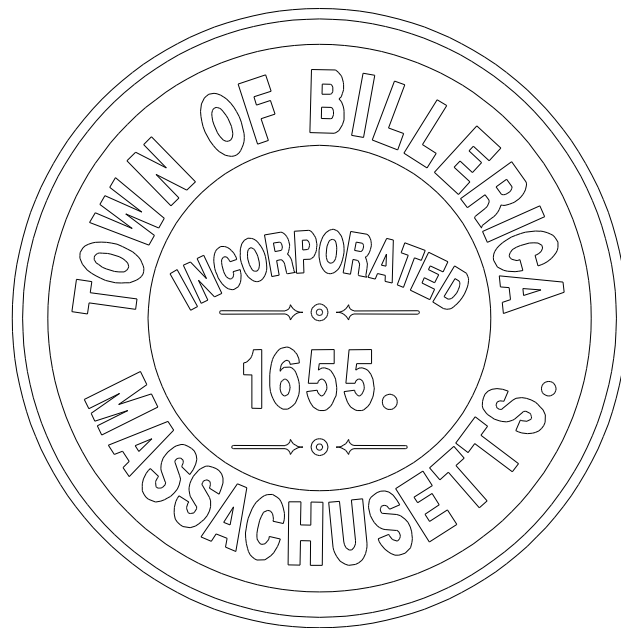


**TOWN OF BILLERICA**  
**PRELIMINARY WARRANT**



**ANNUAL FALL**  
**TOWN MEETING**

**Annual Fall Town Meeting**  
**Tuesday, October 1, 2019 at 7:00 PM**

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

1	To Appoint One Member to the Bowers Fund Committee			Board of Selectmen	Reserves Recommendation
2	To Hear Reports of Town Departments, Committees & Officers			Town Manager; authorized by BOS	Reserves Recommendation

*Financial Articles*

3	Fiscal Year 2020 Budget Amendment	\$6,000,000	Raise & Appropriate	Town Manager; authorized by BOS	Reserves Recommendation
4	To Transfer and Appropriate a Sum of Money from the Town Debt Stabilization Fund to the General Fund Tax Exempt Debt Service Budget	\$5,000,000	Transfer & Appropriate	Town Manager; authorized by BOS	Reserves Recommendation
5	To Fund Collective Bargaining Agreement for BMEA DPW Workers		Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Reserves Recommendation
6	To Fund Collective Bargaining Agreement for IAFF Firefighters		Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Reserves Recommendation
7	To Fund Collective Bargaining Agreement for IAFF Civilian Fire Alarm Operators		Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Reserves Recommendation
8	To Fund Collective Bargaining Agreement for NEPBA Police Civilian Dispatchers		Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Reserves Recommendation
9	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (A) Patrolmen		Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Reserves Recommendation
10	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (B) Superior Officers		Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Reserves Recommendation
11	To Fund Collective Bargaining Agreement for IAEP Police EMT's and Paramedics		Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Reserves Recommendation
12	To Fund Collective Bargaining Agreement for SEIU Local 999 Administrative Union		Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Reserves Recommendation
13	To Fund Collective Bargaining Agreement for IUPE Clerical Unit		Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Reserves Recommendation

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
14	To Fund Collective Bargaining Agreement for School Custodial		Raise & Appropriate or Transfer	School Committee	Reserves Recommendation
15	To Fund Collective Bargaining Agreement for School Clerical		Raise & Appropriate or Transfer	School Committee	Reserves Recommendation
16	To Fund Nashua Road Pavement Restoration	\$1,000,000	Raise & Appropriate or transfer	Town Manager; authorized by BOS	Reserves Recommendation
17	To Fund Fiscal Year 2020 Town Capital Budget	\$6,000,000	Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Reserves Recommendation
18	To Fund Fiscal Year 2020 School Capital Budget	\$6,000,000	Raise & Appropriate or Transfer	School Committee	Reserves Recommendation
19	To Fund a Water Conservation Rebate Program	\$50,000	Transfer & Appropriate	Town Manager; authorized by BOS	Reserves Recommendation
20	To Fund Hydrants and Valve Replacements	\$100,000	Transfer & Appropriate	Town Manager; authorized by BOS	Reserves Recommendation
21	To Fund Drinking Water Risk and Resiliency Assessment	\$300,000	Transfer & Appropriate	Town Manager; authorized by BOS	Reserves Recommendation
22	To Fund PEG Access Cable Television Services	\$90,374.72	Transfer & Appropriate	Town Manager; authorized by BOS	Reserves Recommendation
23	To Fund the Purchase of Equipment for the Department of Public Works	\$880,000	Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Reserves Recommendation
24	To Fund the Expansion of Fox Hill Cemetery	\$3,000,000	Transfer & Appropriate	Town Manager; authorized by BOS	Reserves Recommendation
25	To Fund the Replacement of the Town Hall Generator and Related External Town Hall Improvements	\$3,000,000	Raise & Appropriate, Transfer or Borrow	Town Manager; authorized by BOS	Reserves Recommendation
26	To Borrow Funds for the Design and Construction of a New Fire Department Pinehurst Sub-Station Facility	\$10,000,000	Borrow	Town Manager; authorized by BOS	Reserves Recommendation
27	To Fund Wastewater System Expansion, Area 4 (Contract 37)	\$15,600,000	Borrow	Town Manager; authorized by BOS	Reserves Recommendation
28	To Fund the Replacement of Water Mains	\$2,500,000	Raise & Appropriate, Transfer or Borrow	Town Manager; authorized by BOS	Reserves Recommendation

<b>Article Number</b>	<b>Purpose</b>	<b>Value</b>	<b>Funding Source</b>	<b>Submitted by:</b>	<b>Finance Committee Recommendation</b>
29	Rescind Borrowing Authorizations			Town Manager; authorized by BOS	Reserves Recommendation
30	To Vote from Free Cash a Sum of Money to the Debt Stabilization Fund	\$6,000,000	Transfer & Appropriate	Finance Committee	Reserves Recommendation
31	To Vote from Free Cash a Sum of Money to the Stabilization Fund	\$6,000,000	Transfer & Appropriate	Finance Committee	Reserves Recommendation
32	To Vote from Free Cash a Sum of Money to the Land Bank Account	\$6,000,000	Transfer & Appropriate	Finance Committee	Reserves Recommendation
33	To Vote from Free Cash a Sum of Money to be Applied or Expended for the Purpose of Reducing the Fiscal Year 2020 Tax Levy	\$6,000,000	Transfer & Appropriate	Finance Committee	Reserves Recommendation
34	To Vote from Free Cash a Sum of Money to Fund the Snow and Sand Deficit	\$1,000,000	Transfer & Appropriate	Finance Committee	Reserves Recommendation

***To Petition General Court***

35	To Authorize the Board of Selectmen to Petition the State Legislature to Lift a Restriction on a Parcel of Land for the Purpose of Town Use			Town Manager; authorized by BOS	Reserves Recommendation
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***Land Use***

36	To Transfer the Care, Custody, Management and Control of the Vining School from the School Committee to the Board of Selectmen			Town Manager; authorized by BOS	Reserves Recommendation
37	To Limit the Number of Marijuana Establishments in the Town of Billerica			Town Manager; authorized by BOS	Reserves Recommendation
38	To Authorize the Lease of the Howe School to BATV			Town Manager; authorized by BOS	Reserves Recommendation
39	To Authorize the Board of Selectmen to Accept Roads as Public Ways			Town Manager; authorized by BOS	Reserves Recommendation

<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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*Local Acceptance of State Statutes*

40	To Create an Injury Leave Indemnity Fund			Town Manager; authorized by BOS	Reserves Recommendation
41	To Accept M.G.L. Chapter 138, Section 33B Sales of Alcoholic Beverages by On-Premise Licenses on Sundays and Certain Legal Holidays; Sales between 10:00 AM and 12:00 Noon			Town Manager; authorized by BOS	Reserves Recommendation
42	To Accept Provisions of M.G.L. Chapter 59, Section 5, Clauses 22G and 22H			Board of Assessors	Reserves Recommendation

*Articles Submitted by an Elected Official*

43	To Form a Committee to Review the Billerica PUD Program			Selectman Michael Rosa	Reserves Recommendation
44	To Amend the Billerica Zoning Map			Selectman Michael Rosa	Reserves Recommendation

*Petitioner Articles*

45	Petitioner Article				Reserves Recommendation
46	Petitioner Article				Reserves Recommendation
47	Petitioner Article				Reserves Recommendation
48	Petitioner Article				Reserves Recommendation
49	Petitioner Article				Reserves Recommendation
50	Petitioner Article				Reserves Recommendation

**PRELIMINARY WARRANT  
OCTOBER 1, 2019  
ANNUAL 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 Billerica Memorial High School Auditorium located at 35 River Street, Billerica, MA on Tuesday, October 1, 2019 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 APPOINT ONE MEMBER TO THE BOWERS FUND COMMITTEE**

To see if the Town will vote to appoint one (1) member to the Bowers Fund Committee for a term of five (5) years; or act in relation thereto.

Submitted by the Board of Selectmen

*Finance Committee recommends approval.*

Article 1 Explanation: The Bowers Fund Committee was established in the late 1800's when the Bower sisters left their entire estate to the Town of Billerica, approximately \$11,000, with the express intent of assisting the poor of Billerica. The current expendable balance in the fund is \$6,371 and the principal balance is \$135,070. Town Meeting appoints members to the Bowers Fund Committee. Committee member Michael Rea's term is expiring and he is requesting that he be reappointed.

**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: This article provides an opportunity to hear and act upon reports of Town Meeting Committees.

**ARTICLE 3 - FISCAL YEAR 2020 BUDGET AMENDMENT**

To see if the Town will vote to raise and appropriate the sum of \$6,000,000 to amend various Fiscal Year 2020 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 a placeholder for any anticipated budget changes this year.

**ARTICLE 4 - TO TRANSFER AND APPROPRIATE A SUM OF MONEY FROM THE TOWN DEBT STABILIZATION FUND TO THE GENERAL FUND TAX EXEMPT DEBT SERVICE BUDGET**

To see if the Town will vote to transfer and appropriate the sum of \$5,000,000 from the Town Debt Stabilization Fund to fund the General Fund Tax Exempt Debt Service Budget; 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 4 Explanation: The Town, through the Board of Selectmen, has established a Debt Stabilization Policy that maintains the same level of appropriation from the tax levy year to year - \$9.066 million. This is accomplished in the following ways:

- Transferring a minimum amount of free cash and or retained earnings annually in the amount of \$1.8 million to the Debt Stabilization Fund.
- To appropriate the difference of any year that is lower than \$9.066 million to Debt Stabilization.
- *If the annual appropriation exceeds \$9.066 Million to transfer the amount that it exceeds the desired level of appropriation (\$9.066) from the Debt Stabilization Fund into the Debt Service Appropriation.*

This article is intended to address an annual appropriation that exceeds \$9.066 Million. This article is a placeholder. The final amounts will be known when the debt issuance and schedules are finalized prior to the Final Warrant.

**ARTICLE 5 - TO FUND COLLECTIVE BARGAINING AGREEMENT - BMEA DPW WORKERS**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town and BMEA DPW Workers (Billerica Municipal Employees Association); 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 5 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 6 - TO FUND COLLECTIVE BARGAINING AGREEMENT - IAFF FIREFIGHTERS**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town and IAFF Firefighters (International Association of Firefighters); 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 6 Explanation: At the time of printing, there was no Collective Bargaining Agreement.



**ARTICLE 7 - TO FUND COLLECTIVE BARGAINING AGREEMENT - IAFF CIVILIAN FIRE ALARM OPERATORS**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town and IAFF Civilian Fire Alarm Operators (International Association of Firefighters); 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 7 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 8 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE CIVILIAN DISPATCHERS**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town and NEPBA Police Civilian Dispatchers (New England Police Benevolent Association, Inc.); 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 8 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 9 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE OFFICERS - GROUP (A) PATROLMEN**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town and the NEPBA (New England Police Benevolent Association, Inc.) Group (A) Patrolmen; 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 9 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 10 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE OFFICERS - GROUP (B) SUPERIOR OFFICERS**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town and NEPBA (New England Police Benevolent Association, Inc.) Group (B) Superior Officers; 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 10 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 11 - TO FUND COLLECTIVE BARGAINING AGREEMENT - IAEP POLICE EMT'S AND PARAMEDICS**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town and IAEP Police EMT's and Paramedics (International Association of EMT's and Paramedics); 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 11 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 12 - TO FUND COLLECTIVE BARGAINING AGREEMENT - SEIU LOCAL 888 ADMINISTRATIVE UNIT**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town and SEIU Local 888 Administrative Unit (Service Employees International Union); 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 12 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 13 - TO FUND COLLECTIVE BARGAINING AGREEMENT - IUPE CLERICAL UNIT**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town and IUPE Clerical Unit (Independent Union of Public Employees); 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 13 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 14 - TO FUND COLLECTIVE BARGAINING AGREEMENT - SCHOOL CUSTODIAL**

To see if the Town will raise and appropriate or transfer from available funds a sum to fund the Collective Bargaining Agreement between the Town of Billerica School Committee and the American Federation of State, County and Municipal Employees, AFL-CIO, Council 93, Local 2747, Custodial Employees; or act in relation thereto.

Submitted by the School Committee

*Finance Committee has not yet made final recommendation.*

Article 14 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 15 - TO FUND COLLECTIVE BARGAINING AGREEMENT - SCHOOL CLERICAL**

To see if the Town will raise and appropriate or transfer from available funds a sum to fund the Collective Bargaining Agreement between the Town of Billerica School Committee and the American Federation of State, County and Municipal Employees, AFL-CIO, Council 93, Local 2747, Clerical Employees; or act in relation thereto.

Submitted by the School Committee

*Finance Committee has not yet made final recommendation.*

Article 15 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 16 - TO FUND NASHUA ROAD PAVEMENT RESTORATION**

To see if the Town will vote to raise and appropriate or transfer from available funds, or borrow the sum of \$1,000,000 for the pavement restoration of Nashua Road; 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 16 Explanation: Nashua Road is in need of resurfacing. This funding will resurface about one mile (from the bridge over the Concord River to Simons Farm).

**ARTICLE 17 - TO FUND FISCAL YEAR 2020 TOWN CAPITAL BUDGET**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$6,000,000 to fund the Fiscal Year 2020 Town Capital Budget; 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 17 Explanation: This article is a placeholder. These decisions will be made when the free cash numbers become available prior to Town Meeting.

**ARTICLE 18 - TO FUND FISCAL YEAR 2020 SCHOOL CAPITAL BUDGET**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$6,000,000 to fund the Fiscal Year 2020 School Capital Budget; or act in relation thereto.

Submitted by the School Committee

*Finance Committee has not yet made final recommendation.*

Article 18 Explanation: This article is a placeholder. These decisions will be made when the free cash numbers become available prior to Town Meeting.

**ARTICLE 19 - TO FUND A WATER CONSERVATION REBATE PROGRAM**

To see if the Town will vote to transfer and appropriate the sum of \$50,000 from the Water Conservation Fund to fund the Water Conservation Rebate Program; 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 19 Explanation: The Town had funded a total of \$175,000 since 2011 for the Rebate Program. A total of 1,067 rebates have been issued since 2011 (193 dishwashers, 438 toilets and 436 washing machines).

**ARTICLE 20 - TO FUND HYDRANTS AND VALVE REPLACEMENTS**

To see if the Town will vote to transfer and appropriate the sum of \$100,000 from Water Conservation Funds for the replacement of hydrants and valves in the Water Distribution System; 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 20 Explanation: This article will continue the Hydrants and Valve Replacement Program the Town started five years ago. This funding will fund the purchase of approximately fifty hydrants and valves. The work to replace these will be done using Town staff.

**ARTICLE 21 - TO FUND DRINKING WATER RISK AND RESILIENCY ASSESSMENT**

To see if the Town will vote to transfer and appropriate the sum of \$300,000 from Water Conservation Funds for the development of Risk and Resiliency Assessments (RRA's) and Emergency Response Plans (ERP's); 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 21 Explanation: This is regarding the America's Water Infrastructure Act of 2018 (AWIA). It is a new requirement for Community Water Systems – Risk and Resilience Assessment and Emergency Response Plan. This requirement is mandated to be completed by the Town no later than December 30, 2021.

**ARTICLE 22 - TO FUND PEG ACCESS CABLE TELEVISION SERVICES**

To see if the Town will transfer and appropriate the sum of \$90,374.72 from the PEG Access and Cable Related Fund to be provided to BATV for support of PEG Access Cable Television Services; 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 22 Explanation: A recent change to the Mass General Laws established the requirement that PEG Access funds need to be appropriated at Town Meeting. The Town created the PEG Access and Cable Related Fund as part of Article 35 at the May 2019 Town Meeting.

**ARTICLE 23 - TO FUND THE PURCHASE OF EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$880,000 to fund the replacement of DPW equipment as listed; or act in relation thereto.

70' Tree Bucket Truck 2001 P41	\$180,000	General Funds
F350 with Plow 2008 P-7	\$60,000	General Funds
F550 1 ton dump with Plow 2005 H-7	\$64,000	General Funds
5 Ton Dump with Plow 2002 H-31	\$165,000	General Funds
5 Ton Dump with Plow to 2002 H-37	\$165,000	General Funds
5 Ton Dump with Plow 2003 H-38	\$165,000	General Funds
Bob Cat W50	\$81,000	Water Conserv.

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

*Finance Committee has not yet made final recommendation.*

Article 23 Explanation:

<b>Truck Number</b>	<b>Description and Condition</b>
P41	The current Town bucket truck is a 2001 and used for tree removal. It is no longer reliable and frequently breaks down and has become a safety issue.
P7	A 2008 F350 to be replaced because it frequently breaks down and is in need of constant repair.
H-7	A 2005 F550 to be replaced because it frequently breaks down and is in need of constant repair.
H-31, H37 & H38	5-ton dump trucks, 2002, 2002 and 2003 respectively. Taken out of service within the past year. Their primary function was winter plowing and icing treatment operation during the winter months. They were also used as dump trucks during construction season.
W50	A 2001 Bobcat 773 model with 2,100 hours of operation needs to be replaced because it frequently breaks down and is in need of constant repair.



**ARTICLE 24 - TO FUND THE EXPANSION OF FOX HILL CEMETERY**

To see if the Town will vote to transfer and appropriate the sum of \$3,000,000 from Free Cash to fund the expansion of Fox Hill Cemetery; 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 24 Explanation: This article is a placeholder intended to replace borrowing with appropriation depending on the availability of free cash.

**ARTICLE 25 - TO FUND THE REPLACEMENT OF THE TOWN HALL GENERATOR AND RELATED EXTERNAL TOWN HALL IMPROVEMENTS**

To see if the Town will vote to raise and appropriate or transfer from available funds, or borrow the sum of \$3,000,000 for the replacement of the Town Hall Generator and related external Town Hall improvements; 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 25 Explanation: This article will fund the replacement of the Town Hall Generator, which would give the Town Hall and Police Department the capability to be fully operational during an emergency power outage. It would also address pedestrian access and safety issues around Town Hall as well as efficiency issues with parking layout.

**ARTICLE 26 - TO BORROW FUNDS FOR THE DESIGN AND CONSTRUCTION OF A  
NEW FIRE DEPARTMENT PINEHURST SUB-STATION FACILITY**

To see if the Town will vote to authorize the Treasurer, with approval of the Board of Selectmen, to borrow under M.G.L. Chapter 44, Sections 7 Subsection 1, or any other relevant statute, the sum of \$10,000,000 to be spent under the direction of the Town Manager for the design, Owners Project Manager Services and construction of a new Fire Department Pinehurst Sub-Station Facility including any incidental and related costs and expenses. Any premium received by the Town 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 Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; 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 26 Explanation: This is a placeholder pending the estimated cost of construction which will be provided by the Design Team prior to the final warrant.

**ARTICLE 27 - TO FUND WASTEWATER SYSTEM EXPANSION, AREA 4 (CONTRACT 37)**

To see if the Town will vote to appropriate a sum of money from the Massachusetts Clean Water Trust for construction and improvements at the Water Treatment Plant; or act in relation thereto.

**VOTE**

Voted: that \$ 15,600,000 is appropriated for the purpose of financing the [construction] [planning] of (insert description of the drinking water protection project) including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that to meet this appropriation the Treasurer with the approval of the Selectmen is authorized to borrow \$15,600,000 and issue bonds or notes therefore under (Chapter 44 of the General Laws or insert reference to other applicable general or special law governing the issuance of local bonds) and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c.78; that the Treasurer with the approval of the Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, c.78; and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the (Board of Selectmen, Board of Public Works or other appropriate local body or official) is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project.

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

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

Article 27 Explanation: This article is a placeholder for Sewer Needs Area 4: 23,800 linear feet of sewer pipe to be added to the collection system (4.015 miles). This expansion will serve 223 parcels and should add 1.7% to the collection system. By the completion of this area, 88.6% of the total parcels in Town would be connected to Town Sewer.

**ARTICLE 28 - TO FUND THE REPLACEMENT OF WATER MAINS**

To see if the Town will vote to raise and appropriate or transfer from available funds; or borrow the sum of \$2,500,000 for the replacement of water mains; 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 28 Explanation: This article is a placeholder. This work will focus on water mains that have frequent breaks and areas with poor fire flow. The Town has completed a Distribution System Master Plan and the priority of projects and formula for funding is based on this plan.

**ARTICLE 29 - RESCIND BORROWING AUTHORIZATIONS**

To see if the Town will vote to rescind the borrowing authorizations previously approved at Town Meeting; 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 29 Explanation: This article will rescind previous borrowing authorizations.

**ARTICLE 30 - TO VOTE FROM FREE CASH A SUM OF MONEY TO THE DEBT STABILIZATION FUND**

To see if the Town will vote to raise and appropriate or transfer from General Fund Free Cash the sum of \$6,000,000 to the Debt Stabilization Fund; or act in relation thereto.

Submitted by the Finance Committee

*Finance Committee has not yet made final recommendation.*

Article 30 Explanation: The Town, through the Board of Selectmen, has established a Debt Stabilization Policy that maintains the same level of appropriation from the tax levy year to year - \$9.066 million. This is accomplished in the following two ways:

- Transferring a minimum amount of free cash and or retained earnings annually in the amount of \$1.8 million to the Debt Stabilization Fund.
- To appropriate the difference of any year that is lower than \$9.066 million to Debt Stabilization.
- If the annual appropriation exceeds \$9.066 Million to transfer the amount that it exceeds the desired level of appropriation (\$9.066) from the Debt Stabilization Fund into the Debt Service Appropriation.

The balance in the Debt Stabilization Account is used to minimize the tax levy impact that would otherwise be realized with addition of sewer debt and school capital debt. At the time the warrant was printed, the Department of Revenue had not yet certified Free Cash and Enterprise Water and Sewer Retained Earnings Funds as of July 1, 2019. The Debt Stabilization Fund balance as of June 30, 2019 is \$18,131,048.

**ARTICLE 31 - TO VOTE FROM FREE CASH A SUM OF MONEY TO THE STABILIZATION FUND**

To see if the Town will vote to raise and appropriate or transfer from General Fund Free Cash the sum of \$6,000,000 to the Stabilization Fund; or act in relation thereto.

Submitted by the Finance Committee

*Finance Committee has not yet made final recommendation.*

Article 31 Explanation: The purpose of this fund is to set money aside to be used at a later time for unforeseen or unanticipated circumstances. The current balance of the Town Stabilization Fund is \$4,978,152 for the Town and \$759,377 for the School Department. At the time this warrant was printed, the Department of Revenue had not yet certified Free Cash as of July 1, 2019.

**ARTICLE 32 - TO VOTE FROM FREE CASH A SUM OF MONEY TO THE LAND BANK ACCOUNT**

To see if the Town will vote to raise and appropriate or transfer from General Fund Free Cash the sum of \$6,000,000 to the Land Bank Account; or act in relation thereto.

Submitted by the Finance Committee

*Finance Committee has not yet made final recommendation.*

Article 32 Explanation: The Land Bank Account was established by special legislation. The balance as of August 22<sup>nd</sup> of the Town Land Fund is \$564,810. At the time this warrant was printed, the Department of Revenue had not yet certified Free Cash as of July 1, 2019.

**ARTICLE 33 - TO VOTE FROM FREE CASH A SUM OF MONEY TO BE APPLIED OR EXPENDED FOR THE PURPOSE OF REDUCING THE FISCAL YEAR 2020 TAX LEVY**

To see if the Town will vote to raise and appropriate or transfer from General Fund Free Cash the sum of \$6,000,000 to be applied or expended for the purpose of reducing the Fiscal Year 2020 Tax Levy; or act in relation thereto.

Submitted by the Finance Committee

*Finance Committee has not yet made final recommendation.*

Article 33 Explanation: To be presented at Town Meeting. At the time this warrant was printed, the Department of Revenue had not yet certified Free Cash as of July 1, 2019.

**ARTICLE 34 - TO VOTE FROM FREE CASH A SUM OF MONEY TO FUND THE SNOW AND SAND DEFICIT**

To see if the Town will vote to transfer and appropriate from General Fund Free Cash the sum of \$1,000,000 to fund the Snow and Sand Deficit; or act in relation thereto.

Submitted by the Finance Committee

*Finance Committee has not yet made final recommendation.*

Article 34 Explanation: To be presented at Town Meeting. At the time this warrant was printed, the Department of Revenue had not yet certified Free Cash as of July 1, 2019.

**ARTICLE 35 - TO AUTHORIZE THE BOARD OF SELECTMEN TO PETITION THE STATE LEGISLATURE TO LIFT A RESTRICTION ON A PARCEL OF LAND FOR THE PURPOSE OF TOWN USE**

To see if the Town will vote to authorize the Board of Selectmen to petition the legislature to modify land use restriction on a parcel of land located at 347 Old Middlesex Turnpike, Map 59, Lot 111 for the purpose of relocating the Public Works Department; 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 35 Explanation: The Town is proposing to modify the Conservation Land Area Restrictions on a portion of Town-owned land located at 347 Old Middlesex Turnpike, Map 59, Lot 111. The site consists of an approximate 68 acre parcel located between Old Middlesex Turnpike and Route 3. The site includes unrestricted land area and four separate restricted land areas as follows:

- Unrestricted Land Area: 33.94 acres
- Conservation Land Area #1: 14.96 acres
- Conservation Land Area #2: 16.87 acres
- Conservation Land Area #3: 2.09 acres
- Archeological Resource Area: 0.13 acres

The Town is proposing to modify the Conservation Land Area restrictions as follows to accommodate the construction of a new Public Works facility:

- Remove Conservation Land Area #3 in the amount of 91,063 SF (2.09 acres)
- Remove a portion of Conservation Land Area #1 in the amount of 14,800 SF (0.34 acres)
- Increase Conservation Land Area #1 to offset the reductions in the amount of 212,000 SF (4.87 acres). This represents a 2:1 replacement of the proposed Conservation Land Area reductions.



**ARTICLE 36 - TO TRANSFER THE CARE, CUSTODY, MANAGEMENT AND CONTROL OF THE VINING SCHOOL FROM THE SCHOOL COMMITTEE TO THE BOARD OF SELECTMEN**

To see if the Town will vote to transfer from the care, custody, management and control of the real property identified as the Vining School, more specifically identified on the Billerica Assessors' Map 88, Parcel 101, from the School Committee to the Board of Selectmen and to change the purpose for which said parcel is being held by the Town from school purposes to general municipal and/or disposition purposes; 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 36 Explanation: This land was taken by eminent domain in the 1950s by Town Meeting for "an educational purpose". Accordingly, the statute requires Town Meetings approval to reclassify it to a municipal purpose.

**ARTICLE 37 - TO LIMIT THE NUMBER OF MARIJUANA ESTABLISHMENTS IN THE TOWN OF BILLERICA**

To see if the Town will vote to accept M.G.L. Chapter 94G Section 3 Local Control Subsection 2ii: limit the number of marijuana retailers to fewer than 20 percent of the number of licenses issued within the city or town for the retail sale of alcoholic beverages not to be drunk on the premises where sold under section 15 of chapter 138.

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

*Finance Committee has not yet made final recommendation.*

Article 37 Explanation: Under the current by-law there is no limit to the number of Marijuana Establishments. Acceptance of this statute would limit the number to two establishments within the district. This is a reasonable restriction based on the size of the district and the limits allowed under the law.

**ARTICLE 38 - TO AUTHORIZE THE LEASE OF THE HOWE SCHOOL TO BATV**

To see if the Town will vote to lease the Old Howe School at 390 Boston Road to Billerica Access Television for the amount of \$1.00 (one dollar), for the purpose of becoming the new headquarters for BATV; 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 38 Explanation: The Board of Selectmen is requesting permission from Town Meeting to enter into a long term lease at this property with Billerica Access TV (BATV). This would allow for the reuse of this historic structure and the perpetuation of BATV for years to come. There would also be a provision for public use of limited space and display of Town historic artifacts.

**ARTICLE 39 - TO AUTHORIZE THE BOARD OF SELECTMEN TO ACCEPT ROADS AS PUBLIC WAYS**

To see if the Town will vote to accept the following listed roads as public ways in accordance with the layouts adopted by the Board of Selectmen and on file with the Town Clerk; and to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain, such interests in land as are necessary to provide for the use and maintenance of said ways for all purposes for which public ways are used in the Town of Billerica; or act in relation thereto.

**Battcock Road**, from Allen Road to dead end, approximate length 340' and 30' width right of way, as depicted on the plan entitled '*Battcock Road Existing Condition*' dated July 17, 2002 by Allen & Major Associates, Inc. (Engineering Division plan B-4-152)

**Call Street**, from Pollard Street to Rogers Street, approximate length 2,320' and variable width right of way, as depicted on the plan entitled '*Plan & Profile Call Street - Billerica, MA*' dated xx, 2019 by Lighthouse Land Surveying, LLC (Engineering Division plan xx)

**Country Lane**, from Lake Street to dead end, approximate length 1,030' and 40' width right of way, as depicted on the plan entitled '*Plan & Profile Country Lane - Billerica, MA*' dated xx, 2019 by Lighthouse Land Surveying, LLC (Engineering Division plan xx)

**Dell Hollow Road**, from Sylvan Road to dead end, approximate length 470' and 30' width right of way, as depicted on the plan entitled '*As Built Dell Hollow Road Plan Profile - Billerica, MA*' dated January 5, 2009 by Noonan & McDowell, Inc. (Engineering Division plan B-4-222)

**Everett Farmer Road**, from Boston Road to dead end, approximate length 590' and 40' width right of way, as depicted on the plan entitled '*Plan & Profile Everett Farmer Road - Billerica, MA*' dated xx, 2019 by Lighthouse Land Surveying, LLC (Engineering Division plan xx)

**Glendale Street**, from McDonough Way to dead end, approximate length 250' and xx width right of way, as depicted on the plan entitled '*Plan & Profile Glendale Street - Billerica, MA*' dated xx, 2019 by Lighthouse Land Surveying, LLC (Engineering Division plan xx)

**Intervale Road**, from Devonshire Road to dead end, approximate length 350' and 40' width right of way, as depicted on the plan entitled '*Plan & Profile Intervale Road - Billerica, MA*' dated xx, 2019 by Lighthouse Land Surveying, LLC (Engineering Division plan xx)

**McDonough Way**, from Myrtle Street to Wedgemere Street, approximate length 380' and 40' width right of way, as depicted on the plan entitled '*McDonough Way Existing Condition*' dated August 16, 2002 by Allen & Major Associates, Inc. (Engineering Division plan B-4-190)

**Plenty Street**, from Friendship Street to south dead end, approximate length 250' and 25' width right of way, and from Stewart Street to Mulcahy Lane, approximate length 250' and 25' width right of way, as depicted on the plan entitled '*Plan & Profile Plenty Street - Billerica, MA*' dated xx, 2019 by Lighthouse Land Surveying, LLC (Engineering Division plan xx)

**Riverdale Road**, from Sylvan Road to dead end, approximate length 1,350' and variable width right of way, as depicted on the plan entitled '*Riverdale Road Existing Condition*' dated April 21, 2006 by Allen & Major Associates, Inc. (Engineering Division plan B-4-48)

**Sylvan Road**, from Ravine Road northeast to Riverdale Road, approximate length 1,200' and 40' width right of way, as depicted on the plan entitled '*Plan & Profile Sylvan Road - Billerica, MA*' dated xx, 2019 by Lighthouse Land Surveying, LLC (Engineering Division plan xx)

**Whittemore Terrace**, from Riverdale Road to dead end, approximate length 175' and 40' width right of way, as depicted on the plan entitled '*Plan & Profile Whittemore Terrace - Billerica, MA*' dated xx, 2019 by Lighthouse Land Surveying, LLC (Engineering Division plan xx)

**Winsor Road**, from Allen Road to dead end, approximate length 2,025' and variable width right of way, as depicted on the plan entitled '*Plan & Profile Winsor Road - Billerica, MA*' dated xx, 2019 by Lighthouse Land Surveying, LLC (Engineering Division plan xx)

**Winthrop Street**, from Boston Road to dead end, approximate length 480' and 40' width right of way, as depicted on the plan entitled '*Winthrop Street Existing Condition*' dated August 26, 2002 by Allen & Major Associates, Inc. (Engineering Division plan B-4-211)

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

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

Article 39 Explanation: The Department of Public Works has identified the above listed roads as candidates for street acceptance. It is a combination of roads that recently received sewer service and were repaved and others that were submitted to the Town as a petition to accept the road in accordance with the Town's By-Laws.

**ARTICLE 40 - TO CREATE AN INJURY LEAVE INDEMNITY FUND**

To see if the Town will vote to accept the last paragraph of M.G.L. c.41, §111F to create a special fund to be known as the Injury Leave Indemnity Fund, to be expended by the Town Manager without further appropriation for payment of injury leave compensation or medical bills incurred under M.G.L. c.41, §§111F, to which appropriations may be made, and amounts received from insurance proceeds or restitution for injuries to firefighters or police officers shall be credited, provided further the Town Manager may, if the amounts therein are not immediately necessary or required in the foreseeable future, release specific amounts to the General Fund; 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 40 Explanation: This article allows the Town to capture 111F insurance settlements into a Revolving Fund. This will enable the Town to carry these monies from year to year and address 111F claims with less appropriation against the tax levy.

**ARTICLE 41 - TO ACCEPT MASSACHUSETTS GENERAL LAW CHAPTER 138, SECTION 33B SALES OF ALCOHOLIC BEVERAGES BY ON-PREMISE LICENSEES ON SUNDAYS AND CERTAIN LEGAL HOLIDAYS; SALES BETWEEN 10:00 AM AND 12:00 NOON**

To see if the Town will vote to accept the provisions of M.G.L. Chapter 138, Section 33B, Sales of Alcoholic Beverages by On-Premise Licensees on Sundays and Certain Legal Holidays; Sales Between 10:00 A.M. and 12:00 Noon. The acceptance of this local option would allow the local licensing authority of the town which accepts this section may authorize licensees under section thirty three to sell alcoholic beverages between the hours of 10:00 a.m. and 12:00 noon on Sundays, the last Monday in May and on Christmas day or on the day following when said day occurs on Sunday; 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 41 Explanation: To see if the Town will vote to accept the provisions of M.G.L. Chapter 138, Section 33B in its entirety. This would allow alcohol to be served earlier than noon on Sunday.

**ARTICLE 42 - TO ACCEPT PROVISIONS OF M.G.L. CHAPTER 59, SECTION 5, CLAUSES 22G AND 22H**

To see if the Town will vote to accept the provisions of M.G.L. Chapter 59, Section 5, Clauses 22G and 22H, commonly known as a part of the provisions of the Brave Act, to allow real estate tax exemptions for disabled veterans to be eligible when their domicile is held by a trustee, conservator or other fiduciary for the benefit of the disabled veteran (Clause 22G) and to allow for a full real estate tax exemption for the surviving parents/guardians of active duty military personnel who went missing in action and are presumed to have died and active duty military personnel (including National Guardsmen on active duty) and disabled veterans who died as a proximate result of injuries or diseases during active duty (Clause 22H); or act in relation thereto.

Submitted by the Board of Assessors

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

Article 42 Explanation: Clause 22G corrects an unforeseen situation where disabled veterans were not allowed to claim property tax exemptions since they did not own their property. Adoption of Clause 22G would allow them to still qualify for their property tax exemption even if their property was held in some other ownership entity to their benefit. Clause 22H extends full real estate tax exemption to the surviving parents/guardians of servicemen and servicewomen who went missing in action and are presumed to have died and active duty military personnel (including National Guardsmen on active duty) and disabled veterans who died as a proximate result of injuries or diseases during active duty.

**ARTICLE 43 - TO FORM A COMMITTEE TO REVIEW THE BILLERICA PUD PROGRAM**

To see if the Billerica Town Meeting will vote to form a committee of 11 members to review the progress of the Billerica PUD program.

The committee shall create a cost to benefit analysis to include how implementation of PUD overlay zoning will affect traffic, water, sewer, public safety and schools.

The committee shall consist of one member from each precinct and the Economic Development Director as an Ex-Officio member. The committee will give a report to the spring 2020 Town Meeting.

All members shall be appointed by the Town Moderator. Or act in relation thereto.

Submitted by Selectman Michael Rosa

*Finance Committee has not yet made final recommendation.*

**ARTICLE 44 - TO AMEND THE BILLERICA ZONING MAP**

To see if the Town will vote to amend the Billerica Zoning Map by deleting the following parcels from the table titled “Boston Road North Parcel Inventory” added in the 2016 Annual Fall Town Meeting. Or act in relation thereto.

<u>Parcel</u>	<u>Address</u>
31-155-0	290 Boston Road
15-248-1	186 Boston Road
15-237-2	Boston Road
22-15-0	Rear Boston Road

Submitted by Selectman Michael Rosa

*Finance Committee has not yet made final recommendation.*

**ARTICLE 45 - PETITIONER ARTICLE**

To see if the Town will vote to amend Article IV, Section 7 (REPAIR/IMPROVEMENT OF UNACCEPTED WAYS) of the General By-Laws of the Town of Billerica as follows:

A. To delete Sub-Section 7.1 in its entirety, which presently reads:

“7.1 Upon the petition of at least seventy-five percent (75%) of the owners abutting an unaccepted street, with each ownership entity to count as one petitioner, the Board of Selectmen may, if the Board determines that public necessity requires the repair or reconstruction of said street, expend funds appropriated for the repair or reconstruction of such streets including drainage improvements, if needed, provided the following requirements are met:”

and replace the same with new Sub-Section 7.1 as follows:

“Upon the petition of at least seventy-five percent (75%) of the owners abutting an unaccepted street, or seventy-five percent of the owners of land dependent on an unaccepted street for access to their lot, with each ownership entity to count as one petitioner, the Board of Selectmen may, if the Board determines that public necessity requires the repair or reconstruction of said street, expend funds appropriated for the repair or reconstruction of such streets including drainage improvements, if needed, provided the following requirements are met:”

B. To delete Sub-Section 7.4 in its entirety, which presently reads:

“7.4 Prior to any expenditure by the Town on construction, the owners of all land abutting on the way shall: (i) release the Town from all liability in connection with the project; (ii) agree to indemnify and hold harmless the town from all claims of injury or damage to third parties; and (iii) grant to the town and its agents, contractors and employees a license to enter the street to perform the project.”

and replace the same with new Sub-Section 7.4 as follows:

“7.4 Prior to any expenditure by the Town on construction, the Petitioners pursuant to Sub-Section 7.1 above shall: (i) release the Town from all liability in connection with the project; (ii) agree to indemnify and hold harmless the town from all claims of injury or damage to third parties; and (iii) grant to the town and its agents, contractors and employees a license to enter the street to perform the project.”

C. To delete Sub-Section 7.6 in its entirety, which presently reads:



“7.6 No betterment charges shall be assessed unless Town Meeting, in appropriating funds for a particular project, determines that betterments shall be assessed for such project, and in such vote, determine the percentage of project cost to be assessed. If betterments are assessed, assessments shall be made either by a uniform unit method, with each unit equal to an existing or potential lot fronting on the street, or on the basis of lineal frontage of each lot on the street, choice of method to be made by the Board of Selectmen.”

and replace the same with new Sub-Section 7.6 as follows:

“7.6 No betterment charges shall be assessed unless Town Meeting, in appropriating funds for a particular project, determines that betterments shall be assessed for such project, and in such vote, determine the percentage of project cost to be assessed. If betterments are assessed, assessments shall be made either by a uniform unit method, with each unit equal to an existing or potential lot fronting on the street, or on the basis of lineal frontage of each lot on the street, or by uniform unit method, with each unit equal to a lot dependent on the unaccepted street to be repaired or reconstructed for access to their lot, choice of method to be made by the Board of Selectmen.”

D. To delete Sub-Section 7.7 in its entirety, which presently reads:

“7.7 A corner or “through” lot having both adequate frontage and access on another street shall not be assessed unless such lot has sufficient area and frontage on the street to be improved, that an additional lot or lots fronting on such street could be created.”

and replace the same with new Sub-Section 7.7 as follows:

“7.7 A corner or “through” lot having both adequate frontage and access on another street shall not be assessed unless such lot has sufficient area and frontage on the street to be improved, that an additional lot or lots fronting on such street could be created, or unless the Board of Selectmen uses the method of assessing lot owners dependent on the unaccepted street to be repaired or reconstructed for access to their lot as set forth in Sub-Section 7.6 above.”

Or act in relation thereto.

Submitted by Elaine Morris and Messr. Burns and Madames Belbin, Dellanno, Doyle, Sarno, Parker, L’Heureux, Rancatore, Young and Riley.

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

**ARTICLE 46 - PETITIONER ARTICLE**

To see if Billerica Town Meeting – Fall of 2019, will vote to affirm the following Resolution:

In 1775, Thomas Ditson took action to protect his life and the life of his loved ones.

He was tarred, feathered and paraded to the tune of Yankee Doodle, thus ensuring a future declaration of Billerica to be officially named Massachusetts' Yankee Doodle Town.

In this year of 2019, Billerica residents now resolve to take another stance in the effort to protect life, as well as our basic human rights.

Irrespective of age or stage of life, we, the Town of Billerica, hereby affirm the sanctity of life applies to every human, recognizing their inherent dignity, regardless of race, gender, faith, size or ability.

Submitted by Blake Robertson and Messrs. Robertson, Mandile, Burns, Burrows, Chin, Glavin and Madames Dorrington, Parsons, Robertson, Chiccarelli and Mandile.

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

**ARTICLE 47 - PETITIONER ARTICLE**

To see if the Town will vote to adopt Massachusetts General Laws Part 1, Title IX, Chapter 59, Section 5, Clause 41C1/2 as an option for property tax relief for Seniors over 70 years of age, to set the Clause 41C1/2 exemption at 20% of the average assessed valuation of residential property in Billerica, and to set the allowable income limits of Clause 41C1/2 to the limit for the “circuit breaker” state income tax credit for single non-head of household filers, as allowed by Massachusetts General Laws Part 1, Title IX, Chapter 59, Section 5, Clause 41C1/2 by vote of this legislative authority of the Town of Billerica; or act in relation thereto.

Submitted by David Johnson and Messrs. Hunt, Lee, Kepple, Simolaris, Knight, Angiuoni and Madames Johnson, Lee, Lee and Angiuoni.

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

**ARTICLE 48 - PETITIONER ARTICLE**

To see if Billerica Town Meeting will vote to amend the Zoning By-Laws to add automobile rental as an allowed use, by special permit granted by the Zoning Board of Appeals. In the following zoning districts: General Business, Commercial and Industrial. Or act in relation thereto.

Submitted by Michael Rosa and Messrs. Green, Busalacchi, Cavicchio, Rosa, Mercure, Saulnier, Goodwin and Madames Nolan, Saulnier, Rosa and Goodwin.

*Finance Committee has not yet made final recommendation.*

**ARTICLE 49 - PETITIONER ARTICLE**

To see if the Town will vote to transfer from Sewer Enterprise Retained Earnings a sum of \$One Million Dollars to be applied and/or expended for the purpose of reducing the FY 2021 Sewer Rate Revenue; or act in relation thereto.

Submitted by John Piscatelli and Anthony Ventresca and Messrs. Damon, Damon, Morris, Parisse, Rosa, Rosa and Madames Parisse, Rosa, Moore and Bova.

*Finance Committee has not yet made final recommendation.*

**ARTICLE 50 - PETITIONER ARTICLE**

To see if the Town will vote to transfer from Water Enterprise Retained Earnings a sum of \$One Million Dollars to be applied and/or expended for the purpose of reducing the FY 2021 Water Rate Revenue; or act in relation thereto.

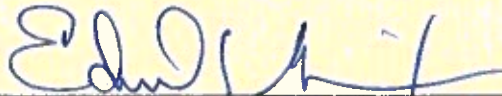
Submitted by John Piscatelli and Anthony Ventresca and Messrs. Damon, Damon, Morris, Parisse, Rosa, Rosa and Madames Parisse, Rosa, Moore and Bova.

*Finance Committee has not yet made final recommendation.*

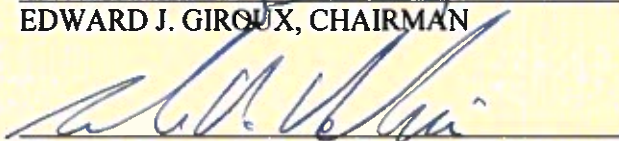
And you are hereby directed to serve this Preliminary Warrant by posting true and attested copies thereof, one copy at the Town Hall, one copy at the Billerica Public Library, one copy at the Billerica Police Station, one copy at the Belly Buster Diner, one copy at Pinehurst Post Office, one copy at 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 Augusta Market, 599 Boston 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 22<sup>nd</sup> day of August 2019.

BOARD OF SELECTMEN



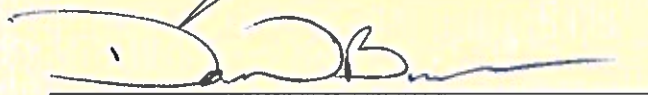
EDWARD J. GIROUX, CHAIRMAN



ANDREW N. DESLAURIER, VICE CHAIRMAN



KIMBERLY J. CONWAY, SECRETARY

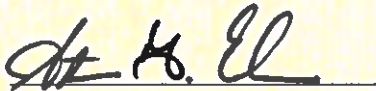


DANIEL L. BURNS, MEMBER



MICHAEL S. ROSA, MEMBER

A true copy attest



Constable, Town of Billerica