

**TOWN OF BILLERICA**

**PRELIMINARY WARRANT**



**ANNUAL SPRING  
TOWN MEETING**

**Annual Spring Town Meeting  
Tuesday, May 3, 2022 at 7:00 PM**

**At**

**Billerica Town Hall Auditorium**

| Article Number | Purpose  | Value | Funding Source | Submitted by:                            | Finance Committee Recommendation |
|----------------|--|-------|----------------|--|----------------------------------|
| 1              | To Set Compensation of Elected Officials (Town Clerk)      |       |                | Finance Committee                        | Reserves Recommendation          |
| 2              | To Set Compensation of Elected Officials (Select Board)    |       |                | Town Manager; authorized by Select Board | Reserves Recommendation          |
| 3              | To Hear Reports of Town Departments, Committees & Officers |       |                | Town Manager; authorized by Select Board | Reserves Recommendation          |

*Financial Articles*

|    |   |             |  |   |                         |
|----|---|-------------|--|---|-------------------------|
| 4  | To Transfer Funds Between 2022 Budget Line Items  | \$2,000,000 | Transfer from Available Funds                    | Town Manager; authorized by Select Board                          | Reserves Recommendation |
| 5  | To Fund Collective Bargaining Agreement – IAEP Police EMT’s and Paramedics                    |             | Raise & Appropriate from Available Funds         | Town Manager; authorized by Select Board                          | Reserves Recommendation |
| 6  | To Fund Collective Bargaining Agreement – NEPBA Police Officers – Group (B) Superior Officers |             | Raise & Appropriate from Available Funds         | Town Manager; authorized by Select Board                          | Reserves Recommendation |
| 7  | To Fund Collective Bargaining Agreement – NEPBA Police Officers – Group (A) Patrolmen         |             | Raise & Appropriate from Available Funds         | Town Manager; authorized by Select Board                          | Reserves Recommendation |
| 8  | To Fund Collective Bargaining Agreement – BMEA DPW Workers                                    |             | Raise & Appropriate from Available Funds         | Town Manager; authorized by Select Board                          | Reserves Recommendation |
| 9  | Fiscal Year 2023 Town and School Budget   |             | Raise & Appropriate from Available Funds         | Select Board, Town Manager & Finance Committee                    | Reserves Recommendation |
| 10 | Fiscal Year 2023 Water Enterprise Budget  |             | Raise & Appropriate from Available Funds         | Town Manager; authorized by Select Board                          | Reserves Recommendation |
| 11 | Fiscal Year 2023 Sewer Enterprise Budget  |             | Raise & Appropriate from Available Funds         | Town Manager; authorized by the Select Board                      | Reserves Recommendation |
| 12 | To Allow the Town Manager and Finance Committee to Transfer Funds                             |             |  | Finance Committee   | Reserves Recommendation |
| 13 | To Authorize Departmental Revolving Funds   |             |  | Town Manager; authorized by the Select Board and School Committee | Reserves Recommendation |
| 14 | Community Preservation Fund Budget and Project Recommendations                                | \$823,055   | Raise & Appropriate from CPA                     | Community Preservation Committee                                  | Reserves Recommendation |
| 15 | To Purchase a Hydro Excavator Truck for the Water Department                                  | \$570,000   | Raise & Appropriate from Water Retained Earnings | Town Manager; authorized by the Select Board                      | Reserves Recommendation |
| 16 | To Fund Feasibility Study for Intergenerational Center  | \$500,000   | Raise & Appropriate from Available Funds         | Town Manager; authorized by the Select Board                      | Reserves Recommendation |
| 17 | To Authorize the Stormwater Asset Management Project  | \$231,750   | Raise & Appropriate from Available Funds         | Town Manager; authorized by the Select Board                      | Reserves Recommendation |
| 18 | To Fund Design for a New DPW Facility   | \$6,000,000 | Raise & Appropriate from Available Funds         | Town Manager; authorized by the Select Board                      | Reserves Recommendation |
| 19 | To Increase Funding Authorization WWTF Phase III  | \$1,650,000 | Raise and Appropriate through Borrowing          | Town Manager; authorized by the Select Board                      | Reserves Recommendation |

| Article Number | Purpose   | Value       | Funding Source  | Submitted by:                                | Finance Committee Recommendation |
|----------------|---|-------------|---|--|----------------------------------|
| 20             | To Fund Installation of Sewer on a Portion of Rangeway Road by Sewer Betterment | \$4,250,000 | Raise and Appropriate through Betterment Assessment and Borrowing | Town Manager; authorized by the Select Board | Reserves Recommendation          |
| 21             | Study / Design / Install of New Lighting at the Vining and Pollard Fields       | \$2,000,000 | Raise & Appropriate from Available Funds                          | Town Manager; authorized by the Select Board | Reserves Recommendation          |

*Land Use Articles*

|    |   |  |  |  |                         |
|----|---|--|--|--|-------------------------|
| 22 | To Dispose of Town-Owned Land for the purpose of Affordable Housing                     |  |  | Town Manager; authorized by the Select Board | Reserves Recommendation |
| 23 | To Dispose of Town-owned Land on Republic Road for the Purpose of Marijuana Cultivation |  |  | Town Manager; authorized by the Select Board | Reserves Recommendation |
| 24 | To Transfer the Care, Custody, Management and Control of School Grass Athletic Fields   |  |  | Town Manager; authorized by the Select Board | Reserves Recommendation |

*General By-Law Article*

|    |   |  |  |   |                         |
|----|---|--|--|---|-------------------------|
| 25 | To Amend Article XX by Deleting Section 2.C of the General Bylaws of the Town of Billerica as Amended |  |  | Submitted by Select Board Member John Burrows | Reserves Recommendation |
|----|---|--|--|---|-------------------------|

*Establishment of a New Policy*

|    |  |  |  |                                      |                         |
|----|--|--|--|--------------------------------------|-------------------------|
| 26 | To Establish a Policy to Rename the Billerica Substance Abuse Prevention Committee to the Billerica Substance Awareness and Prevention Committee |  |  | Substance Abuse Prevention Committee | Reserves Recommendation |
|----|--|--|--|--------------------------------------|-------------------------|

*Petitioner Articles*

|    |   |  |  |  |                         |
|----|---|--|--|--|-------------------------|
| 27 | Petitioner Article - Board of Health                          |  |  |  | Reserves Recommendation |
| 28 | Petitioner Article -Concord Road Rezone                       |  |  |  | Reserves Recommendation |
| 29 | Petitioner Article – Release Deed Restriction Marshall Street |  |  |  | Reserves Recommendation |

**PRELIMINARY WARRANT**  
**2022 ANNUAL SPRING TOWN MEETING**

Middlesex, ss.

To Any Constable in the Town of Billerica

Greetings,

You are hereby authorized and requested to notify and warn the inhabitants of said Town of Billerica qualified by law to vote in Elections and Town Affairs, to meet at the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA on Tuesday, May 3, 2022 at 7:00 PM and subsequent Thursdays and Tuesdays until all of the business in the Warrant shall have been acted upon, then and there to vote on the following articles:

**ARTICLE 1 - TO SET COMPENSATION OF ELECTED OFFICIAL (TOWN CLERK)**

To see if the Town will vote to fix the compensation of the following elected official of the Town effective July 1, 2022; or act in relation thereto.

Town Clerk - \$122,753.65 a Year

Submitted by the Finance Committee

*Finance Committee has not made final recommendation.*

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

**ARTICLE 2 - TO SET COMPENSATION OF ELECTED OFFICIALS (SELECT BOARD)**

To see if the Town will vote to fix the compensation of the following elected officials of the Town effective July 1, 2022; or act in relation thereto.

|                        |                |
|------------------------|----------------|
| Select Board, Chairman | \$2,000 a Year |
| Select Board, Member   | \$1,800 a Year |

Submitted by the Select Board and Town Manager

*Finance Committee has not made final recommendation.*

Article 2 Explanation: In accordance with M.G.L. Chapter 41, Section 108, the salary and compensation of elected officials shall be fixed annually by a vote of Town Meeting.

**ARTICLE 3 - 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 has not made final recommendation.*

Article 3 Explanation: In accordance with M.G.L. Chapter 40, Section 49, this article allows Town Meeting to hear and act upon reports submitted in the FY 2021 Annual Town Report.

**ARTICLE 4 - TO TRANSFER FUNDS BETWEEN 2022 BUDGET LINE ITEMS**

To see if the Town will vote to transfer from available funds the sum of \$2,000,000 to amend various Fiscal Year 2022 budget line items; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not made final recommendation.*

Article 4 Explanation: This article is an annual article submitted to transfer money between line items to ensure that all line items are fully funded for the current fiscal year. This article is a placeholder.

**ARTICLE 5 - TO FUND COLLECTIVE BARGAINING AGREEMENT - IAEP POLICE EMT'S AND PARAMEDICS**

To see if the Town will vote to raise and appropriate a certain sum to fund the first-year cost items of the successor Collective Bargaining Agreement between the Town and the IAEP Police EMT's and Paramedics which has a term of July 1, 2022 through June 30, 2025; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not made final recommendation.*

Article 5 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 6 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE OFFICERS - GROUP (B) SUPERIOR OFFICERS**

To see if the Town will vote to raise and appropriate a certain sum to fund the first-year cost items of the successor Collective Bargaining Agreement between the Town and the NEPBA Police Officers Group (B) Superior Officers which has a term of July 1, 2022 through June 30, 2025; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not made final recommendation.*

Article 6 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 7 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE OFFICERS - GROUP (A) PATROLMEN**

To see if the Town will vote to raise and appropriate a certain sum to fund the first-year cost items of the successor Collective Bargaining Agreement between the Town and the NEPBA Police Officers Group (A) Patrolmen which has a term of July 1, 2022 through June 30, 2025; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not made final recommendation.*

Article 7 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 8 - TO FUND COLLECTIVE BARGAINING AGREEMENT - BMEA DPW WORKERS**

To see if the Town will vote to raise and appropriate a certain sum to fund the first-year cost items of the successor Collective Bargaining Agreement between the Town and BMEA DPW Workers which as a term of July 1, 2022 through June 30, 2025; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not yet made final recommendation.*

Article 8 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 9 - FISCAL YEAR 2023 TOWN AND SCHOOL BUDGET**

To see if the Town will vote to adopt, pursuant to Article 5 of the Billerica Home Rule Charter, the proposed following line-item budget for Fiscal Year beginning July 1, 2022 and ending June 30, 2023. It is anticipated that \$120,203 will be transferred from the Hallenborg Rink Fund to fund a portion of the Debt Service Budget.

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

The line-item budget is arranged to show the actual expenditures for the current year and the proposed budget for the ensuing fiscal year. It is summarized by Town agency, function and/or program including any proposed capital expenditures. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the general public for inspection in the Town Manager's Office, the Public Library, Town Clerk's Office and the Town of Billerica's website. The following budget, when considered by the Town Meeting, shall first be subject to amendment, if any, as may be proposed by the Finance Committee; or act in relation thereto.

Submitted by the Select Board, Town Manager and Finance Committee

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

Article 9 Explanation: The detailed budget presentation will be available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>. This article is a placeholder.

**ARTICLE 10 - FISCAL YEAR 2023 WATER ENTERPRISE BUDGET**

To see if the Town will vote to raise and appropriate a sum of money to operate the Water Enterprise Fund pursuant to M.G.L. Chapter 44 Section 53 F ½ for the fiscal year beginning July 1, 2022 and ending June 30, 2023; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not yet made final recommendation.*

Article 10 Explanation: This is a Water Enterprise Budget as voted pursuant to Article 29 of the October 2015 Annual Fall Town Meeting. This budget will be funded by general tax revenue and water user fees. The line-item budget is arranged to show the actual expenditures for the prior fiscal years and the proposed budget for the ensuing fiscal year. It is summarized by Town agency, function and/or program including any proposed capital expenditures. The preceding budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the General Public for inspection in the Town Manager's Office, the Public Library and the Town Clerk's Office. This information is also available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>. This article is a placeholder.



**ARTICLE 11 - FISCAL YEAR 2023 SEWER ENTERPRISE BUDGET**

To see if the Town will vote to raise and appropriate a sum of money to operate the Sewer Enterprise Fund pursuant to M.G.L. Chapter 44 Section 53 F ½ for the fiscal year beginning July 1, 2022 and ending June 30, 2023; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not yet made final recommendation.*

Article 11 Explanation: This is a Wastewater Enterprise Budget as voted pursuant to Article 30 of the October 2015 Annual Fall Town Meeting. This budget will be funded by general tax revenue and water user fees. The line-item budget is arranged to show the actual expenditures for the prior years and the proposed budget for the ensuing fiscal year. It is summarized by Town agency, function and/or program including any proposed capital expenditures. The preceding budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the general public for inspection in the Town Manager's Office, the Public Library and the Town Clerk's Office. This information is also available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>. This article is a placeholder.

**ARTICLE 12 - TO ALLOW THE TOWN MANAGER AND FINANCE COMMITTEE TO TRANSFER FUNDS**

To see if the Town will vote to allow the Town Manager, upon request of a Department Head, Board or Commission, to make a transfer of funds between budget line items not-to-exceed a difference of \$5,000 from the amount voted at Town Meeting per line item for Fiscal Year 2023, with the exclusion of travel accounts, within the same department. Transfers within department line items in-excess-of \$5,000 for Fiscal Year 2023 must be approved by the Finance Committee. A written report from the Town Manager on all transfers of \$5,000 and under must be provided to the Finance Committee on the first Tuesday of each month; or act in relation thereto.

Submitted by the Finance Committee

*Finance Committee has not made final recommendation.*

Article 12 Explanation: This article gives the Town Manager the authority to transfer funds between budget line items within a particular department, not-to-exceed \$5,000 per fiscal year. If the amount exceeds \$5,000, the article gives the authority to make such a transfer with the Finance Committee's approval.

**ARTICLE 13 - TO AUTHORIZE DEPARTMENTAL REVOLVING FUNDS**

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Subsection 53E1/2, as most recently amended, to set Fiscal Year 2023 spending limits for revolving funds as follows:

| <b><u>REVOLVING FUND</u></b>               | <b><u>FY 2023<br/>SPENDING LIMIT</u></b> |
|--|--|
| Animal Control                             | \$5,000                                  |
| Inspectional Service<br>Emergency Overtime | \$10,000                                 |
| Wetlands By-Law                            | \$30,000                                 |
| C.O.A. Programs                            | \$100,000                                |
| BEAM Program                               | \$2,000,000                              |
| Respite Care                               | \$120,000                                |
| Flu Shot Program                           | \$15,000                                 |

Or act in relation thereto.

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

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

Article 13 Explanation: Revolving Funds are allowed under M.G.L. Chapter 44, Section 53E ½ and must be established by By-Law. Under the statute, as most recently amended, Town Meeting must authorize the funding limit of Revolving Funds each year.

**ARTICLE 14 - COMMUNITY PRESERVATION FUND BUDGET AND PROJECT RECOMMENDATIONS**

To see if the Town will vote to appropriate or reserve the sum of \$1,000,000 from Community Preservation Fund annual revenues for committee administrative expenses and special purpose fund balances as follows:

|                 |  |           |
|-----------------|--|-----------|
| Appropriations: | Administrative Budget                          | \$45,000  |
| Reserves:       | Open Space Special Fund Balance                | \$100,000 |
|                 | Historic Preservation Special Fund Balance     | \$100,000 |
|                 | Open Space and Recreation Special Fund Balance | \$100,000 |
|                 | Unreserved Fund Balance                        | \$655,000 |

And further,

To determine whether the Town will vote to transfer from the Community Preservation Fund or otherwise fund for community preservation purposes the sum of \$823,055 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:

| <u>Open Space and Recreation</u> |                                 |              |
|----------------------------------|---------------------------------|--------------|
| Project                          | Funding Source                  | Amount       |
| Invasive Species                 | Special Fund Balance            | \$70,000.00  |
| Tennis Court / Pickle Ball       | Special Fund Balance            | \$75,000.00  |
| Skate Park                       | Special Fund Balance            | \$20,000.00  |
|                                  | Total Open Space and Recreation | \$165,000.00 |

| <u>Historic Preservation</u>  |                                     |              |
|-------------------------------|-------------------------------------|--------------|
| Project                       | Funding Source                      | Amount       |
| Howe School                   | Special Fund Balance / Undesignated | \$500,000.00 |
| Clara Sexton Barn Renovations | Undesignated Fund Balance           | \$158,055.00 |
|                               | Total Historic Preservation         | \$658,055.00 |

|  |                    |              |
|--|--------------------|--------------|
|  | Total all Projects | \$823,055.00 |
|--|--------------------|--------------|

Or act in relation thereto.

Submitted by the Community Preservation Committee

*Finance Committee has not yet made final recommendation.*

Article 14 Explanation: The Community Preservation Committee received applications for projects to use funds within the Community Preservation Fund, and the five projects described will be recommended to Town Meeting for approval.

**Invasive Species:** This recommendation is for \$70,000 of Open Space and Recreation Special Fund Balance.

**Tennis Courts / Pickle Ball:** This recommendation is for \$75,000 of Open Space and Recreation Special Fund Balance.

**Skate Park:** This recommendation is for \$20,000 of Open Space and Recreation Special Fund Balance.

**Howe School:** This recommendation is for \$100,000 of Historic Special Fund Balance and \$400,000 of Undesignated Fund Balance.

**Barn Renovations:** This recommendation is for \$158,055 of Undesignated Fund Balance.

**ARTICLE 15 - TO PURCHASE A HYDRO EXCAVATOR TRUCK FOR THE WATER DEPARTMENT**

To see if the Town will vote to transfer and appropriate the sum of \$570,000 from the Water Enterprise Retained Earnings Fund for the purchase of a 2022 TRUVAC HXX Hydro Excavation Machine with Positive Displacement Vacuum System, including the payment of all costs incidental or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not yet made final recommendation.*

Article 15 Explanation: A Hydro Excavator performs excavation using pressurized water and a vacuum, which transfers excavated soil to a storage tank. It allows for a non-destructive and more accurate way to excavate soil around and near underground utilities.

**ARTICLE 16 - TO FUND FEASIBILITY STUDY FOR INTERGENERATIONAL CENTER**

To See if the Town would raise and appropriate from Free Cash the sum of \$500,000 to conduct a Feasibility Study to determine the best solution to meet the needs of the Council on Aging's current and future programs as well as the program needs of the current and future Recreation Department. This shall include, but not be limited to, all of the current and future program needs of both the Recreation Department and COA as identified by BH+A and a study commissioned by the Capital Facilities Committee (CFC). It shall consider locating both Departments in one facility at a site designated by the CFC. It shall also consider repurposing the current Senior Center for a COA programming based on current and future program needs and consider another location to address the current and future needs of the Recreation Department. This study should consider operational costs as well as staffing costs. The final options presented to the Town shall be of a conceptual design level sufficient to establish projected costs for all options and possible financing plans to pay for it; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not yet made final recommendation.*

Article 16 Explanation: This article is intended to take a comprehensive look at Recreational and COA program needs today and in the future. Specifically, it intended to assess the possibility of an Intergenerational Center or Community Center to address these needs and to consider alternative solutions to addressing these needs. The goal would be to develop project proposals costs and financing plans.

**ARTICLE 17 - TO AUTHORIZE THE STORMWATER ASSET MANAGEMENT PROJECT**

To see if the Town will vote to raise and appropriate or transfer from available funds the 2022 Clean Water State Revolving Fund Asset Management Planning total project cost of \$231,750 for the Billerica Stormwater Asset Management Project. Where the total project cost is to be comprised of \$139,000 in grant funding (approximately 60% of the total project cost) for which the Town will be reimbursed for by MassDEP and the Massachusetts Clean Water Trust, and the balance of the project will be comprised of in-kind services provided by the Town valued at \$29,250 and a cash contribution from Town Funds valued at \$63,500, or to take any other action relative thereto.

Submitted by the Town Manager, authorized by the Select Board

*Finance Committee has not yet made final recommendation.*

Article 17 Explanation: The Town was awarded a grant to complete a Stormwater Asset Management Project, which will be partially reimbursed by MassDEP. The cash match has already been funded by the Fiscal Year 2022 Town Budget (approved in Article 10 of 2021 Annual Spring Town Meeting). However, MassDEP and the Clean Water Trust require that the entire project cost is appropriated prior to reimbursement.

**ARTICLE 18 - TO FUND DESIGN FOR A NEW DPW FACILITY**

To see if the Town will vote to authorize the Treasurer, with approval of the Select Board, to borrow under Chapter 44, Section 7, the sum of \$6,000,000 to pay the cost of design and bidding services for the New Public Works Facility, including the payment of all costs incidental and related thereto, and 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. Any premium received upon sale of the bonds or note 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 the costs approved by this vote in accordance with M.G.L. Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such cost by a like amount; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not yet made final recommendation.*

Article 18 Explanation: This article is a placeholder. This article is contingent on the State of Massachusetts reclassifying open space to allow for this project.

**ARTICLE 19 - TO INCREASE FUNDING AUTHORIZATION WWTF PHASE III**

To see if the Town will vote to appropriate \$1,650,000 from the Massachusetts Clean Water Trust for the construction and improvements at the Water Resource Recovery Facility, including all costs incidental and related thereto, and further, this amount shall be raised by borrowing; or act in relation thereto.

**Vote**

Voted: That \$1,650,000 is appropriated for the purpose of financing the construction of the Water Resource Recovery Facility. The appropriation provides funds for unforeseen conditions encountered during construction of the Phase 3 Upgrades, including but not limited to, boulder removal, additional dewatering, and additional abatement of hazardous materials during construction of the new Operations Building, and the reconfiguration of electrical duct banks and relocation of a switchboard and transformer due to unforeseen underground conflicts.

The work 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 \$1,650,000 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 Select Board

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

Article 19 Explanation: This appropriation provides funds for unforeseen conditions encountered during construction of the Phase 3 Upgrades, including but not limited to, boulder removal, additional dewatering and additional abatement of hazardous materials during construction of the new Operations Building, the reconfiguration of electrical duct banks and relocation of a switchboard and transformer due to unforeseen underground conflicts.

**ARTICLE 20 - TO FUND INSTALLATION OF SEWER ON A PORTION OF RANGEWAY ROAD BY SEWER BETTERMENT**

To see if the Town will vote to appropriate a sum of \$4,250,000 to pay for the cost of design and construction of sewer on Rangeway Road, including the payment of all costs incidentals and related thereto; and further this amount shall be raised by borrowing or act in relation thereto; to authorize the Select Board to acquire by gift, purchase or eminent domain any easements for sewer purposes associated with the project; to authorize the Select Board to execute any documents or instruments necessary to effect said easements; and to raise and appropriate or transfer from available funds, or borrow a sum of money for the payment of property damages and other costs/expenses related to said easement acquisitions; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not yet made final recommendation.*

Article 20 Explanation: This is a Betterment Project for a portion of Rangeway Road. The condo associations and businesses have requested use of Town bonding. The debt service will be strictly paid by the betterment assessment of abutters within the limit of work that will benefit from the new sewer line.

**ARTICLE 21 - STUDY / DESIGN / INSTALL OF NEW LIGHTING AT THE POLLARD AND VINING ATHLETIC FIELDS**

To see if the Town will vote to raise and appropriate from available funds or borrow the sum of \$2,000,000 for the purpose of studying, designing and installing lights at the Pollard and Vining Athletic Fields; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not yet made final recommendation.*

Article 21 Explanation: This article is a placeholder. This article is needed to replace the current lights that are a potential public safety hazard.



**ARTICLE 22 - TO DISPOSE OF TOWN-OWNED LAND FOR THE PURPOSE OF AFFORDABLE HOUSING**

To see if the Town will vote to transfer the care, custody, management, and control of the properties located on Parkway Avenue (map/parcel number 31-232-0) and on Saville Street (map/parcel number 12-36-0) from the tax title custodian for tax title purposes to the Select Board for general municipal purposes and for the purpose of disposition of all or a portion of said properties by lease, sale, or otherwise; and further, to authorize the Select Board to dispose of such properties in accordance with the requirements of G.L. c. 30B, sec. 16 or any other applicable statute or law, upon such terms and conditions as deemed to be in the best interest of the Town, with said disposition to be limited to the purpose of developing affordable housing to be included on the Town's subsidized Housing Inventory as maintained by the Department of Housing and Community Development; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not yet made final recommendation.*

Article 22 Explanation: This article is a placeholder.

**ARTICLE 23 - TO DISPOSE OF TOWN-OWNED LAND ON REPUBLIC ROAD FOR THE PURPOSE OF MARIJUANA CULTIVATION**

To see if the Town will vote to transfer the care, custody, management, and control of the property located on Republic Road (map/parcel number 48-30-1) from the tax title custodian for tax title purposes to the Select Board for general municipal purposes and the purpose of disposition of all or a portion of said properties by lease, sale, or otherwise; and further, to authorize the Select Board to dispose of such property in accordance with the requirements of G.L. c. 30B, sec. 16 or any other applicable statute or law, upon such terms and conditions as deemed to be in the best interest of the Town, with said disposition to be limited to the purpose of a marijuana cultivation site; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

*Finance Committee has not yet made final recommendation.*

Article 23 Explanation: This article is a placeholder.

**ARTICLE 24 - TO TRANSFER THE CARE, CUSTODY, MANAGEMENT AND CONTROL OF SCHOOL GRASS ATHLETIC FIELDS**

To see if the Town will vote to transfer the care, custody, management and control of the below listed parcels of land from the School Department, as held for school purposes, to the Select Board, for general municipal purposes and recreational purposes, said parcels being the school fields having been determined by the School Committee to be surplus to the needs of the School Department and so as to allow the Town to manage and maintain said fields subject an agreement with the School Department for the coordination of use of those fields, the fields being the following:

|                 |                |
|-----------------|----------------|
| Ditson Fields   | Kennedy Fields |
| Dutile Field    | Parker Fields  |
| Hajjar Fields   | Locke Fields   |
| Marshall Fields |                |

Or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

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

Article 24 Explanation: This article is a placeholder.

**ARTICLE 25 - TO AMEND ARTICLE XX BY DELETING SECTION 2.C OF THE GENERAL BY-LAWS OF THE TOWN OF BILLERICA AS AMENDED**

To see if the Town will vote to delete the following language from Article 20, Section 2, Subsection C of the General By-Laws of the Town of Billerica.

“(c) This policy shall be in effect and enforceable when the Commonwealth of Massachusetts’ rate of unemployment is at a level of six percent (6%), or higher, on the date of execution of said contract, as determined by the Commonwealth of Massachusetts Division of Employment and Training, Research Bureau, as published by said agency monthly”.

Submitted by the Select Board Member John Burrows

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

Article 25 Explanation: This article eliminates the need to meet the unemployment rate requirement to enforce Article 20.

**ARTICLE 26 - TO ESTABLISH A POLICY TO RENAME THE BILLERICA SUBSTANCE ABUSE PREVENTION COMMITTEE TO THE BILLERICA SUBSTANCE AWARENESS AND PREVENTION COMMITTEE**

To see if the Town will vote to resolve to establish a policy for the renaming of the Committee to eliminate the stigmatizing language currently included in its title in an ongoing effort to bring the Committee current and in line with statewide policies and changes that have taken place over the last decade; or act in relation thereto.

Submitted by the Substance Abuse Prevention Committee

*Finance Committee has not made final recommendation.*

Article 26 Explanation: If we want addiction destigmatized, we need a language that's unified because the words we use matter. In research findings, the word “abuse” was found to increase stigma, which can affect quality of care and act as a barrier to treatment-seeking in individuals suffering from addiction. Consequently, instead of describing someone as a “drug abuser,” it is less stigmatizing and more medically accurate to describe them as “a person with, or suffering from substance use disorder.”

Words matter and working to change the language around substance use disorders will help individuals identify less with negative terms and more with neutral terms around substance use. The language used by family, friends and community around substance use influence how individuals feel they are perceived and supported.

The broad use of stigmatizing language throughout the general population can generate biases that impact the effectiveness of public policies designed to address the public health crisis around substance use disorders. There is a pressing need to reduce the continued reinforcement of negative associations attributed to persons with substance use disorders. If we want addiction destigmatized we need a language that more accurately reflects the true nature of these conditions.

**ARTICLE 27 - PETITIONER ARTICLE**

To see if the Town will vote to amend section 14.2 of the Town By-Laws (the Board of Health shall consist of five (5) members, appointed by the Town Manager for terms of three (3) years each so arranged that as nearly an equal number of such terms as is possible shall expire each year). To read: The Board of Health shall consist of five (5) members, to be elected by the citizens of the Town during a regularly scheduled Town election for terms of three (3) years each so arranged that as nearly an equal number of such terms as is possible shall expire each year; or act in relation thereto.

Submitted by Daryl J. Deshler and Messrs. Famolare, Martelli, Mannetta and Madames Hadley, Burns, Milo, MacDonald, Famolare, Sousa, Burton and O'Shea.

*Finance Committee has not made final recommendation.*

**ARTICLE 28 - PETITIONER ARTICLE**

To see if the Town will vote to amend the Zoning By-Laws and Official Zoning Map by re-zoning from a **NEIGHBORHOOD RESIDENCE DISTRICT** to an **INDUSTRIAL DISTRICT**, a parcel of land located along **CONCORD ROAD** in said Town, bounded and described as follows:

Beginning at a point on the northerly sideline of Concord Road, said point being the southeasterly corner of the area to be rezoned, thence;  
Running along a curve turning to the left having a radius of 244.82 feet an arc length of 32.56 feet a chord bearing of S 54°04'27" W and a chord length of 32.54 feet to a point of non-tangency;  
Thence turning and running S 50°15'51" W, a distance of 389.85 feet to a point;  
Thence turning and running on a curve turning to the right having a radius of 1012.93 feet an arc length of 212.88 feet a chord bearing of S 56°17'05" W and a chord length of 212.49 feet to a point of tangency;  
Thence turning and running S 62°18'20" W, a distance of 11.82 feet to a point;  
Thence turning and running N 21°24'58" W, a distance of 358.59 feet to a point;  
Thence turning and running N 65°03'41" E, a distance of 626.33 feet to a point;  
Thence turning and running S 19°04'16" E, a distance of 12.83 feet to a point;  
Thence turning and running S 20°24'00" E, a distance of 207.04 feet to the point of beginning.

Containing an area of 185,407 square feet or 4.256 acres more or less. Being a portion of former Assessor Parcels 68-22 and 69-87-2 and all of Assessor Parcel 69-29-1 (161 Concord Road).

Meaning and intending to be all of the land currently zoned "Neighborhood Residential" lying within the boundaries of Lots 1 & 2 as shown on a plan titled, "Approval Not Required Plan of Land, prepared by Langan Engineering and Environmental Services, and dated December 07, 2021, recorded in the North Middlesex County Registry of Deeds in Plan Book 249, Plan 124; or act in relation thereto.

Submitted by James T. Dangora, Jr. and Messrs. Allan, O'Mahony, Allen, Annese, Ripa, Marone, Dangora, Lombardo and Madames Dangora, O'Mahony and Dangora.

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

**ARTICLE 29 - PETITIONER ARTICLE**

To see if the Town pursuant to M.G.L. Chapter 40, Section 3, will vote to authorize the Select Board to release the building restriction contained in a deed from the Town of Billerica to William J. Hoy dated October 1, 1985 and recorded with the Middlesex North Registry of Deeds Book 3209, Page 165, impacting the premises therein conveyed (Lots 65-68 inclusive on a plan recorded with said Registry of Deeds at Plan Book 33, Plan 46, and also shown as Billerica Assessor's Map 87, Parcel 195-0 at 0 Marshall Street), in exchange for a similar restriction to the Town of Billerica to be timely placed on the abutting premises shown as Lots 56-57 inclusive on said Plan Book 33, Plan 46 and also shown as Billerica Assessor's Map 87, parcel 193-0 at 23 Lakeview Drive. All said lots and both said parcels being presently owned by the heirs of William J. Hoy and Doris W. Hoy; or act in relation thereto.

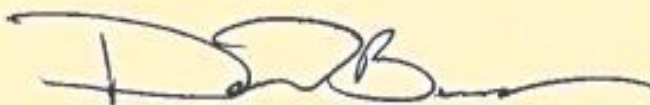
Submitted by Stephen J. Lentine and Messrs. Lentine, Long, Grammar, Enis, Banda, Soly and Madames Lentine, Long, Grammar, Enis, Banda, Banda and Soly.

*Finance Committee has not made final recommendation.*

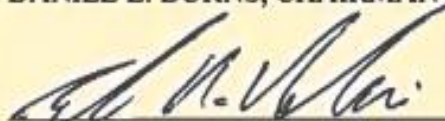
And you are hereby directed to serve this Preliminary Warrant by posting true and attested copies thereof, one copy at the Town Hall, one copy at the Billerica Public Library, one copy at the Billerica Police Station, one copy at the Belly Buster Diner, one copy at Pinehurst Post Office, one copy at 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 24<sup>th</sup> day of March 2022.

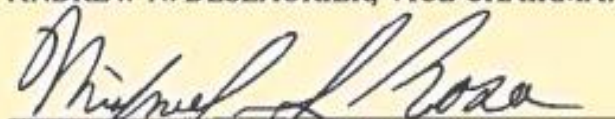
SELECT BOARD OF BILLERICA



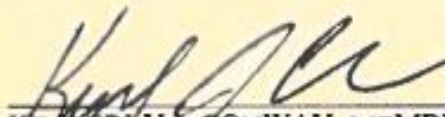
DANIEL L. BURNS, CHAIRMAN



ANDREW N. DESLAURIER, VICE CHAIRMAN



MICHAEL S. ROSA, SECRETARY

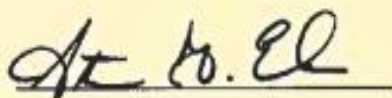


KIMBERLY J. CONWAY, MEMBER



JOHN J. BURROWS, MEMBER

A true copy attest



Constable, Town of Billerica

