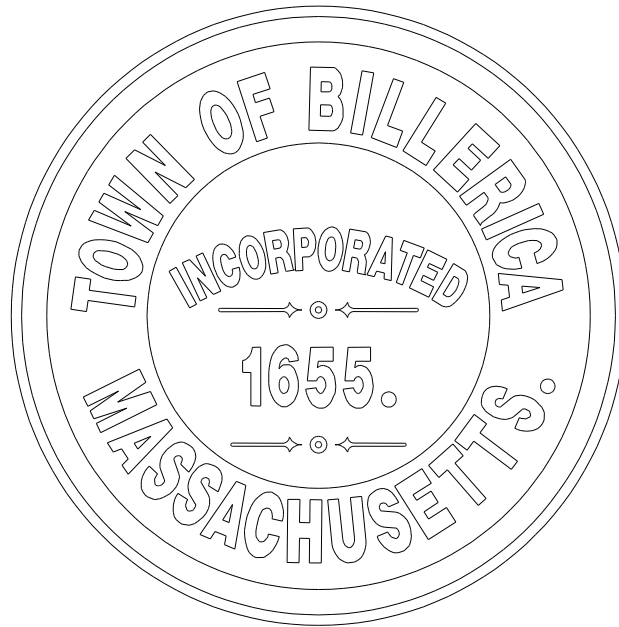


TOWN OF BILLERICA
FINAL WARRANT



SPECIAL TOWN MEETING

Tuesday, February 23, 2016 at 7:30 PM
At
Billerica Town Hall Auditorium

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
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Articles

1	To Authorize Debt Exclusion for the Billerica Memorial High School Project	\$175,997,289	Appropriation	Town Manager; authorized by the Board of Selectmen	
2	Payment in Lieu of Tax Agreement – Pan Am Site at Iron Horse Park			Board of Assessors and the Board of Selectmen	

**FINAL WARRANT
FEBRUARY 23, 2016
SPECIAL 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, February 23, 2016 at 7:30 PM and subsequent Tuesdays and Thursdays 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 AUTHORIZE DEBT EXCLUSION FOR THE BILLERICA MEMORIAL HIGH SCHOOL PROJECT

To see if the Town will vote to appropriate, borrow, or transfer from available funds an amount of money not to exceed one hundred seventy five million, nine hundred ninety seven thousand, two hundred eighty nine (\$175,997,289) dollars to be expended under the direction of Billerica Memorial High School Building Committee for the construction of a new Billerica Memorial High School – an approximately 325,000 square foot facility located at 35 River Street in Billerica, Massachusetts inclusive of abatement and demolition of the existing high school structures; new parking lots, fields and a stadium complex, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”). The Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) 56.99 percent (%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; or act in relation thereto.

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

Article 1 Explanation: This bond authorization is needed to fund the construction of a new high school facility that is designed to educate 1,610 students in grades eight through twelve. This new facility will also house the district's integrated preschool, early intervention program and district offices for special education and information technology. It will be constructed on the same site and the existing facility will stay in service until the new school opens. This new facility will include two multipurpose turf fields. Construction is projected to commence in the Spring of 2017 and the new building is projected to be completed and occupied in the Fall of 2019. The second phase, demolition and site work, is expected to be completed in the Fall of 2020. This required a two thirds vote of Town Meeting. Further information about this project can be obtained by visiting the following website:

http://www.billerica.k12.ma.us/pages/BillericaPS/High_School_Building_Committee

ARTICLE 2 – PAYMENT IN LIEU OF TAX AGREEMENT – PAN AM SITE AT IRON HORSE PARK

To see if the Town will vote to authorize the Board of Selectmen and the Board of Assessors to negotiate and execute a payment in lieu of taxes (PILOT) agreement pursuant to M.G.L., Chapter 59, Section 38H(b) and Department of Revenue guidelines promulgated thereunder, or any other enabling authority, with respect to annual payments in lieu of personal property taxes for a term of up to 20 years relative to a parcel of land located at 67 High Street, N Billerica (Iron Horse Park), commonly referred to as the “Pan Am Systems” property as shown on Assessor’s Map 17, Parcel 2-1, with respect to a Solar Photovoltaic Electricity Generating Facility, with an expected capacity of approximately 5.0 Megawatts to be installed, owned and operated by a third party upon said parcel on such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town; and further to authorize the Board of Selectmen to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town to undertake the purpose of this article; or act in relation thereto.

Submitted by the Board of Assessors and the Board of Selectmen

Article 2 Explanation: The developers of the proposed Solar Photovoltaic Energy Generating Facility at the Pan Am site at Iron Horse Park are in the final stages of permitting and financing arrangements for this project. Pursuant to the provisions of M.G.L. Chapter 59, Section 38H(b), cities and towns in which such energy generating facilities are located can negotiate payment in lieu of tax agreements (PILOTs) with the operators of such facilities, rather than resort to the ad valorem taxation of such facilities in each fiscal year in which they operate. Pursuant to guidelines adopted by the Department of Revenue, once the Assessors and Selectmen of a municipality negotiate the terms of such a PILOT Agreement, the Agreement must be ratified by the legislative body of the city or town. The subject PILOT Agreement provides the Town with certainty and predictability with respect to the revenue stream to be generated from the subject property over its 20 year term. It also insulates the Town from future changes in legislation which could undermine the ability of local assessors to assess these energy generating properties at full and fair cash value.

And you are hereby directed to serve this Final Warrant by posting true and attested copies thereof, one copy at the Town Hall, one copy at the Billerica Public Library, one copy at the Billerica Police Station, one copy at the Belly Buster Diner, one copy at Pinehurst Post Office, one copy at the Center Post Office, Boston Road, one copy at Market Basket, Town Plaza, Boston Road, one copy at the West Billerica Fire Station, one copy at the Nutting Lake Post Office, one copy at Jim's Barber Shop, 8 Andover Road, one copy at the Ninety-Nine Restaurant, Lexington Road, one copy at the Pinehurst Fire Station, one copy at the East Billerica Fire Station, one copy at the North Billerica Post Office and one copy at the North Billerica Fire Station.

Given under our hands this 3rd day of February 2016.

BOARD OF SELECTMEN



JOHN J. PISCATELLI, CHAIRMAN



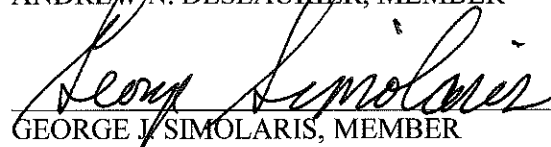
DANIEL L. BURNS, VICE CHAIRMAN



MICHAEL S. ROSA, SECRETARY

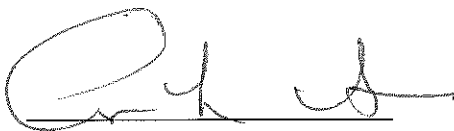


ANDREW N. DESLAURIER, MEMBER



GEORGE J. SIMOLARIS, MEMBER

A true copy attest



Constable, Town of Billerica