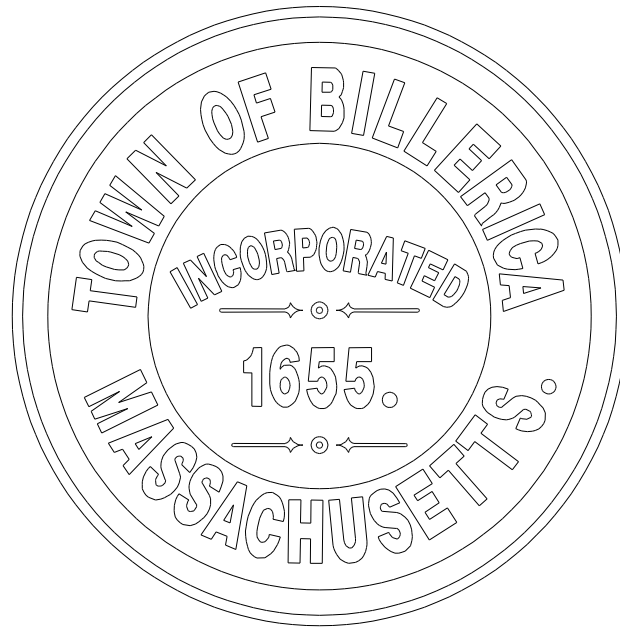


TOWN OF BILLERICA
FINAL WARRANT



ANNUAL FALL
TOWN MEETING

Annual Fall Town Meeting
Tuesday, October 5, 2021 at 7:00 PM
Billerica Memorial High School Auditorium

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			Select Board	Recommends
2	To Hear Reports of Town Departments, Committees & Officers			Town Manager; authorized by Select Board	Recommends

Financial Articles

3	Fiscal Year 2022 Budget Amendment	\$1,202,040	Raise & Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
4	To Transfer and Appropriate a Sum of Money from the Town Debt Stabilization Fund to Fund the General Fund Debt Service Budgets	\$1,774,457	Transfer & Appropriate from the Town Debt Stabilization Fund	Town Manager; authorized by Select Board	Recommends
5	Community Preservation Committee Appropriation Recommendations	\$350,000	CPC Funds	Community Preservation Committee	Recommends
6	To Fund Collective Bargaining Agreement – School Teachers	\$853,899	Raise & Appropriate	Superintendent; authorized by School Committee	Recommends
7	To Fund Collective Bargaining Agreement – School Paraprofessionals	\$99,132	Raise & Appropriate	Superintendent; authorized by School Committee	Recommends
8	To Fund Collective Bargaining Agreement – School Administrators	\$51,083	Raise & Appropriate	Superintendent; authorized by School Committee	Recommends
9	To Fund Collective Bargaining Agreement – School Custodial	\$45,202	Raise & Appropriate	Superintendent; authorized by School Committee	Recommends
10	To Fund Collective Bargaining Agreement – School Clerical	\$20,687	Raise & Appropriate	Superintendent; authorized by School Committee	Recommends
11	To Fund Collective Bargaining Agreement – School Cafeteria		Raise & Appropriate	Superintendent; authorized by School Committee	Recommends
12	To Fund Collective Bargaining Agreement for NEPBA Police Civilian Dispatchers	\$42,000	Raise & Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
13	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (A) Patrolmen	This Article has been Withdrawn			
14	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (B) Superior Officers	This Article has been Withdrawn			
15	To Fund Collective Bargaining Agreement for IAEP Police EMT’s and Paramedics	This Article has been Withdrawn			
16	To Fund Collective Bargaining Agreement for BMEA DPW Workers	This Article has been Withdrawn			
17	To Fund Collective Bargaining Agreement for IUPE Clerical Unit	This Article has been Withdrawn			
18	To Fund Collective Bargaining Agreement for SEIU Local 888 Administrative Unit	This Article has been Withdrawn			
19	To Fund Collective Bargaining Agreement for IAFF Civilian Fire Alarm Operators	This Article has been Withdrawn			
20	To Fund Collective Bargaining Agreement for IAFF Firefighters	This Article has been Withdrawn			
21	To Fund Fiscal Year 2022 Town Capital Budget	\$810,000	Transfer and Appropriate from General Fund Free Cash and Cemetery Sale of Lots	Town Manager; authorized by Select Board	Recommends
22	To Fund Fiscal Year 2022 School Capital Budget	\$1,160,000	Transfer and Appropriate from General Fund Free Cash	Superintendent; authorized by School Committee	Reserves Recommendation
23	To Fund Billerica Public Schools Comprehensive Facilities Study	\$300,000	Transfer and Appropriate from General Fund Free Cash	Superintendent; authorized by School Committee	Recommends
24	To Fund Sewer Manhole Repairs from the Inflow and Infiltration Fund	\$50,000	Transfer and Appropriate from I/I Funds	Town Manager; authorized by Select Board	Recommends

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
25	To Fund High Lift Finished Water Pumps and 24" Master Finished Water Meter Replacement	\$400,000	Transfer and Appropriate from the Water Conservation Fund	Town Manager; authorized by Select Board	Recommends
26	To Fund the Replacement of Water Mains	\$1,000,000	Transfer and Appropriate from Water Retained Earnings Enterprise Fund	Town Manager; authorized by Select Board	Recommends
27	To Fund Hydrants and Valve Replacements	\$100,000	Transfer and Appropriate from Water Retained Earnings Enterprise Fund	Town Manager; authorized by Select Board	Recommends
28	To Fund Design from 25% to 100%, Permitting and Easements, for Lexington Road at Glad Valley Drive	\$500,000	Transfer and Appropriate from General Fund Free Cash	Town Manager; authorized by Select Board	Recommends
29	To Fund Boston Road Cost of Easement Compensation	\$700,000	Transfer and Appropriate from General Fund Free Cash	Town Manager; authorized by Select Board	Recommends
30	To Acquire a New Communications System for the Billerica Fire, Police and Emergency Management Departments	This Article has been Withdrawn			
31	Design for a New DPW Facility	This Article has been Withdrawn			
32	To Fund Installation of Sewer on a Portion of Rangeway Road by Sewer Betterment	This Article has been Withdrawn			
33	To Fund the Construction and Rehabilitation of 15,000 LF of 18" Sewer Force Main	\$14,000,000	Borrowing	Town Manager; authorized by Select Board	Recommends
34	To Fund the Installation of Sewer for Area 4 (Contract 37)	\$22,000,000	Borrowing	Town Manager; authorized by Select Board	Recommends
35	To Fund PEG Access Cable Television Services	\$159,980	Transfer & Appropriate	Town Manager; authorized by Select Board	Recommends

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
36	To Vote a Sum of Money from General Fund Free Cash to the Debt Stabilization Fund	\$1,800,000	Transfer from General Fund Free Cash and Wastewater Retained Earnings Enterprise Fund	Finance Committee	Recommends
37	To Vote a Sum of Money from General Fund Free Cash to the Stabilization Fund	This Article has been Withdrawn			
38	To Vote a Sum of Money from General Fund Free Cash to the Land Bank Account	This Article has been Withdrawn			
39	To Vote a Sum of Money to Fund the Snow and Sand Deficit	This Article has been Withdrawn			
40	To Vote a Sum of Money from Free Cash to be Applied or Expended for the Purpose of Reducing the Fiscal Year 2022 Tax Levy	This Article has been Withdrawn			

General By-Laws

41	To Amend General By-Laws Article III Financial Regulations	This Article has been Withdrawn			
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Land Use & Easements

42	To Authorize the Select Board to Accept Roads as Public Ways			Town Manager; authorized by Select Board	Recommends
43	Granting of Easements to National Grid			Town Manager; authorized by Select Board	Recommends

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

44	Petitioner Article				Reserves Recommendation
45	Petitioner Article				Reserves Recommendation
46	Petitioner Article				Reserves Recommendation

**FINAL WARRANT
OCTOBER 5, 2021
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 5, 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 APPOINT ONE MEMBER TO THE BOWERS FUND COMMITTEE

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

Submitted by the Select Board

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 \$17,396.28 and the principal balance is \$132,053.91. Town Meeting appoints members to the Bowers Fund Committee. Committee member Jeanne LeGallo's term is expiring, and she is requesting that she 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 Select Board

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 2022 BUDGET AMENDMENT

To see if the Town will vote to raise and appropriate the sum of \$1,202,040 to amend various budgets for Fiscal Year 2022; or act in relation thereto.

FY2022 Operating Budget				
Account Number	Account Name	Beginning Balance	Amendment	Ending Balance
41010-5110	Engineering Personnel	\$684,381	\$52,010	\$736,391
17510-5110	Planning Personnel	\$240,281	\$10,563	\$250,844
19230-5256	Town Hall Utilities	\$40,000	\$10,000	\$50,000
91070-7088	Electricity	\$1,596,640	\$380,000	\$1,976,640
91070-7097	Fuel	\$315,000	\$100,000	\$415,000
71070-75x0	Transfer to Debt Stabilization	\$220,749	-\$220,749	\$ 0
Total General Budget Change:			\$331,824	
FY2022 Water Enterprise Budget				
Account Number	Account Name	Beginning Balance	Amendment	Ending Balance
64070-7150	Water Ent. Principal	\$2,145,783	\$396,433	\$2,542,216
64070-7550	Water Ent. Interest	\$282,831	\$94,715	\$377,546
Total Water Change:			\$491,148	
FY2022 Wastewater Enterprise Budget				
Account Number	Account Name	Beginning Balance	Amendment	Ending Balance
67070-7130	Sewer Principal	\$4,036,222	\$295,620	\$4,331,842
67070-7550	Sewer Interest	\$977,509	\$83,438	\$1,060,947
Total Wastewater Change:			\$379,058	
Total Changes:			\$1,202,040	

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 3 Explanation: This article addresses three general areas of the budget; personnel adjustments, utility adjustments and debt service.

In personnel, an Assistant Engineer is being added to the Engineering Department to take on the additional workload created by all of the MS4 Storm Water requirements. This position is being funded for half the year at a cost of \$47,139. Additionally, because of the increased position and responsibility added to the Town Engineer's position that position is being adjusted by \$4,871. This adjustment will make it more competitive based on a Salary Survey conducted in the Merrimac Valley. This will bring the total amendment to the Engineering Personnel line to \$52,010. The Director of Planning and Economic Development is being adjusted by \$10,563. This will bring the annual salary up to \$126,624 which is the mid-range average salary according to the same survey.

There has been an increase in utility costs this year due to increases in Town utility contracts. Natural gas costs have increased requiring the Town to increase the Town Hall Utility account by \$10,000. The electricity contract for the Town has increased necessitating a \$380,000 increase to the electricity account. Gasoline has also increased significantly since budget was set. Therefore the fuel account will need an additional \$100,000.

Debt Service is being amended to accommodate debt recently issued by Town meeting for both Enterprise Funds. Specifically, Town meeting approved in May of 2019 the authorization of \$10 Million to replace the Ozone Treatment system at the Water Treatment Plant. This requires a \$491,148 increase to Water Enterprise Debt Service. Town Meeting also approved \$24 Million for Sewer Contract 36 (Needs Area 3). This requires a \$379,058 increase to Wastewater Debt Service. All the revenue needed to fund this new debt service has been covered by water and sewer rates set by the Water and Sewer Commissioners for FY2022.

The changes to the general operation budget of \$331,824 impact the budget by .2% and therefore, the levy impact is negligible and the Enterprise Fund changes are already built into the FY 2022 rates.

ARTICLE 4 - TO TRANSFER AND APPROPRIATE A SUM OF MONEY FROM THE TOWN DEBT STABILIZATION FUND TO FUND THE GENERAL FUND DEBT SERVICE BUDGETS

To see if the Town will vote to transfer and appropriate the sum of \$1,774,457 from the Town Debt Stabilization Fund to fund the General Fund Debt Service Budgets; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 4 Explanation: The Town, through the Select Board, 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:

1. Transferring a minimum amount of free cash and or retained earnings annually in the amount of \$1.8 million to the Debt Stabilization Fund.
2. To appropriate the difference of any year that is lower than \$9.066 million to Debt Stabilization.
3. *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.*
4. *To ensure that the tax impact of the debt service on the new high school and the Parker Elementary does not exceed \$200 on the median Household.*

This article is intended to address paragraph 3 and 4 of the Debt Stabilization policy. Paragraph 3 states that if an annual appropriation exceeds \$9.066 million the town will appropriate the difference from the debt stabilization fund to keep the levy impact at \$9.066 million. This fiscal year the annual debt service has exceeded the policy limit for the first time in the amount of \$649,787. Paragraph 4 refers to the Town's goal of ensuring the impact of the two debt exclusions does not exceed \$200 of impact on the average single-family home. The amount needed to meet that goal for this year is a transfer of \$1,125,000 to the Debt Service account. These two transfers add up to a total transfer of \$1,774,457 from the Debt Stabilization Fund to the Debt Service Account.

ARTICLE 5 - COMMUNITY PRESERVATION COMMITTEE APPROPRIATION RECOMMENDATIONS

To determine whether the Town will vote to transfer from the Community Preservation Fund or otherwise fund for community preservation purposes the amounts shown below for the referenced projects; and, in connection therewith, to authorize the Select Board 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 M.G.L. c.44B; and further, to authorize the Select Board 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	Source				Total Amount Recommended
			Housing Reserve	Open Space and Recreation Reserve	Historic Preservation Reserve	CPA Fund Balance	
C1	Town of Billerica Yankee Doodle Bike Path	Open Space and Recreation					\$350,000
<p><i>The Town of Billerica has been moving ahead on the design for the Yankee Doodle Bike Path. The Town is currently at the 75% design stage and is seeking to advance to 100% design and move ahead with Right of Way Appraisals. The CPA funds will be used to advance the recreational initiatives laid out in Billerica's Open Space and Recreational Plan to "Improve, expand and increase access to active and passive recreational opportunities".</i></p>							

This article authorizes the appropriation of funds from the Community Preservation Fund for the completion of a specific project as listed in the above chart and allowed under the Community Preservation Act. This project will expend a total of \$350,000 for Open Space and Recreation. 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 recommends approval.

Article 5 Explanation: The Community Preservation Committee received applications for projects to use funds within the Community Preservation Fund, and the one project described above will be recommended to Town Meeting for approval.

ARTICLE 6 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL TEACHERS

To see if the Town will vote to raise and appropriate \$853,899 to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town of Billerica School Committee and the Billerica Federation of Teachers, Local 1677, AFT-MA, AFT, AFL-CIO; or act in relation thereto.

Submitted by the School Superintendent; authorized by the School Committee

Finance Committee recommends approval.

Article 6 Explanation: This article seeks to raise and appropriate \$853,899 to fund the cost items associated with the Teacher contract. The contract term is a one-year extension of a contract that expired on August 25, 2021, and only includes a wage adjustment with no language changes. The contract includes a split COLA of 1.5% on the first (1st) day of school and an additional 1% on the ninety-first (91st) day of school to the base salary schedule, having the net effect of a 2% COLA in Fiscal Year 2022. Positions that have a stipend in the contract (e.g., coaches, music, theatre, extra-curriculars, etc.) receive a 2% increase instead of a split COLA.

ARTICLE 7 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL PARAPROFESSIONALS

To see if the Town will vote to raise and appropriate \$99,132 to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town of Billerica School Committee and the Billerica Federation of Teachers, Local 1677, AFT-MA, AFT, AFL-CIO, Paraprofessionals; or act in relation thereto.

Submitted by the School Superintendent; authorized by the School Committee

Finance Committee recommends approval.

Article 7 Explanation: This article seeks to raise and appropriate \$99,132 to fund the cost items associated with the Paraprofessional contract. The contract term is a one-year extension of a contract that expired on August 25, 2021, and only includes a wage adjustment with no language changes. The contract includes a split COLA of 1.5% on the first (1st) day of school and an additional 1% on the ninety-first (91st) day of school to the base salary schedule, having the net effect of a 2% COLA in Fiscal Year 2022.

ARTICLE 8 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL ADMINISTRATORS

To see if the Town will vote to raise and appropriate \$51,083 to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town of Billerica School Committee and the Billerica Administrators Group affiliated with the Massachusetts Association of Professional School Administrators; or act in relation thereto.

Submitted by the School Superintendent; authorized by the School Committee

Finance Committee recommends approval.

Article 8 Explanation: This article seeks to raise and appropriate \$51,083 to fund the cost items associated with the School Administrator contract. The contract term is a one-year extension of a contract that expired on June 30, 2021, and only includes a wage adjustment with no language changes. The contract includes a split COLA of 1.5% on July 1, 2021 and an additional 1% on January 1, 2022 to the base salary schedule, having the net effect of a 2% COLA in Fiscal Year 2022.

ARTICLE 9 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL CUSTODIAL

To see if the Town will vote to raise and appropriate \$45,202 to fund the first-year cost items contained in the successor 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 Superintendent; authorized by the School Committee

Finance Committee recommends approval.

Article 9 Explanation: This article seeks to raise and appropriate \$45,202 to fund the cost items associated with the School Custodial contract. The contract term is a one-year extension of a contract that expired on June 30, 2021, and only includes a wage adjustment with no language changes. The contract includes a split COLA of 1.5% on July 1, 2021 and an additional 1% on January 1, 2022 to the base salary schedule, having the net effect of a 2% COLA in Fiscal Year 2022. The only additional terms are an agreement to begin successor contract negotiations in January 2022, and the extension of a February 2021 memo that exempted COVID-related absences from contractual language regarding sick leave incentives and job posting/bidding.

ARTICLE 10 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL CLERICAL

To see if the Town will vote to raise and appropriate \$20,687 to fund the first-year cost items contained in the successor 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 Superintendent; authorized by the School Committee

Finance Committee recommends approval.

Article 10 Explanation: This article seeks to raise and appropriate \$20,687 to fund the cost items associated with the School Clerical contract. The contract term is a one-year extension of a contract that expired on June 30, 2021, and only includes a wage adjustment with no language changes. The contract includes a split COLA of 1.5% on July 1, 2021 and an additional 1% on January 1, 2022 to the base salary schedule, having the net effect of a 2% COLA in Fiscal Year 2022. The only additional term is an agreement to begin successor contract negotiations in January 2022.

ARTICLE 11 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL CAFETERIA

To see if the Town will vote to raise and appropriate a sum of money to fund the first-year cost items contained in the successor 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, Cafeteria Employees; or act in relation thereto.

Submitted by the School Superintendent; authorized by the School Committee

Finance Committee recommends approval.

Article 11 Explanation: This article seeks to raise and appropriate \$0 to fund the cost items associated with the School Cafeteria contract, as the contract is funded by the school cafeteria revolving account, and not by the district’s operating budget. The contract term is a two-year extension of a contract that expired on June 30, 2020, and only includes a wage adjustment with no language changes. The contract includes a COLA of 2.5% for Fiscal Year 2021, with an increase on the top step to \$17.78/hr. The FY2021 increase is consistent with the increases for other bargaining units from FY2021. For Fiscal Year 2022, there is a split COLA of 1.5% on July 1, 2021 and an additional 1% on January 1, 2022 to the base salary schedule, having the net effect of a 2% COLA in Fiscal Year 2022. The only additional terms are an agreement to begin successor contract negotiations in January 2022, and the extension of a February 2021 memo that exempted COVID-related absences from contractual language regarding sick leave incentives and job posting/bidding.

**ARTICLE 12 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA
POLICE CIVILIAN DISPATCHERS**

To see if the Town will vote to raise and appropriate \$42,000 to fund the last-year cost items contained in the amended successor Collective Bargaining Agreement between the Town and NEPBA Police Civilian Dispatchers (New England Police Benevolent Association, Inc.) for the term of July 1, 2019 to June 30, 2022; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 12 Explanation: The Town and the NEPBA Civilian Dispatcher’s Union have agreed to amend the steps in the salary schedule to make the Town more competitive in the field of Civilian Dispatch. There is currently a high rate of turn-over in a department that needs stability and continuity for reliable emergency response. This significant wage adjustment is compensated in part by the union agreeing to give up five days of vacation time. Additionally, the union has agreed to a combined dispatch at an undetermined date without any additional remuneration.

ARTICLE 13 – THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 14 – THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 15 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 16 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 17 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 18 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 19 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 20 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 21 - TO FUND FISCAL YEAR 2022 TOWN CAPITAL BUDGET

To see if the Town will vote to transfer and appropriate the sum of \$745,000 from General Fund Free Cash to fund the replacement of various Town vehicles as follows:

5 Ton International Dump with Plow	\$235,000
5 Ton International Dump with Plow	\$235,000
Ambulance	\$275,000

And,

To see if the Town will transfer and appropriate the sum of \$65,000 from the sale of lots to fund the replacement of a Cemetery truck; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 21 Explanation: This article is being funded through General Fund Free Cash and Sale of Lots and Graves Fund. One smaller dump truck is being purchased for the Cemetery Department. Additionally, an ambulance and two larger dump trucks are being purchased to replace old equipment through free cash.

ARTICLE 22 - TO FUND FISCAL YEAR 2022 SCHOOL CAPITAL BUDGET

To see if the Town will vote to transfer and appropriate the sum of \$1,160,000 from General Fund Free Cash to fund the Fiscal Year 2022 School Capital Budget; or act in relation thereto.

Submitted by the Superintendent; authorized by the School Committee

Finance Committee has not yet made final recommendation.

Article 22 Explanation: This article seeks to utilize \$1,160,000 from General Fund Free Cash to fund Capital Projects for the Billerica Public Schools. In particular, this article is designed to address the following projects:

2021 Fall Town Meeting – School Department Proposed Projects

School(s)	Project	Estimated Cost
Locke	Fire panel and accessories	\$160,000
Dutile, Kennedy, Marshall	Asbestos abatement of flooring and retile	\$290,000
Dutile, Kennedy	Ceiling and interior lights	\$120,000
Kennedy	Upgrading 95% efficient boiler from 65%, including asbestos removal	\$300,000
Dutile	HVAC MUA over portable	\$60,000
Locke	Asbestos abatement of flooring and retile	\$130,000
Kennedy	Kennedy Access FOB	\$15,000
District Wide	Exterior Lighting	\$30,000
Kennedy, Marshall	Replacement of hallway fire rated doors	\$40,000
Dutile	Deck coating / Concrete repair	\$15,000
	TOTAL:	\$1,160,000

ARTICLE 23 - TO FUND BILLERICA PUBLIC SCHOOLS COMPREHENSIVE FACILITIES STUDY

To see if the Town will vote to transfer and appropriate the sum of \$300,000 from General Free Cash to fund a Comprehensive Facilities Study for the Billerica Public Schools; or act in relation thereto.

Submitted by the Superintendent; authorized by the School Committee

Finance Committee recommends approval.

Article 23 Explanation: This article seeks to utilize \$300,000 from General Fund Free Cash to fund a comprehensive facilities study for the Billerica Public Schools that will be a ten (10)-year update to the initial study that was approved by the Fall 2011 Town Meeting. The previous study formed the basis of the school department's facilities work for the last ten years by providing the basis for submission to the MSBA for the high school project; providing the roadmap for capital upgrades to school facilities; and aligning with the district's educational visioning for schools.

ARTICLE 24 - TO FUND SEWER MANHOLE REPAIRS FROM THE INFLOW AND INFILTRATION FUND

To see if the Town will vote to transfer and appropriate the sum of \$50,000 from the Infiltration Inflow Fund for the repairs of Sewer Manholes Structures, including any costs incidental or related thereto; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 24 Explanation: Town-wide many sewer manholes are in need of repair due to pavement failures around the manhole casting. Repairs will require the removal of materials around the casting and adjustment of the casting and pavement application around the casting. Repairing these manhole will contribute to the removal of unintended infiltration and inflow from the sewer system.

ARTICLE 25 - TO FUND HIGH LIFT FINISHED WATER PUMPS AND 24” MASTER FINISHED WATER METER REPLACEMENT

To see if the Town will vote transfer and appropriate the sum of \$400,000 from the Water Conservation Fund for the replacement of a high lift finished water pump, replacement of 24” finished water master meter and the refurbishing of three other high lift finished water pumps, including any costs incidental or related thereto; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 25 Explanation: This project includes the furnishing and installation of one high lift finished water pump and refurbishing of the remaining three high lift finished water pumps, also to replace a 24” finished water master meter and piping modifications to accommodate maintenance of the existing finished water master meter. These improvements are intended to provide the Water Treatment Plant with the ability to maintain, remove and replace equipment that has been impacted by the formation of carbonate over a several year period. The existing finished water master meter will be removed and refurbished and kept available as a spare should the new master meter need to be removed for cleaning in the future.”

ARTICLE 26 - TO FUND THE REPLACEMENT OF WATER MAINS

To see if the Town will vote to transfer and appropriate the sum of \$1,000,000 from the Water Retained Earnings Enterprise Fund for water main replacement and associated work, including any costs incidental or related thereto; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 26 Explanation: The Town had completed a study of the Water Distribution System. This study identified the needs of water mains due to their age, condition and fire follow. Some water mains had experienced many breaks; and we are focused on those troubled mains for replacement.

ARTICLE 27 - TO FUND HYDRANTS AND VALVE REPLACEMENTS

To see if the Town will vote to transfer and appropriate the sum of \$100,000 from the Water Retained Earnings Enterprise Fund for the replacement of hydrants and valves in the Water Distribution System, including any costs incidental or related thereto; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 27 Explanation: This article will continue the Hydrant and Valve Replacement Program. The work to replace these hydrants and valves will be done using Town staff. The Town has replaced 646 hydrants since the start of the program in 2013.

ARTICLE 28 - TO FUND DESIGN FROM 25% TO 100%, PERMITTING AND EASEMENTS, FOR LEXINGTON ROAD AT GLAD VALLEY DRIVE

To see if the Town will vote to transfer and appropriate from General Fund Free Cash the sum of \$500,000 for design phase services, appraisals and easement acquisitions associated with the Boston Road at Lexington Road and Glad Valley Drive traffic and safety improvement project; and to authorize the Select Board to acquire by gift, purchase or eminent domain any necessary easements; and further to authorize the Select Board 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 Select Board

Finance Committee recommends approval.

Article 28 Explanation: This project is on the TIP for the 2026 construction season.

ARTICLE 29 - TO FUND BOSTON ROAD COST OF EASEMENT COMPENSATION

To see if the Town will vote to transfer and appropriate from General Fund Free Cash the sum of \$700,000 for the Boston Road TIP Project from the Danforth Village driveway to Simmons Lane for appraisals and easement acquisitions; and to authorize the Select Board to grant or acquire by gift, purchase or eminent domain any necessary easements; and further to authorize the Select Board 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 costs; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 29 Explanation: The Town is responsible for funding appraisals and easement acquisition for the project. This project is anticipated to be advertised for construction in early 2022. The construction of the project (\$9,336,000) will be funded by a combination of State, Federal and Local funds.

ARTICLE 30 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 31 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 32 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 33 - TO FUND THE CONSTRUCTION AND REHABILITATION OF 15,000 LF OF 18" SEWER FORCE MAIN

To see if the Town will vote to authorize the Select Board to borrow from the Massachusetts Water Pollution Abatement Trust the sum of \$14,000,000 for Sewer construction repairs/rehabilitation of the 15,000 LF, 18-inch cement lined ductile iron force main running between the Brown Street Pump Station to the Rogers Street Pump Station; or act in relation thereto, including the adoption of the following vote:

Voted: That \$14,000,000 is appropriated for the purpose of financing the construction of Wastewater Sewer Line Construction 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 \$14,000,000 and issue bonds or notes therefore under Chapter 44 of the General Laws 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 Water Pollution Abatement 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 Select Board 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 costs/expenses related said easement acquisitions; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 33 Explanation: The Brown Street Pump Station has a sewer force main in need of critical repair. The 15,000 LF, 18-inch cement lined ductile iron force main was originally constructed in 1978 with cross connection chambers built to eventually support a second parallel force main for redundancy. It plays a critical

role in the Town's sewer conveyance system, conveying approximately 4,000 gpm (approximately 30% of the Town's wastewater flow) from the Brown Street Pump Station to the Rogers Street Pump Station before reaching the Town's Wastewater Treatment Plant. In June 2020, the Town discovered a failure in the existing force main near Pond Street, which resulted in a sewage spill within the railroad right-of-way (ROW), adjacent to wetlands. The Town was able to repair the failed section of pipe within days and an engineering study of potential solutions was undertaken.

The Town sent the portion of failed ductile iron pipe for analysis by Massachusetts Materials Research, Inc. (MMR). The analysis indicated that the failure was due to a severe external corrosion of the pipe and that the ductile iron in the pipe was an older alloy that is subject to corrosion much earlier in its lifespan than the alloys now used.

In March 2021, the force main suffered a second failure near the first failure location but was much more difficult and costly to repair. This leak took several weeks to repair and at a significant cost to the Town. Due to the age of the pipe and after reviewing the materials analysis and the engineering study, it became evident that a full repair or replacement of the force main is necessary in order to ensure long term operation of the pipeline. This article will fund the construction of method chosen for permanent solution. The project is currently highly ranked on the DEP State Revolving Fund.

ARTICLE 34 - TO FUND THE INSTALLATION OF SEWER FOR AREA 4 (CONTRACT 37)

To see if the Town will vote to authorize the Select Board to borrow from the Massachusetts Water Pollution Abatement Trust, the sum of \$22,000,000 for Sewer Installation as detailed in the Comprehensive Wastewater management Plan (CWMP) and Sanitary Sewer Overflow Abatement Plan; and to authorize the Select Board to grant or acquire by gift, purchase or eminent domain any necessary easements; and further to authorize the Select Board 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, including the adoption of the following vote:

Voted: That \$22,000,000 is appropriated for the purpose of financing the construction of Wastewater Sewer Line Construction 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 \$22,000,000 and issue bonds or notes therefore under Chapter 44 of the General Laws 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 Water Pollution Abatement 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 Select Board 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 costs/expenses related said easement acquisitions; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 34 Explanation: This project will add 4.36 miles of sewer and will serve 199 homes. Once these two projects are completed, 88.6% of the Town will be on sewer.

ARTICLE 35 - TO FUND PEG ACCESS CABLE TELEVISION SERVICES

To see if the Town will vote to transfer and appropriate the sum of \$159,980 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 Select Board

Finance Committee recommends approval.

Article 35 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 36 - TO VOTE A SUM OF MONEY FROM FREE CASH AND RETAINED EARNINGS TO THE DEBT STABILIZATION FUND

To see if the Town will vote to transfer and appropriate from General Fund Free Cash the sum of \$1,000,000 to the Debt Stabilization Fund and to transfer and appropriate \$800,000 from the Wastewater Retained Earnings Enterprise Fund; or act in relation thereto.

Submitted by the Finance Committee

Finance Committee recommends approval.

Article 36 Explanation: The Town, through the Select Board, 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. To ensure that the tax impact of the debt service on the new high school and the Parker Elementary does not exceed \$200 on the median Household.

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 June 30, 2021. The Debt Stabilization Fund balance as of June 30, 2021 is \$21,660,817.

ARTICLE 37 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 38 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 39 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 40 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 41 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 42 - TO AUTHORIZE THE SELECT BOARD 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 Select Board and on file with the Town Clerk; and to authorize the Select Board 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.

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 April 24, 2020 by Lighthouse Land Surveying, LLC (Engineering Division plan B-5-44).

Farmers Lane, from Boston Road to dead end, approximate length 920' and variable width right of way, as depicted on the plan entitled '*Plan & Profile Farmers Lane - Billerica, MA*' dated August 20, 2021 by Lighthouse Land Surveying, LLC (Engineering Division plan B-5-193).

Simmons Lane, from Boston Road to dead end, approximate length 1,140' and 40' width right of way, as depicted on the plan entitled '*Plan of Land in Billerica Surveyed for Bertha Simmons*' dated August 1951 by J.B. Monahan and the plan entitled '*Plan of Land in Billerica Surveyed for Bertha Simmons*' dated January 1953 by J.B. Monahan (Engineering Division plans A-2-154 and A-2-1189).

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 42 Explanation: The list of roads was developed based on a combination of citizen petitions (Everett Farmer Road and Simmons Lane) and roads that are in the interest of the Town to accept because of a Town project (Farmers Lane).

ARTICLE 43 - GRANTING OF EASEMENTS TO NATIONAL GRID

To see if the Town will vote to authorize the Select Board to grant easements to National Grid for 70 Letchworth Avenue (Wastewater Treatment Plant) and Old Middlesex Turnpike abutting at the Water Treatment Plant; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 43 Explanation: The Town has granted license agreements to National Grid for both of these locations. This article will make them permanent easements.

ARTICLE 44 - PETITIONER ARTICLE

To see if the Town will vote to amend the Zoning By-Law Section 5E.11: Mixed Use Overlay Zoning District, by changing the affordable units as per Part 8, from ten (10) percent to fifteen (15) percent; or act in relation thereto.

Submitted by John Meneghini and Messrs. Chando, Knight, Greene, Sardina, Perry, Perry and Madames Meneghini, Glasser, Sardina, Hazel, Perry and Chando.

Finance Committee has not yet made final recommendation.

Article 44 Explanation: The present By-Law requires that 10% of the dwelling units be affordable. The amendment would increase that requirement to 15%, making more affordable units available.

ARTICLE 45 - PETITIONER ARTICLE

To see if the Town will vote to amend the Zoning By-Law Section 5E.11: Mixed Use Overlay Zoning District, by deleting part 3 entitled Overlay District and deleting any references to Mixed Use Development Districts on the zoning map; or act in relation thereto.

Submitted by John Meneghini and Messrs. Chando, Knight, Greene, Sardina, Perry, Perry and Madames Meneghini, Glasser, Sardina, Hazel, Perry and Chando.

Finance Committee has not yet made final recommendation.

Article 45 Explanation: Article 29 of the 2021 Spring Town Meeting not only created the Mixed-Use Overlay Zoning District, but also placed numerous properties along Boston Road in that district. Passage of this amendment will remove those properties from that district, and require any proponent to get the prior approval of Town Meeting.

ARTICLE 46 - PETITIONER ARTICLE

To see if the Town will vote to amend the Zoning By-Law Section 5E.11: Mixed Use Overlay Zoning District, by deleting Part 10 as written, and inserting the following: The dimensional regulations shall be the same as the dimensional regulations for the underlying zoning district. However, the Planning Board may waive the set-back requirements, for construction on the same footprint as the existing buildings; or act in relation thereto.

Submitted by John Meneghini and Messrs. Chando, Knight, Greene, Sardina, Perry, Perry and Madames Meneghini, Glasser, Sardina, Hazel, Perry and Chando.

Finance Committee has not yet made final recommendation.

Article 46 Explanation: Among other items, the present By-Law allows construction up to the street fronting the site. The amendment would require that any construction be subject to the same dimensional regulations as the underlying zoning district, but allowing the Planning Board to waive the regulations for construction on the same footprint as the existing building.

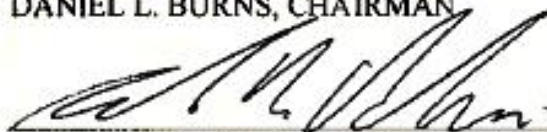
And you are hereby directed to serve this Final Warrant by posting true and attested copies thereof, one copy at the Town Hall, one copy at the Billerica Public Library, one copy at the Billerica Police Station, one copy at the Belly Buster Diner, one copy at Pinehurst Post Office, one copy at the Center 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 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 28th day of September 2021.

SELECT BOARD OF BILLERICA



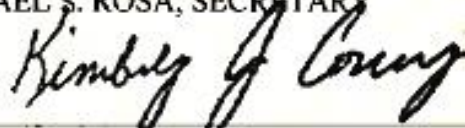
DANIEL L. BURNS, CHAIRMAN



ANDREW N. DESLAURIER, VICE CHAIRMAN



MICHAEL S. ROSA, SECRETARY

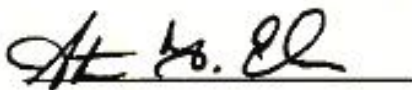


KIMBERLY J. CONWAY, MEMBER



JOHN J. BURROWS, MEMBER

A true copy attest



Constable, Town of Billerica