TOWN OF BILLERICA

Fall Special
Town Meeting

Saturday, October 3, 2020 at 10:00 AM
Please Arrive at 9:00 AM

At

Billerica Memorial High School

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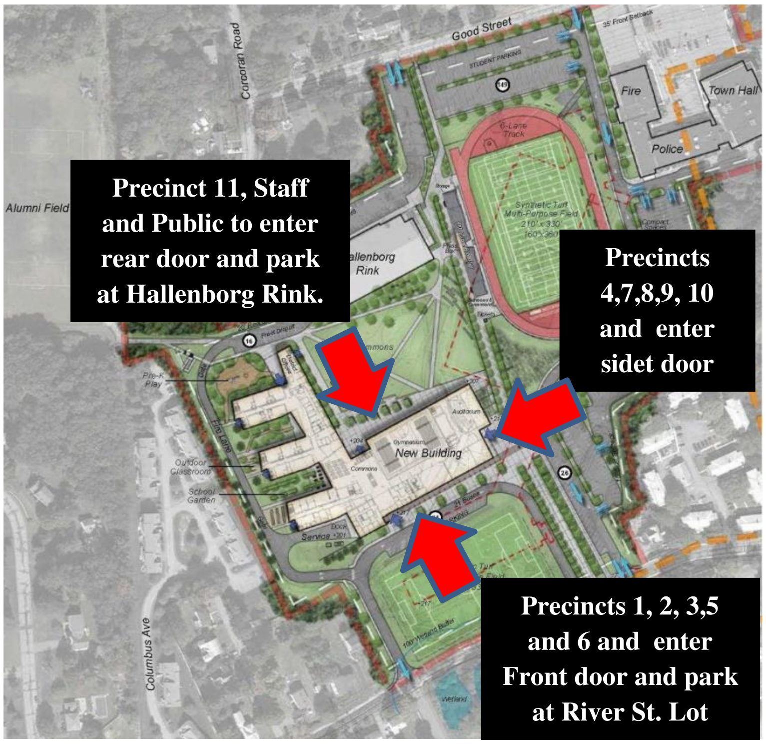
Part I

COVID-19 Town Meeting Directions

Due to the circumstances of the COVID-19 pandemic Town Meeting will be required to run in the same format as last spring.



Town Meeting will be held on Saturday, October 3, 2020. Town Meeting will begin at 10:00AM but we ask you to arrive shortly before 9:00AM. This will allow time for members to enter the building safely and efficiently. This will also allow time to caucus in new members and elect precinct officers. Please refer to the map below on where your precinct will enter. If you are entering at the front or side entrance please uses the River Street parking lots. If entering at the back of the building please utilize the Hallenborg Rink parking lot.

Once the precincts have entered this will allow time for a caucus and to make sure the technology is optimized for the amount of residents in each room.

Town Meeting will then be run through the Zoom application. Each precinct will be considered a Zoom attendee. There will be 11 precincts on the screen, the Moderator, and any Town personnel who are giving a presentation. Sound will be broadcast over the speakers in each meeting room.

Otherwise, Town Meeting will be run just like any other Town Meeting. The Moderator will announce the article, recommendations will be given by the appropriate boards, and a presentation will be given. Once the presentations conclude questions will be allowed. The Moderator may choose to allow questions in following manner: on Article 1, Precinct 1 will have the first opportunity to ask a question. Then it will continue on to Precinct 2, and so on, until all questions have been exhausted or somebody moves the question. On Article 2, Precinct 2 will get the first opportunity to ask a question regardless of where the previous rotation left off. This will continue on until the warrant has been finished. For example Article 17 may begin with Precinct 6. To ask a question you will need to raise your hand and your precinct captain will then start a que line in your meeting room. Once it is your turn you will step up to the designated speaking spot and make your comments.

Voting will take place in each precinct. Votes will be done by raising your hand and counted by your precinct Captain. The Moderator will then speak over zoom to ask each precinct to publically report out their vote by their Captain. Votes will then be recorded in a google sheet that will be broadcast over the zoom meeting.

Spring 2020 Town Meeting June 20, 2020				
	Article 1		Article 2	
	Yes	No	Yes	No
Precinct 1	7	3		
Precinct 2	9	5		
Precinct 3	15	0		
Precinct 4	3	11		
Precinct 5	7	3		
Precinct 6	9	5		
Precinct 7	15	0		
Precinct 8	3	11		
Precinct 9	7	3		
Precinct 10	9	5		
Precinct 11	15	0		
Total	99	46		

It is intended that Town Meeting will be completed in one day in an effort to minimize the amount of social contact necessary to conduct the Meeting. To help facilitate this goal the book will be ready early and video presentations will be recorded in advance of Town Meeting. All members will be encouraged to ask questions in advance.

Additionally, there will be consent agenda. A "consent agenda" is a parliamentary process used to group routine, non-controversial article together to expedite the process. The consent agenda will include articles 1,2,9,10, and 15. The first consent agenda consists of routine procedural and financial articles that representatives approve every year as well as funding the hydrant valve replacement program that is also frequently on the warrant. If any collective bargaining agreements are settled they will be in a second consent agenda.

Lunch will be provided for all Town Meeting members and mask will be required as well.

Each precinct will have a technology captain and a precinct captain who will help facilitate the operations in the room. If you are interested in being a technology captain please reach out to the contact info below.

If you have any further questions please do not hesitate to reach out either by email JCurran@town.billerica.ma.us or by phone at (978) 671 -0942.

Sincerely,

John Curran
Town Manager

Part II

GLOSSARY OF TOWN MEETING TERMS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Part III

FinCom Recommendations on Special Fall Town Meeting Warrant

FINANCE COMMITTEE

WARRANT ARTICLE RECOMMENDATIONS

OCTOBER 2020

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

Article 2: A majority of the Finance Committee has determined that this article has little to no positive or negative financial impact to the Town and recommends 10-1.

Article 3: A majority of the Finance Committee has determined that this article is consistent with articles proposed in the past. The appropriation of $505,000 for the line items listed will be used to fund unanticipated shortfalls in those line items. The shortfall in Electricity is due to the combining of all electricity cost into one line item and will be covered by Solar Credits. The insurance short fall is due to an increase in overall property values. The Finance Committee recommends this article by a vote of 10-1.

Article 4: The Finance Committee has determined that the Collective Bargaining Agreement negotiated between the Town and the NEPBA Police Civilian Dispatchers is consistent with other agreements negotiated with other bargaining units and recommends the article unanimously.

Article 5: The Finance Committee has determined that the Collective Bargaining Agreement negotiated between the Town and the NEPBA Group (A) Patrolman is consistent with other agreements negotiated with other bargaining units and recommends the article unanimously.

Article 6: The Finance Committee has determined that the Collective Bargaining Agreement negotiated between the Town and the NEPBA Group (B) Superior Officers is consistent with other agreements negotiated with other bargaining units and recommends the article unanimously.

Article 7: The Finance Committee has determined that the Collective Bargaining Agreement negotiated between the Town and the IAEP Police EMT's and Paramedics is consistent with other agreements negotiated with other bargaining units and recommends the article unanimously.

Article 8: The Finance Committee has determined that the Collective Bargaining Agreement between the School Committee and the AFSTME Council 93 Local 2747 Cafeteria Employees to be consistent with past agreements of this type and recommend the article unanimously.

Article 9: The Finance Committee has determined this article to consistent with the Towns long standing policy to transfer funds from Debt Stabilization to Debt Service. The transfer of $1,160,000 represents the continuation of the commitment made to residents to use the Debt Stabilization Fund to keep the annual budgeted debt payment at $9 million dollars annually and recommends unanimously.

Article 10: The Finance Committee has determined that this article is in keeping with the long term practice of funding Peg Access Cable Television Services with this fund and Recommends the article unanimously.

Article 11: The Finance Committee has determined that the purchase of the Cider Mill Property to be in the best financial interest of the Town and recommends the article unanimously

Article 12: Withdrawn

Article 13: A majority of the Finance Committee has determined that due to the current pandemic the slate of items to be funded through this article, using a combination of Free Cash and Wastewater Retained Earnings while reserving some Free Cash to carry over to the FY22 budget, to be in the best financial interest of the Town. While this is a break from the norm the Committee understands and agrees that given the circumstances this is the best course of action to take this year. The Committee recommends the article 7-4.

Article 14: The Finance Committee has determined that the transfer of $350,000 from the Plant Expansion Fund to repair four secondary clarifiers to be consistent with the Town policy regarding maintenance of the Wastewater Treatment Plant and consistent with best financial practices. The Committee recommends the article unanimously.

Article 15: The Finance Committee has determined that this article is consistent with past articles seeking an appropriation from the Water Conservation Fund in order to continue the Hydrant and Valve Replacement Program. The funds appropriated will be used to purchase 50 hydrants and valves. The Committee recommends the article unanimously.

Article 16: Withdrawn

Article 17: Withdrawn

Article 18: Withdrawn

Article 19: Withdrawn

Article 20: Withdrawn

Article 21: Withdrawn

Article 22: Withdrawn

Article 23: A majority of the Finance Committee has determined that the use of Free Cash and Wastewater Retained Earnings in order to purchase the equipment listed in the article is in the best interest of the Town and is a proper use of those funds to continue to upgrade and modernize the Towns equipment stock. The Committee recommends this article by a vote of 8-3.

Article 24: Withdrawn

Article 25: Withdrawn

Article 26: A majority of the Finance Committee has determined that a moratorium of the PUD Overlay By-Law for the purpose of reviewing and recommending of changes to the By-Law to be in the best interest of the Town and voted to recommend the article by a vote of 6-5.

Article 27: A majority of the Finance Committee has determined that deleting the entire list of parcels with a PUD overlay from the PUD Overlay By-Law to be an unnecessary overreach as the forming of a committee to review the PUD By-Law suggested in the previous article should have a chance to make this type of decision. The Committee considers this article to be not in the best financial interest of the Town. The Committee voted 2-9 not to recommend the article.

Article 28: A majority of the Finance Committee has determined that deleting the PUD Overlay By-Law in its entirety is not in the best financial interest of the Town but recognizes the need to amend By-Law. The majority of Finance Committee believes that the committee to review the PUD By-Law as suggested in Article 26 should be given a chance to amend the By-Law. The Committee does not recommend the article by a vote of 2-9.

Article 29: The Finance Committee has determined that given the current pandemic, the accepting the provisions stated in the article would be in the long term best financial interest of the Town. Setting a minimum fair cash value of $10,000 before personal property taxes charged will aid many small businesses in a time when COVID has had such an adverse impact and possibly see them through until there is a normalization of the economy. The Finance Committee recommends the article unanimously.

Article 30: A majority of the Finance Committee has determined that this article has little to no negative financial impact to the Town and voted to the recommend the article by a vote of 6-5.

Part VI

Special Fall Town Meeting Warrant

TOWN OF BILLERICA FINAL WARRANT

SPECIAL FALL TOWN MEETING

Saturday, October 3, 2020 at 10:00 AM

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

Committee Articles

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

Financial Articles

3	Fiscal Year 2021 Budget Amendment	$505,000	Raise & Appropriate	Town Manager; authorized by BOS	Recommends
4	To Fund Collective Bargaining Agreement for NEPBA Police Civilian Dispatchers		Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Recommends
5	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (A) Patrolmen		Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Recommends
6	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (B) Superior Officers		Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Recommends
7	To Fund Collective Bargaining Agreement for IAEP Police EMT's and Paramedics		Raise & Appropriate or Transfer	Town Manager; authorized by BOS	Recommends
8	To Fund Collective Bargaining Agreement for School Cafeteria Workers		Raise & Appropriate or Transfer	Superintendent; authorized by School Committee	Recommends

9	To Transfer and Appropriate a Sum of Money from the Town Debt Stabilization Fund to Fund the General Fund Tax Exempt Debt Service Budget	$1,160,000	Transfer & Appropriate from Town Debt Stabilization Fund	Town Manager; authorized by BOS	Recommends
10	To Fund PEG Access Cable Television Services	$160,320	Transfer & Appropriate from PEG Access & Cable Related Fund	Town Manager; authorized by BOS	Recommends
11	To Fund the Purchase of "Cidermill Property" through Available Funds or Borrowing	$3,800,000	Raise & Appropriate, Transfer or Borrow	Town Manager; authorized by BOS	Recommends
Article Number	**Purpose**	**Value**	**Funding Source**	**Submitted by:**	**Finance Committee Recommendation**
12	To Fund Construction of the Peggy Hannon-Rizza Multi-Generational Park and Recreation Complex	This Article has been Withdrawn			
13	To Fund Various Items through Free Cash and WW Enterprise Retained Earnings	$1,400,000 $1,050,000	Transfer & Appropriate from Free Cash	Town Manager; authorized by BOS	Recommends
14	To Fund the Coating of Four (4) Secondary Clarifiers at the Wastewater Treatment Plant	$350,000	Transfer & Appropriate from Plant Expansion Fund	Town Manager; authorized by BOS	Recommends
15	To Fund Hydrants and Valve Replacements	$100,000	Transfer & Appropriate from Water Conservation Fund	Town Manager; authorized by BOS	Recommends
16	To Fund the Purchase of a New Fire Truck	This Article has been Withdrawn			
17	To Fund Fiscal Year 2021 Town and School				

	Capital Budgets	This Article has been Withdrawn			
18	To Vote a Sum of Money from Free Cash to the Debt Stabilization Fund	This Article has been Withdrawn			
19	To Vote a Sum of Money to the Stabilization Fund	This Article has been Withdrawn			
20	To Vote a Sum of Money to the Land Bank Account	This Article has been Withdrawn			
21	To Vote a Sum of Money to be Applied or Expended for the Purpose of Reducing the Fiscal Year 2021 Tax Levy	This Article has been Withdrawn			
22	To Vote a Sum of Money to Fund the Snow and Sand Deficit	This Article has been Withdrawn			
23	To Fund the Purchase of the MBTA Right of Way for Corcoran Road	$13,500	Transfer and Appropriate from the Land Use Fund	Town Manager; authorized by BOS	Recommends
24	To Fund the Design of Sewer Force Main Rehabilitation and/or Replacements	This Article has been Withdrawn			
Article Number	**Purpose**	**Value**	**Funding Source**	**Submitted by:**	**Finance Committee Recommendation**
25	To Fund Wastewater System Expansion, Area 4 (Contract 37)	This Article has been Withdrawn			

Zoning By-Law Amendments

26	To Amend Zoning By-Laws (Section 5, Regulation of Uses, Building and Structures)			Board of Selectmen	Recommends
27	To Amend Zoning By-Laws to Remove PUD District Overlays			Board of Selectmen	Does Not Recommend
28	To Amend Zoning By-Laws (Section 5, Regulation of Uses, Buildings and Structures)			Board of Selectmen	Does Not Recommend

Local Acceptance of State Statute

29	To Accept Provisions of M.G.L. Chapter 59, Section 5, Clause 54			Board of Assessors & Town Manager; authorized by BOS	Recommends

Petitioner Article

30	Petitioner Article				Recommends

WARRANT

OCTOBER 3, 2020

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 Billerica Memorial High School located at 35 River Street, Billerica, MA on

Saturday, October 3, 2020 at 10:00 AM, with members convening at 9:00 AM in several different rooms, connected audio-visually, to hear and act upon all the business in the Warrant, 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 re-appoint Marie O'Rourke to the Bowers Fund Committee for a term of five (5) years; or act in relation thereto.

Submitted by the Board of Selectmen

Finance Committee recommends approval.

Article 1 Explanation: The Bowers Fund Committee was established in the late 1800's when the Bower sisters left their entire estate to the Town of Billerica, approximately $11,000, with the express intent of assisting the poor of Billerica. The current expendable balance in the fund is $9,535 and the principal balance is $132,053. Town Meeting appoints members to the Bowers

Fund Committee. Committee member Marie O'Rourke's term is expiring and she is requesting that she be reappointed.

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

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

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

Finance Committee recommends approval.

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

ARTICLE 3 - FISCAL YEAR 2021 BUDGET AMENDMENT

To see if the Town will vote to raise and appropriate the sum of $505,000 to amend various budgets for Fiscal Year 2021; or act in relation thereto.

19370-7088	System-wide Electricity	$350,000
91070-7010	Shared Building Insurance	$155,000

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

Finance Committee recommends approval.

Article 3 Explanation: The budget increases are needed to address anticipated deficits in the two budget line items.

The Electricity Budget covers all electricity costs for the Town including the Water and Sewer Enterprise Funds. This is the first year the Town has combined all electricity costs into a single line-item. It is anticipated that 100% of the Town's electric cost will be covered by the purchase of solar credits.

The Building Insurance Budget is a shared cost. The premium increase resulted from the increased property values due to the addition of the new high school and removal of the old high school.

ARTICLE 4 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE CIVILIAN DISPATCHERS

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

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

Finance Committee recommends approval.

Article 4 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

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

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

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

Finance Committee recommends approval.

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

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

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

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

Finance Committee recommends approval.

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

<u>ARTICLE 7 - TO FUND COLLECTIVE BARGAINING AGREEMENT - IAEP POLICE EMT'S AND PARAMEDICS</u>

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 IAEP Police EMT's and Paramedics (International Association of EMT's and Paramedics); or act in relation thereto.

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

Finance Committee recommends approval.

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

<u>ARTICLE 8 - TO FUND COLLECTIVE BARGAINING AGREEMENT - SCHOOL CAFETERIA</u>

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

Submitted by the Billerica School Superintendent; authorized by the School Committee

Finance Committee recommends approval.

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

<u>ARTICLE 9 - TO TRANSFER AND APPROPRIATE A SUM OF MONEY FROM THE TOWN DEBT STABILIZATION FUND TO FUND THE GENERAL FUND TAX EXEMPT DEBT SERVICE BUDGET</u>

> To see if the Town will vote to transfer and appropriate the sum of $1,160,000 from the Town Debt Stabilization Fund to fund the General Fund Tax Exempt Debt Service Budget; or act in relation thereto.

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

Finance Committee recommends approval.

<u>Article 9 Explanation</u>: The Town, through the Board of Selectmen, has established a Debt Stabilization Policy that maintains the same level of appropriation from the tax levy year to year - $9.066 million. This is accomplished in the following ways:

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

This article is intended to ensure that the tax impact of the debt service on the new high school and the Parker Elementary does not exceed $200 on the median Household.

<u>ARTICLE 10 - TO FUND PEG ACCESS CABLE TELEVISION SERVICES</u>

To see if the Town will vote to transfer and appropriate the sum of $160,320 from the PEG Access and Cable Related Fund to be provided to BATV through its agreement with the Town for support of PEG Access Cable Television Services; or act in relation thereto.

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

Finance Committee recommends approval.

<u>Article 10 Explanation</u>: A recent change to the Mass General Laws established the requirement 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.

<u>ARTICLE 11 - TO FUND THE PURCHASE OF "CIDERMILL PROPERTY" THROUGH AVAILABLE FUNDS OR BORROWING</u>

To see if the Town will vote to authorize the Board of Selectmen to purchase a parcel of land known as the "Cidermill Property" located on Andover Road, containing 48.11 acres, more or less, and described in a deed recorded with the Middlesex Registry of Deeds in Book 25949, Page 253, and also shown on Assessors Map 51 as Parcels 75-0, 60-25 and 54-3 together with appurtenant right to use Cider Mill Road for all purposes for which a public way may be used, including utility purposes, excepting therefrom an "Excepted Parcel" of 7.1 acres more or less as depicted in "Exihibit A" that shall be retained by the Seller, upon such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town; and as funding for said purchase, to see if the Town will vote to transfer and appropriate the sums $3,000,000 from Overlay Surplus, $200,000 from the Land Bank Account and $600,000 from Free Cash for a total of $3,800,000 for the purpose of purchasing this property; and further to authorize the Board of Selectmen to enter into all agreements and execute all documents and instruments necessary to effectuate the purpose of this article; or act in relation thereto.

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

Finance Committee recommends approval.

<u>Article 11 Explanation</u>: The Board of Selectmen is seeking to purchase this property to preserve a portion of it in and to consider a portion of it for a municipal purpose.

<u>ARTICLE 12 – THIS ARTICLE HAS BEEN WITHDRAWN</u>

<u>ARTICLE 13 - TO FUND VARIOUS ITEMS THROUGH FREE CASH AND ENTERPRISE RETAINED EARNINGS</u>

To see if the Town will vote to transfer and appropriate from Free Cash the sum of $1,400,000 and the sum of $1,050,000 from Wastewater Enterprise Retained Earnings to various line items listed below; or act in relation thereto.

Account	From:	To:
Free Cash	$1,400,000	
Rescue Pump		$650,000
Debt Stabilization Fund		$750,000
Total:	$1,400,000	$1,400,000

Account	From:	To:
Wastewater RE	$1,050,000	
Debt Stabilization Fund		$1,050,000

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

Finance Committee recommends approval.

Article 13 Explanation: The Town, through the Board of Selectmen, has established a Debt Stabilization Policy that maintains the same level of appropriation from the tax levy year to year - $9.066 million. This is accomplished in the following ways:

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

This article is intended to address an annual appropriation that exceeds $9.066 Million. This article is a placeholder. The final amounts will be known when the debt issuance and schedules are finalized prior to the Final Warrant.

ARTICLE 14 - TO FUND THE COATING OF FOUR (4) SECONDARY CLARIFIERS AT THE WASTEWATER TREATMENT PLANT

To see if the Town will vote to transfer and appropriate a sum of $350,000 from the Plant Expansion Fund to repair and coat the four (4) secondary clarifiers at the Wastewater Treatment Plant, including the payment of all costs incidental and related thereto; or act in relation thereto.

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

Finance Committee recommends approval.

Article 14 Explanation: The corrosion of the metal walls of the four (4) secondary clarifiers will require sand blasting to the bare metal, metal prep of corroded areas and applying primer then coating with specialty paint. Each clarifier holds 260,000 gallons of wastewater. The balance of this fund as of June 30, 2020 is $1,889,591.

<u>ARTICLE 15 - TO FUND HYDRANTS AND VALVE REPLACEMENTS</u>

> To see if the Town will vote to transfer and appropriate a sum of $100,000 from the Water Conservation Fund for the replacements of hydrants and valves in the Water Distribution System, including the payment of all costs incidental and related thereto; or act in relation thereto.

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

Finance Committee recommends approval.

<u>Article 15 Explanation</u>: This article will continue the Hydrants and Valve Replacement Program the Town had started five (5) years ago. This funding will fund the purchase of approximately fifty (50) hydrants and valves. The work to replace these will be done using Town staff. Over the last five years we have replaced 556 hydrants. The balance of this fund as of June 30, 2020 is $290,450.

<u>ARTICLE 16 - THIS ARTICLE HAS BEEN WITHDRAWN</u>

<u>ARTICLE 17 - THIS ARTICLE HAS BEEN WITHDRAWN</u>

<u>ARTICLE 18 - THIS ARTICLE HAS BEEN WITHDRAWN</u>

<u>ARTICLE 19 - THIS ARTICLE HAS BEEN WITHDRAWN</u>

<u>ARTICLE 20 - THIS ARTICLE HAS BEEN WITHDRAWN</u>

ARTICLE 21 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 22 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 23 - TO FUND THE PURCHASE OF THE MBTA RIGHT OF WAY FOR CORCORAN ROAD

> To see if the Town will vote to authorize the Board of Selectmen to purchase a parcel of land known as the MBTA Right of Way on Corcoran Road, which is part of and/or adjacent to the parcel of land shown Assessors Map 50, as Parcel 55-0, on such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town; and as funding for said purchase and cost related thereto, to see if the Town will vote to transfer and appropriate from the Land Bank Account the sum of $13,500; and further to authorize the Board of Selectmen to enter into all agreements and execute all documents and instruments necessary to effectuate the purpose of this article; or act in relation thereto.

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

Finance Committee recommends approval.

Article 23 Explanation: The Town is looking to purchase this right of way to provide legal access to Alumni Field behind the Billerica Memorial High School. This parcel has been a long standing access point to this field but the Town does not have formal or legal access currently. The purchase of this parcel will permanently resolve this issue for all residents of Billerica and future generations. The balance of this fund as of June 30, 2020 is $576,483.

ARTICLE 24 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 25 - THIS ARTICLE HAS BEEN WITHDRAWN

ARTICLE 26 - PLANNED UNIT DEVELOPMENT MORATORIUM

To see if the Town will vote to amend the Zoning Bylaws of the Town of Billerica as amended through June of 2020 by inserting new section 5.E.10. 23 PUD Moratorium as follows; or act in relation thereto.

5.E.10. 23 PUD Moratorium

1. Purpose

The Town amended the Zoning Bylaw in 2016 to include the establishment of Planned Unit Development District. Since that time, it has become apparent this by-law was crafted by using another community's PUD By-Law and many of dimensional and regulatory requirements are not conducive to this community. Additionally, when the By-Law was originally crafted many sections and definitions were omitted that are critical to consistent and clear interpretation of the By-Law and its' intent. It is also evident after the By-Law has existed for several years that many property owners did not choose to use the PUD Overlay because it was not advantageous. The Town needs time to review the By-law and propose changes that meet the intent of the Master Plan and encourage proposals that are more compatible to the Town of Billerica and meet the Town's Economic Development goals. Imposition of a temporary moratorium on the Planned Unit Development District will allow sufficient time to simultaneously assess the deficits that exist and the By-Law and propose these changes to Town Meeting.

2. Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on issuance of special permits for the use of land or structures for Planned Unit Development Districts. The moratorium shall be in effect through May 30, 2021 or the date on which the Town adopts amendments to the Zoning Bylaw concerning Planned Unit Development

Districts, whichever occurs earlier. During the moratorium period, the Town, through its' Planning Board, shall undertake a planning process to study, review, analyze and address whether any revisions the Zoning Bylaw relative to Planned Unit Developments are needed or desirable to provide for mixed use development consistent with the Town's future general planning goals for economic development and goals of the Town's Master Plan.

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

Finance Committee recommends approval.

Article 26 Explanation: This article is intended to facilitate an appropriate process to review, amend and improve the PUD Zoning By-Law.

ARTICLE 27 - TO AMEND ZONING BY-LAWS

To see if the Town will vote to amend the Town's Zoning By-Laws by deleting the following sections referencing overlay districts in their entirety; or act in relation thereto.

22-8-2	220 Boston Road
22-8-3	210 Boston Road
22-9-0	200 Boston Road
31-12-0	Boston Road
31-151-0	2 Bridge Street
31-153-1	279 Boston Road
31-155-0	290 Boston Road
31-272-1	273 Boston Road
31-4-3	261 Boston Road
31-4-5	265 Boston Road
31-4-6	265 Boston Road
31-5-1-1	267 Boston Road
31-5-1-3	267 Boston Road

Boston Road PUD Parcel Inventory	
Parcel Number	**Address**
14-281-0	8 Chelmsford Road
14-62-0	16 Chelmsford Road
14-63-1-1-1	3 Survey Circle
14-63-1-1-2	3 Survey Circle
14-63-1-1-3	3 Survey Circle
14-63-1-1-4	3 Survey Circle
14-63-2-1-1	1 Survey Circle
14-63-2-1-2	1 Survey Circle
14-63-2-2-1	2 Survey Circle
14-63-2-2-2	2 Survey Circle
14-67-0	Chelmsford Road
15-124-1	44 Treble Cove Road
15-126-1	184 Boston Road
15-126-2	Treble Cove Road
15-131-0	176 Boston Road
15-140-0	161 Boston Road
15-148-2	175 Boston Road
15-237-2	Boston Road
15-237-3	1 Chelmsford Road
15-248-1	186 Boston Road
22-10-1-2	179 Boston Road
22-10-3-1	Treble Cove Road
22-10-3-2	181 Boston Road
22-11-1	199 Boston Road
22-130-0	Rear Boston Road
22-132-1	202 Boston Road
22-137-1	192 Boston Road
22-15-0	Rear Boston Road
22-152-0	221 Boston Road
22-153-1	223 Boston Road
22-154-1	Boston Road
22-17-1	245-247 249 Boston Road
22-17-2	257 Boston Road
22-18-0	250 Boston Road
22-19-0	240 Boston Road
22-20-0	Boston Road
22-5-0	47 Treble Cove Road
22-7-1	188-190 Boston Road
22-7-2	188-190 Boston Road
22-7-5	188-190 Boston Road

)

Boston Road Center Parcel Inventory	
Parcel Number	**Address**
51-34-1	12 Andover Road
51-35-0	10 Andover Road
51-37-0	2 Andover Road
51-39-1	8 Andover Road
51-40-0	406-408 Boston Road
51-41-0	Boston Road
51-78-1	15 Andover Road
51-80-0	13 Andover Road
51-81-1	9 Andover Road
51-83-5	5 Andover Road
51-83-6	7 Andover Road
51-84-1	420-428 Boston Road
51-85-0	432 Boston Road
51-86-2	446 Boston Road
51-88-1	464 Boston Road
51-92-0	1-C Andover Road
51-95-0	460 Boston Road
61-100-0	474 Boston Road
61-101-0	476 Boston Road
61-102-0	478 Boston Road
61-103-4	476 Boston Road
61-103-5	476 Boston Road
61-113-0	500 Boston Road
61-113-0	500 Boston Road
61-115-1	508 Boston Road
61-122-0	524 Boston Road
61-146-0	Boston Road
61-149-1	510 Boston Road
61-150-0	4 Tower Farm Road
61-151-0	Tower Farm Road
61-152-0	8 Tower Farm Road
61-153-1	Tower Farm Road
61-191-0	Tower Farm Road
61-192-1	Tower Farm Road
61-194-1	520 Boston Road
61-203-0	486 Boston Road
61-205-1	480 Boston Road
61-216-0	Rear Tower Farm Road
61-217-0	Boston Road
61-218-0	Boston Road

61-67-1	449 Boston Road
61-78-0	451 Boston Road
61-80-1	455 Boston Road
61-81-2	459 Boston Road
61-83-1	461 Boston Road
61-84-1	6 Cunningham Lane
61-98-0	Boston Road
61-99-0	Boston Road
61-68-0	8 Charnstaffe Lane
51-87-0	1 Cummings Street
61-33-1	405 Boston Road
61-33-2	405 Boston Road
61-33-3	405 Boston Road
61-33-4	405 Boston Road
61-33-5	405 Boston Road
61-33-6	405 Boston Road
61-46-0	407 Boston Road
61-47-0	409 Boston Road
61-48-1	413 Boston Road
61-48-2	411 Boston Road
61-49-0	415 Boston Road
61-50-0	419 Boston Road
61-52-1	Boston Road
61-55-0	423 Boston Road
61-56-0	427-429 Boston Road
61-58-0	433 Boston Road
61-59-1	435-437 Boston Road
61-62-1	441 Boston Road
61-63-0	7 Charnstaffe Lane
61-64-0	9 Charnstaffe Lane

Submitted by the Board of Selectmen

Finance Committee does not recommend.

ARTICLE 28 - TO AMEND ZONING BY-LAWS (SECTION 5, REGULATION OF USES, BUILDING AND STRUCTURES)

To see if the Town will vote to amend the Town's Zoning By-Laws, Section 5, Regulation of Uses, Buildings and Structures, by deleting therefrom Section 5.E.10, Planned Unit Development (PUD), in its entirety; and further, to amend Section 5.f, Table of Use Regulations, by deleting therefrom references to the Planned Unit Development (PUD); and further to delete any and all other references to the Planned Unit Development (PUD) as they may appear in the Zoning By-Laws; or act in relation thereto.

Submitted by the Board of Selectmen

Finance Committee does not recommend.

ARTICLE 29 - TO ACCEPT PROVISIONS OF M.G.L. CHAPTER 59, SECTION 5, CLAUSE 54

To see if the Town will vote to accept the provisions of M.G.L. Chapter 59, Section 5, Clause 54 as added by Chapter 159, Section 114 of the Acts of 2000, effective July 1, 2020 for Fiscal Year 2021, in order to establish a minimum fair cash value ($10,000) required for personal property accounts to be taxed; or act in relation thereto.

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

Finance Committee recommends approval.

Article 29 Explanation: Acceptance of this provision of the law would exempt small businesses from paying business personal property tax if their assessed value if $10,000 or less with the intent to financially help small businesses.

Yes - Would accept the provisions of M.G. L. Chapter 59, Section 5, Clause 54

No - Would not accept the provisions of M.G. L. Chapter 59, Section 5, Clause 54

ARTICLE 30 - PETITIONER ARTICLE

To see if the Town will vote to amend General By-Law Article I, Section 1: Town Meetings in the following manner; or act in relation thereto:

Current:

1. TOWN MEETINGS

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

A. The Annual Spring Town Meeting shall begin on the first Tuesday in May.

B. The Annual Fall Town Meeting shall begin on the first Tuesday in October.

C. Town Meetings are to commence at 7:00 p.m. and shall continue by adjourned sessions on consecutive Tuesday and Thursday evenings until all of the business in the warrant has been acted upon.

D. Town Meeting may waive consecutive session provisions to any particular Tuesday or Thursday by a two-thirds vote.

Proposed:

1. TOWN MEETINGS

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

A. The Annual Spring Town Meeting shall begin on the first **Saturday** in May.

B. The Annual Fall Town Meeting shall begin on the first **Saturday** in October.

C. Town Meetings are to commence at **10:00 a.m**. and shall continue **the entire day** until all of the business in the warrant has been acted upon.

D. The Moderator shall call a recess for lunch in the 1:00 p.m. hour. Said recess shall last for 45 minutes from the time it is called.

E. Should Town Meeting adjourn before all of the business in the warrant has been acted upon, it shall continue by adjourned sessions on consecutive Saturdays.

F. Town Meeting may waive consecutive session provisions to any particular **Saturday** by a two-thirds vote.

Submitted by Kimberly J. Conway and Messrs. Conway, Deslaurier, Gagliardi, Efstratiou and Madames Conway, Deslaurier, Gagliardi, Mahoney, Schafer, Catanzano and Ray.

Finance Committee recommends approval.

Part V

Budget Information, Reserve Balances, Free Cash Certification Letter

Reserve Balances as of June 30, 2020

Stabilization (town)	$ 5,013,045
Stabilization (school)	$ 785,954
Stabilization (debt)	$ 20,249,674
Land Fund	$ 576,482
Sale of Lots	$ 131,539
Sewer Expansion	$ 1,889.890
Inflow & Infiltration	$ 392,329
Water Conservation	$ 290,450
OPEB Trust	$ 5,191,956

<u>Massachusetts Department of Revenue</u> <u>Division of Local Services</u>
Geoffrey E. Snyder, Commissioner
Sean R. Cronin, Senior Deputy Commissioner of Local Services

9/25/2020

NOTIFICATION OF FREE CASH APPROVAL - Town of Billerica

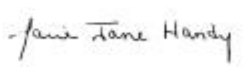
Based upon the un-audited balance sheet submitted, I hereby certify that the amount of available funds or "free cash" as of July 1, 2020 for the Town of Billerica is:

General Fund		$5,685,654.00
Enterprise Fund	WATER	$1,945,078.00
Enterprise Fund	SEWER	$3,258,338.00

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

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

Sincerely,



Mary Jane Handy
Director of Accounts
Massachusetts Department of Revenue

Free Cash and Reserve Balance Appropriations FY2021

Article	Description	FY2020 Free Cash	FY2020 Sewer Retained Earnings	FY2020 Retained Earnings	FY2021 Debt Stabilization Fund	FY2021 Overlay Surplus	FY2021 PEG Access Fund	FY2021 Water Conservation	FY2021 Land Use	FY2021 Plant Expansion	Article Total
		$ 5,685,654.00	$ 3,258,338.00	$1,945,078.00	$ 20,249,673.00	$ 3,000,000.00	$ 160,320.00	$ 290,450.00	$ 576,483.00	$ 1,889,591.00	
3	FY2021 Budget Amendment										-
9	Debt Stabilization Transfer				1,160,000.00						1,160,000.00
11	Cider Mill	600,000.00				3,000,000.00			200,000.00		3,800,000.00
4	Civilian Dispatch	14,200.00									14,200.00
5	NEPBA A Contract (2017-2019)	132,660.00									132,660.00
6	NEPBA B Contract (2017-2019)	68,340.00									68,340.00
7	Paramedic (2017-2019)	38,000.00									38,000.00
23	MBTA ROW								13,500.00		13,500.00
12	Rescue Pump	650,000.00									650,000.00
15	Hydrants and Valves							100,000.00			100,000.00
10	PEG Access						160,320.00				160,320.00
14	Coating of (4) Secondary Clarifiers at the WWTP									350,000.00	350,000.00
12	PHR										-
13	Appropriate to Debt Stabilization Fund	750,000.00	1,050,000.00		(1,800,000.00)						-
		2,253,200.00	1,050,000.00	-	(640,000.00)	3,000,000.00	160,320.00	100,000.00	213,500.00	350,000.00	6,487,020.00
	Balance Remaining	$ 3,432,454.00	$ 2,208,338.00	$1,945,078.00	$ 20,889,673.00	$ -	$ -	$ 190,450.00	$ 362,983.00	$ 1,539,591.00	

Free Cash Analysis for DOR Guidelines

FY2021 Total Appropriation	$ 160,523,238.00	100%
DOR Maximum Recommended Free Cash (between 3%-5%)	8,026,161.90	5.00%
Actual Free Cash less previous year balan	5,685,654.00	3.54%

DEPARTMENT OF REVENUE DIVISION OF LOCAL SERVICES TECHNICAL ASSISTANCE SECTION FOR MORE
Free Cash

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

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

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

Fiscal Year 2021 Budget Summary

Department	FY2019 BUDGET	FY2020 BUDGET	FY2021 BUDGET	FY2021 Amended BUDGET	$ INC/DEC	% INC/DEC
General Government	$ 5,647,312	$ 5,740,587	$ 7,014,233	$ 7,364,233	$ 1,623,646	28.28%
Public Safety	20,366,156	20,027,341	20,504,452	20,504,452	477,111	2.38%
Public Works	8,147,893	8,456,287	8,901,713	8,901,713	445,426	5.27%
Library and Recreation	2,080,090	2,154,823	2,175,438	2,175,438	20,615	0.96%
Human Services	925,295	946,537	908,747	908,747	(37,790)	-3.99%
Total Town Departments	37,166,746	37,325,575	39,504,583	39,854,583	2,529,008	6.78%
Billerica Public Education	63,310,708	65,258,421	67,353,216	67,353,216	2,094,795	3.21%
Shawsheen Technical	10,917,388	10,256,850	9,807,569	9,807,569	(449,281)	-4.38%
Total Education	$ 74,228,096	$ 75,515,271	$ 77,160,785	$ 77,160,785	$ 1,645,514	2.18%
Town/School Shared Costs	**41,586,787**	**42,667,863**	**43,352,870**	**43,507,870**	**840,007**	**1.97%**
TOTAL	**$ 152,981,629**	**$ 155,508,709**	**$ 160,018,238**	**$ 160,523,238**	**$ 5,014,529**	**3.22%**
Water Enterprise Fund Budget	**$ 6,418,896**	**$ 6,514,231**	**$ 6,566,188**	**$ 6,566,188**	**$ 51,957**	**0.80%**
Wastewater Enterprise Fund Budget	**$ 8,316,190**	**$ 8,738,789**	**$ 8,388,219**	**$ 8,388,219**	**(350,570)**	**-4.01%**
Total Budgets	**$ 167,716,714**	**$ 170,761,728**	**$ 174,972,645**	**$ 175,477,645**	**$ 4,715,916**	**2.76%**

TOWN OF BILLERICA FINANCIAL RECAP FISCAL YEAR 2021 SPRING

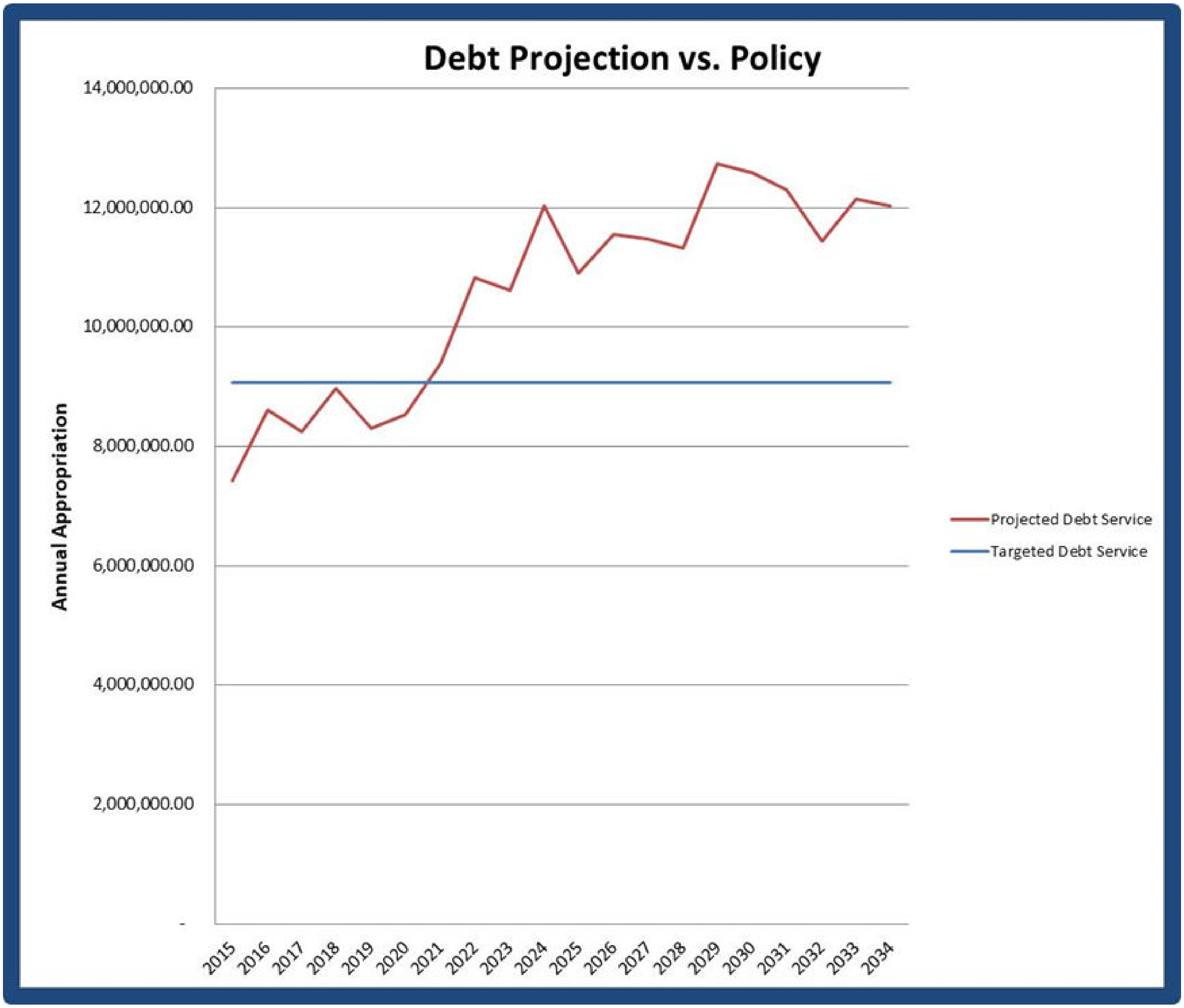
	FINAL BUDGET FY18	FINAL BUDGET FY19	FINAL BUDGET FY20	FINAL BUDGET FY21
USES OF FUNDING (AMOUNTS TO BE RAISED):				
APPROPRIATIONS:				
GENERAL FUND BUDGET (Includes all TM R&A)	135,428,993.00	141,425,590.00	143,587,193.00	147,740,842.00
Water Enterprise Budget	5,986,507.83	6,188,893.61	6,514,230.50	6,566,187.62
Water Enterprise Capital Budget				
Wastewater Enterprise Budget	8,459,132.00	8,327,388.00	8,738,789.00	8,388,219.00
Transfers				
NON BUDGET RAISE AND APPROPRIATE	7,889,248.00	9,175,739.87	10,492,449.52	
CPA Budget Article	700,000.00	900,000.00	900,000.00	900,000.00
Article 4 SFTM NEPBA Dispatch				14,200.00
Article 5 SFTM NEPBA Police A				132,660.00
Article 6 SFTM NEPBA Police B				68,340.00
Article 7 SFTM IAEP Paramedics				38,000.00
Article 10 SFTM BATV				160,320.00
Article 11 SFTM Cider Mill				3,800,000.00
Artcle 13 SFTM Pump/Debt Stabilization				2,450,000.00
Artcle 14 SFTM WWTP Clarifiers				350,000.00
Artcle 15 SFTM Hydrants				100,000.00
Artcle 12 SFTM MBTA ROW				13,500.00
TOTAL APPROPRIATIONS	**158,463,880.83**	**166,017,611.48**	**170,232,662.02**	**170,722,268.62**
OTHER LOCAL EXPENDITURES / DEFICITS:				
TAX TITLE PURPOSES	25,000.00	50,000.00	50,000.00	50,000.00
CHARTER SCHOOL ASSESSMENT				
SCHOOL CHOICE				
COUNTY RETIREMENT	10,788,311.00	11,556,039.00	11,921,516.00	12,782,396.00
DEBT & INTEREST				
FINAL JUDGMENTS	60,000.00	60,000.00	60,000.00	60,000.00
OVERLAY DEFICITS				
CHERRY SHEET OFFSETS	47,593.00	50,131.00	52,318.00	52,318.00
REVENUE DEFICIT				
SNOW / ICE DEFICIT	903,739.00	939,585.00	533,093.23	600,000.00
PROJECTED SNOW / ICE REIMBURSEMENT				
OVERLAY RESERVE	2,796,504.85	3,125,621.55	2,711,458.00	2,711,458.00
OTHER - MEDICARE/UNEMPLOYMENT				
OTHER - UNFORESEEN CHARGES/ASSESSMENTS				
TOTAL OTHER LOCAL EXPENDITURES	**14,621,147.85**	**15,781,376.55**	**15,328,385.23**	**16,256,172.00**
STATE AND COUNTY CHARGES	**5,258,306.00**	**5,219,905.00**	**5,015,964.00**	**5,015,964.00**
TOTAL USES OF FUNDING	**178,343,334.68**	**187,018,893.03**	**190,577,011.25**	**191,994,404.62**

	FINAL BUDGET FY18	FINAL BUDGET FY19	FINAL BUDGET FY20	FINAL BUDGET FY21
SOURCES OF FUNDING :				
AMEND PY NEW GROWTH	28,203.00	279,327.00		
PROPERTY TAXES 2 1/2 LEVY LIMIT	126,107,679.00	132,428,590.00	138,304,396.00	145,069,641.00
NEW GROWTH	2,811,618.00	2,502,528.00	3,226,961.00	750,000.00
AMEND PY NEW GROWTH				
TOTAL PROPERTY TAXES	**128,919,297.00**	**134,931,118.00**	**141,531,357.00**	**145,819,641.00**
ADD CPA				
ADD DEBT EXCLUSION	6,412,498.00	6,655,532.23	6,013,156.50	5,614,093.98
DOR ROUNDING				
LESS EXCESS LEVY CAPACITY	-12,693,601.00	-16,559,324.45	-17,915,532.53	-18,584,523.53
WATER LEVY	1,586,507.83	1,388,893.61	1,676,427.50	1,566,187.62
SEWER LEVY	4,259,132.00	3,327,388.00	3,208,486.00	2,688,219.00
GENERAL FUND LEVY	116,792,554.17	120,311,044.17	124,744,067.47	128,594,804.83
TOTAL PROPERTY TAXES - ADJUSTED	**122,638,194.00**	**125,027,325.78**	**129,628,980.97**	**132,849,211.45**
SOURCES OF FUNDING (cont):				
STATE ESTIMATED REVENUES:				
CHAPTER 70 - SCHOOL AID	19,055,514.00	19,202,874.00	19,348,854.00	19,348,854.00
CHARTER TUITION ASSESSMENT REIMBURSEME	142,880.00	131,271.00	109,710.00	109,710.00
SCHOOL LUNCH - OFFSET				
LOTTERY	5,817,220.00	6,020,823.00	6,183,385.00	6,183,385.00
VETERANS' BENEFITS	333,206.00	302,335.00	305,950.00	305,950.00
EXEMPTIONS - VETS, BLIND & SURVIVING SPOU	247,065.00	237,951.00	248,042.00	248,042.00
STATE OWNED LAND	101,149.00	126,590.00	140,493.00	140,493.00
PUBLIC LIBRARIES - OFFSET	47,593.00	50,131.00	52,318.00	52,318.00
TOTAL STATE ESTIMATED REVENUES	**25,744,627.00**	**26,071,975.00**	**26,388,752.00**	**26,388,752.00**
LOCAL ESTIMATED REVENUES:				
MOTOR VEHICLE EXCISE	5,900,000.00	6,300,000.00	6,500,000.00	6,500,000.00
OTHER EXCISES (HOTEL/MOTEL)	1,500,000.00	1,500,000.00	1,500,000.00	1,500,000.00
PENALTIES & INTEREST	350,000.00	350,000.00	350,000.00	350,000.00
P.I.L.O.T.	38,000.00	40,000.00	50,000.00	50,000.00
CHARGES FOR SERVICES - WATER				
CHARGES FOR SERVICES - SEWER				
FEES (Includes Ambulance Receipts)	2,050,000.00	2,500,000.00	2,500,000.00	2,500,000.00
DEPARTMENTAL REVENUE-LIBRARY	9,000.00	9,000.00	7,000.00	7,000.00
DEPARTMENTAL REVENUE-CEMETERY	110,000.00	110,000.00	110,000.00	110,000.00
OTHER DEPARTMENTAL REVENUE	250,000.00	250,000.00	250,000.00	250,000.00
LICENSES & PERMITS	675,000.00	675,000.00	1,000,000.00	1,000,000.00
FINES & FORFEITS	125,000.00	125,000.00	125,000.00	125,000.00
INTEREST EARNINGS	200,000.00	225,000.00	225,000.00	225,000.00
MISC. STATE AND OTHER REVENUE	150,000.00	125,000.00	125,000.00	125,000.00
NON RECURRING REVENUE				
TOTAL LOCAL ESTIMATED REVENUES	**11,357,000.00**	**12,209,000.00**	**12,742,000.00**	**12,742,000.00**

	FINAL BUDGET FY18	FINAL BUDGET FY19	FINAL BUDGET FY20	FINAL BUDGET FY21
ENTERPRISE REVENUE				
CHARGES FOR SERVICES - WATER	4,400,000.00	4,800,000.00	4,800,000.00	5,000,000.00
CHARGES FOR SERVICES - WATER BACKFLOW AND CROSS CONNECTION FEES				
CHARGES FOR SERVICES - NEW REVENUE				
CHARGES FOR SERVICES - SEWER	4,200,000.00	5,000,000.00	5,500,000.00	5,700,000.00
TOTAL ENTERPRISE REVENUES	**8,600,000.00**	**9,800,000.00**	**10,300,000.00**	**10,700,000.00**
OTHER AVAILABLE FUNDS:				
CPA REVENUE	700,000.00	900,000.00	900,000.00	900,000.00
CPA Appropriation		1,605,141.00		
WASTE WATER PLANT EXPANSION FUND				350,000.00
WASTE WATER INFLOW / INFIL. FUND		100,000.00	237,000.00	
WATER CONSERVATION FUND			531,000.00	100,000.00
WATER CONSERVATION FUND May			110,000.00	
PREVIOUS WARRANT ARTICLES				
SALE OF LOTS & GRAVES TRUST			195,000.00	
DEBT STABILIZATION APPROPRIATION	1,400,000.00	1,625,000.00	950,000.00	1,160,000.00
DEBT STABILIZATION APPROPRIATION				
FREE CASH	5,719,000.00	3,874,904.00	7,482,052.00	2,253,200.00
FREE CASH May Public Safety Contracts		1,500,000.00		
FREE CASH May		387,453.00	5,000.00	
WATER ENTERPRISE RETAINED EARNINGS	200,000.00	1,098,917.00		
WASTEWATER ENTERPRISE RETAINED EARNIN(	50,000.00	1,074,872.00	500,000.00	1,050,000.00
OVERLAY SURPLUS	1,704,623.00	573,264.87	389,429.39	3,000,000.00
OVERLAY SURPLUS School Contract		800,000.00		
RINK REVOLVING FUND	129,890.00	128,656.00	127,422.00	127,422.00
Reauthorization of Old Articles DPW Trucks		242,384.00		
LAND FUND				213,500.00
PEG Access Fund			90,374.72	160,320.00
MISC. REVENUE FUNDS				
BUDGET TRANSFERS	100,000.00			
CHAPTER 90 - HIGHWAY				
TOTAL OTHER AVAILABLE FUNDS	**10,003,513.00**	**13,910,591.87**	**11,517,278.11**	**9,314,442.00**
TOTAL SOURCES OF FUNDING	**178,343,334.00**	**187,018,892.65**	**190,577,011.08**	**191,994,405.45**
PROJECTED SURPLUS (DEFICIT)	***(0.68)***	***(0.38)***	***(0.17)***	***0.83***

Town of Billerica
Debt Stabilization Fund Schedule

Fiscal Year	Beginning Balance	Interest	Appropriations: Levy	Appropriations: Free Cash	Draw Down: Wastewater	Draw Down: HS Debt Exclusion	Ending Balance
2016	9,094,440	173,191	0	1,800,000	0		11,067,631
2017	11,447,593	161,273	823,277	3,000,000	0		15,432,143
2018	15,423,143		60,434	1,800,000	0	-1,400,000	15,883,577
2019	15,883,577	112,101	766,198	1,800,000	0	-1,625,000	16,936,876
2020	18,283,776	347,392	641,324	1,800,000	0	-950,000	20,122,492
2021	20,249,673	404,993	0	1,800,000	0	-1,160,000	21,294,666
2022	21,294,666	425,893	0	1,800,000	-1,754,875	-1,125,000	20,640,685
2023	20,640,685	412,814	0	1,800,000	-1,544,813	-1,100,000	20,208,685
2024	20,208,685	404,174	0	1,800,000	-2,968,897	-1,060,000	18,383,963
2025	18,383,963	367,679	0	1,800,000	-1,828,705	-1,035,000	17,687,937
2026	17,687,937	353,759	0	1,800,000	-2,478,504	-1,010,000	16,353,191
2027	16,353,191	327,064	0	1,800,000	-2,410,508	-1,035,000	15,034,747
2028	15,034,747	300,695	0	1,800,000	-2,255,383	-1,000,000	13,880,058
2029	13,880,058	277,601	0	1,800,000	-3,672,347	-975,000	11,310,312
2030	11,310,312	226,206	0	1,800,000	-3,524,796	-940,000	8,871,722
2031	8,871,722	177,434	0	1,800,000	-3,234,484	-910,000	6,704,673
2032	6,704,673	134,093	0	1,800,000	-2,375,560	-875,000	5,388,207
2033	5,388,207	107,764	0	1,800,000	-3,083,544	-850,000	3,362,427
2034	3,362,427	67,249	0	2,000,000	-2,959,345	-435,000	2,035,330
2035	2,035,330	40,707	0	1,900,000	-2,938,431	-415,000	622,606
2036	622,606	12,452	0	1,800,000		-400,000	2,035,058
2037	2,035,058	40,701	0	1,800,000		-375,000	3,500,759
2038	3,500,759	70,015	0	1,800,000		-360,000	5,010,774
2039	5,010,774	100,215	0	1,800,000	0	-335,000	6,575,990
2040	6,575,990	131,520	0	1,800,000	0	-315,000	8,192,509
Totals		**5,176,986**	**2,291,233**	**56,147,593**	**-37,030,193**	**-19,685,000**	


Debt Projection vs. Policy
14,000,000.00
12,000,000.00
10,000,000.00
8,000,000.00
6,000,000.00
4,000,000.00
2,000,000.00
-
Annual Appropriation
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025
2026
2027
2028
2029
2030
2031
2032
2033
2034
Projected Debt Service
Targeted Debt Service

History of Debt Stabilization

Date	Source	Article	Appropriation
10/4/2011	Free Cash	23	1,373,593
6/30/2012	Interest		10,339
10/2/2012	Levy	12	724,588
10/2/2012	Free Cash	23	1,289,321
6/30/2013	Interest		80,692
10/1/2013	Levy	16	908,817
10/1/2013	Free Cash	31	753,836
6/30/2014	Interest		72,634
10/7/2014	Free Cash	20	1,102,100
10/7/2014	Overlay Surplus	18	2,720,172
6/30/2015	Interest		175,327
10/6/2015	Free Cash	13	1,800,000
6/30/2016	Interest		311,248
10/4/2016	Levy	12	735,000
10/4/2016	Free Cash	13	731,856
10/4/2016	WW RE	13	1,068,144
5/1/2017	Overlay Surplus	20	1,200,623
6/30/2017	Interest		481,609
11/21/2017	W/D	12	(1,400,000)

Date	Source	Article	Appropriation
11/21/2017	Free Cash	23	1,800,000
11/21/2017	Levy	11	60,434
5/30/2018	Overlay Surplus	17	55,265
6/30/2018	Interest		(223,456)
7/31/2018	Interest		112,101
7/31/2018	Interest		171,392
10/2/2018	Levy	3	766,198
10/2/2018	W/D		(1,625,000)
10/2/2018	Free Cash		1,300,000
10/2/2018	WWRE		500,000
10/2/2018	Interest		821,024
10/2/2019	W/D		(950,000)
10/2/2019	Free Cash		1,300,000
10/2/2019	WWRE		500,000
10/2/2019	Levy		641,324
10/2/2019	Interest		880,492

Total **$ 20,249,673**

Date		Article	Appropriation
5/1/2020	*Levy*	*3*	*91,101*
10/3/2020	*W/D*	*4*	*(1,160,000)*
10/3/2020	*Free Cash*	*13*	*750,000*
10/3/2020	WWRE	13	1,050,000
2018-2019 Appropriations			$ 1,231,101

Balance after Fall 2020 **$ 21,480,774**

Part VI

Statutory References

Article 2

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

Section 49. The selectmen, before the annual town meeting, shall at the expense of the town print the annual town report for the use of the inhabitants containing the report of the selectmen for the calendar or fiscal year preceding said meeting, the report of the school committee, statements in tabulated form prepared under section sixty of chapter forty-one unless otherwise printed as provided in said section, the annual report of the town accountant for the preceding fiscal year as provided in section sixty-one of chapter forty-one, the annual report of the town treasurer as provided in section thirty-five of chapter forty-one, and except as otherwise provided by vote or by-law of the town, of such other officers and boards as consider it expedient to make a report, the jury list as required by chapter two hundred and thirty-four, and such other matters as the law, or the town by vote or by-law, requires or as the selectmen consider expedient. If the selectmen neglect or refuse to make the annual report, they shall severally forfeit fifty dollars.
A town may by by-law provide for the printing of such fiscal year reports as it deems suitable within ninety days of the close of the fiscal year. A copy of such fiscal year reports shall be transmitted by the town clerk to the state library before the first day of November. A town may also by by-law provide for the printing of all reports of town officers and boards, committees and commissions on a fiscal year basis in place of the calendar year report required by this section.

Article 9 and 13

CHAPTER 40: SECTION 5B. STABILIZATION FUNDS; ESTABLISHMENT

Section 5B. For the purpose of creating 1 or more stabilization funds, cities, towns and districts may appropriate in any year an amount not exceeding, in the aggregate, 10 per cent of the amount raised in the preceding fiscal year by taxation of real estate and tangible personal property or such larger amount as may be approved by the director of accounts. The aggregate amount in such funds at any time shall not exceed 10 per cent of the equalized valuation of the city or town as defined in section 1 of chapter 44. Any interest shall be added to and become part of the fund.
The treasurer shall be the custodian of all such funds and may deposit the proceeds in national banks or invest the proceeds by deposit in savings banks, co-operative banks or trust companies organized under the laws of the commonwealth, or invest the same in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth or in federal savings and loans associations situated in the commonwealth.
At the time of creating any such fund the city, town or district shall specify, and at any later time may alter, the purpose of the fund, which may be for any lawful purpose, including without limitation an approved school project under chapter 70B or any other purpose for which the city, town or district may lawfully borrow money. Such specification and any such alteration of purpose, and any appropriation of funds into or out of any such fund, shall be approved by two-thirds vote, except as provided in paragraph (g) of section 21C of chapter 59 for a majority referendum vote. Subject to said section 21C, in a town or district any such vote shall be taken at an annual or special town meeting, and in a city any such vote shall be taken by city council.
Article 25

Article 14

SEWER PLANT EXPANSION AND INFLOW AND INFILTRATION SPECIAL LEGISLATION

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

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

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

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

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

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

Section 6. The Town Accountant shall file jointly with the Board of Selectmen, the Town Administrator, the Treasurer, the Finance Committee and with the Bureau of Accounts, a written report relative to such special account authorized by Section 1.

Said report shall be made within one hundred and twenty days after the books of account are closed for each fiscal year. Such report shall include a financial statement relating to the operation, maintenance and expenditures made under the said special account. Said Board of Selectmen may review and comment on said report and file such review with the State Auditor.

Article 15

CHAPTER 392: AN ACT AUTHORIZING THE TOWN OF BILLERICA TO ESTABLISH A BILLERICA WATER CONSERVATION FUND. (SEE HOUSE, NO. 1918) APPROVED BY THE GOVERNOR, DECEMBER 16, 2010

SECTION 1. Notwithstanding any general or special law or rule or regulation to the contrary, the town of Billerica may establish a Billerica Water Conservation Fund. The purpose of the fund shall be to provide revenue for the funding of water management and conservation initiatives by the town, including the design, construction and implementation of measures to conserve water and assure the efficient operation of the town's public water supply system and to provide public education relating to water conservation plans and programs, consistent with the water conservation policy of the town of Billerica. The fund shall be maintained by the treasurer of the town and may be deposited in a suitable banking institution doing business in the commonwealth or invested by the treasurer as provided herein. Expenditures from the fund shall be made subject to appropriation initiated by the board of selectmen upon the recommendation of the director of public works and the town manager of the town and approved by the voters at a town meeting.

SECTION 2. Payments to the fund shall be made by applicants for permits to connect to the public water supply system of the town of Billerica who are constructing or erecting new or expanded buildings or otherwise developing land for industrial, commercial and residential uses. The method and amount of the payments from the applicants or developers shall be determined by a schedule of fees to be established by the board of selectmen upon recommendation by the director of public works, as provided in the water conservation policy of the town of Billerica. The schedule of fees shall provide the method for determining the amount of each payment from the applicants or developers based upon their anticipated water use for each type of proposed development.

SECTION 3. In addition to the aforementioned fees, monies may also be deposited into the fund from gifts, grants and donations received from public or private sources, from federal and state funding programs available to the town and from any other source authorized by law. Further, appropriations may be made into the fund, from time to time, by the town of Billerica to provide additional funds for the aforesaid water conservation and management purposes.

SECTION 4. The treasurer of the town of Billerica may invest monies deposited in the fund and the interest accruing shall inure to the benefit of the fund. The fund shall be maintained in accordance with generally accepted accounting principles and shall be audited annually and the cost of each audit shall be charged to the fund.

SECTION 5. The director of public works of the town of Billerica, with the approval of the town manager, may make applications for available state and federal government grants for the design, construction, management, conservation and rehabilitation of public water supply facilities and pledge any sums of money in the fund, with the approval of the board of selectmen and the town meeting, for any matching grants for the design, construction, management, conservation and rehabilitation activities.

SECTION 6. The town accountant shall file jointly with the board of selectmen, the town manager, the treasurer, the finance committee and the bureau of accounts, a written report relative to the fund under this act. The report shall be made within 120 days after the books of account are closed for each fiscal year and shall include a financial statement relating to the operation, maintenance and expenditures made under the fund. The board of selectmen may review and comment on the report and file the review with the state auditor.
Approved, December 16, 2010.

Article 23

Billerica Land Bank

CHAPTER 100 OF THE ACTS OF 2000

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

Notwithstanding the provisions of section 53 of chapter 44 of the General Laws or any other general or special law to the contrary, the town of Billerica may establish a separate fund to be known as the Land Bank Fund which shall be kept separate and apart from all other monies of the town. The treasurer may invest the funds in the manner authorized by sections 54 and 55 of said chapter 44. The principal and interest thereon may be expended for the purchase of interests in lands and buildings for conservation, open space, recreational or any other municipal purposes upon a two-thirds vote of the town meeting.
Approved June 9, 2000.

Article 29

CHAPTER 59 SECTION 5: PROPERTY; EXEMPTIONS

Section 5. The following property shall be exempt from taxation and the date of determination as to age, ownership or other qualifying factors required by any clause shall be July 1 of each year unless another meaning is clearly apparent from the context; provided, however, that any person who receives an exemption pursuant to clause Seventeenth, Seventeenth C, Seventeenth C1/2, Seventeenth D, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Twenty-second F, Twenty-second G, Thirty-seventh, Thirty-seventh A, Forty-first, Forty-first B, Forty-first C, Forty-first C1/2, Forty-second, Forty-third, Fifty-sixth or Fifty-seventh shall not receive an exemption on the same property pursuant to any other provision of this section, except clause Eighteenth or Forty-fifth.

Fifty-fourth. Personal property, if less than an amount established by the city or town, but not in excess of $10,000 of value. This clause shall take effect upon its acceptance by a city or town, which shall establish a minimum value of personal property subject to taxation and may modify the minimum value by vote of its legislative body.

OTHER

ENTERPRISE FUND

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

No later than one hundred and twenty days prior to the beginning of each fiscal year, an estimate of the income for the ensuing fiscal year and a proposed line item budget of the enterprise shall be submitted to the mayor, board of selectmen or other executive authority of the city or town by the appropriate local entity responsible for operations of the enterprise. Said board, mayor or other executive authority shall submit its recommendation to the town meeting, town council or city council, as the case may be, which shall act upon the budget in the same manner as all other budgets.
The city or town shall include in its tax levy for the fiscal year the amount appropriated for the total expenses of the enterprise and an estimate of the income to be derived by the operations of the enterprise. If the estimated income is less than the total appropriation, the difference shall be added to the tax levy and raised by taxation. If the estimated income is more than the total appropriation, the excess shall be appropriated to a separate reserve fund and used for capital expenditures of the enterprise, subject to appropriation, or to reduce user charges if authorized by the appropriate entity responsible for operations of the enterprise. If during a fiscal year the enterprise incurs a loss, such loss shall be included in the succeeding fiscal year’s budget.

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

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

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

Appendix A

Articles

Routine Consent Agenda: To Approve Articles 1,2,10,14 and 15

Consent Agenda Motion:

Move that Town Meeting approve Articles 1, 2, 10, 14 and 15 and accept all reports of Town Departments, Committees and Officers.

Article One: Re-appointing Marie O'Rourke to the Bowers Fund Committee

This article would re-eappoint Marie O'Rourke to Town Meeting for five years – expiring on October 2, 2025

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 $9,535 and the principal balance is $132,053.

Article Two: Accept All Reports of Town Departments, Committees and Officers

In the interest of expediting the essential business of the Town, the Moderator has decided not to hear any town reports but rather to entertain a motion to accept all reports of Town Departments, Committees and Officers.

Article Ten: PEG Access Appropriation

This money must be appropriated in accordance with General Laws Chapter 44, Section 53F3/4 which was adopted last spring to establish a separate revenue account to be known as the PEG [Public, Educational and Government] Access and Cable Related Fund.

Funds received in connection with cable franchise agreements between a cable operator and the Town are deposited into this fund, for appropriation for cable-related purposes consistent with cable franchise (license) agreements, and in accordance with applicable law, including, but not limited to: (i) support of PEG Access cable television services; (ii) monitoring compliance of a cable operator with a cable television license; and/or (iii) preparing for the renewal of a cable license.

Article Ten: PEG Access Appropriation

The Town receives PEG Access payments four times a year. Last Spring the Town received a payment for $90,734 for one quarter. This article contains two quarterly payments totaling $160,320.

Article Fourteen: To Fund the Coating of Four (4) Secondary Clarifiers at the Wastewater Treatment Plant

Article Fourteen: To Fund the Coating of Four (4) Secondary Clarifiers at the Wastewater Treatment Plant

- Project includes 4 clarifiers, 260,000 gallons of Capacity each.
- Three tanks were installed in 1989 and one was installed in 2014.
- All four tanks will be coated.

Scope of Work

1. Power wash to clean surface.
2. Abrasive blast to expose metal.
3. Apply two layers of specially designed coating application for wastewater treatment.

Article Fifteen: Hydrants and Valve Replacements: $100,000

Hydrant Replacement Program started in 2015.

- The Town provides 1,986 hydrants.
- There are 358 privately owned hydrants.

To date 556 hydrants have been replaced.

This funding will pay for the purchase and installation of approximately 50 hydrants installed by DPW employees.

Article Three:
FY2021 Budget Amendment $505,000

To see if the Town will vote to raise and appropriate the sum of $505,000 to amend various budgets for Fiscal Year 2021; or act in relation thereto.

19370-7088	System-wide Electricity	$350,000
91070-7010	Shared Building Insurance	$155,000

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

Article Three: FY2021 Budget Amendment $505,000

Account	Original Appropriation	New Appropriation	Difference
Building and Liability	$1,176,00	$1,331,000	$155,000

The Town maintains a building and Liability Insurance Policy through the MIIA Property and Casualty Group. The premium based policy now reflects the value of the new high school.

Article Three: FY2021 Budget Amendment $505,000

The Town's Electrical Utility account has all been moved into one line item. This appropriation will increase by $350,000. Costs are allocated primarily to the Enterprise Funds.

General Fund Electrical	$400,000
Sewer Enterprise Fund Electrical	$500,000
Water Enterprise Fund	$700,000

Approve CBA Consent Agenda
Articles 4,5,6 and 7

Move to approve Articles 4, 5, 6, and 7 and transfer and appropriate the following amounts for FY2020 retroactive Payments:

Account Name	From:	To:
Free Cash	$253,200	
NEPBA Police Dispatch		$14,200
NEPBA Police A		$132,660
NEPBA Police B		$68,340
IEAP Police Paramedics		$38,000

And to raise and appropriate the following amounts for FY2021:

Account Name	Raise and Appropriate
NEPBA Police Dispatch	$22,212
NEPBA Police A	$197,115
NEPBA Police B	$106,139
IEAP Police Paramedics	$61,000

Article Four: NEPBA Police Civilian Dispatch

Cost of Living Adjustment:

1. July 1, 2019 2.5%
2. July 1, 2020 2.5%
3. July 1, 2021 2.2%

Retroactive Pay from Free Cash FY2020

$14,200

Budget Appropriation for FY2021

$22,212

Article Five: NEPBA Police Patrolmen's Union (A) Contract

Cost of Living Adjustment:

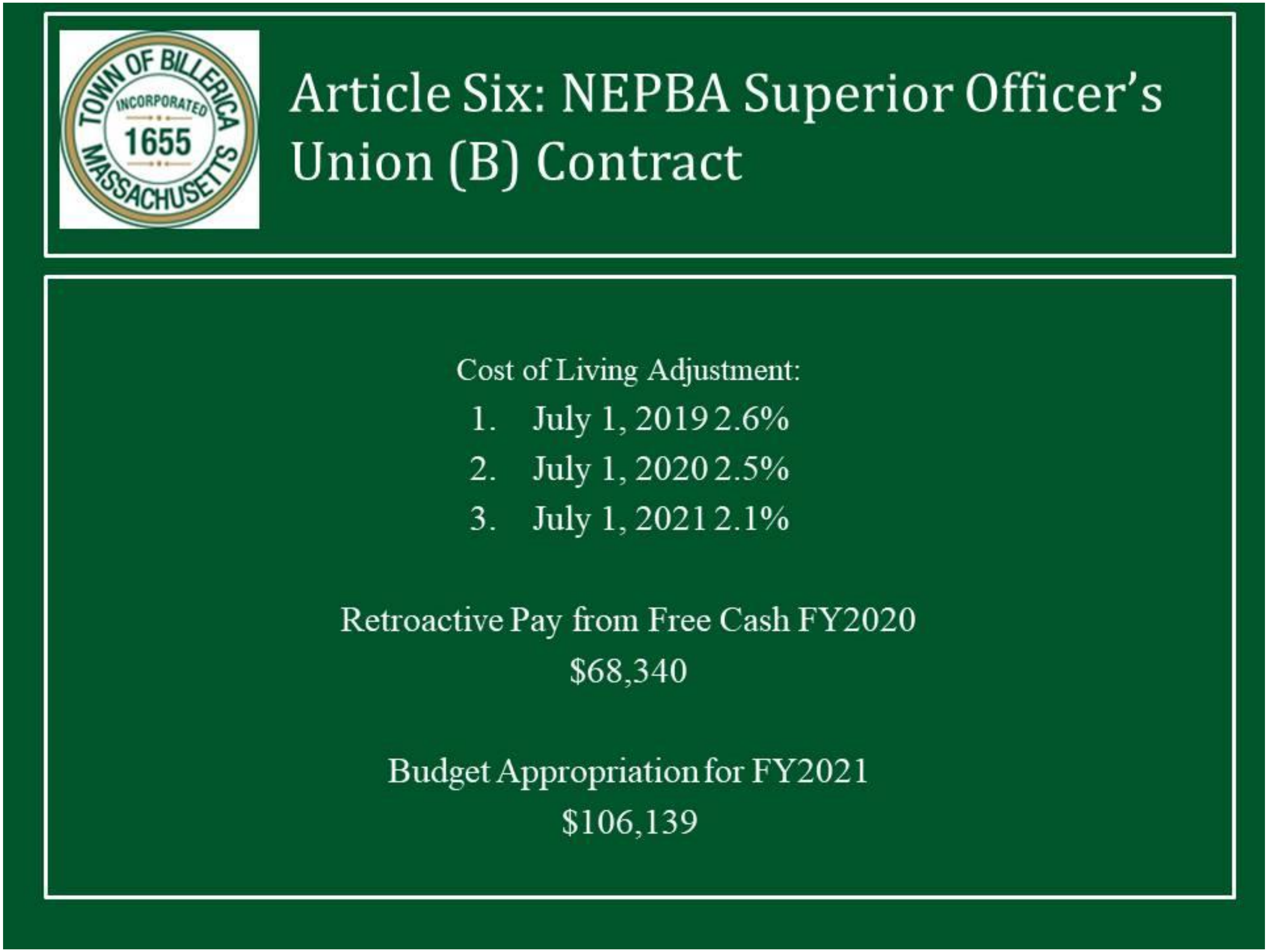
1. July 1, 2019 2.6%
2. July 1, 2020 2.5%
3. July 1, 2021 2.1%

Retroactive Pay from Free Cash FY2020

$132,660

Budget Appropriation for FY2021

$197,115


TOWN OF BILLERICA INCORPORATED 1655 MASSACHUSETTS
Article Six: NEPBA Superior Officer's Union (B) Contract
Cost of Living Adjustment:
1. July 1, 2019 2.6%
2. July 1, 2020 2.5%
3. July 1, 2021 2.1%
Retroactive Pay from Free Cash FY2020
$68,340
Budget Appropriation for FY2021
$106,139

Article Seven: IAEP Police EMT's and Paramedics

Cost of Living Adjustment:

1. July 1, 2019 2.5%
2. July 1, 2020 2.5%
3. July 1, 2021 2.2%

Retroactive Pay from Free Cash FY2020

$38,000

Budget Appropriation for FY2021

$61,000

Change of Driver's License Language (removed Massachusetts requirement)

Article Nine: Accept All Reports of Town Departments, Committees and Officers

The debt policy is intended to keep the annual debt service impact at the same level each year to prevent adverse tax impacts.

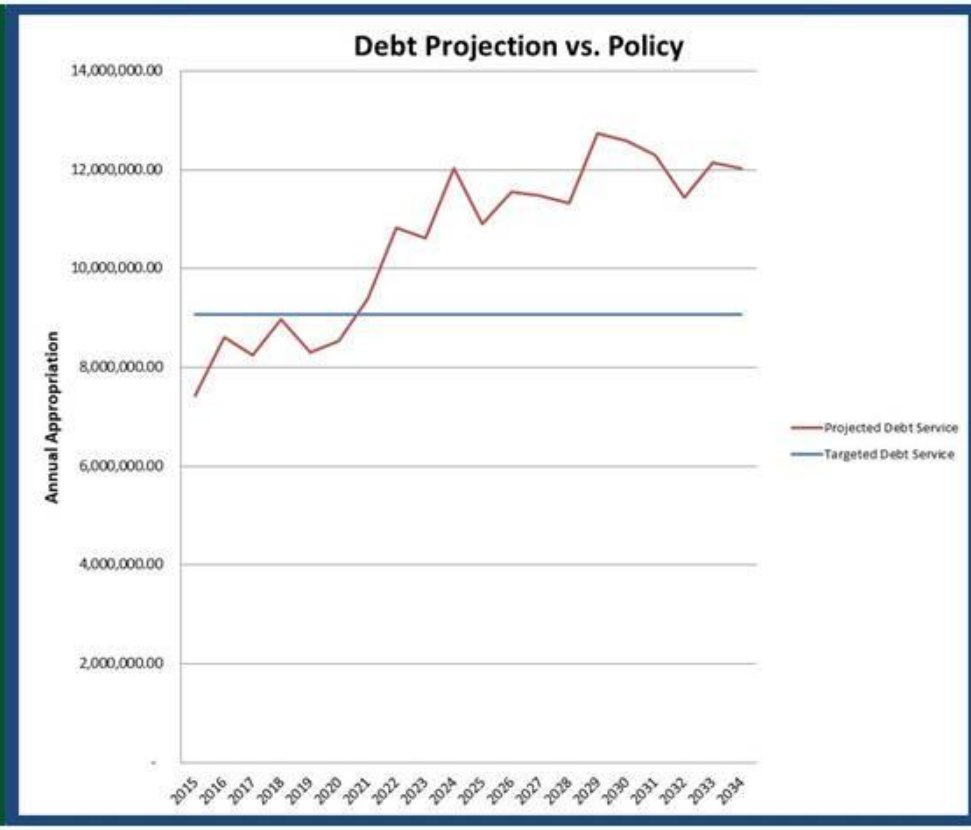
- To appropriate the difference of any year that is lower than $9.066 million to Debt Stabilization.
- If the annual appropriation exceeds $9.066 Million to transfer the amount that it exceeds the desired level of appropriation ($9.066) from the Debt Stabilization Fund into the Debt Service Appropriation.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

Article Nine: Accept All Reports of Town Departments, Committees and Officers

Town of Billerica
Debt Stabilization Fund Schedule

Fiscal Year	Beginning Balance	Interest	Appropriations: Levy	Appropriations: Free Cash	Draw Down: Wastewater	Draw Down: H S Debt Exclusion	Ending Balance
2016	9,094,440	173,191	0	1,800,000	0		11,067,631
2017	11,447,593	161,273	823,277	3,000,000	0		15,432,143
2018	15,423,143		60,434	1,800,000	0	-1,400,000	15,883,577
2019	15,883,577	112,101	766,198	1,800,000	0	-1,625,000	16,936,876
2020	[illegible]	347,392	641,324	[illegible]	0	[illegible]	20,122,492
2021	20,249,673	404,993		1,800,000	0	-1,160,000	21,294,666
2022	21,294,666	425,893	0	1,800,000	-1,754,875	-1,125,000	20,640,685
2023	[illegible]	412,814	0	1,800,000	-1,544,813	[illegible]	20,208,685
2024	20,208,685	404,174	0	1,800,000	-2,968,897	-1,060,000	18,383,963
2025	18,383,963	367,679	0	1,800,000	-1,828,705	-1,035,000	17,687,937
2026	17,687,937	353,759	0	1,800,000	-2,478,504	-1,010,000	16,353,191
2027	16,353,191	327,064	0	1,800,000	-2,410,508	-1,035,000	15,034,747
2028	15,034,747	300,695	0	1,800,000	-2,255,383	-1,000,000	13,880,058
2029	13,880,058	277,601	0	1,800,000	-3,672,347	-975,000	11,310,312
2030	11,310,312	226,206	0	1,800,000	-3,524,796	-940,000	8,871,722
2031	8,871,722	177,434	0	1,800,000	-3,234,484	-910,000	6,704,673
2032	6,704,673	134,093	0	1,800,000	-2,375,560	-875,000	5,388,207
2033	5,388,207	107,764	0	1,800,000	-3,083,544	-850,000	3,362,427
2034	3,362,427	67,249	0	2,000,000	-2,959,345	-435,000	2,035,330
2035	2,035,330	40,707	0	1,900,000	-2,938,431	-415,000	622,606
2036	622,606	12,452	0	1,800,000		-400,000	2,035,058
2037	2,035,058	40,701	0	1,800,000		-375,000	3,500,759
2038	3,500,759	70,015	0	1,800,000		-360,000	5,010,774
2039	5,010,774	100,215	0	1,800,000	0	-335,000	6,575,990
2040	6,575,990	131,520	0	1,800,000	0	-315,000	8,192,509
Totals		5,176,986	2,291,233	56,147,593	-37,030,193	-19,685,000	

Article Nine: Accept All Reports of Town Departments, Committees and Officers



Article Eleven: Purchase of the Cider Mill Property

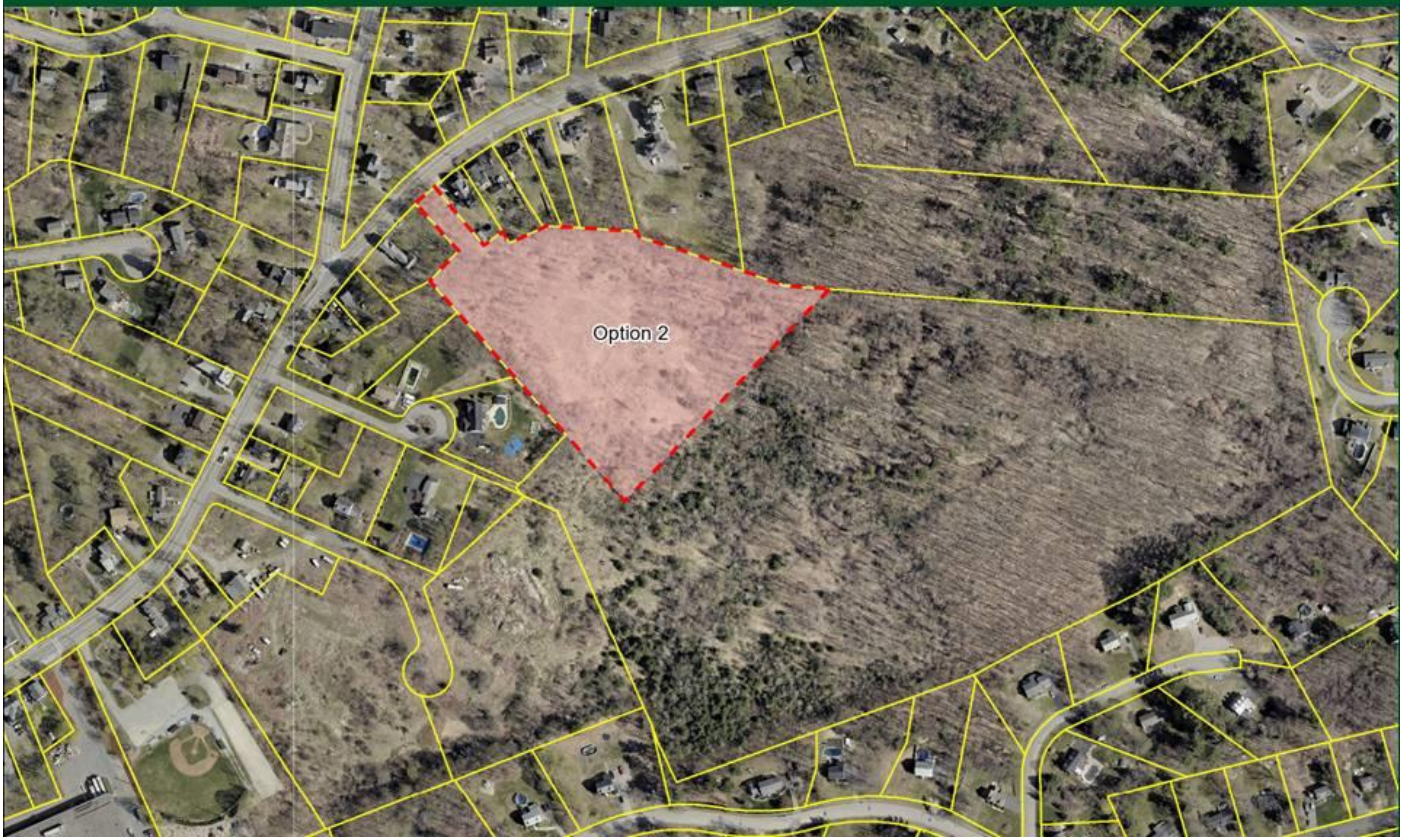
The Board of Selectmen are proposing the Town purchase a parcel of land known as the "Cider Mill Property" located on Andover Road, containing 48.11 acres with 7.1 acres carved out for Sunrise Corporation for the purpose of constructing 85 assisted living units.

Article Eleven: Purchase of the Cider Mill Property (History of site)

- This site contains significant wetlands and slopes off dramatically as you enter the property.
- It would be a challenge to build on much of this parcel.
- It is currently zoned Neighborhood Residence with an Elderly Overlay
- It was permitted many years ago for 160 units.
- There was an interested buyer in the property for 160 units of elderly housing.
- It was considered by the Town for the new High School site back in 2012

Article Eleven: Purchase of the Cider Mill Property (wetland delineations)

Article Eleven: Purchase of the Cider Mill Property (Sunrise Portion)



Article Eleven: Purchase of the Cider Mill Property (Funding Proposal)

This Purchase price for this property is $3.8 Million.

It would be funded through three sources:

Overlay Surplus	$3,000,000
Free Cash	$600,000
Land Bank Account	$200,000

The purpose of this purchase is to preserve open space and to preserve a potential municipal purpose in the future.

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It would be funded through three sources:

Overlay Surplus	$3,000,000
Free Cash	$600,000
Land Bank Account	$200,000

The purpose of this purchase is to preserve open space and to preserve a potential municipal purpose in the future.

Article Thirteen: Free Cash and Retained Earnings Appropriations

Through this article the Town seeks to purchase a Rescue Pump for the Fire Department. This one vehicle will replace two vehicle and serve as a more efficient use of apparatus resources for the Town.

It will replace a 1999 Rescue vehicle and a 1999 Pump Unit. Consequently, our oldest piece of front line apparatus will be a 2008 Pump.

Article Thirteen: Free Cash and Retained Earnings Appropriations (Rescue Pump)

Article Thirteen: Free Cash and Retained Earnings Appropriations

The debt policy is intended to keep the annual debt service impact at the same level each year to prevent adverse tax impacts.

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

Article Thirteen: Free Cash and Retained Earnings Appropriations

Town of Billerica
Debt Stabilization Fund Schedule

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Totals		5,176,986	2,291,233	56,147,593	-37,030,193	-19,685,000	

Article Thirteen: Free Cash and Retained Earnings Appropriations

To see if the Town will vote to transfer and appropriate from Free Cash the sum of $1,400,000 and the sum of $1,050,000 from Wastewater Enterprise Retained Earnings to various line items listed below; or act in relation thereto.

Account	From:	To:
Free Cash	$1,400,000	
Rescue Pump		$650,000
Debt Stabilization Fund		$750,000
Total:	$1,400,000	$1,400,000

Account	From:	To:
Wastewater RE	$1,050,000	
Debt Stabilization Fund		$1,050,000

Article Twenty Three: To Fund the Purchase of the MBTA Right of Way for Corcoran Road

The Town is looking to purchase this right of way to provide legal access to Alumni Field behind the Billerica Memorial High School. This parcel has been a long standing access point to this field but the Town does not have formal or legal access currently. The purchase of this parcel will permanently resolve this issue for all residents of Billerica and future generations. The balance of this fund as of June 30, 2020 is $576,483.

Article Twenty Three: To Fund the Purchase of the MBTA Right of Way for Corcoran Road

The Town is looking to purchase this right of way to provide legal access to Alumni Field behind the Billerica Memorial High School. This parcel has been a long standing access point to this field but the Town does not have formal or legal access currently. The purchase of this parcel will permanently resolve this issue for all residents of Billerica and future generations. The balance of this fund as of June 30, 2020 is $576,483.

Article Twenty Three: To Fund the Purchase of the MBTA Right of Way for Corcoran Rd. $13,500

Article Twenty Six: PUD District By-Law Moratorium

- This article is sponsored by the Select Board.
- It would suspend the approval of all PUD proposals for eight months or until the By-Law is amended – which ever comes first.
- The purpose of the Moratorium is that he Town needs time to review the By-law and propose changes that meet the intent of the Master Plan and encourage proposals that are more compatible to the Town of Billerica and meet the Town's Economic Development goals.
- During the moratorium period, the Town, through its' Planning Board, shall undertake a planning process to study, review, analyze and address changes that need to be made.

Article Twenty Six: PUD District By-Law Moratorium

Some Areas that need to be addressed:

- Inclusionary By-Law throughout Zoning.
- Definitions need to be added for entire zoning – FAR and Mixed Use.
- Type of Roads needs to be addressed and defined.
- A single building should be able to contain multiple uses.
- Density should be defined.
- Allocation of use should be addressed.
- Large and small should be defined or eliminated.
- Setback and buffers need to be examined

Article Twenty Seven: Amend PUD District By-Law by removing all overlays except the PUD-R Overlay

This Article essentially removes all PUD overlay districts from the Zoning.

This change would make it necessary for and Overlay District Map Proposals to come back before Town Meeting.

Article Twenty Eight: Amend PUD District By-Law by removing the PUD-District By-Law

This Article proposes to delete the PUD overlay districts By-Law from the Zoning in its’ entirety.

ARTICLE 29 – TO ACCEPT THE PROVISIONS OF MGL CHAPTER 59, SECTION 5, CLAUSE 54

- This clause is local option acceptance to implement a Personal Property Value Exemption of $10,000 or under
- The purpose is to offer some financial help to small businesses during the on-going COVID 19 pandemic.
- 188 cities and towns in MA have adopted this statute.
- This change does not affect the workload of the Assessors Office. We still need to determine accounts that are over or under the value threshold.
- Adoption will significantly reduce administrative, billing and collection costs. There were 997 taxable accounts in FY2020. 697 were under $10K in value, generating $61,561. They accounted for 54.2% of the bills mailed, but only 0.0063% of the PP revenue.
- The cost for this exemption will be spread out among the remainder of Billerica's property tax payers. There were 15,854 taxable accounts in FY2020. Each parcel would pay an additional estimate of $3.88 annually to support this exemption for small business.

Article 8: Cafeteria Contract (AFSCME)

- *To see if the Town will raise and appropriate the sum of $0 to fund the first year cost items of the Collective Bargaining Agreement between the Billerica School Committee and the American Federation of State, County, and Municipal Employees, AFL-CIO, Council 93, Local 2747, Cafeteria Employees, which has a term of July 1, 2019 through June 30, 2020.*

- This article seeks to approve a one-year collective bargaining agreement with the school department's cafeteria union (32 employees)

- This contract includes a 2% COLA for FY2020, which is paid for out of the school department's cafeteria revolving account and does not impact the town's operating budget
  - Total cost: $13,981

Article 8: Additional Provisions

- Update personnel/leave policies to be consistent with other agreements and existing practice
- Revision to posting/bidding process
- Update of grievance provisions
- Dues deduction language to reflect *Janus* case
- Update to uniform allowance procedure
- General cleanup of language