

TOWN OF BILLERICA

PRELIMINARY WARRANT



ANNUAL SPRING TOWN MEETING

**Annual Spring Town Meeting
Tuesday, May 6, 2025 at 7:00 PM**

Billerica Town Hall Auditorium

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
1	To Set Compensation of Elected Officials (Town Clerk)	\$108,738.49	Raise & Appropriate from Available Funds	Finance Committee	Reserves Recommendation
2	To Set Compensation of Elected Officials (Select Board)	\$9,200	Raise & Appropriate from Available Funds	Finance Committee	Reserves Recommendation
3	To Hear Reports of Town Departments, Committees & Officers			Town Manager; authorized by Select Board	Reserves Recommendation

Financial Articles

4	To Transfer from Available Funds Between 2025 Budget Line Items	\$6,000,000	Transfer from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation
5	To Fund Collective Bargaining Agreement – NEPBA Police Officers – Group (A) Patrolmen		Raise and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
6	To Fund Collective Bargaining Agreement – NEPBA Police Officers – Group (B) Superior Officers		Raise and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
7	To Fund Collective Bargaining Agreement – IAEP Police EMT's and Paramedics		Raise and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
8	To Fund Collective Bargaining Agreement – NEPBA Local 105 Police Civilian Dispatchers		Raise and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
9	To Fund Collective Bargaining Agreement – Teamsters Local 25 DPW Employees		Raise and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
10	To Fund Collective Bargaining Agreement – AFSCME Council 93, Local 1365 Library Clerical Employees		Raise and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
11	To Fund Collective Bargaining Agreement – School Teachers		Raise and Appropriate	School Committee	Reserves Recommendation
12	To Fund Collective Bargaining Agreement – School Paraprofessionals		Raise and Appropriate	School Committee	Reserves Recommendation
13	To Fund Collective Bargaining Agreement – School Administrators		Raise and Appropriate	School Committee	Reserves Recommendation
14	To Fund Collective Bargaining Agreement – School Custodial Employees		Raise and Appropriate	School Committee	Reserves Recommendation
15	To Fund Collective Bargaining Agreement – School Clerical Employees		Raise and Appropriate	School Committee	Reserves Recommendation

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
16	Fiscal Year 2026 Total Town Department Budgets		Raise & Appropriate from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation
17	Fiscal Year 2026 Billerica Public Education Budget		Raise & Appropriate from Available Funds	School Committee	Reserves Recommendation
18	Fiscal Year 2026 Shawsheen Valley Technical High School Budget		Raise & Appropriate from Available Funds	Shawsheen Tech School Committee	Reserves Recommendation
19	Fiscal Year 2026 Town and School Shared Costs Budget		Raise & Appropriate from Available Funds	Town Manager; authorized by the Select Board	Reserves Recommendation
20	Fiscal Year 2026 Town and School Budgets		Raise & Appropriate from Available Funds	Finance Committee	Reserves Recommendation
21	Fiscal Year 2026 Water Enterprise Budget		Raise & Appropriate from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation
22	Fiscal Year 2026 Sewer Enterprise Budget		Raise & Appropriate from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation
23	To Allow the Town Manager and Finance Committee to Transfer Funds			Finance Committee	Reserves Recommendation
24	To Authorize Departmental Revolving Funds			Town Manager; authorized by Select Board and School Committee	Reserves Recommendation
25	To Fund Peg Access Cable Television Services	\$218,916.88	Transfer and Appropriate from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation
26	To Vote to Transfer Monies into the Opioid Settlement Stabilization Fund	\$6,000,000	Transfer from Available Funds into the Opioid Settlement Stabilization Fund	Town Manager; authorized by Select Board	Reserves Recommendation
27	Community Preservation Committee Budget and Project Recommendations	\$1,150,000 \$25,855	Raise and Appropriate from Community Preservation Act Funds	Town Manager on behalf of the Community Preservation Committee	Reserves Recommendation
28	To Rescind and or Transfer Prior Borrowing Authorizations		Transfer and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
29	To Fund Construction Services for the Lexington Road / Glad Valley Intersection Improvements Project	\$150,000	Raise & Appropriate, Transfer from Available Funds, or Borrow	Town Manager; authorized by Select Board	Reserves Recommendation
30	To Fund the Entry and Cleaning of the Fuel Tanks for the Town Fleet	\$80,000	Raise & Appropriate, Transfer from Available Funds, or Borrow	Town Manager; authorized by Select Board	Reserves Recommendation
31	To Fund the Update and Calibration of the Town's Sanitary Sewer Model	\$75,000	Transfer and Appropriate from Wastewater Retained Earnings	Town Manager; authorized by Select Board	Reserves Recommendation
32	To Fund Cost Over-Runs on the Purchase of a New Ambulance	\$132,000	Raise & Appropriate, Transfer from Available Funds, or Borrow	Town Manager; authorized by Select Board	Reserves Recommendation

Land Use / Easements

33	To Authorize the Select Board to Accept Roads as Public Ways			Town Manager; authorized by Select Board	Reserves Recommendation
34	To Authorize the Select Board to Accept an Easement at 315, 317 and 319 Treble Cove Road (Treble Cove Research Park)			Town Manager; authorized by Select Board	Reserves Recommendation
35	To Comply with Article 97 Requirements for the Yankee Doodle Bike Path			Town Manager; authorized by Select Board	Reserves Recommendation
36	To Vote to Grant and Convey an Easement at 121 Lexington Road			Town Manager; authorized by Select Board	Reserves Recommendation

Petitions to the Massachusetts General Court

37	To Authorize Digital Publications of Legal Notices			Town Manager; authorized by Select Board	Reserves Recommendation
38	To Authorize Remote Participation at Fall, Spring and Special Town Meeting			Town Manager; authorized by Select Board	Reserves Recommendation

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
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General By-Law Changes and Acceptances of State Statutes

39	To Vote to Amend the Town of Billerica General By-Laws and to Create a Right to Farm General By-Law			Select Board Vice Chairman Dina Favreau	Reserves Recommendation
40	To Authorize the Acceptance of State Statute M.G.L. Chapter 59, Section 5, Clause 22(i)			Select Board Secretary Michael Rosa	Reserves Recommendation
41	To Vote to Amend Article 1, Sections 6.1 and 6.2 of the Proposed Budget: Submission to the Finance Committee			Select Board Secretary Michael Rosa	Reserves Recommendation
42	To Vote to Amend the By-Laws to Add a New Transparency, Accountability in Settlement Agreements and NDA Provision			Select Board Vice Chairman Dina Favreau	Reserves Recommendation
43	To Vote to Accept State Statute Chapter 59 Section 5, Clause 5C			Select Board Secretary Michael Rosa	Reserves Recommendation

Zoning By-Law Changes

44	To Vote to Amend the Zoning By-Laws Section 4 Subsection B (5)d Federal Maps			Town Manager; authorized by Select Board	Reserves Recommendation
45	Vote to Delete and Replace the Zoning By-Law (commonly know as a Zoning Recodification)			Planning Board	Reserves Recommendation

Petitioner Articles

46	Petitioner Article – To Change Zoning By-Law (Section 5(6)(C))				Reserves Recommendation
47	Petitioner Article – A Town-Wide Ban on the Use of Second-Generation Anticoagulant Rodenticides				Reserves Recommendation
48	Petitioner Article – A Ban on the Use of Second-Generation Anticoagulant Rodenticides				Reserves Recommendation
49	Petitioner Article – Establishing a Tree Protection and Preservation By-Law				Reserves Recommendation

PRELIMINARY WARRANT
2025 ANNUAL SPRING TOWN MEETING

Middlesex, ss.

To Any Constable in the Town of Billerica

Greetings,

You are hereby authorized and requested to notify and warn the inhabitants of said Town of Billerica qualified by law to vote in Elections and Town Affairs, to meet at the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA on Tuesday, May 6, 2025 at 7:00 PM and subsequent Thursdays and Tuesdays until all of the business in the Warrant shall have been acted upon, then and there to vote on the following articles:

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

To see if the Town will vote to fix the compensation of the following elected official of the Town effective July 1, 2025; or act in relation thereto.

Town Clerk - \$108,738.49 a Year

Submitted by the Finance Committee

Finance Committee has not made final recommendation.

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

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

To see if the Town will vote to fix the compensation of the following elected officials of the Town effective July 1, 2025; or act in relation thereto.

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

Submitted by the Finance Committee

Finance Committee has not made final recommendation.

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

ARTICLE 3 - TO HEAR REPORTS OF TOWN DEPARTMENTS, COMMITTEES & OFFICERS

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

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 3 Explanation: In accordance with M.G.L. Chapter 40, Section 49, this article allows Town Meeting to hear and act upon reports submitted in the FY 2025 Annual Town Report.

ARTICLE 4 - TO TRANSFER FROM AVAILABLE FUNDS BETWEEN 2025 BUDGET LINE ITEMS

To see if the Town will vote to transfer from available funds the sum of \$6,000,000 to amend various Fiscal Year 2025 budget line items; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

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

ARTICLE 5 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE OFFICERS - GROUP (A) PATROLMEN

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

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

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

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

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

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

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

ARTICLE 7 - TO FUND COLLECTIVE BARGAINING AGREEMENT – IAEP POLICE EMT’S AND PARAMEDICS

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town and the IAEP Police EMT’s and Paramedics; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

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

ARTICLE 8 - TO FUND COLLECTIVE BARGAINING AGREEMENT – NEPBA LOCAL 105 POLICE CIVILIAN DISPATCHERS

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town and the NEPBA Local 105 Police Civilian Dispatchers; 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 – TEAMSTERS LOCAL 25 DPW EMPLOYEES

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town and the Teamsters Local 25 DPW Workers; 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 – AFSCME COUNCIL 93, LOCAL 1365 LIBRARY CLERICAL EMPLOYEES

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town and the AFSCME Council 93, Local 1365 Library Clerical Employees; 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: At the time of printing, there was no Collective Bargaining Agreement.

ARTICLE 11 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL TEACHERS

To see if the Town will raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town of Billerica School Committee and the Billerica Federation of Teachers, Local 1677, AFT-MA, AFT, AFL-CIO; or act in relation thereto.

Submitted by the School Committee

Finance Committee has not yet made final recommendation.

Article 11 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

ARTICLE 12 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL PARAPROFESSIONALS

To see if the Town will raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town of Billerica School Committee and the Billerica Federation of Teachers, Local 1677, AFT-MA, AFT, AFL-CIO, Paraprofessionals; or act in relation thereto.

Submitted by the School Committee

Finance Committee has not yet made final recommendation.

Article 12 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

ARTICLE 13 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL ADMINISTRATORS

To see if the Town will raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town of Billerica School Committee and the Billerica Administrators Group affiliated with the Massachusetts Association of Professional School Administrators; or act in relation thereto.

Submitted by the School Committee

Finance Committee has not yet made final recommendation.

Article 13 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

ARTICLE 14 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL CUSTODIAL EMPLOYEES

To see if the Town will raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town of Billerica School Committee and the American Federation of State, County and Municipal Employees, AFSCME, Council 93, Local 2747, Custodial Employees; or act in relation thereto.

Submitted by the School Committee

Finance Committee has not yet made final recommendation.

Article 14 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

ARTICLE 15 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL CLERICAL EMPLOYEES

To see if the Town will raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town of Billerica School Committee and the American Federation of State, County and Municipal Employees, AFSCME, Council 93, Local 2747, Clerical Employees; or act in relation thereto.

Submitted by the School Committee

Finance Committee has not yet made final recommendation.

Article 15 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

ARTICLE 16 - FISCAL YEAR 2026 TOTAL TOWN DEPARTMENT BUDGETS

To see if the Town will vote to adopt, pursuant to Article 5 of the Billerica Home Rule Charter, the proposed following line-item budget for Fiscal Year beginning July 1, 2025 and ending June 30, 2026.

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

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

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 16 Explanation: The detailed budget presentation will be available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>. This article is a placeholder.

ARTICLE 17 - FISCAL YEAR 2026 BILLERICA PUBLIC EDUCATION BUDGET

To see if the Town will vote to adopt, pursuant to Article 5 of the Billerica Home Rule Charter, the proposed following line-item budget for Fiscal Year beginning July 1, 2025 and ending June 30, 2026. Specific language will be drafted by Town Counsel regarding the request to Town Meeting to approve the FY'26 Proposed School Department's Operating Budget totaling \$85,578,013.

This Budget was produced under the direction of the School Committee.

Submitted by the School Committee

Finance Committee has not yet made final recommendation.

Article 17 Explanation: The detailed budget presentation will be available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>. This article is a placeholder.

ARTICLE 18 - FISCAL YEAR 2026 SHAWSHEEN VALLEY TECHNICAL HIGH SCHOOL BUDGET

To see if the Town will vote to adopt, pursuant to Article 5 of the Billerica Home Rule Charter, the proposed following line-item budget for Fiscal Year beginning July 1, 2025 and ending June 30, 2026.

This Budget was produced under the direction of Shawsheen Valley Technical School Committee.

Submitted by Shawsheen Tech School Committee

Finance Committee has not yet made final recommendation.

Article 18 Explanation: The detailed budget presentation will be available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>. This article is a placeholder.

ARTICLE 19 - FISCAL YEAR 2026 TOWN AND SCHOOL SHARED COSTS BUDGET

To see if the Town will vote to adopt, pursuant to Article 5 of the Billerica Home Rule Charter, the proposed following line-item budget for Fiscal Year beginning July 1, 2025 and ending June 30, 2026. It is anticipated that \$41,157 will be transferred from the Hallenborg Rink Fund to fund a portion of the Debt Service Budget.

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

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

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 19 Explanation: The detailed budget presentation will be available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>. This article is a placeholder.

ARTICLE 20 - FISCAL YEAR 2026 TOWN AND SCHOOL BUDGETS

To see if the Town will vote to adopt, pursuant to Article 5 of the Billerica Home Rule Charter, the proposed following line-item budget for Fiscal Year beginning July 1, 2025 and ending June 30, 2026. It is anticipated that \$41,157 will be transferred from the Hallenborg Rink Fund to fund a portion of the Debt Service Budget.

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

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

Submitted by the Finance Committee

Finance Committee has not yet made final recommendation.

Article 20 Explanation: The detailed budget presentation will be available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>. This article is a placeholder.

ARTICLE 21 - FISCAL YEAR 2026 WATER ENTERPRISE BUDGET

To see if the Town will vote to raise and appropriate a sum of money to operate the Water Enterprise Fund pursuant to M.G.L. Chapter 44 Section 53 F ½ for the fiscal year beginning July 1, 2025 and ending June 30, 2026; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 21 Explanation: This is a Water Enterprise Budget as voted pursuant to Article 29 of the October 2015 Annual Fall Town Meeting. This budget will be funded by general tax revenue and water user fees. The line-item budget is arranged to show the actual expenditures for three prior fiscal years, the current budget and the proposed budget for the ensuing fiscal year. It is summarized by Town agency, function and/or program including any proposed capital expenditures. The preceding budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the General Public for inspection in the Town Manager's Office, the Public Library and the Town Clerk's Office. This information is also available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>. This article is a placeholder.

ARTICLE 22 - FISCAL YEAR 2026 SEWER ENTERPRISE BUDGET

To see if the Town will vote to raise and appropriate a sum of money to operate the Sewer Enterprise Fund pursuant to M.G.L. Chapter 44 Section 53 F ½ for the fiscal year beginning July 1, 2025 and ending June 30, 2026; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 22 Explanation: This is a Wastewater Enterprise Budget as voted pursuant to Article 30 of the October 2015 Annual Fall Town Meeting. This budget will be funded by general tax revenue and water user fees. The line-item budget is arranged to show the actual expenditures for three prior years, the current budget and the proposed budget for the ensuing fiscal year. It is summarized by Town agency, function and/or program including any proposed capital expenditures. The preceding budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the general public for inspection in the Town Manager's Office, the Public Library and the Town Clerk's Office. This information is also available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>. This article is a placeholder.

ARTICLE 23 - TO ALLOW THE TOWN MANAGER AND FINANCE COMMITTEE TO TRANSFER FUNDS

To see if the Town will vote to allow the Town Manager, upon request of a Department Head, Board or Commission, to make a transfer of funds between budget line items not-to-exceed a difference of \$5,000 from the amount voted at Town Meeting per line item for Fiscal Year 2026, with the exclusion of travel accounts, within the same department. Transfers within department line items in-excess-of \$5,000 for Fiscal Year 2026 must be approved by the Finance Committee. A written report from the Town Manager on all transfers of \$5,000 and under must be provided to the Finance Committee on the first Tuesday of each month; or act in relation thereto.

Submitted by the Finance Committee

Finance Committee has not made final recommendation.

Article 23 Explanation: This article gives the Town Manager the authority to transfer funds between budget line items within a particular department, not-to-exceed \$5,000 per fiscal year. If the amount exceeds \$5,000, the article gives the authority to make such a transfer with the Finance Committee's approval.

ARTICLE 24 - TO AUTHORIZE DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Subsection 53E1/2, as most recently amended, to set Fiscal Year 2026 spending limits for revolving funds as follows:

<u>REVOLVING FUND</u>	<u>FY 2025 SPENDING LIMIT</u>
Animal Control	\$5,000
Inspectional Service Emergency Overtime	\$10,000
Wetlands By-Law	\$30,000
C.O.A. Programs	\$100,000
BEAM Program	\$2,000,000
Respite Care	\$120,000
Flu Shot Program	\$50,000

Or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 24 Explanation: Revolving Funds are allowed under M.G.L. Chapter 44, Section 53E ½ and must be established by By-Law. Under the statute, as most recently amended, Town Meeting must authorize the funding limit of Revolving Funds each year.

ARTICLE 25 - TO FUND PEG ACCESS CABLE TELEVISION SERVICES

To see if the Town will vote to transfer and appropriate the sum of \$218,916.88 from the PEG Access and Cable Related Fund to be provided to BATV for support of PEG Access Cable Television Services; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 25 Explanation: Mass General Laws Chapter 44, Section 53F $\frac{3}{4}$ requires that PEG Access Funds need to be appropriated at Town Meeting. The Town created the PEG Access and Cable Related Fund as part of Article 35 at the May 2019 Town Meeting.

ARTICLE 26 - TO VOTE TO TRANSFER MONIES INTO THE OPIOID SETTLEMENT STABILIZATION FUND

To see if the Town will vote to transfer from available funds the sum of \$6,000,000 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 26 Explanation: Article 1 of the 2023 Special Town Meeting voted to establish and transfer monies into the Opioid Settlement Stabilization Fund. As part of the article, it stated "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." This article is not needed and a policy decision can be made by the Select Board on if this article should be withdrawn.

ARTICLE 27 - COMMUNITY PRESERVATION COMMITTEE BUDGET AND PROJECT RECOMMENDATIONS

To see if the Town will vote to appropriate or reserve the sum of \$1,150,000 from Community Preservation Fund annual revenues for committee administrative expenses and special purpose fund balances as follows:

Appropriations:	Administrative Budget	\$ 55,000
	Debt Service Budget	\$ 965,597
Reserves:	Community Housing Special Fund Balance	\$ 129,403
	Historic Preservation Special Fund Balance	\$ 0
	Open Space and Recreation Special Fund Balance	\$ 0
	Unreserved Fund Balance	\$ 0

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 \$25,855 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:

<u>Open Space and Recreation</u>		
Project	Funding Source	Amount
VVP Bocce Court	Special Purpose Fund Balance / Undesignated Fund Balance	\$5,000
Middlesex Equestrian Park	Undesignated Fund Balance	\$3,775
VVP Disc Golf Course Conservation Mitigation	Undesignated Fund Balance	\$7,080
Conservation Fund	Undesignated Fund Balance	\$10,000
	Total Open Space and Recreation	\$25,855
<u>Historic Preservation</u>		
Project	Funding Source	Amount
<u>Community Housing</u>		
Project	Funding Source	Amount
	TOTAL	\$25,855

Or act in relation thereto.

Submitted by the Town Manager on behalf of the Community Preservation Committee until a formal vote is taken.

Finance Committee has not yet made final recommendation.

Article 27 Explanation: This article is a placeholder until final recommendations from the Community Preservation Committee.

ARTICLE 28 - TO RESCIND AND OR TRANSFER PRIOR BORROWING AUTHORIZATIONS

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

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 rescinds previous borrowing authorizations. This is currently a placeholder.

ARTICLE 29 - TO FUND CONSTRUCTION SERVICES FOR THE LEXINGTON ROAD / GLAD VALLEY INTERSECTION IMPROVEMENTS PROJECT

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$150,000 for Construction Services associated with the Lexington Road / Glad Valley Intersection Improvements Project, or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 29 Explanation: This article proposes to appropriate money from this source to fund construction services for the project. This TIP project will be advertised for construction in April 2025, and the construction period is approximately 2 years. Construction will be overseen by MassDOT but the Town will need to provide construction support.

ARTICLE 30 - TO FUND THE ENTRY AND CLEANING OF THE FUEL TANKS FOR THE TOWN FLEET

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$80,000 for the entry and cleaning of the fuel tanks for the Town fleet; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 30 Explanation: The Town is requesting funding to properly clean and assess the fuel tank. This includes transferring fuel to temporary storage, removing water, sludge and rust and preparing the tank for safe entry. Once inside, the interior will be cleaned and washed, waste will be removed and ultrasonic thickness testing will be performed to evaluate the tank's condition. This work is necessary to ensure the tank remains safe and operational for the long term.

ARTICLE 31 - TO FUND THE UPDATE AND CALIBRATION OF THE TOWN'S SANITARY SEWER MODEL

To see if the Town will vote to transfer and appropriate the sum of \$75,000 from Wastewater Retained Earnings to fund the update and calibration of the Town's Sanitary Sewer model including any costs incidental or related thereto; 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 approve funding for the sanitary sewer model to ensure the model accurately reflects current conditions and provides insights into future performance and expansion.

ARTICLE 32 - TO FUND COST OVER-RUNS ON THE PURCHASE OF A NEW AMBULANCE

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$132,000 for cost over-runs on the purchase of a new ambulance; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 32 Explanation:

In FY 2022 - The Town appropriated \$275,000 for ambulance purchase - which came in at \$352,698 due to cost increases related to supply chain.

In FY 2023 - The Town appropriated \$350,000 for ambulance purchase - which came in at \$400,340 due to cost increases related to supply chain.

Requiring additional funding of \$132,000 to close the deficit.

ARTICLE 33 - TO AUTHORIZE THE SELECT BOARD TO ACCEPT ROADS AS PUBLIC WAYS

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

Apollo Avenue, from dead end to dead end, approximate length 735' and 40' width right of way, as depicted on the plan entitled '*Apollo Avenue, Billerica Massachusetts - Street Layout and Acceptance Plan prepared for the Town of Billerica*', dated February XX, 2025, prepared by GCG Associates, Inc. (Engineering Division Plan X-X-XXX, Sheet 1)

Ipswich Street, from Oak Street to dead end, approximate length 240' and 40' width right of way, as depicted on the plan entitled '*Ipswich Street, Billerica, Massachusetts - Street Layout and Acceptance Plan Prepared for the Town of Billerica*', dated February 4, 2025, prepared by Merrimack Engineering Services (Engineering Division Plan X-X-XXX, Sheet 1)

MacDougall Street, from Pines Road to Dustin Young Lane, approximate length 1,285' and 40' width right of way, as depicted on the plan entitled '*MacDougall Street, Billerica Massachusetts - Street Layout and Acceptance Plan prepared for the Town of Billerica*', dated February XX, 2025, prepared by GCG Associates, Inc. (Engineering Division Plan X-X-XXX, Sheet 1)

McGuinness Way, from Pines Road to Dustin Young, approximate length 2,260' and Variable width right of way, as depicted on the plan entitled '*McGuinness Way, Billerica, Massachusetts - Street Layout and Acceptance Plan Prepared for the Town of Billerica*', dated February XX, 2025, prepared by Merrimack Engineering Services (Engineering Division Plan X-X-XXX, Sheet 1)

Monson Street, from Lake Street to dead end, approximate length 450' and 40' width right of way, as depicted on the plan entitled '*Monson Street, Billerica, Massachusetts - Street Layout and Acceptance Plan Prepared for the Town of Billerica*', dated February 4, 2025, prepared by Merrimack Engineering Services (Engineering Division Plan X-X-XXX, Sheet 1)

Shelburne Avenue, from Connolly Road to dead end, approximate length 1,355' and 40' width right of way, as depicted on the plan entitled '*Shelburne Street, Billerica Massachusetts - Street Layout and Acceptance Plan prepared for the Town of Billerica*', dated February XX, 2025, prepared by GCG Associates, Inc. (Engineering Division Plan X-X-XXX, Sheet 1)

Wildcrest Avenue, from dead end to dead end. Approximate length, width, right of way as depicted on a plan being prepared by the Town of Billerica.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 33 Explanation: The Town is committed to continuing the acceptance of previously unaccepted roadways. This list of roads was developed from citizen petitions.

ARTICLE 34 - TO AUTHORIZE THE SELECT BOARD TO ACCEPT AN EASEMENT AT 315, 317 & 319 TREBLE COVE RD (TREBLE COVE RESEARCH PARK)

To see if the Town will vote to authorize the Select Board to accept, upon such terms and conditions as the Select Board determine, interests in land to provide for the sidewalk installation along Treble Cove Road, 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 made final recommendation.

Article 34 Explanation: This article proposes to allow the Select Board to accept an easement for construction of a new sidewalk at this location. The sidewalk will be partially built on private property, requiring a grant of easement to the Town. The sidewalk construction is a requirement of the Site Plan Special Permit issued by the Planning Board.

ARTICLE 35 - TO COMPLY WITH ARTICLE 97 REQUIREMENTS FOR THE YANKEE DOODLE BIKE PATH

To see if the Town will vote:

- (1) To transfer the care, custody, management, and control of certain portions of land in Billerica, subject to enactment of a special act of the Commonwealth, from the Conservation Commission to the Select Board, for recreational purposes, to support the bike path construction project being undertaken by the Commonwealth of Massachusetts and the Town of Billerica as identified as those portions of Billerica land depicted as “permanent” as shown on a plan entitled “Massachusetts Department of Transportation Highway Division Plan and Profile of Yankee Doodle Bike Path in the Town of Billerica, Middlesex County, Preliminary Right of Way Plans” identified on said plan as:

<u>Permanent Easements</u>	<u>Square Footage</u>
E-23	55,089 sq. ft.
FP-9	6,308 sq. ft.
PUE-5	104 sq. ft.

- (2) To authorize the Billerica Conservation Commission, subject to enactment of a special act by the Commonwealth, to grant temporary construction easements for construction use by the Commonwealth and the Town, provided that the Commonwealth and the Town return such land upon completion of the bike path construction project free of easements, cleaned, restored, and in their original natural condition, such land being described as follows:

<u>Temporary Construction Easements</u>	<u>Square Footage</u>
TCA-1	12,110 sq. ft.
TCA-2	985 sq. ft.
TCA-3	17,362 sq. ft.
TCA-4	5,784 sq. ft.
TCA-5	3,904 sq. ft.
TCA-6	156 sq. ft.
TCA-7	3,208 sq. ft.
TCA-8	659 sq. ft.
TCA-9	699 sq. ft.
TCA-10	2,471 sq. ft.

- (3) Further to authorize the Select Board to receive and accept on behalf of the Town of Billerica replacement conservation land, or sums of money in lieu thereof as may be authorized by law, offered by any source public or private, for mitigation of the permanent easements granted by the Town of Billerica pursuant Chapter 3, section 5A of

the general laws of the Commonwealth, and upon such receipt and acceptance, to authorize the Select Board to transfer said replacement land to the care custody and control of the Billerica Conservation Commission, or deposit such sums of money in a Conservation Commission land acquisition fund pursuant to chapter 40, section 8C of the general laws, to be used only to acquire additional conservation land under the care custody and control of the Conservation Commission; and

- (4) To authorize the Select Board to request the Town's representatives in the General Court to introduce legislation to authorize the Town to grant permanent easements relative to said conservation land described as "permanent easements" and temporary use of conservation land described as "temporary construction easements" for other than conservation or Article 97 purposes in order to support the bike path construction project and further to authorize the Select Board and the General Court to make constructive changes in perfecting the language of this legislation in order to secure passage, it being the intent to authorize the Select Board and the General Court to vary the specific text of the legislation consistent with the scope of the general objectives of this home rule petition, such legislation to read substantially as follows:

AN ACT AUTHORIZING THE TOWN OF BILLERICA TO GRANT TEMPORARY AND PERMANENT EASEMENTS OF CERTAIN LAND OF THE TOWN SITUATED IN THE TOWN OF BILLERICA FOR RECREATIONAL PURPOSES

SECTION 1. Pursuant to chapter 3 § 5A of the general laws of the Commonwealth, notwithstanding the provisions of any other general or special law to the contrary, the Town of Billerica Select Board may grant certain permanent easements, and the Town of Billerica Conservation Commission may grant certain temporary easements, related to certain conservation land owned by the Town of Billerica under the jurisdiction of the Billerica Conservation Commission situated in the Town of Billerica, to the Commonwealth of Massachusetts and the Town of Billerica for recreational purposes, to support the bike path construction project being undertaken by the Commonwealth of Massachusetts and the Town of Billerica for the construction of the Yankee Doodle Bike Path, as identified as those permanent and temporary easements on a Plan entitled "Massachusetts Department of Transportation Highway Division Plan and Profile of Yankee Doodle Bike Path in the Town of Billerica, Middlesex County, Preliminary Right of Way Plans" being a portion of those parcels owned by the Town of Billerica and described in the Assessor's records of the Town of Billerica as Parcel ID: 78-282-1-1, Parcel ID: 87-258-1 & Parcel ID: 87-249-2. The Select Board on behalf of the Town of Billerica, is authorized to accept and receive replacement land, or alternatively pursuant to said chapter 3 section 5A, accept and receive certain sums of money offered as mitigation pursuant to said statute and to transfer said replacement land for conservation land without further vote of the Town to the care, custody, management and control of the Billerica Conservation Commission, or deposit such sums of money in a Billerica Conservation Commission land

acquisition fund without further vote of the town, to be used only for the purposes of acquiring replacement Billerica conservation land, as applicable.

SECTION 2. Pursuant to chapter 40, § 15A of the general laws, the care, custody, management, and control of a portion of the land in Billerica owned by the Town of Billerica, identified as “permanent easements” on a Plan entitled “Massachusetts Department of Transportation Highway Division Plan and Profile of Yankee Doodle Bike Path in the Town of Billerica, Middlesex County, Preliminary Right of Way Plans” being part of those parcels owned by the Town of Billerica described in the Assessor’s records of the Town of Billerica as Parcel ID: 78-282-1-1, Parcel ID: 87-258-1 & Parcel ID: 87-249-2, is approved notwithstanding Article 97 of the Constitution of the Commonwealth, to be transferred from the Billerica Conservation Commission to the Billerica Select Board for the purposes stated in section 1 of this Act.

SECTION 3. Any temporary easements taken upon such conservation commission land owned by the Town of Billerica, for the bike path construction project shall be extinguished, and returned to the Town of Billerica Conservation Commission clean, restored, and in its natural state, upon completion of said project.

SECTION 4. This act shall take effect upon its passage.

Or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 35 Explanation: This article authorizes the Town to move forward with the Article 97 process. The Bike Path will need temporary and permanent easements through conservation land to construct the Bike Path.

ARTICLE 36 - TO VOTE TO GRANT AND CONVEY AN EASEMENT AT 121 LEXINGTON 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 new Recreation Center located at 121 Lexington Road, Billerica and described in a plan of land recorded with the Middlesex North Registry of Deeds in Book 86, Plan 96, 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 made final recommendation.

Article 36 Explanation: This article authorizes the Town to convey a utility easement to allow electricity at the site of the new Recreation Center.

ARTICLE 37 - TO AUTHORIZE DIGITAL PUBLICATIONS OF LEGAL NOTICES

To see if the Town will vote to authorize and request the Select Board to petition the Massachusetts General Court to allow the Town to satisfy requirements for legal notices set forth in the general laws by allowing the publication of notices on the Town's website and a physical location that is accessible at all times and/or in a local digital newspaper, along with the option of continuing the current practice of publication in a newspaper of general circulation; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 37 Explanation: This article would give the Town the option to post public notices on the Town website and in a physical location instead of in the newspaper. With the loss of a weekly town-centric newspaper, public notices can be expensive and are not easily accessible to the residents.

ARTICLE 38 - TO AUTHORIZE REMOTE PARTICIPATION AT FALL, SPRING AND SPECIAL TOWN MEETINGS

To see if the Town will vote to authorize the Select Board to request a Home Rule Petition from the General Court to allow fully remote and hybrid participation at all Fall, Spring and Special Town Meetings with language substantially in the form of the draft bill below.

SECTION 1. Notwithstanding Chapter 39 of the General Laws, or any general or special law or charter provision to the contrary, the Town of Billerica may hold Annual and Special Town Meetings with voters located in a common, physical location, fully remote or partially remote, to be known as a Hybrid Town Meeting.

SECTION 2. All actions taken at a Remote or Hybrid Town Meeting held in accordance with this act shall be ratified, validated and confirmed to the same extent as if the Town Meeting had been conducted entirely in person.

SECTION 3. This act shall take effect at the 2026 annual Spring Town Meeting.

Or act in relation thereto.

Submitted by Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 38 Explanation: This article would allow the Town of Billerica to have hybrid Town Meetings.

**ARTICLE 39 - TO VOTE TO AMEND THE TOWN OF BILLERICA GENERAL BY-LAWS
AND TO CREATE A RIGHT TO FARM GENERAL BY-LAW****BILLERICA RIGHT TO FARM GENERAL BY-LAW****Section 1 Legislative Purpose and Intent**

The purpose and intent of this By-Law is to state with emphasis the Right to Farm accorded to all citizens of the Commonwealth under Article 97, of the Constitution, and all state statutes and regulations thereunder including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9, Chapter 61, 61A and 61B, et seq., Chapter 111, Section 125A and Chapter 128 Section 1A.

We the citizens of Billerica restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution, ("Home Rule Amendment").

This By-Law does not seek to change these State laws, but to bring them together into one local By-Law to enhance local understanding of "the right to farm."

This General By-Law encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands within the Town of Billerica by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This By-Law shall apply to all jurisdictional areas within the Town.

Section 2 Definitions

The word "farm" shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory thereto.

The word "farm" shall include any parcel or contiguous parcels of land used for the primary purpose of agriculture as defined by the Commonwealth. The Commonwealth definition is at present that of Chapter 61A: a farm must contain at least five acres and have annual revenues of at least \$500.

The words "farming" or "agriculture" or their derivatives shall include, but not be limited to the following:

- farming in all its branches and the cultivation and tillage of the soil;
- dairying;
- production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodities;
- growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- raising of livestock including horses;

- keeping of horses as a commercial enterprise; and
- keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), and other domesticated animals for food and other agricultural purposes, including bees and fur-bearing animals.

“Farming” shall encompass activities including, but not limited to, the following:

- operation and transportation of slow-moving farm equipment over roads within the Town;
- control of pests, including, but not limited to, insects, weeds, predators and disease organism of plants and animals;
- application of manure, fertilizers and pesticides;
- conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the agricultural output or services of the farm;
- processing and packaging of the agricultural output of the farm and the operation of a farmer's market or farm stand including signage thereto;
- maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products; and
- on-farm relocation of earth and the clearing of ground for farming operations.

Section 3 Right To Farm Declaration

The Right to Farm is hereby recognized to exist within the Town of Billerica. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this By-Law are intended to apply exclusively to those commercial agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this Right To Farm By-Law shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

Section 4 Resolution of Disputes

The foregoing agricultural activities must be in conformance with applicable Federal, State laws, and local rules and regulations, to which reference is made as to more specific rights and obligations of the agricultural community and the Town.

The provisions of this By-Law shall not apply whenever an impact results from willful negligence or reckless misconduct in the operation of any such agricultural or farming operation, place, establishment or facility, or any of its appurtenances.

The following procedure is hereby encouraged to enhance early and effective resolution of farm related issues:

Any person who seeks to complain about the operation of a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Select Board, the Zoning Enforcement Officer, or the Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Zoning Enforcement Officer or Select Board may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance and report its recommendations to the referring Town authority within an agreed upon time frame.

The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon time frame.

Section 5 Severability Clause

If any part of this By-Law is for any reason held to be unconstitutional or invalid, such a decision shall not affect the remainder of this By-Law. The Town of Billerica hereby declares the provisions of this By-Law to be severable.

Submitted by Select Board Vice Chairman Dina Favreau

Finance Committee has not made final recommendation.

Article 39 Explanation: A Right-to-Farm By-Law is a General By-Law that encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands within the community by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies.

**ARTICLE 40 - TO AUTHORIZE THE ACCEPTANCE OF STATE STATUTE M.G.L.
CHAPTER 59, SECTION 5, CLAUSE 22(I)**

To see if the town will vote to accept General Laws Chapter 59, Section 5, Clause 22I, which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI) for the previous year as determined by the Commissioner of Revenue, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, 2025, or take any other action related thereto.

Submitted by Select Board Secretary Michael Rosa

Finance Committee has not made final recommendation.

Article 40 Explanation: Clause 22I, if accepted, would increase the amount of the tax exemption granted to veterans on their domiciles under Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F annually by a cost-of-living adjustment (COLA) determined by the Department of Revenue (DOR) based on the consumer price index (CPI). This would work like the annual COLA adjustment determined by DOR that is already a local option for certain senior exemption amounts and financial means standards. See G.L. c. 59, § 5, Clauses 17E, 17F and 41D.

For example, if a Clause 22 recipient will receive a \$400 exemption and the community accepts this option, and the CPI increases by 5%, the total exemption amount would increase to \$420.

ARTICLE 41 - TO AMEND ARTICLE 1, SECTIONS 6.1 AND 6.2 OF THE 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 Secretary Michael Rosa

Finance Committee has not made final recommendation.

Article 41 Explanation: This article is intended to compel a comprehensive and detailed budget submission from the School Department to the Town.

ARTICLE 42 - TO VOTE TO AMEND THE BY-LAWS TO ADD A NEW TRANSPARENCY, ACCOUNTABILITY IN SETTLEMENT AGREEMENTS AND NDA PROVISION

To see if the Town will vote to amend ARTICLE XV PROCEDURES of the General By-Laws as amended in October 2023 to add a new transparency, accountability in settlement agreements and NDA Provision under Section 7. Transparency and Accountability in Settlement Agreements – Non-Disclosure Provisions Prohibited as follows:

Transparency and Accountability in Settlement Agreements – Non-Disclosure Provisions Prohibited

It is the policy of the Town of Billerica to encourage the amicable settlement of disputes in cases involving agencies or employees of the municipality, and to promote department-wide settlement processes and procedures that are consistent, transparent and fair. The Town recognizes that the resolution of disputes by mutual agreement, and in accordance with regular procedures, ensures the efficient use of taxpayer funds, promotes confidence in government, and avoids disruption in public services.

- 7.1 Purpose:** To further the goals of transparency, accountability and the prevention of abuse and waste of taxpayer dollars related to settlements involving agencies or employees of the Town of Billerica (“Town”).
- 7.2. Authority:** This By-Law is made pursuant to the general authority regarding Town litigation matters pursuant to Billerica General By-Law Article II, Section 31.3.
- 7.3 Definitions:** For the purposes of this By-Law, the following definitions shall apply:
- a. “Claim” means any claim for damages or other relief with respect to an injury or wrong allegedly suffered, directly or a result of the Town failing to prevent such injury or wrong including, but not limited to, personal injury, violation of civil rights, breach of contract, failure to comply with contract bidding laws, assault, harassment, discrimination, retaliation, whistle blowing, incorrect or improper personnel determinations regarding pay, promotion or discipline, failure to comply with statutory or constitutional provisions applicable to employment, and eminent domain taking damages, misconduct, including any attorney's fees and interest associated with these claims.
 - b. “Claimant” means a person or entity that has made a Claim against the Town.
 - c. “Non-Disclosure Agreement” or “NDA” means any agreement (or provision of an agreement) that purports to restrict disclosure by the Claimant of unlawful or improper acts in the workplace including, but not limited to, harassment, discrimination or other forms of misconduct, such as the terms of

the settlement, payments, associated facts, the reason for said settlement. The term shall include any non-disparagement or confidentiality provisions, or any other provisions that attempt to restrict disclosure of facts relating to the Claim by the Claimant.

Notwithstanding the foregoing, the term Non-Disclosure Agreement or NDA does not apply to any provision (i) exempt from disclosure pursuant to the Public Records Law or (ii) reasonably requested by the Claimant to prevent the disclosure of a Complainant's identity, facts that might lead to the discovery of the Complainant's identity, or factual circumstances relating to the employment that reasonably implicate legitimate privacy interests held by the Complainant who is a party to the Settlement Agreement.

- d. "Public Records Law" means G.L., ch 4, § 7, cl. 26 and shall also include any other provision of Massachusetts law relating to the records and documents of the Town. It is noted that subsections of the Public Records Law exempt certain records from disclosure that are, among other things, part of a personnel file or are of a highly personal nature.
- e. "Settlement Agreement" means any agreement, written or unwritten, the purpose of which is to resolve a Claim, written or unwritten, by any claimant against the Town or any of its officials, officers, employees, contractors or agents.

7.4. Scope: This By-Law shall apply to all Settlement Agreements entered into by, or on behalf of the Town.

7.5. Non-Disclosure Agreements Prohibited, Related Prohibitions. Non-Disclosure Agreements erode public trust and, by their nature, are largely inconsistent with the transparency requirements of the Public Records Law. Accordingly, Non-Disclosure Agreements in Settlement Agreements and otherwise are prohibited and shall not be incorporated in any Town Settlement Agreement.

Under no circumstance shall any member of the Select Board or other Town official, officer, employee, contractor or agent directly or indirectly ask, incentivize or coerce, or request the redaction or restriction of any details of any settlement agreement regarding unlawful acts in the workplace, such as harassment, discrimination or other forms of misconduct, including any incidental executive session minutes related thereto that are not exempt under the Public Records Law.

Any non-disclosure, non-disparagement, or confidentiality provision, or any other provision that attempts to restrict disclosure regarding unlawful acts in the workplace, such as harassment, discrimination or other forms of misconduct related to settlement agreements entered into before the effective date of the Policy, with a

complainant, including, but not limited to the terms of the employee settlement, payments, and associated facts, including the reason for said settlement, except as provided for in this Policy, are void with respect to the Billerica Select Board's ability to enforce such provisions against a complainant.

7.6. Settlement Agreements are Public Records: Settlement Agreements are public records subject to the provisions of the Public Records Law. Settlement Agreements should include language providing that the agreement will be considered a public record in its entirety, including any incidental executive session minutes related thereto except for (i) matters exempt from disclosure under the Public Records Law and (ii) as may be reasonably requested by the Claimant.

7.7. Confidentiality Provisions May be Unenforceable. All Billerica departments are put on notice that confidentiality language mandating that a settlement or settlement terms be kept confidential may not be enforceable unless the claim or certain provisions in the claim are exempted from disclosure under statutory, personnel file or privacy exemptions under the Public Records Law.

7.8. Required Record Keeping. All Billerica department offices and agencies are reminded that the Secretary of State's Statewide Records Retention Schedule applies to the retention of settlements and relevant supporting documentation. While the Records Retention Schedule should always be consulted, most settlement documentation, including settlement payment support documentation and complaints associated with settlements, have a records retention period of 6 years.

This By-Law shall not be construed to require the Town to release information that could negatively affect public safety or the safety of any individual, or to release trade secrets or proprietary information, though maximum public disclosure shall still occur within these limitations.

Or an act in relation thereto.

Submitted by Select Board Vice Chairman Dina Favreau

Finance Committee has not made final recommendation.

Article 42 Explanation: To further the goals of transparency, accountability and the prevention of abuse and waste of taxpayer dollars related to settlements involving agencies or employees of the Town of Billerica.

ARTICLE 43 - TO VOTE TO ACCEPT STATE STATUE CHAPTER 59, SECTION 5, CLAUSE 5C

To see if the Town will vote to accept State statue Chapter 59 Section 5, Clause 5C to Exempt property taxes for incorporated Veterans' organization to extent of \$1,500,000; or act in relation thereto.

Submitted by the Select Board Secretary Michael Rosa

Finance Committee has not made final recommendation.

Article 43 Explanation: In 2006 the Town voted to exempt up to \$700,000 through Chapter 59, Section 5, Clause 5B. The portion of the law is below.

The real and personal estate belonging to or held in trust for the benefit of incorporated organizations of veterans of any war in which the United States has been engaged, to the extent of \$1,500,000, if used and occupied by such association, and if the net income from the property is used for charitable purposes, but the estate shall not be exempt for any year in which the association, or the trustees holding for the benefit of the association, willfully fails to file with the assessors the list and statement required by section 29.

ARTICLE 44 - TO VOTE TO AMEND THE ZONING BY-LAWS SECTION 4. ZONING DISTRICT BOUNDARIES. SUBSECTION B DETERMINING ZONING DISTRICT BOUNDARIES 5.(D) FEDERAL MAPS

To Vote to amend the following text in *SECTION 4 ZONING DISTRICT BOUNDARIES, B. DETERMINING ZONING DISTRICT BOUNDARIES*, 5. d. *Federal Maps*.

~~Any land shown on the Flood Insurance Rate Map (FIRM), community panel number 250183-0001, with an effective date of August 5, 1985, prepared by the U.S. Department of Housing and Urban Development Federal Insurance Administration. This map shall be used to meet the requirements of the National Flood Insurance Program. In all cases, the reference map that delineates the highest flood elevation shall supersede all others. Nothing in this section shall prohibit the Conservation Commission, the Board of Health, or both, from making non-zoning determinations of the flood plain in order to perform its required duties.~~

Any land shown on the Flood Insurance Rate Map (FIRM), community panel number 250183, with an effective date of July 8, 2025, prepared by the U.S. Department of Housing and Urban Development Federal Insurance Administration. issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated July 8, 2025. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, Conservation Commission and Board of Health. Nothing in this section shall prohibit the Conservation Commission, the Board of Health, or both, from making non-zoning determinations of the flood plain in order to perform its required duties.

Or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 44 Explanation: Flood Maps have been updated by FEMA. This article makes updates to the new effective map dates and other changes as proposed by the State.

ARTICLE 45 - TO VOTE TO DELETE AND REPLACE THE ZONING BY-LAW (COMMONLY KNOW AS ZONING RECODIFICATION)

To see if the Town will vote to amend the Zoning By-Law by replacing the current By-Law on file with the Town Clerk's Office dated October 2022 with the Zoning By-Law and Appendices A and B as follows:

1. *Reorganizing, repositioning, recaptioning, and renumbering sections of the Zoning By-Law to enhance accessibility and adaptability;*
2. *Updating and clarifying the purposes and authority of the Zoning By-Law to clearly state the basis for the Town's zoning regulations;*
3. *Improving definitions to more clearly describe zoning districts, uses, and requirements;*
4. *Providing consistency with current State law;*
5. *Eliminating redundant or unnecessary provisions; making amendments such as correcting spelling and typographical errors, and eliminating or updating outdated statutory references;*
6. *Revising, reorganizing and clarifying Zoning By-Law administrative provisions; and*
7. *Removing districts from the Zoning By-Law that have not been added to the Zoning Map.*

And further, by taking the following actions:

1. *Deleting in their entirety the following provisions and all their subparts of the existing Zoning By-Law:*

Section 1: Enactment, Purpose, and Objectives

Section 2: Definitions

Section 3: Establishment of Districts

Section 4: Zoning District Boundaries

Section 5: Regulation of Uses, Buildings, and Structures

Section 6: Site Plan Approval

Section 7: Dimensional Regulations

Section 8: Parking and Loading Regulations

Section 9: Signs and Lighting

Section 10: Non-conforming Uses, Buildings, and Structures

Section 11: Zoning Board of Appeals

Section 12: Special Permit Granting Authority

Section 13: Special Permits

Section 14: Variances

Section 15: Administrative Appeals

Section 16: Administration and Enforcement

Section 17: Zoning Amendments

Section 18: Severability

Section 19: Effective Date

2. *Substituting the following provisions and their subparts in the zoning article submitted by the Planning Board on filed in the office of the Town Clerk and the Department of Planning and Community Development:*

Section 1: Purposes and Authority

Section 2: Definitions

Section 3: Administration and Enforcement

Section 4: Land Use Boards and Permits

Section 5: Districts

Section 6: Use Regulations

Section 7: Required Findings for Special Permit Uses

Section 8: Dimensional Regulations

Section 9: Nonconforming Uses and Structures

Section 10: General Regulations

Section 11: Overlay Districts

Section 12: Special Districts

Or act in relation thereto.

Submitted by the Planning Board

Finance Committee has not made final recommendation.

Article 45 Explanation: Frequent complaints about the clarity and user-friendliness of the current zoning By-Law led to an audit of the document in 2022/2023. The audit identified several issues and recommended the Town take on this recodification in order to fix technical issues such as organization, numbering, definitions and inconsistencies before attempting to amend any policy issues in the future, such as aligning policies with town goals, honoring existing neighborhood characteristics or being competitive in the regional economy. Digital copies of this article can also be found at www.town.billerica.ma.us/ZoningRecod

ARTICLE 46 - PETITIONER ARTICLE (TO CHANGE ZONING BY-LAW SECTION 5(6)(C))

To see if the Town will vote to amend the Zoning By-Law, Section 5(6)(C) as follows; or act in relation thereto.

EXISTING: Section 5(6)(C)

C Dog Daycare

Required Findings:

- The activity is not injurious, noxious, or offensive to the senses of the neighborhood residents, not limited to client traffic and parking effects
- There is a maximum of fifteen (15) dogs at any one time on the premises
- There is a minimum of one thousand (1000) square feet of interior gross floor area
- There is a minimum of one thousand (1000) square feet of exterior space enclosed by an eight (8) foot non-chain link fence with the finished surface facing in and a similar gate for the dogs to exercise.
- An attendant is on the premises at all times when there are dogs at the site
- There are no dogs on the site before 7:00 a.m. or after 9:00 p.m

PROPOSED CHANGE: Section 5(6)(C)

Required Findings:

- The activity is not injurious, noxious, or offensive to the senses of the neighborhood residents, not limited to client traffic and parking effects
- **There is a maximum of one dog per the calculated number of square feet as set forth by Sec. 3.6 (c)(1)(i) of the U.S.D.A. Animal Welfare Act* at any one time on the premises, not to exceed thirty (30) dogs at any one time.**
- There is a minimum of one thousand (1000) square feet of interior gross floor area
- There is a minimum of one thousand (1000) square feet of exterior space enclosed by an eight (8) foot non-chain link fence with the finished surface facing in and a similar gate for the dogs to exercise.
- An attendant is on the premises at all times when there are dogs at the site
- There are no dogs on the site before 7:00 a.m. or after 9:00 p.m.

Submitted by Laureen Knowles and Messrs. Libby, Richardson, McElwain and Magliozi and Madames Healey, Famolare, Lipomi, McElwain, Pernokas, Archibald, Libby and Marvel.

Finance Committee has not made final recommendation.

Article 46 Explanation: This proposal would amend the maximum number of dogs based on the available square footage of the facility.

*The requirement as set forth by Sec. 3.6 (c)(1)(i) of the U.S.D.A. Animal Welfare Act is calculated as follows:

The mathematical square of the sum of the length of the dog in inches (measured from the tip of its nose to the base its tail) plus 6 inches; then divide the product by 144. The calculation is:
 $(\text{length of dog in inches} + 6) \times (\text{length of dog in inches} + 6) = \text{required floor space in square inches}$.
 $\text{Required floor space in inches} / 144 = \text{required floor space in square feet}$.

ARTICLE 47 - PETITIONER ARTICLE (A TOWN-WIDE BAN ON THE USE OF SECOND-GENERATION ANTICOAGULANT RODENTICIDES)

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation substantially in the form below:

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding Chapter 132B of the General Laws or any other general or special law to the contrary, the Town of Billerica may by By-Law prohibit or restrict the application of second-generation anticoagulant rodenticides within the Town of Billerica, including the application of such pesticides by licensed commercial applicators as defined in 333 C.M.R. 10.00.

SECTION 2. This act shall take effect upon its passage; or act in relation thereto.

Submitted by James Perry Reef and Messrs. Damon, Darris-O'Connor, Tribou and Clark and Madames Henderson, Leach, Bradley, Kneeland and Doherty.

Finance Committee has not made final recommendation.

ARTICLE 48 - PETITIONER ARTICLE (A BAN ON THE MUNICIPAL USE OF SECOND-GENERATION ANTICOAGULANT RODENTICIDES)

To see if the Town will vote to ban the use of Second-Generation Anticoagulant Rodenticides, or SGARs, at properties under the care and control of the Town of Billerica; or act in relation thereto.

Submitted by James Perry Reef and Messrs. Damon, Darris-O'Connor, Tribou and Clark and Madames Henderson, Leach, Bradley, Kneeland, Learned and Doherty.

Finance Committee has not made final recommendation.

ARTICLE 49 - ESTABLISHING A TREE PROTECTION AND PRESERVATION BY-LAW

To see if the Town will vote to create a short-term standing committee to be called the Local Ordinance for Resilient Arboreal Xenodochy (L.O.R.A.X.) Committee.

1. It shall be the duty of the Local Ordinance for Resilient Arboreal Xenodochy (L.O.R.A.X.) Committee to create a Tree Protection and Preservation Bylaw for submission to the 2025 Annual Fall Town Meeting and, after successful passage, determine if any amendments or revisions may be necessary or desirable going forward.
2. The L.O.R.A.X. Committee shall consist of five (5) members. Three (3) shall be appointed by the Town Moderator. One resident (1) shall be appointed by the Conservation Commission. One resident (1) shall be appointed by the Planning Board. Each will be appointed for a term of three (3) years.
3. The Tree Warden shall serve as an additional, ex officio non-voting member.
4. Each voting member shall be a registered voter of the Town and need not be a member of their respective appointment committees.

FURTHER, we resolve that the L.O.R.A.X. Committee, consider the following as non-binding recommendations:

1. That the committee consider the bylaws passed by other communities as templates for a Tree Protection & Preservation Bylaw for Billerica;
2. The Tree Protection & Preservation Bylaw only applies to trees that are six (6) inches in diameter or greater and located within a lot's setback area as defined by the Town of Billerica's Zoning Bylaws;
3. The Tree Protection & Preservation Bylaw will prohibit the removal of Protected Trees during construction, or within fifteen (15) months of an application for a demolition or building permit for: (a) demolition of an existing structure of 250 gross square feet or greater, (b) construction of any building or structure on a vacant lot, or (c) construction of one or more structures or additions to structures on a lot that increases the Gross Floor Area by 50% or greater, excluding basements, open or screened porches, and decks;
4. The Tree Protection & Preservation Bylaw will provide an option, if it is not practical to save a Protected Tree, for the owner or developer to remove it and plant new trees

elsewhere, or pay into a tree fund, which the Town will use to buy and plant trees in residential neighborhoods;

5. The Tree Protection & Preservation Bylaw will not apply to the subdivision of land under the Town's Subdivision Rules and Regulations, those areas of a property under the jurisdiction of the Wetlands Protection Act, public shade trees pursuant to M.G.L. Chapter 87, emergency projects necessary for public safety, health, and welfare, trees severely damaged as the direct result of a natural disaster, trees that are hazardous, or trees currently infected by a disease or insect infestation of a permanent nature;
6. The Tree Protection & Preservation Bylaw will require that mitigation be based upon the DBH (diameter at breast height) of Protected Tree(s) removed. For each inch of DBH of the Protected Tree(s) removed, no less than one half (1/2) inch caliper of a new native tree(s) shall be replanted with each new tree having a minimum caliper of two (2) inches. If the Protected Tree to be removed is an overstory tree species, the replacement tree(s) to mitigate the removal shall be a native overstory tree species; or act in relation thereto.

Submitted by James Perry Reef and Messers. Damon, Darris-O'Connor, Tribou and Clark and Madames Henderson, Leach, Bradley, Kneeland, Learned and Doherty.

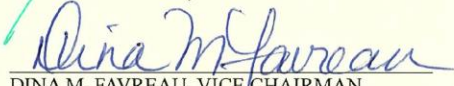
Finance Committee has not made final recommendation.

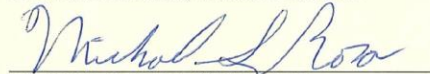
And you are hereby directed to serve this Preliminary Warrant by posting true and attested copies thereof, one copy at Augusta Market, 599 Boston Road, one copy at Belly Buster Restaurant, 306 Boston Road, one copy at the Billerica Center Police Station, 6 Good Street, one copy at the Billerica Center 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 27th day of March 2025.

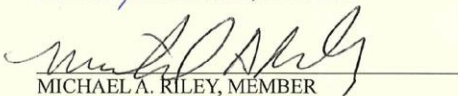
SELECT BOARD OF BILLERICA


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