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Part I

Glossary of Town Meeting Terms

GLOSSARY OF TOWN MEETING TERMS

APPROPRIATION: An authorization by Town Meeting to make obligations and payments from the Treasury for a specific purpose.

ASSESSED VALUATION: The value set on real or personal property by the Board of Assessors as a basis for establishing the tax rate.

CAPITAL BUDGET: A multi-year plan of spending for large capital items requested by Town Departments. Most of these items are voted on individually as warrant articles.

CERTIFIED PROJECT: Agreement between the Town and a given business, negotiated by the Town Manager and approved by Town Meeting, to allow a business to take advantage of state and local tax incentives.

CHERRY SHEET: A form from the Mass. Department of Revenue showing all the State charges and reimbursements to the Town as certified for the following year.

COMMERCIAL DISTRICT: As described in Section 9.5 of the Zoning By-Laws, Summary Dimensional Table, having a minimum lot size of 25,000 square feet.

CONTRACT SERVICES: Services provided to any department or board by a contractor outside of Town Government, paid for through a line item in department budget.

DEBT SERVICE: Payment of interest and principle to holders of the Town's debt instrument.

ECONOMIC OPPORTUNITY AREA: Cities and towns, designated by the Legislature, allowed to offer state and local tax incentives to encourage the use of unoccupied and/or the expansion of existing industrial/commercial businesses.

ECONOMIC TARGET AREA: Specific industrial/ commercial areas, chosen by a city or town with E.O.A. designation, as areas in which application for certified projects will be accepted.

FISCAL YEAR: A 12-month period, commencing July 1st, to, which the annual budget applies. The monies appropriated at the Spring Town Meeting are for the ensuing "fiscal year" beginning July 1st.

FREE CASH: Free cash is neither free nor cash. This is a dollar value, usually certified by the State in late summer, that represents unspent and unencumbered income and receivables from the previous year. Once certified, this money may be spent by appropriation at a Town Meeting for any lawful purpose.

GENERAL FUND: The major Town fund created with town receipts and tax revenue from which the majority of town expenses are met.

OPERATING BUDGET: A plan of proposed spending and the means of paying for it in the next fiscal year. It is the Town's projection on what it will cost to operate.

OVERLAY (Overlay Reserve or Reserve for Abatements and Exemptions): An account established annually to fund anticipated property tax abatements and exemptions in that year. The overlay reserve is not established by the normal appropriation process, but rather is raised on the tax rate recapitulation sheet.

STABILIZATION ACCOUNT: A "rainy day" fund set aside to meet future capital expenses in the town (example: a fire engine, or for any lawful municipal purpose.). To spend from this fund there must be an appropriation by a 2/3 vote of Town Meeting.

GENERAL BUSINESS DISTRICT: As described in section 9.5 of the Zoning By-Laws, Summary Dimensional Table, having a minimum lot size of 25,000 sq. ft.

INDUSTRIAL DISTRICT: As described in section 9.5 of the Zoning By-Laws, Summary Dimensional Table, having a minimum lot size of 60,000 sq. ft.

NEIGHBORHOOD RESIDENTIAL DISTRICT: As described in section 9.5 of the Zoning By-Laws, Summary Dimensional Table, having a minimum lot size of 40,000 sq. ft.

VILLAGE RESIDENTIAL DISTRICT: As described in section 9.5 of the Zoning By-Laws, Summary Dimensional Table, having a minimum lot size of 30,000 sq. ft.

RURAL RESIDENTIAL DISTRICT: As described in section 9.5 of the Zoning By-Laws, Summary Dimensional Table, having a minimum lot size of 50,000 sq. ft.

SPECIAL TOWN MEETING: There may be instances where the Selectman may deem it necessary to hold a Special Town Meeting. This meeting is usually for a specific purpose, (i.e.: emergency funding needed for a specific project). Once called, anyone wishing to add articles to the Special Town Meeting Warrant may do so.

PART II

Finance Committee Warrant Article Recommendations

FINANCE COMMITTEE
WARRANT ARTICLE RECOMMENDATIONS
OCTOBER 2018

Article 1. The Finance Committee has determined that this article has little to no negative financial impact to the Town and recommends unanimously.

Article 2. The Finance Committee has determined that this article has little to no negative financial impact to the Town and recommends unanimously.

Article 3. The majority of the Finance Committee has determined that the contract in this article has been negotiated in good faith and is consistent in both give and take as with past contracts and recommends by a vote of 9-2.

Article 4. Withdrawn

Article 5. Withdrawn

Article 6. Withdrawn

Article 7. Withdrawn

Article 8. A majority of the Finance Committee determined that the contract referred to in this article has been negotiated fairly and in good faith by the NEPBA Police Civilian Dispatchers and the Town agrees with the use of Free Cash to fund the first two years of \$24,904 and the appropriation of \$24,543 to fund the final year. The Finance Committee recommends the article by a vote of 9-2.

Article 9. Withdrawn

Article 10. Withdrawn

Article 11. Withdrawn

Article 12. a majority of the Finance Committee has determined the use of \$1.3 million from Free Cash and \$500,000 from Wastewater Retained Earnings is consistent with the long standing policy to fund the Debt Stabilization Account in order to use that account to pay down all debt that exceeds the \$9 million annual Debt Service ceiling in the budget. The Finance Committee recommends the article unanimously.

Article 13. The Finance Committee has determined that this article is consistent with articles proposed in the past. The appropriation of \$96,000 for the line items listed will be used to fund shortfalls in those line items. The transfer of \$1.625 million from Debt

Stabilization to Debt Service represents a continuation of the commitment made to residents to keep the annual budgeted debt payment at \$9 million dollars thereby keeping the School Debt Exclusion cost to the average annual resident tax bill at \$200.00 for that project. The Finance Committee unanimously recommends this article.

Article 14. The Finance Committee has determined that the Free Cash expenditure portion of this article is consistent with the use of Free Cash to fund one time capital expenditures and that the use of Water and Wastewater Retained Earnings to fund capital improvements in the Water and Wastewater systems is also consistent with the use of those funds for such purposes. The Finance Committee recommends the article unanimously.

Article 15. The Finance Committee has determined this article to be consistent with the long term Capital Improvement Plan the School Department has developed over recent years and unanimously recommends the use of Free Cash to fund as the listed improvements as they are one time capital expenditures.

Article 16. The Finance Committee has determined that this article is consistent with past articles seeking to address the issue of infiltration and inflow into our sewer system by storm water due to faulty manhole covers. The Committee supports the continuation of this program as well as its funding through the I&I Fund and recommends approval unanimously.

Article 17. A majority of the Finance Committee has determined that this article is consistent with past articles seeking to address the issue of the reconstruction of the intersection at Whipple and Andover roads. A majority of the Committee supports the \$400,000 appropriation from Free Cash that will complete the project begun last year and recommends approval by a vote of 8-3.

Article 18. A majority of the Finance Committee has determined that this article is consistent with past articles seeking to address the issue of the second phase of drainage replacement on Frost Street. A majority of the Committee supports the \$500,000 appropriation from Free Cash that will complete this project and recommends approval by a vote of 8-3.

Article 19. Dismissed

Article 20. The Finance Committee has determined that the appropriation requested in this article to expand the Fox Hill Cemetery by an additional 1700 graves and 756 Wall Niches is consistent with the needs of the residents both now and in the future and the borrowing of \$3,000,000 to complete the project is both reasonable and necessary. The Committee recommends approval unanimously.

Article 21. Given the practice of recent years to apply Free Cash to the Debt Stabilization Account, a majority of the Finance Committee voted not to recommend the article by a vote of 2-9

Article 22. Given the practice of recent years to apply Free Cash to the Debt Stabilization Account, a majority of the Finance Committee voted not to recommend the article by a vote of 0-11.

Article 23. A majority of the Finance Committee has determined that given the fact that the Snow and Sand deficit is \$339,585, carrying this amount over to next year's recap sheet does not pose a significant financial risk to the funding of next year's budget and is counter to the Towns overall fiscal plan. The Finance Committee voted not to recommend the article by a vote of 2-9.

Article 24. A majority of the Finance Committee has determined the this article runs counter to the Town's overall fiscal plan and is not in the best interest of the Town or residents as any money expended by this article will be recaptured on the following years recap resulting in a taking back from the taxpayer the money they get from this article. There has been long standing opposition to this article among a majority of the Finance Committee as they believe it represents poor fiscal policy. The Finance Committee voted not to recommend the article by a vote of 3-8.

Article 25. The Finance Committee has determined that the projects contained in this article are consistent with projects approved for funding under the Community Preservation Act and represent a good cross-section of projects for the use of these funds. The Committee has cautioned the CPC that, prior to the approval of future projects for private organizations, The Finance Committee expects those organizations to demonstrate a greater effort to both privately fund raise and seek grants before requesting future CPA funding. The Committee recommends approval by a vote of 10-0-1.

Article 26. The Finance Committee has determined this article rescinds the borrowing authorization approved at an earlier Town Meeting as the funding for the items listed in it have been addressed in Article 14 of this Warrant and by a grant. The Finance Committee Recommends unanimously.

Article 27. A majority of the Finance Committee has determined that the BMEA and the Town negotiated fairly and in good faith to remove the BMEA from Civil Service and has no reason to believe that the articles will have any negative financial impact to the Town. The Finance Committee recommends the article 10-1.

Article 28. The Finance Committee has determined that the creation of the fund requested in this article to be inconsistent with best municipal financial practices as any expenditure from this fund, as stated in the article, will be the exclusive right of the Conservation

Commission with no oversight what-so-ever from the Administration, Finance Committee or Town Meeting. The Committee believes that creating such a fund sets a poor precedent and is not in the best interest of the Town. The Committee understands that mechanisms exist within the present budgetary system to accomplish what is sought in this article without the need to create this fund and suggests that the Conservation Commission consider a budgetary alternative. The Finance Committee voted unanimously not to recommend this article.

Article 29. A majority of the Finance Committee has determined that the creation of a fund to provide low interest loans to residents that have a financial need, so they can connect with the sewer system as provided by law, is in the best financial interest of the residents of the Town. The Committee recommends the article 10-1.

Article 30. A majority of the Finance Committee has determined that the application of a 3% local sales tax on the sale or transfer of marijuana or marijuana products by a marijuana retailer to be in the best financial interest of the Town given the financial impact the sale of marijuana will have on public safety and enforcement of the laws that regulate its sale. While the revenue from a 3% tax will aid in mitigating those costs, it may not completely cover all of those costs. 3% is the maximum allowed by law. The Finance Committee recommends the article 10-1.

Article 31. A majority of the Finance Committee has determined that the amending of the current Marijuana By-Law to include the sale of marijuana and marijuana products is in the best financial interest of the Town given the negative effects that would be created by not having a by-law in place and has further determined that the fines for non-compliance contained in the by-law are consistent with fines in other by-laws and are not overly burdensome. The Finance Committee recommends the article 10-1.

Article 32. A majority of the Finance Committee has determined that the amendments to this by-law will have minimal financial impact to the Town as it requires the creation of an Emergency Response Plan that will take time and effort to implement. Once that plan is in place no further financial impact is expected. The Finance Committee recommends the article 10-1.

Article 33. Withdrawn

Article 34. A majority of the Finance Committee has determined that the amendments to this by-law will have minimal financial impact to the Town as it requires the creation of an Emergency Response Plan that will take time and effort to implement. Once that plan is in place no further financial impact is expected. The Finance Committee recommends the article 10-1.

Article 35. A majority of the Finance Committee has determined that the amendments to this by-law will have no financial impact to the Town as it only updates the zoning table and recommends the article 10-1.

Article 36. A majority of the Finance Committee has determined that the amendment to the Public Utilities By-Law requested in this article to be in the best financial interest of the Town and will create financial equity between residents that are tied into sewer and those that have yet to do so. The Committee has also determined that the fee structure is consistent with such fees in other By-Laws. The Finance Committee recommends the article 8-3.

Article 37. Withdrawn

Article 38. The Finance Committee has determined that the easements requested in this article to be consistent with past practice and the sidewalk improvements that will result are in the best interest of the Town. The Finance Committee recommends approval 10-0-1.

Article 39. The Finance Committee has determined that the easements to be accepted under this article to be consistent with past practice and required no expense on the part of the Town. The Finance Committee recommends unanimously.

Article 40. The Finance Committee has determined that the request to include the streets listed in this article to be accepted streets is consistent with recent actions taken by Town Meeting to address the inequity of unaccepted streets and supports the continuing efforts in this regard. Adding these streets to the list of accepted streets will increase the amount of Chapter 90 funding that the Town will receive to work on road repair. The Finance Committee recommends the article unanimously.

Article 41. It is the majority opinion of the Finance Committee that the Zoning amendment requested in this article is consistent with Zoning articles passed in recent years and will give the Town a greater ability to address the issue of better utilizing and marketing what are currently depressed properties in industrial zones. This article will also allow the Town to better compete with neighboring towns that already utilize this type zoning and will increase revenue so that the Town can continue to address the infrastructure improvements it has been making. The Finance Committee recommends the article 8-3.

Article 42. It is the majority opinion of the Finance Committee that the request to apply the PUD Overlay to the Technology Park site is consistent with the past practice of applying zoning overlays to properties where that particular zoning overlay would improve the marketability of that property. The buildings at Technology Park have been experiencing a high level of vacancy which results in a lower revenues to the Town

because vacant space qualifies for tax abatements. Applying this zoning to the listed properties would give the Town more leverage when marketing the properties to prospective developers that may be considering other communities to locate their business. The additional revenue generated by using this overlay at this site has the potential to be significant and in the opinion of the majority of the Finance Committee continuing to compete with surrounding communities for business development is vital the Towns long term economy. The Finance Committee recommends approval of the article by a vote of 7-4.

Article 43. It is the majority opinion of the Finance Committee that this article has no negative financial impact to the Town and could conceivably shorten the number of Town Meeting Sessions thereby saving the Town the need to staff Town Hall for additional sessions. The Finance Committee recommends the article 8-2-1.

Article 44. It is the majority opinion of the Finance Committee that this resolution bears no financial impact to the Town and has no force of law. The Finance Committee voted to recommend the article in order to move it forward to Town meeting for its consideration by a vote of 8-2-1.

PART III

Annual Fall Town Meeting Warrant

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

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

Financial Articles

3	To Fund Collective Bargaining Agreement for School Administrators	\$57,387	Raise & Appropriate	School Committee	Recommends
4	To Fund Collective Bargaining Agreement for Teachers	This Article has been Withdrawn			
5	To Fund Collective Bargaining Agreement for School Paraprofessionals	This Article has been Withdrawn			
6	To Fund Collective Bargaining Agreement for School Custodial	This Article has been Withdrawn			
7	To Fund Collective Bargaining Agreement for School Clerical	This Article has been Withdrawn			
8	To Fund Collective Bargaining Agreement for NEPBA Police Civilian Dispatchers	\$49,447	Raise & Appropriate and Transfer from Free Cash	Town Manager; authorized by BOS	Recommends
9	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (A) Patrolmen	This Article has been Withdrawn			
10	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (B) Superior Officers	This Article has been Withdrawn			
11	To Fund Collective Bargaining Agreement for IAFF Firefighters	This Article has been Withdrawn			
12	To Vote from Free Cash a Sum of Money to the Debt Stabilization Fund	\$1,800,000	Transfer & Appropriate from General Fund Free Cash and Wastewater Retained Earnings	Finance Committee	Recommends

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
13	Fiscal Year 2019 Budget Amendment	\$96,000	Raise & Appropriate and Transfer from Debt Stabilization	Town Manager; authorized by BOS	Recommends
14	To Fund Fiscal Year 2019 Town Capital Budget	\$1,550,000	Raise & Appropriate and Transfer from Free Cash and Retained Earnings	Town Manager; authorized by BOS	Recommends
15	To Fund Fiscal Year 2019 School Capital Budget	\$1,400,000	Transfer & Appropriate from Free Cash	Town Manager; authorized by BOS	Recommends
16	To Fund Sewer Manhole Repairs from Inflow and Infiltration Funds	\$50,000	Transfer and Appropriate from Inflow and Infiltration Fund	Town Manager; authorized by BOS	Recommends
17	To Fund the Sum of \$400,000 to Reconstruct the Intersection of Whipple Road at Andover Road and the Authorize the BOS to Acquire Easements	\$400,000	Transfer & Appropriate from Free Cash	Town Manager; authorized by BOS	Recommends
18	To Fund Phase II Frost Street Drainage	\$500,000	Transfer & Appropriate from Free Cash	Town Manager; authorized by BOS	Recommends
19	To Fund Town Capital Budgets from Previous Town Meeting Articles	This Article has been Withdrawn			
20	Fox Hill Cemetery Expansion	\$3,000,000	Borrow	Town Manager; authorized by BOS	Recommends
21	To Vote from Free Cash a Sum of Money to the Stabilization Fund	\$6,000,000	Raise & Appropriate or Transfer from General Fund Free Cash	Finance Committee	Does Not Recommend
22	To Vote from Free Cash a Sum of Money to the Land Bank Account	\$6,000,000	Raise & Appropriate or Transfer from General Fund Free Cash	Finance Committee	Does Not Recommend
23	To Vote from Free Cash a Sum of Money to Fund the Snow and Sand Deficit	\$1,000,000	Transfer & Appropriate from Free Cash	Finance Committee	Does Not Recommend

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
24	To Vote from Free Cash a Sum of Money to be Applied or Expended for the Purpose of Reducing the Fiscal Year 2018 Tax Levy	\$6,000,000	Transfer from General Fund Free Cash	Finance Committee	Does Not Recommend
25	Community Preservation Committee Appropriation Recommendations	\$1,605,141	Transfer from Community Preservation Fund	Community Preservation Committee	Recommends
26	Rescind Borrowing Authorizations			Town Manager; authorized by BOS	Recommends

Local Acceptance of State Statutes

27	To Remove BMEA from Civil Service			Town Manager; authorized by BOS	Recommends
28	To Create a Conservation Commission Fund		This Article has been Withdrawn		
29	Authorization to Apply to the Department of Environmental Protection State Revolving Fund Clean Water Low Interest Loan Program			Town Manager; authorized by BOS	Recommends

Medical /Adult Use Marijuana

30	To Establish a 3% Adult-Use Marijuana Tax			Town Manager; authorized by BOS	Recommends
31	To Amend Medical Marijuana General By-Law			Town Manager; authorized by BOS	Recommends
32	To Amend Medical Marijuana By-Law Overlay District			Town Manager; authorized by BOS	Recommends
33	To Create a General By-Law for Adult-Use Marijuana	This Article has been Withdrawn			
34	To Create a Zoning By-Law for Adult-Use Marijuana Overlay District			Town Manager; authorized by BOS	Recommends
35	To Create Zoning By-Law for Adult-Use Marijuana Overlay District Map			Town Manager; authorized by BOS	Recommends

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
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General By-Laws

36	To Establish Wastewater Connection Compliance Regulation			Town Manager; authorized by BOS	Recommends
37	Increased Fines for Signage	This Article has been Withdrawn			

Easements & Land Use

38	To Authorize the Board of Selectmen to Acquire Easements on Baldwin Road			Town Manager; authorized by BOS	Recommends
39	To Authorize the Board of Selectmen to Accept a Road Easement from Parcel 47-29-1 Located at the Intersection of Nashua Road and Rangeway Road			Town Manager; authorized by BOS	Recommends
40	To Accept Roads as Public Ways			Town Manager; authorized by BOS	Recommends

Zoning By-Law Articles

41	To Amend Zoning By-Laws to Add PUD District			Town Manager; authorized by BOS	Recommends
42	To Amend Zoning Map Changes to Add PUD Overlay Districts			Town Manager; authorized by BOS	Recommends

Petitioners Articles

43	Petitioners Article			Petitioner	Recommends
44	Petitioners Article			Petitioner	Recommends

**WARRANT
OCTOBER 2, 2018
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 Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA on Tuesday, October 2, 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 APPOINT ONE MEMBER TO THE BOWERS FUND COMMITTEE

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

Submitted by the Board of Selectmen

Finance Committee recommends approval.

Article 1 Explanation: The Bowers Fund Committee was established in the late 1800's when the Bower sisters left their entire estate to the Town of Billerica, approximately \$11,000, with the express intent of assisting the poor of Billerica. The current expendable balance in the fund is \$716.15 and the principal balance is \$132,053.91. Town Meeting appoints members to the Bowers Fund Committee. Committee member Eleanor Shea'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 Board of Selectmen

Finance Committee recommends approval.

Article 2 Explanation: This article provides an opportunity to hear and act upon reports of Town Meeting Committees.

**ARTICLE 3 - TO FUND COLLECTIVE BARGAINING AGREEMENT –
SCHOOL ADMINISTRATORS**

To see if the Town will raise and appropriate the sum of \$57,387 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 which has a term of July 1, 2018 through June 30, 2021; or act in relation thereto.

Submitted by the School Committee

Finance Committee recommends approval.

Article 3 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Billerica School Committee and the Billerica Administrators Group affiliated with the Massachusetts Association of Professional School Administrators. This contract has a term from July 1, 2018 through June 30, 2021.

ARTICLE 4 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 5 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 6 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 7 - THIS ARTICLE HAS BEEN WITHDRAWN

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

To see if the Town of Billerica will vote to transfer and appropriate from Free Cash the sum of \$24,904 to fund the first and second year cost items contained in the successor Collective Bargaining Agreement between the Town and NEPBA Police Civilian Dispatchers (New England Police Benevolent Association, Inc.) and to raise and appropriate the sum of \$24,543 to fund the third year of the agreement; or act in relation thereto.

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

Finance Committee recommends approval.

Article 8 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Town and NEPBA Police Civilian Dispatchers (New England Police Benevolent Association, Inc.). This contract has a term from July 1, 2016 through June 30, 2019. This contract includes a Cost of Living Adjustment (COLA) of 2%, 2% and 2% for Fiscal Years 2017, 2018 and 2019.

ARTICLE 9 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 10 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 11 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 12 - TO VOTE FROM FREE CASH A SUM OF MONEY TO THE DEBT STABILIZATION FUND

To see if the Town will vote to transfer and appropriate from General Fund Free Cash the sum of \$1,300,000 and \$500,000 from Wastewater Retained Earnings to the Debt Stabilization Fund; or act in relation thereto.

Submitted by the Finance Committee

Finance Committee recommends approval.

Article 12 Explanation: The Town, through the Board of Selectmen, has established a Debt Stabilization Policy that maintains the same level of appropriation from the tax levy year to year - \$9.066 million. This is accomplished in the following two ways:

- Transferring a minimum amount of free cash and or retained earnings annually in the amount of \$1.8 million to the Debt Stabilization Fund.
- To appropriate the difference of any year that is lower than \$9.066 million to Debt Stabilization.

The balance in the Debt Stabilization Account is used to minimize the tax levy impact that would otherwise be realized with addition of sewer debt and school capital debt. At the time the warrant was printed, the Department of Revenue had not yet certified Free Cash and Enterprise Water and Sewer Retained Earnings Funds as of July 1, 2018. The Debt Stabilization Fund balance as of June 30, 2018 is \$17,232,143.

ARTICLE 13 - FISCAL YEAR 2019 BUDGET AMENDMENT

To see if the Town will vote to raise and appropriate the sum of \$96,000 to amend various Fiscal Year 2019 budget line items and further amended to transfer \$1,625,000 from Debt Stabilization to cover previously appropriated Debt Service associated with the Billerica Memorial High School Project;

From: 193 Town Systemwide			To: 193 Town Systemwide			Difference
7096	Legal	\$195,000	7096	Legal	\$245,000	\$50,000
7036	IUPE Settlement	\$0	7036	IUPE Settlement	\$11,000	\$11,000

From: 192 Town Hall			To: 192 Town Hall			
7058	Building Maintenance	\$161,000	7058	Building Maintenance	\$186,000	\$25,000

From: 123 Town Manager			To: 123 Town Manager			
5110	Personnel	\$552,733	5110	Personnel	\$562,733	\$10,000

Total Budget Amendment:						\$96,000
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Spring Approved FY2019 Budget						\$150,308,106
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Plus Article 13 Budget Amendment						\$96,000
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Amended FY2018 Budget						\$150,404,106
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Or act in relation thereto.

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

Finance Committee recommends approval.

Article 13 Explanation: This article includes a \$50,000 increase for legal costs associated with labor costs for the Police union and legal costs for Middlesex Turnpike Project; \$11,000 for settlement of a language dispute on BMEA labor contract; a \$25,000 increase for Town Hall Service Contracts and a \$10,000 increase for the Management Analyst position.

ARTICLE 14 - TO FUND FISCAL YEAR 2019 TOWN CAPITAL BUDGET

To see if the Town will vote to transfer and appropriate from free cash the sum of \$50,000 and \$975,000 from the Water Retained Earnings Fund and \$525,000 from the Wastewater Retained Earning Fund to fund the Fiscal Year 2019 Town Capital Budget as outlined below:

Sidewalk Management Plan	\$50,000
Water Treatment Plant Ozone Improvements	\$975,000
Phase III WWTP Improvements and Salem Road Pump Station Upgrade	\$525,000
Total:	\$1,550,000

Or act in relation thereto.

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

Finance Committee recommends approval.

Article 14 Explanation: This article funds a study that will establish a sidewalk management plan similar to the Town's Roadway Management Plan. This Plan will grade existing sidewalks and identify need based on priority established by mass transit needs and school walkability, etc. The other two projects were previously funded at the Spring Town Meeting of 2018 through bond authorization. This article replaces the previous bond authorization funding with Retained Earnings Funding. The bond authorization will be rescinded through Article 26.

ARTICLE 15 - TO FUND FISCAL YEAR 2019 SCHOOL CAPITAL BUDGET

To see if the Town will vote to transfer and appropriate from free cash the sum of \$1,400,000 to fund the Fiscal Year 2019 School Capital Budget; or act in relation thereto.

Submitted by the School Committee

Finance Committee recommends approval.

Article 15 Explanation: This article seeks to use \$1,400,000 from Free Cash to fund projects for the Billerica Public Schools. In particular, this article is designed to address the following projects:

2018 Fall Town Meeting - School Dept Proposed Projects

School	Project	Cost
Multi-School	Flooring asbestos abatement and installation of new tile: Locke, Kennedy, Dutile	\$470,000
Multi-School	Replace acoustical ceilings and lights (LED): Dutile, Hajjar, Kennedy	\$320,000
Districtwide	Master key system, changing inside room locks	\$300,000
Ditson	Window hardware replacement	\$77,000
Marshall	Resurface outdoor track	\$68,000
Marshall	Install new lockers (phase 3 of 3)	\$65,000
Districtwide	Replace existing and add new exterior lighting	\$50,000
Dutile	Partial roof overlay	\$26,000
Marshall	Seat replacement in Lecture Hall	\$24,000
	Total	\$1,400,000

ARTICLE 16 - TO FUND SEWER MANHOLE REPAIRS FROM THE INFLOW AND INFILTRATION FUND

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

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

Finance Committee recommends approval.

Article 16 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. The I&I Fund balance as of June 30, 2018 is \$181,723.

ARTICLE 17 - TO FUND THE SUM OF \$400,000 TO RECONSTRUCT THE INTERSECTION OF WHIPPLE ROAD AT ANDOVER ROAD AND TO AUTHORIZE THE BOARD OF SELECTMEN TO ACQUIRE EASEMENTS

To see if the Town will vote to transfer and appropriate from free cash the sum of \$400,000 for the installation of Traffic Signals and intersection improvements, including any incidental and related costs; to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain the 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 borrow 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 recommends approval.

Article 17 Explanation: At the 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 fund construction and to acquire an easement and/or takings if the design requires it.

ARTICLE 18 - TO FUND PHASE II FROST STREET DRAINAGE

To see if the Town will vote to transfer and appropriate from free cash the sum of \$500,000 for the Phase II Drainage Replacement on Frost Street, including any incidental and related costs; or act in relation thereto.

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

Finance Committee recommends approval.

Article 18 Explanation: Phase I was funded at the 2015 Fall Town Meeting. This appropriation will fund the completion of the project.

ARTICLE 19 – THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 20 - FOX HILL CEMETERY EXPANSION

To see if the Town will vote to authorize the Treasurer, with approval of the Board of Selectmen, to borrow under M.G.L. Chapter 44, Section 7, Subsection 1, or any other relevant section, the sum of \$3,000,000 to be spent under the direction of the Town Manager, for expansion of the Fox Hill Cemetery, including and incidental and related costs. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or act in relation thereto.

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

Finance Committee recommends approval.

Article 20 Explanation: As of February 1, 2018 the total number of graves in the current inventory was 220. Fifty graves with headstones and 170 back graves with flat markers. The Town sells approximately 150 graves annually. With approximately 18 months of inventory remaining, it is essential that the Town expand the cemetery for future needs. The project will take two years of construction to complete.

ARTICLE 21 - TO VOTE FROM FREE CASH A SUM OF MONEY TO THE STABILIZATION FUND

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

Submitted by the Finance Committee

Finance Committee does not recommend.

Article 21 Explanation: The purpose of this fund is to set money aside to be used at a later time for unforeseen or unanticipated circumstances. The current balance of the Town Stabilization Fund is \$4,573,277 for the Town and \$706,632 for the School Department. At the time this warrant was printed, the Department of Revenue had not yet certified Free Cash as of July 1, 2018.

ARTICLE 22 - TO VOTE FROM FREE CASH A SUM OF MONEY TO THE LAND BANK ACCOUNT

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

Submitted by the Finance Committee

Finance Committee does not recommend.

Article 22 Explanation: The Land Bank Account was established by special legislation. The balance as of September 1st of the Town Land Fund is \$526,383. At the time this warrant was printed, the Department of Revenue had not yet certified Free Cash as of July 1, 2018.

ARTICLE 23 - TO VOTE FROM FREE CASH A SUM OF MONEY TO FUND THE SNOW AND SAND DEFICIT

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

Submitted by the Finance Committee

Finance Committee does not recommend.

Article 23 Explanation: To be presented at Town Meeting. At the time this warrant was printed, the Department of Revenue had not yet certified Free Cash as of July 1, 2018.

ARTICLE 24 - TO VOTE FROM FREE CASH A SUM OF MONEY TO BE APPLIED OR EXPENDED FOR THE PURPOSE OF REDUCING THE FISCAL YEAR 2018 TAX LEVY

To see if the Town will vote to transfer from General Fund Free Cash the sum of \$6,000,000 to be applied or expended for the purpose of reducing the Fiscal Year 2018 Tax Levy; or act in relation thereto.

Submitted by the Finance Committee

Finance Committee does not recommend.

Article 24 Explanation: To be presented at Town Meeting. At the time this warrant was printed, the Department of Revenue had not yet certified Free Cash as of July 1, 2018.

ARTICLE 25 - 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 Board of Selectmen 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 G.L. c.44B; and further, to authorize the Board of Selectmen 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	
A	Billerica Affordable Housing Trust – Affordable unit purchasing	Community Housing					\$160,000
<i>Under the direction of Billerica's Affordable Housing Trust, the Billerica Housing Authority (BHA) will pursue the purchase of affordable housing units. As a provider of safe, decent and affordable housing opportunities for residents, the BHA and Affordable Housing Trust will use CPA funding to help build a reserve to be used as "seed" funds/deposit for new family and elderly housing opportunities for Billerica residents in need. The project supports the CPC's plan for ensuring long range affordability for residents, can help achieve the goal to develop rental and ownership options for senior citizens, disabled residents and veterans laid out in Billerica's Housing Production Plan.</i>							
B1	Billerica Public Library – Preservation needs assessment	Historic Preservation					\$6,135
<i>The Billerica Public Library is the repository for documents integral to maintaining the history of the town of Billerica. Many of these paper documents are old and sometimes in dire need of restoration and preservation. The Billerica Public Library is seeking funds to perform a Preservation Assessment (risks, policies, storage, equipment, and handling) of the current situation. Billerica's Master Plan identifies the objective of enhancing Billerica's civic education programs and instills pride in the town's rich heritage; a goal this project helps achieve.</i>							
B2	Billerica Historical Society – Clara Sexton Memorial Museum preservation	Historic Preservation					\$101,000
<i>The Billerica Historical Society is seeking CPA funding for the restoration and preservation of the Clara Sexton Memorial Museum located at 36 Concord Road. The funds will help the Society replace windows and repaint the property. This is an important initiative as the project demonstrates a public benefit that is significant in the history, archeology, architecture or culture of the town, which is one of the criteria for the CPC.</i>							
B3	Town of Billerica – Howe School	Historic Preservation					\$420,000

<i>The Town of Billerica seeking CPA funds for the Howe School. These funds will be used for the 100% design and construction cost estimation to make the building habitable and accessible to the public. This is a necessary first step to prepare the Town to go out to bid for the construction improvements, and offers the opportunity to work towards Billerica's goal of developing programming and key projects to promote opportunities for everyday interactions with the town's history and resources.</i>							
B4	Middlesex Canal Association – Middlesex Canal Museum	Historic Preservation					\$100,000
<i>The Middlesex Canal Museum – operating out of the Faulkner Mill in North Billerica – is in the process of permitting and preparing for the preservation and rehabilitation of 2 Old Elm Street as a new museum. This former brick woolen warehouse needs significant renovation, the majority of which are being funded by the Museum. The Canal Association is seeking funds for masonry improvements (corbeling to accept new roof trusses, two new entrances, and repointing of bricks). This work allows a Billerica the chance to "Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened," a criteria from Billerica's CPC Plan.</i>							
C1	Town of Billerica – Yankee Doodle Bike path	Open Space/Recreation					\$367,000
<i>The Town of Billerica has been moving ahead on the design for the Yankee Doodle Bike Path. The Town is currently at the 25% design stage and is seeking to advance to 75% design stage. 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>							
C2	Town of Billerica – Peggy Hannon Rizza Complex	Open Space/Recreation					\$433,200
<i>The Town of Billerica is seeking CPA funds to be used for design costs at the Peggy Hannon Rizza Complex. The current field configuration and condition is inefficient and needs to be rehabilitated. This project will use CPA funding to leverage existing recreational locations, and maximize the land already owned by the Town which is a benchmark for eligibility for CPA projects.</i>							
C3	Billerica Recreation Department – Disc Golf course at Vietnam Veteran's Park	Open Space/Recreation					\$17,806
<i>The Billerica Recreation Department is seeking funds to design and install a Disc Golf Course at Vietnam Veteran's Park (VVP). This activity will become an attraction for residents and help further the VVP as a meeting place for friends and family, while providing a fun and free entertainment option for the residents of Billerica. In addition to leveraging existing recreational locations for multiple uses, this project aligns well with Billerica's Open Space and Recreation Plan: "Improve public awareness of conservation and recreational resources and their social, economic, and environmental benefits to the Town."</i>							
			\$160,000	\$160,000	\$160,000	\$1,125,141	\$1,605,141

This article authorizes the appropriation of funds from the Community Preservation Fund for the completion of specific projects as listed in the above chart and allowed under the Community Preservation Act. These projects will expend a total of \$160,000 (10%) for Community Housing, \$627,135 (39%) for Historic Preservation, and \$818,006 (51%) for Open Space/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 25 Explanation: The Community Preservation Committee received applications for projects to use funds within the Community Preservation Fund, and the eight projects described above will be recommended to Town Meeting for approval.

ARTICLE 26 - RESCIND BORROWING AUTHORIZATIONS

To see if the Town will vote to rescind the following borrowing authorizations previously approved at Town Meeting:

Art # 27 May 2018	\$525,000	WWTP Phase III & Pump Station Upgrades
Art # 28 May 2018	\$975,000	Water Treatment Plant Ozone Design
Art # 22 May 2017	\$400,000	Recreation – Phase 2 Hannon-Rizza

Or act in relation thereto.

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

Finance Committee recommends approval.

Article 26 Explanation: This article will rescind previous borrowing authorizations.

ARTICLE 27 - TO REMOVE BMEA FROM CIVIL SERVICE

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation providing that positions in the Billerica Department of Public Works not be subject to the provisions of General Law, Chapter 31 (Civil Service), provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Board of Selectmen to approve such amendments; or act in relation thereto.

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

Finance Committee recommends approval.

Article 27 Explanation: This article was precipitated by an agreement between the Town and the BMEA Union to remove DPW employees from Civil Service. This was agreed to during the last negotiated contract cycle.

ARTICLE 28 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 29 - AUTHORIZATION TO APPLY TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND CLEAN WATER LOW INTEREST LOAN PROGRAM

To see if the Town will vote to authorize the Town Manager to apply to the Department of Environmental Protection Clean Water State Revolving Fund Low Interest Loan Program to enter into a loan agreement between the Town and the Massachusetts Clean Water Trust for up \$400,000 to provide low interest loans to residents that qualify for relief to connect to Town sewer; loan preference to be based on financial need and cost, and further to transfer from Free Cash the sum of \$200,000 to provide for loans to be administered by the Town Manager for residents to connect to Town sewer who otherwise do not qualify for loans from the Massachusetts Clean Water Trust Funds; or act in relation thereto.

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

Finance Committee recommends approval.

Article 29 Explanation: The Department of Environmental Protection requires Town Meeting Authorization to establish a State Revolving Fund Trust for the Clean Water Loan Program.

ARTICLE 30 - TO ESTABLISH A 3% ADULT-USE MARIJUANA TAX

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 64N, Section 3(a), as recently amended by Section 13 of Chapter 55 of the Acts of 2017, and to authorize the Town to impose a local sales tax upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town of Billerica to anyone other than a marijuana establishment at a rate of 3 percent of the total sales price received by the marijuana retailer as a consideration for the sale of marijuana or marijuana products; or act in relation thereto.

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

Finance Committee recommends approval.

Article 30 Explanation: The purpose of this article is to establish a tax authorized under M.G.L. Chapter 64N, Section 3(a) to impose a 3% sales tax on any sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town of Billerica. These monies will be transferred into the General Fund.

ARTICLE 31 - TO AMEND MEDICAL MARIJUANA GENERAL BY-LAW TO INCLUDE ADULT-USE MARIJUANA

To see if the Town will vote to amend the General By-laws, Article XXVI, Medical Marijuana By-law, to delete the strikethrough language and insert the language in bold italics, as follows:

~~XXVI MEDICAL MARIJUANA BY-LAW~~

Whereas, Massachusetts voters approved the legal cultivation, processing, distribution, sale and use of marijuana for medical purposes through Chapter 369 of the Acts of 2012, An Act for the Humanitarian Medical Use of Marijuana; and

Whereas, Massachusetts voters approved the legal cultivation, processing, distribution, sale and use of marijuana for Adult Use purposes through Chapter 334 of the Acts of 2016, The

Regulation and Taxation of Marijuana Act, as amended by Chapter 55 of the Acts of 2017, and otherwise;

~~Whereas, nothing in that Act or its implementing regulations at 105 CMR 725 supersedes Massachusetts law prohibiting the possession, cultivation, transport, distribution, or sale of marijuana for nonmedical purposes; and~~

Whereas; the prevention of the illegal sale and use of marijuana, particularly by the town's youth, is a public health priority; and

Whereas; ~~*the legalization and sale of marijuana*~~ Registered Marijuana Dispensaries and similar clinics in other jurisdictions have been found to present unique and challenging threats to public health and safety; and

Whereas, the state regulation at 105 CMR 725.600, ***and at 935 CMR 500***, allows for lawful local oversight and regulation, including fee requirements; and

Whereas, reasonable and effective local oversight of the cultivation, processing, distribution, sale and use of marijuana ~~for medical purposes~~ is needed to protect community health and safety while ensuring legitimate patient access;

Therefore, in furtherance of its mission to protect, promote, and preserve the health and wellbeing of all Billerica residents, particularly the most vulnerable, and pursuant to the authority granted to it under M.G.L. c. 111 § 31, ***M.G.L. c.40, §21, and all other applicable authority***, the Town enacts a Regulation to Ensure Safe Access to ~~Medical~~ Marijuana in the Town of Billerica as follows:

1. GUIDELINES

1.1 The Billerica Board of Health ("BOH") ***and the Billerica Board of Selectmen (BOS)*** may issue guidelines for the implementation of this By-Law, including but not limited to definitions of terms used in the applicable State regulations and in the guidelines. In the event of a conflict between this By-Law and the guidelines, as either may be amended, the By-Law shall control.

2. PERMITTING

2.1. Any proposed Registered Marijuana Dispensary ("RMD"),

as that term is defined in Chapter 369 of the Acts of 2012, M.G.L. Chapter 94I, and all regulations which have or may be issued thereunder, and any proposed Marijuana Establishment as that term is defined in An Act To Ensure Safe Access to Marijuana, Chapter 55 of the Acts of 2017, and M.G.L. Chapter 94G, and all regulations which have or may be issued thereunder, shall obtain an Operating Permit in the form and manner prescribed by the Board of ***Health and a Marijuana License in the form and manner prescribed by the Board of Selectmen*** as may be further set forth in the Guidelines.

- 2.2 In order to support execution of responsibilities set forth in this regulation, an annual Operating Permit fee shall be assessed in an amount that shall be set by the Board of Health and may be amended by the BOH following a public meeting on the fee structure.
- 2.3 The RMD operator and the Marijuana Establishment Operator shall post the Operating Permit in a clear and conspicuous manner.
- 2.4 No ~~Dispensary~~ ***RMD or Marijuana Establishment*** Agent shall sell or otherwise distribute marijuana or marijuana products within the town of Billerica without first obtaining a Dispensary Agent Permit issued annually by the BOH. For purposes of this regulation, Dispensary Agent will include ***a*** board member, director, employee, executive, manager, or volunteer of a Registered Marijuana Dispensary ***or Marijuana Establishment***, who is at least 21 years of age and who has received approval from the the Commonwealth of Massachusetts Department of Public Health (“DPH”) under 105 CMR 725.030, ***or the Cannabis Control Commission, as applicable***. Employee includes a consultant or contractor who provides on-site services to Registered Marijuana Dispensary ***or Marijuana Establishment*** related to the cultivation, harvesting, preparation, packaging, storage, testing, or dispensing of marijuana.
- 2.5 As part of the Permit application process, the applicant will be provided with all appropriate By-Laws and regulations. Each applicant is required to sign a statement declaring that the applicant has read said By-Laws and regulations.
- 2.6 Each applicant is required to provide proof by means of a

valid government-issued photographic identification containing the bearer's date of birth that the applicant is 21 years old or older.

- 2.7 Each applicant is required to provide proof of a current Dispensary Agent registration, issued by the **CCC or** DPH, before an Operating Permit can be issued.
- 2.8 In order to support execution of responsibilities set forth in this regulation, a Dispensary Agent Permit fee shall be assessed in an amount that shall be set by the Board of Health.
- 2.9 All Dispensary Agent and Operating Permits, ***and all Marijuana Licenses***, expire annually on December 31st and shall be valid for a maximum term of one year, renewable annually on January 1st.
- 2.10 No permit ***or license*** issued under this regulation may be transferred to any other person or entity.

3. **REQUIREMENTS AND PROHIBITIONS**

- 3.1 The cultivation, processing, distribution, sale and use of marijuana for ~~medical~~ ***any*** purposes shall be conducted in compliance with all laws, ordinances, regulation or policies applicable to similar activities. This shall include, but not be limited to compliance with Food Service Health Permit requirements, Weights and Measures requirements, Noise Regulations, Public Nuisance bylaws, Clean Air bylaws, Workplace Smoking and E- Cigarette Regulations, State and local Building Codes, and any and all requirements associated with zoning and permitting.
- 3.2 ~~In no instance shall an Operating Permit be issued to any RMD that is within a radius of one thousand feet of a school, daycare center, or any facility in which children commonly congregate.~~ ***No RMD or Marijuana Establishment shall be located within 500 feet of those uses listed in Section 4B, 4C, and 4D of the Adult Use Marijuana Overlay District zoning bylaw, other than as may be allowed thereunder.***
- 3.3 The cultivation, processing, distribution, or sale of marijuana ~~for medical purposes~~ shall not exempt any person or entity from complying with all state and local laws, ordinances, regulation and policies. Violation of any other such law shall constitute a violation of this regulation and be subject to the fines and penalties described herein. Nothing in this

Regulation gives any immunity under federal law or poses an obstacle to federal enforcement of federal law.

- 3.4 The issuance of an Operating Permit under this regulation shall be conditioned on Registration approval by the Massachusetts CCC & DPH as required by state law and regulation. Any revocation of ~~an RMD's~~ state registration shall result in an automatic suspension of ~~that RMD's~~ *the Operating Permit and Marijuana License*.
- 3.5 RMDs *and Marijuana Establishments* shall submit a security plan for review to the BOS, BOH, Planning Board and Billerica Police Department detailing all security measures taken to ensure patient and community safety and eliminate unauthorized access to the premises. The BOH and/or Police Department may issue guidelines or other procedure setting forth specific security requirements. Unless specified by any other state or local requirement or agreement as to the hours of operation ~~of a RMD~~, the Board of Health, in consultation with the Board of Selectmen Planning Board, and Police Department, may set limitations on the hours of operation of any RMD *or Marijuana Establishment*.
- 3.6 Each RMD must hold an annual community meeting to provide abutters and community residents with an opportunity to comment on the RMD's operating practices, policies and plans.
- 3.7 RMDs must offer a secure patient or personal caregiver home delivery system that serves every address within Billerica and provides patient or personal caregiver home delivery service to any patient or personal caregiver residing in Billerica who suffers a physical incapacity to access transportation as described by 105 CMR 725.035(A)(2).
- 3.8 A RMD shall submit a plan for review to the BOH detailing its plans to provide reduced cost or free marijuana to patients with documented verified financial hardship as required by 105 CMR 725.100(A)(6). If said plan is deemed insufficient to ensure adequate patient access, no Operating Permit shall be issued.
- 3.9 The BOH may set further limitations on signage and advertising of RMDs, and may require the distribution of educational materials. Signage limitations may include, but need not be limited to those set forth in 105 CMR

725(105)(L), including restrictions on the use of images related to marijuana or marijuana paraphernalia, size and visibility of marijuana displays from outside a RMD. Educational materials to be distributed may include a “patients’ bill of rights” along with information on addiction and treatment resources

- 3.10 ***The BOH may set further limitations on signage and advertising of Marijuana Establishments but not more restrictive than those applied to retail establishments selling alcoholic beverages within the municipality. Signage limitations may include those set forth in 935 CMR 500 including restrictions on the use of images related to marijuana or marijuana paraphernalia, size and visibility of marijuana displays from outside a Marijuana Establishment.***
- 3.11 A RMD ***or Marijuana Establishment*** may not sell any products other than marijuana. For purposes of this subsection, “marijuana” may include Marijuana Infused Products, marijuana seeds, and other products that facilitate the use of marijuana for medical purposes, such as vaporizers. RMDs ***and Marijuana Establishments*** may not sell any tobacco product, or other nicotine delivery product, including e-cigarette cartridges or liquids that contain nicotine.
- 3.12 RMDs ***and Marijuana Establishments*** shall submit annual reports to the BOH, BOS, Planning Board and Police Department in a form and manner determined by the BOH.
- 3.13 The issuance or renewal of an Operating Permit ***or Marijuana License*** may be conditioned up the approval of any plan or compliance with this By-Law or any guideline or requirement issued under the authority of this By-Law.
- 3.14 Issuance and maintaining a Dispensary Agent Permit shall be conditioned on an applicant’s ongoing compliance with current Commonwealth of Massachusetts requirements and policies regarding marijuana sales.
- 3.15 A Dispensary Agent Permit will not be renewed if the Permit Holder has failed to comply with any corrective action plan and/or has not satisfied any outstanding Permit suspensions.

- 3.16 Dispensary Agents must present their state Registration Card and Dispensary Permit to any law enforcement official or municipal agent who questions the agent concerning their marijuana-related activities.
- 3.17 Inhaling, exhaling, burning or carrying any lighted or vaporized marijuana substance, or using it in any other manner or form, including marijuana used for medical purposes in a workplace shall constitute a violation of this regulation and shall be subject to the fines and penalties of applicable laws and regulations.
- 3.18 ***Consumption of Marijuana in public places is prohibited in the Town of Billerica.***

4. ENFORCEMENT AND PENALTIES

- 4.1 Authority to inspect RMDs *and Marijuana Establishments* for compliance and to enforce this regulation shall be granted to **the Health Department BOH, the Building Commissioner,** and the Billerica Police Department.
- 4.2 Any person may register a complaint under this By-Law to initiate an investigation and enforcement with the **Health Department BOH, the Building Commissioner, and the Billerica Police Department.** *Unscheduled compliance inspections* shall be conducted at a minimum of three inspections annually.
- 4.3 It shall be the responsibility of the ~~RMD~~ Occupancy Permit holder and/or individual in charge of the RMD *or Marijuana Establishment* to ensure compliance with all applicable sections of this By-Law. Any RMD *or Marijuana Establishment* found to be in violation of any of the provisions of this By-Law may receive a written warning citation, *or suspension or revocation of an* Operating Permit ~~suspension~~, Dispensary Agent Permit ~~suspension~~, *or Marijuana License.* ~~Operating Permit revocation, or Dispensary Agent revocation.~~ For any violation, the **Health Department** or BOS may order the ~~RMD~~ permit *or license* holder appear for a hearing and/or enter into a corrective action plan to address any and all violations and prevent future violations.
- 4.4 No provision, clause or sentence of this section of this By-Law shall be interpreted as prohibiting the **BOS, Health**

Department, Building Commissioner or Planning Board from suspending or revoking any license or permit issued by and within the jurisdiction of such department or agency for repeated or egregious violations of this regulation.

- 4.5 The **Health Department and the BOS** may file a complaint in any court of competent jurisdiction and/or pursue any other remedy as warranted by law to enforce the provisions of this regulation.

- 4.6 ***A violation of Section 3.17 Consuming Marijuana in Public will be liable for a fine of \$100 for the first offense, \$200 for the second offense, and \$300 for the third, and any subsequent offense.***

5. **APPEALS**

- 5.1 Any ~~RMD~~ Operating Permit **or Marijuana License** holder, Dispensary Agent, or any person or entity charged with violation of any provision of this regulation shall receive a citation from a designated agent of the ~~BOH~~ **Town of Billerica**. Such citation and any subsequent hearing notification shall be deemed a Notice of Action within the meaning of 801 CMR 1.02(6).
- 5.2 Any ~~RMD~~ Operating Permit holder, Dispensary Agent, or any person or entity cited for violation of this regulation wishes to appeal the findings or rulings of the ~~BOH~~ **Town of Billerica** shall file a written appeal, and any supporting memoranda and documents, within twenty-one (21) days of the date the violation notice is issued. The ~~BOH~~ **appropriate Town Agency** shall conduct an Administrative Hearing in accordance with procedures in its guidelines to determine the facts of the violation, the appropriate corrective action measures, term of suspension, if any, and/or issue a permit revocation order. **Such Town Agency** shall file any response to the appeal within fifteen (15) days after the hearing is closed.
- 5.3 Failure to comply with any corrective action plan, suspension or revocation, shall result in automatic suspension of the permit.

6. **RETALIATION**

- 6.1 No person, retailer, or employer shall discharge, refuse to hire, refuse to serve or in any manner retaliate or take any adverse action against any employee, applicant, customer or person because such employee, applicant, customer or person takes any action in furtherance of the enforcement of this regulation or exercises any right conferred by this regulation.

7. SEVERABILITY

- 7.1 If any provision, clause, sentence, paragraph or word of this By-Law or the application thereof to any person, entity or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this article which can be given effect without the invalid provisions or application and to this end the provisions of this By-Law are declared severable.

8. EFFECTIVE DATE

- 8.1 This By-Law shall take effect on January 1, 2019
(ASTM 05/2014 – Art. 27

Or act in relation thereto.

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

Finance Committee recommends approval.

Article 31 Explanation: Modifications needed to be made to accommodate the addition of an Adult Use Marijuana By-Law.

ARTICLE 32 - TO AMEND MEDICAL MARIJUANA BY-LAW OVERLAY DISTRICT

To see if the Town will vote to amend the Zoning By-laws, Section 5.E.8. Medical Marijuana Overlay District, to delete the strikethrough language and insert the language in bold italics, and to renumber subsection 9 as subsection 14, as follows:

4. Location

- a. RMDs may be permitted in the MMOD pursuant to a Special Permit granted by the Planning Board.
 - b. RMDs may not be located within **500** ~~1,000~~ feet of the following:
 - (1) School, including a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university
 - (2) Child Care Facility
 - (3) Library
 - (4) Playground
 - (5) Public Park
 - (6) Youth center
 - (7) Public swimming pool
 - (8) Video arcade facility or
 - (9) Similar facility in which minors commonly congregate ***in an organized, ongoing, formal basis;***
 - c. The distance under this section is measured in a straight line from the nearest point of the property line of the protected uses identified in Section 4.b. to the nearest point of the property line of the proposed RMD.
 - d. The distance requirement may be reduced ~~by twenty-five percent or less~~ ***to no less than 250 feet by waiver,*** ~~but only if:~~
 - (1) The applicant demonstrates that the RMD would otherwise be effectively prohibited within the municipality.
 - (2) The applicant demonstrates that the RMD will employ adequate security measures to prevent diversion of medical marijuana to minors who are not qualifying patients pursuant to 105 CMR 725.004.
5. Procedure: The Planning Board shall be the Special Permit Granting Authority (SPGA) for a RMD special permit.
- a. Application: In addition to the materials required under Section 6.E and Section 13.B of this By- Law, the applicant shall submit the following:

- (1) A copy of its registration as an RMD from the Massachusetts Department of Public Health (“DPH”).
- (2) A detailed floor plan of the premises of the proposed RMD that identifies the square footage available and describes the functional areas of the RMD, including areas for any preparation of MIPs.
- (3) Detailed site plans that include the following information:
 - (a) Compliance with the requirements for parking and loading spaces, for lot size, frontage, yards and heights and coverage of buildings, and all other provisions of this By-Law.
 - (b) Convenience and safety of vehicular and pedestrian movement on the site and for the location of driveway openings in relation to street traffic.
 - (c) Convenience and safety of vehicular and pedestrian movement off the site, if vehicular and pedestrian traffic off-site can reasonably be expected *to* be substantially affected by on-site changes.
 - (d) Adequacy as to the arrangement and the number of parking and loading spaces in relation to the proposed use of the premises, including designated parking for ~~home~~-delivery vehicle(s), as applicable.
 - (e) Design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping.
 - (f) Adequacy of water supply, surface and subsurface drainage and light.
 - (g) ***Facilities for eliminating odors and other operational effects that may constitute a nuisance.***

...

9. Prohibition Against Consumption: No marijuana shall be burned, smoked, eaten, or otherwise consumed or ingested on the premises, driveway, or parking areas of a RMD

10. Prohibition Against Delivery: No RMD shall deliver marijuana or marijuana products to consumers off-site.

11. Building: *All aspects of a RMD relative to the cultivation, possession, processing, sales, distribution, dispensing or administration of marijuana, marijuana products, or related supplies must take place at a fixed location within a fully enclosed building, products must not be visible from the exterior of the building, and no drive through service is permitted. A RMD shall not be located in a trailer, storage freight, mobile structure, container, motor vehicle or other similar movable enclosure.*

12. *A RMD may be located in buildings with other uses, including other RMD's, only if the RMD is separated by full walls from the other use. No outside storage of marijuana, marijuana products, or related supplies is permitted.*

13. Emergency Response Plan: *All ~~MMOD~~-RMD shall meet with the Billerica Fire Department and the Billerica Police Department to discuss and identify emergency plans/contingency plans for the site prior to the issuance of a certificate of occupancy. This plan shall also include how the Billerica Police will access the Close Circuit Television. A written Emergency Response Plan shall be filed with the Billerica Fire Department and the Billerica Police Department.*

14. Odor Control: *The RMD shall provide an odor control plan that provides for proper and adequate ventilation at such facilities in such a manner so as to prevent pesticides, insecticides or other chemicals used in the cultivation or processing of marijuana or marijuana related products from being dispersed or released outside the facilities. All resulting odors, smoke, vapor, fumes, gases and particulate matter from marijuana or its processing or cultivation shall be effectively confined to the premises or so disposed of so as to avoid any air pollution. No odor from marijuana establishments may be noxious or cause a public nuisance.*

15. Severability: *The provisions of this By-Law are severable. If any provision, paragraph, sentence, or clause of this By-Law or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this By- Law.*

(Amended: 5/06/2014, Article 25)

Submitted by the Town Manager; authorized by the Board of Selectmen
Finance Committee recommends approval.

Article 32 Explanation: Modifications needed to be made to accommodate the addition of an Adult Use Marijuana By-Law.

ARTICLE 33 - THIS ARTICLE HAS BEEN WITHDRAWN

**ARTICLE 34 - TO CREATE ZONING BY-LAW FOR ADULT-USE MARIJUANA
OVERLAY DISTRICT**

To see if the Town will vote to amend the Zoning By-Law to add a new Section 5.E.9, as follows, to establish an Adult Use Marijuana Overlay District By-law and relabel the existing 5.E.9 “Planned Unit Development” as 5.E.10:

ADULT USE MARIJUANA OVERLAY DISTRICT

1. Establishment: The Adult Use Marijuana Overlay District (“AUMOD”) is established as an overlay district. The boundaries of the AUMOD are shown on the Zoning Map on file with the Town Clerk. Within the AUMOD, all requirements of the underlying district(s) remain in effect, except where these regulations provide an alternative to such requirements. Land within the AUMOD may be used either for (1) a Marijuana Establishment in which case the requirements set forth in this section shall apply; or (2) a use allowed in the underlying district, in which case the requirements of the underlying district shall apply. If the provisions of the AUMOD are silent on a zoning regulation, the requirements of the underlying district shall apply. If the provisions of the AUMOD conflict with the requirements of the underlying district, the requirements of the AUMOD shall control.
2. Purpose: To provide for the placement of Marijuana Establishments, in accordance with Chapter 334 of the Acts of 2016, The Regulation and Taxation of Marijuana Act, as amended by Chapter 55 of the Acts of 2017, and otherwise (the “Act”), and regulations promulgated thereunder, in locations suitable for lawful adult use marijuana facilities and to minimize adverse impacts of Marijuana Establishments on adjacent properties, residential neighborhoods, historic districts, schools, playgrounds and other locations where minors congregate by regulating the siting, design, placement, security, and removal of Marijuana Establishments.
3. Definitions: Where not expressly defined in the Zoning By-Laws, terms used in the AUMOD By-Law shall be interpreted as defined in the Act and the regulations promulgated thereunder, and otherwise by their plain language.
4. Location
 - a. Marijuana Establishments may be permitted in the AUMOD pursuant to a Special Permit.
 - b. Marijuana Establishments may not be located within 500 feet of the following:

- (1) School, including a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university
 - (2) Child Care Facility
 - (3) Library
 - (4) Playground
 - (5) Public Park
 - (6) Youth center
 - (7) Public swimming pool
 - (8) Video arcade facility or
 - (9) Similar facility in which minors commonly congregate in an organized, ongoing, formal basis;
 - c. The distance under this section is measured in a straight line from the nearest point of the property line of the protected uses identified in Section 4.b. to the nearest point of the property line of the proposed Marijuana Establishment.
 - d. The distance requirement may be reduced to no less than 250 feet by a waiver if:
 - (1) The applicant demonstrates that the AUMOD would otherwise be effectively prohibited within the municipality; and
 - (2) The applicant demonstrates that the Marijuana Establishment will employ adequate security measures to prevent diversion of marijuana to minors.
5. Procedure: The Planning Board shall be the Special Permit Granting Authority (SPGA) for a Marijuana Establishment special permit.
- a. Application: In addition to the materials required under Section 6.E (Site Plan Approval) and Section 13.B (Special Permits) of the Zoning By- Laws, the applicant shall submit the following:
 - (1) A copy of its license to operate the Marijuana Establishment issued by the Cannabis Control Commission
 - (2) A detailed floor plan of the premises of the proposed Marijuana Establishment that identifies the square footage available and describes the functional areas of the Marijuana Establishment, including areas for any preparation of edible marijuana-infused products (“MIPs”).
 - (3) Detailed site plans that include the following information:

- (a) Compliance with the requirements for parking and loading spaces, for lot size, frontage, yards and heights and coverage of buildings, and all other provisions of this By-Law.
 - (b) Convenience and safety of vehicular and pedestrian movement on the site and for the location of driveway openings in relation to street traffic.
 - (c) Convenience and safety of vehicular and pedestrian movement off the site, if vehicular and pedestrian traffic off-site can reasonably be expected to be substantially affected by on-site changes.
 - (d) Adequacy as to the arrangement and the number of parking and loading spaces in relation to the proposed use of the premises, including designated parking for delivery vehicle(s), as applicable.
 - (e) Design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping.
 - (f) Adequacy of water supply, surface and subsurface drainage and light.
 - (g) Facilities for eliminating odors and other operational effects that may constitute a nuisance.
 - (4) A description of the security measures, including employee security policies, approved by the CCC for the Marijuana Establishment.
 - (5) A copy of the emergency procedures approved by the CCC for the Marijuana Establishment.
 - (6) A copy of the policies and procedures for the transfer, acquisition, or sale of marijuana between Marijuana Establishments approved by the CCC.
 - (7) A copy of proposed waste disposal procedures.
 - (8) A description of any waivers from applicable regulation issued by the CCC for the Marijuana Establishment.
- b. The Planning Board shall refer copies of the application to the Building Department, Fire Department, Police Department, Board of Health, Conservation Commission, and the Engineering Division of the Department of Public Works. These boards/departments shall review the application and shall submit their written recommendations. Failure to make recommendations within 35 days of referral of the application shall be deemed lack of opposition.
- c. After notice and public hearing and consideration of application materials, consultant reviews, public comments, and the recommendations of other town boards and departments, the Planning Board may act upon such a permit.

6. Special Permit Conditions on Marijuana Establishments: The Planning Board shall impose conditions reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality, and significant environmental resources, preserve the character of the surrounding area and otherwise serve the purpose of this section. In addition to any specific conditions applicable to the applicant's Marijuana Establishment, the Planning Board shall include the following conditions in any special permit granted under this By-Law:
 - a. The permit holder shall file a copy of any Deficiency Statement issued to it pursuant to 935 CMR 500 with the Building Commissioner, Police Chief, and the Planning Board within 24 hours of issuance.
 - b. The permit holder shall file a copy of any summary cease and desist order, quarantine order, summary suspension order, order limiting sales, notice of a hearing, or decision issued by the CCC or court of competent jurisdiction, as applicable, regarding the Marijuana Establishment with the Building Commissioner, Police Chief, and Planning Board within 48 hours of receipt by the Marijuana Establishment.
 - c. The permit holder shall provide to the Building Commissioner and Police Chief, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.
 - d. The special permit shall lapse within five (5) years of its issuance. If the permit holder wishes to renew the special permit, an application to renew the special permit must be submitted at least 120 days prior to the expiration of the special permit.
 - e. The special permit shall be limited to the current applicant and shall lapse if the permit holder ceases operating the Marijuana Establishment.
 - f. The special permit shall lapse upon the expiration or termination of the applicant's license issued by the CCC.
 - g. The permit holder shall notify the Building Commissioner, Police Chief, and Planning Board in writing within 48 hours of the cessation of operation of the Marijuana Establishment or the expiration or termination of the permit holder's license issued by the CCC.

7. Prohibition Against Nuisances: No use shall be allowed in the AUMOD which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.
8. Prohibition against Consumption: No marijuana shall be burned, smoked, eaten, or otherwise consumed or ingested on the premises, driveways, or parking areas of a Marijuana Establishment.
9. Prohibition against Delivery: No Marijuana Establishment shall deliver marijuana or marijuana products to consumers off-site.
10. Building: All aspects of a Marijuana Establishment relative to the cultivation, possession, processing, sales, distribution, dispensing or administration of marijuana, marijuana products, or related supplies must take place at a fixed location within a fully enclosed building, products must not be visible from the exterior of the building, and no drive through service is permitted. A Marijuana Establishment shall not be located in a trailer, storage freight, mobile structure, container, motor vehicle or other similar movable enclosure.
11. Marijuana Establishments may be located in buildings with other uses, including other types of Marijuana Establishments, only if the Marijuana Establishment is separated by full walls from the other use. No outside storage of marijuana, marijuana products, or related supplies is permitted.
12. Emergency Response Plan: All Marijuana Establishments shall meet with the Billerica Fire Department and the Billerica Police Department to discuss and identify emergency plans/contingency plans for the site prior to the issuance of a certificate of occupancy. This plan shall also include how the Billerica Police will access the Close Circuit Television. A written Emergency Response Plan shall be filed with the Billerica Fire Department and the Billerica Police Department pursuant to M.G.L. c. 94G, § 12.
13. Odor Control: The Marijuana Establishment shall provide an odor control plan that provides for proper and adequate ventilation at such facilities in such a manner so as to prevent pesticides, insecticides or other chemicals used in the cultivation or processing of marijuana or marijuana related products from being dispersed or released outside the facilities. All resulting odors, smoke, vapor, fumes, gases and particulate matter from marijuana or its processing or cultivation

shall be effectively confined to the premises or so disposed of so as to avoid any air pollution. No odor from Marijuana Establishments may be noxious or cause a public nuisance.

14. Severability: The provisions of this By-Law are severable. If any provision, paragraph, sentence, or clause of this By-Law or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this By- Law.

(Amended: 5/06/2014, Article 25)

Or act in relation thereto.

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

Finance Committee recommends approval.

Article 34 Explanation: On December 31, 2018 the Town of Billerica's Adult Use Marijuana Moratorium will expire. The Town voted in favor of Question 4 in the November 2016 Elections to legalize marijuana. This article will insert Zoning Overlay District Language for Adult Marijuana Use.

**ARTICLE 35 - TO CREATE ZONING BY-LAW FOR ADULT-USE MARIJUANA
OVERLAY DISTRICT MAP**

To see if the Town will vote to amend the Zoning Map to depict thereon an Adult Use Marijuana Overlay District consisting of the following parcels on Republic Road, Esquire Road and Sterling Road:

Map 38 Parcels 5-2, 5-6, 11-1, 15-1, 25, 28, 30-1, 30-2, 30-3-1, 30-5 and 33;

Map 39 Parcels 18-1, 18-2, 18-3, 18-4, 33-1 and 93-1;

Map 48 Parcels 5-2, 5-3, 7, 11-1, 16-1, 23-1, 24, 25, 26, 27-1, 29, 30, 32, 34, 36-1, 37-1, 38, 39, 41-3, 43, 44, 45-1, 46-1, 48, 49, and 53;

Map 58 Parcel 17.

And further to amend the Zoning By-laws, Section 3.A.3. Overlay Districts, to add the following:

i. Adult Use Marijuana Overlay District

Or act in relation thereto.

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

Finance Committee recommends approval.

Article 35 Explanation: On December 31, 2018 the Town of Billerica's Adult Use Marijuana Moratorium will expire. The Town voted in favor of Question 4 in the November 2016 Elections to legalize marijuana. This article will insert Zoning Overlay District Language for Adult Marijuana Use.

**ARTICLE 36 - TO ESTABLISH WASTEWATER CONNECTION COMPLIANCE
REGULATION**

To see if the Town will vote to amend the Town of Billerica General By-Laws Article VIII, Public Utilities, Section 2, Sewers, by inserting a new Section 2.4, Penalties, as follows:

2.4 Penalties

- (A) Any owner of a building on land abutting a common sewer line who fails to connect such building to the common sewer line in accordance with the requirements of Article VIII, Section 2.1 herein shall be subject to a surcharge in an amount equal to 60% of the cost of an average annual residential wastewater bill as determined by the Superintendent of Public Works based on the average consumption for a single family household in the previous year.

Or act in relation thereto.

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

Finance Committee recommends approval.

Article 36 Explanation: The Town of Billerica has made significant investments in sewer infrastructure throughout the Town. Currently the Town has no recourse to enforce the local by-law enacted in 1974 requiring residents to connect to the sewer system within a year. This surcharge will provide relief to rate payers who are currently bearing the burden of capital costs not contributed by violators of this by-law. Over 600 residents are violating this by-law currently. This amounts to \$200,000 in lost revenue annually which drives up the rates by approximately \$15 per user.

ARTICLE 37 – THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 38 - TO AUTHORIZE THE BOARD OF SELECTMEN TO ACQUIRE EASEMENTS ON BALDWIN ROAD

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain 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 borrow 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 recommends approval.

Article 38 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 taking to be obtained by the Town in order to complete construction work.

ARTICLE 39 - TO AUTHORIZE THE BOARD OF SELECTMEN TO ACCEPT A ROAD EASEMENT FROM PARCEL 47-29-1 LOCATED AT THE INTERSECTION OF NASHUA ROAD AND RANGEWAY ROAD

To see if the Town will vote to authorize the Board of Selectmen to accept by gift an easement or easements for roadway, drainage, utility, and/or sidewalk purposes associated with assisted living facility proposed on Nashua Road at Rangeway Road; and to authorize the Selectmen to execute any documents or instruments necessary to effect said easements; or act in relation thereto.

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

Finance Committee recommends approval.

Article 39 Explanation: Hawthorn Development, LLC is developing the parcel. The Town has required the developer to do some improvements adjacent to the parcel which will be incorporated into future improvements at that intersection. Having the developer grant the Town an easement as part of their project will make it easier for the Town for future improvement as well as cost savings for easement compensation.

ARTICLE 40 - TO ACCEPT ROADS AS PUBLIC WAYS

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

Apple Orchard Drive, from cul-de-sac to cul-de-sac, approximate length 920' and 40' wide right of way, as depicted on the plan entitled '*Lexington Farms, Plan & Profile of Apple Orchard Drive in Billerica, Mass.*' dated February 21, 1984 by Fleming, Bienvenu & Associates Inc. (Engineering Division plan A-1-289)

Brandon Street, from Treble Cove Road to dead end, approximate length 700' and 40' wide right of way, as depicted on the plan entitled '*Brandon Street Existing Condition*' dated July 17, 2002 by Allen & Major Associates, Inc. (Engineering Division plan B-4-156)

Brandon Street, from Walton Street to dead end, approximate length 250' and 40' wide right of way, as depicted on the plan entitled '*Brandon Street Existing Condition*' dated July 17, 2002 by Allen & Major Associates, Inc. (Engineering Division plan B-4-157)

Brandon Street, from dead end to Liberty Drive, approximate length 1,930' and 40' wide right of way, as depicted on the plan entitled '*Plan & Profile Brandon Street - Billerica, MA*, dated September 13, 2018 by Lighthouse Land Surveying, LLC (Engineering Division plan B-5-189)

Clermore Road, from French Street to Fardon Street, approximate length 935' and 50' wide right of way, as depicted on the plan entitled '*Clermore Road Existing Condition*' dated September 24, 2002 by Allen & Major Associates, Inc. (Engineering Division plan B-4-161)

Fardon Street, from Glad Valley Drive to Pond Lane Extension, approximate length 2,770' and 50' wide right of way, as depicted on the plan entitled '*Fardon Street Existing Condition*' September 20, 2002 by Allen & Major Associates, Inc. (Engineering Division plan B-4-174)

French Street, from Middlesex Turnpike to Concord Road, approximate length 2,060' and variable width right of way, as depicted on the plan entitled '*Plan & Profile French Street - Billerica, MA*' dated August 14, 2018 by Lighthouse Land Surveying, LLC (Engineering Division plan B-5-190)

Gail Ann Drive, from Fox Hill Road to dead end, approximate length 890' and variable width right of way, as depicted on the plan entitled '*Gail Anne Drive Existing Condition*' dated April 23, 2002 by Allen & Major Associates, Inc. (Engineering Division plan B-4-267)

Gilman Road, from Nashua Road to Moran Road, approximate length 475' and variable width right of way, as depicted on the plan entitled '*Gilman Road Existing Condition*' dated July 17, 2002 by Allen & Major Associates, Inc. (Engineering Division plan B-4-177)

Gilman Road, from Greenough Road to James Road, approximate length 1,190' and 40' wide right of way, as depicted on the plans entitled '*Road Construction & Sewer Extension Plan Gilman-James Roads*' dated January 22, 2013, by Dresser, Williams & Way, Inc. (Engineering Division plan B-5-187); '*Road Construction & Sewer Extension Plan Gilman-Jennings-Hannon Road*', dated April 11, 2011, by Dresser, Williams & Way, Inc. (Engineering Division plan B-5-187); and '*AS BUILT Gilman Road*', dated December 19, 1997, by Dresser, Williams & Way, Inc. (Engineering Division plan B-5-187)

James Road, from Gilman Road to Queensland Road, approximate length 200' and 40' wide right of way, as depicted on the plan entitled '*Road Construction & Sewer Extension Plan Gilman-James Roads*' dated January 22, 2013, by Dresser, Williams & Way, Inc. (Engineering Division plan B-5-188)

Jamieson Way, from Harvard Street to Emerson Road, approximate length 495' and 40' wide right of way, as depicted on the plan entitled '*Plan & Profile Jamieson Way - Billerica, MA*', dated August 14, 2018 by Lighthouse Land Surveying, LLC (Engineering Division plan B-5-191)

Lexington Farms Way, from Lexington Road to Apple Orchard Drive, approximate length 460' and 50' wide right of way, as depicted on the plan entitled '*Lexington Farms, Plan & Profile of Lexington Farms Way in Billerica, Mass.*' dated February 21, 1984 by Fleming, Bienvenu & Associates Inc. (Engineering Division plan A-1-289)

Linnell Circle, from cul-de-sac to Linnell Circle, approximate length 3,370' and 50' wide right of way, as depicted on the plan entitled '*Street Acceptance Plan, Suburban Park Drive Industrial Park, Suburban Park Drive & Linnell Circle, Billerica, MA*', dated November 5, 2010, by Cuoco & Cormier Engineering Associates, Inc. (Engineering Division plan B-4-262)

Suburban Park Drive, from Middlesex Turnpike to Linnell Circle, approximate length 1,515' and variable width right of way, as depicted on

the plan entitled '*Street Acceptance Plan, Suburban Park Drive Industrial Park, Suburban Park Drive & Linnell Circle, Billerica, MA*', dated November 5, 2010, by Cuoco & Cormier Engineering Associates, Inc. (Engineering Division plan B-4-262)

Terry Lane, from Lexington Road to Country Lane, approximate length 535' and 40' wide right of way, as depicted on the plan entitled '*Terry Lane Existing Condition*' dated March 15, 2002 by Allen & Major Associates, Inc. (Engineering Division plan B-4-268)

Westwood Avenue, from 125' South of Carmena Road to Old Middlesex Turnpike, approximate length 880' and 40' wide right of way, as depicted on the plan entitled '*Plan & Profile Westwood Avenue - Billerica, MA*', dated September 13, 2018 by Lighthouse Land Surveying, LLC (Engineering Division plan B-5-192)

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

Finance Committee recommends approval.

Article 40 Explanation: The above listed roads were identified based upon receipt of signed petitions for street acceptance.

ARTICLE 41 - TO AMEND ZONING BY-LAWS TO ADD PUD DISTRICT

To see if the Town will vote to amend the Zoning By-Laws, Section 5.E.9. Planned Unit Development, to add a new subsection 24.1 establishing a new Planned Unit Development (PUD) district, to be designated as PUD-IP, for the purpose of promoting higher and better uses of properties within the Town's Industrial Parks, as follows:

24.1 Additional Use and Dimensional Requirements as to PUD-IP

The following paragraphs shall serve as the basic Use and Dimension Requirements to which all PUD-IP projects shall adhere within each PUD-IP overlay district and shall be used by the Planning Board to evaluate any proposed project.

a. Parcel Size and Eligibility

The minimum size of a PUD-IP development parcel shall be 5 acres. A development parcel may consist of land in more than one ownership, provided that all land comprising the parcel lies entirely within the PUD-IP overlay district and is contiguous. Lots separated by a street or right-of-way or private way may be considered contiguous for this purpose. Proposed developments may include pre-existing buildings provided that all PUD requirements are satisfied by each new or existing building and for the PUD as a whole. More than one principal building may be located on a lot.

b. Permitted Uses in PUD-IP

A PUD-IP may contain any or all of the uses allowed in a PUD, subject to the following:

- (1) Adult Uses are expressly prohibited in a PUD-IP District.
- (2) To encourage and promote the establishment of business amenity uses (such as restaurants, retail, banks, and other secondary uses to the primary use) within portions of a PUD-IP district that are within 300 feet of a Town boundary, no multifamily dwellings shall be allowed pursuant to a PUD-IP Special Permit on land that is within 300 feet of a Town boundary for a period of seven years after the adoption of the Zoning Bylaw placing such land within the PUD-IP overlay district.
- (3) In recognition of increased density and economic benefits to the applicant pursuant to a PUD-IP Plan, the Planning Board may

consider and condition the number and interior layout of bedrooms in each non-single family residential unit that are being proposed by the developer in evaluating the criteria pursuant to this Section.

c. Intensity of Use in PUD-IP

The basic permitted intensity of the residential use in a PUD-IP development shall not be greater than 0.90 FAR for a PUD-IP development that is more than 300 feet from a municipal boundary.

For mixed use development that devotes at least 5% of the total square footage to amenity uses such as restaurants and retail, the developer can increase the residential intensity to 1.0 FAR. In order to assist in making this calculation, plans submitted for a PUD-IP Special Permit that contain residential use shall show what portion and area of the development parcel will be put to such use. Land under dwellings, residential court yards, residential driveways, non-structured parking areas that serve only residential uses and roadways that serve only residential uses shall not be counted as part of the development parcel in calculating the FAR.

Areas which have been counted to satisfy the intensity limit for residential use may not be counted to satisfy the intensity limit for commercial use, and areas which have been counted to satisfy the intensity limit for commercial use may not be counted to satisfy the intensity limit for residential use.

If rental, a minimum of ten percent (10%) of the total number of dwelling units shall be restricted as affordable "in perpetuity." If for sale, affordability requirement shall not apply. Affordable dwelling units shall be eligible for inclusion on the Chapter 40B Subsidized Housing Inventory maintained by the Massachusetts Department of Housing and Community Development (DHCD).

d. Dimensional Requirements

Each PUD-IP development shall be governed by the dimensional requirements of this Section. These requirements apply only to the subject parcel as a whole, not to individual lots created within the PUD-IP.

Height

The maximum building height within a PUD-IP shall be as follows:

- (1) The maximum building height as to a residential building shall be 50 feet except that a residential building that is less than 50 feet from the PUD-IP parcel boundary abutting a residential property shall not exceed 40 feet in height, and shall not be closer than 50 feet from such residential property. A residential building that is at least 100 feet from dwellings that are outside of a PUD-IP and in existence at the time of Preliminary PUD-IP Plan submission may have a maximum height of 55 feet, except that a dwelling within 300 feet of the Town boundary may have a maximum height of 60 feet.
- (2) The maximum height of a mixed use building shall be 65 feet. Height shall be measured in the manner defined in Section 2 of the Zoning By-laws.

Setbacks and Buffers in a PUD-IP

The extent of buffering and setbacks shall in every case be based upon the following criteria as reviewed by the Planning Board:

- Existing topography
- Existing vegetation
- Existing and Proposed Structures within and outside the PUD-IP district

Non-Residential Setbacks

All non-residential buildings shall be located at least 50 feet from the boundary of the PUD parcel, excepting a boundary which is also the Town boundary. The Planning Board will have the discretion to grant relief on front and side setbacks to coincide with the pedestrian environment. Nonresidential buildings (except structured parking) shall not be located less than 100 feet from dwellings outside of a PUD and in existence at the time of Preliminary PUD Plan submission without the written consent of the owner of such dwellings and shall not be less than 50 feet from dwellings in the PUD parcel. There shall be a landscaped and/or naturally vegetated buffer at least 50 feet wide where a nonresidential area of a PUD-IP parcel abuts residential properties outside the PUD-IP district.

Residential Setbacks

All residential buildings within a PUD-IP shall be at least 20 feet from the PUD-IP parcel boundary, which 20 foot strip shall be landscaped and/or naturally vegetated except that a residential building that abuts a residential zone not in the PUD-IP shall be no closer than 50 feet

(excluding a parcel boundary that is also a Town boundary) and a dwelling that is over 35 feet in height must be at least 40 feet from the PUD-IP parcel boundary (excluding a parcel boundary that is also a Town boundary). Natural vegetation shall be preserved in the minimum setback area along the PUD-IP parcel boundaries that abut property used for residential purposes. Buildings within the PUD-IP which contain residential units shall be no closer than 15 feet to each other. The Planning Board may allow the required 20 foot residential setback strip for dwellings in a PUD-IP parcel to be measured from the outer boundary of an abutting parcel.

Open Space

A PUD-IP shall set aside at least 25% of its total parcel area as required open space. Required Open Space may include wetlands and water bodies; vegetated/landscaped area, including buffers; pedestrian paths, side-walks, and covered walkways; public plazas and hard surfaced recreation areas. Required Open Space shall have a minimum dimension of 20 feet (which may include the dimension across a water body) and shall be open to occupants within the PUD-IP; access by the general public is required.

Recreation Connection

Any development within a PUD-IP should make every attempt to connect to existing recreation uses nearby, such as bike and walking trails. The inclusion of bike racks will be included as part of the site design. Additionally, to promote pedestrian safety and healthy living, a sidewalk connection to recreational locations is desired.

Parking

Parking within the PUD-IP will be calculated at a minimum of 1.25 spaces per unit for residential developments, and the commercial parking calculations will follow the PUD guidelines. The Planning Board may also waive some factor of parking if reduced parking is shown to not cause a detriment to the neighborhood.

Shared Parking

Shared parking may be approved by the Planning Board as part of the PUD-IP decision subject to the following criteria:

- (1) Shared parking areas must be shown on a plan, be definable, be separated by topography from other shared parking areas, and be in close proximity to the uses they serve.

- (2) Parking needs between the uses sharing parking areas shall be shown by the applicant to be different in terms of the times of the peak needs with little overlap of such peak needs.
- (3) The number of parking spaces for a shared parking area shall be at least the required number for the larger of the needs.
- (4) An executed lease or other form of agreement between or referencing the parties sharing parking, in form acceptable to the Planning Board, must be filed with the Planning Board and the Town Clerk prior to issuance of a building permit for the uses sharing the parking.
- (5) If uses, or parties in interest noted in subsection d. above, change for the areas delineated on the PUD-IP plan, then a modification subject to the requirements of this Section shall be filed and decided upon by the Planning Board prior to the issuance of building permits for the proposed areas.

Or act in relation thereto.

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

Finance Committee recommends approval.

Article 41 Explanation: A Planned Unit Development (PUD) is an overlay district that allows for a mix of uses on a collection of parcels identified by a municipality. Billerica has PUD language within its zoning, and this new language for a PUD-IP district is targeted to industrial parks and parcels in the community. The businesses in Billerica have expressed interest in the addition of amenities, such as retail, restaurants, and housing, to promote a “live, work, play” lifestyle to the workforce that they are attempting to attract. The lack of amenities forces some businesses to consider leaving Billerica. The addition of this district language can increase commercial activity, give greater site design standards for construction, focus mixed-use development, promote pedestrian safety, provide significant tax revenue and lower infrastructure costs and lessen the effects of suburban sprawl.

ARTICLE 42 - TO AMEND ZONING MAP CHANGES TO ADD PUD OVERLAY DISTRICTS

To see if the Town will vote to amend the Zoning Map to depict thereon a Planned Unit Development-IP (“PUD-IP”) overlay district, consisting of those properties listed in the table below entitled: “Technology Park PUD-IP Parcel Inventory”; or act in relation thereto.

Technology Park PUD-IP Parcel Inventory	
Parcel Number	Address
77-165-0	262 CONCORD RD
86-108-2	270 CONCORD RD
86-108-3	290 CONCORD RD
86-108-5	300 CONCORD RD
95-120-4	TECHNOLOGY PARK DR
95-120-2	TECHNOLOGY PARK DR
95-129-10-6	600 TECHNOLOGY PARK DR
95-129-10-7	800 TECHNOLOGY PARK DR
95-129-4-1	900 TECHNOLOGY PARK DR
95-129-4-2	700 TECHNOLOGY PARK DR
95-129-5-1	880 TECHNOLOGY PARK DR
95-129-6-2	1000 TECHNOLOGY PARK DR
95-129-8-1	1400 TECHNOLOGY PARK DR
95-129-9	1100 TECHNOLOGY PARK DR

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

Finance Committee recommends approval.

Article 42 Explanation: The placement of a PUD-IP district should be placed in areas identified for increased amenity development. Technology Park located just off Route 3 has significant opportunities for redevelopment and new construction, and although the area is already zoned industrial or business, a PUD-IP could deter marginal and unsustainable uses.

ARTICLE 43 - PETITIONERS ARTICLE - TO AMEND GENERAL BY-LAW ARTICLE I, TOWN MEETING

To see if the Town will vote to amend General By-Law Article I, Section 1.1(C), by changing “7:30 PM” to “7:00 PM”; or act in relation thereto.

Submitted by Kimberly J. Conway and Messrs. Conway, Deslaurier, Giroux, Gagliardi, Mahoney, Peters and Madames Gagliardi, Mahoney, Conway and Peters.

Finance Committee recommends approval.

Article 43 Explanation: Proposed wording would state that Town Meetings are to commence at 7:00 PM and shall continue by adjourned sessions on consecutive Tuesday and Thursday evenings until all of the business in the warrant has been acted upon.

ARTICLE 44 - PETITIONERS ARTICLE

RESOLUTION:

Be it resolve that the Town of Billerica (Town) vote to reaffirm that voting in all Federal, State and Municipal elections is the exclusive right and privilege of United States Citizens, and further, that the Town urges all non-citizens who desire to participate in our Federal, State and Municipal Elections, seek and obtain US Citizenship, through the citizenship process.

Be it further resolved that the Town will vote to instruct its Representatives in the Massachusetts Legislature and the United States House and Senate, to vote against any legislation or Constitutional Amendment that would alter the qualifications of voters in all Federal, State and Municipal elections and to defend voting as the exclusive right and privilege of United States Citizens in all Federal, State and Municipal elections.

Submitted by Anthony M. Ventresca and Messrs. Chin, MacLeod, Torre, Robertson, Robertson and Madames Bova, Doyle, Torre, Robertson and Robertson.

Finance Committee recommends approval.

Appendix A
Statutory References

CHAPTER 40: SECTION 49. ANNUAL TOWN REPORTS; PUBLICATION; PENALTY FOR NONCOMPLIANCE

Section 49. The selectmen, before the annual town meeting, shall at the expense of the town print the annual town report for the use of the inhabitants containing the report of the selectmen for the calendar or fiscal year preceding said meeting, the report of the school committee, statements in tabulated form prepared under section sixty of chapter forty-one unless otherwise printed as provided in said section, the annual report of the town accountant for the preceding fiscal year as provided in section sixty-one of chapter forty-one, the annual report of the town treasurer as provided in section thirty-five of chapter forty-one, and except as otherwise provided by vote or by-law of the town, of such other officers and boards as consider it expedient to make a report, the jury list as required by chapter two hundred and thirty-four, and such other matters as the law, or the town by vote or by-law, requires or as the selectmen consider expedient. If the selectmen neglect or refuse to make the annual report, they shall severally forfeit fifty dollars.

A town may by by-law provide for the printing of such fiscal year reports as it deems suitable within ninety days of the close of the fiscal year. A copy of such fiscal year reports shall be transmitted by the town clerk to the state library before the first day of November. A town may also by by-law provide for the printing of all reports of town officers and boards, committees and commissions on a fiscal year basis in place of the calendar year report required by this section.

Article 12 and 21

CHAPTER 40: SECTION 5B. STABILIZATION FUNDS; ESTABLISHMENT

Section 5B. For the purpose of creating 1 or more stabilization funds, cities, towns and districts may appropriate in any year an amount not exceeding, in the aggregate, 10 per cent of the amount raised in the preceding fiscal year by taxation of real estate and tangible personal property or such larger amount as may be approved by the director of accounts. The aggregate amount in such funds at any time shall not exceed 10 per cent of the equalized valuation of the city or town as defined in section 1 of chapter 44. Any interest shall be added to and become part of the fund. The treasurer shall be the custodian of all such funds and may deposit the proceeds in national banks or invest the proceeds by deposit in savings banks, co-operative banks or trust companies organized under the laws of the commonwealth, or invest the same in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth or in federal savings and loans associations situated in the commonwealth.

At the time of creating any such fund the city, town or district shall specify, and at any later time may alter, the purpose of the fund, which may be for any lawful purpose, including without limitation an approved school project under chapter 70B or any other purpose for which the city, town or district may lawfully borrow money. Such specification and any such alteration of purpose, and any appropriation of funds into or out of any such fund, shall be approved by two-thirds vote, except as provided in paragraph (g) of section 21C of chapter 59 for a majority referendum vote. Subject to said section 21C, in a town or district any such vote shall be taken at an annual or special town meeting, and in a city any such vote shall be taken by city council.

Article 25

Article 20

CHAPTER 44. MUNICIPAL FINANCE

MUNICIPAL INDEBTEDNESS

Section 7. Cities and towns may incur debt, by a two-thirds vote, within the limit of indebtedness prescribed in section 10, for the following purposes and payable within the periods hereinafter specified not to exceed 30 years or, except for clauses (2), (3), (6) and (7), within the period determined by the director to be the maximum useful life of the public work, improvement or asset being financed under any guideline issued under section 38:

(1) For the acquisition of interests in land or the acquisition of assets, or for the following projects: the landscaping, alteration, remediation, rehabilitation or improvement of public land, the dredging, improvement, restoration, preservation or remediation of public waterways, lakes or ponds, the construction, reconstruction, rehabilitation, improvement, alteration, remodeling, enlargement, demolition, removal or extraordinary repair of public buildings, facilities, assets, works or infrastructure, including: (i) the cost of original equipment and furnishings of the buildings, facilities, assets, works or infrastructure; (ii) damages under chapter 79 resulting from any such acquisition or project; and (iii) the cost of engineering, architectural or other services for feasibility studies, plans or specifications as part of any acquisition or project; provided that the interest in land, asset acquired or project shall have a useful life of at least 5 years; and provided further, that the period of such borrowing shall not exceed the useful life of the interest in land, asset acquired or project.

Article 16

SEWER PLANT EXPANSION AND INFLOW AND INFILTRATION SPECIAL LEGISLATION

Acts of 1989, Chapter 45, Sections 1-6. An Act Establishing a Special Account for the Town of Billerica Sewerage Plant Expansion and Inflow Infiltration Fund

Section 1. Notwithstanding the provisions of any general or special law, rule or regulation to the contrary, the Town of Billerica is hereby authorized to establish a special account to be known as the Town of Billerica Sewerage Plant Expansion and Inflow Infiltration Fund. The purpose of such fund is to provide the revenue for the funding of engineering, construction and rehabilitation of sewerage treatment works, pumping stations and facilities located within the Town of Billerica and to provide revenues to do all things necessary to correct, remedy, repair, prevent and prohibit any and all forms of infiltration or inflow from groundwater and other sources of leakage into pipes, facilities and systems. Such special account shall be maintained by the Treasurer of the Town of Billerica in a banking institution doing business in the commonwealth, and expenditures from said special account shall be made subject to appropriation initiated by the Board of Selectmen upon the recommendation of the Director of Public Works and the Town Administrator of said town and approved by a majority vote of the Town Meeting.

Section 2. Payments to such account shall be made by applicants for connection to the sewer system of said town who are constructing or erecting new buildings or developing land for industrial, commercial and residential uses. The method and amount of such payments from such private sources shall be as determined by a schedule of fees to be set by the Board of Selectmen. Said schedule shall provide for the method of determining the amount of each payment from such applicants based upon their anticipated water and sewer use by each and for the particular kind of development contemplated.

Section 3. Appropriation from time to time may be made by the Town of Billerica into said special account for the purpose of providing additional funds for aforesaid engineering, construction and rehabilitation of sewerage treatment works, pumping stations and facilities.

Section 4. The Treasurer of the Town of Billerica shall be authorized to invest monies in said special account and the interest accruing shall inure to the benefit of said special account. Said special account shall be maintained in accordance with generally accepted accounting principles and shall be audited annually with the cost of such audit charged to said special account.

Section 5. The Director of Public Works for the Town of Billerica, with the approval of the Town Administrator, may make applications for available State and Federal Government Grants for the engineering, construction and rehabilitation of sewerage treatment works, pumping stations and facilities, and to pledge any and all such sums for money in said account with the approval of the Board of Selectmen and the Town Meeting for any such matching grants for engineering, construction and rehabilitation of sewerage treatment works, pumping stations and facilities.

Section 6. The Town Accountant shall file jointly with the Board of Selectmen, the Town Administrator, the Treasurer, the Finance Committee and with the Bureau of Accounts, a written report relative to such special account authorized by Section 1. Said report shall be made within one hundred and twenty days after the books of account are closed for each fiscal year. Such report shall include a financial statement relating to the operation, maintenance and expenditures made under the said special account. Said Board of Selectmen may review and comment on said report and file such review with the State Auditor.

Article 22

Billerica Land Bank

CHAPTER 100 OF THE ACTS OF 2000

AN ACT AUTHORIZING THE TOWN OF BILLERICA TO ESTABLISH A CERTAIN FUND.

Notwithstanding the provisions of [section 53 of chapter 44](#) of the General Laws or any other general or special law to the contrary, the town of Billerica may establish a separate fund to be known as the Land Bank Fund which shall be kept separate and apart from all other monies of the town. The treasurer may invest the funds in the manner authorized by [sections 54](#) and [55 of said chapter 44](#). The principal and interest thereon may be expended for the purchase of interests in lands and buildings for conservation, open space, recreational or any other municipal purposes upon a two-thirds vote of the town meeting.

Approved June 9, 2000.

Article 25

CHAPTER 44B: COMMUNITY PRESERVATION SECTION 5: COMMUNITY PRESERVATION COMMITTEE; MEMBERS; RECOMMENDATIONS

(2) The community preservation committee shall make recommendations to the legislative body for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created as provided in this section; provided, however, that funds expended pursuant to this chapter shall not be used for maintenance. With respect to community housing, the community preservation committee shall recommend, whenever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. With respect to recreational use, the acquisition of artificial turf for athletic fields shall be prohibited; provided, however, that any project approved by a municipality for the acquisition of artificial turf for athletic fields prior to July 1, 2012 shall be a permitted use of community preservation funding.

Article 28

CHAPTER 40 Section 8C: Conservation commission; establishment; powers and duties

Section 8C. A city or town which accepts this section may establish a conservation commission, hereinafter called the commission, for the promotion and development of the natural resources and for the protection of watershed resources of said city or town. Such commission shall conduct researches into its local land areas and shall seek to co-ordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its work. Among such plans may be a conservation and passive outdoor recreation plan which shall be, as far as possible, consistent with the town master plan and with any regional plans relating to the area. The commission may, from time to time, amend such plan. Such plan shall show open areas including marsh land, swamps and other wetlands, and shall show which areas are subject to restrictions or wetland zoning provisions and any other matters which may be shown on a plat index under section thirty-three of chapter one hundred and eighty-four. Acquisitions of interests in land under this section and other municipal open lands shall be shown thereon as well as lands owned by other entities kept open through any legal requirement. Such plan shall show other areas which public necessity requires to be retained for conservation and passive recreation use. It shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the case of towns in the annual town report. The commission may appoint a director, clerks, consultants and other employees, and may contract for materials and services within available funds insofar as the same are not supplied by other departments. The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having or operating under a Plan D or Plan E form of city charter, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns they shall be appointed by the selectmen, excepting towns having a manager form of government, in which towns appointments shall

be made by the town manager, subject to the approval of the selectmen. When a commission is first established, the terms of the members shall be for one, two or three years, and so arranged that the terms of approximately one third of the members will expire each year, and their successors shall be appointed for terms of three years each. Any member of a commission so appointed may, after a public hearing, if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall in a city or town be filled for the unexpired term in the same manner as an original appointment. Said commission may receive gifts, bequests or devises of personal property or interests in real property of the kinds mentioned below in the name of the city or town, subject to the approval of the city council in a city or of the selectmen in a town. It may purchase interests in such land with sums available to it. If insufficient funds are available or other reasons so require, a city council or a town meeting may raise or transfer funds so that the commission may acquire in the name of the city or town by option, purchase, lease or otherwise the fee in such land or water rights, conservation restrictions, easements or other contractual rights including conveyances on conditions or with limitations or reversions, as may be necessary to acquire, maintain, improve, protect, limit the future use of or otherwise conserve and properly utilize open spaces in land and water areas within its city or town, and it shall manage and control the same. For the purposes of this section a city or town may, upon the written request of the commission, take by eminent domain under chapter seventy-nine, the fee or any lesser interest in any land or waters located in such city or town, provided such taking has first been approved by a two-thirds vote of the city council or a two-thirds vote of an annual or special town meeting, which land and waters shall thereupon be under the jurisdiction and control of the commission. Upon a like vote, a city or town may expend monies in the fund, if any, established under the provisions of this section for the purpose of paying, in whole or in part, any damages for which such city or town may be liable by reason of any such taking. The commission may adopt rules and regulations governing the use of land and waters under its control, and prescribe penalties, not exceeding a fine of one hundred dollars, for any violation thereof. No action taken under this section shall affect the powers and duties of the state reclamation board or any mosquito control or other project operating under or authorized by chapter two hundred and fifty-two, or restrict any established public access. Lands used for farming or agriculture, as defined in section one A of chapter one hundred and twenty-eight, shall not be taken by eminent domain under the authority of this section.

A city or town may appropriate money in any year to a conservation fund of which the treasurer shall be the custodian. Prior to the adoption of any rule or regulation which seeks to further regulate matters established by section forty of chapter one hundred and thirty-one or regulations authorized thereunder relative to agricultural or aquacultural practice, the commission shall, no later than seven days prior to the commission's public hearing on the adoption of said rules and regulations, give notice of the said proposed rules and regulations to the farmland advisory board established pursuant to section forty of chapter one hundred and thirty-one. He may deposit or invest the proceeds of said fund in savings banks, trust companies incorporated under the laws of the commonwealth, banking companies incorporated under the laws of the commonwealth which are members of the Federal Deposit Insurance Corporation, or national banks, or invest it in paid up shares and accounts of and in co-operative banks or in shares of savings and loan associations or in shares of federal savings and loan associations doing business in the commonwealth, and any income therefrom shall be credited to the fund. Money in said fund may be expended by said commission for any purpose authorized by this section; provided, however, that no expenditure for a taking by eminent domain shall be made unless such expenditure has been approved in accordance with this section.

Article 30

CHAPTER 64N: MARIJUANA TAX SECTION 3: LOCAL TAX OPTION

Section 3. Local tax option. Any city or town may impose a local sales tax upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the city or town to anyone other than a marijuana establishment at a rate not greater than 2 per cent of the total sales price received by the marijuana retailer as a consideration for the sale of marijuana or marijuana products. A marijuana retailer shall pay a local sales tax imposed under this section to the commissioner at the same time and in the same manner as the sales tax due to the commonwealth.

All sums received by the commissioner under this section shall not be considered received on account of the commonwealth and shall at least quarterly be distributed, credited and paid by the state treasurer upon certification of the commissioner to each city or town that has adopted this section in proportion to the amount of such sums received from the sale or transfer of marijuana and marijuana products in the city or town.

Enterprise Fund

Section 53F1/2. Notwithstanding the provisions of section fifty-three or any other provision of law to the contrary, a city or town which accepts the provisions of this section may establish a separate account classified as an "Enterprise Fund", for a utility, health care, recreational or transportation facility, and its operation, as the city or town may designate, hereinafter referred to as the enterprise. Such account shall be maintained by the treasurer, and all receipts, revenues and funds from any source derived from all activities of the enterprise shall be deposited in such separate account. The treasurer may invest the funds in such separate account in the manner authorized by sections fifty-five and fifty-five A of chapter forty-four. Any interest earned thereon shall be credited to and become part of such separate account. The books and records of the enterprise shall be maintained in accordance with generally accepted accounting principles and in accordance with the requirements of section thirty-eight.

No later than one hundred and twenty days prior to the beginning of each fiscal year, an estimate of the income for the ensuing fiscal year and a proposed line item budget of the enterprise shall be submitted to the mayor, board of selectmen or other executive authority of the city or town by the appropriate local entity responsible for operations of the enterprise. Said board, mayor or other executive authority shall submit its recommendation to the town meeting, town council or city council, as the case may be, which shall act upon the budget in the same manner as all other budgets.

The city or town shall include in its tax levy for the fiscal year the amount appropriated for the total expenses of the enterprise and an estimate of the income to be derived by the operations of the enterprise. If the estimated income is less than the total appropriation, the difference shall be added to the tax levy and raised by taxation. If the estimated income is more than the total appropriation, the excess shall be appropriated to a separate reserve fund and used for capital expenditures of the enterprise, subject to appropriation, or to reduce user charges if authorized by the appropriate entity responsible for operations of the enterprise. If during a fiscal year the enterprise incurs a loss, such loss shall be included in the succeeding fiscal year's budget.

If during a fiscal year the enterprise produces a surplus, such surplus shall be kept in such separate reserve fund and used for the purposes provided therefor in this section.

For the purposes of this section, acceptance in a city shall be by vote of the city council and approval of the mayor, in a town, by vote of a special or annual town meeting and in any other municipality by vote of the legislative body.

A city or town which has accepted the provisions of this section with respect to a designated enterprise may, in like manner, revoke its acceptance.

Appendix B
Town Budget Information

Fall Budget Amendments FY 2019

Original FY2019 Budget		\$ 150,308,106
Article 13 - Raise and Appropriate:		
910-7096	Legal	\$ 50,000.00
910-xxxx	IUPE Settlement/NEPBA Contract Retro	11,000
192-7058	Building Maintenance Contracts	25,000
91070-7042	Medicare	
123-7060	Management Analyst	10,000
220-5110	Fire Personnel	-
Budget Increase		\$ 96,000
Amended FY2019 Budget		\$ 150,404,106

And further amended to transfer \$1,625,000 from Debt Stabilization to cover previously appropriated Debt Service associated with the Billerica Memorial High School Project.

Fiscal Year 2019 Amended Budget Summary

Department	FY2017 BUDGET	FY2018 BUDGET	FY2019 BUDGET	FY2019 AMENDED BUDGET	\$ INC/DEC	% INC/DEC
General Government	\$ 4,823,002	\$ 4,989,994	\$ 5,409,266	\$ 5,505,266	\$ 515,272	10.33%
Public Safety	18,344,190	18,720,964	18,865,659	18,865,659	144,695	0.77%
Public Works	7,502,847	7,771,330	7,998,893	7,998,893	227,563	2.93%
Library and Recreation	1,924,980	1,930,909	2,078,090	2,078,090	147,181	11.79%
Human Services	1,025,810	1,028,972	925,295	925,295	(103,677)	-10.08%
Total Town Departments	33,620,829	34,442,169	35,277,203	35,373,203	931,034	2.70%
Billerica Public Education	59,643,860	61,423,060	62,453,321	62,453,321	1,030,261	1.68%
Shawsheen Technical	10,122,691	10,579,268	10,917,388	10,917,388	338,120	3.20%
Total Education	\$ 69,766,551	\$ 72,002,328	\$ 73,370,709	\$ 73,370,709	\$ 1,368,381	1.90%
Town/School Shared Costs	32,499,184	39,595,283	41,660,194	41,660,194	2,064,911	5.22%
TOTAL	\$ 135,886,564	\$ 146,039,780	\$ 150,308,106	\$ 150,404,106	\$ 4,364,326.19	2.99%
Water Enterprise Fund Budget	\$ 6,033,656	\$ 5,986,508	\$ 6,188,894	\$ 6,188,894	\$ 202,386	3.38%
Wastewater Enterprise Fund Budget	\$ 7,686,646	\$ 8,459,132	\$ 8,327,388	\$ 8,327,388	\$ (131,744)	-1.56%
Total Budgets	\$ 149,606,866	\$ 160,485,420	\$ 164,824,387	\$ 164,920,387	\$ 4,434,968	
Total Budgets less Shared Cost:	\$ 117,107,682	\$ 120,890,137	\$ 123,164,193	\$ 123,260,193	\$ 2,274,057	1.88%

TOWN OF BILLERICA FINANCIAL RECAP FISCAL YEAR 2019 FALL

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	FINAL BUDGET FY15	FINAL BUDGET FY16	FINAL BUDGET FY17	FINAL BUDGET FY18	FINAL BUDGET FY19
<u>USES OF FUNDING (AMOUNTS TO BE RAISED):</u>					
APPROPRIATIONS:					
GENERAL FUND BUDGET (Includes all TM R&A)	128,702,477.00	120,579,082.40	126,059,929.00	135,257,067.00	138,894,658.92
Water Enterprise Budget		6,186,493.00	6,033,655.51	5,986,507.83	6,188,893.61
Water Enterprise Capital Budget		305,518.00			
Wastewater Enterprise Budget		8,032,795.00	7,696,146.04	8,459,132.00	8,327,388.00
Fall 2018 STM, Article 3, CBA School Admin Raise and Appropriate					57,387.00
Fall 2018 STM, Article 8, Fund NEPBA Civilian Dispatch 24,904 through Free Cash and \$24,543 through Raise and Appropriate					49,447.00
Fall 2018 STM, Article 12, Free Cash to Debt Stabilization					1,800,000.00
Fall 2018 STM Article 13, To Cover Debt Stabilization					1,625,000.00
Fall 2018 STM Article 14, Town Capital					1,550,000.00
Fall 2018 STM Article 15, School Capital					1,400,000.00
Fall 2018 STM Article 16, Sewer Covers I/I					50,000.00
Fall 2018 STM Article 17, Whipple and Andover					400,000.00
Fall 2018 STM Article 18, Frost Street Phase II					500,000.00
Fall 2018 STM Article 25, CPA Article					1,605,141.00
Fall 2018 STM Article 29, Sewer Hook Up Loan Program					200,000.00
CPA Budget Article				700,000.00	900,000.00
TOTAL APPROPRIATIONS	140,378,411.00	141,010,635.40	146,147,730.55	158,469,479.83	163,547,915.53
<u>OTHER LOCAL EXPENDITURES / DEFICITS:</u>					
TAX TITLE PURPOSES	50,000.00				
CHARTER SCHOOL ASSESSMENT					
SCHOOL CHOICE					
COUNTY RETIREMENT	8,541,268.00	9,204,554.00	9,826,635.00	10,782,713.00	11,509,447.00
DEBT & INTEREST					
FINAL JUDGMENTS				60,000.00	60,000.00
OVERLAY DEFICITS					
CHERRY SHEET OFFSETS	72,351.00	60,000.00		47,593.00	47,593.00
REVENUE DEFICIT		46,409.00			
SNOW / ICE DEFICIT	698,887.00	589,103.00	376,878.00	903,739.00	912,917.00
PROJECTED SNOW / ICE REIMBURSEMENT					
OVERLAY RESERVE	2,304,476.00	2,809,476.36	2,809,476.36	2,809,476.36	2,809,476.36
OTHER - MEDICARE/UNEMPLOYMENT					
OTHER - UNFORESEEN CHARGES/ASSESSMENTS					
TOTAL OTHER LOCAL EXPENDITURES	11,666,982.00	12,709,542.36	13,012,989.36	14,603,521.36	15,339,433.36
STATE AND COUNTY CHARGES	5,886,721.00	5,873,560.00	5,591,126.00	5,258,306.00	5,219,905.00
TOTAL USES OF FUNDING	157,932,114.00	159,593,737.76	164,751,845.91	178,331,307.19	184,107,253.89

TOWN OF BILLERICA FINANCIAL RECAP FISCAL YEAR 2019 FALL

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	FINAL BUDGET FY15	FINAL BUDGET FY16	FINAL BUDGET FY17	FINAL BUDGET FY18	FINAL BUDGET FY19
TOWN OF BILLERICA FALL FINANCIAL RECAP FISCAL YEAR 2019					Page 2

	FINAL BUDGET FY15	FINAL BUDGET FY16	FINAL BUDGET FY17	FINAL BUDGET FY18	FINAL BUDGET FY19
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SOURCES OF FUNDING :

PROPERTY TAXES 2 1/2 LEVY LIMIT	109,174,493.00	114,615,720.00	120,397,155.00	126,408,133.00	132,456,786.00
NEW GROWTH	2,620,205.00	2,523,591.00	2,606,525.00	2,818,000.00	2,500,000.00
AMEND PY NEW GROWTH			321,328.00		
TOTAL PROPERTY TAXES	111,794,698.00	117,139,311.00	123,325,008.00	129,226,133.00	134,956,786.00
ADD CPA					
ADD DEBT EXCLUSION	1,912,362.00	1,867,362.50	1,742,363.00	6,369,745.10	6,604,781.50
DOR ROUNDING					
LESS EXCESS LEVY CAPACITY	-9,452,568.00	-9,242,753.14	-10,524,638.00	-12,944,713.00	-13,593,223.61
WATER LEVY		1,986,493.00	1,833,655.51	1,586,507.83	1,788,893.61
SEWER LEVY		4,257,795.00	3,921,146.04	4,259,132.00	4,127,388.00
GENERAL FUND LEVY		103,519,632.36	108,787,931.45	116,805,525.27	122,052,062.28
TOTAL PROPERTY TAXES - ADJUSTED	104,254,492.00	109,763,920.36	114,542,733.00	122,651,165.10	127,968,343.89

SOURCES OF FUNDING (cont):**STATE ESTIMATED REVENUES:**

CHAPTER 70 - SCHOOL AID	18,486,609.00	18,620,584.00	18,904,494.00	19,055,514.00	19,202,874.00
CHARTER TUITION ASSESSMENT REIMBURSEMENT	563,185.00	381,146.00	190,893.00	142,880.00	131,271.00
SCHOOL LUNCH - OFFSET	26,323.00				
LOTTERY	5,181,504.00	5,368,038.00	5,598,864.00	5,817,220.00	6,020,823.00
VETERANS' BENEFITS	445,548.00	473,696.00	386,332.00	333,206.00	302,335.00
EXEMPTIONS - VETS, BLIND & SURVIVING SPOUSE	207,261.00	234,621.00	233,585.00	247,065.00	237,951.00
STATE OWNED LAND	102,465.00	102,465.00	101,246.00	101,149.00	126,590.00
PUBLIC LIBRARIES - OFFSET	46,028.00	46,409.00	46,521.00	47,593.00	50,131.00
TOTAL STATE ESTIMATED REVENUES	25,058,923.00	25,226,959.00	25,461,935.00	25,744,627.00	26,071,975.00

LOCAL ESTIMATED REVENUES:

MOTOR VEHICLE EXCISE	5,500,000.00	5,400,000.00	5,400,000.00	5,900,000.00	5,900,000.00
OTHER EXCISES (HOTEL/MOTEL)	850,000.00	925,000.00	925,000.00	1,425,000.00	1,425,000.00
PENALTIES & INTEREST	250,000.00	350,000.00	350,000.00	350,000.00	350,000.00
P.I.L.O.T.	38,000.00	38,000.00	38,000.00	38,000.00	38,000.00
CHARGES FOR SERVICES - WATER	4,000,000.00				
CHARGES FOR SERVICES - SEWER	3,000,000.00				
FEES (Includes Ambulance Receipts)	1,900,000.00	2,050,000.00	2,050,000.00	2,050,000.00	2,050,000.00
DEPARTMENTAL REVENUE-LIBRARY	9,500.00	9,000.00	9,000.00	9,000.00	9,000.00
DEPARTMENTAL REVENUE-CEMETERY	70,000.00	110,000.00	110,000.00	110,000.00	110,000.00
OTHER DEPARTMENTAL REVENUE	175,000.00	250,000.00	250,000.00	250,000.00	250,000.00
LICENSES & PERMITS	750,000.00	675,000.00	675,000.00	675,000.00	675,000.00
FINES & FORFEITS	87,000.00	125,000.00	125,000.00	125,000.00	125,000.00
INTEREST EARNINGS	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00
MISC. STATE AND OTHER REVENUE	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00
NON RECURRING REVENUE					
TOTAL LOCAL ESTIMATED REVENUES	17,029,500.00	10,332,000.00	10,332,000.00	11,332,000.00	11,332,000.00

TOWN OF BILLERICA FINANCIAL RECAP FISCAL YEAR 2019 FALL

Page 1

	FINAL BUDGET FY15	FINAL BUDGET FY16	FINAL BUDGET FY17	FINAL BUDGET FY18	FINAL BUDGET FY19
TOWN OF BILLERICA FALL FINANCIAL RECAP FISCAL YEAR 2019					
					Page 3

	FINAL BUDGET FY15	FINAL BUDGET FY16	FINAL BUDGET FY17	FINAL BUDGET FY18	FINAL BUDGET FY19
ENTERPRISE REVENUE					
CHARGES FOR SERVICES - WATER		4,200,000.00	4,200,000.00	4,400,000.00	4,400,000.00
CHARGES FOR SERVICES - WATER BACKFLOW AND CROSS CONNECTION		305,518.00			
CHARGES FOR SERVICES - NEW REVENUE					
CHARGES FOR SERVICES - SEWER		3,775,000.00	3,775,000.00	4,200,000.00	4,200,000.00
TOTAL ENTERPRISE REVENUES		8,280,518.00	7,975,000.00	8,600,000.00	8,600,000.00
OTHER AVAILABLE FUNDS:					
CPA REVENUE				700,000.00	900,000.00
CPA Appropriation					1,605,141.00
WASTE WATER PLANT EXPANSION FUND			375,000.00		
WASTE WATER INFLOW / INFIL. FUND	400,000.00		140,000.00	50,000.00	50,000.00
WATER CONSERVATION FUND	200,000.00	75,000.00			
PREVIOUS WARRANT ARTICLES	599,333.00				
SALE OF LOTS & GRAVES TRUST	125,000.00				
DEBT STABILIZATION APPROPRIATION				1,400,000.00	1,625,000.00
FREE CASH	6,985,100.00	5,080,000.00	3,981,914.00	5,719,000.00	3,874,904.00
WATER ENTERPRISE RETAINED EARNINGS			782,000.00	200,000.00	975,000.00
WASTEWATER ENTERPRISE RETAINED EARNINGS			1,079,086.00	50,000.00	1,025,000.00
OVERLAY SURPLUS	2,720,172.00	450,000.00		1,704,623.00	
RINK REVOLVING FUND	83,594.00	83,594.00	83,594.00	79,890.00	79,890.00
LAND FUND					
MISC. REVENUE FUNDS					
BUDGET TRANSFERS	476,000.00	301,747.00		100,000.00	
CHAPTER 90 - HIGHWAY					
TOTAL OTHER AVAILABLE FUNDS	11,589,199.00	5,990,341.00	6,441,594.00	10,003,513.00	10,134,935.00
TOTAL SOURCES OF FUNDING	157,932,114.00	159,593,738.36	164,753,262.00	178,331,305.10	184,107,253.89
PROJECTED SURPLUS (DEFICIT)	-	0.60	1,416.09	(2.09)	0.00

**C.S. 1-ER Commonwealth of Massachusetts Department of Revenue FY2019
NOTICE TO ASSESSORS OF ESTIMATED RECEIPTS
General Laws, Chapter 58, Section 25A
Billerica**

A. EDUCATION:

Distributions and Reimbursements:

Chapter 70	19,202,874
School Transportation	0
Charter Tuition Reimbursement	131,271
Smart Growth	0

Offset Items – Reserve for Direct Expenditure:

School Choice Receiving Tuition	0
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Sub-Total, All Education Items:	19,334,145
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B. GENERAL GOVERNMENT:

Distributions and Reimbursements:

Unrestricted General Government Aid	6,020,823
Local Share of Racing Taxes	0
Regional Public Libraries	0
Urban Revitalization	0
Veterans Benefits	302,335
Exemp: VBS and Elderly	237,951
State Owned Land	126,590

Offset Item - Reserve for Direct Expenditure:

Public Libraries	50,131
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Sub-Total, All General Government:	6,737,830
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C. TOTAL ESTIMATED RECEIPTS:	26,071,975
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C.S. 1-EC Commonwealth of Massachusetts Department of Revenue FY2019

NOTICE TO ASSESSORS OF ESTIMATED CHARGES

General Laws, Chapter 59, Section 21

Billerica

A. COUNTY ASSESSMENTS:

County Tax	0
Suffolk County Retirement	0
Essex County Reg Comm Center	0
Sub-Total, County Assessments:	0

B. STATE ASSESSMENTS AND CHARGES:

Retired Employees Health Insurance	0
Retired Teachers Health Insurance	2,385,688
Mosquito Control Projects	95,584
Air Pollution	13,587
Metropolitan Area Planning Council	0
Old Colony Planning Council	0
RMV Non-Renewal Surcharge	26,380
Sub-Total, State Assessments:	2,521,239

C. TRANSPORTATION AUTHORITIES:

MBTA	0
Boston Metro. Transit District	0
Regional Transit	308,004
Sub-Total, Transportation Assessments:	308,004

D. ANNUAL CHARGES AGAINST RECEIPTS:

Special Education	0
STRAP Repayments	0
Multi-Yr Repayment	0
Sub-Total, Annual Charges Against Receipts:	0

E. TUITION ASSESSMENTS:

School Choice Sending Tuition	144,525
Charter School Sending Tuition	2,246,137
Sub-Total, Tuition Assessments:	2,390,662

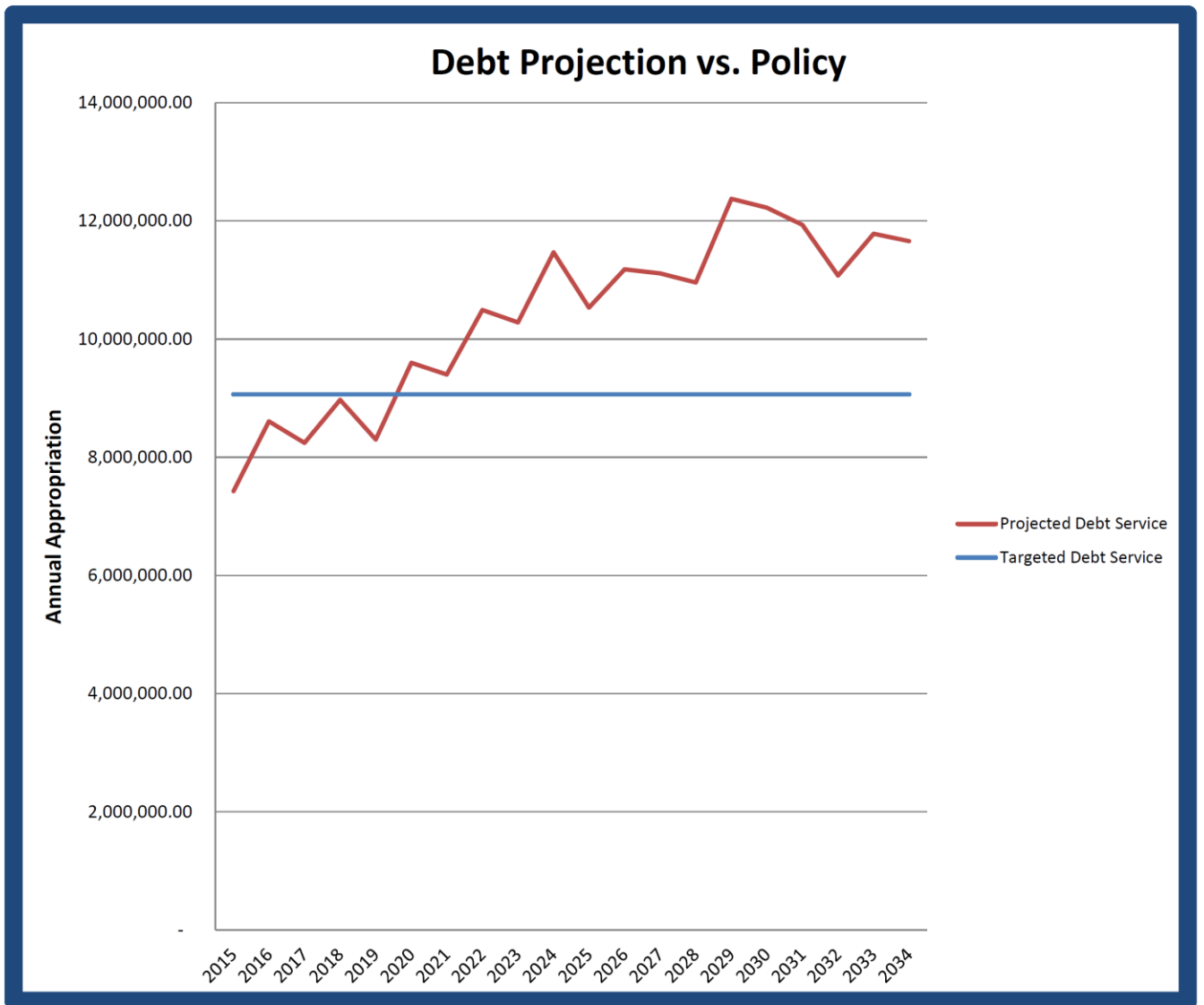
F. TOTAL ESTIMATED CHARGES:

5,219,905

Free Cash Articles for Fall Town Meeting 2019

Article	Free Cash (Certified)	FY2018	FY2018	FY2018	FY2018
		Free Cash	Water RE	Sewer RE	initiation/inflow Fund
		<u>\$ 5,390,953.00</u>	<u>\$ 2,308,016.00</u>	<u>\$ 2,071,672.00</u>	<u>\$ 181,723.00</u>
8	NEPBA Civilian Dispatch	24,904.00			
12	Debt Stabilization	\$ 1,300,000.00		500,000.00	
14	Town Capital	50,000.00	975,000.00	525,000.00	
15	School Capital	1,400,000.00			
16	I/I Replacement				50,000.00
17	Whipple Rd	400,000.00			
18	Frost Street Drainage	500,000.00			
29	Low Interset Loan Program	200,000.00			
		-			
		<u>3,874,904.00</u>	<u>975,000.00</u>	<u>1,025,000.00</u>	<u>50,000.00</u>
	Balance Remaining	<u>\$ 1,516,049.00</u>	<u>\$ 1,333,016.00</u>	<u>\$ 1,046,672.00</u>	<u>\$ 131,723.00</u>

The Articles listed above are endorsed as a slate of articles to appropriate FY2018 Free Cash, Retained Earnings Board of Selectmen and the Finance Committee. The remaining fund balances are needed for Spring Town



Town of Billerica
Debt Stabilization Fund Schedule

Fiscal Year	Beginning Balance	Interest	Appropriations		Draw Down		Ending Balance
			Levy	Free Cash	Wastewater	HS Debt Exclusion	
2016	9,094,440	173,191	0	1,800,000	0		11,067,631
2017	11,447,593	161,273	823,277	3,000,000	0		15,432,143
2018	15,423,143		60,434	1,800,000	0	-1,400,000	15,883,577
2019	15,883,577	112,101	705,764	1,800,000	0	-1,625,000	16,876,442
2020	16,876,442	320,652	0	1,800,000	-534,555	-1,425,000	17,037,540
2021	17,037,540	323,713	0	1,800,000	-334,062	-1,125,000	17,702,191
2022	17,702,191	336,342	0	1,800,000	-1,426,876	-1,000,000	17,411,657
2023	17,411,657	330,821	0	1,800,000	-1,216,214	-1,250,000	17,076,265
2024	17,076,265	324,449	0	1,800,000	-2,401,297	-725,000	16,074,417
2025	16,074,417	305,414	0	1,800,000	-1,466,306	-700,000	16,013,525
2026	16,013,525	304,257	0	1,800,000	-2,115,505	-1,000,000	15,002,277
2027	15,002,277	285,043	0	1,800,000	-2,046,909	-800,000	14,240,411
2028	14,240,411	270,568	0	1,800,000	-1,891,184	-900,000	13,519,795
2029	13,519,795	256,876	0	1,800,000	-3,307,548	-775,000	11,494,123
2030	11,494,123	218,388	0	1,800,000	-3,159,397	-775,000	9,578,115
2031	9,578,115	181,984	0	1,800,000	-2,868,484	-925,000	7,766,615
2032	7,766,615	147,566	0	1,800,000	-2,008,960	-900,000	6,805,220
2033	6,805,220	129,299	0	1,800,000	-2,716,345	-950,000	5,068,175
2034	5,068,175	96,295	0	1,800,000	-2,591,546	-525,000	3,847,924
2035	3,847,924	73,111	0	1,800,000	-2,570,032	-500,000	2,651,003
2036	2,651,003	50,369	0	1,800,000	0	-475,000	4,026,372
2037	4,026,372	76,501	0	1,800,000	0	-400,000	5,502,873
2038	5,502,873	104,555	0	1,800,000	0	-400,000	7,007,428
2039	7,007,428	133,141	0	1,800,000	0	-400,000	8,540,569
2040	8,540,569	162,271	0	1,800,000	0		10,502,840
Totals		4,878,181	1,589,475	55,847,593	-32,655,218	-18,975,000	

Massachusetts Department of Revenue Division of Local Services

Christopher C. Harding, Commissioner

Sean R. Cronin, Senior Deputy Commissioner of Local Services

9/25/2018

NOTIFICATION OF FREE CASH APPROVAL - Town of Billerica

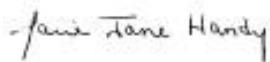
Based upon the un-audited balance sheet submitted, I hereby certify that the amount of available funds or "free cash" as of July 1, 2018 for the Town of Billerica is:

General Fund		\$5,390,953.00
Enterprise Fund	WATER	\$2,308,016.00
Enterprise Fund	SEWER	\$2,071,672.00

This certification is in accordance with the provisions of G. L. Chapter 59, §23, as amended.

Certification letters will be emailed to the mayor/manager, board of selectmen, prudential committee, finance director and treasurer immediately upon approval, provided an email address is reported in DLS' Local Officials Directory. Please forward to other officials as you deem appropriate.

Sincerely,



Mary Jane Handy
Director of Accounts
Massachusetts Department of Revenue

Appendix C

Reserve Balances

Reserve Balances as of September 1, 2018

Free Cash General Fund	\$ 5,390,953
Retained Earnings Water	\$ 2,308,016
Retained Earnings Sewer	\$ 2,071,672
Stabilization (town)	\$ 4,601,167
Stabilization (school)	\$ 710,776
Stabilization (debt)	\$ 15,944,244
Land Fund	\$ 529,603
Sale of Lots	\$ 260,527
Sewer Expansion	\$ 1,260,425
Inflow & Infiltration	\$ 254,859
Water Conservation	\$ 480,640
OPEB Trust	\$ 2,665,913

Appendix D

Articles 1, 2, 8, 12, 13, 14, 16, 17, and 20

ARTICLE 1 - TO APPOINT ONE MEMBER TO THE BOWER'S FUND

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

Submitted by the Board of Selectmen

Move that the Town appoint Eleanor Shea to the Bowers Committee to fill a five-year term commencing November 1, 2018 to October 31, 2023.

(Majority Vote)



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



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

Motions:

1. Move that the Town accept all Town Reports.
2. Move that Town Meeting vote to re-establish all Standing Committees of Town Meeting

Majority Vote



ARTICLE 8 – To Fund Collective Bargaining Agreement (CBA) for NEPBA Police Civilian Dispatchers

- The Police Civilian Dispatchers Union has 10 Members.
- The term of the contract is from July 1, 2016 through June 30, 2019 – FY2017, FY2018 and FY2019.
- The cost of living adjustment (COLA) is:
2% -2% -2%

Majority Vote



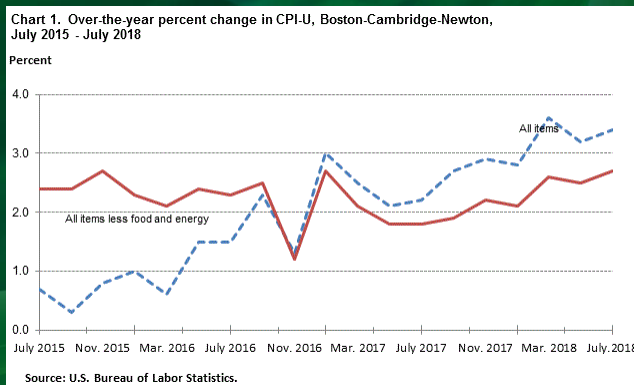
ARTICLE 8 – To Fund Collective Bargaining Agreement (CBA) for NEPBE Police Civilian Dispatchers

- \$24,904 is retroactive pay for FY2017 and FY2018.
- \$24,543 is being raised and appropriated to fund the third year of the contract – FY2019.

Majority Vote

ARTICLE 8 – To Fund Collective Bargaining Agreement (CBA) for NEPBE Police Civilian Dispatchers

Over the last 12 months, the Boston CPI-U **rose 3.4 %**. The increase was largely attributable to higher prices within all items less food and energy up 2.7 percent and to a lesser extent higher energy prices paid by area consumers, up 14.8% chart 1



Source: Bureau of Labor Statistics

ARTICLE 12 – Fiscal Year 2019 Transfer from Free Cash and Wastewater Retained Earnings to Debt Stabilization

Move to transfer and appropriate from General Fund Free Cash the sum of \$1,300,000 and \$500,000 from Wastewater Retained Earnings to the Debt Stabilization Fund.

Majority Vote



ARTICLE 12 – Fiscal Year 2019 Transfer from Free Cash and Wastewater Retained Earnings to Debt Stabilization

Move to transfer and appropriate from General Fund Free Cash the sum of \$1,300,000 and \$500,000 from Wastewater Retained Earnings to the Debt Stabilization Fund.

Majority Vote



ARTICLE 12 – Fiscal Year 2019 Transfer from Free Cash to Debt Stabilization

Debt Policy

Anything above - the difference is appropriated **from** Debt Stabilization

\$9,066,000

Anything below - the difference is appropriated **to** Debt Stabilization

71070-7199	Spring Appropriation to Debt Stabilization	\$705,764
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ARTICLE 12 – Fiscal Year 2019 Transfer from Free Cash to Debt Stabilization

71070-7199	Spring Appropriation to Debt Stabilization	\$705,764
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Debt Stabilization Appropriation.....\$705,764
Fulfills Debt Policy



ARTICLE 12 – Fiscal Year 2019 Transfer from Free Cash to Debt Stabilization

Town of Billerica
Debt Stabilization Fund Schedule

Fiscal Year	Beginning Balance	Interest	Appropriations		Draw Down		Ending Balance
			Levy	Free Cash	Wastewater	HS Debt Exclusion	
2016	9,094,440	173,191	0	1,800,000	0		11,067,631
2017	11,447,593	161,273	823,277	3,000,000	0		15,432,143
2018	15,432,143		601,434	1,800,000	0	-1,400,000	15,892,577
2019	15,892,577	112,101	705,764	1,800,000	0	-1,625,000	16,885,442
2020	16,885,442	320,823	0	1,800,000	-534,555	-1,425,000	17,046,711
2021	17,046,711	323,888	0	1,800,000	-334,062	-1,125,000	17,711,536
2022	17,711,536	336,519	0	1,800,000	-1,426,876	-1,000,000	17,421,180
2023	17,421,180	331,002	0	1,800,000	-1,216,214	-1,250,000	17,085,969
2024	17,085,969	324,633	0	1,800,000	-2,401,297	-725,000	16,084,305
2025	16,084,305	305,602	0	1,800,000	-1,466,306	-700,000	16,023,601
2026	16,023,601	304,448	0	1,800,000	-2,115,505	-1,000,000	15,012,545
2027	15,012,545	285,238	0	1,800,000	-2,046,909	-800,000	14,250,874
2028	14,250,874	270,767	0	1,800,000	-1,891,184	-900,000	13,530,456
2029	13,530,456	257,079	0	1,800,000	-3,307,548	-775,000	11,504,987
2030	11,504,987	218,595	0	1,800,000	-3,159,397	-775,000	9,589,185
2031	9,589,185	182,195	0	1,800,000	-2,868,484	-925,000	7,777,895
2032	7,777,895	147,780	0	1,800,000	-2,008,960	-900,000	6,816,715
2033	6,816,715	129,518	0	1,800,000	-2,716,345	-950,000	5,079,888
2034	5,079,888	96,518	0	1,800,000	-2,591,546	-525,000	3,859,860
2035	3,859,860	73,337	0	1,800,000	-2,570,032	-500,000	2,663,166
2036	2,663,166	50,600	0	1,800,000	0	-475,000	4,038,766
2037	4,038,766	76,737	0	1,800,000	0	-400,000	5,515,502
2038	5,515,502	104,795	0	1,800,000	0	-400,000	7,020,297
2039	7,020,297	133,386	0	1,800,000	0	-400,000	8,553,683
2040	8,553,683	162,520	0	1,800,000	0		10,516,203
Totals	4,882,544	1,589,475	55,847,593	-32,655,218	-18,975,000		



ARTICLE 12 – Fiscal Year 2019 Transfer from Free Cash to Debt Stabilization

History of Debt Stabilization			
Date	Source	Article	Appropriation
10/4/2011	Free Cash	23	1,373,593
6/30/2012	Interest		10,339
10/2/2012	Levy	12	724,588
10/2/2012	Free Cash	23	1,289,321
6/30/2013	Interest		80,692
10/1/2013	Levy	16	908,817
10/1/2013	Free Cash	31	753,836
6/30/2014	Interest		72,634
10/7/2014	Free Cash	20	1,102,100
10/7/2014	Overlay Surplus	18	2,720,172
6/30/2015	Interest		175,327
10/6/2015	Free Cash	13	1,800,000
6/30/2016	Interest		311,248
10/4/2016	Levy	12	735,000
10/4/2016	Free Cash	13	731,856
10/4/2016	WW RE	13	1,068,144
5/1/2017	Overlay Surplus	20	1,200,623
6/30/2017	Interest		481,609
11/21/2017	W/D	12	(1,400,000)
11/21/2017	Free Cash	23	1,800,000
11/21/2017	Levy	11	60,434
5/30/2018	Overlay Surplus	17	55,265
6/30/2018	Interest		(223,456)
7/31/2018	Interest		112,101
Subtotal:			\$ 15,944,244
Total			\$ 15,944,244
Date		Article	Appropriation
5/1/2018	Levy	3	766,198
10/2/2018	W/D	xx	(1,625,000)
10/2/2018	Free Cash	xx	1,800,000
2018-2019 Appropriations			\$ 941,198
Balance after Fall 2018			\$ 16,885,442



Free Cash Analysis and Capital Articles

Free Cash Articles for Fall Town Meeting 2019

Article	Free Cash (Certified)	FY2018	FY2018	FY2018	FY2018
		Free Cash	Water RE	Sewer RE	Infiltration/Inflow Fund
8	NEPBA Civilian Dispatch	24,904.00			
12	Debt Stabilization	\$ 1,300,000.00		500,000.00	
14	Town Capital	50,000.00	975,000.00	525,000.00	
15	School Capital	1,400,000.00			
16	I/I Replacement				50,000.00
17	Whipple Rd	400,000.00			
18	Frost Street Drainage	500,000.00			
29	Low Interset Loan Program	200,000.00			
		-			

		<u>3,874,904.00</u>	<u>975,000.00</u>	<u>1,025,000.00</u>	<u>50,000.00</u>
Balance Remaining	\$	1,516,049.00	\$ 1,333,016.00	\$ 1,046,672.00	\$ 131,723.00

The Articles listed above are endorsed as a slate of articles to appropriate FY2018 Free Cash, Retained Earnings and Board of Selectmen and the Finance Committee. The remaining fund balances are needed for Spring Town Meeting.



Free Cash Analysis and Fiscal Policies

How does Billerica's free cash compare with the recommended guidelines of the Department of Revenues?



Free Cash Analysis

DEPARTMENT OF REVENUE DIVISION OF LOCAL SERVICES TECHNICAL ASSISTANCE SECTION FOR MORE INFORMATION EMAIL:

tacontact@dor.state.ma.us 1 (FREE CASH)

Free Cash

DOR recommends that communities understand the role free cash plays in sustaining a strong credit rating Under sound financial policies, a community would strive to generate free cash in an amount equal to **3-to-5 percent** of its annual budget. (Total Appropriation)

As a non-recurring revenue source, a prudent use of free cash would be to fund one-time expenditures, a capital purpose or to replenish other reserves. If projected as a revenue source to support the ensuing year's operations, the amount used would be restricted to a percentage of total free cash.

However, DOR also recommends that free cash not be available to supplement current year departmental operations. By eliminating the expectation of additional resources later in the fiscal year to back-fill budgets, department heads will produce more accurate and realistic annual appropriation requests.



Free Cash Analysis

Free Cash Analysis for DOR Guidelines

FY2018 Total Appropriation	\$ 178,331,306.88	100%
DOR Maximum Recommended Free Cash (between 3%-5%)	8,916,565.34	5.00%
Actual Free Cash less previous year balances	7,552,285.00	4.23%
Actual Free Cash with previous year balances	\$ 9,770,641.00	



Free Cash Analysis

How does Billerica's use of free cash fit into the Town's financial policies and practice?

The Town has used free cash consistently within the DOR guidelines;

We have used them for one time Expenditures, stabilization and debt stabilization.

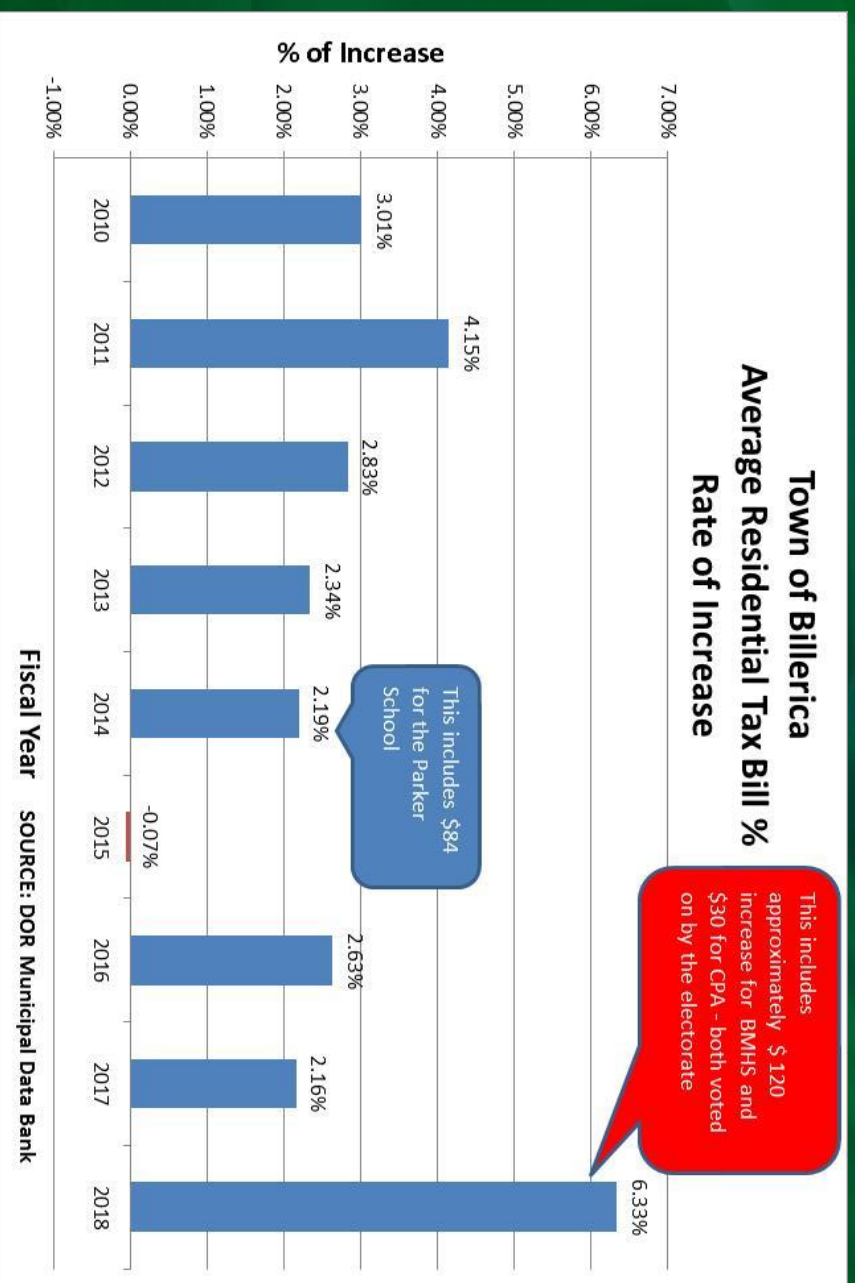


Free Cash Analysis
And Town Fiscal Policy and Practices

What do these
policies mean
for the town of
Billerica?



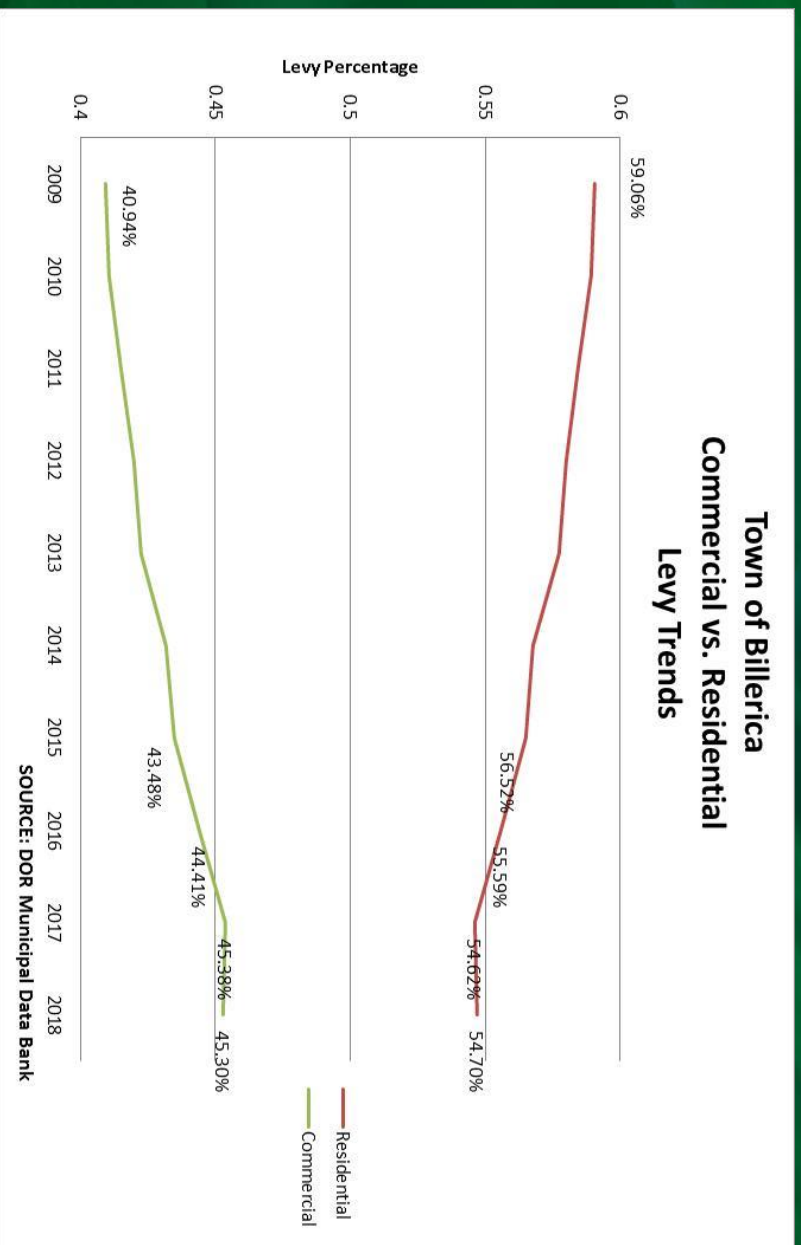
Free Cash Analysis And Town Fiscal Policy and Practices



Stable tax rate with large infrastructure investment



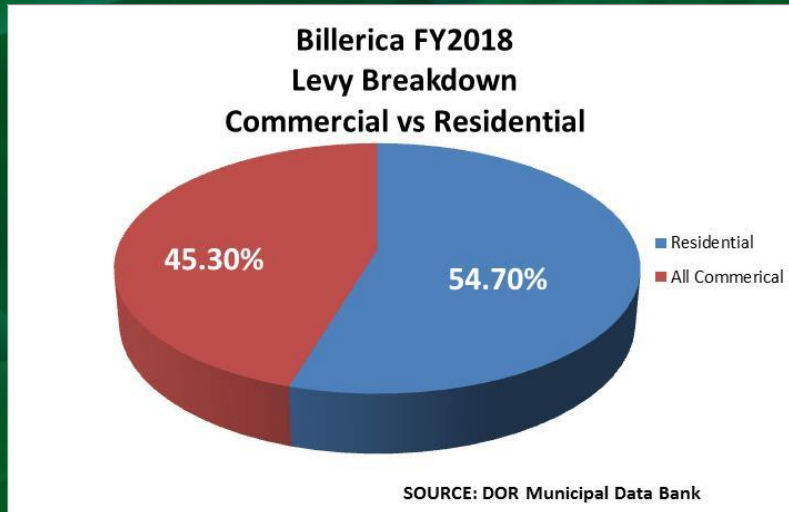
Free Cash Analysis And Town Fiscal Policy and Practices



The Trend we want to see.



Free Cash Analysis And Town Fiscal Policy and Practices



Free Cash Analysis And Town Fiscal Policy and Practices

What is the
most important
factor that
contributes to
this success?



Free Cash Analysis
And Town Fiscal Policy and Practices

DISCIPLINE



Free Cash Analysis
And Town Fiscal Policy and Practices

Financial decisions
should be based on
sound fiscal policy.



Free Cash Analysis
And Town Fiscal Policy and Practices

The Selectmen and
Finance Committee
have all endorsed a
Free Cash Plan



Free Cash Analysis

Free Cash Articles for Fall Town Meeting 2019

Article	Free Cash (Certified)	FY2018	FY2018	FY2018	FY2018
		Free Cash	Water RE	Sewer RE	Infiltration/Inflow Fund
8	NEPBA Civilian Dispatch	24,904.00			
12	Debt Stabilization	\$ 1,300,000.00		500,000.00	
14	Town Capital	50,000.00	975,000.00	525,000.00	
15	School Capital	1,400,000.00			
16	I/I Replacement				50,000.00
17	Whipple Rd	400,000.00			
18	Frost Street Drainage	500,000.00			
29	Low Interset Loan Program	200,000.00			
		-			
		3,874,904.00	975,000.00	1,025,000.00	50,000.00
	Balance Remaining	\$ 1,516,049.00	\$ 1,333,016.00	\$ 1,046,672.00	\$ 131,723.00

The Articles listed above are endorsed as a slate of articles to appropriate FY2018 Free Cash, Retained Earnings and Board of Selectmen and the Finance Committee. The remaining fund balances are needed for Spring Town Meeting.



ARTICLE 13 – Fiscal Year 2019 Budget Amendment

Transfer and appropriate the sum of \$1,625,000 from the Debt Stabilization Fund to cover previously appropriated debt service associated with the BMHS.

This debt service was passed by 89% of the electorate as a debt exclusion for the new Billerica Memorial High School. The Town issued debt in the Spring of 2017 for the majority of the project in the amount of \$90 million. This appropriation and transfer will keep the tax impact on the median single family home at \$200 for both the New High School and the Parker School.

2/3 Majority for Appropriation from Stabilization



ARTICLE 13 – Fiscal Year 2019 Budget Amendment

Legal Costs.....\$50,000.00

Legal costs have increased due to personnel issues in the Police Department and legal costs associated with a challenge of an easement associated with the Middlesex Turnpike.

Legal Services	Amount
Fire Arbitration/Personnel Public Safety	28,495.00
Middlesex Turnpike	14,000.00
Total:	42,495.00



ARTICLE 13 – Fiscal Year 2019 Budget Amendment

IUPE Settlement.....\$11,000.00

This is a payment as a result of disputed language in the Memorandum of Agreement. It involved retroactive pay associated with longevity payments. The two parties agreed that 60% of the disputed amount would be paid to avoid arbitration.



ARTICLE 13 – Fiscal Year 2019 Budget Amendment

Building Maintenance.....\$25,000.00

ENE HVAC	150,000.00
Eagle United	26,000.00
Protection One	10,000.00
Total Appropriation Needed	186,000.00
Current Appropriation	161,000.00
Budget Amended Needed	(25,000.00)



ARTICLE 13 – Fiscal Year 2019 Budget Amendment

Town Manager Personnel.....\$10,000.00

This is an increase to the compensation of the Management Analyst Position.

It was originally established under a clerical salary schedule.

This position is responsible for much more than the salary schedule reflects and therefore it is being increased to remain competitive.



ARTICLE 13 – Fiscal Year 2019 Budget Amendment

From: 193 Town Systemwide			To: 193 Town Systemwide			Difference
7096	Legal	\$195,000	7096	Legal	\$245,000	\$50,000
7036	IUPE Settlement	\$0	7036	IUPE Settlement	\$11,000	\$11,000
From: 192 Town Hall			To: 192 Town Hall			
7058	Building Maintenance	\$161,000	7058	Building Maintenance	\$186,000	\$25,000
From: 123 Town Manager			To: 123 Town Manager			
5110	Personnel	\$552,733	5110	Personnel	\$562,733	\$10,000
Total Budget Amendment:						\$96,000
Spring Approved FY2019 Budget						\$150,308,106
Plus Article 13 Budget Amendment						\$96,000
Amended FY2018 Budget						\$150,404,106



ARTICLE 13 – Fiscal Year 2019 Budget Amendment

Fiscal Year 2019 Original Budget Summary

Department	FY2017 BUDGET	FY2018 BUDGET	FY2019 BUDGET	\$ INC/DEC	% INC/DEC
General Government	\$ 4,823,002	\$ 4,989,994	\$ 5,409,266	\$ 419,272	8.40%
Public Safety	18,344,190	18,720,964	18,865,659	144,695	0.77%
Public Works	7,502,847	7,771,330	7,998,893	227,563	2.93%
Library and Recreation	1,924,980	1,930,909	2,078,090	147,181	7.62%
Human Services	1,025,810	1,028,972	925,295	(103,677)	-10.08%
Total Town Departments	33,620,829	34,442,169	35,277,203	835,034	2.42%
BillERICA Public Education	59,643,860	61,423,060	62,453,321	1,030,261	1.68%
Shawshen Technical	10,122,691	10,579,268	10,917,388	338,120	3.20%
Total Education	\$ 69,766,551	\$ 72,002,328	\$ 73,370,709	\$ 1,368,381	1.90%
Town/School Shared Costs	32,499,184	39,595,283	41,660,194	2,064,911	5.22%
TOTAL	\$ 135,886,564	\$ 146,039,780	\$ 150,308,106	\$ 4,268,326.19	2.92%
Water Enterprise Fund Budget	\$ 6,033,656	\$ 5,986,508	\$ 6,188,894	\$ 202,386	3.38%
Wastewater Enterprise Fund Budget	\$ 7,686,646	\$ 8,459,132	\$ 8,327,388	\$ (131,744)	-1.56%
Total Budgets	\$ 149,606,866	\$ 160,485,420	\$ 164,824,387	\$ 4,338,968	
Total Budgets less Shared Cost:	\$ 117,107,682	\$ 120,890,137	\$ 123,164,193	\$ 2,274,057	1.88%



ARTICLE 13 – Fiscal Year 2019 Budget Amendment

Fiscal Year 2019 Amended Budget Summary

Department	FY2017 BUDGET	FY2018 BUDGET	FY2019 BUDGET	FY2019 AMENDED BUDGET	\$ INC/DEC	% INC/DEC
General Government	\$ 4,823,002	\$ 4,989,994	\$ 5,409,266	\$ 5,505,266	\$ 515,272	10.33%
Public Safety	18,344,190	18,720,964	18,865,659	18,865,659	144,695	0.77%
Public Works	7,502,847	7,771,330	7,998,893	7,998,893	227,563	2.93%
Library and Recreation	1,924,980	1,930,909	2,078,090	2,078,090	147,181	7.62%
Human Services	1,025,810	1,028,972	925,295	925,295	(103,677)	-10.08%
Total Town Departments	33,620,829	34,442,169	35,277,203	35,373,203	931,034	2.70%
Billerica Public Education	59,643,860	61,423,060	62,453,321	62,453,321	1,030,261	1.68%
Shawsheen Technical	10,122,691	10,579,268	10,917,388	10,917,388	338,120	3.20%
Total Education	\$ 69,766,551	\$ 72,002,328	\$ 73,370,709	\$ 73,370,709	\$ 1,368,381	1.90%
Town/School Shared Costs	32,499,184	39,595,283	41,660,194	41,660,194	2,064,911	5.22%
TOTAL	\$ 135,886,564	\$ 146,039,780	\$ 150,308,106	\$ 150,404,106	\$ 4,364,326.19	2.99%
Water Enterprise Fund Budget	\$ 6,033,656	\$ 5,986,508	\$ 6,188,894	\$ 6,188,894	\$ 202,386	3.38%
Wastewater Enterprise Fund Budget	\$ 7,686,646	\$ 8,459,132	\$ 8,327,388	\$ 8,327,388	\$ (131,744)	-1.56%
Total Budgets	\$ 149,606,866	\$ 160,485,420	\$ 164,824,387	\$ 164,920,387	\$ 4,434,968	
Total Budgets less Shared Cost:	\$ 117,107,682	\$ 120,890,137	\$ 123,164,193	\$ 123,260,193	\$ 2,274,057	1.88%



ARTICLE 14 – To Fund Fiscal Year 2019 Capital Budget

Sidewalk Management Plan.....\$50,000.00

- This is similar to our Roadway Management Plan.
- This plan will assess and grade the existing sidewalk infrastructure.
- It will assign need based on proximity to schools, mass transit and pedestrian connectivity.



ARTICLE 14 – To Fund Fiscal Year 2019 Capital Budget

Water Treatment Plant Ozone Design...\$975,000.00

Phase III WWTP Improvement and

Salem Road Pump Station Design.....\$525,000.00

These are Retained Earnings Appropriations to replace Bond Authorization previously approved to fund these projects. The Bond authorization previously approved in May of 2018 through Articles 27 and 28 will be rescinded by Article 36 of this Town Meeting.



ARTICLE 14 – To Fund Fiscal Year 2019 Capital Budget

Free Cash Articles for Fall Town Meeting 2019

Article	Free Cash (Certified)	FY2018		FY2018	
		Free Cash	Water RE	Sewer RE	FY2018 Infiltration/Inflow Fund
8	NEPBA Civilian Dispatch	24,904.00			
12	Debt Stabilization	\$ 1,300,000.00		500,000.00	
14	Town Capital	50,000.00	975,000.00	525,000.00	
15	School Capital	1,400,000.00			
16	I/I Replacement				50,000.00
17	Whipple Rd	400,000.00			
18	Frost Street Drainage	500,000.00			
29	Low Interest Loan Program	200,000.00			
		-			
		3,874,904.00	975,000.00	1,025,000.00	50,000.00
		\$ 1,516,049.00	\$ 1,333,016.00	\$ 1,046,672.00	\$ 131,723.00
	Balance Remaining				

The Articles listed above are endorsed as a slate of articles to appropriate FY2018 Free Cash, Retained Earnings and Board of Selectmen and the Finance Committee. The remaining fund balances are needed for Spring Town Meeting.

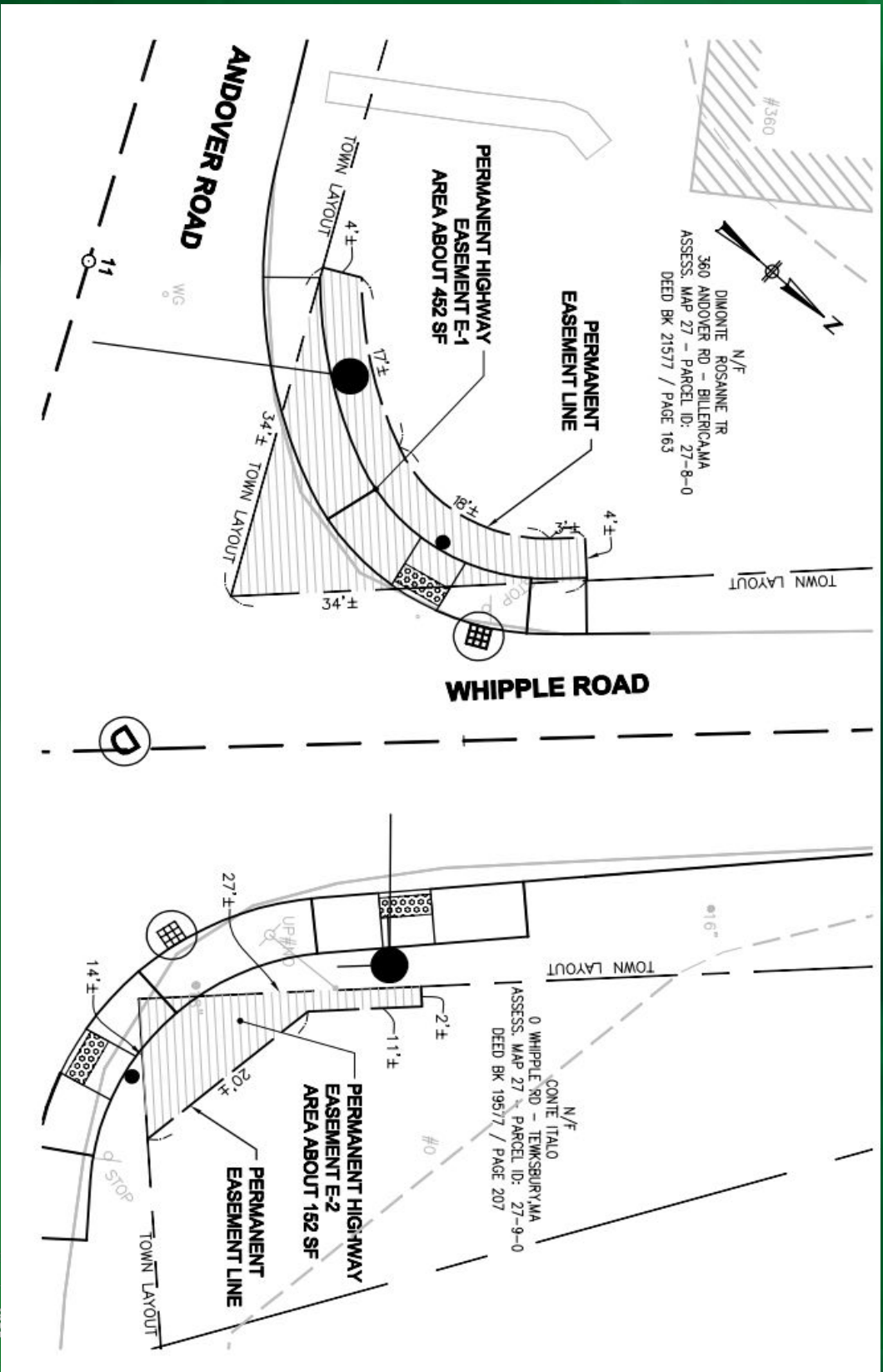
ARTICLE 16 – To Fund Sewer Cover Repair

Infiltration Inflow Account Activity

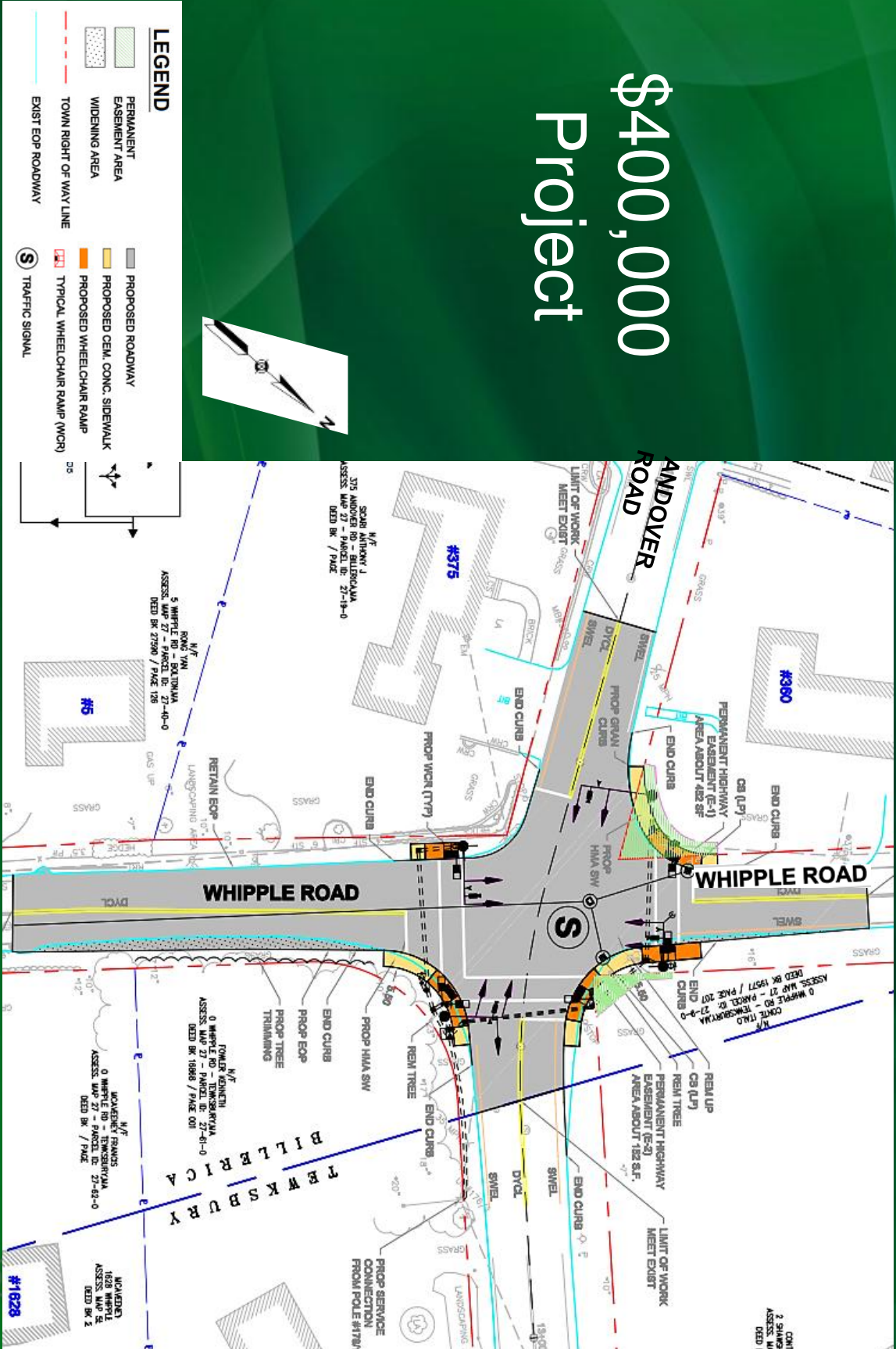
Fiscal Year	Receipts	Town Meeting Votes	Cumulative Balance
BALANCE 6/30/2011			\$ 942,186.00
FY 2012	\$ 114,937.36	\$ 560,100.00	497,023.36
FY 2013	55,980.67	-	553,004.03
FY 2014	19,665.01	100,000.00	472,669.04
FY 2015	26,661.32	400,000.00	99,330.36
FY 2016	23,886.81	-	123,217.17
FY 2017	56,882.18	140,000.00	40,099.35
FY 2018	191,624.00	50,000.00	181,723.35
Totals:	\$ 489,637.35	\$ 1,250,100.00	\$ 181,723.35

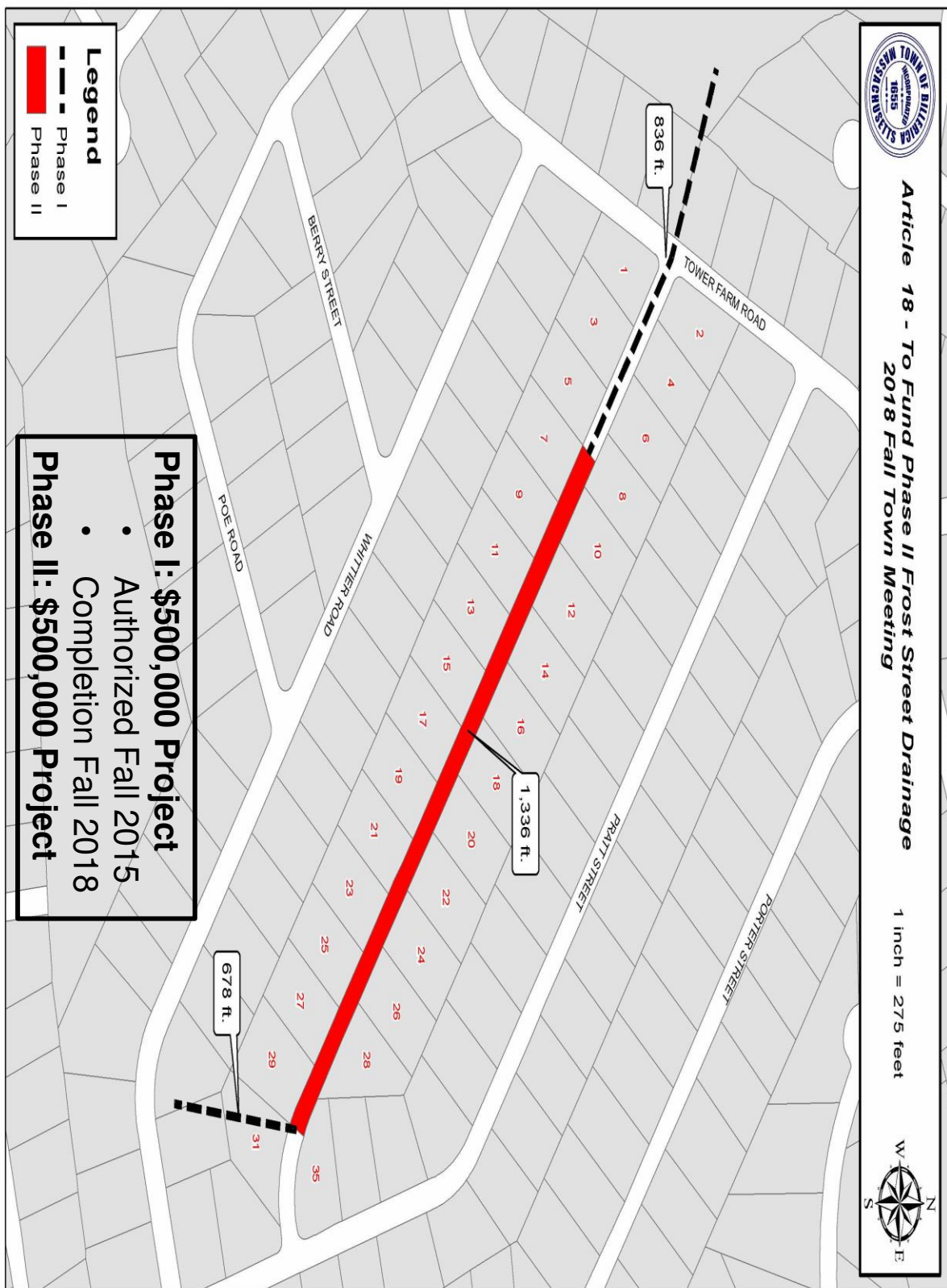


ARTICLE 17 – Whipple Road and Andover Road Project



\$400,000
Project



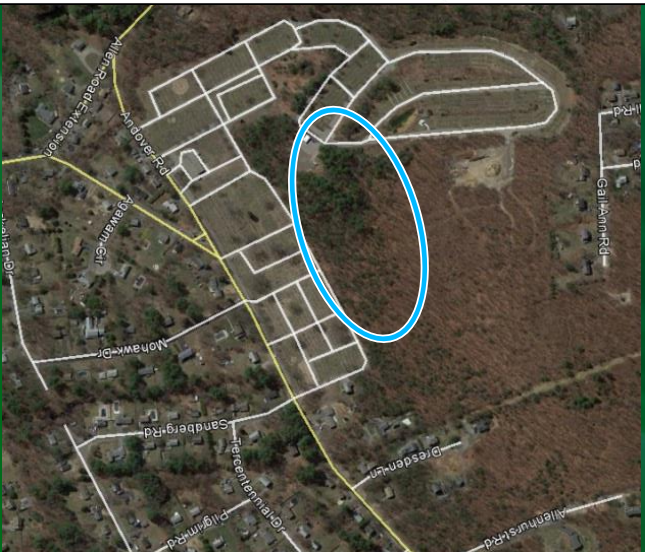


ARTICLE 20 – Fox Hill Cemetery



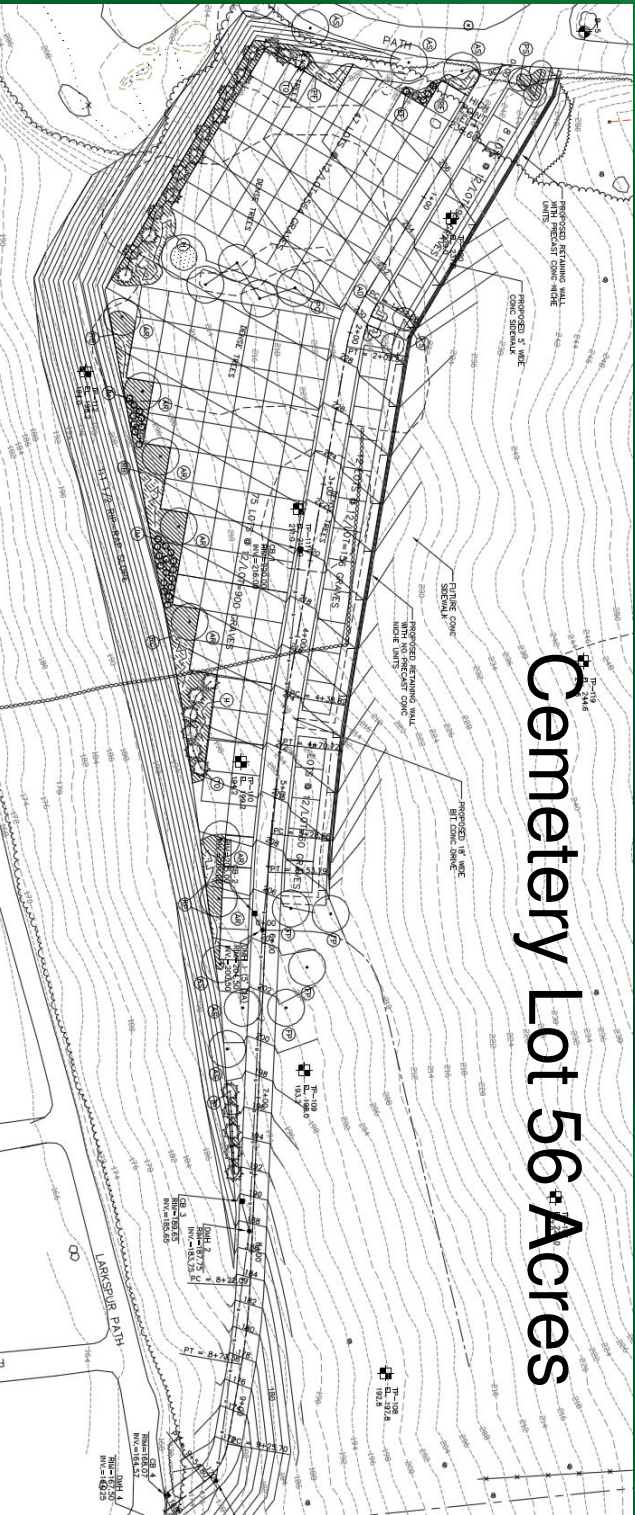
ARTICLE 20 – Fox Hill Cemetery

Next Phase



ARTICLE 20 – Fox Hill Cemetery

Cemetery Lot 56 Acres

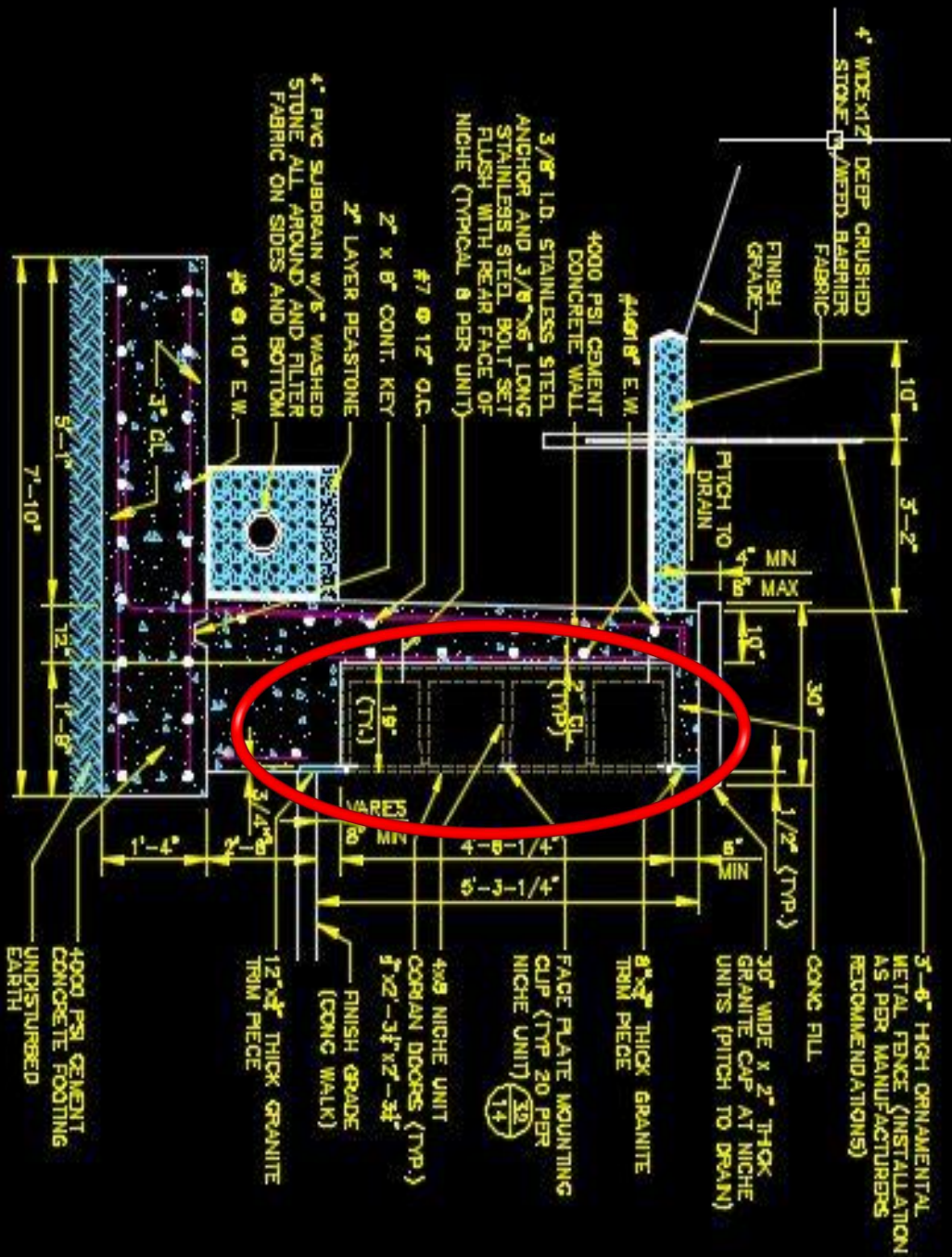


Next Phase provides:

- Extensive upright memorial lots using a back to back headstone layout.
- 1,000 linear feet of new driveway
- 1,700 full casket graves
- 576 Niches



ARTICLE 20 – Fox Hill Cemetery



27 NICHE / WALL SECTION @ NICHE



ARTICLE 20 – Fox Hill Cemetery





APPENDIX E

Article 25

Item	Project/Description	Category	Source					Total Amount Recommended
			Housing Reserve	Open Space and Recreation	Historic Preservation	CPA Fund Balance	CPA Reserves	
A	Billerica Affordable Housing Trust – Affordable unit purchasing	Community Housing	160,000.00					160,000.00
B1	Billerica Public Library – Preservation needs assessment	Historic Preservation					6,135.00	6,135.00
B2	Billerica Historical Society – Clara Sexton Memorial Museum preservation	Historic Preservation					101,000.00	101,000.00
B3	Town of Billerica – Howe School	Historic Preservation			160,000.00	50,000.00	210,000.00	420,000.00
B4	Middlesex Canal Association – Middlesex Canal Museum	Historic Preservation					100,000.00	100,000.00
C1	Town of Billerica – Yankee Doodle Bike path	Open Space/Recreation		160,000.00		207,000.00		367,000.00
C2	Town of Billerica – Peggy Hannon Rizza Complex	Open Space/Recreation				410,000.00	23,200.00	433,200.00
C3	Billerica Recreation Department – Disc Golf course at Vietnam Veteran's Park	Open Space/Recreation					17,806.00	17,806.00
			160,000.00	160,000.00	160,000.00	667,000.00	458,141.00	1,605,141.00



Community Preservation Committee Presentation

2

Background



- Fall of 2016 -Billerica adopted the Community Preservation Act (CPA), formed the Community Preservation Committee (CPC).
- Funding sources
 - 1% surcharge on property tax bills (minus certain exemptions).
 - Annual disbursement from the Statewide Community Preservation Trust Fund.



Background Continued

- CPA enables a local, dedicated fund for open space/recreation, historic preservation and community housing.
- CPC, with public input, determines types of projects will most benefit the community, recommends these projects to Town Meeting for approval by a majority vote.



Background Continued

- Two-step application process - one page eligibility form followed by more detailed application.
- June, 2018 - eight applications received - total funding request just over \$1.6 million.
- Three public meetings in July and August with each applicant - public input welcome.

Background Continued



- September 6th - Public Hearing to review and explain each application - public input welcomed.
- CPC deliberated and voted its recommendation on each project.
- Resulting recommendations, project explanations in the Final Warrant.
- Single Warrant Article allows single vote on bottom line CPA expenditure - could otherwise be less clear if multiple articles.

Housing Projects



Billerica Affordable Housing Trust



- **\$160,000** already set aside by previous Town Meetings for affordable housing.
- Affordable unit purchasing of community housing under direction of Billerica's Affordable Housing Trust and the Billerica Housing Authority (BHA).
- Provides safe, decent and affordable housing opportunities to residents in need.
- Reserve to be used for "seed" money for new family or elderly housing opportunities.

Billerica Affordable Housing Trust



- Opportunities often arise when not possible to wait for a future Town Meeting.
- This will allow the Trust and the BHA to act more quickly to not lose an opportunity.
- Supports CPC's plan for ensuring long range affordability - can develop rental and ownership options for senior citizens, disabled residents and veterans as laid out in the Billerica Housing Production Plan.

Historic Preservation Projects



****The following four items will utilize the \$160,00 set aside by previous Town Meetings for historic preservation, as well as the sum from the Town's Undesignated Fund Balance and/or Budgeted Reserves also authorized by previous Town Meetings.***



10

Billerica Public Library



- Preservation Needs Assessment - **\$6,135.**
- Repository for documents, records, photographs and other items integral to maintaining the history of the Town of Billerica.
- Many historic items in dire need of restoration and preservation.

Billerica Public Library



- Before restoring, it is prudent to ensure proper physical environment and practices in place for the collection's continued well-being.
- Funding to perform a Preservation Assessment of current risks, policies, storage equipment and handling of the collection.
- Project helps achieve a goal of Billerica's Master Plan - enhance Billerica's civic education programs - instill pride in our rich historic heritage.

11



12



Billerica Historical Society



- **\$101,000** for restoration and continued preservation of the Clara Sexton Memorial Museum, 36 Concord Road.
- To replace windows and repaint property.
- Important initiative in ongoing efforts to preserve important historical resource in Billerica.
- Demonstrates clear public benefit - both the Sexton House and all the artifacts within are significant in the history, archeology, architecture or culture of the Town.



Clara Sexton House



Town of Billerica - Howe School Historic Preservation



- **\$420,000** in CPA funds for the Howe School.
- For full design and construction cost estimation.
- Important step toward preserving and making the building once again habitable and accessible.
- Necessary step in preparing for eventual historic rehabilitation.

Town of Billerica - Howe School Historic Preservation



- Town expressed interest in partnering with BATV
- Would ensure not just restoration - also an active occupancy, welcoming to a vibrant program while setting aside spaces for historic displays.
- Opportunity to work toward goal - promoting opportunities for everyday interactions with the Town's history and resources.



Howe School



18

Middlesex Canal Museum Historic Preservation

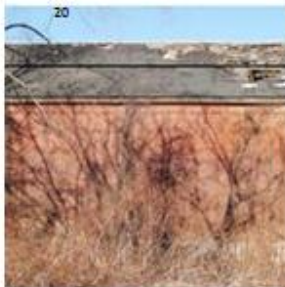


- **\$100,000** to go with funds already raised toward preserving and making 2 Old Elm Street weather tight.
- Middlesex Canal Association currently operates out of the Faulkner Mill in North Billerica.
- Association presented with a unique opportunity, coming into possession of 2 Old Elm Street where the ceremonial ground breaking for the Middlesex Canal took place in 1794.



Middlesex Canal Museum Historic Preservation

- Historic building was built around 1870 as Storehouse #2 for the Talbot Mills.
- Canal Association intent on restoring the building and relocating the Canal Museum.
- Opportunity to meet criteria identified in Community Preservation Plan: to protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened.



Roof Pictures





Interior Pictures



22

Open Space and Recreation



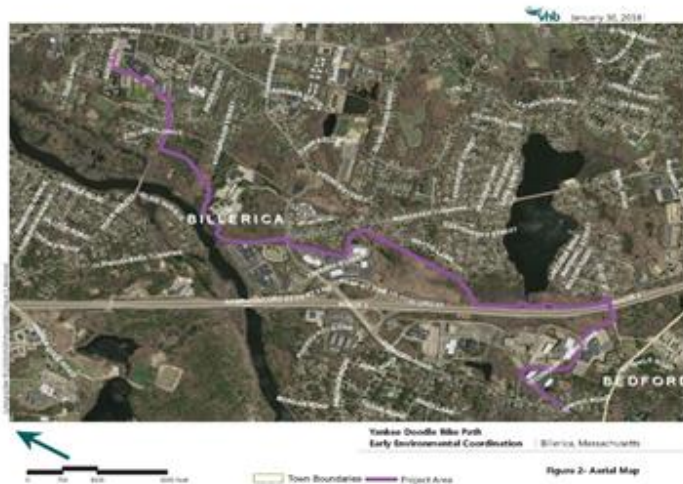
The following three items will utilize the \$160,000 set aside by previous Town Meetings for open space and recreation initiatives, as well as a sum from the Town's Undesignated Fund Balance and/or Budgeted Reserves also authorized by previous Town Meetings.



Town of Billerica - Yankee Doodle Bike Path



- **\$367,000** in design funds requested for Yankee Doodle Bike Path.
- Currently at the 25% design stage - seeking to advance to 75% design stage.
- Necessary next step in order to eventually qualify for State funding of construction costs.
- Advances 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."



Town of Billerica - Peggy Hannon Rizza Complex



- **\$433,200** in CPA funds requested for design costs at the Peggy Hannon Rizza Complex.
- Design costs are projected based upon eventual project estimated cost of \$4,765,200.
- The current field configuration and condition identified as is inefficient and in need of rehabilitation.
- Represents a benchmark in eligibility for CPA projects - will use CPA funding to leverage existing recreational locations, and maximize land already owned.



Billerica Recreation - Disc Golf Course at VVP



- **\$17,806** to design and install a Disc Golf Course at Vietnam Veteran's Park (VVP).
- Very successful in other communities.
- Will quickly become an attraction for residents.
- Furthering the VVP as a meeting place for friends and family.
- Providing fun and free entertainment option for residents.
- Aligns well with Open Space and Recreation Plan, to "Improve public awareness of conservation and recreational resources and their social, economic, and environmental benefits to the Town."

Conclusion



- Projects will expend a total of **\$160,000** for Community Housing, **\$627,135** for Historic Preservation, and **\$818,006** for Open Space/Recreation.
- Total CPA expenditure, upon approval by Town Meeting, will be **\$1,605,141**.

APPENDIX F

Article 30-35

Marijuana Zoning & By-Law Updates

- November 2016 the Town of Billerica supported ballot Question 4 to legalize marijuana by a margin of 52% - 48%.
- At the Fall 2017 Town Meeting a moratorium on the sale of recreational marijuana was passed 108 – 40.
- On July 9th the Board of Selectmen held a public working session on the Zoning and General By-Law's for Adult Use Marijuana and Medical Marijuana.



Marijuana Zoning & By-Law Updates

- Terms to Understand
 - Registered Marijuana Dispensary (RMD) – Medical
 - Dispensary Agent – Medical Facility Employee
 - Marijuana Establishment – Recreational Facility
 - Operating Permit – Issued by the Board of Health
 - Marijuana License – Issued by the Board of Selectmen
 - Special Permit – Issued by the Planning Board



Marijuana Zoning & By-Law Updates

- The Town combined the medical marijuana and adult use by-laws.
- Article 30 – Will allow the Town to tax marijuana sales at 3%.
- The buffer zone from places where children commonly congregate has been reduced from 1,000 feet to 500 feet.
- The Board of Selectmen has been added as the licensing authority.



Marijuana Zoning & By-Law Updates

- Public consumption has been banned and will be punishable by a fine.
- Recreational marijuana delivery has been banned. Law requires that delivery for medical dispensaries be permitted.
- The zoned area for medical marijuana will also become the zoned area for adult use marijuana.



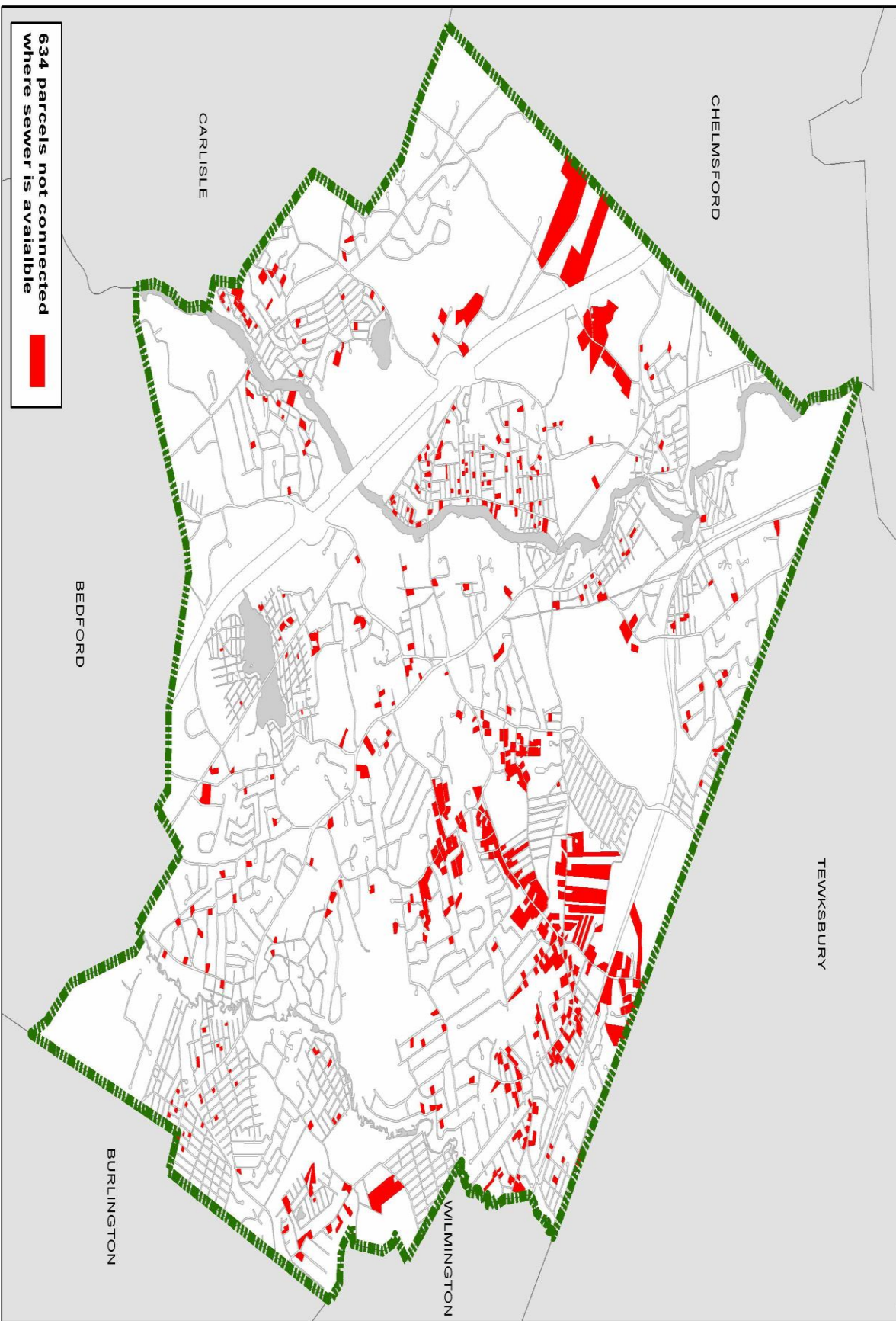
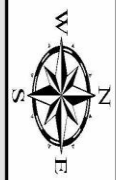
APPENDIX G

Article 36



**Article 36 - To Establish Wastewater
Connection Compliance Regulation
2018 Fall Town Meeting**

1 inch = 4,400 feet



**634 parcels not connected
where sewer is available**

Need Area	Total Sewer Pipe Area (feet)	Total Cost for Needs Area (2015 \$)	Cost per LF	Parcels in Area	Cost per Parcel		Environmental Need	Environmental Need High	Environmental Need Medium	Environmental Need Low	% of Parcels (13,368 Total)	% Complete (82.9% to date)	% Residential	% Com / Ind / Mun
2&8	29,200	\$ 10,869,950	\$ 372.26	285	\$ 38,140.18		High	\$10,869,950			2.1%	85.1%	98	2
3	30,200	\$ 13,913,900	\$ 460.73	247	\$ 56,331.58		High	\$13,913,900			1.9%	86.9%	87	13
4	21,200	\$ 9,728,550	\$ 458.89	223	\$ 43,625.78		High	\$ 9,728,550			1.7%	88.6%	97	3
5 Bertha & Poe	Installed with	\$ -										88.6%		
6	23,800	\$ 10,948,600	\$ 460.03	148	\$ 73,977.03		High	\$10,948,600			1.1%	89.7%	90	10
7	26,900	\$ 12,104,950	\$ 450.00	167	\$ 72,484.73		High	\$12,104,950			1.3%	90.9%	70	30
8 Need Area 2	Included with											90.9%		
9	27,300	\$ 12,548,250	\$ 459.64	262	\$ 47,894.08		High	\$12,548,250			2.0%	92.9%	69	31
10	28,700	\$ 13,049,400	\$ 454.68	176	\$ 74,144.32		High	\$13,049,400			1.3%	94.2%	89	11
11	10,000	\$ 4,251,000	\$ 425.10	76	\$ 55,934.21		Medium		\$ 4,251,000		0.6%	94.8%	89	11
12	21,900	\$ 9,932,650	\$ 453.55	240	\$ 41,386.04		Medium		\$ 9,932,650		1.8%	96.6%	89	11
13	9,800	\$ 4,397,250	\$ 448.70	62	\$ 70,923.39		Medium		\$ 4,397,250		0.5%	97.1%	72	28
14	5,900	\$ 2,675,400	\$ 453.46	48	\$ 55,737.50		Medium		\$ 2,675,400		0.4%	97.4%	96	4
15	3,500	\$ 1,551,550	\$ 443.30	32	\$ 48,485.94		Medium		\$ 1,551,550		0.2%	97.7%	82	18
16	17,200	\$ 7,511,400	\$ 436.71	147	\$ 51,097.96		Medium		\$ 7,511,400		1.1%	98.8%	84	16
17	2,900	\$ 1,305,850	\$ 450.29	21	\$ 62,183.33		Medium		\$ 1,305,850		0.2%	98.9%	91	9
Installed with Contract 34A - 18 East Billerica												98.9%		
19	2,200	\$ 763,100	\$ 346.86	21	\$ 36,338.10		Low			\$ 763,100	0.2%	99.1%	93	7
20	3,100	\$ 1,001,000	\$ 322.90	20	\$ 50,050.00		Low			\$ 1,001,000	0.2%	99.2%	80	20
21	2,800	\$ 1,264,900	\$ 451.75	19	\$ 66,573.68		Low			\$ 1,264,900	0.1%	99.4%	27	73
22	9,300	\$ 4,213,300	\$ 453.04	43	\$ 97,983.72		Low			\$ 4,213,300	0.3%	99.7%	80	20
23	6,400	\$ 2,902,900	\$ 453.58	35	\$ 82,940.00		Low			\$ 2,902,900	0.3%	100.0%	45	55
24	700	\$ 313,950	\$ 448.50	4	\$ 78,487.50		Low			\$ 313,950	0.0%	100.0%	0	100
25	4,300	\$ 1,915,550	\$ 445.48	8	\$ 239,443.75		Low			\$ 1,915,550	0.1%	100%	100	0
TOTAL	287,300	\$127,163,400		2284				\$83,163,600	\$ 31,625,100	\$ 12,374,700				

APPENDIX H

Article 38



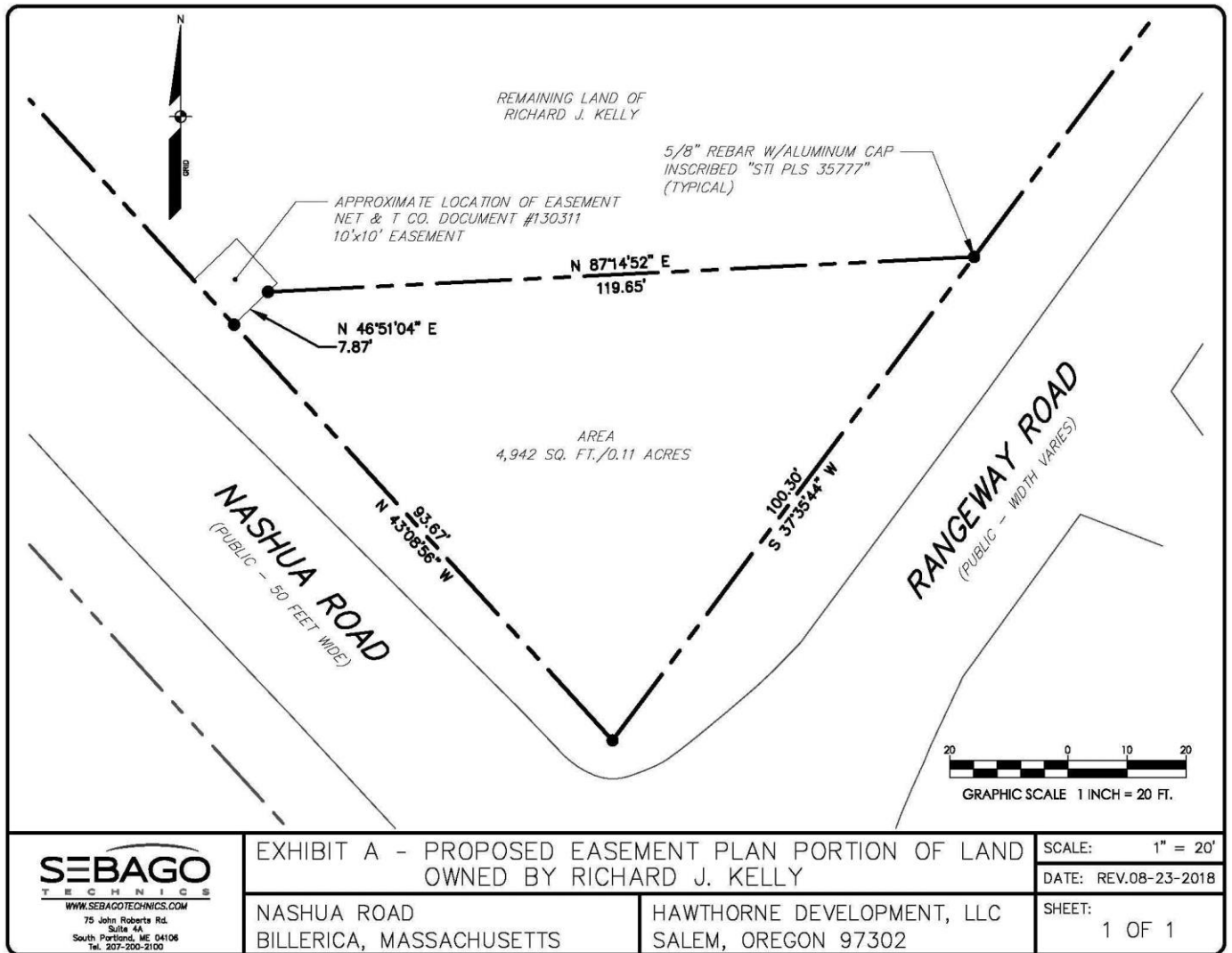
Article 38 Baldwin Road Easement

Baldwin Road Easements



APPENDIX I

Article 39



16182LTS.dwg, TAB: Exhibit A

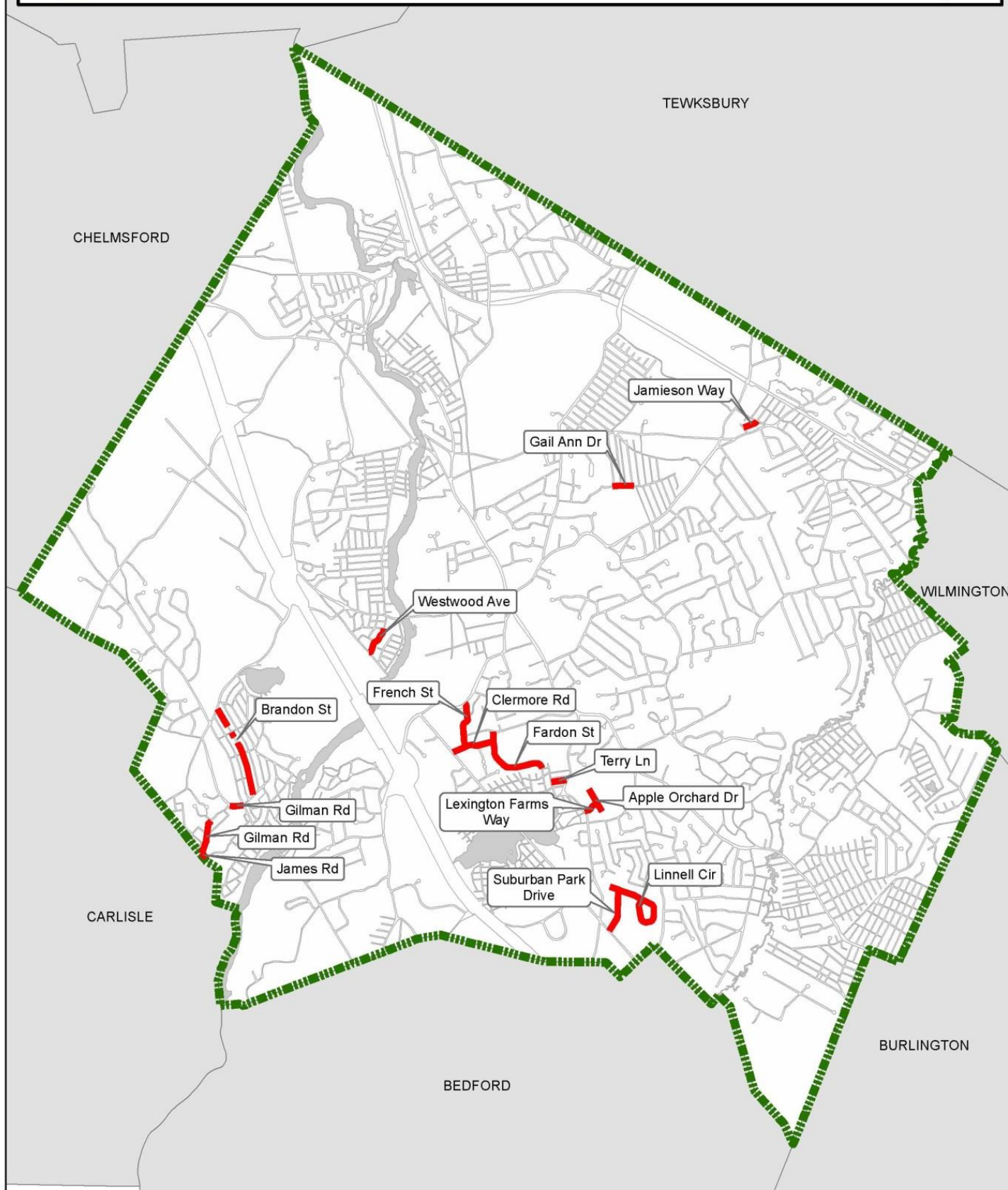
APPENDIX J

Article 40

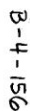


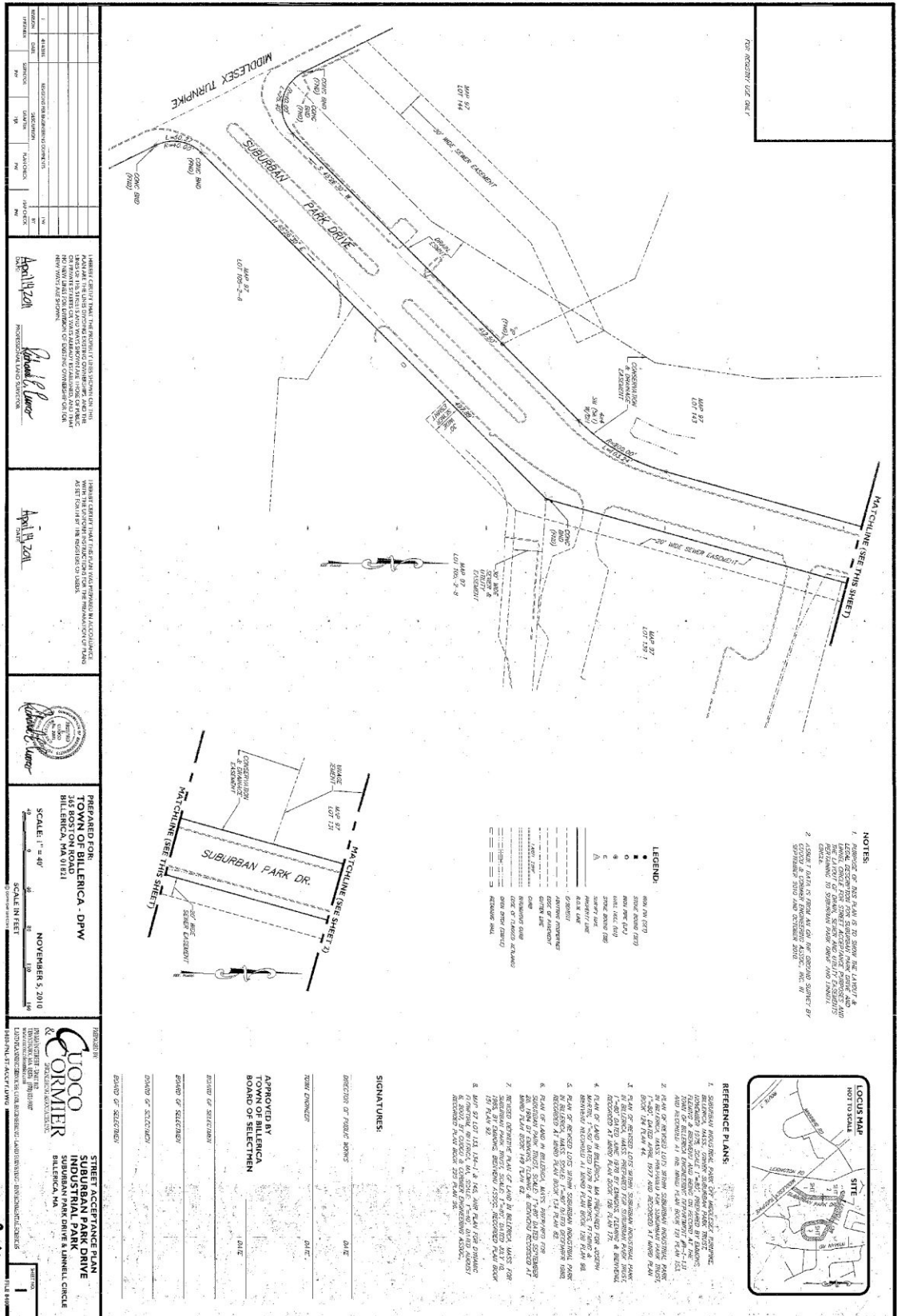
**Article 40 - To Accept Roads as Public Ways
2018 Fall Town Meeting**

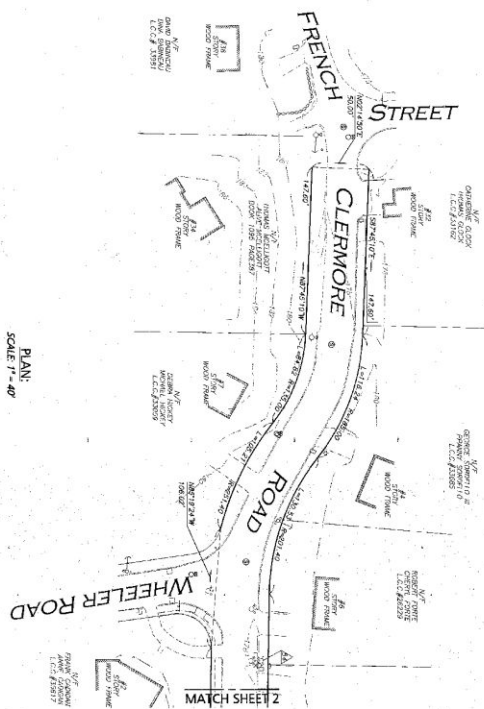
1 inch = 4,400 feet

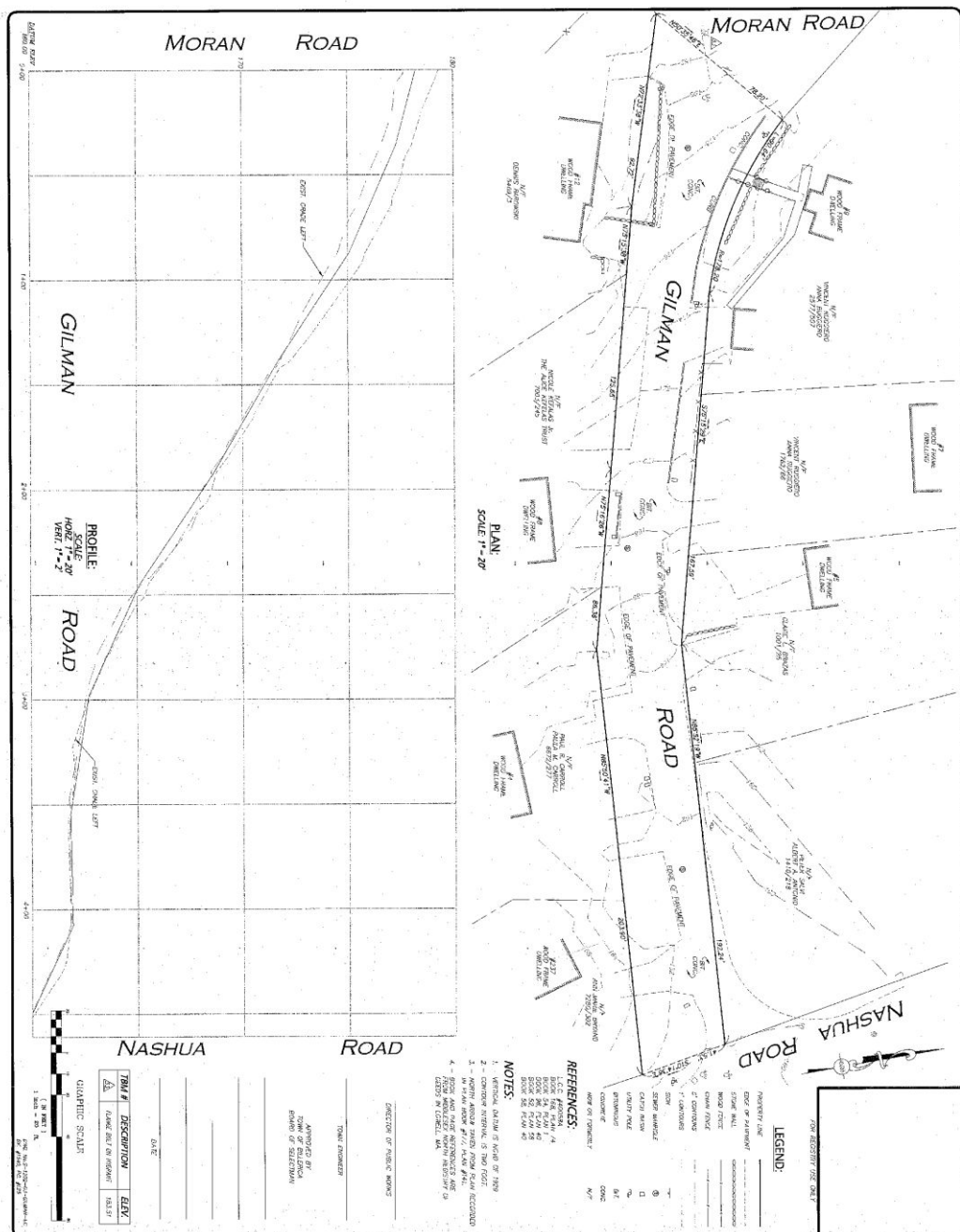


Street Acceptance										
Road	From	To	Approx. Length	Width (feet)	Year Paved	Sidewalk?	Number of Abutters		Notes	
				Pavement ROW			Returned signed (2018)	Old returned signed		
Apple Orchard Dr	Cul-de-sac	Cul-de-sac	920'	24	40	Yes (W)	12	7	-	reclaim \$82,400
Brandon St	Treble Cove Rd	Dead End	700'	19	40	2009 No	11	1	4	defer maint \$0
Brandon St	Walton St	Dead End	250'	18	40	No	4	2	1	reclaim \$20,700
Brandon St	Liberty Dr	Dead End	1,930'	14	40	No	31	14	1	portion gravel - reclaim \$161,000
Clermore Rd	French St	Fardon St	935'	30	50	Partial (E)	15	7	9	I/o \$92,000
Fardon St	Glad Valley Dr	Pond Lane Ext.	2,770'	30	50	Partial (S)	39	21	27	reclaim \$290,000
French St	Concord Rd	Middlesex Tpke	2,060'	19	Var	2008 Part	17	5	-	reclaim \$87,000
Gail Ann Dr	Fox Hill Rd	Dead End	890'	18	40	No	12	5	5	reclaim \$41,000
Gilman Rd	Nashua Rd	Moran Rd	475'	21	40	No	9	3	-	I/o \$30,000
Gilman Rd	Greenough Rd	James Rd	1,190'	19	40	No	14	5	2	I/o \$35,000
James Road	Gilman Rd	Queensland Rd	200'	14	40	No	2	1	-	reclaim \$14,000
Jameson Way	Harvard St	Emerson Rd	495'	18	40	2015 No	9	5	-	defer maint \$0
Lexington Farms Way	Lexington Rd	Apple Orchard Dr	460'	32	50	Yes (S)	5	3	-	reclaim \$59,000
Linnell Cir	Cul-de-sac	Linnell Cir	3,370'	31	50	2011 Shim No	24	14	-	pb bond reclaim \$278,000
Suburban Park Drive	Middlesex Tpke	Linnell Cir	1,515'	Var	2011 Shim No	No	10	2	10	pb bond defer maint \$0
Terry Ln	Lexington Rd	Country Ln	535'	11	40	No	13	5	8	gravel reclaim \$40,000
Westwood Av	Near Carmena Rd	Old Middlesex Tpk	880'	Var	40	2008 No	16	0	-	Sewer 33 defer maint \$0

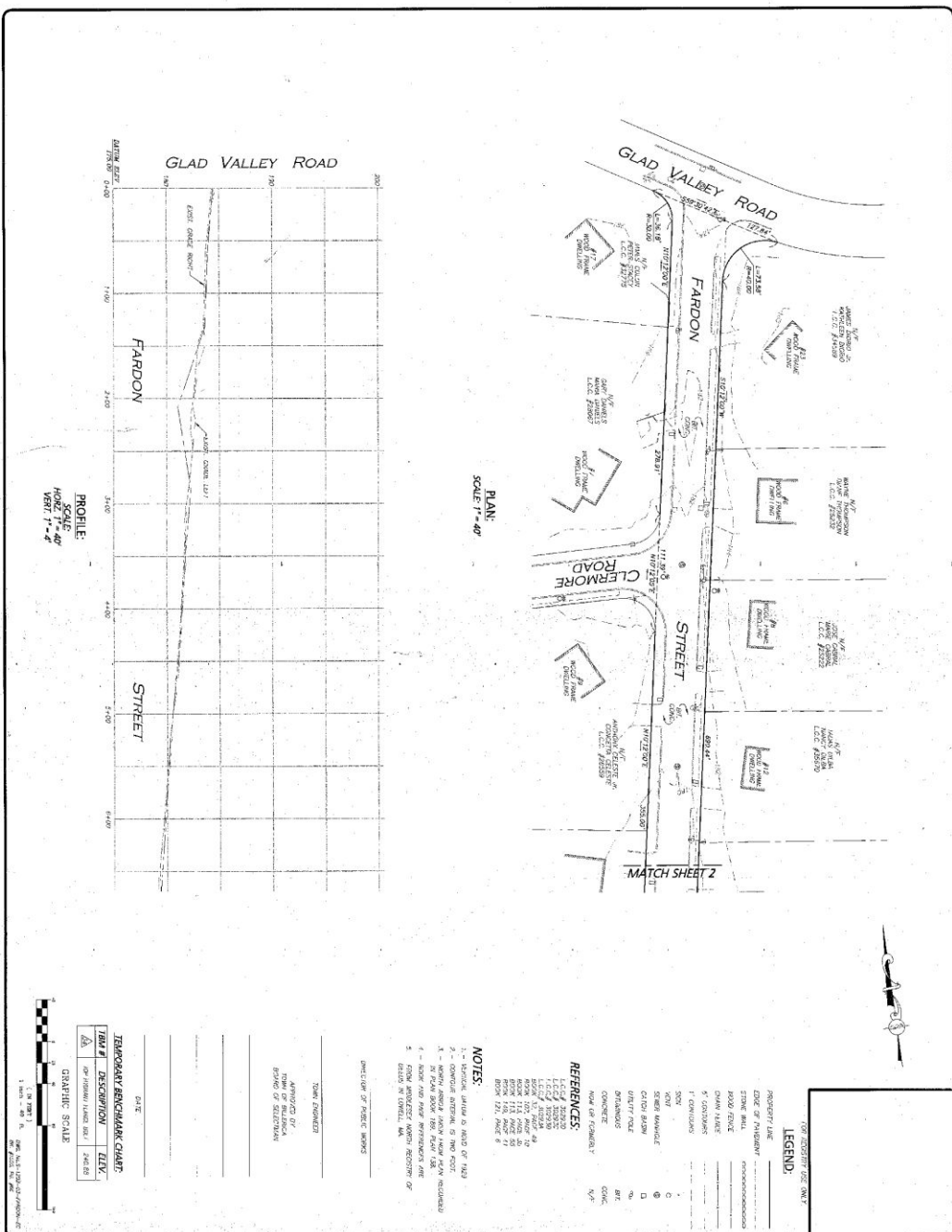


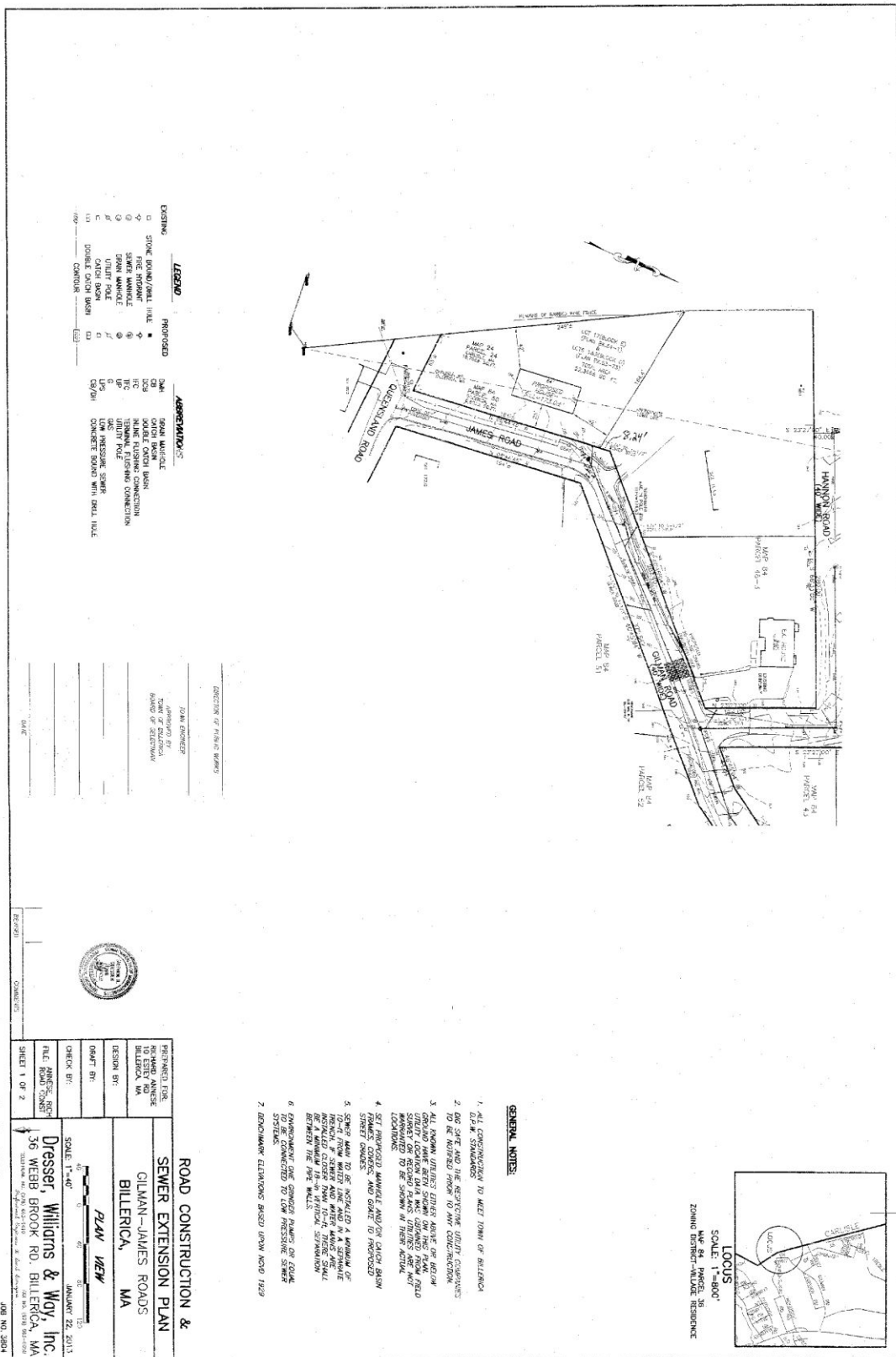


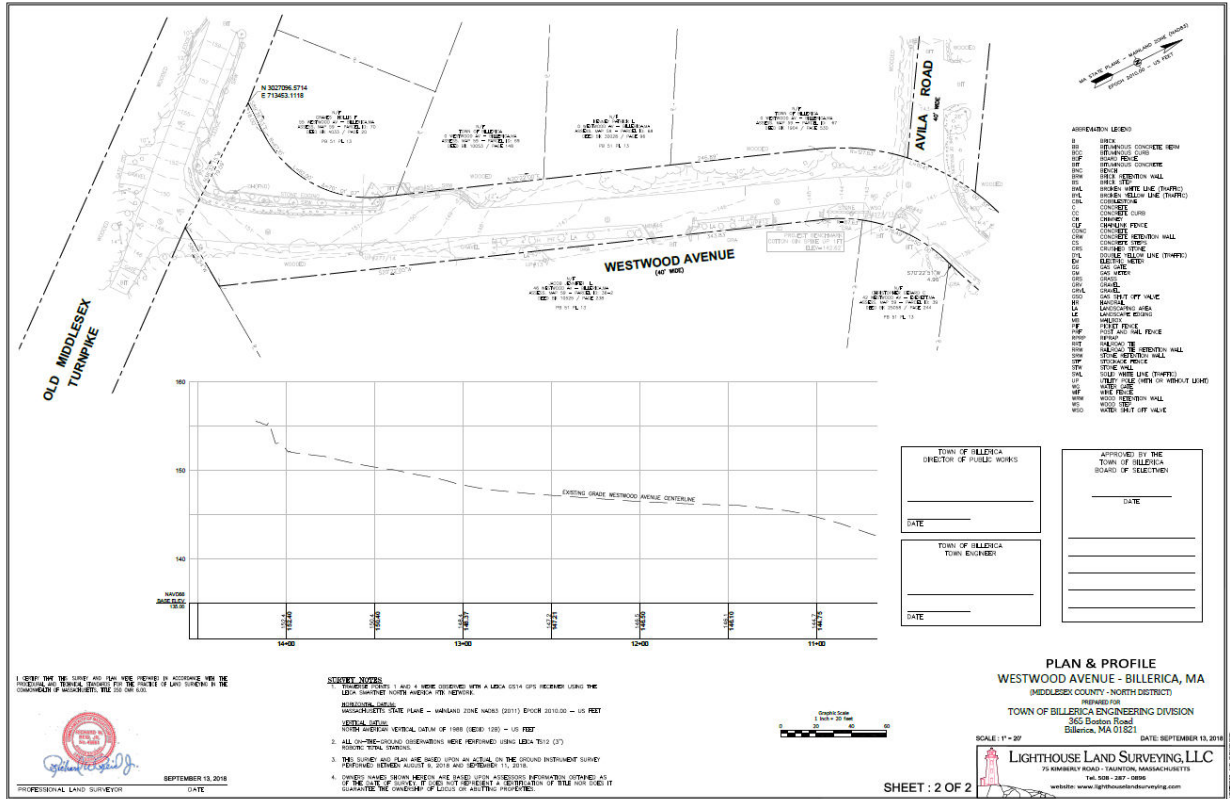
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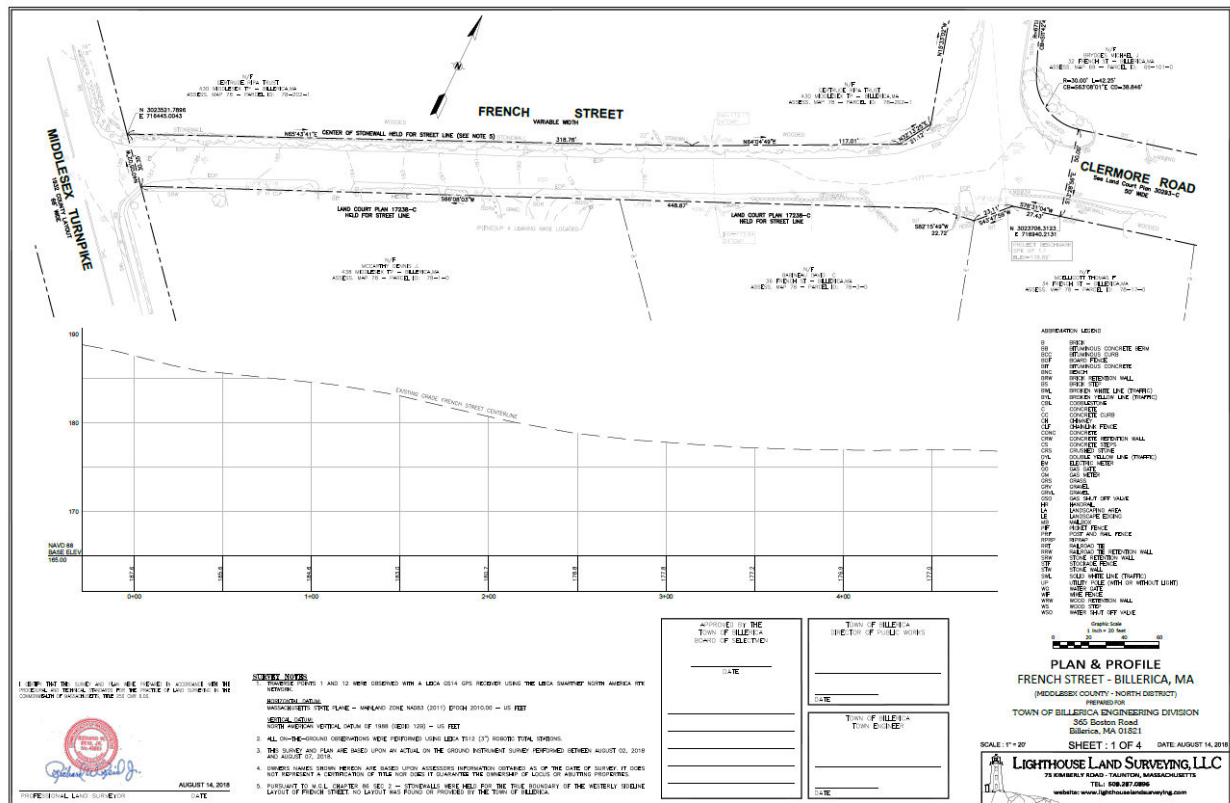
Fall 2018 Town Meeting



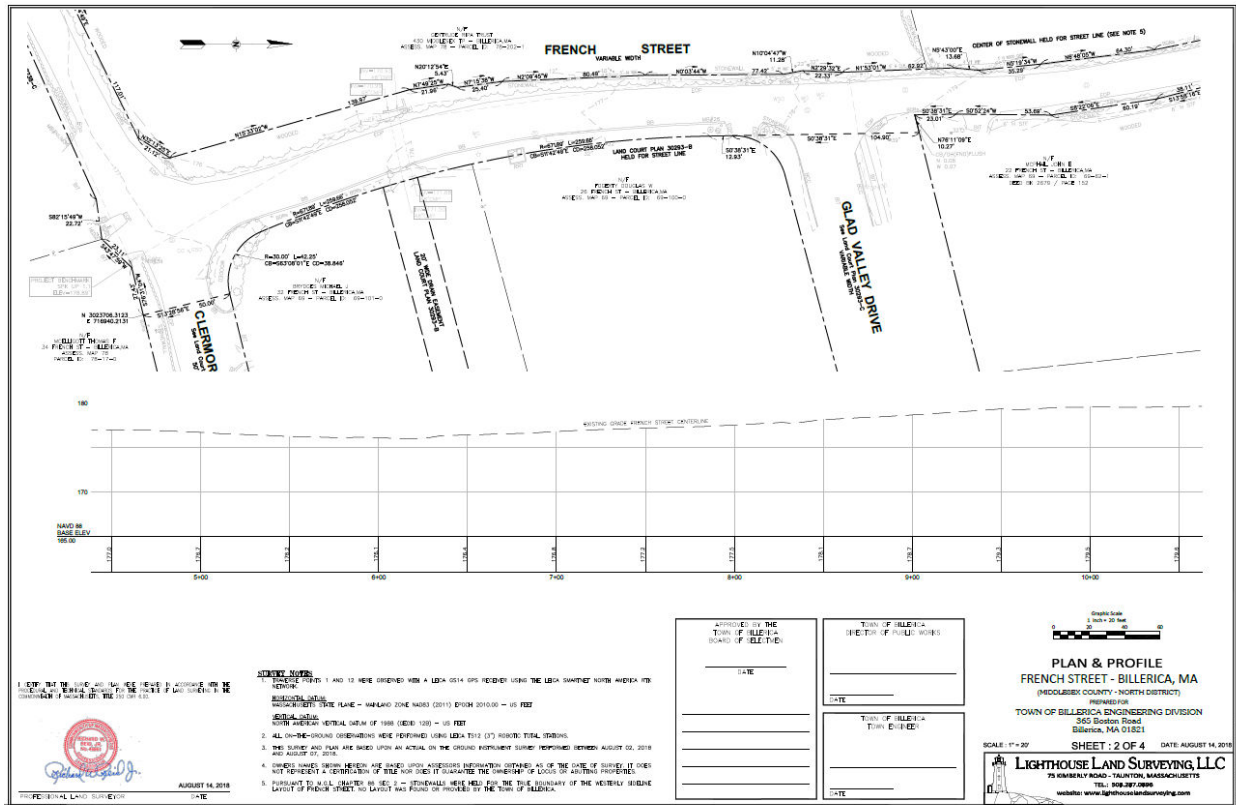




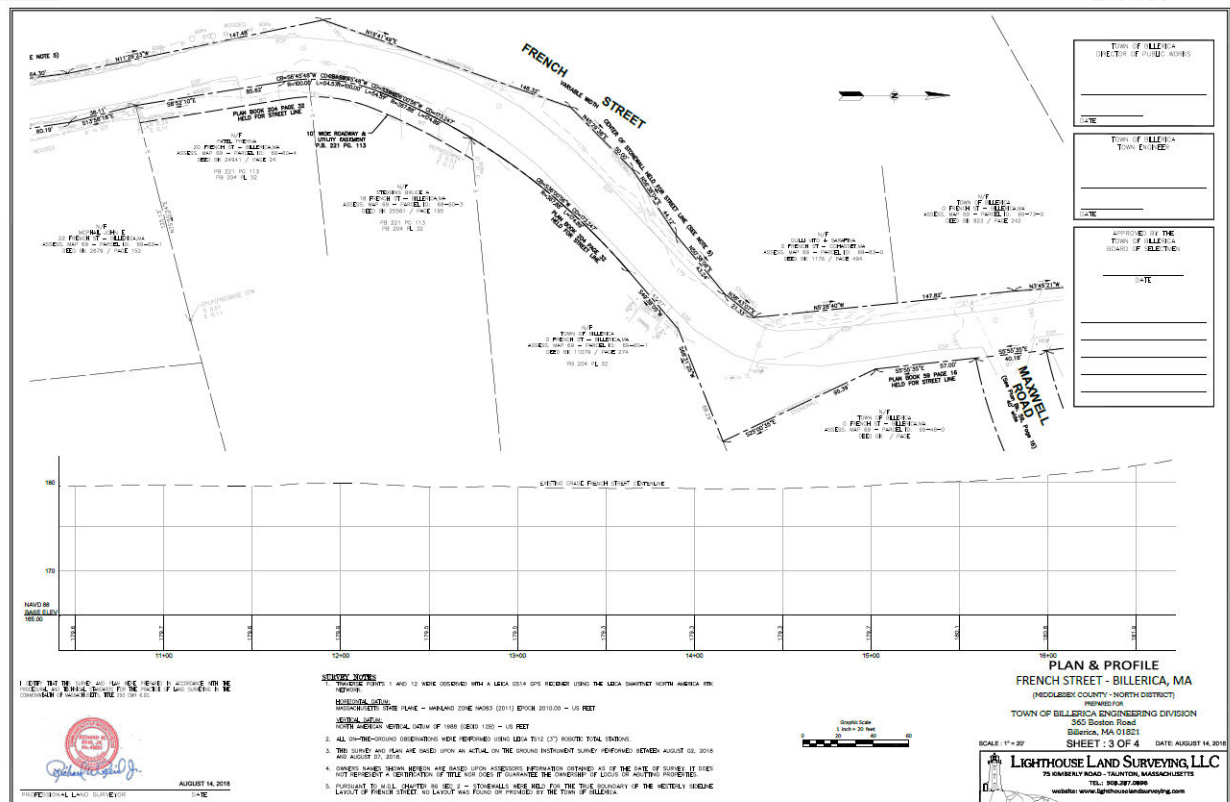
B-5-192

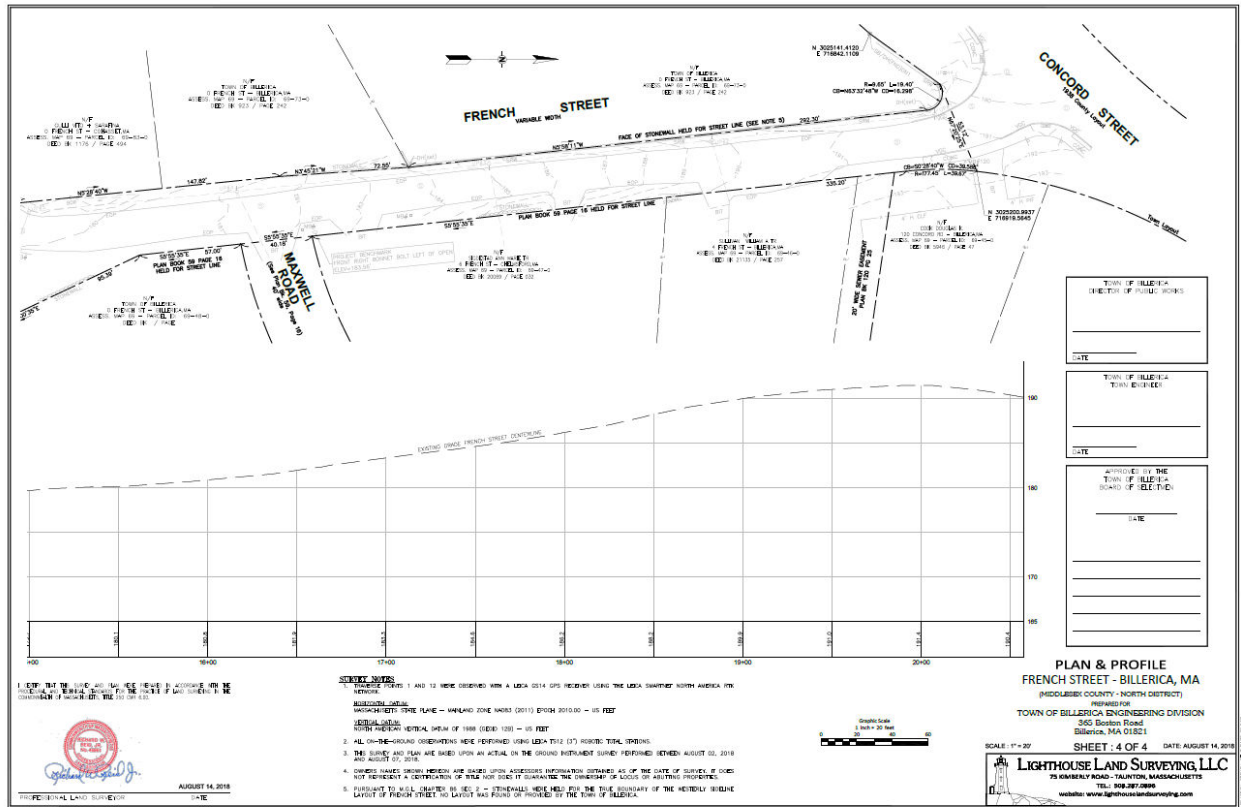


B-5-190



B-5-190





APPENDIX K

Article 41 & 42

Technology Park Planned Unit Development

Article 41 and Article 42

Rob Anderson
Community Development Director



Planned Unit Development Background

- Planned Unit Development (PUD) means a mixed use redevelopment on a plot of land.
- PUDs create opportunities to live and work close to shopping, and services; and placing housing and jobs in close proximity reduces the number of vehicle trips to work, home, or shopping, limiting air pollution.
- A PUD promotes a higher and better mix of uses while allowing a municipality the flexibility to focus development in areas beneficial to the community.
- Billerica approved PUD Overlay language at Fall Town Meeting in 2016.
- An overlay does not remove the underlying zoning; those uses can still happen but Billerica is given another tool to encourage developers to reach out.



Article 41 PUD-IP District

- Goal for the new zoning Article is to identify a new district type – PUD-IP – targeted to industrial parks and their parcels. This is the enabling language.
- The businesses in Billerica have expressed interest in the addition of amenities, such as retail, restaurants, and housing, to promote a “live, work, play” lifestyle to the workforce that they are attempting to attract.
- The lack of amenities forces some businesses to consider leaving Billerica.
- The addition of this district language can increase commercial activity, give greater site design standards for construction, focus mixed-use development, promote pedestrian safety, provide significant tax revenue and lower infrastructure costs, and lessen the effects of suburban sprawl.



Technology Park Overview

- Located just off exit 27 on Route 3, Technology Park is over 130 acres with an existing amount of existing commercial space.
- The vacancy rate in the park is significantly higher (~40%) than other suburban parks in Billerica.
- The vacancy is high as a result of two major employers – Insulet and EMD Millipore – leaving for other communities.
- Many reasons were cited for the departure by the companies; one element of their decision making was the lack of amenities (restaurants and services) in close proximity.
- There is more development potential at the site.
- It is the town's goal to promote higher and better uses at the location.



Q&A

- **Is there a project in hand?** *No. There has been no proposal to encourage the zoning change, simply feedback from the business community on market conditions and amenities.*
- **Why do we want to give flexibility to developers?** *So they actually pick up the phone to call. Just because they can propose something transformative, does not mean the PB has to approve as presented. They can say, "No" or set conditions.*
- **What is the process for a Special Permit?** *Submittal to Planning Board, notification of abutters, and public feedback. A PUD-IP project requires public hearings.*
- **Town Meeting vs. Planning Board?** *Planning Board meets monthly, streamlining the process for developers. Time is money in development, and Billerica is facing competition from other communities.*



Q&A

- **What is the drawback for developers when the process is not streamlined?** *Developers need to have some level of certainty to expend funds, and a quicker process for a decision. Without flexibility there is less potential to receive calls from potential investors.*
- **Is there an opportunity for public feedback for projects?** *Yes. Whereas the abutters to development are not necessarily member of Town Meeting, they are notified and have standing in front of the Planning Board.*
- **Traffic Concerns?** *Any PUD-IP project would require a traffic study by the Planning Board with recommendations for off-site mitigation requirements.*
- **Water and Sewer Capacity?** *Any PUD-IP project will be reviewed by the DPW, and an analysis would be part of any proposed projects. However, Billerica has the capacity for new development.*



Q&A

- **Open Space?** *The requirements of 25% in the zoning, encourage pedestrian safety (i.e. sidewalks), the addition of green space (i.e. courtyards), and recreational opportunities (i.e. playground). The Planning Board can require greater than 25% as part of the Special Permit process.*
- **Are we losing opportunities?** *Yes. Large tenants have left the Park and new tenants are comparing Billerica to competitive communities. The park is missing a full slate of business services.*
- **Vacancy?** *290 Concord Road: 143,148 SF office building – completely vacant. 600 Technology Park Drive: 467,400 SF office building – 370,223 SF vacant. Jewels of Route 3; not seeing traction in market.*



Q&A

- **What does the Billerica Master Plan say about mixed use?**

Land Use Vision, Goals and Actions

Goal 1 Promote better and higher use of the Town's commercial centers, industrial clusters, and underutilized brownfield areas, and seek places for mixed use.

"Off Concord Road near Exit 27 there are two office parks – Federal Street and Technology Park – that have few or no amenities. The prime location of these areas offer good potentials for mixed use development."

What are businesses looking for? *Companies are looking for amenities in close proximity to offices, shorter commutes for employees, and transportation access...*



Support for Mixed Use



Rob Anderson
Community Development Director
Town of Billerica
365 Boston Road
Billerica, MA 01821

Dear Rob,

Thanks so much for reaching out to us about the mixed use overlay district that Billerica is proposing for Technology Park Drive. We are one of the larger property owners in the park and The Gutierrez Company was the original leader for much its development.

For many years, we have seen the continued shift in the suburban market for office and high tech companies with many, preferring the Boston and Cambridge areas. Those cities have amenities (and transportation) readily accessible to their facilities and although it is more cost effective to be in a community like Billerica, the lack of amenities is off-putting to those considering relocation or expansion of their existing footprint.

Despite this trend however, there are many examples of suburban markets that have been able to retain, grow, and even attract new office and high tech companies by providing an amenity base that these companies find appealing.

The Gutierrez Company would welcome the opportunity to invest more in the area and see our building at 600 Tech Park Drive return to its full potential which would be a benefit to us, the park, and the Town's economic base. We have spoken about a variety of potential projects and initiatives to bring more companies to the park and we appreciate Billerica taking the steps necessary to consider options to address the challenges. The proposed mixed use zoning overlay gives us flexibility to explore a variety of options, and you have our support.

Sincerely,

Israel Lopez
Managing Director of Development
The Gutierrez Company

“...although it is more cost effective to be in a community like Billerica, the lack of amenities is off-putting to those considering relocation or expansion of their existing footprint.”

“The Gutierrez Company would welcome the opportunity to invest more in the area...the proposed mixed use overlay gives us flexibility to explore a variety of options, and you have our support.”



Support for Mixed Use



“The possibility of a zoning change to add mixed development will help to attract businesses and in turn would assist us in allowing our hotel to reach its fullest potential.”



Support for Mixed Use



September 24, 2018

Rob Anderson
Community Development Director
Town of Billerica
365 Boston Road
Billerica, MA 01821

Dear Rob,

I am writing in support of the proposed mixed use redevelopment at Technology Park Drive in Billerica.

The Middlesex 3 Coalition is a regional economic development organization, which includes nine communities and almost 100 business members. We were established in 2012 to bring municipalities and businesses together to address concerns and improve business development along the Route 3 corridor in Middlesex County.

The Coalition works closely with area developers, and we have seen significant efforts to attract and retain businesses and employees throughout the area. We have heard many times from developers and real estate owners that amenities are no longer considered amenities; they are seen as necessities. Employees – especially high-tech, millennials – seek employment opportunities, which offers additional benefits and resources, including access to restaurants, retail, alternative transportation resources, outside activities, etc.

Developers are responding. They are investing and renovating their buildings to include amenities and transportation options in order to attract high-tech, high-growth companies. We see this in the majority of the Middlesex 3 communities as well as throughout Massachusetts, including Route 129 in Chelmsford, The District in Burlington, Crosby Center in Bedford, and 3rd Avenue in Burlington – just to name a few.

I applaud you for your efforts to meet the needs of the business community, promote alternative transportation resources and minimize traffic impacts. Please let me know if I can provide additional information to you or the Town of Billerica.

Sincerely,

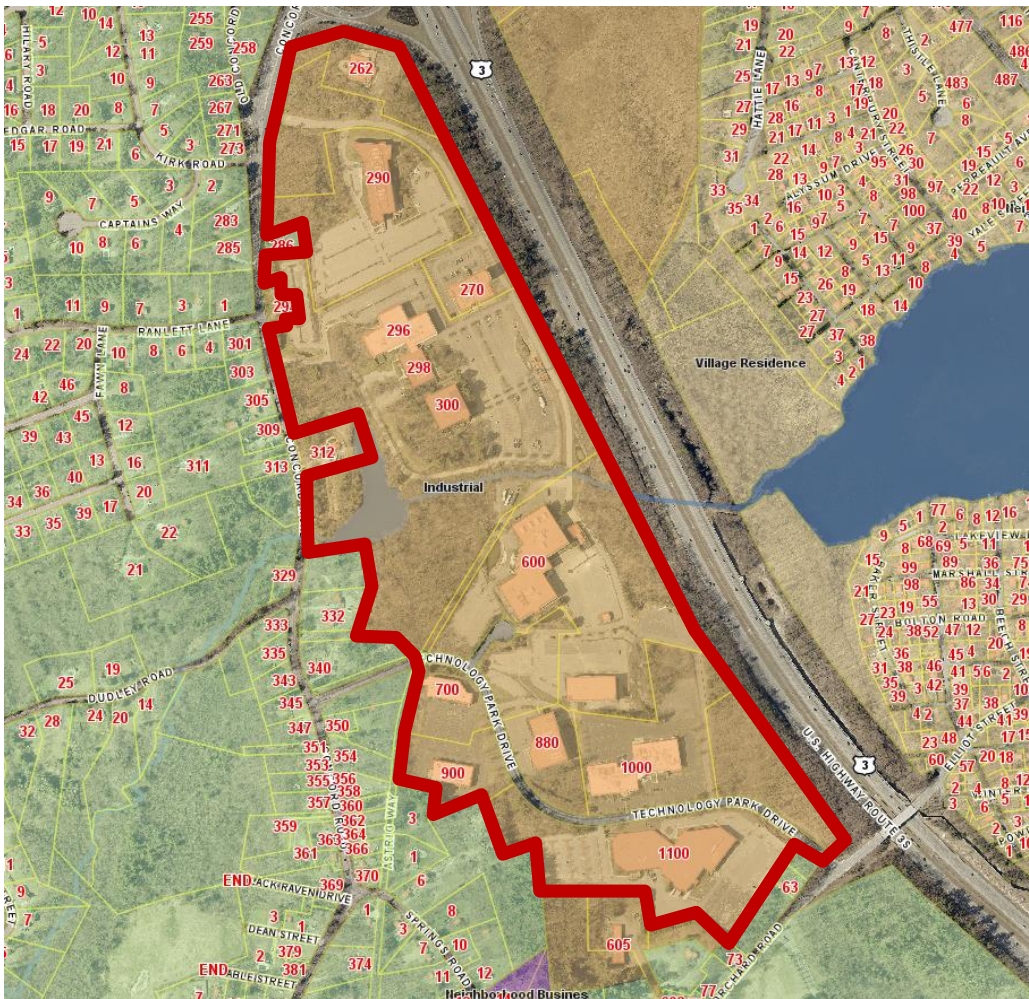
A handwritten signature in black ink, appearing to read "Stephanie J. Cronin".

Stephanie J. Cronin, Executive Director

“We have heard many times from developers and real estate owners that amenities are no longer considered amenities; they are seen as necessities. Employees – especially high-tech, millennials – seek employment opportunities, which offers additional benefits and resources, including access to restaurants, retail, alternative transportation resources, outside activities, etc. Developers are responding.”



Technology Park PUD Location – Article 42



APPENDIX L

Capital

**Town of Billerica
Capital Budget Narrative
FY2019
Revenue Capacity**

The Town has a Revenue Capacity of approximately \$197 Million annually. The Town projects a revenue need of \$184 Million. This results in an excess levy capacity of approximately \$13.6 million – \$3.1 million

greater than two years ago. 70% of the town's revenue capacity is generated by the tax levy and 11% from local receipts. 14% of the town revenue comes from state aid. The total FY2019 annual budget including Enterprise Budgets is approximately \$165 Million. Annual Debt Service is \$15.7 Million. This represents just below 9% of the annual budget – DOR Guidelines recommend 10 % or lower.

Debt Stabilization Policy

The Town of Billerica maintains a levy commitment every year of \$9.066 Million dollars. In the years that the town debt service requirement is below this commitment the difference is appropriated to a debt stabilization fund. In the years that the debt service spikes over that commitment the town will appropriate the difference from the stabilization fund. The Town has not had the need to use the stabilization up to this point for general debt. The Town did appropriate \$1.4 million and \$1.625 million respectively in the last two years from the Debt Stabilization fund to fulfill the policy on excluded debt –

FY 2019 Revenue Summary

Levy	\$	127,968,344	70%
Local Aid		26,071,975	14%
Local Receipts		11,332,000	6%
Enterprise Receipts		8,600,000	5%
Other Receipts		10,134,935	6%
Total Projected Revenue	\$	184,107,254	100%

Table 1

History of Debt Stabilization

Date	Source	Article	Appropriation
10/4/2011	Free Cash	23	1,373,593
6/30/2012	Interest		10,339
10/2/2012	Levy	12	724,588
10/2/2012	Free Cash	23	1,289,321
6/30/2013	Interest		80,692
10/1/2013	Levy	16	908,817
10/1/2013	Free Cash	31	753,836
6/30/2014	Interest		72,634
10/7/2014	Free Cash	20	1,102,100
10/7/2014	Overlay Surplus	18	2,720,172
6/30/2015	Interest		175,327
10/6/2015	Free Cash	13	1,800,000
6/30/2016	Interest		311,248
10/4/2016	Levy	12	735,000
10/4/2016	Free Cash	13	731,856
10/4/2016	WW RE	13	1,068,144
5/1/2017	Overlay Surplus	20	1,200,623
6/30/2017	Interest		481,609
11/21/2017	W/D	12	(1,400,000)
11/21/2017	Free Cash	23	1,800,000
11/21/2017	Levy	11	60,434
5/30/2018	Overlay Surplus	17	55,265
6/30/2018	Interest		(223,456)
7/31/2018	Interest		112,101
Subtotal:			\$ 15,944,244
Total			\$ 15,944,244
Date		Article	Appropriation
5/1/2018	Levy	3	766,198
10/2/2018	W/D	xx	(1,625,000)
10/2/2018	Free Cash	xx	1,800,000
2018-2019 Appropriations			\$ 941,198
Balance after Fall 2018			\$ 16,885,442

Table 2

which is to ensure that the tax impact on the median household does not exceed \$200 annually. The Graph and Table 3 below project when the Town will need to use stabilization funds and how much it will need to fund the Town's long term capital needs. The Town needs approximately \$19 Million to fund the long term capital plan for the two debt excluded schools to limit the impact to \$200 annually on the median household. The Town will have approximately \$17 million in the debt stabilization fund by the fall of 2018 (see Table 2). An additional \$33 million will be needed to maintain a \$9 million impact on the levy of all general debt. This can be attained by appropriating \$1.8 million from free cash annually (see Table 3). At this rate the town will easily meet the goal of \$33 Million within the next 20 years through free cash appropriations and levy

Town of Billerica Debt Stabilization Fund Schedule							
Fiscal Year	Beginning Balance	Interest	Appropriations		Draw Down		Ending Balance
			Levy	Free Cash	Wastewater	HS Debt Exclusion	
2016	9,094,440	173,191	0	1,800,000	0		11,067,631
2017	11,447,593	161,273	823,277	3,000,000	0		15,432,143
2018	15,423,143		60,434	1,800,000	0	-1,400,000	15,883,577
2019	15,883,577	112,101	705,764	1,800,000	0	-1,625,000	16,876,442
2020	16,876,442	320,652	0	1,800,000	-534,555	-1,425,000	17,037,540
2021	17,037,540	323,713	0	1,800,000	-334,062	-1,125,000	17,702,191
2022	17,702,191	336,342	0	1,800,000	-1,426,876	-1,000,000	17,411,657
2023	17,411,657	330,821	0	1,800,000	-1,216,214	-1,250,000	17,076,265
2024	17,076,265	324,449	0	1,800,000	-2,401,297	-725,000	16,074,417
2025	16,074,417	305,414	0	1,800,000	-1,466,306	-700,000	16,013,525
2026	16,013,525	304,257	0	1,800,000	-2,115,505	-1,000,000	15,002,277
2027	15,002,277	285,043	0	1,800,000	-2,046,909	-800,000	14,240,411
2028	14,240,411	270,568	0	1,800,000	-1,891,184	-900,000	13,519,795
2029	13,519,795	256,876	0	1,800,000	-3,307,548	-775,000	11,494,123
2030	11,494,123	218,388	0	1,800,000	-3,159,397	-775,000	9,578,115
2031	9,578,115	181,984	0	1,800,000	-2,868,484	-925,000	7,766,615
2032	7,766,615	147,566	0	1,800,000	-2,008,960	-900,000	6,805,220
2033	6,805,220	129,299	0	1,800,000	-2,716,345	-950,000	5,068,175
2034	5,068,175	96,295	0	1,800,000	-2,591,546	-525,000	3,847,924
2035	3,847,924	73,111	0	1,800,000	-2,570,032	-500,000	2,651,003
2036	2,651,003	50,369	0	1,800,000	0	-475,000	4,026,372
2037	4,026,372	76,501	0	1,800,000	0	-400,000	5,502,873
2038	5,502,873	104,555	0	1,800,000	0	-400,000	7,007,428
2039	7,007,428	133,141	0	1,800,000	0	-400,000	8,540,569
2040	8,540,569	162,271	0	1,800,000	0		10,502,840
Totals			4,878,181	1,589,475	55,847,593	-32,655,218	-18,975,000

appropriations dictated by this policy.

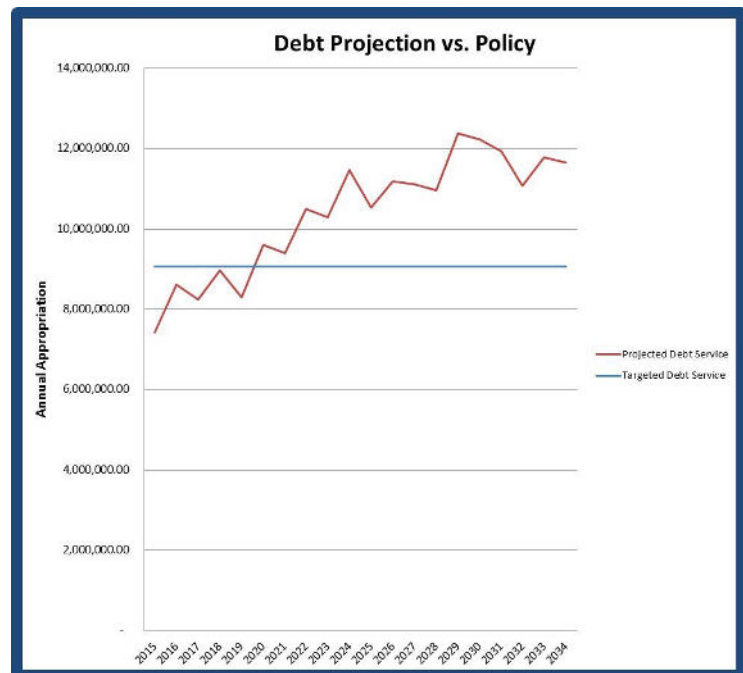
Table 3

The Town Debt Stabilization Policy has two objectives. One is maintaining the general fund debt at \$9 Million by using this fund. The second is using debt stabilization to buffer the impact of debt exclusions. It is projected that \$19 Million will be needed to contain the impact of two debt exclusion on the median single family tax bill to \$200 annually. The total debt stabilization need over 20 years is \$55 Million (see Table 3).

The Capital Plan

The Town has Short Term Capital Plan and a Long Term Capital Plan. The Short Term Plan is funded through budget appropriations and one-time free cash appropriations. Each year \$1 million or more is appropriated for Short Term Capital. Long Term Capital needs are handled through debt service as outlined in the Debt Service Policy. New School projects are handled through debt exclusions and have no impact on the operating budget.

There are four components to the Capital Plan; the Short Term Plan, the Long Term Plan, the school Pan and the Roadway Management Plan. The Short Term, School and Roadway Management Plans are attached and provide much greater detail. The High School is the biggest capital need in the School Plan. It is expected that the existing debt exclusions will be replaced by other debt exclusions five years into the future to address a significant middle school project. Roadway projects are funded through local appropriation, chapter 90 funds and state grant monies. The Long Term Plan is also attached however there are two significant separate reports that are part of the Long Term Plan – the Comprehensive Wastewater Management Plan (CWMP) and the Water Capital Improvement Plan (CIP). Summaries of these reports are also attached as supporting documentation. The CWMP is projected to cost \$260 Million over 25 years. These costs are included in the Long Term capital Plan. The Water Department CIP has \$10 Million of Capital needs in the foreseeable future and is funded annually through 3% annual water fee increases as illustrated in the attached Water CIP. A description of these two significant capital resources is provided below for context.



Sewer Capacity and Wastewater Management Infrastructure

The Town is in the process of completing an aggressive sewer expansion program. The Town's public sewer system covers 85% of the community, up from 70% in 2004. The wastewater collection system is comprised of 190 miles of sewer ranging from 8 inch to 45 inch gravity lines and force mains. The Town operates a Grade 7 Wastewater Treatment Plant with design capacity of 5.5 million gallons per day (MGD). The plant treated 1,24 Billion gallons of wastewater in 2016 and the average daily flow at the plant was approximately 3.4 MGD, a significant increase (>2 MGD) from 2002 levels. There are twenty-five (25) pumping stations located throughout town.

The Town has been fairly aggressive in expanding the sewer system in order to serve the entire community. The following sewer contracts have been completed or recently initiated:

- Contract 34B – 5.53 miles of sewer and 1.5 miles of water infrastructure. 285 homes to be serviced was completed in the fall of 2016.
- Salem Road Infrastructure – 2,600' sewer, 2,800' water and 1,000' drain. Sidewalk and signal. Completion date of June 2017.
- Rangeway Road (Aspen Apartments) – Private sewer extension. 18 properties to be serviced. Was completed in November 2016 with final paving in 2017.

Sewer contract 36 for \$14 million has been designed for the Route 129/Andover Road area and will be funded for construction in Spring 2017. The Town spends \$20-25 million every two years on sewer expansion projects. The completion date is anticipated to be 2035 after spending an additional \$140 million. The Town actively uses an Enterprise Fund to plan for the expansion of the sewer system. Several other areas to be addressed include the High School area and Middlesex Corporate Park. While the treatment plant is fully built out, Waterline Industries just completed a \$4 million contract for Phase 2 renovations at the plant, which included the rehabilitation of primary clarifiers and aeration tanks, the installation of a second Fournier Press and replacement of a sludge conveyor, primary sludge pumps and supporting electrical equipment and piping.

Public Water Supply Infrastructure

The Concord River is the sole source of drinking water for the Town of Billerica, with public water available to the entire Town. The first Water Treatment Plant was built in 1955 with a capacity of 3.5 million gallons per day (MGD) with expansion capacity up to 7 MGD. By 1967 the plant was expanded to its intended maximum capacity. With more extensive growth in Billerica, the plant's capacity was increased to 14 MGD in 1976. Due to problems with the existing water treatment plant, the Town broke ground in 2003 on a new \$25 million water treatment plant located off Treble Cove Road, with a capacity of 14 million gallons per day (gpd). The new water treatment plant was in response to numerous problems with deferred maintenance. The new plant did not increase the amount of water withdrawn from the Concord River; however it was designed to improve the quality of the drinking water.

The Town has MassDEP approval to withdraw 5.34 million gpd on an annual average. The town's annual water consumption in FY 15 was approximately 1.784 billion gallons, with an average of 4.89 gallons of water used per day. The highest daily pumping occurred on 7/27/2016 when 9.53 million gallons were produced. The water treatment plant has benefited from assistance from National Grid through the installation of 57 Variable Frequency Drives (VFD) through ICS Corporation at a cost of \$95,000 by National Grid. The installation of these VFDs has resulted in an annual electricity savings of \$45,000 per year. Major water projects in the community have included the following:

The following Streets had new water main installation under Contract 35:

- **Agawam Circle Allen Road to cul-de-sac 330 If 6 inch DIP**
- **Allen Road Agawam Circle to Allen Road Ext. 448 If 8 inch DIP**
- **Alton Street Baldwin Road to cul-de-sac 420 If 8 inch DIP**
- **Boynton Lane Andover Road to dead end 440 If 8 inch DIP**
- **Marlyn Road Pond Street to cul-de-sac 1731 If 10 inch DIP**
- **Pondover Road Andover Road to Pond Street 1952 If 8 inch DIP**
- **Rosa Circle Pondover Road to cul-de-sac 202 If 8 inch DIP**
- **Sandberg Road Andover Road to Tercentennial Drive 297 If 10 inch DIP**
- **Sandberg Road Tercentennial Drive to Arakelian Drive 664 If 8 inch DIP**
- **Tercentennial Drive Sandberg Road to Kenrick Ave 1051 If 10 inch DIP**

Town of Billerica - Five Year Capital Plan FY19 to FY23

Department	Project	Funding Source	FY19	FY20	FY21	FY22	FY23
DPW - Parks and Trees	Landscaping Equipment	Budget/Free Cash	60,000	60,000	60,000	60,000	60,000
	F250 Pick up with Plow, replacement for C1	Budget/Free Cash			38,000		
	F250 Pick up with Plow, replacement	Budget/Free Cash		68,000			
	F250 Pick up with Plow, replacement	Budget/Free Cash	70,000				
	F150 with a plow to replace	Budget/Free Cash	35,000				
	F150 with a plow to replace	Budget/Free Cash	35,000				
	Agent Orange Memorial	Budget/Free Cash	20,000				
	Locke Baseball Field Access Project	Budget	325,000				
	Dutile Field Project	Budget		150,000			
	Kennedy Field Project	Budget			150,000		
	Hajjar School Softball Field (school)	Budget				150,000	
	PHR Complex	Budget					150,000
DPW - Wastewater	Replacement Vehicle	Art. 20, STM 2012					
	Sewer Inflow Infiltration Removal Program	I/I Funds	100,000	100,000	100,000	100,000	100,000
DPW - Engineering	Drainage improvement on River Street	Budget					
	Survey, Plan Acceptance and Repair of unaccepted Ways	Free Cash	200,000	200,000	200,000	200,000	200,000
	Repair of Sewer Manhole	I/I Funds	50,000	50,000	50,000		
DPW - Water	Water Rebate Program for homeowners funded through the Water Conservation Fund	Water Conservation Fund					
	Water Rebate Program for homeowners funded through the Water Conservation Fund	Water Conservation Fund	50,000	50,000	50,000		
	Hydrants and Valves	Budget	250,000	250,000	250,000	200,000	200,000
	Purchase and intallation of Gate Valves	Water Conservation Fund					
	Compact FWD Van	Budget					
	Replace W-20 Dump Truck 2002	Budget					
	Replace Backhoe W-40	Budget			120,000		
	Bobcat for Water Distribution	Budget					
DPW - Highway	Street sweeper			225,000			
	Front End Loader Replacement	Budget/Free Cash		150,000			
	Back up Generator	Budget/Free Cash	65,000				
	Asphalt Roller	Budget/Free Cash		50,000			
	F250 Pick up with Plow, replacement for H-2	Budget/Free Cash					
	F250 Pick up with Plow, replacement for H-3	Budget/Free Cash					
	5 Ton Dump Truck W/sander & Plow, Replacement	Budget/Free Cash	150,000				
	5 Ton Dump Truck W/sander & Plow, Replacement for H38	Budget/Free Cash					
	Backhoe, replacement	Budget/Free Cash			150,000		
	5 Ton Dump Truck W/sander & Plow	Budget/Free Cash	168,000				
	F250 with Plow	Budget/Free Cash	70,000		70,000		
Police	Computer Server Replacement	Lease					
	Portable Radios and Communications	Art. 28, STM 2010					
	Portable Radios and Communications	Budget				85,000	
	Police Radio System-Upgrade to Digital, Replace Repeaters and Recievers/Stratetic						
	Public Safety Technology Plan	Budget/Warrant Article			235,000.00	225,000.00	
	Replace K-9 Vehicle	Budget					
	A/C System Repairs and duct maintenance	Budget	75,000				
	Replace Department Motorcycles	Budget/Free Cash			40,000		
	Upgrade Camera System	Budget					
	Technology Upgrade with licenses, Door access and security system	Budget	15,000				
	Upgrade Mobile Computer System	911 Grant	10,000	10,000	10,000	10,000	10,000
	1st Floor Renovations Floor and Ceiling, etc	Budget					70,000
	Lobby and Front Entrance Renovations	Budget					
	Exterior Doors and Entrance Ways	Budget					
	Expand capacity to townwide fiber network	Budget				35,000	

	Replace Ambulance	Art. XX, Free Cash, FTM 2016					
	Ambulance Bay Lower Floor Clearance	Budget					
	Alexander Road Building Repairs	Budget	30,000				
	Add fiber security connectionsVVP, Kolraush, Town Center , etc. - Expansion of Fiber Network	Budget	50,000	50,000	50,000		
	Upgrade Security camera in cell block	Budget					
	Replacement of Cell Door locks	Budget	20,600				
	Crosswalk Safety Systems	Budget	15,000				
	Acquire four Radar Sign Boards	Budget	30,000				
	Air Conditioning Ventilation	Budget					
	Communication Center/Combined Dispatch	Budget			325,000		
	Replacement of Department Firearms	Budget/Free Cash			55,000		
	Awning replacements		35,000				
	Physiometrics Life Pack		28,000				
	UST Removal and Replace	Free Cash					
Fire Department	One Ton 4WD Pick Up W/Plow Service 2	Budget					
	One Ton 4WD Pick Up W/Plow Service 1	Budget	50,000				
	Replace 1996 Crown Victoria	Budget					
	Replace 2011 Ford Taurus/w Explorer	Budget		45000			
	Replace 2009 Ford Taurus w/ Explorer	Budget					
	Replace 2002 Ford Explorer	Budget	43,000				
Technology	Desk Top Computer upgrade	Budget					
	Upgrade Phone System and Network Infrastructure	Budget					
	E-Mail Server Upgrades	Budget					
	Printer and other non computer upgrades	Budget					
Recreation	Micozzi Beach Paddle Boats	Budget					
	Vining School	Budget		150,000			
	New Signage for Rec Facilities	Budget	20,000				
	Fence Repairs	Budget	20,000				
	Disc Golf Course	CPA Funds	17,806				
	ADA Compliance Updates	Budget	25,000				
	Security	Budget		15,000			
	Paving Parking Lots	Budget			50,000		
	Nutting Lake Assessment	Budget					
Town Hall	Point Exterior (four Phases)/Windows	Free Cash					
	Town Hall Renovations	Budget	150,000				
	Town Hall Site Work	Budget		200,000			
	Voting Machines	Budget			100,000		
	Copier Replacement Townhall Wide	Reserves					
Building Department	Hand held inspection inspection computers, Computer and screen for customer service counter	Budget					
		Budget					
Council on Aging	Replace Carpeting 1st and 2nd Floors	Budget					
	Replacement of First Floor Windows - West Side of Building	Budget	50,000				
Library	Computer Replacement (10)	Budget					
	Security Cameras	Budget					
	Concord Road, Main Entrance and Staff Stairway and Lighting						
	Boiler Repair						
	Elevator						
	Elevator technology upgrade	Budget			4000		
Inspectional Services	Vehicle for inspectors						
Projected Total Town Expense			2,402,406	1,943,000	2,007,000	1,165,000	790,000
Funded through FY2019 Budget			\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
Funded through FY2018 Certified Free Cash Estimate			\$1,011,600	\$565,000	\$769,000	\$105,000	\$0
Projected Outstanding Requests			890,806	878,000	738,000	560,000	290,000

Town of Billerica - Long Term Capital Plan FY19 to FY23

Department	Project	Funding Source	TM Action	FY18	FY19	FY20	FY21	FY22	FY23
DPW - Administration	Design New DPW Facility	Bond							
	Construct New Highway Facility	Bond				1,600,000			
DPW - Cemetery, Parks and Trees Division	Cemetery Expansion	Bond			3,000,000				9,000,000
	Fox Hill Cemetery Nesh Wall	Sale of Lots and Graves							
DPW - Wastewater	Facility Improvements Co Mag	Bond	Art 32, ATM 2007						
	Pump Station CIP Phase 3 Improvements Design	Fall 2018 TM, Art. 14 TBD			525,000				
	Sewer System Expansion Needs Area and Salem Road Downstream								
	Sewer Improvements Design	Bond	TBD		15,500,000	10,150,000			
	Sewer System Expansion Needs Area 3 (36) Construction	Bond	Art. 23, ATM, 2017		14,000,000				
	Sewer System Expansion Needs Area 4 and 6 Design (Contract 37,38)	Bond	TBD		2,100,000				
	Sewer System Expansion Needs Area 4 and 6 (Contract 37,38)	Bond	TBD		25,661,428				
	WWTFCIP Phase 3 Improvements	Bond	TBD						
	Sewer System Expansion Needs Area 7 Design (Contract 39)	Bond	TBD			1,250,000			
	Sewer System Expansion Needs Area 9 Design (Contract 40)	Bond	TBD			1,250,000			
	Sewer System Expansion Needs Area 7 (Contract 39)	Bond	TBD						
	Sewer System Expansion Needs Area 9 (Contract 40)	Bond	TBD						
	Sewer System Expansion Needs Area 9 (Contract 40)	Bond	TBD						
	Concord River Interceptor Improvements	Bond	TBD						12,550,000
	Pump Station CIP Phase 4	Grant	TBD			1,311,800			
DPW - Engineering - Highway	Roadway Management	Chapter 90/Budget	TBD	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000
	Sidewalk Construction & Rehab	Chapter 90/Budget	TBD						
	MTP Concord to Manning	Chapter 90/Budget	TBD					1,600,000	
	Bikepath Design and Takings	Budget	TBD					1,000,000	
	Allen Road Improvements	Bond Authorization	Art. 19, ATM, 2014						
	Roger Street Roadway and Sidewalk Improvements	Chapter 90/Budget	N/A		800,000				
	Drainage Improvements Frost Street	Free Cash	Article 18, FTM 2018		500,000				
DPW - Highway	Car/Truck Wash	Bond	TBD					1,000,000	
DPW - Engineering - Sewer	Allen Road Water Improvement and Dry Sewer	Bond	Article 19, STM, 2014						
DPW - Water	Water Main Program	Free Cash	TBD	1,000,000	2,000,000				
	Water main Replacement Allen Rd	Bond	Article 26, ATM 2017						
	Frost Street Drainage and Water main Replacement	Bond/Fees	TBD						
	WTP Restrooms Processing Facility		TBD						
	WTP Ozone Improvements Design	Fall 2018 TM, Art. 14 TBD			975,000				
	WTP Ozone Improvements	Bond	TBD			9,086,750			
	Water Meter replacement - Town Wide	Bond/Fees	Article 25, ATM 2017						
Police	Upgrade Police Radio System	Bonding	TBD	400,000					
Fire Department	Fire Pumper - Engine 2	Bonding	TBD	650,000					
	Fire Pumper - Engine 3	Bonding	TBD				625,000		
	Fire Pumper - Engine 5	Bonding	TBD			700,000			625,000
	Replace 1999 Freightliner Heavy Rescue		TBD						
	Brush Truck		TBD						
	Pneumatic Station		TBD						300,000
Recreation	Microzzi Beach Facility Design	Bond	TBD						
	Peggy Harmon-Rizza Recreation Complex Phase Two	Bond	TBD						
	Hajjar School Softball Field (school)	Bond	TBD						
	Peggy Harmon-Rizza Recreation Complex Phase Three	Bond	TBD	800,000					
	Peggy Harmon-Rizza Recreation Complex Phase Four Design	Appropriation	CP A Fund		433,200				
	Environmental Center	Bond	TBD						
	Kohlhausch Park Facility, preschool structure, restroom and storage facility	Reserves	TBD	125,000					
	Yankee Doodle Bike Path 75% Design	Appropriation	CP A Fund		367,000				
	Recreation Facility Roof Replacement	Reserves	TBD						
	Recreation Facility Window Replacement	Reserves	TBD						
	Marshall Middle School Sports Complex Lights for Softball and Baseball Fields	Bond	TBD	400,000					
	Design and Build 2 Neighborhood Parks	Reserves	TBD	200,000					
Town Hall	Replace Roof	Bond	TBD						
Council on Aging	Generator for Entire Building	Reserves	TBD						
	Rubber and Copper Roof Replacement	Reserves	TBD						
Library	Exterior Maintenance/Couple	Reserves	TBD			135,000			
Town Manager	Roof Replacement	Reserves	TBD						
	Town Center Traffic Roadway Improvements	Reserves	TBD						
	Howe School	Appropriation	CP A Fund	420,000	5,000,000				
	Codification of Town Bylaws and Policies	Reserves	TBD						
Total Town	Water and Sewer Funded			\$24,175,000	\$51,681,628	\$29,421,750	\$11,925,800	\$17,200,000	\$23,975,000
	Town less W&S			\$17,100,000	\$44,681,428	\$20,486,750	\$9,800,800	\$12,100,000	\$12,550,000
				\$4,075,000	\$7,020,200	\$8,935,000	\$2,123,000	\$3,100,000	\$11,425,000
				21,175,000	51,681,628	29,421,750	11,925,800	17,200,000	23,975,000
Total Town Departments									
Town of Billerica School Department - Long Term Capital Plan FY17 to FY21 See Attached Dore and Whittier Draft									
	BW&S Feasibility Study	Free Cash							
	New High School	Debt Exclusion			100,000,000				
				21,175,000	151,681,628	29,421,750	11,925,800	17,200,000	23,975,000
Total Capital Plan									

Capital Plan

Billerica Sewer Needs Collection Systems Priority and Cost analysis

Need Area	Total Sewer Pipe (Feet)	Total Cost for Needs Area (2015 \$)	Cost per LF	Parcels in Area	Cost per Parcel	Environmental Need	Environmental Need High	Environmental Need Medium	Environmental Need Low	% of Parcels (13,368 Total)	% Complete (82.9% to date)	% Residential	% Com / Ind / Mun
2&8	29,200	\$ 10,869,950	\$372.26	285	\$ 38,140.18	High	\$10,869,950			2.1%	85.1%	98	2
3	30,200	\$ 13,913,900	\$460.73	247	\$ 56,331.58	High	\$13,913,900			1.9%	86.9%	87	13
4	21,200	\$ 9,728,550	\$458.89	223	\$ 43,625.78	High	\$ 9,728,550			1.7%	88.6%	97	3
5	Installed with Bertha & Poe										88.6%		
6	23,800	\$ 10,948,600	\$460.03	148	\$ 73,977.03	High	\$10,948,600			1.1%	89.7%	90	10
7	26,900	\$ 12,104,950	\$450.00	167	\$ 72,484.73	High	\$12,104,950			1.3%	90.9%	70	30
8	Included with Need Area 2										90.9%		
9	27,300	\$ 12,548,250	\$459.64	262	\$ 47,894.08	High	\$12,548,250			2.0%	92.9%	69	31
10	28,700	\$ 13,049,400	\$454.68	176	\$ 74,144.32	High	\$13,049,400			1.3%	94.2%	89	11
11	10,000	\$ 4,251,000	\$425.10	76	\$ 55,934.21	Medium		\$ 4,251,000		0.6%	94.8%	89	11
12	21,900	\$ 9,932,650	\$453.55	240	\$ 41,386.04	Medium		\$ 9,932,650		1.8%	96.6%	89	11
13	9,800	\$ 4,397,250	\$448.70	62	\$ 70,923.39	Medium		\$ 4,397,250		0.5%	97.1%	72	28
14	5,900	\$ 2,675,400	\$453.46	48	\$ 55,737.50	Medium		\$ 2,675,400		0.4%	97.4%	96	4
15	3,500	\$ 1,551,550	\$443.30	32	\$ 48,485.94	Medium		\$ 1,551,550		0.2%	97.7%	82	18
16	17,200	\$ 7,511,400	\$436.71	147	\$ 51,097.96	Medium		\$ 7,511,400		1.1%	98.8%	84	16
17	2,900	\$ 1,305,850	\$450.29	21	\$ 62,183.33	Medium		\$ 1,305,850		0.2%	98.9%	91	9
18	Installed with Contract 34A - East Billerica										98.9%		
19	2,200	\$ 763,100	\$346.86	21	\$ 36,338.10	Low			\$ 763,100	0.2%	99.1%	93	7
20	3,100	\$ 1,001,000	\$322.90	20	\$ 50,050.00	Low			\$ 1,001,000	0.2%	99.2%	80	20
21	2,800	\$ 1,264,900	\$451.75	19	\$ 66,573.68	Low			\$ 1,264,900	0.1%	99.4%	27	73
22	9,300	\$ 4,213,300	\$453.04	43	\$ 97,983.72	Low			\$ 4,213,300	0.3%	99.7%	80	20
23	6,400	\$ 2,902,900	\$453.58	35	\$ 82,940.00	Low			\$ 2,902,900	0.3%	100.0%	45	55
24	700	\$ 313,950	\$448.50	4	\$ 78,487.50	Low			\$ 313,950	0.0%	100.0%	0	100
25	4,300	\$ 1,915,550	\$445.48	8	\$ 239,443.75	Low			\$ 1,915,550	0.1%	100%	100	0
TOTA	287,300	\$127,163,400		2284			\$83,163,600	\$ 31,625,100	\$ 12,374,700				

Capital Plan



Table 4-18: Summary of Final Recommended Plan

Recommendation	Priority	Estimated Project Cost (\$2009)	Description
Sewer Modeling	1	\$200,000	Purchase and populate dynamic sewer modeling software
Pump Station Improvement Program	1	\$12,068,800	Upgrade, bypass, and/or replace existing pump stations
Infiltration/Inflow	1	\$300,000 ⁽¹⁾ \$100,000/year ⁽²⁾	Conduct I/I Analysis and Continue I/I Evaluation and Rehabilitation Program
Upgrade Letchworth Avenue WWTF	1	\$24,630,000	Plant improvements to address existing and future flows and loads, and upgrade facilities
Shawsheen River Interceptor Sewer Monitoring	1	\$0	Monitor sewer sections for debris buildup and clean as required
Septage Management Plan	1	\$0 ⁽³⁾	Establish for areas where on-site systems to remain and for Needs Areas until sewer becomes available
Replace Richardson Street PS Upstream Sewer	2	\$2,250,000	Replace existing sewer in easement upstream of Richardson St. PS
Downstream System Improvements	3	\$14,947,200	Improvements needed for connecting Needs Areas to existing system
Concord River Interceptor Sewer Improvements	3	\$6,600,000	Improvements to the Concord River Interceptor for future conditions
Sewer System Expansion	4	\$192,600,000	Expansion of sewer system to Needs Areas

(1) I/I Analysis

(2) I/I Evaluation and Rehabilitation Program

(3) To be funded by homeowners and with loans from the DEP Community Septic Betterment Loan Program

Finally, Priority 4 is sewer system expansion to serve the Needs Areas. Sewer system modeling and improvements to existing systems need to be completed prior to extending sewers. If there is a desire to extend sewers to a Needs Area and no improvements to downstream systems are required based on the modeling, the extension could proceed as long as there is no impact on pumping stations, and the additional flow can be accepted at the WWTF.

Table 4-12 summarizes the Final Recommended Plan and includes the description of work planned, priority, proposed year for implementation and associated costs. The Final Recommended Plan for sewer system expansion is shown in Table 4-13. Needs Area 18 was completed in 2008 as Sewer Contract 34A. The expansion is scheduled to start in year 2 with Contract 34B and continue through the planning period as shown in Table 4-13 and Figure 4-1. This schedule coordinates with the 1999 Sewer Master Plan,

Capital Plan



availability of funding and attempts to not only coordinate sewer construction with other work on-going in Town, but efforts at minimizing construction related impacts to the Town.

Once the CWMP is completed and all appropriate regulatory, federal, state and local agencies have approved the final recommended plan, construction contracts can be finalized and the work started.

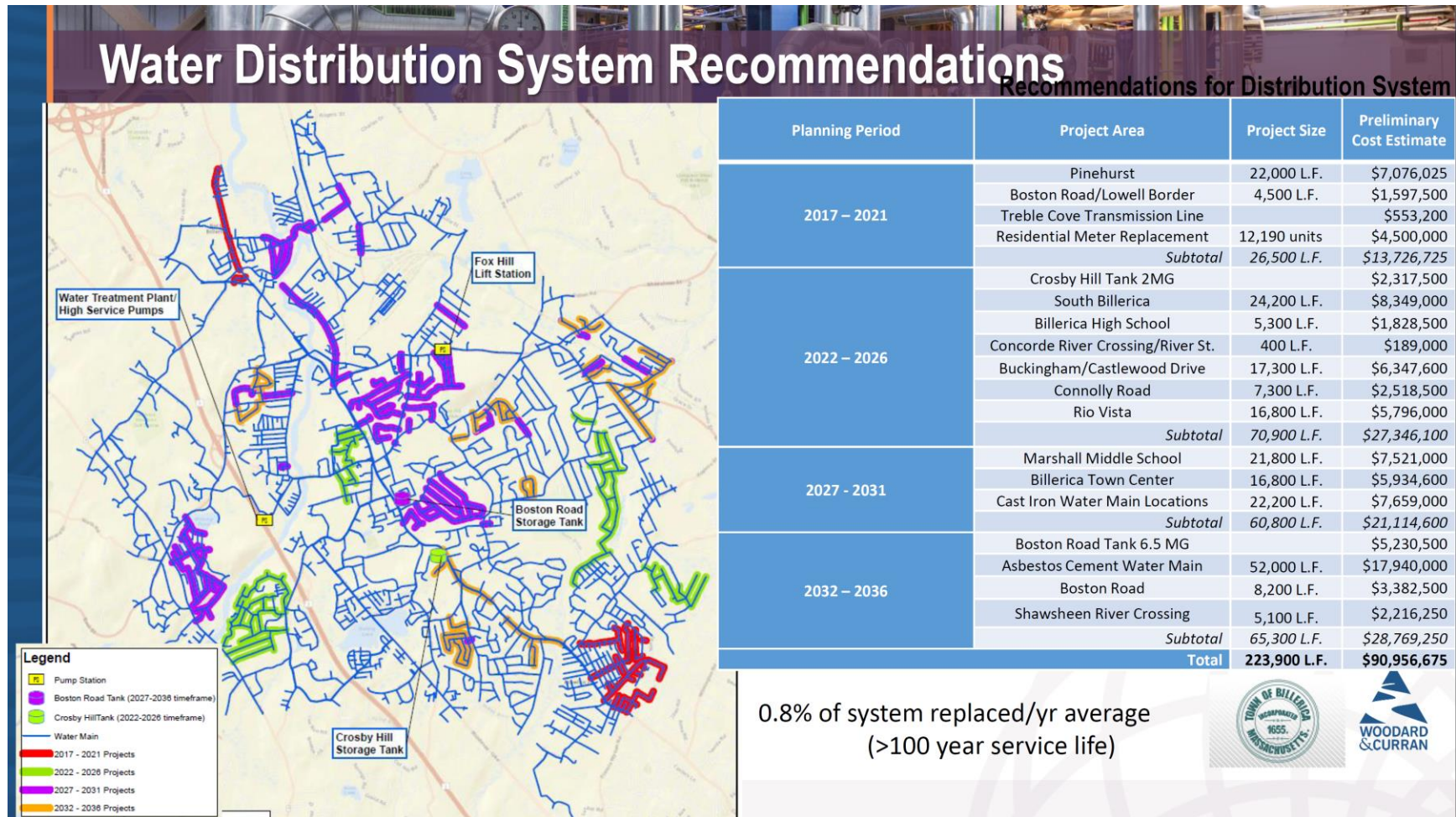
Capital Plan



Table 4-19: Final Recommended Plan Implementation Cost

Item	Description	Year												
		1	2	3	4	5	6	7	8	9	10	13	16	Total
1	Sewer Modeling	\$200,000												\$200,000
2	I/I Analysis	\$300,000												\$300,000
3	I/I Investigation & Rehab. Program	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$300,000	\$300,000	\$500,000	\$2,000,000
	Pump Station Improvement Program													
4	Phase 1	\$5,514,100												\$5,514,100
5	Phase 2			\$3,999,000										\$3,999,000
6	Phase 3					\$1,243,900								\$1,243,900
7	Phase 4										\$1,311,800			\$1,311,800
8	Richardson St. Upstream Sewer		\$2,250,000											\$2,250,000
9	WWTF Improvements		\$7,510,000	\$7,015,000		\$3,752,000		\$4,995,000		\$1,358,000				\$24,630,000
10	Downstream Sewer Improvements				\$5,491,200						\$9,456,000			\$14,947,200
11	Concord River Interceptor Improvements				\$975,000						\$5,625,000			\$6,600,000
	Subtotal	\$6,114,100	\$9,860,000	\$11,114,000	\$6,566,200	\$5,095,900	\$100,000	\$5,095,000	\$100,000	\$1,458,000	\$16,692,800	\$300,000	\$500,000	\$62,996,000
12	Sewer System Expansion			\$9,000,000	\$8,900,000	\$8,900,000	\$10,150,000	\$10,150,000	\$8,150,000	\$8,150,000	\$35,400,000	\$54,600,000	\$39,200,000	\$192,600,000
	Total	\$6,114,100	\$9,860,000	\$20,114,000	\$15,466,200	\$13,995,900	\$10,250,000	\$15,245,000	\$8,250,000	\$9,608,000	\$52,092,800	\$54,900,000	\$39,700,000	\$255,596,000
	Cumulative Total	\$6,114,100	\$15,974,100	\$36,088,100	\$51,554,300	\$65,550,200	\$75,800,200	\$91,045,200	\$99,295,200	\$108,903,200	\$160,996,000	\$215,896,000	\$255,596,000	
	(1) Program to be developed by I/I Analysis and supported with funds from the Town's developer I/I mitigation fund													

Capital Plan



Capital Plan

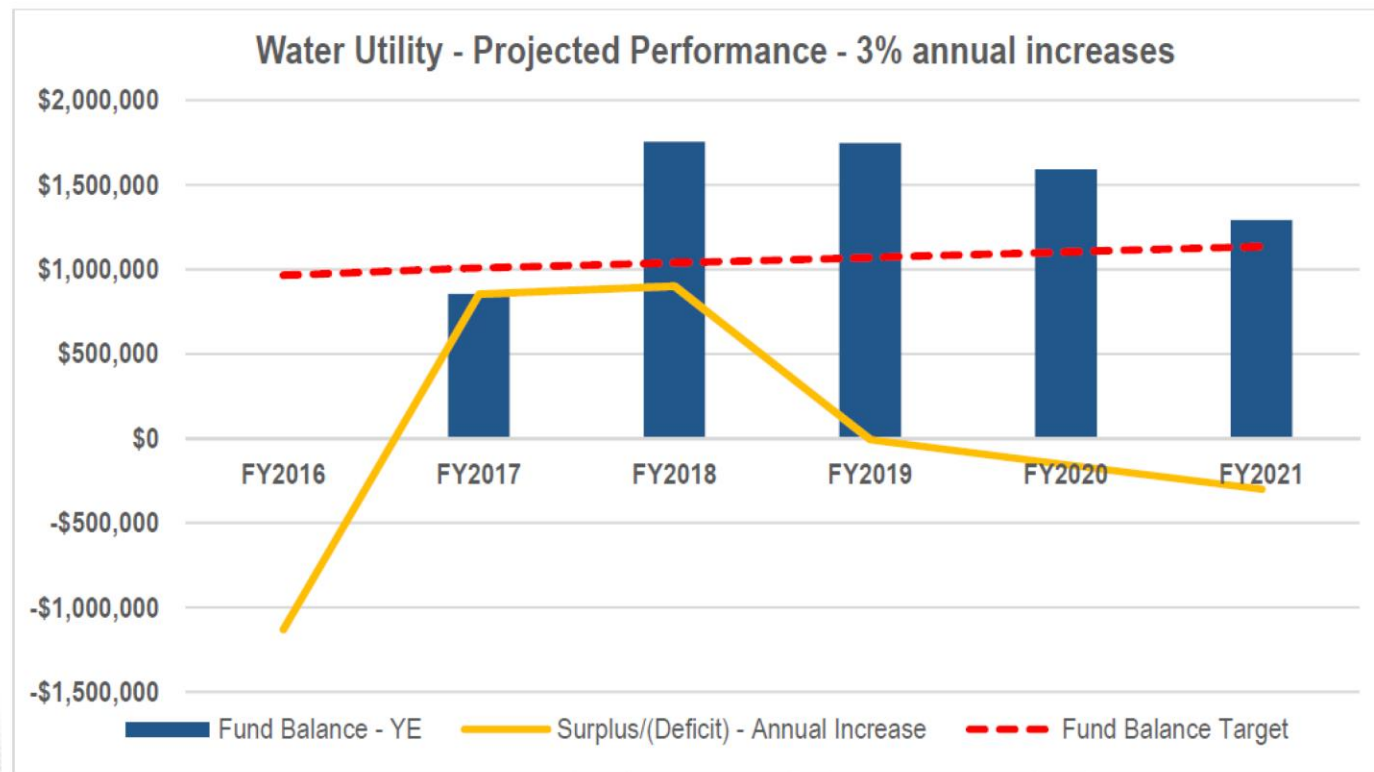
20-Year Capital Improvement Plan – Summary



Project	Preliminary Cost Estimate				Subtotal
	Years 2017-2021	Years 2022-2026	Years 2027-2031	Years 2032-2036	
Raw Water PS Elec Building HVAC Eval	\$5,000				\$5,000
Raw Water Transmission Main Assessment	\$75,000				\$75,000
Raw Water Pump Replacement	\$250,000				\$250,000
Raw Water Supply Redundancy		\$5,448,000			\$5,448,000
WTP Process Optimization	\$100,000				\$100,000
Chemical Storage Tanks	\$272,000				\$272,000
Filtered Water Chemical Injection	\$480,000				\$480,000
Ozone System Relocation and Replacement	\$8,353,000				\$8,353,000
Equipment Replacement		\$5,167,500	\$5,167,500	\$837,000	\$11,172,000
Finished Water Pump VFD Replacement	\$405,000				\$405,000
Power Quality Study	\$13,000				\$13,000
Active Harmonic Replacement System	\$120,000				\$120,000
NETA Equipment Testing	\$110,500				\$110,500
Lighting Upgrades	\$247,500				\$247,500
Electrical Safety Program	\$97,500				\$97,500
PLC Hardware Upgrade		\$150,000			\$150,000
SCADA Server/Thin Client Architecture		\$275,000			\$275,000
HMI Software Upgrade	\$125,000				\$125,000
Automated Reporting Software Upgrade	\$80,000				\$80,000
SCADA Disaster Recovery Process & Training	\$115,000				\$115,000
Structural Recommendations	\$991,000				\$991,000
Internal structural inspection of concrete tanks	\$25,000				\$25,000
HVAC Air Balance Study	\$4,800				\$4,800
HVAC Improvements to perimeter offices	\$120,000				\$120,000
HVAC Humidity Control	\$100,000				\$100,000
HVAC VAV System	\$100,000				\$100,000
WTP SUBTOTAL	\$12,189,300	\$11,040,500	\$5,167,500	\$837,000	\$29,234,300
Residential Meter Replacement	\$4,500,000				\$4,500,000
Crosby Hill Tank Replacement		\$2,317,500			\$2,317,500
Boston Road Tank Replacement				\$5,230,500	\$5,230,500
Pipe Replacement	\$9,226,725	\$25,028,600	\$21,114,600	\$23,538,750	\$78,908,675
Total	\$25,916,025	\$38,386,600	\$26,282,100	\$29,606,250	\$120,190,975

Capital Plan

Water Fund Balance – 3% Annual Increases



Capital Plan

Town of Billerica, DPW Engineering Division Roadway Management Program Capital Plan

FUNDING	PROJECT	ROAD	FROM	TO	Total Cost
2018					
DESIGN PROJECTS					
Chapter 90 & Local Funds	BOSTON RD NORTH RECONSTRUCTION PRELIMINARY DESIGN	BOSTON RD	RIVER ST	FLOYD ST	\$356,000.00
Local Funds	LEXINGTON RD/GLAD VALLEY INTERSECTION IMPROVEMENTS	LEXINGTON RD-01	GLAD VALLEY DR	BOSTON RD	\$200,000.00
Local Funds	WHIPPLE ROAD/ANDOVER ROAD INTERSECTION DESIGN	ANDOVER ROAD	AT WHIPPLE ROAD		\$60,000.00
Chapter 90	ROADWAY MANAGEMENT - EASEMENTS	COOK ST	AT PINES RD		\$1,000.00
		BALDWIN RD	KIMBROUGH RD	MARGARET LN	\$5,000.00
Local Funds	SEWER CONTRACT 36 (NEEDS AREA 3) DESIGN	NEEDS AREA 3			\$1,307,500.00
	FROST STREET DRAINAGE DESIGN CONTRACT 2	FROST ST	TOWER FARM RD	PRATT ST	\$25,000.00
Local Funds	YANKEE DOODLE BIKE PATH 25%/75% DESIGN	TOWN WIDE			\$449,500.00
Eng. Operational Budget	STORMWATER MANAGEMENT YR 1 /2	TOWN WIDE			\$163,000.00
MassDOT	COMPLETE STREETS PRIORITIZATION PLAN DEVELOPMENT	TOWN WIDE			\$35,900.00
Inflow / Infiltration Acct	INFLOW/INFILTRATION REHABILITATION CONTRACT 2	TOWN WIDE			\$75,000.00
Sewer	SEWER CONTRACT 37/38 (NEEDS AREA 4 & 6) DESIGN	NEEDS AREA 4 & 6			\$2,100,000.00

Capital Plan

Town of Billerica, DPW Engineering Division Roadway Management Program Capital Plan

FUNDING	PROJECT	ROAD	FROM	TO	Total Cost	
CONSTRUCTION PROJECTS						
Local Funds	BOSTON RD SOUTH TRANSFER OF OH TO UG AND POLE REMOVALS	BOSTON RD	CUMMINGS ST	TOWER FARM RD	\$250,000.00	
					Subtotal:	\$250,000.00
Chapter 90	ROADWAY MANAGEMENT	BALDWIN RD-06	KIMBROUGH RD	WESTMINSTER RD	\$51,911.00	
		BALDWIN RD-07	WESTMINSTER RD	BISCAYNE DR	\$151,084.00	
		BALDWIN RD-08	BISCAYNE DR	KENSINGTON DR	\$84,494.00	
		BALDWIN RD-09	KENSINGTON DR	CASTLEWOOD DR	\$26,761.00	
		BALDWIN RD-10	CASTLEWOOD DR	ROBIN HOOD LN	\$36,809.00	
		BALDWIN RD-11	ROBIN HOOD LN	LITTLE JOHN DR	\$54,452.00	
		BALDWIN RD-12	LITTLE JOHN DR	MARGARET LN	\$26,187.00	
		BRIDGE ST	TREBLE COVE RD	BOSTON RD		
		COOK ST	AT PINES RD		\$4,000.00	
		PURCELL DR-01	TUFTS LN	CUL DE SAC	\$103,730.00	
		PURCELL DR-02	PURCELL DR	CUL DE SAC	\$26,088.00	
		PURCELL DR-03	PURCELL DR	CUL DE SAC	\$53,082.00	
		TUFTS LN-01	BOSTON RD	PURCELL DR	\$80,739.00	
		TUFTS LN-02	PURCELL DR	DEAD END	\$12,625.00	
					Subtotal:	\$711,962.00
School	ROADWAY MANAGEMENT	LOCKE SCHOOL PAVING			\$25,000.00	
					Subtotal:	\$25,000.00
Chapter 90	TOWN-WIDE CRACK SEALING	TOWN WIDE			\$50,000.00	
Chapter 90	TOWN-WIDE PATCHING	TOWN WIDE			\$50,000.00	
Sewer	SEWER CONTRACT 36 (NEEDS AREA 3) CONSTRUCTION YR 1	NEEDS AREA 3			\$14,000,000.00	
I/I	INFLOW/INFILTRATION REHABILITATION CONTRACT 2 CONSTRUCTION	TOWN WIDE			\$100,000.00	
Local Funds	FROST STREET DRAINAGE CONSTRUCTION	FROST ST	TOWER FARM RD	PRATT ST	\$440,000.00	
	LOCKE SCHOOL FIELD IMPROVEMENTS	LOCKE SCHOOL			\$325,000.00	

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Capital Plan

Town of Billerica, DPW Engineering Division Roadway Management Program Capital Plan

FUNDING	PROJECT	ROAD	FROM	TO	Total Cost	
Private	ALPINE ST SEWER (PART OF NEEDS AREA 13) CONSTRUCTION	ALPINE ST-01 ALPINE ST-02 TWINS PINES AVE	BOSTON RD TWINE PINES AVE ALPINE ST	TWIN PINES AVE CHELMSFORD TL CUL DE SAC	\$925,000.00 \$0.00 \$0.00	
					Subtotal:	\$925,000.00
Private	LOWELL STREET SIDEWALK CONSTRUCTION	LOWELL ST-01 LOWELL ST-02 LOWELL ST-03 LOWELL ST-04 LOWELL ST-05	OLD ELM ST COLSON ST HOLT ST NUSSEY TER FRANKLIN ST	COLSON ST HOLT ST NUSSEY TER FRANKLIN ST BOSTON RD	\$350,000.00 \$0.00 \$0.00 \$0.00 \$0.00	
					Subtotal:	\$350,000.00
State TIP	ALLEN ROAD RECONSTRUCTION YR 3	ALLEN RD MARSHBROOK RD-02	WEBB BROOK RD ALLEN RD	BOSTON RD DEVONSHIRE DR	\$6,688,616.00	
					Subtotal:	\$6,688,616.00
State TIP	BOSTON RD IMPROVEMENTS AT ALLEN RD YR 1	BOSTON RD	TREMLETT RD	SHAWSHEEN RIVER	\$2,600,000.00	
State TIP	MIDDLESEX TURNPIKE CONSTRUCTION YR 1	MIDDLESEX TPK	PEARL RD	TOWN LINE	\$35,000,000.00	
					Total:	\$66,293,478.00

Capital Plan

Town of Billerica, DPW Engineering Division Roadway Management Program Capital Plan

FUNDING	PROJECT	ROAD	FROM	TO	Total Cost
2019					
DESIGN PROJECTS					
Chapter 90	BOSTON RD NORTH RECONSTRUCTION FINAL DESIGN	BOSTON RD	RIVER ST	FLOYD ST	\$625,000.00
Other	STORMWATER MANAGEMENT	TOWN WIDE			\$125,000.00
Sewer	SEWER CONTRACT 39/40 (NEEDS AREA 7 & 9) DESIGN	NEEDS AREA 7 & 9			\$2,500,000.00
Other	YANKEE DOODLE BIKE PATH EASEMENTS	TOWN WIDE			\$250,000.00
Other	YANKEE DOODLE BIKE PATH FINAL DESIGN	TOWN WIDE			\$600,000.00
I/I	INFLOW/INFILTRATION REHABILITATION CONTRACT 3	CLEANING & CCTV	CONCORD & SHAWSHEN INTERCEPTORS		\$40,000.00
CONSTRUCTION PROJECTS					
Sewer	SEWER CONTRACT 36 (NEEDS AREA 3) CONSTRUCTION YR 2	NEEDS AREA 3			\$14,000,000.00
Sewer	SEWER CONTRACT 37/38 (NEEDS AREA 4 & 6) CONSTRUCTION YR 1	NEEDS AREA 4 & 6			\$21,000,000.00
Chapter 90	ROADWAY MANAGEMENT	TOWN WIDE			\$1,000,000.00
		BOSTON RD SIDEWALK	ALPINE ST	LOWELL ST	\$30,000.00
Chapter 90	TOWN-WIDE CRACK SEALING	TOWN WIDE			\$50,000.00
	WHIPPLE ROAD/ANDOVER ROAD INTERSECTION CONSTRUCTION	ANDOVER ROAD	AT WHIPPLE ROAD		\$300,000.00
	LEXINGTON RD/GLAD VALLEY INTERSECTION CONSTRUCTION	LEXINGTON RD-01	GLAD VALLEY DR	BOSTON RD	\$1,000,000.00
Board of Appeals					\$150,000.00
					Subtotal: \$1,150,000.00

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Capital Plan

Town of Billerica, DPW Engineering Division Roadway Management Program Capital Plan

FUNDING	PROJECT	ROAD	FROM	TO	Total Cost
I/I	INFLOW/INFILTRATION REHABILITATION CONTRACT 3	CLEANING & CCTV	CONCORD & SHAWSHEEN INTERCEPTORS		\$250,000.00
Private	RANGEWAY RD PAVING - HAWTHORNE	RANGEWAY RD	NASHUA RD	STERLING RD	\$250,000.00
State TIP	BOSTON RD IMPROVEMENTS AT ALLEN RD YR 2	BOSTON RD	TREMLET RD	SHAWSHEEN RIVER	\$2,600,000.00
State TIP	MIDDLESEX TURNPIKE CONSTRUCTION YR 2	MIDDLESEX TPK	PEARL RD	TOWN LINE	\$35,000,000.00
	SIDEWALK EXTENSION AT REPUBLIC ROAD CONSTRUCTION	TREBLE COVE RD-13	WTP DRIVEWAY	REPUBLIC RD	\$149,013.00
	EXPANSION OF FOX HILL CEMETERY CONSTRUCTION	FOX HILL CEMETERY			\$2,100,000.00
	CALL ST PAVING & SIDEWALK	CALL ST-01	POLLARD ST	MYRTLE ST	\$79,928.00
		CALL ST-02	MYRTLE ST	SCHOOL DRWAY	\$198,873.00
		CALL ST-03	SCHOOL DRWAY	ROGERS ST	\$66,582.00
	ROGERS ST PAVING & SIDEWALK	PLACEHOLDER			
	POLLARD ST PAVING & SIDEWALK	PLACEHOLDER			
					Subtotal: \$345,383.00
					Total: \$82,364,396.00

Capital Plan

Town of Billerica, DPW Engineering Division Roadway Management Program Capital Plan

FUNDING	PROJECT	ROAD	FROM	TO	Total Cost
2020					
DESIGN PROJECTS					
Other	STORMWATER MANAGEMENT	TOWN WIDE			\$60,000.00
CONSTRUCTION PROJECTS					
Chapter 90	ROADWAY MANAGEMENT	TOWN WIDE			\$1,000,000.00
Other	ROADWAY MANAGEMENT	MIDDLESEX TPK-01	CONCORD RD	STEARNS LN	\$237,475.00
		MIDDLESEX TPK-02	STEARNS LN	FRENCH ST	\$192,019.00
		MIDDLESEX TPK-03	FRENCH ST	HATTIE LN	\$155,493.00
		MIDDLESEX TPK-04	HATTIE LN	DOLAN RD	\$106,527.00
		MIDDLESEX TPK-05	DOLAN RD	FRANCIS RD	\$63,494.00
		MIDDLESEX TPK-06	FRANCIS RD	CANTERBURY ST	\$55,364.00
		MIDDLESEX TPK-07	CANTERBURY ST	FRIENDSHIP ST	\$68,195.00
		MIDDLESEX TPK-08	FRIENDSHIP ST	STEWART ST	\$84,855.00
		MIDDLESEX TPK-09	STEWART ST	PERREAULT AVE	\$57,912.00
		MIDDLESEX TPK-10	PERREAULT AVE	LAKE ST	\$106,724.00
		MIDDLESEX TPK-11	LAKE ST	MARSHALL ST	\$382,556.00
		MIDDLESEX TPK-12	MARSHALL ST	HOWARD AVE	\$114,176.00
		MIDDLESEX TPK-13	HOWARD AVE	PEARL RD	\$104,619.00
				Subtotal:	\$1,729,409.00
Chapter 90	TOWN-WIDE CRACK SEALING	TOWN WIDE			\$50,000.00
	HOC SEWER PLANT DEMOLITION	OLD HOC SEWER PLANT			\$150,000.00
Sewer	SEWER CONTRACT 37/38 (NEEDS AREA 4 & 6) CONSTRUCTION YR 2	NEEDS AREA 4 & 6			\$21,000,000.00
State TIP	MIDDLESEX TURNPIKE CONSTRUCTION YR 3	MIDDLESEX TPK	PEARL RD	TOWN LINE	\$35,000,000.00
State TIP	BOSTON RD IMPROVEMENTS AT ALLEN RD YR 3	BOSTON RD	TREMLETT RD	SHAWSHOEN RIVER	\$2,600,000.00

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Capital Plan

Town of Billerica, DPW Engineering Division Roadway Management Program Capital Plan

FUNDING	PROJECT	ROAD	FROM	TO	Total Cost
State TIP	BOSTON RD NORTH CONSTRUCTION	BOSTON RD	RIVER ST	FLOYD ST	\$6,000,000.00
					Total: \$67,589,409.00
2021					
DESIGN PROJECTS					
Other	STORMWATER MANAGEMENT	TOWN WIDE			\$60,000.00
CONSTRUCTION PROJECTS					
Chapter 90	ROADWAY MANAGEMENT	TOWN WIDE			\$1,000,000.00
		ALLEN RD-10	SHANE LN	BALDWIN RD	\$110,616.00
		ALLEN RD-11	BALDWIN RD	WHITTIER RD	\$56,364.00
		ALLEN RD-12	WHITTIER RD	HANDEL RD	\$27,071.00
		ALLEN RD-13	HANDEL RD	DUBY DR	\$31,509.00
Chapter 90	TOWN-WIDE CRACK SEALING	TOWN WIDE			\$50,000.00
State TIP	MIDDLESEX TURNPIKE CONSTRUCTION YR 4	MIDDLESEX TPK	PEARL RD	TOWN LINE	\$35,000,000.00
	MANNING RD SIDEWALK EXT/PAVING	MANNING RD	MIDDLESEX TPK	LEXINGTON RD	\$150,000.00
State TIP	YANKEE DOODLE BIKE PATH CONSTRUCTION	TOWN WIDE			\$6,210,000.00
					Total: \$42,695,560.00

Capital Plan

Town of Billerica, DPW Engineering Division Roadway Management Program Capital Plan

FUNDING	PROJECT	ROAD	FROM	TO	Total Cost
2022					
DESIGN PROJECTS					
Other	STORMWATER MANAGEMENT	TOWN WIDE			\$60,000.00
CONSTRUCTION PROJECTS					
Chapter 90	ROADWAY MANAGEMENT	TOWN WIDE			\$1,000,000.00
Chapter 90	TOWN-WIDE CRACK SEALING	TOWN WIDE			\$50,000.00
State TIP	MIDDLESEX TURNPIKE CONSTRUCTION YR 5	MIDDLESEX TPK	PEARL RD	TOWN LINE	\$35,000,000.00
Total:					\$36,110,000.00

Capital Plan

Billerica Public School District
Billerica, Massachusetts

Capital Improvement Cost Estimate Summary

All Schools

15 August 2012

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Rank: 1=Immediate Concern 2=Requires Attention in Short Term 3=Will require ongoing maintenance but can wait												
Evaluation Criteria	Memorial HS	Hallenborg Ice Rink	Marshall MS	Locke MS	Ditson ES	Dutile ES	Hajjar ES	Kennedy ES	Vining ES	TOTAL	RANK	YEAR TO BE COMPLETED
1. Health, Safety & Welfare	\$50,902,028	\$480,069	\$6,675,839	\$3,640,754	\$94,070	\$555,345	\$3,035,437	\$2,239,720	\$1,534,628	\$69,157,890	x	xxxx
2. Code Compliance (not indicated previously)	\$14,760	\$18,450	\$103,800	\$48,092	\$0	\$340,532	\$96,420	\$29,520	\$29,520	\$681,094	x	xxxx
3. Functional Use of Building (address space use issues- educational impact)	\$12,068,858	\$2,462,718	\$955,544	\$2,109,278	\$474,981	\$2,485,845	\$2,714,009	\$2,384,250	\$5,481,852	\$31,137,335	x	xxxx
						*		*	*			
4. Handicap Accessibility	\$7,038,635	\$768,053	\$3,487,580	\$2,781,610	\$22,459	\$1,407,420	\$1,152,035	\$613,518	\$571,987	\$17,843,297	x	xxxx
5. Maintenance-Extending the Life of the Building	\$10,242,694	\$1,076,685	\$12,392,704	\$10,737,492	\$916,956	\$5,021,100	\$3,754,816	\$5,336,012	\$3,322,047	\$52,800,506	x	xxxx
6. Energy Efficiency-Energy and Water Saving	\$22,906,157	\$1,018,358	\$3,290,355	\$1,226,925	\$196,247	\$1,810,611	\$4,198,243	\$2,754,210	\$1,357,201	\$38,758,307	x	xxxx
7. Hazardous Materials	\$2,100,000	\$130,000	\$2,100,000	\$1,100,000	\$0	\$750,000	\$925,000	\$995,000	\$835,000	\$8,935,000	x	xxxx
TOTAL	\$105,273,132	\$5,954,333	\$29,005,822	\$21,644,151	\$1,704,713	\$12,370,853	\$15,875,960	\$14,352,230	\$13,132,235	\$219,313,429		
RANK	x	x	x	x	x	x	x	x	x			
YEAR TO BE COMPLETED	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx			
Overview Commentary:												
Note:												
1. The numbers noted are based on a number of assumptions, particularly Hazardous Materials abatement. When a renovation project with a specific scope of work is planned, testing of those materials planned to be touched should be conducted, and a more detailed estimate should be performed prior to targeting a budget for that project.												
2. Estimates shown above are intended to be "Project Costs", and include GC OH & P, Soft Costs and Contingencies												
3. * indicates the cost of replacing existing modulars is included												

DORE AND WHITTIER ARCHITECTS, INC.

Capital Plan

PRELIMINARY Estimated Project Costs Summary										10/12/2012			
Comprehensive Facilities Assessment & Master Plan Study													
Billerica, Massachusetts													
The following is a summary of Estimated Project Costs developed for the Billerica Public Schools Comprehensive Facilities Assessment & Master Plan Study. The options developed are conceptual in nature and therefore the estimated project costs are intended to provide a preliminary order of magnitude view at the potential project costs. Project costs consist of estimated site and building construction costs, design and construction contingencies, phasing, soft costs to cover the values of the design team, owner's project manager, investigative services, etc and fixtures, furniture and technology costs. The project costs presented are in current 2012 dollars and may need to be adjusted for inflation depending on future construction timeframes.													
Options:		Grades	Scope	Pop.	Estimated Costs	Comments							
Option 1: Repair													
Billerica High School		9 thru 12	CIP Only	1400	\$ 105,273,000	includes PK							
Locke Middle School		6 thru 8	CIP Only	621	\$ 21,644,000								
Marshall Middle School		6 thru 8	CIP Only	729	\$ 29,006,000								
Ditson Elementary School		K thru 5	CIP Only	655	\$ 1,705,000								
Dutile Elementary School		K thru 5	CIP Only	262	\$ 12,371,000								
Hajjar Elementary School		K thru 5	CIP Only	479	\$ 15,876,000								
Kennedy Elementary School		K thru 5	CIP Only	409	\$ 14,352,000								
Parker Elementary School		K thru 5	No Work	500	\$ -								
Vining Elementary School		K thru 5	CIP Only	195	\$ 13,132,000								
				5250									
Hallenborg Hockey Rink					\$ 5,954,000								
Option 2: Redistrict							Option 2A: Redistrict II						
Billerica High School		9 thru 12	Renovations	1400	\$ 169,260,000	includes PK	Billerica High School		9 thru 12	New	1400	\$ 132,031,000	includes PK
Locke Middle School		6 thru 8	CIP Only	594	\$ 21,644,000		Locke Middle School		6 thru 8	Add/Renov	594	\$ 54,999,000	
Marshall Middle School		6 thru 8	CIP/Renov	756	\$ 30,369,000		Marshall Middle School		6 thru 8	Add/Renov	756	\$ 62,228,000	
Ditson Elementary School		K thru 5	CIP Only	612	\$ 1,705,000		Ditson Elementary School		K thru 5	CIP Only	612	\$ 1,705,000	
Dutile Elementary School		K thru 5	Renovations	262	\$ 16,486,000		Dutile Elementary School		K thru 5	Renovations	262	\$ 16,486,000	
Hajjar Elementary School		K thru 5	Add/Renov	631	\$ 35,828,000		Hajjar Elementary School		K thru 5	Add/Renov	631	\$ 35,828,000	
Kennedy Elementary School		K thru 5	Renovations	300	\$ 20,625,000		Kennedy Elementary School		K thru 5	Renovations	300	\$ 20,625,000	
Parker Elementary School		K thru 5	No Work	500	\$ -		Parker Elementary School		K thru 5	No Work	500	\$ -	
Vining Elementary School		K thru 5	Renovations	195	\$ 14,329,000		Vining Elementary School		K thru 5	Add/Renov	195	\$ 20,349,000	
				5250							5250		
Hallenborg Hockey Rink					\$ 5,954,000		Hallenborg Hockey Rink					\$ 5,954,000	

Capital Plan

Option 3: Reduce										Option 3: Reduce									
Billerica High School		9 thru 12	Renovations	1400	\$	169,260,000	includes PK			Billerica High School		9 thru 12	New	1400	\$	132,031,000	includes PK		
Locke Middle School		6 thru 8	CIP	594	\$	21,644,000				Locke Middle School		6 thru 8	CIP	594	\$	21,644,000			
Marshall Middle School		6 thru 8	CIP/Renov	756	\$	30,369,000				Marshall Middle School		6 thru 8	CIP/Renov	756	\$	30,369,000			
Ditson Elementary School		K thru 5	CIP Only	612	\$	1,705,000				Ditson Elementary School		K thru 5	CIP Only	612	\$	1,705,000			
Dutile Elementary School		K thru 5	Renovations	262	\$	16,486,000				Dutile Elementary School		K thru 5	Renovations	262	\$	16,486,000			
Hajjar Elementary School		K thru 5	Add/Renov	631	\$	35,828,000				Hajjar Elementary School		K thru 5	Add/Renov	631	\$	35,828,000			
Kennedy Elementary School		K thru 5	Add/Renov	495	\$	38,362,000				Kennedy Elementary School		K thru 5	Add/Renov	495	\$	38,362,000			
Parker Elementary School		K thru 5	No Work	500	\$	-				Parker Elementary School		K thru 5	No Work	500	\$	-			
Vining Elementary School		K thru 5	Closed	0	\$	-				Vining Elementary School		K thru 5	Closed	0	\$	-			
				5250										5250					
Hallenborg Hockey Rink					\$	5,954,000				Hallenborg Hockey Rink					\$	5,954,000			
Option 4: Reconfigure										Option 4: Reconfigure									
Billerica High School		8-9/10-12	Add/Renov	1850	\$	178,087,000	includes PK			Billerica High School		8-9/10-12	New	1850	\$	160,740,000	includes PK		
Locke Middle School		5 thru 7	CIP	579	\$	21,644,000				Locke Middle School		5 thru 7	CIP	579	\$	21,644,000			
Marshall Middle School		5 thru 7	CIP/Renov	737	\$	30,369,000				Marshall Middle School		5 thru 7	CIP/Renov	737	\$	30,369,000			
Ditson Elementary School		K thru 4	CIP	590	\$	1,705,000				Ditson Elementary School		K thru 4	CIP	590	\$	1,705,000			
Dutile Elementary School		K thru 4	Renovations	262	\$	16,486,000				Dutile Elementary School		K thru 4	Renovations	262	\$	16,486,000			
Hajjar Elementary School		K thru 4	Renovations	433	\$	26,257,000				Hajjar Elementary School		K thru 4	Renovations	433	\$	26,257,000			
Kennedy Elementary School		K thru 4	Add/Renov	300	\$	20,625,000				Kennedy Elementary School		K thru 4	Add/Renov	300	\$	20,625,000			
Parker Elementary School		K thru 4	No Work	500	\$	-				Parker Elementary School		K thru 4	No Work	500	\$	-			
Vining Elementary School		K thru 4	Closed	0	\$	-				Vining Elementary School		K thru 4	Closed	0	\$	-			
				5251										5251					
Hallenborg Hockey Rink					\$	5,954,000				Hallenborg Hockey Rink					\$	5,954,000			
Option 5: Relocate (New HS built on Locke MS site)										Option 5: Relocate (New HS built on Locke MS site)									
Billerica High School		8-9/10-12	New	1850	\$	161,347,000	Locke MS site			Billerica High School		8-9/10-12	New	1850	\$	161,347,000	Locke MS site		
Locke Middle School		5 thru 7	Add/Renov	594	\$	79,634,000	Renov exist HS			Locke Middle School		5 thru 7	New	594	\$	48,187,000	New at Vining		
Marshall Middle School		5 thru 7	CIP/Renov	722	\$	30,369,000				Marshall Middle School		5 thru 7	CIP/Renov	722	\$	30,369,000			
Ditson Elementary School		K thru 4	CIP	590	\$	1,705,000				Ditson Elementary School		K thru 4	CIP	590	\$	1,705,000			
Dutile Elementary School		K thru 4	Renovations	262	\$	16,486,000				Dutile Elementary School		K thru 4	Renovations	262	\$	16,486,000			
Hajjar Elementary School		K thru 4	Renovations	433	\$	26,257,000				Hajjar Elementary School		K thru 4	Renovations	433	\$	26,257,000			
Kennedy Elementary School		K thru 4	Renovations	300	\$	20,625,000				Kennedy Elementary School		K thru 4	Renovations	300	\$	20,625,000			
Parker Elementary School		K thru 4	No Work	500	\$	-				Parker Elementary School		K thru 4	No Work	500	\$	-			
Vining Elementary School		K thru 4	Closed	0	\$	-				Vining Elementary School		K thru 4	Closed	0	\$	-			
				5251										5251					
Hallenborg Hockey Rink					\$	5,954,000				Hallenborg Hockey Rink					\$	5,954,000			