

TOWN OF BILLERICA

PRELIMINARY WARRANT



**ANNUAL SPRING
TOWN MEETING**

**Annual Spring Town Meeting
Thursday, May 7, 2026 at 7:00 PM**

Billerica Town Hall Auditorium

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
1	To Set Compensation of Elected Officials (Town Clerk)	\$96,962.02	Raise & Appropriate from Available Funds	Finance Committee	Reserves Recommendation
2	To Set Compensation of Elected Officials (Select Board)	\$9,200	Raise & Appropriate from Available Funds	Finance Committee	Reserves Recommendation
3	To Hear Reports of Town Departments, Committees & Officers			Town Manager; authorized by Select Board	Reserves Recommendation

Financial Articles

4	Fiscal Year 2026 Budget Amendment	\$525,000	Transfer from General Fund Free Cash	Town Manager; authorized by Select Board	Reserves Recommendation
5	To Fund Collective Bargaining Agreement – AFSCME Council 93 Clerical Employees		Raise and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
6	To Fund Collective Bargaining Agreement – NEPBA Police Officers – Group (A) Patrolmen		Raise and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
7	To Fund Collective Bargaining Agreement – NEPBA Police Officers – Group (B) Superior Officers		Raise and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
8	To Fund Collective Bargaining Agreement – IAFF Firefighters		Raise and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
9	To Fund Collective Bargaining Agreement – IAFF Civilian Fire Alarm Operators		Raise and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
10	To Fund Collective Bargaining Agreement – BPAA Billerica Professional Administrators Association		Raise and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
11	To Fund Collective Bargaining Agreement – Teamsters Local 25 DPW Employees		Raise and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
12	Fiscal Year 2027 Town and School Budgets	\$216,660,805	Raise & Appropriate from Available Funds	Finance Committee	Reserves Recommendation
13	Fiscal Year 2027 Water Enterprise Budget	\$7,100,384	Raise & Appropriate from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation
14	Fiscal Year 2027 Sewer Enterprise Budget	\$9,889,971	Raise & Appropriate from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation
15	To Allow the Town Manager and Finance Committee to Transfer Funds			Finance Committee	Reserves Recommendation

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
16	To Authorize Departmental Revolving Funds			Town Manager; authorized by Select Board and School Committee	Reserves Recommendation
17	To Fund Peg Access Cable Television Services	\$213,892.64	Transfer and Appropriate from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation
18	Community Preservation Committee Budget and Project Recommendations	\$483,067 \$1,150,000	Raise and Appropriate from Community Preservation Act Funds	Community Preservation Committee	Reserves Recommendation
19	To Rescind and/or Transfer Prior Borrowing Authorizations	\$1,050,000	Transfer and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
20	To Transfer and Appropriate a Sum of Money from the Opioid Settlement Stabilization Fund to Fund Various Opioid-Related Items	\$40,000	Transfer and Appropriate from the Opioid Settlement Stabilization Fund	Town Manager; authorized by Select Board	Reserves Recommendation
21	250 th Anniversary Funding	\$35,000	Transfer from General Fund Free Cash	250 th Anniversary Committee	Reserves Recommendation
22	To Fund a Feasibility Study on Behalf of the Shawsheen Valley Technical High School	\$554,002	Raise and Appropriate and/or Transfer	Shawsheen Valley Technical High School Committee	Reserves Recommendation
23	To Fund DPW Equipment	\$305,000	Transfer from Available Funds	Town Manager; authorized by Select Board	Reserves Recommendation
24	To Fund the Lowell Street and Concord River Crossing Sewer Rehabilitation Project	\$3,100,000	Raise and Appropriate, Transfer or Borrow	Town Manager; authorized by Select Board	Reserves Recommendation
25	To Fund Inspection and Smoke Testing in Accordance with the Sewer System Evaluation Survey (SSES)	\$1,100,000	Transfer and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
26	To Fund the Inflow and Infiltration Removal Project	\$250,000	Transfer and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
27	To Fund Replacement of a Secondary Treatment Aeration Blower	\$175,000	Transfer and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
28	To Fund Conversion of Emulsion Style Polymer to a Dry Polymer Used in the Coagulation/Magnetite (COMAG) Treatment Process	\$250,000	Transfer and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation
29	To Fund Restoration of Historic Headstones	\$15,000	Transfer and Appropriate	Town Manager; authorized by Select Board	Reserves Recommendation

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
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Land Use and Easement Articles

30	To Authorize the Select Board to Accept Roads as Public Ways			Town Manager; authorized by Select Board	Reserves Recommendation
31	To Grant an Easement to National Grid for Electric Distribution for the New North Billerica Fire Station			Town Manager; authorized by Select Board	Reserves Recommendation
32	To Grant an Easement to National Grid for Gas Distribution for the New North Billerica Fire Station			Town Manager; authorized by Select Board	Reserves Recommendation

General By-Law Articles

33	To Adopt a General By-Law Establishing Procedures for the Debarment of Contractors, Subcontractors and Vendors Found in Violation of Massachusetts Labor Laws			Selectman John Burrows	Reserves Recommendation
34	To Amend General By-Law, Section 20.4, Town Manager Screening Committee			Selectman Michael Rosa	Reserves Recommendation
35	Prohibition of Cryptocurrency on Automated Teller Machines			Town Manager; authorized by Select Board	Reserves Recommendation

Zoning By-Law Articles

36	To Vote to Amend the Zoning By-Law Section 11.11, MBTA Communities Multifamily Overlay District (MCMOD)			Planning Board	Reserves Recommendation
37	To Vote to Amend the Zoning By-Law Section 4.7			Planning Board	Reserves Recommendation

School Committee Foster Care Transportation Reimbursement Article

38	ESSA Foster Care Transportation Reimbursement			School Committee	Reserves Recommendation
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Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
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Elected Officials Articles

39	To Transfer from the Select Board to the Conservation Commission for a Conservation Restriction with a Deed Restriction			Selectman Michael Rosa	Reserves Recommendation
40	To Transfer from the Select Board to the Conservation Commission for a Conservation Restriction with a Deed Restriction			Selectman Michael Rosa	Reserves Recommendation
41	To Transfer a Parcel of Land Known as Cidermill Property to the Select Board for Active and Passive Recreation, Open Space and Conservation Purposes			Selectman Daniel Darris-O'Connor	Reserves Recommendation

PRELIMINARY WARRANT
2026 ANNUAL SPRING TOWN MEETING

Middlesex, ss.
To Any Constable in the Town of Billerica

Greetings,

You are hereby authorized and requested to notify and warn the inhabitants of said Town of Billerica qualified by law to vote in Elections and Town Affairs, to meet at the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA on Thursday, May 7, 2026 at 7:00 PM and subsequent Thursdays and Tuesdays until all of the business in the Warrant shall have been acted upon, then and there to vote on the following articles:

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

To see if the Town will vote to fix the compensation of the Town Clerk and determine any salary increase that shall become effective July 1, 2026; or act in relation thereto.

Town Clerk - \$96,962.02 a Year

Submitted by the Finance Committee

Finance Committee has not made final recommendation.

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

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

To see if the Town will vote to fix the compensation of the Select Board and determine any salary increase that shall become effective July 1, 2026; or act in relation thereto.

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

Submitted by the Finance Committee

Finance Committee has not made final recommendation.

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

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

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

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

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

ARTICLE 4 - FISCAL YEAR 2026 BUDGET AMENDMENT

To see if the Town will vote to transfer from General Fund Free Cash the sum of \$525,000 to amend various budgets for Fiscal Year 2026 as follows:

ACCOUNT	BEGINNING BUDGET	CHANGE	REVISED BUDGET
UTILITIES-ELECTRIC	\$1,976,640	\$350,000	\$2,326,640
VETERAN BENEFIT	\$150,000	\$35,000	\$185,000
POSTAGE	\$97,008	\$40,000	\$137,008
RETIREMENTS	\$200,000	\$100,000	\$300,000

Or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 4 Explanation: This article is to amend certain lines in the FY26 Budget. The increase in the utilities- electric line reflects rising electricity costs and higher operational demand across municipal facilities. The increase in the Veteran Benefit budget supports the growing needs of veterans and their families. Rising housing, healthcare and cost-of-living expenses have increased the level of assistance required. The increase in the Postage line reflects higher postal service rates and continued demand for mailed communications. Official notices, billing, election materials and regulatory mailings remain legally required to be delivered via mail. The increase in the Retirements budget accounts for anticipated employee retirements and associated contractual obligations

ARTICLE 5 - TO FUND COLLECTIVE BARGAINING AGREEMENT – AFSCME COUNCIL 93 CLERICAL EMPLOYEES

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town and the AFSCME Council 93 Clerical Employees; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

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

ARTICLE 6 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE OFFICERS - GROUP (A) PATROLMEN

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

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

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

ARTICLE 7 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE OFFICERS - GROUP (B) SUPERIOR OFFICERS

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

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

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

ARTICLE 8 - TO FUND COLLECTIVE BARGAINING AGREEMENT – IAFF FIREFIGHTERS

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

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

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

ARTICLE 9 - TO FUND COLLECTIVE BARGAINING AGREEMENT – IAFF CIVILIAN FIRE ALARM OPERATORS

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town and the IAFF (International Association of Firefighters) Civilian Fire Alarm Operators; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

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

ARTICLE 10 - TO FUND COLLECTIVE BARGAINING AGREEMENT – BPAA BILLERICA PROFESSIONAL ADMINISTRATORS ASSOCIATION

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

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 10 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

**ARTICLE 11 - TO FUND COLLECTIVE BARGAINING AGREEMENT – TEAMSTERS
LOCAL 25 DPW EMPLOYEES**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items contained in the successor Collective Bargaining Agreement between the Town and the Teamsters Local 25 DPW Employees; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

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

ARTICLE 12 - FISCAL YEAR 2027 TOWN AND SCHOOL BUDGETS

To see if the Town will vote to adopt, pursuant to Article 5 of the Billerica Home Rule Charter, the proposed following line-item budget for Fiscal Year beginning July 1, 2026 and ending June 30, 2027. It is anticipated that \$41,157 will be transferred from the Hallenborg Rink Fund and \$100,000 will be transferred from the road betterment (Middlesex Corp. Park) to fund a portion of the Debt Service Budget.

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

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

Submitted by the Finance Committee

Finance Committee has not yet made final recommendation.

Article 12 Explanation: The detailed budget presentation will be available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>. This article is a placeholder.

ARTICLE 13 - FISCAL YEAR 2027 WATER ENTERPRISE BUDGET

To see if the Town will vote to raise and appropriate the sum of \$7,100,384 to operate the Water Enterprise Fund pursuant to M.G.L. Chapter 44 Section 53 F ½ for the fiscal year beginning July 1, 2026 and ending June 30, 2027; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 13 Explanation: This is a Water Enterprise Budget as voted pursuant to Article 29 of the October 2015 Annual Fall Town Meeting. This budget will be funded by water user fees. The line-item budget is arranged to show the actual expenditures for three prior fiscal years, the current budget and the proposed budget for the ensuing fiscal year. It is summarized by Town agency, function and/or program including any proposed capital expenditures. The preceding budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the General Public for inspection in the Town Manager's Office, the Public Library and the Town Clerk's Office. This information is also available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>. This article is a placeholder.

ARTICLE 14 - FISCAL YEAR 2027 SEWER ENTERPRISE BUDGET

To see if the Town will vote to raise and appropriate the sum of \$9,889,971 to operate the Sewer Enterprise Fund pursuant to M.G.L. Chapter 44 Section 53 F ½ for the fiscal year beginning July 1, 2026 and ending June 30, 2027; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 14 Explanation: This is a Wastewater Enterprise Budget as voted pursuant to Article 30 of the October 2015 Annual Fall Town Meeting. This budget will be funded by general tax revenue and water user fees. The line-item budget is arranged to show the actual expenditures for three prior years, the current budget and the proposed budget for the ensuing fiscal year. It is summarized by Town agency, function and/or program including any proposed capital expenditures. The preceding budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the general public for inspection in the Town Manager's Office, the Public Library and the Town Clerk's Office. This information is also available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>. This article is a placeholder.

ARTICLE 15 - TO ALLOW THE TOWN MANAGER AND FINANCE COMMITTEE TO TRANSFER FUNDS

To see if the Town will vote to allow the Town Manager, upon request of a Department Head, Board or Commission, to make a transfer of funds between budget line items not-to-exceed a difference of \$5,000 from the amount voted at Town Meeting per line item for Fiscal Year 2027, with the exclusion of travel accounts, within the same department. Transfers within department line items in-excess-of \$5,000 for Fiscal Year 2027 must be approved by the Finance Committee. A written report from the Town Manager on all transfers of \$5,000 and under must be provided to the Finance Committee on the first Tuesday of each month; or act in relation thereto.

Submitted by the Finance Committee

Finance Committee has not made final recommendation.

Article 15 Explanation: This article gives the Town Manager the authority to transfer funds between budget line items within a particular department, not-to-exceed \$5,000 per fiscal year. If the amount exceeds \$5,000, the article gives the authority to make such a transfer with the Finance Committee's approval.

ARTICLE 16 - TO AUTHORIZE DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Subsection 53E1/2, as most recently amended, to set Fiscal Year 2027 spending limits for revolving funds as follows:

<u>REVOLVING FUND</u>	<u>FY 2027 SPENDING LIMIT</u>
Animal Control	\$5,000
Inspectional Service Emergency Overtime	\$10,000
Wetlands By-Law	\$30,000
C.O.A. Programs	\$100,000
BEAM Program	\$2,000,000
Respite Care	\$120,000
Flu Shot Program	\$50,000

Or act in relation thereto.

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

Finance Committee has not yet made final recommendation.

Article 16 Explanation: Revolving Funds are allowed under M.G.L. Chapter 44, Section 53E ½ and must be established by By-Law. Under the statute, as most recently amended, Town Meeting must authorize the funding limit of Revolving Funds each year.

ARTICLE 17 - TO FUND PEG ACCESS CABLE TELEVISION SERVICES

To see if the Town will vote to transfer and appropriate the sum of \$213,892.64 from the PEG Access and Cable Related Fund to be provided to BATV for support of PEG Access Cable Television Services; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 17 Explanation: Mass General Laws Chapter 44, Section 53F ³/₄ requires that PEG Access Funds need to be appropriated at Town Meeting. The Town created the PEG Access and Cable Related Fund as part of Article 35 at the May 2019 Town Meeting.

ARTICLE 18 - COMMUNITY PRESERVATION COMMITTEE BUDGET

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

Appropriations:	Administrative Budget	\$ 55,000
	Debt Service Budget	\$ 937,428
Reserves:	Community Housing Special Fund Balance	\$ 15,757
	Historic Preservation Special Fund Balance	\$
	Open Space and Recreation Special Fund Balance	\$
	Unreserved Fund Balance	\$ 141,815

And further, to determine whether the Town will vote to transfer from the Community Preservation Fund or otherwise fund for community preservation purposes the sum of \$483,067 shown below for the referenced projects; and, in connection therewith, to authorize the Select Board to acquire any interests in land that may be necessary to effectuate the purposes of this vote, or to grant any interests in land as may be necessary to comply with M.G.L. Chapter 44B; and further, to authorize the Select Board to execute any documents or instruments necessary to effectuate the purpose of this article; all in accordance with Massachusetts General Laws Chapter 44B or other applicable law; with sums appropriated hereunder to be expended under the direction of the Town Manager:

<u>Community Housing</u>		
Project	Funding Source	Amount
Habitat For Humanity Construction	Community Housing	\$ 120,000
NMCOG Regional Housing	Community Housing	\$ 36,067
	Total	\$ 156,067
<u>Historic Preservation</u>		
Project	Funding Source	Amount
Bennet Library Association	Undesignated FB	\$ 47,000
<u>Open Space & Recreation</u>		
Project	Funding Source	Amount
BMX Track Association	Undesignated FB	\$ 30,000
Recreation Dept Phase 2	Undesignated FB	\$ 250,000
	Total	\$ 280,000
	TOTAL	\$ 483,067

Or act in relation thereto.

Submitted by the Community Preservation Committee

Finance Committee has not yet made final recommendation.

ARTICLE 19 - TO RESCIND AND/OR TRANSFER PRIOR BORROWING AUTHORIZATIONS

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

TM SPRING 2024 ARTICLE 24	I&I Removal Project	\$ 250,000
TM FALL 2024 ARTICLE 19	TREATMENT AIR BLOWER	\$ 800,000

Or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 19 Explanation: This article rescinds previous borrowing authorizations:

At Spring 24 Town Meeting Article 24 an appropriation of \$1,600,000 was approved for construction to reduce Inflow and Infiltration (I/I) from the Town’s wastewater collections system. This article proposes rescinding \$250,000 of the approved funding.

At Fall 24 Town Meeting Article 19 an appropriation of \$800,000 was approved to fund the replacement of one of three Secondary Treatment Aeration Blowers. This article proposes rescinding the approved funding due to anticipated costs coming lower. The replacement of the aeration blower has been a multi-stage process over the years.

ARTICLE 20 - TO TRANSFER AND APPROPRIATE A SUM OF MONEY FROM THE OPIOID SETTLEMENT STABILIZATION FUND TO FUND VARIOUS OPIOID-RELATED ITEMS

To see if the Town will vote to transfer and appropriate \$40,000 from the Opioid Settlement Stabilization Fund to fund the position of a Crisis Clinician in the Police Department.

Or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 20 Explanation: Since approximately 2016, the Billerica Police has been working with its contiguous communities to provide a master's level Licensed Clinical Social Worker (LCSW) to assist its police officers in crisis response. These clinicians have been critical in assisting our officers in the process of crisis de-escalation, especially for those suffering from some form of psychosis, substance use disorder, emotional challenge, or other symptoms impacting their ability to self-regulate. As we have seen nationwide, police are asked to respond to a vast array of emergency calls that require a complex set of skills. Having a Crisis Clinician as part of our team significantly improves outcomes for all involved, especially those in need of emergency assistance.

ARTICLE 21 - 250TH ANNIVERSARY FUNDING

To see if the Town will vote to appropriate from the General Fund Free Cash or other available funds the sum of \$35,000 for the planning of public safety, equipment and sanitation protocols in preparation for the celebration of the Town of Billerica's 250th Anniversary, said funds to be expended under the direction of the Billerica 250th Anniversary Committee; or act in relation thereto.

Certification of Vote: This petition was approved by vote of the Billerica 250th Anniversary Committee at a duly posted meeting held on 3/10/26. The Motion passed with 8 votes in favor, 0 opposed and 3 members not present.

Submitted by the Billerica 250th Anniversary Committee

Finance Committee has not yet made final recommendation.

ARTICLE 22 - TO FUND A FEASIBILITY STUDY ON BEHALF OF THE SHAWSHEEN VALLEY TECHNICAL HIGH SCHOOL

To see if the Town of Billerica will raise and appropriate and/or transfer \$554,002 for Shawsheen Valley Regional Vocational Technical School District, for the sole purpose of paying costs of a Feasibility Study on behalf of the Shawsheen Valley Technical High School, located at 100 Cook Street, Billerica, MA 01821, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the School Building Committee for Shawsheen Valley Regional Vocational Technical School District. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Study shall be as set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA; or act in relation thereto.

Motion: That the Town of Billerica hereby raises and appropriates and/or transfers \$554,002 for Shawsheen Valley Regional Vocational Technical School District, for the sole purpose of paying costs of a Feasibility Study on behalf of the Shawsheen Valley Technical High School, located at 100 Cook Street, Billerica, MA 01821, including the payment of all costs incidental or related thereto (the "Study"), and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the School Building Committee for Shawsheen Valley Regional Vocational Technical School District; that the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that District may receive from the MSBA for the Study shall be as set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA and that the amount of funding authorized by the District shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA.

Submitted by the Shawsheen Valley Technical High School Committee

Finance Committee has not yet made final recommendation.

ARTICLE 23 - TO FUND DPW EQUIPMENT

To transfer and appropriate from various funds the sum of \$305,000 for the purchase and equipping of the following department vehicles/equipment:

To transfer and appropriate from General Fund Free Cash the sum of \$30,000 for the purchase and equipping of the following department Equipment

Varitech 500 Gallon Liquid tank w/spray bar	\$30,000.00
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To transfer and appropriate from Water Retained Earnings Enterprise Fund the sum of \$230,000.00 for the purchase and equipping of the following department vehicles:

2026 Chevrolet 5500 Crane Truck (addition to fleet):	\$230,00.00
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To transfer and appropriate from Cemetery Sale of Lots the sum of \$45,000.00 for the purchase and equipping of the following department vehicles:

2026 Walker Z997M mower	\$45,000.00
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To replace the following vehicles:

2019 Walker MT25i mower

Or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 23 Explanation: This article proposes to appropriate money from this source to fund the purchasing of vehicles.

ARTICLE 24 - TO FUND THE LOWELL STREET AND CONCORD RIVER CROSSING SEWER REHABILITATION PROJECT

To see if the Town will vote to raise and appropriate, transfer, or borrow and/or authorize the Select Board to borrow from the Massachusetts Clean Water Trust the sum of \$3,100,000 in funding needed for the Lowell Street and Concord River Crossing Sewer Rehabilitation Project; or act in relation thereto, including the adoption of the following vote: Voted: That \$3,100,000 is appropriated for the purpose of financing the design and construction of Lowell Street and Concord River Crossing Sewer Rehabilitation Project including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow \$3,100,000 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Select Board determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c.78; that the Treasurer with the approval of the Select Board is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, c.78; and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Select Board is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project costs/expenses; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 24 Explanation: This article proposes to appropriate money to fund the design, rehabilitation and replacement of deteriorating sewer infrastructure along Lowell Street, including approximately 2,300 feet of 10-inch, 12-inch, and 14-inch sewer pipe. Immediately downstream, the sewer crosses the Concord River via 300 feet of 14-inch cast iron pipe to the Ilford Pump Station. These pipes exhibit known structural defects and capacity restrictions that compromise the efficiency and reliability of the Town's wastewater collection system.

ARTICLE 25 - TO FUND INSPECTION AND SMOKE TESTING IN ACCORDANCE WITH THE SEWER SYSTEM EVALUATION SURVEY (SSES)

To see if the Town will vote to transfer and appropriate the sum of \$1,100,000 from Wastewater Retained Earnings to fund the CIP Project 1 Smoke Testing & Sewer System Evaluation Survey (SSES); or act in relation thereto. This work is a result of the Flow Monitoring Program performed in 2025.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 25 Explanation: The proposed work will systematically evaluate the condition and performance of targeted portions of the sewer collection system through engineering analysis, field investigation, and data assessment. The project will identify structural deficiencies, capacity bottlenecks, and operational limitations that can be addressed through rehabilitation or targeted improvements. The resulting recommendations will allow the Town to strategically invest in infrastructure upgrades that increase usable capacity and extend the service life of existing assets.

ARTICLE 26 - TO FUND THE INFLOW AND INFILTRATION REMOVAL PROJECT

To see if the Town will vote to transfer and appropriate the sum of \$250,000 from Wastewater Retained Earnings for the rehabilitation and construction to reduce Inflow and Infiltration (I/I) from the Town's Wastewater Collections System; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 26 Explanation: This article proposes to approve funding for rehabilitation and construction to reduce Inflow and Infiltration (I/I) from the Town's Wastewater Collections System as determined by closed-circuit television inspection performed by Wastewater Division Staff.

ARTICLE 27 - TO FUND REPLACEMENT OF A SECONDARY TREATMENT AERATION BLOWER

To see if the Town will vote to transfer and appropriate the sum of \$175,000 from Wastewater Retained Earnings, to fund the replacement of a Secondary Treatment Aeration Blower including any costs incidental; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 27 Explanation: This article proposes to approve funding for the replacement of one of three Secondary Treatment Aeration Blowers that is 12+ years old (2012), and unable to obtain replacement parts.

ARTICLE 28 - TO FUND CONVERSION OF EMULSION STYLE POLYMER TO A DRY POLYMER USED IN THE COAGULATION/MAGNETITE (COMAG) TREATMENT PROCESS

To see if the Town will vote to transfer and appropriate the sum of \$250,000 from Wastewater Retained Earnings, to fund conversion of Emulsion Style polymer to a Dry Polymer used in the Coagulation/Magnetite (CoMag) Treatment Process; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 28 Explanation: The Wastewater Resource Recovery Facility (WRRF) has experienced issues with Whole Effluent Toxicity (WET) testing, which is required by the EPA and Massachusetts DEP. After two years of testing and consultation with experts, it was determined that the emulsion-based polymer currently used at the plant is contributing to these issues. Switching to a dry polymer will eliminate polymer as a potential source of WET test failures, reduce operating costs (currently about \$17,000 per year), and eliminate leftover emulsifying agents that must otherwise be managed and disposed of.

ARTICLE 29 - TO FUND RESTORATION OF HISTORIC HEADSTONES

To see if the Town will vote to transfer and appropriate from Cemetery Sale of Lots the sum of \$15,000 for the preserving, repairing, and restoring the historic monuments within Town cemeteries; or act in relation thereto.

Submitted by the Town Manager, authorized by the Select Board

Finance Committee has not made final recommendation.

Article 29 Explanation: This article proposes to clean, repair and reset approximately 71 damaged historic markers/headstones, each representing a vital piece of our community's history.

ARTICLE 30 - TO AUTHORIZE THE SELECT BOARD TO ACCEPT ROADS AS PUBLIC WAYS

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

Bear Hill Road, from Handel Road to cul-de-sac, approximate length 1,370' and 50' width right of way, as depicted on the plan entitled '*Existing Condition, Bear Hill Road - Billerica, MA*', dated August 23, 2002, prepared by Allen & Major Associates, Inc. (Engineering Division Plan B-4-153, Sheets 1 & 2)

Cady Street, from Friendship Street to dead end, approximate length 265' and 30' width right of way, as depicted on the plan entitled '*Cady Street, Billerica, Massachusetts - Street Layout and Acceptance Plan Prepared for the Town of Billerica*', dated March 18, 2026, prepared by GCG Associates, Inc. (Engineering Division Plan B-5-223, Sheet 1)

Islington Street, from Fourth Avenue to Second Avenue, approximate length 1,240' and 40' width right of way, as depicted on the plan entitled '*Islington Street, Billerica Massachusetts - Street Layout and Acceptance Plan Prepared for the Town of Billerica*', dated January 27, 2026, prepared by GCG Associates, Inc. (Engineering Division Plan B-5-224, Sheet 1)

Rhodes Street, from Lake Street 610' north and from Friendship Street to dead end, approximate length 282' and 30' width right of way, as depicted on the plan entitled '*Rhodes Street, Billerica, Massachusetts - Street Layout and Acceptance Plan Prepared for the Town of Billerica*', dated March 18, 2026, prepared by GCG Associates, Inc. (Engineering Division Plan B-5-225, Sheets 1 through 5)

Silversmith Way, from Village Lane to cul-de-sac, approximate length 415' and 50' width right of way, as depicted on the plan entitled '*Silversmith Way, Billerica, Massachusetts - Street Layout and Acceptance Plan Prepared for the Town of Billerica*', dated January 27, 2026, prepared by GCG Associates, Inc. (Engineering Division Plan B-5-226, Sheet 1)

Village Lane, from High Street to cul-de-sac, approximate length 990' and 50' width right of way, as depicted on the plan entitled '*Village Lane, Billerica Massachusetts - Street Layout and Acceptance Plan Prepared for the Town of Billerica*', dated January 27, 2026, prepared by GCG Associates, Inc. (Engineering Division Plan B-5-227 Sheet 1)

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not made final recommendation.

Article 30 Explanation: The Town is committed to continuing the acceptance of previously unaccepted roadways. This list of roads was developed from citizen requests.

ARTICLE 31 - TO GRANT AN EASEMENT TO NATIONAL GRID FOR ELECTRIC DISTRIBUTION FOR THE NEW NORTH BILLERICA FIRE STATION

To see if the Town will vote to authorize the Select Board to grant an easement to National Grid to set poles and attachments for the purpose of providing power and maintaining same located at 176 Boston Road (new North Billerica Fire Station), Plate 15, Parcel 131; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 31 Explanation: This article authorizes the Select Board to establish a permanent easement for Electric Service to the new North Billerica Fire Station.

ARTICLE 32 - TO GRANT AN EASEMENT TO NATIONAL GRID FOR GAS DISTRIBUTION FOR THE NEW NORTH BILLERICA FIRE STATION

To see if the Town will vote to authorize the Select Board to grant an easement to National Grid to install pipes and attachments for the purpose of providing natural gas service and maintaining same located at 176 Boston Road (new North Billerica Fire Station), Plate 15, Parcel 131; or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 32 Explanation: This article authorizes the Select Board to establish a permanent easement for Gas Service to the new North Billerica Fire Station.

ARTICLE 33 - TO ADOPT A GENERAL BY-LAW ESTABLISHING PROCEDURES FOR THE DEBARMENT OF CONTRACTORS, SUBCONTRACTORS AND VENDORS FOUND IN VIOLATION OF MASSACHUSETTS LABOR LAWS

To see if the Town will vote to adopt a General By-Law establishing procedures for the debarment of contractors, subcontractors, and vendors found in violation of Massachusetts labor laws; or act in relation thereto.

Proposed By-Law (Revised)

1. Grounds for Debarment

Any contractor, subcontractor, or vendor that has been subject to a final, non-appealable determination by the Massachusetts Department of Labor Standards, the Massachusetts Attorney General's Office, or a court of competent jurisdiction for violations of Massachusetts labor laws, including but not limited to prevailing wage violations (M.G.L. c. 149, §§ 26–27), wage theft, employee misclassification, or failure to maintain required payroll records, may be subject to debarment.

2. Debarment Period

Debarment shall prohibit the contractor, subcontractor, or vendor from bidding on, being awarded, or performing work on any Town contract for a period of up to three (3) years, as determined by the Town Manager.

3. Scope of Application

This By-Law shall apply to:

- Contractors and subcontractors performing public works projects;
- Vendors providing goods or services to the Town; and
- Any entity operating as a successor, joint venture, or under a different business name where ownership or management substantially overlaps with a debarred entity.

4. Determination and Administration

The Town Manager, or their designee, shall administer and enforce this By-Law, including maintaining a list of debarred entities and reviewing documentation of violations, consistent with applicable procurement laws, including M.G.L. c. 30B and public construction statutes.

5. Due Process

Prior to debarment, the contractor or vendor shall be provided:

- Written notice of the proposed debarment and the basis for such action; and
- An opportunity to respond in writing and request a hearing within a reasonable period of time.

6. Waiver

The Town Manager may waive the application of this By-Law in writing where it is determined to be in the best interest of the Town due to exigent circumstances or lack of available qualified bidders. Any such waiver shall be documented and made part of the public record.

7. Severability

If any provision of this By-Law is held invalid, the remaining provisions shall remain in full force and effect.

Submitted by John Burrows, Select Board Member

Finance Committee has not yet made final recommendation.

ARTICLE 34 - TO AMEND GENERAL BY-LAW, SECTION 20.4, TOWN MANAGER SCREENING COMMITTEE

To see if the Town will vote to amend the General By-Law, Section 20.4, Town Manager Screening Committee, by inserting the bold underlined text and deleting the strike through text as follows, or act in relation thereto:

Procedure to fill a vacancy for the Town Manager – Whenever a vacancy occurs in the position of Town Manager or when a vacancy can be anticipated, the **Select Board** ~~Board of Selectmen~~ shall forthwith notify in writing the Town Clerk, the School Committee, the Planning Board, the Finance Committee, the Personnel Board, the Chairmen of the Precinct Delegations and the Committee on Rules. ~~Forthwith~~ Following said notification **within 10 business days**, members of these agencies shall meet in separate sessions to choose persons to serve as members of a committee to screen applicants for the office of Town Manager. Members of the TMSC shall be appointed as follows:

Select Board Board of Selectmen	two (2) members
School Committee	two (2) members
Planning Board	two (2) members
Finance Committee	two (2) members
Committee on Rules	one (1) member
Personnel Board	one (1) member
Chairmen of the Precinct Delegations	three (3) members

Persons chosen by each of the said agencies may, but need not be members of the agency by which they are selected to serve. Not more than fourteen (14) days following the date of said notification to the Town Clerk, the thirteen (13) members of the Screening Committee, chosen as provided above, shall meet to organize and to plan for a process for the solicitation by appropriate means to attract suitable candidates for the position of Town Manager.

The Screening Committee shall review all applications for the position of Town Manager as may be received by it, screen all applications, and provide for interviews to be conducted with such number of candidates for the position as it may deem to be necessary or desirable.

~~Not more than~~ **Within** one hundred and fifty (150) days following the date of **the appointment of the full Screening Committee**, ~~said notification to the Town Clerk,~~ **the Screening Committee will have their first meeting within 7 days of the final appointment.** The Screening Committee shall submit to the **Select Board** ~~Board of Selectmen~~ the names of not less than three (3) and not more than five (5) candidates whom it believes to be best suited to perform the duties of the office. Within thirty (30) days following the date the list of nominees is submitted to it, the **Select Board** ~~Board of Selectmen~~ shall choose one of the said nominees to serve as Town Manager. In the event the **Select Board** ~~Board of Selectmen~~ shall fail to act on such appointment within the said thirty (30) days, the first name on the list as submitted by the Screening Committee shall be deemed to have been appointed.

Submitted by Michael S. Rosa, Select Board

Finance Committee has not yet made final recommendation.

ARTICLE 35 - PROHIBITION OF CRYPTOCURRENCY ON AUTOMATED TELLER MACHINES

Section 1. Purpose and Intent

The purpose of this By-Law 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 By-Law, 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 By-Law shall be enforced by the Billerica Police Department.
2. Each day a violation exists shall constitute a separate offense.
3. Any violation of this By-Law 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 By-Law 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 By-Law shall take effect upon approval by the Attorney General of the Commonwealth of Massachusetts and its subsequent posting and publication as required by law.

Or act in relation thereto.

Submitted by the Town Manager; authorized by the Select Board

Finance Committee has not yet made final recommendation.

Article 35 Explanation: This article proposes banning cryptocurrency ATMs in the Town of Billerica to protect residents from fraud and scams, which local police report are frequently associated with these machines. The By-Law prohibits the installation and operation of crypto ATMs town-wide, assigns enforcement to the Billerica Police Department and establishes a \$300 per day fine for violations. This proposed article is intended to enhance consumer protection and public safety.

ARTICLE 36 - TO VOTE TO AMEND THE ZONING BY-LAW SECTION 11.11, MBTA COMMUNITIES MULTIFAMILY OVERLAY DISTRICT (MCMOD)

To see if the Town will vote to amend Section 11.11, MBTA Communities Multifamily Overlay District (MCMOD), of the Billerica Zoning By-Law by deleting the strike-through text and inserting the bold text as follows; or act in relation thereto:

11.11.D.3. Accessory Uses. The following uses are considered accessory as of right to any of the permitted uses in Section 11.11.D.

- a. Parking, **in accordance with Section 10.1 and** including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use.

And to further amend

11.11.G.2.d. Location of Parking. Parking, either surface or structured, is not allowed between a building and the front yard lot line. On a corner lot, parking is not allowed between the building and **either street frontage** ~~the front and side yard lot lines.~~

And to further add

11.11.G.2.i. Green Strips and Screening. The site design shall comply with Green Strips and Screening requirements, as found in Section 8.3.E.

Submitted by Planning Board

Finance Committee has not yet made final recommendation.

Article 36 Explanation: The Planning Board has completed their review of the first project within the newly adopted MBTA Communities Multifamily Overlay District. In doing so, they believe these three edits to the standards will help them apply the same quality and predictability of design standards to all sites in town, regardless of zone. Specifically,

Referencing Section 10.1's parking lot standards makes townwide standards like minimum parking space dimensions and landscaping visibly applicable.

Altering the Location of Parking restriction from front and side "yards" to "either street frontage" clarifies the intent to place parking areas behind buildings as it relates to public ways (the area known as "side yards" on corner lots according to Section 8.3.C.1).

Referencing Section 8.3.E's green strips and screening requirements makes townwide standards like landscaped areas around lot perimeters and building perimeters visibly applicable.

ARTICLE 37 - TO VOTE TO AMEND THE ZONING BY-LAW SECTION 4.7

To see if the Town will vote to amend Section 4.7 Site Plan Approval of the Zoning By-Laws (Fall 2025) by deleting the strike through text and inserting the underlined text as follows; or act in relation thereto:

4.7 Site Plan ~~Approval~~ Review

- A. Purpose. ~~This section of the By-Law encourages well-planned site developments that are~~ The purpose of site plan review is to ensure that development occurs in a manner that is harmonious with established land uses, circulation systems, and the natural environment in the Town, in addition to being efficient in function and maintaining or improving public health and safety. This section provides requirements for three tiers of review to provide an objective, efficient, predictable, and equitable review process.
- B. Objectives. The objectives of Site Plan Review include:
1. Protection of adjoining premises on the site;
 2. Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets, property, or improvements;
 3. Adequacy of the methods for disposal of sewage, refuse, and other waste resulting from the uses permitted or permissible on the site;
 4. Adequacy of surface water drainage including protection of groundwater;
 5. Adequacy of ingress and egress;
 6. Adequacy of off-street loading and unloading of vehicles, goods, products, and materials incidental to the uses permitted or permissible on the site;
 7. Adequacy of lighting such that all lighting and other sources of illumination, whether interior or exterior, and all intense light emanating from operations or equipment shall be shielded from direct view at normal eye level from adjacent properties;
 8. Adequacy of landscaping and open space to screen, buffer, and separate adjoining uses;
 9. Compatibility with the surrounding neighborhood including size and character of the proposed buildings and site improvements; well-designed site planning which acts to enhance and highlight site features and the surrounding neighborhood; and buildings which not only relate functionally and aesthetically to each other but also which are sensitive to the context of the surrounding area.
 10. Preservation of historic buildings and sites including their renovation, conversion and alteration.
- C. ~~Site Plan Review Special Permit Granting Authority. The SPGA for Section 4.7 shall be the Board designated in Table 1, the Table of Use Regulations.~~

Applicability. Site plan review is required for the construction, exterior alteration, or change of use of any nonresidential, mixed-use, or multi-family building or structure, and for certain site improvements as defined in the Planning Board's Rules and Regulations.

Applications shall be reviewed at one of three tiers, determined by the following thresholds. If a site plan application meets the qualifications of multiple tier categories, the highest applicable tier shall govern.

1. Administrative Site Plan Review. An administrative site plan review is required for any of the following types of improvements:
 - a. New nonresidential, mixed-use, or multi-family construction of less than 1,000 square feet gross floor area;
 - b. Additions between 500 and 999 square feet gross floor area to an existing nonresidential, mixed-use, or multi-family structure;
 - c. A change of use with no increase in parking or traffic demand;
 - d. Construction or expansion of a commercial parking lot by up to four parking spaces;
 - e. The restriping of an existing parking area;
 - f. Any plan resulting in a site disturbance of less than 2,500 square feet;
 - g. Installation of a solar energy system when site plan review is required; or

Modifications to properties with prior site plan approval that have been determined to be a minor change, and the plan has yet to be built out.

2. Minor Site Plan Review. A minor site plan review is required for any of the following types of improvements:
 - a. New nonresidential, mixed-use, or multi-family construction between 1,000 square feet and 4,999 square feet gross floor area;
 - b. Additions between 1,000 square feet and 2,499 square feet gross floor area to an existing nonresidential, mixed-use, or multi-family structure;
 - c. A change of use that increases traffic or parking demand;
 - d. A commercial parking lot that adds between 5 and 14 new parking spaces, either through new construction or expansion;
 - e. Any plan resulting in a site disturbance between 2,500 square feet and 9,999 square feet; or

Modifications to properties with prior site plan approval that have been determined to be a significant change, and the plan has yet to be built out.

3. Major Site Plan Review. A major site plan review is required for any of the following types of improvements:
 - a. New nonresidential, mixed-use, or multi-family construction of 5,000 square feet gross floor area or larger;
 - b. Additions of 2,500 gross floor area or more to an existing nonresidential, mixed-use, or multi-family structure;
 - c. Any project requiring a special permit from the Planning Board;

- d. Construction or expansion of a commercial parking lot or structure by 15 or more parking spaces;
- e. Any plan resulting in a site disturbance of 10,000 square feet or more;
- f. Any plan resulting in site alterations that make changes to public sidewalks;
- g. Any plan resulting in site alterations that require new curb cuts or traffic generating uses;

Modifications to properties with prior site plan approval that have been determined to be a significant change, and the plan has been built out.

4. Exemptions. The following shall be exempt from site plan review:

- a. Any additions to an existing nonresidential, mixed-use, or multi-family structure of less than 500 square feet gross floor area;
- b. Temporary uses; and

Single family homes.

D. ~~Applicability. Site Plan Review approval is required for all uses listed as subject to site plan approval as set forth in the Table of Use Regulations.~~

Review Authority and Coordination with Other Permits.

Upon review the Site Plan Review application for completeness, the Planning and Community Development Department staff shall determine the tier of review and whether review by the Zoning Board of Appeals is required. Staff may consult with the Building Commissioner in this determination.

- 1. Review authority: There shall be administrative site plan review, minor site plan review, and major site plan review. Administrative procedures and details related to these tiers of review are outlined in §4.7.F.
- 2. Special permit and site plan review. Where an activity or use requires both site plan review and one or more special permits the Planning Board shall be the Special Permit Granting Authority. When both a special permit and site plan review are required, they shall be considered together under the provisions of §4.7.
- 3. Variances and site plan review. Where a project requires both a variance and site plan approval, the variance shall be obtained from the Zoning Board of Appeals prior to submission of an application for Site Plan Review to the Planning Board. The Planning Board shall not accept or act upon a site plan that depends upon zoning relief not yet granted. The Planning Board may submit comments and recommendations to the Zoning Board of Appeals prior to their public hearing.

E. ~~Application Requirements. The applicant shall file the following information together with an Application and the required filing fee as set forth in the rules of the SPGA:~~

- A. ~~Form: A Civil Engineer, registered in Massachusetts, shall prepare and certify the site plan, which shall be clearly and legibly drawn on mylar to a maximum scale of 1" = 40'.~~

- B. ~~Size of Plan: All sheets that make up the original plan shall be 24" x 36".~~
- C. ~~Number of Copies: The applicant shall provide copies of each plan for purposes of review by other boards, agencies, officers, and outside consultants, as designated in the SPGA Rules. The number of copies to be provided shall be set forth in the SPGA Rules.~~
- D. ~~Contents: A site plan and supporting documents shall at a minimum show the following information:~~
- ~~a. Metes and bounds of the property, area of the property, north point, scale, and date;~~
 - ~~b. Name, address, and signature of the person preparing the site plan stamped with that person's Massachusetts Registration number and seal;~~
 - ~~c. Name and address of the record owner or owners of the property and street address of the property with street number, if one exists at the time of application;~~
 - ~~d. Names of all abutters to the property as they appear in the most recent certified tax list;~~
 - ~~e. The existing topography of the land at two (2) foot contour intervals, Mean Sea Level Datum;~~
 - ~~f. Location, width, and names of all existing and proposed streets that affect the property and are within 100 feet of the property;~~
 - ~~g. Location and width of all existing and proposed easements that affect the property;~~
 - ~~h. Existing and proposed carrying capacity and level of service of the streets that serve the property;~~
 - ~~i. Location and outline of all existing and proposed buildings and structures on the property;~~
 - ~~j. The basement and first floor elevations, the height, and use of all existing and proposed buildings on the property;~~
 - ~~k. Location and outline of cesspools, septic tanks, leaching areas, and wells on the property;~~
 - ~~l. Location and outline of existing public sewers available to serve the site;~~
 - ~~m. Location and outline of proposed access to trunk lines, capacity of the trunk lines, and available increases in flow;~~
 - ~~n. The location of all present and proposed utility systems, including sewage disposal; water supply lines; and telephone, cable, and electrical lines;~~
 - ~~o. Location, size, and type of all existing and proposed storm drains, culverts, catch basins, headwalls, invert elevations and depths, endwalls, hydrants, manholes, drainage swales, percolation tests, storm drainage, and drainage facilities, including adjacent existing waterways and drainage ditches to serve the site and with all calculations for the proposed drainage system;~~
 - ~~p. Profiles of the proposed drainage system together with details of all proposed structures.~~
 - ~~q. An illumination plan showing the location, height, intensity, and bulb type (e.g., fluoresceent, sodium, incandescent) of all external lighting fixtures, and including the direction and illumination and methods proposed to eliminate glare onto adjoining properties;~~
 - ~~r. The location, height, size, and design of all proposed signage;~~
 - ~~s. The location, type of surface, and type of screening of rubbish collection areas and type of container(s);~~

- t. ~~The location of existing major site features, such as rock ridges, ledge outcroppings, wetlands, water retention or detention areas, brooks, bodies of water, waterways or canals, tree lines, and isolated trees to be cleared that are of a 12-inch diameter or greater;~~
- u. ~~A landscape plan showing all buffer areas and the size and type of plant materials to be provided and indicating all proposed changes to existing major site features.~~
- v. ~~The proposed finished topography of the site at two (2) foot contour intervals, Mean Sea Level Datum;~~
- w. ~~The location and description of a permanent type bench mark on or adjacent to the property;~~
- x. ~~The location and description of the bench mark used in establishing the topography;~~
- y. ~~Zoning classification for the property and zoning district lines if the property lies in one or more zoning districts or abuts a zoning district;~~
- z. ~~Where applicable, the location of wetlands and flood plain protection district boundaries;~~
- aa. ~~Description of plans to prevent erosion of soil during and after construction, excessive run-off, and flooding of other properties, if applicable;~~
- bb. ~~The location and type of surface of all existing and proposed parking areas, loading areas, maneuvering areas, driveways, fire lanes, accesses, and walkways, which shall include wheelchair ramps and crosswalks;~~
- cc. ~~The delineation of each parking space, showing the size of a typical parking space for domestic and imported cars, block totals for number of spaces, with the final number of parking spaces noted on the plan in an obvious place;~~
- dd. ~~Traffic flow patterns within site entrances and exits and existing and proposed daily and peak traffic and street capacity levels of ingress and egress streets and drives; site distances of ingress and egress streets and drives onto adjacent streets; loading and unloading areas on the site; and curb cuts on the site and within 100 feet of the site;~~
- ce. ~~For new construction or alterations to any existing building or structure, the area of the building or structure to be used for the proposed use or uses; maximum number of employees; and where applicable, maximum seating capacity; and identification of any federal or state permits required for the project.~~
- ff. ~~A description of the hours of operation of the proposed use.~~
- gg. ~~Deed: A copy of the owner's deed giving a legal description of the site or other evidence of authority or interest of the applicant, whenever the applicant is not the owner of the subject property, such as an executed purchase and sales agreement or appointment as agent of the owner.~~
- hh. ~~Other Permits: Copies of existing variances or special permits applicable to the property, including the book and page reference with the Middlesex North Registry of Deeds.~~

Site Plan Review of Exempt Religious, Educational, Child Care Uses, and Large-Scale Solar Energy Uses.

1. Applicability. Religious and educational uses, Day Care Centers, and school age childcare programs, and Large-Scale Solar Energy Systems, as those uses are defined in this By-Law; which are partially excepted from local zoning regulation by M.G.L. Chapter 40A, §3, shall be

subject to a modified Site Plan Review process as specified by the rules and regulations outlined in this section. The thresholds for tiered site plan review shall apply to these uses.

2. Procedures.
 - a. Demonstration of Qualification. In order to qualify for the modified Site Plan Review standards in §4.7.H, an applicant must satisfy the Building Commissioner that the use is exempt under M.G.L. Ch. 40A, §3.

General Review Procedure. Site Plan Review for these uses shall be reviewed by the Planning Board, with specific review criteria specified in §4.7.H.

- ~~F. Approval Process. A site plan special permit shall be subject to the approval process set forth in the rules adopted by the SPGA. This may require a Technical Review performed by an engineer or other applicable consultant and may include an Architectural Review of those issues called out elsewhere in this section.~~

Procedures.

1. Applicants shall submit an application for site plan approval to the Planning Board in accordance with the Planning Board Rules and Regulations.
2. The Planning Board or its designee shall review and act upon the site plan, requiring such conditions as necessary to satisfy the Review Standards, and notify the applicant in writing of its decision.
 - a. Administrative Site Plan Review: the Planning Board's designee(s) shall render a decision within 45 calendar days of receipt of a complete accepted application, unless extended by mutual agreement. The Planning Board designee(s) may refer administrative site plan review projects to the Planning Board if it is the determination of the designee that the potential impacts of the project require review by the Planning Board. The applicant may also request Planning Board review.
 - b. Minor Site Plan Review: Conducted by the Planning Board at a regularly scheduled or special meeting. The Board shall render a decision within 60 calendar days of a complete accepted application unless extended by mutual agreement.
 - c. Major site plan review. Conducted by the Planning Board at a noticed and advertised public hearing in accordance with MGL c.40A, §11. The Planning Board may employ peer review services for major site plan review, in accordance with the Planning Board Rules and Regulations. The Planning Board will hold a public hearing within 65 calendar days of receipt of a complete accepted application, and shall render a decision within 150 calendar days from the date of submission of a complete application, unless extended by mutual agreement.
3. Security for Site Plan Approval. As a condition of granting site plan approval, the SPGA may require that the performance of the conditions and observance of the safeguards and limitations imposed on the project be secured by a proper bond or a deposit of money or negotiable

security sufficient in the opinion of the SPGA to secure performance of the conditions and observance of the safeguards and limitations of such site plan approval.

4. Failure of the applicable body or its respective designee(s) to act within the required time periods shall be deemed constructive approval.
The applicant may request, and the Planning Board may grant by majority vote as constituted, an extension of the time limits set forth herein.

~~G. Review Criteria. In making its decision, the SPGA shall consider the following:~~

- ~~1. Buildings, Structures, and Site Character: All buildings, structures, and uses of the property shall comply with the use and special permit requirements and dimensional, parking and loading, and signs and lighting regulations of this By Law.. Any property subject to a variance shall comply with the provisions of the variance and need not comply with the section of the Zoning By Law that was varied. Unless otherwise provided by this By Law, any change, substantial extension of a use, reconstruction, extension, or alteration of a pre-existing nonconforming building, structure, or use that requires site plan approval shall comply with this section.~~
- ~~2. Traffic: Adequate access shall be provided to serve the proposed use, building, or structure. Adequate access shall include provision for emergency and fire access and convenient and safe vehicular and pedestrian movements within the site and in relationship to adjoining streets and surrounding properties.~~
- ~~3. Parking, Loading, and Lighting: Safe and adequate parking, lighting, internal traffic control, and off-street loading and unloading shall be provided to permit normal operation of the proposed use.~~
- ~~4. Storm Water and Site Drainage: All storm water and site drainage shall comply with the requirements of any Town By-Laws or rules and regulations pertaining to storm water and site drainage, other than Subdivision Rules and Regulations.~~
- ~~5. Utilities: All utilities shall comply with the requirements of any Town By-Laws or rules and regulations pertaining to utilities. Moreover, all utilities shall be designed in accordance with the requirements of the utility company to which they are associated.~~
- ~~6. Town Services: Unreasonable demands shall not be placed on Town services and infrastructure.~~
- ~~7. Vegetation and Landscaping: Whenever possible, existing vegetation and landscaping amenities shall be preserved to lessen the impact of the proposed use, building, or structure on surrounding properties, and the proposed use, building, and structure shall be integrated into the existing landscape through use of vegetative buffers, introduction of plant materials, slope protection, and retention of open space.~~

~~Wetlands: The issuance of a site plan approval special permit shall be conditioned on obtaining and complying with any Order of Conditions issued by the Billerica Conservation Commission under the Wetlands Protection Act, G.L., c. 131 and on the Rules and Regulations of the Billerica Board of Health.~~

Building Permit. An application for a building permit shall be accompanied by an approved site plan. The applicant shall satisfy or comply with all conditions of the site plan review decision prior to the issuance a building permit except for those conditions that by their terms are intended to be satisfied during construction or later. No building permit shall be issued by the Building Commissioner without the written approval of the site plan by the Planning Board.

1. Unless specifically authorized by the terms of the site plan review decision, a final certificate of occupancy shall not be issued until the applicant has complied with or satisfied all conditions of the site plan review decision and the Building Commissioner has notified the Planning Board of such determination.

~~H. Security for Site Plan Approval Special Permits. The SPGA, as a condition of granting a site plan approval special permit may require that the performance of the conditions and observance of the safeguards and limitations imposed on the special permit be secured by a proper bond or a deposit of money or negotiable security sufficient in the opinion of the SPGA to secure performance of the conditions and observance of the safeguards and limitations of such special permit.~~

General Review Standards. The Planning Board in its regulations shall establish standards for site plan review of activities and uses that will at a minimum address the following:

1. Siting of facilities;
2. Open space, natural features, and the landscape;
3. Wetlands;
4. Circulation and connectivity;
5. Safe, effective and efficient transportation systems;
6. Protection of surface and ground water quality;
7. Signage; and
8. Public safety.

~~I. Effective Date. No site plan approval special permit or any modification, extension or renewal thereof shall take effect until a copy of the decision has been recorded in the Middlesex North Registry of Deeds. The decision shall bear the certification of the Town Clerk that 20 days has elapsed after the decision has been filed in the office of the Town Clerk and that no appeal has been filed, or if an appeal has been filed, it has been dismissed or denied.~~

Waivers. The Planning Board may, upon written request of the applicant, waive or modify strict compliance with the submission requirements or general review standards if it finds that such waiver is in the public interest and consistent with the intent and purposes of this section.

~~J. Time Limitation and Required Report on Site Plan Approval Special Permit. A site plan approval special permit shall lapse if a substantial use thereof has not commenced except for good cause or, in the case of a permit for construction, if construction has not commenced except for good cause within a period to be specified by the SPGA, not to exceed two years from the date of grant thereof.~~

Lapse. Site plan approval shall lapse if substantial use or construction has not commenced within the following time frames:

1. Administrative Site Plan Review: substantial use or construction has not commenced within two (2) years of the date of approval
2. Minor Site Plan Review: substantial use or construction has not commenced within three (3) years of the date of approval
3. Major Site Plan Review: substantial use or construction has not commenced within three (3) years of the date of approval, or if construction has not been substantially completed within six (6) years after such commencement except for good cause.

Approvals may, for good cause, be extended in writing by the Planning Board upon the written request of the applicant.

K. Regulations. The Planning Board shall adopt and may amend Rules and Regulations consistent with this section to provide detailed submission requirements, application procedures, design standards, and review timelines.

L. Effective Date. No site plan approval ~~special permit~~ or any modification, extension or renewal thereof shall take effect until the following a copy of the decision has been recorded in the Middlesex North Registry of Deeds. The decision shall bear the certification of the Town Clerk that 20 days has elapsed after the decision has been filed in the office of the Town Clerk and that no appeal has been filed, or if an appeal has been filed, it has been dismissed or denied.

M. ~~Appeal. An appeal from a decision of the SPGA may be taken in accordance with G.L. c. 40A, § 17.~~ Any decision of the Planning Board or its designee(s) pursuant to this §4.7 shall be appealed in accordance with G.L. c. 40A, s. 17.

And to further amend the following sections to account for the changes in Section 4.7 Site Plan Approval

Section 6.2.E: Use Regulations, General

E. Site plan review is required for the construction, exterior alteration, or change of use of any nonresidential, mixed-use, or multi-family building or structure, and for certain site improvements specified under Section 4.7. ~~Any non-residential building with an aggregate sum of 5,000 square feet gross floor area or greater per site shall require site plan approval special permit by the Planning Board. This includes any additions to an existing, non-residential building that increases the aggregate sum of the gross floor area to more than 5,000 square feet per lot.~~

Section 6.3.B Table of Use Regulations, DELETE:

~~SA — A use requiring a special permit and site plan approval from the Planning Board~~

Section 6.5.C.1.d.(i) Special Regulations for Solar Energy Conversion Systems (SECS), AMEND reference to:

~~“A, B, E (except subsection 1), G, I, J, and K”~~ to “Section 4.7”

Section 6.5.C.2.c.(i) Special Regulations for Solar Energy Conversion Systems (SECS), AMEND reference to:

~~“A, B, E (except subsection 1), G, I, J, and K”~~ to “Section 4.7”

Section 8.3 General Regulations, subsection E.7, Green Strips and Screening, AMEND reference to:

~~“Special Permit”~~ to “Review”

Section 11.7, Mill Conversion and Reuse Overlay District (MCROD), subsection D., AMEND:

Special Permit. Uses other than those allowed within the underlying zone(s) require a special permit pursuant to Section 4.3 by the Planning Board and a Site Plan approval by the Planning Board pursuant to Section 4.7 of this By-Law. No other uses or structures shall be permitted in conjunction with a project except as specifically stated herein.

Section 11.7, Mill Conversion and Reuse Overlay District (MCROD), subsection F.1.a AMEND:

(i) A site plan and all supporting documents, as set forth in Section 4.7 of this By-Law and pursuant to the Planning Board Rules and Regulations.

~~(ii) A plan at a scale of 1” = 40’ showing the topography of the site at a minimum of two-foot contour intervals. The plan must use the Massachusetts State Plane (NAD 83) coordinate system and include vegetation and special features including wetlands, perennial streams and ponds, waterways, waterfalls, canals and dams, trees of more than 8 inches caliper, rock outcroppings, slopes in excess of fifteen percent (15%), existing and proposed trails and walkways, vistas, structures of historical importance, biological or wildlife habitats, and proposed and existing conservation or recreation easements.~~

~~(iii) A plan illustrating preliminary landscaping and architectural design, showing types, locations and layout of buildings and elevations as well as the general height, bulk and appearance of structures. Perspectives may be required at Board’s discretion.~~

~~(iv)~~ ii) A floor plan to scale for each floor of each building indicating where applicable, the number of units by type, the number of bedrooms per dwelling unit, the proposed use(s) of floor space and the location of affordable dwelling units.

(viii) A plan for the care, custody and control of all dams, canals and water rights located on the site or owned or controlled by the applicant.

Section 11.8 Medical Marijuana Overlay District (MMOD), subsection F, AMEND:

Exemption from RMD Special Permit Requirement. RMDs that demonstrate they are protected pursuant to the agricultural exemption under G.L. c.40A §3 are not required to obtain a special permit but shall apply for Site Plan Review ~~Approval~~ pursuant to Section 4.7 of this By-Law.

Submitted by the Planning Board

Finance Committee has not yet made final recommendation.

Article 37 Explanation: Current Site Plan regulations are triggered by one criteria: that a building be over 5,000sf. At that point, a public hearing with extensive review costs and a requirement for a special permit discretionary finding are imposed, regardless of how simple the scope may be, and if the use is otherwise permitted by right. This trigger does not account for significant site work alone, nor for buildings less than 5,000sf. It also does not address modifications to existing sites.

The Town contracted with Barrett Planning Group in 2024 for a Zoning Diagnostic Report, which provided two specific recommendations on this topic: to uncouple the requirement for a special permit in the Site Plan section (where special permits are already required or not based on the Table of Uses) and to consider adopting “tiers” of site plan review, such as a minor/administrative and a major which could better balance the intensity of review to the scope of the proposal.

The Town contracted with Northern Middlesex Council of Governments (NMCOG) through a grant for District Local Technical Assistance to address these issues and recommendations. The proposed By-Law is a result of this work and will streamline the site plan review process, reduce unnecessary delays for small projects, reinforce Billerica as a business-friendly community, and align the Town with best practices in zoning and land use regulation.

ARTICLE 38 - ESSA FOSTER CARE TRANSPORTATION REIMBURSEMENT

To see if the Town of Billerica will vote to authorize the Superintendent of the Billerica Public Schools to enter into Memoranda of Understanding (“MOUs”) with the Massachusetts Executive Office of Health and Human Services (“EOHHS”), Department of Elementary and Secondary Education (“DESE”), and/or the Department of Children and Families (“DCF”) in order for the Billerica Public Schools to receive Federal reimbursements for transportation of students in foster care under the Federal Title IV-E Claiming of Transportation Expenditures for Children in Foster Care Program and to authorize that payments for foster care transportation under the MOUs will be made from the reimbursement(s) recovered as a result of the foster care transportation services being performed without appropriation of such reimbursements pursuant to M.G.L. c. 44, § 70; and to authorize the Superintendent to otherwise act in accordance with the MOUs and M.G.L. c. 44, § 70 relative to foster care transportation and reimbursement therefore; or act in relation thereto.

Submitted by the Billerica School Committee

Finance Committee has not yet made final recommendation.

Article 38 Explanation: Following the School Committee’s affirmative vote on January 20, 2026, and the Select Board’s vote on February 2, 2026, this Article ensures the Billerica Public Schools can enter into said agreements with EOHHS, DESE and DCF, so that the School District can be eligible to receive Federal Title IV-E reimbursements for transporting children in foster care to their school or origin, which transportation is required by the Federal Every Student Succeeds Act (“ESSA”).

Suggested Motion: *I move that the School Committee authorize the Superintendent to submit the aforementioned warrant article for the FY2027 Annual Town Meeting: to authorize the ESSA Transportation Claiming Memorandum of Understanding; and further, to authorize Town Counsel to make any necessary non-substantive changes to the language of said articles as may be required.*

ARTICLE 39 - TO TRANSFER FROM THE SELECT BOARD TO THE CONSERVATION COMMISSION FOR A CONSERVATION RESTRICTION WITH A DEED RESTRICTION

To see if the Town will vote to transfer from the Select Board to the Conservation Commission for a conservation restriction with a deed restriction authorizes the Town the right of the installation of utilities, to include but not be limited water and sewer lines and supporting infrastructure. The subsequent installation of those utilities will be installed by the Town of Billerica; or act in relation thereto.

100-168-0, 100-169-0, 100-170-0, 100-171-2, 100-172-0, 100-174-0, 100-176-0,
100-185-0, 100-186-0, 100-188-0, 100-190-0, 100-191-0, 100-192-0, 100-29-0, 100-30-0,
100-32-0, 100-34-0, 100-35-0, 100-36-0, 100-38-0, 100-39-0, 100-40-0, 100-41-1,
100-41-3, 100-44-0, 100-46-0, 100-47-0, 100-48-0, 100-50-0, 100-51-0, 100-52-0,
100-53-0, 99-516-0, 99-518-0, 99-519-0, 100-162-0, 100-163-0, 100-164-0, 100-178-0,
100-179-0, 100-182-0, 106-3-0

Submitted by Michael S. Rosa, Select Board Member

Finance Committee has not yet made final recommendation.

ARTICLE 40 - TO TRANSFER FROM THE SELECT BOARD TO THE CONSERVATION COMMISSION FOR A CONSERVATION RESTRICTION WITH A DEED RESTRICTION

To see if the Town will vote to transfer from the Select Board to the Conservation Commission for a conservation restriction with a deed restriction authorizes the Town the right of the installation of utilities, to include but not be limited water and sewer lines and supporting infrastructure. The subsequent installation of those utilities will be installed by the Town of Billerica; or act in relation thereto.

Map 59 parcel 80-0 & 85-0
Map 90 parcel 119-0, 121-0 & 218-0
Ma 102 parcel 1-0

Submitted by Michael S. Rosa, Select Board Member

Finance Committee has not yet made final recommendation.

ARTICLE 41 - TO TRANSFER A PARCEL OF LAND KNOWN AS CIDERMILL PROPERTY TO THE SELECT BOARD FOR ACTIVE AND PASSIVE RECREATION, OPEN SPACE AND CONSERVATION PURPOSES

To see if the Town will vote, pursuant to G.L. Chapter 40, Subsection 15A, to transfer a certain parcel of land known as the Cidermill Property, located off of Andover Road, containing 41.03 acres, more or less, and described in a deed recorded with the Middlesex Registry of Deeds in Book 35347, Page 53, and also shown on Assessors Map 51 as Parcels 75-0, 60-27 and 54-3, to the Select Board for active and passive recreation, open space, and conservation purposes, including, but not limited to, the construction and installation of playground equipment, seating, bleachers, and buildings containing bathrooms, meeting space, and equipment-storage, as well as the installation of utilities and facilities necessary to support the uses allowed on the site, and whereby such parcel shall be subject to the protections of Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts and G.L. Chapter 3, Subsection 5A; or act in relation thereto.

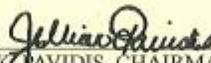
Submitted by Daniel Darris-O'Connor, Select Board Member

Finance Committee has not made final recommendation.

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

Given under our hands this 26th day of March 2026.

SELECT BOARD OF BILLERICA



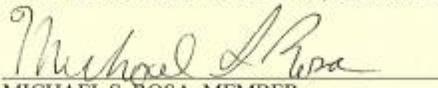
 JILLIAN K. DAVIDIS, CHAIRMAN



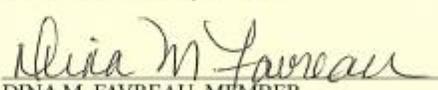
 JOHN J. BURROWS, VICE CHAIRMAN



 DANIEL R. DARRIS-O'CONNOR, SECRETARY

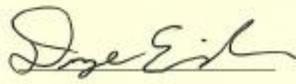


 MICHAEL S. ROSA, MEMBER



 DINA M. FAVREAU, MEMBER

A true copy attest



 Constable, Town of Billerica