

TOWN OF BILLERICA

PRELIMINARY WARRANT



ANNUAL SPRING TOWN MEETING

**Annual Spring Town Meeting
Tuesday, May 1, 2018 at 7:30 PM**

At

Billerica Town Hall Auditorium

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
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1	To Set Compensation of Elected Officials			Finance Committee	Reserves Recommendation
2	To Hear Reports of Town Departments, Committees & Officers			Town Manager; authorized by BOS	Reserves Recommendation
3	To Discontinue Certain Town Meeting Committees			Town Manager; authorized by BOS	Reserves Recommendation

Financial Articles

4	To Transfer Funds Between 2018 Budget Line Items	\$3,000,000	Transfer from Available Funds	Town Manager; authorized by BOS	Reserves Recommendation
5	To Fund Collective Bargaining Agreement – School Cafeteria Personnel		Raise & Appropriate / Available Funds	School Committee	Reserves Recommendation
6	To Fund Collective Bargaining Agreement for BMEA DPW Workers		Raise & Appropriate / Available Funds	Town Manager; authorized by BOS	Reserves Recommendation
7	To Fund Collective Bargaining Agreement for IAFF Firefighters		Raise & Appropriate / Available Funds	Town Manager; authorized by BOS	Reserves Recommendation
8	To Fund Collective Bargaining Agreement for NEPBA Police Civilian Dispatchers		Raise & Appropriate / Available Funds	Town Manager; authorized by BOS	Reserves Recommendation
9	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (A) Patrolmen		Raise & Appropriate / Available Funds	Town Manager; authorized by BOS	Reserves Recommendation
10	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (B) Superior Officers		Raise & Appropriate / Available Funds	Town Manager; authorized by BOS	Reserves Recommendation
11	Fiscal Year 2019 Town and School Budget		Raise & Appropriate / Available Funds	BOS, Town Manager & Finance Committee	Reserves Recommendation
12	Fiscal Year 2019 Water Enterprise Budget		Raise & Appropriate / Available Funds	Town Manager; authorized by BOS	Reserves Recommendation
13	Fiscal Year 2019 Sewer Enterprise Budget		Raise & Appropriate / Available Funds	Town Manager; authorized by BOS	Reserves Recommendation
14	Fiscal Year 2019 Community Preservation Budget		Raise & Appropriate / Available Funds	Town Manager; authorized by BOS	Reserves Recommendation
15	To Allow the Town Manager and Finance Committee to Transfer Funds			Finance Committee	Reserves Recommendation
16	To Authorize Departmental Revolving Funds			Town Manager; authorized by BOS & School Committee	Reserves Recommendation
17	To Fund Debt Stabilization	\$3,000,000	Transfer from Overlay Surplus	Town Manager; authorized by BOS	Reserves Recommendation
18	To Fund Capital	\$3,000,000	Raise & Appropriate / Available Funds / Borrowing	Town Manager; authorized by BOS	Reserves Recommendation
19	To Fund Water Enterprise Raw Water Pump Replacement	\$41,000	Transfer from Available Funds	Town Manager; authorized by BOS	Reserves Recommendation
20	To Fund Sewer Manhole Repairs from Inflow and Infiltration Funds	\$50,000	Transfer from Available Funds	Town Manager; authorized by BOS	Reserves Recommendation

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
21	Street Survey and Acceptance Plans for Unaccepted Roads	\$50,000	Raise & Appropriate / Available Funds	Town Manager; authorized by BOS	Reserves Recommendation
22	To Fund Appraisal and Consulting Costs to Defend the Town in Trials at the Massachusetts Appellate Tax Board	\$50,000	Transfer from Overlay Surplus	Board of Assessors	Reserves Recommendation
23	To Fund Consulting Contract for Fiscal Year 2020 State-Mandated Re-Certification of Real Estate and Personal Property	\$132,000	Transfer from Overlay Surplus	Board of Assessors	Reserves Recommendation
24	To Fund Town Capital Budget from Previous Town Meeting Articles	\$3,000,000	Transfer from Available Funds	Town Manager; authorized by BOS	Reserves Recommendation
25	To Purchase a New Ambulance and Related Equipment	\$250,000	Transfer from Available Funds	Town Manager; authorized by BOS	Reserves Recommendation
26	To Authorize Lease / Purchase Agreements			Town Manager; authorized by BOS	Reserves Recommendation
27	To Fund Phase III WWTP Improvements and Salem Road Pump Station Upgrade	\$525,000	Borrowing	Town Manager; authorized by BOS	Reserves Recommendation
28	To Fund Water Treatment Plant Ozone Improvements	\$975,000	Borrowing	Town Manager; authorized by BOS	Reserves Recommendation
29	To Fund \$2.5M for Sewer Contract 36 Shortfall	\$2,500,000	Borrowing	Town Manager; authorized by BOS	Reserves Recommendation
30	To Rescind Borrowing Authorizations			Town Manager; authorized by BOS	Reserves Recommendation
31	To Purchase 8 Carter Avenue and Associated Riverfront Parcel	\$286,000	Purchase from Available Funds	Town Manager; authorized by BOS	Reserves Recommendation

Land Use / Easement

32	To Approve a Certified Project Application Submitted by Clear Motion, Inc.			Town Manager; authorized by BOS	Reserves Recommendation
33	To Transfer Ownership of the Cabot Land to the Conservation Commission			Town Manager; authorized by BOS	Reserves Recommendation
34	To Accept Roads as Public Ways			Town Manager; authorized by BOS	Reserves Recommendation
35	To Authorize the Board of Selectmen to Acquire Easements – Whipple Road at Andover Road			Town Manager; authorized by BOS	Reserves Recommendation
36	To Authorize the Board of Selectmen to Acquire Easements – Baldwin Road			Town Manager; authorized by BOS	Reserves Recommendation
37	To Grant an Easement to the Massachusetts Bay Transportation Authority at 70 Letchworth Avenue in Connection with the MBTA Positive Train Control Project			Town Manager; authorized by BOS	Reserves Recommendation

General By-Law Changes

38	To Amend General By-Laws by Inserting a New Chapter Entitled "Stretch Energy Code"			Town Manager; authorized by BOS	Reserves Recommendation
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PRELIMINARY
WARRANT
2018 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 1, 2018 at 7:30 PM and subsequent Thursdays and Tuesdays until all of the business in the Warrant shall have been acted upon, then and there to vote on the following articles:

ARTICLE 1 - TO SET COMPENSATION OF ELECTED OFFICIALS

To see if the Town will vote to fix the compensation of the following six elected officers of the Town and determine any salary increase that shall become effective July 1, 2018; or act in relation thereto.

Selectmen, Chairman - \$2,000

Selectmen, Members - \$1,800

Town Clerk - \$108,507.10; or act in relation thereto.

Submitted by the Finance Committee

Finance Committee has not yet made final recommendation.

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

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

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

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

Finance Committee has not yet made final recommendation.

Article 2 Explanation: In accordance with M.G.L. Chapter 40, Section 49, this article allows Town Meeting to hear and act upon reports submitted in the FY 2017 Annual Town Report.

ARTICLE 3 - TO DISCONTINUE CERTAIN TOWN MEETING COMMITTEES

To see if the Town will vote to discontinue the following Town Meeting committees:

Compost Committee, Charter Review Committee, Family New Year Committee, Museum Committee, General By-Law Review Committee, Parker School Building Committee, Residents Employment Committee and the Zoning By-Law Committee; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 3 Explanation: This article will discontinue the aforementioned Town Meeting committees.

ARTICLE 4 - TO TRANSFER FUNDS BETWEEN 2018 BUDGET LINE ITEMS

To see if the Town will vote to transfer from available funds the sum of \$3,000,000 to amend various Fiscal Year 2018 budget line items; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 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.

ARTICLE 5 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL CAFETERIA PERSONNEL

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town of Billerica School Committee and the American Federation of State, County and Municipal Employees, AFL-CIO, Council 93, Local 2747, Cafeteria Employees which has a term of July 1, 2016 through June 30, 2019; or act in relation thereto.

Submitted by the School Committee

Finance Committee has not yet made final recommendation.

Article 5 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Billerica School Committee and the American Federation of State, County and Municipal Employees, AFL-CIO, Council 93, Local 2747, Cafeteria Employees.

ARTICLE 6 - TO FUND COLLECTIVE BARGAINING AGREEMENT - BMEA DPW WORKERS

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town and BMEA DPW Workers (Billerica Municipal Employees Association); or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

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

ARTICLE 7 - TO FUND COLLECTIVE BARGAINING AGREEMENT - IAFF FIREFIGHTERS

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town and IAFF Firefighters (International Association of Firefighters); or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

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

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

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town and NEPBA Police Civilian Dispatchers (New England Police Benevolent Association, Inc.); or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

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

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

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town and the NEPBA (New England Police Benevolent Association, Inc.) Group (A) Patrolmen; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 9 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

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

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year cost items contained in the successor Collective Bargaining Agreement between the Town and NEPBA (New England Police Benevolent Association, Inc.) Group (B) Superior Officers; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 10 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

ARTICLE 11 - FISCAL YEAR 2019 TOWN AND SCHOOL BUDGET

To see if the Town will vote to adopt, pursuant to Article 5 of the Billerica Home Rule Charter, the following proposed line item budget for fiscal year beginning July 1, 2018 and ending June 30, 2019. It is anticipated that \$78,656 will be transferred from the Hallenborg Rink Fund to fund a portion of the Debt Service Budget.

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

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

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

Finance Committee has not yet made final recommendation.

Article 11 Explanation: The detailed budget presentation will be available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>.

ARTICLE 12 - FISCAL YEAR 2019 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, 2018 and ending June 30, 2019; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 12 Explanation: 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 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 preceding budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the general public for inspection in the Town Manager's Office, the Public Library and the Town Clerk's Office. This information is also available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>.

ARTICLE 13 - FISCAL YEAR 2019 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, 2018 and ending June 30, 2019; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 13 Explanation: This is a Waste Water Enterprise Budget as voted pursuant to Article 30 of the October 2015 Annual Fall Town Meeting. This budget will be funded by general tax revenue and water user fees. The line item budget is arranged to show the actual expenditures for the 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 preceding budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the general public for inspection in the Town Manager's Office, the Public Library and the Town Clerk's Office. This information is also available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>.

ARTICLE 14 - FISCAL YEAR 2019 COMMUNITY PRESERVATION BUDGET

To see if the Town will vote to appropriate or reserve from the **Community Preservation Fund** annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2019, with each item to be considered a separate appropriation, pursuant to M.G.L. Chapter 44B, Subsection 6; or act in relation thereto.

Appropriations:

From FY 2019 estimated revenues for Committee Administrative Expenses \$ 45,000

Reserves:

From FY 2019 estimated revenues for Historic Resources Reserve	\$ 90,000
From FY 2019 estimated revenues for Community Housing Reserve	\$ 90,000
From FY 2019 estimated revenues for Open Space & Recreation Reserve	\$ 90,000
From FY 2019 estimated revenues for CP Budgeted Reserve	\$ 585,000

Submitted by the Town Manager; authorized the Board of Selectmen

Finance Committee has not yet made final recommendation.

Article 14 Explanation: In 2016 the Town adopted the Community Preservation Act, a special revenue fund to be used for historic preservation, community housing, open space and recreation. Each year the Community Preservation Committee must recommend an annual CPA budget to Town Meeting. A recommendation by the Community Preservation Committee and approval by Town Meeting are both required to spend any monies belonging to the fund. At the end of each fiscal year, the unspent balance remains in the CPA account for future project appropriations.

ARTICLE 15 - 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 2019, with the exclusion of travel accounts, within the same department. Transfers within department line items in excess of \$5,000 for Fiscal Year 2019 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 yet made final recommendation.

Article 15 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 16 - 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 amend Section 8.1 of the General By-Laws by inserting new revolving funds, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund.

And further, to set the Fiscal Year spending limits for all such revolving funds; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 16 Explanation: Revolving Funds are allowed under M.G.L. Chapter 44, Section 53E ½. Under the statute, Town Meeting must authorize use of Revolving Funds each year.

ARTICLE 17 - TO FUND DEBT STABILIZATION

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$3,000,000 to the Debt Stabilization Fund; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 17 Explanation: This article is intended transfer money into the Debt Stabilization Fund from overlay surplus funds. It has been the policy of the Board of Selectmen and Town Management to aggressively contribute to the Debt Stabilization to preserve an affordable tax rate and protect the financial position of the Town. This enables the Town to get the best interest rates possible in the marketplace when Billerica borrows money.

ARTICLE 18 - TO FUND CAPITAL

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund \$3,000,000 for the Capital Outlays; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 18 Explanation: This is a placeholder article in the event that funds become available to fund Capital items from the Capital Plan.

ARTICLE 19 - TO FUND WATER ENTERPRISE RAW WATER PUMP REPLACEMENT

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$41,000 for the replacement & installation of a Raw Water Pump at the Water Intake on Boston road; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 19 Explanation: The water intake had three raw water pumps installed 12 years ago. The Town has replaced two of the three pumps in the last three years due to pump failures. Replacement of the third pump has become urgent and should be considered an emergency. The third pump is the same make and model as the other two replaced pumps. The DPW is requesting the funding for replacement so to avoid an emergency replacement for a pump that has exceeded its shelf life.

ARTICLE 20 - TO FUND SEWER MANHOLE REPAIRS FROM INFLOW AND INFILTRATION FUNDS

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$50,000 for the repairs of Sewer Manhole Structures; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 20 Explanation: Many sewer manholes Town wide are in need of repairs due to pavement failures around the manhole casting. Repairs will require the removal of materials around the casting, adjustment of casting and pavement application around casting.

ARTICLE 21 - STREET SURVEY AND ACCEPTANCE PLANS FOR UNACCEPTED ROADS

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$50,000 for Street Survey and Street Acceptance Plans of unaccepted roads; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 21 Explanation: About twenty percent (20%) of Town roads are unaccepted. In order to work on decreasing the number of unaccepted roads, survey and acceptance plans must be prepared and made available prior to bringing this to Town Meeting.

ARTICLE 22 - TO FUND APPRAISAL AND CONSULTING COSTS TO DEFEND TOWN IN TRIALS AT THE MASSACHUSETTS APPELLATE TAX BOARD

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$50,000 to fund appraisal and consulting costs to defend the Town in trials at the Massachusetts Appellate Tax Board; or act in relation thereto.

Submitted by the Board of Assessors

Finance Committee has not yet made final recommendation.

Article 22 Explanation: The Assessors have several large appeals that require the use of outside consultants and/or appraisers in order to defend the assessed values if tried. Historically, the Town has funded this request through a transfer from Overlay Surplus in order to avoid raising the funds through the Town budget.

ARTICLE 23 - TO FUND CONSULTING CONTRACT FOR FISCAL YEAR 2020 STATE-MANDATED RE-CERTIFICATION OF REAL ESTATE AND PERSONAL PROPERTY

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$132,000 to fund a consulting contract for the Fiscal Year 2020 State-Mandated Re-Certification of all real estate and personal property located within the Town of Billerica; or act in relation thereto.

Submitted by the Board of Assessors

Finance Committee has not yet made final recommendation.

Article 23 Explanation: In order to comply with Massachusetts Department of Revenue requirements for the Town's Fiscal Year 2020 Re-Certification, the Town historically enters into a consulting contract to assist the Town with this large project. In order to set the tax rate, the Town must achieve Re-Certification with the Massachusetts Bureau of Local Assessment. Historically, the Town has funded this request through a transfer from Overlay Surplus in order to avoid raising the funds through the Town budget.

ARTICLE 24 - TO FUND TOWN CAPITAL BUDGETS FROM PREVIOUS TOWN MEETING ARTICLES

To see if the Town will vote to transfer and appropriate from unexpended balances from previously approved Town Meeting articles the sum of \$3,000,000 to fund various Town Capital Budgets; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 24 Explanation: This article will appropriate funding from previously approved Capital articles with surplus balances to other Capital articles to fully fund those articles.

ARTICLE 25 - TO PURCHASE A NEW AMBULANCE AND RELATED EQUIPMENT

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$250,000 to purchase a new ambulance and related equipment; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 25 Explanation: Billerica EMS provides full-time paramedic level service to the Town with two fully equipped and staffed paramedic level ambulances, 24 hours a day, 7 days a week. Replacement of this unit will help insure reliable and consistent service to the community. The service maintains two primary and two mechanical back-up vehicles.

ARTICLE 26 - TO AUTHORIZE LEASE/PURCHASE AGREEMENTS

To see if the Town will vote to authorize lease/purchase agreements for departmental equipment; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 26 Explanation: This article is necessary because pursuant to the provisions of M.G.L. Chapter 44, Section 21C, a lease/purchase agreement must be approved by a two-thirds vote of Town Meeting.

ARTICLE 27 - TO FUND PHASE III WWTP IMPROVEMENTS & SALEM ROAD PUMP STATION UPGRADE

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$525,000 for the design and permitting of Phase III WWTP Improvements; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 27 Explanation: The design includes chemical tank replacement, Vactor truck station, permanent water connection, replacement of aeration and pre-aeration dropleg valve, emergency generator, operation building upgrade, laboratory upgrade, former compost building upgrade and conveyer installation and Salem Road pump station upgrade. The estimated construction cost is \$7,239,000 and would be acquired through Town Meeting at a later date.

ARTICLE 28 - TO FUND WATER TREATMENT PLANT OZONE IMPROVEMENTS

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$975,000 for Water Treatment Plant Ozone Design Improvements; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 28 Explanation: The Water Treatment Plant is a 12 year old plant and in need of improvements and upgrades in certain areas. These improvements include the following: WTP Process Improvements (Ozone), Electrical Improvements, SCADA Improvements, Structural Improvements and HVAC System Improvements. Estimated construction cost \$9,086,750.

ARTICLE 29 - TO FUND \$2.5 M FOR SEWER CONTRACT 36 SHORTFALL

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$2,500,000 for the construction of Sewer Area 3 (Contract 36) due to project short fall; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 29 Explanation: Sewer Contract 36 was funded for \$14,000,000 in STM 2017. Bids were received in March 2018 and the lowest bid received came in above appropriations.

ARTICLE 30 - TO RESCIND BORROWING AUTHORIZATIONS

To see if the Town will vote to rescind borrowing authorizations previously approved at Town Meeting; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 30 Explanation: This article will rescind previous borrowing authorizations.

ARTICLE 31 - TO PURCHASE 8 CARTER AVENUE AND ASSOCIATED RIVERFRONT PARCEL

To see if the Town will vote to purchase from available funds 8 Carter Avenue (Map 85, Parcel 57-1) and an associated riverfront parcel on Carter Avenue (Map 85, Parcel 150-0) for the sum of \$266,000 and to contract from available funds the sum of \$20,000 to demolish the structure at 8 Carter Avenue. Said parcels to be held in the care and custody of the Conservation Commission pursuant to M.G.L. Chapter 40, Section 8C for preservation, restoration and recreation purposes; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 31 Explanation: This warrant article requests funding to purchase these two parcels on and nearby the Concord River on Carter Avenue off of Nashua Road (Route 4) for preservation, restoration and recreation purposes to be determined. There is also funding requested to demolish the house located at 8 Carter Avenue to further these potential uses.

ARTICLE 32 - TO APPROVE A CERTIFIED PROJECT APPLICATION SUBMITTED BY CLEAR MOTION, INC.

To see if the Town will vote to approve a Certified Project Application submitted by Clear Motion, Inc., 805 Middlesex Turnpike for facilities more specifically described on Assessors Map 97, Parcel 4-1. Said approval will provide local tax relief to promote economic development in accordance with G.L c.23A, ss 3A-3H; or act in relation thereto. In addition, the Project Certification confirms:

- A). The project, as proposed, is consistent with and can reasonably be expected to benefit significantly from inclusion as a Certified Project.
- B). The project, as described in the Project Certification Application, will increase employment opportunities for the residents of Billerica by allowing for continued growth and expansion of facilities in Billerica.
- C). The Town requests that this project be designated as a certified project for a term of not less than five (5) years or more than twenty (20) years duration.

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

Finance Committee has not yet made final recommendation.

Article 32 Explanation: This article requests Town Meeting to approve a certified project application for Clear Motion, Inc., a company who designs and manufactures computerized suspension systems for vehicles. The company is entering into a lease at the long vacant 805 Middlesex Turnpike building, and a local TIF Agreement is in negotiation.

ARTICLE 33 - TO TRANSFER OWNERSHIP OF THE CABOT LAND TO THE CONSERVATION COMMISSION

To see if the Town will vote to transfer ownership of Parcel B (10.833 acres) on the attached plan, containing a portion of Map 60, Parcel 80-1 (owned by the Town of Billerica and known as the Cabot Land), to the care and custody of the Conservation Commission pursuant to M.G.L. Chapter 40, Section 8C, in order to comply with the Massachusetts Department of Protection requirements for wetlands mitigation for the Middlesex Turnpike Improvement Project, Phase 3; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 33 Explanation: This article would transfer ownership of the Cabot Land to the Conservation Commission pursuant to M.G.L. Chapter 40, Section 8C, in order to comply with the Massachusetts Department of Protection requirements for wetlands mitigation for the Middlesex Turnpike Improvement Project, Phase 3.

ARTICLE 34 - TO ACCEPT ROADS AS A PUBLIC WAY

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

Agawam Circle, from Allen Road to cul-de-sac approximate length 350' and 45' wide right of way, as depicted on the plan entitled '*Plan and Profile of Allendale Acres, Agawam Circle*' dated February 1963 by Emmons & Fleming Inc.

Biagiotti Way, from Treble Cove Road to the School entrance approximate length 630' and 50' wide right of way, as depicted on the plan entitled '*Biagiotti Way, Billerica, MA*' dated September 17, 2003 by Allen & Major Associates, Inc.

Carley Way, from Tow Path Drive to Cul-de-sac approximate length 350' and 40' wide right of way, as depicted on the plan entitled '*Heritage Pines, Billerica, MA, Sheet 5 of 7*' dated May 23, 1997 by Raymond Engineering Service.

Cider Mill Way, from Andover Road to Dead End approximate length 410' and 50' wide right of way, as depicted on the plan entitled '*Cider Mill Way, Billerica, MA*' dated September 6, 2002 by Allen & Major Associates, Inc.

Ellingwood Avenue, from McHugh Avenue to the South Dead End approximate length 425' and 40' wide right of way, as depicted on the plan entitled '*As Built Plan, Ellingwood Avenue, Billerica, MA*' dated January 14, 2016 by Raymond Engineering Service.

Emerson Road, from Andover Road to Dead End approximate length 380' and 40' wide right of way, as depicted on the plan entitled '*Emerson Road, Billerica, MA*' dated July 17, 2002 by Allen & Major Associates, Inc.

Ketchen Avenue, from Salem Road to Tow Path Drive approximate length 460' and 40' wide right of way, as depicted on the plan entitled '*Heritage Pines, Billerica, MA, Sheet 6 of 7*' dated May 23, 1997 by Raymond Engineering Service.

Rio Vista Street, from Sewell Street to Liberty Drive approximate length 3,030' and 40' wide right of way, as depicted on the plan entitled '*Rio Vista Street, Billerica, MA*' dated September 10, 2002 by Allen & Major Associates, Inc.

Tow Path Drive, formerly Staples Street, from 135' passing Ketchen Avenue at the SE end of the street to 50' passing Carley Way on the NW end of the street, approximate length 435' and 40' wide right of way, as depicted on the plan entitled '*Heritage Pines, Billerica, MA, Sheet 5 of 7*' dated May 23, 1997 by Raymond Engineering Service.

Zackney Drive, from Allen Road to cul-de-sac approximate length 725' and 50' wide right of way, as depicted on the plan entitled '*Zackney Estates, Zackney Drive Billerica, Massachusetts, sheet 3 of 3*' dated May 6, 2016 by Dresser, Williams & Way, Inc.

Breckenridge Drive, from Pinedale Avenue to cul-de-sac approximate length 750' and 50' wide right of way, as depicted on the plan entitled '*Breckenridge Drive, Billerica, MA, sheet 1 of 5*' dated October 10, 2013 by Dresser, Williams & Way, Inc.

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

Finance Committee has not yet made final recommendation.

Article 34 Explanation: The Department of Public Works had identified the above listed roads as candidates for street acceptance. We have acceptance plans on file, and the roads are in good condition, as they were recently paved as part of the Town's Sewering Program.

ARTICLE 35 - TO AUTHORIZE THE BOARD OF SELECTMEN TO ACQUIRE EASEMENTS – WHIPPLE ROAD AT ANDOVER ROAD

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain taking easements for roadway, drainage, utility, and/or sidewalk purposes associated with the Traffic Signal Improvements Project; to authorize the Selectmen to execute any documents or instruments necessary to effect said easements; and to raise and appropriate, transfer from available funds, or authorize the borrowing of a sum of money for the payment of property damages and other costs/expenses related said easement acquisitions; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 35 Explanation: At Fall 2017 Town Meeting, the Town appropriated \$394,000 to fund the design for three locations that included the intersection of Whipple Road and Andover Road. This article is to acquire an easement and/or taking if the design requires it.

ARTICLE 36 - TO AUTHORIZE THE BOARD OF SELECTMEN TO ACQUIRE EASEMENTS – BALDWIN ROAD

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain taking easements for roadway, drainage, utility, and/or sidewalk purposes associated with roadway improvements on Baldwin Road; to authorize the Selectmen to execute any documents or instruments necessary to effect said easements; and to raise and appropriate, transfer from available funds, or authorize the borrowing of a sum of money for the payment of property damages and other costs/expenses related said easement acquisitions; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 36 Explanation: The Department of Public Works is looking at improving Baldwin Road between Kimbrough Road and Kensington Drive that includes linking sidewalks on Baldwin Road. This will require easements and/or takings to be obtained by the Town in order to complete construction work.

ARTICLE 37 - TO GRANT AN EASEMENT TO MASSACHUSETTS BAY TRANSPORTATION AUTHORITY AT 70 LETCHWORTH AVENUE IN CONNECTION WITH THE MBTA POSITIVE TRAIN CONTROL PROJECT

To see if the Town will vote to authorize the Board of Selectmen to grant an easement to the Massachusetts Bay Transportation Authority (“MBTA”) for no consideration in connection with the MBTA Positive Train Control Project on land owned by the Town at 70 Letchworth Avenue for the purpose of installing, operating, maintaining and replacing a utility pole and wires appurtenant thereto (the “Utility Pole”), together with access and egress to and from Letchworth Avenue and the Utility Pole, and to authorize the BOS to execute any documents or instruments necessary to effectuate the purpose of this Article; or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 37 Explanation: The Board of Selectmen had granted the MBTA a License Agreement during their meeting on December 18, 2017 to allow the MBTA to install a pole on Town land. This article will make it a permanent easement.

ARTICLE 38 - TO AMEND GENERAL BY-LAWS BY INSERTING A NEW CHAPTER ENTITLED "STRETCH ENERGY CODE"

To see if the Town will vote to amend the Town of Billerica General By-Laws by inserting a new chapter entitled "Stretch Energy Code" for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, a copy of which is on file with the Town Clerk; or act in relation thereto.

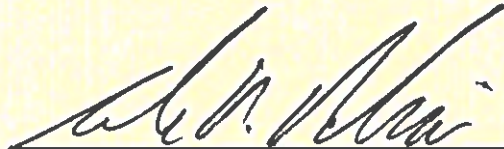
Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not yet made final recommendation.

And you are hereby directed to serve this Preliminary Warrant by posting true and attested copies thereof, one copy at the Town Hall, one copy at the Billerica Public Library, one copy at the Billerica Police Station, one copy at the Belly Buster Diner, one copy at Pinehurst Post Office, one copy at the Center Post Office, Boston Road, one copy at Market Basket, Town Plaza, Boston Road, one copy at the West Billerica Fire Station, one copy at the Nutting Lake Post Office, one copy at Augusta Market, 599 Boston Road, one copy at the Ninety-Nine Restaurant, Lexington Road, one copy at the Pinehurst Fire Station, one copy at the East Billerica Fire Station, one copy at the North Billerica Post Office and one copy at the North Billerica Fire Station.

Given under our hands this 22nd day of March 2018.

BOARD OF SELECTMEN



ANDREW N. DESLAURIER, CHAIRMAN



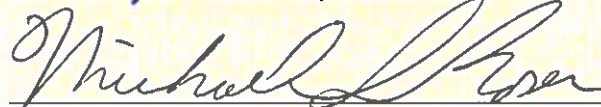
EDWARD J. GIROUX, VICE CHAIRMAN



KIMBERLY J. CONWAY, SECRETARY



GEORGE J. SIMOLARIS, MEMBER



MICHAEL S. ROSA, MEMBER

A true copy attest



Constable, Town of Billerica