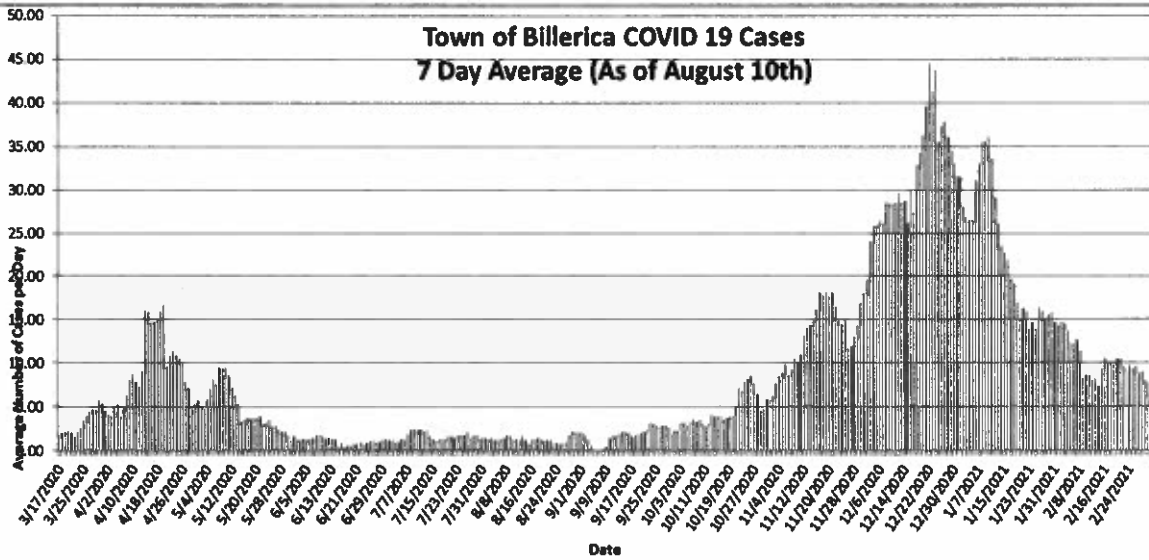
Long Term Care Facilities	118
Middlesex House of Corrections	79
Health Care Workers	115
Apartment Complexes	246
Deaths	35
Active Cases	101
Recovered Cases	3052
Total Cases to Date	3188
Cases per 100,000	14.61
Seven Day Case Average	3.14
Number of Cases last 14 days	89
Positivity Rate	3.40
Billerica Status	

Friday, March 5, 2021

Source: Billerica Board of Health



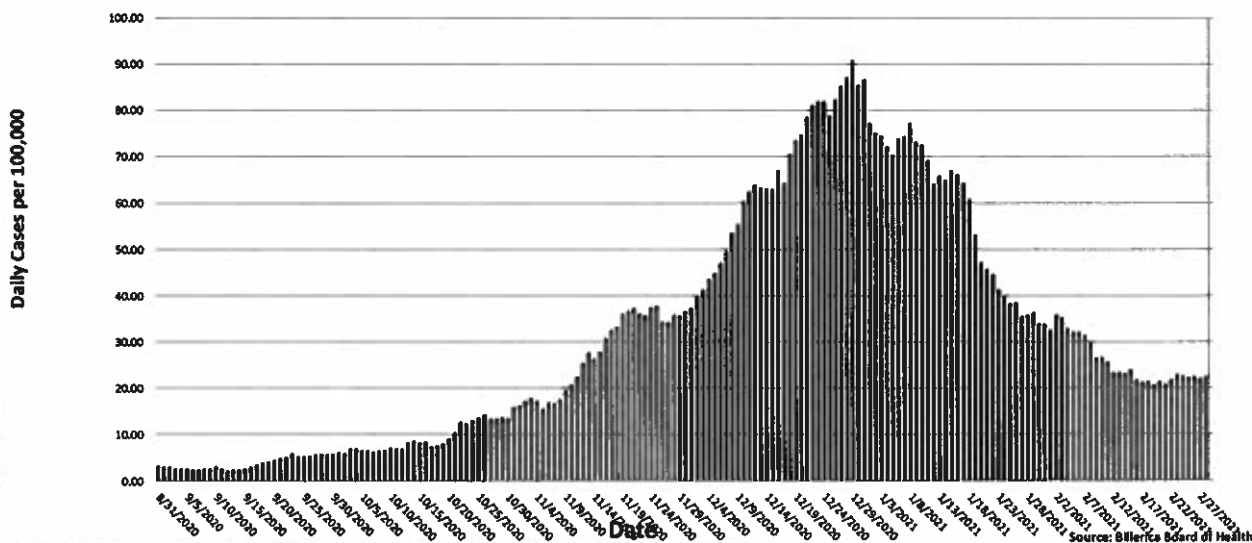
Source: Billerica Board of Health



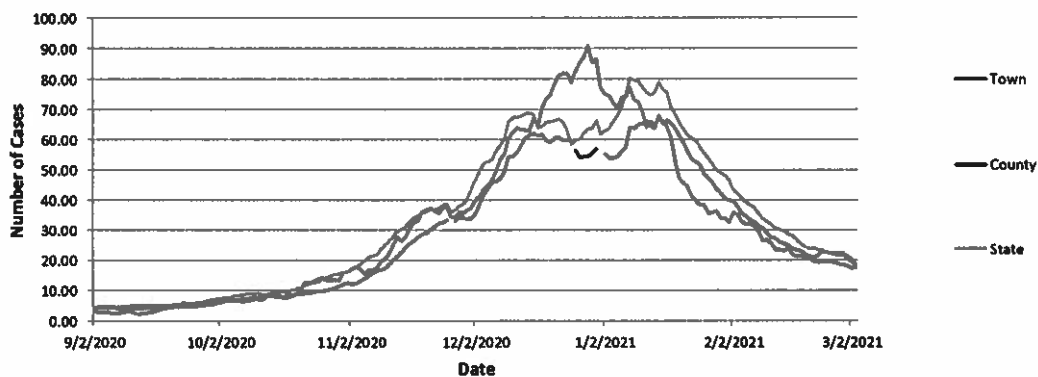
Source: Billerica Board of Health

**Town of Billerica
Average Daily Cases per 100,000 People**

Less than 10 cases per 100k per day = Green
Greater than 10 cases per 100k per day and less than
or equal to 5% positivity testing rate = Yellow
Billerica's positivity rate is 3.40%



**Billerica vs. County and Commonwealth
Average Cases per 100,000 people over 7 days**



Source: Billerica Board of Health



MEMORANDUM

TO: Select Board

FROM: John C. Curran, Town Manager

CC: Cathy O'Dea, Clancy Main

SUBJECT: Temporary Outdoor Dining

DATE: March 5, 2021

It is recommended that outdoor dining continue as it did last year.

Outdoor dining regulations were approved last year at the June 4th meeting by the Select Board to help alleviate the indoor capacity limit, and social distancing requirements due to the COVID-19 Pandemic. On March 1st the Governor moved the state into Phase 3, Step 2 of the Massachusetts re-opening plan. This allows restaurants to operate at 100% capacity, but tables still must be positioned to maintained 6 feet of social distancing.

To allow restaurants to operate at their full capacity it is recommended that the Select Board reinstitute the Temporary Outdoor Rules and Regulations affective April 1st and ending on December 31st. Outdoor seating is meant to compliment indoor dining and not add additional capacity.

Applications will be reviewed and assessed administratively by the Director of Permitting Services with input from the Board of Health, Fire, and Building Departments. Final approval will be signed by the Town Manager's office.

Outdoor entertainment applications will be required to go through the permit process already established.

**TOWN OF BILLERICA
TEMPORARY OUTDOOR DINING
RULES AND REGULATIONS**

April 1, 2021

ARTICLE I – GENERAL

Section 1 - Purpose and Scope

The 2020 COVID-19 pandemic has caused not only a public health crisis; it has also triggered a worldwide economic crisis. In an effort to respond to the continuing social distancing requirements and support local businesses, the Billerica Select Board has adopted temporary outdoor dining regulations that will allow local restaurants to establish outdoor seating on sidewalks, parking lots, on street parking spaces, or landscaped yard areas around their restaurants to provide more space for seating their patrons. The intent of the program is to allow for greater physical distancing and safety for customers when the Commonwealth's public health orders allow restaurants to resume sit-down service, as outlined in Phase 2 of reopening Massachusetts. Outdoor dining license applications will be reviewed by Town staff and will be approved by the Town Manager. These regulations are temporary and will only be in effect until further notice. Requirements may evolve to reflect new public health guidelines and the Town reserves the right to revoke these approvals at any time.

Section 2 - Eligible Businesses

Eligible Businesses include restaurants, cafes, coffee shops, and other similar places of public accommodation currently offering food, beverages, or alcoholic beverages for on-premises consumption.

Section 3 - Design and Appearance

Outdoor dining areas must be distinguished from their surroundings by some form of perimeter fence or barrier. Appropriate perimeter materials include, but not limited to demountable wrought-iron fences, bollards and chains, or individual planters of wood, masonry, or terra cotta. The public sidewalk or street may not be damaged by the installation of any perimeter treatment. Cafe umbrellas are allowed; umbrellas and furniture should be of a design appropriate to the character of the building. Trash receptacles should be integrated in the design and materials with other outdoor cafe elements.

Section 4 - Pedestrian and Wheelchair Passage

These temporary regulations allow the restaurant operator to place outdoor dining tables and chairs, umbrellas, lighting, service equipment, perimeter fences or barriers to a portion of sidewalk while still providing safe, adequate circulation for patrons and pedestrians. All seating areas must comply with all applicable federal, state, and local laws and regulations, including the Americans with Disabilities Act.

Section 5 - Food Preparation

Outdoor food preparation is not allowed unless specifically authorized by the Board of Health.

Section 6 - Hours of Operation

Outdoor seating opened under this program must close by 10PM on Sundays - Thursdays and by 11PM on Fridays and Saturdays.

Section 7- Alcoholic Beverages

Approval of an outdoor dining area shall not to be construed as an approval for the alteration or extension of premises where alcoholic beverages are served. If it is established that there will not be an increase in total occupancy for a restaurant, the serving or consumption of alcohol within the approved outdoor seating areas of an existing duly licensed establishment, the Board of Selectmen will delegate the approval to serve alcohol to the Town Manager on a case by case basis. Restaurants with outdoor seating areas must serve food. No one shall be seated in an outdoor seating area for the sole purpose of drinking alcohol.

Section 8 - Temporary Seating & Parking Relief

Due to the seasonal and temporary nature of an outdoor dining area and reduced occupancy loads required by emergency regulations, the seating within an outdoor dining area will not be interpreted as an increase in the number of seats serving a restaurant or eating establishment, and will not be counted towards any off-street parking requirement. Total seating shall not exceed the restaurant's maximum occupancy, and business may not share outdoor premises.

ARTICLE II - SUBMISSION AND APPROVAL OF APPLICATIONS

Section 1 - Application Procedure

Applications for outdoor dining licenses shall be submitted to the Town Manager's Office. The Town Manager's Office will review the application and plan for outdoor seating and will consult with the Health, Building, Fire, Police and Planning Departments. All plans must comply with any applicable Massachusetts Governor's orders, Massachusetts Department of Public Health orders and guidance documents for social distancing and for food services establishments. Outdoor seating permits may include conditions of approval such as daily cleaning and maintenance of the outdoor seating area. If additional information is needed or a revision to the seating plan is required, the Town Manager Office or designee will contact the applicant. To encourage and support local businesses, the Town of Billerica will waive the permit application fee. If the outdoor seating plan is acceptable, Town Departments have provided comments, and application is complete, the Town Manager will approve.

Section 2 - Plan Requirements

A neatly drawn plan will be submitted depicting the precise area of the proposed outdoor dining area, the arrangement of outdoor dining furniture, perimeter fencing, cafe umbrellas, outdoor heaters and any other equipment. Areas designated for picking up take-out food shall also be shown on the plan. Tables and chairs shall be separated by at least six feet to provide for social distancing. Take-out food pickup areas shall also be a minimum of six feet from patron seating areas. The restaurant shall follow all other social distancing and virus prevention measures as outlined by the Board of Health, which are not associated with an outdoor seating plan. Smoking is prohibited in all outdoor dining areas.

If a restaurant will be utilizing an existing parking lot or yard area, a plan with the same requirements is required. If a temporary tent or similar structure is proposed, approval of the Building Commissioner is required. Outdoor seating proposed for a parking lot shall not occupy more than 50% of the required parking spaces.

Section 3 – Insurance

The Restaurant Owner shall carry or require that there be carried Workers' Compensation Insurance for all employees and those of its contractors and/or subcontractors engaged in work at the outdoor dining facility, in accordance with the State Workers' Compensation Laws. In addition, the Restaurant Owner shall carry Comprehensive Public Liability and Property Damage Liability Insurance with limits hereinafter set forth to cover the Restaurant Owner and its contractors and subcontractors against claims due to accidents which may occur or result from operations under this Agreement.

Section 4 - Application Requirements

1. Plan for the outdoor seating and barriers; including proposed number of outdoor tables and chairs.
2. Proof of liability insurance for the period covered by the license in at least the amount of \$500,000 combined limit for bodily injury and property damage. The restaurant's ability to operate a street seat shall be conditioned upon the restaurant obtaining and maintaining this insurance.
3. Provide property owner consent if proposed outdoor seating area is on private property or expands along the frontage of an adjacent storefront area.

Section 5 - Approval by the Town Manager

Following receipt of a favorable recommendation from the Director of the Board of Health, the Town Manager may approve an outdoor dining license. The Town Manager shall make a determination that the design and location of an outdoor dining area is suitable to its environs, and that all other requirements (insurance, maintenance, litter control, etc.) of the license have been met.

Upon approval of an outdoor dining area by the Town Manager, the owner and operator of the restaurant and the Town Manager will sign the Agreement which has been prepared for these purposes by Town Counsel.

ARTICLE III - AMENDMENTS

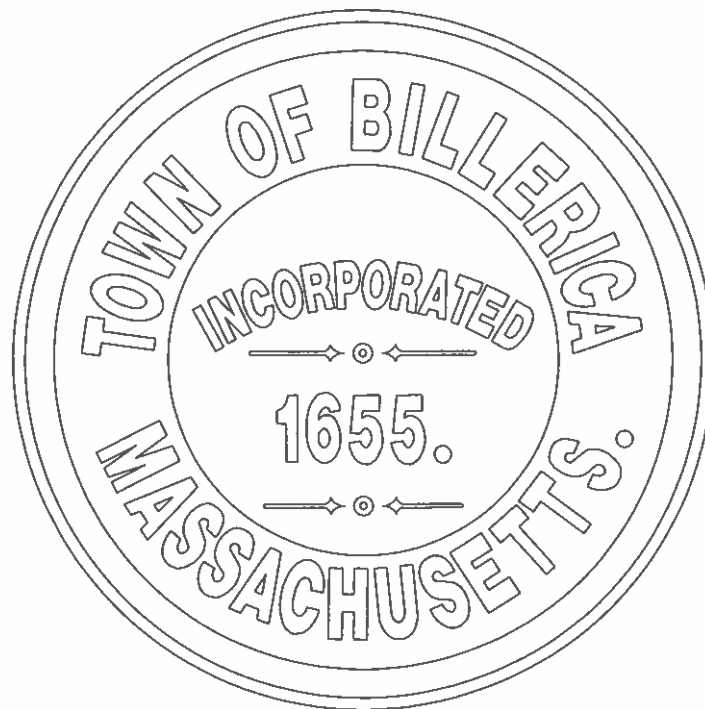
These rules may be amended by a majority vote of the members of the Select Board provided such amendment is presented in writing at a regular meeting and action taken thereof at a subsequent regular meeting.

ARTICLE IV - EFFECTIVE DATE

These rules were adopted at a regular meeting of the Select Board on June 1, 2020 and became effective as of that date.

TOWN OF BILLERICA

PRELIMINARY WARRANT



**ANNUAL SPRING
TOWN MEETING**

**Annual Spring Town Meeting
Tuesday, May 4, 2021 at 7:00 PM**

At

Billerica Town Hall Auditorium

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
1	To Set Compensation of Elected Officials				
2	To Hear Reports of Town Departments, Committees & Officers				

Financial Articles

3	To Transfer Funds Between 2021 Budget Line Items				
4	Fiscal Year 2022 Town and School Budget				
5	Fiscal Year 2022 Water Enterprise Budget				
6	Fiscal Year 2022 Sewer Enterprise Budget				
7	To Allow the Town Manager and Finance Committee to Transfer Funds				
8	To Authorize Departmental Revolving Funds				
9	To Fund Construction of the Peggy Hannon Rizza Multi-Generational Park and Recreation Complex				
10	To Purchase Property Located at 367 Boston Road				
11	Community Preservation Committee Appropriation and Budget Recommendations (Library/Katie Durand Memorial Park, Sheridan Street, etc.)				
12	Name Change of Arts Council to Cultural Council				
13	To Fund Town Parking Lot Project				
14	To Fund Unaccounted for Water (UAW) Compliance Plan				
15	To Fund the Purchase of a Loader Replacement for the Wastewater Treatment Plant				
16	To Fund the Purchase of a Grinder Replacement for the Rogers Street Pumping Station				
17	To Fund Additional Design, Permitting and Easement Appraisals and Acquisition for Sewer Contract 37, and Easement Appraisals and Acquisition for Contract 38				
18	Boston Road 75% to 100% Design, Permitting and Easement Appraisals and Acquisitions				
19	Planning Board Article				

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
20					
21	Repeal PUD Zoning Bylaw				
22	Repeal PUD Overlay Districts				
23	Petitioner Article				
24					
25					
26					
27					
28					
29					

Community Preservation Articles

30					
31					

32					
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33					
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34					
35					
36					

PRELIMINARY WARRANT
2021 ANNUAL SPRING 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 Tuesday, May 4, 2021 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 SET COMPENSATION OF ELECTED OFFICIALS

To see if the Town will vote to fix the compensation of the following six elected officers of the Town and determine any salary increase that shall become effective July 1, 2021; or act in relation thereto.

- Selectmen, Chairman - \$2,000
- Selectmen, Members - \$1,800
- Town Clerk - \$117,910.67; or act in relation thereto.

Submitted by the Finance Committee

Finance Committee recommends approval.

Article 1 Explanation: In accordance with M.G.L. Chapter 41, Section 108, the salary and compensation of all elected officials shall be fixed annually by a vote of Town Meeting.

ARTICLE 2 - TO HEAR REPORTS OF TOWN DEPARTMENTS, COMMITTEES & OFFICERS

To see if the Town will vote to hear and act upon the reports of Town Departments, Committees and Officers; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee recommends approval.

Article 2 Explanation: In accordance with M.G.L. Chapter 40, Section 49, this article allows Town Meeting to hear and act upon reports submitted in the FY 2020 Annual Town Report.

ARTICLE 3 - TO TRANSFER FUNDS BETWEEN 2021 BUDGET LINE ITEMS

To see if the Town will vote to transfer from available funds the sum of \$2,000,000 to amend various Fiscal Year 2021 budget line items; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not yet made final recommendation.

Article 3 Explanation: This article is an annual article submitted to transfer money between line items to ensure that all line items are fully funded for the current fiscal year.

ARTICLE - FISCAL YEAR 2022 TOWN AND SCHOOL BUDGET

To see if the Town will vote to adopt, pursuant to Article 5 of the Billerica Home Rule Charter, the following proposed line item budget for fiscal year beginning July 1, 2021 and ending June 30, 2022. It is anticipated that \$71,187 will be transferred from the Hallenborg Rink Fund to fund a portion of the Debt Service Budget.

This budget was produced under the direction of the Board of Selectmen and represents a complete financial plan of all Town funds and activities that are subject to appropriation, including the budget as requested by the School Committee (Department Account #300-5100 - #300-5800) and provisions for a Reserve Fund (Account #13170-7063) administered by the Finance Committee.

The line item budget is arranged to show the actual expenditures for the current year and the proposed budget for the ensuing fiscal year. It is summarized by Town agency, function and/or program including any proposed capital expenditures. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the general public for inspection in the Town Manager's Office, the Public Library and the Town Clerk's Office.

The following budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee; or act in relation thereto.

Submitted by the Board of Selectmen, Town Manager and Finance Committee

Finance Committee has not yet made final recommendation.

Article Explanation: The detailed budget presentation will be available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>.

ARTICLE - FISCAL YEAR 2022 WATER ENTERPRISE BUDGET

To see if the Town will vote to raise and appropriate a sum of money to operate the Water Enterprise Fund pursuant to M.G.L. Chapter 44 Section 53 F ½ for the fiscal year beginning July 1, 2021 and ending June 30, 2022; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article Explanation: This is a Water Enterprise Budget as voted pursuant to Article 29 of the October 2015 Annual Fall Town Meeting. This budget will be funded by general tax revenue and water user fees. The line item budget is arranged to show the actual expenditures for the prior fiscal years and the proposed budget for the ensuing fiscal year. It is summarized by Town agency, function and/or program including any proposed capital expenditures. The preceding budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the general public for inspection in the Town Manager's Office, the Public Library and the Town Clerk's Office. This information is also available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>.

ARTICLE - FISCAL YEAR 2022 SEWER ENTERPRISE BUDGET

To see if the Town will vote to raise and appropriate a sum of money to operate the Sewer Enterprise Fund pursuant to M.G.L. Chapter 44 Section 53 F ½ for the fiscal year beginning July 1, 2021 and ending June 30, 2022; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article Explanation: This is a Waste Water Enterprise Budget as voted pursuant to Article 30 of the October 2015 Annual Fall Town Meeting. This budget will be funded by general tax revenue and water user fees. The line item budget is arranged to show the actual expenditures for the prior years and the proposed budget for the ensuing fiscal year. It is summarized by Town agency, function and/or program including any proposed capital expenditures. The preceding budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the general public for inspection in the Town Manager's Office, the Public Library and the Town Clerk's Office. This information is also available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>.

ARTICLE - TO ALLOW THE TOWN MANAGER AND FINANCE COMMITTEE TO TRANSFER FUNDS

To see if the Town will vote to allow the Town Manager, upon request of a Department Head, Board or Commission, to make a transfer of funds between budget line items not-to-exceed a difference of \$5,000 from the amount voted at Town Meeting per line item for Fiscal Year 2022, with the exclusion of travel accounts, within the same department. Transfers within department line items in excess of \$5,000 for Fiscal Year 2022 must be approved by the Finance Committee. A written report from the Town Manager on all transfers of \$5,000 and under must be provided to the Finance Committee on the first Tuesday of each month if there are no transfers a monthly report stating such; or act in relation thereto.

Submitted by the Finance Committee

Finance Committee has not made final recommendation.

Article Explanation: This article gives the Town Manager the authority to transfer funds between budget line items within a particular department, not-to-exceed \$5,000 per fiscal year. If the amount exceeds \$5,000, the article gives the authority to make such a transfer with the Finance Committee's approval.

ARTICLE - TO AUTHORIZE DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Subsection 53E1/2, as most recently amended, to set Fiscal Year 2022 spending limits for revolving funds as follows:

<u>REVOLVING FUND</u>	<u>FY 2022 SPENDING LIMIT</u>
Animal Control	\$5,000
Inspectional Service Emergency Overtime	\$5,000
Wetlands By-Law	\$30,000
C.O.A. Programs	\$100,000
BEAM Program	\$2,000,000
Respite Care	\$120,000
Flu Shot Program	\$15,000

Or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen and Billerica School Committee

Finance Committee has not made final recommendation.

Article Explanation: Revolving Funds are allowed under M.G.L. Chapter 44, Section 53E ½ and must be established by By-Law. Under the statute, as most recently amended, Town Meeting must authorize the funding limit of Revolving Funds each year.

ARTICLE - TO FUND CONSTRUCTION OF THE PEGGY HANNON-RIZZA MULTI-GENERATIONAL PARK AND RECREATION COMPLEX

To see if the Town will vote to appropriate a sum of money to pay costs of designing, constructing, remodeling and equipping the Peggy Hannon-Rizza Multi-Generational Park and Recreational Complex, which project shall include, among other elements, turf fields, softball fields, pavilion, parking, community space, restrooms and concessions, including the payment of all costs incidental and related thereto, and further, to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise; or act in relation thereto.

MOTION:

That the Town appropriates \$10,000,000 to pay costs of designing, constructing, remodeling and equipping the Peggy Hannon-Rizza Multi-Generational Park and Recreational Complex, which project shall include, among other elements, turf fields, softball fields, pavilion, parking, community space, restrooms and concessions, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), M.G.L. c. 44B (the Community Preservation Act), or any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article Explanation:

ARTICLE - TO PURCHASE PROPERTY LOCATED AT 367 BOSTON ROAD

To see if the Town will vote to authorize the Board of Selectmen to purchase a section of 367 Boston Road as identified in the Billerica Engineering Document titled "367 Boston Road Parking" dated April ... for general municipal purposes; to transfer from available funds, raise and appropriate or borrow \$90,000 for the purchase of said property; and further to authorize the Board of Selectmen to execute such documents and enter into such agreements as it deems in the best interest of the Town in the furtherance of the objectives of this article; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article Explanation:

**ARTICLE - COMMUNITY PRESERVATION COMMITTEE APPROPRIATION AND BUDGET
RECOMMENDATIONS (LIBRARY/KATIE DURAND MEMORIAL PARK, SHERIDAN STREET, ETC.)**

To determine whether the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$925,000, or any other sum, from the Billerica Community Preservation Fund, of which \$585,000 shall remain in the undesignated fund balance as of June 30, 2020; \$90,000 shall be appropriated to Community Housing; \$90,000 shall be appropriated to the Open Space/Recreation Projects; \$6,090 shall be appropriated for Historic Preservation Projects; \$83,910 shall be reserved for Historic Preservation Projects; \$25,000 shall be appropriated from Open Space/Recreation Special Reserve Fund Balance; and \$45,000 shall be appropriated from projected FY21 Fund Revenues, in accordance with Massachusetts General Laws c. 44B, to be expended under the direction of the Town Manager as follows; or act in relation thereto.

This article seeks to authorize the Board of Selectmen to acquire any interests in land that may be necessary to effectuate the purposes of this vote, or to grant any interests in land as may be necessary to comply with G.L. c.44B; and further, to authorize the Board of Selectmen to execute any documents or instruments necessary to effectuate the purpose of this Article; all in accordance with Massachusetts General Laws c. 44B or other applicable law; with sums appropriated hereunder to be expended under the direction of the Town Manager; or act in relation thereto.

Item	Project/Description	Category					Total Amount Recommended
		Housing	Open Space and Recreation	Historic Preservation	FY21 Appropriation	CPA Fund Balance	
A	Billerica Public Library – Purchase of Archival Furniture and Supplies			\$6,090			\$6,090
<p><i>The Billerica Public Library's local history collection is quite extensive containing many rare and historical items including documents, maps, pamphlets, works of art and other artifacts, and books. The collection has overflowed the Local History Room at the Library and many items are stored in locations that are not archivally optimal. Based on the Preservation Needs Assessment done by Northeast Document Conservation Center and funded by the CPC, the Library is asking for funds to purchase archival and preservation supplies and furniture. The supplies and furniture will aid in the preservation of the library collection by appropriately housing or rehousing the collection in protective enclosures and then storing them in proper archival furniture making these items safely available to the public.</i></p>							
B1	Katie Durand Memorial Park/Carter Ave.		\$75,000				\$75,000
<p><i>The Town of Billerica voted at Spring 2018 Town Meeting to purchase 8 Carter Avenue and an adjoining parcel located on the Concord River in the care and custody of the Conservation Commission. Those parcels were for preservation, restoration and passive recreation purposes. The Commission would like to request funding to implement the goals of Town Meeting by designing and constructing a multi-use project that could include picnic tables, canoe/kayak access, small parking lot for visitors, and a memorial pollinator (butterfly) garden honoring Katie Durand, former Conservation Assistant. This project will use CPA funding to maximize the land already owned by the Town and aligns well with the goals outlined in the CPC Plan and Town's Open Space and Recreation Plan.</i></p>							

Item	Project/Description	Housing	Open Space and Recreation	Historic Preservation	FY21 Appropriation	CPA Fund Balance	Total Amount Recommended
B2	Sheridan St. / River Access		\$40,000				\$40,000
<p><i>The Town through its Conservation Commission owns multiple parcels located at the end of Sheridan Street, and these parcels can offer access to the Shawsheen River. Access in this location requires the design and construction of a boardwalk, small parking area and educational signage for the public and residents using either canoes or kayak can put-in their at the correct location to maintain and preserve Conservation land supporting wetland resource areas including forested riparian/Riverfront Area, floodplain and Buffer Zone. Providing additional river access to the Shawsheen River encourages educational opportunities and a higher quality of life for residents. This project will use CPA funding to maximize the land already owned by the Town and aligns well with the goals outlined in the CPC Plan.</i></p>							
C1	Community Housing	\$90,000					
<p><i>Reserved funds for community housing allocated to the Billerica Affordable Housing Trust.</i></p>							
E1	Staff and Technical Support				\$45,000		\$45,000
					\$45,000		\$256,090

This article authorizes the appropriation of funds from the Community Preservation Fund for the completion of specific projects as listed in the above chart and allowed under the Community Preservation Act. These projects will expend a total of \$115,000 for Open Space/Recreation, \$6,090 for Historic Preservation, and will reserve \$90,000 for Community Housing, and will expend \$45,000 for Administration. Town Meeting may reduce or reject but may not increase the appropriation from the Community Preservation Fund for any item proposed by the Committee.

Submitted by the Community Preservation Committee

Finance Committee has not made final recommendation.

Article Explanation: The Community Preservation Committee received applications for projects to use funds within the Community Preservation Fund, and the five projects described above will be recommended to Town Meeting for approval.

ARTICLE - NAME CHANGE OF ARTS COUNCIL TO CULTURAL COUNCIL

To see if the Town will vote to authorize the

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article Explanation:

ARTICLE - TO FUND UNACCOUNTED FOR WATER (UAW) COMPLIANCE PLAN

To see if the Town will vote to transfer from Water Conservation Funds the sum of \$65,000 for the Massachusetts Department of Environmental Protection's (MassDEP's) requirement to develop an Unaccounted for Water (UAW) Compliance plan and conduct a Step One and Step Two Municipal Water Loss Control Program (AKA Water Audit); or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article Explanation: This requirement is included as Appendix B of the Town's Water Withdrawal Permit and as a condition of the MassDEP's Order to be completed relative to the Town's Water Management Act (WMA) permit renewal application.

ARTICLE - TO FUND THE PURCHASE OF A LOADER REPLACEMENT FOR THE WASTEWATER TREATMENT PLANT

To see if the Town will vote to appropriate a sum of \$265,500 from Sewer Plant Expansion Funds for the replacement of a 1988 Trojan Loader for the Wastewater Treatment Plant; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article Explanation: This loader is used daily with the primary function of loading solids into large containers so it can be removed off site.

ARTICLE - TO FUND THE PURCHASE OF A GRINDER REPLACEMENT FOR THE ROGERS STREET PUMPING STATION

To see if the Town will vote to appropriate a sum of \$60,000 from Sewer Plant Expansion Funds for the replacement of a Grinder Unit at the Rogers Street Pumping Station; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article Explanation: This grinder operates 24 hours a day nonstop with the primary function being the grinding of solids, wipes, rags and any other solids that enter the pumping station prior to pumping in the Wastewater Treatment Plant.

ARTICLE - TO FUND ADDITIONAL DESIGN, PERMITTING AND EASEMENT APPRAISALS AND ACQUISITIONS FOR SEWER CONTRACT 37 AND EASEMENT APPRAISALS AND ACQUISITIONS FOR CONTRACT 38

To see if the Town will vote to appropriate a sum of \$494,000 from sewer retained earnings for design, permitting, appraisals and easement appraisals and acquisitions for Contract 37 and easement appraisals and acquisitions for Contract 38, and to authorize the Board of Selectmen to take any necessary easements; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article Explanation: This article will fund additional sidewalk design, environmental permitting as well as sewer easements appraisals and acquisitions for Contract 37, as well as easement appraisals and acquisitions for Contract 38.

ARTICLE - BOSTON ROAD 75% TO 100% DESIGN, PERMITTING AND EASEMENT APPRAISALS AND ACQUISITIONS

To see if the Town will vote to appropriate a sum of \$550,000 from retained earnings for design, permitting, appraisals and easement appraisals and acquisitions for the Boston Road TIP Project from River Street to the Floyd Street intersection, and to authorize the Board of Selectmen to take any necessary easements; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article Explanation: This is a TIP Project that is scheduled to be bid in February of 2022. It is currently at 75% design and was submitted to MassDOT for review. The funding will bring the project to 100% and make it ready for construction.

ARTICLE - PETITIONER ARTICLE

To see if the Town will vote to require a valid I.D. be checked at all voting in the Town of Billerica for in-person voting. A valid I.D. shall include: Massachusetts driver's license, birth certificate or other means allowed by the Town Clerk to prove residency of Billerica; or act in relation thereto.

Submitted by Craig E. Rich and Messrs. Hardy, Dolber, Torpey and Madames Rich, Hardy, Rich, Dolber, Dolber, O'Neill, Torpey and Jankowski.

Finance Committee has not yet made final recommendation.

Article Explanation: This article