

TOWN OF BILLERICA
PRELIMINARY WARRANT



**ANNUAL FALL
TOWN MEETING**

**Annual Fall Town Meeting
Tuesday, October 1, 2024 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	Reserves Recommendation
2	To Hear Reports of Town Committees & Officers			Town Manager; authorized by Select Board	Reserves Recommendation
3	To Amend the Start Date of Town Meeting			Town Manager; authorized by Select Board	Reserves Recommendation

Financial Articles

4	Fiscal Year 2025 Budget Amendment	\$6,000,000	Raise & Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
5	To Vote a Sum of Money from Free Cash and Retained Earnings to the Debt Stabilization Fund	\$1,800,000	Transfer & Appropriate from General Fund Free Cash & Retained Earnings	Town Manager; authorized by Select Board	Reserves Recommendation
6	To Transfer and Appropriate a Sum of Money from the Town Debt Stabilization Fund to Fund the Debt Service Budget	\$6,000,000	Transfer & Appropriate from Town Debt Stabilization Fund	Town Manager; authorized by Select Board	Reserves Recommendation
7	Community Preservation Committee Appropriation Recommendations	\$392,725	Transfer from Community Preservation Fund	Community Preservation Committee	Reserves Recommendation
8	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (A) Patrolmen		Raise & Appropriate or Transfer 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 & Appropriate or Transfer from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation
10	To Fund Fiscal Year 2025 Town Capital Budget	\$6,000,000	Raise & Appropriate or Transfer from Available Funds or Borrow	Town Manager; authorized by Select Board	Reserves Recommendation

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
11	To Fund Fiscal Year 2025 School Capital Budget	\$6,000,000	Raise & Appropriate or Transfer from Available Funds	Superintendent; authorized by School Committee	Reserves Recommendation
12	To Fund a Town Wide Financial and Risk Analysis Audit	\$300,000	Transfer & Appropriate from General Fund Free Cash	Town Manager; authorized by Select Board	Reserves Recommendation
13	To Fund a Feasibility Study for a New Council on Aging Building	\$200,000	Transfer & Appropriate from General Fund Free Cash	Town Manager; authorized by Select Board	Reserves Recommendation
14	To Fund the Construction of a New North Billerica Fire Station	\$12,000,000	Borrow	Town Manager; authorized by Select Board	Reserves Recommendation
15	To Transfer and Appropriate a Sum of Money from the Opioid Settlement Stabilization Fund to Fund Various Opioid-Related Items	\$400,000	Transfer & Appropriate from Opiate Settlement Stabilization Fund	Town Manager; authorized by Select Board	Reserves Recommendation
16	To Fund One-Time Start-Up Cost for a New Town of Billerica Website	\$60,000	Transfer & Appropriate from General Fund Free Cash	Town Manager; authorized by Select Board	Reserves Recommendation
17	To Fund the Paving of the Roads at the North Cemetery	\$30,000	Transfer & Appropriate from Cemetery Sales of Lots and Graves	Town Manager; authorized by Select Board	Reserves Recommendation
18	To Fund Antenna / Radio Communication Hardware Upgrades at the Sewer Pump Stations	\$300,000	Transfer & Appropriate from Wastewater Retained Earnings	Town Manager; authorized by Select Board	Reserves Recommendation
19	To Fund the Replacement of the Secondary Treatment Aeration Blower	\$800,000	Transfer & Appropriate from Wastewater Retained Earnings or Borrow	Town Manager; authorized by Select Board	Reserves Recommendation
20	To Fund the Replacement of Three Motors/Pumps for the COMAG Process	\$150,000	Transfer & Appropriate from Wastewater Retained Earnings	Town Manager; authorized by Select Board	Reserves Recommendation

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
21	To Fund Additional Cost for Sewer Contract 37	\$19,000,000	Borrow	Town Manager; authorized by Select Board	Reserves Recommendation
22	To Fund the Replacement of a Variable Frequency Drive(s) at the Water Intake Building	\$260,000	Transfer & Appropriate from Water Enterprise Fund	Town Manager; authorized by Select Board	Reserves Recommendation
23	To Fund the Design for the Fox Hill Booster Station Improvements	\$100,000	Transfer & Appropriate from Water Retained Earnings or Borrow	Town Manager; authorized by Select Board	Reserves Recommendation
24	To Fund the Design of 2-Inch Water Main Replacements and Looping of Dead-End Water Mains	\$100,000	Transfer & Appropriate from Water Retained Earnings	Town Manager; authorized by Select Board	Reserves Recommendation
25	To Fund the Installation of an Insertion Valve on the Finished Water Main at the Water Treatment Plant	\$200,000	Transfer & Appropriate from Water Retained Earnings	Town Manager; authorized by Select Board	Reserves Recommendation
26	To Fund a Space Needs Feasibility Study and Design for the Current Police Station	\$200,000	Transfer & Appropriate from General Fund Free Cash	Town Manager; authorized by Select Board	Reserves Recommendation
27	To Vote from Free Cash to the Debt Stabilization Fund	\$6,000,000	Raise & Appropriate or Transfer from General Fund Free Cash	Finance Committee	Reserves Recommendation
28	To Vote from Free Cash to the Stabilization Fund	\$6,000,000	Raise & Appropriate or Transfer from General Fund Free Cash	Finance Committee	Reserves Recommendation
29	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

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
30	To Vote from Free Cash a Sum of Money to be Applied or Expended for the Purpose of Reducing the Fiscal Year 2025 Tax Levy	\$6,000,000	Transfer from General Fund Free Cash	Finance Committee	Reserves Recommendation

Land Use Article

31	To Fund, Dedicate as Park Land, and Accept Grants for the Old Ditson Property	\$800,000	Raise & Appropriate or Transfer from Available Funds or Borrow	Town Manager; authorized by Select Board	Reserves Recommendation
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General By-Law Articles

32	To Amend Article II, Section 20.5(A) of the General By-Laws			Select Board	Reserves Recommendation
33	To Amend the Recording By-Law (Article 15, Section 6 of the General By-Laws			Select Board	Reserves Recommendation

Petitioner Articles

34	Petitioner Article (Overlay Zoning Petition for 216 ½ Rangeway Road and off Republic Road			Albert Tassone	Reserves Recommendation
35	Petitioner Article (Release of Restriction for 216, 216 ½ and 218 Rangeway Road)			Albert Tassone	Reserves Recommendation

PRELIMINARY WARRANT
OCTOBER 1, 2024
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 1, 2024 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 has not yet made final recommendation.

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 \$11,200.22 and the principal balance is \$150,085.37. The Town Meeting appoints members to the Bowers Fund Committee. Committee member Michael Rea's term is expiring in October of 2024 and he is requesting that he be reappointed for another 5-year term.

ARTICLE 2 - TO HEAR REPORTS OF TOWN MEETING COMMITTEES AND OFFICERS

To see if the Town will vote to hear and act upon the reports of Town Meeting Committees and 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 2 Explanation: This article provides an opportunity to hear and act upon reports of Town Meeting Committees and Officers.

ARTICLE 3 - TO AMEND THE START DATE OF TOWN MEETING

To see if the Town will vote to amend the start date of the Annual Spring Town Meeting as allowable in the Town of Billerica's General By-Laws, Article I, Town Meetings, Section C; 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: 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 By-Laws 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. This article is non-binding and requires approval of the Select Board.

At this time, no reason exists to delay the Annual Spring Town Meeting.

ARTICLE 4 - FISCAL YEAR 2025 BUDGET AMENDMENT

To see if the Town will vote to raise and appropriate the sum of \$6,000,000 to amend various budgets for Fiscal Year 2025; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 4 Explanation: This article is currently a placeholder.

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 \$1,800,000 from General Fund Free Cash and Retained Earnings to the Debt Stabilization Fund; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 5 Explanation: The Town, through the Select Board, has re-established a Debt Stabilization Policy that sets the appropriation from the tax levy year to year due to increased capital demands.

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 \$6,000,000 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 has not yet made final recommendation.

Article 6 Explanation: This article is intended to address the Debt Stabilization Policy. This number is currently a placeholder.

ARTICLE 7 - COMMUNITY PRESERVATION COMMITTEE APPROPRIATION RECOMMENDATIONS

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

Recreation		
Project	Funding Source	Amount
Peggy Hannon Rizza Park – Skate Park	Undesignated Fund Balance	\$392,725

Submitted by the Community Preservation Committee

Finance Committee has not yet made final recommendation.

Article 7 Explanation: The committee has recommended that the Town spend Community Preservation Funds on a full update of the Skate Park at Peggy Hannon Rizza Park.

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; 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 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 (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 FISCAL YEAR 2025 TOWN CAPITAL BUDGET

To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, or borrow the sum of \$6,000,000 to fund the Fiscal Year 2025 Town Capital Budget to be spent under the direction of the Town Manager; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 10 Explanation: This article is a placeholder. These decisions will be made when the Free Cash numbers become available prior to Town Meeting.

ARTICLE 11 - TO FUND FISCAL YEAR 2025 SCHOOL CAPITAL BUDGET

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$6,000,000 to fund the Fiscal Year 2025 School Capital Budget; or act in relation thereto.

Submitted by the Superintendent; authorized by the School Committee

Finance Committee has not yet made final recommendation.

Article 11 Explanation: This article is a placeholder. These decisions will be made when the Free Cash numbers become available prior to Town Meeting.

ARTICLE 12 - TO FUND A TOWN WIDE FINANCIAL & RISK ANALYSIS AUDIT

To see if the Town will vote to transfer and appropriate from General Fund Free Cash the sum of \$300,000 to fund a Town Wide Financial and Risk Analysis Audit to be spent under the direction of the Town Manager; 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: In May of 2024 the Select Board voted to have an independent review of Town fiscal practices that include procurement, spending, management, and other financial controls. This audit will aim to identify any issues and also how to best address them moving forward.

ARTICLE 13 - TO FUND A FEASIBILITY STUDY FOR A NEW COUNCIL ON AGING BUILDING

To see if the Town will vote to transfer and appropriate from General Fund Free Cash the sum of \$200,000 to fund a Feasibility Study for a New Council on Aging Building to be spent under the direction of the Town Manager; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 13 Explanation: At the Spring 2024 Town Meeting it was voted to table any decisions on a new Council on Aging Building. This article will appropriate funding towards additional feasibility on other potential sites for a new Council on Aging Building in Billerica. These will include but are not limited to a one-story building on the current site and Cider Mill / Pollard Field site.

ARTICLE 14 - TO FUND THE CONSTRUCTION OF A NEW NORTH BILLERICA FIRE STATION

To see if the Town will vote to appropriate the sum of \$12,000,000 to pay for the purchase of land, design, engineering and construction of a New North Billerica Fire Station, 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 \$12,000,000 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 has not yet made final recommendation.

Article 14 Explanation: This article is to fund the construction of a New North Billerica Fire Station. In the Fall of 2022, the Town conducted a structural assessment of the North Billerica Fire Station. In the 2018 Department and Facility assessment of all Billerica Fire Stations, it noted that the North Billerica Fire Station exterior wall, floor and roof were rated extremely poor. It was also showing signs at the time that the concrete flooring had significant wear.

ARTICLE 15 - TO TRANSFER AND APPROPRIATE A SUM OF MONEY FROM THE OPIOID SETTLEMENT STABILIZATION FUND TO FUND VARIOUS OPIOID-RELATED ITEMS

To see if the Town will vote to transfer and appropriate \$400,000 from the Opioid Settlement Stabilization Fund to fund various opioid-related items including staffing, space needs, transportation and programming; 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: This article is currently a placeholder. The Town Manager in conjunction with Billerica Substance Awareness and Prevention Committee conducted a landscape analysis on how best to use these funds. The landscape analysis included surveys, listening sessions and dozens of interviews to create a spending roadmap. The landscape analysis will be presented to the Select Board prior to Town Meeting and will shape the final recommendation of this article.

ARTICLE 16 - TO FUND A ONE-TIME START-UP COST FOR A NEW TOWN OF BILLERICA WEBSITE

To see if the Town will vote to transfer and appropriate from General Fund Free Cash the sum of \$60,000 for one time start-up cost for the new Town of Billerica website to be spent under the direction of the Town Manager; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 16 Explanation: This article will fund the one time start up cost for a new Town of Billerica website. This will include Town, Fire, Police, Council on Aging, Recreation and the Library. This will bring all websites under one umbrella with similar branding and create some cost savings after the first year. It will also allow the Town start fresh and eliminate outdated information, old links, etc.

ARTICLE 17 - TO FUND THE PAVING OF THE ROADS AT THE NORTH CEMETERY

To see if the Town will vote to transfer and appropriate from the Cemetery Sales of Lots and Graves the sum of \$30,000 for the paving of the roads at the North Cemetery to be spent under the direction of the Town Manager and DPW Director; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 17 Explanation: This article proposes to approve funding from the Cemetery Sale of Lots to repave approximately 1,800 feet of existing road at the North Cemetery.

ARTICLE 18 - TO FUND ANTENNA / RADIO COMMUNICATION HARDWARE UPGRADES AT THE SEWER PUMP STATIONS

To see if the Town will vote to transfer and appropriate the sum of \$300,000 from Wastewater Retained Earnings, to fund upgrades to Antenna/Radio Communication Hardware at Sewer Pump Stations including any costs incidental and to be spent under the direction of the Town Manager and DPW Director; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 18 Explanation: This article proposes to approve funding for upgrades to Antenna/Radio Communication Hardware at 22 Sewer Pump Stations to communicate with the current SCADA System.

ARTICLE 19 - TO FUND THE REPLACEMENT OF THE SECONDARY TREATMENT AERATION BLOWER AT THE WASTEWATER TREATMENT PLANT

To see if the Town will vote to transfer and appropriate from the Wastewater Retained Earnings or borrow the sum \$800,000 for the replacement of the Secondary Treatment Aeration Blower at the Wastewater Treatment Plant to be spent under the direction of the Town Manager and DPW Director; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 19 Explanation: This article proposes to approve funding for the replacement of one of three Secondary Treatment Aeration Blowers that is 12+ years old (2012), and unable to obtain replacement parts.

ARTICLE 20 - TO FUND THE REPLACEMENT OF THREE MOTORS/PUMPS FOR THE CoMAG PROCESS

To see if the Town will vote to transfer and appropriate from the Wastewater Retained Earnings the sum of \$150,000 for the replacement of three motors/pumps for the CoMAG Process to be spent under the direction of the Town Manager and DPW Director; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 20 Explanation: This article proposes to approve funding for the replacement of three Motors/Pumps for the CoMag® System, which are approximately 15 years old (2009).

ARTICLE 21 - TO FUND ADDITIONAL COST FOR SEWER PROJECT 37

To see if the Town will vote to appropriate an additional sum of \$19,000,000 to pay for the design, engineering, and construction of Sewer Contract 37 as on file with the Town Clerk, 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 \$19,000,000 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 has not yet made final recommendation.

Article 21 Explanation: This article proposes to approve funding for the construction of Wastewater Sewer Line Construction. Original article of \$22,000,000 appropriated at 2021 Fall Town Meeting.

ARTICLE 22 - TO FUND THE REPLACEMENT OF A VARIABLE FREQUENCY DRIVE(S) AT THE WATER INTAKE BUILDING

To see if the Town will vote to transfer and appropriate from the Water Enterprise Retained Earnings the sum of \$260,000 for the replacement of Variable Frequency Drive(s) to be spent under the direction of the Town Manager and DPW Director; 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 proposes to approve funding for the replacement of two (2) Variable Frequency Drives approximately 19-20 years old at the Water Intake Building.

ARTICLE 23 - TO FUND THE DESIGN FOR THE FOX HILL BOOSTER STATION IMPROVEMENTS

To see if the Town will vote to transfer and appropriate from Water Retained Earnings or borrow a sum 100,000 of money to fund the design for the Fox Hill Booster Station improvements to be spent under the direction of the Town Manager and DPW Director; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 23 Explanation: This article proposes to approve funding for the design of the Fox Hill Water Booster Station improvements.

ARTICLE 24 - TO FUND THE DESIGN OF 2-INCH WATER MAIN REPLACEMENT AND LOOPING OF DEAD-END WATER MAINS

To see if the Town will vote to transfer and appropriate the sum of \$100,000 from Water Retained Earnings to fund the design of 2-inch water main replacements and looping of dead-end water mains to be spent under the direction of the Town Manager and DPW Director; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 24 Explanation: This article proposes to approve funding for the design update of the water distribution model and evaluation the 2-inch and dead-end mains and develop recommendations and costs.

ARTICLE 25 - TO FUND INSTALLATION OF AN INSERTION VALVE ON THE FINISHED WATER MAIN AT THE WATER TREATMENT PLANT

To see if the Town will vote to transfer and appropriate the sum of \$200,000 from Water Retained Earnings to fund the installation of an insertion valve on the finished water main at the Water Treatment Plant to be spent under the direction of the Town Manager and DPW Director; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 25 Explanation: This article proposes to approve funding for installation of an insertion valve including replacement of the existing butterfly valve on the finished water main at the Water Treatment Plant.

ARTICLE 26 - TO FUND A SPACE NEEDS FEASIBILITY STUDY AND DESIGN FOR THE CURRENT POLICE STATION

To see if the Town will vote to transfer and appropriate from General Fund Free Cash the sum of \$200,000 to fund a Space-Needs Feasibility Study and Design for the current Police Station to be spent under the direction of the Town Manager; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 26 Explanation: This article will fund a space needs analysis and design work for the Police Department. Currently, the Police Department has large areas of underutilized space while other areas have grown and are unable to accommodate demand. Women's locker rooms are undersized, Shift Commanders have very little space, the briefing room is oversized, paramedic sleeping quarters abut the prisoners, dispatch has vacated the first floor and records is dispersed throughout the building. A comprehensive look is needed especially with the introduction of POST and accreditation.

ARTICLE 27 - 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 27 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, 2024 of the Debt Stabilization Fund is \$23,064,247. At the time this warrant was printed, the Department of Revenue had not yet certified Free Cash as of July 1, 2024.

ARTICLE 28 - 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 28 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, 2024 of the Stabilization Fund is \$5,738,530 for the Town and \$909,984 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, 2024.

ARTICLE 29 - 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 29 Explanation: The Land Bank Account was established by special legislation. The balance as of June 30, 2024 of the Town Land Fund is \$395,730. At the time this warrant was printed, the Department of Revenue had not yet certified Free Cash as of July 1, 2024.

ARTICLE 30 - TO VOTE FROM FREE CASH A SUM OF MONEY TO BE APPLIED OR EXPENDED FOR THE PURPOSE OF REDUCING THE FISCAL YEAR 2025 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 2025 Tax Levy; or act in relation thereto.

Submitted by the Finance Committee

Finance Committee has not yet made final recommendation.

Article 30 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, 2024.

ARTICLE 31 - TO FUND, DEDICATE AS PARK LAND, AND ACCEPT GRANTS FOR THE OLD DITSON PROPERTY

To see if the Town will vote, pursuant to the provisions of Massachusetts General Laws, Chapter 45, Section 14 and as it may hereafter be amended and other Massachusetts statutes relating to recreation, as follows:

- (a) To raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute the sum of \$800,000 to be spent by the Town Manager to construct a public park and recreational opportunities by making repairs, modifications and expand open areas as described in plans on file with the Office of the Town Clerk, with respect to presently Town owned land called the Ditson land located at 793 Boston Road, in the Town of Billerica, being Assessors map No. 99, lot No 96, block No 0, consisting of 2.93 acres more or less;
- (b) To vote to transfer pursuant to Chapter 40, section 15 of the General Laws, the presently town owned Ditson land described as 793 Boston Road, Assessors map No. 99, lot No 96, block No 0, consisting of 2.93 acres more or less, to the jurisdiction of the Town of Billerica Select Board in its capacity as the Board of Billerica Park Commission which capacity is established by virtue of the Town of Billerica Charter, section 3-2 “The board of selectmen shall have all of the executive powers given to boards of selectmen by general law or otherwise” and Chapter 45, section 2 of the General laws, which provides: “in a town which has not elected a board of park commissioners or has not authorized the town planning board so to act, the selectman shall act as such board of park commissioners ... and shall have all other powers and duties of a park commission”;
- (c) To vote to dedicate the Ditson land heretofore described now and forever as parkland for public use, as a park, and a recreational facility, to be named “Old Ditson Park”;
- (d) To authorize the Select Board to issue a Declaration of Dedication of the Ditson land as a public park named “Old Ditson Park”, for park and recreational purposes, to be now and forever maintained under the jurisdiction, care and statutory responsibilities required of the Billerica Park Commissioners in Chapter 45 of the General Laws, and to authorize the Select Board to record such Declaration of Dedication of Old Ditson Park in the Middlesex Registry of Deeds;
- (e) To authorize the Select Board, on behalf of the Town of Billerica, to file such applications for grants as deemed advisable under any applicable grant funding source including but not limited to the Urban Self-Help Act (see 301 CMR 5.00); and

- (f) To authorize the Town of Billerica Select Board to enter into all agreements and execute any and all instruments in the name of the Town of Billerica as may be necessary or advisable to accomplish said parkland project.

Or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 31 Explanation: This article proposes to dedicate Ditson Park as parkland protecting it from development and maintaining its usage for recreational activities in future perpetuity. This dedication also enables the Town to pursue a PARC grant to pay for a portion of the project.

ARTICLE 32 - TO AMEND ARTICLE II, SECTION 20.5(A) OF THE GENERAL BY-LAWS

To see if the Town will vote to amend Article II, Section 20.5(A) of the General By-Laws as follows:

~~A. That he shall have served full time as a City Manager or Town Manager (under any title), Assistant City Manager or Assistant Town Manager (under any title) for a period of not less than five (5) years.~~

To be replaced with the language below

That he or she shall have a master's degree with a concentration in public administration, public affairs or public policy and two years' experience in an appointed managerial or administrative position in a local government or a bachelor's degree and 5 years of such experience

Or act in relation thereto.

Submitted by the Select Board

Finance Committee has not yet made final recommendation.

Article 32 Explanation: This recommendation is based on the Model Charter from the National Civic League. They are a nationally recognized non-profit whose goal and mission is to advance civic engagement and to create equitable and thriving communities. They achieve this by inspiring, supporting and recognizing inclusive approaches to community decision-making. Founded in 1894 by a group of civic leaders that included Theodore Roosevelt and Louis Brandeis, the National Civic League is a nonpartisan, nonprofit organization.

They created a model charter for communities around the country. It is also supported by the ICMA which is the national organization for Town Managers.

<https://icma.org/sites/default/files/2022-04/Model%20City%20Charter%20document.pdf>

Their recommendation for Town Manager minimum qualifications is on page 29 on the link above.

ARTICLE 33 - TO AMEND THE RECORDING BY-LAW (ARTICLE 15, SECTION 6 OF THE GENERAL BY-LAWS)

To see if the Town will vote to amend the Recording By-Law to mandate, in addition to manual recording, electronic audio recording of Executive Sessions of the Select Board, unless a 2/3 majority of said board members shall vote to suspend the same is obtained.

FROM:

6. RECORDING OF PUBLIC MEETING POLICY

- (a) All public meetings, public hearings, and work sessions (In-Person, Hybrid or Full Remote) shall be recorded, both audio and video, by the public meeting entity, with the exception of Executive Meetings.
- (b) If a meeting is held fully remote (as provided by law) requirements for audio and video remain in effect.
- (c) The public body entity shall determine which method of recording may be used. The Chair, or person chairing the meeting in the Chair's absence, shall be responsible for ensuring the recordings are complied with under the provisions set forth here.
- (d) This By-Law shall apply to all public bodies in the municipality which includes, but is not limited to the following Boards, Committees and Commissions:
 - (i) Billerica Substance Awareness and Prevention Committee
 - (ii) Board of Assessors
 - (iii) Board of Health
 - (iv) Capital Facilities Needs Committee
 - (v) Community Preservation Committee
 - (vi) Conservation Commission (vii) Diversity, Equity and Inclusion (DEI) Committee
 - (viii) General By-Law Review Committee
 - (ix) Finance Committee (x) Historical Districts Commission
 - (xi) Open Space and Recreation Plan Committee
 - (xii) Planning Board (xiii) School Committee
 - (xiv) Select Board
 - (xv) Zoning Board of Appeals
 - (xvi) Zoning By-Law Review Committee By-Law
- (e) The recordings shall not be edited.

- (f) The unedited recording shall be archived with the Town pursuant to MGL. Ch 66, §10 and shall be made available on the Town's website.
- (g) All recordings are subject to the requirements defined under MGL. Ch 4, §7(26) and MGL Ch66, §10, Public Records Laws.
- (h) Recordings do not replace the requirements set forth under the Open Meeting Laws to keep minutes and a transcript of the recordings will not be required.
- (i) The recording may be used by staff to assist with the preparation of the minutes or by Boards or Committees to clarify a dispute or query relating to the minutes that is raised during a subsequent meeting.
- (j) Nothing contained within this Bylaw shall be construed to preclude any of the provisions and requirements set forth under MGL. Ch. 30A, §§18-25, et seq.

TO:

6. RECORDING OF PUBLIC MEETING POLICY

- (a) All public meetings, public hearings, and work sessions (In-Person, Hybrid or Full Remote) shall be recorded, both audio and video, by the public meeting entity, with the exception of Executive Meetings.
 - (i) Executive Session of Select Board: In addition to manual recording, the Select Board shall keep electronically audio recordings of executive sessions of the Select Board, unless a 2/3rd majority of said board members shall vote to suspend the same is obtained.
- (b) If a meeting is held fully remote (as provided by law) requirements for audio and video remain in effect.
- (c) The public body entity shall determine which method of recording may be used. The Chair, or person chairing the meeting in the Chair's absence, shall be responsible for ensuring the recordings are complied with under the provisions set forth here.
- (d) This By-Law shall apply to all public bodies in the municipality which includes, but is not limited to the following Boards, Committees and Commissions:
 - (i) Billerica Substance Awareness and Prevention Committee
 - (ii) Board of Assessors
 - (iii) Board of Health
 - (iv) Capital Facilities Needs Committee
 - (v) Community Preservation Committee
 - (vi) Conservation Commission (vii) Diversity, Equity and Inclusion (DEI) Committee
 - (viii) General By-Law Review Committee

(ix) Finance Committee (x) Historical Districts Commission

(xi) Open Space and Recreation Plan Committee

(xii) Planning Board (xiii) School Committee

(xiv) Select Board

(xv) Zoning Board of Appeals

(xvi) Zoning By-Law Review Committee By-Law

(e) The recordings shall not be edited.

(f) The unedited recording shall be archived with the Town pursuant to MGL. Ch 66, §10 and shall be made available on the Town's website.

(g) All recordings are subject to the requirements defined under MGL. Ch 4, §7(26) and MGL Ch66, §10, Public Records Laws.

(h) Recordings do not replace the requirements set forth under the Open Meeting Laws to keep minutes and a transcript of the recordings will not be required.

(i) The recording may be used by staff to assist with the preparation of the minutes or by Boards or Committees to clarify a dispute or query relating to the minutes that is raised during a subsequent meeting.

(j) Nothing contained within this By-Law shall be construed to preclude any of the provisions and requirements set forth under MGL. Ch. 30A, §§18-25, et seq.

Or act in relation thereto.

Submitted by the Select Board

Finance Committee has not yet made final recommendation.

Article 33 Explanation: This article is amending the Recording By-Law to mandate, in addition to manual recording, electronic audio recording of Executive Sessions of the Select Board, unless a 2/3 majority of said board members shall vote to suspend the same is obtained.

ARTICLE 34 - PETITIONER ARTICLE (OVERLAY ZONING PETITION FOR 216 1/2 RANGEWAY ROAD AND OFF REPUBLIC ROAD)

To see if the Town will vote to amend the Zoning Bylaws and Zoning Map by overlaying the Elderly Housing Overlay District on the Rural Residence zoned land owned Swanson Meadows Golf Course, Inc, identified as Billerica Assessor's Map 38, Parcel 5-10, having a present addresses of 216 1/2 Rangeway Road, Billerica, and shown as "Lot 3" on the attached perimeter plan entitled, "Rezoning Plan in Billerica, MA, dated August 7, 2024, by Dresser, Williams and Way, Inc. as well as the Neighborhood Residence zoned land owned by Bedford Woods Development, LLC, identified as Billerica Assessor's Map 58, Parcel 2-4, having a present address of Parcel B off Republic Road, and shown as "Parcel B" on said attached perimeter plan dated August 7, 2024, bounded and described as follows:

See Exhibit A attached hereto and incorporated herein for legal description.

Exhibit A**Lot 3:**

The land located on Rangeway Road in said Billerica shown as Lot 3 on said plan, and beginning at a point at the northwesterly corner of said property at Rangeway Road; thence N 57°11'10" E a distance of 196.50'; along Rangeway Road;

thence N 56°03'58" E a distance of 86.86';
thence S 32°15'59" E a distance of 308.69';
thence N 58°14'16" E a distance of 253.33';
thence S 07°12'39" W a distance of 313.40';
thence S 05°32'00" W a distance of 355.39';
thence S 00°54'54" W a distance of 115.60';
thence S 39°56'57" E a distance of 98.43';
thence N 81°29'18" E a distance of 321.80';
thence S 07°01'12" W a distance of 672.72';
thence by a curved line with a radius of 12,150.00' an arc length of 547.56';
thence S 87°52'40" W a distance of 3.97';
thence N 29°30'05" W a distance of 116.11';
thence N 29°42'48" W a distance of 261.30';
thence S 57°21'26" W a distance of 130.81';
thence S 79°54'23" W a distance of 204.20';
thence S 81°23'26" W a distance of 181.72';
thence S 84°08'38" W a distance of 193.33';
thence S 85°56'58" W a distance of 153.47';
thence S 83°22'08" W a distance of 146.27';
thence S 84°58'15" W a distance of 287.77';
thence S 10°07'49" W a distance of 142.76';

thence N 62°45'13" W a distance of 97.43';
thence N 53°35'26" W a distance of 63.01';
thence N 59°55'31" W a distance of 37.14';
thence N 55°37'04" W a distance of 181.44';
thence N 29°30'22" W a distance of 91.50';
thence S 80°17'13" W a distance of 11.70';
thence N 77°21'19" W a distance of 75.55';
thence N 58°10'21" W a distance of 96.75';
thence N 39°36'03" W a distance of 34.09';
thence N 14°49'09" W a distance of 43.56';
thence N 05°44'27" W a distance of 105.61';
thence N 03°03'03" W a distance of 100.60';
thence N 08°53'39" E a distance of 138.96';
thence N 08°26'20" E a distance of 109.59';
thence N 05°37'31" W a distance of 77.19';
thence N 66°32'23" E a distance of 318.00';
thence N 70°10'47" E a distance of 68.13';
thence N 69°26'53" E a distance of 279.64';
thence N 68°24'38" E a distance of 133.37';
thence S 17°43'58" E a distance of 657.33';
thence S 87°11'54" E a distance of 219.99';
thence N 09°40'58" E a distance of 132.90';
thence N 13°04'45" W a distance of 108.63';
thence N 05°18'18" E a distance of 173.43';
thence N 16°13'27" E a distance of 162.88';
thence N 05°43'20" W a distance of 183.02';
thence N 17°01'38" W a distance of 244.19';
thence N 57°17'26" E a distance of 310.32';
thence N 34°26'37" W a distance of 313.79';
which is the point of beginning, having an area of 2,282,417 square feet, 52.4 acres

Parcel B

The land in said Billerica located to the rear of Republic Road, and shown as Parcel B on said plan.

Beginning at a point at the southeasterly corner of said property near Republic Road;

thence S 40°58'22" W a distance of 295.10';
thence S 23°37'16" W a distance of 250.64';
thence N 87°01'11" W a distance of 1023.01';
thence N 22°18'15" E a distance of 1099.50';
thence N 66°01'18" E a distance of 321.06';
thence N 27°40'36" W a distance of 113.08';
thence N 62°13'08" W a distance of 11.77';
thence N 41°26'11" W a distance of 69.04';

thence N 23°47'40" W a distance of 38.16';
thence N 05°46'15" W a distance of 77.29';
thence N 63°47'47" W a distance of 98.92';
thence N 10°07'49" E a distance of 142.76';
thence N 84°58'15" E a distance of 287.77';
thence N 83°22'08" E a distance of 146.27';
thence N 85°56'58" E a distance of 153.47';
thence N 84°08'38" E a distance of 193.33';
thence N 81°23'26" E a distance of 181.72';
thence N 79°54'23" E a distance of 204.20';
thence N 57°21'26" E a distance of 130.81';
thence S 29°42'48" E a distance of 261.30';
thence N 29°30'05" W a distance of 116.11';
thence N 87°49'57" W a distance of 29.70';
thence S 05°57'22" E a distance of 439.36';
thence S 13°20'34" E a distance of 377.11';
thence S 14°05'29" E a distance of 201.27';
thence S 12°09'42" W a distance of 107.34';
which is the point of beginning, having an area of 2,183,464 square feet, 50.125 acres

Or act in relation thereto.

Submitted by Albert Tassone and Messrs. Deldon, Piantes, Welch, Goldman and Madames Tassone, Deldon, Piantes, Contreras, Laramée, Frechette, Goldman and Welch.

Finance Committee has not yet made final recommendation.

ARTICLE 35 - PETITIONER ARTICLE (RELEASE OF RESTRICTION FOR 216, 216 ½ AND 218 RANGEWAY ROAD)

To see if the Town pursuant to MGL Chapter 40, Section 3 (or any and all other applicable laws of the Commonwealth of Massachusetts or bylaws of the Town), will vote to authorize the Select Board to release a portion of the restriction contained in a Restrictive Covenant from Rangeway Farms, LLC to the Town of Billerica dated October 5, 2000 and recorded with the Middlesex North Registry of Deeds on May 14, 2001 at Book 11641, Page 165, in so far as the same restricts and limits the use of land shown as Parcels 1 through 3 on a Plan of Land recorded with the Middlesex North Registry of Deeds at Plan Book 205 as Plan 82, and also known and numbered as 216, 216 ½ and 218 Rangeway Road (Swanson Meadows Condominiums I & II and Swanson Meadows Golf Course, Clubhouse and Restaurant) by deleting the portion of the restriction that limits the use of said Parcels 1 through 3 to “no greater than eighty (80) townhouse-style condominium units on Parcels 1 and 2 and nothing other than a nine-hole golf course and structures appurtenant thereto,” “regardless of any additional units or greater size of golf course which may otherwise be allowed by the Zoning By-Laws of the Town of Billerica, or any superseding state or federal law or regulation.”

Or act in relation thereto.

Submitted by Albert Tassone and Messrs. Deldon, Piantes, Welch, Goldman and Madames Tassone, Deldon, Piantes, Contreras, Laramee, Frechette, Goldman and Welch.

Finance Committee has not yet made final recommendation.

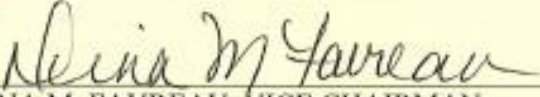
And you are hereby directed to serve this Preliminary Warrant by posting true and attested copies thereof, one copy at Augusta Market, 599 Boston Road, one copy at Belly Buster Restaurant, 306 Boston Road, one copy at the Billerica Center Police Station, 6 Good Street, one copy at the Billerica Center 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 22nd day of August 2024.

SELECT BOARD OF BILLERICA



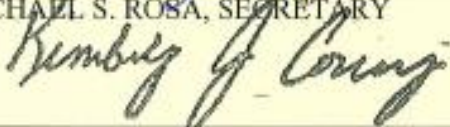
JOHN J. BURROWS, CHAIRMAN



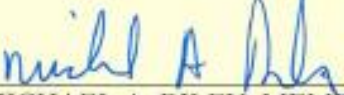
DINA M. FAVREAU, VICE CHAIRMAN



MICHAEL S. ROSA, SECRETARY

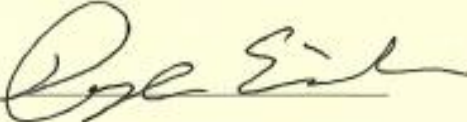


KIMBERLY J. CONWAY, MEMBER



MICHAEL A. RILEY, MEMBER

A true copy attest



Constable, Town of Billerica