

FALL 2023 TOWN MEETING

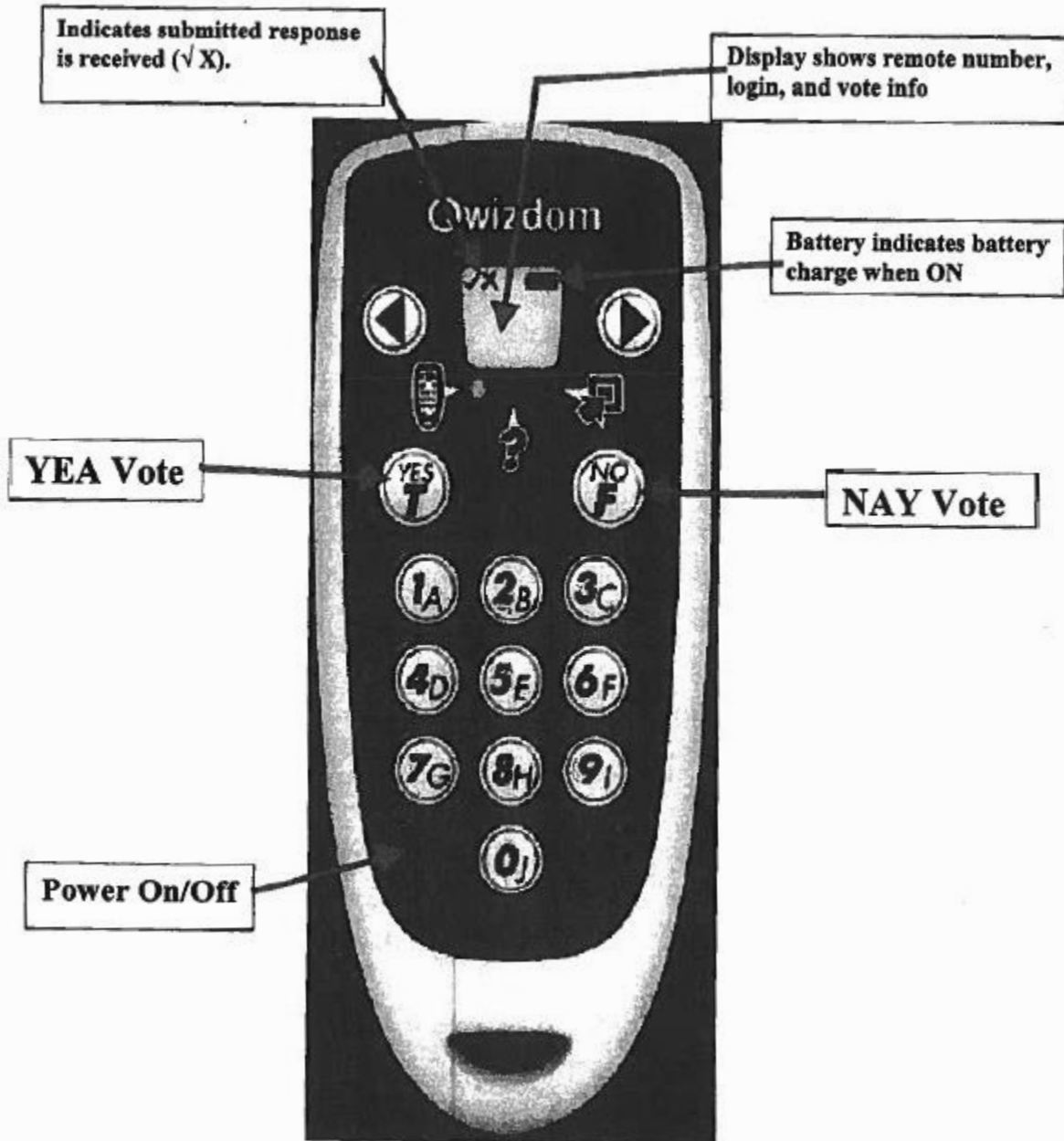


Annual Fall Town Meeting
Tuesday, October 3, 2023 at 7:00PM
Billerica Town Hall Auditorium

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QWIZDOM Q2 REMOTE



BILLERICA TOWN MEETING: ELECTRONIC VOTING FAQs

Q: How do I turn the remote on?

A: Press "Power/Send" key. See photo on front for location.

Q: How will I know my remote is working properly?

A: Representative should see the power LED illuminated and their remote number appear on the unit's screen.

Q: What do I do if I have a problem voting?

A: Raise your remote in hand to attract the attention of the Moderator.

Q: If my remote is defective, what do I do? How do I vote?

A: There will be assistance available in the auditorium. If there is not a simple remedy (i.e. replacing batteries), you will be allowed to vote by voice until a new unit is available. We have several spare units in our inventory.

Q: How long will a voting window be to cast a vote?

A: Currently, it is set for 35 seconds.

Q: How do I change my vote during the allotted time?

A: Each member can change his/her vote as many times a possible until 35-second voting window runs out.

Q: When voting, what happens if I press a button other than Yes and No?

A: Nothing. The only two buttons activated for votes are Yes and No.

Q: How will the Moderator prevent allowing a representative to vote for another member?

A: The safeguarding of each representative's voting unit is that member's responsibility. Future functionality could be introduced to remediate the issue.

Q: How do I know my vote was counted?

A: Your "bingo board" box will darken on the auditorium main screen and you will see a check mark on the remote screen.

Q: Does the equipment record my vote no matter where I sit in the room?

A: Yes, this has been tested.

Q: What is the procedure if there is an overall technical failure? How will votes be counted?

A: If a major technical failure presents itself, voting go forward with the traditional manual method.

Q: How do I pick up a remote if I arrive late?

A: Upon showing your Town Meeting card to the Town Clerk official outside the auditorium, an EVIC member will be summoned to issue the remote.

Q: What do I do with my remote if I leave the auditorium (just briefly or leave early for the night)?

A: The representative will exit the auditorium and see the Town Clerk official outside the back doors. The official will hold the remote until the member returns for it. If you are leaving for the night, the official will summon an EVIC member who will take the unit from him/her and return the representative's card.

Q: How do I return my remote at the end of the night?

A: Two stations will be setup at each corner just outside the auditorium, divided by precincts (1-6; 7-11). Representatives should go to the same corner where they picked up their remote. Each station will be staffed with multiple people to make the process as efficient as possible.

Q: What happens if I take the remote home by mistake?

A: You will be notified by the Town Clerk's office the next day to return it immediately. You are responsible for the safe keeping of the unit.

Q: Will electronic voting be used in all instances or are there exceptions?

A: Electronic voting will not be used for procedural votes, such as a motion to waive reading of the warrant, which only requires a tally. In these cases, the Moderator may simply ask for raising of hands. Other exceptions will be determined by the Moderator.

Q: How many other Massachusetts communities are using electronic voting?

A: Wayland was first in the spring of 2011. Chelmsford was second last fall. North Andover, Framingham, Brookline, Hingham, Arlington, Belmont and Lexington are in various stages of implementing or approving the process.

Q: How will the vote results be displayed in the auditorium and for BATV viewers?

A: A results page will be displayed showing the vote tally. This can be displayed for a short period of time while the next article is being introduced.

Part I

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

Fall Town Meeting Warrant & Special Town Meeting Warrant

TOWN OF BILLERICA

FINAL WARRANT



ANNUAL FALL TOWN MEETING

**Annual Fall Town Meeting
Tuesday, October 3, 2023 at 7:00 PM**

Billerica Town Hall Auditorium

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

1	To Appoint One Member to the Bowers Fund Committee			Select Board	Recommends
2	To Hear Reports of Town Departments, Committees & Officers			Town Manager; authorized by Select Board	Recommends
3	To Amend the Start Date of Town Meeting			Town Manager; authorized by Select Board	Recommends

Financial Articles

4	Fiscal Year 2024 Budget Amendment	\$387,761	Raise & Appropriate	Town Manager; authorized by Select Board	Recommends
5	To Vote a Sum of Money from Free Cash and Retained Earnings to the Debt Stabilization Fund	\$1,300,000 \$500,000	Transfer & Appropriate from Free Cash and WWRE	Town Manager; authorized by Select Board	Recommends
6	To Transfer and Appropriate a Sum of Money from the Town Debt Stabilization Fund to Fund the Debt Service Budget	\$2,444,669	Transfer & Appropriate from the Town Debt Stabilization Fund	Town Manager; authorized by Select Board	Recommends
7	Community Preservation Committee Appropriation Recommendations	\$35,000	Transfer & Appropriate from CPA Funds	Community Preservation Committee	Reserves Recommendation
8	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (A) Patrolmen and to rescind MGL Chapter 19, Section 37		Raise, Transfer & Appropriate from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation
9	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (B) Superior Officers		Raise, Transfer & Appropriate from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation
10	To Fund Collective Bargaining Agreement – IUPE Clerical Unit	\$100,000	Raise & Appropriate	Town Manager; authorized by Select Board	Recommends
Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation

11	To Fund Collective Bargaining Agreement – IAFF Civilian Fire Alarm Operators	\$90,000	Raise, & Appropriate	Town Manager; authorized by Select Board	Recommends
12	To Fund Fiscal Year 2024 Town Capital Budgets	\$500,000 \$685,000	Transfer & Appropriate from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation
13	To Fund Fiscal Year 2024 School Capital Budget	\$1,000,000	Transfer & Appropriate from General Fund Free Cash	Superintendent; authorized by School Committee	Reserves Recommendation
14	To Fund the Construction for the New Town Center Plan and to Repurpose a Portion of the ROW and Transfer it to the SB for COA General Municipal Purposes	\$15,000,000	Borrow	Town Manager; authorized by Select Board	Reserves Recommendation
15	To Fund the Construction for the New Town Center Plan	\$3,000,000	Transfer and Appropriate from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation
16	To Fund the Construction of the New DPW Headquarters	\$50,000,000	Borrow	Town Manager; authorized by Select Board	Recommends
17	To Fund the Replacement of Additional Water Mains Due to the Extension of the Boston Road and Glad Valley Project	\$700,000	Borrow	Town Manager; authorized by Select Board	Recommends
18	To Fund Hydrant and Valve Replacements	\$100,000	Transfer & Appropriate from WRE	Town Manager; authorized by Select Board	Recommends
19	To Fund a SCADA System Upgrades at the Water Treatment Plant	\$425,000	Transfer & Appropriate from WRE	Town Manager; authorized by Select Board	Recommends
20	To Fund Fournier Press Restoration at the Wastewater Treatment Plant	\$500,000	Borrow	Town Manager; authorized by Select Board	Recommends
21	To Fund the Purchase of a New Boiler at the Billerica Fire Station Headquarters	\$140,000	Transfer & Appropriate from General Fund Free Cash	Town Manager; authorized by Select Board	Recommends
22	To Fund a Spot Repair on a Sewer Line near Burnham Road and the MBTA Tracks	\$150,000	Transfer & Appropriate from WWRE	Town Manager; authorized by Select Board	Reserves Recommendation

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
23	To Approve a Certified Project Application Submitted by Factorial Inc.	This Article has been Withdrawn			
24	To Vote from Free Cash to the Debt Stabilization Fund	\$6,000,000	Raise, Transfer & Appropriate from Available Funds	Finance Committee	Reserves Recommendation
25	To Vote from Free Cash to the Stabilization Fund	\$6,000,000	Raise, Transfer & Appropriate from Available Funds	Finance Committee	Reserves Recommendation
26	To Vote from Free Cash to the Land Bank Account	\$6,000,000	Raise & Appropriate or Transfer from General Fund Free Cash	Finance Committee	Reserves Recommendation
27	To Vote from Free Cash a Sum of Money to be Applied or Expended for the Purpose of Reducing the Fiscal Year 2023 Tax Levy		Raise & Appropriate or Transfer from General Fund Free Cash	Finance Committee	Reserves Recommendation

Land Use & Easements

28	To Transfer the Care, Custody, Management, and Control of Two Parcels from the Tax Title Custodian to the Select Board for Future Use of the Bike Path			Town Manager; authorized by Select Board	Reserves Recommendation
29	To Accept and/or Amend Existing Easements Related to the Road work on Route 3A from the Allen Road to the Burlington Town Line			Town Manager; authorized by Select Board	Reserves Recommendation

FINAL WARRANT
OCTOBER 3, 2023
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 3, 2023 at 7:00 PM and subsequent Thursdays and Tuesdays until all of the business in the Warrant shall have been acted upon, then and there to vote on the following articles:

ARTICLE 1 - TO APPOINT ONE MEMBER TO THE BOWERS FUND COMMITTEE

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

Submitted by the Select Board

Finance Committee recommends approval.

Article 1 Explanation: The Bowers Fund Committee was established in the late 1800's when the Bower sisters left their entire estate to the Town of Billerica, approximately \$11,000, with the express intent of assisting the poor of Billerica. The current expendable balance in the fund is \$15,028.41 and the principal balance is \$146,645.07. The Town Meeting appoints members to the Bowers Fund Committee. Committee member Rino Moriconi's term is expiring in October of 2023 and he is requesting that he be reappointed for another 5-year term.

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

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

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

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

ARTICLE 3 - TO AMEND THE START DATE OF TOWN MEETING

To see if the Town will vote to amend the Town's General By-Laws, Article I, Town Meetings, which currently reads as follows:

I. TOWN MEETINGS

1.1 SCHEDULE: The Representative Town Meeting shall meet in the Spring and Fall of each calendar year.

- A. The Annual Spring Town Meeting shall begin on the first Tuesday in May.
- B. The Annual Fall Town Meeting shall begin on the first Tuesday in October.
- C. Town Meetings are to commence at 7:00 p.m. and shall continue by adjourned sessions on consecutive Tuesday and Thursday evenings until all of the business in the warrant has been acted upon.
- D. Town Meeting may waive consecutive session provisions as to any particular Tuesday or Thursday by a two-thirds vote.

to read as follows so as to allow for alteration of the start date of the Annual Spring or Fall Town Meeting:

I. TOWN MEETINGS

1.1 SCHEDULE: The Representative Town Meeting shall meet in the Spring and Fall of each calendar year.

- A. The Annual Spring Town Meeting shall begin on the first Tuesday in May.
- B. The Annual Fall Town Meeting shall begin on the first Tuesday in October.
- C. The start date for the Annual Spring Town Meeting or the Annual Fall Town Meeting may be otherwise determined by a vote taken at the immediately prior Annual Town Meeting pursuant to a warrant article included on the warrant for such Meeting therefor; provided, however, that any such action shall be subject to the authority of the Select Board to delay Annual Town Meeting pursuant to the provisions of G.L. c. 39, §9, as may be amended.
- D. Town Meetings are to commence at 7:00 p.m. and shall continue by adjourned sessions on consecutive Tuesday and Thursday evenings until all of the business in the warrant has been acted upon.
- E. Town Meeting may waive consecutive session provisions as to any particular Tuesday or Thursday by a two-thirds vote.

Or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 3 Explanation: The Select Board made a policy decision in May of 2023 that they would allow Town Meeting to vote on amending the start date of the Annual Town Meeting if needed. Pursuant to the provisions of G.L. c. 39, sec. 9, notwithstanding the provisions of the Bylaws or Charter to the contrary, the Select Board may on its own vote to delay an Annual Town Meeting. Such delay by the Select Board is not subject to action by Town Meeting

ARTICLE 4 - FISCAL YEAR 2024 BUDGET AMENDMENT

To see if the Town will vote to raise and appropriate the sum of \$387,761 to amend various budgets for Fiscal Year 2024 as follows:

Account Name	Account Number	Beginning Balance	Change	Ending Balance
Debt Interest - Town	71070-7550	407,700	107,761	515,461
Billerica Public Schools	30020-5400	2,494,279	280,000	2,774,279
Total Change			387,761	

Or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 4 Explanation: This article is to increase the Debt Budget for the Town and increase the Billerica Public Schools Budget. The Town has recently gone out to bond and has concrete numbers for interest payments. This Debt Interest increase pays for an increase in general obligation debt of \$8.7 Million and CPC funded Debt of \$10.3 Million for a total of \$19 Million for the BMHS, Howe and Peggy Hannon Rizza Projects for 6 months. The increase in the School budget is to pay for re-occurring technology needs.

ARTICLE 5 - TO VOTE A SUM OF MONEY FROM FREE CASH AND RETAINED EARNINGS TO THE DEBT STABILIZATION FUND

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

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 5 Explanation: The Town, through the Select Board, has established a Debt Stabilization Policy that maintains the same level of appropriation from the tax levy year to year - \$9.066 million. This is accomplished in the following ways:

- *Transferring a minimum amount of free cash and or retained earnings annually in the amount of \$1.8 million to the Debt Stabilization Fund.*
- To appropriate the difference of any year that is lower than \$9.066 million to Debt Stabilization.
- If the annual appropriation exceeds \$9.066 Million to transfer the amount that it exceeds the desired level of appropriation (\$9.066) from the Debt Stabilization Fund into the Debt Service Appropriation.
- To ensure that the tax impact of the debt service on the new high school and the Parker Elementary does not exceed \$200 on the median Household.

This article addresses the first part of this policy – adding \$1.8 Million to the Debt Stabilization Fund.

ARTICLE 6 - TO TRANSFER AND APPROPRIATE A SUM OF MONEY FROM THE TOWN DEBT STABILIZATION FUND TO FUND THE DEBT SERVICE BUDGET

To see if the Town will vote to transfer and appropriate the sum of \$2,444,669 from the Town Debt Stabilization Fund to fund the Debt Service Budget; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 6 Explanation: This article is intended to address paragraph 3 and 4 of the Debt Stabilization Policy.

Paragraph 3 states that if an annual appropriation exceeds \$9.066 million, the Town will appropriate the difference from the Debt Stabilization Fund to keep the levy impact at \$9.066 million. This fiscal year the annual debt service has exceeded the policy limit in the amount of \$1,094,669.

Paragraph 4 refers to the Town's goal of ensuring the impact of the two debt exclusions does not exceed \$200 of impact on the average single-family home. The amount needed to meet that goal for this year is a transfer of \$1,350,000 to the Debt Service Account. These two transfers add up to a total transfer of \$2,444,669 from the Debt Stabilization Fund to the Debt Service Account.

ARTICLE 7 - COMMUNITY PRESERVATION COMMITTEE APPROPRIATION RECOMMENDATIONS

To see if the Town will vote to amend the previously approved Fiscal Year 2024 appropriated or reserved sum of \$1,100,000 from Community Preservation Fund annual revenues as voted under Article 25 of the May 2, 2023 Annual Spring Town Meeting for Community Preservation Committee administrative expenses, debt service and special purpose fund balances as follows:

Appropriations:	Administrative Budget	Original: \$ 55,000	Amended: \$ 55,000
	Debt Service Budget	\$	\$ 235,967
Reserves:	Community Housing Special Fund Balance	\$ 110,000	\$ 110,000
	Historic Preservation Special Fund Balance	\$ 110,000	\$ 0
	Open Space and Recreation Special Fund Balance	\$ 110,000	\$ 0
	Unreserved Fund Balance	\$ 715,000	\$ 699,033

And further, to determine whether the Town will vote to transfer from the Community Preservation Fund or otherwise fund for community preservation purposes the sum of \$35,000 shown below for the referenced projects; and, in connection therewith, to authorize the Select Board to acquire any interests in land that may be necessary to effectuate the purposes of this vote, or to grant any interests in land as may be necessary to comply with M.G.L. Chapter 44B; and further, to authorize the Select Board to execute any documents or instruments necessary to effectuate the purpose of this article; all in accordance with Massachusetts General Laws Chapter 44B or other applicable law; with sums appropriated hereunder to be expended under the direction of the Town Manager:

Historic Preservation		
Project	Funding Source	Amount
Manning Manse Roof Replacement	Historic Preservation	\$35,0000

Or act in relation thereto.

Submitted by the Community Preservation Committee

Finance Committee has not yet made final recommendation.

Article 7 Explanation: The Community Preservation Committee received one application for a project to use funds within the Community Preservation Fund, and the projects described will be recommended to Town Meeting for approval.

ARTICLE 8 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE OFFICERS - GROUP (A) PATROLMEN AND TO RESCIND MGL CHAPTER 19, SECTION 37

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first year and second year cost items contained in the successor Collective Bargaining Agreement between the Town and the NEPBA (New England Police Benevolent Association, Inc.) Group (A) Patrolmen; and to see if the Town will vote to rescind its affirmative vote pursuant to Article 12 of the March 12, 1902 Town Meeting by which the Town accepted Chapter 19, Section 37 of the General Laws and amendments thereof (Civil Service) for its regular and permanent members of the Billerica Police Department; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

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

ARTICLE 9 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE OFFICERS - GROUP (B) SUPERIOR OFFICERS

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

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

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

ARTICLE 10 - TO FUND COLLECTIVE BARGAINING AGREEMENT – IUPE CLERICAL UNIT

To see if the Town will vote to raise and appropriate the sum of \$100,000 to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town and IUPE Clerical Unit (Independent Union of Public Employees) for a term of July 2023 to June 2026; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 10 Explanation: This collective bargaining contract included a 3% cost of living increase in each of the first three years with an additional 1% on January 1, of 2026. It allows the ability for the Town to hire new employees at a higher step if they have prior municipal experience and a longevity increase for current employees. It also includes an additional 1% on the step schedule effective July 1, 2023 for up to fifteen hours of mandatory training.

ARTICLE 11 - TO FUND COLLECTIVE BARGAINING AGREEMENT – IAFF CIVILIAN FIRE ALARM OPERATORS

To see if the Town will vote to raise and appropriate a sum of \$90,000 to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town and IAFF Civilian Fire Alarm Operators (International Association of Firefighters) for a term of July 2023 to June 2026; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 11 Explanation: This collective bargaining agreement adjusts the salary schedule to match Police Dispatch, with the understanding, that no further renumeration will be required when Police and Fire Dispatch are combined in the future.

ARTICLE 12 - TO FUND FISCAL YEAR 2024 TOWN CAPITAL BUDGETS

To see if the Town will vote to transfer and appropriate from various funds the sum of \$1,185,000 to fund the Town Capital Budget as follows:

To transfer and appropriate from Water Retained Earnings the sum of \$500,000 for the purchase and equipping of the following department vehicles:

W-02	Ford F-150 pickup with plow	\$55,000
W-03	Ford F250 utility body with plow	\$90,000
W-15	Ford F-250 pickup with plow	\$60,000
W-41	John Deere 410G backhoe	\$215,000
W-43	Bobcat EW60 mini excavator	\$80,000

To transfer and appropriate from General Fund Free Cash the sum of \$502,000.00 for the purchase and equipping of the following department vehicles:

H-01	Chevrolet 2500 pickup with plow	\$60,000
H-02	Chevrolet 2500 pickup with plow	\$60,000
H-12	Ford 350 1-ton dump with plow	\$92,000
H-49	Elgin street sweeper	\$290,000

To transfer and appropriate from General Fund Free Cash the sum of \$183,000.00 for the purchase and equipping of the following Fire department vehicles and paving the East Billerica Fire Station:

Ford Explorer – Fire Prevention	\$60,000
Ford Explorer – Training Officer	\$60,000
Paving East Billerica Fire Station	\$63,000

Or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 12 Explanation: This article is to replace vehicles throughout the Water Department, the Highway Department and the Fire Department. It also includes paving work for the East Billerica Fire Station.

ARTICLE 13 - TO FUND FISCAL YEAR 2024 SCHOOL CAPITAL BUDGET

To see if the Town will vote to transfer and appropriate from General Fund Free Cash the sum of \$1,000,000 for the design and construction, including payments of all cost incidental and related, for the following School projects:

Hallenborg Rink – Chiller Replacement	\$720,000
Marshall Middle – Retubing Boiler #3	\$ 30,000
Ditson – Sprinkler Repairs & Fire Pump Controller	\$ 55,000
Dutile & Kennedy – Abatement	\$120,000
Dutile, Kennedy, & Marshall – Classroom Lighting	\$ 75,000

Or act in relation thereto.

Submitted by the Superintendent; authorized by the School Committee

Finance Committee has not yet made final recommendation.

Article 13 Explanation: The School Department seeks to utilize \$1,000,000 from Free Cash to fund Capital Projects for the Billerica Public Schools. In particular, this article is designed to address the projects listed above.

ARTICLE 14 - TO FUND THE CONSTRUCTION FOR THE NEW TOWN CENTER PLAN AND TO REPURPOSE A PORTION OF THE ROW AND TRANSFER IT TO THE SB FOR COA GENERAL MUNICIPAL PURPOSES

To see if the Town will vote to appropriate the sum of \$15,000,000 to pay for the design, engineering and construction cost for the New Town Center Plan, including the payment of all costs incidental and related thereto; and that to meet this appropriation the Treasurer, with approval of the Select Board, be authorized to borrow the sum of \$15,000,000 under and pursuant to the provisions of G.L. Chapter 44, Section 7, and or any other enabling authority; and to authorize the Select Board to acquire by gift, purchase or eminent domain upon such terms and conditions as the Select Board determine, interests in land including any necessary temporary and permanent easements and to grant necessary utility easements associated with the project; and to authorize the Select Board to execute such documents and enter into such agreements as it deems in the best interest of the Town in the furtherance of the objectives of this article; and further, to discontinue a portion of the Concord Road right of way for public way purposes and to transfer that portion from the board or officer currently having care, custody and control of that portion for its current purpose to the Select Board for General Municipal Purposes, including but not limited to Council on Aging purposes, said portion as shown on a map entitled “Map Showing Portion of Concord Road, More or Less, to be Discontinued Pursuant to Article 14 of the 2023 Annual Fall Town Meeting” on file in the Office of the Town Clerk; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 14 Explanation: The Town Center Project aims to improve economic opportunity, traffic flow and pedestrian access by transforming Boston Road from one-way to two-way traffic, connecting the Common to the municipal complex, incorporating a shared-use path and implementing controlled signals to protect pedestrians. The project would create a more accessible and welcoming environment for both drivers and pedestrians while supporting Economic Development. This article will also transfer a portion of the right of way to the Select Board for General Municipal Purposes.

ARTICLE 15 - TO FUND THE CONSTRUCTION FOR THE NEW TOWN CENTER PLAN

To see if the Town will vote to transfer and appropriate the sum of \$3,000,000 from General Fund Free Cash and other available funds for the design, engineering and construction of the New Town Center Plan, including the payment of all costs incidental and related thereto; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 15 Explanation: The Town Center project aims to improve economic opportunity, traffic flow and pedestrian access by transforming Boston Road from one-way to two-way traffic, connecting the Common to the municipal complex, incorporating a shared use path, and implementing controlled signals to protect pedestrians. The project would create a more accessible and welcoming environment for both drivers and pedestrians while supporting economic development.

ARTICLE 16 - TO FUND THE CONSTRUCTION OF THE NEW DPW HEADQUARTERS

To see if the Town will vote to appropriate the sum of \$50,000,000 to pay for the design, engineering and construction of the New Public Works Facility, including the payment of all costs incidental and related thereto; and that to meet this appropriation the Treasurer, with approval of the Select Board, be authorized to borrow the sum of \$50,000,000 under and pursuant to the provisions of M.G.L. Chapter 44, Section 7, and or any other enabling authority; and further, to authorize the Select Board to execute such documents and enter into such agreements as it deems in the best interest of the Town in the furtherance of the objectives of this article; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 16 Explanation: This article proposes to approve bond authorization for the construction of the New Public Works Facility on Treble Cove Road. A new public works facility would consolidate operations at a central location with efficient and safe facilities for employees. It would also protect the multi-million-dollar investment of all equipment and vehicles purchased by the DPW.

ARTICLE 17 - TO FUND THE REPLACEMENT OF ADDITIONAL WATER MAINS DUE TO THE EXTENSION OF THE BOSTON ROAD AND GLAD VALLEY PROJECT

To see if the Town will vote to appropriate the sum of \$700,000 to pay the design, engineering and construction of water main replacement of the 12-inch main in Boston Road from the Crosby Hill standpipe to Locke Road with a new 12-inch main and the replacement of the service lines on Town property and associated work, including the payment of all costs incidental and related thereto; and that to meet this appropriation the Treasurer, with approval of the Select Board, be authorized to borrow the sum of \$700,000 under and pursuant to the provisions of M.G.L. Chapter 44, Section 7, and or any other enabling authority; and further, to authorize the Select Board to execute such documents and enter into such agreements as it deems in the best interest of the Town in the furtherance of the objectives of this article; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 17 Explanation: This work will be done before or in conjunction with the Boston Road Lexington Road TIP project. The work limits have been extended to coincide with the extension of the TIP Project. The existing pipe was installed in 1913.

ARTICLE 18 - TO FUND HYDRANT AND VALVE REPLACEMENTS

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

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 18 Explanation: Under this article existing fire hydrants and water main valves will be replaced throughout the Water Distribution System as required.

ARTICLE 19 - TO FUND A NEW SCADA SYSTEM AT THE WATER TREATMENT PLANT

To see if the Town will vote to transfer and appropriate from Water Retained Earnings Enterprise Fund, the sum of \$425,000 for design and implementation of SCADA system upgrades at the Water Treatment Plant for the development of remote operation, including the payment of all costs incidental and related thereto; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 19 Explanation: This article proposes to appropriate money from this source to fund the SCADA system upgrades at the Water Treatment Plant to allow for remote operation and to eliminate the need for the third shift.

ARTICLE 20 - TO FUND FOURNIER PRESS RESTORATION AT THE WASTEWATER TREATMENT PLANT

To see if the Town will vote to appropriate the sum of \$500,000 to pay for the design, engineering and construction of the new Fournier Press, including the payment of all costs incidental and related thereto; and that to meet this appropriation the Treasurer, with approval of the Select Board, be authorized to borrow the sum of \$500,000 under and pursuant to the provisions of M.G.L. Chapter 44, Section 7, and or any other enabling authority; and further, to authorize the Select Board to execute such documents and enter into such agreements as it deems in the best interest of the Town in the furtherance of the objectives of this article; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 20 Explanation: This article proposes to approve bond authorization to fund restoration of the existing Fournier Press Systems at the Wastewater Treatment Plant.

ARTICLE 21 - TO FUND THE PURCHASE OF A NEW BOILER AT THE BILLERICA FIRE STATION HEADQUARTERS

To see if the Town will vote to transfer and appropriate from General Fund Free Cash the sum of \$140,000 to fund the design, purchase and installation of a New Boiler at the Billerica Fire Station Headquarters, including the payment of all costs incidental and related thereto; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee recommends approval.

Article 21 Explanation: The boiler at the Billerica Fire Station headquarters has failed. This appropriation would fund the purchase, removal and installation of a new two-boiler system.

ARTICLE 22 - TO FUND A SPOT REPAIR ON A SEWER LINE NEAR BURNHAM ROAD AND THE MBTA TRACKS

To see if the Town will vote to transfer and appropriate from Wastewater Retained Earnings Enterprise Fund, the sum of \$150,000 for a spot repair of the sewer line near Burnham Road and the MBTA Tracks, including the payment of all costs incidental and related thereto; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 22 Explanation: This article would fund an emergency spot repair for a sewer line near the MBTA tracks.

ARTICLE 23 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 24 - TO VOTE FROM FREE CASH TO THE DEBT STABILIZATION FUND

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

Submitted by the Finance Committee

Finance Committee has not yet made final recommendation.

Article 24 Explanation: The purpose of this fund is to set aside money to be used to fund the Town's Debt Policies. The balance as of June 30, 2023 of the Debt Stabilization Fund is \$22,336,319. At the time this warrant was printed, the Department of Revenue had not yet certified Free Cash as of July 1, 2023.

ARTICLE 25 - TO VOTE FROM FREE CASH TO THE STABILIZATION FUND

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

Submitted by the Finance Committee

Finance Committee has not yet made final recommendation.

Article 25 Explanation: The purpose of this fund is to set money aside to be used at a later time for unforeseen or unanticipated circumstances. The balance as of June 30, 2023 of the Stabilization Fund is \$5,387,087 for the Town and \$834,676 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, 2023.

ARTICLE 26 - TO VOTE FROM FREE CASH TO THE LAND BANK ACCOUNT

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

Submitted by the Finance Committee

Finance Committee has not yet made final recommendation.

Article 26 Explanation: The Land Bank Account was established by special legislation. The balance as of June 30, 2023 of the Town Land Fund is \$404,360. At the time this warrant was printed, the Department of Revenue had not yet certified Free Cash as of July 1, 2023.

ARTICLE 27 - TO VOTE FROM FREE CASH A SUM OF MONEY TO BE APPLIED OR EXPENDED FOR THE PURPOSE OF REDUCING THE FISCAL YEAR 2024 TAX LEVY

To see if the Town will vote to transfer from General Fund Free Cash a sum of money to be applied or expended for the purpose of reducing the Fiscal Year 2024 Tax Levy; or act in relation thereto.

Submitted by the Finance Committee

Finance Committee has not yet made final recommendation.

Article 27 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, 2023.

ARTICLE 28 - TO TRANSFER THE CARE, CUSTODY, MANAGEMENT AND CONTROL OF TWO PARCELS FROM THE TAX TITLE CUSTODIAN TO THE SELECT BOARD FOR FUTURE USE OF THE BIKE PATH

To see if the Town will vote to transfer the care, custody, management, and control of Parcels 87-240-0 and 87-256-0, as shown on a map entitled “Map Showing Parcels Proposed for Transfer of Custody Pursuant to Article 28 of the 2023 Annual Fall Town Meeting” on file in the Office of the Town Clerk, as being required for construction and use of the Yankee Doodle Bike Path Project, and presently held for other purposes, from the Tax Title Custodian or such other officer or board having custody of the same for such purposes to the Select Board for general municipal purposes, including by not limited to public way, bike path and recreational trail use; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 28 Explanation: This Article will change use and transfer custody of tax lien property from care, custody, and control of the Collector to the Select Board (for 2 town owned properties in tax lien). This is necessary as part of the Right of Way process for the Yankee Doodle Bike Path Project.

**ARTICLE 29 - TO ACCEPT AND/OR AMEND EXISTING EASEMENTS RELATED TO THE ROAD
WORK ON ROUTE 3A FROM ALLEN ROAD TO THE BURLINGTON TOWN LINE**

To see if the Town will vote to authorize the Select Board to acquire, by gift, purchase or eminent domain, upon such terms and conditions as the Select Board determine, interests in land to provide for the completion of the Road Improvement Project on Route 3A from Allen Road to the Burlington Town Line for such purposes to the Select Board for sidewalks, and further, to authorize the Select Board to execute such documents and enter into such agreements as it deems in the best interest of the Town in the furtherance of the objectives of this article; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

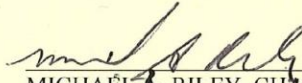
Finance Committee has not yet made final recommendation.

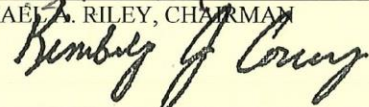
Article 29 Explanation: The State is doing road work along this stretch. The Town would like to have them expand the sidewalk program during construction. This article would allow the Town to mitigate any easement issues prior to construction if necessary.

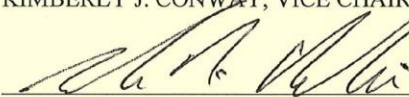
And you are hereby directed to serve this Final Warrant by posting true and attested copies thereof, one copy at Augusta Market, 599 Boston Road, one copy at Belly Buster Restaurant, 306 Boston Road, one copy at the Billerica Center Police Station, 6 Good Street, one copy at the Billerica Center Post Office, 460 Boston Road, one copy at the Billerica Public Library, 15 Concord Road, one copy at the Billerica Town Hall, 365 Boston Road, one copy at the East Billerica Fire Station, 295 Salem Road, one copy at Market Basket, Towne Plaza, 700 Boston Road, one copy at the Ninety-Nine Restaurant, 160 Lexington Road, one copy at the North Billerica Fire Station, 21 Lowell Street, one copy at the North Billerica Post Office, 95 Boston Road, one copy at the Nutting Lake Post Office, 612 Middlesex Turnpike, one copy at the Pinehurst Fire Station, 832 Boston Road, one copy at the Pinehurst Post Office, 880 Boston Road, one copy at Sal's Pizza, 328 Boston Road, one copy at Stelio's Family Restaurant, 293 Boston Road and one copy at the West Billerica Fire Station, 359 Treble Cove Road.

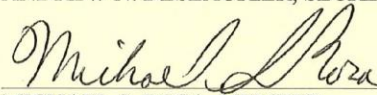
Given under our hands this 26th day of September 2023.

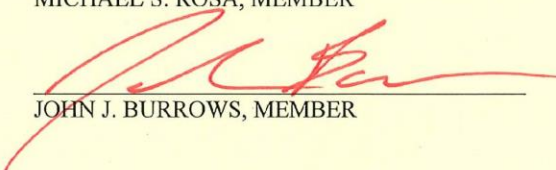
SELECT BOARD OF BILLERICA


MICHAEL J. RILEY, CHAIRMAN

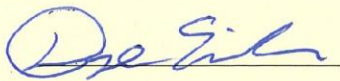

KIMBERLY J. CONWAY, VICE CHAIRMAN


ANDREW N. DESLAURIER, SECRETARY


MICHAEL S. ROSA, MEMBER


JOHN J. BURROWS, MEMBER

A true copy attest



Constable, Town of Billerica

TOWN OF BILLERICA

FINAL WARRANT



SPECIAL FALL TOWN MEETING

**Annual Fall Town Meeting
Thursday, October 5, 2023**

Billerica Town Hall Auditorium

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

1	To Establish and Transfer Monies into the Opioid Settlement Stabilization Fund			Town Manager; authorized by the Select Board	Reserves Recommendation
2	To Amend Article 1, Section 6.1 and 6.2 of Proposed Budget: Submission to the Finance Committee			Select Board Member Michael Rosa	Reserves Recommendation
3	National Grid Easement for 11 Concord Road			Town Manager; authorized by the Select Board	Reserves Recommendation

FINAL WARRANT
OCTOBER 5, 2023
SPECIAL 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 Thursday, October 5, 2023 at 7:00 PM and subsequent Thursdays and Tuesdays until all of the business in the Warrant shall have been acted upon, then and there to vote on the following articles:

ARTICLE 1 - TO ESTABLISH AND TRANSFER MONIES INTO THE OPIOID SETTLEMENT STABILIZATION FUND

To see if the Town will vote, pursuant to the provisions of G.L. c.40, §5B, to create a new special purpose stabilization fund, to be known as the Opioid Settlement Stabilization Fund, which may be expended for all of the purposes allowed by law, including those outlined in applicable opioid-litigation settlement documents, a document prepared by the Substance Addiction Bureau of the Commonwealth's Office of Health and Human Services Department, found at <https://www.mass.gov/doc/massachusetts-abatement-terms/download> entitled "Abatement Strategies", and consistent with any state guidelines or regulations further clarifying allowable uses of opioid litigation settlement funds; and further, to adopt the last paragraph of said §5B and dedicate to such fund, without further appropriation, 100% of the opioid litigation settlement funds received by the Town; and further, to transfer from available funds the sum of \$200,873.40, equal to that received by the Town from opioid litigation settlements resulting from the Town's participation in the national Opioid Multi-District Litigation into said Opioid Settlement Stabilization Fund; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 1 Explanation: The Massachusetts Department of Revenue Guidelines require these settlement monies to be appropriated in a segregated fund. These monies can be used for the support of prevention, harm reduction, treatment and recovery programs as directed by the National Opioid Settlements Agreements. The proposed warrant article allows for the creation of a special purpose stabilization fund into which would be transferred a sum equal to that received from settlement funds and into which future settlement funds would automatically be deposited through adoption of the last paragraph of the statute. The funds to be transferred into the Opioid Settlement Stabilization Fund would come from available funds.

ARTICLE 2 - TO AMEND ARTICLE 1, SECTION 6.1 AND 6.2 OF PROPOSED BUDGET: SUBMISSION TO THE FINANCE COMMITTEE

To see if the Town will Vote to amend the Billerica General By-Law, Article 1, Section 6, Proposed Budget as follows, with underlined language inserted therein:

Article 1 Section 6

6. PROPOSED BUDGET: SUBMISSION TO FINANCE COMMITTEE

6.1 At least sixty (60) days before the Town Meeting is scheduled to meet in its Spring session, the Town Manager shall file with the Finance Committee and provide for publication of a proposed detailed and ratified by the ~~Select Board of Selectmen~~ operating budget and capital budget for the ensuing fiscal year, as provided for in Section 5-3 of the Charter. The proposed budget shall also be posted on the Town's website. Any defect in the posting of the proposed budget on the Town's website shall not invalidate the notice requirements of this By-Law.

The proposed budget shall include:

(a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by town agency, function and work programs, and the proposed methods of financing such expenditures;

(b) Proposed capital expenditures during the ensuing fiscal year, detailed by town agency, and the proposed method of financing each such capital expenditure;

(c) Estimated surplus revenue and free cash at the end of the current fiscal year, including estimated balances in any special accounts established for specific purposes.

6.2 At least sixty-five (65) days before Town Meeting is scheduled to meet in its Spring session, the School Superintendent shall file with the Town Manager and provide for publication of a proposed, detailed operating and capital budget for the ensuing fiscal year.

The budget shall be arranged to show the actual and estimated income and expenditures for the previous, current and ensuing fiscal years, and shall indicate, in separate sections:

(a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by school, agency, function and work programs.

(b) Proposed capital expenditures during the ensuing fiscal year, detailed by school, agency, and the proposed method of financing each such capital expenditure.

(c) School population projections

Notwithstanding the said date for formal submission, the Town Manager may, insofar as it is practical to do so, submit preliminary information and data to the Finance Committee in advance of such date, in order to assist it in the performance of its duties. The proposed school budget shall also be posted on the Town's website. Any defect in the posting of the proposed school budget on the Town's website shall not invalidate the notice requirements of this By-Law.

Or act in relation thereto.

Submitted by Select Board Member Michael Rosa

Finance Committee has not yet made final recommendation.

Article 2 Explanation: This article is intended to compel a comprehensive and detailed budget submission from the School Department to the Town.

ARTICLE 3 - MASSACHUSETTS ELECTRIC COMPANY EASEMENT FOR 11 CONCORD ROAD

To see if the Town will vote to authorize the Select Board to grant and convey to Massachusetts Electric Company on such terms and conditions as the Select Board deems appropriate, permanent utility easements in a portion or portions of Town-owned property, said property being the site of the former Masonic Hall located at 11 Concord Road, Billerica and described in a plan of land recorded with the Middlesex North Registry of Deeds in Book 70, Plan 97, which portion or portions are approximately shown on a plan on file with the Town Clerk; and further to authorize the Select Board to enter into such agreements and execute such documents and instruments as necessary to effectuate the purposes of this article; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

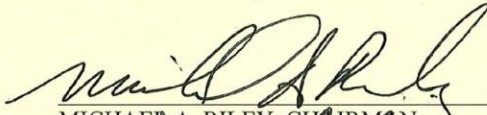
Finance Committee has not yet made final recommendation.

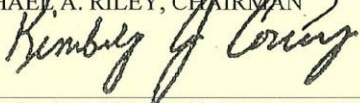
Article 3 Explanation: This article is to allow an easement for National Grid to install a pole on Town owned property at 11 Concord Road.

And you are hereby directed to serve this Final Warrant for the Special Fall Town Meeting by posting true and attested copies thereof, one copy at Augusta Market, 599 Boston Road, one copy at Belly Buster Restaurant, 306 Boston Road, one copy at the Billerica Center Police Station, 6 Good Street, one copy at the Billerica Center Post Office, 460 Boston Road, one copy at the Billerica Public Library, 15 Concord Road, one copy at the Billerica Town Hall, 365 Boston Road, one copy at the East Billerica Fire Station, 295 Salem Road, one copy at Market Basket, Towne Plaza, 700 Boston Road, one copy at the Ninety-Nine Restaurant, 160 Lexington Road, one copy at the North Billerica Fire Station, 21 Lowell Street, one copy at the North Billerica Post Office, 95 Boston Road, one copy at the Nutting Lake Post Office, 612 Middlesex Turnpike, one copy at the Pinehurst Fire Station, 832 Boston Road, one copy at the Pinehurst Post Office, 880 Boston Road, one copy at Sal's Pizza, 328 Boston Road, one copy at Stelio's Family Restaurant, 293 Boston Road and one copy at the West Billerica Fire Station, 359 Treble Cove Road.

Given under our hands this 21st day of September 2023.

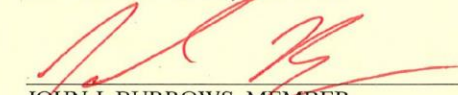
SELECT BOARD OF BILLERICA


MICHAEL A. RILEY, CHAIRMAN


KIMBERLY J. CONWAY, VICE CHAIRMAN


ANDREW N. DESLAURIER, SECRETARY


MICHAEL S. ROSA, MEMBER


JOHN J. BURROWS, MEMBER

A true copy attest



Constable, Town of Billerica

Part III

Budget Information, Reserve Balances, Free Cash Certification Letter

Free Cash Certification

Massachusetts Department of Revenue Division of Local Services

Geoffrey E. Snyder, Commissioner

Sean R. Cronin, Senior Deputy Commissioner of Local Services

9/25/2023

NOTIFICATION OF FREE CASH APPROVAL - Town of Billerica

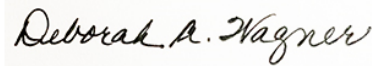
Based upon the un-audited balance sheet submitted, I hereby certify that the amount of available funds or "free cash" as of July 1, 2023 for the Town of Billerica is:

General Fund	\$5,275,456.00
Enterprise Fund WATER	\$2,483,038.00
Enterprise Fund SEWER	\$1,544,863.00

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,



Deborah A. Wagner
Director of Accounts
Massachusetts Department of Revenue

Reserve Balances as of June 30, 2023

Free Cash	5,275,456.00
Water Enterprise	2,483,038.00
Sewer Enterprise	1,544,863.00
Stabilization (Town)	5,387,087.00
Stabilization (School)	834,676.00
Stabilization (Debt)	22,336,318.00
Land Fund	409,821.00
Sale of Lots	75,643.00
Sewer Expansion	755,278.00
Inflow & Infiltration	661,141.00
Water Conservation	141,542.00
OPEB Trust	12,033,135.00

Fiscal Year 2024 Budget Summary

Department	FY2022 BUDGET	FY2023 BUDGET	FY 2024 BUDGET	FY 2024 Amended BUDGET	\$ INC/DEC	% INC/DEC
General Government	\$ 8,136,098	\$ 8,682,319	\$ 8,491,016	\$ 8,529,904	\$ (152,415)	-1.76%
Public Safety	21,581,578	21,924,232	21,704,985	21,822,764	(101,468)	-0.46%
Public Works	9,298,188	9,699,473	10,313,459	10,332,904	633,431	6.53%
Library and Recreation	2,180,131	2,178,024	2,229,342	2,232,119	54,095	2.48%
Human Services	944,856	875,911	826,443	837,554	(38,357)	-4.38%
Total Town Departments	42,140,851	43,359,959	43,565,245	43,755,245	395,286	0.91%
Billerica Public Education	69,433,698	73,447,001	76,326,794	76,606,794	3,159,793	4.30%
Shawsheen Technical	10,101,796	10,011,652	10,618,654	10,618,654	607,002	6.06%
Total Education	79,535,494	83,458,653	86,945,448	87,225,448	3,766,795	4.51%
Town/School Shared Costs	44,743,732	47,717,831	48,734,385	48,842,146	1,124,315	2.36%
TOTAL	\$ 166,420,077	\$ 174,536,442	\$ 179,245,078	\$ 179,822,839	\$ 5,286,396	3.03%
Water Enterprise Fund Budget	\$ 7,184,434	\$ 7,315,982	\$ 7,583,942	\$ 7,583,942	\$ 267,960	3.66%
Wastewater Enterprise Fund Budget	\$ 8,828,369	\$ 9,266,825	\$ 9,294,423	\$ 9,294,423	\$ 27,599	0.30%
Total Budgets	\$ 182,432,880	\$ 191,119,249	\$ 196,123,443	\$ 196,701,204	\$ 5,581,955	2.92%

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
7/31/2018	Interest		171,392
10/2/2018	Levy	3	766,198

Date	Source	Article	Appropriation
10/2/2018	W/D		(1,625,000)
10/2/2018	Free Cash		1,300,000
10/2/2018	WWRE		500,000
10/2/2018	Interest		821,024
10/2/2019	W/D		(950,000)
10/2/2019	Free Cash		1,300,000
10/2/2019	WWRE		500,000
10/2/2019	Levy		641,324
10/2/2019	Interest		880,492
10/3/2020	W/D		(1,160,000)
10/3/2020	WWRE	13	1,050,000
10/3/2020	Levy		91,101
10/3/2020	Interest		675,893
10/3/2020	Free Cash	13	750,000.00
10/5/2020	Interest		475,644.00
10/5/2021	Budget	10	220,749
10/5/2021	Budget	3	(220,749)
10/5/2021	W/D	4	(1,774,457)
10/5/2021	Free Cash	36	1,000,000
10/5/2021	WWRE	36	800,000
10/6/2022	Free Cash		370,000
10/6/2022	WWRE		1,430,000
10/6/2022	W/D		(2,012,618)
10/6/2022	Interest		(132,123)
1/0/1900	Interest		523,206.00

Total	\$ 22,336,319
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10/3/2023	Free Cash	1,300,000
10/3/2023	WWRE	500,000
10/3/2023	W/D	(2,444,669)

Balance after Fall of 2023	\$ 21,691,650
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TOWN OF BILLERICA FINANCIAL RECAP FISCAL YEAR 2024 SPRING

Page 1

	<u>FINAL BUDGET FY20</u>	<u>FINAL BUDGET FY21</u>	<u>FINAL BUDGET FY22</u>	<u>FINAL BUDGET FY23</u>	<u>SPRING BUDGET FY24</u>
<u>USES OF FUNDING (AMOUNTS TO BE RAISED):</u>					
APPROPRIATIONS:					
GENERAL FUND BUDGET (Includes all TM R&A)	143,587,194.00	148,290,309.00	152,835,680.00	160,051,444.00	164,401,130.00
School Contracts Budget Amendment					
Spring 2020 ATM Article 4, IUPE Budget Adjustment		41,000.00			
Spring 2020 ATM Article 5, IAFF Budget Adjustment		60,000.00			
Water Enterprise Budget	6,514,231.00	6,566,188.00	7,184,433.98	7,315,981.66	7,583,941.76
Water Enterprise Capital Budget					
Wastewater Enterprise Budget	8,738,789.00	8,388,219.00	8,828,369.00	9,266,825.00	9,294,423.00
CPA Budget Article	900,000.00	1,608,000.00	1,000,000.00	1,100,000.00	1,100,000.00
STM Overlay Appropriation					250,000.00
Article 5 Debt Stabilization					1,800,000.00
FALL 2023 ATM Article 12 Town Capital					1,185,000.00
FALL 2023 ATM Article 13 School Capital					1,000,000.00
FALL 2023 ATM Article 15 Town Center					2,150,000.00
FALL 2023 ATM Article 18 Hydrants					100,000.00
FALL 2023 ATM Article 19 SCADA					425,000.00
FALL 2023 ATM Article 21 Fire Station Boiler					140,000.00
FALL 2023 ATM Article 22 Spot Repair MBTA Sewer					150,000.00
TOTAL APPROPRIATIONS	170,232,663.52	173,459,346.00	183,956,712.98	190,093,303.97	189,579,494.76
OTHER LOCAL EXPENDITURES / DEFICITS:					
TAX TITLE PURPOSES	50,000.00			50,000.00	50,000.00
CHARTER SCHOOL ASSESSMENT					
SCHOOL CHOICE					
COUNTY RETIREMENT	11,921,516.00	12,782,396.00	13,584,397.00	14,484,999.00	15,421,709.00
DEBT & INTEREST		41,500.00		196,608.00	196,608.00
FINAL JUDGMENTS	60,000.00	60,000.00	60,000.00	60,000.00	60,000.00
OVERLAY DEFICITS					
CHERRY SHEET OFFSETS	52,318.00	54,332.00	69,952.00	83,767.00	83,767.00
REVENUE DEFICIT					
SNOW / ICE DEFICIT	533,093.23	337,134.00	667,970.00	864,799.00	600,000.00
PROJECTED SNOW / ICE REIMBURSEMENT					
OVERLAY RESERVE	2,711,458.00	2,700,113.80	2,750,778.15	2,580,582.00	2,580,582.00
OTHER - MEDICARE/UNEMPLOYMENT					
OTHER - UNFORESEEN CHARGES/ASSESSMENTS					
TOTAL OTHER LOCAL EXPENDITURES	15,328,385.23	15,975,475.80	17,133,097.15	18,320,755.00	18,992,666.00
STATE AND COUNTY CHARGES	5,015,964.00	4,910,024.00	5,236,423.00	5,706,527.00	5,706,527.00
TOTAL USES OF FUNDING	190,577,012.75	194,344,845.80	206,326,233.13	214,120,585.97	214,278,687.76

	<u>FINAL BUDGET FY20</u>	<u>FINAL BUDGET FY21</u>	<u>FINAL BUDGET FY22</u>	<u>FINAL BUDGET FY23</u>	<u>SPRING BUDGET FY24</u>
<u>SOURCES OF FUNDING :</u>					
AMEND PY NEW GROWTH			196,636.00		
PROPERTY TAXES 2 1/2 LEVY LIMIT	138,304,396.00	145,413,418.00	152,963,054.00	161,608,505.00	170,042,787.00
NEW GROWTH	3,226,961.00	3,622,194.00	4,703,780.00	4,286,897.00	750,000.00
AMEND PY NEW GROWTH	335,392.00				
TOTAL PROPERTY TAXES	141,866,749.00	149,035,612.00	157,666,834.00	165,895,402.00	170,792,787.00
ADD CPA					
ADD DEBT EXCLUSION	6,013,156.73	5,614,093.75	5,588,843.75	5,674,376.00	5,454,293.75
DOR ROUNDING					
LESS EXCESS LEVY CAPACITY	-18,250,923.53	-21,543,740.18	-25,665,709.62	-26,566,422.00	-26,557,619.99
WATER LEVY	1,676,427.50	1,566,188.00	1,784,433.98	1,565,981.66	1,733,941.76
SEWER LEVY	3,208,486.00	2,588,219.00	2,428,369.00	2,516,825.00	2,444,423.00
GENERAL FUND LEVY	124,744,068.70	128,951,558.57	133,377,165.15	140,920,549.34	145,511,096.00
TOTAL PROPERTY TAXES - ADJUSTED	129,628,982.20	133,105,965.57	137,589,968.13	145,003,356.00	149,689,460.76
<u>SOURCES OF FUNDING (cont):</u>					
STATE ESTIMATED REVENUES:					
CHAPTER 70 - SCHOOL AID	19,348,854.00	19,348,854.00	19,489,674.00	19,777,194.00	19,777,194.00
CHARTER TUITION ASSESSMENT REIMBURSEME	109,710.00	97,524.00	77,854.00	257,451.00	257,451.00
SCHOOL LUNCH - OFFSET					
LOTTERY	6,183,385.00	6,183,385.00	6,399,803.00	6,745,392.00	6,745,392.00
VETERANS' BENEFITS	305,950.00	245,253.00	335,661.00	249,959.00	249,959.00
EXEMPTIONS - VETS, BLIND & SURVIVING SPOU	248,042.00	263,219.00	247,596.00	250,540.00	250,540.00
STATE OWNED LAND	140,493.00	139,497.00	172,480.00	221,395.00	221,395.00
PUBLIC LIBRARIES - OFFSET	52,318.00	54,332.00	69,952.00	83,767.00	83,767.00
TOTAL STATE ESTIMATED REVENUES	26,388,752.00	26,332,064.00	26,793,020.00	27,585,698.00	27,585,698.00
LOCAL ESTIMATED REVENUES:					
MOTOR VEHICLE EXCISE	6,500,000.00	6,500,000.00	6,750,000.00	7,150,000.00	7,150,000.00
OTHER EXCISES (HOTEL/MOTEL)	1,500,000.00	1,500,000.00	1,000,000.00	1,300,000.00	1,300,000.00
PENALTIES & INTEREST	350,000.00	350,000.00	400,000.00	400,000.00	400,000.00
P.I.L.O.T.	50,000.00	50,000.00	100,000.00	100,000.00	100,000.00
CHARGES FOR SERVICES - WATER					
CHARGES FOR SERVICES - SEWER					
FEES (Includes Ambulance Receipts)	2,500,000.00	2,500,000.00	2,500,000.00	2,500,000.00	2,500,000.00
DEPARTMENTAL REVENUE-LIBRARY	7,000.00	7,000.00			
DEPARTMENTAL REVENUE-CEMETERY	110,000.00	110,000.00	110,000.00	110,000.00	110,000.00
OTHER DEPARTMENTAL REVENUE	250,000.00	250,000.00	300,000.00	300,000.00	300,000.00
LICENSES & PERMITS	1,000,000.00	1,000,000.00	1,600,000.00	1,200,000.00	1,200,000.00
FINES & FORFEITS	125,000.00	125,000.00	70,000.00	70,000.00	70,000.00
INTEREST EARNINGS	225,000.00	225,000.00	245,000.00	245,000.00	245,000.00
MISC. STATE AND OTHER REVENUE	125,000.00	125,000.00	65,000.00	65,000.00	65,000.00
NON RECURRING REVENUE			365.00		
TOTAL LOCAL ESTIMATED REVENUES	12,742,000.00	12,742,000.00	13,140,365.00	13,440,000.00	13,440,000.00

	FINAL BUDGET FY20	FINAL BUDGET FY21	FINAL BUDGET FY22	FINAL BUDGET FY23	SPRING BUDGET FY24
ENTERPRISE REVENUE					
CHARGES FOR SERVICES - WATER	4,800,000.00	5,000,000.00	5,400,000.00	5,750,000.00	5,850,000.00
CHARGES FOR SERVICES - WATER BACKFLOW AND CROSS CONNECTION FEES					
CHARGES FOR SERVICES - NEW REVENUE					
CHARGES FOR SERVICES - SEWER	5,500,000.00	5,800,000.00	6,400,000.00	6,750,000.00	6,850,000.00
TOTAL ENTERPRISE REVENUES	10,300,000.00	10,800,000.00	11,800,000.00	12,500,000.00	12,700,000.00
OTHER AVAILABLE FUNDS:					
CPA REVENUE	900,000.00	1,608,000.00	1,000,000.00	1,100,000.00	1,100,000.00
CPA Appropriation			830,000.00	1,148,055.00	
Amount Certified for Tax Title Purposes					
WASTE WATER PLANT EXPANSION FUND		860,000.00	875,000.00		
WASTE WATER INFLOW / INFIL. FUND	237,000.00		50,000.00		
WATER CONSERVATION FUND	531,000.00	100,000.00	400,000.00		
SEWER RATE RELIEF					
BACKFLOW AND CROSS-CONN. FEES					
BOND PREMIUMS					
WATER CONSERVATION FUND May	110,000.00		65,000.00		
PREVIOUS WARRANT ARTICLES					
SALE OF LOTS & GRAVES TRUST	195,000.00		65,000.00	205,000.00	
CEMETERY PERPETUAL CARE INTEREST					
TELECOMMUNICATIONS REVOLVING					
WETLAND PROTECTION FUND					
DEBT STABILIZATION APPROPRIATION	950,000.00	1,160,000.00	1,774,447.00	2,012,616.97	2,444,669.00
DEBT STABILIZATION APPROPRIATION					
FREE CASH	7,482,052.00	2,253,200.00	7,500,000.00	5,627,000.00	5,275,000.00
FREE CASH May Public Safety Contracts					
FREE CASH May	5,000.00				
WATER ENTERPRISE RETAINED EARNINGS		600,000.00	2,859,500.00	2,285,000.00	1,025,000.00
WASTEWATER ENTERPRISE RETAINED EARNINGS	500,000.00	1,050,000.00	860,000.00	2,095,000.00	650,000.00
FREE CASH TO REDUCE THE TAX LEVY					
LOTTERY SURPLUS					
OVERLAY SURPLUS	389,429.39	3,000,000.00		1,000,000.00	250,000.00
STABILIZATION FUND SCHOOL					
STABILIZATION FUND TOWN					
OVERLAY SURPLUS School Contract					
RINK REVOLVING FUND	127,422.00	121,187.00	120,203.00	118,860.00	118,860.00
Reauthorization of Old Articles DPW Trucks					
Reauthorization of Old Article 25 AFTM 2019			443,750.00		
LAND FUND		213,500.00			
PEG Access Fund	90,374.72	160,320.00	159,980.00		
MISC. REVENUE FUNDS					
BUDGET TRANSFERS		110,000.00			
SIDEWALK FUND		128,610.00			
CHAPTER 90 - HIGHWAY					
TOTAL OTHER AVAILABLE FUNDS	11,517,278.11	11,364,817.00	17,002,880.00	15,591,531.97	10,863,529.00
TOTAL SOURCES OF FUNDING	190,577,012.31	194,344,846.57	206,326,233.13	214,120,585.97	214,278,687.76
PROJECTED SURPLUS (DEFICIT)	(0.44)	0.77	(0.00)	0.00	(0.00)

Free Cash and Reserve Balance Appropriations FY2024 Fund Appropriations ATM

		FY2024		FY2024		FY2024		FY2024	
		Free Cash		Sewer Retained Earnings		Water Retained Earnings		Debt Stabilization Fund	
		\$ 5,275,456.00		\$ 1,544,863.00		\$ 2,483,038.00		\$ 22,336,318.00	
Article	Description	Amount		Amount		Amount		Amount	
5	Debt Stabilization Deposit	1,300,000.00		500,000.00				1,800,000.00	
6	Debt Stabilization Withdrawal							(2,444,669.00)	
12	DPW Vehicles	502,000.00							
12	Water Dept Vehicles					500,000.00			
12	Fire Vehicles	120,000.00							
12	East Billerica Paving	63,000.00							
13	Schools	1,000,000.00							
14	Town Center							15,000,000.00	
15	Town Center	2,150,000.00							
16	DPW							50,000,000.00	
17	Water Mains Boston and Glad							700,000.00	
18	Fire Hydrants and Valve Replacements					100,000.00			
19	SCADA System Water Treatment Plant					425,000.00			
20	Fournier Press							500,000.00	
21	Boiler Fire Station HQ	140,000.00							
22	Spot Repairs MBTA			150,000.00					
		5,275,000.00		650,000.00		1,025,000.00		(644,669.00)	
								66,200,000.00	
Balance Remaining		\$ 456.00		\$ 894,863.00		\$ 1,458,038.00		\$ 22,980,987.00	

Free Cash Analysis for DOR Guidelines

FY2024 Total Appropriation	\$	179,822,839.00	100%
DOR Maximum Recommended Free Cash		8,991,141.95	5.00%
Actual Free Cash less previous year balances	\$	5,275,456.00	2.93%

Part IV

Statutory References

Article 2

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 3

Section 9: Annual meeting; other meetings; election of officers; times; adjournment; holidays

[Section impacted by 2020, 45, Secs. 1 and 1A, as amended by 2020, 92, Secs. 1 to 3, effective March 23, 2020, 2020, 92 Secs. 9 and 15 to 17 effective June 5, 2020 and 2021, 5, Secs. 1 and 2, effective March 16, 2021, relating to elections in order to address disruptions caused by the outbreak of COVID-19.]

Section 9. Except as otherwise provided by special law or a charter adopted or revised or amended under Sections two, three, or four of Article LXXXIX of the Amendments to the Constitution of the Commonwealth which may provide for a different time for the election of town officials and other matters to be determined by ballot, the annual meeting of each town shall be held in February, March, April, May or June; and other meetings may be held at such times as the selectmen may order or the charter or by-law prescribe; provided, however, that, notwithstanding the provisions of this section or of any other law, by-law, or charter to the contrary, a town, by the vote of its board of selectmen or town council may delay the annual town meeting; and provided, further, that such a delayed annual town meeting shall complete its business on or before June 30 except in the event of an emergency that poses an immediate threat to the health or safety of persons or property that prevents the completion of the business of the delayed town meeting on or before June 30 if the governor has declared a state of emergency with respect to such emergency. Town meetings shall be held within the geographic limits of the town unless a special law, charter or by-law provides otherwise; provided, however, that any meeting for the election by ballot of federal, state or other officers or the determination of other matters that are to be determined by ballot at an election shall be held within the geographic limits of the town. Meetings may be adjourned from time to time and meet and adjourn to any place authorized by law provided that officers shall be elected, and matters required by law to be elected or determined by ballot, shall be so

elected or determined during the hours during which polls shall remain open as hereinafter provided. If the day set for a town meeting by by-law or otherwise falls on a legal holiday, such meetings shall be held on the day following. A town may by by-law designate the hour at which the annual town meeting shall be called and subject to section sixty-four of chapter fifty-four by vote or by-law designate the hours during which polls shall remain open in meetings for the election of officers and the determination of other matters that are required by law to be determined by ballot.

Article 5 and 6 and Special Town Meeting Article 1

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 7

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.

Articles 14, 16, 17, and 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 28

Section 15A. Whenever a board or officer having charge of land, including land acquired for playground purposes pursuant to the provisions of section fourteen of chapter forty-five, but excluding land acquired for park purposes, constituting the whole or any part of an estate held by a city or town within its limits for a specific purpose shall determine that such land is no longer needed for such purpose, whether such land was acquired before or after the effective date of this section and whether acquired by eminent domain, purchase, gift, devise or otherwise, such board or officer shall forthwith give notice of such determination to the city council of the city or the board of selectmen of the town. At any time after the receipt of such notice, the city council of the city by a two thirds vote of all its members, in the case of a city having a city manager, with the approval of said city manager, and in the case of other cities, with the approval of the mayor, or the town by a two thirds vote at a regular or special town meeting, may transfer the care, custody, management and control of such land to the same or another board or officer of the city or town for another specific municipal purpose, any provision of general or special law to the contrary notwithstanding; provided, that no such transfer shall be valid if it is in violation of any term or condition of the title of the city or town to such land.

In any city or town which accepts the provisions of this paragraph, when land is being transferred for the purpose of constructing low and moderate income housing, the vote required of the city council or the town meeting shall be by a majority vote.

Article 29 and Special Town Meeting Article 3

Section 14: Purchase of land; conditions; limitations; definition

Section 14. The aldermen of any city, except Boston, or the selectmen of a town may purchase, or take by eminent domain under chapter seventy-nine, any land, easement or right therein within the city or town not

already appropriated to public use, for any municipal purpose for which the purchase or taking of land, easement or right therein is not otherwise authorized or directed by statute; but no land, easement or right therein shall be taken or purchased under this section unless the taking or purchase thereof has previously been authorized by the city council or by vote of the town, nor until an appropriation of money, to be raised by loan or otherwise, has been made for the purpose by a two thirds vote of the city council or by a two thirds vote of the town, and no lot of land shall be purchased for any municipal purpose by any city subject to this section for a price more than twenty-five per cent in excess of its average assessed valuation during the previous three years.

The words "municipal purpose", as used in this section, shall include any such land, easement or right therein within the city or town, so purchased or taken by eminent domain for the purpose of conveying or granting the same to the commonwealth for the use of a regional community college.

OTHER

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.

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.

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.

Appendix A

Articles

Fall 2023 Town Meeting



Article 1: To appoint One Member to the Bowers Fund Committee

Moved that Town Meeting appoint Rino Moriconi to the Bowers Committee for a term to expire on October 4, 2028

The Bowers Fund Committee was established in the late 1800s 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 \$15,120.06 and the principal balance is \$132,053.91.

This motion will re-appoint Rino Moriconi to The Bowers Committee for five years – expiring on October 4, 2028



Article 2:Accept All Reports of Town Departments, Committees, and officers

The Moderator shall hear any town reports and entertain a motion to accept all reports of Town Departments, Committees, and officers.



Article 3:To Amend the start date of Town Meeting

- Move that Town Meeting vote to amend the Town's General By-Laws, Article I, Town Meetings
 - C. The start date for the Annual Spring Town Meeting or the Annual Fall Town Meeting may be otherwise determined by a vote taken at the immediately prior Annual Town Meeting pursuant to a warrant article included on the warrant for such Meeting therefor; provided, however, that any such action shall be subject to the authority of the Select Board to delay Annual Town Meeting pursuant to the provisions of G.L. c. 39, §9, as may be amended





Article 4:Fiscal Year 2023 Budget Amendment

Move that Town Meeting raise and appropriate the sum of \$387,761 to amend various budgets for Fiscal Year 2024 as follows:

Account Name	Account Number	Beginning Balance	Change	Ending Balance
Debt Interest - Town	71070-7550	407,700	107,761	515,461
Billerica Public Schools	30020-5400	2,494,279	280,000	2,774,279
Total Change			387,761	

This Debt Interest increase pays for an increase in general obligation debt of \$4.2 Million for the Howe and Peggy Hannon Rizza Projects for 6 months. The increase in the School budget is to pay for re-occurring technology needs.



Article 4:Fiscal Year 2023 Budget Amendment

The Town received an interest rate of 3.49% and a reaffirmation of a AA+ Bond Rating

Town Project	CPC	GOB	Total
BMHS	\$ -	\$ 4,000,000	\$ 4,000,000
Howe School	4,900,000	2,100,000	7,000,000
Peggy Hannon Rizza	5,400,000	2,600,000	8,000,000
Total	\$ 10,300,000	\$ 8,700,000	\$ 19,000,000

This Debt Interest increase pays for an increase in general obligation debt of \$9.7 Million for the Howe and Peggy Hannon Rizza Projects for 6 months. This is the first installation of debt service payments using CPC funds with a value worth \$10.3 Million

Plan for BPS Student Devices

Presentation to Town Meeting

Fall 2023

Obstacle

We do not currently have a sustainable plan to replace student Chromebooks after their expiration

- > Previously purchased with one-time funds or school-based funds
- > Significant inconsistency of student to device ratio
- > 1312 elementary student Chromebooks expired in June leaving schools with the following number of Chromebooks to start the school year

School	# of CBs Left	Student Enrollment
Ditson	410	546
Hajjar	39	394
Dutile	6	296
Kennedy	118	330
Parker	81	412

Note: MS & HS's 1:1 student devices do not expire until 2027

Additional Information

- Chromebooks last for 6 years before becoming unsupported by Google
- Keeping expired devices in the hands of students is a liability and risk

Proposed Solution

Request a budget amendment at Fall Town Meeting to increase the FY24 operating budget by \$280,000 in order to fund the replacement of expired Chromebooks

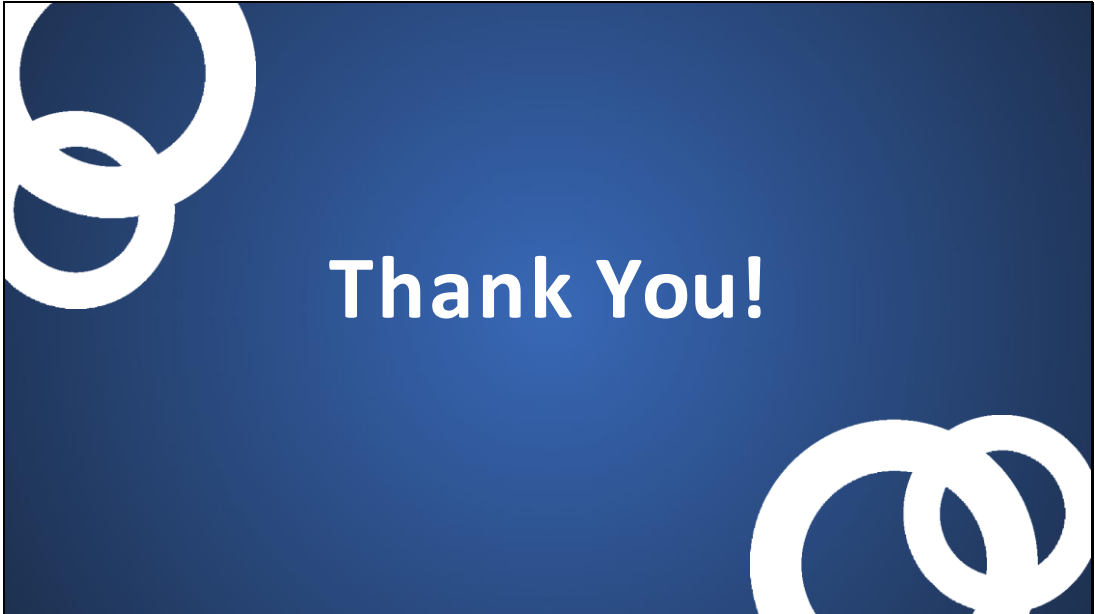
Develop a sustainable strategy for the infusion of student Chromebooks from year to year to replace the expiring devices

Assumptions

- Chromebooks will have a life of six-years
- Ratios:
 - HS - 11 device to student MS - 11 device to student
 - Elem - 1 cart per 3 classrooms, plus 1 additional cart for library (LITE)
- For FY24, 800 new devices will get us to the goal of a 1 to 3 (+1) ratio at elementary
- For FY25 and future, 800 devices will be an adequate amount to provide new devices to incoming 5th & 9th grade students, which includes necessary loaners on some years

Recommended Solution

FISCAL YEAR	DEVICES	COST	NEW INCREASE TO BUDGET OVER LAST YEAR	DISTRIBUTION OF DEVICES
FY24 Need	800	\$280,000	\$280,000	Purchased for Elementary Schools Funded with approval from Fall Town Meeting amendment
FY25 Need	800	\$280,000	\$0	Purchased for students entering gr. 5 & 9 Students will have their device for four years, Then device gets cascaded to elementary for final two years of life
FY26 Need	800	\$280,000	\$0	Purchased for students entering gr. 5 & 9 Students will have their device for four years, Then device gets cascaded to elementary for final two years of life
Etc...				



Thank You!



Article 5: Free Cash to Debt Service Stabilization Fund

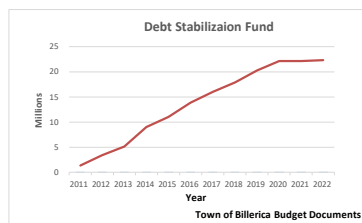
This article fulfills part of the Town Debt Service Policy –

“Transferring a minimum amount of free cash and or retained earnings annually in the amount of \$1.8 Million”

This year the Town is transferring \$1,300,000 from free cash and \$500,000 from Wastewater Retained Earnings to the Debt Stabilization fund.



Article 5: Free Cash to Debt Service Stabilization Fund



History of Debt Stabilization

Date	Source	Article	Appropriation	Date	Source	Article	Appropriation
10/4/2011	Free Cash	23	1,373,593	10/2/2018	W/D		(1,625,000)
6/30/2012	Interest	12	10,339	10/2/2018	Free Cash		1,300,000
10/2/2012	Levy	12	724,588	10/2/2018	WWRE		500,000
10/2/2012	Free Cash	23	1,289,321	10/2/2018	Interest		821,024
6/30/2013	Interest		80,692	10/2/2019	W/D		(950,000)
10/1/2013	Levy	16	908,817	10/2/2019	Free Cash		1,300,000
10/1/2013	Free Cash	31	753,836	10/2/2019	WWRE		500,000
6/30/2014	Interest		72,634	10/2/2019	Levy		641,324
10/7/2014	Free Cash	20	1,102,100	10/2/2019	Interest		880,492
10/7/2014	Overlay Surplus	18	2,720,172	10/3/2020	W/D		(1,160,000)
6/30/2015	Interest		175,327	10/3/2020	WWRE	13	1,050,000
10/6/2015	Free Cash	13	1,800,000	10/3/2020	Levy		91,101
6/30/2016	Interest		311,248	10/3/2020	Interest		675,893
10/4/2016	Levy	12	735,000	10/3/2020	Free Cash	13	750,000.00
10/4/2016	Free Cash	13	731,856	10/5/2020	Interest		475,644.00
10/4/2016	WWRE	13	1,068,144	10/5/2021	Budget	10	220,749
5/1/2017	Overlay Surplus	20	1,200,623	10/5/2021	Budget	3	(220,749)
6/30/2017	Interest		481,609	10/5/2021	W/D	4	(1,774,457)
11/21/2017	W/D	12	(1,400,000)	10/5/2021	Free Cash	36	1,000,000
11/21/2017	Free Cash	23	1,800,000	10/5/2021	WWRE	36	800,000
11/21/2017	Levy	11	60,434	10/6/2022	Free Cash		370,000
5/30/2018	Overlay Surplus	17	55,265	10/6/2022	WWRE		1,430,000
6/30/2018	Interest		(223,456)	10/6/2022	W/D		(2,012,618)
7/31/2018	Interest		112,101	10/6/2022	Interest		(132,123)
7/31/2018	Interest		171,392	10/1/1900	Interest		523,206.00
10/2/2018	Levy	3	766,198				
				Total			\$ 22,336,319
				10/3/2023	Free Cash		1,300,000
				10/3/2023	WWRE		500,000
				10/3/2023	W/D		(2,444,669)
				Balance after Fall of 2023			\$ 21,691,650



Article 6: Debt Service Stabilization Fund Transfer

This article is intended to address paragraph 3 and 4 of the Debt Stabilization policy.

Paragraph 3 states that if an annual appropriation exceeds \$9.066 million the town will appropriate the difference from the debt stabilization fund to keep the levy impact at \$9.066 million. This fiscal year the annual debt service has exceeded the policy limit in the amount of \$1,094,669

Paragraph 4 refers to the Town's goal of ensuring the impact of the two debt exclusions does not exceed \$200 of impact on the average single-family home. The amount needed to meet that goal for this year is a transfer of \$1,350,000 to the Debt Service account.

These two transfers add up to a total transfer of \$2,444,669 from the Debt Stabilization Fund to the Debt Service Account.



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Select Board Debt Policy Moving Forward

Due to the anticipated significant expansion of the capital plan which may include a new DPW facility, a new COA center, a new Recreation Center, and extensive water infrastructure work along with smaller, less financially impactful projects like improvements to the Town Center and the North Billerica Fire Station, the prior policy needs to be updated to accommodate this updated capital plan. The existing debt policy accommodated the Comprehensive Wastewater Management Plan as well as the recent construction of two new schools.

The Town is proposing to change the levy commitment for debt over the course of the next ten years as seen in Table 1. This plan can be adjusted if any of these projects do not come to fruition.

Debt Levy Limit

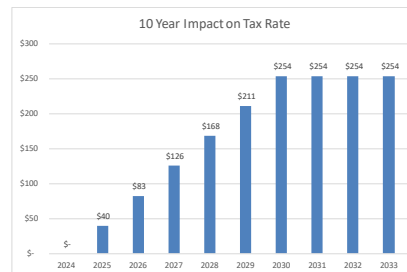
2024	9,066,000
2025	10,000,000
2026	11,000,000
2027	12,000,000
2028	13,000,000
2029	14,000,000
2030	15,000,000
2031	15,000,000
2032	15,000,000
2033	15,000,000

Table 1



Select Board Debt Policy Moving Forward

Fiscal Year	Projected	Targeted	Over/Under
2024	10,298,669.60	9,066,000	1,232,670
2025	8,920,095.32	10,000,000	-1,079,905
2026	9,476,685.35	11,000,000	-1,523,315
2027	16,007,482.14	12,000,000	4,007,482
2028	18,305,904.28	13,000,000	5,305,904
2029	19,617,232.22	14,000,000	5,617,232
2030	19,090,346.26	15,000,000	4,090,346
2031	18,622,740.98	15,000,000	3,622,741
2032	18,352,957.73	15,000,000	3,352,958
2033	18,102,616.36	15,000,000	3,102,616



The Potential impact of expanded capital plan over the next ten years is projected to be \$254 on the median household for more than \$200 Million in Town Assets.

Billerica Community Preservation Committee

WARRANT ARTICLE #7
FINANCE COMMITTEE –
SEPTEMBER 26, 2023



On November 8, 2016 Billerica's
residents voted to implement the
Community Preservations Act (CPA)

2016 Fall Town Meeting passed a
local Bylaw to form a Community
Preservation Committee (CPC)

The CPC Consists of Nine Members:

Five Statutory:

- ▶ Conservation
- ▶ Historical
- ▶ Planning Board
- ▶ Recreation
- ▶ Housing Authority

Four at Large:

- ▶ Chief Assessor
- ▶ Finance Committee
- ▶ 2 Residents
 - 1 appointed by the Town Manager and
 - 1 by the Select Board



Source of CPA Funding

- ▶ Residents pay a surcharge of 1% on their property taxes. Billerica is then able to draw matching funds from the state's Community Preservation Trust Fund.
- ▶ The State matches local collections up to a certain percentage every year using registry fees.
- ▶ Communities must spend the money on Historic Preservation, Open Space & Recreation, and

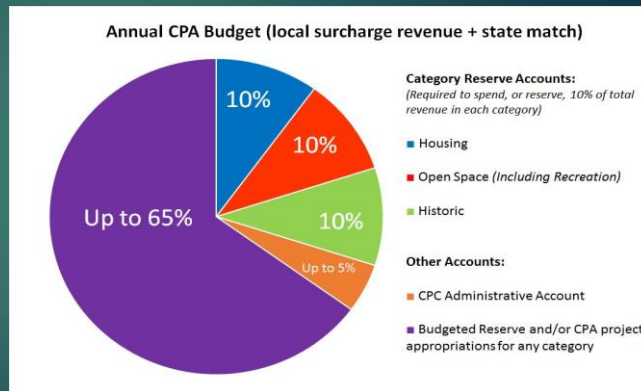


CPA FUNDING CATEGORIES



1. Open Space and Recreation
2. Historic Preservation
3. Community Housing
4. Administration

CPC, with public input, determines what types of projects will most benefit the community and recommends these projects to Town Meeting for approval by a majority vote.



CPC State Match to Billerica



Fiscal Year 2019	\$ 174,504.00
Fiscal Year 2020	\$226,068.00
Fiscal Year 2021	\$282,337.00
Fiscal Year 2022	\$446,842.00
Fiscal Year 2023	\$410,222.00
Fiscal Year 2024	To Be Determined
	\$ 1,539,973.00

Projects Funded By CPC Funds



Purchase of Howe School
Clara Sexton Memorial Museum Preservation
Middlesex Canal Museum
Yankee Doodle Bike Path Design
Disc Golf at VVP
Peggy Hannon Rizza Complex
Purchase of Masonic Hall
PHR-Tennis & Skate Park
Masonic Hall
Howe School
Yankee Doodle Bike Path Design
Great Deed Preservation
Invasive Species
1926 Maxim Ladder truck Restoration
Veterans Park Disc Golf
First Church of Christ Billerica



Fall 2023 Town Meeting Article 7



- ▶ Amend the Budget that was accepted at Spring Town Meeting
- ▶ Approve the recommended allocation for the Manning Manse Project

Budget Amendment

		Original Budget*	Amended Budget
Appropriations	Administrative Budget	\$ 55,000	\$ 55,000
	Debt Service Budget	\$ 0	\$ 235,967
Reserves**	Community Housing Special Fund	\$ 110,000	\$ 110,000
	Historic Preservation Special Fund	\$ 110,000	\$ 0
	Open Space and Recreation Special Fund	\$ 110,000	\$ 0
	Unreserved Fund	\$ 715,000	\$ 699,033
TOTALS		1,100,000	1,100,000

*Approved at Spring Town Meeting – May 2023

**This will be amended at Spring Town Meeting to reflect the distribution based on the actual state match in November

Manning Manse

- ▶ Manning Manse is the oldest structure still standing in Billerica and one of the oldest in Massachusetts
- ▶ Located at 56 Chelmsford Road
- ▶ Built in 1696



- ▶ The CPC voted on August 10 to recommend that Town Meeting allocate \$35,000 for partial funding of new roof for the oldest building on the property
- ▶ Full project cost is expected to be about \$50,000
- ▶ Recommended by Historical Commission



FY24 Budget

Fiscal Year 2024 Budget

	Budget	Estimated	Variance
Local Surcharge	1,100,000	-	(1,100,000)
State Match	-	-	-
Interest	-	-	-
Expenses - Administrative	(55,000)	-	55,000
Expenses - Debt Service	(235,967)	-	235,967
	809,033	-	(809,033)

Fund Balances	HOUSING	OPEN SPACE / RECREATION	HISTORIC	UNDESIGNATED	TOTAL
June 30, 2023 Carryover	319,229	46,616	46,616	2,101,530	2,513,991
Budgeted to Reserves	110,000	-	-	699,033	809,033
Project Appropriations - May 2023	(382,613)	-	-	(1,560,000)	(1,942,613)
Project Appropriations - Oct 2023	-	-	(35,000)	-	(35,000)
June 30, 2024 Estimated	46,616	46,616	11,616	1,240,563	1,345,411



Article 10: To Fund Collective Bargaining Agreement – IUPE Clerical Unit

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Consumer Price Index Overview Table – Northeast

Consumer Price Index for All Urban Consumers, all items, in the United States and selected areas in the Northeast, not seasonally adjusted
(1982-84=100 unless otherwise noted)

Area (Links provide news releases)	Back data	Annual average 2022	Jul 2023	Aug 2023	Percent change		
					Annual average 2021 to 2022	Jul 2023	Aug 2023
U.S. City Average		292.655	305.691	307.026	8.0	3.2	3.7
Northeast region(1)		303.320	313.952	315.441	7.0	2.6	2.8
Northeast City Size Class (population)							
A (greater than 2,500,000)		305.197	317.576	319.371	6.6	3.2	3.6
B/C (2,500,000 or less)(2)		179.916	184.946	185.600	7.5	1.9	1.8
New England(3)(4)		116.276	119.390	119.875	7.1	2.1	2.3
Middle Atlantic(3)(5)		116.339	120.775	121.377	6.9	2.8	3.0
Metropolitan areas							
Boston-Cambridge-Newton, MA-NH(4)		314.356	324.746		7.1	2.8	
New York-Newark-Jersey City		310.141	322.496	324.380	6.1	3.2	3.5



Article 10: To Fund Collective Bargaining Agreement – IUPE Clerical Unit

Goals of Collective Bargaining

- Recognize rate of Inflation
- Remain competitive in Municipal Market
- Implement ability to hire experienced employees
- Improve FMLA Benefits



Union Contracts

UNION CONTRACT HIGHLIGHTS

	BPPA	IUPE	IAFF Fire Alarm Operators	BMEA	NEPBA Patrol	NEPBA Superior	IEAP (EMS)	By-law Employees	IAFF Local 1495
Source	Coll. Barg. Art.			Coll. Barg. Art.			Coll. Barg. Art.	Budget Art.	Coll. Barg. Art.
FY2023				4%			0%		
FY2024	4%	4%	2%	3%			0%	3%	3%
FY2025	3%	3%	2%	3%			0%	3%	3%
FY2026	3%	3%	2%					3%	3%
1-Jan-26	3%	3%							
Shift Differential			11-7 shift increased from \$42 to \$50 per week						
FMLA	20 sick days for family	20 sick days for family		20 sick days for family			20 sick days for family		
Weekly Stipend/New Certifications			\$200 increase to uniform allowance. \$1,200 stipend for Fire Alarm Coordinator	Water and Waste water Stipends			Juneteenth		1% each year of the contract for EMT-B and 1.5% each year of the contract for EMT-P
Other	Juneteenth, back, lift cap on sick day accumulation but not for buyback	Juneteenth, Vacation Buy back. Increased longevity for 20,25 and 30 year employees	Wage Scale was redone to put them on par with Police Dispatch.	Dropped 9th Step and shifted steps, Double Time after 13 hours. Juneteenth			Wage Schedule was redone as 15 annual steps ranging from \$30 an hour to \$39.58.		
Retro				\$ 328,000			\$ 189,000		

FY2023									
FY2024	\$ 120,350	\$ 100,000	\$ 90,000	\$ 270,000			\$ 179,000	\$ 322,186	
Total	\$ 120,350	\$ 100,000	\$ 90,000	\$ 598,000	\$ -	\$ -	\$ 368,000	\$ -	\$ 322,186



Union Contracts

UNION CONTRACT HIGHLIGHTS

	BPPA	IUPE	Fire Alarm Oper	BMEA	NEPSA Patrol	NEPSA Superior	IEAP [EMT]	By-law Employees	IAFF Local 1495
Source	Coll. Barg. Art.			Coll. Barg. Art.			Coll. Barg. Art.	Budget Art.	Coll. Barg. Art.
Give Back	Removed Operation Supervisor	Ability to hire above step 1		Sick Bank Language			Sick Bank Language		Sick Time language/OT
			Dispatchers agree to be trained in Police Dispatch and perform the duties of combined dispatch at a future date with no further remuneration required.	Required to wear Town of Billerica Clothing					Sick Bonus Language eliminating bonus for more than two days and increasing bonus for 0-2 days
Give Back	Fixed Vacation carryover from previous jobs.	Sick Leave Abuse Language					The right to hire up to Step 6.		
Give Back	Sick Bonus, Sick Bank Language			Ability to hire and train HMEOs, ability to hire at step 5			Language for forced OT and assignments of intermittent Paramedics		
Give Back	Work week Language			Mandatory OT employees, Head Back Flow Preventer position reclassified					
Retro				\$ 328,000			\$ 189,000		
FY2023									
FY2024	\$ 120,350	\$ 100,000	\$ 90,000	\$ 270,000			\$ 179,000		\$ 322,186
Total	\$ 120,350	\$ 100,000	\$ 90,000	\$ 598,000	\$ -	\$ -	\$ 368,000	\$ -	\$ 322,186



Article 10: To Fund Collective Bargaining Agreement – IUPE Clerical Unit

- COLA 4%, 3%, 3% and 1% on January 1, 2026 (retro FY23, FY24)
- The Town added an additional 1% on the 1st year of the COLA for completing up to 15 hours of mandatory training for a total of 4%.
 - MS Excel Certificate, Business Computer Applications Certificate, Online Customer Service Certificate, Grammar Refresher
- Juneteenth Holiday
- The Town also incorporated Sick Leave Bank and FMLA language
- In the Management Rights section, the Town incorporated language to allow new hires up to any step based on municipal experience and need in the Union
- Increased longevity payments for
 - Increased 20-year step by \$500, 25-year step by \$750, and 30-year step by \$1,000



Article 11: To Fund Collective Bargaining Agreement – IAFF Civilian Fire Alarm Operators

- COLA 2%, 2%, 2% (retro FY24)
- Increase stipend from \$1,000 to \$1200 for the Fire Alarm Operator Coordinator
- Language for combined dispatch
- Uniform allowance increasing from \$800 to \$1,000
- Night Shift differential increasing from \$42 per week to \$50 per week



Article 12: 2023 Fall Town Meeting Department of Public Works Vehicle Replacement



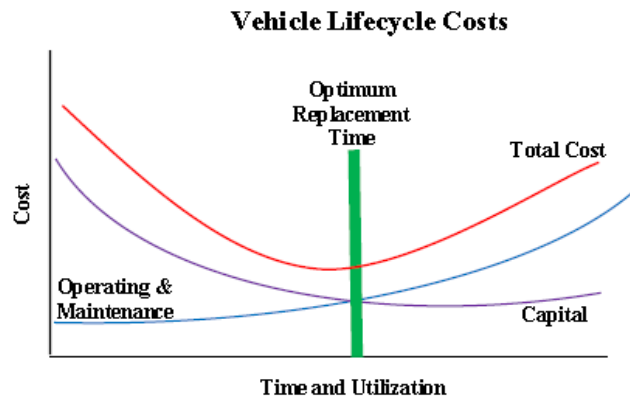
Replacement of fleet assets at the end of their economic life is a necessary cost of doing business.

Delaying vehicle and equipment replacement beyond the economic useful life of the asset in general is a short-term budget fix that invariably will lead to a long-term increase in cost and a degradation of the fleet's overall effectiveness and efficiency.



2023 Fall Town Meeting Department of Public Works Vehicle Replacement

The combination of these two trends produces a U-shaped total cost curve and assets should be replaced at the lowest point of this curve.



2023 Fall Town Meeting Department of Public Works Vehicle Replacement

Department	Vehicle #	Vehicle	New Vehicle	Cost
Highway	H-01	2015 Chevrolet 2500 pickup with plow	Chevrolet 2500 pickup with plow	\$ 60,000
Highway	H-02	2016 Chevrolet 2500 pickup with plow	Chevrolet 2500 pickup with plow	60,000
Highway	H-12	2015 Ford 350 1-ton dump with plow	Ford 350 1-ton dump with plow	92,000
Highway	H-49	2015 Freightliner Street sweeper	Elgin Street sweeper	290,000
Water	W-02	2008 Ford F-150 Pickup with plow	Ford F-150 Pickup with plow	55,000
Water	W-03	2013 Ford F250 utility body with plow	Ford F250 utility body with plow	90,000
Water	W-15	2009 Ford F-250 Pickup with plow	Ford F-250 Pickup with plow	60,000
Water	W-41	2005 John Deere backhoe	John Deere 410G backhoe	215,000
Water	W-43		Bobcat EW60 mini excavator	80,000
				\$ 1,002,000



Article 12: To Fund Fiscal Year 2024 Town Capital Budget

The Fire Department is replacing two vehicles used for inspectional services and training. These vehicles annual maintenance costs significant enough to justify replacing these vehicles.

The Department also needs to repave the East Billerica Fire Station. This work will cost \$63,000.00



Department	Vehicle #	Vehicle	New Vehicle	Cost
Fire Department	C-3	2011 Ford Taurus	Ford Explorer	\$ 60,000
Fire Department	C-6	2009 Ford Taurus	Ford Explorer	60,000



Proposal for FY24 Capital Request

Billerica Public Schools

Article 13

Overview of Proposed FY24 Capital Projects

<u>Location</u>	<u>Item/Service</u>	<u>Cost</u>
Hallenborg Rink	Chiller Replacement	\$720,000
Marshall Middle	Retubing Boiler #3	\$30,000
Ditson	Sprinkler Repairs & Fire Pump Controller	\$55,000
Dutile & Kennedy	Abatement	\$120,000
Dutile, Kennedy & Marshall	Classroom Lighting	\$75,000
TOTAL:		\$1,000,000

Hallenborg Rink

Replacement of Chiller

\$720,000

Hallenborg Rink Chiller

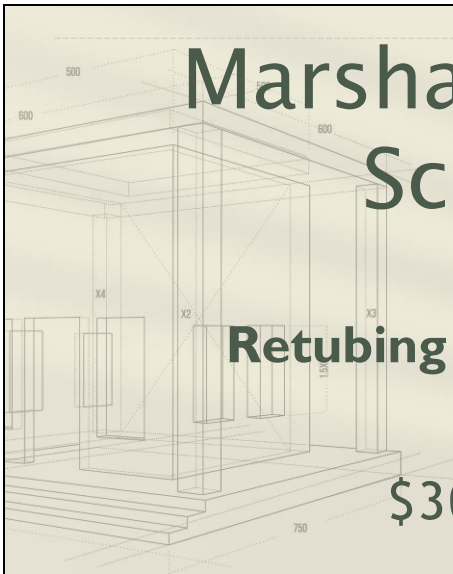
- Original Chillers no longer functioning
- Renting Chiller for 2023-2024 season
- Replace Rental chiller with Permanent chiller package
- Increases efficiency of operations



Marshall Middle School

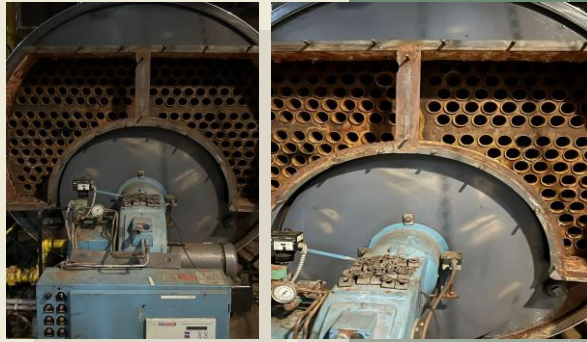
Retubing of Boiler #3

\$30,000



Marshall Middle Retubing of Boiler

- Retubing boiler 3 our newest boiler installed in the 90's
- This will extend the life of the boiler
- Boilers 1 and 2 are original to the building
- Boiler can not run in current condition



Ditson School

Sprinkler Repairs & Fire Pump Controller

\$55,000



Ditson School Sprinkler Repairs & Fire Pump Controller

- Replacement of fire pump controller
- Replacement of sprinkler heads in building beginning to expire and fail during testing

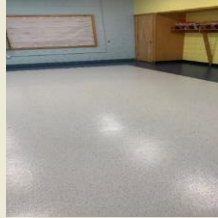
Dutile & Kennedy Schools

Abatement

\$120,000

Dutile & Kennedy Schools Abatement

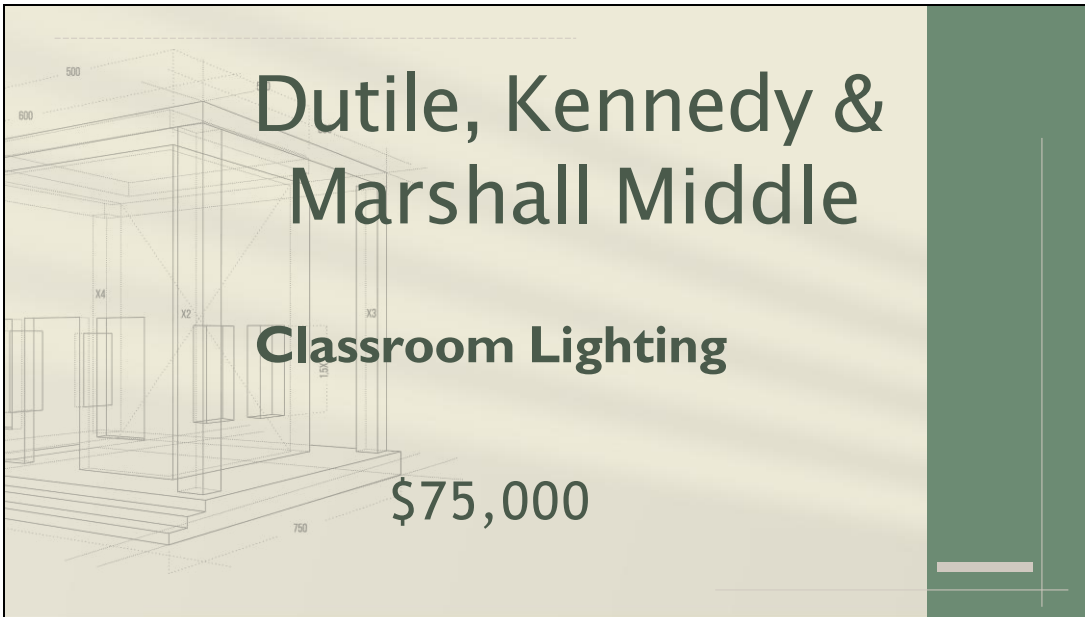
- Abatement of asbestos floor tile
- Replacement of flooring
- New flooring requires less products for maintenance
- New flooring comes pre-finished



Dutile, Kennedy & Marshall Middle

Classroom Lighting

\$75,000



Dutile, Kennedy & Marshall Classroom Lighting

- Upgrade Ceiling tiles to a 2x2 ceiling tile and grid
- Upgrade lighting fixtures to a 2x2 LED panel or a 2x4 LED panel.
- Reduces energy cost
- Reduces Maintenance Cost
- Ceiling tiles are easier to replace
- Added Acoustical Value in rooms increases



Billerica Town Center

Traffic, Roadway
and Streetscape
Improvements

Article 14



How Did We Get Here?



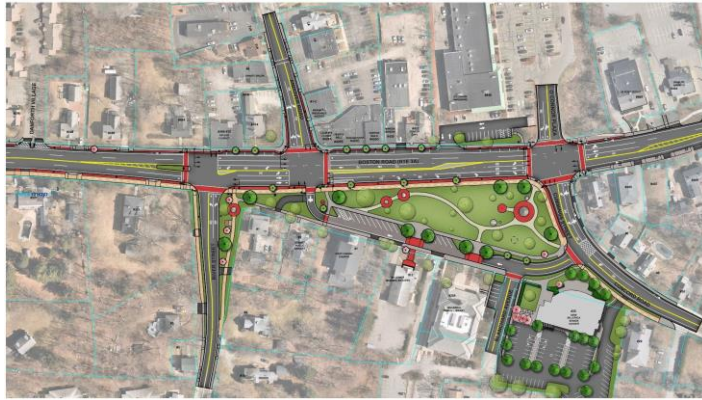
Why are we doing this project?

- Connect to previous Boston Road Improvement Projects
- Increase economic opportunity
- Improve intersection alignment, signal operations, and safety
- Provide safer pedestrian walkways and street crossings
- Increase usability of the Common
- Provide missing bicycle accommodations
- Unify streetscape / lighting
- Part of Town's Master Plan



Proposed Improvements

- Simplify Traffic Circulation
- Reduce Traffic Signals
- Protected Crosswalks
- New sidewalks and shared-use path
- Additional Parking
- Landscape/Streetscape Improvements
- Ornamental Streetlights
- Flush Lighting in Common Strolling Path
- Monument Up-Lighting
- Connect Common to Public Buildings
- Undergrounding Overhead Utility Wires



North



Parking

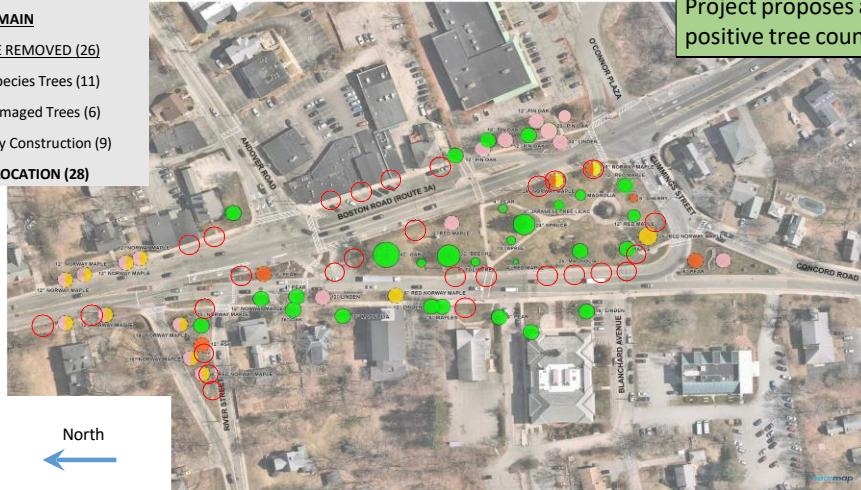


North



Tree Impacts & Planting

- **TREE TO REMAIN**
- **TREES TO BE REMOVED (26)**
 - Invasive Species Trees (11)
 - Weak / Damaged Trees (6)
 - Affected by Construction (9)
- **NEW TREE LOCATION (28)**

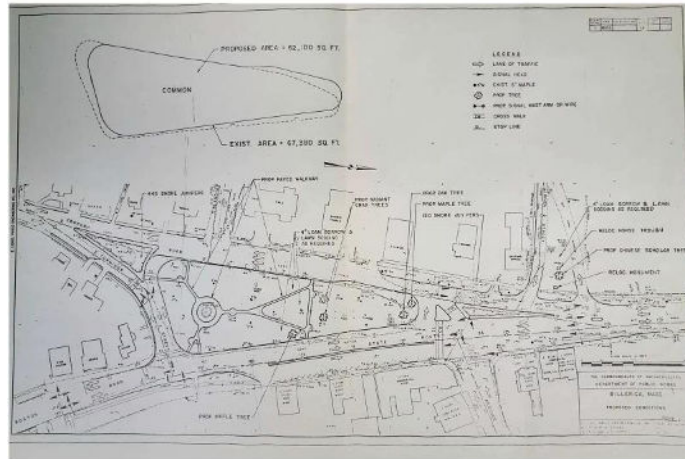


Historic Elements



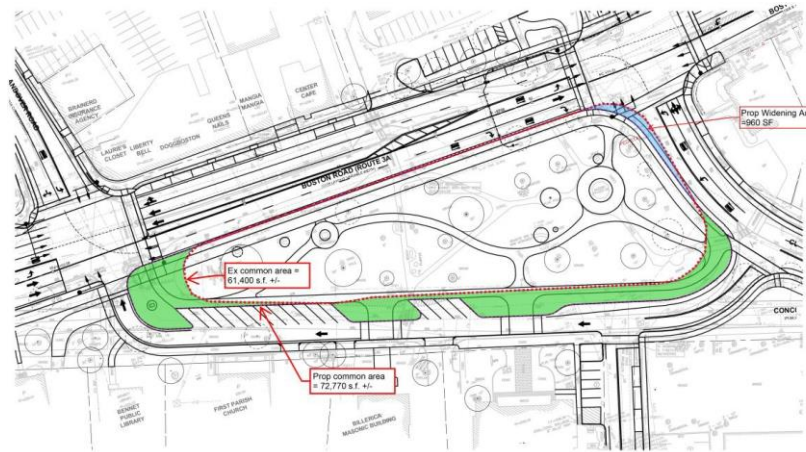
Green Space

- Back in the 1970s the Town renovated the Center through the Topics Program.
- The Common shrank in size by roughly 5,000 sf
- The image to the right is from the Topics Application and depicts that loss in the top left

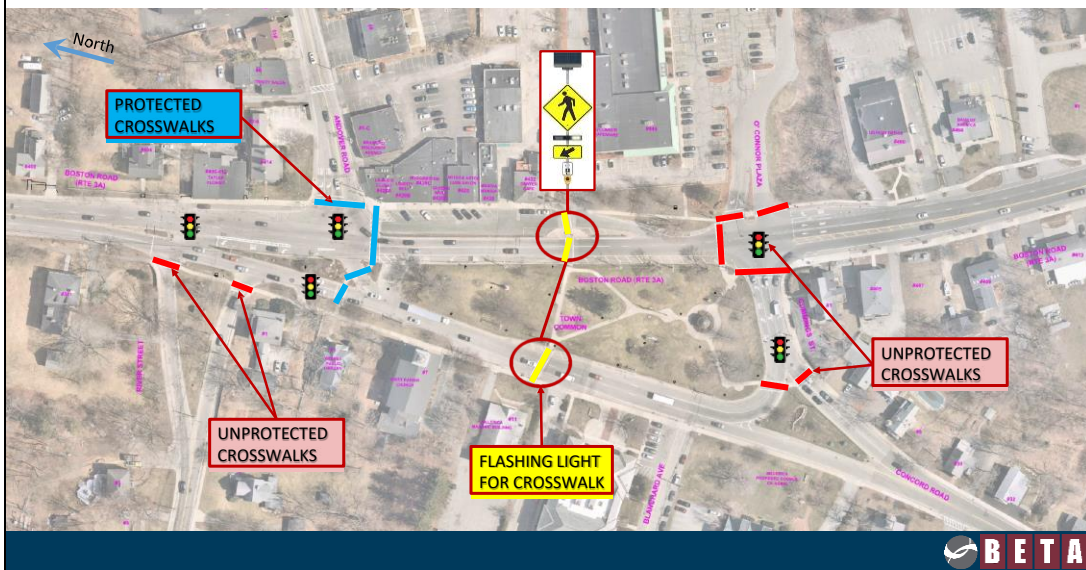


Green Space

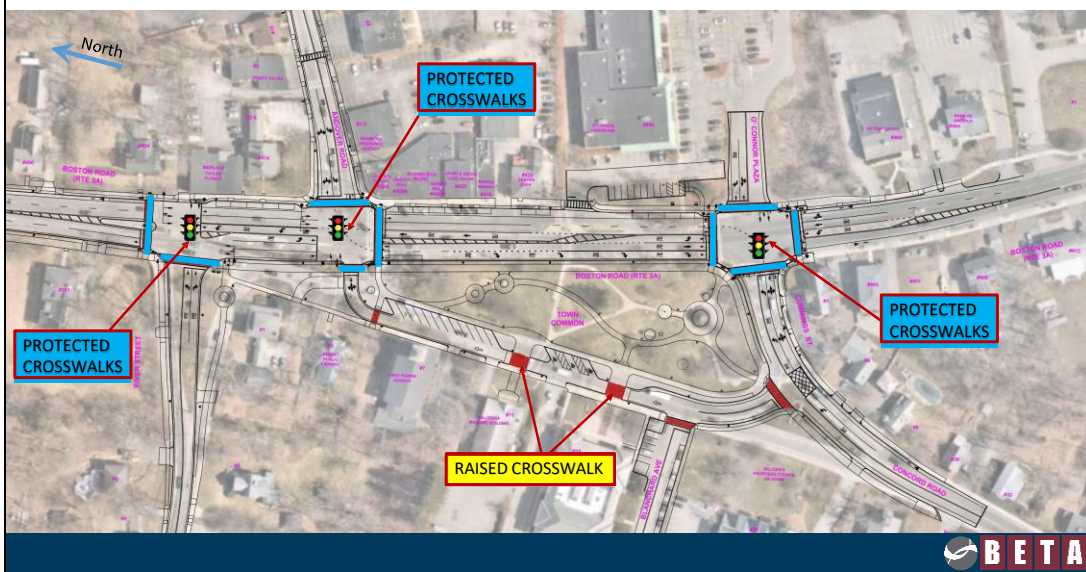
- The proposed design increases Green Space in the Common by about 10,000 sf



Existing - Pedestrian Crossings



Proposed - Pedestrian Crossings



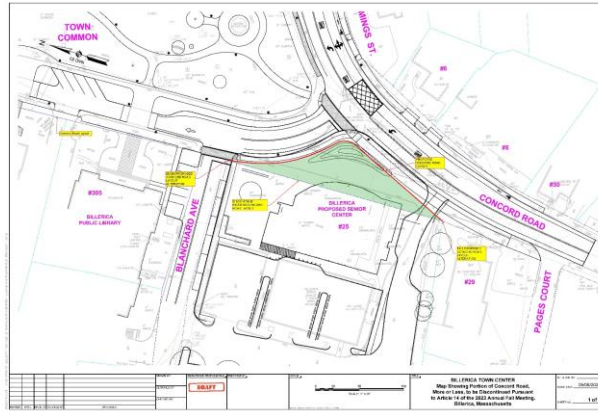
Proposed Preliminary Plan



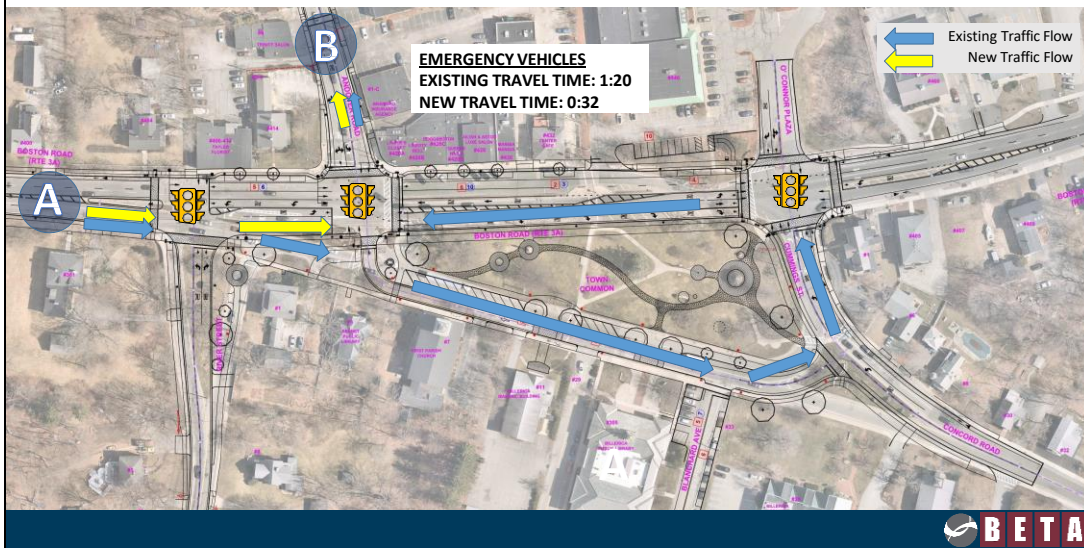


Article 14: To Fund the construction for the new Town Center Plan and to Repurpose a Portion of the ROW and Transfer it to the SB for COA General Municipal Purposes

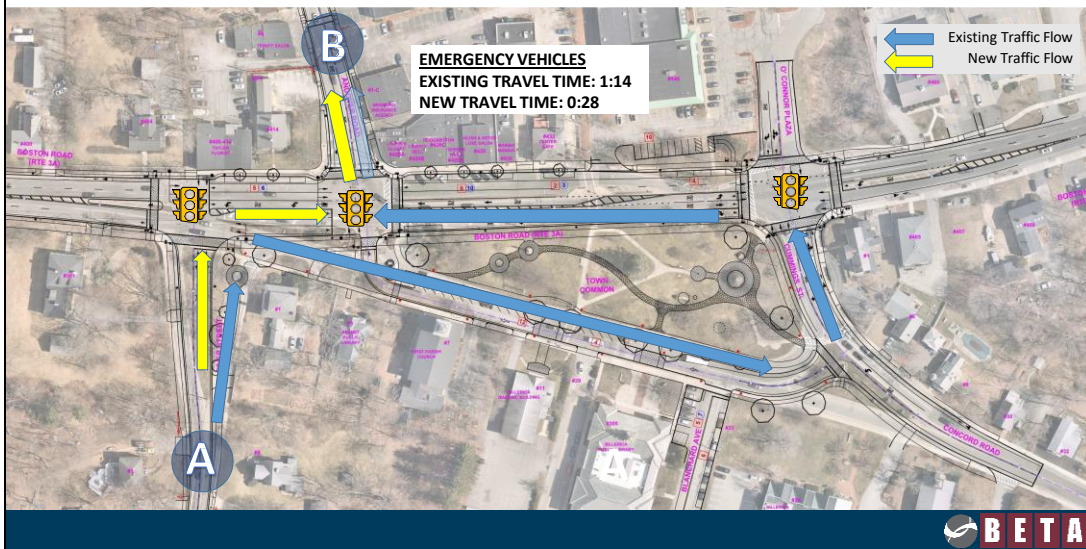
Redesigning this ROW allows for future construction of a COA without closing the existing facility



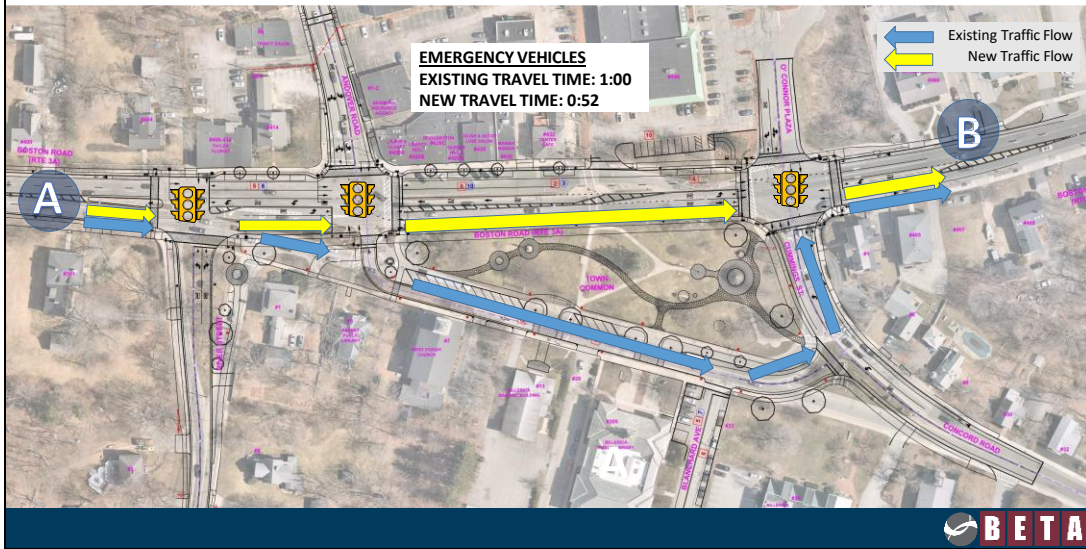
Travel From Boston Road (Southbound) to Andover Road (Eastbound)



Travel From River Street to Andover Road (Eastbound)



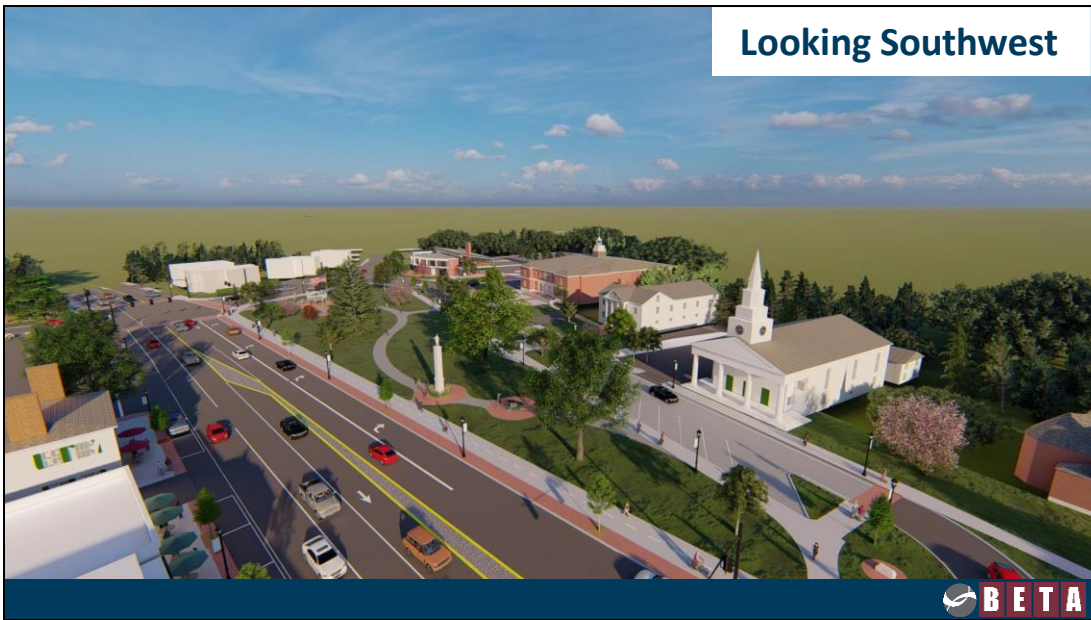
Travel From Boston Road (Southbound) to Post Office



Looking North



Looking Southwest



Concord Road & Boston Road Intersection



River Street & Boston Road Intersection



East Side Boston Road





Funding Plan

Financial Goal

Article 14 and 15

Town Center Funding Worksheet

Federal Funds Earmark	\$ 1,500,000.00
Massworks	3,000,000.00
Free Cash 2023	2,000,000.00
Free Cash 2024	2,000,000.00
Free Cash 2025	2,000,000.00
FY2025 Capital Appropriation	1,000,000.00
FY2026 Capital Appropriation	500,000.00
Chapter 90 2024	500,000.00
Chapter 90 2025	500,000.00
ARPA	3,137,698.00
Bonding	-
Overlay	4,000,000.00
Total Funds	\$ 20,137,698.00
Projected Cost	\$ 20,000,000.00

Starting Point

Article 14 and 15

Town Center Funding Worksheet

Federal Funds Earmark	
Massworks	
Free Cash 2023	\$ 2,150,000.00
Free Cash 2024	
Free Cash 2025	
FY2025 Capital Appropriation	
FY2026 Capital Appropriation	
Chapter 90 2024	
Chapter 90 2025	
ARPA	3,137,698.00
Bonding	15,000,000.00
Overlay	
Total Funds	\$ 20,287,698.00
Projected Cost	\$ 20,000,000.00

New Public Works Facility Article 16



Weston & Sampson



Town of Billerica New Public Works Facility

Public Works agencies are considered First Responder and the facilities must support this important role:



Homeland Security Presidential Directive / HSPD-8 defines Public Works as a First Responder

THE FIRST RESPONDERS WHO ARE THERE
UNTIL THE EMERGENCY IS OVER



Weston & Sampson



Town of Billerica New Public Works Facility

The DPW touches the lives of the residents everyday by maintaining the infrastructure that the community relies on including...

- Provide care & maintenance of 6 Town-owned cemeteries, responsible for grave burials and arranging grave-side funerals
- Management of curbside trash and recycling program
- Maintenance of approximately 215 individual pieces of vehicles and equipment for DPW and other Department vehicles
- Snow and ice removal operations
- Engineering Services in support of capital improvement projects, town-wide permitting, and regulatory oversight of private development
- Administration oversees and manages all street opening permits and contractor bonds; operates and maintain fuel system for all municipal vehicles; administers and manages water & sewer billing.
- On call 24 hours a day to handle incidents & emergencies

Weston & Sampson



Town of Billerica New Public Works Facility

On call 24 hours a day to handle incidents & emergencies...

- Snow and ice removal operations
- Hurricane / windstorm cleanup
- Flooding
- Removal of road hazards
- Oil spills / accidents
- Emergency utility and road repairs
- The support of other emergency departments

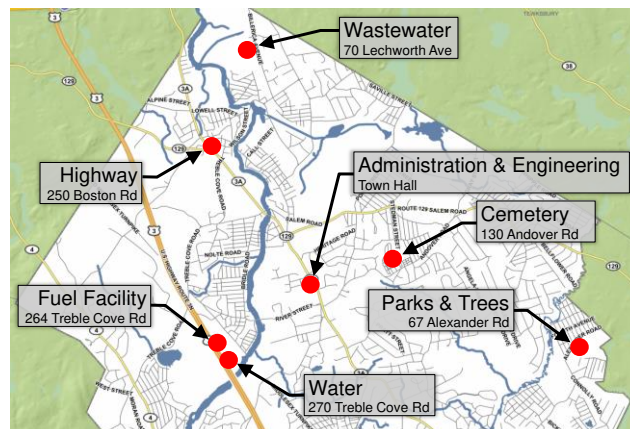


Weston & Sampson



Why does the Town need a new Public Works facility?

Operations are spread out at multiple locations across Town



Weston & Sampson



Town of Billerica New Public Works Facility

Why does the Town need a new Public Works facility?

- Responsibilities have increased significantly over the years, but the facilities have not kept pace
- A feasibility study was completed in 2007 and identified a need to replace / consolidate the existing operations
- Efficiency of operations and employee safety are negatively impacted by current conditions

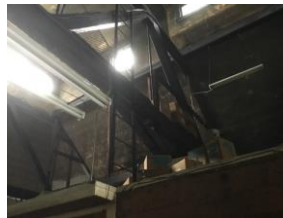


Weston & Sampson



Town of Billerica New Public Works Facility

**Antiquated,
inefficient, and
unsafe conditions
due to age of
facilities**



Weston & Sampson



Town of Billerica New Public Works Facility

Inadequate basic employee facilities to support staff

Staff locker area located in the garage bays



Weston & Sampson



Town of Billerica New Public Works Facility

Unprotected vehicle/equipment storage due to undersized facility

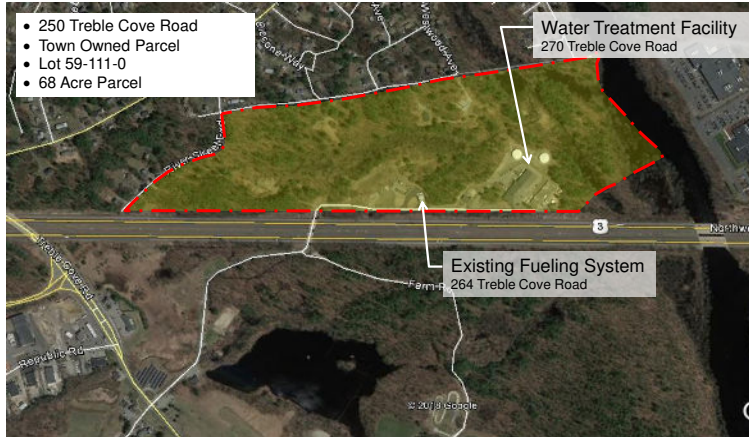


Inadequate storage results in a portion of the multi-million
dollar fleet and equipment being stored outdoors

Weston & Sampson



Town of Billerica New Public Works Facility



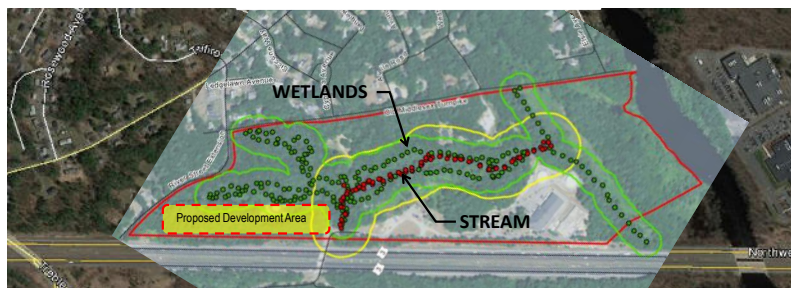
Weston & Sampson



Town of Billerica New Public Works Facility

Proposed Site

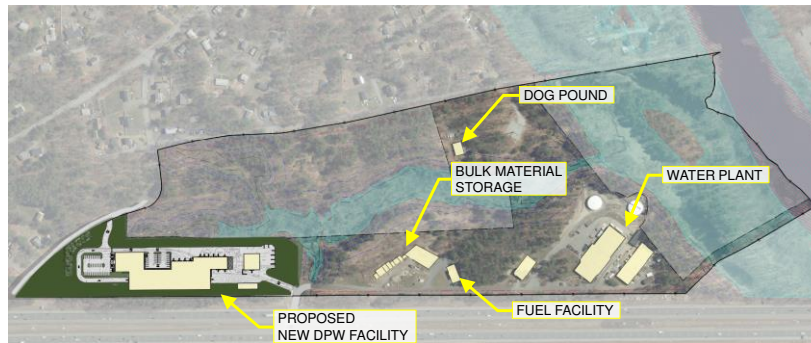
- Conducted a site walk to flag the wetlands
- Identified viable development areas
- Prepared a survey of development area





Town of Billerica New Public Works Facility

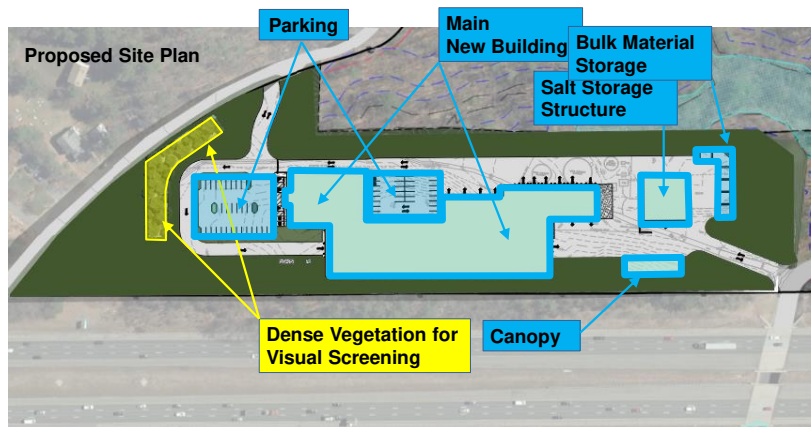
Town "Campus" – DPW/Water & Dog Pound



Weston & Sampson



Town of Billerica New Public Works Facility

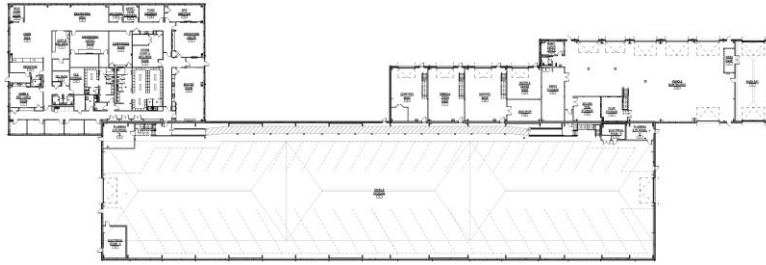


Weston & Sampson



Town of Billerica New Public Works Facility

Proposed Building – Floor Plan

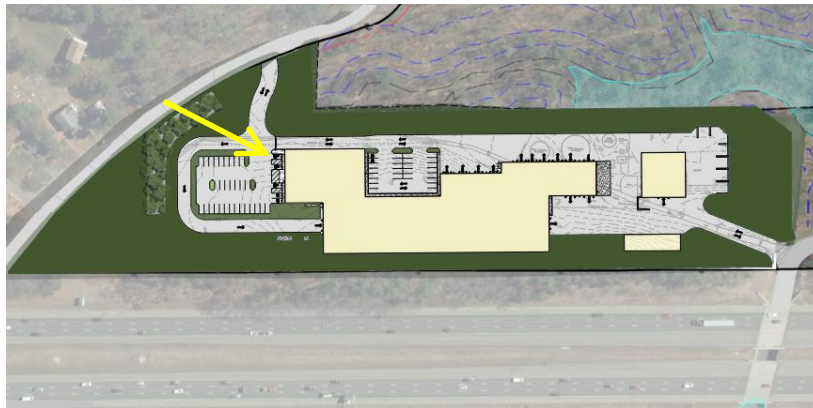


Weston & Sampson



Town of Billerica New Public Works Facility

3D Elevation – Viewpoint from River Street Extension



Weston & Sampson



Town of Billerica New Public Works Facility

Proposed 3D Elevation – from River Street Extension (no screening)



Weston & Sampson



Town of Billerica New Public Works Facility

Proposed 3D Elevation – from River Street Extension (with screening)

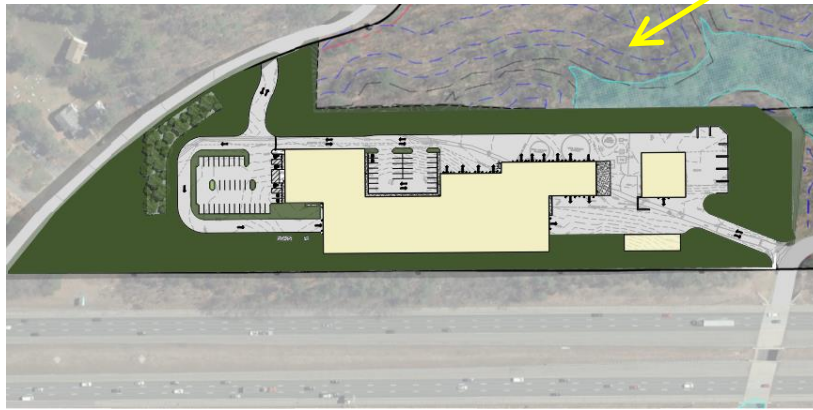


Weston & Sampson



Town of Billerica New Public Works Facility

3D Elevations – looking northwest at east side



Weston & Sampson



Town of Billerica New Public Works Facility

Proposed 3D Elevation – East Side Looking Northwest



Weston & Sampson



Town of Billerica New Public Works Facility

Review of Vehicle Trip Counts at River Street Extension Entrance

- Up to 6-8 employees entering in at 8:30am
- Less than 2 trips/hour between 8:30am-3:30pm
- Up to 6-8 employees leaving at 4:00pm

Weston & Sampson



Town of Billerica New Public Works Facility

Sound Study

- Conducted baseline monitoring to establish Background Sound
- Estimated sound emissions for proposed project
 - Building Systems (e.g., HVAC equipment)
 - Mobile Equipment (e.g., truck maneuvering)
- Conclusions
 - HVAC equipment will be in compliance with local and state requirements
 - DPW operations are not expected to create noise impacts at nearby residences

Weston & Sampson



Town of Billerica New Public Works Facility

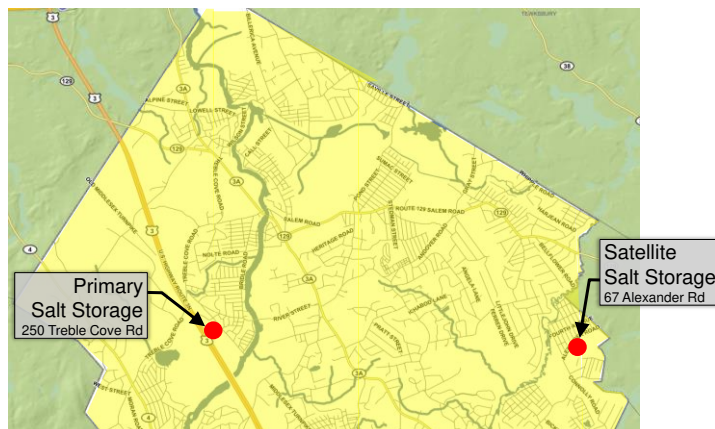
Satellite Salt Structure Site
67 Alexander Road



Weston & Sampson



Town of Billerica New Public Works Facility Salt Storage – Efficient Town-wide Coverage



Weston & Sampson



Town of Billerica New Public Works Facility

Satellite Salt Structure Site



Weston & Sampson



Town of Billerica New Public Works Facility

What are the benefits?

- Code compliant and safe work environment for Town employees
- Protect the Town's multi-million dollar investment in vehicles and equipment
- Creates a consolidated public works operations improving overall efficiencies for the Department
- Eliminates the need to invest money (band-aids) in the existing substandard facilities
- Replaces facilities long past their useful life before they become a mandated emergency replacement



Weston & Sampson



Town of Billerica New Public Works Facility

Schedule



Weston & Sampson



ARTICLE 16 – To Fund the Construction of the New DPW Headquarters

Schematic Design Cost Estimate		
Design, Management & Administration		\$ 2,234,500
Construction		\$ 43,415,500
Owner's Soft Costs		\$ 1,335,000
Contingency		\$ 3,005,000
Overall Total Project Costs:		\$ 49,990,000

- 1st Cost Estimate was completed on August 11th
- There is a level of certainty in this estimate. Tewksbury has received bids for their DPW and these numbers were consistent with their building.
- If funded at Town Meeting the project will go out to bid in the early winter.
- It will take roughly 20-24 months to build.



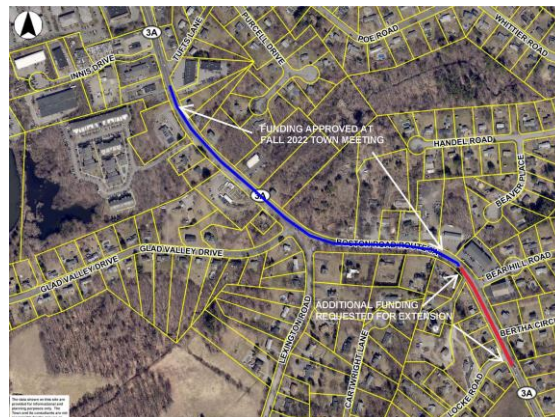
ARTICLE 17 – To Fund the Replacement of Water Mains

To see if the Town will vote to appropriate the sum of \$700,000 to pay the cost of water main replacement of the 12-inch main in Boston Road from the Crosby Hill standpipe to Locke Road with a new 12-inch main and the replacement of the service lines on Town property and associated work, including any costs incidental or related, and that to meet this appropriation the Treasurer, with approval of the Select Board, be authorized to borrow the sum of \$700,000 under and pursuant to the provisions of G.L. Chapter 44, Section 7, and or any other enabling authority; and further, to authorize the Select Board to execute such documents and enter into such agreements as it deems in the best interest of the Town in the furtherance of the objectives of this article; or act in relation thereto.

Article Explanation: Under this article funds would allow for the replacement of the 8-inch main in Boston Road from Tufts Lane to a point near the Crosby Hill standpipe with a new 12-inch main. This work will be done before or in conjunction with the redesigning of the Boston Road Lexington Road intersection. The existing pipe was installed in 1913. Work is planned in advance of the TIP project.



ARTICLE 17 – To Fund the Replacement of Water Mains





ARTICLE 18 – To Fund Hydrant and Valve Replacements



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

Article Explanation: Under this article existing fire hydrants and water main valves will be replaced throughout the Water Distribution System as required annually.



ARTICLE 18 – To Fund SCADA System Upgrades at the Water Treatment Plant

To see if the Town will vote to appropriate the sum of \$425,000 from Water Retained Earnings Enterprise Fund for SCADA system upgrades at the Water Treatment Plant for the development of remote operation, or act in relation thereto.

Article Explanation: This article proposes to appropriate money from this source to fund the SCADA system upgrades at the Water Treatment Plant to allow for remote operation.





ARTICLE 18 - To Fund Restoration of the Fournier Press System at the Wastewater Treatment Plant

To see if the Town will vote to transfer and appropriate the sum of \$500,000 from Sewer Retained Earnings Enterprise Fund for the design and construction associated with the restoration of two Fournier Press Systems at the Wastewater Treatment Plant, including all costs incidental and related thereto; or act in relation thereto.

Article Explanation: This article proposes to appropriate money from this source to fund restoration of the existing Fournier Press Systems at the Wastewater Treatment Plant.



Article 21: To Fund the Purchase of a New Boiler at the Billerica Fire Station Headquarters

The Boiler at the Billerica Fire Station Headquarters has failed. This motion would fund the purchase, removal, and installation. The Town received a quote for this project. It requires an appropriation from free cash in the amount of \$140,000





ARTICLE 22 - Spot Repair of Sewer Main near Burnham Road Along the MBTA railroad tracks

This is an appropriation from the Wastewater Retained Earnings for the sum of \$150,000 for a spot repair of the existing 42" diameter reinforced concrete gravity sewer main near Burnham Road and the MBTA Tracks, including all incidental costs.



ARTICLE 28 - To Transfer The Care, Custody, management and control of Two Parcels from the tax title custodian to the Select Board for Future use of the Bike Path

To see if the Town will vote to transfer the care, custody, management, and control of Parcels 87-240-0 and 87-256-0 as being required for construction and use of the Yankee Doodle Bike Path Project, and presently held for other purposes, from the Tax Collector or such other person or board having custody of the same for such purposes, to the Select Board for public way, bike path and recreational trail use; or act in relation thereto.

Article Explanation: This Article will change use and transfer custody of tax lien property from care, custody, and control of the Collector to the Select Board (for 2 town owned properties in tax lien). This is necessary as part of the Right of Way process for the Yankee Doodle Bike Path Project.





ARTICLE 29 – To accept and/or amend existing easements related to Road Work on Route 3A from Allen Road to the Burlington Town Line

To see if the Town will vote to accept and or amend existing easements related to the Road on Route 3A from the Allen Road to the Burlington Town Line for such purposes to the Select Board for sidewalks; or act in relation thereto.

Article Explanation: This Article will amend or accept easements for sidewalk installation/restoration associated with the Massachusetts Department of Transportation's (MASSDOT) reconstruction of Route 3A (Boston Road) from Allen Road to the Burlington Town line.



Special Fall 2023 Town Meeting





ARTICLE 1- To Establish and Transfer Monies into the Opioid Settlement Stabilization Fund

The Massachusetts Department of Revenue Guidelines require Opioid Settlement monies to be appropriated in a segregated fund. These monies can be used for the support of prevention, harm reduction, treatment and recovery programs as directed by the National Opioid Settlements Agreements. The proposed warrant article allows for the creation of a special purpose stabilization fund into which would be transferred a sum equal to that received from settlement funds and into which future settlement funds would automatically be deposited.



ARTICLE 2 - To Amend Article 1, Section 6.1 and 6.2 of Proposed Budget: Submission to the Finance Committee

This article is intended to compel a comprehensive and detailed budget submission from the School Department to the Town.





ARTICLE 3- Massachusetts Electric Company Easement for 11 Concord Road

This article is to allow an easement for National Grid to install a pole on Town owned property at 11 Concord Road.

