

SELECT BOARD

TOWN HALL 365 BOSTON ROAD BILLERICA, MASSACHUSETTS 01821RECEIVED 978-671-0939

FAX: 978-671-0947

2025 NOV 14 A 11: 09

Jillian K. Pavidis, *Chair*John J. Burrows, Vice Chair
Daniel R. Darris-O'Connor, *Secretary*Michael S. Rosa, *Member*Dina M. Favreau, *Member*

TOWN CLERK BILLERICA

https://us02web.zoom.us/j/83477138002

phone 1 929 205 6099 webinar id: 834 7713 8002

BILLERICA SELECT BOARD AGENDA NOVEMBER 17, 2025 @ 6:00 PM 365 BOSTON ROAD, THOMAS CONWAY HEARING ROOM #205 AND HYBRID VIA ZOOM

Rev. 1 (11/14/25)

Call to order 6:00 PM

1. Open Microphone

Announcements

- 2. Vacancies on Boards and Committees
- 3. All other announcements may be viewed on the Town of Billerica website

Proclamation and Public Recognition

Public Hearings

- 4. Continued Public Hearing National Grid and Verizon #31195999 National Grid to relocate (1) JO Pole beginning at a point ~9' westerly from existing Pole #9 per customer request at 12 Reardon Road. Existing pole is deteriorating and is due to be replaced. Applicant has requested a continuance to December 15, 2025 to work with the abutters on the exact location of the pole.
- 5. **Property Tax Classification** In accordance with MGL, Chapters 369 and 661, Acts of 1982, amending Chapter 797, Acts of 1979, the Select Board will Accept Written and Oral Comments and Recommendations on the Option of Selecting a Factor of One for All Classes of Property or Allocating Variable Percentages of the Tax Levy to be Borne by Each Class
- 6. Public Hearing National Grid and Verizon #31208340 National Grid to install (1) JO Pole (#0-50) on Sumac Street at a point ~80' easterly from existing pole #62 at 179 Pond Street to reduce the existing span and raise sagging wires on Sumac Street.
- 7. Public Hearing National Grid and Verizon #31188392 National Grid to install (1) JO Pole (#34-50) on Pollard Street beginning at a point ~160' Northeast of the centerline of the intersection of High Street and Pollard Street
- 8. **Public Hearing Notice of Grant of Location** An application from Cablevision Lightpath, LLC to excavate and place handholes and conduit within the Town's right of way at #1 and #3 Federal Street

New Business (Quick Items)

- Transfer of a Class II License <u>FROM</u> Dampolo Automotive Inc. dba Sal's
 Automotive at the premises located at 313 Boston Road, Billerica, MA <u>TO</u> Sal's Gas
 Auto Sales & Services
- 10. **Request (4) 18" x 24" Signs in the Common** from November 18th to December 6th for St. Matthew Parish Hall's Annual Christmas Fair on December 6, 2025 from 9:00 AM to 3:00 PM
- 11. Right of First Refusal 81 Salem Road, Unit #102
- 12. Request that the Select Board Sign a Termination of Period of Enforceability of Restriction for Clarence Street Lots Requested by Attorney Dangora
- 13. **Request of a One Year Extension** on a 2025 Community Grant Award for Hike Beautiful Billerica Requested by Marlies Henderson

Appointments

Presentation

Committee Reports

Old Business

- 14. Town Manager's Report
- 15. **Discussion on Statement Of Interest (SOI)** to MSBA Overview to the Select Board Requested by Dr. Cleary
- 16. Discussion and Possible Vote On a Ban of Crypto/Bitcoin ATMs in the Town of Billerica – Requested by Chair Pavidis
- 17. Discussion and Possible Vote on Do Not Enter Signs from 7:30-7:45 AM to 9:00 8:45 AM and 1:30-2:15 PM and 3:00 3:15 PM For Parker Street to Richardson Street Requested by Chair Pavidis

New Business

Approval of Meeting Minutes

- 18. July 15, 2025 July 14, 2025 Regular Meeting
- 19. October 20, 2025 Regular Meeting

Meeting Schedule

December 8, 2025 and December 5, 2025

Executive Session

20. Executive Session Pursuant to G.L c. 30A§ 21(a) (3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares – Discussion on the Northern Middlesex Council Of Governments (NMCOG) Appeal of the Historic District Commission (HDC) Decision regarding the Talbot Dam

21. Executive Session Pursuant to G.L. c. 30A§ 21(a) (7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements – Open Meeting Law, G.L. c. 30A § 22(f), (g) – Discussion on Possible Release of the Executive Session Recording and Meeting Minutes of November 3, 2025 Executive Session (Redacted or Non-Redacted)

VACANCIES ON BOARDS AND COMMITTEES

SELECT BOARD APPOINTMENTS

СОММІТТЕЕ	OPENINGS	TERM EXPIRES
Billerica Agricultural Commission	1 – Associate Member	2026
Cabot Land Re-Use Committee	2 – Members 2 – Members 2 – Member 6 TOTAL	2028 2027 2026
Electronic Voting Committee	2 – Members	2026
Fence Viewer	2 Positions	2026
Historic Commission	1 - Member 1 – Member (Alternate)	2028 2027
Historic District Commission	2 – Alternate Members (1 Center Dist. Res) 2 – Alternate Members (1 Center Dist. Res & 1 Mills Dist. Res) 4 TOTAL	2027 2028
Local Cultural Council	1 – Member	2027
Municipal Affordable Housing Trust	1 – Member (Attorney) 1 – Member (Banker) 1 – Resident 1 – Resident 1 – Member (Realtor) 5 TOTAL	2027 2026 2026 2027 2027
Scholarship Committee	4 – Members	2028
250 th Committee	1 – Member	2026

TOWN OF BILLERICA TAX CLASSIFICATION HEARING HANDOUT SUBMITTED BY THE BOARD OF ASSESSORS NOVEMBER 17, 2025

TOWN OF BILLERICA TAX RATE/CLASSIFICATION HEARING HANDOUT

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November 17, 2025

Ms. Jillian Pavidis, Chairman Board of Selectmen Town Hall 365 Boston Road Billerica, MA 01821

RE: Fiscal Year 2026 Tax Classification Hearing

Dear Chairman, Pavidis:

In accordance with Massachusetts General Law Chapter 390 of the Acts of 1982, the Billerica Board of Selectmen is required to hold a public hearing for the determination of the following items relating to the Fiscal Year 2026 tax rate:

- 1. The determination of a Residential Exemption of up to 20%
- 2. The determination of a discount factor of up to 25% for all land classified as Open Space.
- 3. The potential adoption of the Small Business Commercial Tax Exemption.
- 4. The adoption of a Residential Factor for the purpose of determining the percentage tax burden to be borne by each class of property.

Pertaining to item one (1), the Residential Exemption, as stated in MGL Chapter 59, Section 5C, specifically requires that any such granting of the Residential Exemption shall be applied to a "principal residence," as used by the taxpayer for income tax purposes. The Residential Exemption is not an actual tax exemption but is a shift of residential taxes to non-owner-occupied property owners. This exemption was originally adopted by several Cape Cod communities as a means of forcing summer residents to pay a higher share of the tax levy than would year-round residents. Cities, such as Cambridge, Somerville and Boston, have adopted the Residential Exemption because they have a significant amount of non-owner occupied, multi-family properties, such as apartment complexes. Since most residential property owners in this community consider Billerica to be their principal residence (95% of single-family homes are owner occupied), adoption of the Residential Exemption would serve only to increase the residential tax rate while providing a tax increase to all Billerica residential property owners whose assessed value is over the average of \$729,500. It is the recommendation of the Board of Assessors that no Residential Exemption be adopted. It is bad tax policy for communities where such a large majority of their residential properties are owner Page 1 occupied.

As to item two (2), the Board of Assessors has determined that, given the description of Open Space land as described in MGL Chapter 59, Section 2A (b), no land within this community can be properly classified as "Open Space." We also feel that most Open Space is already accounted for through public ownership (Federal, State and Town), private land trust ownership (such as Sudbury Valley Trustees) and Chapter land filings where the Town has the Right of First Refusal (Chapter 61 – Forest; Chapter 61A – Agricultural and Chapter 61B – Recreation.) With the Board of Assessors not classifying any land as Open Space, there is no reason for the Board of Selectmen to apply any discount factor for Open Space.

As to item three (3), as the Board may know, a Small Business Commercial Exemption Committee was formed by the Board of Selectmen in 1995 to explore this issue. To our knowledge, only one meeting was ever held by this committee, and no meeting has been held in the last several years. Briefly, this exemption allows up to a 10% property tax reduction for businesses that have at least, five full-time employees and a property tax value of under \$1,000,000. Besides the inevitable problems of implementing the exemption since most small businesses lease, rather than own, their workspace, the exemption is not a true property tax reduction since it only allows a city or town to shift the tax exemption from the commercial to the industrial property class. To lower commercial taxes will only increase industrial taxes, which already carries a larger tax burden in relation to its overall value. This Board recommends that the Board of Selectmen do not adopt this property tax exemption.

Most importantly and concerning item four (4), the final decision of the Board of Selectmen is to make its annual determination of a Residential Factor/CIP Shift in order to determine the tax burden to be borne by each class of property. A factor of "1.0000" will establish a uniform tax rate for all classes of property. Adoption of any other factor will serve to shift the tax burden from the residential taxpayers onto the commercial/industrial/personal property (CIP) taxpayers.

The information included in this packet is submitted to assist the Board of Selectmen in choosing a Residential Factor and/or a CIP shift and in understanding the impact of your vote.

Respectfully Yours,

BILLERICA BOARD OF ASSESSORS

John B. Speidel, Chairman Rick A. Ladd, Associate

cc: Town Manager Board of Selectmen

SUMMARY OF PROPOSED TAX RATES WITH PROPOSED CIP SHIFTS FOR FISCAL YEAR 2026

Residential Tax Rate	Comm/Ind Tax Rate	CIP Shift	Comments
\$14.79	I \$14.79	1%	No Shift - Factor of 1 - FY2026
,	1,		Residential & Rusiness nav the same

Fiscal Year 2026 CIP Shift and Tax Rate Options

\$11.61	\$25.88	175%	Raise Res Rate & Lower CIP Rate
\$11.66	\$25.71	174%	Raise Res Rate & Lower CIP Rate
\$11.71	\$25.54	173%	Raise Res Rate & Lower CIP Rate
\$11.76	\$25.37	172%	Raise Res Rate & Lower CIP Rate
\$11.81	\$25.20	171%	Raise Res Rate & Lower CIP Rate
\$11.86	\$25.03	170%	Raise Res Rate & Lower CIP Rate
\$11.91	\$24.86	169%	Raise Res Rate & Lower CIP Rate
\$11.96	\$24.69	168%	Raise Res Rate & Lower CIP Rate
\$12.01	\$24.52	167%	Raise Res Rate & Lower CIP Rate
\$12.06	\$24.35	166%	Raise Res Rate & Lower CIP Rate
\$12.11	\$24.18	165%	Raise Res Rate & Lower CIP Rate

RESIDENTIAL & BUSINESS TOTAL VALUATION - FY2023-FY2026 WITH TAX BURDENS, CIP SHIFTS & TAX RATES

	FY2023		FY2024		FY2025		FY2026	
Residential Value: Business Value:	\$7,456,606,629 \$2,135,857,653	77.73%	\$8,185,690,806 \$2,319,553,171	77.92%	\$8,734,303,003 \$2,475,459,663	77.92%	\$8,875,519,080 \$2,542,300,491	77.73%
TOTAL VALUATION:	\$9,592,483,682	F3	\$10,505,243,977		\$11,209,762,666		\$11,417,819,571	
Residential Tax: Business Tax:	\$88,509,921.00 \$56.514,793	61.03% 38.97%	\$92,416,449.20 \$58,197,589.06	61.36%	\$99,309,025.14 \$62,554,865.68	61.35%	\$103,044,776.52 \$65,794,736.71	61.03%
TOTAL TAX LEVY:	\$145,024,714		\$150,614,038.26	<u>-</u>	\$161,863,890.83	<u> </u>	\$168,839,513.23	
CIP SHIFT	175%		175%	 1	175%		175%	
Tax Rates	\$11.87 \$26.46		\$11.29 \$25.09		\$11.37 \$25.27		\$11.61 \$25.88	

November 17, 2025

Ms. Jillian Pavidis, Chairman Board of Selectmen Town Hall 365 Boston Road Billerica, MA 01821

RE: Board of Assessors Recommendation on Board of Selectmen's Adoption of CIP Shift for Fiscal Year 2026 Tax Rate

Dear Chairman, Pavidis:

Based upon careful review after statistical analyses, the Board of Assessors respectfully submits their recommendation on Board of Selectmen Adoption of the CIP shift for the Fiscal Year 2026 tax rate.

For Fiscal Year 2026, the Board of Assessors recommends that the Board of Selectmen adopt a Residential Factor of 78.52, which would result in a CIP shift of 175%. As the enclosed documentation indicates, the ultimate decision for the Board is to decrease the CIP shift or leave it at its current level of 175%. The Board of Assessors voted on this subject at its last meeting on Friday November 13, 2024. Please note that selection of a Residential Factor and CIP shift percentage and its corresponding tax rates are subject to state Department of Revenue (DOR) approval, and final tax rates are subject to change during the approval process.

There are several reasons why we feel that it is best for the Board of Selectmen (BOS) to adopt a Residential Factor of 78.52, which would result in a CIP shift of 175%. First, the BOS has adopted the 175% CIP shift for over a decade. It shows stability and policy consistency to continue to do so for Fiscal Year 2026 as many of our neighboring towns do. Lowering the CIP shift would result in an increase in residential property taxes. There is no way to increase the CIP shift as the current 175% is the highest allowable by law. Second, lowering the CIP shift would further burden residential property owners as their property assessments continue to appreciate due to current market conditions. Finally, as stated in the past, we simply feel that the assessed valuations should dictate the resulting tax rates. There has been a decreasing trend of some of the business tax rate

Page 5

over the past 5 years, mainly due to residential values appreciating at a higher rate than business values. There have been moderate increases to residential property values due to the Assessors completing the DOR's five-year Certification review for Fiscal Year 2025. Commercial and industrial property has also increased in value, especially in some industrial properties (such as light manufacturing, industrial, warehouses and R&D), but not in all business properties. The apartment complex segment once again saw significant growth with several new complexes recently selling. To lower the CIP Shift, in addition to the valuation changes, would unduly influence residential taxes and benefit business taxes when they are already being benefited by the decrease in the business tax rate over the last 5 years. We feel that the value changes have already accounted for any issues regarding tax equity. It is our recommendation that the Board of Selectmen should continue its policy of voting a 175% CIP shift.

Ultimately, it is up to the Board of Selectmen to make the decision on the annual CIP Shift, and we will respect and implement that decision.

Respectfully Yours,

BILLERICA BOARD OF ASSESSORS

John Speidel, Chairman Rick Ladd, Associate

AVERAGE TAX DOLLAR INCREASES FOR SELECTED PROPERTIES FISCAL YEAR 2022-2026

Residential Class 101 Single Family Home - Median Assessed Value

Fiscal	Assessed	Тах	Annual	Tax	Annual %	Monthly Tax	CIP
Year	Value	Rate	Taxes	Increase	Increase	Increase	Shift
2022	451,700	\$12.64	\$5,709.49				
2023	528,200	\$11.87	\$6,269.73	\$560.25	9.81%	\$46.69	1.75%
2024	572,800	\$11.29	\$6,466.91	\$197.18	3.14%	\$16.43	1.75%
2025	607,200	\$11.37	\$6,903.86	\$436.95	6.76%	\$36.41	1.75%
2026	615,100	\$11.61	\$7,141.31	\$237.45	3.32%	\$19.79	1.75%
2026	615,100	\$11.66	\$7,172.07	\$268.20	3.74%	\$22.35	1.74%
2026	615,100	\$11.71	\$7,202.82	\$298.96	4.15%	\$24.91	1.73%
2026	615,100	\$11.76	\$7,233.58	\$329.71	4.56%	\$27.48	1.72%
2026	615,100	\$11.81	\$7,264.33	\$360.47	4.96%	\$30.04	1.71%
2026	615,100	\$11.86	\$7,295.09	\$391.22	5.36%	\$32.60	1.70%
2026	615,100	\$11.91	\$7,325.84	\$421.98	5.76%	\$35.16	1.69%
2026	615,100	\$11.96	\$7,356.60	\$452.73	6.15%	\$37.73	1.68%
2026	615,100	\$12.01	\$7,387.35	\$483.49	6,54%	\$40.29	1.67%
2026	615,100	\$12.06	\$7,418.11	\$514.24	6.93%	\$42.85	1.66%
2026	615,100	\$12.11	\$7,448.86	\$545.00	7.32%	\$45.42	1.65%

Bold = Board of Assessors Recommendation

Commercial Service Station (Class 334)

Fiscal	Assessed	Tax	Annual	Tax	Annual %	Monthly Tax	CIP
Year	Value	Rate	Taxes	Increase	Increase	Increase	Shift
2022	595,400	\$28.78	\$17,135.61				
2023	655,100	\$26.46	\$17,333.95	\$198.33	1.14%	\$16.53	1.75%
2024	714,600	\$25.09	\$17,929.31	\$595.37	3.32%	\$49.61	1.75%
2025	918,900	\$25.27	\$23,220.60	\$5,291.29	22.79%	\$440.94	1.75%
2026	918,900	\$25.88	\$23,781.13	\$560.53	2.36%	\$46.71	1.75%
2026	918,900	\$25.71	\$23,624.92	\$404.32	1.71%	\$33.69	1.74%
2026	918,900	\$25.54	\$23,468.71	\$248.10	1.06%	\$20.68	1.73%
2026	918,900	\$25.37	\$23,312.49	\$91.89	0.39%	\$7.66	1.72%
2026	918,900	\$25.20	\$23,156.28	(\$64.32)	-0.28%	(\$5.36)	1.71%
2026	918,900	\$25.03	\$23,000.07	(\$220.54)	-0.96%	(\$18.38)	1.70%
2026	918,900	\$24.86	\$22,843.85	(\$376.75)	-1.65%	(\$31.40)	1.69%
2026	918,900	\$24.69	\$22,687.64	(\$532.96)	-2.35%	(\$44.41)	1.68%
2026	918,900	\$24.52	\$22,531.43	(\$689.18)	-3.06%	(\$57.43)	1.67%
2026	918,900	\$24.35	\$22,375.22	(\$845.39)	-3.78%	(\$70.45)	1.66%
2026	918,900	\$24.18	\$22,219.00	(\$1,001.60)	-4.51%	(\$83.47)	1.65%

Bold = Board of Assessors Recommendation

Industrial Research & Development Building (Class 404)

Fiscal	Assessed	Tax	Annual	Tax	Annual %	Monthly Tax	CIP
Year	Value	Rate	Taxes	Increase	Increase	Increase	Shift
2022	17,165,000	\$28.78	\$494,008.70				
2023	17,902,600	\$26.46	\$473,702.80	(\$20,305.90)	-4.29%	(\$1,692.16)	1.75%
2024	21,061,800	\$25.09	\$528,440.56	\$54,737.77	10.36%	\$4,561.48	1.75%
2025	21,976,700	\$25.27	\$555,351.21	\$26,910.65	4.85%	\$2,242.55	1.75%
2026	21,986,400	\$25.88	\$569,008.03	\$13,656.82	2,40%	\$1,138,07	1.75%
2026	21,986,400	\$25.71	\$565,270.34	\$9,919.14	1.75%	\$826.59	1.74%
2026	21,986,400	\$25.54	\$561,532.66	\$6,181.45	1.10%	\$515.12	1.73%
2026	21,986,400	\$25.37	\$557,794.97	\$2,443.76	0.44%	\$203.65	1.72%
2026	21,986,400	\$25.20	\$554,057.28	(\$1,293.93)	-0.23%	(\$107.83)	1.71%
2026	21,986,400	\$25.03	\$550,319.59	(\$5,031.62)	-0.91%	(\$419.30)	1.70%
2026	21,986,400	\$24.86	\$546,581.90	(\$8,769.31)	-1.60%	(\$730.78)	1.69%
2026	21,986,400	\$24.69	\$542,844.22	(\$12,506.99)	-2.30%	(\$1,042.25)	1.68%
2026	21,986,400	\$24.52	\$539,106.53	(\$16,244.68)	-3.01%	(\$1,353.72)	1.67%
2026	21,986,400	\$24.35	\$535,368.84	(\$19,982.37)	-3.73%	(\$1,665.20)	1.66%
2026	21,986,400	\$24.18	\$531,631.15	(\$23,720.06)	-4.46%	(\$1,976.67)	1.65%

Bold Italics = Board of Assessors Recommendation

Town of Billerica-Examples of Tax Increase for Single Family Homes for FY 2026 Tax Analysis

					L		7 7777	222		
						Tax Rates	0.01137	0.01161		
			FY 25	FY 26			FY 25	FY 26		
			Assessed	Assessed	Difference Diff. as a	Diff. as a	Tax	Tax	Difference	Diff. as a
Parcel ID	Location	LUC	value	value		%	Liability	Liability		%
85-5-1	TURNER RD	101	1,440,600	1,452,900	12,300	1%	\$16,380	\$16,868	\$489	3%
50-54-6-6	COLONIAL DR	101	1,355,200	1,366,700	11,500	1%	\$15,409	\$15,867	\$429	3%
53-162-2	LOIS LN	101	1,252,000	1,263,300	11,300	1%	\$14,235		\$432	3%
0-89-7	HARDWOOD DR	101	1,096,000	1,106,900	10,900	1%	\$12,462		\$390	3%
12-96-2	FITZPATRICK LN	101	1,135,700	1,147,400	11,700	1%	\$12,913	\$13,321	\$408	3%
52-24-6	MARRIOTT PL	101	982,800	766	11,500	1%	\$11,174		\$369	3%
47-100-0	NASHUA RD	101	938,200		10,500	1%	\$10,667		\$347	3%
82-95-0	COOK ST	101	904,100	911,900	7,800	1%	\$10,280	\$10,587	\$308	3%
0-09-02	LEXINGTON RD	101	838,700	848,500	008'6	1%	\$9,536	\$9,851	\$315	3%
16-63-1	ROGERS ST	101	799,300	809,500	10,200	1%	\$9,088	\$6,398	\$310	3%
50-80-0	TODD LN	101	770,400		11,000	1%	\$8,759		\$313	4%
88-71-0	TREMONT RD	101	748,800	762,900	14,100	2%	\$8,514	\$8,857	\$343	4%
94-81-0	DUDLEY RD	101	736,800	749,400	12,600	2%	\$8,377	\$8,701	\$323	4%
51-10-0	RIVER ST	101	685,600	696,000	10,400	2%	\$7,795		\$285	4%
53-9-4	BALDWIN RD	101	693,100	706,600	13,500	2%	\$7,881	\$8,204	\$323	4%
51-89-12	LAFAYETTE RD	101	673,900	685,400	11,500	2%	\$7,662		\$295	4%
36-32-2	WHIPPLE RD	101	653,100	660,700	7,600	1%	\$7,426	\$7,671	\$245	3%
39-61-0	KAZIMER DR	101	637,100	645,800	8,700	1%	\$7,244		\$254	4%
52-47-0	ACRE RD	101	642,200	652,800	10,600	2%	\$7,302	\$7,579	\$277	4%
87-44-3	SHADY HILL AV	101	602,100	614,200	12,100	2%	\$6,846	\$7,131	\$285	4%
11-131-0	CARRIAGE RD	101	600,400	610,700	10,300	2%	\$6,827		\$264	4%
89-103-0	ELIZABETH RD	101	586,600	595,900	9,300	2%	\$6,670	\$6,918	\$249	4%
63-41-0	ALTON ST	101	550,000	561,300	11,300	2%	\$6,254	\$6,517	\$263	4%
34-116-0	GOVERNOR FULLER RD	101	549,600	559,600	10,000	2%	\$6,249	\$6,497	\$248	4%
65-66-0	ALEXANDER RD	101	477,500	484,700	7,200	2%	\$5,429	\$5,627	\$198	4%
9-45-0	MASON AV	101	452,300	460,800	8,500	2%	\$5,143	\$5,350	\$207	4%
99-206-1	ELLINGWOOD AV	101	410,800	419,300	8,500	2%	\$4,671	\$4,868	\$197	4%
31-112-0	STONEY DR	101	385,000	394,600	0,600	2%	\$4,377		\$204	2%
81-111-0	RIVERDALE RD	101	343,400	351,400	8,000	2%	\$3,904	\$4,080	\$175	4%

Town of Billerica- Stratification of FY 2026 Single-family Assessed Values	Herica- St	ratificatio	n of FY 2	.026 Sin	gle-famil	y Assess	ed V	alues
Value Range	# of Parcels	FY 25 Median Assessed Value of Group	FY 26 Median Assessed Value of Group	Median Change in Value as a %	Median FY 25 Median FY 26 Tax Liability Tax Liability	Median FY 26 Tax Liability	\$ Diff	\$ Diff FY26 Tax
				Angesterstein seiner er – seität – seität minimerestrunk mikrierer	Tax Rate			
					0.01137	0.01161		
All Properties	11,055	\$607,200	\$618,100	1.80%	\$6,904	\$7,176	\$272	3.9%
Sub-groups								
\$950,100 >	463	\$1,020,650	\$1,028,000	0.72%	\$11,605	\$11,935	\$330	2.8%
\$900,100-\$950,000	241	\$922,650	\$920,400	-0.24%	\$10,491	\$10,686	\$195	1.9%
\$850,100-\$900,000	328		\$876,300	-0.13%	\$9,976	\$10,174	\$198	2.0%
\$800,100-\$850,000	419	\$824,000	\$821,500	%0E'0-	698'6\$	8556\$	691\$	1.8%
\$750,100-\$800,000	620	\$773,600	\$773,050	%20.0-	962'8\$	\$8,975	8179	2.0%
\$700,100-\$750,000	616	\$723,750	\$723,100	%60:0-	\$8,229	\$8,395	991\$	2.0%
\$650,100 -\$700,000	1,372	\$674,200	\$672,200	%06.0-	999'L\$	\$7,804	8139	1.8%
\$600,100-\$650,000	1,908	\$623,300	\$623,850	%60'0	280,78	\$7,243	\$156	2.2%
\$550,100 - \$600,000	1,966	\$575,700	\$576,100	0.07%	\$6,546	89'9\$	\$143	2.2%
\$500,100 - \$550,000	1,419	\$528,300	\$528,000	%90.0-	\$6,007	\$6,130	\$123	2.1%
\$450,100 - \$500,000	943	\$477,900	\$479,000	%27.0	\$5,434	195,58	\$127	2.3%
\$400,100 - \$450,000	384	\$430,250	\$431,050	0.19%	\$4,892	\$5,004	\$113	2.3%
\$350,000 - \$400,000	63	\$385,000	001'58£\$	0.03%	24,377	\$4,471	76\$	2.1%
Less than \$350,000	10	\$339,600	\$325,000	%06.4-	\$3,861	\$3,773	88\$-	-2.3%
	11,055							

MASSACHUSETTS DEPARTMENT OF REVENUE DIVISION OF LOCAL SERVICES BUREAU OF ACCOUNTS

Billerica	
TOWN	

Levy Limit

Fiscal Year 2026

FOR BUDGET PLANNING PURPOSES

I. TO CALCULATE TH	IE FY 2025 LEVY LIMIT			
A. FY 2024 Levy Li	mit	173,836,264		
A1. Amended FY 20	24 Growth	0		
B. ADD (IA + IA1)*2	2.5%	4,345,907		
C. ADD FY 2025 N	ew Growth	2,975,306		
C1. ADD FY 2025 N	ew Growth Adjustment	0		
D. ADD FY 2025 O	verride	0		
E. FY 2025 Subtota	ai	181,157,477		
F. FY 2025 Levy C	eiling	280,244,067	l.	181,157,477
			FY:	2025 Levy Limit
II. TO CALCULATE TH	IE FY 2026 LEVY LIMIT			
A. FY 2025 Levy Li	mit from I	181,157,477		
A1. Amended FY 20	25 Growth	153,930		
B. ADD (IIA + IIA1)	*2.5%	4,532,785		
C. ADD FY 2026 N	ew Growth	2,846,097		
C1. ADD FY 2026 N	ew Growth Adjustment	0		
D. ADD FY 2026 O	verride	0		
E. ADD FY 2026 S	ubtotal	188,690,289		
F. FY 2026 Levy C	eiling	285,445,489	II.	188,690,289
			FY	2026 Levy Limit
III. TO CALCULATE TH	E FY 2026 MAXIMUM ALLOWABLE LEVY			
A. FY 2026 Levy Li	mit from II.	188,690,289		
B. FY 2026 Debt E	xclusion(s)	5,770,995		
C. FY 2026 Capital	Expenditure Exclusion(s)	0		
D. FY 2026 Stabiliz	ation Fund Override	0		
E. FY 2026 Other A	Adjustment :	0		
F. FY 2026 Water/S	Sewer	0		
G. FY 2026 Maximu	ım Allowable Levy	194,461,284		

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Documents

No documents have been uploaded.

MASSACHUSETTS DEPARTMENT OF REVENUE DIVISION OF LOCAL SERVICES

BUREAU OF ACCOUNTS

TOMB

Billerica

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Schedule DE-1

Debt Exclusion - Fiscal Year 2026

(I) FY 2026 Net Excluded Debt Service	414,363	4,779,219	233,363	344,050	5,770,995
(H) (I) (I) (M) (M) (M) (M) (M) (M) (M) (M) (M) (M	0	0	0	0	0
(G) FY 2026 Gross Debt - F Service Excludable	414,363	4,779,219	233,363	344,050	5,770.995
(F) FY 2025 Gross Debt Service Expended	421,563	4,778,219	241,113	353,550	5,794,445
(E) FY-2025. Net Excluded Debt Service	421,563	4,778,219	241,113	353,550	5,794,445
(D) Temp or Perm (T/P)	a	۵	α.	Ω	Total:
(C) Date of original issuance independent per per purpose(s)	05/02/2013	05/12/2017	09/26/2019	09/18/2023	
(C) Date of Vote Date Vote Date Vote Date Issuance Indebond Per Particles of Exclusion Vote Indepond Per Per Particles of Exclusion Vote Date of Exclusion Vote Date Indepond Per Particles of Exclusion Vote Date of Exclus	PARKER SCHOOL CONSTRUCTION	HIGH SCHOOL CONSTRUCTION	HIGH SCHOOL CONSTRUCTION	HIGH SCHOOL CONSTRUCTION	
(A) Ballot Vote Date	11/21/2009	03/05/2016	03/05/2016	03/05/2016	

REIMBURSEMENTS: School Building Assistance, Library Construction Grants etc.

ADJUSTMENTS: Prior year interest not included, rate or term different than estimate

Documents
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Signatures

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BUREAU OF ACCOUNTS

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TOWN

CLASSIFICATION TAX ALLOCATION

Fiscal Year 2026

	LA4 VALUES		FFCV PERCENTS		SHIFT OPTIONS
Residential	8,875,519,080	Residential	77.733923	Min Res Factor at 150%	85.678018
Open Space	0	Open Space	0.000000	Min Res Factor at 175%	78.517027
Commercial	517,665,785	Commercial	4.533841	Chapter 3	0.000000
Industrial	1,572,817,906	Industrial	13.775116	Lowest Historical Res%	50.244800
Pers Prop	451,816,800	Pers Prop	3.957120	Prior FY LA5 Res Shift%	61.359600
Total	11,417,819,571	Total %	100.000000	Lowest Res Factor	78.517027
			INPUT OPTIONS		OPEN SPACE DISCOUNT
Levy (Recap Page1 lc)	168,851,888	Resid Factor Selected	0.785200	Open Space Discount %	0.000000
		Com/Ind/PP Shift	1.749896	Open Space Factor	1.000000
		Single Tax Rate	14.79		
	SHIFT PERCENTS		TAX RATES		
Residential %	61.036676	Residential	11.61		
Open Space %	0.000000	Open Space	0.00		
Commercial %	7.933751	Commercial	25.88		
Industrial %	24.105023	Industrial	25.88		
Pers Prop %	6.924549	Pers Prop	25.88		
Total %	100.000000				

RESIDENTIAL EXEMPTION OPTIONS & CALCULATIONS (Upload Exemption Calculation Worksheet)

entia	ige Resider	sidential	d Valu	ue	0
Exe	tesidential E	tial Exer	mptic	on	0
Exe	alue After E	fter Exer	mptic	on	0
Ever	x. Break-E	ak-Even	า Valı	ue	0

SENIOR MEANS TESTED EXEMPTION OPTIONS & CALCULATION (Upload Exemption Calculation Worksheet)

No. Eligible Res Parcels 0 Total Res Value Exempted 0

Total Residential Value 8,875,519,080 - Total Res Value Exempted 0 = Total Res Val After Exemption 8,875,519,080

COMBINED IMPACT OF SENIOR MEANS TESTED AND RESIDENTIAL EXEMPTIONS

Residential Exemption 0 \div Senior Means Tested Exemption 0

= Combined Res Value Exempted

Total Residential Value

8,875,519,080

- Combined Res Value Exempted 0

= Total Res Val After Exemptions

8,875,519,080

Net Value of 101 Parcels After Combined Exemptions

7,125,898,400

SMALL COMMERCIAL EXEMPTION OPTIONS & CALCULATION

MASSACHUSETTS DEPARTMENT OF REVENUE DIVISION OF LOCAL SERVICES

Bill	erica
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TOWN

CLASSIFICATION TAX ALLOCATION

Fiscal Year 2026

No. Eligible Com Parcels

BUREAU OF ACCOUNTS

0.0000

Com Exemp % (max 10%)

X Total Value of Eligible Parcel 0

⇒ Total Com Value Exempted

^

Tot Com & Indus Value

2,090,483,691

- Total Com Value Exempted 0

= Com & Ind Val after Exemption

2,090,483,691

LA5 Certification

Public Hearing Held on: Date 11/17/2025 Time 6:00 PM at Conway Hearing Room Adopted on Date 11/17/2025

The LA-5 excess capacity for the current fiscal year is calculated as 25,609,395.40

The LA-5 excess capacity for the prior fiscal year is calculated as 25,088,031.18

If adopting a residential or senior means tested exemption, the Exemption Calculation Worksheet must be uploaded to submit the LA - 5.

Signatures

Board of Assessors

We hereby attest that on the hearing date above, we presented all information and data relevant to making a decision on allocating the tax levy including the fiscal effect of the available alternatives at the hearing, and that the residential factor and percentages set forth in this LA-5 were duly adopted in public session on the date stated above.

John Speidel, Chief Assessor, Billerica, ispeidel@town.billerica.ma.us 978-671-0971 | 11/13/2025 3:08 PM

Clerk

I hereby attest that notice was given to taxpayers according to the Open Meeting Law and any other local rules, by-laws or ordinances that a public hearing on the issue of adopting the residential factor and tax levy percentages would be held on the date and time stated above. I further attest that a meeting was held in accordance with that notice and that the residential factor and percentages set forth in this LA-5 were so adopted.

Мауог

I approve of the residential factor and tax rate percentages set forth in this LA-5.

Documents

No documents have been uploaded.

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HISTORY OF TAX LEVIES, LEVY LIMITS & TAX CLASS ALLOCATIONS PER % OF ASSESSED VALUE - FISCAL YEARS 2016-2026

FΥ	Tax Levy	Levy Limit	Excess Levy Capacity	Town Mtg Free Cash on to TxRate	% OF Res Total AV	Res. % of Total Tx	% OF CIP Total AV	CIP % of Total Tx
2016	\$109,763,920	\$119,006,673	\$9,242,753	\$0.00	74.63%	55.59%	25.37%	44.41%
2017	\$114,773,340	\$124,746,042	\$9,972,702	\$0.00	74.07%	54.63%	25.92%	45.37%
2018	\$122,638,194	\$135,331,795	\$12,693,600	\$0.00	74.12%	54.71%	25.88%	45.29%
2019	\$125,027,325	\$141,586,650	\$16,559,325	\$0.00	75.08%	56.39%	24.92%	43.61%
2020	\$129,626,232	\$147,544,514	\$17,918,282	\$0.00	75.53%	57.18%	24.47%	42.82%
2021	\$133,106,464	\$154,690,957	\$21,584,493	\$0.00	75.85%	57.74%	24.15%	42.26%
2022	\$137,589,958	\$163,256,724	\$25,666,766	\$0.00	76.41%	58.72%	23.38%	41.26%
2023	\$145,003,358	\$171,569,778	\$26,566,422	\$0.00	77.73%	%66.09	22.27%	39.01%
2024	\$150,614,038	\$179,380,787	\$28,766,749	\$0.00	77.92%	61.36%	22.08%	38.64%
2025	\$161,863,890	\$186,951,922	\$25,088,032	\$0.00	77.91%	61.35%	22.09%	38.65%
2026	\$168,851,889	\$188,695,964	\$25,615,070	\$0.00	77.73%	61.03%	22.27%	38.97%

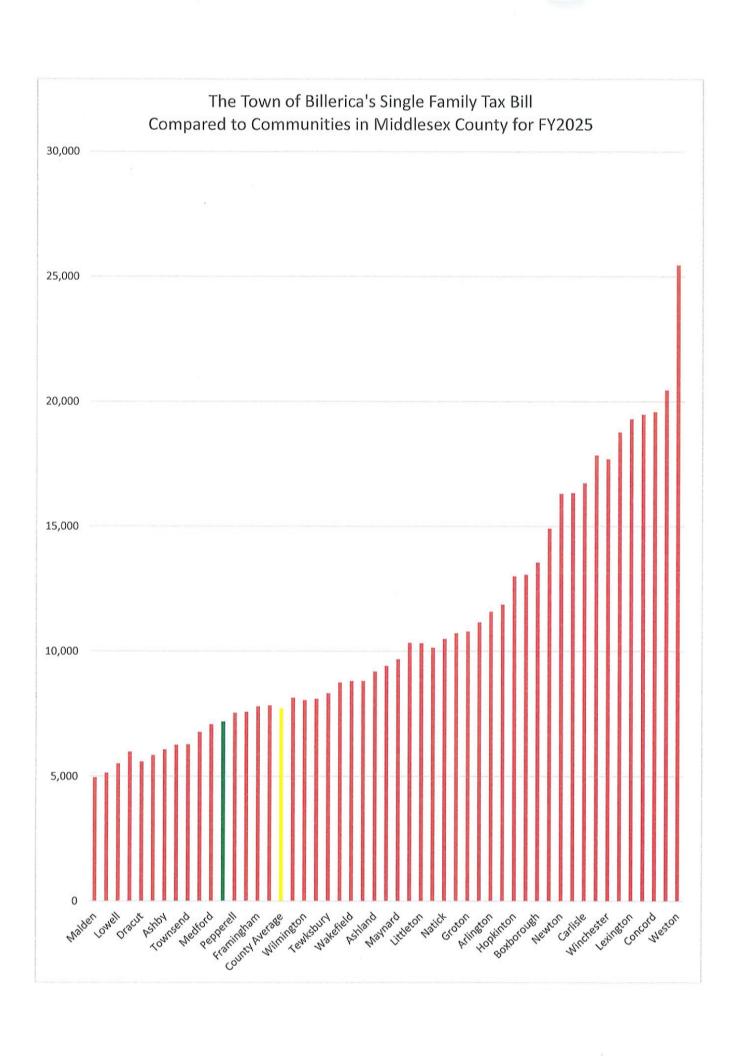
FISC	AL YEAR	2016-2	2026 NEW GROV	FISCAL YEAR 2016-2026 NEW GROWTH SPREADSHEET	IEET
Fiscal Year	Total New Growth	wth	Residential Growth	Commercial and Industrial Growth	Personal Property Growth
2016	\$	2,523,591	\$ 421,833	\$ 527,332	\$ 1,574,426
2017	\$	2,606,525	\$ 335,436	\$ 213,914	\$ 2,057,175
2018	\$	2,811,618	\$ 328,641	\$ 408,614	\$ 2,074,363
2019	\$	2,502,528	\$ 705,823	\$ 477,672	\$ 1,319,033
2020	₩	3,226,961	\$ 1,029,213	\$ 303,185	\$ 1,894,563
2021	\$	3,622,194	\$ 729,362	\$ 718,759	\$ 2,111,073
2022	7	4,537,204	\$ 962,229	\$ 426,990	\$ 3,147,985
2023	7	4,286,897	\$ 955,796	\$ 1,227,041	\$ 2,104,060
2024	€	3,645,439	\$ 550,025	\$ 837,106	\$ 2,258,308
2025	\$	2,996,175	\$ 442,217	\$ 927,586	\$ 1,626,372
2026	59	2,846,098	\$ 458,103	\$ 14,791	\$ 2,373,204

93,913,900	
93,9	
€9	
585,300	
↔	
40,290,500	
\$	
134,789,700	
↔	
2026	

FISCAL YEAR 2024-2025 TAX RATES AND CIP SHIFTS FOR SURROUNDING CITIES & TOWNS

CITY/TOWN F	FY2024 Residential Tax Rate	FY2024 Business Tax Rate	CIP F Shift P	FY2025 Residential Tax Rate	FY2025 Business Tax Rate	CIP I	FY2026 Residential Tax Rate	FY2026 Business Tax Rate	CIP Shift	FY2025*** Avg AV	FY2025*** Avg Tax's	State Rank:
Billerica	\$11.29	\$25.09	1.75%	\$11.37	\$25.27	1.75%	\$11.61	\$25.88	1.75%	\$632,908	\$7,196	140
Burlington 3	\$8.94	\$25.81	1.67% \$	\$8.66	\$25.47	1.67%				\$782,078	\$6,773	164
Bedford §	\$11.88	\$26.70	1.75% \$	\$12.04	\$27.12	1.75%				\$986,414	\$11,876	40
Wilmington	\$11.43	\$26.23	1.75% \$11.45		\$26.77	1.75%				\$702,889	\$8,048	109
Tewksbury	\$13.39	\$25.24	1.66% \$	\$13.22	\$24.97	1.66%				\$629,508	\$8,322	100
Chelmsford 8	\$13.62	\$17.22	1.20%	\$13.90	\$16.93	1.20%				\$634,510	\$8,820	80
Loweil	\$11.91	\$23.27	1.75% \$	\$11.48	\$22.37	1.75%				\$480,247	\$5,513	239
Westford	\$13.77	\$13.77	1.00% \$	\$13,47	\$13.47	1.00%				\$796,584	\$10,730	20
Tyngsborough \$12.72 \$12.72	\$12.72		1.00% \$12.34		\$12.34	1.00%				\$613,779	\$7,574	122

All FY2026 Tax Rates & CIP Shifts are subject to DOR approval



MASSACHUSETTS DEPARTMENT OF REVENUE DIVISION OF LOCAL SERVICES BUREAU OF ACCOUNTS

Billerica			
TOWN		 	-

TAX RATE RECAPITULATION

Fiscal Year 2026

I, TAX RATE SUMMARY

la. Total amount to be raised (from page 2, IIe)

\$ 236,076,177.11

ib. Total estimated receipts and other revenue sources (from page 2, IIIe)

67,236,663.88

lc. Tax Levy (la minus lb)

\$ 168,839,513.23

ld. Distribution of Tax Rates and levies

CLASS	(b) Levy percentage (from LA5)	(c) Ic above times each percent in col (b).	(d) Valuation by class (from LA-5)	(e) Tax Rates (c) / (d) x 1000	(f) -Levy by class (d) x (e) / 1000
Residential	61:038676	103,054,027,30	8,875,519,080,00	11.61	103,044,776.52
Net of Exempt					
Open Space	0,000000°	0.00	0;00	0.00	0.00
Commercial	7,933751	13,395,306.86	517,665,785,00	25.88	13,397,190.52
Net of Exempt					
Industrial	24.105023	40,698,804.33	1,572,817,906,00	25.88	40,704,527,41
SUBTOTAL	93.075451		10,966,002,771,00		157,146,494.45
Personal	6,924549	[11,691,374.74]	451,816,800,00	25:88	11,693,018.78
TOTAL	100.000000		11,417,819,571.00		168,839,513.23

MUST EQUAL 1C

Γ	Signatures	
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Documents
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Page 1 of 6

Reviewed By:

Bobbi Colburn

Date:

Approved:

Director of Accounts:

Printed on: 11/14/2025 8:57:37 AM

MASSACHUSETTS DEPARTMENT OF REVENUE DIVISION OF LOCAL SERVICES

Billerica

TOWN

BUREAU OF ACCOUNTS

TAX RATE RECAPITULATION

Fiscal Year 2026

II, Ar	nounts to be raised		
lla	. Appropriations (col.(b) through col.(g) from page 4)		225,953,113.88
Яb	. Other amounts to be raised		
	1. Amounts certified for tax title purposes	50,000.00	
	2. Debt and interest charges not included on page 4	0.00	
	3. Final Awards	60,000.00	
	4. Retained Earnings Deficit	0.00	
	5. Total cherry sheet offsets (see cherry sheet 1-ER)	103,681.00	
	6. Revenue deficits	0.00	
	7. Offset receipts deficits Ch. 44, Sec. 53E	0.00	
	8. CPA other unappropriated/unreserved	0.00	
	9. Snow and ice deficit Ch. 44, Sec. 31D	1,018,090.60	
	10. Other:	00,0	
	TOTAL IIb (Total lines 1 through 10)		1,231,771.60
llo	. State and county cherry sheet charges (C.S. 1-EC)	h 112	6,203,667.00
Ild	. Allowance for abatements and exemptions (overlay)		2,687,624.63
Пе	. Total amount to be raised (Total IIa through IId)		236,076,177.11
III. Es	stimated receipts and other revenue sources		
liia	a. Estimated receipts - State		
	1. Cherry sheet estimated receipts (C,S. 1-ER Total)	29,844,690.00	
	2. Massachusetts school building authority payments	00,0	
	TOTAL IIIa		29,844,690.00
1613	o. Estimated receipts - Local	-	
	1. Local receipts not allocated (page 3, col (b) Line 24)	13,840,000.00	
	2. Offset Receipts (Schedule A-1)	0.00	
	3. Enterprise Funds (Schedule A-2)	16,061,957.00	
	4. Community Preservation Funds (See Schedule A-4)	1,239,100.00	
	TOTAL IIIb		31,141,057.00
Hic	c. Revenue sources appropriated for particular purposes		
	1. Free cash (page 4, col (c))	4,347,000.00	
	2. Other available funds (page 4, col (d))	1,903,916.88	
	TOTAL IIIc		6,250,916.88
IIId	d. Other revenue sources appropriated specifically to reduce the tax rate		
	1a. Free cashappropriated on or before June 30, 2025	0.00	
	1b. Free cashappropriated on or after July 1, 2025	0.00	

MASSACHUSETTS DEPARTMENT OF REVENUE	
DIVISION OF LOCAL SERVICES	
BUREAU OF ACCOUNTS	

Billerica	
	-

TOWN

TAX RATE RECAPITULATION

Fiscal Year 2026

2. Municipal light surplus	0.00	
3. Other source :	0.00	
TOTAL IIId		0.00
IIIe. Total estimated receipts and other revenue sources		67,236,663.88
(Total IIIa through IIId)		
IV. Summary of total amount to be raised and total receipts from all sources		
a. Total amount to be raised (from lie)		236,076,177.11
b. Total estimated receipts and other revenue sources (from lile)	67,236,663.88	
c. Total real and personal property tax levy (from Ic)	168,839,513.23	
d. Total receipts from all sources (total iVb plus IVc)		236,076,177.11

BUREAU OF ACCOUNTS

Billerica

TOWN

TAX RATE RECAPITULATION

Fiscal Year 2026

LOCAL RECEIPTS NOT ALLOCATED *

	Receipt Type Description	(a). Actual Receipts Fiscal 2025	(b) Estimated Receipts Fiscal 2026	Percentage Change
==> 1.	MOTOR VEHICLE EXCISE	8,793,335.00	7,150,000.00	-18.69
2.	OTHER EXCISE			
==>	a.Meals	650,967.00	500,000.00	-23.19
==>	b.Room	1,016,533.00	750,000.00	-26.22
==>	c.Other	0.00	0.00	0.00
==>	d.Cannabis	570,872.00	300,000.00	-47.45
==> 3.	PENALTIES AND INTEREST ON TAXES AND EXCISES	476,290.00	300,000.00	-37.01
4.	PAYMENTS IN LIEU OF TAXES			
==>	a.Solar Payment in Lieu of Taxes	0.00	0.00	0.00
==>	b.All Other Payment in Lieu of Taxes	284,512.00	100,000.00	-64.85
5.	CHARGES FOR SERVICES - WATER	0.00	0.00	0.00
6.	CHARGES FOR SERVICES - SEWER	0.00	0.00	0.00
7.	CHARGES FOR SERVICES - HOSPITAL	0.00	0.00	0.00
8.	CHARGES FOR SERVICES - SOLID WASTE FEES	0.00	0.00	0.00
9.	OTHER CHARGES FOR SERVICES	0.00	0.00	0.00
10.	FEES			
	a.Cannabis Impact Fee	0.00	0.00	0.00
	b.Community Impact Fee Short Term Rentals	0.00	0.00	0.00
	c.Other Fees	2,792,919.00	2,500,000.00	-10.49
11.	RENTALS	0.00	0.00	0.00
12.	DEPARTMENTAL REVENUE - SCHOOLS	0.00	0.00	0.00
13.	DEPARTMENTAL REVENUE - LIBRARIES	0.00	0.00	0.00
14.	DEPARTMENTAL REVENUE - CEMETERIES	151,485.00	110,000.00	-27.39
15.	DEPARTMENTAL REVENUE - RECREATION	0.00	0.00	0.00
16.	OTHER DEPARTMENTAL REVENUE	479,408.00	295,000.00	-38.47
17.	LICENSES AND PERMITS			
	a.Building Permits	1,870,053.00	1,200,000.00	-35.83
	b.Other licenses and permits	0.00	0.00	0.00
18.	SPECIAL ASSESSMENTS	0.00	0.00	0.00
==> 19.	FINES AND FORFEITS	73,279.00	70,000.00	-4.47
==> 20.	INVESTMENT INCOME	1,277,327.00	500,000.00	-60.86
==> 21.	MEDICAID REIMBURSEMENT	138,361.00	65,000.00	-53.02
==> 22.	MISCELLANEOUS RECURRING	0.00	0.00	0.00

MASSACHUSETTS DEPARTMENT OF REVENUE
DIVISION OF LOCAL SERVICES
BUREAU OF ACCOUNTS

Billerica	
TOWN	

TAX RATE RECAPITULATION

Fiscal Year 2026

Receipt Type Description	(a) Actual Receipts Es	(b) itimated Receipts Pe	ercentage Change
23. MISCELLANEOUS NON-RECURRING	0.00	0,00	0.00
24. Totals	18,575,341.00	13,840,000.00	-25.49
No signatures to display.	Signatures		
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^{*} Do not include receipts in columns (a) or (b) that were voted by the City / Town / District Council or Town Meeting as offset receipts on Schedule A-1, enterprise funds on Schedule A-2, or departmental revolving funds per Chapter 44, Section 53E 1/2. The Recap Page 3 Support form must be submitted to support increases / decreases of estimated receipts to actual receipts.

^{==&}gt; The Recap Page 3 Support form must be submitted to support increases/ decreases of FY 2026 estimated receipts to FY 2025 estimated receipts to be used in calculating the Municipal Revenue Growth Factor (MRGF). The Recap Page 3 Support form must be submitted to list each receipt type included in rows 22 and 23, Miscellaneous Recurring and Non-Recurring.

MASSACHUSETTS DEPARTMENT OF REVENUE

DIVISION OF LOCAL SERVICES

BUREAU OF ACCOUNTS

Billerica

TAX RATE RECAPITULATION

Fiscal Year 2026

AUTHORIZATIONS MEMO ONLY (1)	Borrowing Authorization (Other)	0.00	00.00	00.00	5,500,000.00	
AUTHO (n)	Departmental Revolving Funds	0.00	0.00	2,315,000.00	0.00	
(6)	From Community Preservation Funds (See A-4)	00-0	0.00	1,175,855.00	63,245.00	1,239,100.00
0	From Emerorise Funds (See A-2)	75,000.00	14,666,957.00	0.00	1,320,000.00	16,061,957.00
(9)	From Offset Receipts (See A-1)	0000	0.00	0.00	0.00	0.00
NS (a)	From Other Available Funds (See B-2)	553,916.88	0.00	0.00	1,350,000.00	1,903,916.88
APPROPRIATIONS (e)	From Free Cash (See B-1)	302,000.00	0.00	0.00	4,045,000.00	4,347,000.00
(d)	om Raise and Appropriate	0.00	202,262,152.00	0.00	138,988.00	202,401,140.00
Town EV*	Total Appropriations Of Each Meeting	930,916.88	216,929,109.00	1,175,855.00	6,917,233.00	225,953,113.88
¥		2025	2026	2026	2026	Total
CityTown	Council Orace Dates	05/06/2025	05/06/2025	05/06/2025	10/07/2025	

Clerk	Signatures	
I hereby certify that the appropriations correctly reflect the votes taken by City / Town / District Council.		
Amit Chhayani, Accountant, Billerica, achhayani@town.billerica.ma.us 978-671-0923 11/13/2025 4:24 PM		
Соштел:		

No documents have been uploaded.

Documents

Page 6 of 6

Printed on: 11/14/2025 8:57:38 AM

^{*} Enter the fiscal year to which the appropriation relates.

** Appropriations included in column (b) must not be reduced by local receipts or any other funding source.

Appropriations must be entered gross to avoid a duplication in the use of estimated or other sources of receipts.

*** Include only revolving funds pursuant to Chapter 44, Section 53 E 1/2.

MASSACHUSETTS DEPARTMENT OF REVENUE DIVISION OF LOCAL SERVICES

Ril	leric:	2
D.I.	16116	C

TOWN

TAX RATE RECAPITULATION

Fiscal Year 2025

TAX RATE SUMMARY

BUREAU OF ACCOUNTS

Total amount to be raised (from page 2, Ile) la.

\$ 230,802,183.82

Total estimated receipts and other revenue sources (from page 2, Ille)

68,938,293.00

Tax Levy (la minus lb) lc.

\$ 161,863,890.82

Distribution of Tax Rates and levies

CLASS	(b) Levy percentage (from LA5)	(c) Ic above times – each percent in col (b)	(d) → Valuation by class (from LA-5)	(e) Tax Rates ∈ (c) / (d) x 1000	(f) Levy by class (d) x (e) / 1000
Residential	61,3596	99,319,035.95	8,734,303,003.00	11.37	99,309,025.14
Net of Exempt					
Open Space	0.0000	0:00	0.00	0.00	0.00
Commercial	7.8735	12,744,353,44	504 402 480 00	25,27	12,746,250.67
Net of Exempt					
Industrial .	24 3790	39,460,797.94	1;561,819;883,00	25.27	39,467,188.44
SUBTOTAL	93,6121		10,800,525,366.00		151,522,464.25
Personal	6.3879	10,339,703.48	409,237,300,00	25.27	- 10,341,426,57
TOTAL	100.0000		11,209,762,666.00		161,863,890.82

MUST EQUAL 1C

Signatures

Assessors

John Speldol, Chief Assessor , Billerica , jspeldel@town.billerica.ma.us 978-671-0971 | 11/19/2024 11:38 AM

Richard J. Scanlon, Associate Assessor , Billerica , ptr701@comcast.net 978-671-0971 | 11/19/2024 11:55 AM

Comment:

Rick Ladd, Associate Assessor , Billerica , rladd63@comcast.net 978-671-0971 | 11/19/2024 5:06 PM

Comment:

Documents

Documents have been uploaded.

Printed on: 12/2/2024 1:21:35 PM

Do Not Write Below This Line --- For Department of Revenue Use Only

Reviewed By:

Bobbi Colburn

Date:

12/02/2024

Approved:

Andrew Nelson

Director of Accounts: Deborah A. Wagner

MASSACHUSETTS DEPARTMENT OF REVENUE
DIVISION OF LOCAL SERVICES
BUREAU OF ACCOUNTS

Billerica	
	_

TOWN

TAX RATE RECAPITULATION

Fiscal Year 2025

Deborak A. Wagner

MASSACHUSETTS DEPARTMENT OF REVENUE DIVISION OF LOCAL SERVICES

BUREAU OF ACCOUNTS

Billerica	
TOWN	

TAX RATE RECAPITULATION

Fiscal Year 2025

II. Am	ounts to be raised		
lla.	Appropriations (col.(b) through col.(g) from page 4)		221,797,624.00
llb.	Other amounts to be raised		
	1. Amounts certified for tax title purposes	50,000.00	
	2. Debt and interest charges not included on page 4	0.00	
	3. Final Awards	60,000.00	
	4. Retained Earnings Deficit	0.00	
	5. Total cherry sheet offsets (see cherry sheet 1-ER)	103,577.00	
	6. Revenue deficits	0.00	
	7. Offset receipts deficits Ch. 44, Sec. 53E	0.00	
	8. CPA other unappropriated/unreserved	0.00	
	9. Snow and ice deficit Ch. 44, Sec. 31D	514,989.00	
	10. Other:	0.00	
	TOTAL IIb (Total lines 1 through 10)		728,566.00
IIc.	State and county cherry sheet charges (C.S. 1-EC)		5,647,654.00
lld.	Allowance for abatements and exemptions (overtay)		2,628,339.82
lle.	Total amount to be raised (Total IIa through IId)		230,802,183.82
III. Est	timated receipts and other revenue sources		· · · · · · · · · · · · · · · · · ·
llla	. Estimated receipts - State		
	1. Cherry sheet estimated receipts (C.S. 1-ER Total)	28,709,728.00	
	2. Massachusetts school building authority payments	0.00	
	TOTAL Illa		28,709,728.00
llib	. Estimated receipts - Local		
	1. Local receipts not allocated (page 3, col (b) Line 24)	13,840,000.00	
	2. Offset Receipts (Schedule A-1)	0.00	
	3. Enterprise Funds (Schedule A-2)	15,660,000.00	
	4. Community Preservation Funds (See Schedule A-4)	2,364,262.00	
	TOTAL IIIb		31,864,262.00
Ille	Revenue sources appropriated for particular purposes		
	1. Free cash (page 4, col (c))	4,940,054.00	
	2. Other available funds (page 4, col (d))	3,424,249.00	
	TOTAL IIIc		8,364,303.00
IIId	. Other revenue sources appropriated specifically to reduce the tax rate	 	
	1a. Free cashappropriated on or before June 30, 2024	0.00	
	1b. Free cashappropriated on or after July 1, 2024	0.00	

MASSACHUSETTS DEPARTMENT OF REVENUE DIVISION OF LOCAL SERVICES BUREAU OF ACCOUNTS

Billerica	
TOWN	

TAX RATE RECAPITULATION

Fiscal Year 2025

2. Municipal light surplus		0.00	
3. Other source :		0.00	
TOTAL IIId			0.00
IIIe. Total estimated receipts and other revenue	sources	****	68,938,293.00
(Total IIIa through ilid)			
 Summary of total amount to be raised and tot 	al receipts from all sources		
a. Total amount to be raised (from IIe)			230,802,183.82
b. Total estimated receipts and other reve	nue sources (from Ille)	68,938,293.00	
c. Total real and personal property tax lev	y (from Ic)	161,863,890.82	
d. Total receipts from all sources (total IVI	plus IVc)		230,802,183.82

TOWN

TAX RATE RECAPITULATION

Fiscal Year 2025

LOCAL RECEIPTS NOT ALLOCATED *

	Receipt Type Description	(a) Actual Receipts Fiscal 2024	(b) Estimated Receipts Fiscal 2025	Percentage Change
==> 1.	MOTOR VEHICLE EXCISE	7,513,332.00	7,150,000.00	-4.84
2.	OTHER EXCISE			
==>	a.Meals	652,869.00	500,000.00	-23.41
==>	b.Room	1,058,049.00	750,000.00	-29.11
==>	c.Other	0.00	0.00	0.00
==>	d.Cannabis	399,015.00	300,000.00	-24.81
==> 3.	PENALTIES AND INTEREST ON TAXES AND EXCISES	317,320.00	300,000.00	-5.46
==> 4.	PAYMENTS IN LIEU OF TAXES	143,795.00	100,000.00	-30.46
5.	CHARGES FOR SERVICES - WATER	0.00	0.00	0.00
6.	CHARGES FOR SERVICES - SEWER	0.00	0.00	0.00
7.	CHARGES FOR SERVICES - HOSPITAL	0.00	0.00	0.00
8.	CHARGES FOR SERVICES - SOLID WASTE FEES	0.00	0.00	0.00
9.	OTHER CHARGES FOR SERVICES	0.00	0.00	0.00
10.	FEE\$	2,666,097.00	2,500,000.00	-6.23
	a.Cannabis Impact Fee	0.00	0.00	0.00
	b.Community Impact Fee Short Term Rentals	0.00	0.00	0.00
11.	RENTALS	0.00	0.00	0.00
12.	DEPARTMENTAL REVENUE - SCHOOLS	0.00	0.00	0.00
13.	DEPARTMENTAL REVENUE - LIBRARIES	0.00	0.00	0.00
14,	DEPARTMENTAL REVENUE - CEMETERIES	162,840.00	110,000.00	-32.45
15.	DEPARTMENTAL REVENUE - RECREATION	0.00	0.00	0.00
16.	OTHER DEPARTMENTAL REVENUE	471,695.00	295,000.00	-37.46
17.	LICENSES AND PERMITS			
	a.Building Permits	2,024,989.00	1,200,000.00	-40.74
	b.Other licenses and permits	0.00	0.00	0.00
18.	SPECIAL ASSESSMENTS	0.00	0.00	0.00
==> 19.	FINES AND FORFEITS	72,043.00	70,000.00	-2.84
≈=> 20.	INVESTMENT INCOME	1,391,645.00	500,000.00	-64.07
==> 21.	MEDICAID REIMBURSEMENT	266,081.00	65,000.00	-75.57
==> 22.	MISCELLANEOUS RECURRING	0.00	0.00	0.00
23.	MISCELLANEOUS NON-RECURRING	0.00	0.00	0.00
24.	Totals	17,139,770.00	13,840,000.00	-19.25

Signatures

Printed on: 12/2/2024 1:21:35 PM

MASSACHUSETTS DEPARTMENT OF REVENUE

Billerica

DIVISION OF LOCAL SERVICES

BUREAU OF ACCOUNTS

TAX RATE RECAPITULATION

Fiscal Year 2025

AUTHORIZATIONS MEMO ONLY (I) Borrowing ental Authorization fing 15	0.00	0.00	5,293,038.00	13,600,000.00	
AUTHC ME (h) TH Departmental Revolving Funds	00'0	0.00	2,315,000.00	0.00	
(9) Erom Community Preservation Funds (See A.4)	00.0	0.00	1,971,537.00	392,725.00	2,364,262.00
(f) From: Enterprise Funds / (See A.2)	1,205,000.00	12,850,000.00	0.00	1,605,000,00	15,660,000.00
(e) From Offset Receipts (See A-1)	000	00.00	0.00	0,00	0.00
(d) From Other Available Funds (See B-2)	1,470,322.00	91,927.00	0.00	1,862,000.00	3,424,249.00
APPROPRIATIONS (G) From Free Cash (See B-1)	00.0	0.00	0.00	4,940,054.00	4,940,054.00
(b) com Raise and. Appropriate	00.0	195,241,533.00	0.00	167,526.00	195,409,059.00
(a) Total Appropriations CoffEach Meeting	2,675,322.00	208,183,460.00	1,971,537.00	8,967,305.00	Total 221,797,624.00
FA*	2024	2025	2025	2025	Total
City/Fown FY* (a) Council of Total Town Meeting Appropriations Dates OF Each Meeting	05/09/2024	05/09/2024	05/09/2024	10/01/2024	

Clerk
I hereby certify that the appropriations correctly reflect the votes taken by City / Town / District Council.
Donna J. McCoy, Town Clerk , Billerica , townclerk@town.billerica.ma.us 978-671-0924 11/19/2024 11:28 AM
Comment:

No documents have been uploaded.

Documents

^{*} Enter the fiscal year to which the appropriation relates.

** Appropriations included in column (b) must not be reduced by local receipts or any other funding source.

Appropriations must be entered gross to avoid a duplication in the use of estimated or other sources of receipts.

*** Include only revolving funds pursuant to Chapter 44, Section 53 E 1/2.

MassDOR - Massachusetts Department of Revenue What If ... Scenario Worksheet for FY 2026 Division of Local Services

CLASSIFICATION OPTIONS

Billerica - 031

CLASS	VALUE	%	
Personal Prope	451,816,800	3.9571	22.2661
Total	11,417,819,571	100.0000	•

ENTER A LEVY (ESTIMATED IF NE 14.79 168,839,513 Single TaxRate

1.00 ENTER CIP SHIFT RANGE Shift Increment % Max Shift Allowed Shift Range

1.00

Note: This table should be used for planning purposes only. Actual calculations may differ slightly due to rounding. For actual calculations, complete Recap.

23.51 23.66 23.96 24.10 24.25 24.55 24.84 24.99 25.29 23.36 23.81 24.69 25.14 25.43 25.88 **Esimated Tax Rates** 23.36 23.51 23.66 23.96 24.10 24.40 24.84 24.99 25.29 25.43 25.58 25.88 23.07 24.25 24.55 24.69 23.81 25.14 25.14 OS ET omm ET Ind ET 72.77 22.77 24.10 23.51 23.07 23.22 23.36 23.66 23.81 23.96 24.25 24.40 24.55 24.69 24.84 24.99 25.29 25.43 25.73 25.88 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 12.20 12.08 12.03 11.99 11.95 11.82 12.12 11.91 11.61 Total 1A 168,839,513 10,957,138 10,756,703 10,823,515 7 10,556,267 10,623,079 11,157,574 11,625,256 11,692,068 11,090,762 11,224,385 11,358,009 10,422,644 10,890,326 11,558,445 10,489,455 10,689,891 11,291,197 11,491,633 10,289,020 10,355,832 11,424,821 36,049,650 36,282,229 36,747,386 36,979,964 38,142,856 38,375,434 Levy Amounts 37,445,121 37,677,699 40,468,640 40,701,218 37,910,278 35,817,072 36,514,807 37,212,542 38,608,013 38,840,591 39,073,170 39,305,748 39,538,326 39,770,905 40,003,483 40,236,061 11,865,118 11,941,668 12,324,413 12,860,257 13,396,101 12,554,061 12,707,159 12,783,708 13,013,356 13,243,003 11,788,569 12,018,217 12,094,766 12,171,315 12,247,864 12,400,952 12,477,512 12,630,610 12,936,806 13,089,905 13,166,454 13,319,552 Res LA 106,057,640 103,802,004 109,441,094 108,313,276 107,561,398 107,185,458 104,553,883 104,177,943 103,050,125 110,944,852 110,568,912 110,192,973 109,817,034 109,065,155 108,689,216 107,937,337 106,809,519 106,433,579 105,681,701 105,305,761 104,929,822 103,426,065 100,0000 100.0000 100.0000 100.0000 100.0000 100.0000 100.0000 100.000 100.0000 100.000 100.000 100.000 100.0000 100.0000 Total SP 100.000 100.0000 100,0000 100.0000 000:000 6.3710 6.5688 6.8458 6.1335 6.2127 6.2522 6.2918 6.3314 6.4501 6.4897 6.5292 6.6084 6.6480 6.6875 6.7271 6.7667 6.8062 6.9250 6.1731 23.8310 21.2137 21.3514 21.4892 21.6269 22.5912 22.7289 23.0044 23.2799 23.5554 Share Percentages 21.7647 21.9024 22.0402 22.1779 22.3157 22,4534 22.8667 23.1422 23.4177 23.6932 23.9687 24,1065 OS SP Comm SP 0.0000 6.9821 7.2995 7,4808 7.7529 7.8435 7.8889 7.0275 7.0728 7.1635 7.2088 7.2541 7.3902 7.4355 7.5262 7.5715 7.6169 7.6622 7.7075 7.7982 7.9342 7.1181 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.000.0 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 0.0000 64.8196 65.4876 65.2649 65.0423 64.5969 64.1516 63.2610 62.8157 62.5930 62.3703 62.1477 61.9250 61.4797 61.2570 61.0344 64.3743 63.9290 63.4836 63.0383 61,7023 63.7063 0.8425 0.8339 0.7938 0.7909 0.8367 0.8253 0.8224 0.8195 0.8167 0.8138 0.8109 0.8024 0.7995 0.79660.8281 0.8081 0.8052 0.7852 Res Factor 1.5800 1.5900 1.6000 1.6100 1.6200 1.6300 1.6400 1.6600 1.6700 1.6900 1,7000 1.7200 CIP Shift 1.5500 1.5700 1.5400

Order Number:

NY0160056

External Order #:

2770098

Parent Order #:

NY0128490

Order Status:

Approved

Classification:

General Legal Notices & Bids

Package:

Legals MA

Site:

ma-legals

Final Cost:

\$246.22

Payment Type:

Account Billed

User ID:

W0014327

Username:

1380509

ACCOUNT INFORMATION

BILLERICA SELECT BOARD MA Legals TOWN HALL 365 BOSTON ROAD BILLERICA, MA 01821 978-671-0939 selectboard@town.billerica.ma.us BILLERICA SELECT BOARD

TRANSACTION REPORT

Date

October 28, 2025 4:30:50 PM EDT

Amount:

\$246.22

SCHEDULE FOR AD NUMBER NY01600560

November 3, 2025 The Lowell Sun Legals

TOWN OF BILLERICA NOTICE OF PUBLIC HEARING PROPERTY TAX CLASSIFICATION

You are hereby notified that a public hearing on Property Tax Classification will be held by the Select Board on Monday, November 17, 2025 @ 6:00 PM in the Conway Hearing Room #205 in Town Hall, 365 Boston Road and via Zoom:

https://us02web.zoom. us//83477138002 phone 1 929 205 6099 webinar id: 834 7713 8002

In accordance with Massachusetts General Laws, Chapters 369 and 661, Acts of 1982, amending Chapter 797, Acts of 1979, the Select Board will accept written and oral comments and recommendations on the option of selecting a factor of one for all classes of property or allocating variable percentages of the tax levy to be borne by each ciass.

All written comments must be received at the Town Manager's Office prior to the meeting. All oral comments may be offered in accordance with the Select Board's Rules of Procedure.

Cifizens are urged to attend this public hearing. 11/3/25 #NY0160056

MASSACHUSETTS DEPARTMENT OF REVENUE

Billerica

DIVISION OF LOCAL SERVICES

BUREAU OF LOCAL ASSESSMENT

LA4 Comparison Report - Fiscal Year 2026

Small PP Exemption:	10,000	Certification Year:	2025
Billing Cycle:	Quarterly	:	Rebecca Boucher
Chapter 653:	No		

Assessed Value % Difference	2.0%	2.5%	-0.4%	0.2%	1.4%	-2.1%	-2.4%		3.3%	0.7%		-12.9%	28.4%	13.5%	4.9%		-10.3%	5.8%	57.8%	0.5%	4.2%	-2.3%	5.5%
Assessed Value Difference	141,755,000	12,887,700	-157,500	578,900	194,600	-14,907,400	-1,703,500	c	15,798,400	10,803,340	0	-761	48,187	291,456	2,568,277	0	-2,873,977	194,683	44,142,300	542,200	141,300	-3,738,900	2,034,600
	0.2%	0.5%	-2.2%	-1.1%		-2,7%	-1.8%		0.7%						2.1%				0.3%	-2.0%			
Parcel Parcel Difference	20	9	7	φ	0	7	-17	0	ო	0	0	0	0	0	2	Ö	Ó	0	-	φ	0	0	0
> FY 2026 Assessed Value	7,125,898,400	535,809,800	35,382,300	359,681,500	14,366,000	679,034,500	009'808'89	0	490,018,300	1,562,257,650	6,986,556	5,159	217,669	2,445,153	55,437,080	0	24,979,504	3,573,700	120,567,300	109,346,900	3,515,600	161,208,500	38,844,900
FY 2026 Parcel Count	11,055	1,319	44	522	20	36	948	0	406	455	cr3	υÓ	б	10	66	0	0	0	341	396	2	ις	Q
FY												-	∞	ď									
FY 2025 Assessed Value	6,984,143,400	522,922,100	35,539,800	359,102,600	14,171,400	693,941,900	71,613,000	0	474,219,900	1,551,454,310	6,986,556	5,920	169,482	2,153,697	52,868,803	0	27,853,481	3,379,017	76,425,000	108,804,700	3,374,300	164,947,400	36,810,300
u	11,035	1,313	45	528	20	37	965	0	403	455	ო	φ	Ф	თ	26	0	0	O.	340	404	2	ιΩ	9
FY 2025 arcel Cou	,											-	∞	4									
Property Type Description FY 2025 FY 2025 Assessed Val	Single Family	Condominiums	Miscellaneous Residential	Two - Family	Three - Family	Apartment	Vacant / Accessory Land	Open Space	Commercial	Industrial	Industrial Power Plant	Forest	Agriculture	Recreational	Multi-use - Residential	Multi-use - Open Space	Multi-use - Commercial	Multi-use - Industrial	Individuals / Partnerships / Associations / Trusts / LLC	Corporations	Manufacturing	Public Utilities	Centrally Valued Telephone
Property Type	101	102	MISC 103,109	104	105	111-125	130-32,106	200-231	300-393	400-442	450-452	CH 61 LAND	CH 61A LAND	CH 61B LAND	012-043	012-043	012-043	012-043	501	502	503	504	505

MASSACHUSETTS DEPARTMENT OF REVENUE BUREAU OF LOCAL ASSESSMENT DIVISION OF LOCAL SERVICES

Billerica

TOWN

LA4 Comparison Report - Fiscal Year 2026

ssed Value fference	3.7%	-8.7%		1.7%
essed Value Asse. Vifference % D	223,700	-765,700	0	9,566,817
Parcel Ass Difference		40.0%		0.5%
Parcel %	0	7	Φ	ເດ
FX 2026 ressed Value D	6,249,700	8,054,000	4,029,900	558,662,588
Y 2026 cel Count Ass	-	м	2	947
Y 2025 ssed Value Par	6,026,000	8,819,700	4,029,900	549,095,771
/2025 el Count Asse	-	ιn	2	942
PY 2025 FY 2025 Property Type Description Paicel Count Assessed Value	Centrally Valued Pipelines	Wireless Telephone	Electric Generating Plant	Exempt Property
Property Type	506	508	550-552	EXEMPT VALUE

MASSACHUSETTS DEPARTMENT OF REVENUE

Billerica TOWN

DIVISION OF LOCAL SERVICES

BUREAU OF LOCAL ASSESSMENT

LA4 Comparison Report - Fiscal Year 2026

Small PP Exemption:	10,000	Certification Year: 2025	2025
Billing Cycle:	Quarterly	BLA Advisor: Rebecca Boucher	Rebecca Boucher
Chapter 653:			

Property.Type	Description	FY 2025 Parcel Count Au	86 30 30	026 nal As Count	FY 2026 Parcel Assessed Value Final Assessed Value Difference % Difference Parcel Count	cel Par ence % Diffe	del Ass lience L	essed Value	Assessed Value % Difference
Total Class 1	TOTAL RESIDENTIAL	14,040	8,734,303,003	14,043	8,875,519,080	ო	%0.0	141,216,077	1.6%
Total Class 2	TOTAL OPEN SPACE	0	Ó	0	0	0		0	
Total Class 3	TOTAL COMMERCIAL	440	504,402,480	443	517,665,785	67	%2.0	13,263,305	2.6%
Total Class 4	TOTAL INDUSTRIAL	458	1,561,819,883	458	1,572,817,906	0		10,998,023	%2.0
Total Class 5	TOTAL PERSONAL PROPERTY	765	409,237,300	756	451,816,800	φ	-1.2%	42,579,500	10.4%
Total Taxable	TOTAL REAL & PERSONAL	15,703	11,209,762,668	15,700	11,417,819,571	φ	%0.0	208,056,905	1.9%
LA4 Reviewer:	Rebecca Boucher			Approv	Approval Date:	11/12/2025			

LA4010 | 505 LA4 Value does not equal DOR Growth and Utility Value

	Documents	· · ·	
No decimente have been independed			

Dawn McDowell

From:

legals@mediaonene.com

Sent:

Tuesday, October 28, 2025 4:31 PM

To:

Dawn McDowell

Subject:

Thank you for placing your order with us.

[EXTERNAL EMAIL]

DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

THANK YOU for your ad submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

Job Details

Order Number:

NY0160056

Classification:

General Legal Notices & Bids

Package: Legals MA Order Cost:

9246,22

Account Details

BILLERICA SELECT BOARD MA Legals

TOWN HALL 365 BOSTON ROAD

BILLERICA, MA 01821

978-671-0939

selectboard@town.billerica.ma.us

BILLERICA SELECT BOARD

Schedule for ad number NY01600560

Mon Nov 3, 2025 The Lowell Sun Legals

All Zones

TOWN OF BILLERICA NOTICE OF PUBLIC HEARING PROPERTY TAX CLASSIFICATION

You are hereby notified that a public hearing on Property Tax
Classification will be held by the Select Board on Monday, November 17, 2025 @ 6:00 PM in the Conway Hearing Room #205 in Town Hall, 365 Boston Road and via Zoom:

https://us02web.zoom. us/j/83477138002 phone 1 929 205 6099 webinar id: 834 7713 8002

In accordance with Massachusetts General Laws, Chapters 369 and 661, Acts of 1982, amending Chapter 797. Acts of 1979, the Select Board will accept written and oral comments and recommendations on the option of selecting a factor of one for all classes of property or allocating variable percentages of the tax levy to be borne by each class.

All written comments must be received at the Town Manager's Office prior to the meeting. All oral comments may be offered in accordance with the Select Board's Rules of Procedure.

Citizens are urged to attend this public hearing, 11/3/25 #NY0160056

national**grid**

September 19, 2025

To the Board of Selectmen - Billerica, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

Joseph Ientile (978) 766-3114 or joseph.ientile@nationalgrid.com

Please notify National Grid's Jenn lannalfo of the hearing date / time to Jennifer.lannalfo@nationalgrid.com

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

National Grid: Jennifer Iannalfo, 1101 Turnpike Street; North Andover, MA 01845.

Very truly yours,

Dave Johnson

Dave Johnson Supervisor, Distribution Design

Enclosures

Questions contact Design - Joseph Ientile 978-766-3114 or joseph ientile@nationalgrid.com

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To The Board of Selectmen Of Billerica, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Sumac Street - National Grid to install 1 JO pole on Sumac Street beginning at a point approximately 80 feet Easterly from the existing pole at 62 Pond Street location. National Grid proposes to install new pole 0-50 on Sumac Street approximately 80 feet Easterly from pole 62 Pond Street. This will reduce the existing span and raise sagging wires on Sumac Street, Billerica, MA.

Location approximately as shown on plan attached.

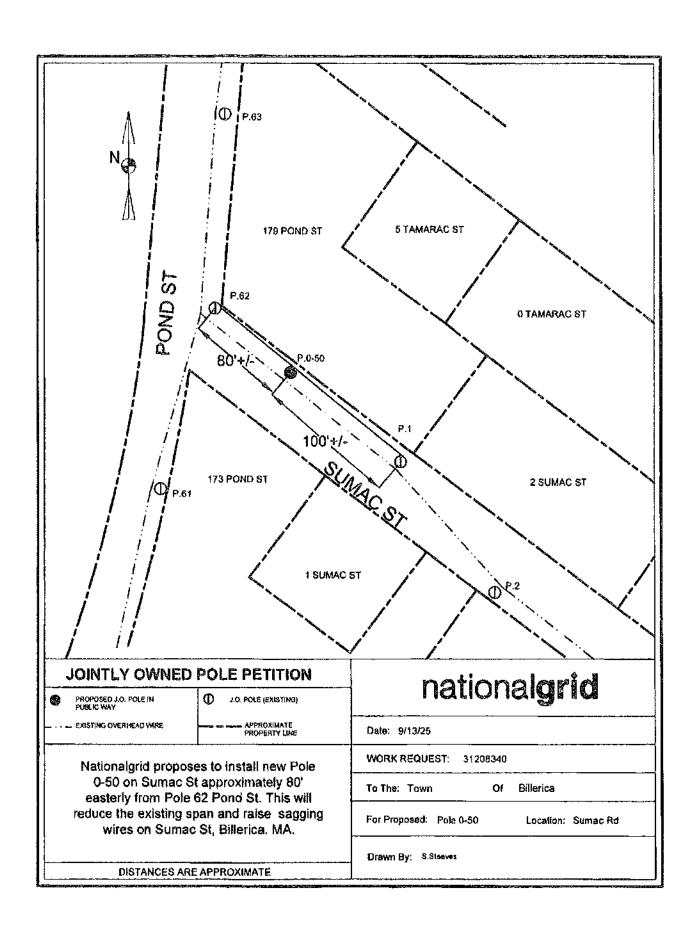
Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked — Sumac Street - Billerica, Massachusetts.

No.# 31208340

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electr	ic Company d/b/a
NATIONAL GRID	Dave Johnson
BY	
Engineering Departn	nent
VERIZON NEW EN	GLAND, INC.
Manager / Right of V	Vay



September 19, 2025

Questions contact Design - Joseph Ientile 978-766-3114 or joseph.ientile@nationalgrid.com

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the Board of Selectmen - Billerica, Massachusetts

Notice having been given and public hearing held, as provided by law, IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 13th day of September, 2025.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Sumac Street - Billerica, Massachusetts.

No.# 31208340

Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Sumac Street - National Grid to install 1 JO pole on Sumac Street beginning at a point approximately 80 feet Easterly from the existing pole at 62 Pond Street location. National Grid proposes to install new pole 0-50 on Sumac Street approximately 80 feet Easterly from pole 62 Pond Street. This will reduce the existing span and raise sagging wires on Sumac Street, Billerica, MA.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing	g order was adopted at a meetin	g of the	
Of the City/Town of	,Massachusetts held on the	day of	20 .
		City/Town	ı Clerk.
	Massachusetts	•	20 .
Received and entered in t	he records of location orders of	the City/Town of	
Book	Page		
	Atte	st:	
		City/Town Clerk	
I hereby certify that on	20	at o¹c	clock, M
At		ring was held on the	,
Massachusetts Electric Company			
INC. for permission to erect the			
and that we mailed at least seven			
said hearing to each of the owner			
for taxation) along the ways or p			
Poles, wires, and fixtures under s	said order. And that thereupon s	said order was duly a	dopted.
		City/Town	ı Clerk.

Во	ard or Council of Town or City		
	CERTIFICATE		
I hereby certify that the foregoin		order and certificate o	of hearing
with notice adopted by the	of the City		A Houring
Massachusetts, on the		d with the records of I	location
orders of the said City, Book	,	his certified copy is	
the provisions of Chapter 166 of			
	Atte	st:	
	7 1110	City/Town Clerk	



HEARING NOTICES FOR NATIONAL GRID, VERIZON and COMCAST POLE LOCATIONS, CONDUIT, ETC.

DPW

Location of Pole/Conduit:	179 Pond Street (On Sumac Street) 17-40-0
Reason of Pole/Conduit:	National Grid to install (1) JO Pole (#0-50) on Sumac Street at a point ~80' easterly from existing pole 62 on Pond Street to reduce the existing span and raise sagging wires on Sumac Street.
Plan #:	31208340

Comments on Plan:

Installation of new pole 0-50 MUST adhere to the following comments.

Applicant must have the Water Division mark out water, and Sewer Division must mark out sewer in area.

The Water and Wastewater (Sewer) Divisions are not notified by Digsafe to mark utilities. Must call 978-671-0956 (Wastewater) and 978-671-0957 (Water) to request marking of water and sewer lines.

DO NOT PROCEED WITHOUT CONFIRMATION OF WATER AND SEWER MARKINGS.

Contractor is responsible to locate and protect all existing drainage pipes and structures, as well as all other property within work site. Any damaged property must be reported to DPW, and promptly repaired by the contractor. Notify Engineering Office (978-671-1300) any time drainage pipes or structures are exposed.

A Street Opening Permit from DPW (978-436-9178) is required for any underground excavations for conduit, cables, wires, manholes, etc. placed within the right-of way. All Right of Way Opening Rules and Regulations must be followed. A site walk must be scheduled with DPW (978-436-9178) after water and sewer are marked out, prior to approval of any Street Opening Permit work (if required).

Contractor Acknowledgement Form is attached for signature.

Signature:	Stephen Ro	obertson	DPW Representative
Date:		11/6/25	5
Please return to the Sel	ect Board Office by:	November	12, 2025



HEARING NOTICES FOR NATIONAL GRID, VERIZON and COMCAST POLE LOCATIONS, CONDUIT, ETC.

CONTRACTOR ACKNOWLEDGEMENT FORM

I hereby certify that I am aware of these DPW comments regarding the work described.

179 Pond Street (On Sumac Street) 17-40-0
National Grid to install (1) JO Pole (#0-50) on Sumac Street at a point ~80' easterly from existing pole 62 on Pond Street to reduce the existing span and raise sagging wires on Sumac Street.
31208340

Comments on Plan:

Installation of new pole 0-50 MUST adhere to the following comments.

Applicant must have the Water Division mark out water, and Sewer Division must mark out sewer in area.

The Water and Wastewater (Sewer) Divisions are not notified by Digsafe to mark utilities. Must call 978-671-0956 (Wastewater) and 978-671-0957 (Water) to request marking of water and sewer lines.

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Contractor is responsible to locate and protect all existing drainage pipes and structures, as well as all other property within work site. Any damaged property must be reported to DPW, and promptly repaired by the contractor. Notify Engineering Office (978-671-1300) any time drainage pipes or structures are exposed.

A Street Opening Permit from DPW (978-436-9178) is required for any underground excavations for conduit, cables, wires, manholes, etc. placed within the right-of way. All Right of Way Opening Rules and Regulations must be followed. A site walk must be scheduled with DPW (978-436-9178) after water and sewer are marked-out, prior to approval of any Street Opening Permit work (if required).

Signature - Utility Company Representative		11712025
Signature - Utility Company Representative	Date	
Print Name - Utility Company Representative		
Print Name - Utility Company Representative		
NGRID Utility Company Name		



HEARING NOTICES FOR NATIONAL GRID, VERIZON AND COMCAST POLE PETITION LOCATIONS, CONDUIT, ETC.

□ DPW □ Elect	rical Inspector Safety Officer, Police		
Location of Pole/Conduit:	179 Pond Street (On Sumac Street) 17-40-0		
Purpose of Pole/Conduit:	National Grid to install (1) JO Pole (#0-50) on Sumac Street at a point ~80' casterly from existing pole at 62 Pond Street to reduce the existing span and raise sagging wires on Sumac Street.		
Plan #:	31208340		
Comments on Plan:	NO COMMENTS		
Any Interference with line of sight?	□ YES CYNO		
Markings for Fire Hydrant Needed?	YES DO		
Resident's Complaints?	NO KNOWN COMPLAINTY		
Signature:	561. J-Fr-495		
Date:	10 NOV 2025		
Please return to the Select Roard Office Ry: November 12, 2025			



HEARING NOTICES FOR NATIONAL GRID, VERIZON AND COMCAST POLE PETITION LOCATIONS, CONDUIT, ETC.

□ DPW Electri	cal Inspector	nfety Officer, Police
Location of Pole/Conduit:	179 Pond Street (On Sumac	Street) 17-40-0
Purpose of Pole/Conduit:	National Grid to install (1) Je Sumac Street at a point ~80' existing pole at 62 Pond Stre existing span and raise saggi Street.	easterly from et to reduce the
Plan #:	31208340	
Comments on Plan:	No	
Any Interference with line of sight?	□ YES	⊠NO
Markings for Fire Hydrant Needed?	□ YES	₽ÑO
Resident's Complaints?	No	
Signature:	min/Bal	he
Date:	11/0/25	

November 12, 2025

Please return to the Select Board Office By:



Rev. 4/30/07

Board of Assessors Town Hall 365 Boston Road Billerica, Massachusetts 01821

NOV 0 6 2025

JOHN B. SPEIDEL, Chairman Tele: (978) 671-0971 assessors@town.billerica.ma.us

RICHARD J. SCANLON, Associate RICK LADD, Associate

ABUTTERS	LIST	REQUEST
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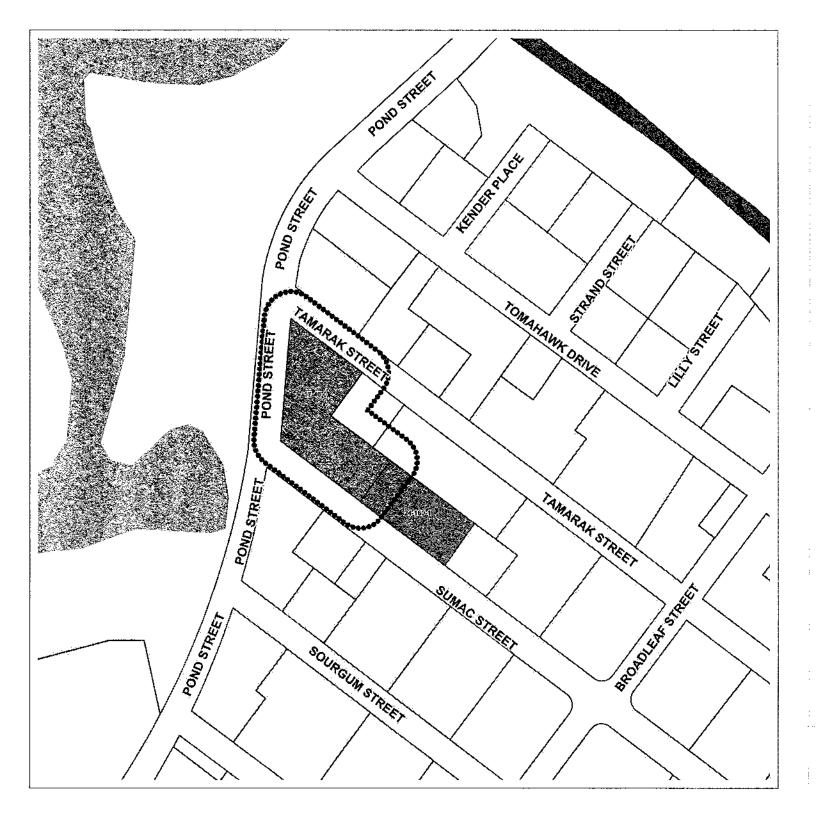
AWOTTENG EIST REGUEST				
Name National Grid	Date November 5, 2025			
Address of Property: 179 Pond Street (On Sumac Street)	Plate 17-40-0			
Telephone Number	Parcel			
I request one copy of the following abutters list and three copies of the labels for the above listed property. The cost of this service shall be \$2,00 per name. The list shall be available five to ten (5-10) working days from the requested date or earlier. Signature of applicant				
Types of Abutters Lists				
There are four types of abutters lists which may be required in the Town of Bi are seeking approval from and the particular request you are making determin contact the applicable board or commission to determine which of the following	es the type of list. You will need to			
(Circle one - If no letter is circled a "D" list will be prepared.)				
A. Direct Abutters - Direct Abutters to Parcel and Roadway	Being Improved			
This list contains direct abutters only. Properties across public right-of-ways or paper streets, which have not been discontinued, are <u>not</u> included. (This list should include direct abutters to the roadway being improved if road construction is involved.)				
B. Abutters Within 100 Feet				
This list contains all abutters within 100 feet of the parcel, notwithstanding public or private streets or ways, municipal borders or bodies of water.				
C. Abutter to Abutter Within 300 Feet	2 pices			
This list contains abutters to direct abutters within 300 feet of the parcel. If there is more than one abutter between the subject parcel and the abutting property within 300 feet the owner will not be notified.				
D. All Property Owners Within 300 Feet (Cell Towers - All Property Within 500 Feet)				
This list contains all properties within 300 feet of the subject parcel. Abutters to abutter restrictions do not apply.				
Assessor's Signature John B. Spinchl Date 11 W 25	Amount \$\(\frac{4}{4}\) OO			

DISCLAIMER: This list is certified based upon records held in this department as of the date on the abutter's list. It was completed to the best of our ability based upon the information we have available. We do not certify the accuracy of this list per se, only the names and addresses listed on it. In most cases, public disclosure of the hearing pertaining to this list is required and published in the local newspaper. Every effort has been made to ensure proper notification.

The Board of Assessors certifies the accuracy of the names and addresses on this list based upon our current records.

John B Speidel
Chief Assessor

Unel Assessor November 6, 2025



Abutters map for parcel 17-40-0 using direct abutters

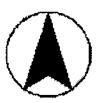
Printed on 11/06/2025 at 10:21 AM

380

Legend









SELECT BOARD

TOWN HALL 365 BOSTON ROAD BILLERICA, MASSACHUSETTS 01821 978-671-0939 FAX: 978-671-0947

Jillian K. Pavidis, *Chair*John J. Burrows, Vice Chair
Daniel R. Darris-O'Connor, *Secretary*Michael S. Rosa, *Member*Dina M. Favreau, *Member*

NOTICE OF HEARING

To: NATIONAL GRID, VERIZON AND ALL ABUTTERS

You are hereby notified that a hearing will be held by the Select Board on Monday, November 17, 2025 @ 6:00 PM in the Conway Hearing Room #205 in Town Hall, 365 Boston Road and via Zoom:

https://us02web.zoom.us/j/83477138002

phone 1 929 205 6099 webinar id: 834 7713 8002

National Grid #31208340

Parcel: 17-40-0

179 Pond Street (On Sumac Street)

National Grid to install (1) JO Pole (#0-50) on Sumac Street at a point ~80' easterly from existing pole at 62 Pond Street to reduce the existing span and raise sagging wires on Sumac Street.

If there any questions on this hearing: Please call or email Joeseph Ientile at (978) 766-3114 or joseph.ientile@nationalgrid.com

nationalgrid

September 11, 2025

To the Board of Selectmen - Billerica, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

Aaron Fernandes (781) 384-2371 or afernandes@cpteng.com

Please notify National Grid's Jenn Iannalfo of the hearing date / time to Jennifer.lannalfo@nationalgrid.com

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

National Grid: Jennifer Iannalfo, 1101 Turnpike Street; North Andover, MA 01845.

Very truly yours,

Dave Johnson

Dave Johnson Supervisor, Distribution Design

Enclosures

Questions contact Design - Aaron Fernandes (781) 384-2371 or afernandes@cpteng.com

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To The Board of Selectmen Of Billerica, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc. requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Pollard Street - National Grid to install 1 JO pole on Pollard Street beginning at a point approximately 160 feet Northeast of the centerline of the intersection of High Street and Pollard Street. National Grid will install a new pole, pole # 34-50 at approximately (42°34'44" N, 71°16'42" W) in Billerica, MA.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked - Pollard Street - Billerica, Massachusetts.

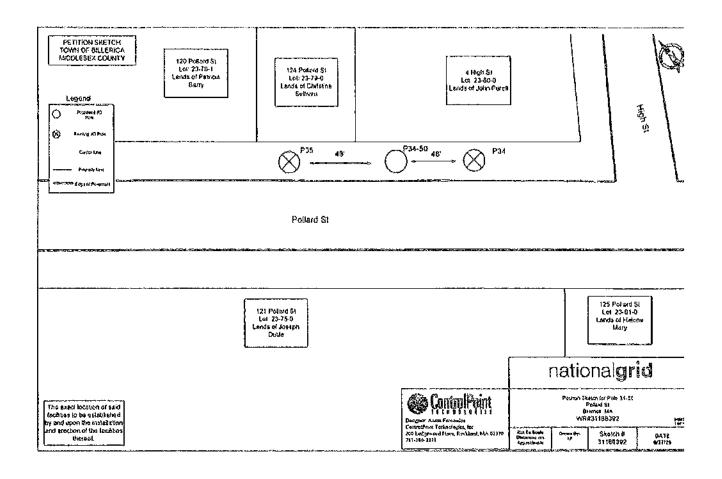
No.# 31188392

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

> Massachusetts Electric Company d/b/a NATIONAL GRID Dave Johnson BY Engineering Department

VERIZON NEW ENGLAND, INC.
BY
Manager / Right of Way



September 11, 2025

Questions contact Design Aaron Fernandes (781) 384-2371 or afernandes@cpteng.com

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the Board of Selectmen - Billerica, Massachusetts

Notice having been given and public hearing held, as provided by law, IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 27th day of August, 2025.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Pollard Street - Billerica, Massachusetts.

No.# 31188392

Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Pollard Street - National Grid to install 1 JO pole on Pollard Street beginning at a point approximately 160 feet Northeast of the centerline of the intersection of High Street and Pollard Street. National Grid will install a new pole, pole # 34-50 at approximately (42°34'44" N, 71°16'42" W) in Billerica, MA.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the

day of

20 .

City/Town Clerk.

Massachusetts

20

Received and entered in the records of location orders of the City/Town of Book Page

Attest:

City/Town Clerk

I hereby certify that on 20, at o'clock, M a public hearing was held on the petition of Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND, INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

	City/Town Clerk.	

*************	***************************************	
***************************************	***************************************	
Board or Council of Town or City	, Massachusetts	

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of

Massachusetts, on the day of 20 and recorded with the records of location orders of the said City, Book , and Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

City/Town Clerk



HEARING NOTICES FOR NATIONAL GRID, VERIZON and COMCAST POLE LOCATIONS, CONDUIT, ETC.

⊠DPW

Location of Pole/Conduit:	4 High Street (On Pollard Street) 23-80-0
Reason of Pole/Conduit:	National Grid to install (1) JO Pole (#34-50) on Pollard Street beginning at a point ~160' Northeast of the centerline of the intersection of High Street and Pollard Street.
Plan #:	31188392

Comments on Plan:

Installation of new pole 34-50 MUST adhere to the following comments.

Applicant must have the Water Division mark out water, and Sewer Division must mark out sewer in area.

The Water and Wastewater (Sewer) Divisions are not notified by Digsafe to mark utilities. Must call 978-671-0956 (Wastewater) and 978-671-0957 (Water) to request marking of water and sewer lines.

DO NOT PROCEED WITHOUT CONFIRMATION OF WATER AND SEWER MARKINGS.

Contractor is responsible to locate and protect all existing drainage pipes and structures, as well as all other property within work site. Any damaged property must be reported to DPW, and promptly repaired by the contractor. Notify Engineering Office (978-671-1300) any time drainage pipes or structures are exposed.

A Street Opening Permit from DPW (978-436-9178) is required for any underground excavations for conduit, cables, wires, manholes, etc. placed within the right-of way. All Right of Way Opening Rules and Regulations must be followed. A site walk must be scheduled with DPW (978-436-9178) after water and sewer are marked out, prior to approval of any Street Opening Permit work (if required).

Contractor Acknowledgement Form is attached for signature.

Signature:	Stephen Ro	obertson	DPW Representative
Date:		11/6/25	
Please return to the Sele	ct Board Office by:	November 1	12, 2025



HEARING NOTICES FOR NATIONAL GRID, VERIZON and COMCAST POLE LOCATIONS, CONDUIT, ETC.

CONTRACTOR ACKNOWLEDGEMENT FORM

Pole/Conduit:	4 High Street (On Pollard Street) 23-80-0		
Reason of Pole/Conduit:	National Grid to install (1) JO Pole (#34-50) on Pollard Street beginning at a point ~160' Northeast of the centerline of the intersection of High Street and Pollard Street.		
Plan #:	31188392		
Comments on Plan:			
Installation of new po	ele 34-50 MUST adhere to the following comments.		
Applicant must have area.	the Water Division mark out water, and Sewer Division must mark out sewer in		
	tewater (Sewer) Divisions are not notified by Digsafe to mark utilities. Must Vastewater) and 978-671-0957 (Water) to request marking of water and		
DO NOT PROCEED	WITHOUT CONFIRMATION OF WATER AND SEWER MARKINGS.		
as all other property	nsible to locate and protect all existing drainage pipes and structures, as well within work site. Any damaged property must be reported to DPW, and the contractor. Notify Engineering Office (978-671-1300) any time drainage exposed.		
conduit, cables, wires and Regulations must	mit from DPW (978-436-9178) is required for any underground excavations for any underground excavations for any manholes, etc. placed within the right-of way. All Right of Way Opening Rules be followed. A site walk must be scheduled with DPW (978-436-9178) after narked out, prior to approval of any Street Opening Permit work (if required).		
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HEARING NOTICES FOR NATIONAL GRID, VERIZON AND COMCAST POLE PETITION LOCATIONS, CONDUIT, ETC.

□ DPW □ Electr	ical Inspector	Safety Officer, Police	
Location of Pole/Conduit:	4 High Street (On Pollard Street) 23-80-0		
Purpose of Pole/Conduit:	Pollard Street beg	nstall (1) JO Pole (#34-50) on inning at a point ~160' enterline of the intersection of ollard Street.	
Plan #:	31188392		
Comments on Plan:	No Con	MENTS	
Any Interference with line of sight?	□ YES	ŹNO	
Markings for Fire Hydrant Needed?	□ YES	Ö'nΟ	
Resident's Complaints?	No KN	OWN COMPLAINTS	
Signature:	SGT.	Zr-#75	
Date:	10,	NOV 2025	

Please return to the Select Board Office By:

November 12, 2025



Please return to the Select Board Office By:

HEARING NOTICES FOR NATIONAL GRID, VERIZON AND COMCAST POLE PETITION LOCATIONS, CONDUIT, ETC.

□ DPW	ical Inspector	☐ Safety Officer, Police
Location of Pole/Conduit:	4 High Street (On Pollard Street) 23-80-0	
Purpose of Pole/Conduit:	National Grid to insta Pollard Street beginn Northeast of the cente High Street and Polla	all (1) JO Pole (#34-50) on ing at a point ~160' erline of the intersection of rd Street.
Plan #:	31188392	
Comments on Plan:		
	Mo	
Any Interference with line of sight?	□ YES	₽ŃO
Markings for Fire Hydrant Needed?	□ YES	⊠No
Resident's Complaints?	No	
Signature:	May 50k	Un
Date:	11/10/25	

November 12, 2025



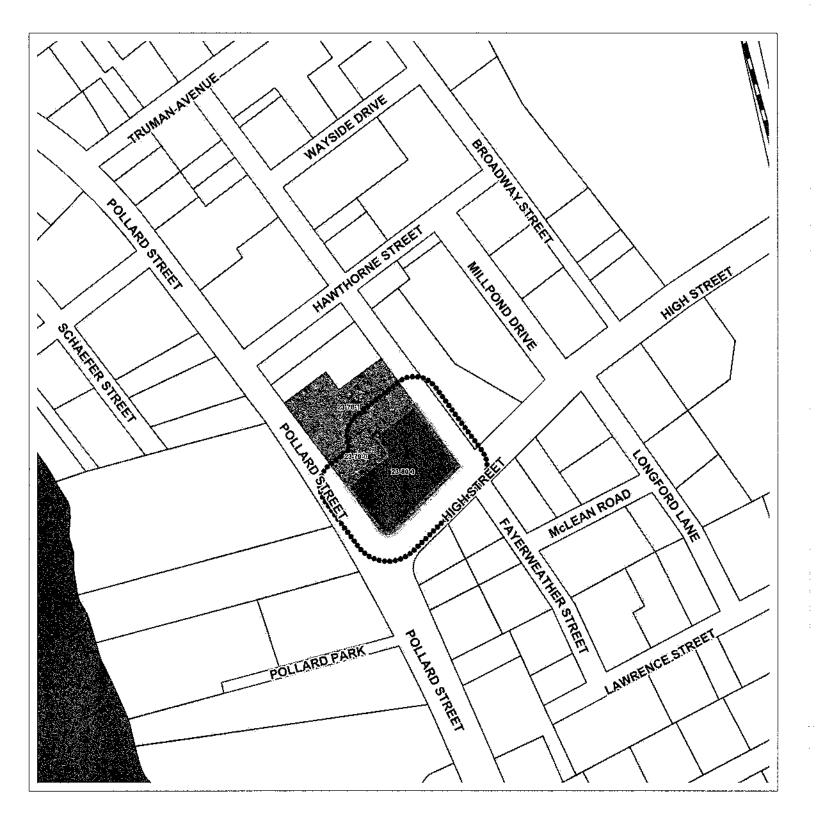
Rev. 4/30/07

Board of Assessors Town Hall 365 Boston Road Billerica, Massachusetts 01821

JOHN B. SPEIDEL, Chairman RICHARD J. SCANLON, Associate RICK LADD, Associate

Tele: (978) 671-0971 assessors@town.billerica,ma.us

	ABUTTERS LIST REQU	UEST	
Name_	National Grid	Date_	November 5, 2025
Address	s of Property: 4 High Street (On Pollard Street)	Plate_	23-80-0
Telepho	nne Number	Parcel_	
of this s requeste	t one copy of the following abutters list and three copies of the ervice shall be \$2.00 per name. The list shall be available fived date or earlier. The property of the following abutters list and three copies of the ervice shall be available fived date or earlier.	ve to ten (5-10) wor	
	Types of Abutters Lis	ts	
are seek	re four types of abutters lists which may be required in the To sing approval from and the particular request you are making the applicable board or commission to determine which of th	determines the type	e of list. You will need to
(Circle	one - If no letter is circled a "D" list will be prepared.)		
A .	Direct Abutters - Direct Abutters to Parcel and	Roadway Being In	nproved
В.	This list contains direct abutters only. Properties across put not been discontinued, are <u>not</u> included. (This list should in improved if road construction is involved.) Abutters Within 100 Feet	olic right-of-ways o nclude direct abutt 0000 DVP	r paper streets, which have ters to the roadway being
	This list contains all abutters within 100 feet of the parcel, news, municipal borders or bodies of water.	notwithstanding pub	olic or private streets or
C.	Abutter to Abutter Within 300 Feet		
	This list contains abutters to direct abutters within 300 feet of between the subject parcel and the abutting property within		
D.	All Property Owners Within 300 Feet (Cell Towers	– All Property Wit	hin 500 Feet)
	This list contains all properties within 300 feet of the subject apply.	et parcel. Abutters t	o abutter restrictions do not
Assesso Signatur		125	Amount LO.



Abutters map for parcel 23-80-0 using direct abutters

Printed on 11/06/2025 at 09:56 AM









PARCEL 1D	LOCATION	Г	OWNER 2	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE
23-78-1	120 POLLARD ST	PATRICIA BARRY TRUST	EANEY PATRICIA A TR	120 POLLARD ST		N BILLERICA	MA	01862-2318
23-79-0	124 POLLARD ST		N PATRICK	124 POLLARD ST		N BILLERICA	MA	01862
23-80-0		PORELL JOHN 3	PORELL LISA A	4 HIGH ST		N BILLERICA	MA	01862

DISCLAIMER: This list is certified based upon records held in this department as of the date on the abutter's list. It was completed to the best of our ability based upon the information we have available. We do not certify the accuracy of this list per se, only the names and addresses listed on it. In most cases, public disclosure of the hearing pertaining to this list is required and published in the local newspaper. Every effort has been made to ensure proper notification.

The Board of Assessors certifies the accuracy of the names and addresses on this list based upon our current records.

John B Speidel Chief Assessor November 6, 2025



SELECT BOARD

TOWN HALL 365 BOSTON ROAD BILLERICA, MASSACHUSETTS 01821 978-671-0939 FAX: 978-671-0947

Jillian K. Pavidis, Chair John J. Burrows, Vice Chair Daniel R. Darris-O'Connor, Secretary Michael S. Rosa, Member Dina M. Favreau, Member

NOTICE OF HEARING

To: NATIONAL GRID, VERIZON AND ALL ABUTTERS

You are hereby notified that a hearing will be held by the Select Board on Monday, November 17, 2025 @ 6:00 PM in the Conway Hearing Room #205 in Town Hall, 365 Boston Road and via Zoom:

https://us02web.zoom.us/j/83477138002

phone 1 929 205 6099 webinar id: 834 7713 8002

National Grid #31188392

Parcel: 23-80-0

4 High Street (On Pollard Street)

National Grid to install (1) JO Pole (#34-50) on Pollard Street beginning at a point ~160' Northeast of the centerline of the intersection of High Street and Pollard Street

If there any questions on this hearing: Please call or email Aaron Fernandes at (781) 384-2371or afernandes@cpteng.com

TOWN OF BILLERICA

PETITION OF STREET OPENING

To the Board of Selectman of the Town of Billerica, Massachusetts:

The undersigned, Kelsey Bertone, Operations Manager for MTP Communications, Inc. on behalf of Cablevision Lightpath LLC ("Lightpath"), requests permission to excavate and place handholes and conduit within the town right-of-way as follows:

Proposed Installation:

The contractor will locate the existing communications conduit at the south side of the intersection of Concord Road and Federal Street and place a proposed 3' x 3' Lightpath handhole over the existing conduit. Contractor will place a new four (4) inch PVC fiber optic conduit from Proposed Lightpath Handhole #1 (approximately 143 linear feet) to a proposed 24" x 30" Lightpath Handhole #2 in the grass south of Federal Street between the sidewalk and Federal Street. Contractor will continue the new four (4) inch PVC fiber optic conduit to a proposed 24" x 30" Lightpath Handhole #3 (approximately 177 linear feet) in the grass south of Federal Street between the sidewalk and Federal Street. Contractor will continue the new four (4) inch PVC fiber optic conduit to a proposed 24" x 30" Lightpath Handhole #4 (approximately 255 linear feet) in the grass south of Federal Street between the sidewalk and Federal Street.

Location:

Underground at the intersection of Concord Road and Federal Street, and on the grass between the sidewalk and the road down Federal Street approximately 550 feet. Please refer to the plan prepared by MTP Communications, Inc. on behalf of Cablevision Lightpath LLC dated 11/3/2025 and titled "Proposed Conduit & Handholes Installation at #3 Federal St in the Town of Billerica, MA." (4 Sheets)

Purpose:

The handhole and conduit installation is being proposed to provide requested telecommunications service to a customers at 3 Federal Street, Billerica, Massachusetts on behalf of Cablevision Lightpath LLC ("Lightpath")

Whereof the Petitioner respectfully requests the Board of Selectman grant approval to open street and place underground facilities pursuant to the Plans enclosed herewith and incorporated into this petition.

Cablevision Lightpath LLC

Petitioner: Kelsey Bertone (Agent – MTP Communications, Inc.)

Signature: Mlsay Date: 11/7/25
Address: PO Box 736, Bellingham, MA 02019

Lightpath .

PROPOSED CONDUIT & HANDHOLES INSTALLATION

AT

#3 FEDERAL STREET

IN THE

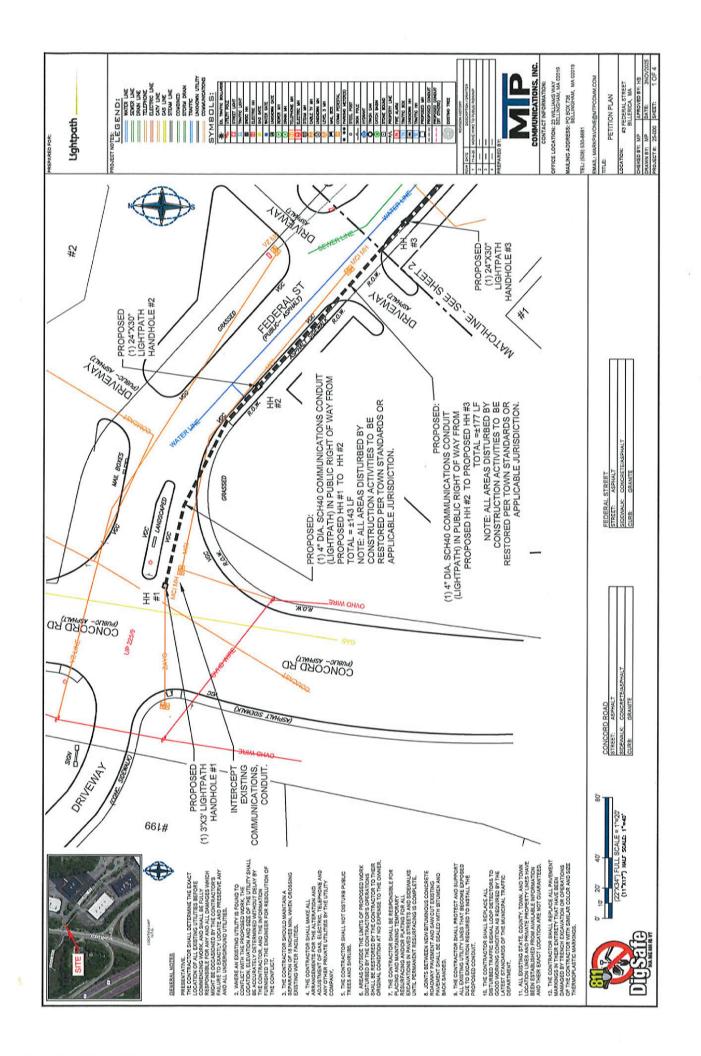
TOWN OF BILLERICA, MA

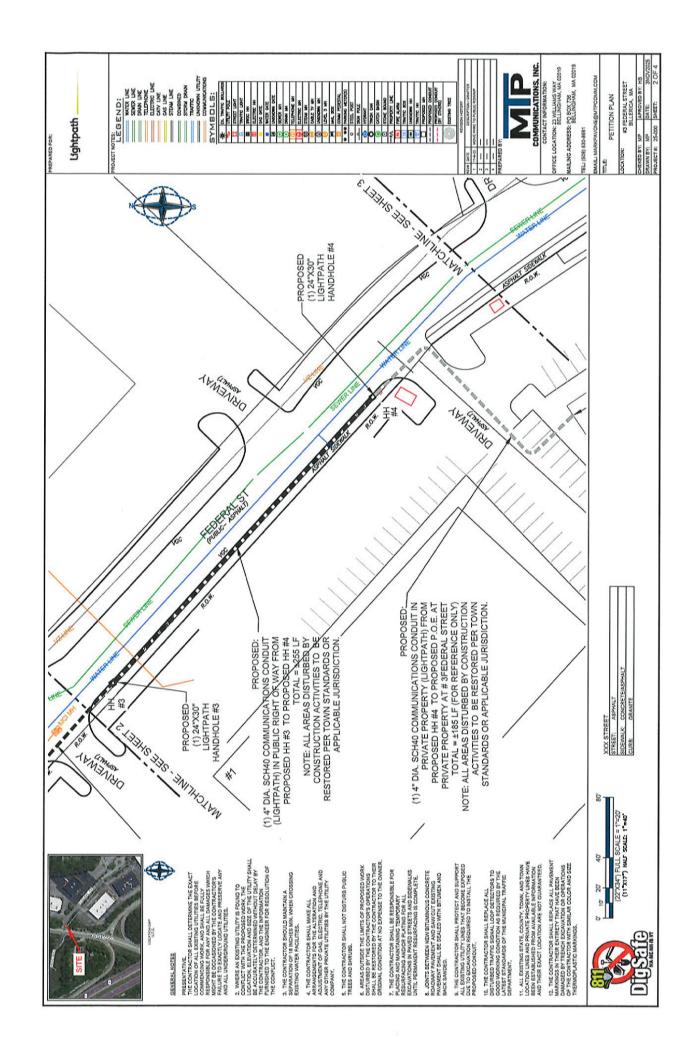
INDEX OF DRAWING

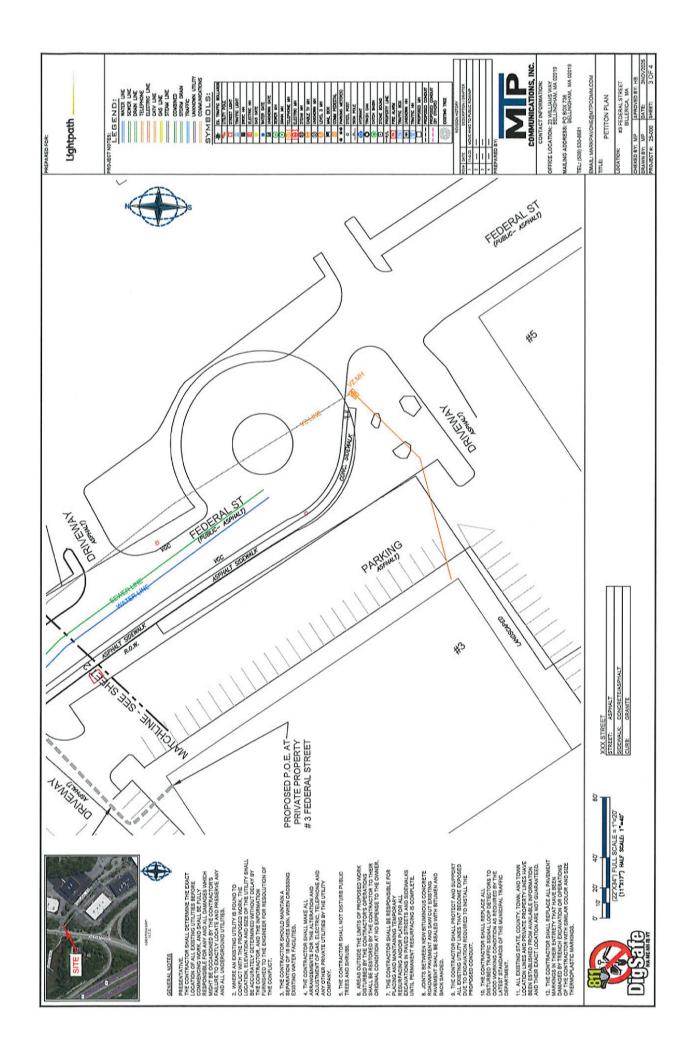
SHEET NO. DESCRIPTION	COVER SHEET	PETITION PLAN	PETITION PLAN	PETITION PLAN	DETAILS
SHEET NO.	•	5	05	83	8

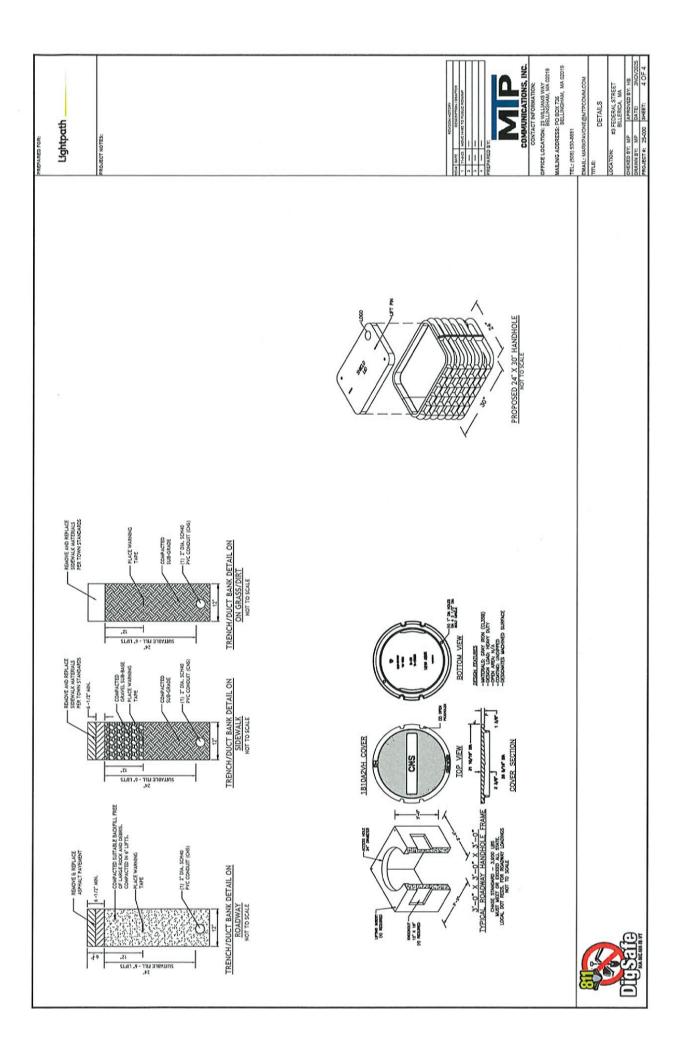
CONTRACTOR:

Lightpath











HEARING NOTICES FOR NATIONAL GRID, VERIZON and COMCAST POLE LOCATIONS, CONDUIT, ETC.

DPW

Location of Pole/Conduit:	1 & 3 Federal Street (77-162-0 & 77-163-1)
Reason of Pole/Conduit:	Cablevision Lightpath, LLC proposes to excavate and place handholes and conduit within the Town's right of way at #1 and #3 Federal Street to provide telecommunications service to a customer at 3 Federal Street
Plan #:	Lightpath 3 November 25

Comments on Plan:

Installation of conduit and handholes MUST adhere to the following comments:

Conduit work will require a Street Opening Permit by Approved Contractor. Off season requirements will apply for any work conducted after November 15. A site walk must be scheduled with DPW (978-436-9178) after water and sewer are marked out, prior to approval of any Street Opening Permit work. Final location of work to be determined after site walk.

Conduit must be placed at least 4' behind fire hydrants or relocated into the street with adequate clearance to water and sewer mains. Final location of work to be determined after site walk.

Applicant is responsible to locate property lines in field to keep work within the right of way.

Applicant must have the Water Division mark out water, and Sewer Division must mark out sewer in area.

The Water and Wastewater (Sewer) Divisions are not notified by Digsafe to mark utilities. Must call 978-671-0956 (Wastewater) and 978-671-0957 (Water) to request marking of water and sewer lines.

DO NOT PROCEED WITHOUT CONFIRMATION OF WATER AND SEWER MARKINGS.

Contractor is responsible to locate and protect all existing drainage pipes and structures, as well as all other property within work site. Any damaged property must be reported to DPW, and promptly repaired by the contractor. Notify Engineering Office (978-671-1300) any time drainage pipes or structures are exposed.

Contractor Acknowledgement Form is attached for signature.

Signature:	Stephen Ro	bertson	DPW Representative		
Date:	11/14/25				
Please return to the Sel	ect Board Office by:	November 14	, 2025		



HEARING NOTICES FOR NATIONAL GRID, VERIZON and COMCAST POLE LOCATIONS, CONDUIT, ETC.

CONTRACTOR ACKNOWLEDGEMENT FORM

Location of Pole/Conduit:	1 & 3 Federal Street (77-162-0 & 77-163-1)
Reason of Pole/Conduit:	Cablevision Lightpath, LLC proposes to excavate and place handholes and conduit within the Town's right of way at #1 and #3 Federal Street to provide telecommunications service to a customer at 3 Federal Street
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I hereby certify that I am aware of these DPW con	nments regarding the work describ	ed.
humspor	11/14/25	
Signature – Utility Company Representative	Date	
Kelsey Rertone		
Print Name - Utility Company Representative		
MTP Communications, Inc.		
Utility Company Name Sor Cablevision LightPath	h, LCC	

Dawn McDowell (Select Board)

From:	Bryan Bertram
Sent:	Friday, November 14, 2025 8:01 AM
То:	Steve Robertson; Dawn McDowell (Select Board)
Cc:	Christopher Dillon
Subject:	Re: Information Regarding GOL Process
DO NOT CLICK links or	[EXTERNAL EMAIL] open attachments unless you recognize the sender and know the content is safe.
Yes, Steve and I spoke, an	d it's just a grant of location.
use within the right-of-way Instead, it's a grant of local	al is to run the cables within the right-of-way. Whenever there is a request for such a y, whether it is above, along, or, in this case, under the way, no easement is required. It is above, along the Select Board. One of the reasons the grant of location that goes through the Select Board. One of the reasons the grant of location the don't need easements and Town Meeting approval for every cable run through town.
to get away with a lot over town land is being used. If	question, and I applaud all of you for being on alert. I've seen the utility companies try the years. Never hurts to be sure! Basically, the threshold question is what kind of it's a right-of-way, it should be a grant of location. If it's not, and instead town land e, it's most likely an easement.
DDVAN DEDTDAM	
BRYAN BERTRAM	
Partner at Harrington Heep	
_	
Follow Us:	

TOWN OF BILLERICA NOTICE OF A GRANT OF LOCATION 365 BOSTON RD TOWN HALL CONWAY HEARING ROOM (205) and VIA ZOOM BILLERICA, MA NOVEMBER 17, 2025 @ 6:00 PM

Notice is hereby given that the Select Board will hold a public hearing on the Grant of Location on November 17, 2025 at 6:00 PM to act on an application from Cablevision Lightpath LLC to excavate and place handholes and conduit within the Town's right of way at #1 and #3 Federal Street. The Select Board meeting will be hybrid and can be accessed in person via the Zoom link provided or https://us02web.zoom.us/j/83477138002

A map has been provided to show the layout.



Board of Assessors Town Hall 365 Boston Road Billerica, Massachusetts 01821

JOHN B. SPEIDEL, Chairman RICHARD J. SCANLON, Associate RICK LADD, Associate Tele: (978) 671-0971 assessors@town.billerica.ma.us

ABUTTERS LIST REQUEST

Address of Property 1-3 Federal St Plate	
Telephone Number Parcel 77-1	62-0 & 77-163-1
I request one copy of the following abutters list and three copies of the labels for the a of this service shall be \$2.00 per name. The list shall be available five to ten (5-10) we requested date or earlier. Signature of applicant	
Types of Abutters Lists	
There are four types of abutters lists which may be required in the Town of Billerica, are seeking approval from and the particular request you are making determines the type contact the applicable board or commission to determine which of the following will be contact the applicable board or commission to determine which of the following will be contact the applicable board or commission to determine which of the following will be contact the applicable board or commission to determine which of the following will be contact the applicable board or commission to determine which of the following will be contact the applicable board or commission to determine which of the following will be contact the applicable board or commission to determine which of the following will be contact the applicable board or commission to determine which of the following will be contact the applicable board or commission to determine which of the following will be contact the applicable board or commission to determine which of the following will be contact the applicable board or commission to determine which of the following will be contact the applicable board or commission to determine which of the following will be contact the applicable board or commission to determine which of the following will be contact the applicable board or commission to the contact the	pe of list. You will need to
(Circle one - If no letter is circled a "D" list will be prepared.)	
A Direct Abutters - Direct Abutters to Parcel and Roadway Being	Improved
This list contains direct abutters only. Properties across public right-of-ways not been discontinued, are not included. (This list should include direct abutimproved if road construction is involved.)	
B, Abutters Within 100 Feet	Diplicates -1
	purcels Applicants 1 Diplicates 1
C. Abutter to Abutter Within 300 Feet 3 Federal	Duplicates-1
This list contains abutters to direct abutters within 300 feet of the parcel. If the between the subject parcel and the abutting property within 300 feet the own	mere is more than one abutter
D. All Property Owners Within 300 Feet (Cell Towers - All Property V	Vithin 500 Feet)
This list contains all properties within 300 feet of the subject parcel. Abutter apply.	rs to abutter restrictions do not
Assessor's Signature Omb Speech Date 11 125 Rev, 4/30/07	

PARCEL ID	LOCATION	OWNER 1	OWNER 2	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE
77-162-0	1 FEDERAL ST	REXPAR PROPERTY LLC	C/O US REALTY ADVISORS LLC	1345 AVE OF THE AMERICAS	21ST FL	NEW YORK	ΑN	10105
77-163-1	3 FEDERAL ST	BAC RHINO 3 FEDERAL LLC		184 HIGH ST	SUITE #502	BOSTON	MA	02110
78-288-0		MEADOWBROOK REALTY TRUST	CALLAHAN JR WIELIAM J TR	3A TAGGART DR		NASHUA	HN	03060
68-8-4	2 FEDERAL ST	REXPAR PROPERTY LLC	C/O US REALTY ADVISORS LLC	1345 AVE OF THE AMERICAS	21ST FL	NEW YORK	ΑN	10105
68-8-5	4 FEDERAL ST	ONNUR! MISSION ALLIANCE		1449 ANDERSON AVENUE		FORT LEE	N)	07024

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The Board of Assessors certifies the accuracy of the names and addresses on this list based upon our current records.

John B Speidel
Chief Assessor
November 6, 2025



Abutters map for parcel 77-162-0 using direct abutters

Printed on 11/06/2025 at 10:45 AM

Legend

Parcel Boundary Selection
Parcel Boundary





PARCEL PD	LOCATION	OWNER 1	OWNER 2	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE
77-162-0	1 FEDERAL ST	REXPAR PROPERTY LLC	C/O US REALTY ADVISORS LLC	1345 AVE OF THE AMERICAS	21ST FL	NEW YORK	N	10105
77-163-1	3 FEDERAL ST	FC		184 HIGH ST	SUITE #502	BOSTON	MA	02110
77-163-2	5 FEDERAL ST	JAW JIM HSIEH LLC	C/O SHEAUMANN	5 FEDERAL ST		BILLERICA	MA	01821-3571
78-288-0	FEDERAL ST	MEADOWBROOK REALTY TRUST	CALLAHAN 3R WILLIAM 3 TR	3A TAGGART DR		NASHUA	HN.	03060
78-289-0	8 FEDERAL ST	RHINO 8 FEDERAL LLC		184 HIGH ST	SUITE #502	BOSTON	MA	02110

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The Board of Assessors certifies the accuracy of the names and addresses on this list based upon our current records.

John B Speidel
Chief Assessor

November 6, 2025



Abutters map for parcel 77-163-1 using direct abutters

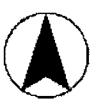
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1500

Legend

Parcel Boundary Selection
Parcel Boundary







Fee Paid: \$ 3619

ACTION: NEW or NEW or NEW o	CHANGE/TRANSFER
Licensee of Business:	
Doing Business As: Sal's Gas Auto Sale	syservices
	ssessors Plate/Parcel:
Phone #: 978-667-6000 Zip Code:	Tax ID #
Alt. Phone # Email:	
DESCRIPTION OF PREMISES:	
Include # floors, total SF, # of patron restrooms, entrance/exit local	tions, etc. Use additional attachments if necessary
and attach a plot plan of the premises if there are exterior changes.	
Service Station with 2 Restrooms	one Entrance and 2 EXITS.
REQUIRED SIGNATURES: (Applicant MUST Obtain necessar	ary approvals before submission)
Building Inspector: Mark Life	Date: 10. 29.25
Comments:	
Board of Health: Kinsta Bull	Date: (0/27/26
Comments:	
Police: L+S- rig	Date: /o 29 25
Comments:	
Fire:	Date: 10-27-25
Comments: * See Town clerk For /icens	e Into (Nake Change)
Treasurer: Elaeue Ruem	Date: 10/27/25
Comments:	
Assessors: Habrillo Paalcilei	Date: /0/27/2026
Comments:	, ,
Manager's Name:	
Street Address:	
City/Town/State/Z	
Phone #: 978-667-6000 Tax ID #:	Email:

Requested Hours of Operatio	n: (For new applica	ition or for change on	license)	
Weekday (Monday-Friday):	8AM- 5A	M		
Saturday: 8AM - 13				
Sunday: Closed				
	Manager and			
LICENSE TYPE REQUEST				
LIQUOR (Circle Option):	On-Premise Retai	` '	Vine & Malt	All Alcohol
Tune of Busin	Off Premise Retai		Vine & Malt	All Alcohol
Type of Busin 1-Day Special:	ess S12 Only: Club			Restaurant Organizations Only)
COMMON VICTUALLER		Restaurant	Innholder	Cafeteria
ZBA/Special Permit?: Provi		□ YES	Innnoider ₩ NC	
MOTOR VEHICLE (Circle	AND DESCRIPTION OF THE PARTY OF	lass I (Class I)		The same of the sa
HAZARDOUS MATERIAL				
1 Regular Tank (800)	06) one prem	nivm (30006) D	iesel Tanke	4000a) waste oil (300a
ENTERTAINMENT:				
Weekday: (Per MGL, Ch. 14	40, Section 183A or	181): □ YES	\Box NO	
Sunday: (Per MGL, Ch. 136	– Form 90 Require	ed): 🗆 YES	□ NO	
Type of Entertainment:				
				WILL WAS AN AND STREET BOOK OF THE RESIDENCE OF THE RESID
AMUSEMENT DEVICE (P				
	Separately. Name of	Machine and Serial #.	Use separate pa	per if necessary.
#1:		#4:		
#2: #3:		#5:		
THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAMED IN COLUMN TW		#6:		
OTHER (Circle Option):	A CONTROL TO A CONTROL OF THE CONTRO			
Taxi Bowli	ing Other:			
Licensee's Signature:	6501		Date: 10	127/25
Title: OWNER /M	ANACREA			
The applicant certifies comp penalties of perjury, the si knowledge a	gnature below certifie		as true and corr	ect to the best of their
NAME OF INDIVIDUAL		ION THAT PAYS RE OF BILLERICA:	AL ESTATE T	TAXES TO THE TOWN
JJJF	Realty Trus	÷T.		-
				_



Commonwealth of Massachusetts ~~ Town of Billerica, MA APPLICATION FOR TRANSFER of LICENSE TO BUY, SELL, EXCHANGE OR ASSEMBLE SECOND HAND MOTOR VEHICLES OR PARTS THEREOF

Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.
FROM Business Name Dungolo Automotive Lic.# - TO Business Name Sals Gas Auto Sales & Services Inc. Lic.# -
Business Address
Please Check One
Full Description of Premises: Full Service station + state Inspection.
FROM: Owner's Name Salvatore Dumpolo
TO: Owner's Name JJJ Reafty Trust (John F. Saud)
Address of Owner 7 Wiccen ST WILMINGTON MA 01887
Telephone of Owner
If an association or corporation, state full pames and residential addresses of the principal officers:
President JOHN E SOAU
Secretary John F Saad
Treasurer John E Saad
Manager John E Saad
Please check Yes or No box if applicable:
Yes No Are you engaged principally in the business of buying, selling or exchanging motor vehicles?
Yes No If so, is your principal business the sale of new motor vehicles?
Yes No Is your principal business the buying and selling of second-hand motor vehicles?
Yes No Is your principal business that of a motor vehicle junk dealer?
Yes No Have you a signed contract as required by Section 58, Class I?
Yes No Are you a recognized agent of a motor vehicle manufacturer? Name of Manufacturer. Yes No Have you ever applied for a license to deal in second-hand motor vehicles or parts thereof?
Yes No Have you ever applied for a license to deal in second-hand motor vehicles or parts thereof? If so, what city/town?
Yes No Did you receive a license? If so, what year?
Yes No Has any license issued to you to deal in motor vehicles or parts thereof ever been suspended or revoked?
IMPORTANT: Every question must be answered with full information. False statements herein may result in the rejection of your application or the subsequent revocation of your license, if issued.
NOTE: If the applicant has not held a license in the year prior to this application, he/she must file a duplicate of the application with the registrar. (See Sec. 59)
Date: (0 27 25 Signature

CHAPTER 140 OF THE GENERAL LAWS, TER. ED., WITH AMENDMENTS THERETO (EXTRACT)

Section 57. No person, except one whose principal business is the manufacture and sale of new motor vehicles but who incidentally acquires and sells second hand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles but who incidentally acquires and sells second hand vehicles, shall engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof without securing a license as provided in section fifty-nine. This section shall apply to any person engaged in the business of conducting auctions for the sale of motor vehicles.

Section 58. Licenses granted under the following section shall be classified as follows:

- Class 1. Any person who is a recognized agent of a motor vehicle manufacturer or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the purchase and sale of second hand motor vehicles being incidental or secondary thereto, may be granted an agent's or a seller's license; provided, that with respect to second hand motor vehicles purchased for the purpose of sale or exchange and not taken in trade for new motor vehicles, such dealer shall be subject to all provisions of this chapter and of rules and regulations made in accordance therewith applicable to holders of licenses of class 2.
- Class 2. Any person whose principal business is the buying or selling of second hand motor vehicles may be granted a used car dealer's license.
- Class 3. Any person whose principal business is the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts, may be granted a motor vehicle junk license.
- Section 59. The police commissioner in Boston and the licensing authorities in other cities and towns may grant licenses under this section, which shall expire on January first following the date of issue unless sooner revoked. The fees for the licenses shall be fixed by the licensing board or officer, but in no case shall exceed one hundred (\$100.00) dollars. Application for license shall be made in such form as shall be approved by the registrar of motor vehicles, in sections fifty-nine to sixty-six, inclusive, called the registrar, and if the applicant has not held a license in the year prior to such application, such application shall be made in duplicate, which duplicate shall be filed with the registrar. No such license shall be granted unless the licensing board or officer is satisfied from an investigation of the facts stated in the application and any other information which they may require of the applicant, that he is a proper person to engage in the business specified in section fifty-eight in the classifications for which he has applied, that said business is or will be his principal business, and that he has available a place of business suitable for the purpose. The license shall specify all the premises to be occupied by the licensee for the purpose of carrying on the licensed business. Permits for a change of situation of the licensed premises or for addition thereto may be granted at any time by the licensing board or officer in writing, a copy of which shall be attached to the license. Cities and towns by ordinance or by-law may regulate the situation of the premises of licenses within class 3 as defined in section fiftyeight, and all licenses and permits issued hereunder to persons within said class 3 shall be subject to the provisions of ordinances and by-laws which are hereby authorized to be made. No license or permit shall be issued hereunder to a person within said class 3 until after a hearing, of which seven days' notice shall have been given to the owners of property abutting on the premises where such license or permit is proposed to be exercised. All licenses granted under this section shall be revoked by the licensing board or officer if it appears, after hearing, that the licensee is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made thereunder; and no new license shall be granted to such person thereafter, nor to any person for use on the same premises, without the approval of the registrar. The hearing may be dispensed with if the registrar notifies the licensing board or officer that a licensee is not so complying. Any person aggrieved by any action of the licensing board or officer refusing to grant, or revoking a license for any cause may, within ten days after such action, appeal therefrom to any justice of the superior court in the county in which the premises sought to be occupied under the license or permit applied for are located. The justice shall, after such notice to the parties as he deems reasonable, give a summary hearing on such appeal, and shall have jurisdiction in equity to review all questions of fact or law and may affirm or reverse the decision of the board or officer and may make any appropriate decree. The decision of the justice shall be final.



D.

Assessor's

Rev. 4/30/07

apply.

Board of Assessors Town Hall

365 Boston Road

Billerica, Massachusetts 01821

JOHN B. SPEIDEL, Chairman RICHARD J. SCANLON, Associate RICK LADD, Associate Tele: (978) 671-0971 assessors@town.billerica.ma.us

	ABUTTERS LIST REQ	UEST	
Name Sals Gas Auto	Eservice, Inc	Date 10/27/2025	
Address of Property 299 B	ostonad John	Plate	
Telephone Number 978-66	7-6000	Parcel 31-87-1	
		the labels for the above listed property. The cost ive to ten (5-10) working days from the	
	Types of Abutters Lis	sts	
are seeking approval from and	the particular request you are making	Town of Billerica. The board or commission you getermines the type of list. You will need to the following will be required in your case.	
(Circle one – If no letter is cir	cled a "D" list will be prepared.)		
A. Direct Abutters -	Direct Abutters to Parcel and	Roadway Being Improved	
not been discontinued.		blic right-of-ways or paper streets, which have include direct abutters to the roadway being	
B. Abutters Within 100	Feet		
This list contains all al ways, municipal borde		notwithstanding public or private streets or Parcel S 7 Applicant - 1 Duplicant 5-2	
C. Abutter to Abutter V	√ithin 300 Feet	Duplicate 5-2 tot	al.
		of the parcel. If there is more than one abutter a 300 feet the owner will not be notified.	(R) 8

All Property Owners Within 300 Feet (Cell Towers – All Property Within 500 Feet)

This list contains all properties within 300 feet of the subject parcel. Abutters to abutter restrictions do not

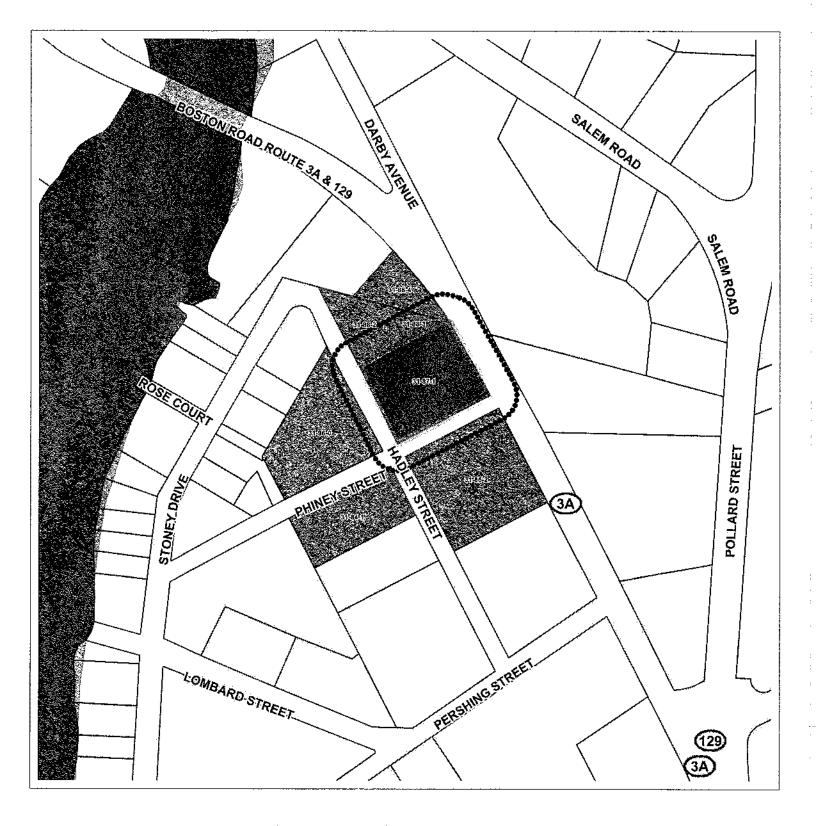
John B. Spainche Date 10/28/25 Amount \$10,00.

PARCEL ID	LOCATION	OWNER 1	OWNER 2	ADDRESS 1	ADDRESS 2	CITY.	STATE	ZIP CODE
31-84-1	12 PHINEY ST	SOLOMON POST VETERANS OF	FOREIGN WARS NO 8819, INC.	12 PHINEY ST		N BILLERICA	MA	01862
31-85-2	301 BOSTON RD	OBSIDIAN ML 6 LLC		11995 EL CAMINO REAL		SAN DIEGO	<u>5</u>	92130
31-87-1	299 BOSTON RD	JJJ REALTY TRUST	SAAD ELIAS G TR	299 BOSTON RD		IN BILLERICA	MA	01862
31-88-2	REAR BOSTON RD	GIBBS OIL COMPANY LIMITED PARTNERSHIP		6 KIMBALL LN		LYNNFIELD	MA	01940
31-88-3	REAR BOSTON RD	GIBBS OIL COMPANY LIMITED PARTNERSHIP		6 KIMBALL LN		LYNNFIELD	MA	01940
31-88-4	297 BOSTON RD	GIBBS OIL COMPANY LIMITED PARTNERSHIP		9 KIMBALLIN		LYNNHELD	MA	01940
31-96-0	6 HADLEY ST	6 HADLEY STREET LLC		6 HADLEY STREET		N BILLERICA	MA	01862

DISCLAIMER: This list is certified based upon records held in this department as of the date on the abutter's list. It was completed to the best of our ability based upon the information we have available. We do not certify the accuracy of this list per se, only the names and addresses listed on it. In most cases, public disclosure of the hearing pertaining to this list is required and published in the local newspaper. Every effort has been made to ensure proper notification.

The Board of Assessors certifies the accuracy of the names and addresses on this fist based upon our current records.

John B Speidel
Chief Assessor
October 28, 2025



Abutters map for parcel 31-87-1 including direct abutters Printed on 10/28/2025 at 10:21 AM

Legend

Parcel Boundary Selection
Parcel Boundary

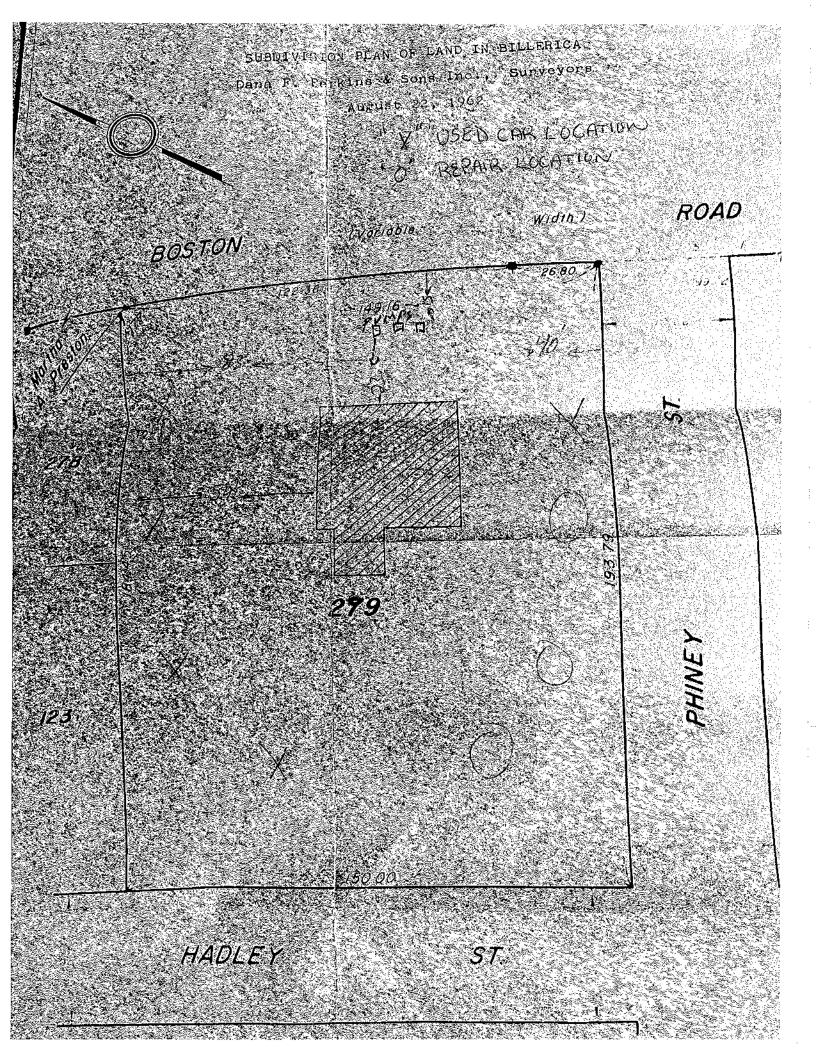




TOWN OF BILLERICA NOTICE OF A TRANSFER OF A CLASS II LICENSE 365 BOSTON RD TOWN HALL CONWAY HEARING ROOM (205) and VIA ZOOM BILLERICA, MA NOVEMBER 17, 2025 @ 6:00 PM

Notice is hereby given that the Select Board will hold a discussion under the M.G.L, Chapter 140, Section 58: Issuance of a transfer of a Class II License to buy and sell second hand motor vehicles on November 17, 2025 at 6:00 PM to act on an application from Sal's Gas Auto Sales and Services located at 299 Boston Road. The hours of operation will be Monday-Friday 8:00 AM to 5:00 PM and Saturday 8:00 AM to 3:00 PM, and Closed Sunday. The Select Board meeting will be hybrid and can be via link provided accessed in person the Zoom or https://us02web.zoom.us/j/83477138002

A map has been provided to show the layout.





299 Boston Road



helly Multipl Striety: National Bond Cente 3/0 E-96in Street Indarapolis IN 46240 (A08) 841-2663 Fax (B56) 547-4883 -

TRANSACTION REPORT

Transaction Date: Novembar 4, 2025

JOSH MARTINEZ Preparer Name:

Preparer Email: Joshus Martinez01@libartymptual.com

Principal:

DAMPOLO AUTOMOTIVE INC...

299 Boston Rd Billerica, MA 01862 Agency Name: Smart Choice (CLSC)

Agency Code: 968993 **

Obligee:

Massachusetts Olvision of Standarde One Ashburton Place, Room 11:15.

Effective Date: November 4, 2025

Expiration Date: November 4, 2026

Bond Railing Stäte: Massachusette

Underwilling Paper: The Onio Cusually Insurance Company

Cancel Days: 30 Days

Class Code: - 8930:

Boston: MA 02108

Underwriting information:

Submitted to and approved by Underwriter

Bond Information:

999444157 Bond Number:

\$25,000.00 Bond Amount: Continuous (uniti cancelled) Renewal Type:

Renewal Billing Method: Direct Bill?

Renowal Term (Months): 12

Renew Automatically Yes

Description of Bond: Vehicle VentierSecond Hand Motor Vehicle Dealer

Renewal Billing Information:

DAMPOLO AUTOMÓTIVE INC

299 Boston Rd

Dillenca, MA 01862

Remarks:

Premium Information:

Bond Premium: \$250.00

Total Premium Due:: \$250.00

Credit Card Information

Cardifypa: Masiercard

teneaction Date ... 11/04/2025

Credit Card Number, XXXXXXXXXXXXX2299

Jotal Amount Collected: \$250.00

COMMONWEALTH OF MASSACHUSETTS COMMONWEALTH OF MASSACHUSETTS

(Wei	(Jen. Laws Ann. 140, § 58(6)) ### Bond No. 999444157
	are member 4.
KNOW ALL PERSONS BY THESE PRESENTS	Effective Date (ROS) [14 Principal) and The One. [15 Surery ore. as Surery ore.
That we, DAMPOEO AUTOMOTIVE INC Casualty Insurance Company: It is a supportation of the sum of th	authorized to do surety business in the Common wealth of Massachusetter of this bond in the Principal and who suffer loss on account of a breach of the condition of this bond in the Principal and who suffer loss on account of a breach of the condition of this bond.
WHERE AS, the Principal is a second hand motor vehicle deale ursuant to Mass. Gen: Laws Ann. 140, \$ 58(c)(1). NOW, THEREFORE the condition of this following, is such this bond, to any person who plutchases a vehicle from the Principal for the sait of a motor vehicle, a valid motor vehicle is a valid motor vehicle, a valid motor vehicle ide certification processly assumed in voting by the buyer of the vehicle (c) if Principal's failure to disclose the vehicle's actual mileage at the stalling to disclose material facts or failure to honor a warranty lien on a vehicle ranged in as part of a transaction to purchase collegation to be void otherwise in family in full force and otherwise in family in full full full force and otherwise in family in full full full full full full full ful	
Principal for an act or omly ston, on which this bond is condulo manualited to entores any liability on this bond unless brough	y be aperson who obtains a final judgment in a court of competent jurisdiction against the steat if the action of courselon occurred during the term of this bond. No suit may be a within one (1) year after the event giving rise to the cause of action. This bond shull be say shall not be liable for four claims in excess of the bond amount, regardless of the its bind remains in force.
Thus bond shall be continuous and may be canceled by the Sur- authority by First Class U.S. Mail.	ety by giving thirty (30) day's written notice of cancellation to the municipal licensing
Dated this 4th day of Novembers	. 2025
And the second s	The second s
	A service of the serv
$ au_{ij} = au_{ij} = au_{ij}$	tio Camping Interpret Gorman Co.
$\frac{1}{100}$	Broth Additional Residence And Additional April 1985
	The Office of State o



POWER OF ATTORNEY

SURETY Principal DANDOLO CONTOMOTIVE Agency Name Struct Choice (CLSC) o Ovigee Massachusules Division of Ste	ndarda		BUBITY INSURANC	e Company	96 4 38 4 3 3	ond Number <u>9994</u>	44157	
Read Amount 1\$25,000 cm. Twent (NOW ALL PERSONS BY THESE PRE bollectively called the "Confront") purious each individually if Insteller more than our deed, any and all undertakings, bords, recogned by the previous and allegies by the signed by the previous its great by the previous its production.	SENTS: Ihat. Inc ni lo and by nothe named its little zamezances and c	Oho Casually igsua gly herein set forth, do and lawfur allomey lind ther suicty obligations	ince Company, a con es heleby name: con act to make execute lo pursuacie of the	e pjesenis ann si seal, arknowledg stall and appoint	nized under the Timetry A. Mi A and deliver, he all be as bluding	r lavo of the Stee koldjeweki jir the r and on its behal lubon the Compat	e of New Hamps Hy and state of S Hy state and ea Hec as I liney basi Nec as I liney basi	nra (herein Battie, WA "No act and Sincentally" h
IN WITNESS WHEREOF, 15's Rower of Al 1515 415 day of Novomber, 2025	loiney has been	contrary in iner own	proper persons	d of the Company	and the corporal	e sgal of the Com Inturation Cemp	oany bas been all	garmareto:
			() (1919 (1919)	By Nair	AM L and Zangerk	Assistant Steerela		Miles. Loom:
STATE DEPENNSVIVANIA COUNTY OF MONTCOMERY On Ulis Vin day of have more: 2025, hel Company and that he ras such being suit	org ma personally hiprized so to do e	appeared Nathanul xecule the foregoing in	Zapajarlė, who adkro striument (or. line pur	Neamin Backenno	o be the Assistance by	rant Secretary of For behalf of the	ithe Olio Casua exparations by it	ily lustrants as duly like the transmission in
aultyrzed alfosi JA WITNESS WHEREOF Have Issounk		ame and affilied my vol		h Meeting/Perinsy	ivania, da ine.	ay end year fint s		POA veri HOSUR®I
		Liet Wycenno Como	a Pasiesa, Aruary Pidasa Konggomery County sajion espares March (A) 20 pisalen hyimber 1778044 esphanda Associalism (178	29 By:	Cocazi So Pasiella, N	datella dan Public		s Attorney
This Power of Altonia is made and evection and effect reading as rollows: ARTICLE IV - OFFIGERS: Section Any officer of other official of the Correction may prescribe shall accord	2. Fower of Arten	My s	In certain 1970 in a Ph				n I k	10 PG
President may prescribe, shall eppor any and all undertakings, bodyte, rec- trave full power to bind the Corporation covers occultorily granted to any rep- line officer or officers granting such po-	Onzances and o	her surely poligations	Such allomeys in t	ad, subject to the	s imilations se	execute, seal, au i forth in their te:	knowledge and o pective powers o	leliver as surely 2 7 I altoney shall 2
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		Managaran Sakara	PEODESTIN	ur u	erentice Z	n, Assiglant Segre		

Dawn McDowell

From:

Mark LaLumiere

Sent:

Friday, November 7, 2025 10:42 AM

To:

Dawn McDowell (Select Board)

Subject:

Sal's Auto - Car License

Dawn,

From my available records Sal's Auto is a Legal Pre-existing Non-Conforming Use (Used Car Sales). The license was issued prior to the requirement of needing a ZBA special permit. The license can be transferred to a new owner, at the same location, so long as the new owner has no plans to increase or intensify the "used car" use. Let me know if you have any questions.

Mark LaLumiere, CBO, Director of Permitting Building Zoning Conservation Health Sealer of Weights & Measures Town of Billerica 365 Boston Road Billerica, MA 01821 Phone: (978) 671-0970



TOWN of BILLERICA

RESTRICTION ADDENDUM #06

LICENSE # 21

Licensee: Sal's Automotive

229 Boston Road

No. Billerica MA 01862

Restrictions voted by the Board of Selectmen July 11, 1983;

- 1) 50 Vehicles maximum.
- 2) Vehicles are not to be parked in the front of the building (island area).





Citizens' Housing and Planning Association

One Beacon Street, 5th Floor, Boston MA, 02108 (617) 742-0820 | chapa.org

November 5, 2025

Dawn McDowell Confidential Executive Assistant to Select Board 365 Boston Road_ #203 Billerica, MA 01821

Dear Select Board Member(s):

This letter is sent to the Town of Billerica on behalf of **Donald Cotton**, the owner of an affordable property under Chapter 40B, to inform you of the owner's intent to sell the affordable home. The home is located at 81 Salem Road, #102, and is part of Salisbury Hill Estates, a Chapter 40B development for which Citizens' Housing and Planning Association (CHAPA) serves as the Monitoring Agent.

Based on the affordable housing deed rider for 81 Salem Road, #102, CHAPA has determined that the Maximum Resale Price for the above-referenced property is \$351,096. According to this property's deed rider, the Town of Billerica has a 60-day Right of First Refusal; this means the Town has 60 days to decide if it would like to purchase the property from the homeowner at the Maximum Resale Price.

Please consider this letter as notification of the Town of Billerica's 60-day right of first refusal period: this 60-day period will commence November 5th, 2025, and end January 4th 2026. If we do not hear from the Town within this period, CHAPA will assume the Town declined to exercise its right of first refusal.

As you may expect, the homeowner is anxious to begin marketing as soon as possible to find a new buyer. However, marketing cannot begin until we receive a response from the Town. Please contact me in writing as to your Right of First Refusal, at rmccormick@chapa.org.

If the Town of Billerica declines to exercise its right of first refusal, CHAPA will assist the homeowner with the resale of this property. CHAPA and the homeowner will have 120 days to market the property and locate an Eligible Purchaser. When a new purchaser buys an affordable property, a new deed restriction is signed, recorded and the property remains on the Town's subsidized housing inventory.

If an Eligible Purchaser fails to buy the home during the 120-day period (plus the option for a 60-day extension), the current owner of the property could sell the home on the open market for the fair market value. Any difference between the affordable

price and the market price would be turned over to the Town. The home would no longer be deed-restricted and therefore would no longer be counted on Billerica's subsidized housing inventory.

However, CHAPA will make every effort to work with the current owner to instead sell to an Ineligible Purchaser subject to a new deed rider, preserving the affordable home in perpetuity.

We welcome any assistance the Town would like to offer us to locate a new Eligible Buyer for this affordable housing opportunity. Please feel free to contact **Carol Marine**, **Senior Program Manager**, at 617-690-8603 or cmarine@chapa.org, if you are interested in helping us market the property. We look forward to hearing back from you soon regarding your Right of First Refusal.

Sincerely,

Ron McCormick Senior Program Manager

cc:

Dawn McDowell

From:

Bob Correnti bcorrenti@billericahousing.org

Sent:

Thursday, November 6, 2025 6:54 AM

To:

Dawn McDowell (Select Board)

Subject:

RE: Resale of affordable home

[EXTERNAL EMAIL]

DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Thank you but we are not interested in this property.



Robert M. Correnti
Executive Director
BILLERICA HOUSING AUTHORITY
16 Phor Street

16 River Street Billerica, MA 01821 Tel: 978-667-2175 Fax: 978-667-1156

Cell: 617-962-4728 www.billericahousing.org



From: Dawn McDowell (Select Board) <selectboard@billerica.gov>

Sent: Wednesday, November 5, 2025 5:56 PM
To: Bob Correnti bcorrenti@billericahousing.org

Subject: FW: Resale of affordable home

Hi Bob,

I received this email from CHAPA. Does the Housing Authority have any interest in purchasing this property?

Please let me know.

Thank you and have a great day! Dawn

From: Ron McCormick < rmccormick@chapa.org > Sent: Wednesday, November 5, 2025 12:01 PM

Subject: Resale of affordable home
You don't often get email from rmccormick@chapa.org. Learn why this is important [EXTERNAL EMAIL]
DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe
Hello Dawn and the Select Board
Please see the attached. If you have any questions, please let me know.
Ron McCormick Senior Program Manager 781/285-6081 (direct line) 617/742-0820 rmccormick@chapa.org

To: Dawn McDowell (Select Board) < selectboard@billerica.gov>

^{**}In order to assist as many people as possible, CHAPA sometimes provides general Chapter 40B program information relevant to most situations. However, policy is ultimately determined by applicable deed restriction terms and program guidelines, which may occasionally differ from the general information we provide.**



Bk: 18689 Pg: 63 Page: 1 of 15 Recorded: 12/23/2003 02:07 PM

CONDOMINIUM UNIT DEED

GRANTOR: Salisbury Hill, Corp. a Massachusetts Corporation having a principle place of business at 574 Boston Road, Billerica, Massachusetts.

For consideration of one hundred fifty-seven thousand five hundred and no/100 (\$157,500.00) dollars

GRANTS TO: Donald J. Cotton of 81 Salem Road, Unit # 102, Billerica, Commonwealth of Massachusetts,

with quitclaim covenants,

Unit No. 102 of Salisbury Hill Estates Condominium created by Master Deed dated June 23, 2003 and recorded on June 25, 2003 with North Registry District of Middlesex County at Book 15540 Page 2, and as amended

The Post Office Address of the Condominium is: 81 Salem Road, Billerica, Massachusetts 01821

The unit conveyed is laid out as shown on a plan filed herewith, which plan is a copy of a portion of the plans filed with said Registry at Book of Plans 213 Plan 4 and to which is affixed a verified statement in the form provided in G.L. c. 183A, §9. It is subject to and with the benefit of the obligations, restrictions, rights and liabilities contained in G.L. c. 183A, the Master Deed and the By-Laws filed therewith.

The Condominium and each of the units is intended for residential purposes and other uses permitted by the applicable Zoning Ordinances and as set forth in the Master Deed.

The undivided percentage interest of the unit conveyed hereunder in the common areas and facilities is 2.27 percent.

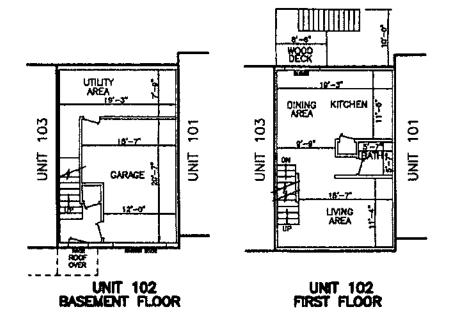
This conveyance is subject to the terms and conditions of Exhibit B of the Deed Rider attached hereto.

This conveyance does not constitute the sale or transfer of all or substantially all of the Corporation's assets within the Commonwealth of Massachusetts.

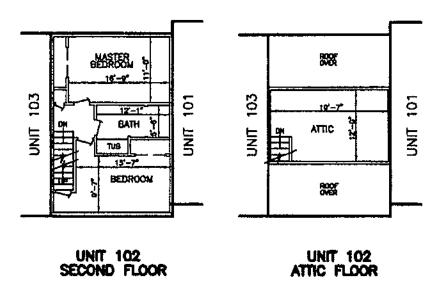
MASSACHUSETTS EXCISE TAX Middlesex North ROD #14 001 Date: 12/23/2003 02:07 PM Otri# 010319 32435 Doc# 00144967 Fee: \$718.20 cons: \$157,500.00



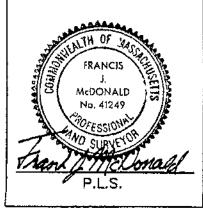
IN WITNESS WHEREOF, the said Salisbu sealed instrument and has signed in it's nam President and Treasurer, being thereto and 2003.	
	Salisbury Hill Corp. by president of the treasurer Stephen R. Dresser, President & Treasurer
COMMONWEALTH C	F MASSACHUSETTS
r. Alber ss.	Date /2/27/03
	ed Stephen R. Dresser, President & Treasurer the foregoing instrument to be his free act and Hill Corp. Notary Public My Commission Expires:



TOTAL AREA:1,754± SQ. FT.



UNIT 102 BUILDING 10 SALISBURY HILL ESTATES CONDOMINIUM



ADDRESS 81 SALEM ROAD BILLERICA, MA	SCALE 1/16"=1'-0"
LEGAL REF. BK: 13560 PG: 125&126	
DATE DECEMBER 12, 2003 JOB NO. 2812	

I CERTIFY THAT THIS FLOOR PLAN FULLY AND ACCURATELY DEPICTS THE LAYOUT, LOCATION, UNIT NUMBER AND DIMENSIONS OF THE UNIT NUMBERED 102 IN BUILDING 10 AS BUILT, LOCATED IN THE SALISBURY HILL ESTATES CONDOMINIUM.

Dresser, Williams & Way, Inc. 574 BOSTON ROAD BILLERICA, MASS.

EXHIBIT B

DEED RIDER

(annexed to and made part of that certain deed (the "Deed")
from Salisbury Hill Corporation ("Grantor")
to Donald J Cotton ("Grantee")
dated December 13, 2003

WITNESSETH:

WHEREAS, a comprehensive permit for land in the City/Town of Billerica, Massachusetts (the "Municipality") has been granted under Chapter 40B of M.G.L. for the purpose of constructing 44 residential units (the "Project") comprised of 33 units to be sold by the Grantor at market rates, 11 units to be sold to households with low and moderate incomes in accordance with the terms and provisions of the Regulatory Agreement by and between the Salisbury Hill Corporation (the "Developer") and Middlesex Federal Savings F.A. (the "Bank"), as part of the New England Fund Program (the "Regulatory Agreement") which Regulatory Agreement is dated March 20, 200, 3 and is recorded/filed with the North Middlesex County Registry of Deeds (the "Registry") in Book 15078 at Page 45;

WHEREAS, the rights and restrictions granted in this Rider to the Monitoring Agent and the Municipality serve the public's interest in the creation and retention of affordable housing for persons and families of low and moderate income and in the restricting the resale price of property in order to assure its affordability by future low and moderate income purchasers;

WHEREAS, pursuant to the Regulatory Agreement, eligible purchasers such as the Grantee are given the opportunity to purchase certain property at a discount of the property's appraised fair market value if the purchaser agrees to convey the property on resale to an eligible purchaser located by the Monitoring Agent or, to the Monitoring Agent, for a "Maximum Resale Price" as specified in this Rider and in the Regulatory Agreement;

WHERE, S, the Grantor and the Grantee are participating in the NEF Program, and in accordance with the NEF Program the Grantor is conveying that certain real property more particularly described in the Deed to which this Deed Rider is attached ("Property") to the Grantee at a consideration which is less than the appraised value of the Property; and

WHEREAS a Discount Rate equal to 68.5% of the appraised fair market value of the Property (the "Discount Rate") is assigned to the Property, and such Discount Rate shall be used in determining the Maximum Resale Price of the Property;

NOW THEREFORE, as further consideration from the Grantee to the Grantor and the Monitoring Agent and the Municipality for the conveyance of the Property at a discount in accordance with the Regulatory Agreement, the Grantee, his/her heirs, successors and assigns, agrees that the Property shall be subject to the following rights and restrictions which are imposed for the benefit of and shall be enforceable by, the Grantor's assignees and designees, or the Monitoring Agent or the Municipality, acting by and through its chief elected official.

- Right of First Refusal. (a) When the Grantee or any successor in title to the Grantee shall desire to sell, dispose of or otherwise convey the Property, or any portion thereof, the Grantee shall first notify the Monitoring Agent and subsequently the Municipality in writing of the Grantee's intention to so convey the Property (the "Notice"). The Notice shall contain an appraisal of the fair market value of the Property (assuming the Property is free of all restrictions set forth in this Rider or in the Regulatory Agreement) acceptable to the Monitoring Agent prepared by a real estate appraiser acceptable to the Monitoring Agent and qualified to appraise property for secondary mortgage markets and recognized as utilizing acceptable professional appraisal standards in Massachusetts, and the Notice shall set forth the appraised value, the Discount Rate and the Maximum Resale Price of the Property and shall advise the Municipality of a 60 day right of first refusal in favor of the Municipality. The Maximum Resale Price is equal to the appraised value multiplied by the Discount Rate expressed as a fraction (as opposed to a percent). Within sixty (60) days of the giving of the Notice by the Grantee, the Municipality shall notify the Grantee in writing as to whether the Municipality is proceeding to locate an eligible purchaser of the Property or the Municipality shall exercise its right of first refusal to purchase the Property (the "Municipality's Notice"). For the purpose of this Deed Rider, an "eligible purchaser" shall mean a purchaser whose household income is less than the Base Income as defined in the Regulatory Agreement, and who, if located by the Municipality, is ready and willing to purchase the Property within ninety (90) days after the Grantee gives the Notice.
- In the event that (i) the Municipality's Notice states that the Municipality does (b) not intend to proceed to locate an eligible purchaser and that the Municipality does not intend to exercise its right of first refusal to purchase the Property, or the Municipality fails to give the Municipality's Notice within sixty (60) days, the Grantee must use diligent efforts to find an eligible purchaser within a one hundred twenty (120) day period from the date the Property is put on the market, as determined by the date of the first advertisement for sale, as set forth below. The term "diligent efforts" shall mean (A) the placement of an advertisement in the real estate section of at least one newspaper of general circulation for a period of three consecutive weeks which sets forth a customary description of the unit for sale, a single price which is not in excess of the Maximum Resale Price, Grantee's telephone number, and the phrase: "Sale of unit subject to certain guidelines and restrictions with respect to the maintenance and retention of affordable housing for households of low and moderate income." and (B) the receipt of satisfactory evidence that the new purchaser qualifies as an eligible purchaser. If the Grantee is unable to locate an eligible purchaser within one hundred twenty (120) days from the date the Property is put on the market, the Grantee may convey the Property to any third party at fair market value, free of all restrictions set forth in this Deed Rider, provided, however, all consideration and payments of any kind received by the Grantee

for the conveyance of the Property to the third party which exceeds the Maximum Resale Price shall be immediately and directly paid to the Municipality after review by the Monitoring Agent. Upon receipt of this excess amount, if any, the Municipality, shall issue to the third party and to the Monitoring Agent a certificate in recordable form (the "Compliance Certificate") indicating the Municipality's receipt of the excess amount. This Compliance Certificate is to be recorded in the North Middlesex County Registry of Deeds and such Compliance Certificate may be relied upon by the then owner of the Property and by third parties as constituting conclusive evidence that such excess amount, if any, has been paid to the Municipality, or that no excess amount is payable, and that the rights, restrictions, agreements and covenants set forth in this Deed Rider are null and void. The sale price to a third party shall be subject to the Monitoring Agent's approval, with due consideration given to the value set forth in the appraisal accompanying the Notice and the Monitoring Agent may withhold its approval if in its sole judgment the purchase price is not consistent with the requirements of this Deed Rider and the Regulatory Agreement. The Monitoring Agent's approval of the sale price shall be evidenced by its issuance of an acceptance by the Monitoring Agent of the Municipality's Compliance Certificate. Funds received by a Municipality under this paragraph shall be deposited in an affordable housing fund to be used by the Municipality to support other affordable housing within the municipality.

- (c) In the event the Municipality, within said sixty (60) day period, notifies the Grantee that the Municipality is proceeding to locate an eligible purchaser or that the Municipality shall exercise the Municipality's right of first refusal to purchase the Property, the Municipality may locate an eligible purchaser, who shall purchase the Property at a price not in excess of the Maximum Resale Price subject to a Deed Rider, within sixty (60) days of the date that the Municipality's Notice is given, or the Municipality may purchase the Property itself at a price not in excess of the Maximum Resale Price within sixty (60) days of the date that the Municipality's Notice is given. If more than one eligible purchaser is located by the Municipality, the Municipality shall conduct a lottery or other like procedure to determine which eligible purchaser shall be entitled to the conveyance of the Property.
- (d) If an eligible purchaser is selected to purchase the Property, or if the Municipality elects to purchase the Property, the Property shall be conveyed by the Grantee to such eligible purchaser or to the Municipality as the case may be, by a good and sufficient quitclaim deed conveying a good and clear record and marketable title to the Property free from all encumbrances except (i) such taxes for the then current year as are not due and payable on the date of delivery of the deed (ii) any lien for municipal betterments assessed after the date of the Notice, (iii) provisions of local building and zoning laws, (iv) all easements, restrictions, covenants and agreements of record specified in the Deed from the Grantor to Grantee, (v) the Regulatory Agreement which cannot be amended without the consent of the Monitoring Agent, (vi) such additional easements, restrictions, covenants and agreements of record as the Municipality and the Monitoring Agent consent to, such consent not to be unreasonably withheld or delayed, and (vii) in the event that the Property is conveyed to an eligible purchaser, a Deed Rider satisfactory in form and substance to the Monitoring Agent which the Grantee agrees to annex to said deed.

- (e) Said deed shall be delivered and the purchase price paid (the "Closing") at the Registry, or at the option of the eligible purchaser (or the Municipality, as the case may be, if the Municipality is purchasing the Property), exercised by written notice to the Grantee at least five (5) days prior to the delivery of the deed, at such other place as the eligible purchaser (or the Municipality, as the case may be, if the Municipality is purchasing the Property) may designate in said notice. The Closing shall occur at such time and on such date as shall be specified in a written notice from the eligible purchaser (or the Municipality, as the case may be, if the Municipality is purchasing the Property) to the Grantee, which date shall be at least five (5) days after the date on which such notice is given, and if the eligible purchaser is a purchaser located by the Municipality, or if the Municipality is purchasing the Property no later than sixty (60) days after the Municipality's Notice is given to the Grantee.
- (f) To enable Grantee to make conveyance as provided in this Deed Rider, Grantee may if he/she so desires at the time of delivery of the deed, use the purchase money or any portion thereof to clear the title of any or all encumbrances or interests; all instruments so procured to be recorded simultaneously with the delivery of said deed.
- (g) Water and sewer charges and taxes for the then current tax period shall be apportioned and fuel value and any common area charges or association fees, if any, shall be adjusted as of the date of Closing and the net amount thereof shall be added to or deducted from, as the case may be, the purchase price payable by the eligible purchaser or by the Municipality.
- (h) Full possession of the Property free from all occupants is to be delivered at the time of the Closing, the Property to be then in the same condition as it is in on the date of the Grantee's Notice, reasonable wear and tear only excepted.
- (i) If Grantee shall be unable to give title or to make conveyance as above stipulated, or if any change of condition in the Property not included in the above exception shall occur, then the Closing shall be extended for up to thirty (30) days and Grantee shall remove any defect in title or restore the Property to the condition required by this Deed Rider. The Grantee shall use best efforts to remove any such defects in the title whether voluntary or involuntary and to restore the Property to the extent permitted by insurance proceeds or condemnation award. The eligible purchaser (or the Municipality, as the case may be, if the Municipality is purchasing the Property) shall have the election, at either the original or any extended time for performance, to accept such title as the Grantee can deliver to the Property in its then condition and to pay therefore the purchase price without deduction, in which case the Grantee shall convey such title, except that in the event of such conveyance in accordance with the provisions of this clause, if the Property shall have been taken by a public authority, then the Grantee shall, unless the Grantee has previously restored the Property to its former condition, either:
 - (i) pay over or assign to the eligible purchaser or the Municipality, as the case may be, on delivery of the deed, all amounts recovered or recoverable on account of

- such insurance or condemnation award less any amounts reasonably expended by the Grantee for the partial restoration, or
- (ii) if a holder of a mortgage on the Property shall not permit the insurance proceeds or the condemnation award or part thereof to be used to restore the Property to its former condition or to be so paid over or assigned, give to the eligible purchaser or to the Municipality, as the case may be, a credit against the purchase price, on delivery of the deed, equal to said amounts so retained by the holder of the said mortgage less any amounts reasonably expended by the Grantee for any partial restoration
- 2. Resale and Transfer Restrictions. Except as otherwise stated in this Agreement, the Property or any interest therein, shall not at any time be sold by the Grantee, the Grantee's successors and assigns, and no attempted sale shall be valid, unless:
- (a) the aggregate value of all consideration and payments of every kind given or paid by the eligible purchaser (as located and defined in accordance with Section 1 above) or the Municipality, as the case may be, to the then owner of the Property for and in connection with the transfer of such Property, prior to customary closing adjustments for fuel, taxes, or similar items, is not in excess of the Maximum Resale Price for the Property, and (i) (A) if the Property is conveyed to an eligible purchaser, and a certificate (the "Eligible Purchaser Certificate") is obtained and recorded, signed and acknowledged by the Monitoring Agent which Eligible Purchaser Certificate refers to the Property, the Grantee, the eligible purchaser thereof and the Maximum Resale Price therefor, and states that the proposed conveyance, sale or transfer of the Property to the eligible purchaser is in compliance with this Deed Rider and the Regulatory Agreement, and there is also recorded a new Deed Rider executed by the eligible purchaser which new Deed Rider the Eligible Purchaser Certificate certifies is satisfactory in form and substance to the Monitoring Agent; (B) if the Property is conveyed to the Municipality and a Certificate (the "Municipal Purchaser Certificate") is obtained from the Monitoring Agent and signed and acknowledged by the Municipality and the Monitoring Agent and recorded with the Registry of Deeds, which Municipal Purchaser Certificate refers to the Property, the Grantee, the Municipality, the Maximum Resale Price and states that the proposed conveyance, sale or transfer of the Property to the Municipality is in compliance with the rights, restrictions, covenants and agreements contained in this Deed Rider and there is also recorded a new Deed Rider which Deed Rider is satisfactory in form and substance to the Monitoring Agent; or (C) if the Property is conveyed to a third party in accordance with Section 1, the Monitoring Agent executes and delivers an acceptance of the Compliance Certificate in accordance with Section 1:
- (b). Any good faith purchaser of the Property, any lender or other party taking a security interest in such Property and any other third party may rely upon a Compliance Certificate accepted by the Monitoring Agent or an Eligible Purchaser Certificate or a Municipal Purchaser Certificate referring to the Property as conclusive evidence of the matters stated therein and may record such Certificate in connection with conveyance of the Property, provided, in the case of an Eligible Purchaser Certificate and a Municipal Purchaser Certificate

the consideration recited in the deed or other instrument conveying the Property upon such resale shall not be greater than the maximum permitted price stated in the Eligible Purchaser Certificate or the Municipal Purchaser Certificate as the case may be. If the Property is conveyed to the Municipality, any future sale of the Property by the Municipality shall be subject to the Regulatory Agreement and the Deed from the Municipality shall contain a Deed Rider in form and substance satisfactory to the Monitoring Agent together with an Eligible Purchaser Certificate from the Monitoring Agent.

- (c) Within ten (10) days of the closing of the conveyance of the Property from Granter to Grantee, the Grantee shall deliver to the Monitoring Agent and to the Municipality a true and certified copy of the deed of the Property, together with information as to the place of recording thereof in the public records. Failure of the Grantee, or Grantee's successors or assigns to comply with the preceding sentence shall not affect the validity of such conveyance.
- (d) Notwithstanding anything to the contrary contained in this Deed Rider, the Maximum Resale Price shall not be less than the purchase price paid by the Grantee which at the time of purchase complied with the requirements of the preceding deed rider and of the Regulatory Agreement and which is recited in an Eligible Purchaser Certificate or a Municipal Purchaser Certificate recorded/filed with the Registry plus the costs of approved capital improvements and marketing expenses, as determined by the Monitoring Agent.
- (e) The Grantee understands and agrees that nothing in this Deed Rider or the Regulatory Agreement in any way constitutes a promise or guarantee by the Municipality, the Monitoring Agent or any other person or entity that the Grantee shall actually receive the Maximum Resale Price for the Property or any other price for the Property.
- Restrictions Against Leasing and Junior Encumbrances. The Property shall not be leased, refinanced, encumbered (voluntarily or otherwise) or mortgaged without the prior written consent of the Monitoring Agent, provided, however, that this provision shall not apply to a first mortgage granted in connection with this conveyance for a principal amount less than the price approved by the Monitoring Agent in the Eligible Purchaser Certificate, the Municipal Purchase Certificate. Any rents, profits, or proceeds from any transaction which has not received the prior written consent of the Monitoring Agent shall be paid to and be the property of the Municipality for deposit into a fund for affordable housing. In the event that the Monitoring Agent, in the exercise of its absolute discretion, consents to any such lease, refinancing, encumbrance or mortgage, it shall be a condition to such consent that all rents, profits or proceeds from such transaction which exceed the carrying costs of the Property as determined by the Monitoring Agent in its sole discretion shall be paid to and be the property of the Municipality for deposit into a fund for affordable housing. Notwithstanding the restrictions outlined in this paragraph, any Property purchased by the Municipality, under its Right of First Refusal, may be rented by the Municipality, at its discretion, so long as the income limits for the lessee household do not exceed the Base Income as defined in the Regulatory Agreement. Funds received by a Municipality under this paragraph shall be deposited in an affordable housing fund to be used by the Municipality to support other affordable housing within the municipality.

- 4. Rights of Mortgagees. (a) Notwithstanding anything in this Agreement to the contrary, but subject to paragraph 4(b) of this Agreement, if the holder of record (other than the Grantor or any person related to the Grantor by blood, adoption, or marriage, or any entity in which the Grantor or any related person has a financial interest (an "Interested Party")) of an eligible mortgage granted to a state or national bank, state or federal savings and loan association, cooperative bank, mortgage company, trust company, insurance company or other institutional lender or its successors or assigns (other than an Interested Party) shall acquire the Property by reason of foreclosure or similar remedial action under the provisions of such mortgage or upon conveyance of the Property in lieu of foreclosure, and provided that such holder has given the Monitoring Agent and the Municipality not less than (60) days prior written notice of its intention to foreclose upon its mortgage or to accept a conveyance of the Property in lieu of foreclosure, the rights and restrictions contained in this Agreement shall not apply to such holder upon such acquisition of the Property, any purchaser (other than an Interested Party) of the Property at a foreclosure sale conducted by such holder, or any purchaser (other than an Interested Party) of the Property from such holder, and subject to the disposition of proceeds established in Paragraph 4(b) of this Agreement such Property shall thereupon and thereafter be free from all such rights and restrictions. For purposes of this Deed Rider an eligible mortgage shall be a first mortgage encumbering only the Property and in an original principal amount not to exceed ninety-five (95%) percent of the sale price stated in the Eligible Purchaser Certificate, the Municipal Purchase Certificate recorded with the mortgagor's deed. Any foreclosing mortgagee holding a mortgage which is not an eligible mortgage, shall not be entitled to the protections of this section and shall be deemed to be an owner subject to all the restrictions and obligations of an owner under this Deed Rider.
- In the event such holder of an eligible mortgage conducts a foreclosure or other proceeding enforcing its rights under such mortgage or if the Property is conveyed to such holder in lieu of foreclosure and the Property is sold for a price in excess of the greater of (i) the sum of the outstanding principal balance of the note secured by such mortgage plus all accrued interest and all reasonable costs and expenses which the holder is entitled to recover pursuant to the terms of the mortgage and (ii) the Maximum Resale Price applicable on the date of the sale, such excess shall be paid to the Municipality in consideration of the loss of the value and benefit of the rights and restrictions contained in this Deed Rider and held by the Municipality and released by the Municipality pursuant to this section in connection with such proceeding (provided, that in the event that such excess shall be so paid to the Municipality by such holder, the Municipality shall thereafter indemnify such holder against loss or damage to such holder resulting from any claim made by the mortgagor of such mortgage to the extent that such claim is based upon payment of such excess by such holder to the Municipality in accordance herewith, provided that such holder shall give the Monitoring Agent and the Municipality prompt notice of any such claim and shall not object to the intervention by the Municipality in any proceeding relating thereto). In order to determine the Maximum Resale Price of the Property at the time of foreclosure or other proceeding, the Municipality may, at its own expense, obtain an appraisal of the fair market value of the Property satisfactory to such holder. The Maximum Resale Price shall be equal to the appraised fair market value so obtained, multiplied by the Discount Rate assigned to

the Property. If the holder disagrees with such appraised value, the holder may obtain a second appraisal, at the holder's expense and the Maximum Resale Price shall be equal to the average of the two appraisal amounts multiplied by the Discount Rate. To the extent the Grantee possesses any interest in any amount which would otherwise be payable to the Municipality under this paragraph, to the fullest extent permissible by law, the Grantee assigns all its interest in such amount to said holder for payment to the Municipality. Funds received by a Municipality under this paragraph shall be deposited in an affordable housing fund to be used by the Municipality to support other affordable housing within the municipality.

Covenants to Run With the Property. (a) The Grantor and the Grantee, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, grant and assign to the Municipality, the Municipality's agents, successors, designees and assigns the right of first refusal to purchase the Property as set forth in this Deed Rider, and to the Monitoring Agent and the Municipality the right to enforce the rights and restrictions, covenants and agreements set forth in this Deed Rider. The Grantor and the Grantee grant to the Monitoring Agent and the Municipality the right to enter upon the Property for the . purpose of enforcing any and all of the restrictions, covenants and agreements contained in this Deed Rider, and of taking all actions with respect to the Property which the Monitoring Agent and/or Municipality may determine to be necessary or appropriate, with or without court order, to prevent, remedy or abate any violation of the restrictions, covenants and agreements set forth in this Deed Rider. The rights granted to the Monitoring Agent and the Municipality shall be in addition to and not in limitation of any other rights and remedies available to the Grantor or the Monitoring Agent or to the Municipality for enforcement of the restrictions, rights, covenants and agreements set forth in this Deed Rider. It is intended and agreed that all of the agreements, covenants, rights and restrictions set forth in this Deed Rider shall be deemed to be covenants running with the Property and shall be binding upon and enforceable against the Grantee, the Grantee's successors and assigns and any party holding title to the Property for the benefit of and enforceable by the Monitoring Agent and/or the Municipality, the Monitoring Agent's and/or Municipality's agents, successors, designees and assigns for a period of (i) ninety-nine years from the date this restriction was first placed on the Property by either this Deed Rider or preceding deed rider in substantially similar form and substance or for as long as the condominium is not in compliance with the zoning requirements of the Town of Billerica, whichever period is longer, (ii) upon the recording of a Compliance Certificate accepted by the Monitoring Agent, or (iii) upon the recording of an Eligible Purchaser Certificate and a new Deed Rider executed by the eligible purchaser referenced in the Eligible Purchaser Certificate, which new Deed Rider is certified in the Eligible Purchaser Certificate to be in form and substance satisfactory or of a Municipal Purchaser Certificate as set forth in this Deed Rider. The Monitoring Agent shall be entitled to a fee of one-half of one percent of the Maximum Sale Price of the Property to the Municipality or an eligible purchaser or an ineligible purchaser in accordance with the provisions of this Deed Rider and the Regulatory Agreement for the services performed according to the Monitoring Services Agreement (and referenced in the Regulatory Agreement). This fee shall be paid by the Grantee as a closing cost at the time of closing, and payment of the fee of the Monitoring Agent shall be a condition to delivery and recording

of its certificate, failing which the Monitoring Agent shall have a claim against the Grantee and persons claiming under the grantee for which the Monitoring Agent may seek an attachment against the Property.

- (b) This Deed Rider and all of the agreements, restrictions, rights and covenants contained in this Deed Rider-shall be deemed to be an affordable housing restriction as that term is defined in M.G.L. c. 184, § 31 and as that term is used in M.G.L. c. 184, §§ 26, 31, 32, and 33.
- (c) The Grantee intends, declares and covenants on behalf of itself and its successors and assigns (i) that this Deed Rider and the covenants, agreements, rights and restrictions contained in this Deed Rider shall be and are covenants running with the land, encumbering the Property for the term of this Deed Rider, and are binding upon the Grantee's successors in title, (ii) are not merely personal covenants of the Grantee, and (iii) shall bind the Grantee, its successors and assigns and enure to the benefit of the Municipality and their successors and assigns for the term of the Deed Rider. Grantee agrees that any and all requirements of the laws of the Commonwealth of Massachusetts to be satisfied in order for the provisions of this Deed Rider to constitute restrictions and covenants running with the land shall be deemed to be satisfied in full and that any requirements of privity of estate are also deemed to be satisfied in full.
- (d) Without limitation on any other rights or remedies of the Grantor, the Monitoring Agent, the Municipality, their agents, successors, designees and assigns, any sale or other transfer or conveyance of the Property in violation of the provisions of this Deed Rider, shall, to the maximum extent permitted by law, be voidable by the Municipality or the Monitoring Agent, or their agents, successors, designees and assigns by suit in equity to enforce such rights, restrictions, covenants, and agreements.
- (e) Notwithstanding any other provision in this Deed Rider, after the end of the ninety-ninth year from the date this restriction was first placed on the Property by either this Deed Rider or a preceding deed rider in substantially similar form and substance or for as long as the condominium is not in compliance with the zoning requirements of the Town of Billerica, whichever period is longer (the "Termination Date"), the then owner of the Property then subject to this Deed Rider may sell the Property at a price equal to the fair market value of the Property as of the date of sale and not subject to this Deed Rider, provided, however that the owner, at the time of such sale must pay to the Municipality the difference between the fair market value as so determined and the Maximum Sale Price which the owner could realize in a sale to an Eligible Purchaser were this Deed Rider to have remained in effect, and upon such payment the Property will be deeded free and clear of this Deed Rider. In the event of any failure of any owner to make a payment under this Deed Rider the Municipality shall have the right to seek payment from the purchaser of the Property, and his/her successors and assigns, which right shall be prior to the encumbrance of any mortgage upon the Property. The owner of the Property after the Termination Date shall have the right to make a payment by refinancing or from other sources in the same amount to the Municipality as the Municipality would receive were this Deed Rider to have remained in effect in the event of a sale at fair market value on the date of payment after the Termination Date, and in the event of

such a payment the owner shall hold the Property free and clear of this Deed Rider. The provisions of this paragraph shall survive the expiration of the term of this Deed Rider.

6. Notice. Any notices, demands or requests that may be given under this Deed Rider shall be sufficiently served if given in writing and delivered by hand or mailed by certified or registered mail, postage prepaid, return receipt requested, to the parties to this Deed Rider at the addresses set forth below, or such other addresses as may be specified by any party by such notice.

Municipality:

Town of Billerica 365 Boston Road Billerica, MA 01821

Grantor:

Salisbury Hill Corporation 574 Boston Road-Unit 15 Billerica, MA 01821

With a copy to:

Edith M. Netter, Esq.

Edith M. Netter & Associates, P.C.

375 Totten Pond Road Waltham, MA 02451

Grantee:

Donald J. Cotton

81 Salem Road, Unit #102 Billerica, MA 01821

Monitoring Agent:

Citizens Housing and Planning Association

18 Tremont Street Boston, MA 02108

Any such notice, demand or request shall be deemed to have been given on the day it is hand delivered or mailed.

7. Further Assurances. The Grantee agrees from time to time, as may be reasonably required by the Monitoring Agent or the Municipality, to furnish the Monitoring Agent and the Municipality with a written statement, signed and, if requested, acknowledged, setting forth the condition and occupancy of the Property, information concerning the resale of the Property and all other information pertaining to the Property or the Grantee's eligibility for and conformance with the Regulatory Agreement for this Project.

- 8. <u>Waiver</u>. Nothing contained in this Deed Rider shall limit the rights of the Monitoring Agent and/or the Municipality to release or waive, from time to time, in whole or in part, any of the rights, restrictions, covenants or agreements contained in this Deed Rider with respect to the Property. Any such release or waiver must be made in writing and must be executed by the Monitoring Agent and/or the Municipality or designee.
- 9. Severability. If any provisions of this Deed Rider or the application thereof to any person or circumstance shall come, to any extent, to be invalid or unenforceable, the remainder of this Deed Rider or the application of such provision to the persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each provision of this Deed Rider shall be valid and enforced to the fullest extent permitted by law.
- 10. Responsibility of the Monitoring Agent. The Monitoring Agent shall not be held liable for any action taken or omitted under this Deed Rider so long as it shall have acted in good faith and without gross negligence.
- Indemnity. The Grantor and the Grantee agree to indemnify and hold harmless the Monitoring Agent against all damages, costs and liabilities, including reasonable attorney's fees, asserted against the Monitoring Agent by reason of its relationship with the Project under this Deed Rider and not involving claims that the Monitoring Agent acted in bad faith and with gross negligence.

gross negligence.	•	•	
Executed as a sealed instrument this	2311	of December	, 200 3
			
•			
Salisbury Hill Corp.	,	•	
Grantor: by:			
AL PRESUDENT ETOERS WEER			
Stephen R. Dresser, Presid	lent and Tro	aa ciirar	

Grantee:

Donald J. Cotton

COMMONWEALTH OF MASSACHUSETTS

		,			
County of_	Middlesex	·	•	December 23	_, 200 <u>3</u>

Then personally appeared the above-named Stephen R. Dresser, [Grantor], and acknowledged the foregoing instrument to be Ak/her free act and deed, before me, and the free act and deed of Salisbury Hill Corp.

Notary Public Stephen J. Lake

My commission expires: 114/09

		F MASSACHUSETTS
County of M. Mess	·	Neconta 23, 200 9
Then personally ap [Grantee], and acknowled me.	peared the above-name ged the foregoing inst	ed <u>Donald J. Cotton</u> rument to be his/her free act and deed, before
	•	
My commission expires:	Chule	Notary Public of London

END OF DOCUMENT
Ruba Phone gr

SHEA, DANGORA & NELSON, P.C.

ATTORNEYS AT LAW 566 BOSTON ROAD P.O. BOX 599 BILLERICA, MASSACHUSETTS 01821

JAMES T. DANGORA, SR. STEPHEN A. NELSON JAMES T. DANGORA, JR. PHILIP R. SHEA (1938-2024) (978) 667-2757 (978) 667-2758 FAX (978) 670-5763

OF COUNSEL; ANYA L. KENNEDY

VIA HAND DELIVERY

October 15, 2025

Jillian Pavidis, Chair Billerica Select Board 365 Boston Road Billerica, MA 01821

RE:

Clarence Street Lots, Billerica Release of Deed Restriction

Dear Madam Chair:

The Sandra L, Rideout Revocable Trust owns the property located upon Clarence Street more specifically known as Lots 1168, 1169, 1170, 1171, 1172 and 1173 as shown on a plan of land entitled "Pinehurst Manor". The Rideout family acquired the property from the Town of Billerica by deed recorded in the Middlesex North Registry of Deeds on March 13, 1990 (see deed recorded at Book 5173, Page 326 attached hereto).

When the Rideout family took title to the above premises in 1990, the deed conveying the property from the Town included two (2) restrictions. First, the deed stated, "no structure for human occupancy may be built upon said premises". Secondly, the deed stated that the premises must be "annexed to and become part of your existing property".

Pursuant to the provisions of M.G.L.c. 184 Section 27, the above-mentioned restrictions are effective for a period of thirty (30) years. M.G.L Chapter 184, Section 27 reads in part:

"No restriction imposed after December 31, 1961 shall be enforceable:...(b) after thirty years from the imposition of the restriction..."

The Statute permits deed restriction to be extended for an additional twenty (20) years provided the extension is made prior to the expiration of same. The Town took no steps to extend the restrictions before they expired in 2020.

In order to clarify title and avoid questions relative to title in the future, the Rideout family respectfully requests that the Town, acting by and through its Select Board, acknowledge the fact that the deed restrictions have expired and otherwise release the deed restrictions of record. To this end, I have attached a Release of Deed Restrictions to be recorded in the Middlesex North Registry of Deeds.

Your anticipated cooperation is greatly appreciated.

Truly yours,

James T. Dangora, Jr.

JTDjr./ams Enclosure

RELEASE OF DEED RESTRICTIONS

WHEREAS, the **Town of Billerica**, a municipal corporation duly established under the laws of the Commonwealth of Massachusetts, with a principal place of business located at 365 Boston Road, Billerica, Massachusetts, acting by and through its Select Board conveyed Lots 1168, 1169, 1170, 1171, 1172 and 1173 as shown on a plan of land entitled "Pinehurst Manor" which plan is recorded in the Middlesex North Registry of Deeds at Plan Book 27, Plan 95 to **Robbie B. Rideout** and **Sandra L. Rideout** by deed dated March 8, 1990, and

WHEREAS, the aforementioned deed is recorded in the Middlesex North Registry of Deeds at Book 5173, Page 326, and

WHEREAS, Lots 1168, 1169, 1170, 1171, 1172 and 1173 were conveyed to Sandra L. Rideout, as Trustee of the Sandra L. Rideout Revocable Trust by deed dated August 23, 2018, as recorded in the Middlesex North Registry of Deeds at Book 32402, Page 83.

WHEREAS, the deed from the **Town of Billerica** to **Robbie B. Rideout** and **Sandra L. Rideout** contains two certain restrictions. More specifically, said deed states as follows:

"The said premises are conveyed subject to the provisions that no structure for human occupancy may be built upon said premises; and further that the said land area to be acquired by you will be annexed to and become part of your existing property".

NOW THEFORE, for good and valuable consideration, the **Town of Billerica**, acting through its Select Board, hereby acknowledges and confirms that the aforementioned restrictions have expired and are otherwise unenforceable and in order to clarify title, the **Town of Billerica** hereby releases the restriction that no structure for human occupancy may be built upon the premises and further releases the restriction compelling said premises to be annexed to and become part of Grantee's existing property.

In Witness Whereof, the **Town of Billerica** has caused its corporate seal to be hereto affixed, and these presents to be signed, acknowledged and delivered in its name by a majority of its Select Board, being the Executive Board of the Town of Billerica, this day of , 2025.

Billerica Select Board, f/k/a the Board of Selectman
By:
Jillian Pavidis, Chair
John Burrows, Vice Chair
Daniel Darris-O'Connor, Secretary
Michael S. Rosa, Member
Dina Favreau, Member

Middlesex,	SS	
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Notary Publi	ic: sion Expires:	····

Middlesex, s	s	
appeared, Da identification whose names document are	miel Darris-O'C a, which were [] s are signed to thi e truthful and acc gned it voluntaril	2025 before me, the undersigned notary public, personally onnor and proved to me through satisfactory evidence of driver's licenses or [] personally known to me, to be the persons s document who swore or affirmed to me that the contents of the urate to the best of his knowledge and belief, and acknowledged to y as his free act and deed as a member of the Billerica Select Board
Notary Public		······································
My Commiss	tion Expires:	

TOWN OF BILLERICA, a municipal corporation duly established under the laws of Massachusetts and having its usual place of business at Concord Road, Billerica, Middlesex County, Massachusetts

for consideration paid, and in full consideration of Five Thousand One Hundred and 00/100 (\$5,100.00) Dollars

grant to ROBIE B. RIDEOUT and SANDRA L. RIDEOUT, Husband and Wife, as Tenants by the Entirety, both

of 14 Clarence Street, Billerica, MA 01821

with QUITCLAIM COVENANTS

The land in Billerica, County of Middlesex, Commonwealth of Massachusetts, being Lots 1168, 1169, 1170, 1171, 1172, 1173 as shown on a plan of land entitled "Pinehurst Manor", which plan is recorded in Middlesex North District Registry of Deeds, Plan Book 27, Plan 95.

For grantor's title, see deed recorded in Book 1904, Page \$529 in Middlesex North District Registry of Deeds:

The said premises are conveyed subject to the provisions of that the said land area to be acquired by you will be annexed to an acquired by you will be annexed to be acquired by you will be annexed to an acquired by you will be annexed to acquire the acquired by you will be annexed to acquire the acquired by you will be annexed to acquire the acquired by you will be annexed to acquire the acquired by you will be annexed to acquire the acquired by you will be annexed to acquire the acquired by you will be annexed to acquire the acquired by you will be annexed to acquire the acquired by you will be annexed to acquire the acquired by you will be acquired by your acquired by

For the authority of the Town of Billerica to execute this instrument, see the Vote under Article 3 of the 1983 Fall Town Meeting of October 4, 1983. The Board of Selectmen hereby certify that there has been full compliance with the requirements of Massachusetts General Laws, Chapter 44, Section 63A, and Chapter 60, Section 77B.

IN WITNESS WHEREOF, the said Town of Billerica has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Thomas H. Comway, Jr., Arthur L. Doyle, Stephen J. Lentine, David F. Delorey, Jr., and Ralph M. Krau, its Board of Selectmen, hereto duly authorized, this eighth day of March, 1990.

Signed and sealed in presence of

BILL

By:

TAX

25.08

EXCISE 14

BILL

BY:

FINAL PROPERTY

BY:

Thomas H. Conway in Arthur I. Poyle

Stephen J. Lentine

David F. Delorey, Jr.

Relph M. Krey

COMMONWFALTH OF MASSACHUSETTS

Middlesex, ss.

March 8, , 1990

Then personally appeared the above named Thomas H. Conway, Jr., Arthur L. Doyle, Stephen J. Lentine, David F. Delorey, Jr., and Ralph M. Krau acknowledged the foregoing instrument to be the free act and deed of the Town of Billerica, before me

My Consol Expires July 39 1994

ACHERY MASS, EXCISE T

25.38

Dawn McDowell (Select Board)

From: Marlies Henderson <

Sent: Friday, November 14, 2025 10:00 AM

To: Jillian Pavidis

Cc: Daniel Darris-OConnor; Dawn McDowell (Select Board); Christopher Dillon; David Grubb;

Amit Chhayani; Amanuel Regassa

Subject: 11/17 agenda item 13

[EXTERNAL EMAIL]

DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Dear Chair:

Monday's agenda item 13 pertains to my extension request for the 2025 Hike Beautiful Billerica / Billerica Recreation volunteer stewardship O'Connor's brush hog rental Community Grant.

This past summer, volunteers 'mowed' Cider Mill path twice, and we cut a fallen tree that blocked the trail. A <u>recent Facebook post</u> shows that the path is well used and appreciated, year round, even by non-residents!

I paid the total rental \$147.44 upfront and got reimbursed through Dave Grubb, who assigns an account number to the amount for the Treasurer to reimburse it.

The Town Accountant guards the \$322.56 remainder of the original total award of \$470.00. I ask for an extension to avoid the bureaucracy of refunding the remainder and submitting a new grant. I hope that is possible.

I am sending this email because I have a conflicting meeting at 7 PM for the Greater Lowell Bike Path Plan for which I am a Billerica rep on the NMCOG Advisory Board. Perhaps this email suffices? If you deem it important that I attend the meeting to answer your questions for a better chance at an extension, I will prioritize the SB agenda item 13, and forgo the GLBPP meeting.

Looking forward to hearing back from you. Thank you,

Marlies

978-808-6634

Marlies Henderson, CIG
marliesoutdoors.com

"People protect what they love" (Jacques Yves Cousteau)

Dawn McDowell (Select Board)

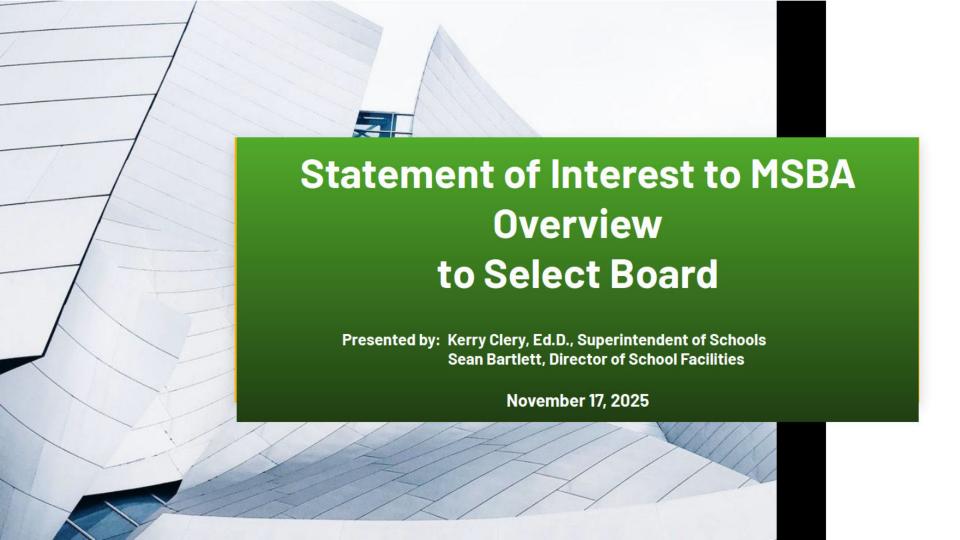
From: Sent: To: Cc: Subject:	Marlies Henderson Monday, November 3, 2025 1:50 PM Dawn McDowell David Grubb; Christopher Dillon; Jillian Pavidis Re: Community Grant 2025
	[EXTERNAL EMAIL]
DO NOT CLICK lin	ks or open attachments unless you recognize the sender and know the content is safe
Hi Dawn, I would like to requ it through Dave Gro Thank you for your Marlies	
On Mon, Nov 3, 20 Hi Marlies,	25 at 12:50 PM Dawn McDowell < <u>selectboard@billerica.gov</u> > wrote:
forfeited and promp	olicy, "Any funds not expended at the conclusion of this twelve (12) month period shall be otly returned to the Select Board unless an extension has been granted by the Select Board. In ed money will be returned at the end of the extension."
I can put this on the remaining funds?	e agenda for the next meeting for an extension. How long would you need to expend the
Thanks, Dawn	
•	erson October 29, 2025 3:41 PM < <u>selectboard@billerica.gov</u> >

Cc: David Grubb < dgrubb@billerica.gov >; Christopher Dillon < cdillon@billerica.gov >; Jillian Pavidis

<pre><ipavidis@billerica.gov> Subject: Community Grant 2025</ipavidis@billerica.gov></pre>
[EXTERNAL EMAIL]
DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.
Hi Dawn,
Hike Beautiful Billerica, through Billerica Recreation, has been a good steward of the Community Funds Although volunteers maintained the Cider Mill path twice this past growing season, we barely spent half of the generous grant of \$470.00.
What would it take to get an extension of the use of the funds - so I can continue to use them as needed for stewarding the Cider MIll path by renting the brush hog?
It's either that, or giving the remains back and then requesting it again for 2026.
Dave Grubb has the Treasurer account info. According to my calculations, we received \$470, and there is \$322.56 left.
Let me know if you need anything else.
Thank you,
Marlies
Marlies Henderson, CIG
marliesoutdoors.com

Marlies Henderson, CIG

"People protect what they love" (Jacques Yves Cousteau)



Tonight's Goal



To request the Select Board's approval to initiate the preparation of a Statement of Interest (SOI) for submittal to the Massachusetts School Building Authority (MSBA), pending subsequent formal authorization by both the School Committee and Select Board prior to the April filing deadline.

Introduction & Background

INTRODUCTION & BACKGROUND



> 2022 - Facilities Assessment Conducted by Dore + Whittier (D+W)

- Visioning Committee (prior to D+W wo update 2012 study)
- Principal Meetings
- Facilities Working Group
- Three public input sessions + final session to review outcomes

> February 24, 2023 - Final Report was Received

OVERALL FACILITY CONDITIONS & DEFICIENCIES



TABLE 4 - Summary of Overall Facility Condition

	y Good Poor/ Replace od/Maint.	BMHS	LOCKEMS	MARSHALL MS	PARKER ES	DITSONES	HALIARES	KENNEDY ES	
1	Site & Civil	0	•	0	0	0			•
2	Site Accessibility / Play Areas	0	0		0	0	0	0	
3	Exterior Building Elements	0	•	0	0	0	0		•
4	Interior Architectural Elements	0		0	0	0	0	0	
5	Accessibility	0	•	0	0	0	0		
6	Structural Elements	0		0	0	0	0	0	
7	Mechanical Systems	0	•	•	0	0	•	•	•
8	Electrical Systems	0	•	•	0	0	•	•	•
9	Plumbing Systems	0			0	0			
10	Fire Protection Systems	0	•	•	0	0	•	•	•
11	Hazardous Mat. Abatement	0			0	0			
12	Functional Use of Space	0	0	0	0	0	0	0	C

20 28 58 50 32 28

Locke MS Areas Identified as "Poor/Replace"



Site Civil Condition- Poor

- Paving The paving at the school has had some improvements but the teachers' lot and the sidewalks need
 to be replaced. The pavement is past its usable life.
- Entry Cement Needs to be replaced and past its usable life.
- Ponding The school parking lots experience ponding. Regarding and possibly the addition of drainage would need to be installed to assist with the ponding.
- Loading Dock The loading dock floods during heavy rains. Additional drainage would need to be added to prevent this.

Exterior/Building Envelope - Poor

- Building windows are original and past usable life. Need to be replaced.
- Roofing system is past its usable life and needs to be replaced.
- Signs of infiltration of water into the brick façade is beginning to show.
- Entry doors are rotting at the bottom and need to be replaced.
- Seals are beginning to decay at window systems.
- Sealants in control joints and around windows need to be replaced.
- Foundation cracks appear typically around windows.
- Little to no insulation in building causing poor R value.

Locke MS Areas Identified as "Poor/Replace"



Accessibility - Poor

- Building occupants must travel up or down stairs to get around the school. Only 33% of the student area
 can be accessed without using stairs. (Auditorium, Gym, ART classes you must use stairs to get to them).
- Door hardware does not meet all ADA compliance.
- Doorways to gang bathrooms are not the required 32 in. This would have to be redesigned to be ADA Compliant.
- The second floor cannot be accessed without using stairs.

Mechanical Systems - Poor

- Boiler (heating Plant)- Boilers are newer 2008 installations. They are continually needing adjustments and have started to need more and more costly repairs.
- Unit vents- Are original to classrooms. They are past their usable life. They are in working condition.
- No AC in school- Mini splits or window ac have been installed and are in need of replacement. They do not
 provide fresh air to the school. Many window ac's have become a spot where water is now penetrating
 into the school.
- Exhaust fans are in working condition but are past usable life.
- Larger AHU are original and past their usable life.
- Kitchen Exhaust and heat is original and past its usable life.
- Control system is an old pneumatic system that is outdated runs the HVAC systems.

Locke MS Areas Identified as "Poor/Replace"



Electrical Systems - Poor

- Original electric panels are in the school.
- Minimal power per classroom Limiting Tech in class.
- Life safety lighting is inadequate.
- Lighting includes T-8 and T-12.
- Main switchgear is no longer made- Past usable life.
- Generator is original to school.
- Outdated announcement system.
- Speakers in classroom are outdated.

Fire Alarms - Poor

- New fire alarm panel
- No sprinkler
- No CO detectors in kitchen

Enrollment Projections D+W Study vs. Now



	D+W Report Projections FY32 NESDEC Dec. 2021	Current Projections FY32 NESDEC Oct. 2025	Difference
Grades K-4	1901	2105	+154
Grades 5-7	1130	1306	+178
Grades 8-12	1545	1671	+215
TOTAL	4,576	5,082	+506

Statement of Interest (SOI) to the MSBA

Statement of Interest (SOI)



- School Districts are invited to submit an SOI to the Massachusetts School Building Authority (MSBA) to
 express interest in exploring the possibility of a partnership MSBA for a school building project.
- In order to submit the SOI to the MSBA in April, the School Committee and the Select Board must review the SOI after it's complete and formally vote in favor of the submission (March).
- The goal of the SOI is to showcase the "neediest" school for the MSBA to review (in our case, the Locke Middle School).
- The information on the SOI does NOT indicate how schools might be reconfigured with a new building project (that comes at a later phase).
- You do indicate on the SOI if the community would like to consider a consolidation of schools in future
 phases of the process. We will click "yes" to broaden our future options of potential school configurations
 if/when we reach that phase in the process.
- Submitting the SOI is a non-binding step. It simply allows us to gauge the MSBA's interest in partnering
 with the community, given the documented condition of the proposed school facility. It does not
 constitute a funding commitment.

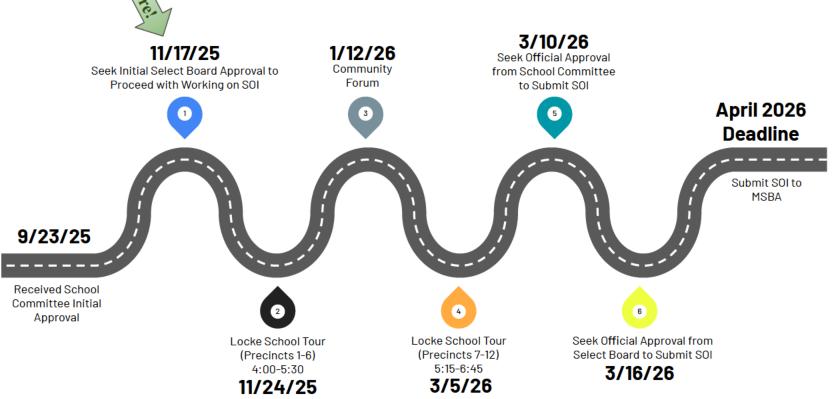
Future Steps <u>IF</u> the MSBA Approves the Community for Eligibility



- After submitting the SOI in April 2026, results from the MSBA would be communicated to communities around November/December 2026.
- If approved, the next phase is called the Eligibility Period and is 270 days in length. After receiving an
 approval notification, a meeting is scheduled with the MSBA. The 270-day Eligibility Period starts at the
 time of the meeting, not the initial communication.
- During the Eligibility Period, there are deliverables required to be gathered by the school district (e.g. create building committee, complete educational profile, etc.). One of these requirements is to secure funding for a feasibility study.
- Approved projects are reimbursed by the Massachusetts School Building Authority (MSBA) for a certain predetermined percentage.

We are Here!

SOI Timeline 2025-2026





Thank You!

Proposal to the Billerica Select Board

Subject: Proposed Bylaw to Prohibit Cryptocurrency Automated Teller Machines

Date: 11/03/2027 **From:** Chief Roy Frost

To: Billerica Select Board

Introduction

The purpose of this proposal is to recommend that the Town of Billerica adopt a general bylaw prohibiting cryptocurrency automated teller machines (commonly called crypto kiosks or virtual currency ATMs) within the town. These devices have been identified as frequent tools for financial fraud and consumer deception, often victimizing elderly or financially vulnerable residents.

Background

Over the past two years, Billerica has experienced at least 12 documented incidents in which crypto kiosks were used to perpetrate fraud, resulting in total losses of approximately \$320,000 to victims. Currently, there are six crypto kiosks operating in town.

Unlike conventional ATMs, these machines often charge excessive fees, ranging from 5% to as high as 15–20%, and inflate the spot price of cryptocurrency by 10–15%. Residents can purchase cryptocurrency through more secure and cost-effective methods, including smartphone applications such as Coinbase, Robinhood, PayPal, Venmo, and through financial institutions like Fidelity. For example, a \$100 purchase of Bitcoin via Coinbase yields approximately 0.0008655 BTC, whereas the same purchase via a crypto kiosk yields only 0.00069343 BTC—roughly 25% less value.

Other municipalities in Massachusetts have successfully passed ordinances banning crypto kiosks, providing a precedent for Billerica to follow.

Proposed Bylaw

The attached draft bylaw, *Article XX – Prohibition on Cryptocurrency Automated Teller Machines*, outlines the following:

- Purpose and Intent: Protect residents from financial fraud and consumer deception.
- **Definitions:** Clarifies "cryptocurrency" and "cryptocurrency ATM/kiosk."
- **Prohibition:** Bans installation, operation, lease, or maintenance of crypto kiosks within the Town of Billerica.
- **Enforcement and Penalties:** Enforced by the Billerica Police Department and Building Commissioner; fines of \$300 per day per violation.
- **Severability and Effective Date:** Ensures enforceability even if parts are invalidated and provides a timeline for implementation.

Rationale

- 1. **Consumer Protection:** Crypto kiosks have been repeatedly used to commit fraud in Billerica, causing significant financial losses.
- 2. Cost Savings: Residents avoid unnecessary fees and inflated cryptocurrency prices.
- 3. Public Safety: Eliminates a tool used by scammers to target vulnerable populations.
- 4. Alternative Access: Secure, convenient, and less costly alternatives are widely available.
- 5. **Legal Precedent:** Similar bans have been successfully implemented in other Massachusetts towns and cities.

Conclusion

Given the documented fraud cases, excessive fees, and the availability of safer alternatives, banning cryptocurrency ATMs in Billerica is a necessary step to protect residents and maintain public safety. The attached bylaw provides clear definitions, enforcement mechanisms, and penalties to achieve this goal.

Recommendation

It is respectfully recommended that the Billerica Select Board vote to adopt the proposed bylaw prohibiting cryptocurrency ATMs.

Town of Billerica

Proposed General Bylaw

Article XX – Prohibition on Cryptocurrency Automated Teller Machines

Section 1. Purpose and Intent

The purpose of this bylaw is to protect the residents of the Town of Billerica from financial fraud, consumer deception, and other illicit activities associated with the use of cryptocurrency automated teller machines (also known as "crypto kiosks" or "virtual currency ATMs").

These machines have been identified by the Billerica Police Department as a frequent means by which individuals, often elderly, are victimized in financial scams and other criminal activities. The Town finds that prohibiting such devices serves the public interest, promotes consumer protection, and enhances community safety.

Section 2. Definitions

For the purposes of this bylaw, the following terms shall have the meanings indicated:

Cryptocurrency – A digital or virtual currency that uses cryptography for security and operates independently of a central bank, including but not limited to Bitcoin, Ethereum, Litecoin, and similar forms of digital currency.

Cryptocurrency Automated Teller Machine (Crypto ATM or Crypto Kiosk) – Any self-service physical terminal, stand-alone machine, or device installed in a publicly accessible location, that allows a person to:

- a. Insert cash or use a debit/credit card to purchase cryptocurrency;
- b. Convert cryptocurrency to cash or other forms of payment; or
- c. Otherwise exchange a currency for cryptocurrency or vice versa.

Section 3. Prohibition

No person, business, corporation, partnership, or other entity shall install, operate, lease, maintain, or make available any cryptocurrency automated teller machine or cryptocurrency kiosk within the geographic boundaries of the Town of Billerica.

Section 4. Enforcement and Penalties

- 1. This bylaw shall be enforced by the Billerica Police Department.
- 2. Each day a violation exists shall constitute a separate offense.
- 3. Any violation of this bylaw shall be punishable by a fine of:

First Offense: \$300

Each Subsequent Offense: \$300 per day

Enforceable under non-criminal disposition pursuant to M.G.L. c. 40 s 21D.

Section 5. Severability

If any section, paragraph, or provision of this bylaw shall be held invalid for any reason, the remainder shall not be affected thereby but shall remain in full force and effect.

Section 6. Effective Date

This bylaw shall take effect upon approval by the Attorney General of the Commonwealth of Massachusetts and its subsequent posting and publication as required by law.





Dawn McDowell (Select Board)

From:

Kerry Clery <kclery@billericak12.com>

Sent:

Friday, November 14, 2025 11:17 AM

To:

MATT LUTINSKI

Cc: Subject: Dawn McDowell (Select Board); Mary St. George

Re: [EXTERNAL] Do Not Enter Signs

[EXTERNAL EMAIL]

DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Those times look great to me.

Kerry Clery, Ed.D. Superintendent of Schools Billerica Public Schools 978-528-7908

On Fri, Nov 14, 2025 at 10:58 AM MATT LUTINSKI <<u>mlutinski@billericak12.com</u>> wrote: Hi Dawn,

These times appear to be within our arrival time and dismissal time. I am including Dr. Clery in this reply so that she is also aware.

Thank you,

Matt

On Fri, Nov 14, 2025 at 10:32 AM Dawn McDowell (Select Board) <selectboard@billerica.gov> wrote:

Hi Matt,

The Select Board have on their agenda a possible vote to put 2 "Do Not Enter" signs after your driveway on Parker Street and at the corner of Parker Street and Richardson. These Do Not Enter signs would have times for drop off and pick up.

Mary St. George spoke with someone at your school office about the best times and came up with 7:45 AM to 8:45 AM for the morning and 2:15 PM to 3:15 PM in the afternoons.

	Do these time look right for you. We are still gathering information from the Police as far as enforcement but wanted to get the times correct.
	If you could let me know, that would be great.
	Thank you!
	Dawn McDowell
!	Executive Confidential Assistant to the Billerica Gelect Board
	This e-mail notice is provided for informational purposes only and any discussion should take place at a properly posted meeting.
F	- Matthew Lutinski Principal Parker Elementary School



Members Present: Chair Jillian Pavidis, Vice Chair John Burrows, Secretary Daniel Darris-O'Connor, Member

Michael Rosa, and Member Dina Favreau

Members Absent: None

Staff Present: Acting Town Manager Christopher Dillon, Assistant Town Manager Robert Maynard and

Recording Secretary Dawn McDowell

Call to Order 6:00 PM

Chair Pavidis called the meeting to order at 6:00 PM.

The Pledge of Allegiance was recited.

1. Open Microphone

<u>Chris Ravin of 19 Bolton Road</u> – Mr. Ravin stated that he is glad to see that Items 26 & 27 are being taken care of. The Board should adopt a policy on harassment of town employees. On the water rates, it's good not to kick the problem down the road and we need to fix things that are needed.

<u>Diana Saunders of 20 Oxford Road</u> – Ms. Saunders stated that on the water rates, we still have brown water and you shouldn't raise the rates until the problems are fixed. On sewer contract #37, this is a sewer project in Pinehurst and she can't believe that it costs \$42 million. It's not fair that new houses are getting sewer when residents have been promised sewer are not getting it. On 279 Boston Road, there is not enough parking there for a brewery, restaurant and housing units. We want business but it has to be in the right location.

<u>Kelley Sardina of 95 Gray Street</u> – Ms. Sardina asked that open mic be moved to the middle of the meeting. The Board shouldn't hold meetings at 1:30 PM and we shouldn't take money from the debt stabilization fund. The HDC meeting was at 4:30 PM on July 2nd. This meeting is the same time as Conservation. On 279 Boston Road, Mass DOT and the State doesn't know about the opening of Boston Road and this is a safety issue. This is still in front of Conservation so a building permit should not have been issued. They are not following policies.

Announcements

2. Vacancies on Boards and Committees

Secretary Darris-O'Connor read the vacancies on Boards and Committees.

3. All other announcements may be viewed on the Town of Billerica website

Proclamation and Public Recognition

4. Michaela Michaud

Secretary Darris-O'Connor read the proclamation for Michaela Michaud. Ms. Michaud thanked the Board for their support.

Public Hearings

5. <u>Public Hearing – Farmer-Brewery Pouring License under M.G.L. Chapter 138, §19C(n) and an Open Container Permit for Petty King Brewing Company, LLC located at 279 Boston Road</u>

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to open the public hearing at 6:14 PM for a farmer brewery pouring license for Petty King Brewing Company. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

John Thompson from Petty King Brewing appeared for the public hearing. He got approval from the Planning Board for light manufacturing for the brewery. All State and Federal licenses have been approved and the lease for the space is being finalized.



Member Favreau asked if there will be open containers since it is in violation of the ABCC regulations. She is not comfortable with open container. Mr. Thompson stated that when he spoke with the ABCC, it has been done, it's just not the normal thing for them, so they don't have a clear-cut policy. They said to follow the outdoor seating policy. It has to get approved by this Board and then go back to the ABCC. Member Favreau stated procedurally, we shouldn't approve the open container due to it being prohibited by the ABCC and the Police Department does not recommend. Member Favreau asked why is there zero employees listed on the Workers Comp form. Mr. Thompson stated that he will have 1 or 2 part-time employees. There will be no table service. People will order food and drinks at the window and a number will be given. When the number is called, they will go up to the window. Member Favreau asked if the storm water permit has been approved. Mr. Thompson stated that he has no idea, that should be a question for the building owner.

Member Rosa stated that they received a letter from Lt. Coffey stated that he doesn't support the alcohol being drunk in the other spaces per the ABCC regulations. Mr. Thompson stated that the window oversees the restaurant and minigolf area. The special investigator didn't say no; they just need to look at it more. Member Rosa stated that there is no food being served. Mr. Thompson stated that the food will come from Berlundi's. Member Rosa asked if they have received their food permit. Mr. Thompson stated that they have not received approval yet. Member Rosa stated that if this was approved, he would ask that conditions be added that the Board of Health must approve a food permit, the storm water permit be approved and incorporated the Planning Board conditions.

Vice Chair Burrows stated that he is concerned with the lack of parking. If they have 40 seats but only have 10 parking spaces. Mr. Thompson stated that between the brewery and restaurant has 96 seats between the both. Mr. Thompson stated that Berlundi's will only have a few tables.

Secretary Darris-O'Connor stated that we are only here to discuss the license. The Planning Board was in charge of parking.

Member Favreau stated that this was part of the material in our package so we can discuss it.

Member Rosa stated that we have to make sure the license is in the best interest of the Town so we can put conditions.

<u>Kelley Sardina of 95 Gray Street</u> – Ms. Sardina stated that there were issues with the Planning Board permit, 64 to 68 parking spaces, 21 vs. 20 residential units. The project was approved as mixed use which is commercial/residential or commercial/industrial. You can mix residential/industrial uses. There are storm water and sewer issues and until the Conservation approves this and Mass DOT approves digging into Boston Road, this should not be approved. You are setting the business up to fail.

<u>Katherine Malgieri, Planning Director</u> – Ms. Malgieri stated that in zoning, a mixed use is residential and a non-residential use, it doesn't refer to commercial or industrial. There are non-residential uses that are allowed in general business. The brewery is light manufacturing, not industrial. The special permit in the general business was approved by the Planning Board, which is the SPGA. The parking complies with the use table. There are 20 residential units and each unit requires 1.5 parking spaces. The restaurant and brewery have 4 seats per/1 parking space. There are 78 total parking spaces for 96 total seats. The empty commercial spot has 12 parking spaces allocated.

Member Favreau asked if there will be assigned parking spots. Ms. Malgieri replied no.

<u>Michael Parker, Chair of the Planning Board</u> – Mr. Parker stated that the Planning Board approved the permit for the proposed use. The other space will be filled soon.

Ms. Sardina stated that there is a height difference in what was approved and what is being built. She also asked where the loading docks are.

Member Favreau stated that this is outside of the Select Board purview. The definition of mixed use was given by the Planning Director and zoning was approved by Town Meeting.



<u>MOTION</u> - Secretary Darris-O'Connor made a motion to close the public hearing. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

<u>MOTION</u> - Member Favreau made a motion to approve the Farmer-Brewery Pouring License under M.G.L. Chapter 138, §19C(n) for Petty King Brewing Company, LLC located at 279 Boston Road subject to the approval of the Board of Health and approval of Storm Water Permit and with the hours of operation of Monday-Saturday from 12:00 PM to 12:00 AM and Sunday from 12:00 PM to 10:00 PM. The motion was seconded by Member Rosa. The following discussion occurred. After the discussion, the vote was unanimously voted 5-0-0.

Secretary Darris-O'Connor stated that the conditions are out of scope of the Select Board to base the approval on other boards

Member Rosa asked that a friendly amendment be added to add the hours of operation. Member Favreau accepted that amendment.

New Business (Quick Items)

6. <u>Discussion and Possible Vote of Community Cable Capital Fund Grant – Robert Sallese, Facilities Director – Recommendation from the Cable Advisory Committee</u>

Secretary Darris-O'Connor stated that the Cable Advisory Committee voted to recommend approval of this grant.

Member Rosa stated that we used this grant for the Buck Auditorium. Mr. Maynard replied that they did not use the cable capital fund grant.

Member Favreau stated that there was not a recommendation in the package from the subcommittee. Chair Pavidis stated that she and Secretary Darris-O'Connor met at 4:30 PM and approved it. Member Favreau stated that according to Section 30.1 the applicant should be a non-profit. Mr. Maynard stated that the Facilities Department is not a non-profit but this was for work done in the Collins Room. Member Favreau asked if the expense was included in the operating budget. Mr. Maynard replied no. Member Favreau asked if we can waive that requirement. Town Accountant Amit Chhayani stated that the Town is a non-profit organization and this is for cable tv capabilities. The High School came in to use this funding for their cable project.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to approve the Community Capital Fund Grant for the Facilities Director as recommended by the Cable Advisory Committee. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

7. <u>Discussion and Possible Vote to Approve the 27th Annual "Cool Kids" 5K Road Race/Fun Walk for September 14, 2025 and request (4) 18" x 24" Signs on the Common from August 30, 2025 through September 14, 2025.</u>

Megan Harris joined the meeting. Ms. Harris explained the event and requested the signs on the common.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to approve the route for the 27th Annual "Cool Kids" 5K Road Race/Fun Walk for September 14, 2025. The motion was seconded by Vice Chair Burrows and unanimously voted 5-0-0.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to approve the four 18" x 24" signs on the common from August 30, 2025 through September 14, 2025. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

8. New Class II License FOR R & D Custom Exhaust, Inc. at the premises located at 313 Boston Road, Billerica, MA

Rick Soly appeared for a Class II license for R&D Custom Exhaust located at 313 Boston Road.

Member Favreau stated that a \$20,000 surety bond is required and any approval should be subject to.



Member Rosa agreed that a bond is required. There was a license previously located at this site but it was moved by the former owner. The ZBA appeal expires tomorrow, so to protect the Town and Mr. Soly, the motion should be subject to no appeal being taken.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to approve the Class II license for R&D Custom Exhaust located at 313 Boston Road subject to the submittal of a \$20,000 surety bond and no appeal being taken on the ZBA decision and compliance with the Special Conditions 1-5. The motion was seconded by Vice Chair Burrows and unanimously voted 5-0-0.

9. <u>Discussion and Possible Vote on Election Workers for FY26 Appointment Request – Requested by Town</u> Clerk Donna McCov

Chair Pavidis stated that this item will be discussed at the next meeting.

10. <u>Approve and Adopt the Order of Taking for the Yankee Doodle Bike Path – Requested by Kelley Conway, Town Engineer</u>

Kelley Conway, Town Engineer joined the meeting. This request is to approve and adopt the order of taking for the Yankee Doodle Bike Path. This covers about 50 properties and there is about \$1.2 million in damages. This will finalize the right of way.

Member Rosa stated that we should ask the businesses to donate the land. Ms. Conway stated that the letter that was sent asked for donations. They also met with most businesses and only one was willing to donate.

<u>MOTION</u> - Member Rosa made a motion to adopt the Order of Taking presented to the Board on this date for the purpose of acquiring interests in lands abutting the Yankee Doodle Bike Path Project to allow the Town to carry out the Project, and to award damages for such taking in the amounts and to the persons as set forth in the Schedule B attached to the Order. The motion was seconded by Secretary Darris-O'Connor and unanimously voted 5-0-0.

11. <u>Approve and Execute the Encroachment License Agreements for the Yankee Doodle Bike Path - Requested by Kelley Conway, Town Engineer</u>

Kelley Conway, Town Engineer stated that this item is to approve and execute the encroachment license agreement for the Yankee Doodle Bike Path. This is for private items in the right of way and one specific property.

<u>MOTION</u> - Member Rosa made a motion to approve and execute the Encroachment License Agreement presented to the Board on this date for the purpose of authorizing continued use and location of private improvements within the Right of Way of Eliot Street. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

12. <u>Approve and Authorize the Acting Town Manager to Execute the Recreational Trail Assent Agreement with the Massachusetts Electric Company for the Yankee Doodle Bike Path – Requested by Kelley Conway, Town Engineer</u>

Kelley Conway, Town Engineer stated that this item will execute the recreational trail assent agreement with Mass Electric for the Yankee Doodle Bike Path.

Member Rosa asked if Town Counsel reviewed this. Ms. Conway replied yes. Member Rosa stated that there is a 12-month notice that they can rescind this agreement. Ms. Conway stated that the this is still under review with Mass DOT. Member Rosa asked if Mass DOT could make changes. Ms. Conway replied yes, that is why the Town Manager is going to sign. Member Rosa asked how much it is going to cost to carry the insurance. Ms. Conway stated that they don't know that yet. Member Rosa stated that if there are substantial changes, it should be brought back to us.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to approve and authorize the Acting Town Manager to execute the Recreational Trail Assent Agreement with Massachusetts Electric Company for the Yankee Doodle Bike Path Project. The motion was seconded by Member Rosa and unanimously voted 5-0-0.



13. <u>Discussion and Possible Vote to Accept a Donation of Land for Conservation Purposes and Sign the Deed for Parcel 20-4-0 / Rangeway Road – Opportunity to Protect & Expand the Town's Rangeway Forest – Requested by Isabel S. Tourkantonis, Director of Environmental Affairs</u>

Mr. Dillon stated that this donation of land will have a conservation restriction to protect the Town's Rangeway Forest. Member Rosa stated that this will add 18 acres.

Member Favreau asked if it would be a considered an expansion of the forest. Mr. Dillon replied he was not 100% sure but there are parcels that are contiguous to this.

<u>MOTION</u> - Member Rosa made a motion to accept the donation of land for Conservation purposes and sign the deed for Parcel 20-4-0/Rangeway Road. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Member Favreau stated point of order, there was a special meeting scheduled for 6:30 PM. Chair Pavidis replied that they are going to get through the remaining items of the regular agenda and then move to the special meeting.

14. <u>Transfer of Common Victualler – Gallahue Restaurants, Inc. dba DiVito Brothers Italian Pizzeria located</u> at 446 Boston Road

Attorney Stephen Lentine and Frank Gallahue appeared for a transfer of the Common Victualler for DiVito Brothers Italian Pizzeria located at 446 Boston Road. Attorney Lentine stated that this was originally owned by two brothers, but one brother passed away. Mr. Gallahue has worked there since 1999 and has purchased it from the brothers. He has formed a new LLC. They spoke with the Building Commissioner and it was ok to transfer the Common Victualler license from 1998 without going to the ZBA because Jerry O'Connor's name is on the ZBA decision and he still owns the plaza. The Board of Health permit was issued and they will have the same hours of operation.

Member Favreau stated that she was sad to hear of the passing of Mr. DiVito.

Member Rosa gave his condolence. He also spoke with the Building Commissioner and it is unusual that they would not have to go back before the ZBA but agree the same owner is O'Connor.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to approve the transfer of the Common Victualler for Gallahue Restaurants, Inc. dba DiVito Brothers Italian Pizzeria located at 446 Boston Road subject to the original ZBA conditions. The motion was seconded by Vice Chair Burrows and unanimously voted 5-0-0.

Appointments

15. Historic Districts Committee

- a. Mary K. McBride (Alternate Member) (Expires 06/30/28)
- b. Dan Valentine (Regular Member/Attorney) (Expires 06/30/28)

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to appoint Mary K. McBride as an alternate member of the Historic Districts Committee expiring June 30, 2028. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

<u>MOTION - Secretary Darris-O'Connor made a motion to appoint Dan Valentine as a regular member/attorney of the Historic Districts Committee expiring on June 30, 2028. The motion was seconded by Member Rosa and unanimously voted 5-0-0.</u>

16. Open Space and Recreation Committee (Member of the Parks Department) – David Brown - (Expires 06/30/28)

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to appoint David Brown as a parks department member to the Open Space Recreation Committee expiring June 30, 2028. The motion was seconded by Member Rosa and unanimously voted 5-0-0.



17. Financial & Compliance Audit Committee – Kelley Sardina – (Expires 06/30/28)

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to appoint Kelley Sardina as a regular member of the Financial & Compliance Audit Committee expiring June 30, 2028. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

Committee Reports

Old Business

18. Water and Sewer Rates Presentation – Discussion and Possible Vote - 2nd Reading

Fred Russell, DPW Director appeared for the second reading of the water and sewer rates. We came before the Board last month and we were asked to look at other scenarios. We have three options to look at and gave an updated presentation. Option #1 was a 5% increase across the board, Option #2, 0% tier 1, 5% for tier 2 and 8% for tier 3 and Option #3 would only increase tier 3 at 14.6%.

Water Rates

Chair Pavidis stated that Option #3 seems like it would hurt economic growth. The increase to commercial could be \$30,000 a year with a minimal increase to residential. That is a lot. Mr. Russell agreed and that is why there are three scenarios.

Member Favreau stated that businesses can right off the expenses. Member Rosa stated that is correct. Member Rosa asked if the \$3 Million at 4.5% an SRF or general loan. Mr. Russell replied it's a general loan. The SRF is very competitive and we have been denied for the last few years. Member Rosa stated that if we would borrow \$3 million at 4.5% over 30 years, the total cost be factored in. Mr. Russell replied yes, all are factored into the proposed rates. Member Rosa stated that the three options are option 1 is the equal increase to all, option 2 is higher rates to the top two tiers and option 3 is a higher rate to commercial, where they can write it off. He asked for a scenario with no or very little impact to tier one because they are our seniors and little impact to the "family" which would probably be tier two. These options miss the savings to the middle tier. He also thought that we could manipulate the software to see changes in percentages on the fly. Member Favreau stated that there is an error in option 2 of page 19. Mr. Maynard stated that is sewer but there is an error on the water rates also. Mr. Russell stated that a question from last meeting was cost of the increase: a 1-person home would be a \$5 increase, a 2 persons home would be \$10, and a 4 person would be a \$18.66 increase per quarter for water and sewer.

Secretary Darris-O'Connor stated that if we raise the rates 14% for commercial businesses and we could lose business. We should simply add the same impact to all users.

Chair Pavidis stated that she agrees, \$30,000 is a lot for a commercial business and yes they can write some of it off but it will still impact their bottom line and an increase of \$24 over a year is not bad.

Member Rosa stated that they don't look at things like water rates and businesses can write off business expenses. There are people on a fixed budget who could not afford this.

Member Favreau stated that she likes Option 2. When you look at this, what types are business are using this much water. Mr. Russell stated that he could get you the top 10 but off the top it would be the prison, Entegris, Bakers Commodity. Member Favreau stated that these businesses can cover the cost.

Member Rosa stated that we can promote conservation measures.

Vice Chair Burrows stated that he likes Option 1. We need to fix our infrastructure and maybe we could look at a new usage structure but we can't kick this down the road. Mr. Russell stated that the Board needs to decide on how we should proceed for future rates.

Member Rosa stated that the three options provided get the job done, we just have to determine who pays what. Perhaps we can go with an Option 4, which reduces the rate for the lower tier and increases the higher tier.



Calvin Call from Waterworth joined the meeting. Mr. Call stated that they did look an option where it would be 0% increase for the 1st tier, 3% for the 2nd tier and 12% for the 3rd tier. That would increase the 3rd tier by \$5-\$7k per quarter. Member Rosa was in the middle of discussing the different percentages to lower tier 1 and 2 when the following motion was made.

<u>MOTION</u> - Vice Chair Burrows made a motion to approve Option 1 for the water rates with a flat 5% rate increase across all tiers. The motion was seconded by Secretary Darris-O'Connor and voted 3-2-0. Member Rosa and Member Favreau voting opposed.

Member Rosa stated that the motion should not have happened. We were in the middle of discussion with different options being proposed to save seniors and families money and as Chair you should have ruled that motion out of order.

<u>MOTION</u> - Member Rosa made a motion to reconsider the water rate motion. The motion was seconded by Member Favreau and voted 2-3-0. Vice Chair Burrows, Secretary Darris-O'Connor and Chair Pavidis voting opposed.

Sewer Rates

Mr. Russell stated that in the scenario where we raise 7%, we would have to borrow \$2.5 million annually at 4.5% for the next 10 years. We maybe could get an SFR rate for some of these. Option 1 would have a 7% across all three tiers, Option 2 would be a 0% for tier 1, a 7% increase for tier 2 and a 14% increase for tier 3 and Option 3 would have 0% for tiers 1 and 2 and a 18% increase for tier 3

Member Rosa stated that we never voted to end the general fund subsidy in FY28, so how would this affect the chart. Mr. Russell stated that we can look at it but we have given a template for the next 10 years. The goal is to get the sewer as a full enterprise account. Member Rosa stated that when we voted on the water last year, we understood that we were removing the subsidy. What would happen if they pushed out the subsidy to 2030 instead. Mr. Call stated that the subsidy is being tapered off gradually. If you keep the subsidy, you could have 2-3% annually. Member Rosa asked what is the bedroom structure. Mr. Russell replied that it is for the out-of-town users or residents that have sewer but not water. Member Rosa stated that he would recommend Option 1 but have a 2% increase across the board with the subsidy.

<u>MOTION</u> - Member Rosa made a motion to approve Option 1 but have 2% for first tier. The motion was seconded by Member Favreau. The following discussion occurred. After the discussion, the vote was 2-3-0. Vice Chair Burrows, Secretary Darris-O'Connor and Chair Pavidis voting opposed.

Secretary Darris-O'Connor stated that this is irresponsible. 12% of the people who do not have sewer are subsidizing the sewer. This is fiscally irresponsible.

Member Rosa stated that there are 900 parcels that do not have sewer and the subsidy has been in place since day 1.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to approve Option 1 that has a flat rate increase of 7% across all three tiers. The motion was seconded by Vice Chair Burrows and voted 3-2-0. Member Rosa and Member Favreau voting opposed.

19. Discussion and Possible Vote on Final Calendar Year 2025 Goals

Mr. Dillon stated that at the last meeting, the board voted to approve the Select Board goals from the original list, removing all the completed goals and adding in the newly submitted goals. There were some conflicting goals and he would like guidance. These include Task 1.1.3 and 1.1.2, which both deal with improvements in the Town Center. There should be one, not both. Task 3.4.4 and 3.5.2 should Town land be looked at to be sold or leased. Task 4.5.5, the Town is not looking at any projects along Rt. 129.

Member Favreau stated that some of her goals on grant applications have been taken out of context and combined. The At Home Greater Lowell Initiative and Advancing Infrastructure Improvement Plan are not grants, they are



comprehensive economic development strategies available from NMCOG and are not connected to the MassWorks grants.

Member Rosa stated the COA should be a top priority. Our seniors are the single largest growing demographic and we need to pursue a new senior center similar to Wilmington. We should look at Pollard Park. Mr. Maynard stated that if we propose a new location we need to have a new feasibility study done. It was \$20 million for building on the existing site; a new site is unknown. We are running into this issue with the Rec Center. We never received a cost estimate for a building at Pollard Park.

Vice Chair Burrows stated that Wilmington paid \$17 million for a new building including clearing the site. Once the DPW moves into their new building, we could build the COA on that site.

Member Favreau asked if Pollard Park is Cider Mill. Member Rosa stated that it is a separate parcel next to Cider Mill. Member Favreau stated that we have a feasibility study for that site. Mr. Maynard replied not for a COA. Member Rosa stated that we would need to determine the site and do a feasibility study.

Chair Pavidis stated that we should get a list of locations and options for the COA to move on. Mr. Maynard asked what is the ask of this goal? Member Rosa stated that we should determine where it should go and then do a feasibility study for that location.

Member Favreau asked why is this time sensitive. She doesn't believe that we can afford it right now.

Mr. Dillon stated that it was part of the question. If we want to meet the goal, we need some direction.

Secretary Darris-O'Connor stated that we already have a lot of projects on the horizon. We shouldn't rush it to have it on the Fall Town Meeting.

Chair Pavidis stated that we should start with exploring options.

Member Favreau stated that in regard to the Town Center, Article 15 gave \$3 million dollars. Mr. Maynard stated that the \$2 million from Lori Trahan is not available.

Member Rosa asked if we could make some of the improvements with \$3 million. Mr. Main had said that we could possibly due a TIF for Charnstaff/Concord/KenMar intersection. Member Favreau stated that grants could be used for the center. The MassWorks Infrastructure funding does not always need a housing component such as Boston Road south. Mr. Maynard stated that is not true, we were denied for the MassWorks grants for the center in 2023. The State said that unless you have a shovel ready housing project, you are less likely to get the grant. Member Favreau stated that a previous meeting, Mr. Main stated that he was going to apply for a MassWorks grant. We should revisit this for a left turn out of River Road and some improvements.

<u>Diane Saunders</u> – Ms. Saunders stated that the lights should be fixed in the center for pedestrian access. We should also fix the signage around the bridge.

Member Rosa stated that we should not sell town owned land but we should look at leasing. The property for the marijuana RFP was authorized by Town Meeting to sell. Mr. Curran talked about selling Ditson Park. He is ok with selling tax title property under a special option but we should maintain open space.

Member Favreau stated that the land for the marijuana RFP was for sale, so what about the town owned farm land. Mr. Maynard stated that it is for lease only.

Member Favreau stated that Task 4.5.4 should be separate under Objective 2.

Chair Pavidis stated that we should add the status of the grants. For the ones not started, we should get the priorities from a vote of the Board.

Vice Chair Burrows stated that we should rank the priority of the goals. Member Favreau stated that Mr. Main did that in the list.



<u>Diana Saunders</u> – Ms. Saunders stated that she wanted to speak on the water rates. The water equipment was bought from the water enterprise fund and we should look at a 4-tier option and watch out for the elderly.

20. <u>Discussion and Possible Vote on Sending Out an RFP for the Disposition to a Marijuana Establishment for Cultivation – Requested by Vice Chair Burrows</u>

Vice Chair Burrows stated that we should send out the RFP. He has been in contact with a company that wants to apply for a grow and cultivation lab.

Chair Pavidis asked if this would impact Swanson Meadows. Vice Chair Burrows stated that it shouldn't.

Member Rosa stated that there is a memo from Town Counsel. Is this a lease or are we looking to sell. This license would be for growing and cultivation.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to approve sending out the RFP for a Marijuana Cultivation License starting July 15th and closing August 14th. The motion was seconded by Vice Chair Burrows and unanimously voted 5-0-0.

21. <u>Discussion and Possible Vote on Sending Out the Updated RFR for Town Owned Farmland – Requested by</u> Member Favreau

Member Favreau stated that she did not put this on the agenda. We had already voted on this to send it out for a lease. We did request that Brooks & DeRensis review it and they made recommendations on lease vs. license.

<u>MOTION</u> - Member Favreau made a motion to amend the previous vote and send out the RFR for the town owned farmland starting July 15th and closing August 14th. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

22. <u>Discussion and Possible Vote – Safety Upgrades to Town Hall Offices Including Barriers, Gates and Signs – Requested by Vice Chair Burrows</u>

Vice Chair Burrows stated that there are two offices in Town Hall that do not have a barrier from the public. This includes the Select Board office and the Veteran's Office. There should be a barrier and signs to protect our employees.

Member Rosa stated that he will support this but there should be some support documents.

<u>MOTION</u> - Vice Chair Burrows made a motion to direct the Town Manager to add safety features and signages in the Select Board and Veterans' Office not to exceed \$5,000. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

23. <u>Discussion and Possible Vote to Rescind Prior Board Vote Allocating Free Cash and Overlay Surplus for 2"</u> Water Line Replacement – Requested by Secretary Darris-O'Connor

Secretary Darris-O'Connor stated that it is unknown what we will have in free cash and surplus overlay. We have a 20-year investment into the water infiltration system and we should reconsider the vote taken at the previous meeting.

Chair Pavidis stated that at the time of the vote, the amount of the surplus account was unknown. Mr. Dillon replied that it was correct. There is \$6.2 million in the surplus overlay right now but we have abatements around \$5.7 million. Chair Pavidis asked if that could go up. Mr. Dillon replied it could but it is mostly likely what it would be.

Member Rosa stated that this is not a reoccurring expense. The 2" water lines need to be replaced and this money accelerated the program. This improves water quality for residents; it allows the Town to flush lines and helps fire fighters. We voted to use surplus overlay and free cash. This vote to reconsider is a disservice to residents. This also helps the fire insurance rating which helps with lowering homeowner's insurance. This also did not have any support documents.



Vice Chair Burrows stated that the 2" lines have been in the ground for 75 years and now because it's an election year, it's important. We could have used ARPA money if it was such a priority but you are prioritizing this in front of other projects.

Member Favreau stated that parliamentary procedures require a super majority for this vote and the rescind is actually a motion to reconsider.

Member Rosa stated that we only found out about the two-inch water mains since Mr. Melanson started the flushing program two years ago. He proposed a fire hydrant maintenance bylaw prior to him becoming a Select Board member and the Select Board did use ARPA money to start the replacement of the two-inch lines.

Secretary Darris-O'Connor stated that this would deplete \$1 million in free cash and the school and town could use this other place. If we use free cash, it could negatively impact our bond rates. Mr. Dillon stated during a call regarding bonding for the DPW, it was asked if taxes offset our enterprise fund, it could affect our bond rating in the future. Secretary Darris-O'Connor asked if this is a typical project using free cash. Mr. Dillon stated that free cash is not usually used for operational expenses. We have proposed \$3 million a year for the water infrastructure for the next 30 years. Secretary Darris-O'Connor asked if the 2" water mains have already been addressed. Mr. Dillon replied yes. With the previous vote, it would take the planned 3 years for replacement and condense it into 2 years. This also places the replacement of the 2" water mains higher in priority than other projects. Secretary Darris-O'Connor stated that we should move forward with the plan already in place. We shouldn't deplete our free cash, it's not sustainable.

Chair Pavidis stated that she is concerned with using the overlay surplus when the actual number is unknown. Can we put a cap on how much free cash we can spend on this project? Mr. Dillon stated that he is somewhat confident with all the appeals that have been filed, but one large case on a large parcel and we could be in trouble of going over what we have in the overlay.

Member Rosa stated that free cash is supposed to be used for one-time expenses. Secretary Darris-O'Connor stated that this is an on-going project and not a one-time expense. Member Rosa stated that it's one time replacement of the 2" water mains

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to rescind the previous vote on using free cash and overlay surplus for replacement of 2" water mains. The motion was seconded by Vice Chair Burrows. After the discussion, it was voted 3-2-0. Member Rosa and Member Favreau voting against.

<u>MOTION</u> - Secretary Darris-O'Connor to change the policy to move forward with the water improvement project as the previous plan and not with the \$1 million from free cash or surplus. There was no second.

Member Rosa stated that the motion fails because it needs super majority.

Member Favreau stated that a motion to reconsider needs to be in the same session as the motion.

Secretary Darris-O'Connor stated that this is not a motion to reconsider.

Member Favreau stated that reconsider and rescind are the same thing.

NOTE: Town Counsel opinion was received on this matter after the meeting. The motion to rescind was valid. A super majority was not required as long as the agenda item was posted. A motion to reconsider and rescind are not the same thing.

<u>Grace Tucci</u> – Ms. Tucci stated that the pipes have been in the ground but we shouldn't wait to replace them. Has any member spoken with residents in Pinehurst. She also spoke with Mr. Russell and he said the 2" pipes do contribute to the brown water issue.



24. Town Manager's Update

Mr. Dillon gave the Town Manager's Report.

Water Restrictions

The Town's stream gage has gone below normal for this time of year and is currently registering 106 cfs. 71 cfs is our trigger point and if it stays below that for 3 consecutive days, we must institute water restrictions. Hopefully, we will receive some rain in the next few days, but the community should be prepared for new water restrictions to come into effect. If this does happen the Town will be sure to post on social media as well as the website.

Andit

The Town wide audit is nearing completion. There were conversations at the Board level if the scope of the audit would include Town committees or boards, but no vote was taken. If the board wishes to widen the scope of the audit to include Town committees/boards let me know before the audit is completed.

Member Favreau stated that she remembers that the audit was to include committees. She remembers speaking with the Mr. Chhayani and Mr. Main about this being part of the scope. Mr. Maynard stated that Town Meeting did appropriate but the issue with the committees came up after the appropriation. Member Favreau remembers something with procurement. Mr. Maynard stated that if the Board agrees, he can let the auditors know.

Member Rosa stated that any committees that are accepting and spending money should be included.

Address Change

The Town of Billerica is changing our P.O. Box for payment remittance. If you send your tax or water payments by online banking, or have auto-pay set up through your online banking, please change the address to: Town of Billerica PO Box 848211 Boston, MA 02284 If the address is not changed, your bill payment will be delayed and may accrue a fee and/or interest. Residents were notified about this change through a postcard included in their last tax bill as well as posts to social media and the website.

Member Rosa stated that if the address has changed, we shouldn't charge a fee if someone mails it to the wrong address on time. There should be a grace period.

North Billerica Fire Station

By the end of July, the Town will have the cost estimate back on the North Billerica Fire Station based off the design the department and project team worked on. During the August Board meeting we will present the final design.

Business Magazine Feature

Our Planning and Community Development Director Katherine Malgieri took a call from Business View Magazine last week. They would like to feature Billerica in their September edition of Civil & Municipal with an emphasis on Massachusetts' innovation economy and Billerica's roles within it. They have an audience of 900,000+ c-level executive subscribers across the country. Their focus would be on the town's growth, milestones, challenges, notable housing/infrastructure projects and what it means for growth, and what makes Billerica unique from a business development perspective.

Member Favreau stated that the magazine article is great.

Member Rosa stated that this is great and hopes it will drive some economic development.



Shawsheen Tech Budget Change

On June 26, 2025 the Massachusetts Department of Revenue Division of Local Services certified Shawsheen Valley Technical High School's Fiscal Year 2024 Excess and Deficiency at \$803,668. This amount was significantly less than what they had anticipated during the budget process. On July 26, 2025, the Tech School Committee held a special meeting to accept the amount certified and took the following actions: 1. Eliminate the Stabilization Fund transfer of \$750,000 2. Eliminate E&D funding in the amount of \$237,500 for the completion of the field house 3. Modify the FY26 capital budget to move the pool pack replacement (\$250K) to FY27 and reallocate the FY26 funding for the field house completion The Tech has reassured the Town that these changes will not impact the FY26 budget, but we will have to see if these changes impact FY27. It's important to note that at this time the Tech is also looking to start a new High School project with the MSBA.

Member Favreau asked if Shawsheen Tech provided a memo of why the deficiency occurred. Mr. Dillon replied no.

Member Rosa stated that Shawsheen Tech had a budget deficiency and they didn't put \$750,000 in the stabilization fund. This fund didn't exist two years ago. Prior to the stabilization fund, money would have been sent back to the Towns.

MBTA Discussions

Late in June the Town sat down with the MBTA and state representative Marc Lombardo to discuss the future of the facility at the MBTA station in North Billerica. To date the MBTA has repaired the bathrooms within the facility as well as repainted and cleaned up the space. They are planning to do a complete repaving of the parking lot, milling up the existing asphalt and paving a fresh coat at a cost of \$1,000,000. With regards to the Town-owned parcel in the parking lot. The MBTA generates roughly \$2,600 a month in revenue, roughly \$31,200 a year from the Town owned lot. At this point the holdup is the historic windows on the facility. To adhere to the design standards of the HDC the MBTA would have to invest roughly \$90,000 into the windows. The Town will be going before the HDC during their August meeting to seek relief on this with the hopes we can get less expensive windows approved. If that is successful, the Town will begin negotiations with the MBTA for the long-term care and maintenance of the facility. The Town will be looking for the MBTA to continue handling larger capital repairs like a roof or bathrooms, while the Town will maintain the facility on a day-to-day basis.

Member Favreau stated that the use of the train station would be a great idea and hopes we don't have issues with the HDC. Member Favreau asked if we have vendors for this space. Mr. Dillon replied not to his knowledge.

Member Rosa stated that the train station originally had a coffee shop but it didn't last long. We then talked about using it as a satellite police station. The most important thing is having the building open.

Pinehurst Paving

Overnight Paving has started on Route 3A in Pinehurst. MassDOT has scheduled to pave Route 3A from Burlington High School and proceed north to Cook Street. The work is scheduled nightly beginning 6/22/25, Sunday evening through Friday morning, between 6pm to 6am for approximately 3 weeks. Lane closures and traffic restrictions will be in place during the scheduled work hours. One lane of travel in each direction will be maintained at all times and access to residences and businesses will be preserved. Signage, police details and message boards will be in place to guide drivers through the work area. Drivers traveling through the affected areas should expect delays. All scheduled work is weather dependent.

Member Rosa stated that as the paving is being completed, detour signs should be installed.



Billerica Police Station

Last Fall Town Meeting approved \$200,000 to fund space needs feasibility study and design for the current Police Station. The Town worked with Leftfield, PRA architects, and the police department to design a facility that meets the needs of the Police Department. Specifically, ensuring adequate facilities for both men and women, currently the women's facilities do not have enough space for the hiring of additional female officers. At the Boards next meeting we would like to present the two design options and discuss the next steps.

25. <u>Discussion and Possible Vote to Release the Redacted Exhibits of the Investigation Report into the Conduct of Select Board Member Dina Favreau as Public Documents – Per Legal Opinion from May 21, 2025 Advisory Opinion #9</u>

Member Favreau stated that she is going to recuse herself for this item. Her attorney is present if something needs to be responded to.

Member Rosa stated that we have already voted to release the report and we wanted to have Town Counsel review and redact the exhibits.

Attorney Noemi Kawamoto joined the meeting.

Attorney Kawamoto stated that she has reviewed the exhibits and only privacy exemptions have been redacted under the public records law.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to release the exhibits of the investigation report into the conduct of Select Board Member Dina Favreau as redacted. The motion was seconded by Member Rosa and unanimously voted 4-0-0.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to instruct the Town Manager to post the exhibits on the Town website along with the report. There was no second.

Member Favreau from the audience stated that it is not on the agenda. Secretary Darris-O'Connor stated that the report is on the website and we voted to put it on the website.

Vice Chair Burrows stated that past practice, is that these documents are public documents and are available if requested.

Member Favreau returned to the meeting.

26. <u>Discussion and Possible Vote on Board Actions Against Select Board Member Dina Favreau Based on the Findings of the Investigation Report</u>

Member Favreau stated that she will be participating from the podium because she didn't have access to her attorney. Attorney Roland appeared on behalf of Member Favreau. Attorney Roland stated that this agenda was not certified by the Town Clerk. This Board has no authority to do anything against Member Favreau. She is an elected official. Only a recall petition can remove her. You can make a motion and then we will decide on what to do.

Member Favreau stated that everything that has happened is retaliation for her requesting an Executive Session for disciplinary action against the former Town Manager. Only the voters can remove her and she will not step down. There is a voice mail that she left to a former friend showed emotions but that proves nothing. Everything was triggered by a lie.

Vice Chair Burrows stated that he has the voicemail of Member Favreau chasing him in his car. The Town Manager is responsible for the day-to-day operations and personnel issues; we don't get involved in that. We set policies and don't tell him how to handle disciplinary issues.

Secretary Darris-O'Connor stated that the Select Board unanimously voted the investigation on Member Favreau including Member Favreau herself. Employees risked a lot to be part of the investigation and the report clearly shows



Member Favreau violated the charter and policies of the Select Board. He understands we can't remove her but he intends to provide a resolution to censure Member Favreau for her actions against Town Employees and bring it to the next agenda.

Member Rosa stated that there is an email from labor counsel regarding the code of conduct that should be sent out to the Board before we take any action.

Chair Pavidis stated that we need to come up with a policy on what Select Board should do so not to interfere with the day-to-day operations. This should include the language in the charter.

Member Favreau stated that the Select Board votes on policy, which is a directive to the Town Manager. She was following a policy that was voted on. The exhibits show that she was following the policy. She formally requests a copy of this meeting be sent to her and her attorney.

Member Favreau asked who put this on the agenda. Secretary Darris-O'Connor stated he as well as other members.

New Business

27. <u>Discussion and Possible Vote on Home Rule Petition Authorized at the Spring 2025 Annual Town Meeting (SGARs) – Requested by Secretary Darris-O'Connor</u>

Secretary Darris-O'Connor stated that this past at Town Meeting and the petition should be submitted to the legislature.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion that the Select Board petition the General Court for special legislation substantially in the form below: Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows: SECTION 1. Notwithstanding Chapter 132B of the General Laws or any other general or special law to the contrary, the Town of Billerica may by By-Law prohibit or restrict the application of second-generation anticoagulant rodenticides within the Town of Billerica, including the application of such pesticides by licensed commercial applicators as defined in 333 C.M.R. 10.00. SECTION 2. This act shall take effect upon its passage; or act in relation thereto. The motion was seconded by Vice Chair Burrows and unanimously voted 5-0-0.

Chair Pavidis stated that the regular meeting will be recessed and we will move to the Special Meeting.

SPECIAL MEETING - CALLED BY MEMBER ROSA AND MEMBER FAVREAU

Member Rosa stated that the acting Chair last week removed this agenda item from the regular agenda so he and Member Favreau filed this separate agenda. Member Rosa stated he worked with Mr. LaLumiere and Mr. Dillon on this policy.

Vice Chair Burrows stated that this was removed because it is duplicating work. The Town Bylaw, Article 9 already addresses this. It was amended in 2022.

Member Rosa stated that it is true, it is in the bylaws, but Vice Chair Burrows did not have the right to remove it from the agenda. Member Rosa read the policy titled Commercial and Industrial Economic Development Policy.

Vice Chair Burrows stated that this is duplicate work.

Member Favreau stated that we voted for this at the economic development meeting. It's not bad to have this in two places.

Secretary Darris-O'Connor stated that this is not an economic development policy. This would only waive the fees which we already have authority to waive. Member Rosa stated that he is willing to give up \$60,000 in fees for millions in tax revenue and a viable business that will employee people. That is smart economic development.

Member Favreau stated that we should include the bylaw.



Approval of Meeting Minutes

Meeting Schedule

August 11, 2025 and September 8, 2025

Executive Session

28. Executive Session Pursuant to G.L. c. 30A, § 21(a) (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel – Town Counsel

Secretary Darris-O'Connor stated that we are going into Executive Session to discuss Town Counsel.

Chair Pavidis stated that we will only return to regular session to adjourn the meeting.

MOTION - Secretary Darris-O'Connor made a motion to go into Executive Session Pursuant to G.L. c. 30A, § 21(a) (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel – Town Counsel at 10:07 PM. The motion was seconded by Member Rosa and unanimously voted 5-0-0. On a roll call vote: Secretary Darris-O'Connor voted Aye, Member Rosa voted Aye, Vice Chair Burrows voted Aye, Member Favreau voted Aye, and Chair Pavidis voted Aye.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to come out of Executive Session at 10:36 PM. The motion was seconded by Member Favreau and unanimously voted 4-1-0. On a roll call vote: Member Rosa voted Aye, Member Favreau voted Aye, Vice Chair Burrows voted No, Vice Chair Burrows voted Aye and Chair Pavidis voted Aye.

<u>MOTION</u> - Member Rosa made a motion to adjourn the regular meeting of July 14, 2025 at 10:37 PM. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

Respectfully Submitted by Dawn McDowell, Recording Secretary

Please note, the entire video of this meeting can be found at: https://www.batvinc.org/vodchannels.html



Exhibits for the Select Board Meeting – July 14, 2025 Regular Meeting

Call to order 6:00 PM

1. **Open Microphone** – No Exhibits

Announcements

- 2. Vacancies on Boards and Committees Vacancy List dated 07/10/25
- 3. All other announcements may be viewed on the Town of Billerica website No Exhibits

Proclamation and Public Recognition

4. Michaela Michaud – Letter of thanks dated 06/16/25

Public Hearings

5. Public Hearing – Farmer-Brewery Pouring License under M.G.L. Chapter 138, §19C(n) and an Open Container Permit for Petty King Brewing Company, LLC located at 279 Boston Road – Billerica Application dated 06/30/25, Memo from Lt. Coffey dated 06/24/25, PB Mixed Use Special Permit dated 05/12/25, Abutter's List dated 05/14/25, Public Notice dated 06/30/25

New Business (Quick Items)

- 6. Discussion and Possible Vote of Community Cable Capital Fund Grant Robert Sallese, Facilities Director Recommendation from the Cable Advisory Committee Application dated 05/27/25
- 7. Discussion and Possible Vote to Approve the 27th Annual "Cool Kids" 5K Road Race/Fun Walk for September 14, 2025 and request (4) 18" x 24" Signs on the Common from August 30, 2025 through September 14, 2025. Email from M. Harris dated 06/30/25
- 8. New Class II License <u>FOR</u> R & D Custom Exhaust, Inc. at the premises located at 313 Boston Road, Billerica, MA Billerica application dated 12/23/24, Email from M. LaLumiere dated 03/27/25, ZBA decision dated 06/25/25, Commonwealth of Mass, Application for second hand motor vehicles dated 01/09/25
- 9. Discussion and Possible Vote on Election Workers for FY26 Appointment Request Requested by Town Clerk Donna McCoy Memo from D. McCoy dated July 2025
- 10. Approve and Adopt the Order of Taking for the Yankee Doodle Bike Path Requested by Kelley Conway, Town Engineer Memo from K. Conway dated 07/14/25
- 11. Approve and Execute the Encroachment License Agreements for the Yankee Doodle Bike Path Requested by Kelley Conway, Town Engineer Memo from K. Conway dated 07/14/25
- 12. Approve and Authorize the Acting Town Manager to Execute the Recreational Trail Assent Agreement with the Massachusetts Electric Company for the Yankee Doodle Bike Path Requested by Kelley Conway, Town Engineer Memo from K. Conway dated 07/14/25
- 13. Discussion and Possible Vote to Accept a Donation of Land for Conservation Purposes and Sign the Deed for Parcel 20-4-0 / Rangeway Road Opportunity to Protect & Expand the Town's Rangeway Forest Requested by Isabel S. Tourkantonis, Director of Environmental Affairs Memo from I. Tourkantonis dated 07/08/25
- 14. Transfer of Common Victualler Gallahue Restaurants, Inc. dba DiVito Brothers Italian Pizzeria located at 446 Boston Road Billerica Application dated 07/10/25 with memo from Attorney Lentine, Email from S. Lentine dated 04/04/25, ZBA decision dated 09/16/98, Memo from E. DiVito dated 06/09/25

Appointments

- 15. Historic Districts Committee
- c. Mary K. McBride (Alternate Member) (Expires 06/30/28) Application dated 06/13/25
- d. Dan Valentine (Regular Member/Attorney) (Expires 06/30/28) Application dated 06/27/25
- 16. Open Space and Recreation Committee (Member of the Parks Department) David Brown (Expires 06/30/28) Application dated 06/23/25



17. Financial & Compliance Audit Committee – Kelley Sardina – (Expires 06/30/28) – Application dated 07/07/25

Presentation

Committee Reports

Old Business

- 18. Water and Sewer Rates Presentation Discussion and Possible Vote 2nd Reading Waterworth Presentation undated
- 19. Discussion and Possible Vote on Final Calendar Year 2025 Goals Requested by Chair Pavidis Memo from C. Dillon dated 07/11/25, Calendar Year Goals undated
- 20. Discussion and Possible Vote on Sending Out an RFP for the Disposition to a Marijuana Establishment for Cultivation Requested by Vice Chair Burrows Draft RFP undated, Email from R. Hoffman dated 06/20/25
- **21.** Discussion and Possible Vote on Sending Out the Updated RFR for Town Owned Farmland Requested by Member Favreau Draft RFP undated, Email from R. Hoffman dated 06/20/25
- 22. Discussion and Possible Vote Safety Upgrades to Town Hall Offices Including Barriers, Gates and Signs Requested by Vice Chair Burrows No Exhibits
- 23. Discussion and Possible Vote to Rescind Prior Board Vote Allocating Free Cash and Overlay Surplus for 2" Water Line Replacement Requested by Secretary Darris-O'Connor No Exhibits
- 24. Town Manager's Report TM Report dated 07/10/25
- 25. Discussion and Possible Vote to Release the Redacted Exhibits of the Investigation Report into the Conduct of Select Board Member Dina Favreau as Public Documents Per Legal Opinion from May 21, 2025 Advisory Opinion #9 Email from N. Kawamoto dated 06/03/25, 14 Exhibits (#6, #7, #10, #12 have proposed redactions)
- 26. Discussion and Possible Vote on Board Actions Against Select Board Member Dina Favreau Based on the Findings of the Investigation Report Report from DHS dated 05/12/25, Letter to D. Favreau dated 07/08/25

New Business

27. Discussion and Possible Vote on Home Rule Petition Authorized at the Spring 2025 Annual Town Meeting (SGARs) – Requested by Secretary Darris-O'Connor – Article 47 from the 2025 Annual Town Meeting dated 05/06/25

Approval of Meeting Minutes

Approved On:

Meeting Schedule

August 11, 2025 and September 8, 2025 – No Exhibits

Executive Session

28. Executive Session Pursuant to G.L. c. 30A, § 21(a) (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel – Town Counsel – See Executive Session Minutes for Documentation

Exhibits for the Select Board Meeting – July 14, 2025 Special Meeting

1.	Commercial and Industrial Economic Development Policy – 1st Reading – Commercial and Economic		
	Development Policy undated		



Members Present: Chair Jillian Pavidis, Vice Chair John Burrows, Secretary Daniel Darris-O'Connor, Member

Michael Rosa, and Member Dina Favreau

Members Absent: None

Staff Present: Town Manager Christopher Dillon and Planning Director Katherin Malgieri

Call to Order 6:00 PM

Chair Pavidis called the meeting to order at 6:00 PM.

The Pledge of Allegiance was recited.

1. Open Microphone

Billy Reid of 56 River Street – Mr. Reid stated he has anxiety and he hates bullies. There are ways to talk with people.

<u>Gill Moreira of 1 William Road</u> – Mr. Moreira stated that he is a member of the Lions Club. There is a fundraiser at the Elks this Friday.

<u>Jeff Diharo of 3 Neighborly Way</u> – Mr. Diharo recommended John LaFauci for the ZBA position. He's a great member of the community. John has helped out getting his handicapped son's bathroom. He has helped with getting sidewalks in Pinehurst and many other volunteer opportunities.

<u>Chris Tribou of 13 Bridle Road</u> – Mr. Tribou appreciated Chair Pavidis bringing up the Bitcoin issue. He's not a fan of bitcoin. We should look at banning at the State level and not just in Billerica.

<u>Michael Parker of 11 Governor Endicott Road</u> – Mr. Parker stated that there are a couple of events coming up. The Trunk or Treat event at Vietnam Veteran's Park on Saturday. The following weekend is the Veteran's Honor stroll. Is open mic the only time to address the applicants for ZBA. Chair Pavidis stated that she will open the floor for residents to discuss the ZBA appointments.

<u>Chris Musker of 12 Fawn Lane via Zoom</u> – Ms. Musker welcomed the new members. She recommended Kelley Sardina on the ZBA appointment. She is knowledgeable and knows the bylaws. She does her homework. There shouldn't be a builder on the ZBA.

<u>Diana Saunders of 20 Oxford Road</u> – Ms. Saunders stated that there is a protocol that the Select Board should go to the Chair and then the Town Manager will contact Town Counsel. We have wasted a lot of money on legal bills.

Announcements

2. Vacancies on Boards and Committees

Secretary Darris-O'Connor read the vacancies on Boards and Committees.

3. 2025-2026 Community Funds Grant – Application Period is Open on November 1st to December 30th

Secretary Darris-O'Connor announced that the 2025-2026 Community Funds Grant will open November 1st to December 30th.

4. All other announcements may be viewed on the Town of Billerica website

Proclamation and Public Recognition

Public Hearings

5. Continued Public Hearing – National Grid and Verizon #31182460 – National Grid to install (1) JO Pole (Pole 14-50) ~250' northeast of the centerline of the intersection of Boston Road between Pole #14 and #15 Sprague Street. The pole will be located on Town property intersected by Boston Road and Kohlrausch Avenue



<u>MOTION - Secretary Darris-O'Connor made a motion to open the public hearing at 6:20 PM.</u> The motion was seconded by Member Rosa and unanimously voted 5-0-0.

Vazz Eng of National Grid appeared for the continued public hearing. At the past hearing, there was an issue with a resident not knowing where the pole was going. Chair Pavidis asked if it was marked. Mr. Eng replied he was not sure.

Member Rosa stated that we specifically continued this until the resident was notified. Chair Pavidis agreed that it is what we continued it for.

<u>Marlies Henderson Sprague Street</u> – Ms. Henderson stated that there is a NG painted in the location between poles 14 and 15.

The Board would like to hear from the abutter and confirm with National Grid that the location has been marked.

<u>MOTION</u> - Member Rosa made a motion to continue the National Grid public hearing #31182460 until November 3, 2025. The motion was seconded by Secretary Darris-O'Connor and unanimously voted 5-0-0.

6. Public Hearing - National Grid and Verizon #31195999 - National Grid to relocate (1) JO Pole beginning at a point ~9' westerly from existing Pole #9 per customer request at 12 Reardon Road. Existing pole is deteriorating and is due to be replaced.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to open the public hearing at 6:24 PM. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

Vazz Eng of National Grid appeared for the public hearing. The pole is rotting away and the property owner asked it be moved from their driveway to the property line.

Member Rosa asked if any residents reached out and are you aware of DPW comments. Mr. Eng replied no one reached out and they are aware of the DPW comments.

<u>Resident from 14 Reardon Road</u> – The marking is 7'6" and as long as it goes on the mark he has no problem with it. If it goes any more west it will affect his driveway.

<u>Resident of 12 Reardon Road</u> – The mark is completely on his property line. His driveway is going to be affected. Mr. Eng stated that they can do a site visit and meet with both property owners to find the best location.

<u>MOTION</u> - Member Rosa made a motion to continue the National Grid hearing for #31195999 until November 3, 2025. The motion was seconded by Member Favreau and unanimously voted 5-0-0.

New Business (Quick Items)

7. One Day Special Alcohol License – Boys and Girls Club of Greater Billerica – Annual Hall of Fame Dinner Fundraiser on November 13, 2025 from 5:00 PM to 9:00 PM located at 19 Campbell Road and Request to Waive All Fees Secretary Darris-O'Connor stated that the Cable Advisory Committee voted to recommend approval of this grant.

Dick Ackroyd of Boys and Girls Club. We are inducting three members into the Hall of Fame on November 13, 2024 and are requesting a one-day liquor license.

Member Rosa stated that this is great event.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to approve the one-day liquor license for the Boys and Girls Club of Greater Billerica Annual Hall of Fame Dinner on November 13, 2025 from 5:00 PM to 9:00 PM located at 19 Campbell Road. The motion was seconded by Member Rosa and unanimously voted 5-0-0.



<u>MOTION</u> - Secretary Darris-O'Connor made a motion to waive all fees for the one-day liquor license for the Boys and Girls Club of Greater Billerica Annual Hall of Fame Dinner on November 13, 2025 from 5:00 PM to 9:00 PM. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

8. <u>Discussion and Possible Vote on a Request for Waivers of Building Fees for Entegris - Requested by Planning Director Katherin Malgieri</u>

Member Rosa stated for the record he is recusing himself because his business does business with Entegris. Member Rosa left the room and did not return until the discussion and votes had concluded.

Planning Director Katherin Malgieri joined the meeting. Entegris is looking to expand their business. They employee about 400 in Billerica. They are looking for waivers all building fees to expand their business on 129 Concord Road.

Brian Eagle from Entegris and Ben Blank a consultant for Entegris appeared for the discussion. Mr. Eagle stated that the goal is to stay in Billerica. Our global headquarters is right in Billerica. We are a semi-conductor business and we are invested in Billerica.

Secretary Darris-O'Connor stated that he supports the waiving of the fees but there is no application currently. Mr. Eagle replied that is correct.

Member Favreau stated that there are a couple of issues with the letter that she would like to talk with the Town Manager. One is the MassWorks grant could help fund the reallocate light. Mr. Blank stated that there would be a spring 2026 application for this. There are 600-700 employees that would utilize.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to waive building fees for Entegris. The motion was seconded by Vice Chair Burrows and unanimously voted 4-0-0.

Member Rosa returned to the meeting.

9. <u>Discussion and Approval of the Christmas Parade Route for Sunday, December 14, 2025– Requested by</u> John LaFauci

John LaFauci appeared to discuss the Christmas Parade. This is our 5th or 6th year. This year we are hopefully partnering up with the Billerica Rec and dropping their Santa off at their event and then we continue on with the parade. Police and Fire usually donate their time. We usually start at noon and finish at four or five.

Member Rosa stated that we have a note that the route may change. Mr. LaFauci stated that they may shorten the route and he spoke with Sgt. McKenna and they agreed to a maximum of 14 trucks with trailers and he would agree to the shorten route.

Secretary Darris-O'Connor asked if Town Departments are all set. Mr. Dillon replied that he knows of no concerns.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to approve the route for the Christmas Parade Route for Sunday, December 14, 2025 as presented with the condition that any changes be approved by the Traffic Safety Officer. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

10. Request to Extend the Hours for Pinehurst Tavern - To open at 9:00 AM on Thanksgiving, Thursday, November 27th and Christmas Eve, Wednesday, December 24th for Alcohol and Common Victuallers License - Requested by Renee Whitney & Nicole Runyan from Pinehurst Tavern

Renee Whitney and Nicole Runyan appeared to request early opening on Thanksgiving morning and Christmas Eve. We did it last year.

Member Favreau stated that she is concerned with opening early but she is Chair of BSAP and the fact there were 11 alcohol related deaths and she cannot support this.

<u>MOTION - Secretary Darris-O'Connor made a motion to approve the extended hours for Pinehurst Tavern as presented.</u> The motion was seconded by Member Rosa and voted 4-1-0. Member Favreau voting opposed.



11. <u>Discussion and Approval of a "Turkey Trot" Road Race on Thursday, November 27, 2025 – Requested by</u> Diana Saunders of the 250th Committee

Diana Saunders appeared via Zoom. The proposed Turkey Trot will start at the Marshall Middle School. It will start at 7:30 AM. Ms. Saunders stated that registration is going to go through the Recreation website.

Kelley Sardina stated that we don't go through the School for the parking lot, we are working with the Recreation Department.

Member Rosa stated that we have a note that the School Department needs to approve it, so it should be conditioned on their approval.

<u>MOTION -</u> Secretary Darris-O'Connor made a motion to approve the Turkey Trot as presented with contingent on approval from the School Department. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

Appointments

12. Zoning Board of Appeals – Regular Member

- a. Joseph Shaw
- b. John LaFauci (Current Associate Member)
- c. Kelly Sardina

Joseph Shaw – I've been here 82 years. Town Meeting for 32 years and ZBA for 20 years and the Zoning Bylaw Committee five times and was a Building Inspector in Billerica and retired as a Building Commissioner in Chelmsford and a builder for over 60 years.

Member Rosa thanked him for applying and asked if you are familiar with all the codes and bylaws. Mr. Shaw replied yes. Member Rosa stated that you served for many years on the ZBA. Mr. Shaw replied yes. Member Rosa asked if he was a building inspector in two different towns. Mr. Shaw replied yes. Member Rosa asked if you helped residents through the process. Mr. Shaw replied yes, he would help them. He has helped them with drawings. He does not sit on lot splits.

Secretary Darris-O'Connor asked what made you apply. Mr. Shaw stated that he just retired from Building and he knows zoning. Secretary Darris-O'Connor asked what is the strong point and what is a struggle. Mr. Shaw stated that they do well now. Secretary Darris-O'Connor how would you handle a contentious project. Mr. Shaw stated that he would listen to the public.

Vice Chair Burrows asked when waivers should be used. Mr. Shaw stated that everyone is different. Vice Chair Burrows asked what is your approach to public input and when do you stop it. Mr. Shaw stated that you try to get the best deal as possible.

Member Favreau thanked him for applying. How do you balance property rights and the town as a whole. Mr. Shaw stated that every case is different. You have to know the zoning and how the maps are laid out. Member Favreau stated that the ZBA needs to use historic documents and how comfortable would you be. Mr. Shaw stated that is his business on how to search deeds. Member Favreau asked if there was a permanent restriction how would you deal with it. Mr. Shaw stated that you can't do it.

Chair Pavidis congratulated him on his retirement. There was a concern with being a well known builder and if there was a conflict of interest. Mr. Shaw stated that he would recuse himself and doesn't sit on lot split. He is aware of ethics.

John LaFauci – Mr. LaFauci read a statement. He has been involved in many events in town. He would take the time to listen and not rush decisions. Lot splits need to be looked at and be handled consistently.



Member Rosa thanked him for applying and appreciate your involvement in all the local events. Member Rosa what have you learned in the four months that you have been an alternate. Mr. LaFauci stated that it is nerve racking, there is a lot to learn and it is a process. You need to listen to the people and he still has a lot to learn. Member Rosa stated that we are lucky to have multiple candidates for this one position. It's great to get new blood. Mr. LaFauci stated that he knows that he has a lot to learn.

Secretary Darris-O'Connor asked what made you apply. Mr. LaFauci stated that the lot splits are cramming in houses. Get the information out to residents on social media so neighbors know what's going on. He moved out of the city and Billerica is starting to become a city. Secretary Darris-O'Connor what is your understanding of the bylaws and the role of the ZBA. Mr. LaFauci stated that the ZBA is there to uphold the bylaws. Mr. LaFauci stated that he doesn't know a lot of the bylaw but he reads it every day. Secretary Darris-O'Connor asked how would you handle a variance or special permit. Mr. LaFauci stated that the bylaw allows it, my hands would be tied unless there is a large turnout of residents.

Vice Chair Burrows asked whose interest is most important in an application: staff, property owner, or residents. Mr. LaFauci stated that everyone has stake. Vice Chair Burrows asked if you understands the roles of the Planning Board versus the ZBA. Mr. LaFauci replied yes.

Member Favreau thanked him for applying. How do you balance property rights and the town as a whole. Mr. LaFauci stated that he would talk with the neighbors and make an educated decision. Member Favreau stated that the ZBA needs to use historic documents and how comfortable would you be. Mr. LaFauci stated that he is not comfortable with research. Member Favreau is important to know if there were restriction prior to decision. Mr. LaFauci stated that he would use the knowledgeable staff to help him make his decision.

Chair Pavidis stated that he is already the associate member, what is your first steps. Mr. LaFauci stated that he is still learning. He leaned on Eric, Mike and Liz. He asked questions to understand the process. He would like to see more consistency and follow the bylaws. Chair Pavidis what do envision the perfect applicant should possess. Mr. LaFauci stated that experience is not everything. He would be the first to say that Joe is more qualified then him, but they also have to have integrity, know when to recuse yourself. He has no ties with builders.

Kelley Sardina – She applied because she has been active and she has been involved in some controversial projects. We need to meet on middle ground. Her interest in planning is how to make Billerica better. We need to work together.

Member Rosa asked if you attended any ZBA meetings. Ms. Sardina replied yes. Member Rosa what needs to be approved on. Ms. Sardina stated that they need to work together as a team.

Vice Chair Burrows asked about experience with conflicting ideas within a group. Ms. Sardina stated that you never dismiss someone that you have a disagreement with. Vice Chair Burrows what makes you a strong candidate. Ms. Sardina stated that she reads something she remembers it.

Member Favreau asked her to explain how do you balance property rights and the town as a whole in making a fair and legally sound decision. Ms. Sardina stated that sometimes you need to meet in the middle. Sometimes she had tunnel vision. Member Favreau asked how would you fix that on the ZBA. Ms. Sardina stated that she would talk with the other members and know when you check your ego at the door. Member Favreau stated that the ZBA needs to use historic documents and how comfortable would you be. Ms. Sardina stated that she is very comfortable with the research.

Chair Pavidis asked why you. Ms. Sardina stated that she left the Planning Board but the ZBA has an important role. She enjoys learning zoning.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to appoint Joseph Shaw to the ZBA. The motion was seconded by Member Rosa. After the discussion, it was voted 4-1-0. Secretary Darris-O'Connor voting opposed.



Member Favreau made a point of order that the Chair had said that she would allow members of the audience to speak. The Chair recognized Michael Parker.

<u>Michael Parker of 11 Governor Endicott Road</u> – Mr. Parker stated that he was a previous member of the ZBA. He appreciates all candidates but he rises in support of John LaFauci. He may not know all the bylaws but he can research the applications that are submitted. He also had no experience when he was appointed to the ZBA by this Board and he served for two years and now he's in his second year as Chair of the Planning Board. We should put fresh eyes on the ZBA. They are working on not on approving pork chop lots and lot split. Every lot split have a negative effect to our housing stock.

Member Favreau stated that he was contacted by the Chair of the ZBA and sent a letter of recommendation for Mr. Shaw.

Presentation

13. <u>Mass Development - C-PACE Opt In Program - Discussion and Possible vote on a Resolution - Requested</u> by Planning Director Katherin Malgieri

Planning Director Katherin Malgieri stated that Connor Glasheen from Mass Development. C-PACE is another tool in our toolbox. This helps with power efficiency in helping fill empty spots.

Mr. Glasheen gave a presentation that was provided to the Board. Some elements are: Municipal opt in required. Maximum financing allowed is 20 years, energy cost savings must exceed cost of improvements and all third-party funding. The application must be approved by DOER. As of today, we have 79 authorizing communities.

Chair Pavidis how heavy of a lift administratively for town. Mr. Glasheen stated that we have extensive use with Munis. Very easy to incorporate. There is not a huge burden to staff. They are not anticipating a large number of projects. If there is a need for training, Mass Development can provide it.

Member Rosa stated it's always good to have options and that this is a financing agency for alternative loans. Mr. Glasheen replied yes. On new construction, they can fill financing voids. Member Rosa asked why you can't pay it off early. Mr. Glasheen stated that there is an option for pre-payment. Member Rosa asked if there is any fee that the town gets for administrating this. We should send this to Town Counsel and Tax Collectors office. There is a clause to pay 30 days. Member Rosa asked if this would add to the work load of staff and he would want to make sure that there is no financial responsibility put on the Town. Mr. Glasheen stated that the town is not responsible for the payment, this just means that when the Town receives the payment, they have 30 days to forward the payment. Member Rosa said it's always good to have multiple tools to bring business into Town, and he thinks it is a good idea but it should be run by Town Counsel.

Member Favreau asked if we do this, what is the benefit to the Town. Mr. Glasheen stated that it helps with local businesses and bring in jobs. For retrofit bring in construction jobs. Member Favreau appreciates it but we are acting in a collector capacity what is the benefit of doing this work. Is a fee collected for the Town. Mr. Glasheen replied not as written. He can get back to you with that question. Member Favreau stated that is an important point if we agree to this because this will create more work for our employees.

Vice Chair Burrows asked if Ms. Malgieri has reviewed this. Ms. Malgieri stated that this has been well received in the community. She can't answer on the additional workload on other departments. Vice Chair Burrows stated that he is in support of this and if we can help businesses and collect fees on building.

Mr. Glasheen stated that any change would require a change in the legislation since our program is derived by State statue.

Member Rosa stated that before we vote, we need to have Town Counsel and have the Town Accountant review it and make sure it is compatible with Munis and have Mr. Dillon speak with staff.



Secretary Darris-O'Connor stated that we are only authorizing the Resolution. The other document is handled once an application is received. Vice Chair Burrows stated the resolution is the same language with all towns.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to authorize the Town of Billerica to participate in the Massachusetts C-PACE program contingent of approval of Town Counsel and review by the Town Accountant for compatibility with Munis. The motion was seconded by Vice Chair Burrows. After discussion

Member Favreau stated point of order, are you closing discussion on this matter before moving forward with the vote. Chair Pavidis stated that she is closing discussion. The motion should include contingent of approval from Town Counsel. Secretary Darris-O'Connor stated that he would accept that as a friendly amendment.

Member Rosa stated that he would like to add compatibility with the Munis system. Secretary Darris-O'Connor stated that he is not going to add that. Member Rosa stated that the resolution links to the 17-page document. We should add in the compatibility with the Munis system. Mr. Dillon will double-check with staff tomorrow. Member Favreau stated that we should add a friendly amendment with the compatibility with Munis and the Town Accountant. Chair Pavidis stated that we should accept that.

Committee Reports

Old Business

16. 250th Committee Update – Requested by the Select Board

Member Rosa asked if we could take agenda item #16 first.

Chris Sennott and Gil Moreira appeared for the update on the 250th Committee. Some of the activities planned: the Turkey Trot on Thanksgiving, on February 8th there will be a Lady's Luncheon, they are working on a book. Mr. Sennott thanked Town Meeting members for voting on the money for the Fireworks for July. They are looking at VVP. We are also working with the VSO on getting a flyover, military trucks, Army Band etc. They are also going to be looking at some pop up events.

Member Rosa stated that the Sheriff's Department has staging if needed and they have donated it before.

Member Favreau asked if you can elaborate on the Women's Luncheon. Mr. Sennott stated that he believes it would be \$30 and a cash bar. There will be at least one speaker.

Mr. Moreira stated that a few members have met with the School Superintendent and they hope to incorporate some activities in the schools.

14. <u>Discussion and Possible Vote on Information Regarding Roads and Sidewalks – Originally Requested by Member Favreau</u>

Fred Russell, DPW Director and Kelley Conway, Town Engineer joined the meeting. Mr. Russell stated that they received a memo from Member Favreau late this afternoon. He has been the DPW Director about 3 ½ years. The original board asked him to prioritize the water system and roads and they have done that. We have raised our RFR from 68 to 70 but sidewalks haven't been a priority.

Member Favreau stated that this was originally asked in August. A memo was sent with questions and she appreciated the answers but some were non-responsive so the memo went out today. The complete street policy that was adopted requires a yearly review. This needs to be done for transparency and grant availability. We need to work on sidewalks especially ADA compliance. In FY25, Chapter 90 fundings only budgeted \$1 million but we received \$2.49 million so where does that get captured. Where will the additional funds get allocated? Member Favreau stated that Mr. Newhall provided information for strengthening grant writing.



Mr. Russell stated that we can evaluate the complete streets every year. We have a 5-year projected CIP for roads. We have implemented the replacement of the 2" water mains. Right now, we are planning roads for 2026, we got the allocation in July so we are going to use the extra money on roads for 2026 road improvements. As far as FIFO is concerned, it's a great tool but most municipalities need to be a gateway or rural which we are not either but he can find out. Member Favreau are we talking about the same thing. This is a new office created by the Healy Administration. Mr. Russell replied yes but they can look at it. Member Favreau stated that the policy was established in 2017 but hasn't been updated.

15. <u>Discussion and Possible Vote of Spring 2001 Town Meeting Warrant Article #10 – Requested by Vice Chair</u> Burrows

Vice Chair Burrows stated that he reached out to the Town Manager because of some phone calls received from Parker Street residents. There was money allocated to sidewalks in Parker Street, then a neighborhood meeting didn't want it, so Town Meeting rescinded and then it was brought back in 2012. He wants the Town Manager to investigate it.

Member Favreau add the following from the March 3rd meeting into the record. Minutes traffic circulation and gate removal. The Tighe & Bond report. The review did not take actual traffic counts and was less than 1 mile. All schools are now enrolled and we should be eligible for \$2 million in grants. We were told we could handle some of the improvements in house and an email was forwarded on March 7th to the Town Manager and appropriate department heads with the Safe Route for School pop up projects to outline potential projects for pedestrian improvements that could be handled in house. To date, the Board has not been provided with those improvements. On the funding for article 10 in 2001 but in January 2003, Town Manager Montuori instructed the Board that the proposed work was pushed off due to financial constraints of the Town and in 2004 Town Meeting formally dismissed the funding articles.

Chair Pavidis stated that we should get all the information and have a full discussion.

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to direct the Town Manager to report back to Select Board on information related to Article 10 of the Spring 2001. The motion was seconded by Member Rosa. After the following discussion, the motion was unanimously voted 5-0-0.

Member Rosa wanted to ask Mr. Russell on some matters. Chair Pavidis stated that we should wait until all the information has been provided and have one discussion. Mr. Dillon thanked the Board for allowing staff to review all the material on the subject.

Member Favreau asked if we were only going to discuss a funding article from 2001 that was dismissed in 2004 or are we going to address the votes and action taken in March. Chair Pavidis stated that all the actions will be addressed. Member Rosa stated that the study of the sidewalks around the schools should be included.

16. 250th Committee Update – Requested by the Select Board

Previously discussed.

17. Town Manager's Report

Mr. Dillon gave the Town Manager's Report. There were some things not included in the report. Mr. Dillon thanked all members of Town Meeting members. Trick or Treat is scheduled on October 31st from 5:30 PM to 8:00 PM.

Assistant Town Manager

A panel of 5 employees interviewed Assistant Town Manager candidates over a couple of days. Last week, the panel interviewed the top two candidates from the first round a second time. After the first round, we knew either of these two candidates could do the work, but we wanted to get a better sense of who they were, and which would be a better fit. We have offered the position conditional on a successful background and reference check. Once everything comes back clear, I will update the board as to who she is but we are tentatively looking at her start date during the week of November 10.



Member Favreau asked if the hiring process followed the Personnel Bylaw. Mr. Dillon stated that we have followed the process of all hires with the HR Department taking the lead. Member Favreau asked if the list of the finalists gets sent to the Board because she was trying to clarify the difference in the process from when the former Assistant Town Manager was being chosen earlier in the year. Mr. Dillon stated that the Board doesn't hire the Assistant Town Manager. Member Favreau stated that before Robert Maynard was hired, the Board was updated with the number of applicants and number of finalists. Mr. Dillon can get a total number of applicants. Member Rosa stated that the appointment is not ours, and once the Town Manager makes the appointment, the Select Board gets notified and we have 15 days to rescind the appointment with cause.

Staff Appreciation

On Thursday, October 9th, we held our staff appreciation BBQ for town staff at PHR. This was my first large event with the town and thought it went very well. I wanted to thank the board for their support in the event and those that helped serve food for the employees. When I was in my recreation position, I learned to evaluate and tweak events to make them better. Next year I think we will move the event to the end of the summer and add some activities/games for those that want to participate. These types of events help morale and build stronger relationships between employees. I appreciate your part in making it happen.

Websites

The Police and Fire websites are scheduled to go live this weekend. We are rolling out the new websites in groups over a few different days. If there are no major issues with police and fire, COA and Library will go live early next week. Pending any issues with the others, the Town's site will go live the end of next week or early the following week.

As an FYI, part of the delay has to do with the meeting minutes and agenda part of the website. As we are working through these issues, I would like to let the board and public know, when the Town's website goes live, some of the older meeting information may not be immediately available. Rather than delay the launch of the site until we work through some of the older information, I requested going live with what we have, and we can continue working on that part while the new site is active.

Member Favreau asked if the BSAP will have a webpage. Mr. Dillon stated that there is a page but it says Substance Awareness and Prevention. Member Favreau stated that the committee is paying for an independent website and it was supposed to be merged in with the roll out. She can send the link. Mr. Dillon asked it be sent and once it goes live we can look at updating it.

Department of Public Works

- Boston Road TIP: Due to weather delays, the paving is currently scheduled to begin Sunday night, October 19th. We anticipate 4 nights of paving followed by pavement marking installation. This work will continue nightly through October 31st. This schedule is dependent on weather.
- Roadway Management 2025: Due to weather delays, paving (Middlesex Turnpike and side streets) has been tentatively rescheduled for the week of October 20th weather permitting.
- Lexington/Glad Valley: Newport Construction intends to perform utility work this fall through the winter.
- Rangeway Road: The Contractor will continue to work on the pump station this fall.
- New DPW Facility: National Grid gas installation is starting soon. Work will extend from River Street down River Street Extension to the site.
- Yankee Doodle Bike Path: Barletta Heavy Division (BHD) is the apparent low bidder for this project. We anticipate that the project will be awarded to this contractor. Once the project is awarded, there will be a preconstruction meeting, and we will share additional information once this meeting is completed.



 Middlesex Turnpike: BHD is currently addressing slope deficiencies in the area adjacent to the pond, located between the VAL and 829 Middlesex Turnpike. This work is expected to take approximately 3 to 4 weeks to complete. Once the slope corrections are finished, BHD will proceed with the sidewalk installation and complete the remaining punch list items.

Member Rosa stated that on Boston Road, some of the manhole covers have mounds of hot top around them but most don't. If it is delayed anymore, they should all have the mounds. Mr. Dillon stated that he can talk with them, the issue is the hot top has to be removed prior to paving. They hope to have it paved later this week.

Recreation

Halloween Bash- Our annual Halloween Bash will be held on Sunday, 10/26, 11:30-1:30 at the VVP Upper Lawn. This event will feature inflatables, games, food, cookie decorating, pumpkin decorating, henna tattoos, and our always popular Truck-Or-Treat, including a visit from the Salem Ghostbusters! Big shoutout to the many local businesses signed up to participate. *To be eligible for cookie decorating, pumpkin decorating, and goodie bag families must register on our website. Registration space is limited, so sign up today!*

Halloween Creepy Crawl - We have compiled a list of the best Halloween displays in Billerica! Check out our website or Facebook page to find our map to navigate through town and check them out! Since posting our map, we have had over 400 residents "like" our post, and 200 "share" it!

Old Ditson (Pinehurst Park) Project Update - Work is well underway at the Old Ditson site, and going great. Contractors began work in early October and have already completed the new playground install, have started paving work on the new parking lot and basketball courts, and have begun concrete work on the pavilion and fitness court slabs. Work will continue over the next few weeks with walking path install, basketball court painting, fence work, and pavilion construction.

Member Rosa stated that we had a neighborhood meeting before the start of the project. There was supposed to be another meeting before construction started. Mr. Dillon replied he doesn't believe it did, but a neighbor reached out during Town Meeting and asked some questions so he hopes to have a meeting within the next couple of weeks. Member Rosa stated that the final plans should be added to the website. Mr. Dillon stated that he can do that, but is going to wait until the new website is live.

Recreation Center Update - The Recreation Center has reached the major milestone of steel erection! Sitework continues, including beginning to work on future parking lots. Access to the Vining Ball Field parking lot is now closed while construction persists and will re-open in time for spring baseball to ensure disruption is minimized to our friends at Billerica Little League. This project remains moving forward as planned and on schedule.

18. <u>Draft 2026 Select Board Meeting Schedule</u>

Chair Pavidis stated that she has a conflict on January 26th, proposed doing Tuesday the 20th. Member Rosa asked Ms. McDowell to make sure there are no conflict with the Planning Board.

19. <u>Town Counsel – Approval of Final Contract with Harrington Heep – Requested by the Town Counsel Sub-Committee</u>

Member Rosa stated that he and Mr. Dillon met twice with Harrington Heep on October 8th and 16th. We went through the previous contracts with KP Law and Brooks and DeRensis. Prior to Brooks and DeRensis we spent \$250,000 now we are at \$510,000. Looking to get those numbers down. We have put a lot of things in the retainer. Our retainer will be \$13,000. The problem with Brooks and DeRensis is that things that should have been covered in the retainer weren't so we tried to add more things in the retainer and avoid the pitfalls we had with Brooks & DeRensis. Member Rosa read the items included in the contract. Secretary Darris-O'Connor point of order, the entire contract doesn't need to be read. Member Rosa summarized the differences including training for 4 hours, attendance at 24 meetings a year, weekly check ins, reduction at their hourly rate.



Vice Chair Burrows stated that you are just reading the contract. He has nothing to compare it to and we should just approve it.

Member Rosa stated that before we take the vote, there is a scrivener's error in Section 8. We should strike in Section 8 "inclusive of travel time related to matters in the flat fee".

<u>MOTION</u> - Secretary Darris-O'Connor to approve the final contract with Harrington Heep as amended. The motion seconded by Vice Chair Burrows and unanimously voted 5-0-0.

New Business

20. <u>Discussion and Possible Vote on Adding a Welcome to Billerica Champions Signs – Requested by Vice</u> Chair Burrows

Vice Chair Burrows asked that we direct the Town Manager to look into this with the department head and see if it is something we can do.

Member Favreau asked how many, the costs for installation, etc.

Chair Pavidis asked how long you put them up. We need to have logistics looked at.

<u>MOTION</u> - Vice Chair Burrows made a motion to direct the Town Manager to look at this with his department heads to see if this request is feasible and to include cost, how many, how long are the kept up and any other logistics related to the signs. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

21. Discussion and Possible Vote on a Digital Signs for Town Updates – Requested by Chair Pavidis

Chair Pavidis stated that in the we should look at digital signs to get the information out to our residents. We can look at different locations and keep our historical characteristics. Would like to have the Town Manager look at this.

Vice Chair Burrows stated that he asked the Building Commissioner and he believes that would require a zoning change.

Mark LaLumiere, Building Commissioner joined the meeting. Unfortunately, this would require a zoning change and it also get into 1st Amendment Rights. We can't just do it for the Town but he would be happy to research this. The zoning specifically prohibits them, so we can look at this.

Mr. Dillon stated that if the Board is support of this, we can absolutely look into this and it's worth it. In Salem, NH we prohibited them except for municipalities that were exempt.

Vice Chair Burrows stated that we should direct the Town Manager to work with the Building Commissioner and Planning Director to work on a zoning change.

Member Favreau stated that we talked about a digital billboard to generate revenue would this be similar. Chair Pavidis replied no, there is a wooden sign in the center that is outdated and only allows one item at a time. We could look at replacing that. Member Favreau warned that the center is governed by its own set of historic bylaws, and she would caution that the committee is not open to change. Member Favreau stated that she would be interested and the possible locations, the cost of installation and maintenance and what department would be responsible for updating it.

Secretary Darris-O'Connor stated that this would be only for government message. Member Favreau stated that you can't stop free speech. Secretary Darris-O'Connor stated that we can get a legal opinion. There are exceptions for government speech only.

<u>MOTION</u> - Vice Chair Burrows made a motion to direct the Town Manager to work with his department heads to draft a sign bylaw with amendments for digital signage. The motion was seconded by Secretary Darris-O'Connor and unanimously voted 5-0-0.



22. <u>Discussion and Possible Vote –Ban of Crypto/Bitcoin ATMs in the Town of Billerica – Requested by Chair Pavidis</u>

Chair Pavidis stated that she spoke with Lt. Coffey about this and Waltham and Gloucester have put in bans on bitcoin/crypto ATMs. We can look at what is possible to police these.

Mr. Dillon stated that he knows this is an issue. We can work with the police and have additional information. Chair Pavidis stated that we can have Lt. Coffey come before us when we discuss this.

Member Rosa stated that people are definitely getting scammed. We should look at this and it should be a bylaw.

Secretary Darris-O'Connor stated that he has a different approach. The machines are not the scam, it's a why to deposit cash and purchase cryptocurrency. The scam is to call a person and tell them to buy gift cards. He would not want to take the opportunity away from legitimate use of cryptocurrencies from residents.

Member Rosa stated that we don't need to necessarily ban them, maybe have a license, signs. Secretary Darris-O'Connor stated that the machines are not the scam, it people scamming people to send it to their account.

Chair Pavidis stated that there are no way to regular them. It's still worth going through to look at a bylaw.

Member Favreau asked if it this has happened here, is there a need for it but she would like to have the Police Department here to talk about what is happening here. We should have a draft policy to be transferred into a bylaw. She wouldn't want to issue a ban too early.

Chair Pavidis asked that Lt. Coffey come and have a presentation and work on a draft of bylaw.

23. Discussion of the 2025 Annual Overdose Awareness Vigil – Requested by Member Favreau

Member Favreau thanked Town Manager for posting on social media. She would like to invite everyone on Sunday, November 2nd at 5:00 PM on the Town Common.

24. Update of Select Board Policies and Procedures – Section 20.1 – 1st Reading – Requested by Member Rosa

Member Rosa stated that during the process of going through the contract with Town Counsel, they pointed out that in 20.1 all correspondence must go through the Chair. If another Board member asks a question, then you have two members of the Board on the communication and if another member chimes in, that would be a majority of the Board and could create an Open Meeting Law violation. They recommended we strike "and Chair of the Select Board".

Chair Pavidis asked in the experience in other Towns, how were communications with Town Counsel. Mr. Dillon stated that in other communities he worked in, not all members had free access to Town Counsel. All communications with through the Town Manager unless it involved the Town Manager then it went through the Chair of the Select Board. When we talked with Brooks and DeRensis, Paul said Billerica was unique that all members have access to Town Counsel. Chair Pavidis when it went through the Town Manager, how was the information disseminated to the Board. Mr. Dillon replied that once the information was received, if it was for guidance was disseminated to the entire board.

Secretary Darris-O'Connor stated that he agrees that we should have a more streamlined process and how Town Counsel resources to be used and all request should go through the Town Manager. This will help to not waste resources.

Member Favreau point of order, this is not on the agenda and is in violation of open meeting law. She would support the change.

Secretary Darris-O'Connor stated that he would be willing to work with the Town Manager or Ms. McDowell to work on a policy change to streamline contact with Town Counsel for the next meeting.

Member Rosa stated that this is the first reading of a change suggested by Town Counsel.



Vice Chair Burrows stated that when he was Chair, he never received any response from Town Counsel on any other Boards.

Approval of Meeting Minutes

25. June 16, 2025 Regular Meeting

<u>MOTION - Secretary Darris-O'Connor made a motion to approve the Select Board meeting minutes of June 16, 2025.</u> The motion was seconded by Member Rosa and unanimously voted 5-0-0.

26. June 26, 2025 Special Meeting

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to approve the Select Board meeting minutes of June 26, 2025. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

Meeting Schedule

November 3, 2025 and November 17, 2025

<u>MOTION</u> - Secretary Darris-O'Connor made a motion to adjourn the regular meeting of October 20, 2025 at 9:21 PM. The motion was seconded by Member Rosa and unanimously voted 5-0-0.

Respectfully Submitted by Dawn McDowell, Recording Secretary

Please note, the entire video of this meeting can be found at: https://www.batvinc.org/vodchannels.html



Exhibits for the Select Board Meeting – October 20, 2025

Call to order 6:00 PM

1. Open Microphone – No Exhibits

Announcements

- 2. Vacancies on Boards and Committees Vacancy List dated 10/16/25
- 1. 2025-2026 Community Funds Grant Application Period is Open on November 1st to December 30th Community Funds Application 2025-2026 undated
- 2. All other announcements may be viewed on the Town of Billerica website No Exhibits

Proclamation and Public Recognition

Public Hearings

- 3. Continued Public Hearing National Grid and Verizon #31182460 National Grid to install (1) JO Pole (Pole 14-50) ~250' northeast of the centerline of the intersection of Boston Road between Pole #14 and #15 Sprague Street. The pole will be located on Town property intersected by Boston Road and Kohlrausch Avenue NG application dated 08/07/25, DPW Comments dated 09/25/25, Contractor Acknowledgement Form dated 09/26/25, Electrical Comments dated 09/19/25, PD Comments dated 10/01/25, Notice of Hearing undated, Abutters List dated 09/10/25
- 4. Public Hearing National Grid and Verizon #31195999 National Grid to relocate (1) JO Pole beginning at a point ~9' westerly from existing Pole #9 per customer request at 12 Reardon Road. Existing pole is deteriorating and is due to be replaced. NG application dated 08/27/25, DPW Comments dated 10/09/25, Contractor Acknowledgement Form dated 10/15/25, Electrical Comments dated 10/14/25, PD Comments dated 10/10/25, Notice of Hearing undated, Abutters List dated 10/10/25

New Business (Quick Items)

- 5. One Day Special Alcohol License Boys and Girls Club of Greater Billerica Annual Hall of Fame Dinner Fundraiser on November 13, 2024 from 5:00 PM to 9:00 PM located at 19 Campbell Road and Request to Waive All Fees Billerica Application dated 10/01/25, Memo from Lt. Coffey dated 09/30/25, Billerica Health Depart Permit dated 09/23/25
- 6. Discussion and Possible Vote on a Request for Waivers of Building Fees for Entegris Requested by Planning Director Katherin Malgieri Memo from Entegris dated 10/14/25, Email from K. Malgieri dated 10/15/25
- 7. Discussion and Approval of the Christmas Parade Route for Sunday, December 14, 2025– Requested by John LaFauci Preliminary Billerica Christmas Parade 2025 and map undated
- 8. Request to Extend the Hours for Pinehurst Tavern To open at 9:00 AM on Thanksgiving, Thursday, November 27th and Christmas Eve, Wednesday, December 24th for Alcohol and Common Victuallers License Requested by Renee Whitney & Nicole Runyan from Pinehurst Tavern Email from Lt. Coffey dated 10/15/25, Email from Pinehurst Tavern dated 10/14/25
- 9. Discussion and Approval of a "Turkey Trot" Road Race on Thursday, November 27, 2025 Requested by Diana Saunders of the 250th Committee Email from D. Saunders dated 10/14/25, Email from R. Frost dated 10/16/25, Email from F. Russell dated 10/16/25

Appointments

- 10. Zoning Board of Appeals Regular Member
 - **d. Joseph Shaw** Application dated 09/25/25
 - e. John LaFauci (Current Associate Member) Application dated 09/29/25
 - f. Kelly Sardina Application dated 10/02/25

Presentation

11. Mass Development – C-PACE Opt In Program – Discussion and Possible vote on a Resolution – Requested by Planning Director Katherin Malgieri – Presentation dated October 2025, Resolution dated 06/26/20, Assignment Agreement dated July 2020



Committee Reports

Old Business

- 12. Discussion and Possible Vote on Information Regarding Roads and Sidewalks Originally Requested by Member Favreau Memo from F. Russell dated 09/05/25
- 13. Discussion and Possible Vote of Spring 2001 Town Meeting Warrant Article #10 Requested by Vice Chair Burrows 2001 Annual STM Article 10, Email from J. Burrows dated 10/14/25, Parker/Whiting Street Neighborhood Meeting dated 09/17/25
- 14. 250th Committee Update Requested by the Select Board No Exhibits
- 15. Town Manager's Report Dated 10/17/25
- 16. Draft 2026 Select Board Meeting Schedule Draft 2026 Select Board Meeting Schedule undated
- 17. Town Counsel Approval of Final Contract with Harrington Heep Requested by the Town Counsel Sub-Committee Contract Undated

New Business

- 18. Discussion and Possible Vote on Adding a Welcome to Billerica Champions Signs Requested by Vice Chair Burrows Email from J. Pavidis dated 10/08/25
- 19. Discussion and Possible Vote on a Digital Signs for Town Updates Requested by Chair Pavidis—Email from J. Pavidis dated 10/09/25
- 20. Discussion and Possible Vote –Ban of Crypto/Bitcoin ATMs in the Town of Billerica Requested by Chair Pavidis City of Gloucester Certificate of vote dated 09/23/25, Waltham Police Department post dated 10/15/25, City of Waltham Article XVII dated 08/04/25
- 21. Discussion of the 2025 Annual Overdose Awareness Vigil Requested by Member Favreau– Flyer undated
- 22. Update of Select Board Policies and Procedures Section 20.1 1st Reading Requested by Member Rosa Section 20.0 dated 06/16/25

Approval of Meeting Minutes

- 23. June 16, 2025 Regular Meeting- Minutes undated
- 24. June 26, 2025 Special Meeting- Minutes undated

Meeting Schedule

November 3, 2025 and November 17, 2025

Approved On:	