SELECT BOARD

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

RECEIVED
2026 APR -6 A 9:45
TOWN CLERK
BILLERICA

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

SELECT BOARD AGENDA
APRIL 9, 2026 5:00 PM
This meeting was previously scheduled for April 6, 2026, and has been rescheduled.
365 BOSTON ROAD, THOMAS CONWAY HEARING ROOM #205 AND HYBRID

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

phone 1-929-205-6099

1. **Call to Order 5:00 PM**
2. **Pledge Allegiance**
3. **Executive Session**

Separate Zoom will be distributed to applicants attending Executive Session to eligible participants only

a. Executive Session Pursuant to M.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

b. Executive Session Pursuant to M.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 CRT Development Realty, LLC vs. Billerica Historic Districts Commission - Middlesex Superior Court Docket #2681CV00689

4. **Open Microphone**

In accordance with the Massachusetts Open Meeting Law (M.G.L. c. 30A), the Select Board will not deliberate on matters not listed on the agenda.

5. **Announcements**

a. Vacancies on Boards and Committees
b. All other announcements may be viewed on the Town of Billerica website

6. **Consent**

a. Gift acceptance- From-Thomas & Suzanna Fedorka-$250.00-Library- For the Library's (Children Dept.)
b. Gift acceptance- From Ronald McCarthy-$100.00-Veterans- Utilization for Veterans (Events)
c. Gift Acceptance- From Billerica Christmas Parade-$1750.00-Veterans-Supporting Veterans
d. Gift acceptance -From Lowell Five Bank-$1500.00-Town Accountant-(Food Assistance)
e. Appointment- Annette Nazziwa-Billerica Scholarship Committee (Term ending 6/30/28)
f. Appointment- Marlies Henderson-Billerica Historic Commission (Term ending 6/30/28)

g. Appointment- Keith Lavon-Alternate Billerica Historic Commission (Term ending 06/30/27)
h. Appointment- Meaghen Murphy-Alternate-Historic District Commission (Term Ending 06/30/29)
i. Citation- James Tildsey
j. Common Victualler- Starbucks-480 Boston Road
k. Common Victualler- Dave's Hot Chicken-480 Boston Road
l. Common Victualler- Subway-480 Boston Road

7. Public Hearing

a. **Continued-National Grid/Verizon-WO# 31250342 - (Bayberry Lane)** Public hearing on a petition to install two (2) new joint utility poles and relocate one (1) existing pole with anchors to provide service to 21 Bayberry Lane, pursuant to M.G.L. c. 166, §§ 21 and 22 and Select Board Policy 42.0

b. **Piyan Corporation d/b/a Easy Liquors, 240 Nashua Road, Unit A**

Request for approval of a Change of Manager, Officers/Directors, and Stock Ownership for a Section 15 All Alcohol Package Store License.

8. New Business (Quick Items)

a. Northern Middlesex Regional Housing Service Office (NMRHSO) Intermunicipal Agreement Approval
b. Discussion and Vote on prior MOA regarding healthcare
c. Statements of Interest (SOI) for the Locke Middle School (priority site) and the Marshall Middle School (non-priority site) for your review and approval.

9. New Business

a. AFSCME Contract-Review of Ratified Contract

10. Old Business

a. Champions Signs - Select Board Subcommittee Discussion and Possible Vote

11. Town Manager's Report

12. Meeting Schedule

April 27, 2026 & May 4, 2026

13. Adjournment

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https://us02web.zoom.us/j/83477138002
phone 1 929 205 6099

SELECT BOARD AGENDA
APRIL 6, 2026 5:00 PM
365 BOSTON ROAD, THOMAS CONWAY HEARING ROOM #205 AND HYBRID

CANCELLED

RECEIVED
2026 APR -6 A 8:38
TOWN CLERK
BILLERICA

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RECEIVED
2026 APR -2 P 3:04
TOWN CLERK
BILLERICA

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Daniel R. Darris-O'Connor, *Secretary*
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SELECT BOARD AGENDA
APRIL 6, 2026 5:00 PM
365 BOSTON ROAD, THOMAS CONWAY HEARING ROOM #205 AND HYBRID

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   Pledge of Allegiance

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8. **New Business**

a. AFSCME Contract-Review of Ratified Contract

9. **Old Business**

a. Champions Signs - Select Board Subcommittee Update

10. **Town Manger's Report**

11. **Meeting Schedule**
April 27, 2026 & May 4, 2026

12. **Adjournment**

VACANCIES ON BOARDS AND COMMITTEES

SELECT BOARD APPOINTMENTS

COMMITTEE	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
Historic District Commission	4-Alternate Members*	3 year term
Electronic Voting Committee	2 – Members	2027
Fence Viewer	2 Positions	2027
Historic Commission	1 – Member* 1 – Member (Alternate)*	2028 2027
Local Cultural Council	1 – Member	2027
Municipal Affordable Housing Trust	1 – Member (Attorney) 1 – Member (Banker) 1 – Resident 1 – Resident 1 – Member (Realtor) 1 – Member Housing Authority Rep **6 TOTAL**	2027 2026 2026 2027 2027 2026
Scholarship Committee	4 – Members*	2028

4/6/26- These will be appointed tonight
2 Applications for Historic Commission
1 Application for Historic District Commission
1 Application for Scholarship Committee

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Michael S. Rosa, *Member*
Dina M. Favreau, *Member*

GIFT ACCEPTANCE FORM

TO: **Town Accountant**

FROM: **Joe St. Germain / Billerica Public Library** Department Head/Department

The above officer or department has requested acceptance of the following gift pursuant to Massachusetts General Laws, Chapter 44, Section 53A and further requests that the Select Board authorize the expenditure of funds for the stated purpose.

Name of Party Offering Gift:	Thomas and Suzanne Fedorka
Address of Gift Giver:	242 Andover Road Billerica, MA 01821
Amount of the Gift: $	**$250.00**
Purpose for Which Gift Has Been Offered:	To be used by the Library's Children's Department.
Purpose for which Gift will be Expended:	Will be used by the Library's Children's Department.

Letter Accompanying Gift Attached - See attached.

APPROVAL OF RECEIPT AND EXPENDITURE OF GIFT BY THE SELECT BOARD

At a meeting of the Select Board on _____, the Select Board voted to authorize the expenditure of gift funds for the purpose described above.

Jillian K. Pavidis, Chair

John J. Burrows, Vice Chair

Daniel R. Darris-O'Connor, Secretary

Michael S. Rosa, Member

Dina M. Favreau, Member

Town Manager: _____ Date_____

America's Yankee Doodle Town

Thomas and Suzanne Fedorka
242 Andover Rd
Billerica, Ma 01821

City of Billerica

To Whom It May Concern,

We would like to donate $250 (check 2261) to the Children's section of the Billerica Public Library to spend on whatever may be needed. This donation is done in the memory of our daughter,
Amanda Rosalind Fedorka, who died 38 years ago, just prior to birth. This is a donation we have made annually to the library (4 different states and cities) in whatever town we resided without any issue.

If this cannot be accomplished and would simply disappear into public monies, please let us know so that we can make alternate arrangements for Amanda's annual birthday memorial.

Sincerely,

2/14/26

Suzanne A. Fedorka 2/14/26

Thomas and Suzanne Fedorka

a

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GIFT ACCEPTANCE FORM

TO: Town Accountant

FROM: VETERANS SERVICES DEPARTMENT Department Head/Department

The above officer or department has requested acceptance of the following gift pursuant to Massachusetts General Laws, Chapter 44, Section 53A and further requests that the Select Board authorize the expenditure of funds for the stated purpose.

Name of Party Offering Gift:	RONALD MCCARTHY
Address of Gift Giver:	1527 WEST LAKE AINSLIE RD. INVERNESS NS CA
Amount of the Gift: $	$100.00
Purpose for Which Gift Has Been Offered:	DONATION TO OFFICE FOR VETERAN EVENTS
Purpose for which Gift will be Expended:	UTILIZATION FOR VETERANS EVENT

Letter Accompanying Gift Attached

APPROVAL OF RECEIPT AND EXPENDITURE OF GIFT BY THE SELECT BOARD

At a meeting of the Select Board on _____, the Select Board voted to authorize the expenditure of gift funds for the purpose described above.

Jillian K. Pavidis, Chair

John J. Burrows, Vice Chair

Daniel R. Darris-O'Connor, Secretary

Michael S. Rosa, Member

Dina M. Favreau, Member

Town Manager: _____ Date_____

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GIFT ACCEPTANCE FORM

TO: Town Accountant

FROM: VETERANS Department Head/Department

The above officer or department has requested acceptance of the following gift pursuant to Massachusetts General Laws, Chapter 44, Section 53A and further requests that the Select Board authorize the expenditure of funds for the stated purpose.

Name of Party Offering Gift:	BILLERICA CHRISTMAS PARADE
Address of Gift Giver:	876 BOSTON RD, BILLERICA
Amount of the Gift: $	1,750
Purpose for Which Gift Has Been Offered:	DONATION
Purpose for which Gift will be Expended:	SUPPORT VETERANS

Letter Accompanying Gift Attached

APPROVAL OF RECEIPT AND EXPENDITURE OF GIFT BY THE SELECT BOARD

At a meeting of the Select Board on _____, the Select Board voted to authorize the expenditure of gift funds for the purpose described above.

Jillian K. Pavidis, Chair

John J. Burrows, Vice Chair

Daniel R. Darris-O'Connor, Secretary

Michael S. Rosa, Member

Dina M. Favreau, Member

Town Manager: _____ Date_____

America's Yankee Doodle Town

C

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John J. Burrows, *Member*
Dina M. Favreau, *Member*
Daniel R. Darris-O'Connor, *Member*

GIFT ACCEPTANCE FORM

TO: Town Accountant

FROM: Lowell Five Elanie Russo, Treasurer

The above officer or department has requested acceptance of the following gift pursuant to Massachusetts General Laws, Chapter 44, Section 53A and further requests that the Select Board authorize the expenditure of funds for the stated purpose.

Name of Party Offering Gift:	Lowell Five
Address of Gift Giver:	P.O. Box 440 Lowell, MA 01853
Amount of the Gift: $	**$1500.00**
Purpose for Which Gift Has Been Offered:	Food Assistance
Purpose for which Gift will be Expended:	Food Assistance

Letter Accompanying Gift Attached

APPROVAL OF RECEIPT AND EXPENDITURE OF GIFT BY THE SELECT BOARD

At a meeting of the Select Board on _____, the Select Board voted to authorize the expenditure of gift funds for the purpose described above.

Michael S. Rosa, Member

Jillian K. Pavidis, Chair

John J. Burrows, Vice Chair

Dina M. Favreau, Member

Daniel R. Darris-O'Connor, Secretary

Town Manager: _____ Date_____

LOWELL FIVE BANK

30 International Place
Tewksbury, MA 01876
TEL 978.452.1300
www.lowellfive.com

December 31, 2025

Town of Billerica
Attn: Elaine Russo, Treasurer
365 Boston Road
Billerica, MA 01821

Dear Treasurer Russo,

Lowell Five would like to acknowledge our community partners with a donation gift to show our gratitude in our surrounding towns and to ***Thank You*** for your relationship with Lowell Five Bank.

On behalf of the Lowell Five Executive Board and Senior Management, we are pleased to present you with the enclosed donation of $1,500. You are welcome to use the funds at your discretion; however, we are hoping the focus this year can be to provide food assistance for those in need within our community.

Sincerely,

Kathleen M. DeChirico

Executive Administration Officer

Enclosure

The Lowell Five Cent Savings Bank

TOWN OF BILLERICA 36748 12/17/2025 036748

Document Date	Document Number	Description	Base Amount	Net Amount
12/16/2025	2025 DONATION		$ 1,500.00	$ 1,500.00
		Total	$ 1,500.00	$ 1,500.00

THIS CHECK HAS A COLORED BACKGROUND AND CONTAINS MULTIPLE SECURITY FEATURES - SEE BACK FOR DETAILS

53-7133/2113

036748

LowellFive®
PO Box 440, Lowell, MA 01853

VOID VOID

DATE 12/17/2025

AMOUNT
** 1,500.00**

TO THE ORDER OF TOWN OF BILLERICA

PAY One Thousand Five Hundred and 00/100

TOWN OF BILLERICA

VOID

HEAT SENSITIVE RUB AREA TO VERIFY

TWO SIGNATURES REQUIRED OVER $20,000.00

[redacted]

d

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Dina M. Favreau, *Member*

April 7, 2026

Thomas and Suzanne Fedorka
242 Andover Road
Billerica, MA 01821

Dear Mr. and Mrs. Fedorka,

On behalf of the Billerica Select Board, we would like to extend our sincere appreciation for your generous donation of $250 to the Billerica Public Library.

Your thoughtful contribution to support the Children's Department is truly meaningful. We are especially touched that this donation is made in memory of your daughter, Amanda. Your continued tradition of giving is a beautiful tribute and will have a lasting impact on the children and families who benefit from the Library's services.

Thank you for your kindness, generosity, and for honoring Amanda's memory in such a meaningful way within our community.

_____	_____	_____
Chair Jillian Pavidis	Vice Chair John Burrows	Secretary Daniel DarrisO'Conner

_____	_____
Member Michael Rosa	Member Dina Favreau

America's Yankee Doodle Town

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Dina M. Favreau, *Member*

April 7, 2026

Ronald McCarthy
1527 West Lake Ainslie Road
Inverness, NS, Canada

Dear Mr. McCarthy,

On behalf of the Billerica Select Board, we would like to express our sincere appreciation for your generous donation of $100 to the Town's Veterans Services Department.

Your support of programs and events that honor and assist our veterans is greatly appreciated. Contributions such as yours help ensure that we can continue to recognize and support those who have served our country.

Thank you for your generosity and for helping to make a positive impact on our veterans and their families.

_____	_____	_____
Chair Jillian Pavidis	Vice Chair John Burrows	Secretary Daniel DarrisO'Conner

_____	_____
Member Michael Rosa	Member Dina Favreau

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Dina M. Favreau, *Member*

April 7, 2026

Billerica Christmas Parade Committee
876 Boston Road
Billerica, MA

Dear Members of the Billerica Christmas Parade Committee,

On behalf of the Billerica Select Board, we would like to extend our sincere thanks for your generous donation of $1,750 to support veterans programs and services.

Your continued commitment to giving back to the community, and especially to those who have served our country, is deeply appreciated. This contribution will help support meaningful initiatives that benefit our local veterans.

Thank you for your generosity and for your ongoing dedication to the Town of Billerica.

_____	_____	_____
Chair Jillian Pavidis	Vice Chair John Burrows	Secretary Daniel DarrisO'Conner

_____	_____
Member Michael Rosa	Member Dina Favreau

America's Yankee Doodle Town

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April 7, 2026

Lowell Five Bank
P.O. Box 440
Lowell, MA 01853

Dear Ms. DeChirico,

On behalf of the Billerica Select Board, we would like to extend our sincere appreciation for your generous donation of $1,500 to the Town of Billerica.

Your support of food assistance efforts for those in need within our community is truly commendable. Contributions like yours make a meaningful difference and help ensure that essential resources are available to residents who rely on them.

We are grateful for Lowell Five's continued partnership and commitment to supporting the communities you serve.

Thank you again for your generosity.

_____ _____ _____

Chair Jillian Pavidis | Vice Chair John Burrows | Secretary Daniel DarrisO'Conner

_____ _____

Member Michael Rosa | Member Dina Favreau

America's Yankee Doodle Town

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GIFT ACCEPTANCE FORM

TO: Town Accountant

FROM: **Joe St. Germain / Billerica Public Library** Department Head/Department

The above officer or department has requested acceptance of the following gift pursuant to Massachusetts General Laws, Chapter 44, Section 53A and further requests that the Select Board authorize the expenditure of funds for the stated purpose.

Name of Party Offering Gift:	Thomas and Suzanne Fedorka
Address of Gift Giver:	242 Andover Road Billerica, MA 01821
Amount of the Gift: $	**$250.00**
Purpose for Which Gift Has Been Offered:	To be used by the Library's Children's Department.
Purpose for which Gift will be Expended:	Will be used by the Library's Children's Department.

Letter Accompanying Gift Attached - See attached.

APPROVAL OF RECEIPT AND EXPENDITURE OF GIFT BY THE SELECT BOARD

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Dina M. Favreau, Member

Town Manager: _____ Date_____

America's Yankee Doodle Town

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Sincerely,

2/14/26

Suzanne A. Fedorka 2/14/26

Thomas and Suzanne Fedorka

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TO: Town Accountant

FROM: VETERANS SERVICES DEPARTMENT Department Head/Department

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Purpose for Which Gift Has Been Offered:	DONATION TO OFFICE FOR VETERAN EVENTS
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Letter Accompanying Gift Attached

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John J. Burrows, Vice Chair

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Daniel R. Darris-O'Connor, Secretary

_____
Michael S. Rosa, Member

_____
Dina M. Favreau, Member

Town Manager: _____ Date_____

America's Yankee Doodle Town

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Dina M. Favreau, *Member*

GIFT ACCEPTANCE FORM

TO: Town Accountant

FROM: VETERANS Department Head/Department

The above officer or department has requested acceptance of the following gift pursuant to Massachusetts General Laws, Chapter 44, Section 53A and further requests that the Select Board authorize the expenditure of funds for the stated purpose.

Name of Party Offering Gift:	BILLERICA CHRISTMAS PARADE
Address of Gift Giver:	876 BOSTON RD, BILLERICA
Amount of the Gift: $	1,750
Purpose for Which Gift Has Been Offered:	DONATION
Purpose for which Gift will be Expended:	SUPPORT VETERANS

Letter Accompanying Gift Attached

APPROVAL OF RECEIPT AND EXPENDITURE OF GIFT BY THE SELECT BOARD

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_____ _____
Jillian K. Pavidis, Chair *John J. Burrows, Vice Chair*

_____ _____
Daniel R. Darris-O'Connor, Secretary *Michael S. Rosa, Member*

_____
Dina M. Favreau, Member

Town Manager: _____ Date_____

America's Yankee Doodle Town

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John J. Burrows, *Member*
Dina M. Favreau, *Member*
Daniel R. Darris-O'Connor, *Member*

GIFT ACCEPTANCE FORM

TO: Town Accountant

FROM: **Lowell Five** Elanie Russo, Treasurer

The above officer or department has requested acceptance of the following gift pursuant to Massachusetts General Laws, Chapter 44, Section 53A and further requests that the Select Board authorize the expenditure of funds for the stated purpose.

Name of Party Offering Gift:	Lowell Five
Address of Gift Giver:	P.O. Box 440 Lowell, MA 01853
Amount of the Gift: $	**$1500.00**
Purpose for Which Gift Has Been Offered:	Food Assistance
Purpose for which Gift will be Expended:	Food Assistance

Letter Accompanying Gift Attached

APPROVAL OF RECEIPT AND EXPENDITURE OF GIFT BY THE SELECT BOARD

At a meeting of the Select Board on _____, the Select Board voted to authorize the expenditure of gift funds for the purpose described above.

Michael S. Rosa, Member

Jillian K. Pavidis, Chair

John J. Burrows, Vice Chair

Dina M. Favreau, Member

Daniel R. Darris-O'Connor, Secretary

Town Manager: _____ Date_____

LOWELL FIVE BANK

30 International Place
Tewksbury, MA 01876
TEL 978.452.1300
www.lowellfive.com

December 31, 2025

Town of Billerica
Attn: Elaine Russo, Treasurer
365 Boston Road
Billerica, MA 01821

Dear Treasurer Russo,

Lowell Five would like to acknowledge our community partners with a donation gift to show our gratitude in our surrounding towns and to ***Thank You*** for your relationship with Lowell Five Bank.

On behalf of the Lowell Five Executive Board and Senior Management, we are pleased to present you with the enclosed donation of $1,500. You are welcome to use the funds at your discretion; however, we are hoping the focus this year can be to provide food assistance for those in need within our community.

Sincerely,

Kathleen M. DeChirico

Executive Administration Officer

Enclosure

The Lowell Five Cent Savings Bank

TOWN OF BILLERICA

36748 036748

Document Date	Document Number	Description	Base Amount	Net Amount
12/16/2025	2025 DONATION		$ 1,500.00	$ 1,500.00
		Total	$ 1,500.00	$ 1,500.00

THIS CHECK HAS A COLORED BACKGROUND AND CONTAINS MULTIPLE SECURITY FEATURES - SEE BACK FOR DETAILS

53-7133/2113

036748

LowellFive®
PO Box 440, Lowell, MA 01853

VOID VOID

DATE 12/17/2025

AMOUNT
** 1,500.00**

TO THE ORDER OF TOWN OF BILLERICA

PAY One Thousand Five Hundred and 00/100

TOWN OF BILLERICA

VOID

HEAT SENSITIVE
RUB AREA TO VERIFY

TWO SIGNATURES REQUIRED OVER $20,000.00

[redacted]

Kerri Rufo

From: Meaghan Murphy <Meaghan.Murphy@Raveis.com>
Sent: Tuesday, March 24, 2026 4:12 PM
To: Kerri Rufo
Subject: Re: New Committee Member Application from: Meaghan Murphy

[EXTERNAL EMAIL]

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

Excellent! Looking forward to it.
Best,
Meaghan

Meaghan Murphy
William Raveis Real Estate
617-875-9845

> On Mar 24, 2026, at 3:06 PM, Kerri Rufo <selectboard@billerica.gov> wrote:
>
> Hi Meaghan,
>
> My apologies for not getting back sooner. The HDC meets the first Wednesday of every month at Town Hall. You also have the option to be hybrid when needed as well.
>
> Kerri
>
> ---
>
> **From:** Meaghan Murphy <Meaghan.Murphy@Raveis.com>
> **Sent:** Monday, March 23, 2026 9:28 AM
> **To:** Kerri Rufo <selectboard@billerica.gov>
> **Subject:** Re: New Committee Member Application from: Meaghan Murphy
>
> **[EXTERNAL EMAIL]**
>
> **DO NOT CLICK** links or open attachments unless you recognize the sender and know the content is safe.
>
> ---
>
> Excellent thanks.

When are the meeting usually?
Meaghan

Meaghan Murphy
William Raveis Real Estate
617-875-9845

On Mar 23, 2026, at 8:46 AM, Kerri Rufo <selectboard@billerica.gov> wrote:

Hi Meaghan,

I will submit your application for appointment at the next Select Board meeting.

You do not need to attend. After the meeting, I will send you a notice confirming your appointment. You can then go to the Town Clerk's Office to be sworn in.

I will also notify you and the Historic District Commission (HDC) and introduce you via email. They will follow up with you regarding meeting dates and details.

Please let me know if you have any questions!

Kerri

From: Meaghan Murphy <Meaghan.Murphy@Raveis.com>
Sent: Monday, March 23, 2026 8:39 AM
To: Kerri Rufo <selectboard@billerica.gov>
Subject: Re: New Committee Member Application from: Meaghan Murphy

[EXTERNAL EMAIL]

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

Ok great. Let me know how to proceed.
Thanks,
Meaghan

Meaghan Murphy
William Raveis Real Estate
617-875-9845

On Mar 23, 2026, at 8:27 AM, Kerri Rufo <selectboard@billerica.gov> wrote:

You don't often get email from selectboard@billerica.gov. Learn why this is important

Hi Meaghan,

You wouldn't be voting at every meeting. As an alternate, your voting would rotate depending on attendance.

You would still be able to ask questions and participate in discussions on all projects.

It's a really great group of people, I used to work with the Historic District Commission a few years ago, and it was honestly my favorite board.

Kerri

From: Meaghan Murphy <Meaghan.Murphy@Raveis.com>
Sent: Monday, March 23, 2026 8:06 AM
To: Kerri Rufo <selectboard@billerica.gov>
Subject: Re: New Committee Member Application from: Meaghan Murphy

[EXTERNAL EMAIL]

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

Hi Keri, That sounds great.
Let me know how to proceed.
What does being an alternate reality mean?
Thanks,
Meaghan

Meaghan Murphy
William Raveis Real Estate
617-875-9845

On Mar 23, 2026, at 8:01 AM, Kerri Rufo <selectboard@billerica.gov> wrote:

You don't often get email from selectboard@billerica.gov. Learn why this is important

Hi Meaghan,

Thank you for your interest in serving on a Town board or committee, we truly appreciate your willingness to get involved.

At this time, the only current opening is for an **Alternate Member on the Historic District Commission**.

Several terms are set to expire on **June 30, 2026**, so there may be additional opportunities in the near future. If you would prefer, you are welcome to wait and see if any positions become available due to members choosing not to pursue reappointment to their current boards or committees.

Please let me know how you would like to proceed, and I'd be happy to keep you updated.

Thank you again for your interest in serving the Town.

Kerri Rufo
Confidential Executive Assistant

From: Meaghan Murphy <no-reply@billerica.gov>
Sent: Friday, March 20, 2026 2:29 PM
To: Kerri Rufo <selectboard@billerica.gov>; Dawn McDowell <dmcdowell@billerica.gov>
Subject: New Committee Member Application from: Meaghan Murphy

[EXTERNAL EMAIL]

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

Applying for

1. Will Accept Either

Town Committee

1. Billerica Historical Commission
2. Historic Districts Commission
3. Yankee Doodle Bike Path Committee
4. Zoning Board of Appeals

Name

Meaghan Murphy

Phone

(617) 875-9845

Email

meaghan.murphy@raveis.com

Amount of Time Available

2 hours / week variable

Present Business Affiliation and Work

Realtor at William Raveis Real Estate Lexington

Business Experience

I have been a Realtor for 20 years. I have experience with conservation, historical commissions. Interest
involved/helping my community of Billerica.
Bought a house here in 2020.

Education or Special Training

Lexington high 1998
Evergreen State College 2002

Kerri Rufo

From: Annette Nazziwa- Billerica Town Member Pct 8 <annettenbillericatmm.pct8@gmail.com>
Sent: Tuesday, March 17, 2026 10:48 PM
To: Kerri Rufo
Cc: brenda.macdonald@comcast.net
Subject: Re: Billerica Scholarship Committee

[EXTERNAL EMAIL]

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

Hello Kerri.

Thank you so much for the prompt response. Can we connect tomorrow for me to get some questions answered? I am available after 2p.m at 7816976330.

Thank you.

On Tue, Mar 17, 2026 at 3:29 PM Kerri Rufo <selectboard@billerica.gov> wrote:

> Dear Ms. Nazziwa,
>
> Thank you very much for your interest in serving on a board or committee for the Town of Billerica. We truly appreciate your willingness to get involved and support our community.
>
> We have received your application and wanted to follow up to see if you would be interested in being appointed to the Billerica Scholarship Committee. The Select Board is looking to fill this position, and based on your application and background, we believe you would be a great fit.
>
> If you are interested, we would be happy to place your appointment on the agenda for the next Select Board meeting scheduled for April 6, 2026.
>
> Please let us know if you would like to be considered for this appointment, or if you have any questions.
>
> Thank you again for your interest and your continued service to the Billerica community.

Sincerely,

Kerri Rufo

Billerica Select Board Office

From: Annette Nazziwa <no-reply@billerica.gov>
Sent: Tuesday, March 17, 2026 1:18 PM
To: Kerri Rufo <selectboard@billerica.gov>; Dawn McDowell <dmcdowell@billerica.gov>
Subject: New Committee Member Application from: Annette Nazziwa

[EXTERNAL EMAIL]

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

Applying for
• Will Accept Either
Town Committee
• Billerica Scholarship Committee • Northern Middlesex Council of Governments • Zoning Board of Appeals
Name
Annette Nazziwa
Phone
(781) 697-6330
Email
annettenbillericatmm.pct8@gmail.com
Amount of Time Available
After 6pm during week days. Flexible on Saturday and available after 3pm on Sundays
Present Business Affiliation and Work

I am a social worker that works for the Commonwealth of Massachusetts and do private practice.

Business Experience

I have experience running a home healthcare, mental health clinic and supervising state employed social workers.

Education or Special Training

Master's degree in clinical social worker.

I have different certifications in mental health, housing, Massachusetts and some federal policies.

Previous Appointment Date Elected

May 2025- Billerica Precinct 8 town representative

Previous Town offices Held

Billerica precinct town member.

Term Expired

April 2026- Town representative position

Reason for Applying

As a dedicated community member and public servant, I'm excited to serve Billerica on the Committee of Scholarship, Zoning Board of Appeals, and Northern Middlesex Board of Appeals. With a year of experience as a Town Representative and a background as a practicing social worker, I bring a compassionate and informed perspective to decision-making.

I'm committed to supporting local students through scholarship initiatives, ensuring fair and equitable zoning decisions, and contributing to regional planning efforts. My experience in community engagement and social work informs my approach to public service, prioritizing the well-being and growth of Billerica's residents.

I'd be honored to serve and work collaboratively with fellow board members to address community needs and opportunities.

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*

Marlies Henderson
31 Sprague Street
Billerica, MA 01821

Dear Mrs. Henderson,

On behalf of the Billerica Select Board, it is our pleasure to congratulate you on your appointment to the Billerica Historic Commission.

Your appointment will be effective April 6, 2026, with a term expiring on June 30, 2028. We appreciate your willingness to serve and your commitment to supporting the students and residents of the Billerica community.

Please be advised that you are required to be sworn in by the Town Clerk within 30 days of your appointment. The Town Clerk's Office is located at Town Hall, 365 Boston Road, and will assist you with this process.

We thank you again for your dedication to public service and look forward to your contributions to the Committee.

Congratulations, and best wishes in your new role.

Sincerely,
Billerica Select Board

cc: Town Clerks Office
Alec Ingraham, Chair

"We appreciate your willingness to serve and help preserve the rich history of Billerica for generations to come."

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*

Keith Lavon
Billerica, MA 01821

Dear Mr. Lavon,

On behalf of the Billerica Select Board, it is our pleasure to congratulate you on your appointment of being an Alternate to the Billerica Historic Commission.

Your appointment will be effective April 6, 2026, with a term expiring on June 30, 2027. We appreciate your willingness to serve and your commitment to supporting the students and residents of the Billerica community.

Please be advised that you are required to be sworn in by the Town Clerk within 30 days of your appointment. The Town Clerk's Office is located at Town Hall, 365 Boston Road, and will assist you with this process.

We thank you again for your dedication to public service and look forward to your contributions to the Committee.

Congratulations, and best wishes in your new role.

Sincerely,
Billerica Select Board

cc: Town Clerks Office
Alec Ingraham, Chair

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*

Meaghen Murphy
Billerica, MA 01821

Dear Ms. Murphy,

On behalf of the Billerica Select Board, it is our pleasure to congratulate you on your appointment as an Alternate Member of the Historic District Commission.

Your appointment will be effective April 6, 2026, with a term expiring on June 30, 2029. We appreciate your willingness to serve and your commitment to preserving the character and history of the Billerica community.

Please be advised that you are required to be sworn in by the Town Clerk within 30 days of your appointment. The Town Clerk's Office is located at Town Hall, 365 Boston Road, and will assist you with this process.

We thank you again for your dedication to public service and look forward to your contributions to the Historic District Commission.

Congratulations, and best wishes in your new role.

Sincerely,
Billerica Select Board

cc: Town Clerk's Office
David Gagliardi, Chair

Citation of Recognition
Honoring James Tildsley

The Billerica Select Board proudly recognizes James Tildsley, senior at Shawsheen Valley Technical High School, for his exceptional athletic achievements and outstanding dedication to his sport, his team, and his community.

James has established himself as one of the most dominant high school athletes in New England. As a three-time New England Wrestling Champion, including his most recent title in 2026, he has set a Massachusetts state record with over 267 career wins and achieved the remarkable milestone of over 200 varsity pins—a first in New England high school wrestling history.

His accomplishments also include winning the prestigious George Bossi Lowell Holiday Tournament five times and earning multiple sectional championships, solidifying his place among the most accomplished wrestlers in the region.

In addition to his success on the mat, James served as a senior captain of the Shawsheen Valley Technical High School football team, where his leadership, determination, and intensity helped guide his team through a successful 2025 season.

Known for his relentless drive, discipline, and competitive spirit, James exemplifies the very best of student-athletics. His achievements bring great pride to his school, his teammates, and the entire Billerica community.

The Billerica Select Board commends James Tildsley for his hard work, perseverance, and record-setting accomplishments, and wishes him continued success in all his future endeavors.

Chair Jillian Pavidis

Vice Chair John Burrows

Secretary Daniel DarrisO'Conner

Member Michael Rosa

Member Dina Favreau

His achievements bring great pride to the Town of Billerica

#41-2026-CV

Consent

Fee Paid: $ CK# 9185 ~~50.00~~ KK 4/6/26

LICENSE APPLICATION
BILLERICA SELECT BOARD

ACTION: ☒ **NEW** **or** ☐ **CHANGE**

Licensee of Business: STARBUCKS CORPORATION		
Doing Business As: STARBUCKS COFFEE		
Street Address: 490 BOSTON RD UNIT 1, BILLERICA MA		**Assessors Plate/Parcel:** 61-205-2
Phone #: (206) 594-7282	**Zip Code:** 01821	**Tax ID #:** 91-1325671
Alt. Phone #: 603-505-5633	**Email:** LICENSESERVICES@STARBUCKS.COM	

DESCRIPTION OF PREMISES:

Include # floors, total SF, # of patron restrooms, entrance/exit locations, etc. Use additional attachments if necessary and attach a plot plan of the premises if there are exterior changes.

2,441 SF END CAP DRIVE THRU COFFEE SHOP IN MULTI-TENANT BUILDING, ONE LEVEL ON THE GROUND FLOOR CONSISTING OF DINING AREA WITH 47 INTERIOR SEATS, TWO PUBLIC RESTROOMS, COFFEE SERVICE COUNTER AND BACK WORKROOM. THERE IS ALSO A SEASONAL PATIO WITH 10 SEATS

REQUIRED SIGNATURES: (Obtain necessary approvals before submission)

Building Inspector: [signature]	**Date:** March 23, 2026
Comments:	
Board of Health: [signature]	**Date:** March 23, 2026
Comments: Applicant needs to obtain a Food Operation Permit.	
Police: [signature]	**Date:** 3/23/26
Comments:	
Fire: [signature]	**Date:** 3/23/26
Comments:	
Treasurer: [signature]	**Date:** 3/23/26
Comments:	

Manager's Name: Billal Baker		
Street Address: 39 Railroad Ave, unti #204,		
City/Town/State/Zip: Haverhill MA 01835		
Phone #: 305-905-9595	**Tax ID #:** 91-1325671	**Email:** US2094059@starbucks.com

Requested Hours of Operation: (For new application or for change on license)

Weekday (Monday-Friday):	5AM-9PM
Saturday:	5AM-9PM
Sunday:	5AM-9PM

LICENSE TYPE REQUESTED:

LIQUOR (Circle Option):	**On-Premise Retail (S12)**	**Wine & Malt**	**All Alcohol**
	Off Premise Retail (S15)	**Wine & Malt**	**All Alcohol**
Type of Business S12 Only:	**Club**	**Hotel/Innkeeper**	**Restaurant**
1-Day Special:	**Wine & Malt**	**All Alcohol (Non-profit Organizations Only)**	
COMMON VICTUALLER (Circle Option):	**Restaurant**	**Innholder**	**Cafeteria**
ZBA/Special Permit?: Provide Copy if Yes	**☒ YES**	**□ NO**	
MOTOR VEHICLE (Circle Option):	**Class I**	**Class II**	**Class III**
HAZARDOUS MATERIAL STORAGE (List Type):			
ENTERTAINMENT:			
Weekday: (Per MGL, Ch. 140, Section 183A):			
Sunday: (Per MGL, Ch. 136 – Form 90 Required):			
Type of Entertainment:			
AMUSEMENT DEVICE (Per MGL, Ch.140, Section 177A)			
# of Total Devices:			
Enter Each Device Separately. Name of Machine and Serial #. Use separate paper if necessary.			
#1:	**#5:**		
#2:	**#6:**		
#3:	**#7:**		
#4:	**#8:**		
OTHER (Circle Option): **Taxi** **Livery** **Bowling** **Auctioneer** **Other:**_____			
Licensees Signature:		**Date:**	
Title: Permitting Agent - Dan Brennan - 603.505.5633			
The applicant certifies compliance with all Rules, Regulations, Laws and By-Laws in effect at this time. Under the penalties of perjury, the signature below certifies the above information as true and correct to the best of their knowledge and belief. False statements can result in immediate license revocation.			

NAME OF INDIVIDUAL OR CORPORATION THAT PAYS REAL ESTATE TAXES TO THE TOWN OF BILLERICA:

FB BILLERICA REALTY INVESTORS LLC

National Registry Of Food Safety Professionals®

Certifies

BILLAL ABOU BAKER

Has Successfully Satisfied the Requirements For The

Food Safety Manager
under the
Conference for Food Protection Standards

President: _____
Lawrence J. Lynch, CAE

Issue Date: 05/16/2023
Expiration Date: 05/16/2028
Certificate No: 21949124
Test Form: DXE36

This certificate is not valid for more than five years from date of issue

ANSI ACCREDITED PROGRAM
American National Standards Institute and the Conference for Food Protection
#0656

6751 Forum Drive, Suite 220, Orlando, FL 32821
P (800) 446-0257 F (407) 352-3603 www.NRFSP.com
National Registry of Food Safety Professionals®

Notification of Test Results

Scaled Test Score: **92%**
Candidate Status: Pass
Test Date: **05/16/2023**

National Registry of Food Safety Professionals
CERTIFIED FOOD SAFETY MANAGER

BILLAL
ABOU BAKER

6751 Forum Drive
Suite 220
Orlando, FL 32821

Toll Free (800) 446-0257
Phone (407) 352-3830
Fax (407) 352-3603

www.NRFSP.com

Certificate No:21949124
Issue Date: 05/16/2023
Expiration Date: 05/16/2028

Congratulations! Attached is your certificate and wallet card. Please notify the National Registry of name or address changes at the address below.

Ensuring Personal Hygiene: Mastered
Managing Food Holding Time and Temperatures: Mastered
Preventing Contamination, Cross-Contamination, and Cross-Contact: Mastered
Managing Cooking Times and Temperatures: Competent
Monitoring the Flow of Foods: Competent
Actively Managing Controls in a Food Establishment: Competent
Managing the Physical Food Establishment/Equipment Design and Maintenance: Competent
Managing Cleaning and Sanitizing Activities: Competent

Click here for a printer-friendly version of this document. click

MEMORANDUM OF INSURANCE

DATE 21-Nov-2025

This Memorandum is issued as a matter of information only to authorized viewers for their internal use only and confers no rights upon any viewer of this Memorandum. This Memorandum does not amend, extend or alter the coverage described below. This Memorandum may only be copied, printed and distributed within an authorized viewer and may only be used and viewed by an authorized viewer for its internal use. Any other use, duplication or distribution of this Memorandum without the consent of Marsh is prohibited. "Authorized viewer" shall mean an entity or person which is authorized by the insured named herein to access this Memorandum via https://marshdigital.marsh.com/marshconnect/viewMOI.action?clientId=2061. Marsh USA LLC The information contained herein is as of the date referred to above. Marsh shall be under no obligation to update such information.

PRODUCER	COMPANIES AFFORDING COVERAGE
Marsh USA LLC ("Marsh")	Co. A Zurich American Insurance Company
INSURED Starbucks Corporation, et al* P O Box 34067 Seattle Washington 98124-1067 United States	Co. B American Guarantee and Liability Insurance Company
	Co. C Zurich Insurance Company Ltd.
	Co. D Zurich American Ins. Co. / Zurich Ins. Co. Ltd. (Canada)
	Co. E
	Co. F

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS MEMORANDUM MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE	POLICY EXPIRATION DATE	LIMITS (LIMITS IN USD UNLESS OTHERWISE INDICATED)	
A C	**GENERAL LIABILITY** Commercial General Liability Occurrence	GLO 5570556-01 8451857-01	01-Oct-2025 01-Oct-2025	01-Oct-2026 01-Oct-2026	GENERAL AGGREGATE	USD 5,000,000
					PRODUCTS - COMP/OP AGG	USD 2,000,000
					PERSONAL AND ADV INJURY	USD 1,000,000*
					EACH OCCURRENCE	USD 1,000,000*
					FIRE DAMAGE (ANY ONE FIRE)	USD 1,000,000*
					MED EXP (ANY ONE PERSON)	Not Covered
A	**AUTOMOBILE LIABILITY** Any Auto	BAP 5570555-01	01-Oct-2025	01-Oct-2026	COMBINED SINGLE LIMIT	USD 4,000,000
					BODILY INJURY (PER PERSON)	
					BODILY INJURY (PER ACCIDENT)	
					PROPERTY DAMAGE	
B C	**EXCESS LIABILITY** Umbrella Form	AUC 6147058-01 8451927	01-Oct-2025 01-Oct-2025	01-Oct-2026 01-Oct-2026	EACH OCCURENCE	USD 15,000,000
					AGGREGATE	USD 15,000,000
C C	**WORKERS COMPENSATION / EMPLOYERS LIABILITY** THE PROPRIETOR / PARTNERS / EXECUTIVE OFFICERS ARE Included	WC 5570554 - 01 (WI) WC 5570557 - 01 (All Other States)	01-Oct-2025 01-Oct-2025	01-Oct-2026 01-Oct-2026	WORKERS COMP LIMITS	
					EL EACH ACCIDENT	USD 1,000,000
					EL DISEASE - POLICY LIMIT	USD 1,000,000
					EL DISEASE - EACH EMPLOYEE	USD 1,000,000
D	US PROPERTY	PPR2850979-25	01-Oct-2025	01-Oct-2026	PER OCCURRENCE	USD 1,500,000
D	CANADA PROPERTY	8828744	01-Oct-2025	01-Oct-2026	PER OCCURRENCE	USD 1,500,000

Print Form

The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
1 Congress Street, Suite 100
Boston, MA 02114-2017
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information — **Please Print Legibly**

Business/Organization Name: STARBUCKS CORPORATION DBA STARBUCKS COFFEE

Address: 2401 UTAH AVENUE SOUTH

City/State/Zip: SEATTLE, WASHINGTON 98134 Phone #: 206 318-1575

Are you an employer? Check the appropriate box:

1. [x] I am a employer with 150,000+ employees (full and/ or part-time).*
2. [ ] I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. [ ] We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. [ ] We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. [ ] Retail
6. [x] Restaurant/Bar/Eating Establishment
7. [ ] Office and/or Sales (incl. real estate, auto, etc.)
8. [ ] Non-profit
9. [ ] Entertainment
10. [ ] Manufacturing
11. [ ] Health Care
12. [ ] Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.
**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: Zurich Insurance Company

Insurer's Address: 100 High Street # 14,

City/State/Zip: Boston, MA 02110

Policy # or Self-ins. Lic. #: WC 5570557 -01 Expiration Date: 01-OCT-2026

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to $1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to $250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: 03/23/26

Phone #: 603-505-5633

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ **Permit/License #** _____

Issuing Authority (circle one):
1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office
6. Other _____

Contact Person: _____ **Phone #:** _____

OUTDOOR SEATING CALCULATIONS			
DESCRIPTION	NUMBER OF ITEMS	SEATS	PER ITEM
TABLE TOP, SQUARE	3	CHAIRS	0
TABLE TOP, RECTANGLE	1*	CHAIRS	1
TABLE TOP, ROUND	1	SOFT SEATING	2
*TABLE TOP IS ACCESSIBLE		TOTAL ACCESSIBLE SEATS (≥ 5%)	1
		TOTAL	10

INDOOR SEATING CALCULATIONS			
DESCRIPTION	NUMBER OF ITEMS	SEATS	PER ITEM
TABLE TOP, COMMUNITY	1**	CAFE CHAIRS	7
TABLE TOP, ROUND	2	COUNTER HEIGHT CHAIRS	6
	3	CAFE CHAIRS	9
TABLE TOP AT BANQUETTE	2**	BANQUETTE SEATING (9 LIN. FT)	4
TABLE TOP, LOUNGE	3	SOFT SEATING/SOFA	14
		OTTOMAN	4
		TOTAL ACCESSIBLE SEATS (≥ 5%)	3
		EMPLOYEE COUNT	10
		INTERIOR TOTAL	57
STORE TOTAL			67

PLUMBING FIXTURE CALCULATIONS								
CHAPTER 29 - 2018 IBC TABLE 2902.1 248 CMR 10.00 - UNIFORM STATE PLUMBING CODE - TABLE 1 (MASSACHUSETTS)								
OCCUPANCY	MALE	FEMALE	TOTAL					
	34 OCC.	34OCC.	67OCC. ***					
FIXTURES	WATER CLOSETS			URINALS*	LAVATORY		WATER FOUNTAIN**	
	M - 1 PER 50, F - 1 PER 25				1 PER 50		1 PER 500 OR STATION	
	REQUIRED	1 M	2 F	0 M	1 M	1 F	0	
	PROVIDED	1 M	2 F	0 M	1 M	1 F	0	
*IN EACH BATHROOM OR TOILET ROOM, URINALS SHALL NOT BE SUBSTITUTED FOR MORE THAN 67% OF THE REQUIRED WATER CLOSETS IN ASSEMBLY OCCUPANCIES.								
**RETAIL ESTABLISHMENT SERVES WATER UPON REQUEST.								
***OCCUPANT LOAD OF (67) INCLUDES PATIO OCCUPANT LOAD OF (10) AND INTERIOR OCCUPANT LOAD OF (57)								

OCCUPANCY CALCULATIONS				
ASSEMBLY A-2				
OCCUPANCY GROUP	OCCUPANCY USE	AREA	LOAD FACTOR	OCCUPANTS
ASSEMBLY	A-2 DINING - PUBLIC	862	15	58
ASSEMBLY	A-2 BOOTHS (LF)	7.5 LF	1.5	5
ASSEMBLY	A-2 BOOTH FOOTPRINT	17		
KITCHEN	A-2 KITCHEN	813	200	5
BUSINESS	OFFICE	91	150	1
ASSEMBLY	RESTROOMS/ HALLWAY	269	0	0
N/A	PERIMETER WALLS, SHAFTS, STAIRS	259	0	0
		2440		69

EGRESS CALCULATIONS	
EXIT WIDTH REQUIRED - 69 OCC. x 0.2	= 13.8 IN.
EXIT WIDTH PROVIDED	= 150 IN.
EXITS	= EXIT 1 = 72 IN., EXIT 2 = 36 IN., EXIT 3 = 42 IN.
NUMBER OF EXITS REQUIRED	= 3
NUMBER OF EXITS PROVIDED	= 3
MAXIMUM, ALLOWABLE TRAVEL DISTANCE	= 250' - 0"
MAXIMUM, TRAVEL DISTANCE PROVIDED	= 88' - 2"
MINIMUM, EXIT SEPARATION	= 72' - 3" (MAXIMUM DIAGONAL) / 3 = 25' - 0"
EXIT SEPARATION PROVIDED	= 68' - 10" BETWEEN EXIT 1 AND EXIT 2

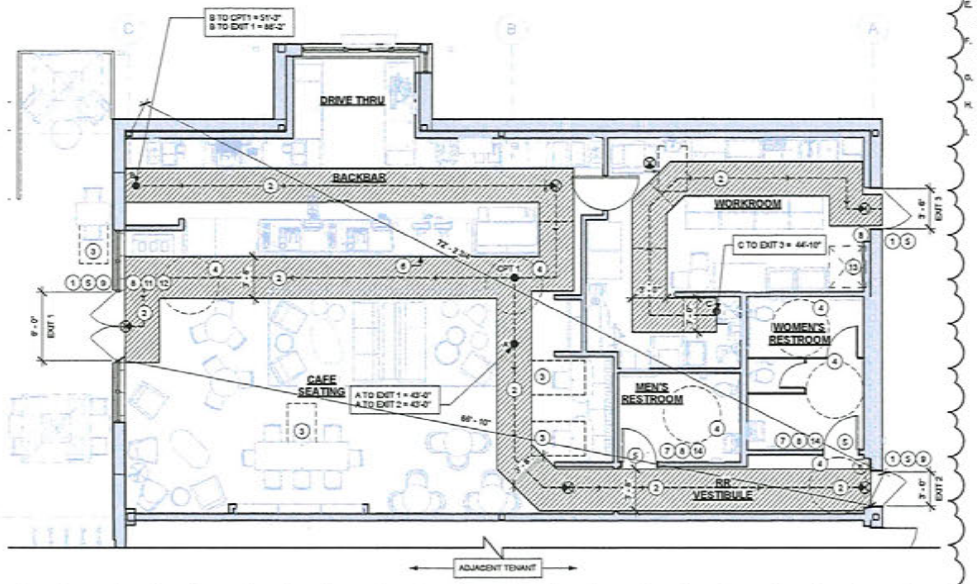
HEALTH DEPT. FINISH SCHEDULE

BACKBAR
FLOOR: POLYVINYL FLOORING
WALL: WALL TILE, BACKSPLASH, WALL COVERING, WITH POLYVINYL BASE
CEILING: GYPSUM CEILING, ACT CEILING

SEATING
FLOOR: CONCRETE PORCELAIN FLOOR TILE, MOSAIC FLOOR TILE
WALL: WALL COVERING, WAINSCOT, TILE, WALL CLADDING
CEILING: GYPSUM CEILING, ACOUSTICAL CEILING TILE

WORKROOM
FLOOR: POLYVINYL FLOORING
WALL: FRP WITH POLYVINYL BASE
CEILING: ACOUSTICAL CEILING TILE

RESTROOM
FLOOR: TILE FLOORING
WALL: WALL TILE, PAINT
CEILING: GYPSUM CEILING



1 LIFE SAFETY PLAN
Scale: 3/16" = 1'-0"

KEYED NOTES

1. THRESHOLDS TO BE BARRIER FREE COMPLIANT PER ALL APPLICABLE CODES.
2. BARRIER-FREE PATH OF TRAVEL.
3. 30" (762 MM) X 52" (1321 MM) CLEAR FOR WHEELCHAIR ACCESS.
4. 67" (1702 MM) DIAMETER MINIMUM TURN RADIUS FOR WHEELCHAIR ACCESS.
5. 32" (813 MM) MINIMUM CLEAR AT DOOR.
6. POS TRANSACTION PLANE, CONDIMENT CART TOP AND HAND-OFF PLANE ARE 34 INCHES (865 MM) ABOVE THE FINISHED FLOOR FOR WHEELCHAIR ACCESSIBILITY.
7. PROVIDE BARRIER-FREE SIGNAGE AT ACCESSIBLE RESTROOMS PER ALL APPLICABLE CODES.
8. PROVIDE TACTILE "EXIT" SIGNAGE.
9. PROVIDE INTERNATIONAL SYMBOL OF ACCESSIBILITY SIGN WHERE REQUIRED BY APPLICABLE LAWS OR CODES.
10. NOT USED.
11. EXISTING DOOR ACTUATOR KEY SWITCH, WALL MOUNTED TO REMAIN, GC TO PROTECT DURING CONSTRUCTION.
12. EXISTING MULLION MOUNTED DOOR ACTUATOR CONTROL TO REMAIN, GC TO PROTECT DURING CONSTRUCTION.
13. CONDIMENT CART (BY OTHERS), PANEL.
14. SEE ENLARGED RESTROOM PLAN AND ELEVATIONS SHEET FOR ADDITIONAL INFORMATION ON ACCESSIBLE RESTROOM CLEARANCES

HEALTH DEPT. PLAN NOTES

A. GENERAL CONTRACTOR TO SCHEDULE WITH REFRIGERATION CONTRACTOR TO CONDUCT INITIAL FOOD CASE START-UP AND TESTING. FOR APPROVED CONTRACTOR, CONTACT THE VENDOR.

B. THE SPACE IS SERVED BY THE MUNICIPAL WATER AND SEWER SYSTEM UNLESS OTHERWISE NOTED.

C. ALL EQUIPMENT AND INSTALLATION WILL MEET NATIONAL SANITATION FOUNDATION STANDARDS OR EQUIVALENT.

D. EQUIPMENT UNITS SHALL CONTAIN NO EXPOSED THREADS, EMBELLISHMENTS OR OVERHANGING EDGES THAT SERVE AS PLACES FOR ACCUMULATION OF DUST, DIRT AND DEBRIS.

E. WARMING OVENS SHOWN FOR PERMITTING PURPOSES. INSTALLATION AT STORE OPENING TO BE VERIFIED BY STARBUCKS CONSTRUCTION REPRESENTATIVE.

F. EACH HAND WASHING WILL HAVE A SINGLE SERVICE TOWEL AND SOAP DISPENSER AND ALL HAND SINKS TO HAVE A COMBINATION FAUCET OR PREMIXING FAUCET.

G. REFERENCE INTERIOR SCHEDULE SHEETS (6000 SERIES) FOR ADDITIONAL INFORMATION.

H. PROVIDE SNEEZE GUARDS WHERE REQUIRED BY JURISDICTION.

I. ALL FOOD STORAGE AND DISPLAY SHELVING SHALL BE A MINIMUM 6" (150MM) ABOVE FINISH FLOOR.

MEANS OF EGRESS NOTES

A. EVERY ROOM OR SPACE THAT IS ASSEMBLY OCCUPANCY SHALL HAVE THE OCCUPANT LOAD OF THE ROOM OR SPACE POSTED IN A CONSPICUOUS PLACE, NEAR THE MAIN EXIT ACCESS DOORWAY. POSTED SIGNS SHALL BE OF AN APPROVED LEGIBLE PERMANENT DESIGN AND SHALL BE MAINTAINED BY THE OWNER AUTHORIZED AGENT. (1004.3)

B. EGRESS SHALL NOT PASS THROUGH KITCHENS, STORAGE ROOMS, CLOSETS OR SIMILAR SPACES. (1014.2)

C. PANIC AND FIRE EXIT HARDWARE, WHERE INSTALLED ON DOORS IN THIS BUILDING SHALL SATISFY THE FOLLOWING (1008.1.10):
   1) THE ACTUATION PORTION OF THE RELEASING DEVICE SHALL EXTEND AT LEAST ONE-HALF OF THE DOOR LEAF WIDTH.
   2) THE MAXIMUM UNLATCHING FORCE DOES NOT EXCEED 15 POUNDS (6.8 KG).
   3) PIVOTED OR BALANCED DOORS SHALL BE OF THE PUSH-PAD TYPE WHERE PANIC HARDWARE IS REQUIRED AND THE PAD SHALL NOT EXTEND ACROSS MORE THAN ONE-HALF OF THE DOOR WIDTH, MEASURED FROM THE LATCH SIDE.
   4) PANIC HARDWARE LISTED IN ACCORDANCE WITH UL 305.
   5) FIRE EXIT HARDWARE LISTED IN ACCORDANCE WITH UL 10C AND UL 305.

D. STRUCTURAL ELEMENTS, FIXTURES OR FURNISHINGS SHALL NOT PROJECT HORIZONTALLY FROM EITHER SIDE MORE THAN 4 INCHES (100 MM) OVER ANY WALKING SURFACE BETWEEN 27 INCHES (686 MM) AND 80 INCHES (2030 MM) ABOVE THE WALKING SURFACE. EXCEPTION: HANDRAILS SERVING STAIRS AND RAMPS ARE PERMITTED TO PROTRUDE 4 1/2 INCHES (115 MM) FROM THE WALL. (1003.3.3)

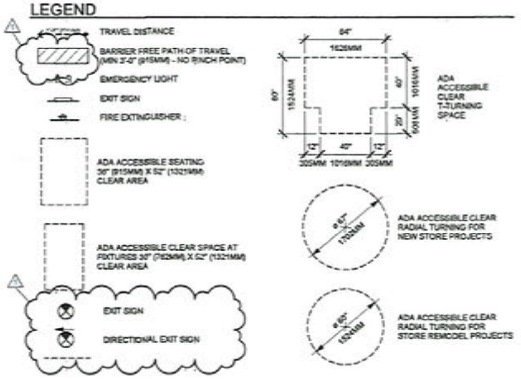
E. THE PATH OF EGRESS TRAVEL EXITS AND WITHIN EXITS IN THIS BUILDING SHALL BE IDENTIFIED BY EXIT SIGNS CONFORMING TO THE REQUIREMENTS OF SECTION 1011 AND AS NOTED BELOW
   1) EXIT SIGNS SHALL BE READILY VISIBLE FROM ANY DIRECTION OF EGRESS TRAVEL.
   2) EXIT SIGNS SHALL BE LOCATED AS NECESSARY TO CLEARLY INDICATE THE DIRECTION OF EGRESS TRAVEL.
   3) NO POINT IN A CORRIDOR SHALL BE MORE THAN 100 FT (30.5 M) OR THE LISTED VIEWING DISTANCE FOR THE SIGN, WHICHEVER IS LESS, FROM THE NEAREST VISIBLE EXIT SIGN.

F. WHERE KEY OPERATED LOCKING DEVICES ARE USED, POST A SIGN ON OR ADJACENT TO THE REQUIRED MAIN EXIT DOOR WITH 1 INCH (25 MM) LETTERING STATING THAT "THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED". (1008.1.9.3)

G. EGRESS DOORS OR GATES SHALL BE OPENABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY, SPECIAL KNOWLEDGE OR EFFORT. DOOR HANDLES, PULLS, LATCHES, LOCKS AND OTHER OPERATING DEVICES SHALL BE INSTALLED 34 INCHES (865 MM) TO 48 INCHES (1220 MM) ABOVE FINISHED FLOOR. MANUALLY OPERATED FLUSH BOLTS OR SURFACE BOLTS ARE NOT PERMITTED. THE UNLATCHING OF ANY DOOR OR LEAF SHALL NOT REQUIRE MORE THAN ONE OPERATION. (1008.1.9)

H. LANDINGS SHALL BE PROVIDED ON EACH SIDE OF DOORS AND SUCH LANDING SHALL BE AT THE SAME ELEVATION ON EACH SIDE OF THE DOOR. LANDINGS SHALL HAVE A WIDTH NOT LESS THAN THE WIDTH OF THE DOOR AND LENGTH MEASURED IN THE DIRECTION OF TRAVEL OF NOT LESS THAN 44 INCHES (11120 MM). (1008.1.5, 1008.1.6)

LEGEND



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STARBUCKS TEMPLATE VERSION: 2023.09.28

ARCHITECT:
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tel +1 480 529 6004

11/07/2025
REV1

PROJECT NAME:
490 BOSTON ROAD.
BILLERICA

PROJECT ADDRESS:
490 BOSTON ROAD
Unit 1
BILLERICA, MA 01821

STORE #:	66181
PROJECT #:	87404-001
JLL PROJECT #:	
ISSUE DATE:	10/25/2024
DESIGN MANAGER:	AS
PRODUCTION DESIGNER:	JK
CHECKED BY:	MR

Revision Schedule

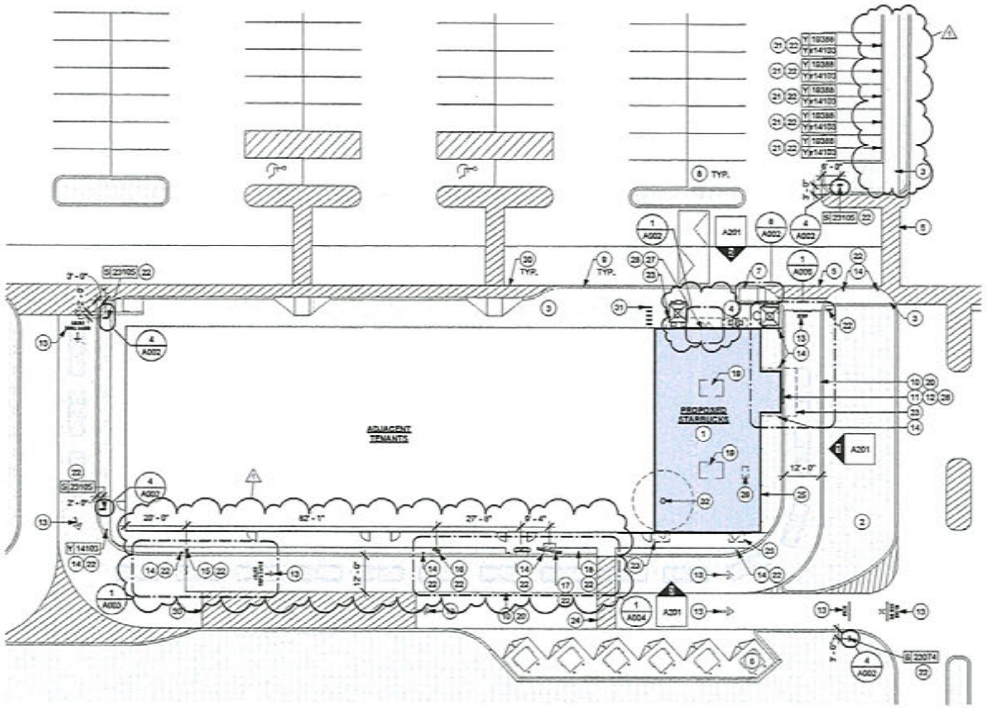
Rev	Date	By	Description
1	11/07/2025	JLL/AT	Permit Set

SHEET TITLE:
LIFE SAFETY AND ACCESSIBILITY PLAN
SCALE: AS SHOWN

SHEET NUMBER:
G002

SITE SCHEDULE - "Y" (A001)					
DESIGN ID	COUNT	DESCRIPTION	FURN. BY	INST. BY	COMMENTS
EXTERIOR MENU					
22540	1	MENU BOARD - DT 5 PANEL SQUARE FRAME FREESTANDING - 93"H52IN 241SX157SMM - BLACK	SB	LL/SB	SUPPLIER/INSTALLER; REGIONAL SIGNAGE VENDOR, LL TO PROVIDE CONDUIT AND FOOTING AS SPECIFIED, SEE DETAILS FOR MORE INFORMATION.
22542	1	MENU BOARD - DT PRE MENU SQUARE FRAME FREESTANDING - 28IX31IN 732X1125MM - BLACK	SB	LL/SB	SUPPLIER/INSTALLER; REGIONAL SIGNAGE VENDOR, LL TO PROVIDE CONDUIT AND FOOTING AS SPECIFIED, SEE DETAILS FOR MORE INFORMATION.
22546	1	MENU BOARD - DT DIGITAL ORDER SCREEN WITH POST - BLACK	SB	LL/SB	SUPPLIER/INSTALLER; REGIONAL SIGNAGE VENDOR, LL TO PROVIDE CONDUIT AND FOOTING AS SPECIFIED, SEE DETAILS FOR MORE INFORMATION.
OTHER					
22549	1	DT ORDER POINT CANOPY SQUARE FRAME - BLACK	SB	LL/SB	DBA PHOTOTECH. PROVIDED AND INSTALLED BY SIGNAGE VENDOR. LL GC TO PROVIDE FOOTING AND CONDUIT AS SPECIFIED
23113	2	GROUND GRAPHICS DT ENTRY STENCIL	SB	LL	REFERENCE PAINT 20511 FOR SPECIFICATIONS
23115	1	GROUND GRAPHICS DO NOT ENTER STENCIL	SB	LL	REFERENCE PAINT 20511 FOR SPECIFICATIONS
23117	4	GROUND GRAPHICS ARROW STENCIL	SB	LL	REFERENCE PAINT 20511 FOR SPECIFICATIONS
23119	2	GROUND GRAPHICS STOP STENCIL	SB	LL	REFERENCE PAINT 20511 FOR SPECIFICATIONS

SIGNAGE SCHEDULE - "S" (A001)					
DESIGN ID	COUNT	DESCRIPTION	FURN. BY	INST. BY	COMMENTS
SIGNAGE					
22004	1	SIGN - DRIVE THRU ILLUMINATED FLUSH MOUNT WHITE - 65in 205MM	SB	LL/SB	PROVIDED AND INSTALLED BY HILTON DISPLAYS
SIGNAGE - DISK					
13184	1	SIGN - DISK GF ILLUMINATED FLUSH MOUNTED EVOLVED - 60IN 1525MM	SB	SB	PROVIDED AND INSTALLED BY HILTON DISPLAYS
SIGNAGE - DRIVE THRU					
23074	2	SIGN - DIRECTIONAL EXIT ONLY ILLUM D/S - NEW FOUNDATION - 44IN 1120MM	SB	LL/SB	
23105	2	SIGN - DT DIRECTIONAL SIREN WITH ARROW ILLUM D/S - NEW FOUNDATION - 44IN 1120MM	SB	LL/SB	PROVIDED AND INSTALLED BY HILTON DISPLAY; LL TO PROVIDE CONDUIT AND FOOTING AS SPECIFIED
23111	1	SIGN - BREAKAWAY CLEARANCE BAR SQUARE FRAME FREESTANDING - GREEN	SB	LL/SB	VD: HILTON DISPLAYS PROVIDED AND INSTALLED BY VENDOR, LL TO PROVIDE FOOTING AS SPECIFIED
SIGNAGE - OTHER					
19388	5	SIGN - 10 MINUTE PARKING	SB	LL/SB	POST, IF REQUIRED, PROVIDED BY OTHERS.
SIGNAGE - WORDMARK					
16497	1	SIGN - WORDMARK STARBUCKS FLUSH MOUNTED - 18IN 450MM	SB	LL/SB	PROVIDED AND INSTALLED BY HILTON DISPLAYS



1 SITE PLAN
Scale: 1" = 20'-0"

KEYED NOTES

1. PROPOSED STARBUCKS SPACE AS INDICATED.
2. EXISTING AREA OF LANDSCAPE BY LANDLORD.
3. EXISTING PEDESTRIAN WALKWAY BY LANDLORD.
4. EXISTING PATIO BY LANDLORD.
5. EXISTING CROSSWALK BY LANDLORD.
6. EXISTING TRASH ENCLOSURE BY LANDLORD, TO COMPLY WITH LANDLORD CRITERIA DECK AND LL/WL REQUIREMENTS UNLESS OTHERWISE APPROVED BY STARBUCKS DESIGN/CONSTRUCTION.
7. EXISTING ACCESSIBLE PEDESTRIAN RAMP BY LANDLORD, PER STARBUCKS LANDLORD CRITERIA DECK REQUIREMENTS.
8. EXISTING PARKING SPACES BY LANDLORD.
9. EXISTING 6" CONCRETE CURB BY LANDLORD.
10. EXISTING VEHICLE DETECTOR LOOP BY FURNISHED LANDLORD (FURNISHED BY STARBUCKS) AT CENTERLINE OF ORDER POINT AND DT SERVICE WINDOW. REFER TO ARCHITECTURAL SITE DETAILS FOR MORE INFORMATION.
11. EXISTING STARBUCKS SPECIFIED DT SERVICE WINDOW WITH ALL CONNECTORS BY LANDLORD. SEE ARCHITECTURAL SITE DETAILS FOR MORE INFORMATION.
12. EXISTING STARBUCKS SPECIFIED EXTERIOR SHELF AT DT SERVICE WINDOW BY LANDLORD. SEE ARCHITECTURAL SITE DETAILS FOR MORE INFORMATION.
13. EXISTING WAYFINDING ENTRY/EXIT/DIRECTIONAL GROUND GRAPHICS BY LANDLORD AS INDICATED. REFER TO ARCHITECTURAL SITE DETAILS ON SHEET A002 FOR MORE INFORMATION. CONTACT INFO: ENNIS FLINT (800-331-6116).
14. EXISTING NON ILLUMINATED BOLLARD (DID: 14103) BY LANDLORD AS INDICATED. LANDLORD TO PROVIDE FOOTING PER LL/WL REQUIREMENTS. REFER TO ARCHITECTURAL SITE DETAIL 10/A005 FOR MORE INFORMATION.
15. INSTALL FREESTANDING CLEARANCE BAR (DID: 22111). LANDLORD TO PROVIDE FOOTING PER LL/WL REQUIREMENTS. REFER TO ARCHITECTURAL SITE DETAIL 4/A003 FOR MORE INFORMATION.
16. INSTALL PRE-MENU BOARD (DID: 22542). LANDLORD TO COORDINATE AND PROVIDE ELECTRICAL AND FOOTING PER LL/WL REQUIREMENTS. REFER TO ARCHITECTURAL SITE DETAIL 5/A005 FOR MORE INFORMATION.
17. INSTALL DT DIGITAL ORDER SCREEN (DID: 22546) AND CANOPY (DID: 22549). LANDLORD TO COORDINATE AND PROVIDE ELECTRICAL AND FOOTING PER LL/WL REQUIREMENTS. REFER TO ARCHITECTURAL SITE DETAIL 5/A005 FOR MORE INFORMATION.
18. INSTALL DT MENU BOARD (DID: 22540). LANDLORD TO COORDINATE AND PROVIDE ELECTRICAL AND FOOTING PER LL/WL REQUIREMENTS. REFER TO ARCHITECTURAL SITE DETAIL 2/A004 FOR MORE INFORMATION.
19. APPROXIMATE LOCATION OF EXISTING RTU BY LANDLORD. SB DM TO COORDINATE FINAL LOCATION OF RTU WITH LANDLORD AS NECESSARY.
20. EXISTING CONCRETE PADS BY LANDLORD AT ORDER POINT AND DT SERVICE WINDOW PER LL/WL REQUIREMENTS.
21. INSTALL "10 MINUTE PARKING FOR STARBUCKS" SIGN (DID: 19388) AS INDICATED. SIGN BY STARBUCKS, LANDLORD TO PROVIDE AND INSTALL FOOTING AND SIGN POST AS REQUIRED. SEE 1/A002 FOR MORE INFORMATION.
22. ALL CONCRETE FOOTINGS BY LANDLORD (DT DIRECTIONAL SIGNS, CLEARANCE BAR, PRE-MENU BOARD, MENU BOARD, ORDER POINT CANOPY, BOLLARDS, ETC.)
23. EXISTING CANOPY ABOVE SHOWN IN DASHED LINES.
24. EXISTING PEDESTRIAN CROSSWALK TO TRASH ENCLOSURE BY LANDLORD.
25. EXISTING WINDFALL SCONCES BY LANDLORD.
26. LOCATION OF EXISTING LOGO DISK SIGNAGE FLUSH MOUNTED.
27. LOCATION OF EXISTING DRIVE THRU FLUSH MOUNTED SIGNAGE.
28. LOCATION OF EXISTING STARBUCKS WORDMARK FLUSH MOUNTED SIGNAGE.
29. APPROXIMATE LOCATION OF FUTURE REMOTE CONDENSING UNIT FOR ICE MACHINE
30. EXISTING STRIPING BY LANDLORD.
31. EXISTING BIKE RACKS BY LANDLORD.
32. APPROXIMATE LOCATION OF EXHAUST FAN BY LANDLORD. STARBUCKS DM TO COORDINATE FINAL LOCATION OF FAN WITH LANDLORD AS NECESSARY.

GENERAL NOTES

A. REFER TO EXTERIOR ELEVATIONS ON SHEET A201 FOR BUILDING SIGNAGE LOCATION AND DESIGN ID. REFER TO ELECTRICAL PLANS FOR ELECTRICAL REQUIREMENTS.

B. LANDSCAPING TO BE PROVIDED PER ZONING CODE AND SUSTAINABILITY REQUIREMENTS.

C. DRIVE-THRU EQUIPMENT INCLUDING VEHICLE DETECTION LOOP, WIRELESS COMMUNICATION AND MONITORS SHALL BE COORDINATED BY STARBUCKS CONSTRUCTION MANAGER. REFER TO ELECTRICAL DRAWINGS FOR ADDITIONAL REQUIREMENTS.

D. PROVIDE 6" (150MM) THICK CONCRETE PAVING THE LENGTH OF THE DRIVE-THRU LANE, EXTENT TO INCLUDE DRIVE-THRU ENTRY POINT THROUGH WINDOW STANDING PAD.

E. GENERAL CONTRACTOR TO APPLY CONCRETE SEALER TO ALL EXTERIOR CONCRETE PATIO AND WALKWAY SURFACES.

F. GENERAL CONTRACTOR TO VERIFY ALL EXISTING ELEVATIONS AND BUILDING CONDITIONS IN FIELD PRIOR TO START OF CONSTRUCTION.

G. PROVIDE DETECTABLE WARNING (IF APPLICABLE PER LOCAL CODE) AT TRANSITION FROM SIDEWALK TO DRIVE AISLE.

H. ACCESSIBLE PARKING SPACES AND ACCESS AISLES SHALL HAVE SURFACE SLOPE NOT TO EXCEED 2% IN ALL DIRECTIONS.

I. REFER TO ELECTRICAL DRAWINGS FOR SITE RELATED ELECTRICAL WORK.

J. SCRAPE AND REPAINT ALL EXISTING PAINTED SITE FEATURES, INCLUDING, BUT NOT LIMITED TO CURBS, BOLLARDS, RAILINGS AND SITE LIGHTING BASES.

K. SEE SHEET A002 FOR ARCHITECTURAL SITE DETAILS.

LEGEND

- LANDSCAPED AREA
- NEW CONCRETE WALKWAY
- NEW 6" (150MM) CONCRETE CURB
- CONCRETE DRIVE THRU LANE
- ACCESSIBLE PATH OF TRAVEL

RESPONSIBILITY LEGEND

GC GENERAL CONTRACTOR
LL LANDLORD
SB STARBUCKS

N

STARBUCKS®
2401 UTAH AVENUE SOUTH
SEATTLE, WASHINGTON 98134
(206) 318-1575

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STARBUCKS TEMPLATE VERSION: 07/23.08.28

ARCHITECT:
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Chicago, IL 60601

4300 E. Camelback Road
Suite 100
Phoenix, AZ 85018
tel +1 480 926 6304

11/07/2025
REV1

PROJECT NAME:
490 BOSTON ROAD,
BILLERICA

PROJECT ADDRESS:
490 BOSTON ROAD
Unit 1
BILLERICA, MA 01821

STORE #: 66181
PROJECT #: 87404-001
JLL PROJECT #:
ISSUE DATE: 10/25/2024
DESIGN MANAGER: AS
PRODUCTION DESIGNER: JK
CHECKED BY: MR

Revision Schedule

Rev	Date	By	Description

SHEET TITLE:
ARCHITECTURAL SITE PLAN
SCALE: AS SHOWN

SHEET NUMBER:
A001

Middlesex North Registry of Deeds

Electronically Recorded Document

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Receipt Number	: 1021732
Recording Fee	: $105.00

Middlesex North Registry of Deeds
Richard P. Howe Jr., Register
360 Gorham Street
Lowell, Massachusetts 01852
978/322-9000
www.lowelldeeds.com

THE COMMONWEALTH OF MASSACHUSETTS

BILLERICA
City or Town

BOARD OF APPEALS

RECEIVED
2024 JAN -5 P 3:22
BILLERICA

Date: December 20, 2023

Certificate of Granting of Special Permit
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Billerica hereby certifies that a **SPECIAL PERMIT** has been **GRANTED (Case #23-65):**

To: FB BILLERICA REALTY INVESTORS, LLC

Address: 480 BOSTON ROAD

City or Town: BILLERICA, MA 01821

affecting the rights of the owner with respect to land of buildings at 480 BOSTON ROAD, Billerica, MA Plate 61, Parcel(s) 205-2 and recorded in M.N.D.R. of D's Book 17365 Page 257.

And the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision **GRANTING** said **SPECIAL PERMIT** and that copies of said decision, and of all plans referred to in the decision, have been filed with the planning board and the city or town clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the town or city clerk that twenty days have elapsed after the decision has been filed in the office of the city or town clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The fee for such recording or registering shall be paid by the owner or applicant.

Chairman

Vice-Chairman

Form 1094

Use TOWN OF BILLERICA

ZONING BOARD OF APPEALS

CASE # 23-65 **SP Granted** **DATE: December 20, 2023**

Applicant: FB Billerica Realty investors, LLC
Locus: 480 Boston Road
Assessor's Map: Plate 61 Parcel(s) 205-2

A public hearing was held on Wednesday, December 20, 2023 in the Town Hall, Room 210 at 7:30 PM, for a Special Permit under Section 5.C.6. c.(2)(H) (Drive-up and Drive-Through Restaurant) of the Zoning By-Law to construct a retail building to contain a 2,300 sq. ft. coffee shop/restaurant located in a General Business Zone.

Notice of this hearing was advertised in the Lowell Sun on December 6, 2023 and December 13, 2023. Notice of this hearing was also posted at the Town Hall and sent to the applicant and all abutters located within 300 feet of the property.

The following members were present and voting on this petition: Robert Accomando, Richard Colantuoni, Michael Pendleton, Anupam Wali and Eric Anable.

Attorney Dangora presented the petition on behalf of his client, FB Billerica Realty Investors, LLC., for a special permit to operate a drive up/through restaurant. He reiterated the mall's redevelopment and expressed his client's efforts on the state and national level trying to attract businesses to Billerica and is starting to come to fruition and their interest in employment opportunities by creating new jobs in the community. He noted that the plan submitted to the Zoning Board for this project is the most recent one and was approved by a 5-2 vote of the Planning Board on July 10, 2021. He stated that this plan was vetted by the Planning Department and the consultant, BETA. The business stated for this drive up/through restaurant was identified as Starbucks. He noted that his client is actively involved in bringing a bank and retail business to this piece of the parcel's redevelopment and encourages job creation and opportunities for the community. A traffic study was also submitted supporting the petition.

Attorney Dangora noted the amount of review time and effort the Planning Dept. did on the site circulation plan and submitted a parking plan as well. The drive-through speaker system and que are behind the water tower and will not be visible or disrupt the neighborhood. On July 10, 2023, the Planning Board granted an amendment to the original plan which was also submitted for informational purposes to reflect the change in drive up/through plans. The Planning Board submitted a memo stating their support of the client's petition with the amendment and encourages economic development and employment opportunities for the community.

Kelly Sardina, Planning Board Member, as a private citizen, spoke about the plans submitted to the Zoning Board and stated that the Planning Board did not receive an updated plan; they were given old plans. She stated that the original plan was never approved for a drive-through. She further stated that at no time was the community informed of a drive-through, only a restaurant. She expressed concern with the number of drive-throughs (3 in total with the bank on the opposite end of the building(s) and feels that the applicant should have gone through the Zoning Board for approval before presenting it to the Planning Board. She strongly feels that the Planning Board was misinformed and misled to the development of this piece of the parcel. She believes a variance for this drive-through would be warranted as this project is a PUD. She further expressed safety concerns regarding the development being behind/beside the water tower and the three (3) transformers in case of an emergency. The parking lot design and snow storage were also brought up as a concern as well as the traffic flow and runoff and drainage. She questioned the entire process and stated the Planning Board was unaware of the future drive through and feels the entire configuration has changed since their approval on July 10, 2021.

Attorney Dangora supports the plan with the amendment that was submitted and approved by the Planning Board on July 10, 2023 reflecting the amendment. The previously submitted plan was vetted by BETA and included the drive-through concept for development. He feels it should not be a surprise to any of the Planning Board members who have previously reviewed and approved this submitted plan reflecting the amendment. He states there are no changes to the plan that was approved with the amendment on July 10, 2023.

Mike Rosa, Select Board Member, speaking as a private citizen, stated his personal opinions on this petition and reviewed the history of it. He believes the mall corporate office is not a good neighbor to the Town and has no regard for the community. He also believes a nice restaurant is what was proposed and nothing else. He stated concerns regarding all the new construction on the site and the water runoff and the flooding it caused the neighborhoods. He stated concerns on the environmental effects of the flooding situations and feels that they should not be granted a variance until restoration mitigation is discussed and implemented and the resident's flooding issues are resolved. He does not believe any further construction is warranted with respect to the residents' issues. He compared the Pinehurst Market Basket construction site to the Billerica Mall construction site in terms of preparedness. The Tower Farm Road entrance was brought up as well as the catch basins being up too far. He feels strongly that the current disruptive issues should be dealt with and rectified before they are granted anything further and respectfully asked the Board to deny their request.

Mark LaLumiere, Building Commissioner, acknowledged the drainage concerns that were brought forth to the Board, however, he stated that the drainage issue is not a prevue for the Zoning Board. He clarified that what is before them is a Special Permit for a drive up/through restaurant and has no bearing on the issues presented by audience members. He stated that this project has been through multiple reviews by staff and the consultant, and it is under the jurisdiction of the Planning Board to oversee the issues that were brought forth tonight regarding drainage, traffic flows, transformers, everything pertaining to its redevelopment. The Board's responsibility lies solely with the fast food/drive through request. Town Counsel has stated they do not need approval for a drive-through with regards to the bank as a drive-through is an accessory use to the bank and allowed by right. However, the fast-food drive-through does require a Special Permit for use and not allowed by right. He understands how contentious this project is but stated that the Zoning Board's only responsibility is the Special Permit for the fast-food drive-through business. The PUD overlay plans/development lies entirely with the Planning Board which has approved this project.

Mike Rosa asked the Board to respectfully consider the residents' concerns. He is opposed to this petition until conditions are improved and mitigation is implemented with the residents who have been directly affected by this redevelopment.

Attorney Dangora reiterated his client's desire to bring employment opportunities to the community and enhance the appearance of the site.

Mike Rosa rebutted and expressed he is 100% behind creating job opportunities for the community, however, he strongly feels the petitioner should be held accountable for damages incurred by residents.

John Burrows, Select Board Member, speaking as a private citizen, stated that employment opportunities are always encouraged but a good community partner is needed to ensure this redevelopment. He also mentioned the drainage issues as well.

Blake Robertson, Planning Board Member, speaking as a private citizen, stated that commitments were made to the Planning Board and were not followed through on. He feels that if approval is given tonight the petitioner should be held accountable for commitments given, not received.

Attorney Dangora emphasized that the plan has been fully vetted and this project is about bringing employment opportunities to the community. His client looks forward to the opportunity to bring new businesses forward and providing jobs for the local community.

The plans submitted and prepared by Allen & Major Associates, Inc., shall be filed and recorded with the Special Permit. These referenced plans are the Layout Plan (C-102, dated April 7, 2021), the Outparcel Drive-Thru Layout (C-1, dated November 20, 2023) and the Outparcel Drive-thru Queuing (C-2, dated November 20, 2023).

The Board of Appeals voted 5-0 to Grant the Special Permit requested.

The Board finds (1) the proposed special permit is in harmony with the general purpose and intent of the Zoning By-Law and Chapter 40A; (2) the proposed use is in compliance with all other requirements set forth in this Zoning By-Law for issuance of a special permit; and (3) the proposed use will not prove injurious to the safety or general welfare of the neighborhood into which it proposes to locate nor will the proposed use prove destructive of property values.

SPECIAL PERMIT CONDITIONS:

1. This special permit is for the petitioners only and may not be transferred or sold without applying to the Board of Appeal.

2. The relief granted by this Special Permit is confined to: (1) scope of the advertisement of the public hearing, (2) specific exceptions to the Zoning By-Law identified in this decision and only to the extent of the relief requested in the application, no other relief is implied, (3) scope is limited to the testimony given and documents produced as noted above.
3. The applicant shall, after the (20) twenty day appeal period has expired, return to the Town Clerk to have this decision stamped, then record notice of same with the North Middlesex Registry of Deeds and file a copy of the Registry Receipt with the Board of Appeals within (90) ninety days of filing of decision with the Town Clerk. Failure to record this decision within (90) ninety days shall render it null and void.
4. Special Permits shall be used within a (2) two year period or shall be null and void.

Notice of this decision shall be mailed forthwith to the applicant, to the parties in interest designated in M.G.L. Chapter 40A, Section 11, and to every person present at the hearing who requested that notice be sent to him and stated the address to which such notice was to be sent.

Any Appeal from this decision shall be made pursuant to M.G.L. Chapter 40A, Section 17 and shall be filed within (20) twenty days after the date of the filing of the notice of decision in the office of the Town Clerk.

Date of Board of Appeal Decision: December 20, 2023

Michael Pendleton
Chairman

Eric Anable
Vice-Chairman

Anupam Wali
Secretary

Richard Colantuoni
Member

Robert Accomando
Member

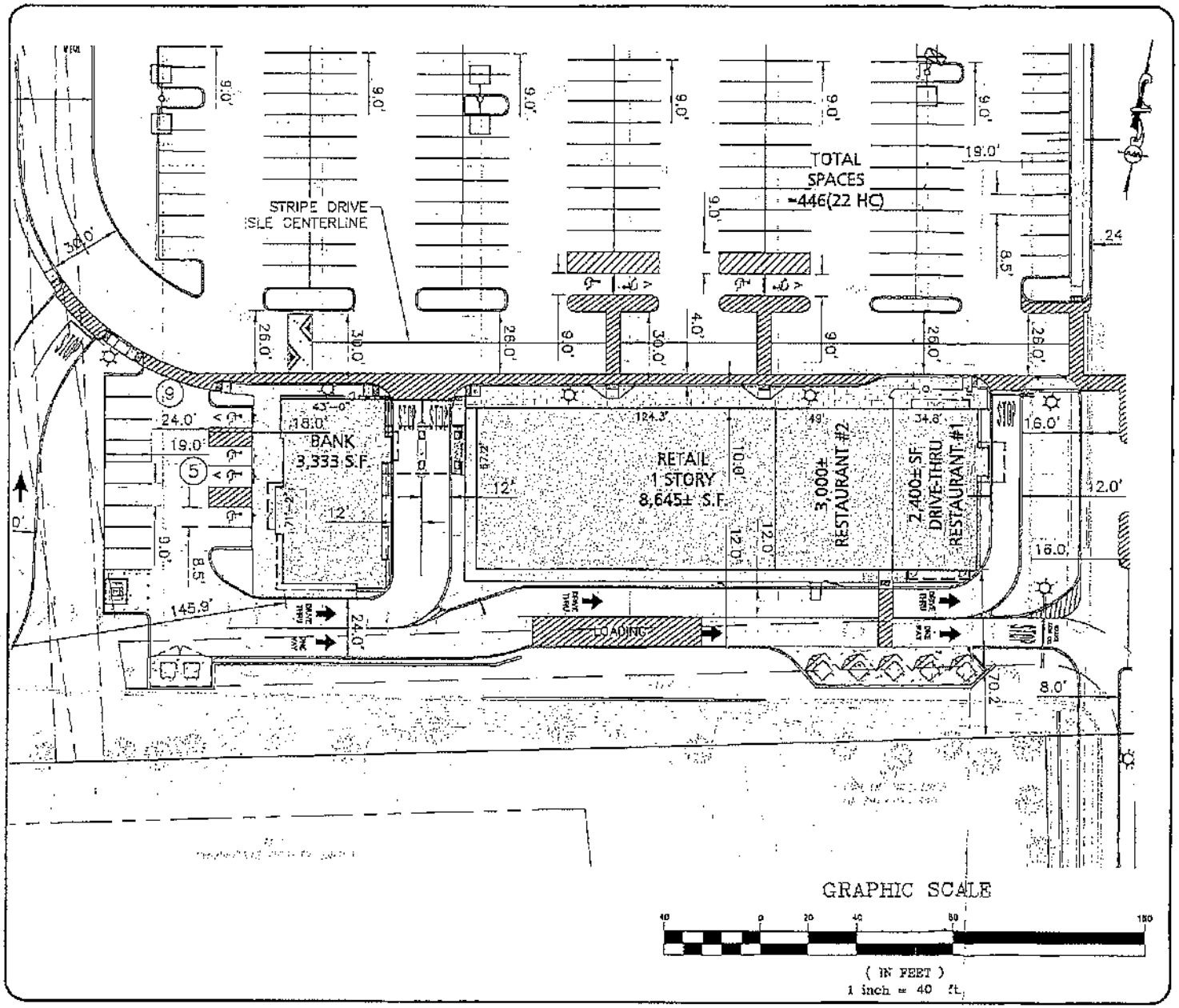
ATTEST: I, Donna J McCoy, Clerk/Assistant Clerk, for the Town of Billerica, MA., hereby certify that the decision from the Board of Appeals has been received and recorded at this office and no appeal was received during the twenty (20) days next after such receipt and recording of said decision.

Donna J. McCoy, Town Clerk

January 26, 2024
Date

Liesel Catanzano, Assistant Town Clerk

Date



APPLICANT/OWNER:
FB BILLERICA REALTY INVESTORS LLC
810 SEVENTH AVENUE-10TH FLOOR
NEW YORK, NY 10019

PROJECT:
SHOPS & RESIDENCES AT BILLERICA
480 BOSTON ROAD
BILLERICA, MA 01821

PROJECT NO.	1026-06H	DATE:	11-20-23
SCALE:	1" = 40'	DWG. NAME:	C-1026-06H
DESIGNED BY:	TJW	CHECKED BY:	TJW

PREPARED BY:

ALLEN & MAJOR ASSOCIATES, INC.
civil engineering • land surveying
environmental consulting • landscape architecture
www.allenmajor.com
100 COMMERCE WAY, SUITE 5
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DRAWING TITLE:
OUTPARCEL
DRIVE-THRU LAYOUT

SHEET No.
C-1

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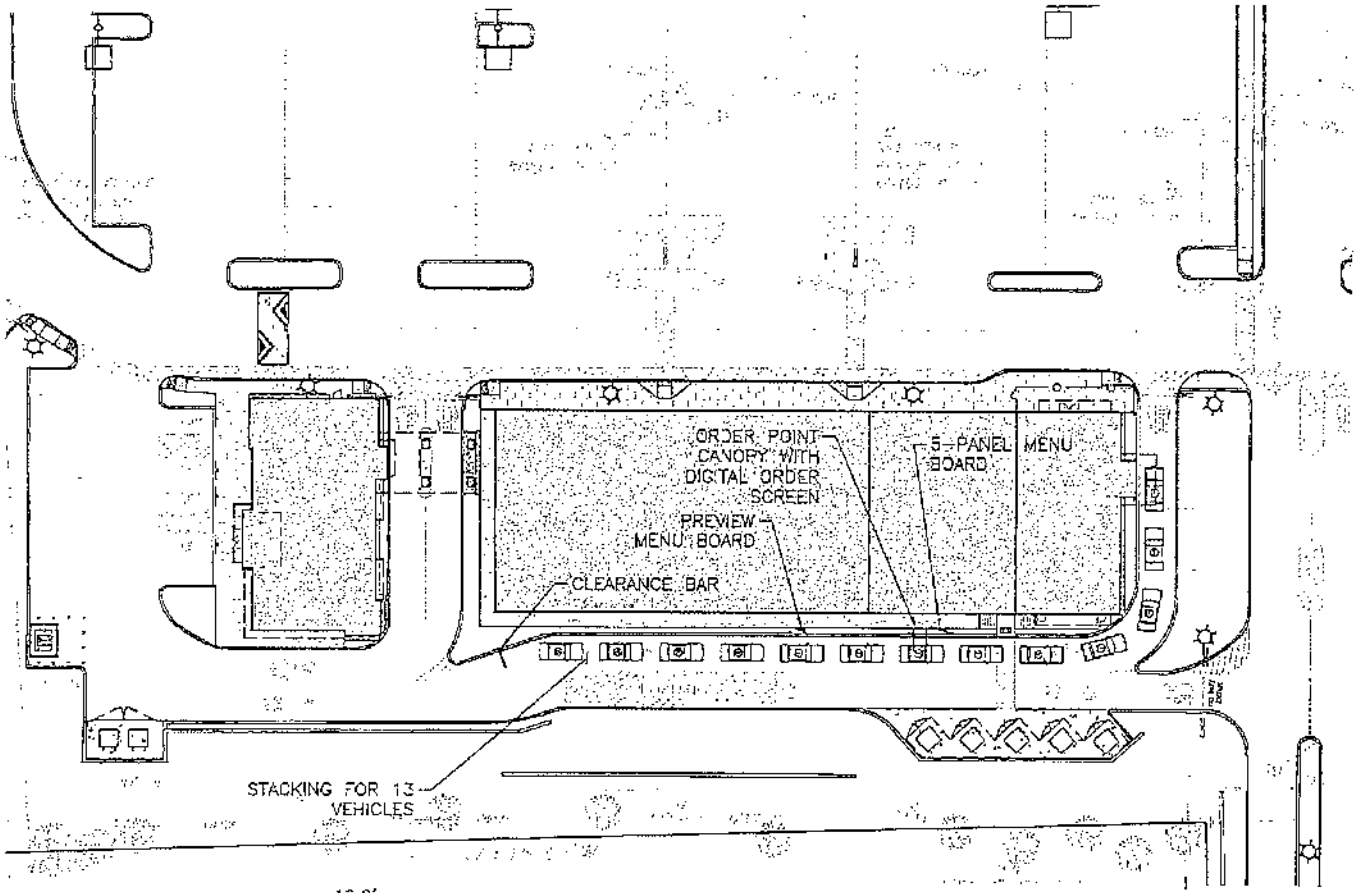

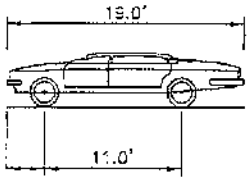

Overal Length	19.0ft
Overal Width	7.0ft
Overal Body Height	4.3ft
Min Body Ground Clearance	1.1ft
Track Width	6.0ft
Lock-to-Lock time	4.0s
Max Steering Angle (Virtual)	31.6°

GRAPHIC SCALE

40 0 20 40 80 120

(IN FEET)

1 inch = 40 ft.

APPLICANT/OWNER:

FB BILLERICA REALTY INVESTORS LLC
810 SEVENTH AVENUE -10TH FLOOR
NEW YORK, NY 10019

PROJECT:

SHOPS & RESIDENCES AT BILLERICA

480 BOSTON ROAD
BILLERICA, MA 01821

PROJECT NO.	1026-06H	DATE:	11-20-23
SCALE:	1" = 40'	DWG. NAME:	C-1026-06H
DESIGNED BY:	TJW	CHECKED BY:	TJW

PREPARED BY:

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environmental consulting • landscape architecture
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DRAWING TITLE:

OUTPARCEL
DRIVE-THRU QUEUING

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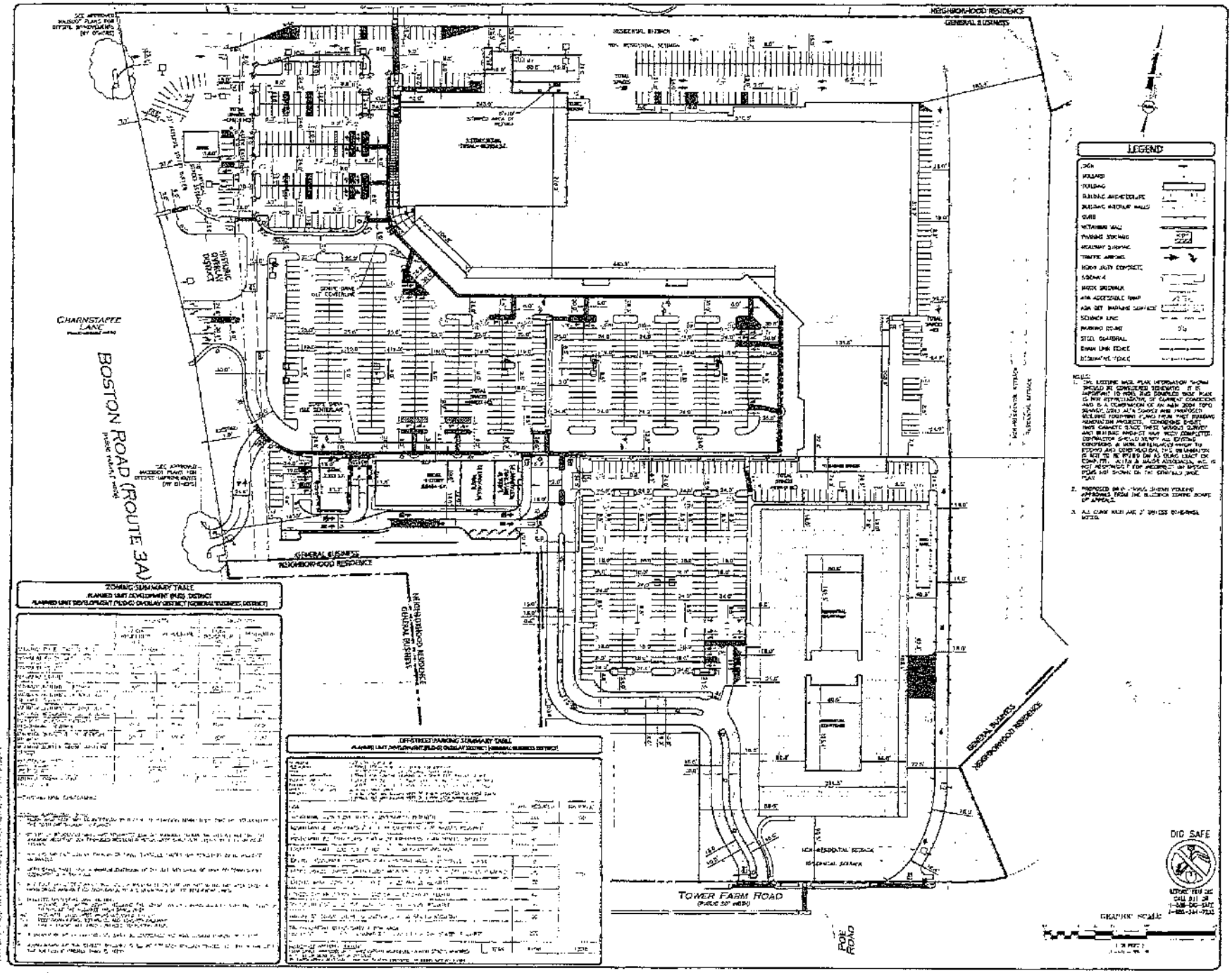
SHEET No.

C-2



ZONING SUMMARY TABLE

OFF-STREET PARKING SUMMARY TABLE

FB BILLERICA REALTY INVESTORS LLC
630 SEVENTH AVENUE - 10TH FLOOR
NEW YORK, NY 10019

SHOPS & RESIDENCES AT BILLERICA
480 BOSTON ROAD
BILLERICA, MA 01821

ALLEN & MAJOR ASSOCIATES, INC.

LAYOUT PLAN | C-102

Concert Starbucks

Kerri Rufo

From: Ivria Fried <ifried@harringtonheep.com>
Sent: Monday, March 23, 2026 10:14 AM
To: Kerri Rufo
Cc: Dawn McDowell; Christopher Dillon
Subject: Starbucks CV

[EXTERNAL EMAIL]

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

Hi Kerri,

First, in November 2024, the Governor signed *An Act Relative to Strengthening Massachusetts' Economic Leadership*, commonly known as the Mass Leads Act, into law. This legislation includes a two-year Permit Extension Act, which extends for an additional two years any permit that was in existence between January 1, 2023, and January 1, 2025. As a result, the Special Permit is valid through December 20, 2027.

Even if the Mass Leads Act had not been enacted, the permit holder properly exercised its rights by commencing construction of the drive-through facilities within the applicable two-year period. General Laws c. 40A, § 9 provides that zoning bylaws shall specify that a special permit "shall lapse within a specified period of time, not more than two years … if a substantial use thereof has not sooner commenced except for good cause, or, in the case of a permit for construction, if construction has not begun by such date except for good cause." Here, the Special Permit expressly authorizes not only the use of the drive-through, but also the construction of the associated facilities. Based on your email, that construction has been completed. Accordingly, substantial use of the permit has commenced within the meaning of G.L. c. 40A, § 9, and the permit has not lapsed for failure to exercise.

For these reasons, I see no legal basis on which the Select Board would be precluded from issuing the CV based on the facts you have provided.

Best,
Ivria

Harrington Heep

Ivria Glass Fried (she/her)

Partner at Harrington Heep LLP

irect 617-804-2427
email ifried@harringtonheep.com
website harringtonheep.com
address 40 Grove Street, Suite 190 Wellesley, MA 02482

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From: Kerri Rufo <selectboard@billerica.gov>
Date: Monday, March 23, 2026 at 9:38 AM
To: Ivria Fried <ifried@harringtonheep.com>
Cc: Dawn McDowell <dmcdowell@billerica.gov>
Subject: FW: Message from "RNP5838797C01EE"

Hi Ivria,

I am writing to request clarification regarding a pending Common Victualler License application for a business located at 480 Boston Road (Starbucks).

The Zoning Board of Appeals granted a Special Permit for this project on December 20, 2023. The decision includes a condition that the Special Permit must be exercised within a two (2) year period or it becomes null and void.

At this time, the building has been constructed and is complete. The applicant is now appearing before the Select Board for a Common Victualler License.

Can you please confirm that, based on the construction having been completed, the Special Permit is considered to have been exercised within the required timeframe and remains valid? Additionally, is there any legal concern with the Select Board proceeding with consideration of the Common Victualler License at this stage?

Thank you for your guidance.

TOWN OF BILLERICA
PLANNING AND COMMUNITY DEVELOPMENT
Town Hall
365 Boston Road Billerica, MA 01821
978-671-0962

MEMORANDUM

To: Select Board

From: Planning and Community Development Department

Date: April 2, 2026

Re: Director Approval for Hours of Operation for Daves Hot Chicken

The Decision for Site Plan Special Permit of 480 Boston Road was approved and filed by Town of Billerica Planning Board Mar 2, 2021.

Conditions of this approval include:
#16. Hours of operation for the uses located on the site shall be provided to the Planning Director for review and approval prior to the issuance of an Occupancy Permit.

This review and approval is separate and distinct from the Select Board's victualler's licensing. For the Select Board's information purposes, I have reviewed the proposed hours of the Victualler License application, and have drafted my findings, copied below.

Specific findings:

- Planning Director makes no claim or assumption on the approval and authority of other permitting/licensing bodies.
- The Town of Billerica has limited late-night food options, and this will provide additional services and amenities to the local residents.
- The sign permit applications have been reviewed and approved by Planning Director already. Most notably, the signage visible to nearby residences (southern side of building, facing Tower Farm Road) will NOT be illuminated. There is no concern of glare or nuisance.
- Parking would occur on the north side of the building, and be accessed by most customers from the Boston Road side. Some residents may access from the Tower Farm access road, if that is their place of origin/destination.
- The site plan special permit allows for outdoor dining areas. It is worth asking the applicant to address any proposed use of outdoor dining. Will it include music? Will it be open as late as the indoor area? Are there any mitigation efforts needed to control for potential noise?

Based on these findings, I plan to issue approval for the proposed hours of operation of Daves Hot Chicken at the Shoppes at Billerica, as required by Site Plan Special Permit Conditions for the site's redevelopment.

RECE\'JED
nl, r:.q -2 P t: s1
TOWN CLERK
BILLERICA

CERTIFICATE OF DECISION
PLANNED UNIT DEVELOPMENT SPECIAL PERMIT
480 BOSTON ROAD, BILLERICA, MA

APPLICANT

FB Billerica Realty Investors, LLC
810 Seventh Avenue, 10th Floor
New York, NY 10019

PERMIT SOUGHT

The Applicant seeks a Planned Unit Development General District Special Permit pursuant to Section 5-E-10 of the Billerica Zoning By-Laws to permit the development of a mixed use development. The applicant proposes to construct 18,000 square feet new commercial space, demolish portions of an existing commercial building, utilize existing commercial space for a supermarket, provide outdoor seating at the locations proposed for the supermarket and the restaurants, and construct 200 new residential units on the site located at 480 Boston Road, Billerica. This decision applies to the Site Plan entitled, "The Shops at Billerica, 480 Boston Road, Billerica, MA", prepared by Allen and Major Associates, Inc., 100 Commerce Way, Woburn, MA and dated March 6, 2020 and revised through January 22, 2021.

PROCEDURE

A virtual public hearing was advertised for February 23, 2021. Advertisements appeared in the Lowell Sun on February 9, 2021 and February 16, 2021. A notice of the hearing was posted prior to the hearing. Notices were sent to interested parties as specified in General Laws, Chapter 40A, Section 11, in accordance with certification from the Assessor's Office setting forth the names and addresses of such parties. Notices were also sent to the Planning Boards of abutting towns. The hearing was opened on February 23, 2021. The public hearing was closed on February 23, 2021.

MATERIALS

As part of the initial Application submission and during the public hearing, the following plans and materials were submitted to the Board by the Applicant and are contained in the Board's reference library, and are a part of the public record on which the Board made its decision:

1. Cover Letter, Form S Site Plan Special Permit and Special Permit Application forms prepared by Shea, Dangora, and Nelson, P.C. and dated May 13, 2020 and dated January 25, 2021

2. Site Plan entitled, "The Shops at Billerica, 480 Boston Road, Billerica, MA", prepared by Allen and Major Associates, Inc., 100 Commerce Way, Woburn, MA and dated March 6, 2020 and revised through January 22, 2021.

3. Traffic Impact Assessment prepared by Vanasse & Associates, Inc. and dated May, 2020

4. Revised Traffic Impact Assessment prepared by Vanasse & Associates, Inc. and dated July, 2020.

5. Drainage Report prepared Allen & Major Associates, Inc., dated May 8, 2020 and revised through January 11, 2021.

6. Peer Review Memos prepared by Beta Group Inc. and dated July 20, 2020, September 4, 2020, September 15, 2020 and February 10, 2021

7. Comment Response Letters prepared by Allen & Major Associates, Inc dated August 19, 2020, September 9, 2020, and February 19, 2021

8. Peer Review Memo prepared by Beta Group Inc. and dated September 2, 2020.

9. DPW Engineering Department Comment Letters dated June 19, 2020 and September 15, 2020, and February 17, 2021

10. Billerica Fire Department Comment Letter dated June 3, 2020 and February 23, 2021

11. Billerica Conservation Commission Comment Letter dated June 8, 2020

12. Billerica Board of Health Comment Letter dated June 9, 2020

13. Water and Sewer Analysis prepared by Woodard and Curran and dated August 11, 2020

14. Response to Water and Sewer Analysis prepared by Allen & Major Associates, Inc dated September 3, 2020.

15. Fiscal Impact Analysis prepared by Barrett Planning Group, LLC and dated September 8, 2020

16. Powerpoint Presentation including building renderings dated February 23, 2021

PLANNING BOARD FINDINGS

The Planning Board finds that the proposed project is consistent with and furthers the purpose of the Planned Unit Development Overlay District as stated in the District's Statement of Purpose and Authority (Section 5.E.10.1). Particularly, that the proposed project supports the concept that the

Planning Board encourages the construction of a mix of land uses, densities, and building types in one development.

Further, the Planning Board finds that if the conditions included herein are met, the Site Plan and associated application documents meet the requirements of Sections 5-E-10 of the Zoning By-Law for the following reasons:

1. The proposed project conforms as appropriate to the existing policy plans established by the Town Meeting, Selectmen, and Planning Board for the specific area of the Town in which the proposed PUD is located. The proposed project conforms to the Town of Billerica Master Plan as it accomplishes the following action items as listed in the plan:

    - The proposed project promotes a better and higher use of the Town's commercial centers by providing mixed use infill development. (Land Use Actions, Goal 1, LU-4)
    - The proposed project creates a diversified housing development that will contribute to the Town ofBillerica's affordable housing stock. (Land Use Actions, Goal 3)

    In addition, the proposed project addresses the action items listed in the Town ofBillerica's Housing Production Plan as it proposes to construct a minimum of 10% of the residential units as affordable.

2. There is no significant adverse effect under any of the following:

    a. Quality of site desi$_{gn}$, building design, and landscaping as they affect occupants of the p.roposed development, the PUD Overlay District, adjacent residential districts, and the Town of Billerica as a whole.

    b. Traffic flow and safety in the context of this and other proposed developments in the PUD Overlay District and sensitive nearby areas, which has been addressed in the traffic study submitted to the Planning Board prepared by Vanasse and Associates and peer reviewed by the Planning Board's engineer, Beta Group, Inc.

    c. Water quality, air quality, wetlands, and the natural environment, as the proposed project will provide improve and be a benefit to the existing stormwater quality and reduce stormwater runoff from the site.

    d. Provision of open space, as the proposed project has provided open space in addition to that requited through the Planned Unit Development Overlay District.

    e. Adequacy of utilities and other public works and impact on existing public facilities within the Town, as addressed in the water and sewer analysis prepared by the Town's engineer, Woodard and Curran.

    f. Potential fiscal impact of the Town of Billerica, as determined through the Fiscal Impact Analysis prepared by Barrett Planning Group, LLC and submitted to the Planning Board.

g. The approval of the proposed PUD provides benefits to the Town which outweigh all adverse effects, as evaluated under the above criteria.

VOTE

At their regularly scheduled meeting on February 23, 2021, the Planning Board voted with five (5) in favor, two (2) opposed, and none (0) absent to approve the Planned Unit Development General Business Special Permit (Section 5-E-10) with conditions as amended.

CONDITIONS

1. This Planned Unit Development General Business Special Permit shall not take effect until a copy of this Decision has been recorded at the Registry of Deeds within 90 days of filing of this decision with the Town Clerk. The copy of this decision shall bear the certification of the Town Clerk that 20 days have elapsed after the decision has been filed in the Office of the Town Clerk and no appeal has been filed, or if filed, such appeal has been dismissed or otherwise resolved.

2. Per Section 13 of the Zoning By-Laws this Special Permit shall lapse if a substantial use or construction thereunder has not begun, except for good cause, within two (2) years of the filing of this decision with the Town Clerk (plus any time required to pursue or await the determination of an appeal). The Planning Board may, upon request of the Applicant citing good cause, grant such extensions of time, each no longer than one (1) year, as it shall deem necessary to carry the use into effect.

3. The Applicant shall arrange for a pre-construction meeting at its own expense with the Town's Fire, Police, Engineering, Planning, Board of Health and Building officials to review permit requirements.

4. All construction and installation shall in all respects conform to the Zoning By-Laws, as applicable, unless otherwise granted relief by the Board of Appeals. Failure to comply with all conditions herein shall be deemed cause to revoke or modify this approval. All improvements shall be constructed in accordance with the approved site plan and all conditions herein.

5. Failure to comply with any of the conditions herein shall be deemed cause to revoke or modify this approval.

6. This Special Permit is not valid until the project complies with all Board of Health Rules and Regulations, including the issuance of a Stonnwater Permit.

7. Any and all operation that takes place at the site must meet all noise and dust By-Laws in the Town of Billerica.

8. Any new signage to be located on the building must be approved by the Planning Director prior to installation.

9. Per Section 9 of the Zoning By-Laws, all new lighting shall be glare shielded from adjacent properties and streets.

10. All required landscaping shall be installed and stabilized. Following construction, landscaping shall be subject to field enhancements as reviewed and approved by the Planning Director.

11. Construction management and site control shall include the following:

    a. Construction related dust, dirt, and debris shall be controlled on-site. Any off-site impact shall be mitigated fully the day on which it is documented.

    b. The applicant shall provide the name and phone number of the Facilities Manager to be contacted by the abutters in case of any problems occur during construction.

    c. No off-site storage of construction materials or staging shall be permitted.

12. Final elevations for both the new residential and commercial structures to be constructed must be approved by the Planning Director prior to the issuance of a building permit.

13. Elevations for the proposed supermarket shall be reviewed and approved by the Planning Director prior to the issuance of a building permit for that commercial space.

14. The applicant shall submit a construction phasing plan for review and approval by the Planning Director which ensures that the retail/restaurant structure construction will commence prior to the issuance of the final Certificate of Occupancy for the residential structure. The plan shall be submitted prior to the issuance of any building permit for the site.

15. The applicant shall maintain and remove any trash that accumulates behind the buildings located on the site, particularly to the rear of the site adjacent to the detention pond

16. Hours of operation for the uses located on the site shall be provided to the Planning Director for review and approval prior to the issuance of an Occupancy Permit.

17. The applicant shall monitor traffic conditions as full opening traffic volumes are realized. If a shift of traffic patterns exiting the site are resulting in a lowered level of service at those exits, the applicant shall adjust timing of the traffic signals servicing the site.

18. After six months following the issuance of the final certificate of occupancy for the site, the applicant shall review the timing of the traffic signal located at the site driveway intersection with Boston Road and Charnstaff Lane. If adjustment to the timing of the signal is determined necessary to optimize the traffic flow, the applicant shall notify the Town of Billerica Public Works Department and make any and all required adjustments.

19. The detention basin berm proposed on site shall be reviewed by a Geotechnical Engineer. The applicant shall provide the geotechnical report to the Planning Director for review and

approval by the Board's peer review engineer. All recommendations contained in the report shall be incorporated into the plan prior to the issuance of a building permit.

20. A landscape design/drainage plan for the residential courtyard shall be submitted to the Planning Director for review and approval prior to the issuance of a building pennit.

21. The applicant shall meet with the Billerica Public Works Department to determine the appropriate location for a crosswalk on Tower Farm Road to the site. The design and location of the crosswalk shall be provided to the Town Engineer for review and approval. The crosswalk shall be installed prior to the issuance of the first certificate of occupancy for the residential structure.

22. The applicant shall provide an evaluation of the existing 18 inch pipe from the existing on-site detention pond to its connection to the closed drainage system within the applicant's easement.

23. The applicant agrees to provide 10% of the residential units as affordable, which shall consist of a balanced mix of affordable housing units for seniors and people with disabilities. The affordable units shall be occupied by households that meet the requirements of the Massachusetts Department of Housing and Community Development, Local Initiative Program, for inclusion on the Chapter 40B Subsidized Housing Inventory and the applicant shall provide preference to Billerica residents when marketing and leasing the affordable residential units.

    Furthermore, a deed restriction, contract, mortgage agreement, or other legal instrument, acceptable in form and substance to the Town of Billerica, that effectively restricts occupancy of an affordable housing unit to qualified purchaser or qualified renter, and which provides for administration, monitoring and enforcement of the restriction during the term of affordability shall be provided. The affordable housing restriction shall run with the land in perpetuity or for the maximum period of time allowed by law, and be enforceable under the provisions of Chapter 184, Sections 26 or 31-32 of the Massachusetts General Laws.

24. The applicant shall provide for additional signage at the site to require that trucks shall not make a left turn when exiting onto Tower Farm Road from the site. All additional signage shall be reviewed and approved by the Planning Director prior to the issuance of a building pennit.

25. The applicant shall replace the existing asphalt sidewalk on the south side of Tower Farm Road with a concrete sidewalk as per the submitted site plan.

26. The applicant shall make the pedestrian connection to Rose Hill Manor as per the submitted site plan

27. The applicant agrees to provide $5,000 to the Town of Billerica to be utilized in providing .improvements and handicap accessibility to the gazebo located in the Town Center. The funds shall be provided to the Town of Billerica prior to the issuance of a building permit.

28. **The applicant shall permit overflow vehicles from the residential portion of the site to park in the retail parking spaces located at the site.**

29. **The applicant shall work with the Town of Billerica Police Department to determine adequate ways to expand the network security on the building.**

30. **The applicant shall work with the Billerica School Department to provide a bus stop adjacent to the site.**

31. **The applicant shall inspect the existing sewer line and manholes located on the site and make any repairs determined necessary prior to connecting the new commercial buildings.**

Majority of the Planning Board

Commonwealth of Massachusetts

Middlesex, ss

Then Personally appeared ofthe above named members of the Town of Billerica Planning Board and acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me.

Notary Public

My commission expires April 24, 2026

I, _____, Town Clerk ofthe Town of Billerica, Massachusetts hereby certify that this Decision by the Billerica Planning Board has been received and recorded at this office and no appeal was received during the twenty days next after such receipt and recording of such notice.

Town Clerk

Date

4/1/26 46 consent

LICENSE APPLICATION
BILLERICA SELECT BOARD

Fee Paid: $ ~~$50~~

CK# 100425

ACTION: ☑ **NEW** or ☐ **CHANGE**

Licensee of Business:		
Doing Business As: Dave's Hot Chicken		
Street Address: 490 BOSTON ROAD UNIT 6		**Assessors Plate/Parcel:**
Phone #: 5404605509	**Zip Code:** 08128	**Tax ID #:** 39-3259695
Alt. Phone #: 5409886871	**Email:** al@gqchicken.com	

DESCRIPTION OF PREMISES:

Include # floors, total SF, # of patron restrooms, entrance/exit locations, etc. Use additional attachments if necessary and attach a plot plan of the premises if there are exterior changes.

First floor of multi unit building, 90 total occupants, 2,357 Sq Ft, 2 Unisex bathrooms. Main entrance is located in front of building, second egress is in rear of building exiting in the rear access roadway.

REQUIRED SIGNATURES: (Obtain necessary approvals before submission)

Building Inspector: Mark LaFavre	**Date:** 4-1-26
Comments:	
Board of Health: Kristen Bennett	**Date:** 4/01/26
Comments:	
Police: Lt Sean Carey	**Date:** 4/1/26
Comments:	
Fire: Richard Hall	**Date:** 4/1/26
Comments:	
Treasurer: Claire Russo	**Date:** 4/1/26
Comments:	

Manager's Name: Al Graziano		
Street Address: 361 Durham Point Road		
City/Town/State/Zip: Durham NH 03824		
Phone #: 5404605509	**Tax ID #:** 39-3259695	**Email:** al@gqchicken.com

Requested Hours of Operation: (For new application or for change on license)

Weekday (Monday-Friday):	Monday-Wednesday 10:30AM-1AM Thursday-Friday 10:30AM -2AM
Saturday:	10:30 AM-2AM
Sunday:	10:30AM-1AM

LICENSE TYPE REQUESTED:

LIQUOR (Circle Option):	**On-Premise Retail (S12)**	**Wine & Malt**	**All Alcohol**
	Off Premise Retail (S15)	**Wine & Malt**	**All Alcohol**
Type of Business S12 Only:	**Club**	**Hotel/Innkeeper**	**Restaurant**
1-Day Special:	**Wine & Malt**	**All Alcohol (Non-profit Organizations Only)**	
COMMON VICTUALLER (Circle Option):		**Restaurant**	**Innholder** **Cafeteria**
ZBA/Special Permit?: Provide Copy if Yes		☑ **YES**	☐ **NO**
MOTOR VEHICLE (Circle Option):	**Class I**	**Class II**	**Class III**
HAZARDOUS MATERIAL STORAGE (List Type):			
ENTERTAINMENT: Background Audio			
Weekday: (Per MGL, Ch. 140, Section 183A):			
Sunday: (Per MGL, Ch. 136 – Form 90 Required):			
Type of Entertainment: Background Audio			
AMUSEMENT DEVICE (Per MGL, Ch.140, Section 177A)			
# of Total Devices:			
Enter Each Device Separately. Name of Machine and Serial #. Use separate paper if necessary.			
#1:	**#5:**		
#2:	**#6:**		
#3:	**#7:**		
#4:	**#8:**		
OTHER (Circle Option): **Taxi** **Livery** **Bowling** **Auctioneer** **Other:**_____			
Licensees Signature:		**Date:**	
Title:			

The applicant certifies compliance with all Rules, Regulations, Laws and By-Laws in effect at this time. Under the penalties of perjury, the signature below certifies the above information as true and correct to the best of their knowledge and belief. False statements can result in immediate license revocation.

NAME OF INDIVIDUAL OR CORPORATION THAT PAYS REAL ESTATE TAXES TO THE TOWN OF BILLERICA:

FB BILLERICA REALTY INVESTORS LLC

Requested Hours of Operation: (For new application or for change on license)

Weekday (Monday-Friday):	Monday-Wednesday 10:30AM-1AM Thursday-Friday 10:30AM -2AM
Saturday:	10:30 AM-2AM
Sunday:	10:30AM-1AM

LICENSE TYPE REQUESTED:

LIQUOR (Circle Option):	**On-Premise Retail (S12)**	**Wine & Malt**	**All Alcohol**
	Off Premise Retail (S15)	**Wine & Malt**	**All Alcohol**
Type of Business S12 Only:	**Club**	**Hotel/Innkeeper**	**Restaurant**
1-Day Special:	**Wine & Malt**	**All Alcohol (Non-profit Organizations Only)**	
COMMON VICTUALLER (Circle Option):	**Restaurant**	**Innholder**	**Cafeteria**
ZBA/Special Permit?: Provide Copy if Yes	**☑ YES**	**□ NO**	
MOTOR VEHICLE (Circle Option):	**Class I**	**Class II**	**Class III**
HAZARDOUS MATERIAL STORAGE (List Type):			
ENTERTAINMENT: Background Audio			
Weekday: (Per MGL, Ch. 140, Section 183A):			
Sunday: (Per MGL, Ch. 136 – Form 90 Required):			
Type of Entertainment: Background Audio			

AMUSEMENT DEVICE (Per MGL, Ch.140, Section 177A)	
# of Total Devices:	
Enter Each Device Separately. Name of Machine and Serial #. Use separate paper if necessary.	
#1:	**#5:**
#2:	**#6:**
#3:	**#7:**
#4:	**#8:**

OTHER (Circle Option):

Taxi **Livery** **Bowling** **Auctioneer** **Other:**_____

Licensees Signature:	**Date:**
Title:	

The applicant certifies compliance with all Rules, Regulations, Laws and By-Laws in effect at this time. Under the penalties of perjury, the signature below certifies the above information as true and correct to the best of their knowledge and belief. False statements can result in immediate license revocation.

NAME OF INDIVIDUAL OR CORPORATION THAT PAYS REAL ESTATE TAXES TO THE TOWN OF BILLERICA:

FB BILLERICA REALTY INVESTORS LLC

The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
Lafayette City Center
2 Avenue de Lafayette, Boston, MA 02111-1750
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information **Please Print Legibly**

Business/Organization Name: DBA Dave's Hot Chicken GQ CHICKEN BILLERICA LLC

Address: 1071 S Willow Street

City/State/Zip: Manchester, NH 03103 Phone #: 5404605509

Are you an employer? Check the appropriate box:

1. ☑ I am a employer with 16 employees (full and/ or part-time).*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. ☐ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. ☐ Retail
6. ☑ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☐ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☐ Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.
**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: American Zurich Insurance Company

Insurer's Address: 1001 Summit Blvd, Suite 1700

City/State/Zip: Atlanta, GA 30319

Policy # or Self-ins. Lic. # ZNAMA Expiration Date: 6/1/26

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under § 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to $1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to $250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: Al Graziano Date: March 19, 2026

Phone #: 5404605509

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ **Permit/License #** _____

Issuing Authority (check one):

1. ☐ **Board of Health** 2. ☐ **Building Department** 3. ☐ **City/Town Clerk** 4. ☐ **Licensing Board**
5. ☐ **Selectmen's Office** 6. ☐ **Other** _____

Contact Person: _____ **Phone #:** _____

The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
Lafayette City Center
2 Avenue de Lafayette, Boston, MA 02111-1750
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information **Please Print Legibly**

Business/Organization Name: DBA Dave's Hot Chicken GQ CHICKEN BILLERICA LLC

Address: 1071 S Willow Street

City/State/Zip: Manchester, NH 03103 Phone #: 5404605509

Are you an employer? Check the appropriate box:

1. ☑ I am a employer with 16 employees (full and/ or part-time).*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. ☐ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. ☐ Retail
6. ☑ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☐ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☐ Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.
**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: American Zurich Insurance Company

Insurer's Address: 1001 Summit Blvd, Suite 1700

City/State/Zip: Atlanta, GA 30319

Policy # or Self-ins. Lic. #: ZNAMA Expiration Date: 6/1/26

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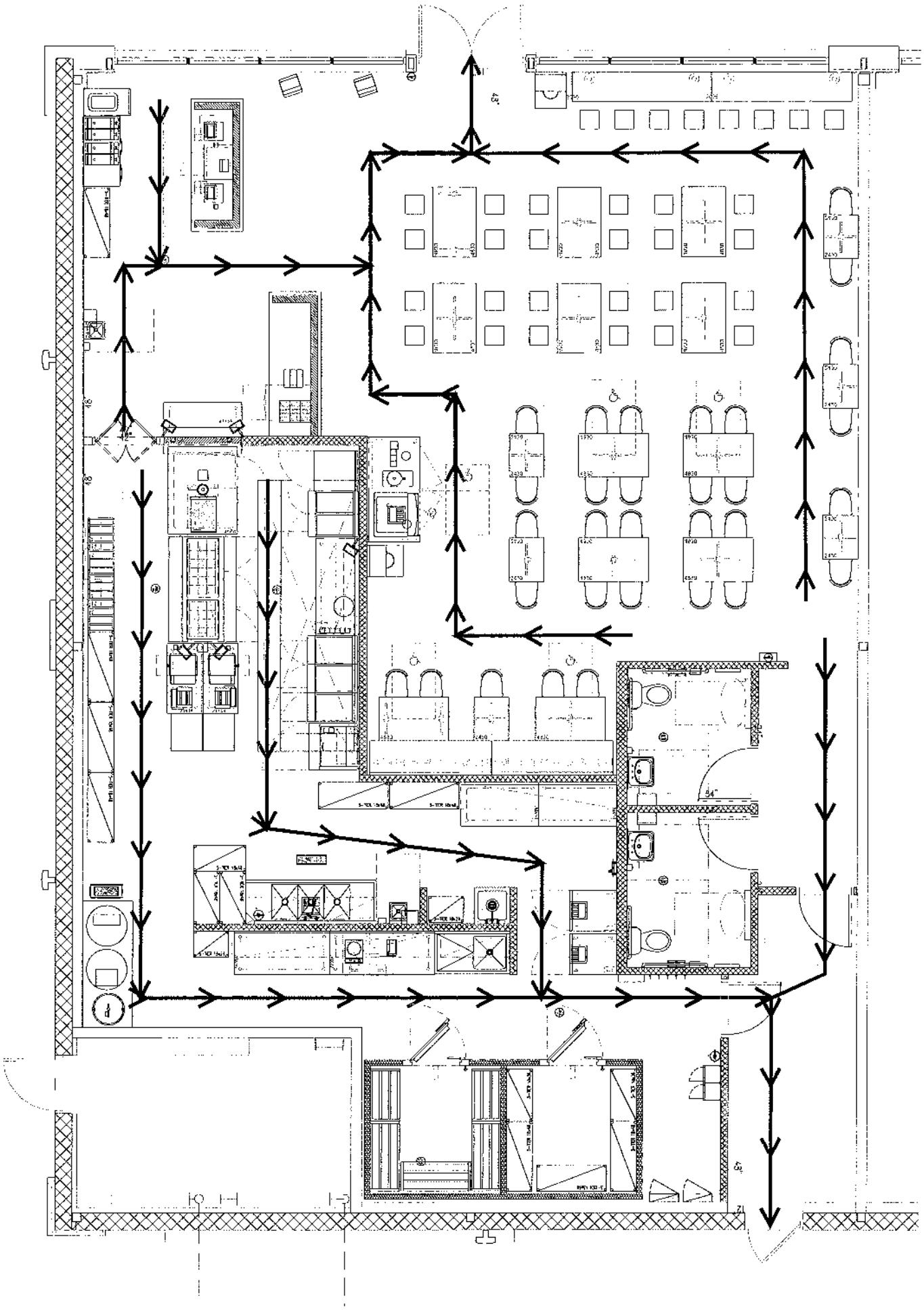
Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ **Permit/License #** _____

Issuing Authority (check one):

1.☐ Board of Health 2.☐ Building Department 3.☐ City/Town Clerk 4.☐ Licensing Board
5.☐ Selectmen's Office 6. ☐ Other _____

Contact Person: _____ **Phone #:** _____



EGRESS PLAN

Scale: N.T.S

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 03/30/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Chris Carlin
REDISH INSURANCE GROUP, INC. 23190 Fashion Dr. Suite 213 Estero FL 33928	PHONE (A/C, No, Ext): (888) 659-8959 FAX (A/C, No): (866) 384-4718 E-MAIL ADDRESS: ccarlin@Redishins.com

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A :	Everspan Insurance Company	24961
INSURER B :	Scottsdale Insurance Company	41297
INSURER C :	Starr Surplus Lines Insurance Company	13604
INSURER D :		
INSURER E :		
INSURER F :		

INSURED
GQ Capital Holdings LLC and GQ Chicken Billerica LLC
dba: Dave's Hot Chicken
1071 South Willow St
Manchester NH 03103

COVERAGES **CERTIFICATE NUMBER:** CL2633005200 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [ ] PRO-JECT [X] LOC [ ] OTHER:			AC1EIC-37244120326XXXRTRE	03/13/2026	03/13/2027	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG Hired/Non-Owned Auto	$ 1,000,000 $ 300,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 $ 1,000,000
A	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [X] HIRED AUTOS ONLY [X] NON-OWNED AUTOS ONLY			AC1EIC-37244120326XXXRTRE	03/13/2026	03/13/2027	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) [ ]	$ 1,000,000 $ $ $ $
B	[X] UMBRELLA LIAB [X] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $			QX-09121369	03/13/2026	03/13/2027	EACH OCCURRENCE AGGREGATE [ ]	$ 5,000,000 $ 5,000,000 $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N [ ] If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					[ ] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ $ $
C	UMBRELLA LIABILITY EXCESS $5M OVER PRIMARY $5M			SLSTPTY-13809826	03/13/2026	03/13/2027	EACH OCCURRENCE AGGREGATE	5,000,000 5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Location Address: 490 Boston Post Rd | Unit 6, Billerica, MA 01821

Additional Named Insured: GQ Chicken Billerica LLC

CERTIFICATE HOLDER

Town of Billerica
365 Boston Rd
Billerica MA 01821

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Additional Named Insureds

Other Named Insureds	
Dave's Hot Chicken	Doing Business As
GQ Chicken Billerica LLC	Limited Liability Company, Additional Named Insured
GQ Chicken Chelmsford LLC	Limited Liability Company, Additional Named Insured
GQ Chicken Framingham LLC	Limited Liability Company, Additional Named Insured
GQ Chicken Holdings LLC	Limited Liability Company, Additional Named Insured
GQ Chicken Marlborough LLC	Limited Liability Company, Additional Named Insured
GQ Chicken Medford LLC	Limited Liability Company, Additional Named Insured
GQ Chicken Newton LLC	Limited Liability Company, Additional Named Insured
GQ Chicken Saugus LLC	Limited Liability Company, Additional Named Insured
GQ Chicken Woburn LLC	Limited Liability Company, Additional Named Insured
Graziano Holdings LLC	Limited Liability Company, Additional Named Insured
Graziano Restaurants Burlington LLC	Limited Liability Company, Additional Named Insured
Graziano Restaurants Manchester LLC	Limited Liability Company, Additional Named Insured
Graziano Restaurants Middletown, LLC	Limited Liability Company, Additional Named Insured
Graziano Restaurants Portsmouth LLC	Limited Liability Company, Additional Named Insured
Graziano Restaurants Waterford LLC	Limited Liability Company, Additional Named Insured
Graziano Restaurants Worcester LLC	Limited Liability Company, Additional Named Insured
Griziano Holdings II LLC	Limited Liability Company, Additional Named Insured
Griziano Holdings III LLC	Limited Liability Company, Additional Named Insured

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Kerri Rufo

From: Mark LaLumiere
Sent: Thursday, April 2, 2026 12:47 PM
To: Kerri Rufo
Subject: RE: Dav's Hot Chicken-Permit???

Kerri,

None, other than the Site Plan Special Permit that was issue for the entire project. There are no restrictions currently in place on house of operation.

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

From: Kerri Rufo <selectboard@billerica.gov>
Sent: Thursday, April 2, 2026 12:37 PM
To: Mark LaLumiere <mlalumiere@billerica.gov>
Subject: Dav's Hot Chicken-Permit???

Mark,

Is there any type of permit for Dave's Hot Chicken that should be attached to the Comm Vic application.
They are looking for hours to be open until 2AM

From: Mark LaLumiere <mlalumiere@billerica.gov>
Sent: Tuesday, March 24, 2026 2:26 PM
To: Kerri Rufo <selectboard@billerica.gov>
Subject: RE: Starbucks

Thank you!

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

From: Kerri Rufo <selectboard@billerica.gov>
Sent: Monday, March 23, 2026 4:24 PM
To: Mark LaLumiere <mlalumiere@billerica.gov>
Subject: RE: Starbucks

Here you go!

From: Mark LaLumiere <mlalumiere@billerica.gov>
Sent: Monday, March 23, 2026 2:45 PM
To: Kerri Rufo <selectboard@billerica.gov>
Subject: Starbucks

Keri,
Can you send a copy of the Starbucks Special Permit please.

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

ServSafe
National Restaurant Association

ServSafe® CERTIFICATION

DAVID WICK

for successfully completing the standards set forth for the ServSafe® Food Protection Manager Certification Examination, which is accredited by the American National Standards Institute (ANSI)–Conference for Food Protection (CFP).

24211887	10809
CERTIFICATE NUMBER	EXAM FORM NUMBER
7/6/2023	7/6/2028
DATE OF EXAMINATION	DATE OF EXPIRATION

Local laws apply. Check with your local regulatory agency for recertification requirements.

ANSI ACCREDITED PROGRAM American National Standards Institute and the Conference for Food Protection®
#0655

Sherman Brown
Executive Vice President, National Restaurant Association Solutions

In accordance with Maritime Labour Convention 2006, Resolution ADM N 068-2013 (Regulation 3.2, Standard A3.2).

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This document cannot be reproduced or altered.

17110811 v.1711

Contact us with questions at 233 S. Wacker Drive, Suite 3600, Chicago, IL. 60606-6383 or ServSafe@restaurant.org.

LICENSE APPLICATION
BILLERICA SELECT BOARD

Fee Paid: $ 50.00
New Business

ACTION: ☐ NEW or ☑ CHANGE

Licensee of Business:	Billsubs LLC	
Doing Business As:	Subway 55170	
Street Address:	480 Boston Road Unit 10	**Assessors Plate/Parcel:**
Phone #: 978 362 8507	**Zip Code:** 01821	**Tax ID #:**
Alt. Phone #: 781-352-1485	**Email:** RANGA@THEPGMG.com	

DESCRIPTION OF PREMISES:

Include # floors, total SF, # of patron restrooms, entrance/exit locations, etc. Use additional attachments if necessary and attach a plot plan of the premises if there are exterior changes.

Subway Sandwich Restaurant

REQUIRED SIGNATURES: (Obtain necessary approvals before submission)

Base

Building Inspector: [signature]	**Date:** 3/11/26
Comments:	
Board of Health: [signature]	**Date:** 3/11/26
Comments:	
last — **Police:** Lt S— N Cuny	**Date:** 3/20/26
Comments:	
Fire: [signature]	**Date:** 3/11/26
Comments:	
1st Floor **Treasurer:** Maryann Schiffer	**Date:** 3/11/26
Comments:	

Manager's Name:	Shreya Patel	
Street Address:	9 Shadow Lane	
City/Town/State/Zip:	N. Andover MA 01810	
Phone #: 781-330-2771	**Tax ID #:**	**Email:** SHREYA@THEPGMG.com

RECD MAR 20 2026

Requested Hours of Operation: (For new application or for change on license)

Weekday (Monday-Friday):	9am to 10pm
Saturday:	9am to 10pm
Sunday:	9am to 10pm

LICENSE TYPE REQUESTED:

LIQUOR (Circle Option):	**On-Premise Retail (S12)**	**Wine & Malt**	**All Alcohol**
	Off Premise Retail (S15)	**Wine & Malt**	**All Alcohol**
Type of Business S12 Only:	**Club**	**Hotel/Innkeeper**	**Restaurant**
1-Day Special:	**Wine & Malt**	**All Alcohol (Non-profit Organizations Only)**	
COMMON VICTUALLER (Circle Option):	**Restaurant**	**Innholder**	**Cafeteria**
ZBA/Special Permit?: Provide Copy if Yes	**□ YES**	**□ NO**	
MOTOR VEHICLE (Circle Option):	**Class I**	**Class II**	**Class III**
HAZARDOUS MATERIAL STORAGE (List Type):			
ENTERTAINMENT:			
Weekday: (Per MGL, Ch. 140, Section 183A):			
Sunday: (Per MGL, Ch. 136 – Form 90 Required):			
Type of Entertainment:	Ceiling Radio		
AMUSEMENT DEVICE (Per MGL, Ch.140, Section 177A)			
# of Total Devices:			
Enter Each Device Separately. Name of Machine and Serial #. Use separate paper if necessary.			
#1:	**#5:**		
#2:	**#6:**		
#3:	**#7:**		
#4:	**#8:**		
OTHER (Circle Option): **Taxi** **Livery** **Bowling** **Auctioneer** **Other:**_____			
Licensees Signature:		**Date:** 3/11/26	
Title:	Owner		

The applicant certifies compliance with all Rules, Regulations, Laws and By-Laws in effect at this time. Under the penalties of perjury, the signature below certifies the above information as true and correct to the best of their knowledge and belief. False statements can result in immediate license revocation.

NAME OF INDIVIDUAL OR CORPORATION THAT PAYS REAL ESTATE TAXES TO THE TOWN OF BILLERICA:

_____

_____

_____

The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
Lafayette City Center
2 Avenue de Lafayette, Boston, MA 02111-1750
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information **Please Print Legibly**

Business/Organization Name: Bill Subs LLC

Address: 480 Boston Road

City/State/Zip: Billerica MA 01821 Phone #: 978-362-8507

Are you an employer? Check the appropriate box:

1. ☑ I am a employer with 4 employees (full and/or part-time).*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. ☐ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. ☐ Retail
6. ☑ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☐ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☐ Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.
**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: American Fire & Casualty Company

Insurer's Address: 175 Berkely St

City/State/Zip: Boston MA

Policy # or Self-ins. Lic. # XWA 6238 1625 Expiration Date: 02/02/27

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under § 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to $1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to $250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: 3/1/26

Phone #: 781-354-1485

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ **Permit/License #** _____

Issuing Authority (check one):

1. ☐ **Board of Health** 2. ☐ **Building Department** 3. ☐ **City/Town Clerk** 4. ☐ **Licensing Board**
5. ☐ **Selectmen's Office** 6. ☐ **Other** _____

Contact Person: _____ **Phone #:** _____

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 01/14/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Sue Doolan	
AssuredPartners Northeast, LLC- L.H. Brenner, Inc. 1412 Whalley Ave. New Haven CT 06515	PHONE (A/C, No, Ext): (800) 894-1760	FAX (A/C, No): (203) 397-9497
	E-MAIL ADDRESS: sdoolan@lhbrennerins.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : American Fire and Casualty Company	24066
INSURED Bill Subs LLC DBA Subway 55170 90 River St Ste B Waltham MA 02453	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** Master 26-27 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [ ] PRO-JECT [X] LOC OTHER:			BZA64381625	02/02/2026	02/02/2027	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG $	$ 2,000,000 $ 2,000,000 $ 15,000 $ 2,000,000 $ 4,000,000 $ 4,000,000 $
A	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [X] HIRED AUTOS ONLY [X] NON-OWNED AUTOS ONLY			BZA64381625	02/02/2026	02/02/2027	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) $	$ 2,000,000 $ $ $ $
	[ ] UMBRELLA LIAB [ ] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $						EACH OCCURRENCE AGGREGATE $	$ $ $
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N [ ] (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		XWA64381625	02/02/2026	02/02/2027	[X] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 100,000 $ 100,000 $ 500,000
A	480 Boston Rd Unit 110, Billerica, MA, 01821-2707			BZA64381625	02/02/2026	02/02/2027	Bus. Personal Property Includes Betterments and Improvements	$255,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Additional Insured: Doctors Associates LLC and its affiliates (including SFAFT), their officers, directors, shareholders, employees and agents, as well as (if applicable) your BD and landlord (collectively, the "Additional Insureds") as additional insureds, with primary, non-contributory coverage, using a form of endorsement that we have approved.
Additional Insured:RD Management LLC
Store 55170

CERTIFICATE HOLDER

Town of Billerica
365 Boston Road
Billerica MA 01821

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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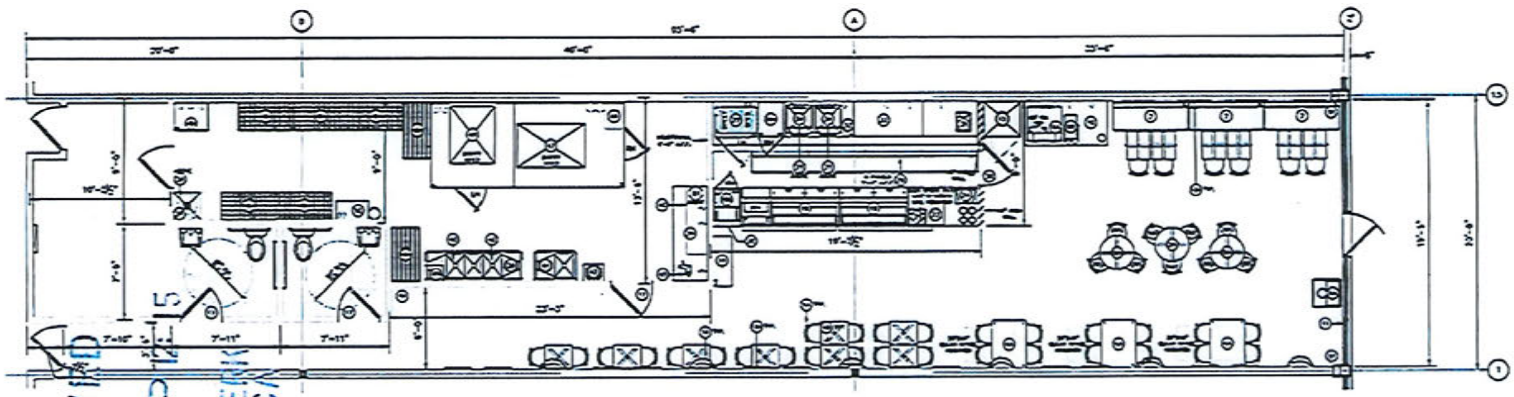

1 FURNITURE AND EQUIPMENT PLAN

SCALE 1/4"

RECEIVED
2025 JAN 21 P 12:15
TOWN CLERK
BILLERICA, MA

FURNITURE AND EQUIPMENT LEGEND

QTY	MANUFACTURER	MODEL / CATALOG NO.	DESCRIPTION
			CUSTOMER AREA
			SERVICE AREA
			BACKROOM AREA

NEW LOCATION

GENERAL NOTES:

SYMBOL LEGEND

ISSUED FOR BOARD ONLY 01/07/25

CREES, Inc.

BILLERICA MALL - SPACE 621
400 BOSTON ROAD
BILLERICA, MASSACHUSETTS

ARCHITECTURAL

FALCON CONSTRUCTION, LLC

FURNITURE AND EQUIPMENT PLAN

A-1

ServSafe
National Restaurant Association

ServSafe® CERTIFICATION

KAPIL SINGH

for successfully completing the standards set forth for the ServSafe® Food Protection Manager Certification Examination, which is accredited by the ANSI (American National Standards Institute) National Accreditation Board (ANAB)– Conference for Food Protection (CFP).

26737420	5702
CERTIFICATE NUMBER	EXAM FORM NUMBER
1/5/2025	1/5/2030
DATE OF EXAMINATION	DATE OF EXPIRATION

Local laws apply. Check with your local regulatory agency for recertification requirements.

ANAB
ACCREDITED PROGRAM
ANSI National Accreditation Board and the Conference for Food Protection
#0655

Sherman Brown
Executive Vice President, Business Services

In accordance with Montana Labor Code 2000, Section ADM N 068 2013 (Regulation 3.2, Standard 4.3.2).
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This document cannot be reproduced or altered.

Contact us with questions at 233 S. Wacker Drive, Suite 3600, Chicago, IL 60606-6383 or ServSafe@restaurant.org

Zoning Board of Appeals

Billerica Town Hall
Billerica, Massachusetts 01821

February 25, 2026

COPY

Ms. Shreya Patel
480 Boston Rd.
Billerica, MA 01821

RE: 480 Boston Rd. Subway
Special Permit Case # 26-01

Dear Shreya:

Enclosed, please find the original of your ZBA decision stamped by the Town Clerk on February 25, 2026 which begins the 20 day appeal period.

Once your Appeal period is over (Wednesday, March 18, 2026), you have 90 days in which to have your decision certified by the Town Clerk and recorded at the Middlesex North Registry of Deeds (MNROD) in Lowell.

Please be advised if your decision is not certified and recorded in the 90-day timeframe, your variance or special permit becomes null and void.

Once your decision is recorded, you must bring a copy of the MNROD receipt to the Board of Appeals office as proof of recording.

If you have any questions, please contact the office at 978-671-0964. Thank you.

Sincerely,

Elizabeth Ells
Head Administrative Clerk
Board of Appeals

Enc.

THE COMMONWEALTH OF MASSACHUSETTS

BILLERICA
City or Town

BOARD OF APPEALS

RECEIVED
2026 FEB 25 P 3:13
TOWN CLERK
BILLERICA

Date: February 18, 2026

Certificate of Granting of Special Permit
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Billerica hereby certifies that a **SPECIAL PERMIT** has been **GRANTED (Case #26-01):**

To: SHREYA PATEL

Address: 480 BOSTON ROAD

City or Town: BILLERICA, MA 01821

affecting the rights of the owner with respect to land of buildings at 480 BOSTON ROAD, Billerica, MA Plate 61 Parcel 205-2 and recorded in M.N.D.R. of D's Book 17365 Page 257.

And the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision **GRANTING** said **SPECIAL PERMIT** and that copies of said decision, and of all plans referred to in the decision, have been filed with the planning board and the city or town clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the town or city clerk that twenty days have elapsed after the decision has been filed in the office of the city or town clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The fee for such recording or registering shall be paid by the owner or applicant.

Michael Pendleton (ac)
Chairman

Peter B. Cocuzzo
Vice-Chairman

Form 1094

TOWN OF BILLERICA

ZONING BOARD OF APPEALS

CASE # 26-01 **SP Granted** **DATE: February 18, 2026**

Applicant: **SHREYA PATEL**
Locus: **480 BOSTON ROAD**
Assessor's Map: **Plate 61 Parcel(s) 205-2**

A public hearing was held on Wednesday, February 18, 2026 in the Town Hall, Room 210 at 6:17 PM, for a Special Permit under Section 5.C.6.c.(2).(m) (Fast Order Food Establishment) of the Zoning By-Law to operate a fast-food establishment in a General Business Zone.

Notice of this hearing was advertised in the Lowell Sun on February 4, 2026 and February 11, 2026. Notice of this hearing was also posted at the Town Hall and sent to the applicant and all abutters located within 300 feet of the property.

The following members were present and voting on this petition: Eric Anable, Robert Accomando, Richard Colantuoni, Michael Pendleton, and Joseph Shaw.

Shreya presented her request for the Special Permit to operate the existing Subway Shop located at 480 Boston Road. She stated that unfortunately, she failed to certify and record her original grant of the Special Permit thereby making it null and void. In order to receive their Common Victualler license from the Select Board, she understands the importance of following the process to the end. The Board granted her 2nd request for the Special Permit.

The submitted interior floor plan prepared by Falcon Construction, LLC, dated May 7, 2012 shall be filed as the Plan of Record for this decision.

The Board of Appeals voted 5-0 to Grant the Special Permit requested.

The Board finds (1) the proposed special permit is in harmony with the general purpose and intent of the Zoning By-Law and Chapter 40A; (2) the proposed use is in compliance with all other requirements set forth in this Zoning By-Law for issuance of a special permit; and (3) the proposed use will not prove injurious to the safety or general welfare of the neighborhood into which it proposes to locate nor will the proposed use prove destructive of property values.

SPECIAL PERMIT CONDITIONS:

1. This special permit is for the petitioners only and may not be transferred or sold without applying to the Board of Appeal.
2. The hours of operation are: Monday to Friday, 8:00 am to 10:00 pm; Saturday 9:00 am to 9:00 pm; Sunday 10:00am to 8:00 pm.
3. The owner of the restaurant shall be responsible for the cleaning up of any rubbish, trash or debris on the property caused by the restaurant use, daily.
4. Dumpster pick shall be no earlier than 7:00 AM and no later than 7:00 PM.
5. The relief granted by this Special Permit is confined to: (1) scope of the advertisement of the public hearing, (2) specific exceptions to the Zoning By-Law identified in this decision and only to the extent of the relief requested in the application, no other relief is implied, (3) scope is limited to the testimony given and documents produced
6. The applicant shall, after the (20) twenty-day appeal period has expired, return to the Town Clerk to have this decision stamped, then record notice of same with the North Middlesex Registry of Deeds and file a copy of the Registry Receipt with the Board of Appeals within (90) ninety days of filing of decision with the Town Clerk. Failure to record this decision within (90) ninety days shall render it null and void.
7. Special Permits shall be used within a (2) two-year period or shall be null and void.

Notice of this decision shall be mailed forthwith to the applicant, to the parties in interest designated in M.G.L. Chapter 40A, Section 11, and to every person present at the hearing who requested that notice be sent to him and stated the address to which such notice was to be sent.

Any Appeal from this decision shall be made pursuant to M.G.L. Chapter 40A, Section 17 and shall be filed within (20) twenty days after the date of the filing of the notice of decision in the office of the Town Clerk. Date of Board of Appeals Decision: February 18, 2026

Michael Pendleton
Chairman

Robert Accomando
Vice-Chairman

Eric Anable
Secretary

Richard Colantuoni
Member

Joseph Shaw
Member

ATTEST: I, _____, Clerk/Assistant Clerk, for the Town of Billerica, MA., hereby certify that the decision from the Board of Appeals has been received and recorded at this office and no appeal was received during the twenty (20) days next after such receipt and recording of said decision.

_____ _____
Donna J. McCoy, Town Clerk Date

_____ _____
Assistant Town Clerk Date

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*

MEMO

TO: **Select Board**

FROM: **Kerri Rufo**

SUBJECT: **3/16/26 Public Hearing-NGRID WO#31250342**

DATE: **March 2026**

---

1. Filing & Petition Materials

- A complete joint petition and plan (WO #31250342) was submitted by National Grid and Verizon.
- Location plans and construction details were provided and included in the meeting packet.

2. Public Hearing Notice

- The public hearing has been properly scheduled and posted in accordance with the Open Meeting Law.
- Abutter notification was completed using a certified abutters list obtained from the Assessor's Office.
- Written notice was mailed to abutters within the required statutory timeframe.

3. Departmental Review

Comments were requested and received from the appropriate Town departments, including:

- **Department of Public Works** – reviewed and provided comments;
- **Electrical Inspector** – reviewed the plan and indicated no objections;
- **Public Safety / Police / Fire review** – no safety concerns identified.

MOTION

Secretary Darris-O'Conner made a motion to approve the petition WO# 31250342 as presented in the packet.

_____ seconded.

Documents:
NGRID application 02/24/26
Abutters List 02/24/26
Meting Notice sent to abutters on 02/25/26
Memo to DPW, Police, Electrical for request from KR-02/24/26
Comment from DPW- 02/26/26
Comment from Safety Office-03/09/26
Comment from Electrical Insp. 03/09/26
Contractor Acknowledgement: 03/03/26

nationalgrid

January 12, 2026

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 Iannalfo of the hearing date / time to Jennifer.Iannalfo@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:

Bayberry Lane - National Grid to install 1 JO pole and relocate 1 JO pole on Bayberry Lane beginning at a point approximately 140 feet South-Easterly from existing pole 8 location on Bayberry Lane. National Grid will relocate pole 9 with anchor across street approximately 140' from pole 8 to reduce extra-long span between poles. Install new pole 11 with anchor approximately 135' from pole 10 to provide electric service to new home at 21 Bayberry Lane, 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 – Bayberry Lane - Billerica, Massachusetts.

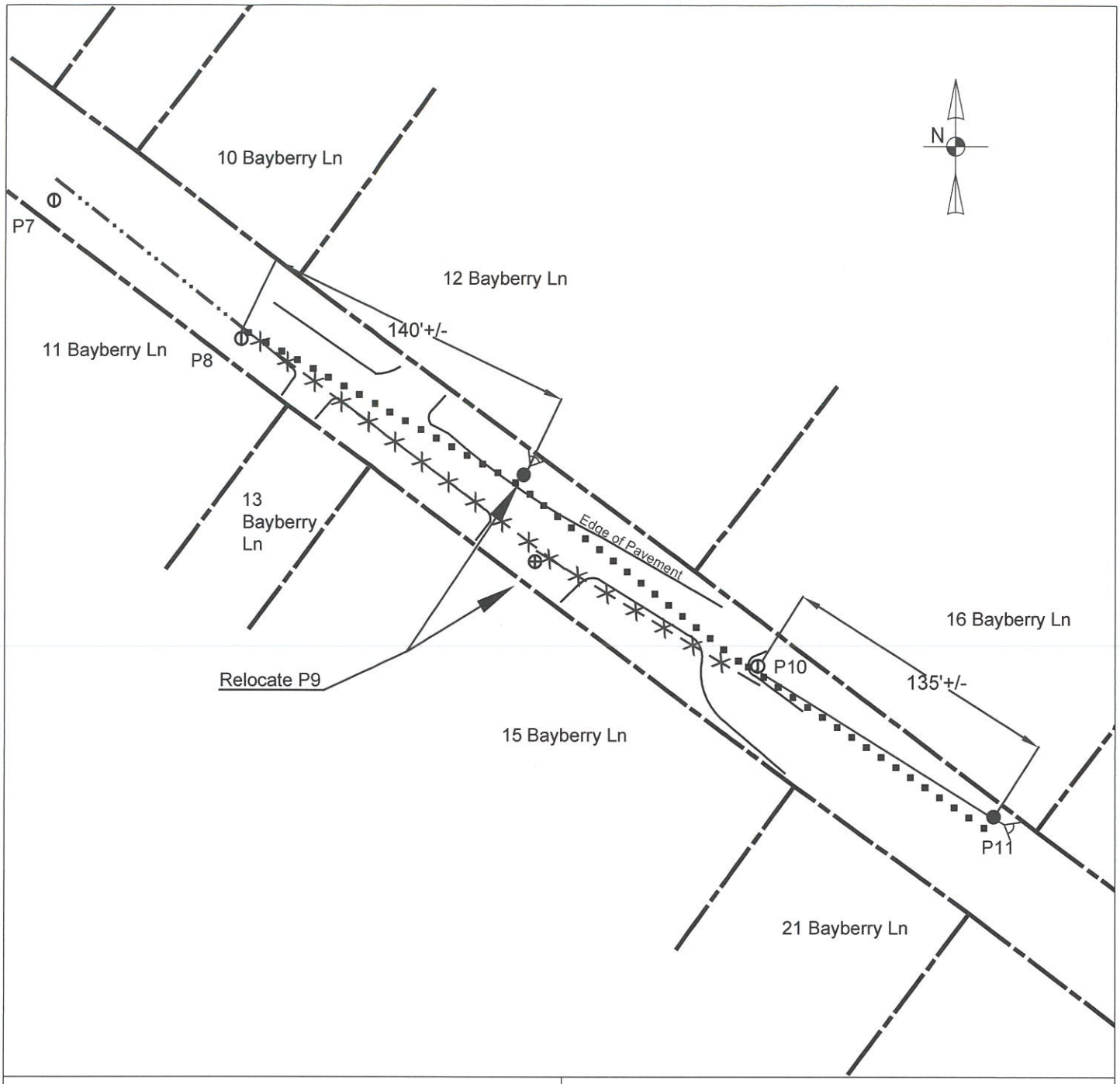
No.# 31250342

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



JOINTLY OWNED POLE PETITION

ANCHOR LOCATION	WIRE TO BE REMOVED
PROPOSED J.O. POLE IN PUBLIC WAY	PROPOSED OVERHEAD WIRE
EXISTING OVERHEAD WIRE	J.O. POLE REMOVE
	J.O. POLE (EXISTING)

nationalgrid

Date: 12/15/2025

Nationalgrid to relocate Pole 9 with anchor across street approximately 140' from Pole 8 in order to reduce extra long span between poles. Install new Pole 11 with anchor approximately 135' from Pole 10 in order to provide electric service to new home at 21 Bayberry Ln Billerica, MA

DISTANCES ARE APPROXIMATE

WORK REQUEST: 31250342

To The: Town Of Billerica

For Proposed: New Pole 11 & relocate Pole 9 Location: Bayberry Ln

Drawn By: S.Steeves

January 12, 2026

Questions contact Central 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 16th day of December, 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 – Bayberry Lane - Billerica, Massachusetts.

No.# 31250342

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:

Bayberry Lane - National Grid to install 1 JO pole and relocate 1 JO pole on Bayberry Lane beginning at a point approximately 140 feet South Easterly from existing pole 8 location on Bayberry Lane. National Grid will relocate pole 9 with anchor across street approximately 140' from pole 8 to reduce extra-long span between poles. Install new pole 11 with anchor approximately 135' from pole 10 to provide electric service to new home at 21 Bayberry Lane, 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
Of the City/Town of ,Massachusetts held on 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
At 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

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

Name Kerri Rufo-National Grid Date 02/24/26

Address of Property 15 Bayberry Lane Plate

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 Billerica. The board or commission you are seeking approval from and the particular request you are making determines the type of list. You will need to contact the applicable board or commission to determine which of the following will be required in your case.

(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 not 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

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_____ Date_____Amount_____

Rev. 4/30/07

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
March 16, 2026

To Owners(s) of Property Abutting or Opposite Bayberry Lane

In accordance with the provisions of Massachusetts General Laws, Chapter 166, §22, the Select Board of the Town of Billerica will hold a public hearing on:

Date: March 16, 2026
Time: 6:00 PM
Location: Thomas Conway Hearing Room #205, 365 Boston Road, Billerica, MA
With hybrid access via Zoom Link: https://us02web.zoom.us/j/83477138002

The purpose of the hearing is to consider a petition from Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc. for permission to erect and maintain poles, wires, and fixtures, including sustaining and protecting fixtures, along and across the following public way:

Bayberry Lane – Work Order #31250342
Specifically, the petition requests permission to:

- **Install one (1) new utility pole on Bayberry Lane;**
- **Relocate one (1) existing pole (Pole 9) with anchor approximately 140 feet from existing Pole 8;**
- **Install one (1) new Pole 11 with anchor approximately 135 feet from Pole 10;**
- **Provide electric service to 21 Bayberry Lane.**

Plans are on file and available for public inspection in the Select Board Office during normal business hours.

All interested persons may appear and be heard.
All questions can be directed to Joseph Ientile (978)-766-3114 joseph.ientile@nationalgrid.com

By Order of the Select Board
Town of Billerica

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

☐ **DPW** ☐ **Electrical Inspector** ☑ **Safety Officer, Police**

Location of Pole/Conduit:	**21 Bayberry Lane**
Purpose of Pole/Conduit:	• Install one (1) new utility pole on Bayberry Lane; • Relocate one (1) existing pole (Pole 9) with anchor approximately 140 feet from existing Pole 8; • Install one (1) new Pole 11 with anchor approximately 135 feet from Pole 10; • Provide electrical service to 21 Bayberry Lane.
Plan #:	**31250342**
Comments on Plan:	**No comments**
Any Interference with line of sight?	☐ **YES** x☐ **NO**
Markings for Fire Hydrant Needed?	☐ **YES** x☐ **NO**
Resident's Complaints?	NO KNOWN COMPLAINTS
Signature:	SGT.
Date:	9 MARCH 2026
Please return to the Select Board Office By:	**March 9, 2026**

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

`

☐ DPW **☐x Electrical Inspector** **☐ Safety Officer, Police**

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Plan #:	**31250342**
Comments on Plan:	**No comments**
Any Interference with line of sight?	**☐ YES** **x☐ NO**
Markings for Fire Hydrant Needed?	**☐ YES** **x☐ NO**
Resident's Complaints?	
Signature:	**Mike Ballou** *Mike Ballou*
Date:	**03/06/26**
Please return to the Select Board Office By:	**March 9, 2026**

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

☒**DPW**

Location of Pole/Conduit:	**21 Bayberry Lane**
Reason of Pole/Conduit:	**National Grid to relocate Pole 9 with anchor across street approximately 140' from pole 8 to reduce long span. Install new Pole 11 with anchor approx. 135' from Pole 10 to provide electric service to new house at 21 Bayberry Lane.**
Plan #:	**31250342**

Comments on Plan:

Relocated pole #9 should be placed as far from pavement edge as possible. New pole #11 Must be a minimum of 5' off edge of roadway and turn around pavement. Please note roadway layout has changed since National Grid plan was created.

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 Robertson* DPW Representative
Date:	**2/26/26**

Please return to the Select Board Office by: **March 9, 2026**

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

CONTRACTOR ACKNOWLEDGEMENT FORM

Location of Pole/Conduit:	**21 Bayberry Lane**
Reason of Pole/Conduit:	**National Grid to relocate Pole 9 with anchor across street approximately 140' from pole 8 to reduce long span. Install new Pole 11 with anchor approx. 135' from Pole 10 to provide electric service to new house at 21 Bayberry Lane.**
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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).

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

Dave Johnson. _____ 3/3/26

Signature – Utility Company Representative **Date**

DAVE JOHNSON

Print Name – Utility Company Representative

NGRID

Utility Company Name

Consent 3/16

DEMAKIS LAW OFFICES, P. C.

GREGORY C. DEMAKIS
THOMAS C. DEMAKIS

JACKSON L. CHRISTIAN
ALEXANDRA BOURGEOIS

56 CENTRAL AVENUE
LYNN, MASSACHUSETTS 01901

TEL. (781) 595-3311
FAX (781) 592-4990
www.demakislaw.com

February 20, 2026
Kerri Rufo
Town of Billerica Select Board
365 Boston Road, Office #203
Billerica, MA 01821

Re: Amendment Application – Piyan Corporation
Store: Easy Liquors, 240 Nashua Road, Unit A, Billerica, MA 01862

Dear Ms. Rufo:

Enclosed please find the following documents with regard to the above-referenced application:

1) Municipal Documents and $25 Check Payable to the Town of Billerica
2) DOR Certificate of Good standing and DUA Certificate of Compliance for Piyan Corporation
3) ABCC Amendment Application, including:
    a. ABCC Payment Receipt and Monetary Transmittal Form.
    b. Application for Multiple Amendments.
    c. Applicant's Statement.
    d. CORI Forms for Amita Patel and Mital Sanariya.
4) Corporate Vote naming Amita Patel the manager of record and authorizing the President of the Corporation, Palakben Patel, to apply for the change of manager of the above-referenced liquor license.
5) Corporate Documents – copy of Articles of Organization and Articles of Amendment.
6) Stock Purchase Agreement.
7) Promissory Note.
8) Proof of Citizenship and Driver's License for Amita Patel and Mital Sanariya.

Thank you very much for your time and cooperation. If you have any questions or need additional information, please feel free to call me at extension 104.

CK# 836
25.00

Sincerely yours;

Alex Bourgeois

Alexandra Bourgeois
Attorney at law

Enclosures

4/6

LICENSE APPLICATION
BILLERICA SELECT BOARD

Fee Paid: $_____

ACTION: ☐ **NEW** **or** ☒ **CHANGE/TRANSFER**

Licensee of Business: Piyan Corporation		
Doing Business As: Easy Liquors		
Street Address: 240 Nashua Road, Unit A, Billerica, MA	**Assessors Plate/Parcel:** 76-281-0	
Phone #:	**Zip Code:** 01862	**Tax ID #:**
Alt. Phone #: 940-577-3207 Rajesh Patel	**Email:**	

DESCRIPTION OF PREMISES:

Include # floors, total SF, # of patron restrooms, entrance/exit locations, etc. Use additional attachments if necessary and attach a plot plan of the premises if there are exterior changes.
Retail store located at 240 Nashua Road, Unit A. Consists of 2,200 square feet of retail space on one floor.
1 entrance/exit. Consisting of one main showroom, one storage room, block building.

REQUIRED SIGNATURES: (Applicant MUST Obtain necessary approvals before submission)

Building Inspector: Mark Lafrance	**Date:** 2/25/26
Comments:	
Board of Health: Kristyn Doherty	**Date:** 2/26/26
Comments: Applicant shall obtain a Food Operation Permit for transfer of license.	
Police: Lt S—r i—	**Date:** 3/3/26
Comments:	
Fire:	**Date:** 2/25/26
Comments:	
Treasurer: MaryAnn Schaefer	**Date:** 2/25/26
Comments:	
Assessors: Gabriella Paolicelli	**Date:** 2/25/26
Comments:	

Billerica Select Board am11:21 RCVD MAR 9 2026

Manager's Name: Amita Patel		
Street Address: 174 Tyngsboro Road, Apt. 20		
City/Town/State/Zip: North Chelmsford, MA 01863		
Phone #: 508-202-6463	**Tax ID #:** 588-15-6406	**Email:** amita4581@yahoo.com

Billerica Town Manager am11:21 RCVD MAR 9 2026

Change of Manager, officers, stock

Town of Billerica
Police Department

6 Good Street
Billerica, Ma 01821
(978) 215-9674 Fax (978) 670-2762
scoffey@billericapolice.org

March 3, 2026
To: Billerica Select Board
From: Lieutenant Sean P. Coffey
Re: Piyan Corporation d/b/a Easy Liquors – Change of Manager, Officers, and Stock Ownership

Dear Members of the Board,

On February 28, 2026, I received an application from Piyan Corporation, doing business as Easy Liquors, requesting approval for a change of manager, corporate officers, and stock ownership. The business currently holds an Off-Premise Retail Section 15 All-Alcohol Liquor License and operates at 240 Nashua Road, Unit A, Billerica, Massachusetts.

The current corporate structure is as follows:

- Palakben Patel – President (100% ownership)
- Jacqueline Wadding – Director

RCVD MAR 9 2026
Billerica Town Manager AM11:20

The proposed corporate structure is as follows:

- Amita Patel – Manager (80% ownership)
- Palakben Patel – President (20% ownership)
- Mital Sanariya – Director

Piyan Corporation maintains Massachusetts Tax Identification Number 001673677.

Background (CORI) checks were conducted on the proposed manager, Amita Patel; the proposed Director, Mital Sanariya; and the President, Palakben Patel. No findings were returned.

I reviewed the Town of Billerica's Rules and Regulations governing liquor licenses with Ms. Patel. She demonstrated a clear understanding of the responsibilities associated with holding a liquor license and the importance of strict compliance. Ms. Patel has more than four years of experience in retail alcohol sales, exhibits a solid understanding of day-to-day operations, and maintains an active TIPS certification.

Based on the above information, I respectfully recommend approval of the requested changes.

Respectfully submitted,

Lt S P Coffey

The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
Lafayette City Center
2 Avenue de Lafayette, Boston, MA 02111-1750
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information **Please Print Legibly**

Business/Organization Name: Piyan Corporation dba Easy Liquors

Address: 240 Nashua Road, Unit A

City/State/Zip: Billerica, MA 01862 Phone #: 508-202-6463

Are you an employer? Check the appropriate box:

1. ☐ I am a employer with 2 employees (full and/ or part-time).*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. ☐ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. ■ Retail
6. ☐ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☐ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☐ Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.
**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: TRAVELERS INSURANCE COMPANY

Insurer's Address: TRAVELERS CL REMITTANCE CENTER

City/State/Zip: PO BOX 660317 DALLAS, TX 75266-0317

Policy # or Self-ins. Lic. # UB 7X615795 Expiration Date: 01/19/27

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under § 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to $1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to $250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: [signature] Date: 2/10/26

Phone #: 508-202-6463

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ **Permit/License #** _____

Issuing Authority (check one):

1.☐ Board of Health 2.☐ Building Department 3.☐ City/Town Clerk 4.☐ Licensing Board
5.☐ Selectmen's Office 6.☐ Other _____

Contact Person: _____ **Phone #:** _____

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 10/20/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: AJAY THAKKAR	
THAKKAR INSURANCE AGENCY LLC 134 CAMBRIDGE ST, 2ND FLOOR BURLINGTON, MA 01803	PHONE (A/C, No, Ext): 7812620800	FAX (A/C, No): 7819967570
	E-MAIL ADDRESS: AJAY@THAKKARINSRUANCE.COM	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : The Preferred Mutual Insurance Company	
INSURED	INSURER B : Travelers Indemnity Insurance Company	
PIYAN CORPORATION 240 NASHUA RD NORTH BILLERICA, MA 01862	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC			BOP 0100743980	01/19/2026	01/19/2027	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 50,000
							MED EXP (Any one person)	$ 10,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [ ] HIRED AUTOS [ ] NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	[ ] UMBRELLA LIAB [ ] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N [ ] (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		UB7X615795	01/19/2026	01/19/2027	WC STATU-TORY LIMITS [ ] OTH-ER	
							E.L. EACH ACCIDENT	$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000
A	Liquor Legal Liability			BOP 0100743980	01/19/2026	01/19/2027	Each Occurrence General Aggregate	$1,000,000 $2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

LOC 1, BULDG 1: 240 NASHUA RD, NORTH BILLERICA, MA 01862.

BPP Coverage $53,000 is listed at Replacement Cost.

CERTIFICATE HOLDER

Town of Billerica, MA
365 Boston Road,
Billerica, MA 01821

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Ajay Thakkar

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The ACORD name and logo are registered marks of ACORD

SELECT BOARD

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

RULES AND REGULATIONS ACKNOWLEDGEMENT FORM

This Form MUST Be Submitted during the Yearly Renewal Process

Name: Amita Patel

Name of Establishment: Piyan Corporation d/b/a Easy Liquors

Address: 240 Nashua Road, Unit A
Billerica, MA

Printed Name: Amita Patel

Signature: A. Patel

Date: 2/4/2026

I am the Manager or duly authorized designee of the above listed establishment and I hereby certify that I have read and understand the Town of Billerica Rules and Regulations for the Licensing and Sale of Alcoholic Beverages.

TIPS® | 360 TRAINING™
A 360TRAINING COMPANY

CERTIFICATE OF COMPLETION

This certifies that

Amita Patel

is awarded this certificate for

TIPS Off-Premise Alcohol Seller Training

Hours	Completion Date	Expiration Date	Certificate #
3.00	02/12/2026	02/11/2029	OFF-000040809347

Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

6504 Bridge Point Parkway, Suite 100 | Austin, TX 78730 | www.360training.com

(CUT HERE) (CUT HERE)

TIPS Off-Premise

CERTIFIED

Issued: 02/12/2026 Expires: 02/11/2029

Certificate #: OFF-000040809347

Amita Patel
44 Boston Road, Chelmsford, MA, USA
Chelmsford MA 01824

TIPS | 360 TRAINING

Phone: 800-438-8477
www.gettips.com

This card was issued for successful completion of the TIPS program.

Signature _____

Commonwealth of Massachusetts
Department of Revenue
Geoffrey E. Snyder, Commissioner

mass.gov/dor

Letter ID: L0097533536
Notice Date: February 5, 2026
Case ID: 0-003-201-299

CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE

PIYAN CORPORATION
240 NASHUA RD
NORTH BILLERICA MA 01862-3132

Why did I receive this notice?

The Commissioner of Revenue certifies that, as of the date of this certificate, PIYAN CORPORATION dba: EASY LIQUOR is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.

What if I have questions?

If you have questions, call us at (617) 887-6400, Monday through Friday, 9:00 a.m. to 4:00 p.m.

Visit us online!

Visit mass.gov/dor to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

Edward W. Coyle, Jr., Chief
Collections Bureau

Department of Unemployment Assistance
Commonwealth of Massachusetts
Executive Office of Labor & Workforce Development

Certificate of Compliance

Date: February 11, 2026
Letter ID: L0012720778
Employer ID (FEIN): XX-XXX9484

PIYAN CORPORATION
240 NASHUA RD
NORTH BILLERICA MA 01862-3132

Certificate ID: L0012720778

FEIN: 93-2429484

The Department of Unemployment Assistance certifies that as of 10-Feb-2026, PIYAN CORPORATION is current in all its obligations relating to contributions, payments in lieu of contributions, and the employer medical assistance contribution established in G.L. c. 149, § 189.

This certificate expires on 07-Mar-2026 .

Sincerely,

Katie Dishnica

Katie Dishnica, Director
Department of Unemployment Assistance

Questions?
Revenue Enforcement Unit
Department of Unemployment Assistance
Email us: Revenue.Enforcement@mass.gov
Call us: (617) 626-5750

Your Information Payment Receipt

Payment Confirmation

YOUR PAYMENT HAS PROCESSED AND THIS IS YOUR RECEIPT

Your account has been billed for the following transaction. You will receive a receipt via email.

Transaction Processed Successfully.
INVOICE #: 8865cfd6-df55-4f1f-a775-9593b73f0039

Description	Applicant, License or Registration Number	Amount
FILING FEES-RETAIL	Easy Liquors	$200.00
		$200.00

Total Convenience Fee: $4.18

Date Paid: 2/4/2026 4:00:01 PM EDT

Total Amount Paid: $204.18

Payment On Behalf Of

License Number or Business Name:
Easy Liquors

Fee Type:
FILING FEES-RETAIL

Billing Information

First Name:
Thomas

Last Name:
Demakis

Address:
56 Central Avenue Suite 201

City:
Lynn

State:
MA

Zip Code:
01901

Email Address:
abourgeois@demakislaw.com

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM

APPLICATION FOR MULTIPLE AMENDMENTS

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make $200.00 payment here: ABCC PAYMENT WEBSITE

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY) 90689-PK-0106

ENTITY/ LICENSEE NAME Piyan Corporation

ADDRESS 240 Nashua Road, Unit A

CITY/TOWN Billerica **STATE** MA **ZIP CODE** 01862

For the following transactions (Check all that apply):

- [ ] New License
- [ ] Transfer of License
- [x] Change of Manager
- [x] Change of Officers/ Directors/LLC Managers
- [ ] Change of Location
- [ ] Alteration of Licensed Premises
- [ ] Change Corporate Name
- [ ] Change of Ownership Interest (LLC Members/ LLP Partners, Trustees)
- [ ] Change of Class (i.e. Annual / Seasonal)
- [ ] Change of License Type (i.e. club / restaurant)
- [ ] Change of Category (i.e. All Alcohol/Wine, Malt)
- [x] Issuance/Transfer of Stock/New Stockholder
- [ ] Other
- [ ] Change Corporate Structure (i.e. Corp / LLC)
- [ ] Pledge of Collateral (i.e. License/Stock)
- [ ] Management/Operating Agreement
- [ ] Change of Hours
- [ ] Change of DBA

THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL

Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150-2358

Requested Hours of Operation: (For new application or for change on license)

Weekday (Monday-Friday):	
Saturday:	
Sunday:	

LICENSE TYPE REQUESTED:

LIQUOR (Circle Option):	**On-Premise Retail (S12)**	**Wine & Malt**	**All Alcohol**
	Off Premise Retail (S15)	**Wine & Malt**	**All Alcohol**
Type of Business S12 Only:	**Club**	**Hotel/Innkeeper**	**Restaurant**
1-Day Special:	**Wine & Malt**	**All Alcohol (Non-profit Organizations Only)**	
COMMON VICTUALLER (Circle Option):	N/A	**Restaurant**	**Innholder** **Cafeteria**
ZBA/Special Permit?: Provide Copy if Yes		**□ YES**	**□ NO**
MOTOR VEHICLE (Circle Option):	N/A	**Class I**	**Class II** **Class III**
HAZARDOUS MATERIAL STORAGE (List Type) Use Separate paper if necessary:	N/A		
ENTERTAINMENT:	N/A		
Weekday: (Per MGL, Ch. 140, Section 183A or 181):	**□ YES**	**□ NO**	
Sunday: (Per MGL, Ch. 136 – Form 90 Required):	**□ YES**	**□ NO**	
Type of Entertainment:			
AMUSEMENT DEVICE (Per MGL, Ch.140, Section 177A) - # of Total Devices:	N/A		
Enter Each Device Separately. Name of Machine and Serial #. Use separate paper if necessary.			
#1:	**#4:**		
#2:	**#5:**		
#3:	**#6:**		
OTHER (Circle Option): **Taxi** **Bowling** **Other:** _____			
Licensee's Signature: [signature]	**Date:** 2/10/26		
Title: President & Treasurer			
The applicant certifies compliance with all Rules, Regulations, Laws and By-Laws in effect at this time. Under the penalties of perjury, the signature below certifies the above information as true and correct to the best of their knowledge and belief. False statements can result in immediate license revocation.			

NAME OF INDIVIDUAL OR CORPORATION THAT PAYS REAL ESTATE TAXES TO THE TOWN OF BILLERICA:

Piyan Corporation pays to Landlord, who pays bill.

CERTIFICATE OF COMPLETION

This certifies that

Amita Patel

is awarded this certificate for

TIPS Off-Premise Alcohol Seller Training

Hours	Completion Date	Expiration Date	Certificate #
3.00	02/12/2026	02/11/2029	OFF-000040809347

Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

6504 Bridge Point Parkway, Suite 100 | Austin, TX 78730 | www.360training.com

(CUT HERE) (CUT HERE)

TIPS Off-Premise

CERTIFIED

Issued: 02/12/2026 **Expires:** 02/11/2029

Certificate #: OFF-000040809347

Amita Patel
44 Boston Road, Chelmsford, MA, USA
Chelmsford MA 01824

Phone: 800-438-8477
www.gettips.com

This card was issued for successful completion of the TIPS program.

Signature _____

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
www.mass.gov/abcc

APPLICATION FOR MULTIPLE AMENDMENTS

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
Piyan Corporation	Billerica	90689-PK-0106

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

Amita Patel is purchasing 80% of the stock in the applicant corporation from Palakben Patel. Amita Patel will also be the new manager of record on the license. Mital Sanariya will be the new director of the applicant corporation.

APPLICATION CONTACT
The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Alexandra Bourgeois	Attorney	abourgeois@demakislaw.com	781-595-3311

2. AMENDMENT-Change of License Classification

☐ Change of License Category All Alcohol, Wine and Malt, Wine Malt and Cordials	Last-Approved License Category	
	Requested New License Category	
☐ Change of License Class Seasonal or Annual	Last-Approved License Class	
	Requested New License Class	
☐ Change of License Type* i.e. Restaurant to Club *Certain License Types CANNOT change once issued*	Last-Approved License Type	
	Requested New License Type	

3. AMENDMENT-Change of Business Entity Information

☐ Change of Corporate Name	Last-Approved Corporate Name:	
	Requested New Corporate Name:	
☐ Change of DBA	Last-Approved DBA:	
	Requested New DBA:	
☐ Change of Corporate Structure LLC, Corporation, Sole Proprietor, etc	Last-Approved Corporate Structure	
	Requested New Corporate Structure	

4. AMENDMENT-Pledge Information

☐ Pledge of License
☐ Pledge of Inventory
☐ Pledge of Stock

To whom is the pledge being made:

5. AMENDMENT-Change of Manager

☑ Change of License Manager

A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises

Proposed Manager Name: Amita Patel Date of [redacted]

Residential Address: 174 Tyngsboro Road, Apt. 20, North Chel[redacted]

Email [redacted] P[redacted]

Please indicate how many hours per week you intend to be on the licensed premises: 30 Last-Approved License Man[redacted]

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen/Qualified Alien under the Immigration and Nationality Act? ◉ Yes ○ No

If yes, attach one of the following documents: US Passport, Voter's Certificate, Birth Certificate, Naturalization Papers, Permanent Resident Card "Green Card," or Employment Authorization Document.

Have you ever been convicted of a state, federal, or military crime? ○ Yes ◉ No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
12/15/2025	Present	Packaging Department	Anika Therapeutics INC	Taciana Hopkins

D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? ○ Yes ◉ No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature: A.P. Date: 2/17/26

6. AMENDMENT-Change of Officers, Stock or Ownership Interest

☑ Change of Officers/Directors ☐ Change of Ownership Interest (LLC Managers/LLP Partners, Trustees) ☑ Change of Stock (E.g. New Stockholder/ Transfer or Issuance of Stock)

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
  On Premises (E.g.Restaurant/ Club/Hotel) Directors or LLC Managers - At least 50% must be US citizens;
  Off Premises(Liquor Store) Directors or LLC Managers - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB
Amita Patel	174 Tyngsboro Road, Apt. 20, North Chelmsford, MA 01863	588-15-6406	04/05/1981

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
Shareholder	80%	○ Yes ◉ No	○ Yes ◉ No	◉ Yes ○ No

Name of Principal	Residential Address	SSN	DOB
Mital Sanariya	8 Lincoln Street, Wilmington, MA 01887	010884188	07/19/1982

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
Director	0	◉ Yes ○ No	◉ Yes ○ No	◉ Yes ○ No

Name of Principal	Residential Address	SSN	DOB
Palakben Patel	22 Waterloo Circle, Dover, NH 03820	139-27-4336	06/24/1987

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
President, Treasurer, Secretary and Shareholder	20%	○ Yes ◉ No	○ Yes ◉ No	○ Yes ◉ No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		○ Yes ○ No	○ Yes ○ No	○ Yes ○ No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		○ Yes ○ No	○ Yes ○ No	○ Yes ○ No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		○ Yes ○ No	○ Yes ○ No	○ Yes ○ No

Additional pages attached? ○ Yes ○ No

CRIMINAL HISTORY
Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions. ○ Yes ◉ No

MANAGEMENT AGREEMENT
Are you requesting approval to utilize a management company through a management agreement? Please provide a copy of the management agreement. ○ Yes ◉ No

6. AMENDMENT-Change of Officers, Stock or Ownership Interest

6B. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST

List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

Name of Principal	Title/Position	Percentage of Ownership
Palakben Patel	President, Treasurer, Secretary and Shareholder	100%
Jacqueline Ann Wadding	Director	0%

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes ☑ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality
Palakben Patel	Section 15	Moksh Family Corporation	Pepperell
Palakben Patel	Section 15	Narayan Muni LLC	Salem
Palakben Patel	Section 15	Jashiba LLC	Salem

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☐ No ☑

If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

7. AMENDMENT-Change of Premises Information

☐ **Alteration of Premises:** (must fill out attached financial information form)

7A. ALTERATION OF PREMISES

Please summarize the details of the alterations and highlight any specific changes from the last-approved premises.

PROPOSED DESCRIPTION OF PREMISES

Please provide a complete description of the proposed premises, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Total Sq. Footage		Seating Capacity		Occupancy Number	
Number of Entrances		Number of Exits		Number of Floors	

☐ **Change of Location:** (must fill out attached financial information form)

7B. CHANGE OF LOCATION

Last-Approved Street Address

Proposed Street Address

DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Total Sq. Footage		Seating Capacity		Occupancy Number	
Number of Entrances		Number of Exits		Number of Floors	

OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises. (E.g. Deed, lease, letter of intent)

Please indicate by what means the applicant has to occupy the premises

Landlord Name

Landlord Phone

Landlord Email

Landlord Address

Lease Beginning Date

Rent per Month

Lease Ending Date

Rent per Year

Will the Landlord receive revenue based on percentage of alcohol sales? ◯Yes ◯No

8. AMENDMENT-Management Agreement

☐ **Management Agreement:** (must fill out all pages in section 8)

Are you requesting approval to utilize a management company through a management agreement?
If yes, please fill out section 8. ◯Yes ◯No

Please provide a narrative overview of the Management Agreement. Attach additional pages, if necessary.

IMPORTANT NOTE: A management agreement is where a licensee authorizes a third party to control the daily operations of the license premises, while retaining ultimate control over the license, through a written contract. *This does **not** pertain to a liquor license manager that is employed directly by the entity.*

8A. MANAGEMENT ENTITY

List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in the management Entity (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name	Address	Phone

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
		◯Yes ◯No	◯Yes ◯No	◯Yes ◯No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
		◯Yes ◯No	◯Yes ◯No	◯Yes ◯No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
		◯Yes ◯No	◯Yes ◯No	◯Yes ◯No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
		◯Yes ◯No	◯Yes ◯No	◯Yes ◯No

CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime? ◯Yes ◯No
If yes, attach an affidavit providing the details of any and all convictions.

8B. EXISTING MANAGEMENT AGREEMENTS AND INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 8A, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages; and or have an active management agreement with any other licensees?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

8. AMENDMENT-Management Agreement

8C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 8A, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

8D. PREVIOUSLY HELD MANAGEMENT AGREEMENT

Has any individual or entity identified in question 8A, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Licensee Name	License Type	Municipality	Date(s) of Agreement

8E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 8B, 8C or 8D ever been suspended, revoked or cancelled?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

8F. TERMS OF AGREEMENT

a. Does the agreement provide for termination by the licensee? Yes ☐ No ☐

b. Will the licensee retain control of the business finances? Yes ☐ No ☐

c. Does the management entity handle the payroll for the business? Yes ☐ No ☐

d. Management Term Begin Date _____ e. Management Term End Date _____

f. How will the management company be compensated by the licensee? (check all that apply)

☐ $ per month/year (indicate amount) _____

☐ % of alcohol sales (indicate percentage) _____

☐ % of overall sales (indicate percentage) _____

☐ other (please explain) _____

ABCC Licensee Officer/LLC Manager

Signature: _____

Title: _____

Date: _____

Management Agreement Entity Officer/LLC Manager

Signature: _____

Title: _____

Date: _____

9. FINANCIAL DISCLOSURE

Required for the following transactions:

- Change of Officers, Stock or Ownership Interest (E.g. New Stockholder/Transfer or Issuance of Stock)
- Change of Premises Information
- Pledge of License, Inventory or Stock

Purchase Price(s): $160,000

SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
N/A	
Total:	0

SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
Palakben Patel	$160,000	Term Note - Seller Financing	(•) Yes ( ) No
			( ) Yes ( ) No
			( ) Yes ( ) No
			( ) Yes ( ) No

FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

Amita Patel is purchasing 80% of the stock in Piayn Corporation from Palakben Patel for $160,000, which shall be paid by a promissory note to Palakben Patel. The term of the note is five years with an interest rate of 2% per annum.

APPLICANT'S STATEMENT

I, Palakben Patel the: ☐ sole proprietor; ☐ partner; ☑ corporate principal; ☐ LLC/LLP manager
Authorized Signatory

of Piyan Corporation
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

(1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;

(2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;

(3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;

(4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;

(5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;

(6) I understand that all statements and representations made become conditions of the license;

(7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;

(8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and

(9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

(10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: [signature] Date: 2/4/2026

Title: President

ADDITIONAL INFORMATION

Please utilize this space to provide any additional information that will support your application or to clarify any answers provided above.

Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150

JEAN M. LORIZIO, ESQ.
CHAIRMAN

CORI REQUEST FORM

The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

ABCC LICENSE INFORMATION

ABCC NUMBER: (IF EXISTING LICENSEE)	90689-PK-0106	LICENSEE NAME:	Piyan Corporation	CITY/TOWN:	Billerica

APPLICANT INFORMATION

LAST NAME: Sanariya F[redacted]

MAIDEN NAME OR ALIAS (IF APPLICABLE): Patel

DATE OF BIRT[redacted]

MOTHER'S M[redacted]

GENDER: FE[redacted]

CURRENT ADDRESS: 8 Lincoln Street

CITY/TOWN: Wilmington STATE: MA ZIP: 01887

FORMER ADDRESS: 54 Mill St Apt 10

CITY/TOWN: Woburn STATE: MA ZIP: 01801

PRINT AND SIGN

PRINTED NAME: Mital Sanariya APPLICANT/EMPLOYEE SIGNATURE: Mital Sanariya

NOTARY INFORMATION

On this Feb, 18th, 2026 before me, the undersigned notary public, personally appeared Mital Sanariya (name of document signer), proved to me through satisfactory evidence of identification, which were DL /MA to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

TICIANA HOXHAJ
Notary Public, Commonwealth of Massachusetts
My Commission Expires June 25, 2032

Ticiana Hoxhaj
NOTARY

DIVISION USE ONLY

REQUESTED BY:

SIGNATURE OF CORI-AUTHORIZED EMPLOYEE

The DCJI Identify Theft Index PIN Number is to be completed by those applicants that have been issued an Identity Theft PIN Number by the DCJI. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. **ALL CORI request forms that include this field are required to be submitted to the DCJI via mail or by fax to (617) 660-4614.**

Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150

JEAN M. LORIZIO, ESQ.
CHAIRMAN

CORI REQUEST FORM

The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

ABCC LICENSE INFORMATION

ABCC NUMBER: (IF EXISTING LICENSEE)	90689-PK-D106	LICENSEE NAME:	Piyan Corporation	CITY/TOWN:	Billerica

APPLICANT INFORMATION

LAST NAME:	Patel	FIRST NAME:	Amita	MIDDLE NAME:	R.
MAIDEN NAME OR ALIAS (IF APPLICABLE):	Patel	PLACE OF BIRTH:	India		
DATE OF	[redacted]				
MOTHER	[redacted]				
GENDER	[redacted]				
CURRENT ADDRESS:	174 Tyngboro Road				
CITY/TOWN:	[redacted]				
FORMER ADDRES	[redacted]				
CITY/TOWN:	[redacted]				

PRINT AND SIGN

PRINTED NAME:	Amita Patel	APPLICANT/EMPLOYEE SIGNATURE:	A.R.P

NOTARY INFORMATION

On this 02/18/2026 before me, the undersigned notary public, personally appeared Amita Patel (name of document signer), proved to me through satisfactory evidence of identification, which were Drivers License to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

M. Savita
NOTARY

DIVISION USE ONLY

REQUESTED BY: _____
SIGNATURE OF CORI AUTHORIZED EMPLOYEE

The DCJI Identify Theft Index PIN Number is to be completed by those applicants that have been issued an Identity Theft PIN Number by the DCJI. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. **ALL CORI request forms that include this field are required to be submitted to the DCJI via mail or by fax to (617) 660-4614.**

SAVITA MACHERLA
Notary Public
Commonwealth of Massachusetts
My Commission Expires
February 12, 2032

CORPORATE VOTE

ENTITY VOTE

The Board of Directors or LLC Managers of Piyan Corporation
Entity Name

duly voted to apply to the Licensing Authority of Billerica and the
City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on 2/4/2026
Date of Meeting

For the following transactions (Check all that apply):

- [ ] New License
- [ ] Transfer of License
- [x] Change of Manager
- [x] Change of Officers/ Directors/LLC Managers
- [ ] Change of Location
- [ ] Alteration of Licensed Premises
- [ ] Change Corporate Name
- [ ] Change of Ownership Interest (LLC Members/ LLP Partners, Trustees)
- [ ] Change of Class (i.e. Annual / Seasonal)
- [ ] Change of License Type (i.e. club / restaurant)
- [ ] Change of Category (i.e. All Alcohol/Wine, Malt)
- [x] Issuance/Transfer of Stock/New Stockholder
- [ ] Other
- [ ] Change Corporate Structure (i.e. Corp / LLC)
- [ ] Pledge of Collateral (i.e. License/Stock)
- [ ] Management/Operating Agreement
- [ ] Change of Hours
- [ ] Change of DBA

"VOTED: To authorize Palakben Patel
Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint Amita Patel
Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

A true copy attest,

Corporate Officer /LLC Manager Signature

Palakben Patel
(Print Name)

For Corporations ONLY
A true copy attest,

Corporate Clerk's Signature

Palakben Patel
(Print Name)

The Commonwealth of Massachusetts, William Francis Galvin

Corporations Division

One Ashburton Place - Floor 17, Boston MA 02108-1512 | Phone: 617-727-9640

Statement of Change of Supplemental Information

(General Laws, Chapter 156D, Section 2.02 AND Section 8.45; 950 CMR 113.17)

No Fee

Identification Number: 001673677

1. Exact name of the corporation:

PIYAN CORPORATION

2. Current registered office address:

Agent name: JACQUELINE ANN WADDING

Number and street: 6 MASON STREET, LOT 89

Address 2:

City or town: PEPPERELL State: MA Zip code: 01463

3. The following supplemental information has changed:

☑ Names and street addresses of the directors, president, treasurer, secretary

Title	Individual Name	Address
PRESIDENT	PALAKBEN PATEL	240 NASHUA ROAD BILLERICA, MA 01862 USA
TREASURER	PALAKBEN PATEL	240 NASHUA ROAD BILLERICA, MA 01862 USA
SECRETARY	PALAKBEN PATEL	240 NASHUA ROAD BILLERICA, MA 01862 USA
DIRECTOR	MITAL SANARIYA	240 NASHUA ROAD BILLERICA, MA 01862 USA

Fiscal year end:

December 31

Type of business in which the corporation intends to engage:

LIQUOR STORE

Principal office address:

Number and street: 240 NASHUA ROAD

Address 2:

City or town:	BILLERICA	State:	MA	Zip code:	01862
Country:	UNITED STATES				

Street address where the records of the corporation required to be kept in the Commonwealth are located (post office boxes are not acceptable):

Number and street:	240 NASHUA ROAD				
Address 2:					
City or town:	BILLERICA	State:	MA	Zip code:	01862
Country:	UNITED STATES				

Which is:

☑ its principal office ☐ an office of its transfer agent

☐ an office of its secretary/assistant secretary ☐ its registered office

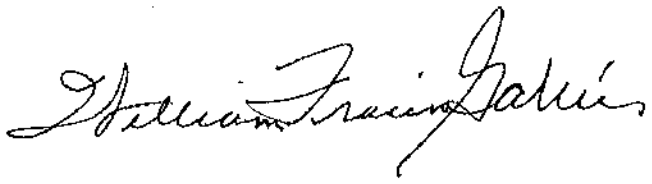
Signed by PALAKBEN PATEL , its PRESIDENT

on this 20 Day of February, 2026

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

February 20, 2026 12:22 PM



WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

The Commonwealth of Massachusetts, William Francis Galvin

Corporations Division

One Ashburton Place - Floor 17, Boston MA 02108-1512 | Phone: 617-727-9640

Statement of Change of Registered Agent/Registered Office

(General Laws, Chapter 156D, Section 5.02 AND Section 15.08; 950 CMR 113.21)

No Fee

Identification Number: 001673677

1. Exact name of the corporation:

PIYAN CORPORATION

2a. Current registered agent name: JACQUELINE ANN WADDING

2b. Current registered office address: 6 MASON STREET, LOT 89, PEPPERELL, MA 01463, USA

The street address of the registered office of the corporation and the business address of the registered agent are identical as required by General Laws, Chapter 156D, Section 5.02 and 15.08

3. The street address of the corporation registered office in the commonwealth and the name of the appointed registered agent at that office:

Agent name: AMITA PATEL

Number and street: 240 NASHUA ROAD, UNIT A

Address 2:

City or town: BILLERICA State: MA Zip code: 01862

I, AMITA PATEL,

registered agent of the above corporation , consent to my appointment as the registered agent of the above corporation pursuant to G. L. c. 156D, Section 5.02

This certificate is effective at the time and on the date approved by the Division, unless a later effective date not more than ninety (90) days from the date and time of filing is specified:

Later Effective Date (mm/dd/yyyy): Time (HH:MM)

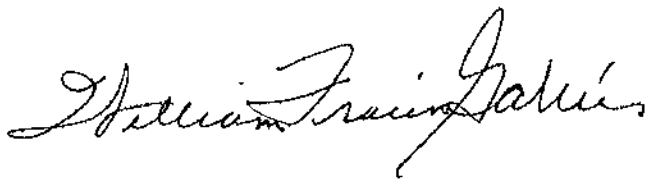
Signed by PALAKBEN PATEL , its PRESIDENT

on this 20 Day of February, 2026

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

February 20, 2026 01:59 PM



WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

The Commonwealth of Massachusetts, William Francis Galvin

Corporations Division

One Ashburton Place - Floor 17, Boston MA 02108-1512 | Phone: 617-727-9640

Articles of Amendment

(General Laws, Chapter 156D, Section 10.06; 950 CMR 113.34)

Minimum Filing Fee: $100.00

Identification Number: 001673677

1. Exact name of the corporation: PIYAN CORPORATION

These Articles of Amendment affecting article(s):

Article 3;

(Specify the number(s) of articles being amended(I-VI))

of the Articles of Organization were duly adopted at a meeting held on 07/11/2023

Approved by:

☑ the incorporators.

ARTICLE I

The exact name of the corporation, as amended, is:
(Do not state Article I if it has not been amended.)

ARTICLE II

The purpose of the corporation, as amended, is to engage in the following business activities:

(Do not state Article II if it has not been amended.)

ARTICLE III

To change the number of shares and the par value, if any, of any type, or to designate a class or series, of stock, or change a designation of class or series of stock, which the corporation is authorized to issue, complete the following:

Total authorized prior to amendment:

Class of Stock	Par Value per Share (Enter 0 if no Par)	Total Authorized number of Shares	Total Authorized par value	Total issued and outstanding number of Shares
CNP	0	275,000	0	1,000

Total authorized after amendment:

Class of Stock	Par value per share (Enter 0 if no Par)	Total authorized number of shares	Total authorized par value	Total issued and outstanding number of shares
CNP	0	1,000	0	1,000

ARTICLE IV

If more than one class of stock is authorized, state a distinguishing designation for each class, if amended. Prior to the issuance of any shares of a class, if shares of another class are outstanding, the corporation must provide a description of the preferences, voting powers, qualifications, and special or relative rights or privileges of that class and of each other class of which shares are outstanding and of each series then established within any class

(Do not state Article IV if it has not been amended.)

ARTICLE V

As amended, the restrictions imposed by the articles of organization upon the transfer of shares of stock of any class are:

(Do not state Article V if it has not been amended.)

ARTICLE VI

As amended, other lawful provisions for the conduct and regulation of the business and affairs of the business entity, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the business entity, or of its directors or stockholders, or of any class of stockholders:

(Do not state Article VI if it has not been amended.)

The amendment shall be effective at the time and on the date approved by the Division, unless a later effective date not more than ninety (90) days from the date and time of filing is specified:

Later Effective Date (mm/dd/yyyy): Time (HH:MM)

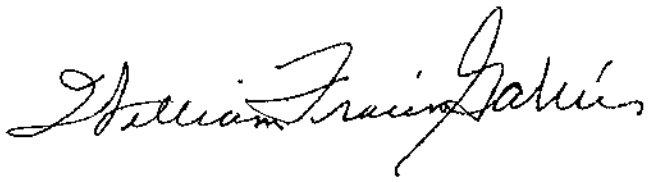
Signed by PALAKBEN PATEL , its PRESIDENT

on this 27 Day of July, 2023

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

July 27, 2023 10:08 AM



WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

The Commonwealth of Massachusetts, William Francis Galvin

Corporations Division

One Ashburton Place - Floor 17, Boston MA 02108-1512 | Phone: 617-727-9640

Articles of Organization

(General Laws, Chapter 156D, Section 2.02; 950 CMR 113.16)

Minimum Filing Fee: $250.00

Identification Number: 001673677 (number will be assigned)

ARTICLE I

The exact name of the corporation is:

PIYAN CORPORATION

ARTICLE II

Unless the articles of organization otherwise provide, all corporations formed pursuant to G.L. C156D have the purpose of engaging in any lawful business. Specify if you want a more limited purpose:

ARTICLE III

State the total number of shares and par value, if any, of each class of stock that the corporation is authorized to issue. All corporations must authorize stock. If only one class or series is authorized, it is not necessary to specify any particular designation.

Class of Stock	Par Value per Share (Enter 0 if no Par)	Total Authorized number of shares	Total Authorized par value	Total Issued and Outstanding number of shares
CNP	0	275,000	0	275,000

ARTICLE IV

If more than one class of stock is authorized, state a distinguishing designation for each class. Prior to the issuance of any shares of a class, if shares of another class are outstanding, the corporation must provide a description of the preferences, voting powers, qualifications, and special or relative rights or privileges of that class and of each other class of which shares are outstanding and of each series then established within any class.

ARTICLE V

The restrictions, if any, imposed by the articles of organization upon the transfer of shares of stock of any class are:

ANY STOCKHOLDER, INCLUDING THE HEIRS, ASSIGNS, EXECUTORS OR ADMINISTRATORS OF A DECEASED STOCKHOLDER, DESIRING TO SELL OR TRANSFER SUCH STOCK OWNED BY HIM OR THEM, SHALL FIRST OFFER IT TO THE CORPORATION THROUGH THE BOARD OF DIRECTORS IN THE MANNER FOLLOWING: HE SHALL NOTIFY THE DIRECTORS OF HIS DESIRE TO SELL OR TRANSFER BY

NOTICE IN WRITING, WHICH NOTICE SHALL CONTAIN THE PRICE AT WHICH HE IS WILLING TO SELL OR TRANSFER AND THE NAME OF ON ARBITRATOR. THE DIRECTORS SHALL WITHIN THIRTY DAYS THEREAFTER, EITHER ACCEPT THE OFFER, OR BY NOTICE TO HIM IN WRITING NAME A SECOND ARBITRATOR, AND THESE TWO SHALL NAME A THIRD. IT SHALL THEN BE THE DUTY OF THE ARBITRATORS TO ASCERTAIN THE VALUE OF THE STOCK, AND IF ANY ARBITRATOR SHALL NEGLECT OR REFUSE TO APPEAR AT ANY MEETING APPOINTED BY THE ARBITRATORS, A MAJORITY MAY ACT IN THE ABSENCE OF SUCH ARBITRATOR. AFTER THE ACCEPTANCE OF THE OFFER, OR THE REPORT OF THE ARBITRATORS AS TO THE VALUE OF THE STOCK, THE DIRECTORS SHALL HAVE THIRTY DAYS WITHIN WHICH TO PURCHASE THE SAME AT SUCH VALUATION, BUT IF AT THE EXPIRATION OF THIRTY DAYS THE CORPORATION SHALL NOT HAVE EXERCISED THE RIGHT SO TO PURCHASE, THE OWNER OF THE STOCK SHALL BE AT LIBERTY TO DISPOSE OF THE SAME IN ANY MANNER HE MAY SEE FIT. NO SHARES OF STOCK SHALL BE SOLD OR TRANSFERRED ON THE BOOKS OF THE CORPORATION UNTIL THESE PROVISIONS HAVE BEEN COMPLIED WITH, BUT THE BOARD OF DIRECTORS MAY IN ANY PARTICULAR INSTANCE WAIVE THE REQUIREMENT.

ARTICLE VI

Other lawful provisions, and if there are no provisions, this article may be left blank.

THE BOARD OF DIRECTORS MAY CONSIST OF ONE OR MORE INDIVIDUALS NOTWITHSTANDING THE NUMBER OF SHAREHOLDERS. THE DIRECTORS MAY MAKE, AMEND OR REPEAL THE BY-LAWS IN WHOLE OR IN PART, EXCEPT WITH RESPECT TO ANY PROVISION THEREOF WHICH BY LAW OR THE BY-LAWS REQUIRES ACTION BY THE STOCKHOLDER. MEETINGS OF THE STOCKHOLDERS MAY BE HELD ANYWHERE IN THE UNITED STATES. THE CORPORATION MAY BE A PARTNER IN ANY BUSINESS ENTERPRISE IT WOULD HAVE POWER TO CONDUCT BY ITSELF. THE DIRECTORS SHALL HAVE THE POWER TO FIX FROM TIME TO TIME THEIR COMPENSATION. NO PERSON SHALL BE DISQUALIFIED FROM HOLDING ANY OFFICE BY REASON OF ANY INTEREST. IN THE ABSENCE OF FRAUD, ANY DIRECTORS, OFFICER OR STOCKHOLDER OF THIS CORPORATION INDIVIDUALLY, OR ANY INDIVIDUAL HAVING ANY INTEREST IN ANY CONCERN WHICH IS A STOCKHOLDER OF THIS CORPORATION, OR ANY CONCERN IN WHICH ANY SUCH DIRECTORS, OFFICERS, STOCKHOLDERS OR INDIVIDUALS HAVE ANY INTEREST, MAY BE A PART TO, OR MAY BE PECUNIARILY OR OTHERWISE INTEREST IN, ANY CONTRACT, TRANSACTION OR OTHER ACT OF THIS CORPORATION; AND SUCH CONTRACT, TRANSACTIONS OR ACT SHALL NOT BE IN ANY WAY INVALIDATED OR OTHERWISE AFFECTED BY THIS FACT; NO SUCH DIRECTOR, OFFICER, STOCKHOLDER OR INDIVIDUAL SHALL BE LIABLE TO ACCOUNT TO THIS CORPORATION FOR ANY PROFIT OR BENEFIT REALIZED THROUGH ANY SUCH CONTRACT, TRANSACTION OR ACT; ANY SUCH DIRECTOR OF THIS CORPORATION MAY BE COUNTED IN DETERMINING THE EXISTENCE OF A QUORUM AT ANY MEETING OF THE DIRECTORS OR OF ANY COMMITTEE THEREOF WHICH SHALL AUTHORIZE ANY SUCH CONTRACT, TRANSACTION OR ACT, AND MAY VOTE TO AUTHORIZE THE SAME; THE TERM "INTEREST" INCLUDES PERSONAL INTEREST AND INTEREST AS A DIRECTOR, OFFICER, STOCKHOLDER, SHAREHOLDER, TRUSTEE, MEMBER OR BENEFICIARY OF ANY CONCERN; AND THE TERM "CONCERN" MEANS ANY CORPORATION, ASSOCIATION, TRUST, PARTNERSHIP, FIRM, PERSON OR OTHER ENTITY OTHER THAN THIS CORPORATION. NO DIRECTOR OF THE CORPORATION SHALL BE LIABLE TO THE CORPORATION OR ITS STOCKHOLDERS FOR MONETARY DAMAGES FOR BREACH OF FIDUCIARY DUTY AS A DIRECTOR, EXCEPT FOR LIABILITY (I) FOR ANY BREACH OF THE DIRECTOR'S DUTY OF LOYALTY TO THE CORPORATION OR ITS STOCKHOLDERS; (II) FOR ACTS OR OMISSIONS NOT IN GOOD FAITH OR WHICH INVOLVE INTENTIONAL MISCONDUCT OR A KNOWING VIOLATION OF LAW; (III) FOR IMPROPER DISTRIBUTIONS UNDER SECTION 6.40 OF CHAPTER 156D OF THE GENERAL LAWS OF THE COMMONWEALTH OF MASSACHUSETTS, OR SUCCESSOR PROVISIONS THERETO; OR (IV) FOR ANY TRANSACTION IN WHICH THE DIRECTOR DERIVED AN IMPROPER PERSONAL BENEFIT. NO AMENDMENT TO OR REPEAL OF ANY PROVISION OF THIS PARAGRAPH, DIRECTLY OR BY ADOPTION OF AN INCONSISTENT PROVISION OF THESE ARTICLES OF ORGANIZATION, SHALL APPLY TO OR HAVE ANY EFFECT ON ANY LIABILITY OR ALLEGED LIABILITY OF ANY DIRECTOR OF THE CORPORATION FOR WITH RESPECT TO ANY ACTS OR OMISSIONS OF SUCH DIRECTOR OCCURRING PRIOR TO SUCH AMENDMENT OR REPEAL.

ARTICLE VII

The effective date of organization shall be the date and time the articles were received for filing if the articles are not rejected within the time prescribed by law. If a later effective date is desired, specify such date, which may not be later than ninety (90) days from the date and time of filing

Later Effective Date (mm/dd/yyyy): Time (HH:MM)

ARTICLE VIII

The information contained in Article VIII is not a permanent part of the articles of organization.

a,b. The street address of the initial registered office of the corporation in the commonwealth and the name of the initial registered agent at the registered office:

Agent name: JACQUELINE ANN WADDING

Number and street: 6 MASON STREET, LOT 89

Address 2:

City or town: PEPPERELL State: MA Zip code: 01463

c. The names and street addresses of the individuals who will serve as the initial directors, president, treasurer and secretary of the corporation (an address need not be specified if the business address of the officer or director is the same as the principal office location):

Title	Individual Name	Address
PRESIDENT	PALAKBEN PATEL	
TREASURER	PALAKBEN PATEL	
SECRETARY	PALAKBEN PATEL	
DIRECTOR	JACQUELINE ANN WADDING	

d. The fiscal year end (i.e., tax year) of the corporation:

December 31

e. A brief description of the type of business in which the corporation intends to engage:

LIQUOR STORE

f. The street address (post office boxes are not acceptable) of the principal office of the corporation:

Number and street: 240 NASHUA ROAD

Address 2:

City or town: BILLERICA State: MA Zip code: 01862

Country: UNITED STATES

g. Street address where the records of the corporation required to be kept in the Commonwealth are located (post office boxes are not acceptable):

Number and street: 240 NASHUA ROAD

Address 2:

City or town: BILLERICA State: MA Zip code: 01862

Country: UNITED STATES

Which is:

☑ its principal office

☐ an office of its transfer agent

☐ an office of its secretary/assistant secretary

☐ its registered office

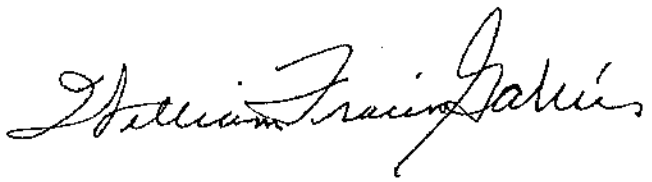
Signed this 11 Day of July, 2023 at 09:07 AM by the incorporator(s). (If an existing corporation is acting as incorporator, type in the exact name of the business entity, the state or other jurisdiction where it was incorporated, the name of the person signing on behalf of said business entity and the title he/she holds or other authority by which such action is taken.)

PALAKBEN PATEL

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

July 11, 2023 09:57 AM



WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

STOCK PURCHASE AGREEMENT

STOCK PURCHASE AGREEMENT
PIYAN CORPORATION

This AGREEMENT is entered into by Palakben Patel of 50 Sheffield Drive, Apt. 302, Dover, New Hampshire 03820, as "Seller", and Amita Patel of 174 Tyngsboro Road, Apt. 20, North Chelmsford, Massachusetts 01863, as "Buyer".

WHEREAS, Seller owns all of the 1,000 issued and outstanding stock of Piyan Corporation (the "Corporation"), a Massachusetts corporation duly organized by law and having its place of business at 240 Nashua Road, Unit A, Billerica, Massachusetts 01862, and doing business as "Easy Liquors" (the "Business"). The Seller's shares of stock are referred to in this Agreement as the "Shares"; and

WHEREAS, Seller desires to sell to the Buyer eighty (80%) percent of the Shares of the Corporation and Buyer desires to buy said Shares for the consideration and on the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants, provisions and agreements contained herein, the parties agree as follows:

ARTICLE ONE
SALE AND PURCHASE OF THE CORPORATION SHARES

1. Sale and Purchase of the Seller's Shares. On the terms and subject to the conditions of this Agreement, Seller agrees to sell, assign, and transfer to Buyer on the Closing Date, eight hundred (800) Shares in the Corporation to the Buyer for the sum of $160,000.00. Seller represents that she owns 1,000 Shares of the issued and outstanding Shares of the Corporation as set forth above.

2. Purchase Price. In full consideration of the sale, assignment and transfer of the Shares, the Buyer shall pay the total sum of One Hundred Sixty Thousand and 00/100 ($160,000.00) Dollars by a promissory note of the Buyer on the date of closing bearing interest at the rate of two (2%) percent per annum, payable to the Seller in sixty (60) consecutive equal monthly payments of principal and interest, commencing one month from the date of closing and on the same day of each month thereafter (the "Note"). The Note may be prepaid in whole or in part at any time without penalty.

3. Closing. The closing of the purchase and sale of the Shares of the Corporation contemplated by this Agreement (the "Closing") shall take place within fifteen days after the Alcoholic Beverage Control Commission, ("ABCC") has approved the Seller's transfer of the shares to the Buyer (such approval, the "ABCC Approval"), at Demakis Law Offices PC, 56 Central Avenue, Lynn, MA, or at such other time and place mutually acceptable to Buyer and Seller. At the time of Closing Seller shall assign their Shares of stock to the Buyer as set forth herein. If the Buyer has not obtained the ABCC Approval by the day that is one hundred eighty (180) days after the execution of this Agreement, then either party to this Agreement may terminate this Agreement by written notice to the other party, such termination to be effective on the date set forth in such notice. At the time of Closing Seller shall assign the Shares of the Corporation to the Buyer as set forth herein.

ARTICLE TWO
COVENANTS OF BUYER AND SELLER

Seller covenants to Buyer as follows, that he has not:

1. Issued or committed to issue any capital stock or any other ownership interest of the Corporation besides the 1,000 Shares, in total, owned by Seller.

2. Changed the Articles of Organization or other governing instruments of the Corporation from those appearing in the Office of the Secretary of the Commonwealth of Massachusetts.

3. Executed any promissory note or other debt obligation on behalf of the Corporation that is outstanding.

ARTICLE THREE
REPRESENTATIONS, WARRANTIES AND AGREEMENTS OF SELLER

Individual Representations, Warranties and Agreements of the Seller.

Seller represents and warrants the following:

1. Authority and Capacity. Seller has all requisite power, authority and capacity to enter into this Agreement and to perform the Seller's obligations hereunder and that the

execution, and performance of this Agreement by the Seller will be, if required, duly and validly authorized and approved by the Board of Directors of the Corporation.

2. Assets of the Corporation. None of the assets of the Corporation currently is subject to any lien or security interest.

3. Title to the Shares of the Corporation. Seller is the lawful owner of the Shares and the sale will transfer to the Buyer legal and valid title thereto, free and clear of all claims, liens, charges, security interests, pledges, encumbrances of any kind and nature whatsoever.

4. Taxes and Reports. Except as otherwise specifically set forth:

All federal, state and local taxes or assessment returns and reports required to be filed by the Corporation or relating to the Corporation have been filed with all appropriate governmental agencies. All federal, state and local income, sales, and other taxes, or payments (including interest and penalties) due from the Corporation to this date have been fully paid or will be paid or adequately provided for between the parties at Closing. No issues have been raised (or are currently pending) by the Internal Revenue Service or any other authority in connection with any of the returns and reports referred to above. The Corporation is not a party to any pending action or proceedings by any government agency for assessment or collection of taxes or other payments.

5. Corporation Records. All of the Corporation's records shall remain with the Corporation at Closing including corporate records, minute books, income or corporate excise tax returns or records relating thereto for at least the past four years, bank records, monthly or annual accounting reports or accounts payable vouchers, paid checks, general operating and receivable ledgers, cash receipt books, federal and state employee earnings reports, payroll records, journals, and other similar books and accounts, for any period or periods prior to the Closing Date.

ARTICLE FOUR
REPRESENTATIONS, WARRANTIES, AND AGREEMENTS OF BUYER

Buyer represents, warrants, and agrees that he has inspected the assets of the Corporation's Business and all of its assets and the business records of the Corporation. Buyer has not relied on any warranties or representations of the Seller with respect to the condition of any of the assets of the Corporation.

ARTICLE FIVE
BUYER'S AND SELLER'S OBLIGATIONS, ADJUSTMENTS

Additional Provisions. It is specifically understood and agreed by and between Seller and Buyer as follows:

1. Closing Adjustments. Adjustments to the purchase price, if any, shall be handled by Buyer and Seller outside of closing.

2. Officers and Directors. At Closing, Palakben Patel shall resign as President, Treasurer and Secretary of the Corporation.

ARTICLE SIX
MISCELLANEOUS

1. Governing Law. This Agreement shall be construed and enforced in accordance with and governed by the laws of the Commonwealth of Massachusetts.

2. Counterpart. This Agreement may be executed in one or more counterparts, all of which shall be considered one and the same agreement and shall become effective when one or more counterparts have been signed by each of the parties hereto.

3. Severability. Any provision hereof which may prove unenforceable under any law shall not affect the validity or enforceability of any other provision hereof.

4. Notices. All notices under this Stock Purchase Agreement shall be given by certified mail to Buyers and Sellers at the addresses indicated at the beginning of this Agreement.

5. Representations. All representations and warranties set forth in this Agreement shall survive the Closing.

6. Amendments; Waiver of Condition. This Agreement may be amended only by an instrument in writing signed by each of the parties hereto.

7. Entire Agreement. The provisions contained in this Agreement constitute the

entire agreement between the parties hereto.

SIGNATURES ON FOLLOWING PAGE

SELLER: Palakben Patel

Date: 01/22/26

BUYER: Amita Patel

Date: 01/22/26

PROMISSORY NOTE

NOTE

160,000 _____, 2026

FOR VALUE RECEIVED, Amita Patel of 174 Tyngsboro Road, Apt 2, North Chelmsford, Massachusetts 01863, promises to pay to Palakben Patel of 50 Sheffield Drive, Apt 302, Dover, New Hampshire 03820, or order, the principal sum of One Hundred Sixty Thousand and 00/100 ($160,000.00) Dollars, bearing interest at the rate of two (2%) percent per annum, payable within five (5) years in sixty (60) consecutive equal monthly installments of principal and interest, due and payable on the first day of each month commencing on _____, 2026, and a final payment of principal, interest and late charges, if any, on _____, 2026. Said monthly installments shall be first applied to late charges, if any then due, and the remaining balance to principal. In any event, the entire balance of principal and shall be paid to the holder 10 years from the date hereof ("Maturity Date").

Payments will be applied in inverse order of maturity. The Note Holder hereof shall be entitled to collect a late charge not to exceed three (3%) percent of any installment unpaid for ten (10) days after due date.

FAILURE TO PAY ANY OF THE SAID INSTALLMENTS WITHIN FIFTEEN (15) DAYS FROM THE DATE WHEN SAME BECOMES DUE SHALL CONSTITUTE A DEFAULT HEREUNDER AND MAKE THE WHOLE OF THE BALANCE OF SAID PRINCIPAL SUM IMMEDIATELY DUE AND PAYABLE AT THE OPTION OF THE NOTE HOLDER.

The filing of any petition in bankruptcy or insolvency by or against the undersigned, or the appointment of any receiver, trustee, trust mortgagee or similar officer or creditors' committee to take charge of any property of the undersigned, or the making of any offer to make a composition of debts with creditors or the commission of any act of bankruptcy or insolvency or the making of an assignment for the benefit of creditors shall constitute a default under this Note.

In the event of any default under this Note or a violation of any term, condition or provision of the Mortgage, the Note Holder hereof may at its option declare the full amount remaining unpaid hereunder to be immediately due and payable, and may thereupon or any time thereafter, demand, sue for and collect the same and proceed against any security.

Upon default, if this Note is referred to an attorney for collection, the undersigned agrees to pay all costs, expenses and reasonable attorney's fees incurred or paid by the Note Holder in demanding payment or in enforcing its rights on this Note.

Each maker, endorser and guarantor of this Note waives presentment, demand, notice, protest and all other demands and notices in connection with the delivery, acceptance or default of this Note, and the exercise of and enforcement of any rights hereunder by the Note Holder, and assents without notice to any extension or postponement of the time of payment or any indulgence, to any substitution, exchange or release of collateral, if any, and/or to the addition or release of any party or person primarily or secondarily liable hereunder, which may from time to time be agreed to by the holder hereof. The liability of each maker, endorser and guarantor

hereof shall be absolute and unconditional without regard to the liability of any other, regardless of the time, order or place of signing.

No delay or omission on the part of the Note Holder in exercising any right hereunder shall operate as a waiver of such right or of any other right hereunder, and no single or partial exercise of any right hereunder shall preclude other or further exercise thereof; a waiver of any right or remedy on any one occasion shall not be construed as a bar to or waiver of any such right or remedy on any future occasion.

Any deposits or other sums at any time credited by or due from the Note Holder to the maker hereof and any securities or other property of the maker hereof in the possession of the Note Holder may at all times be held and treated as collateral security for the payment of this Note and any and all other liabilities of any maker to the Note Holder, direct, indirect or contingent, joint or several, due or to become due, now existing or hereafter arising.

SIGNED AS A SEALED INSTRUMENT THIS _____ DAY OF _____ 2026.

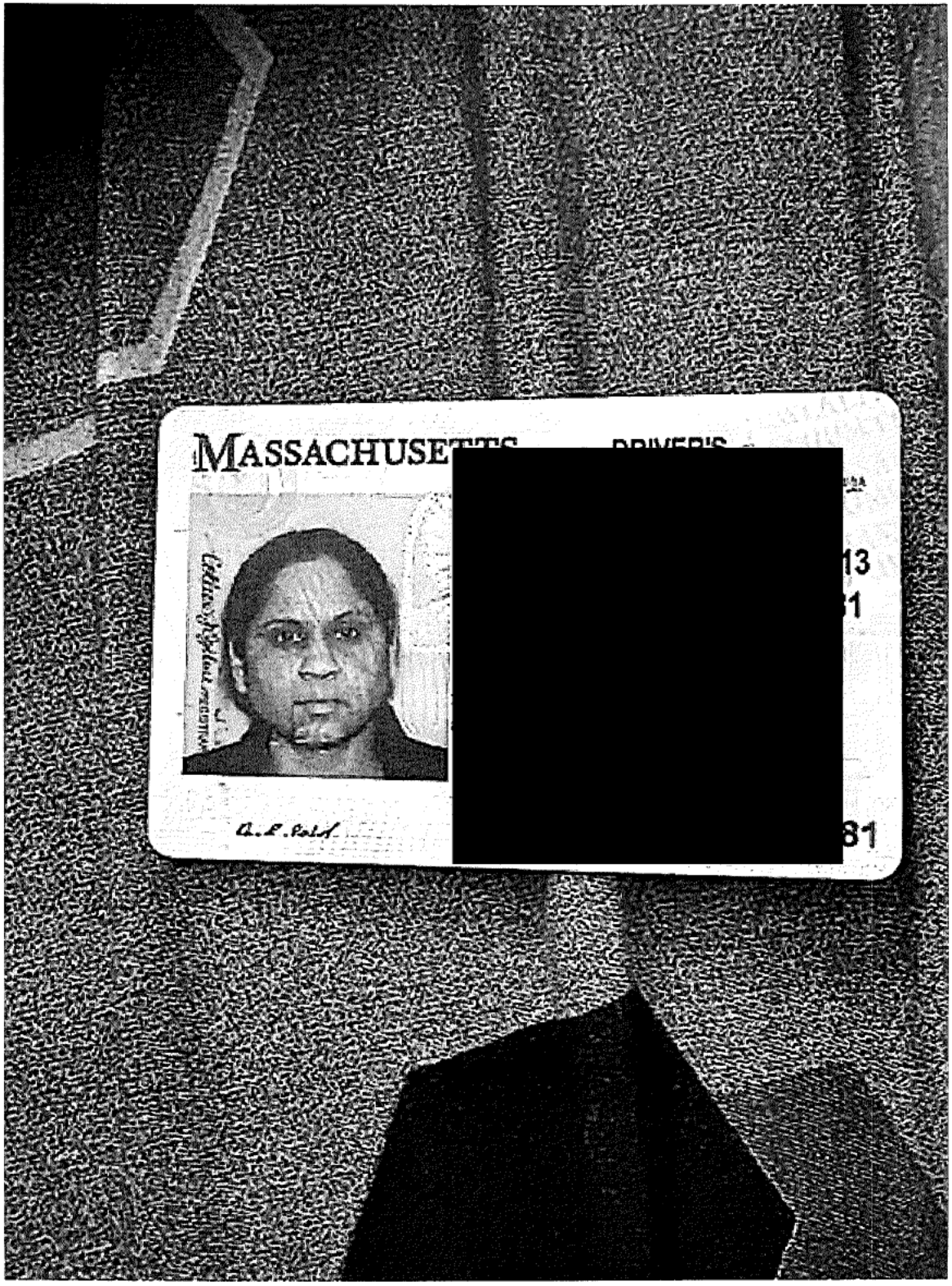
Witness:

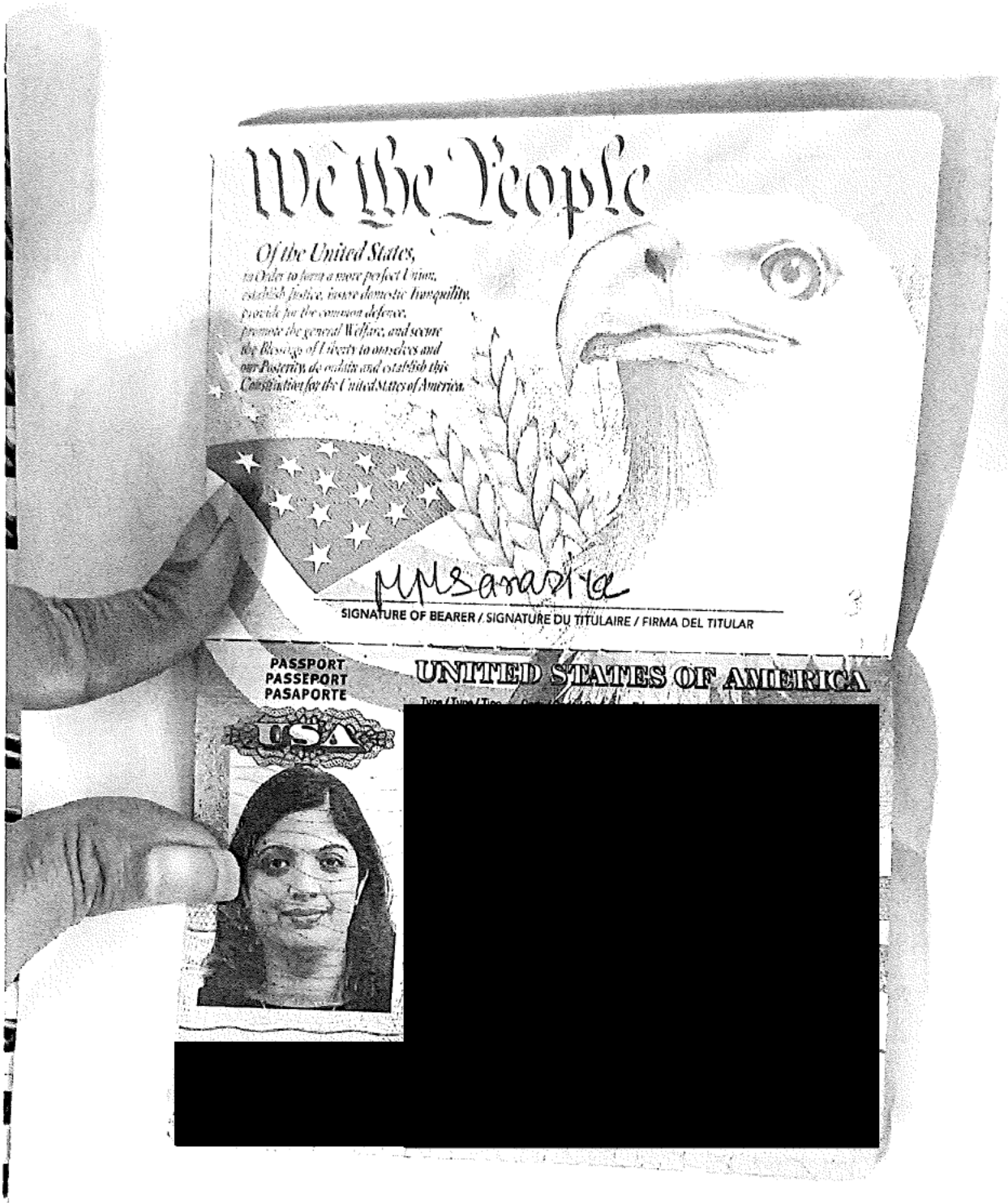
_____ _____

Amita Patel

PROOF OF CITIZENSHIP/LEGAL IMMIGRATION STATUS

UNITED STATES OF AMERICA
EMPLOYMENT AUTHORIZATION
NOT VALID FOR REENTRY TO


MASSACHUSETTS
13
81


We the People
Of the United States,
in Order to form a more perfect Union,
establish Justice, insure domestic Tranquility,
provide for the common defence,
promote the general Welfare, and secure
the Blessings of Liberty to ourselves and
our Posterity, do ordain and establish this
Constitution for the United States of America.
SIGNATURE OF BEARER / SIGNATURE DU TITULAIRE / FIRMA DEL TITULAR
PASSPORT
PASSEPORT
PASAPORTE
USA
UNITED STATES OF AMERICA

MASSACHUSET

1
2
8

[redacted]

INTERMUNICIPAL AGREEMENT
BY AND BETWEEN
NORTHERN MIDDLESEX COUNCIL OF GOVERNMENTS
AND
THE TOWNS OF BILLERICA, DRACUT, PEPPERELL, and TEWKSBURY,
AND THE CITY OF LOWELL

THIS AGREEMENT, entered into this _____day of _____2026, pursuant to G.L. c. 40, §4A, is made by and between the TOWNS OF BILLERICA, DRACUT, PEPPERELL, TEWKSBURY, and the CITY OF LOWELL (herein called individually as "Municipality" and collectively as the "Municipalities,") and the NORTHERN MIDDLESEX COUNCIL OF GOVERNMENTS (herein called "NMCOG"), acting by and through its Executive Director, as follows:

WHEREAS, the Municipalities desire to share the services and costs of a common Regional Housing Services Office; and

WHEREAS, NMCOG is willing and capable of providing the services of a Northern Middlesex Regional Housing Services Office (herein called "NMRHSO"); and

WHEREAS, each of the Municipalities has authority to enter into this Agreement pursuant to G.L. c. 40, §4A;

NOW, THEREFORE, the Municipalities and NMCOG, in mutual consideration of the covenants contained herein, intending to be legally bound, agree under seal as follows:

1. Term. The term of this Agreement shall commence on July 1, 2026 and shall expire after a term of one (1) year on June 30, 2027, unless earlier terminated as set forth herein. Any municipality may withdraw from the Agreement as described below. The Agreement may be renewed for an unlimited number of terms in accordance with the procedure outlined in Section 6, except in no case shall this Agreement extend beyond June 30, 2051.

2. Lead Agency. During the Term of this Agreement, NMCOG, acting as the Lead Agency, shall operate the NMRHSO. NMCOG, through its standard personnel practices, shall employ or contract the adequate staff necessary to provide the housing administrative services described in Exhibit A: Housing Services, attached and incorporated herein, to the Municipalities.

3. Duties. During the Term of this Agreement, NMCOG shall perform the housing administrative services as described in Exhibit A, Section 1, for an annual allocation of hours as indicated in Exhibit B: Fee Structure, attached and incorporated herein. NMCOG shall

provide additional Opt-In Comprehensive Affordable Housing Monitoring Services as described in Exhibit A, Section 2, to select Municipalities as indicated in Exhibit B, Section C.

4. Fee Structure and Payment. The Municipalities shall provide annual funding to NMCOG pursuant to the Fee Structure, attached as Exhibit B: Fee Structure. NMCOG shall annually submit an invoice to each Municipality for the upcoming year on or after July 1, with payment due within thirty (30) days of the written request.

   The Municipalities have identified the need for services from NMCOG in an annual approximate allocation of hours as indicated in Exhibit B, Section A: Base Fee Services Cost Breakdown. The Municipalities acknowledge that Core Monitoring Services, Regional Housing Services, and Local housing Services (listed in Exhibit A, Section 1) are base fee services (the "Base Fee Services").

   As part of this Agreement, participating Municipalities may also avail themselves of comprehensive monitoring services and/or additional local housing services hours (the "Opt-In Services") from NMCOG. The fee structures for the "Opt-in Services" are indicated in Exhibit B, Section B: Opt-In Services Cost-Breakdown

5. Local Housing Services. An annual call for local housing service projects will be conducted by NMCOG to receive project proposals from all participating Municipalities. In addition to the annual project call, a Municipality may, at any time, request a Local Housing Services project to NMCOG.

   The Lead Agency shall determine whether that project may be undertaken under the number of hours detailed for Base Fee Services, Local Housing Services in Exhibit B, Section A. If that project cannot be undertaken under the number of hours detailed for Base Fee Services, NMCOG and the Municipality may negotiate an Additional Local Housing Services agreement, as described in **Exhibit B,** Section B. The Lead Agency and the Municipality may enter into a separate agreement after agreeing upon a number of hours and scope. Such projects will be invoiced separately.

6. Subsequent Year Adjustments. Not less than six (6) months prior to the expiration of the Term, the Lead Agency shall provide to all Municipalities a record of the actual hours of services provided to each municipality and, if necessary, propose an amended Exhibit B: Fee Structure, after consultation with each Municipality. Not less than three (3) months prior to the expiration of the Term, Municipalities may adopt the amended Exhibit B in accordance with Section 15 and, after any votes by their respective decision-making bodies or other procedures required by local or state law, renew the Agreement for an additional Term.

7. Indemnification. To the extent permitted by law, each Municipality (the "Indemnifying Municipality") separately agrees to indemnify NMCOG, including all officials, officers, employees, agents, servants and representatives, from and against any claim arising out of

the duties performed by NMCOG in operating the NMRHSO pursuant to the Agreement in or on behalf of the Indemnifying Municipality for any claim of liability, loss, damages, costs and expenses for personal injury or damage to real or personal property by reason of any negligent act or omission by the NMCOG while performing services for the Indemnifying Municipality. As to any claim or occurrence, the express indemnification set forth above shall be municipality-specific: Billerica's obligations shall be limited to the services provided for Billerica; Dracut's obligations shall be limited to the services provided for Dracut; Lowell's obligations shall be limited to the services provided for Lowell; Pepperell's obligations shall be limited to the services provided for Pepperell; Tewksbury's obligations shall be limited to the services provided for Tewksbury; The Indemnifying Municipality's obligation to indemnify under this Section shall be limited to and benefited by the immunities and the limits on liability that would be applicable under G.L. c. 258 and any other law or statute limiting the liabilities of municipalities as if the negligent act or omission had been made by an employee of the Indemnifying Municipality. Furthermore, the Indemnifying Municipalities shall not be liable for any claims arising from:

a. Violations of state or federal civil rights statutes;

b. Violations of state or federal discrimination statutes;

c. Wrongful termination claims;

d. Violations of any state or federal statute dealing with employment practices; or

e. Claims that are covered by any insurance policy.

By entering into this Agreement, none of the Municipalities has waived any governmental immunity or limitation of damages which may be extended to them by operation of law. It is expressly understood that the services rendered hereunder are deemed for public and governmental purposes, and all privileges and immunities from liability enjoyed by the Municipalities shall extend to their participation hereunder and to the activities so undertaken to the fullest extent permitted by law.

8. Withdrawal. Any Municipality, after a vote by its decision-making body or other procedures required by local or state law, may withdraw from this Agreement at the end of any municipal fiscal year with the provision of prior written notice to NMCOG not later than April 1. Such withdrawal shall take effect on the following June 30. No such withdrawal shall affect any obligation of indemnification that may have arisen hereunder prior to such withdrawal, nor shall it affect any financial obligations that, by prior agreement, extend beyond the withdrawal date. Upon such withdrawal, NMCOG shall prepare a full statement of outstanding unpaid financial obligations under this Agreement and present the same to the

withdrawing Municipality for payment within thirty (30) days. The remaining Municipalities shall continue with this Agreement as written unless the Agreement is terminated as per paragraph 9.

9. Termination. NMCOG, as determined by its Executive Director, may terminate this Agreement upon the provision of at least six (6) months prior written notice to the participating Municipalities. After providing notice, NMCOG shall remain liable to the participating Municipalities for any portion of the payments received and not earned until the date of termination. Such termination shall take effect on the following June 30.

10. Advisory Committee. There shall exist an Advisory Committee comprised of one (1) representative from each Municipality, whom shall be appointed by each municipality. The Advisory Committee shall meet at least quarterly. The Advisory Committee may propose amendments to the Agreement to the Lead Agency or Municipalities for their consideration.

11. Conflict Resolution. The Advisory Committee may hold additional meetings to discuss and resolve any conflicts that may arise including, but not limited to, disagreements regarding the needs of each municipality and changes to the annual allocation of hours as indicated in Exhibit B: Fee Structure and. Any unresolved issues shall be decided by the Executive Director of NMCOG.

12. Financial Safeguards. NMCOG shall maintain separate, accurate and comprehensive records of all services performed for each of the Municipalities hereto, and all funds received from the Municipalities. NMCOG shall issue a financial report for each fiscal year to the Municipalities by December 31 after the end of that fiscal year.

13. Additional Municipalities. At any time during the Term of this Agreement, NMCOG may initiate an amendment to the Agreement to include one or more additional municipalities. The amendment will be signed by all existing and new municipalities and will be effective the following July 1.

14. Assignment. None of the Municipalities shall assign or transfer any of its rights or interests in or to this Agreement, or delegate any of its obligations hereunder, without the prior written consent of NMCOG and all the other Municipalities.

15. Amendment. This Agreement may be amended only in writing signed by all parties.

16. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, illegal or unenforceable, or if any such term is so held when applied to any particular circumstance, such invalidity, illegality or unenforceability shall not affect any other provision of this Agreement, or affect the application of such provision to any other circumstances, and the remaining provisions hereof shall not be affected and shall remain in full force and effect.

17. Governing Law. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the Commonwealth of Massachusetts.

18. Headings. The paragraph headings herein are for convenience only, are no part of this Agreement and shall not affect the interpretation of this Agreement.

19. Notices. Any notice permitted or required hereunder to be given or served on any. Municipality shall be in writing signed in the name of or on behalf of the Municipality giving or serving the same. Notice shall be deemed to have been received at the time of actual receipt of any hand delivery or three (3) business days after the date of any properly addressed notice sent by mail as set forth below:

Town of Billerica
Town Manager
365 Boston Road
Billerica, MA 01821

Town of Dracut
Town Manager
62 Arlington Street
Dracut, MA 01826

City of Lowell
City Manager
375 Merrimack Street
Lowell, MA 01852

Town of Pepperell
Town Administrator
1 Main Street
Pepperell, MA 01463

Town of Tewksbury
Town Manager
1009 Main Street
Tewksbury, MA 01876

20. Complete Agreement. This Agreement constitutes the entire Agreement between the Municipalities concerning the subject matter hereof, superseding all prior agreements and understandings. There are no other agreements or understandings between the Municipalities concerning the subject matter hereof. Each Municipality acknowledges that it has not relied on any representations by any other Municipality or by anyone acting or purporting to act for another Municipality or for whose actions any other Municipality is responsible, other than the express, written representations set forth herein.

In witness whereof, the parties below have executed this MOU update as of the effective date:

_____ _____
Christopher Dillon, Town Manager, Billerica Date

_____ _____
Kate Hodges, Town Manager, Dracut Date

_____ _____
Thomas Golden, City Manager, Lowell Date

_____ _____
Andrew MacLean, Town Administrator, Pepperell Date

_____ _____
John Curran, Town Manager, Tewksbury Date

_____ _____
Jennfer M. Raitt, Executive Director, NMCOG Date

Exhibit A: Housing Services

1. Base Fee Services

a. Core Affordable Housing Monitoring

- Maintain a database of affordable housing units and developments and regulatory documents hosted on the NMCOG website
- Proactively verify third-party monitoring efforts are completed
- Annually review Registry of Deeds for resale and refinance activities and any potential regulatory agreement or deed restriction violations
- Annual report on all core monitoring activities

b. Regional Housing Services

- Host the quarterly regional housing meetings
- Ongoing technical assistance office hours as needed
- Publish list of affordable housing Listings, resources and services
- Housing resource and production database development, hosting and maintenance
- Address ad-hoc affordable housing related questions from the community
- Host series of public outreach, educational workshops, and affordable housing Trust and Committee training

c. Local Housing Services

- Technical assistance and meeting attendance for affordable housing trusts and committees
- Housing initiative funding strategy development
- Housing Production Plan goal and strategy implementation support
- Property valuation guidance for deed restricted tax assessments

- Accessory Dwelling Unit bylaw and development tracking and reporting systems
- Review, analysis and guidance for new and updated bylaw adoption
- Pre-development, construction, and initial leasing / sales for housing developments support and assistance

2. Opt-In Comprehensive Affordable Housing Monitoring Services

- Complete regulatory activities, as described in each development's regulatory agreement, for all developments for which the municipality is assigned as the monitoring agent
- Resolve and report compliance findings to Executive Office of Housing and Livable Communities
- Update and correct any Subsidized Housing Inventory discrepancies
- Prepare and submit annual comprehensive monitoring reports to each municipality utilizing the service

3. Opt-In Local Housing Services

- All activities for local housing services listed under the base fee services section are included but are not limited to these options.

Exhibit B: Fee Structure

A. Base Fee Services Cost Breakdown

Hourly Rate: $100[1]

Participating Members: 5

Services	Hours Allocated per Member	Total Annual Hours
Core Monitoring Services	40 Hours per member	200
Regional Housing Services	400 total hours (shared by all 5 members)[2]	400
Local Housing Services	30 Hours per member	150
Total Base Services Fee Per Member	$13,667	750

B. Opt-In Services Cost Breakdown

Comprehensive Monitoring[3]	Rental Units	2 hours per affordable unit.
	Homeownership Units	1 hour per affordable unit.
Additional Local Housing Services	Additional hours can be procured on a per projects basis. Projects are billed at the NMRHSO hourly rate.	

[1] Anticipated to increase at a 3% annual rate
[2] NMCOG will make a base fee contribution of $6,665 towards the cost of the regional housing services hours.
[3] Units assigned to the NMRHSO for comprehensive monitoring will be agreed upon with each participating municipality individually outside of this Agreement

C. Membership Fee Schedule for FY27[4]

Municipality	Base Fee	Comprehensive Monitoring (Opt-In)	Total Membership Fee
Billerica	$13,667	$22,400	$36,067
Dracut	$13,667	$15,100	$28,767
Lowell	$13,667	-	$13,667
Pepperell	$13,667	$2,600	$16,267
Tewksbury	$13,667	$17,200	$30,867
Combined Total	$68,335	$57,300	$125,635

[4] This fee structure does not include payment for additional local service hours which will be proposed and invoiced outside of this Agreement for payment for additional hours in excess of the allotted 30 hours per member (see section 5 of IMA).

Kerri Rufo

From: Ann Marie Casey
Sent: Wednesday, March 18, 2026 3:42 PM
To: Kerri Rufo
Cc: Christopher Dillon; Dawn McDowell
Subject: NMRHSO Intermunicipal Agreement Execution - Billerica
Attachments: 20260304_NMRHSO_IMA_Final_Draft.docx

Hello Kerri,

Will you please place this on the next SB agenda?

Agenda item: Northern Middlesex Regional Housing Services Office (NMRHSO) Intermunicipal Agreement Approval

Possible MOTION: Move to approve the Northern Middlesex Regional Housing Services Office (NMRHSO) Intermunicipal Agreement and authorize the Town Manager to sign

Legal Notes: The Select Board must approve IMAs pursuant to G.L. c. 40, ? 4A, which says that "The chief executive officer of a city or town, or a board, committee or officer authorized by law to execute a contract in the name of a governmental unit may, on behalf of the unit, enter into an agreement with another governmental unit to perform jointly or for that unit's services, activities or undertakings which any of the contracting units is authorized by law to perform, if the agreement is authorized by the parties thereto, in a city by the city council with the approval of the mayor, in a town by the board of selectmen and in a district by the prudential committee." The Select Board may vote to authorize the Town Manager to sign the contract, but whether the Board signs or the Town Manager signs it needs to be approved by the Board.

Thank you and please let me know if you have any questions.

Best,

AM

Ann Marie Casey
Assistant Town Manager
Town of Billerica
365 Boston Road
Billerica, MA 01821
Cell: 978-802-5371
Office: 978-671-0942
acasey@billerica.gov

TOWN of BILLERICA

From: Christian D'Emilia <CDEmilia@nmcog.org>
Sent: Tuesday, March 17, 2026 3:55 PM
To: Ann Marie Casey <acasey@billerica.gov>
Cc: Chris Hayes <chayes@nmcog.org>; Jennifer Raitt <jraitt@nmcog.org>; Katherine Malgieri <kmalgieri@billerica.gov>; Christopher Dillon <cdillon@billerica.gov>
Subject: RE: Confirm Signatory – NMRHSO Intermunicipal Agreement Execution - Billerica

You don't often get email from cdemilia@nmcog.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.

Yes, attached is a copy of the final version of the IMA.

Christian D'Emilia
Regional Housing Coordinator
Northern Middlesex Council of Governments
672 Suffolk Street, Suite 100
Lowell, MA 01854
(978) 454-8021, extension 125
www.nmcog.org

From: Ann Marie Casey <acasey@billerica.gov>
Sent: Tuesday, March 17, 2026 3:28 PM
To: Christian D'Emilia <CDEmilia@nmcog.org>
Cc: Chris Hayes <chayes@nmcog.org>; Jennifer Raitt <jraitt@nmcog.org>; Katherine Malgieri <kmalgieri@billerica.gov>; Christopher Dillon <cdillon@billerica.gov>
Subject: RE: Confirm Signatory – NMRHSO Intermunicipal Agreement Execution - Billerica

Caution: This email originated from outside of the organization. **Do not reply, click links, or open attachments** unless you can confirm the sender and know the content is safe.

Hello Christian,

I do not have a copy of the agreement you're referencing but if it's an intermunicipal agreement, it is governed by Chapter 40, Section 4A, which states that Select Board must authorize.

Do you want to send me a copy?

Best,

AM

Ann Marie Casey
Assistant Town Manager
Town of Billerica
365 Boston Road
Billerica, MA 01821
Cell: 978-802-5371
Office: 978-671-0942
acasey@billerica.gov

TOWN of BILLERICA

From: Christian D'Emilia <CDEmilia@nmcog.org>
Sent: Tuesday, March 17, 2026 2:43 PM
To: Ann Marie Casey <acasey@billerica.gov>
Cc: Chris Hayes <chayes@nmcog.org>; Jennifer Raitt <jraitt@nmcog.org>; Katherine Malgieri <kmalgieri@billerica.gov>; Christopher Dillon <cdillon@billerica.gov>
Subject: RE: Confirm Signatory – NMRHSO Intermunicipal Agreement Execution - Billerica

[EXTERNAL EMAIL]

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

Hello Ann Marie,

Hope you are doing well. I am following up to confirm the signatory information for the NMRHSO Intermunicipal Agreement. Can you confirm who will be signing this document for Billerica? Once confirmed, we will send the document out for electronic signature.

Best Regards,

Christian D'Emilia
Regional Housing Coordinator
Northern Middlesex Council of Governments
672 Suffolk Street, Suite 100

Lowell, MA 01854
(978) 454-8021, extension 125
www.nmcog.org

From: Christian D'Emilia
Sent: Monday, March 9, 2026 6:30 PM
To: Christopher Dillon <cdillon@billerica.gov>
Cc: Chris Hayes <chayes@nmcog.org>; Jennifer Raitt <jraitt@nmcog.org>; Katherine Malgieri <kmalgieri@billerica.gov>
Subject: Confirm Signatory – NMRHSO Intermunicipal Agreement Execution - Billerica

Hello Manager Dillon,

The final draft of the Intermunicipal Agreement for the Northern Middlesex Regional Housing Services Office (NMRHSO) is attached and ready to be executed by all participating communities. Will you be the signer on this document? If not, could you please confirm who will executing the agreement? Once confirmed, I will send out signature pages addressed to the appropriate person.

Best Regards,

Christian D'Emilia
Regional Housing Coordinator
Northern Middlesex Council of Governments
672 Suffolk Street, Suite 100
Lowell, MA 01854
(978) 454-8021, extension 125
www.nmcog.org

MEMORANDUM

TO: Select Board

FROM: Christopher Dillon, Town Manager

SUBJECT: Town Manager's Report

DATE: April 3, 2026

In early 2024, the Town met with all Billerica bargaining units to discuss proposed changes to employee health insurance. These discussions resulted in agreement on four key items:

1. The Town increased its contribution toward the BCBS HMO Family Plan from 65.9% to 70%.
2. The Town agreed to contribute 50% of the deductible for the BCBS High-Deductible Health Plan (with an HSA) for the first three fiscal years (FY25–FY27).
3. The implementation of a Cost Share Assistance Program, administered by Pillar Rx.
4. A modification to the Medicare Part B reimbursement program, whereby employees hired on or before July 1, 2024, would be grandfathered and remain eligible, while employees hired after that date would not be eligible.

All unions executed the agreement (see attached). However, due to unforeseen circumstances at the time including the passing of Police Officer Ian Taylor and the multiple changes in the Town Manager position, the agreement was never brought before the Select Board for the required approval.

Of the four agreed-upon items, three have since been implemented. During recent discussions regarding health insurance rates, it was identified that the Cost Share Assistance Program administered by Pillar Rx has not yet been implemented.

Accordingly, I am requesting that the Select Board approve this Memorandum of Agreement, which is anticipated to result in cost savings to the Town's health insurance program

Memorandum of Agreement

Town of Billerica
and the
All Town and School Bargaining Units
July 1, 2024

The Town of Billerica ("The Town") and all Billerica Bargaining Units that sign this document hereby agree that the below health insurance changes will be effective commencing on July 1, 2024 and with the changes agreed to by both parties' set forth below.

Changes:

Blue Cross Blue Shield HMO Family Plan: The Town will increase contributions from 65.9% to 70% for the members enrolled in the BCBC HMO Family Plan, provided the Plan continues to be offered by the Town and further provided the bargaining unit representative signs this Agreement.

Blue Cross Blue Shield High Deductible Plan with Health Savings Account: The Town will contribute 50% of the deductible in the first three years (FY25 – FY27) as part of this plan. After three years the Town contribution to the health savings account clause will sunset and be revisited. For more information, please see attached.

Cost Share Assistance Program, Administered by Pillar Rx: While we anticipate no issues with the implementation of this program the Town will work with any subscriber who needs assistance retroactively enrolling in the Program for the first time.

Medicare Part B Reimbursement: The Town currently reimburses retirees Medicare Part B Premiums. The Town will grandfather in all current Town of Billerica employees as of July 1, 2024 . All employees hired on or after July 1, 2024 will not be eligible for Medicare Part B Premium Reimbursement.

Once executed, this Agreement will be subject to the approval of the Select Board.

IN WITNESS WHEREOF, the undersigned Unions/Associations and the Town of Billerica, by their authorized representatives, hereby execute this Agreement..

Town of Billerica
Duly Authorized

John C. Curran, Town Manager

Union - Local 105
Duly Authorized

Union - AFSCME 1365
Duly Authorized

Union - BFT 1677
Duly Authorized

Union - IAFF 1495
Duly Authorized

Union - NEPBA 087
Duly Authorized

Union -
Duly Authorized
FAO Locals 1495

Union -
Duly Authorized
Local 2747

Union - AFSCME 1365
Duly Authorized

Union - BPAA
Duly Authorized

Union - Teamsters local 25
Duly Authorized

Union - BAG
Duly Authorized

Union - SB
Duly Authorized

Union -
Duly Authorized

MASSACHUSETTS | PillarRx Consulting | CUSTOMIZED PHARMACY SOLUTIONS

SAVING MONEY SHOULD ALWAYS BE THIS EASY

The Cost-Share Assistance Program is available to all fully insured accounts, and self-insured accounts with 100+ members.

You and your members shouldn't have to go out of your way to save money on high-cost specialty medications. The Cost-Share Assistance Program uses coupons from manufacturers of medication to cover most or all of your members' out-of-pocket costs for eligible medications.[1] To get the savings, all you need to do is add the program to your pharmacy benefit.

HOW THE PROGRAM WORKS

The program is added to your pharmacy benefit
At renewal, eligible fully insured and self-insured accounts can add the program at no additional cost.[2] The program is automatically included for fully insured accounts with 1-50 members.

Members enroll or stay enrolled
If a member or their dependent is already using coupons to help cover the costs for certain medications, they'll be automatically enrolled in the program. If they aren't using coupons, or start using a new medication during the plan year, PillarRx Consulting, an independent company that administers the program, will call the member to discuss the program and help them enroll. Members must be enrolled to get the savings.

Members get personalized, ongoing support
PillarRx reviews claims every month to make sure your members are receiving the correct savings, and provide them with additional support as needed.

BENEFITS OF THE PROGRAM

Members save on eligible medications
When a member or their dependent fills an eligible prescription, a manufacturer's coupon will be automatically applied at checkout. The coupon reduces their out-of-pocket cost to anywhere between $0 and $35, depending on the medication. Members can find their out-of-pocket cost in advance by reviewing the Cost-Share Assistance Program Medication List.[3]

Self-insured accounts save on claims cost; fully insured accounts save on their premium
Self-insured accounts: You'll see 100% of the savings in real time through your claims expense. We'll bill you 25% of the savings to cover administrative costs, and you keep the remaining 75%.

Fully insured accounts: The savings are built into your premium.

Questions?

If you have any questions, contact your account executive.

1. For the current list of eligible medications, go to the Medication Lookup tool at **bluecrossma.org/medication**, and click **Cost-Share Assistance Medication List** under **Important Information**.
2. Some restrictions apply. For more details, contact your account executive.
3. In rare circumstances, a manufacturer of medication may discontinue the program or limit the amount of monthly or annual financial assistance a member may receive. In that case, the member's cost share would stay the same, and the account or Blue Cross would pay the remainder.

Blue Cross Blue Shield of Massachusetts is an Independent Licensee of the Blue Cross and Blue Shield Association.

(Continued)

IMPORTANT INFORMATION

How do members become enrolled in the Cost-Share Assistance Program?

1. If a member or their dependent is already using a manufacturer's coupon, they'll be automatically enrolled in the program. A Care Team Coordinator from PillarRx will call them to confirm their participation. The coordinator will also ensure that the member is paying the lowest possible cost for their medication.

2. If a member or their dependent is taking an eligible medication, and they're not using a coupon to cover their costs, a Care Team Coordinator from PillarRx will call them to discuss the program and help them enroll. A coordinator will also call members when they start taking a new eligible medication.

What happens if a member doesn't enroll or decides to opt out of the program?

Enrollment is optional. However, if a member doesn't enroll themselves or their dependent in the program, or decides to opt out after being enrolled, they'll be responsible for paying 30% of the cost of eligible medications.

Will all members be able to enroll?

Most members will be eligible for enrollment. However, there may be specific instances that will make them ineligible, such as:

- Their eligibility for government health insurance, such as Medicare or Medicaid
- Their medication isn't approved by the Food and Drug Administration (FDA) to treat their condition
- Their medication has age restrictions the member doesn't meet
- They use a secondary insurer in addition to Blue Cross to cover their plan's out-of-pocket costs

If a member is ineligible for the program, PillarRx will ensure that their medication is covered, based on the standard cost-share amount that applies for all other covered medications and supplies as described in their plan's Summary of Benefits, Schedule of Benefits, and/or other contractual provisions.

Will the member's out-of-pocket costs apply to their out-of-pocket maximum and deductible?

Once a member is enrolled in the program, their plan applies only the member's actual out-of-pocket costs to their annual out-of-pocket maximum. If an account decides to offer the program to members with a high-deductible health plan[4] or a stand-alone pharmacy deductible, the plan will apply only the member's out-of-pocket costs to their annual deductible as well as to their out-of-pocket maximum.[5] For example, if a member pays $10 for an eligible medication, $10 will be applied to both their out-of-pocket maximum and their deductible.

How does PillarRx support members and accounts?

PillarRx is an industry leader in administering pharmacy benefit programs. They provide high-touch outreach to members and seamless program administration for accounts. PillarRx tracks member claims to make sure each coupon is being applied correctly, coordinates all payment and billing with our pharmacy benefit manager and in-network pharmacies, and resolves any issues that may arise.

What happens when the manufacturer no longer offers financial assistance?

When a medication is removed from the program, there are no additional savings passed on to the account, and the member will then pay the standard cost share for this medication according to their pharmacy benefit. PillarRx will reach out to affected members to let them know about this change, and tell them which medication is no longer eligible. Members can check their Summary of Benefits or Schedule of Benefits to see the standard pharmacy cost share.

Where can members learn more about the program?

We've created a dedicated page in MyBlue where members can learn more about claims, costs, and what to expect from the program. Included on the page is a list of eligible medications, a fact sheet with FAQs, and the contact information for PillarRx. To find the page, members need to sign in to their MyBlue account or create a new one at **bluecrossma.org**, then click **Cost-Share Assistance** under **My Medications**.

4. Only self-insured accounts can add the Cost-Share Assistance Program to a health savings account (HSA)-qualified high-deductible health plan (Saver plan).
5. Some restrictions apply. For more details, contact your account executive.

Blue Cross Blue Shield of Massachusetts complies with applicable federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, sex, sexual orientation, or gender identity.

ATTENTION: If you don't speak English, language assistance services, free of charge, are available to you. Call Member Service at the number on your ID card (TTY: 711).
ATENCIÓN: Si habla español, tiene a su disposición servicios gratuitos de asistencia con el idioma. Llame al número de Servicio al Cliente que figura en su tarjeta de identificación (TTY: 711).
ATENÇÃO: Se fala português, são-lhe disponibilizados gratuitamente serviços de assistência de idiomas. Telefone para os Serviços aos Membros, através do número no seu cartão ID (TTY: 711).

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SAVING MONEY SHOULD ALWAYS BE THIS EASY

The Cost-Share Assistance Program is available to all fully insured accounts, and self-insured accounts with 100+ members.

You and your members shouldn't have to go out of your way to save money on high-cost specialty medications. The Cost-Share Assistance Program uses coupons from manufacturers of medication to cover most or all of your members' out-of-pocket costs for eligible medications.[1] To get the savings, all you need to do is add the program to your pharmacy benefit.

HOW THE PROGRAM WORKS

The program is added to your pharmacy benefit
At renewal, eligible fully insured and self-insured accounts can add the program at no additional cost.[2] The program is automatically included for fully insured accounts with 1-50 members.

Members enroll or stay enrolled
If a member or their dependent is already using coupons to help cover the costs for certain medications, they'll be automatically enrolled in the program. If they aren't using coupons, or start using a new medication during the plan year, PillarRx Consulting, an independent company that administers the program, will call the member to discuss the program and help them enroll. Members must be enrolled to get the savings.

Members get personalized, ongoing support
PillarRx reviews claims every month to make sure your members are receiving the correct savings, and provide them with additional support as needed.

BENEFITS OF THE PROGRAM

Members save on eligible medications
When a member or their dependent fills an eligible prescription, a manufacturer's coupon will be automatically applied at checkout. The coupon reduces their out-of-pocket cost to anywhere between $0 and $35, depending on the medication. Members can find their out-of-pocket cost in advance by reviewing the Cost-Share Assistance Program Medication List.[3]

Self-insured accounts save on claims cost; fully insured accounts save on their premium
Self-insured accounts: You'll see 100% of the savings in real time through your claims expense. We'll bill you 25% of the savings to cover administrative costs, and you keep the remaining 75%.

Fully insured accounts: The savings are built into your premium.

Questions?

If you have any questions, contact your account executive.

1. For the current list of eligible medications, go to the Medication Lookup tool at **bluecrossma.org/medication**, and click **Cost-Share Assistance Medication List** under **Important Information**.
2. Some restrictions apply. For more details, contact your account executive.
3. In rare circumstances, a manufacturer of medication may discontinue the program or limit the amount of monthly or annual financial assistance a member may receive. In that case, the member's cost share would stay the same, and the account or Blue Cross would pay the remainder.

Blue Cross Blue Shield of Massachusetts is an Independent Licensee of the Blue Cross and Blue Shield Association.

(Continued)

IMPORTANT INFORMATION

How do members become enrolled in the Cost-Share Assistance Program?

1. If a member or their dependent is already using a manufacturer's coupon, they'll be automatically enrolled in the program. A Care Team Coordinator from PillarRx will call them to confirm their participation. The coordinator will also ensure that the member is paying the lowest possible cost for their medication.

2. If a member or their dependent is taking an eligible medication, and they're not using a coupon to cover their costs, a Care Team Coordinator from PillarRx will call them to discuss the program and help them enroll. A coordinator will also call members when they start taking a new eligible medication.

What happens if a member doesn't enroll or decides to opt out of the program?

Enrollment is optional. However, if a member doesn't enroll themselves or their dependent in the program, or decides to opt out after being enrolled, they'll be responsible for paying 30% of the cost of eligible medications.

Will all members be able to enroll?

Most members will be eligible for enrollment. However, there may be specific instances that will make them ineligible, such as:

- Their eligibility for government health insurance, such as Medicare or Medicaid
- Their medication isn't approved by the Food and Drug Administration (FDA) to treat their condition
- Their medication has age restrictions the member doesn't meet
- They use a secondary insurer in addition to Blue Cross to cover their plan's out-of-pocket costs

If a member is ineligible for the program, PillarRx will ensure that their medication is covered, based on the standard cost-share amount that applies for all other covered medications and supplies as described in their plan's Summary of Benefits, Schedule of Benefits, and/or other contractual provisions.

Will the member's out-of-pocket costs apply to their out-of-pocket maximum and deductible?

Once a member is enrolled in the program, their plan applies only the member's actual out-of-pocket costs to their annual out-of-pocket maximum. If an account decides to offer the program to members with a high-deductible health plan[4] or a stand-alone pharmacy deductible, the plan will apply only the member's out-of-pocket costs to their annual deductible as well as to their out-of-pocket maximum.[5] For example, if a member pays $10 for an eligible medication, $10 will be applied to both their out-of-pocket maximum and their deductible.

How does PillarRx support members and accounts?

PillarRx is an industry leader in administering pharmacy benefit programs. They provide high-touch outreach to members and seamless program administration for accounts. PillarRx tracks member claims to make sure each coupon is being applied correctly, coordinates all payment and billing with our pharmacy benefit manager and in-network pharmacies, and resolves any issues that may arise.

What happens when the manufacturer no longer offers financial assistance?

When a medication is removed from the program, there are no additional savings passed on to the account, and the member will then pay the standard cost share for this medication according to their pharmacy benefit. PillarRx will reach out to affected members to let them know about this change, and tell them which medication is no longer eligible. Members can check their Summary of Benefits or Schedule of Benefits to see the standard pharmacy cost share.

Where can members learn more about the program?

We've created a dedicated page in MyBlue where members can learn more about claims, costs, and what to expect from the program. Included on the page is a list of eligible medications, a fact sheet with FAQs, and the contact information for PillarRx. To find the page, members need to sign in to their MyBlue account or create a new one at **bluecrossma.org**, then click **Cost-Share Assistance** under **My Medications**.

4. Only self-insured accounts can add the Cost-Share Assistance Program to a health savings account (HSA)-qualified high-deductible health plan (Saver plan).
5. Some restrictions apply. For more details, contact your account executive.

Blue Cross Blue Shield of Massachusetts complies with applicable federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, sex, sexual orientation, or gender identity.

ATTENTION: If you don't speak English, language assistance services, free of charge, are available to you. Call Member Service at the number on your ID card (TTY: 711).
ATENCIÓN: Si habla español, tiene a su disposición servicios gratuitos de asistencia con el idioma. Llame al número de Servicio al Cliente que figura en su tarjeta de identificación (TTY: 711).
ATENÇÃO: Se fala português, são-lhe disponibilizados gratuitamente serviços de assistência de idiomas. Telefone para os Serviços aos Membros, através do número no seu cartão ID (TTY: 711).

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Billerica Public Schools

Kerry Clery, Ed.D
Superintendent of Schools

(978) 528-7908 kclery@billericak12.com

TO: Billerica Select Board
FROM: Kerry Clery, Ed.D., Superintendent of Schools
DATE: April 6, 2026
RE: Request for Authorization to Submit the Statement of Interests to the Massachusetts School Building Authority

I am pleased to share the completed Statements of Interest (SOI) for the Locke Middle School (priority site) and the Marshall Middle School (non-priority site) for your review and approval.

These documents are the result of a truly collaborative effort, and I would like to specifically thank our Director of Facilities, Assistant Director of Facilities, and the Building Principals at both Locke and Marshall Schools. The technical expertise and on-the-ground insights, in combination with the 2023 Dore & Whittier Study, were essential in accurately documenting the physical and pedagogical challenges our middle schools face each day.

As we have discussed, these SOIs clearly outline how the 1968 and 1972 infrastructures have limited ability to fully support our modern educational goals. By moving forward with these submissions, we are taking the necessary step to keep Billerica at the forefront of the MSBA's funding pipeline.

On behalf of the School Committee, we respectfully request that the Select Board vote to authorize these two submissions as presented below.

REQUIRED MOTION LANGUAGE

Motion 1: Locke Middle School Resolved: Having convened in an open meeting on April 6, 2026, prior to the SOI submission closing date, the Select Board of Billerica, in accordance with its charter, by-laws, and ordinances, votes to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated April 2026 for the Locke Middle School located at 110 Allen Road, as its priority site, which describes and explains the following deficiencies and the priority categories for which an application may be submitted to the Massachusetts School Building Authority in the future:

- *Priority 4: Prevention of severe overcrowding expected to result from increased enrollment:* The 1968 facility has reached its functional capacity, requiring the sacrifice of specialized spaces to student cohorts; this includes the loss of dedicated specialty rooms which have been repurposed to accommodate student volume.

- *Priority 5: Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility:* The existing 1968 building envelope and mechanical systems have surpassed their anticipated service life, featuring a failing facade, original single-pane windows, and recurring roof leaks that compromise the interior environment. These deficiencies, combined with inefficient heating controls, result in significant energy loss and inconsistent thermal conditions for students.

- *Priority 7: Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with the state and approved local requirements:* The current facility prevents the delivery of a fully inclusive and modern curriculum, as 67% of the building is physically inaccessible to students with mobility impairments. Furthermore, the rigid masonry construction and an outdated electrical infrastructure, unsuited for the power and data demands of a 1:1 device environment, preclude the creation of the flexible, technology-rich learning spaces required by the Massachusetts Curriculum Frameworks;

and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Billerica to filing an application for funding with the Massachusetts School Building Authority.

Motion 2: Marshall Middle School Resolved: Having convened in an open meeting on April 6, 2026, prior to the SOI submission closing date, the Select Board of Billerica, in accordance with its charter, by-laws, and ordinances, votes to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated April 2026 for the Marshall Middle School located at 15 Floyd Street, as its non-priority site, which describes and explains the following deficiencies and the priority categories for which an application may be submitted to the Massachusetts School Building Authority in the future:

- *Priority 4: Prevention of severe overcrowding expected to result from increased enrollment:* The 1972 facility has reached its functional capacity, requiring the sacrifice of specialized spaces to house student cohorts; the building lacks the "surge capacity" and flexible breakout areas needed to accommodate projected enrollment growth without compromising the middle-school teaming model.

- *Priority 5: Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility:* The 1972 building envelope and mechanical systems has reached systemic lifecycle expiration, requiring unsustainable "patch and repair" maintenance on a failing roof, original single-pane windows, and obsolete heating units for which replacement parts are no longer manufactured.

- *Priority 7: Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with the state and approved local requirements:* The facility is functionally obsolete due to an original electrical service that has reached its maximum capacity, which acts as a persistent barrier to the state-mandated Digital Literacy and Computer Science (DLCS) curriculum and modern 1:1 technology initiatives;

and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Billerica to filing an application for funding with the Massachusetts School Building Authority.

Massachusetts School Building Authority

Next Steps to Finalize Submission of your 2026 Statement of Interest("SOI")

Thank you for submitting a 2026 SOI to the Massachusetts School Building Authority (the "MSBA") electronically. Please note, the District's submission is not yet complete if the District selected Statutory Priority 1 or Statutory Priority 3. If either of these Statutory Priorities were selected, the district must upload the required documentation, described below, in order for the SOI to be considered complete. Hard copies will no longer be accepted.

ADDITIONAL DOCUMENTATION REQUIRED TO BE UPLOADED FOR SOI STATUTORY PRIORITIES 1 AND 3 IN ORDER TO BE CONSIDERED COMPLETE. HARD COPIES WILL NO LONGER BE ACCEPTED:

- **If the District selects Statutory Priority 1:** Replacement or renovation of a building, which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of the school children, where no alternative exists, the MSBA requires an electronic version of the engineering or other report detailing the nature and severity of the problem and a written professional opinion of how imminent the system failure is likely to manifest itself. The district must also submit photographs of the problematic building area or system to the MSBA electronically. The SOI will not be considered complete unless this information is uploaded as part of the SOI submission.
- **If the District selects Statutory Priority 3:** Prevention of a loss of accreditation, the SOI will not be considered complete unless an electronic summary of the accreditation report(s) focusing on the deficiencies as stated in the SOI must be uploaded in the SOI system in order to submit an SOI.

ADDITIONAL INFORMATION: In addition to the information required above, the district may also elect to provide reports, pictures, or other information that may give the MSBA a better understanding of the issues identified at the SOI facility. Any supplemental material a district elects to submit with the SOI must be uploaded in the SOI system. Hard copies will no longer be accepted.

If you have any questions about the SOI process please contact the MSBA at SOI@massschoolbuildings.org.

Massachusetts School Building Authority

School District Billerica

District Contact Kerry Clery Title: Superintendent TEL: (978) 528-7908

Name of School Locke Middle

School Address 110 Allen Road, Billerica, MA - 01821

Submission Date 4/2/2026

Statement of Interest ("SOI") CERTIFICATION

To be eligible to submit an SOI, a district must certify the following:

- ☑ The district hereby acknowledges and agrees that this SOI is NOT an application for funding and that submission of this SOI in no way commits the MSBA to accept an application, approve an application, provide a grant or any other type of funding, or places any other obligation on the MSBA.
- ☑ The district hereby acknowledges that no district shall have any entitlement to funds from the MSBA, pursuant to M.G.L. c. 70B or the provisions of 963 CMR 2.00.
- ☑ The district hereby acknowledges that the provisions of 963 CMR 2.00 shall apply to the district and all projects for which the district is seeking and/or receiving funds for any portion of a municipally-owned or regionally-owned school facility from the MSBA pursuant to M.G.L. c. 70B.
- ☑ The district hereby acknowledges that this SOI is for one existing public school in the district that is currently used or will be used to educate public school students in grades Pre-K through 12 as reported to the Department of Elementary and Secondary Education (the "DESE") and that the school for which the SOI is being submitted does not solely serve the district's Pre-K student population.
- ☑ Prior to the submission of the SOI, the district will schedule and hold a meeting at which the School Committee will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is required for cities, towns, and regional school districts. Please note that meeting minutes are NOT required to be uploaded to the "Vote" tab.
- ☑ Prior to the submission of the SOI, the district will schedule and hold a meeting at which the City Council/Board of Aldermen or Board of Selectmen/equivalent governing body will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is not required for regional school districts. Please note that meeting minutes are NOT required to be uploaded to the "Vote" tab.
- ☑ The district hereby acknowledges that current vote documentation is required for all SOI submissions. The district will use the MSBA's vote template and the required votes will specifically reference the school name and the Statutory Priorities for which the SOI is being submitted.
- ☑ The district hereby acknowledges that it must upload all required vote documentation on the "Vote" tab, in the format required by the MSBA. All votes must be certified or signed and on city, town or district letterhead. Please note that meeting minutes are NOT required to be uploaded to the "Vote" tab.
- ☑ The district hereby acknowledges that this SOI submission will not be considered complete unless all required supporting documentation for Statutory Priority 1 and/or Statutory Priority 3, if either is selected is uploaded as part of the SOI submission. If Statutory Priority 1 is selected, the district's SOI will not be considered complete unless the district provides the required engineering (or other) report, a professional opinion regarding the problem, and photographs of the problematic area or system is uploaded as part of the SOI submission. If Statutory Priority 3 is selected, the district's SOI will not be considered complete unless the district provides a summary of the accreditation

report focused on the deficiencies as stated in this SOI as part of the SOI submission. The documentation noted above must be uploaded as part of the SOI submission.

ADDITIONAL INFORMATION: In addition to the information required above, the district may also elect to provide reports, pictures, or other information they feel will give the MSBA a better understanding of the issues identified at a facility. Any supplemental material a district elects to submit with the SOI must be uploaded in the SOI system. Hard copies will no longer be accepted.

LOCAL CHIEF EXECUTIVE OFFICER/DISTRICT SUPERINTENDENT/SCHOOL COMMITTEE CHAIR (E.g., Mayor, Town Manager, Board of Selectmen)

Chief Executive Officer *	**School Committee Chair**	**Superintendent of Schools**
(signature)	(signature)	(signature)
Date	Date	Date

* Local Chief Executive Officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated to the chief executive office under the provisions of a local charter. Please note, in districts where the Superintendent is also the Local Chief Executive Officer, it is required for the same person to sign the Statement of Interest Certifications twice.

Massachusetts School Building Authority

School District Billerica

District Contact Kerry Clery Title: Superintendent TEL: (978) 528-7908

Name of School Locke Middle

School Address 110 Allen Road, Billerica, MA - 01821

Submission Date 4/2/2026

Note

SOI Program: Core
Potential Project Scope: Potential New School
Is this a Potential Consolidation? Yes

If "yes", please describe the potential consolidation and/or grade reconfiguration that is anticipated as a result of this SOI submission; please be specific by including the other school name(s) and grade levels that may be impacted.

Billerica currently operates two middle school facilities, the Locke Middle School and the Marshall Middle School, which both serve students in grades 5 through 7. While this SOI identifies the Locke Middle School as the priority for replacement due to critical structural and accessibility failures, the district is exploring how a new project could address district-wide needs. As a result of this submission, the district looks forward to working with the community and MSBA to consider and assess various possibilities, most of which involve the Marshall Middle School as well: 1) Consolidating the populations of the Locke and Marshall middle schools into a single, high-performing facility while maintaining the current grade 5–7 configuration. The 2023 Dore & Whittier Facility Study documented significant systemic deficiencies in both buildings. Consolidating into one site could allow the district to eliminate the operational inefficiencies and maintenance burdens of two failing 1960s/70s-era facilities while providing a unified, equitable middle school experience. 2) A grade 4-7 model, combined into one middle school. This configuration could potentially support an "upper" (grades 6-7) and "lower" (grades 4-5) middle school structure within a new facility. This model is being brainstormed specifically as a potential solution to alleviate projected enrollment increases at the elementary school level. By transitioning the 4th grade to a modern middle school environment, the district could stabilize class sizes and capacity across its various elementary buildings, as one elementary building is already exceeding its capacity and has also scored quite low on the facility study. 3) A single/consolidated middle school facility serving grades 5 through 8. In 2019, the district moved Grade 8 to the Billerica Memorial High School. The district is interested in assessing if this model meets the educational & operational needs originally intended.

The following summary of the Statutory Priorities as set forth in M.G.L. c. 70B, § 8 have been included in the Statement of Interest (for the Core Program, select as many as are applicable):

1. ☐ Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists.
2. ☐ Elimination of existing severe overcrowding.
3. ☐ Prevention of the loss of accreditation.
4. ☑ Prevention of severe overcrowding expected to result from increased enrollment.

5. ☑ Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.
6. ☐ Short term enrollment growth.
7. ☑ Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.
8. ☐ Transition from court-ordered and approved racial balance school districts to walk-to, so-called, or other school districts.

SOI Vote Requirement

☑ I acknowledge that I have reviewed the MSBA's vote requirements for submitting an SOI, which are set forth in the Vote Tab of this SOI. I understand that the MSBA requires votes from specific governing bodies, in a format **using the language provided by the MSBA**. Further, I understand that the MSBA requires certified and signed vote documentation to be submitted with the SOI. I acknowledge that my SOI will not be considered complete and, therefore, will not be reviewed by the MSBA unless the required accompanying vote documentation is submitted in a form that is acceptable to the MSBA. All SOI vote documentation must be uploaded on the Vote Tab.

Each district must prioritize one Core Program Statement of Interest from all of the Statements of Interest that the district has submitted or prepopulated, including any SOIs that may be in the MSBA's capital pipeline. At no time shall a district have more than one prioritized SOI on file with the MSBA.

Is this SOI the District Priority SOI? Yes

School name of the District Priority SOI: Locke Middle

Is this part of a larger Master Facilities Plan and/or Educational Plan within the past five years that includes facility goals for this building and all school buildings in the District? Yes

If "YES", please provide the following:

Facilities Plan Date: 2/24/2023

Planning Firm: Dore + Whittier

Please provide a brief summary of the plan(s) including its goals and how the school facility that is the subject of this SOI fits into that plan:

In 2023, the Town of Billerica commissioned Dore & Whittier to perform a Comprehensive Facilities Assessment and Master Plan Update. This independent architectural and engineering study serves as a strategic roadmap for the district, identifying the existing conditions of each facility and providing a clear understanding of the improvements needed to maintain long-term viability. The plan acts as a tool to align facilities management with the district's evolving educational goals over a ten to fifty-year horizon.

Goals of the Master Plan: The Master Plan was developed through close collaboration between the Facilities Master Plan Working Group, district administration, and the public. Its overarching objectives include:

- Establishing 21st Century Learning Environments: Creating spaces that natively support modern technology, collaborative instruction, and hands-on learning.

- Optimizing Enrollment and Capacity: Providing classrooms that meet MSBA guidelines (K=18 students, grades 1-5=23, grades 6-12=23) and addressing projected overcapacity at the elementary and high school levels.

Strategic Capital Management: Utilizing data-driven Capital Improvement Plans to prioritize the most "needy" facilities and ensuring that all future work is reviewed in the context of the district's long-term master plan goals.

The plan also builds upon realized achievements, such as providing district-wide free full-day Kindergarten, the construction of the new Billerica Memorial High School, and the successful migration of 5th grade to the

middle schools to ease elementary crowding.

The Locke Middle School facility is a critical component of this master plan, as it has been deemed in poorest condition of our eight schools. During the assessment phase, the Locke was identified as having significant deficiencies that hinder the delivery of modern education. With only 33% of the building being accessible and numerous areas with non-accessible change in level that lack a feasible structural solution, the facility fails to meet the district's goals of inclusivity and equity. Furthermore, the 2023 study categorized several interior, windowless classrooms at the Locke as "inappropriate" for educational use due to a lack of natural light and proper ventilation.

The school fits into the master plan as the primary catalyst for district-wide reconfiguration and consolidation. Because the Locke and the Marshall Middle School were both identified as being in poor condition, the master plan includes conceptual options to address these needs through a unified project. Specifically, the subject of this SOI allows the district to explore several brainstormed possibilities outlined in the plan:

Consolidation for Efficiency: Merging the two middle schools into a single facility to eliminate the maintenance and operational burdens of two failing 1960s/70s-era buildings.

Relieving District Pressures: Utilizing a new middle school project to address capacity concerns at other levels. This includes exploring a grade 4–7 model to alleviate elementary school crowding identified in the 2026 NESDEC demographic study, or a grade 5–8 model to reevaluate the efficacy of relocating the 8th grade from the high school, which is projected to be overcapacity in the coming years.

By moving forward with this SOI for the Locke Middle School, the district is taking the recommended first step in the Dore & Whittier "road map," addressing the most urgent facility needs while simultaneously solving long-term enrollment and programming challenges for the entire Billerica community.

Has an energy and/or decarbonization study been completed within the past five years that includes facility goals for this building or all buildings in the District? No

If "YES", please provide the following:

Energy / Decarbonization Study Date:

Study Firm:

Please provide a brief summary of the study(ies) including its goals and how the school facility that is the subject of this SOI fits into that plan:

Does the District have a dedicated sustainability officer or energy manager, employed either by the school department and/or the City/Town? No

If "YES", please describe

Does the District monitor energy usage at each of its facilities and/or work with local utilities to understand potential areas for improvement? Yes

If "YES", please describe.

BPS maintains a comprehensive energy management strategy that combines internal monitoring with strategic utility partnerships. The district actively monitors energy consumption at each facility by tracking monthly kilowatt-hours (kWh) and therms. This data is logged and benchmarked against historical usage from previous years. Any significant, unexplained increase in consumption triggers an immediate facility audit. These audits include: > System Verification: Ensuring HVAC, lighting, and boiler systems are functioning according to established schedules and set parameters. > Operational Analysis: Reviewing temperature fluctuations and building occupancy data to identify the root cause of consumption variances. > Automated Oversight: Monthly electronic Preventative Maintenance (PM) work orders are generated for all sites to verify that HVAC and lighting controls remain optimized and have not been bypassed. BPS has established a strong collaborative relationship with National Grid to identify and execute energy efficiency improvements. This partnership ensures the district is informed of new incentive programs and rebates that make infrastructure upgrades financially viable. Over the past five years, these efforts have resulted in several high-impact

projects: > LED Retrofits: Installation of LED lighting and occupancy sensors at both middle schools and all five elementary schools. > Boiler and Pump Modernization: Replacement of hot water systems at the Kennedy Elementary School and the Hallenborg Ice Rink. The Kennedy project utilized a condensing boiler loop to maximize thermal efficiency. > Advanced Controls: Installation of a Heat Watch Building Management System at the Marshall to optimize heating efficiency. > HVAC Upgrades: Installation of two high-efficiency heat pump units at the Dutile Elementary School. BPS remains committed to maximizing efficiency in its legacy facilities.

Does the District's transportation services currently include electric buses or does the District plan to switch to electric buses? No

If "YES", please describe.

Provide, if applicable, the most recent budget approval process that resulted in an operating budget reduction and the impact of the reduction to the school district (staff reductions, discontinued programs, consolidation of facilities). Please provide a description of the program modifications as a consequence of these teacher and/or staff reductions, including the impact on district class sizes and curriculum. If no recent teacher layoffs and/or staff reductions have occurred, please enter "Does Not Apply".

Facing a $1.6M FY25 deficit, Billerica made significant cuts impacting instruction and equity. Staff Reductions and Program Impact: The district eliminated 11.5 FTE K-7 Math & Literacy Coaches and a HS Curriculum Coordinator. This removes critical job-embedded PD and curriculum oversight, shifting those duties to building leadership. Additionally, the district cut 3.0 Elementary SEL Specialists, 7 Registered Behavior Technicians (RBTs), and a HS Attendance Officer. The loss of RBTs and SEL specialists forces classroom teachers to absorb intensive behavioral management and data collection, directly reducing time available for core academic instruction and personalized student support. Service and Fee Modifications: To bridge the gap, middle school late buses were eliminated, creating equity barriers for after-school academic help. The district also instituted a MS athletic fee of $140/athlete and raised preschool tuition 25% to $4,000, increasing the financial burden on families.

Please provide a description of the local actions and approvals needed to secure both funding for a feasibility study and project funding for a potential building project with the MSBA. Please include schedule information for both funding actions(i.e. Town Meeting, City Council/Town Council meetings, Regional School Committee Meetings).

Billerica operates under a Representative Town Meeting form of government. Securing funding for an MSBA partnership requires a multi-step approval process involving the School Committee, Select Board, Finance Committee, Town Meeting, and the general electorate. Feasibility Study Funding (Target: Fall 2027): If invited into the MSBA Eligibility Period, the District anticipates seeking an appropriation for a Feasibility Study at the Fall 2027 Town Meeting. This appropriation requires a favorable vote by Town Meeting Representatives to authorize the necessary funds to begin the feasibility study. Full Project Funding and Debt Exclusion: Upon successful completion of the Feasibility Study and MSBA Board approval of a preferred schematic design, the District will seek full project funding. This requires a coordinated two-step approval process: 1) Town Meeting Vote: Authorization to borrow the total project costs. 2) Ballot Vote: A town-wide Debt Exclusion vote, per Massachusetts General Law, to fund the project debt service outside the limits of Proposition 2½. Community Engagement and Local Support: To ensure successful appropriations, the District has executed a robust public outreach campaign to document and demonstrate the facility's critical needs. This includes hosting multiple "open house" facility tours for Town Boards, Town Meeting Members, and residents on March 18, 2025, November 25, 2025, February 26, 2026, and March 5, 2026. These events have been well-attended, signaling strong community awareness and support for addressing the systemic failures at the Locke Middle School. The District continues to work closely with the School Committee, Town Manager, Select Board, and Finance Committee to ensure the project remains a primary capital priority for the Town of Billerica.

General Description

BRIEF BUILDING HISTORY: Please provide a detailed description of when the original building was built, and the date(s) and project scopes(s) of any additions and renovations including modular units (maximum of 5000 characters).

The Locke Middle School was originally constructed in 1968. In the 58 years since its opening, the facility has never undergone a comprehensive whole-building renovation or received a major addition. The school currently serves a population of grades 5 through 7 on a 49-acre campus.

While the Billerica Public Schools facilities team has performed diligent maintenance to keep the building operational, the following specific projects represent the only notable capital improvements in the building's history:

Mechanical Systems: The primary boilers were replaced in 2008. While these were an improvement over the 1968 originals, the distribution system and pneumatic controls remain antiquated, leading to significant inefficiencies and inconsistent climate control throughout the wings.

Building Envelope: A partial roof replacement was conducted over 20 years ago. This system has exceeded its anticipated 20-year service life and is a point of concern regarding the integrity of the building envelope.

Environmental & Finishes: The district has engaged in ongoing abatement of original VAT (vinyl asbestos tile) flooring, replacing it with modern VCT in select hallways and classrooms as budgets allowed. However, significant amounts of original finishes remain throughout the facility.

Modular Units: There are currently no modular units on site; the school relies entirely on its original 1968 footprint, which was not designed to support modern integrated technology or the collaborative learning models required by the current Massachusetts Curriculum Frameworks.

TOTAL BUILDING SQUARE FOOTAGE: Please provide the original building square footage PLUS the square footage of any additions (field one below) and/or modular units (field two below).

Original Building Plus Additions Square Footage	113700
Modular Units Square Footage	0

SITE DESCRIPTION: Please provide a detailed description of the current site, including confirming the address of the school, who has ownership, control, and use of the site, and any known existing conditions that would impact a potential project at the site (e.g. wetlands, easements etc.). Please note whether there are any other buildings, public or private, that share this current site with the school and/or if there are multiple schools housed within the same building. What is the use(s) of this building(s)? (maximum of 5000 characters).

The Locke Middle School is a public middle school located at 110 Allen Road, Billerica, MA 01821. The Town of Billerica holds title to the property. While the Billerica Public Schools exercises full care, custody, and control over the school building and its immediate grounds, sections of the 49-acre site contain athletic and recreational spaces that are permitted and maintained by the Town of Billerica for both school and community use.

Site Characteristics and Existing Conditions: The expansive campus serves as a hub for both the school and the community, featuring two softball and two baseball fields, as well as two practice athletic fields. There is also an outdoor basketball court. However, the age of the site infrastructure has led to several significant deficiencies:

Pavement and Hardscape: Large portions of the asphalt across the 49-acre site are well beyond their usable life, exhibiting extensive cracking and heaving. Furthermore, the concrete walkways and curbing are pitted and

decaying, creating potential trip hazards and complicating snow removal and general maintenance.

Logistics and Service Areas: The loading dock area is in poor structural condition, complicating daily deliveries and facilities management.

Accessibility: Currently, the school has only one entrance that is fully accessible. This limitation creates significant challenges for inclusive student arrival/dismissal and does not meet the standards of a modern, universally designed educational facility.

Environmental Constraints: The site is situated in close proximity to jurisdictional wetlands. Any future project footprint will need to account for these resource areas, potentially limiting the buildable area of the 49 acres and requiring significant environmental permitting and coordination.

Shared Use and Building Occupancy: The building exclusively houses grades 5 through 7. There are no other public or private buildings sharing the site, nor are there multiple schools housed within the structure. The athletic fields are used by the school department during the academic day and by the wider Billerica community for youth sports and recreation during off-hours and weekends.

BUILDING ENVELOPE: Please provide a detailed description of the building envelope, types of construction materials used, and any known problems or existing conditions (maximum of 5000 characters).

Construction Overview: The Locke Middle School is a cast-in-place concrete structure featuring a brick veneer exterior. Constructed in 1968, the building envelope has reached the end of its functional life, exhibiting systemic failures in the masonry, glazing, and roofing systems that compromise both energy efficiency and structural longevity.

Masonry and Structural Integrity: Significant deterioration is evident across the building's exterior:

- Veneer Separation: The brick veneer is actively separating from the primary concrete structure. To mitigate immediate safety concerns, the district has installed steel channels anchored to the internal CMU blocking to provide temporary support. This movement has resulted in visible cracking and shifting of the masonry.

- Thermal Performance: A critical deficiency exists in the wall assembly; the gaps between the brick veneer and the concrete structure remain uninsulated. This results in an effective R-factor of zero, leading to excessive energy loss and an inability to maintain consistent internal temperatures.

- Concrete Spalling: Visible cracking and spalling are present in the concrete structure, particularly around window perimeters and at the building’s landings and loading dock areas.
Fenestration and Openings: The building’s "punched" window system and entryways are a primary source of air and water infiltration:

- Glazing: The facility predominantly relies on original single-pane aluminum windows which offer negligible thermal resistance. In areas where panes have failed, they were replaced with plexiglass that has since oxidized and lost its translucency, severely impacting natural light and visibility.

- Doors and Frames: Many exterior door frames and doors exhibit significant rot and corrosion, particularly at the base of the entries. This degradation further compromises the seal of the building envelope.

- Accessibility: The envelope is non-compliant with modern accessibility standards, currently providing only one handicap-accessible entrance for the entire facility.

Roofing System: The roof is a 20+ year-old EPDM (rubber) membrane. A significant complication exists because the current membrane was installed as a "recover" over the original roofing system.

- Leak Propagation: This layered construction makes identifying the source of leaks nearly impossible, as water often travels long distances between the two membranes before manifesting inside the building.

- Sealant Failure: Missing or degraded caulking at control joints and flashing has led to chronic water penetration, threatening the underlying deck and interior finishes.

Hardscape and Perimeter: The immediate perimeter of the envelope is failing, with the asphalt parking lot spidering and breaking up. The concrete landings at doorways are heavily pitted and spalling, which creates challenges for maintaining a weather-tight transition between the site and the building interior.

Has there been a Major Repair or Replacement of the EXTERIOR WALLS? YES
Year of Last Major Repair or Replacement:(YYYY) 2011
Description of Last Major Repair or Replacement:
The Locke Middle School exterior envelope has not undergone a comprehensive replacement; however, significant emergency stabilization and localized repairs have been required due to systemic failure of the masonry system.

Masonry Stabilization: The building's original brick veneer began to delaminate and pull away from the primary concrete structure, creating a significant safety hazard. To prevent a catastrophic collapse of the facade, the district performed an emergency stabilization project. This involved the installation of external steel channels (C-channels) which are through-bolted and anchored directly into the interior CMU (concrete masonry unit) blocking. While this has temporarily arrested the outward movement of the veneer, it is a non-insulated, utilitarian solution that does not address the underlying moisture infiltration or the lack of a thermal barrier.

Roofing Transitions:In conjunction with wall maintenance, the roofing system was addressed 20+ years ago by applying a new rubber membrane directly over the pre-existing roof. This "recover" method has complicated the maintenance of the exterior wall assembly, as leaks originating in the roof often bypass the flashing and penetrate the wall cavity, further accelerating the degradation of the masonry anchors and the brick veneer.

No other major replacements of the exterior walls have occurred since the building's original construction in 1968.

Total Roof Square Footage 80000

Age of Oldest Roof Section 36

Roof Section A
Is the District seeking replacement of the Roof Section? NO
Area of Section (square feet)
Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe)
Age of Section (number of years since the Roof was installed or replaced)
Description of repairs, if applicable, in the last three years. Include year of repair:

Total Window Count 114

Age of Oldest Window Section 58

Window Section A
Is the District seeking replacement of the Windows Section? NO
Windows in Section (count)
Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))
Age of Section (number of years since the Windows were installed or replaced)
Description of repairs, if applicable, in the last three years. Include year of repair:

ELECTRICAL SYSTEMS: Please provide a detailed description of the current electrical systems, including system age(s), and any known problems or existing conditions (maximum of 5000 characters).

System Overview and Capacity: The electrical distribution system at the Locke Middle School is entirely original to the 1968 construction. The building is serviced by a 120V/208V, three-phase system with a 2000-amp main switchgear. The primary distribution equipment and branch panels were manufactured by Georgia Pacific.

Obsolescence and Maintenance Challenges: The core components of the electrical system have far exceeded their engineered life expectancy of 30 - 40 years.

- Because the Georgia Pacific line of switchgear and breakers is no longer in production, the district faces extreme difficulty in sourcing replacement parts. Maintenance often requires the procurement of refurbished or "secondary market" components, which complicates the reliability and safety of the system.

- The original branch panels are at full capacity with little to no spare breaker space available. This lack of expansion capability prevents the district from adding modern educational equipment or HVAC upgrades without significant and costly infrastructure overhauls.

Lighting and Energy Efficiency: While the district has made incremental improvements, the facility remains largely inefficient:

- Most of the lighting throughout the school remains legacy T-12 or T-8 fluorescent fixtures.

- LED retrofits have been installed only in localized areas where specific upgrades or repairs were necessary. The lack of a building-wide, modern lighting control system results in high operational costs.

Educational Impact and Power Distribution: The 1968 design did not anticipate the high-density power requirements of a 21st-century learning environment.

- Classrooms lack a sufficient number of electrical receptacles to support current instructional technology, such as 1:1 device charging, interactive displays, and supplemental classroom equipment. This often leads to the unsafe use of extension cords or multi-plug adapters.

- The cast-in-place concrete construction makes the addition of new conduit and outlets prohibitively expensive and disruptive to the educational environment.

Emergency Power Systems: The building relies on its original 1968 emergency generator. This unit is nearing 60 years of age and is only capable of powering a limited circuit of emergency egress lighting. It does not provide the necessary backup for modern life-safety systems, IT server rooms, or climate control during extended power outages.

MECHANICAL HEATING SYSTEMS: Please provide a detailed description of the current mechanical heating systems, including system age(s), and any known problems or existing conditions. Please describe the current heat system source (i.e. natural gas, propane, fuel oil, electric resistance, air source heat pump, ground source heat pump, other) and describe the current heat distribution (i.e. air handling units, fan coil units/cabinet heaters, unit ventilators, fuel furnaces, variable refrigerant flow (VRF), air source split systems or mini-splits, packaged rooftop units, water source heat pumps, fin tube/baseboard, radiant panels/beams, air displacement, other) (maximum of 5000 characters).

The heating plant at the Locke Middle School is a hydronic (hot water) system powered by natural gas. While certain components of the central plant have been updated, the system is hindered by a failing, legacy distribution infrastructure that has far exceeded its functional life expectancy.
Heating Source and Central Plant: The central heating plant features natural gas-fired condensing-style boilers with a 90% efficiency rating. These units were installed as a partial upgrade in 2008. While the boilers themselves are mid-life, they are integrated into a 1968 distribution network. This mismatch between modern generation and

antiquated distribution limits the overall efficiency, reliability, and effectiveness of the heating plant.
Heat Distribution Systems: The distribution of heat throughout the facility relies on original 1968 equipment that is nearly 60 years old—double the industry-standard 30-year functional life expectancy for such components.
> Unit Ventilators and AHUs: Primary heat delivery is provided by original unit ventilators (univents) in classrooms and Air Handling Units (AHUs) in larger common spaces. These units suffer from frequent mechanical failures, degraded coils, and loud, disruptive operation that negatively impacts the learning environment.
> Secondary Heating: Supplemental heating is provided via original fin-tube radiation (baseboards) and radiators located in hallways and select classroom perimeters.
> Maintenance Challenges: The district performs ongoing, reactive maintenance to replace failing motors and valves. However, the age of the chassis makes sourcing compatible replacement parts increasingly difficult, leading to prolonged equipment downtime.
System Controls and Ventilation Deficiencies: The most significant deficiency in the mechanical system is the antiquated pneumatic control system, which lacks the precision required for a modern educational facility.
> Control Limitations: The reliance on compressed air to actuate valves and dampers leads to significant "drift," resulting in inconsistent temperatures where classrooms are either chronically overheated or underheated. There is no modern Building Management System (BMS) to provide granular control, real-time monitoring, or energy-saving setbacks.
> Fresh Air and IAQ: Due to the widespread failure of original pneumatic actuators, outside air dampers are typically kept closed during heating months to maintain habitable indoor temperatures. Consequently, the only source of fresh air during the winter is the manual operation of windows, which is inconsistent, creates drafts, and is highly energy-inefficient.
> Seasonal Challenges: During the "shoulder months" of the academic year, the inability of the 1968 univents to provide adequate air changes—combined with a total lack of mechanical cooling—results in poor indoor air quality (IAQ) and significant thermal discomfort for students and staff.
Domestic Hot Water (DHW): The domestic hot water system remains a critical point of failure for the facility. The building is serviced by the original 1968 hot water heater and two large storage tanks. This equipment is nearly 60 years old and well beyond its service life. The system exhibits significant internal scaling and declining recovery rates, posing a risk to daily school operations and sanitation requirements.

MECHANICAL COOLING SYSTEMS: Please provide a detailed description of the current mechanical cooling systems, including system age(s), and any known problems or existing conditions. Describe the current cooling system source (i.e. air-cooled chiller, water-cooled chiller, mini-splits/DX, ground source heat pump, other, none) and describe the current cooling distribution (i.e. air handling units or rooftop units, fan coil units, unit ventilators, chilled beams, variable refrigerant flow (VRF), packaged rooftop units, water source heat pumps, air displacement, other, none) (maximum of 5000 characters).

The Locke Middle School does not possess a centralized mechanical cooling system. The building's thermal management relies primarily on natural ventilation through original 1960s-era windows and the operation of the heating and ventilation (HV) units, which do not have cooling coils or chilled water capacity.

Current Cooling Sources and Distribution
Because there is no building-wide cooling infrastructure at this site, cooling is provided through a fragmented collection of localized equipment:

> Cooling Source: The primary cooling sources consist of individual window-mounted AC units (DX) and a limited number of air-cooled ductless mini-split systems. There are no air-cooled or water-cooled chillers, cooling towers, or ground-source heat pumps serving the facility.

> Cooling Distribution: Distribution is localized and non-integrated. It consists of:

- Window AC Units: These are installed in select classrooms and administrative offices. These units are aging, energy-inefficient, and provide inconsistent cooling that often creates significant ambient noise, hindering the learning environment.

- Ductless Mini-Splits: Two wall-mounted fan coil units are located in the former computer lab. These were originally installed as a supplemental measure to protect sensitive hardware from overheating.

- Building-Wide Ventilation: The main Air Handling Units (AHUs) and unit ventilators throughout the building provide air movement only; they are incapable of dehumidification or cooling distribution.

The lack of a comprehensive cooling system presents several critical challenges to the educational environment and building longevity:

1. Extreme Thermal Conditions: During the late spring and early fall, interior temperatures in the Locke frequently exceed comfortable and safe learning parameters. The 2023 Dore & Whittier study noted that the building's "hard" construction and envelope issues contribute to significant heat retention.

2. Acoustic Disruptions: The reliance on window AC units creates high decibel levels in classrooms, which interferes with modern instructional techniques and student comprehension.

3. Humidity and Indoor Air Quality (IAQ): Without a chilled water loop or DX cooling integrated into the ventilation system, the district cannot effectively manage humidity levels. This creates a risk for moisture-related degradation of building materials and poor air quality during humid months.

4. Electrical Strain: The widespread use of localized window units places an unplanned-for load on the building’s aging electrical distribution system, which was not originally designed to support individual cooling units in every instructional space.

5. Inequitable Access: Cooling is currently provided only in "select" areas, leading to an inequitable environment where some students and staff occupy climate-controlled spaces while the majority of the population relies on fans and open windows.

The absence of a modern, integrated HVAC system is one of the several primary drivers in the district's assessment of the Locke as an obsolete facility that can no longer meet 21st-century educational standards.

Total Building Boilers 6

Boiler Section Boiler 1
Is the District seeking replacement of the Boiler? NO
Is there more than one boiler room in the Building?
What percentage of the Building is heated by the Boiler?
Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)
Age of Boiler (number of years since the Boiler was installed or replaced)
Description of repairs, if applicable, in the last three years. Include year of repair:

What percentage of the building is mechanically ventilated? 100%

What percentage of the building has mechanical cooling (not temporary or transportable i.e. window units)? 0%

Has there been a Major Replacement of the HVAC SYSTEM? YES
Year of Last Major Replacement:(YYYY) 2008
Description of Last Major Replacement:
In Mechanical Heating Systems above, please see District's "Heating Source and Central Plant" information.

Amperage of the main breaker 1601-2000

Voltage of the main breaker 120/208 three phase

Phase of the main breaker Three Phase

Has there been a Major Replacement of the ELECTRICAL SERVICES AND DISTRIBUTION SYSTEM? NO
Year of Last Major Replacement:(YYYY)
Description of Last Major Replacement:

BUILDING INTERIOR: Please provide a detailed description of the current building interior including a description of the flooring systems, finishes, ceilings, lighting, etc. (maximum of 5000 characters).

Floor Systems and Finishes: The flooring throughout the Locke Middle School is a patchwork of original 1968 materials and modern replacements, reflecting decades of localized repairs.

- Hazardous Materials: A significant portion of the facility still contains original Vinyl Asbestos Tile (VAT). While the district has replaced some areas with Vinyl Composition Tile (VCT) as budgets allow, the presence of VAT remains a challenge for maintenance and future renovations.

- Specialized Areas: The front lobby and kitchen utilize heavy-duty quarry tile, while the gymnasium features its original hardwood strip tongue-and-group (T&G) flooring. After 58 years of use, the gym floor has been sanded and refinished to its physical limit.

- General Flooring: Other areas include a mix of cement floors, mosaic tile in restrooms, and rubber tile or carpeting in various classrooms and administrative offices. This variety of surfaces requires disparate maintenance protocols and complicates the district’s cleaning efficiencies.

Wall Systems and Ceilings: The building’s interior is characterized by rigid, "hard" surfaces that impede modern educational flexibility:

- Structural Walls: Interior partitions consist primarily of load-bearing CMU (concrete masonry unit). These permanent walls make it impossible to reconfigure classroom sizes to meet the collaborative and small-group learning needs of a 21st-century curriculum.

- Acoustics: Many classrooms still feature exposed cement ceilings, which create significant reverberation and acoustic challenges, hindering student focus and speech intelligibility. While the district has installed acoustic drop ceilings in select areas, the majority of the school suffers from poor sound attenuation.

Lighting and Electrical Integration: The interior lighting environment is inconsistent. While the district has transitioned to LED in limited areas, the vast majority of the school relies on antiquated T-12 and T-8 fluorescent fixtures. These systems are energy-inefficient and do not offer the dimming or color-temperature controls necessary for modern instructional technology or to support students with sensory sensitivities.

Accessibility and Universal Design: The interior of the building presents major barriers to inclusive education:

- Horizontal and Vertical Access: Only 33% of the school is accessible without the use of stairs or "step-ups." The building lacks an elevator or motorized stair lifts. This creates significant logistical challenges for students, staff, and visitors with mobility impairments.

- Doors and Hardware: The interior wood doors are in fair condition, but approximately 50% still utilize original, non-ADA compliant hardware (round knobs rather than levers).

- Restrooms: The restroom facilities are largely original. The entryways are narrow, and the interior stalls do not meet current ADA width or turn-radius requirements, making them inaccessible to many students. There are numerous other accessibility issues pertaining to sinks, urinals, and wall-mounted accessories.

SPACES AND PROGRAMS: Please provide a description of the number and sizes (in square feet) of all spaces. Please also provide the current grade structure and programs offered. If a vocational or comprehensive high school offering Chapter 74 Programs and/or Career Technical Education, please include the number of programs currently offered (maximum of 5000 characters).

School Overview and Grade Structure: The Locke Middle School is one of two middle schools serving the Billerica Public Schools. The facility houses a total of 113,500 square feet and currently serves a population of students in grades 5 through 7. The school is organized to provide a comprehensive middle school experience, transitioning students from elementary-style self-contained classrooms to departmentalized instruction.

Academic Spaces and Classroom Distribution: The facility contains a total of 75 classrooms. These spaces serve a diverse array of academic and elective programs, including:

- Core Academics: General Education classrooms for English Language Arts, Mathematics, and Social Studies.

- Science Labs: Dedicated spaces for hands-on science instruction.

- Special Education: A variety of environments ranging from individual and small-group instruction rooms to specialized suites designed for students with high-acuity needs.

- Unified Arts: Purpose-built spaces for Art, Music, and Wood Shop.

Spatial Analysis: The majority of the standard classrooms range from 900 to 1,000 square feet. While these dimensions were standard in 1968, they present significant challenges today:

- Educational Suitability: Modern middle school programs require "break-out" spaces and flexible zones for collaborative project-based learning. The current uniform 900–1,000 sq. ft. "cells" do not easily accommodate the inclusion of paraprofessionals, specialized equipment, or differentiated instruction groups within the same room.

- Lab Limitations: The science and wood shop spaces, while appropriately sized for 1960s standards, lack the modern safety features, ventilation, and integrated technology infrastructure required for 21st-century STEAM (Science, Technology, Engineering, Art, and Math) programming.

Core and Assembly Spaces: In addition to the academic wings, the school includes several large-group assembly and specialized spaces:

- Gymnasium: A central athletic space used for physical education and community recreation - requires climbing stairs to enter and exit.

- Auditorium: A dedicated performance space for music and drama programs - requires climbing stairs to enter and exit.

- Library/Media Center: A central hub that is currently being adapted to serve as a 21st-century research and technology center, despite the limitations of the original 1968 layout and electrical capacity - requires climbing stairs to enter and exit.

TOTAL SCHOOL STUDENT ENROLLMENT: Please provide the current student enrollment at the school as of the SOI filing. 535

CURRENT GRADES SERVED AT SOI FACILITY: 5,6,7

SCHOOL TYPE: N/A

CAPACITY and UTILIZATION: Please provide the original design capacity and a detailed description of the current capacity and utilization of the school facility. Please also describe in detail any spaces that have been converted from their intended use to be used as classroom space (maximum of 5000 characters).

Original Design and Historical Context: The Locke Middle School was originally designed and constructed in 1968 to accommodate a 6th through 8th-grade middle school model. The recent Dore & Whittier Facility study indicated that the facility is rated for a capacity of 612 students.

Current Capacity and Enrollment: The school currently serves 535 students in grades 5 through 7. While the raw enrollment number is below the MSBA capacity calculation, the functional capacity of the building is effectively at 100%. The transition to modern Massachusetts educational standards has necessitated a significant shift in how square footage is utilized. A substantial portion of the original general education footprint has been repurposed to meet the requirements of the Individuals with Disabilities Education Act (IDEA). Spaces that were once standard classrooms now house specialized programs, including individual instruction, therapeutic suites, and other support services.

Utilization and Space Conversion: The Locke Middle School is currently utilizing all available classroom spaces. Due to the rigidity of the 1968 cast-in-place concrete and CMU construction, the district has had to be creative in "converting" spaces to meet modern needs:

- Repurposed Support Spaces: Former storage areas, oversized closets, and even bathrooms have been pressed into service as offices for itinerant staff, such as Speech-Language Pathologists, Physical Therapists, and School Psychologists.

- Specialized Lab Conversion: Areas originally intended for general storage or auxiliary use have been converted into computer labs and specialized tech spaces to support the district's 1:1 technology initiative, despite the lack of adequate electrical and HVAC infrastructure in these zones.

- Flexible Learning Limitations: Because the building lacks "break-out" spaces or modern media centers with flexible zones, high-traffic areas like hallways and cafeteria corners are occasionally used for student collaboration, which is far from an ideal acoustic or instructional environment.

The "surplus" capacity is illusory given the needs and programs in the school. In a modern middle school environment where differentiated instruction and specialized support are the standard, the Locke Middle School is operating near maximum capacity. The inability to easily reconfigure the 113,500-square-foot facility prevents the district from optimizing space to meet the evolving needs of the Billerica student population.

Is there overcrowding at the school facility? NO
If "YES", please describe in detail, including specific examples of the overcrowding and describe steps taken by the administration to address capacity issues.

Please provide the current student to teacher ratios at the school facility that is the subject of this SOI (# students per teacher) 22

Please indicate if the ratio is a goal, practice or a class size policy adopted by the School Committee
The Billerica School Committee maintains a clear commitment to providing an equitable and effective learning environment by monitoring and managing class size ratios.

At this time, the district identifies the current class size ratio at the Locke School as an active practice and a primary educational goal. While the district does not currently have a rigid, formally adopted "policy" that mandates specific caps, it tries to adhere to the MSBA maximum enrollment guidelines as its operational benchmark for facility planning and staffing.

As the district navigates the challenges of aging infrastructure and shifting demographics, maintaining these current ratios is a top priority for the following reasons:

The district's goal is to ensure all classrooms remain within 25 students per classroom ratio for grades 6–12.

Based on the January 2026 NESDEC demographic study, Billerica is anticipating an increase in enrollment. The district feels the current ratio is appropriate for delivering high-quality, personalized instruction and is committed to maintaining these levels despite the projected growth.

During the 2023 Master Plan update, the visioning committee reinforced that smaller class sizes are essential for 21st-century learning, specifically to support collaboration, technology integration, and hands-on project-based learning.

The current facility complicates the district's ability to maintain these ratios due to "hard" 1960s-era construction and undersized classrooms that cannot be easily reconfigured. A new or renovated facility would allow the district to codify these ratios into a sustainable long-term practice by providing a flexible physical environment designed for the appropriate student-to-teacher density.

Please provide the originally planned student to teacher ratios at the school facility that is the subject of this SOI (# students per teacher) 25

MAINTENANCE and CAPITAL REPAIR: Please provide a detailed description of the district's current maintenance practices within the past five years, its capital repair program, and the maintenance program in place at the facility that is the subject of this SOI. Please include specific examples of capital repair projects undertaken in the past, including any override or debt exclusion votes that were necessary (maximum of 5000 characters).

District Maintenance Philosophy and Software: The Billerica Public Schools (BPS) employs a sophisticated, integrated electronic Asset Management and Work Order System to oversee the maintenance of the Locke Middle School. This platform serves as the backbone for both proactive and reactive care, ensuring that the facility remains safe and operational despite its age.

- Preventative Maintenance (PM) Program: The district utilizes this software to automate a rigorous PM schedule. Tasks are generated on monthly, quarterly, and annual intervals based strictly on manufacturer recommendations and industry best practices. This includes the comprehensive servicing of all HVAC, electrical, and plumbing components. By tracking the lifecycle of these parts, the district has shifted from a reactive to a predictive maintenance model, identifying potential points of failure before they result in educational downtime.

- Reactive Maintenance: For daily operational issues, the district utilizes a centralized digital work order system. Maintenance staff access this system daily to prioritize and execute repairs, ensuring a rapid response to classroom and safety needs.
Staffing and Specialized Trades: To ensure the highest standard of technical care, the district maintains a dedicated internal maintenance team for general repairs while subcontracting specialized trades. BPS holds long-term contracts with third-party professionals for all Plumbing, Electrical, and major HVAC projects. This ensures that the complex, legacy systems of the 1968 Locke Middle School are serviced by licensed experts familiar with the building's specific infrastructure challenges.

Capital Repair Program and Master Planning: Billerica follows a structured Capital Improvement Plan (CIP) that is integrated with a District-Wide Master Plan, which is updated routinely. This strategic approach ensures that capital requests are data-driven and transparent.

- Funding Mechanism: Major capital projects are vetted through the Town's Capital Sub-Committee and ultimately funded through Town Meeting appropriations. The district has a proven track record of securing community support for essential infrastructure.

- Predictive Capital Planning: Data from the electronic maintenance software is used to "graduate" recurring

maintenance issues into the Capital Repair Program. This allows the district to plan for large-scale replacements—such as the 2008 boiler replacement—well in advance of a total system collapse.

Recent Capital Investment Examples: Despite the overarching need for a comprehensive building project, the Town has remained committed to the Locke Middle School's upkeep. Within the past several cycles, capital funds have been allocated for:

- The 2008 Boiler Replacement: A major hydronic system upgrade to high-efficiency condensing units.

- Phased Abatement: Ongoing capital funding for the removal of VAT (Asbestos) flooring and replacement with modern VCT.

- Roofing Maintenance: Periodic capital repairs to the EPDM membrane to extend the life of the "recover" system.

The need for a Statement of Interest for the Locke Middle School is not the result of deferred maintenance. Rather, it is the result of a 58-year-old "hard" structure (cast-in-place concrete) reaching a point where the cost of maintenance and the limitations of the physical footprint no longer align with the Town's high educational standards.

Please indicate if the District's annual budget includes training for its maintenance staff. YES
If "YES", please describe.
The Billerica Public Schools (BPS) prioritizes the safety of its students, staff, and facilities through an ongoing training program for all maintenance and custodial personnel. Given the age of the Locke Middle School and the complexities of its legacy systems, specialized training is a critical component of our operational strategy.

Asbestos Safety and AHERA Compliance: Because the Locke Middle School was constructed in 1968, the district maintains a strict Asbestos Hazard Emergency Response Act (AHERA) management plan. To ensure the integrity of this plan and the safety of the building occupants, the district provides the following:

Asbestos Awareness Training: All custodial and maintenance staff receive annual asbestos awareness training. This program ensures that staff can identify potential Asbestos-Containing Materials (ACM), understand the health risks associated with exposure, and strictly follow the "no-disturbance" protocols required for 1960s-era building materials (such as floor tiles, pipe insulation, and mastic).

Regulatory Oversight: Training ensures that staff are prepared to assist during the mandatory three-year re-inspections and periodic six-month surveillances, maintaining the school's compliance with state and federal environmental regulations.

OSHA and Occupational Safety: The district is committed to a "Safety First" culture, providing comprehensive OSHA (Occupational Safety and Health Administration) training to frontline facilities staff. This training is essential for managing the high-risk environments associated with aging mechanical plants and includes:

- Lockout/Tagout (LOTO): Essential for the safe servicing of the 1968-era Air Handling Units and the 2008 condensing boiler plant. Staff are trained to neutralize energy sources to prevent accidental startup during repairs.

- Hazard Communication (Global Harmonized System): Training on the proper handling, labeling, and storage of maintenance chemicals and boiler treatment agents.

- Personal Protective Equipment (PPE): Rigorous instruction on the selection and use of appropriate gear for electrical work, plumbing repairs, and general facility upkeep.

- Ladder and Fall Protection: Critical for the ongoing maintenance of the building's roof and high-ceiling common areas, such as the gymnasium and cafeteria.

Technical and Specialized Training: Beyond safety compliance, the district encourages and funds professional development for staff to manage the Locke's specific mechanical challenges:

Pneumatic Controls Calibration: Specialized training for maintaining the building's original 1968 pneumatic thermostats and actuators, which are prone to drift.

Boiler Operation: Specific training on the condensing boiler system to ensure peak energy efficiency and safe pressure vessel operation.

By investing in these comprehensive training programs, Billerica ensures that the staff at the Locke Middle School are equipped to manage the challenges of an aging facility while maintaining a safe, compliant, and healthy environment for the entire school community.

Priority 4

Question 1: Please describe the conditions within the community and School District that are expected to result in increased enrollment.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

While Billerica is experiencing the long-term demographic shifts common across the Commonwealth, including an aging median population and a decline in births, the district is currently managing a specific, short-term surge in school-aged enrollment. This growth is driven by three distinct factors identified in the January 2026 NESDEC Demographic Study:

Residential Appeal and "Home Appreciation" Surge:

Billerica has seen a significant surge in real estate popularity. NESDEC notes that the town's relatively large lot sizes, proximity to major employment hubs like Boston and Burlington, and the quality of the school system have maintained high demand despite a low inventory of homes.
The Impact: Median home prices have appreciated by 4% in the last year alone. This "real estate pull" is bringing new families into existing housing stock, offsetting the general trend of an aging population.

Immediate Enrollment "Bubble" in K-12:

The NESDEC study highlights a clear upward trend in the immediate three-year horizon as larger elementary cohorts move through the system.

New Residential Construction and Pipeline Projects:

As of January 16, 2026, there is active residential construction in Billerica that is not yet fully reflected in historical birth data.

New construction currently underway is expected to yield additional middle school students above and beyond the standard enrollment projections.

Pipeline Impact:

The study further notes that additional projects currently in the "Approval Pipeline" will likely continue to impact student enrollment, requiring the district to monitor these developments closely to prevent sudden overcrowding.

In summary, the condition in Billerica is one of "localized growth within a stabilizing population." While the number of K-12 students per household has declined historically, the current surge in real estate popularity and the active residential construction pipeline are funneling new students into the middle school grades. This notable increase of 129 additional K-12 students over the next three years, compounded by possible additional students generated from new construction, threatens the district's ability to maintain its current educational standards without a comprehensive facility solution.

Priority 4

Question 2: Please describe the measures the School District has taken or is planning to take in the immediate future to mitigate the problem(s) described above.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The Billerica Public Schools has taken proactive, district-wide administrative and structural measures to mitigate enrollment pressure and prevent overcrowding at the Locke Middle School. These actions were part of a thoughtful 2019 Master Plan designed to optimize space; however, the ongoing demographic shifts documented in the 2026 NESDEC study have now exhausted the relief provided by those initial successes.

1. Strategic Grade-Level Realignment (2019)

The most significant mitigation measure taken by the district was the 2019 grade-level restructuring. By moving Grade 8 to the new Billerica Memorial High School and transitioning Grade 5 into the middle schools, the district successfully balanced the K-12 population across its modernized facilities.

- The Impact: This move initially provided the Locke with the breathing room necessary to accommodate modern middle-school programming. However, because the 1968 footprint of the Locke is rigid and cannot be expanded, the "surge capacity" created in 2019 has been absorbed by the 2026 enrollment increases.

2. Comprehensive District-Wide Redistricting

To ensure that no single school bore the brunt of community growth, the district implemented a comprehensive redistricting plan and closed the Vining Elementary School.

- The Action: Students were redistributed across the remaining four elementary schools to maximize building efficiency.

- The Result: This measure was a successful short-term stabilizer. However, as these balanced elementary cohorts now move into the middle-school tier, the Locke is facing a "bottleneck" effect. The district has already optimized the distribution of the student body; there are no remaining "under-utilized" pockets of space in the district to which students could be redirected.

3. Internal Spatial Optimization and "Art on a Cart"

To avoid the need for temporary modular classrooms, the district has moved toward extreme internal efficiency at the Locke.

- The Action: The district has converted every possible non-instructional space into specialized learning areas. Furthermore, to maintain enough general education classrooms to house the current student population, the district was forced to move the Art program to a "cart" model, reclaiming the specialized Art studio for general instruction.

- The Result: While this "Art on a Cart" model successfully prevented immediate classroom shortages, it represents a programmatic sacrifice. The district has reached the physical limit of internal reorganization; there are no more

specialized spaces left to reclaim without further degrading the state-mandated curriculum.

In summary, Billerica has been a responsible steward of its facilities, using every administrative tool, from building a new high school to district-wide redistricting, to manage enrollment. These measures were successful in preventing a crisis over the last several years. However, the January 2026 NESDEC data confirms that we have to be prepared for an uptick in enrollment. The Locke is now at its functional capacity, and without a comprehensive facility solution, the district will no longer be able to mitigate the educational limitations due to the projected growth through reorganization alone.

Priority 4

Question 3: Please provide a detailed explanation of the impact of the problem described in this priority on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The intersection of increasing enrollment and a rigid 1968 infrastructure has created a state of functional overcrowding at the Locke Middle School. While the district's 2019 reorganization successfully balanced student populations, the current facility's lack of "surge capacity" and inflexible design now directly hinder the delivery of a modern educational program.

1. Erosion of the Middle School "Teaming" Model

The primary educational impact of the Locke's capacity limit is the forced fragmentation of the Middle School Teaming model, a cornerstone of the Massachusetts middle-level curriculum.

- The Problem: Because the 1968 design lacks flexible "Learning Commons" or breakout spaces, every square inch of the building is assigned as a static classroom to accommodate current enrollment.

- The Impact: When enrollment increases require the use of every available room, the district loses the ability to group "teams" of teachers and students in contiguous wings. Furthermore, because 67% of the building is inaccessible, the "classroom rotation" strategy required for students with mobility impairments often forces a specific class to be physically isolated from its peer cohort. This breaks the collaborative, interdisciplinary nature of the "team," resulting in instructional loss and a lack of peer-to-peer social-emotional support.

2. Programmatic Sacrifice and "Art on a Cart"

To prevent overcrowding in general education classrooms, the district has been forced to sacrifice specialized instructional spaces.

- The Problem: To accommodate the growing student cohorts identified in the January 2026 NESDEC study, the district had to reclaim the dedicated Art studio for use as a general education classroom.

- The Impact: This has forced the Art program into a "cart" model. Students no longer have access to a purpose-built studio with specialized sinks, storage for large-scale projects, or the proper ventilation required for various media. This creates a programmatic inequity where the delivery of the Arts curriculum is compromised simply to provide enough "seats" for the core academic population.

3. The "Domino Effect" of Facility Failures on Capacity

In a school at its maximum functional capacity, there is little to no "buffer space." Any minor system failure results in immediate educational disruption.

- The Problem: Because the Locke's building envelope and thermal controls are failing, specific classrooms often become unusable during extreme weather events.

- The Impact: In a building with "surge capacity," students would simply be moved to an adjacent empty room. At the Locke, no such rooms exist. Displacement forces students into the cafeteria, library, or hallways, makeshift environments that lack the interactive technology and specialized equipment required for the curriculum. This "domino effect" means that enrollment growth hasn't just filled the building; it has eliminated the district's ability to maintain instructional continuity when the 1968 systems fail.

In summary, the impact of current and projected enrollment at the Locke is a steady decline in educational quality and equity. The building is no longer a flexible tool; it is a rigid container that has reached its limit. To provide the robust STEAM and Special Education programming required by the state, the district needs a facility that provides enough "functional" space to allow for both growth and modern instructional models without resorting to programmatic sacrifices.

Please also provide the following:

Cafeteria Seating Capacity: 240

Maximum number of lunch seatings that can be accommodated per day: 3

Would modular units be necessary on-site to be used for classroom space as a result of future overcrowding?: NO

Would non-traditional classroom spaces need to be converted to be used for classroom space?: NO

If "YES", indicate the number of non-traditional classroom spaces impacted:

Please provide a description of each non-traditional classroom space, its originally-intended use and how it is currently used (maximum of 1000 characters).:

Please explain any recent changes to the district's educational program, school assignment policies, grade configurations, class size policy, school closures, changes in administrative space, or any other changes that are leading to a situation of anticipated overcrowding (maximum of 5000 characters).:

The Billerica Public Schools has undergone a comprehensive, multi-year strategic reorganization that began with the construction of the new Billerica Memorial High School in 2019. These thoughtful and deliberate actions successfully modernized the educational experience for Grades 8-12 and optimized student distribution across the middle and elementary tier. However, as the district continues to adapt to an evolving community, the Locke Middle School stands as the primary strategic site of our current facility strategy. While the district's 2019 modernization established a high standard for educational delivery, the Locke's original 1968 infrastructure must now be addressed to ensure the long-term stability and equitable distribution of students across the entire K-12 system.

The opening of the new high school served as a catalyst for a proactive grade-level realignment across the district. Following a plan, Grade 8 was moved to the high school, and Grade 5 was transitioned into the middle schools. This move was a strategic success, allowing for more specialized middle-level programming and better utilization of the new high school's 21st-century learning environment. While this reorganization was effective, the Locke's 1968-era footprint was never designed for the modern "team" teaching models required for today's fifth-grade curriculum. As the district looks to the future, the Locke has limited "surge capacity" to accommodate the natural grade-level advancement now documented in the January 2026 NESDEC study.

Simultaneous with this reorganization, the district implemented a comprehensive redistricting plan and closed the Vining Elementary School to consolidate resources and balance enrollment across the remaining primary buildings. These moves were part of a prudent strategy to ensure operational efficiency. However, the district must remain dynamic; as demographic shifts occur and state-mandated educational programs for Special Education and Social-Emotional Support continue to evolve, the demand for flexible, specialized space has increased.

To meet these modern legal mandates within the Locke's rigid, 1968-era "hard" masonry footprint, the district has had to be creative in how it utilizes space. Professional administrative and therapeutic services are often housed in repurposed bathrooms, closets, or small nooks. While these solutions demonstrate the district's ability to adapt in the short term, we have reached a point where it is increasingly more difficult to provide these essential support services with the acoustic privacy and professional dignity that current educational standards require. Furthermore, to maintain sufficient general education seating, the school has been forced to move one-third of its students to an "Art on a Cart" model, creating a programmatic inequity that the district seeks to resolve through this modernization.

Finally, the January 2026 NESDEC study provides new data indicating an increase in the K-12 population over the next ten years. This growth is being mirrored in other district buildings, which in some cases are projected to reach or exceed their design capacity. Billerica has proven its commitment to thoughtful facility management by successfully modernizing its high school and redistricting its students. This SOI represents the next phase of that same responsible stewardship. Because the Locke is currently locked into its 1968 footprint, its modernization is essential to ensure the district can continue to adapt to the evolving demographics effectively.

What are the district's current class size policies (maximum of 500 characters)?:

The School Committee has guidelines set forth for the elementary level:

Kindergarten: 21 students per classroom (this was increased due to budget constraints in April of 2023)

Grades 1-2: 23 students (this was increased due to budget constraints in April of 2023)

Grades 3-4: 25 students (this was increased due to budget constraints in April of 2023)

Priority 5

Question 1: Please provide a detailed description of the issues surrounding the school facility systems (e.g., roof, windows, boilers, HVAC system, and/or electrical service and distribution system) that you are indicating require repair or replacement. Please describe all deficiencies to all systems in sufficient detail to explain the problem.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The Locke Middle School is a 1968-era facility that has reached a point of systemic obsolescence. While the district has performed diligent maintenance, the primary facility systems - specifically the building envelope, mechanical distribution, and electrical infrastructure - have exceeded their engineered life expectancy. The interaction between these failing systems results in extreme energy inefficiency, poor indoor air quality, and high operational costs.

Building Envelope - Roof and Windows

The building envelope is the primary source of energy loss and structural degradation at the Locke.

- Roofing System: The roof consists of an aging membrane that has surpassed its serviceable life. Frequent leaks are a chronic issue, requiring constant reactive repairs. These leaks have compromised insulation in several areas, leading to thermal bridging and significantly increased heating costs.
- Windows and Glazing: The facility still utilizes many of its original 1968 single-pane, non-thermal break windows. These units provide negligible elective insulation, allowing for massive heat loss in the winter and solar heat gain in the summer. Furthermore, the frames have deteriorated, leading to air infiltration and "draftiness" that forces the heating system to run at higher intensities to maintain habitable temperatures.

Mechanical Systems: Heating, Cooling, and Ventilation:

The HVAC infrastructure is a "hybrid" system of mid-life generation components and failing legacy distribution.

- Heating Plant: While the district installed 90% efficiency condensing boilers in 2008, these units are forced to operate inefficiently because they are tied to a 1968 distribution network.
- Distribution Failures: Heat is distributed via original unit ventilators (univents) and air handling units (AHUs). These units suffer from degraded coils and failing pneumatic actuators. Because the actuators are prone to "drift," classrooms are often either overheated or underheated, leading to massive energy waste.
- Lack of Cooling and Dehumidification: The building lacks a centralized cooling system. To combat shoulder-month heat, the district relies on energy-inefficient window AC units. This localized approach provides no humidity control, which is essential for maintaining the integrity of the building’s interior finishes and air quality.
- Pneumatic Controls: The facility relies on an antiquated pneumatic control system. Without a modern Building Management System (BMS), the district cannot implement automated night setbacks, demand-controlled ventilation, or granular zone adjustments, resulting in high utility expenditures.

Electrical Service and Distribution:

The electrical system was not designed for the technological or climate demands of a 21st-century school.

- Capacity Constraints: The 1968 electrical panels and distribution lines are taxed by the addition of modern educational technology and the aforementioned window AC units.
- Lighting: While the district has performed some LED retrofits, the underlying circuitry and lack of advanced daylight harvesting sensors limit the potential for deeper energy conservation.

Plumbing and Domestic Hot Water:
The domestic hot water system is a critical point of failure. The building is serviced by an original 1968 gas-fired water heater and two large storage tanks. At nearly 60 years old, the system suffers from heavy scaling and inefficient recovery rates, representing a significant energy drain and a constant maintenance burden. These issues are compounded by aging piping systems and original plumbing fixtures that are functionally obsolete; they lack modern water efficiency and fail to meet current accessibility codes.
In summary, the systems at the Locke Middle School are no longer candidates for simple repair. The compounding failures of the envelope, the mechanical distribution, and the underlying plumbing infrastructure create a facility that is inherently expensive to operate and impossible to optimize. A comprehensive replacement or modernization is required to align the facility with the Commonwealth's energy conservation goals and to provide a stable, cost-effective environment for the district.

Priority 5

Question 2: Please describe the measures the district has already taken to mitigate the problem/issues described in Question 1 above.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The Billerica Public Schools (BPS) and the Town of Billerica have consistently invested in the Locke Middle School to extend the functional life of its 1968-era systems. However, these mitigation efforts are increasingly thwarted by the "systemic roadblocks" inherent in the building's original design and infrastructure.

Partial Plant Upgrades and Generation Improvements

Recognizing the imminent failure of the original 1968 heating plant, the Town funded a significant high-efficiency boiler replacement in 2008.

- The Mitigation: The installation of 90% efficiency condensing boilers provided a modern, reliable heat source for the facility.
- The Systemic Roadblock: While the 2008 boilers provide an efficient generation source, the impact of this mitigation is severely throttled by the original 1968 pneumatic control system and hydronic distribution network. Because these legacy distribution components cannot communicate with the modern boilers, the district is unable to achieve true energy efficiency or consistent thermal comfort. The boilers are forced to "work against" a failing distribution system that lacks modern modulation and zone control.

Interim Structural and Safety Measures

In response to the aging exterior of the facility, the district has moved beyond routine maintenance to ensure the continued safety of the building envelope.

- Veneer Stabilization: To address areas of delaminating and cracked brick veneer, the district has engaged in structural stabilization efforts. These measures are designed to prevent further degradation of the exterior skin, though they do not address the underlying lack of thermal insulation within the 1960s-era wall cavities.

Mechanical and Thermal Mitigation Strategies

The facilities department has implemented a series of "stop-gap" programs to bridge the gap between 1968 distribution standards and modern performance expectations:

- Antiquated Component Repair: Facilities staff continue to engage in a high-frequency repair cycle for the original unit ventilators (univents) and air handling units. This includes rebuilding degraded coils and replacing failed pneumatic actuators. However, without a modern Building Management System (BMS), these repairs are reactive; the district remains unable to implement automated night setbacks or demand-controlled ventilation.
- Localized Envelope Sealing: Staff have conducted an ongoing program to manually seal cracks, gaps, and failed gaskets within the original single-pane aluminum window systems.
- The Limitation of Maintenance: Despite these efforts, the lack of a thermal break in the 1968 window frames and the negligible R-value of the uninsulated walls result in continuous, massive heat loss. Manual caulking and

weatherstripping cannot resolve the fundamental physics of a non-thermal-break envelope.

Electrical and Lighting Retrofits

To mitigate the high energy costs associated with the building's lighting load, the district has performed LED retrofits in several areas of the school. While these upgrades have reduced electrical consumption in specific zones, the impact is limited by the original 1968 underlying circuitry, which lacks the advanced daylight harvesting sensors and integrated controls necessary for a high-performance building.

In summary, Billerica’s approach to the Locke Middle School has been one of responsible stewardship. We have upgraded the "heart" of the heating system (the boilers) and diligently patched the "skin" of the building (the roof and windows). However, these investments are now being undermined by the failure of the "vessels"—the 1968 distribution and control networks. The district has reached a point where further localized repairs offer no path to modern energy conservation or long-term operational stability.

Priority 5

Question 3: Please provide a detailed explanation of the impact of the problem/issues described in Question 1 above on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The systemic failure of the mechanical and building envelope systems at the Locke Middle School creates a reactive learning environment that directly undermines the district's ability to deliver a consistent and high-quality educational program. The following specific impacts demonstrate how these deficiencies affect students and teachers daily.

Classroom Displacement and Instructional Disruption

The failing building envelope frequently necessitates "emergency relocations," which fragment the school day and disconnect students from their primary learning environments.

- Chronic Leakage: Water penetration from the aging roof and through the deteriorating brick veneer often leads to sudden classroom closures. When a ceiling leak occurs, the district must scramble to find "swing space." This displacement forces teachers to abandon their specialized instructional setups and disrupts the continuity of the lesson, leading to lost instructional time.

- Mechanical Failure: In winter months, the failure of an original 1968 unit ventilator or a pneumatic actuator often renders a classroom thermally uninhabitable (either dangerously cold or chronically overheated). This again leads to the displacement of students to common areas like the cafeteria or library, which are not designed for focused, quiet instruction.

Compromised Learning Environment (Acoustics and IAQ)

The district's educational program emphasizes collaboration and communication, both of which are hindered by the building's current state.

- Acoustic Barriers: To compensate for the lack of central cooling and the inefficiency of the 1968 univents, the district relies on loud window AC units and high-powered fans. The resulting ambient noise levels frequently exceed acceptable thresholds for a classroom, making it difficult for students, particularly those with auditory processing challenges or Former English Learners, to hear and understand the teacher.

- Air Quality and Health: The inability of the original pneumatic system to manage fresh air exchange during winter months leads to poor Indoor Air Quality (IAQ). When dampers fail to open, classrooms become stuffy and CO2 levels rise, which research consistently links to decreased student focus and cognitive performance.

3. Barriers to 21st-Century Instructional Practices

The Locke was built for a 1960s "industrial" model of education, and its rigid systems prevent the implementation of modern, technology-rich pedagogy.

- Electrical Limitations: The antiquated electrical distribution system is frequently taxed to its limit. Teachers are often restricted in their use of technology because the 1968 circuitry cannot support the simultaneous load of interactive displays, student devices, and the supplemental cooling units required due to the envelope failure.
- Inequity of Experience: Because cooling and reliable heating are only available in select "pockets" of the building, students do not have an equitable educational experience. A student's comfort—and thus their ability to learn—is dictated by the specific mechanical health of their assigned classroom on any given day.

Impact on Staff Morale

The constant need for "workarounds", such as manual window operation to achieve fresh air or relocating materials due to leaks, places a significant non-instructional burden on teachers. This reactive environment detracts from lesson planning and professional collaboration, as staff time is diverted toward managing the immediate physical constraints of the facility.

In summary, the problems at the Locke Middle School are no longer merely maintenance concerns; they are educational barriers. The facility's inability to provide a dry, quiet, and thermally stable environment prevents the district from delivering the modern, equitable educational program it is required to provide. Every "emergency relocation" and every acoustic disruption represents a missed opportunity for student achievement.

Priority 5

Question 4: Please describe how addressing the school facility systems you identified in Question 1 above will extend the useful life of the facility and how it will improve your district's educational program.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

Addressing these facility systems is not merely a matter of "fixing the heat" or "patching a leak." It is a foundational investment that allows the Billerica Public Schools to move from a state of facility-driven crisis management to a future-focused educational model. A modernized Locke Middle School will serve as a reliable, efficient, and inspiring hub for learning for decades to come.

A comprehensive modernization or replacement project for the Locke Middle School will transform the facility from a reactive, high-maintenance liability into a high-performance educational asset. By aligning the building's physical systems with 21st-century standards, the district will secure the facility's viability for the next 50 years while fundamentally elevating the instructional experience.

Extending the Useful Life of the Facility:

The "useful life" of the current building is presently being curtailed by the synergistic failure of its systems. Addressing these issues provides a structured path to long-term sustainability:

- Preservation of Structural Integrity: Replacing the aging "recover" roof and repairing the cracked brick veneer stops the cycle of water infiltration. This prevents the hidden rot of structural members, the degradation of interior masonry, and the chronic growth of mold, all of which currently threaten the building's long-term occupancy status.
- Transition from Reactive to Predictive Maintenance: Moving away from 1968 pneumatic controls and original unit ventilators allows the facilities team to transition from constant "emergency repairs" to a planned maintenance schedule. Modern equipment with standardized parts ensures that the district is no longer scavenging for obsolete components to keep a classroom habitable.
- Systems Integration via BMS: Installing a modern Building Management System (BMS) allows for real-time monitoring of energy loads and mechanical health. By preventing the "drift" common in pneumatic systems, the district reduces the mechanical strain on boilers and motors, significantly extending the operational lifespan of the new equipment.

Improving the District's Educational Program:

The primary goal of addressing these systems is to remove the physical barriers that currently obstruct the district's pedagogical mission.

- Creation of a "Stabilized Learning Environment": Modern HVAC and envelope systems provide a thermally consistent and acoustically quiet environment. When students and teachers are no longer distracted by extreme temperatures or the roar of window AC units, cognitive load is reduced, and focus on complex tasks increases. A stable environment is a prerequisite for the equitable delivery of the curriculum.

- Recovery of Specialized Instructional Space: By eliminating functional overcrowding, the district can move professional staff and high-needs students out of converted bathrooms and closets. A modernized facility provides:
- Purpose-Built Special Education Spaces: Acoustically private, appropriately sized rooms that meet the legal and educational requirements of individualized instruction.
- Flexible Grouping: Modern construction with designed-in flexibility allows for the reconfiguration of spaces to support the collaborative, project-based learning that the 1968 "hard" walls currently prohibit.

Support for Technology-Infused Pedagogy:

Upgrading the electrical distribution and data infrastructure ensures that the building can support a 1:1 device environment and interactive instructional technology without the risk of circuit overloads or "brownouts." This allows teachers to utilize digital resources seamlessly, rather than planning lessons around the limitations of a 60-year-old electrical panel. A modern electrical system will also eliminate the need for power strips and their potential fire danger from overloading.

Improved Health and Wellness:

Modern ventilation systems with high-efficiency filtration and demand-controlled fresh air intake directly correlate with lower absenteeism and improved student performance. By ensuring high Indoor Air Quality (IAQ) year-round, the district creates a healthier environment that supports the social-emotional and physical well-being of the entire school community.

If not located elsewhere in this SOI, please also provide the following information:

Have the systems identified above been examined by an engineer or other trained building professional?:
YES

If "YES", please provide the name of the individual and his/her professional affiliation (maximum of 250 characters):
Garcia, Galuska, DeSousa (GGD Engineering) - Mechanical, Electrical, Plumbing Fire Protection Engineers

The date of the inspection: 2/2/2022

A summary of the findings (maximum of 5000 characters):
See above summaries

Priority 7

Question 1: Please provide a detailed description of the programs not currently available or in substandard spaces due to facility constraints, the state or local requirement for such programs, and the facility limitations precluding the programs from being offered.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The Locke Middle School is a "hard" building, constructed with load-bearing masonry interior walls, that remains largely unchanged since 1968. This rigid architecture is fundamentally obsolete, as it was designed for a "cells and bells" instructional model that is now incompatible with Massachusetts Curriculum Frameworks, ADA accessibility mandates, and the modern digital curriculum.

1. Fine Arts Curriculum: "Art on a Cart" and Substandard Support Space:

- The Requirement: The Massachusetts Arts Curriculum Framework requires that students have access to a dedicated, well-equipped studio environment to engage in the creative process, including safe handling of media, storage of works-in-progress, and access to specialized equipment (sinks, kilns, and drying racks).
- The Limitation: The prioritized need for general education classrooms have left the Locke with only one dedicated art room, despite a need for two to service the full student body.
- The Substandard Reality: As a result, approximately one-third of the students at the Locke receive "Art on a Cart" instruction. In this model, the teacher must transport limited supplies between general classrooms that lack sinks and appropriate work surfaces. This severely restricts the curriculum, as students cannot engage in ceramics, large-scale painting, or any "wet" media. Furthermore, the district has been forced into the extreme measure of repurposing a former student bathroom as the Art teacher’s office and prep area. Working out of a converted restroom, which lacks proper ventilation and professional dignity, is a profound facility limitation that directly compromises the delivery of the Arts program.

2. ADA Compliance and Universal Design (State/Federal Mandate):

- The Requirement: Under the Americans with Disabilities Act (ADA) and 603 CMR 28.00, the district must provide an inclusive environment. Modern standards favor Universal Design for Learning (UDL), requiring barrier-free transitions between all instructional spaces.
- The Limitation: The 1968 design features a "stepped" layout with stairs located throughout the facility to navigate changes in elevation. This fragmented floor plan, combined with original structural masonry walls, prevents the creation of a truly accessible environment. There are no elevators or stair lifts in the building.
- The Substandard Reality: Because of the "stairs everywhere" configuration, students with mobility impairments face significant navigation challenges, often requiring circuitous routes to reach common areas. The structural masonry also prevents the district from expanding restroom stalls to meet modern ADA turning-radius standards or widening heavy, non-automated doorways.

3. Digital Learning and 1:1 Technology Infrastructure:

- The Requirement: Billerica Public Schools has committed to a 1:1 technology environment, requiring a robust electrical distribution system capable of simultaneous charging for every student.
- The Limitation: The 1968 electrical service provides very few outlets per classroom, often located on a single circuit shared across multiple rooms.
- The Substandard Reality: The infrastructure is chronically overtaxed. Teachers must rely on daisy-chained power strips and charging carts that frequently trip breakers. The lack of adequate power prevents the seamless integration of technology; instead, instructional flow is interrupted by constant hardware power failures.

4. Specialized Instruction and Small-Group Space (State Mandate)

- The Requirement: State law requires Special Education and EL services to be delivered in the Least Restrictive Environment (LRE). This necessitates small-group pull-out rooms that are acoustically private and proximal to general classrooms.
- The Limitation: Structural masonry prevents the creation of specialized service areas within the existing footprint.
- The Substandard Reality: In addition to the Art office mentioned above, other specialized supports are delivered in repurposed closets and storage areas. These spaces lack proper ventilation and natural light, failing to provide students with the dignity and professional environment required by state and local standards.

Priority 7

Question 2: Please describe the measures the district has taken or is planning to take in the immediate future to mitigate the problem(s) described above.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The Billerica Public Schools has taken extensive, resource-intensive measures to mitigate the physical and functional obsolescence of the Locke Middle School. However, these efforts have reached their physical and operational limits, often requiring the district to prioritize basic accessibility over educational continuity and peer-group stability.

1. Mitigation of Space Deficiencies: "Functional Repurposing":

To provide the mandated range of Special Education (SPED), the district has been forced to utilize every available square foot, often in ways that compromise professional standards:

- Restroom Conversions: Due to a lack of small-group instructional space, the district has converted former bathroom spaces and storage closets into offices and intervention rooms. These areas are used daily by professional staff despite a total lack of natural light, proper ventilation, and acoustic privacy.
- Administrative Displacement: Administrative functions have been decentralized and moved into non-traditional spaces to protect classroom footprints, resulting in a fragmented support staff.

2. Mitigation of Electrical and Technological Obsolescence:

The building’s original 1968 electrical distribution was not designed for a 1:1 device environment or modern instructional technology.

- Reliance on Power Strips: To support interactive whiteboards and student charging stations, teachers have installed extensive networks of power strips and surface-mounted raceways. This creates "daisy-chained" circuits that frequently trip breakers and place an unplanned-for load on aging electrical panels.
- Supplemental Cooling: Because the building lacks central cooling, the district has installed numerous window AC units. This requires constant monitoring by the facilities team to balance electrical loads and prevent system-wide brownouts during peak heat months.

3. ADA and Accessibility: Peer Displacement

The Locke’s multi-level, 1968-era design presents significant barriers to universal access that cannot be resolved through minor renovations.

- Classroom Shifting: The district’s primary mitigation strategy is reactive classroom reassignment. When a student with mobility challenges is assigned to a floor that is difficult to access, the district must relocate entire classroom cohorts.
- Out-of-Neighborhood Placement: Most critically, when the physical constraints of the Locke cannot accommodate a student's specific accessibility needs, the district is occasionally forced to assign students to the other middle

school. This move is a last-resort mitigation that effectively separates students from their neighborhood peers and local support systems, creating an inequitable educational experience based solely on the physical limitations of the neighborhood facility.

4. Facility Maintenance: Reactive Stabilization

The maintenance department operates in a permanent state of "reactive stabilization" regarding the Locke's mechanical systems:

- Parts Scavenging: Because many components of the 1968 unit ventilators are no longer manufactured, the district must source salvaged parts or perform custom "in-house" fabrications to keep units operational.
- Envelope Patching: The district continues to perform frequent, localized patching of the 20-year-old "recover" roof and cracked exterior masonry to temporarily stop active leaks.

In summary, Billerica has reached the threshold of what can be accomplished through "making do." The district has exhausted its ability to repurpose closets and restrooms, daisy-chain electrical circuits, and shift student populations between buildings to circumvent architectural barriers. While these measures have allowed the Locke to remain open, they do not constitute a sustainable or equitable educational environment. The transition from these fragmented mitigation efforts to a modernized facility is the only viable path to providing a full range of programs consistent with state and local requirements.

Priority 7

Question 3: Please provide a detailed explanation of the impact of the problem described in this priority on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The physical and functional obsolescence of the Locke Middle School creates a series of "educational compromises" that prevent the district from delivering its program with the equity, rigor, and modern pedagogical standards required by the Commonwealth.

1. Erosion of Peer Groups and Social-Emotional Health:

The most profound impact of the building's architectural barriers is the displacement of students from their neighborhood peers due to a lack of universal accessibility.

- Specific Example: When the Locke's multi-level 1968 design cannot accommodate a student's specific mobility or accessibility needs, the district is occasionally forced to assign that student to the Marshall Middle School.
- Direct Effect: This separates the student from their local community and neighborhood friends. It creates an inequitable scenario where a student's social-emotional stability and sense of belonging are sacrificed simply because the neighborhood facility is physically obsolete and cannot be reasonably modified for ADA compliance.

2. Degradation of the Arts Program: "Art on a Cart":

The lack of flexible square footage has reached a critical point, directly impacting the quality of the district's Fine Arts curriculum.

- Specific Example: Due to the influx of the 5th grade and the lack of dedicated classroom space, the district has been forced to convert a former bathroom into the Art teacher's office and prep area. Consequently, there is no dedicated classroom for 5th-grade art instruction.
- Direct Effect: This necessitates an "Art on a Cart" model, where the teacher must transport all supplies and media from room to room. This model severely limits the types of projects students can engage in—preventing the use of clay, large-scale painting, or complex mixed-media—and eliminates the "studio environment" essential for creative expression. The teacher is also forced to work out of a converted restroom, which lacks proper ventilation for art materials and denies the staff a dignified professional environment.

3. Obstruction of Modern Pedagogy (The "Hard" Building Barrier):

The 1968 "industrial model" layout, featuring load-bearing masonry walls, makes modern collaborative learning nearly impossible.

- Specific Example: The district's curriculum calls for interdisciplinary, project-based learning that requires "break-out" spaces and flexible room configurations for student collaboration.

- Direct Effect: Because the interior walls cannot be moved and there are no common "learning hubs," teachers are confined to isolated, identical "cells." This forces a traditional "sit-and-get" instructional style, depriving students of the collaborative, hands-on experiences that are hallmarks of 21st-century middle school education.

4. Technological and Environmental Distractions:

The reliance on "daisy-chained" power strips and loud window AC units creates a chaotic sensory environment that hinders information processing.

- Specific Example: In the warmer months, the roar of window AC units (necessary due to the lack of central cooling) makes it physically difficult for students to hear the teacher or their peers during group discussions.
- Direct Effect: This leads to significant "listening fatigue" for students. Research shows that high ambient noise levels decrease reading comprehension and focus, particularly for students with learning disabilities or those for whom English is a second language.

In summary, the obsolescence of the Locke Middle School actively degrades the educational experience. By forcing the Arts program into a "cart" model, displacing students from their neighborhood peers, and utilizing converted restrooms as staff offices, the facility prevents Billerica from providing a truly equitable and modern educational program.

CERTIFICATIONS

The undersigned hereby certifies that, to the best of his/her knowledge, information and belief, the statements and information contained in this statement of Interest and submitted hereto are true and accurate and that this Statement of Interest has been prepared under the direction of the district school committee and the undersigned is duly authorized to submit this Statement of Interest to the Massachusetts School Building Authority. The undersigned also hereby acknowledges and agrees to provide the Massachusetts School Building Authority, upon request by the Authority, any additional information relating to this Statement of Interest that may be required by the Authority.

Chief Executive Officer *	**School Committee Chair**	**Superintendent of Schools**
(signature)	(signature)	(signature)
Date	Date	Date

* Local Chief Executive Officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated to the chief executive office under the provisions of a local charter. Please note, in districts where the Superintendent is also the Local Chief Executive Officer, it is required for the same person to sign the Statement of Interest Certifications twice.

Massachusetts School Building Authority

Next Steps to Finalize Submission of your 2026 Statement of Interest("SOI")

Thank you for submitting a 2026 SOI to the Massachusetts School Building Authority (the "MSBA") electronically. Please note, the District's submission is not yet complete if the District selected Statutory Priority 1 or Statutory Priority 3. If either of these Statutory Priorities were selected, the district must upload the required documentation, described below, in order for the SOI to be considered complete. Hard copies will no longer be accepted.

ADDITIONAL DOCUMENTATION REQUIRED TO BE UPLOADED FOR SOI STATUTORY PRIORITIES 1 AND 3 IN ORDER TO BE CONSIDERED COMPLETE. HARD COPIES WILL NO LONGER BE ACCEPTED:

- **If the District selects Statutory Priority 1:** Replacement or renovation of a building, which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of the school children, where no alternative exists, the MSBA requires an electronic version of the engineering or other report detailing the nature and severity of the problem and a written professional opinion of how imminent the system failure is likely to manifest itself. The district must also submit photographs of the problematic building area or system to the MSBA electronically. The SOI will not be considered complete unless this information is uploaded as part of the SOI submission.
- **If the District selects Statutory Priority 3:** Prevention of a loss of accreditation, the SOI will not be considered complete unless an electronic summary of the accreditation report(s) focusing on the deficiencies as stated in the SOI must be uploaded in the SOI system in order to submit an SOI.

ADDITIONAL INFORMATION: In addition to the information required above, the district may also elect to provide reports, pictures, or other information that may give the MSBA a better understanding of the issues identified at the SOI facility. Any supplemental material a district elects to submit with the SOI must be uploaded in the SOI system. Hard copies will no longer be accepted.

If you have any questions about the SOI process please contact the MSBA at SOI@massschoolbuildings.org.

Massachusetts School Building Authority

School District Billerica

District Contact Kerry Clery Title: Superintendent TEL: (978) 528-7908

Name of School Marshall Middle

School Address 15 Floyd Street, Billerica, MA - 01821

Submission Date 4/2/2026

Statement of Interest ("SOI") CERTIFICATION

To be eligible to submit an SOI, a district must certify the following:

- ☑ The district hereby acknowledges and agrees that this SOI is NOT an application for funding and that submission of this SOI in no way commits the MSBA to accept an application, approve an application, provide a grant or any other type of funding, or places any other obligation on the MSBA.
- ☑ The district hereby acknowledges that no district shall have any entitlement to funds from the MSBA, pursuant to M.G.L. c. 70B or the provisions of 963 CMR 2.00.
- ☑ The district hereby acknowledges that the provisions of 963 CMR 2.00 shall apply to the district and all projects for which the district is seeking and/or receiving funds for any portion of a municipally-owned or regionally-owned school facility from the MSBA pursuant to M.G.L. c. 70B.
- ☑ The district hereby acknowledges that this SOI is for one existing public school in the district that is currently used or will be used to educate public school students in grades Pre-K through 12 as reported to the Department of Elementary and Secondary Education (the "DESE") and that the school for which the SOI is being submitted does not solely serve the district's Pre-K student population.
- ☑ Prior to the submission of the SOI, the district will schedule and hold a meeting at which the School Committee will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is required for cities, towns, and regional school districts. Please note that meeting minutes are NOT required to be uploaded to the "Vote" tab.
- ☑ Prior to the submission of the SOI, the district will schedule and hold a meeting at which the City Council/Board of Aldermen or Board of Selectmen/equivalent governing body will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is not required for regional school districts. Please note that meeting minutes are NOT required to be uploaded to the "Vote" tab.
- ☑ The district hereby acknowledges that current vote documentation is required for all SOI submissions. The district will use the MSBA's vote template and the required votes will specifically reference the school name and the Statutory Priorities for which the SOI is being submitted.
- ☑ The district hereby acknowledges that it must upload all required vote documentation on the "Vote" tab, in the format required by the MSBA. All votes must be certified or signed and on city, town or district letterhead. Please note that meeting minutes are NOT required to be uploaded to the "Vote" tab.
- ☑ The district hereby acknowledges that this SOI submission will not be considered complete unless all required supporting documentation for Statutory Priority 1 and/or Statutory Priority 3, if either is selected is uploaded as part of the SOI submission. If Statutory Priority 1 is selected, the district's SOI will not be considered complete unless the district provides the required engineering (or other) report, a professional opinion regarding the problem, and photographs of the problematic area or system is uploaded as part of the SOI submission. If Statutory Priority 3 is selected, the district's SOI will not be considered complete unless the district provides a summary of the accreditation

report focused on the deficiencies as stated in this SOI as part of the SOI submission. The documentation noted above must be uploaded as part of the SOI submission.

ADDITIONAL INFORMATION: In addition to the information required above, the district may also elect to provide reports, pictures, or other information they feel will give the MSBA a better understanding of the issues identified at a facility. Any supplemental material a district elects to submit with the SOI must be uploaded in the SOI system. Hard copies will no longer be accepted.

LOCAL CHIEF EXECUTIVE OFFICER/DISTRICT SUPERINTENDENT/SCHOOL COMMITTEE CHAIR (E.g., Mayor, Town Manager, Board of Selectmen)

Chief Executive Officer *	**School Committee Chair**	**Superintendent of Schools**
(signature)	(signature)	(signature)
Date	Date	Date

* Local Chief Executive Officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated to the chief executive office under the provisions of a local charter. Please note, in districts where the Superintendent is also the Local Chief Executive Officer, it is required for the same person to sign the Statement of Interest Certifications twice.

Massachusetts School Building Authority

School District Billerica

District Contact Kerry Clery Title: Superintendent TEL: (978) 528-7908

Name of School Marshall Middle

School Address 15 Floyd Street, Billerica, MA - 01821

Submission Date 4/2/2026

Note

SOI Program: Core
Potential Project Scope: Potential New School
Is this a Potential Consolidation? Yes

If "yes", please describe the potential consolidation and/or grade reconfiguration that is anticipated as a result of this SOI submission; please be specific by including the other school name(s) and grade levels that may be impacted.

Billerica currently operates two middle school facilities, the Locke Middle School and the Marshall Middle School, which both serve students in grades 5 through 7. While this SOI identifies the Locke Middle School as the priority for school due to critical structural and accessibility failures, the district is exploring how a new project could address district-wide needs. As a result of this submission, the district is considering several possibilities for evaluation, including: Option A: The district is interested in exploring the feasibility of consolidating the populations of the Locke and Marshall middle schools into a single, high-performing facility while maintaining the current grade 5–7 configuration. The 2023 Dore & Whittier Facility Study documented significant systemic deficiencies in both buildings. Consolidating into one site could allow the district to eliminate the operational inefficiencies and maintenance burdens of two failing 1960s/70s-era facilities while providing a unified, equitable middle school experience. Option B: The district is also considering a grade 4-7 model, combined into one middle school. This configuration could potentially support an "upper" (grades 6-7) and "lower" (grades 4-5) middle school structure within a new facility. This model is being brainstormed specifically as a potential solution to alleviate projected enrollment increases at the elementary school level. By transitioning the 4th grade to a modern middle school environment, the district could stabilize class sizes and capacity across its various elementary buildings, as one elementary building is already exceeding its capacity. Option C: A third possibility involves the feasibility of a single/consolidated middle school facility serving grades 5 through 8. In 2019, the district moved Grade 8 to the Billerica Memorial High School. The district is interested in assessing if this model meets the educational and operational needs originally intended.

The following summary of the Statutory Priorities as set forth in M.G.L. c. 70B, § 8 have been included in the Statement of Interest (for the Core Program, select as many as are applicable):

1. ☐ Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists.
2. ☐ Elimination of existing severe overcrowding.
3. ☐ Prevention of the loss of accreditation.
4. ☑ Prevention of severe overcrowding expected to result from increased enrollment.

5. ☑ Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.
6. ☐ Short term enrollment growth.
7. ☑ Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.
8. ☐ Transition from court-ordered and approved racial balance school districts to walk-to, so-called, or other school districts.

SOI Vote Requirement

☑ I acknowledge that I have reviewed the MSBA's vote requirements for submitting an SOI, which are set forth in the Vote Tab of this SOI. I understand that the MSBA requires votes from specific governing bodies, in a format **using the language provided by the MSBA**. Further, I understand that the MSBA requires certified and signed vote documentation to be submitted with the SOI. I acknowledge that my SOI will not be considered complete and, therefore, will not be reviewed by the MSBA unless the required accompanying vote documentation is submitted in a form that is acceptable to the MSBA. All SOI vote documentation must be uploaded on the Vote Tab.

Each district must prioritize one Core Program Statement of Interest from all of the Statements of Interest that the district has submitted or prepopulated, including any SOIs that may be in the MSBA's capital pipeline. At no time shall a district have more than one prioritized SOI on file with the MSBA.

Is this SOI the District Priority SOI? No

School name of the District Priority SOI: Locke Middle

Is this part of a larger Master Facilities Plan and/or Educational Plan within the past five years that includes facility goals for this building and all school buildings in the District? Yes

If "YES", please provide the following:

Facilities Plan Date: 2/24/2023

Planning Firm: Dore + Whittier

Please provide a brief summary of the plan(s) including its goals and how the school facility that is the subject of this SOI fits into that plan:

In 2023, the Town of Billerica commissioned Dore & Whittier to perform a Comprehensive Facilities Assessment and Master Plan Update. This study serves as a strategic roadmap for the district, identifying the existing conditions of each facility and providing a clear understanding of the improvements needed to maintain long-term viability. The plan aligns facilities management with the district's evolving educational goals over a ten to fifty-year horizon.

The Master Plan was developed through collaboration between the Facilities Master Plan Working Group, district administration, and the public. Its overarching objectives include:

- Creating spaces that natively support modern technology, collaborative instruction, and hands-on learning.

- Providing classrooms that meet MSBA guidelines and addressing projected overcapacity at the elementary and high school levels.

- Exploring grade configurations that reduce the number of times a student must transition between buildings during their K-12 experience.

- Prioritizing the most "needy" facilities to ensure all future work is reviewed in the context of long-term goals.

The Marshall Middle School is a critical component of this district-wide strategy. While the Locke Middle School is the subject of the primary SOI due to its severe structural and accessibility failures, the Marshall

was also identified in the 2023 assessment as being in poor condition with significant systemic deficiencies. The facility suffers from chronic roofing failures, aging mechanical systems, and an inflexible layout that hinders modern pedagogical approaches.

The Marshall fits into the master plan as a vital partner in a potential consolidation effort. Because both the Locke and the Marshall were identified as facilities with limited long-term viability, the master plan suggests that a unified project could be the most fiscally and educationally responsible path. This SOI allows the district to explore several brainstormed possibilities:

1) The district is evaluating the feasibility of merging the Locke and Marshall populations into a single, modern facility. This would eliminate the operational and maintenance burdens of maintaining two separate, failing 1960s/70s-era "hard" buildings.

2) A consolidated project involving the Marshall could address broader capacity concerns. This includes exploring a grade 4–7 model to alleviate elementary school crowding identified in the 2026 NESDEC study, or a grade 5–8 model to evaluate returning the 8th grade from the high school, which is projected to reach overcapacity in the coming years.

By submitting this SOI for the Marshall alongside the Locke, the district is taking a comprehensive approach to the Dore & Whittier "road map," seeking a holistic solution that addresses the needs of all middle-level learners and the entire Billerica community.

Has an energy and/or decarbonization study been completed within the past five years that includes facility goals for this building or all buildings in the District? No

If "YES", please provide the following:

Energy / Decarbonization Study Date:

Study Firm:

Please provide a brief summary of the study(ies) including its goals and how the school facility that is the subject of this SOI fits into that plan:

Does the District have a dedicated sustainability officer or energy manager, employed either by the school department and/or the City/Town? No

If "YES", please describe

Does the District monitor energy usage at each of its facilities and/or work with local utilities to understand potential areas for improvement? Yes

If "YES", please describe.

BPS maintains a comprehensive energy management strategy that combines internal monitoring with strategic utility partnerships. The district actively monitors energy consumption at each facility by tracking monthly kilowatt-hours (kWh) and therms. This data is logged and benchmarked against historical usage from previous years. Any significant, unexplained increase in consumption triggers an immediate facility audit. These audits include: > System Verification: Ensuring HVAC, lighting, and boiler systems are functioning according to established schedules and set parameters. > Operational Analysis: Reviewing temperature fluctuations and building occupancy data to identify the root cause of consumption variances. > Automated Oversight: Monthly electronic Preventative Maintenance (PM) work orders are generated for all sites to verify that HVAC and lighting controls remain optimized and have not been bypassed. BPS has established a strong collaborative relationship with National Grid to identify and execute energy efficiency improvements. This partnership ensures the district is informed of new incentive programs and rebates that make infrastructure upgrades financially viable. Over the past five years, these efforts have resulted in several high-impact projects: > LED Retrofits: Installation of LED lighting and occupancy sensors at both middle schools and all five elementary schools. > Boiler and Pump Modernization: Replacement of hot water systems at the Kennedy Elementary School and the Hallenborg Ice Rink. The Kennedy project utilized a condensing boiler loop to maximize thermal efficiency. > Advanced Controls: Installation of a Heat Watch Building Management System at the Marshall to optimize heating efficiency. > HVAC Upgrades: Installation of two high-efficiency heat pump units at the Dutile Elementary School. BPS remains committed to maximizing efficiency in its legacy facilities.

Does the District's transportation services currently include electric buses or does the District plan to switch to electric buses? No

If "YES", please describe.

Provide, if applicable, the most recent budget approval process that resulted in an operating budget reduction and the impact of the reduction to the school district (staff reductions, discontinued programs, consolidation of facilities). Please provide a description of the program modifications as a consequence of these teacher and/or staff reductions, including the impact on district class sizes and curriculum. If no recent teacher layoffs and/or staff reductions have occurred, please enter "Does Not Apply".

Facing a $1.6M FY25 deficit, Billerica made significant cuts impacting instruction and equity. - Staff Reductions and Program Impact: The district eliminated 11.5 FTE K-7 Instructional Coaches (Math/Literacy) and a HS Curriculum Coordinator. This removes critical job-embedded PD and curriculum oversight, shifting those duties to building leadership. Additionally, the district cut 3.0 Elementary SEL Specialists, 7 Registered Behavior Technicians (RBTs), and a HS Attendance Officer. The loss of RBTs and SEL specialists forces classroom teachers to absorb intensive behavioral management and data collection, directly reducing time available for core academic instruction and personalized student support. -Service and Fee Modifications: To bridge the gap, middle school late buses were eliminated, creating equity barriers for after-school academic help. The district also instituted a $140 MS athletic fee and raised preschool tuition 25% to $4,000, increasing the financial burden on families.

Please provide a description of the local actions and approvals needed to secure both funding for a feasibility study and project funding for a potential building project with the MSBA. Please include schedule information for both funding actions(i.e. Town Meeting, City Council/Town Council meetings, Regional School Committee Meetings).

Billerica operates under a Representative Town Meeting form of government. Securing funding for an MSBA partnership requires a multi-step approval process involving the School Committee, Select Board, Finance Committee, Town Meeting, and the general electorate. Feasibility Study Funding (Target: Fall 2027): If invited into the MSBA Eligibility Period, the District anticipates seeking an appropriation for a Feasibility Study at the Fall 2027 Town Meeting. This appropriation requires a favorable vote by Town Meeting Representatives to authorize the necessary funds to begin the feasibility study. Full Project Funding and Debt Exclusion: Upon successful completion of the Feasibility Study and MSBA Board approval of a preferred schematic design, the District will seek full project funding. This requires a coordinated two-step approval process: 1) Town Meeting Vote: Authorization to borrow the total project costs. 2) Ballot Vote: A town-wide Debt Exclusion vote, per Massachusetts General Law, to fund the project debt service outside the limits of Proposition 2½. Community Engagement and Local Support: To ensure successful appropriations, the District has executed a robust public outreach campaign to document and demonstrate the facility's critical needs. This includes hosting multiple "open house" facility tours for Town Boards, Town Meeting Members, and residents on March 18, 2025, November 25, 2025, February 26, 2026, and March 5, 2026. These events have been well-attended, signaling strong community awareness and support for addressing the systemic failures at the Locke Middle School. The District continues to work closely with the School Committee, Town Manager, Select Board, and Finance Committee to ensure the project remains a primary capital priority for the Town of Billerica.

General Description

BRIEF BUILDING HISTORY: Please provide a detailed description of when the original building was built, and the date(s) and project scopes(s) of any additions and renovations including modular units (maximum of 5000 characters).

The Marshall Middle School was constructed in 1972. The facility is a significant educational asset for Billerica, situated on a 37-acre campus. The building currently serves a dual purpose for the district:

- Educational Facility: Approximately 165,500 square feet is dedicated to middle school instruction, housing classrooms, core assembly spaces, and administrative offices.

- District Operations: The remaining 30,600 square feet is utilized as the central District Maintenance Facility and primary storage hub, supporting the operational needs of all schools across Billerica.

Major Renovations and Emergency Repairs: Since its original construction 54 years ago, the Marshall has not undergone a comprehensive, whole-building renovation. Instead, the district has managed the facility through a series of essential capital repairs and emergency system replacements:

- Heating Plant (2002): A major intervention was required following the catastrophic failure of 1 of the original 3 steam boilers. To maintain building operations, the district executed an emergency boiler replacement so the building would be back up to 100% heating capacity. The newest boiler is now 22 years old and approaching the end of its reliable service life.

- Gymnasium Restoration (2023): Following a significant flooding event in 2023, the district was forced to replace the gymnasium flooring. The flood was the direct result of failed site drainage infrastructure that backed up during a storm, highlighting the deteriorating state of the original 1972 exterior utilities.

- Phased Abatement and Flooring: For the past decade, the district has been engaged in a continuous, phased asbestos abatement project. This effort involves the systematic removal of original hazardous flooring materials and their replacement with modern VCT, as well as localized lighting upgrades to improve energy efficiency.

Additions and Modular Units: There have been no permanent additions or modular units added to the Marshall Middle School since its inception. The original 1972 footprint remains intact, which presents challenges for modern educational delivery and potential consolidation plans, as the interior partitions and infrastructure reflect the rigid design standards of the early 1970s.

TOTAL BUILDING SQUARE FOOTAGE: Please provide the original building square footage PLUS the square footage of any additions (field one below) and/or modular units (field two below).

Original Building Plus Additions Square Footage 196100
Modular Units Square Footage 0

SITE DESCRIPTION: Please provide a detailed description of the current site, including confirming the address of the school, who has ownership, control, and use of the site, and any known existing conditions that would impact a potential project at the site (e.g. wetlands, easements etc.). Please note whether there are any other buildings, public or private, that share this current site with the school and/or if there are multiple schools housed within the same building. What is the use(s) of this building(s)? (maximum of 5000 characters).

The Marshall Middle School is a public middle school, located at 15 Floyd Street, Billerica, MA 01821. The school sits on a 37-acre campus owned by the Town of Billerica. While the Billerica Public Schools exercises full care, custody, and control over the school building and its immediate grounds, sections of the land include athletic

and recreational spaces that are permitted and maintained by the Town of Billerica. While the facility primarily serves as an educational institution, the site also acts as a vital operational and recreational hub for the district and the broader community.

Building Use and Occupancy: The 196,100 square foot building currently houses a single educational entity serving grades 5 through 7. The instructional footprint occupies 165,500 square feet. The remaining square footage, primarily located in the basement level, is utilized by the Billerica Public Schools Maintenance Department for specialized shops and district-wide storage. Additionally, a dedicated storage structure for large maintenance equipment has been constructed in the lower parking lot.
Recreational and Community Use: The 37-acre site is heavily programmed for both school athletics and municipal recreation. Existing facilities include:
- Baseball and softball fields
- A football stadium and track
- A roller hockey rink
These areas are utilized daily, weather permitting, by the student population and are frequently used by town youth and adult athletic organizations, making the site one of the most high-traffic municipal properties in the district. Our varsity baseball, softball and track teams utilize these outdoor facilities.
Several significant physical conditions exist that would impact a potential renovation or new construction project:
- Accessibility Barriers: The current site topography and original 1972 design create significant accessibility challenges. Both the main bus drop-off and the parent drop-off zones are bound by stairs and elevation changes, rendering these primary transition points for all other students inaccessible to individuals with mobility impairments.
- Pavement and Infrastructure: The asphalt parking lots, bus loops, and concrete walkways throughout the grounds are in a state of advanced deterioration. Significant cracking, heaving, and drainage issues have been documented across the paved surfaces.
- Environmental and Regulatory Factors: The site is tied into the municipal water and sewer systems. The campus is bordered by dense woods and established residential neighborhoods, which will necessitate careful construction management to mitigate impacts on the community.
- Stormwater Management: As demonstrated by the 2023 flooding event, the current stormwater infrastructure is inadequate for the site's footprint. Any major project involving the disturbance of more than one acre will require a total redesign of the stormwater management system to meet modern DEP regulations and protect the building from future water infiltration.
The Marshall site provides ample acreage for a potential consolidation project, but the existing infrastructure failures - specifically regarding accessibility, pavement integrity, and drainage - must be addressed. The dual-use nature of the building as both a school and a maintenance headquarters also requires strategic planning to ensure operational continuity during any future construction activity.

BUILDING ENVELOPE: Please provide a detailed description of the building envelope, types of construction materials used, and any known problems or existing conditions (maximum of 5000 characters).

The building envelope of the Marshall Middle School is a combination of cast-in-place concrete and a brick veneer that, after more than 50 years of service, is showing systemic signs of failure. The primary structural and protective layers of the building are currently compromised by water infiltration, thermal inefficiency, and age-related degradation.

Wall Systems and Masonry: The exterior walls consist of a brick veneer over a concrete structure. This assembly currently faces significant challenges:

- Water Penetration: The original caulking around windows and within control joints has reached the end of its functional life. The loss of these seals has allowed persistent water penetration, which in turn has caused cracking in several areas of the brick veneer.
- Structural Settling: Visible cracks in some areas of the building’s foundation indicate issues with settling or pressure from water penetration. These gaps further compromise the envelope's ability to remain weather-tight.
- Entrances and Landings: The concrete landings at various door locations are spalling, creating uneven surfaces.

Furthermore, the majority of exterior doors are original 1972 units that are rotting at the bases due to prolonged exposure to the elements and age.

Fenestration and Glazing: The window systems represent one of the most significant areas of energy loss and maintenance difficulty:
- Thermal Inefficiency: The original aluminum window frames are not thermally broken, meaning they facilitate a direct transfer of cold or heat from the exterior to the interior. While some double-pane glass has been installed in select areas, the vast majority of the school relies on original single-pane glass or aged plexiglass.
- Loss of Translucency: Due to long-term maintenance needs, many windows and door lites have been replaced with plexiglass. Over time, these panels have clouded and lost their translucency, significantly reducing the amount of natural daylight that reaches the interior classrooms.
- Functional Displacement: Several window openings are no longer usable for their intended purpose, as they have been boarded up with plywood to accommodate window air conditioning units.
- Wind-Driven Leaks: The window systems are currently susceptible to leaks during wind-driven rain events, further contributing to moisture issues within the building envelope.

Roofing and Ventilation: The roof system is over 30 years old in most areas and is considered past its reliable service life:
- Adhesion and Drainage: In several sections, the roofing membrane is no longer adhering to the substrate. Drainage is a critical concern, with leaks occurring both at the roof level and internally through aged drainage piping.
- Flashing Issues: While the flashing has undergone various repairs over the years, it remains a consistent point of failure during heavy snow or wind-driven rain.
- Louvers and Vents: The original exterior louvers and vents are in poor condition. Many have been physically damaged or caved in, which restricts airflow while simultaneously allowing water to enter the building.

Accessibility and Entry: The envelope design reflects the era's lack of focus on universal design:
- Primary Barriers: The building features only one entry that is fully handicap accessible. All other perimeter doors are met by stairs or significant "step-ups," creating a physical barrier between the exterior and interior for students or staff with mobility impairments.

In summary, the Marshall Middle School envelope is no longer providing an effective thermal or moisture barrier for the district. The combination of failing masonry joints, non-thermally broken windows, and an aging roofing system has created a cycle of reactive repairs that cannot address the fundamental structural and efficiency needs of the facility.

Has there been a Major Repair or Replacement of the EXTERIOR WALLS? NO
Year of Last Major Repair or Replacement:(YYYY)
Description of Last Major Repair or Replacement:

Total Roof Square Footage 90000

Age of Oldest Roof Section 26

Roof Section A
Is the District seeking replacement of the Roof Section? NO
Area of Section (square feet)
Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe)
Age of Section (number of years since the Roof was installed or replaced)
Description of repairs, if applicable, in the last three years. Include year of repair:

Total Window Count 180

Age of Oldest Window Section 197

Window Section A
Is the District seeking replacement of the Windows Section? NO
Windows in Section (count)
Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))
Age of Section (number of years since the Windows were installed or replaced)
Description of repairs, if applicable, in the last three years. Include year of repair:

ELECTRICAL SYSTEMS: Please provide a detailed description of the current electrical systems, including system age(s), and any known problems or existing conditions (maximum of 5000 characters).

The electrical infrastructure at the Marshall Middle School is primarily original to the 1972 construction. After 54 years of continuous operation, the system has reached the end of its reliable service life and represents a significant bottleneck for the district's educational and operational goals.
Main Service and Distribution: The building is served by its original 2000-amp main switchgear. This equipment is functionally obsolete, and replacement parts are increasingly difficult to source.
- Capacity Constraints: The 2000-amp service is currently at maximum capacity. This prevents the district from expanding electrical loads to support modern HVAC upgrades, enhanced kitchen equipment, or the increased power density required for 21st-century learning environments.
- Branch Panels and Code Compliance: Many of the original branch panels are located in spaces that do not meet current electrical code requirements for clearance and working space. These electrical closets are too small to accommodate new panels or modern distribution systems without a significant structural redesign of the interior rooms.
Classroom Power and Technology Integration: The original electrical design did not anticipate the high volume of technology used in modern middle school instruction.
- Circuit Limitations: Most classrooms are served by only one dedicated circuit. This severely limits power usage and creates a high risk of circuit trips during standard instructional activities.
- Lack of Receptacles: The scarcity of wall outlets in classrooms and common areas has made the integration of 1:1 student devices and interactive teaching technology a difficult task. The lack of infrastructure often forces the use of temporary power strips, which creates both a maintenance burden and a potential safety hazard.
Lighting and Emergency Systems: The building's lighting and life-safety power systems are inconsistent and aging:
- Interior Lighting: The district has performed piecemeal upgrades to LED in certain zones. However, a large portion of the school still relies on T-8 fluorescent lighting, which is less energy-efficient and more costly to maintain.
- Emergency Power: The current emergency generator is of an older vintage and is limited in its coverage. It only provides emergency power to a few designated areas for minimal lighting. It lacks the capacity to support broader building systems or the receptacles necessary for extended emergency operations.
Summary of Condition: The electrical system at the Marshall Middle School is a legacy infrastructure that hinders the district's ability to evolve. The combination of an original 2000-amp main service, undersized electrical closets, and a lack of classroom circuit capacity means that any significant improvement to the building's educational program or mechanical systems would require a total electrical overhaul.

MECHANICAL HEATING SYSTEMS: Please provide a detailed description of the current mechanical heating systems, including system age(s), and any known problems or existing conditions. Please describe the current heat system source (i.e. natural gas, propane, fuel oil, electric resistance, air source heat pump, ground source heat pump, other) and describe the current heat distribution (i.e. air handling units, fan coil units/cabinet heaters, unit ventilators, fuel furnaces, variable refrigerant flow (VRF), air source split systems or mini-splits, packaged rooftop units, water source heat pumps, fin tube/baseboard, radiant panels/beams, air displacement, other) (maximum of 5000 characters).

The mechanical heating system at the Marshall Middle School is a legacy steam-based infrastructure that is over 50 years old. The system is characterized by aging generation components, a deteriorating distribution network,

and a lack of modern energy controls, resulting in frequent operational failures and instructional disruptions.
The primary heat source for the 196,100-square-foot facility is natural gas. The boiler plant consists of a configuration of three steam boilers:
> Original 1972 Units: Two of the natural gas-fired boilers are original to the building's construction. These units have far exceeded their expected 25-to-30-year service life and operate at significantly lower efficiencies than modern condensing equipment.
> 2002 Supplemental Unit: A third shell-and-tube steam boiler was added in 2002. While newer than the original plant, this unit required a total tube replacement in 2022 to remain operational, indicating advanced wear.
> Control Integration: To mitigate the limitations of the original generation controls, the district installed a "Heat Watch" system. While this provides improved boiler management during the "shoulder" seasons, it cannot overcome the fundamental mechanical inefficiencies of a 52-year-old steam plant.
Heat distribution is achieved through a variety of aging terminal units and specialized systems:
> Unit Ventilators and AHUs: The majority of the school is heated via original unit ventilators (univents) and Air Handling Units (AHUs). While select units have been replaced over the decades, the core of the distribution network remains original 1972 equipment.
> Supplemental Heating: Various areas of the building rely on a combination of electric baseboard heat and original steam radiators to maintain minimum occupancy temperatures.
The steam distribution infrastructure is a primary source of facility instability and operational risk:
> Piping and Tunnels: The original steam piping runs through a network of restricted-access tunnels beneath the school. These pipes have begun to fail systemically. Due to their location, leaks often go undetected for long periods, leading to significant energy waste and potential structural damage from moisture.
> Coil Failures: Steam coils within the AHUs and univents frequently develop leaks. These failures often necessitate the emergency relocation of classes while repairs are performed, causing significant disruption to the educational program.
> Domestic Hot Water (DHW): The school utilizes an original gas-fired water heater paired with two large storage tanks. Like the heating plant, this equipment is nearly 60 years old and well beyond its intended lifespan, exhibiting declining recovery rates and internal scaling.
The building lacks a modern Building Management System (BMS), relying instead on an original 1972 pneumatic control system.
> Outdoor Air Limitations: The current configuration of the univents and AHUs causes outside air dampers to close upon a call for heat. To achieve required fresh air exchange during winter months, staff must manually open windows. This practice further taxes the failing heating system and creates uncomfortable thermal drafts.
> Pneumatic Failure: The aging pneumatic lines are prone to leaks and calibration drift. This makes it nearly impossible to maintain consistent temperatures across the diverse wings of the large facility, leading to rooms that are chronically underheated or overheated.

In summary, the mechanical systems at the Marshall Middle School are in a state of advanced decline. The combination of failing underground steam piping, original pneumatic controls, and the inability to provide adequate fresh air without manual intervention represents a significant challenge to the health, safety, and comfort of the building's occupants.

MECHANICAL COOLING SYSTEMS: Please provide a detailed description of the current mechanical cooling systems, including system age(s), and any known problems or existing conditions. Describe the current cooling system source (i.e. air-cooled chiller, water-cooled chiller, mini-splits/DX, ground source heat pump, other, none) and describe the current cooling distribution (i.e. air handling units or rooftop units, fan coil units, unit ventilators, chilled beams, variable refrigerant flow (VRF), packaged rooftop units, water source heat pumps, air displacement, other, none) (maximum of 5000 characters).

The Marshall Middle School lacks a modern, building-wide centralized mechanical cooling system. The facility relies on a fragmented collection of aging localized units, many of which are past their engineered service life, leaving the vast majority of instructional spaces without climate control.
The cooling infrastructure is comprised of several different technologies serving limited areas of the building:
> Administrative Rooftop Unit (RTU): The main administrative offices are served by a 3-ton packaged rooftop unit

(DX). This unit is in poor condition and has exceeded its usable life. Due to frequent mechanical failures and declining performance, the district has been forced to install supplemental window AC units in these offices to maintain habitable working conditions.
> Office Unit Ventilators: Additional office spaces utilize unit ventilators (univents) equipped with small, integrated DX cooling coils. These units are over 25 years old and suffer from the mechanical obsolescence common to legacy pneumatic-controlled equipment.
> Instructional Spaces: Cooling in classrooms is extremely limited.
- Modern Retrofits: Four classrooms have recently had their original equipment replaced with modern unit ventilators featuring DX cooling options. These units are approximately 5 years old and represent the only modern cooling infrastructure in the school.
- Localized Units: In other select classrooms, cooling is provided solely through individual, district-owned window AC units.
> Critical Infrastructure (Data Room): The Marshall serves as the secondary backup data site for the entire school district. This critical technology hub is currently cooled by two residential-grade window AC units. This arrangement is highly unreliable for mission-critical hardware and lacks the redundancy and precision required for server room environmental control.

The current cooling configuration at the Marshall Middle School presents several significant operational and educational challenges:
Equipment Obsolescence: With the exception of the four newer univents, the cooling equipment is largely at or beyond its life expectancy. Sourcing replacement parts for the 25-year-old office units and the failing 3-ton RTU is becoming increasingly difficult and cost-prohibitive.
Inadequate Server Protection: Relying on residential window units to cool the district's backup data room poses a significant risk. These units are not designed for 24/7 continuous operation and do not provide the dehumidification or high-static cooling necessary to prevent hardware failure.
Acoustic and Power Constraints: The widespread use of window AC units to offset the failures of the administrative RTU and lack of classroom cooling creates significant ambient noise that interferes with instruction. Furthermore, these units place a disorganized electrical load on the building's 1960s-era electrical panels.
Inconsistent Learning Environment: The disparity between the four cooled classrooms and the rest of the building creates an inequitable environment. During shoulder months, temperatures in uncooled rooms frequently rise above optimal levels for student focus and engagement.
Humidity Management: Without a comprehensive chilled water or VRF system, the building lacks the ability to mechanically dehumidify air. This contributes to indoor air quality (IAQ) concerns and the potential for moisture-related degradation of legacy building materials.
In summary, the current cooling "system" is a collection of reactive, localized fixes that cannot meet the long-term educational or operational needs of the district, further justifying the need for a comprehensive facility solution.

Total Building Boilers 3

Boiler Section Boiler 1
Is the District seeking replacement of the Boiler? NO
Is there more than one boiler room in the Building?
What percentage of the Building is heated by the Boiler?
Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)
Age of Boiler (number of years since the Boiler was installed or replaced)
Description of repairs, if applicable, in the last three years. Include year of repair:

What percentage of the building is mechanically ventilated? 100%

What percentage of the building has mechanical cooling (not temporary or transportable i.e. window units)? 10%

Has there been a Major Replacement of the HVAC SYSTEM? YES

Year of Last Major Replacement:(YYYY) 2002
Description of Last Major Replacement:
The primary scope of the 2002 project was the replacement of the main steam boiler. The original unit was decommissioned and replaced with a modern, high-capacity steam boiler designed to serve the entire facility. This replacement was intended to stabilize the heating plant at the time and ensure the building remained habitable during the winter months.

Amperage of the main breaker 1601-2000

Voltage of the main breaker 480/277 three phase

Phase of the main breaker Three Phase

Has there been a Major Replacement of the ELECTRICAL SERVICES AND DISTRIBUTION SYSTEM? NO
Year of Last Major Replacement:(YYYY)
Description of Last Major Replacement:

BUILDING INTERIOR: Please provide a detailed description of the current building interior including a description of the flooring systems, finishes, ceilings, lighting, etc. (maximum of 5000 characters).

The interior of the Marshall Middle School reflects its 1972 origins, characterized by a mix of original materials and localized modern updates. While the district has maintained the facility, the aging infrastructure and the presence of hazardous materials create ongoing challenges for accessibility and long-term maintenance.

Floor Systems and Finishes: The flooring throughout the 196,100 square foot facility is a patchwork of original and replacement materials:

- Asbestos and Modern Tile: Approximately 50% of the school still contains original Vinyl Asbestos Tile (VAT). In several areas, this tile is beginning to cup and degrade, posing a maintenance concern. The district has transitioned other areas to Vinyl Composition Tile (VCT) and, more recently, Luxury Vinyl Tile (LVT).
- Specialized Areas: The main entries and kitchen feature heavy-duty quarry tile. However, sections of this flooring have cracked over time and have been patched with cement rather than replaced, creating an uneven aesthetic and functional surface.
- Restrooms and Lockers: Restrooms utilize traditional tile floors and walls. The gymnasium locker rooms are in poor condition, with fixtures and finishes that are no longer functioning properly for a modern physical education program.
- Athletic Flooring: Following a significant site drainage failure in 2023, the gymnasium floor was completely replaced.
- Administrative Spaces: Office areas are finished with carpeting, while hallways and common areas utilize a mix of rubber tile and rubber resilient flooring.

Wall and Ceiling Systems: The building's structural and decorative finishes are largely original:

- Vertical Partitions: The majority of the interior walls are Concrete Masonry Units (CMU), with limited drywall partitions in specialized areas. Visible cracking has been noted in both the CMU and drywall in various sections of the building, indicating potential settling or age-related stress.
- Ceiling Assemblies: Most academic and administrative areas utilize 2x4 and 2x2 suspended acoustic ceilings. Specialized assembly spaces, such as the front lobby and the auditorium, feature original drywall ceilings which make accessing above-ceiling utilities difficult.

Lighting and Electrical Fixtures: The district is in the midst of a phased transition to modern lighting:

- Illumination: An LED lighting replacement project has commenced; however, a significant portion of the facility still relies on older T-8 fluorescent fixtures.

- Plumbing Fixtures: The majority of restrooms utilize metering-type valves. Several areas still contain original faucets and fixtures that do not meet current ADA compliance standards for reach or operation.

Accessibility and Vertical Navigation: The interior layout presents significant barriers to universal access:

- Level Changes: The lower level of the school, which houses critical programs such as the Shop and Fine Arts departments, is primarily accessed via stairs.
- Limited Mobility Support: The facility currently relies on a single "Limited Use-Limited Access" (LULA) vertical-shaft lift to assist in student movement between levels. This reliance on a single, non-passenger elevator is insufficient for a school of this scale and creates a bottleneck for students and staff with mobility impairments.

In summary, the interior of the Marshall Middle School is a "hard" environment that lacks the flexibility required for contemporary collaborative learning. The high percentage of remaining asbestos tile, combined with significant vertical accessibility challenges and aging plumbing infrastructure, prevents the facility from being a truly inclusive and modern middle school environment.

SPACES AND PROGRAMS: Please provide a description of the number and sizes (in square feet) of all spaces. Please also provide the current grade structure and programs offered. If a vocational or comprehensive high school offering Chapter 74 Programs and/or Career Technical Education, please include the number of programs currently offered (maximum of 5000 characters).

The Marshall Middle School serves as a central hub for the district’s middle-level education, currently housing a grade structure of 5th through 7th grade. The facility’s substantial footprint allows for a wide array of academic, elective, and community-based programs, though many of these spaces are currently constrained by the original 1972 layout.

Educational Footprint and Capacity The portion of the facility dedicated to student instruction and support encompasses 165,100 square feet. This area is organized to support a robust middle school curriculum through a high volume of specialized and general-use spaces:

- General Instructional Spaces: The building contains 98 classrooms. These rooms are generously sized by 1970s standards, averaging between 900 and 1,000 square feet. These spaces house the core academic teams for English Language Arts, Mathematics, Social Studies, and Foreign Languages.
- Specialized Science and Technology Labs: Included within the classroom count are dedicated Science Labs equipped for hands-on experimentation. The school also maintains a computer lab to support the district's digital literacy initiatives and 1:1 technology integration.
- Vocational and Fine Arts: Reflecting the school's comprehensive educational model, the Marshall provides specialized wings for the Fine Arts and technical trades. This includes dedicated Art studios, Music rooms for both choral and instrumental instruction, and a traditional Wood Shop. As noted in previous sections, many of these specialized areas are located on the lower level, where accessibility remains a primary concern.

Specialized Assembly and Common Spaces: The Marshall is unique within the district for its inclusion of several large-scale assembly and athletic spaces that are no longer standard in modern middle school construction:

- Performing Arts and Lecture: The building features a dedicated Auditorium, which serves as the primary site for district-wide musical and theatrical performances. Additionally, a separate Lecture Hall is utilized for large-group instruction, staff professional development, and community meetings.
- Media Center: A centrally located Library serves as the research and literacy hub for the 5-7 grade population.
- Dining and Nutrition: A large-scale Cafeteria and full-service kitchen support the daily nutritional needs of the student body and staff.

Athletic and Physical Education Facilities: Given the 37-acre site and the scale of the building, the physical education spaces at the Marshall are extensive:

- Gymnasium: A large, regulation-sized gymnasium is used for daily physical education and interscholastic sports.

This space was recently upgraded with a new flooring system following a 2023 flood.
- Indoor Track: One of the most distinctive features of the facility is an indoor track. This area provides an all-weather solution for physical education and athletic training, though its 1972 finishes require ongoing maintenance.
Programmatic Overview: The educational program is designed to transition students from the self-contained environment of elementary school to the departmentalized structure of high school. Programs offered include:
- Core Academic Instruction (ELA, Math, Science, Social Studies).
- Special Education Services: Including both inclusion-based support and self-contained specialized programs tailored to specific student needs.
- Unified Arts: A rotating "exploratory" curriculum including Art, Music, Wood Shop, and Physical Education.
- English Language Learner (ELL) Support.

In summary, while the 165,100 square feet of educational space and 98 classrooms suggest significant capacity, the current 1972 configuration often conflicts with modern teaching methodologies that require flexible, breakout, and collaborative spaces. Furthermore, the 30,600 square feet of the building dedicated to district maintenance and storage remains physically separated from the student-facing areas, though it occupies a critical portion of the building's overall footprint.

TOTAL SCHOOL STUDENT ENROLLMENT: Please provide the current student enrollment at the school as of the SOI filing. 642

CURRENT GRADES SERVED AT SOI FACILITY: 5,6,7

SCHOOL TYPE: N/A

CAPACITY and UTILIZATION: Please provide the original design capacity and a detailed description of the current capacity and utilization of the school facility. Please also describe in detail any spaces that have been converted from their intended use to be used as classroom space (maximum of 5000 characters).

Original Design Capacity and Current Enrollment The Marshall Middle School was originally designed in 1972 to support a grade 6 through 8 model with a design capacity of 828 students. As the district has shifted its grade configurations and educational requirements, the building currently houses 641 students in grades 5 through 7. While the current enrollment is numerically lower than the 1972 design capacity, the functional capacity of the building is fully utilized due to the significant evolution of educational standards over the last five decades. Modern requirements for Special Education, English Language Learner (ELL) support, and specialized STEAM programming require a higher number of dedicated rooms than the original 1972 "junior high" model provided.

Utilization and Space Conversion: The facility is currently operating at 100% classroom utilization. Every available instructional space is occupied, leaving no room for growth or the specialized breakout spaces recommended by MSBA guidelines. To manage current administrative and operational needs, the following conversions have taken place:

- Administrative Conversion: One full-sized classroom has been converted into an administrative office to accommodate the staffing levels required for modern school oversight and student support services.

- Operational Displacement: A significant portion of the facility (30,600 square feet) is removed from educational use to serve as the district's central maintenance and grounds headquarters. This area houses all maintenance personnel, large-scale landscaping and snow removal equipment, and serves as the primary distribution hub for district-wide custodial supplies.

Impact of Consolidation Planning: The current utilization of the Marshall is a critical factor in the district's long-term facility strategy. Because the building is currently at its functional limit with only three grade levels, any potential consolidation of the Locke Middle School population into this site would be physically impossible

without a comprehensive expansion and modernization project. The original 1972 "container" was not designed for the complex, multi-service educational model of 2026, and the presence of core district operations within the building further constrains the space available for student instruction.

Summary of Facility Constraints: The Marshall Middle School is a fully occupied facility. While the gross square footage is substantial, the "hard" interior construction of 1972 provides zero flexibility for the district to reclaim space or reconfigure classrooms. The current 100% utilization rate, combined with the loss of educational space to administrative and maintenance functions, confirms that the facility has no surplus capacity to accommodate future enrollment growth or district-wide reorganization without state-supported intervention.

Is there overcrowding at the school facility? NO
If "YES", please describe in detail, including specific examples of the overcrowding and describe steps taken by the administration to address capacity issues.

Please provide the current student to teacher ratios at the school facility that is the subject of this SOI (# students per teacher) 25

Please indicate if the ratio is a goal, practice or a class size policy adopted by the School Committee
The Billerica School Committee maintains a clear commitment to providing an equitable and effective learning environment by monitoring and managing class size ratios.

At this time, the district identifies the current class size ratio at the Marshall Middle School as an active practice and a primary educational goal. While the district does not currently have a rigid, formally adopted "policy" that mandates specific caps, it tries to adhere to the MSBA maximum enrollment guidelines as its operational benchmark for facility planning and staffing.

As the district navigates the challenges of aging infrastructure and shifting demographics, maintaining these current ratios is a top priority for the following reasons:

The district's goal is to ensure all classrooms remain within 25 students per classroom ratio for grades 6–12.

Based on the January 2026 NESDEC demographic study, Billerica is anticipating an increase in enrollment. The district feels the current ratio is appropriate for delivering high-quality, personalized instruction and is committed to maintaining these levels despite the projected growth.

During the 2023 Master Plan update, the visioning committee reinforced that smaller class sizes are essential for 21st-century learning, specifically to support collaboration, technology integration, and hands-on project-based learning.

Please provide the originally planned student to teacher ratios at the school facility that is the subject of this SOI (# students per teacher) 25

MAINTENANCE and CAPITAL REPAIR: Please provide a detailed description of the district's current maintenance practices within the past five years, its capital repair program, and the maintenance program in place at the facility that is the subject of this SOI. Please include specific examples of capital repair projects undertaken in the past, including any override or debt exclusion votes that were necessary (maximum of 5000 characters).

The Billerica Public Schools maintains a rigorous and multifaceted approach to facility management for the Marshall Middle School. Given the scale of this 196,100 square foot facility and its dual role as both an educational center and the district's maintenance headquarters, the district employs a sophisticated combination of internal oversight, predictive technology, and strategic capital planning.

To manage the complex 1972 infrastructure of the Marshall, the district utilizes a comprehensive Electronic Maintenance Management System (EMMS). This platform is the backbone of the district's preventative

maintenance (PM) strategy:

- Systematic PM Execution: Work orders are generated and distributed on monthly, quarterly, and annual intervals based strictly on manufacturer recommendations and industry best practices. This systematic approach covers all critical building systems, including HVAC, electrical distribution, and plumbing infrastructure.
- Data-Driven Replacements: By tracking the service history of the Marshall's aging components—such as the 2002 boiler and original pneumatic controls—the district uses the EMMS to transition from reactive repairs to a predictive maintenance model. This data allows the facilities team to identify systems nearing failure before they cause significant instructional downtime.

For daily operational issues, the district utilizes a centralized digital work order system:

- Internal Response: A dedicated maintenance staff monitors the system daily, triaging requests to ensure that life-safety and emergency repairs are prioritized.
- Specialized Technical Support: To ensure high-level technical compliance, the district partners with third-party licensed contractors for all specialized HVAC, electrical, and plumbing interventions. This hybrid model ensures that the Marshall's legacy systems are serviced by experts familiar with 1970s-era infrastructure.

Billerica's capital planning is rooted in long-term transparency and municipal collaboration. The district follows a Master Plan that is comprehensively updated every 10 years to ensure that facility investments align with the town's broader goals:

- Town Meeting Integration: Each fall, the school department presents a prioritized list of capital projects to the Town Meeting. These requests are informed by the data collected through the preventative maintenance program, allowing the district to advocate for funding based on documented system needs rather than just age.
- Recent Capital Projects: Within the past five years, the district has successfully executed several targeted capital repairs at the Marshall to maintain a safe and functional environment. These include:
1. Phased Lighting Modernization: Significant investment has been made to begin replacing original fluorescent fixtures with high-efficiency LED systems.
2. Hazardous Material Abatement: The district is engaged in an ongoing, multi-year capital program to systematically remove original asbestos-containing floor tiles and replace them with modern, non-hazardous resilient flooring.
3. Mechanical System Stabilization: Capital funds have been directed toward the repair and retubing of the boiler plant and the replacement of failing steam coils in various air handling units to prevent classroom closures during the winter months.

In summary, the district's maintenance of the Marshall Middle School is exemplary given the facility's age and the inherent failures of its 1972-era materials. Billerica has maximized the lifespan of these systems through aggressive preventative maintenance and a structured capital repair program. However, as the 2023 flood and ongoing envelope issues demonstrate, the facility has reached a point where localized capital repairs can no longer keep pace with the systemic deterioration of the building's original infrastructure.

Please indicate if the District's annual budget includes training for its maintenance staff. YES
If "YES", please describe.
The Billerica Public Schools maintains a district-wide facilities team, with assistance from specialized vendors, dedicated to the stabilization of the Marshall Middle School. Given the facility's age and the specific hazards associated with its 1950s-era construction, the district prioritizes safety, regulatory compliance, and emergency response.

1. Asbestos Operations and Maintenance (O&M) Training
Because the Marshall Middle School contains significant amounts of legacy asbestos-containing materials (ACM)—most notably the thermal system insulation on the steam piping located in the building's crawlspaces and tunnels—all relevant maintenance personnel receive specialized Asbestos Awareness and O&M training.

This training ensures that staff can identify potential hazards, follow strict "no-disturbance" protocols, and coordinate with licensed abatement professionals when a steam pipe rupture necessitates emergency access to contaminated areas.

2. OSHA Safety and Compliance
The district provides comprehensive OSHA (Occupational Safety and Health Administration) training to all maintenance staff. This training is critical for the Marshall's environment, covering:

Confined Space Entry: Essential for the safe inspection of the facility's utility tunnels and steam pits.

Lockout/Tagout (LOTO): Vital for performing repairs on the 2002 steam boiler and original mechanical pumps.

Personal Protective Equipment (PPE): Ensuring staff are protected during the frequent "reactive" repairs required by the building's failing infrastructure.

3. Specialized Systems Orientation
In addition to safety certifications, staff receive ongoing "on-the-job" training focused on the Marshall's unique mechanical challenges. This includes managing the pneumatic control system and the specific water-treatment chemistry required to prevent further scaling and corrosion within the 60-year-old hydronic distribution network.

In summary, the training program for the Marshall Middle School is designed to mitigate the inherent risks of an obsolete facility. While our staff is fully trained to manage the building safely, the increasing frequency of systemic failures, particularly within asbestos-impacted zones, is reaching a point where routine maintenance and specialized training can no longer compensate for the facility's physical degradation.

Priority 4

Question 1: Please describe the conditions within the community and School District that are expected to result in increased enrollment.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

While Billerica is experiencing the long-term demographic shifts common across the Commonwealth, including an aging median population and a decline in births, the district is currently managing a specific, short-term surge in school-aged enrollment. This growth is driven by three distinct factors identified in the January 2026 NESDEC Demographic Study:

1. Residential Appeal and "Home Appreciation" Surge
Billerica has seen a significant surge in real estate popularity. NESDEC notes that the town's relatively large lot sizes, proximity to major employment hubs like Boston and Burlington, and the quality of the school system have maintained high demand despite a low inventory of homes.
The Impact: Median home prices have appreciated by 4% in the last year alone. This "real estate pull" is bringing new families into existing housing stock, offsetting the general trend of an aging population.

2. Immediate Enrollment increase in K-12
The NESDEC study highlights a clear upward trend in the immediate three-year horizon as larger elementary cohorts move through the system. Overall K-12: Projected to increase by 129 students (2.7%) over the next three years.

3. New Residential Construction and Pipeline Projects
As of January 16, 2026, there is active residential construction in Billerica that is not yet fully reflected in historical birth data.

New construction currently underway is expected to yield additional middle school students above and beyond the standard enrollment projections.

Pipeline Impact: The study further notes that additional projects currently in the "Approval Pipeline" will likely continue to impact student enrollment, requiring the district to monitor these developments closely to prevent sudden overcrowding.

In summary, the condition in Billerica is one of "localized growth within a stabilizing population." While the number of K-12 students per household has declined historically, the current surge in real estate popularity and the active residential construction pipeline are funneling new students into the middle school grades. This notable increase of 129 additional K-12 students over the next three years, compounded by possible additional students generated from new construction, threatens the district's ability to maintain its current educational standards without a comprehensive facility solution.

Priority 4

Question 2: Please describe the measures the School District has taken or is planning to take in the immediate future to mitigate the problem(s) described above.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

While the Marshall Middle School has not yet surpassed its functional capacity, the district has identified the looming "enrollment bubble" and is submitting the Marshall Middle as a secondary SOI for district-wide strategy and planning:

1. Data-Driven Facility Planning

The primary mitigation measure taken by the district was the commissioning of the January 2026 NESDEC Demographic Study. By seeking professional, third-party forecasting, the district has moved beyond anecdotal observation to data-based planning. This study allows the district to:

- Identify the Timeline: Recognizing that an increase is projected over the next three years.
- Monitor the Pipeline: Tracking the "Approval Pipeline" for new residential construction to anticipate the 5-6 additional middle school students projected from current builds.

2. Strategic MSBA Engagement

The district has identified that the Marshall's "hard" masonry construction offers no internal flexibility for rapid expansion. Therefore, the submission of this Statement of Interest (SOI) is, in itself, a critical mitigation measure. By engaging with the MSBA now, before the projected enrollment surge hits and is difficult to mitigate in other buildings, the district is seeking a long-term facility solution that avoids the future need for "emergency" measures such as:

- The loss of specialized art, music, or intervention spaces to create general classrooms.
- The utilization of temporary modular classrooms.
- Increases in class sizes that would not be educationally sound for students.

3. Ongoing Enrollment Monitoring

The district leadership team continues to work closely with the Town's planning department to review residential permits and occupancy timelines. This inter-departmental cooperation ensures that any sudden spikes in enrollment, particularly from the "surge in popularity" of Billerica real estate, can be managed through internal scheduling adjustments in the short term, while the long-term facility plan is developed.

In summary, the district's current strategy is focused on prevention rather than reaction. We have not yet realized overcrowding at the Marshall, but the 2026 NESDEC data serves as an early warning system. Our current mitigation is the pursuit of a comprehensive building project that provides the permanent square footage and flexible design required to absorb the documented growth in the K–12 population.

Priority 4

Question 3: Please provide a detailed explanation of the impact of the problem described in this priority on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The Marshall Middle School serves a dual role in the Billerica Public Schools' long-term facility strategy. While the building has not yet surpassed its functional capacity, it is the secondary and supporting component of a comprehensive district-wide plan to mitigate burgeoning enrollment pressures at the elementary level and within the Locke Middle School.

The "Pressure Valve" for District-Wide Capacity

The primary impact of the Marshall's current facility status is its inability to serve as a relief valve for other schools. The "hard" masonry construction is rigid and lacks the "swing space" or expansion potential needed to support a district-wide reorganization.

Specific Example: As the January 2026 NESDEC study projects a K-12 enrollment increase over the next three years the district requires a flexible middle school inventory to potentially adjust grade configurations.

Direct Effect: Because the Marshall cannot be easily reconfigured or expanded, the district is restricted in how it can redistribute students to alleviate overcrowding at the elementary schools. This forces the elementary buildings to remain at high-density levels, directly impacting the delivery of early childhood intervention and specialized programming.

Strategic Avoidance of Future Overcrowding

The district's strategy for the Marshall is preemptive. By identifying the 2.7% projected growth now, the district aims to avoid the "educational erosion" that occurs when a building finally reaches its breaking point.

Specific Example: The NESDEC study notes that new residential construction will yield additional middle school students in the immediate pipeline.

Direct Effect: Without a modernized facility at the Marshall that incorporates flexible "learning commons" and scalable classroom clusters, the district will eventually be forced to sacrifice its specialized fine arts and small-group intervention rooms to create general education seating. By addressing the Marshall now, the district prevents a future scenario students at the receive a "lesser" educational experience than their peers due to space-driven program eliminations.

Preserving Programmatic Equity

The current fixed footprint of the Marshall does not allow for the increased capacity required to maintain equity across the district.

Direct Effect: If the Marshall is not modernized to account for the projected growth bubble, the district risks a two-tiered educational system. Students at a newer or more flexible facility would have access to dedicated labs and studios, while

students at the Marshall would see those same programs compromised or "put on a cart" simply to make room for rising enrollment numbers.
In summary, the Marshall Middle School is a critical piece of Billerica's "Master Plan" to avoid overcrowding. While the facility has not yet reached a state of severe over-enrollment, its physical obsolescence prevents it from supporting the broader district-wide enrollment shifts. A project at the Marshall is not just about the students currently in the building; it is a strategic necessity to ensure that no school in Billerica reaches a point of educational failure due to space constraints.

Please also provide the following:

Cafeteria Seating Capacity: 375

Maximum number of lunch seatings that can be accommodated per day: 3

Would modular units be necessary on-site to be used for classroom space as a result of future overcrowding?: NO

Would non-traditional classroom spaces need to be converted to be used for classroom space?: NO

If "YES", indicate the number of non-traditional classroom spaces impacted:

Please provide a description of each non-traditional classroom space, its originally-intended use and how it is currently used (maximum of 1000 characters).:

Please explain any recent changes to the district's educational program, school assignment policies, grade configurations, class size policy, school closures, changes in administrative space, or any other changes that are leading to a situation of anticipated overcrowding (maximum of 5000 characters).:

The Billerica Public Schools has undergone a comprehensive, multi-year strategic reorganization that began with the construction of the new Billerica Memorial High School in 2019. These thoughtful and deliberate actions successfully modernized the educational experience for Grades 8-12 and optimized student distribution across the elementary tier. However, as the district continues to adapt to an evolving community, the Marshall Middle School stands as an important secondary component of our current facility strategy. While the Locke Middle School is the primary focus of this Statement of Interest, the 2023 facility study indicates that the Marshall also requires significant infrastructure updates, making it a logical and fiscally responsible candidate for modernization in tandem with the broader middle-tier plan.

The opening of the new high school served as a catalyst for a proactive grade-level realignment across the district. Following a plan, Grade 8 was moved to the high school, and Grade 5 was transitioned into the middle schools. This move was a strategic success, allowing for more specialized middle-level programming and better utilization of the new high school's 21st-century learning environment. As the district looks to the future, the Marshall has limited "surge capacity" to accommodate the natural grade-level advancement now documented in the January 2026 NESDEC study.

Simultaneous with this reorganization, the district implemented a comprehensive redistricting plan and closed the Vining Elementary School to consolidate resources and balance enrollment across the remaining primary buildings. These moves were part of a prudent, long-term strategy to ensure operational efficiency. However, the district must remain dynamic; as demographic shifts occur and state-mandated educational programs for Special Education and Social-Emotional Support continue to evolve, the demand for flexible, specialized space has increased.

To meet these modern legal mandates within the Marshall's rigid, "hard" masonry footprint, the district has had to be creative in how it utilizes space. Professional administrative and therapeutic services are often housed in repurposed closets or small nooks. While these solutions demonstrate the district's ability to adapt in the short term, we have reached a point where it is increasingly more difficult to provide these essential support services with the acoustic privacy and professional dignity that current educational standards require.

Finally, the January 2026 NESDEC study provides new data indicating an increase in the K-12 population over the next ten years. This growth is being mirrored in other levels, which are in some cases projected to reach or exceed buildings' design capacity. Billerica has proven its commitment to thoughtful facility management by successfully modernizing its high school and redistricting its students. Considering the Marshall in this current planning phase represents the next step of that same responsible stewardship. Because the Marshall is currently locked into its 1970s footprint, weighing its modernization, coordinated with the potential Locke project, is essential to ensure the district can continue to absorb student cohorts and specialized programs effectively.

What are the district's current class size policies (maximum of 500 characters)?:

The School Committee has guidelines set forth for the elementary level:

Kindergarten: 21 students per classroom (this was increased due to budget constraints in April of 2023)

Grades 1-2: 23 students (this was increased due to budget constraints in April of 2023)

Grades 3-4: 25 students (this was increased due to budget constraints in April of 2023)

Priority 5

Question 1: Please provide a detailed description of the issues surrounding the school facility systems (e.g., roof, windows, boilers, HVAC system, and/or electrical service and distribution system) that you are indicating require repair or replacement. Please describe all deficiencies to all systems in sufficient detail to explain the problem.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The Marshall Middle School is currently managed through a rigorous maintenance schedule, yet it is burdened by a building envelope and mechanical systems that have surpassed their intended 50-year service life. The intersection of original 1972 infrastructure and modern educational requirements has created a cycle of reactive repairs that are increasingly difficult to sustain.

Building Envelope and Moisture Management: While the district has been diligent with localized repairs to the roof and masonry, the building envelope as a whole requires a comprehensive modernization to maintain the integrity of the interior learning environment.

- Roofing System Integrity: Despite ongoing preventative maintenance, the aging roofing membrane has reached a point of diminished returns. Persistent, weather-dependent leaks continue to occur, which require immediate custodial attention to protect interior finishes and educational technology. A comprehensive replacement is necessary to move beyond localized patching and ensure long-term protection of the building's structural deck.

- Thermal Performance and Glazing: The original 1972 single-pane window systems lack modern thermal breaks and offer negligible insulation value. This leads to significant radiant heat loss during winter months and solar heat gain in the spring. These "thermal swings" force the legacy heating system to work harder to maintain a consistent temperature, resulting in inefficient energy consumption and uneven comfort levels across different classroom wings.

Mechanical Systems and Operational Reliability: The district's facilities team works tirelessly to keep the Marshall's mechanical systems operational, but the age of the equipment has created significant logistical challenges.

- Heating and Ventilation: The building relies on original heating units and distribution systems that are over 50 years old. Finding replacement parts for these obsolete units is increasingly difficult, as many are no longer manufactured. When a unit fails, it can take a classroom offline temporarily while the facilities team sources or fabricates a fix. This creates a disruption to the educational day, requiring students to be relocated to other areas of the building until thermal consistency is restored.

- Universal Access and ADA Integration: As a 1972 facility, the Marshall was not designed with modern Universal Design or ADA standards in mind. While the building is safe and occupied, certain architectural features, such as high window sills, antiquated toilet room layouts, heavy manual doors, and specific classroom configurations, do not provide the seamless, independent access required for students and staff with mobility impairments. Modernizing these elements is essential to ensuring every educational zone is equally accessible to all members of the school community.

In summary, the Marshall is a well-cared-for facility, but it is reaching the limit of what can be achieved through maintenance alone. The systems are functionally obsolete, and the cost of maintaining 50-year-old equipment is rising. Considering the Marshall as part of a larger District project is a proactive step to replace aging infrastructure with high-

efficiency, reliable systems that will provide a stable and comfortable environment for Billerica students for the next half-century.

Priority 5

Question 2: Please describe the measures the district has already taken to mitigate the problem/issues described in Question 1 above.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The Billerica Public Schools has implemented a rigorous maintenance and stabilization strategy to extend the service life of the Marshall Middle School's legacy systems. The district's primary objective is to ensure a consistent and comfortable learning environment through a combination of internal preventative maintenance and specialized third-party contracting. However, these measures are increasingly transitionary as the 1972 infrastructure reaches the end of its functional lifecycle.

Mechanical and HVAC Stabilization: To ensure the operational reliability of the heating plant, the district has moved beyond standard maintenance to a specialized service model.

- Third-Party Expertise: The district currently contracts with a specialized HVAC firm to perform comprehensive, high-level maintenance on the 1972-era boilers and distribution pumps. This ensures the natural gas-fired plant operates at its maximum possible efficiency and remains in compliance with all safety standards.

- Proactive Repairs: When terminal units or individual components fail, the district utilizes an integrated internal work order system to deploy facilities staff for immediate repair. While this "reactive-proactive" approach has been successful in keeping classrooms online, it is becoming significantly more difficult due to the obsolescence of the hardware. As replacement parts for these specific units are no longer manufactured, the district must often source salvaged parts or perform custom fabrications to maintain system continuity.

Envelope Integrity and Moisture Mitigation: The district maintains a "patch and repair" cycle designed to protect the building's interior finishes and educational technology from the elements.

- Targeted Roofing Repairs: Facilities personnel conduct regular inspections of the roof membrane, particularly following significant weather events. When leaks are identified, the district performs localized repairs to the flashing and membrane to prevent water infiltration. While these measures successfully mitigate immediate damage to specific classrooms, they do not address the systemic failure of the aging drainage and flashing systems, which leads to the periodic emergence of new leaks in different zones of the building.

- Window and Glazing Maintenance: The original 1972 window systems are monitored for structural integrity and seal failure. The district performs routine caulking and weather-stripping to minimize drafts; however, because the systems lack modern thermal breaks, these measures cannot significantly improve the building's overall R-value or energy conservation.

In summary, Billerica's commitment to the Marshall is evidenced by the high level of cleanliness and mechanical functionality maintained by our facilities team. We have taken every reasonable step to preserve the building's systems, including the use of specialized contractors and a robust internal response team. These efforts have been successful in keeping the school safe and operational for our students, but they represent a mounting financial burden as the cost of "maintaining the obsolete" continues to climb. A comprehensive modernization is the only sustainable path forward to achieve true energy conservation and long-term facility stability.

Priority 5

Question 3: Please provide a detailed explanation of the impact of the problem/issues described in Question 1 above on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The systemic infrastructure challenges at the Marshall Middle School have moved beyond maintenance concerns and now directly impact the district's ability to deliver a modern, equitable educational program. The physical limitations of the 1972 facility create a "pedagogical ceiling," where the building's infrastructure dictates the curriculum rather than the curriculum driving the use of the building.

1. Infrastructure as a Barrier to Digital Literacy

The Billerica Public Schools is committed to a 1:1 device environment and the full integration of the Massachusetts Digital Literacy and Computer Science (DLCS) Curriculum Frameworks. However, the Marshall's original electrical architecture has reached its maximum capacity.

- Specific Example: In many 1972-era classrooms, the electrical service cannot support the simultaneous charging and operation of a full suite of student devices alongside modern instructional technology. Teachers are often forced to choose between powering an interactive display or allowing students to charge their laptops.
- Direct Effect: This creates a fragmented instructional day where collaborative software and real-time digital assessments, cornerstones of modern middle school pedagogy, must be curtailed or abandoned due to a lack of reliable power. It prevents the "seamless" integration of technology that is required for 21st-century career and college readiness.

2. Inequity in Instructional Design

Because the 1972 masonry construction and electrical load limits vary across the building, the district cannot provide a uniform technological experience for all students.

- Specific Example: Certain wings of the Marshall cannot support the installation of modern, high-draw interactive displays or specialized STEAM (Science, Technology, Engineering, Arts, and Math) equipment without risking circuit overloads.
- Direct Effect: This results in a "geographic inequity" within the school. A student's access to advanced visual aids and specialized equipment is determined by their classroom assignment rather than their educational needs. This prevents the district from ensuring that every student, regardless of where their locker is located, has an equal opportunity to engage with the full breadth of the curriculum.

3. Environmental Impact on Student Focus and Engagement

The lack of a thermally broken building envelope and the frequent failure of original pneumatic heating controls lead to significant, unpredictable temperature fluctuations.

- Specific Example: During the winter months, classrooms on the windward side of the building often struggle to maintain a consistent temperature due to the original single-pane windows, while interior rooms may overheat due to the lack of modern, zoned HVAC controls.

- Direct Effect: Thermal discomfort is a documented distractor that negatively impacts student cognitive load and focus. When students and teachers are forced to wear coats indoors or are distracted by the noise of struggling legacy heaters, the instructional minutes are less effective. Furthermore, the occasional need to relocate classes due to localized heating failures disrupts the "flow" of the educational day, causing a loss of momentum in complex lesson plans.

In summary, the problems identified in Priority 5 do not just represent a financial burden for the facilities department; they represent a loss of educational opportunity. The Marshall’s 1972 systems limits the district from providing a truly equitable, technology-rich environment. Modernizing these systems is not merely an "upgrade", it is a requirement to ensure that Billerica can deliver the high-quality, digitally integrated education that our students deserve and the Commonwealth mandates.

Priority 5

Question 4: Please describe how addressing the school facility systems you identified in Question 1 above will extend the useful life of the facility and how it will improve your district's educational program.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

Considering the Marshall Middle in a consolidated plan to shift to a comprehensive modernization or replacement represents a pivotal shift from unsustainable maintenance to a 50-year capital investment. By moving beyond localized repairs and pursuing a full-scale rehabilitation or new construction, the district will eliminate the "infrastructure ceiling" of the 1972 design, providing a high-performance facility that matches the pedagogical standards of the Billerica Memorial High School.

1. Extension of the Facility's Useful Life

A total building project, whether through a comprehensive core-and-shell renovation or a new facility, is the only path to resetting the building's lifecycle clock.

- Elimination of Systemic Failure: Unlike a simple roof replacement, a full modernization allows for a redesigned building envelope with integrated thermal breaks and high-performance moisture barriers. This protects the structural integrity of the facility from the inside out, ensuring a 50-year lifespan rather than a 15-year "patch" cycle.

- Modern Systems Integration: A full rebuild or rehab allows for the installation of modern, high-efficiency HVAC and electrical systems that are natively designed for current energy codes. By replacing the 1972 "hard-wired" legacy systems with a flexible, digital infrastructure, the district ensures that the facility can be easily maintained and updated as technology evolves over the next half-century.

- Sustainability and Operational Efficiency: A new or fully rehabilitated facility will operate at a fraction of the current energy cost. By achieving modern LEED or stretch-code standards, the district significantly lowers the long-term "total cost of ownership," redirecting taxpayer dollars from utility waste back into the classroom.

2. Transforming the Educational Program

The true value of a full-scale project is the removal of the physical barriers that currently restrict Billerica's middle-school educational experience.

- Total Digital Enablement: A new or fully rehabbed facility provides the robust electrical backbone and high-density data distribution required for a 1:1 learning environment. We will no longer be limited by 1972 circuit capacities; instead, every instructional space will be a "tech-ready" environment, fully supporting the Massachusetts Digital Literacy and Computer Science (DLCS) Curriculum Frameworks.
- Pedagogical Fluidity and Equity: Modernizing the Marshall allows for a transition away from "cells and bells" classrooms toward flexible, collaborative learning neighborhoods. A new floor plan can incorporate the breakout spaces and "Learning Commons" that 21st-century middle school pedagogy requires. This ensures that the Marshall offers a programmatic experience that is equitable to any other facility in the district, removing the "geographic inequity" inherent in the current 1972 layout.
- Inclusivity through Universal Design: A comprehensive project allows for the full integration of Universal Design for Learning (UDL) principles. Rather than "retrofitting" for ADA compliance, a new or rehabbed building

provides seamless, barrier-free access for all students and staff. This fosters a truly inclusive culture where the physical environment supports the social-emotional and mobility needs of every occupant.

In summary, considering the Marshall Middle in a comprehensive rehabilitation or replacement project is a commitment to the next few generations of Billerica students. It transforms a building that is currently an "obstacle to overcome" into a "dynamic tool for learning." This strategic investment will not only extend the facility's life by another 50 years but will align the Marshall with the district's vision of a modern, equitable, and first-class educational system.

If not located elsewhere in this SOI, please also provide the following information:

Have the systems identified above been examined by an engineer or other trained building professional?:
YES

If "YES", please provide the name of the individual and his/her professional affiliation (maximum of 250 characters):
Garcia, Galuska, DeSousa (GGD Engineering) - Mechanical, Electrical, Plumbing Fire Protection Engineers

The date of the inspection: 2/2/2022

A summary of the findings (maximum of 5000 characters):
See above summaries.

Priority 7

Question 1: Please provide a detailed description of the programs not currently available or in substandard spaces due to facility constraints, the state or local requirement for such programs, and the facility limitations precluding the programs from being offered.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The Marshall Middle School is a product of 1972 "junior high" design philosophy, which prioritized static, isolated classrooms and rigid departmentalization. Today, the Commonwealth's educational standards and Billerica's local pedagogical goals require a fluid, technology-rich, and collaborative environment. The Marshall's fundamental infrastructure has reached a point of systemic obsolescence where it limits the district's ability to support the full range of modern programs required by the Massachusetts Curriculum Frameworks and the Digital Literacy and Computer Science (DLCS) standards.

1. Infrastructure as a Ceiling for Digital Literacy

The most significant facility limitation is the Marshall's electrical and technological infrastructure, which is operating at its functional capacity.

- The Limitation: The original 1972 switchgear and branch panels were designed for a pre-digital era. While they currently support basic operations, they cannot reliably accommodate additional receptacles, high-density data cabling, or the power loads required for a true 1:1 device environment and the high-performance instructional tools used in modern classrooms.
- Programmatic Impact: This creates a constrained environment for implementing state-mandated DLCS standards. Students cannot fully engage in high-level coding, digital media production, or real-time collaborative software if the building's power distribution is inconsistent. This infrastructure ceiling creates a disparity between the district's pedagogical goals and the physical reality of the classroom, hindering the "seamless" digital fluency that is a baseline requirement for 21st-century learners.

2. Rigidity as a Barrier to Collaborative and STEAM Programming

Modern middle school standards emphasize interdisciplinary "team" teaching and STEAM (Science, Technology, Engineering, Arts, and Math) integration. These programs are best served by "Learning Commons," breakout spaces, and flexible labs that can be reconfigured based on the project.

- The Limitation: The Marshall is characterized by "hard" masonry construction. Internal load-bearing walls and antiquated mechanical/electrical backbones are deeply integrated into the structure, which limits the creation of the open, flexible spaces required for modern middle-level pedagogy.
- Programmatic Impact: Specialized STEAM programs and collaborative project-based learning are often confined to traditional "box" classrooms. These spaces frequently lack the necessary utility "drops," specialized ventilation for maker-space equipment, and the physical square footage for students to work effectively in teams. The building's rigid configuration makes it increasingly difficult for the district to deliver the creative, hands-on science and engineering curriculum that state standards now prioritize.

3. Substandard Support for Specialized and Inclusive Programming

Since 1972, the state requirements for Special Education (SPED), English Learner (EL) services, and Social-Emotional Learning (SEL) have expanded exponentially.

- The Limitation: The original design included very few small-group instructional rooms or confidential therapeutic spaces. Because the building's footprint and electrical capacity offer limited flexibility for expansion, the district has had to repurpose various non-instructional areas into makeshift offices and intervention rooms.
- Programmatic Impact: While these spaces allow for service delivery, they are often substandard in terms of acoustic privacy, natural light, and climate control. Delivering state-mandated IEP services or EL interventions in repurposed storage areas or small nooks is inconsistent with Billerica's commitment to equity. The physical constraints of the 1972 building prevent the district from offering these essential programs in the purpose-built, high-quality environments they deserve.

In summary, the Marshall Middle School is facing functional obsolescence. It is not merely a matter of repairing the 1972 infrastructure, but of addressing a building whose "hard" construction and exhausted electrical capacity act as a persistent brake on the full range of digital, collaborative, and inclusive programs required by the Commonwealth. A comprehensive replacement or modernization is the most sustainable way to ensure Billerica students have access to an educational environment that is fully consistent with 21st-century requirements.

Priority 7

Question 2: Please describe the measures the district has taken or is planning to take in the immediate future to mitigate the problem(s) described above.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The Billerica Public Schools pursues a strategy of tactical maintenance and incremental electrical adjustments to mitigate the functional limitations of the Marshall Middle School. While these efforts have successfully kept the facility safe and operational, the district has now reached a documented physical and technical plateau. The 1972 infrastructure can no longer be "patched" into modern compliance; it requires a systemic evolution.

1. Tactical Electrical Monitoring and Circuit Probing

In a constant effort to support the district's 1:1 student technology initiative and the installation of modern classroom tools, the facilities department must manage the 1972 electrical service with extreme precision.

- The Action: Whenever a modern instructional tool or additional receptacle is required, the district cannot simply add a breaker. Instead, licensed electricians must use amp probes on existing branch circuits to identify any marginal "headroom" that might allow for a nominal increase in load.
- The Finding: This circuit-by-circuit probing has confirmed that the 1972-era panels are operating at their functional maximum. The district has reached a point where even minor technological additions require a complex shell game of load balancing. This has placed the district's technological roadmap at a standstill; any further power-dependent educational improvements are physically precluded by the existing switchgear and the exhausted capacity of the original branch wiring.

2. Specialized HVAC and Component Fabrication

Because the Marshall relies on original 1972 mechanical units for which parts are no longer commercially available, the district has had to adopt unconventional mitigation tactics.

- The Action: The facilities department has shifted from standard parts replacement to a "repair and fabricate" model. When terminal units fail, staff must often source salvaged components or engage in custom fabrication to maintain thermal consistency in the classrooms.
- The Result: While these measures successfully keep the heat running, they are labor-intensive and provide no improvement to energy conservation or indoor air quality. They represent a "holding pattern" rather than a long-term solution for a 21st-century learning environment.

3. Spatial Reconfiguration and Adaptive Use

To accommodate the expansion of state-mandated Special Education and English Learner programs within a fixed masonry footprint, the district has exhausted all internal spatial options.

- The Action: Every non-instructional square foot of the building has been evaluated for potential conversion. This has resulted in the transformation of former storage closets, teacher workrooms, and small alcoves into intervention spaces and confidential meeting rooms.

- The Result: While these adaptations allow the district to fulfill its legal obligations for service delivery, the quality of these spaces is substandard. They lack the acoustic isolation and natural light necessary for high-quality therapeutic or instructional work, and there are no remaining "unassigned" spaces left to convert.

In summary, Billerica’s maintenance and facilities teams have been exemplary in their stewardship of the Marshall. We have moved beyond routine care into the realm of manual circuit-load testing and custom mechanical stabilization. However, these measures have collectively confirmed that the 1972 infrastructure has reached its terminal point. No amount of additional maintenance, amp-probing, or clever spatial repurposing can resolve the fundamental issues of an undersized electrical service, obsolete mechanical hardware, or a rigid masonry layout. The district has successfully mitigated the immediate risks of a legacy building, but a comprehensive modernization is the only remaining path to delivering a full range of modern educational programs.

Priority 7

Question 3: Please provide a detailed explanation of the impact of the problem described in this priority on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

If a response has been previously provided, please reference which page the information is on in lieu of copying and pasting. The responses per Priority should capture new or different information than previously provided within this document.

The functional obsolescence of the Marshall Middle School has moved beyond a facilities management challenge and now represents a direct impact on the district's daily instructional delivery. The physical limitations of the 1972 facility create a "pedagogical ceiling," where the building's infrastructure dictates the curriculum rather than the curriculum driving the use of the building. This results in a compromised educational environment that affects student focus, teacher efficacy, and the equitable delivery of state-mandated programs.

1. Cognitive Impact of Environmental Instability

The lack of a thermally broken building envelope and the frequent failure of original 1972 mechanical components create an environment of extreme temperature fluctuations that directly affect student performance.

- The Problem: Students frequently occupy classrooms that are either excessively cold due to the original single-pane windows or overheated due to failing steam valves and obsolete pneumatic controls.
- The Impact: Research in educational environments consistently shows that students in thermally unstable rooms exhibit lower levels of focus and higher rates of fatigue. Teachers are frequently forced to make a "no-win" choice: keep students in a cold, drafty room or open windows for fresh air, which introduces external noise and further distracts the student population. This environmental stressor reduces the effective "instructional minutes" available in a school day and places an unnecessary cognitive burden on both students and staff.

2. Stagnation of Digital Literacy and 21st-Century Skills

The inability to expand the electrical load at the Marshall creates a systemic barrier to the Massachusetts Digital Literacy and Computer Science (DLCS) Curriculum Frameworks.

- The Problem: Because the 1972-era panels are at their functional maximum, teachers cannot rely on a consistent power supply for a full suite of student devices and interactive instructional tools.
- The Impact: As our facilities team must manually amp-probe circuits just to find headroom for a single additional outlet, the district is effectively at a standstill for technological growth. This prevents the "seamless" integration of technology—such as real-time collaborative coding or digital media labs—that is standard in modern Massachusetts middle schools. Students at the Marshall are directly affected by this infrastructure ceiling, as their access to 21st-century tools is limited by the age of the wiring in their assigned classrooms.

3. Programmatic Inequity and Specialized Space Deficits

The rigid, "hard" masonry construction of the 1972 facility precludes the creation of the flexible, inclusive spaces required for modern Special Education and English Learner (EL) programming.

- The Problem: State-mandated programs for high-needs students require quiet, confidential, and purpose-built intervention spaces.

- The Impact: Due to the building’s footprint being "locked" by load-bearing masonry, the district has been forced to deliver these essential services in substandard, repurposed spaces like former storage closets or alcoves. These rooms lack the acoustic privacy and professional dignity required for sensitive therapeutic or instructional work. This creates a programmatic inequity where students receiving specialized services are marginalized by the physical constraints of the building.

In summary, the Marshall Middle School facility has become an active barrier to the district’s mission. Rather than supporting 21st-century learning, the building dictates what can and cannot be taught based on which circuits are available, which rooms are dry, and which zones are thermally stable. To provide a full range of programs consistent with state requirements and Billerica's high standards, the district requires a facility that supports, rather than hinders, the delivery of instruction. A comprehensive modernization or replacement is the only way to remove these physical "brakes" on student achievement and teacher innovation.

CERTIFICATIONS

The undersigned hereby certifies that, to the best of his/her knowledge, information and belief, the statements and information contained in this statement of Interest and submitted hereto are true and accurate and that this Statement of Interest has been prepared under the direction of the district school committee and the undersigned is duly authorized to submit this Statement of Interest to the Massachusetts School Building Authority. The undersigned also hereby acknowledges and agrees to provide the Massachusetts School Building Authority, upon request by the Authority, any additional information relating to this Statement of Interest that may be required by the Authority.

Chief Executive Officer *	**School Committee Chair**	**Superintendent of Schools**
(signature)	(signature)	(signature)
Date	Date	Date

* Local Chief Executive Officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated to the chief executive office under the provisions of a local charter. Please note, in districts where the Superintendent is also the Local Chief Executive Officer, it is required for the same person to sign the Statement of Interest Certifications twice.

AFSCME
Clerical Salary Schedule effective 1-Jul-26
2.00%

Title	New Title	Step # 1	Step # 2	Step # 3	Step # 4	Step # 5	Step # 6	Step # 7	Step # 8
Weekly									
~~Head Administrative~~	Admin Three	$1,173.32	$1,220.26	$1,269.06	$1,319.82	$1,372.62	$1,427.52	$1,484.62	$1,544.01
		$31.2886	$32.5402	$33.8416	$35.1953	$36.6031	$38.0672	$39.5899	$41.1735
~~Head Clerk, COA Program~~	Admin Two	$1,049.90	$1,091.90	$1,135.58	$1,181.00	$1,228.24	$1,277.36	$1,328.46	$1,381.60
		$27.9974	$29.1174	$30.2822	$31.4933	$32.7530	$34.0629	$35.4256	$36.8427
~~Principal Clerk, COA Activities~~	Admin One	$957.28	$995.58	$1,035.41	$1,076.82	$1,119.89	$1,164.68	$1,211.27	$1,259.72
		$25.5274	$26.5487	$27.6108	$28.7151	$29.8637	$31.0582	$32.3005	$33.5925
Annual									
~~Head Administrative~~	Actual	$61,012.69	$63,453.29	$65,991.03	$68,630.87	$71,376.14	$74,230.98	$77,200.39	$80,288.40
	Budget	$61,247.35	$63,697.35	$66,244.84	$68,894.83	$71,650.66	$74,516.49	$77,497.31	$80,597.20
	Actual	$54,594.89	$56,778.98	$59,050.24	$61,411.98	$63,868.36	$66,422.70	$69,079.97	$71,843.17
~~Head Clerk~~	Budget	$54,804.87	$56,997.36	$59,277.36	$61,648.18	$64,114.01	$66,678.17	$69,345.66	$72,119.49
	Actual	$49,778.42	$51,769.93	$53,841.12	$55,994.50	$58,234.21	$60,563.58	$62,985.93	$65,505.36
~~Principal Clerk~~	Budget	$49,969.88	$51,969.04	$54,048.20	$56,209.86	$58,458.19	$60,796.52	$63,228.18	$65,757.31

AFSCME
Clerical Salary Schedule effective 1-Jul-27
2.00%

Title		Step # 1	Step # 2	Step # 3	Step # 4	Step # 5	Step # 6	Step # 7	Step # 8	Step # 9
Weekly										
~~Head Administrative~~	Admin Three	$1,196.79	$1,244.66	$1,294.44	$1,346.22	$1,400.07	$1,456.07	$1,514.32	$1,574.89	$1,637.88
		$31.9143	$33.1910	$34.5184	$35.8992	$37.3352	$38.8285	$40.3817	$41.9970	$43.6769
~~Head Clerk, COA Program~~	Admin Two	$1,070.90	$1,113.74	$1,158.29	$1,204.62	$1,252.80	$1,302.91	$1,355.03	$1,409.23	$1,465.60
		$28.5573	$29.6998	$30.8878	$32.1232	$33.4081	$34.7442	$36.1341	$37.5795	$39.0827
~~Principal Clerk, COA Activities~~	Admin One	$976.42	$1,015.49	$1,056.11	$1,098.35	$1,142.29	$1,187.98	$1,235.49	$1,284.91	$1,336.31
		$26.0379	$27.0797	$28.1630	$29.2894	$30.4610	$31.6794	$32.9465	$34.2643	$35.6349
~~Annual~~										
~~Head Administrative~~	Actual	$62,232.94	$64,722.36	$67,310.85	$70,003.48	$72,803.66	$75,715.60	$78,744.39	$79,298.63	$85,169.94
	Budget	$62,472.30	$64,971.29	$67,569.74	$70,272.73	$73,083.67	$76,006.82	$79,047.26	$79,603.63	$85,497.51
~~Head Clerk~~	Actual	$55,686.78	$57,914.56	$60,231.24	$62,640.22	$65,145.73	$67,751.15	$70,461.57	$70,957.51	$76,211.24
	Budget	$55,900.96	$58,137.31	$60,462.90	$62,881.15	$65,396.29	$68,011.73	$70,732.58	$71,230.42	$76,504.36
~~Principal Clerk~~	Actual	$50,773.99	$52,805.32	$54,917.94	$57,114.39	$59,398.90	$61,774.85	$64,245.64	$64,697.83	$69,488.09
	Budget	$50,969.28	$53,008.42	$55,129.17	$57,334.06	$59,627.35	$62,012.45	$64,492.74	$64,946.67	$69,755.35

AFSCME
Clerical Salary Schedule effective 1-Jul-28
2.00%

Title		Step # 1	Step # 2	Step # 3	Step # 4	Step # 5	Step # 6	Step # 7	Step # 8	Step # 9	Step # 10
Weekly											
~~Head Administrative~~	Admin Three	$1,220.72	$1,269.55	$1,320.33	$1,373.15	$1,428.07	$1,485.19	$1,544.60	$1,606.39	$1,670.64	$1,737.47
		$32.5526	$33.8548	$35.2088	$36.6172	$38.0819	$39.6051	$41.1894	$42.2926	$44.5504	$46.3324
~~Head Clerk, COA Program~~	Admin Two	$1,092.32	$1,136.02	$1,181.46	$1,228.71	$1,277.86	$1,328.96	$1,382.13	$1,437.42	$1,494.91	$1,554.71
		$29.1285	$30.2938	$31.5056	$32.7657	$34.0762	$35.4391	$36.8568	$37.8440	$39.8643	$41.4589
~~Principal Clerk, COA Activities~~	Admin One	$995.95	$1,035.80	$1,077.24	$1,120.32	$1,165.13	$1,211.74	$1,260.20	$1,310.61	$1,363.04	$1,417.56
		$26.5587	$27.6212	$28.7263	$29.8752	$31.0702	$32.3130	$33.6054	$34.9496	$36.3476	$37.8015
~~Annual~~											
~~Head Administrative~~	Actual	$63,477.60	$66,016.81	$68,657.06	$71,403.55	$74,259.73	$77,229.91	$80,319.28	$82,470.58	$86,873.34	$90,348.27
	Budget	$63,721.74	$66,270.72	$68,921.13	$71,678.18	$74,545.35	$77,526.95	$80,628.20	$82,787.77	$87,207.46	$90,695.76
	Actual	$56,800.52	$59,072.85	$61,435.87	$63,893.03	$66,448.65	$69,106.18	$71,870.80	$73,795.81	$77,735.46	$80,844.88
~~Head Clerk~~	Budget	$57,018.98	$59,300.05	$61,672.16	$64,138.77	$66,704.22	$69,371.97	$72,147.23	$74,079.64	$78,034.44	$81,155.82
	Actual	$51,789.47	$53,861.43	$56,016.30	$58,256.68	$60,586.88	$63,010.35	$65,530.56	$67,285.75	$70,877.85	$73,712.96
~~Principal Clerk~~	Budget	$51,988.66	$54,068.59	$56,231.75	$58,480.74	$60,819.90	$63,252.70	$65,782.60	$67,544.54	$71,150.46	$73,996.48

Town of Billerica

Collective Bargaining Agreement (CBA)

Between the Town of Billerica and

American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME)

Billerica Town Clerical Union

July 1, 2026 – June 30, 2029

~~I.U.P.E. LOCAL 140~~

~~CLERICAL WORKERS CHAPTER~~

~~July 1, 2023 – June 30,2026~~

STM WARRANT ARTICLE #5

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PREAMBLE

This Agreement, is entered into by and between the Town of Billerica, Massachusetts, hereinafter referred to as the "Town", and ~~International Union of Public Employees, Local 40,~~ American Federation of State, County and Municipal Employees Council 93" hereinafter referred to as ~~"I.U.P.E. 140"~~ "AFSCME Council 93" or "Union", to maintain and promote a harmonious relationship between the Town and such of its employees who are covered by the provisions of this Agreement, in order that a more efficient and progressive public service be rendered.

ARTICLE I - RECOGNITION AND BARGAINING UNIT

The Town hereby recognizes the Union as the sole and exclusive bargaining agent for the purpose of collective bargaining with respect to wages, hours and other conditions of employment for all the following employees of the Town:

All full-time and regular part-time Clerical Employees, including all secretaries and clerks, senior supervisors and data entry personnel employed by the Town of Billerica in the Police Department, Fire Department, Department of Public Works, Town Hall, Cemetery Department, Council on Aging including the Outreach Supervisor (Program Coordinator) and Recreation Department, excluding all persons holding appointed positions, and all managerial, confidential, and casual employees, and all other employees of the Town of Billerica.

The following items were agreed upon as part of the negotiations:

1. Strike all references to "IUPE" or "IUPE, Local 140" throughout the CBA and replace with "AFSCME Council 93"
2. In consideration of the foregoing, AFSCME agrees to voluntarily release the following four (4) positions from the bargaining unit contemplated by this Agreement, as they are deemed confidential positions:

Payroll Coordinator
Veteran's Head Clerk
DPW Head Administrative Clerk
Police Head Clerk

Accordingly, these four positions are no longer part of this bargaining unit or covered under this Collective Bargaining Agreement. This collective bargaining agreement, and the terms and conditions contained herein, shall not apply to the above-listed positions.

The Town shall not voluntarily recognize, support, or assist any effort by the above-listed confidential positions to organize, affiliate with, or be represented by any labor organization.

~~Four positions will be removed from AFSCME, Council 93 – Payroll Coordinator, Veteran's Head Clerk, DPW Head Administrative Clerk, Police Head Administrative Clerk. These positions shall not be eligible to join or be placed in any other union. If the Town elects or agrees to place any of these positions (even if their titles change) into a union in the future, they shall automatically return to AFSCME Council 93. The Town recognizes AFSCME Council 93 as the sole and exclusive bargaining representative for the positions covered by this Agreement.~~

~~The parties expressly agree that the positions referenced herein are appropriately included in, and accreted to, the AFSCME Council 93 bargaining unit based on a clear community of interest. The Town affirms that these positions are not appropriate for inclusion in any other bargaining unit.~~

~~The Town shall not voluntarily recognize, negotiate with, or enter into any agreement recognizing any other employee organization as the bargaining representative for these positions during the term of this Agreement.~~

~~In the event the Town determines that these positions shall be placed into a bargaining unit, newly organized, or otherwise subject to collective bargaining at any time, the Town agrees that such positions shall be placed in the AFSCME Council 93 bargaining unit, unless otherwise required by M.G.L. c.150E or directed by the Department of Labor Relations.~~

~~Any dispute concerning the representation or unit placement of these positions shall be resolved exclusively in accordance with M.G.L. c.150E and Department of Labor Relations procedures.~~

3. The Senior Clerk position will be removed from the wage classification. Any person in a Senior Clerk position will be moved to an Administrative Assistant II ~~(Formerly Head Clerk Principal clerk,)~~ position.
4. The Head Clerk at the Fire Department will be moved from a Head Clerk to an Administrative Assistant III ~~(Formerly Head Administrative Clerk, Ellen O'Connor)~~ position.
5. The Senior Clerk in Registrars office being moved to an Administrative Assistant II ~~(Lori Blake)~~
6. The following job title change will occur:
    a. Principal Clerk – Administrative Assistant I
    b. Head Clerk - Administrative Assistant II
    c. Head Administrative Clerk - Administrative Assistant III
    d. ~~Floating Clerks?~~

ARTICLE 2 - MANAGEMENT RIGHTS

The listing of the following rights of management in this Article is not intended to be a waiver of any of the rights of the Town or Department Heads not listed herein. Such inherent management rights shall remain with the Town.

The employer shall have exclusive rights consistent with the applicable laws and regulations:

1. To direct employees of the employer in the performance of their duties;
2. To hire, promote, transfer, assign, and retain employees in position, and to suspend, demote, discharge, or take other disciplinary action against such employees for just cause;
3. To maintain the efficiency of the operations entrusted to it;
4. To determine the methods, means and personnel by which such operations are to be conducted;
5. To establish continued policies, practices and procedures for the conduct of Town business and, from time to time, to change and abolish policies, practices or procedures, subject to the provisions of collective bargaining.
6. To prescribe and enforce reasonable rules and regulations for the maintenance of discipline and for the performance of work in accordance with the requirements of the Town, subject to the provisions of collective bargaining.
7. The Town Manager shall have the right to hire an employee up to any step on the salary scale based on municipal experience and need within the union.

ARTICLE 3 - EMPLOYEE RIGHTS AND REPRESENTATION

Section 1: Employees have and shall be protected in the exercise of the right, without fear of penalty or reprisal, to join and assist the ~~I.U.P.E. 140"~~ "AFSCME Council 93. The freedom of employees to assist the Union shall be recognized as extending to participation in the management of the Union's views and positions to the public, to officials of the Town and the department, and to any other appropriate authority or official. The Town agrees it will not take disciplinary action against any employee except for just cause.

Section 2: The members of the Union bargaining committee, not to exceed four (4), three (3) negotiating members and the current president, who are scheduled to work a tour of duty during collective bargaining negotiations shall be granted leave of absence without loss of pay or benefits for all meetings between the Town, its agents and representatives and the ~~I.U.P.E. 140"~~ "AFSCME Council 93, for the purposes of negotiating the terms of the contract or any supplements thereto.

Section 3: A Union officer or steward, not to exceed one (1), shall be granted reasonable time off during working hours, without loss of pay or benefits, to investigate, process and settle complaints or grievances, provided that the Union officer or steward shall first request permission from his or her supervisor. Said permission shall not be unreasonably withheld.

Section 4: The Union shall keep the Town informed as to the names of its officers, stewards, and bargaining committee.

ARTICLE 4 - GRIEVANCE PROCEDURES

Section 1: The purpose of this grievance procedure is to establish effective machinery for the fair, expeditious and orderly adjustment of grievances. A grievance is defined as any dispute, claim or complaint involving the interpretation, application or alleged violation of any provision of this Agreement for disciplinary purposes of any employee represented by the Union.

Any member who is aggrieved shall file a written report giving the nature and details of the incident which led to his/her grievance with the Union's President or his/her designee. The report must be submitted within ten (10) calendar days of the date upon which the member knew of, or should have known of, the occurrence, giving rise to the grievance.

Section 2: The Union President or his/her designee shall submit the grievance in writing to the Department Head involved, who shall make a serious effort to resolve the problem. In the event that the problem is not resolved to the satisfaction of the employee, the Department Head shall then submit his/her answer in writing to the Union President or his/her designee within seven (7) calendar days of its submission to him/her.

Section 3: If the employee is not satisfied with the Department Head's written report, he/she may have his/her grievance presented in writing to the Town Manager within seven (7) calendar days of the answer in Section 2.

Section 4: The Town Manager shall submit his answer in writing to the Union President, or his/her designee and the employee(s) involved fifteen (15) days after receipt of the grievance.

Section 5: Where the times specified herein are not complied with by the Town, the Union may take the grievance automatically to the next Step; the parties may mutually agree in writing to extend any of the Time Limits specified in this procedure.

Section 6: If the employee is not satisfied with the written decision of the Town Manager, he/she may request Arbitration with the State Board of Arbitration and Reconciliation. At this stage, it shall be the Union's decision as to whether the grievance should proceed to Arbitration. If the Union's decision is in the affirmative, it shall request to select an arbitrator in accordance with its procedures.

Section 7: The Arbitrator's award shall be final and binding on the parties insofar as permitted by law. Only the fees and expenses of the Arbitrator shall be borne equally by the Town and the Union.

ARTICLE 5 - HOURS OF WORK

The regular work week for all employees covered by this Agreement shall remain as currently practiced including a lunch period not to exceed one (1) hour, unless by mutual consent of the employees and the Town Manager.

All municipal work will normally be performed within prescribed municipal premises, unless by mutual agreement between any officer of the Union and the Department Head or where the lack of a municipal facility dictates otherwise.

ARTICLE 6 - SALARIES AND OVERTIME COMPENSATION

Section 1: The wage scale for the bargaining unit positions shall be adjusted as follows:

Effective July 1, ~~2023 3%~~ 2026 2% Increase across the board and Step 8 added to existing salary scale

Effective July 1, ~~2024 3%~~ 2027 2% Increase across the board and Step 9 added to existing salary scale

Effective July 1, ~~2025 3%~~ 2028 2% Increase across the board and Step 10 added to existing salary scale. Steps 8, 9, and 10 shall each be established with a 4% differential between steps.

~~Effective January 1, 2026 1% increase across the board~~

~~Effective upon completion of all classes starting in July 1, 2023 1% increase~~

Section 2: If any non-public safety General Government bargaining unit (excluding the School Department) receives a greater total compensation package for the same three-year term, the Union may reopen this Agreement once, solely to negotiate compensation, with no obligation on the Town to agree to any increase. If such greater compensation results, in whole or in part, from a concession by another bargaining unit, the Town may reopen this Agreement to seek a comparable concession. Any modification shall be effective only if agreed to in writing by the parties and approved and funded by the Billerica Town Meeting, and shall be prospective only unless the Town expressly agrees otherwise in writing.

Section 2A: When an employee is promoted or upgraded, he/she will go to the closest step to his/her weekly salary but will not receive less than a four (4) percent increase.

Section 2B: In the event a member of the bargaining unit currently in their final step for a year or more and an additional step is negotiated, the anniversary date for the member(s) will be July 1, of the effective date of the contract. Note: Two (2) AFSCME Council 93 members will be moved to Step 7 in February 2026 and June 2026. These members will need to wait a full year before moving to the next step.

Section 3: Any permanent clerk temporarily filling in and performing a higher position shall be paid at his/her step in the grade of the higher position if performing the duties for five (5) consecutive days or more. This shall not be considered a promotion. A letter of intent from the Department Head with the approval of the Town Manager is required in order to pay the employee for working at the higher position.

Section 4~~A~~: For clerical staff at the Board of Health, Planning Board Conservation Commission and Board of Appeals who have responsibilities for attendance at evening meetings, the Town will compensate those individuals for a minimum of four (4) hours at the employee's current rate times one and one-half (1 ½) for the meetings attended; compensation may be taken in the form of monetary payment or compensatory time, based on the employee's choosing. ~~Any employee who is working on Town approved overtime will be paid an $8.00 meal allowance for each four (4) hour shift worked beyond their regular work schedule~~. If an employee chooses compensatory time, it must be used within ninety (90) days of the accrual. If the compensatory time is not used within ninety (90) days, it will be paid in the equivalent amount in monetary compensation.

All other employees of ~~I.U.P.E. 140~~ AFSCME Council 93 shall be compensated with overtime or compensatory time at one and one-half (1 ½) times for work performed beyond the normal work week at the sole discretion of the Department Head and approval of the Town Manager.

Upon the Department Head's request and prior approval of the Town Manager, employees of ~~I.U.P.E. 140~~ AFSCME Council 93 who are required to work beyond the normal work week will be compensated with overtime pay at one and one-half (1 ½) time their hourly rate of pay or compensatory time at one and one-half (1 ½) times at the choice of the employee.

Section 4A: Any employee called back to work after having completed their assigned work and left their place of employment, and before their next regular starting time, shall be guaranteed a minimum of four hours pay at one and one-half (1 ½) times their regular pay on recall. This will also include staff that are responsible for attendance at evening meetings. This requires approval of the Town Manager.

Section 4B: Any employee who works a holiday shall receive in addition to their regular holiday pay an amount equal to one and one-half (1 ½) times their regular rate of pay for all hours worked, but in no case shall this be less than equal to four (4) hours worked at the above rate. If any employee is required to work the Fourth of July, Thanksgiving, Christmas or New Year's Day, in addition to their regular pay, they shall receive double their rate of pay for all hours worked. This requires approval of the Town Manager.

Section 5: The Town agrees to continue a longevity program for all employees covered by this Agreement that will be effective each year and payable on the employee's anniversary date of employment with the Town, based on the following schedule:

All employees hired after 7/1/1993, upon completion of five years of service, shall be paid longevity payments at a flat rate in accordance with the amounts listed below:

Upon completion of, and every year after five (5) years	$1,200.00
Upon completion of, and every year after ten (10) years	$1,900.00
Upon completion of, and every year after fifteen (15) years	$2,700.00
Upon completion of, and every year after twenty (20) years	$3,700.00
Upon completion of, and every year after twenty-five (25) years	$4,650.00
Upon completion of, and every year after thirty (30) years	$5,200.00

Any member having completed their full years of service shall have their longevity payment pro-rated at the appropriate rate upon separation.

Any member hired after 7/1/2003 who is not full time will have their longevity payment pro-rated at appropriate rate based upon their scheduled hours of work.

Those employees hired prior to 7/1/1993 shall upon completion of ten (10) years of service shall be paid longevity payments at a flat rate in accordance with the amounts listed below:

Upon completion of, and every year after five (5) years	$1,200.00
Upon completion of, and every year after ten (10) years	$1,900.00
Upon completion of, and every year after fifteen (15) years	$2,700.00
Upon completion of, and every year after twenty (20) years	$4,348.00
Upon completion of, and every year after twenty-five (25) years	$4,858.00
Upon completion of, and every year after thirty (30) years	$5,434.00

Section 6: While on Jury Duty, an employee shall receive the amount equal to the difference between his/her compensation and the amount, excluding travel time, received from the Court. The employee shall be responsible for providing documentation of Jury Duty from the Court.

Section 7: The parties agree to reopen this article of the Agreement if, during the life of this Contract, for the limited purpose of negotiating wage increases, any non—school bargaining units receive a signing bonus.

ARTICLE 7 – VACATIONS

Section 1: Vacation leave shall accrue to all employees covered by this Agreement pro-rated according to the normal number of hours worked per week, in the pay status on the following basis:

~~Group I~~ Twelve (12) months to five (5) years …… Ten (10) days per year

~~Group II~~ Five (5) years to ten (10) years …… Fifteen (15) days per year

~~Group III~~ More than ten (10) years …… Twenty (20) days per year

After fifteen (15) years …… ~~Five (5) weeks~~ Twenty-five (25) days per year

Section 2: Vacation accrual for those employees with twelve (12) months of permanent employment or less shall be at the rate of five-sixths (5/6) of a day per month.

Section 3: ~~After twelve (12) months permanent employment with the Town, vacation accrual shall be totaled at the beginning of each fiscal year.~~ After twelve (12) months of permanent employment with the Town, vacation accrual shall be given (prorated) based on the number of months worked until the next calendar's fiscal year.

> **e.g.** If hired on May 1st, the new employee will accrue 6.25 hours a month beginning on June 1st and ending on May 1st, based on a 37.5-hour work week. On May 1st, said employee will receive 12.50 hours (2 months x 6.25 hours). On July 1st, the employee will receive the entire 75 hours (two weeks).
>
> **e.g.** If hired on September 1st, the new employee will accrue 6.25 hours a month beginning on October 1st and ending on September 1st based on a 37.5-hour work week. On July 1st, said employee will receive 56.25 hours (9 months prorated x 6.25 hours per month). On the following July 1st, said employee will receive the entire 75 hours (two weeks).

This provision will not apply if an employee retires or leaves the employment of the Town prior to the end of the fiscal year. In the event an employee terminates his or her employment with the Town at any time prior to the end of the fiscal year, vacation time shall be that time accrued to the date of termination.

Section 4: Vacation leave must be bid a minimum of thirty (30) days prior to taking vacation leave and shall be bid on a seniority basis.

Section 5: Vacation leave may be accumulated only up to a maximum of forty (40) days. Each fiscal year, the Town shall allow employees who have forty (40) days of vacation time on the books as of May 1st to sell back up to one (1) week of vacation time to the Town prior to June 30th of that year.

Section 6: Upon separation of employment from the Town, an employee or their beneficiary will be paid the portion of unused accrued vacation leave, not to exceed forty (40) days, as the circumstances indicate.

Section 7: The minimum charge for vacation leave shall be three and three-quarters (3.75) hours.

Section 8: Department Heads are responsible for identifying all pay for vacation leave on the payroll in which the vacation occurs. Vacation leave may be granted without prior notice in cases of emergency, only at the discretion of the Department Head.

Section 9: If a designated holiday falls on, or is legally observed on, a day when an employee is on vacation leave, another day during the employee's regular tour of duty shall be granted in lieu thereof.

ARTICLE 8 – HOLIDAYS

Section 1: All employees covered by the Agreement shall be paid one (1) day at their normal daily rate of pay, in accordance with the present practice, for all designated holidays (13) listed below which fall on/or are observed on regularly scheduled workdays. Holidays falling on Sunday shall be observed on the following Monday and holidays falling Saturday shall be observed on the previous Friday.

January 1st	Memorial Day	Columbus Day
Martin Luther King Day	Juneteenth	Veteran's Day
President's Day	July 4th	Thanksgiving Day
Patriot's Day	Labor Day	Day After Thanksgiving
		Christmas Day

Section 2: Any employees on leave of absence will not be eligible for holiday pay falling within the period covered by leave of absence.

Section 3: To receive holiday pay, an employee must be in a pay status on either the day before the holiday or the day after the holiday. This paragraph is not intended to alter Section 2 in any way.

Section 4: When a holiday occurs during an employee's vacation, an extra day of vacation shall be allowed.

Section 5: Release time for the day before Christmas, the day before New Year's Day, and the day before Thanksgiving Day will be a half workday.

ARTICLE 9 - SICK LEAVE

Section 1: All employees covered by this Agreement, after twelve (12) months permanent employment for the Town, shall be allowed by the head of his/her department sick leave with pay for a period of fifteen (15) days during each fiscal year; accumulation to be unlimited.

Section 2: ~~Any permanent employee, working twelve (12) months or less may be granted sick leave with pay at the discretion of the Department Head at an accrual rate of one and one quarter (1 ¼) days per month.~~ Sick accrual for those employees with twelve (12) months of permanent employment or less shall be at the rate of five-sixths (1 ¼) days per month.

After twelve (12) months of permanent employment with the Town, sick accrual shall be given (prorated) based on the number of months worked until the next calendar's fiscal year.

> **e.g.** If hired on May 1st, the new employee will accrue 9.375 hours a month beginning on June 1st and ending on May 1st, based on a 37.5-hour workweek. On May 1st, said employee will receive 18.75 hours (2 months x 9.375 hours). On July 1st, the employee will receive the entire 112.5 hours (3 weeks).
>
> **e.g.** If hired on September 1st, the new employee will accrue 9.375 hours a month beginning on October 1st and ending on September 1st based on a 37.5-hour workweek. On July 1st, said employee will receive 84.375 hours (9 months prorated x 9.375 hours per month). On the following July 1st, said employee will receive the entire 112.5 hours (3 weeks).

Section 3: All employees covered by this Agreement, upon request of the Department Head or their designee, shall provide a medical certificate if, in the Department Head's opinion, use of sick time is being abused. All employees must provide a medical certificate of sick leave use in excess of three (3) consecutive days before returning to work.

Section 4: An employee who is incapacitated for duty should report his/her illness at the beginning of the scheduled tour of duty. The employee should advise of the approximate date that he/she will be able to return to duty.

Section 5: While AFSCME Council 93 members retain prime responsibility to make arrangements that illness, or other incapacitation of family members do not interfere with their work obligations, up to five (5) family sick days per fiscal year may be used for necessary care of a sick or incapacitated family member of the immediate family (parent, spouse, children or individual who the member has custody of and/or resides with the employee) in the event of an unforeseen event making it difficult to make other arrangements. The leave will include unanticipated daycare needs of the aforementioned individuals. The use of this section will not count towards the sick leave bonus in Article 9, Section 6A. *(Moved from Article 12 – Section 3)*

Section ~~5~~6~~A~~: Employees shall be compensated in cash in an amount equal to a maximum of seventy (70) days for any accumulated unused sick leave when they are separated from employment as a result of retirement or death. The amount of payment for all unused sick leave shall be calculated at their current rate of pay regardless of title, at the time of retirement or death. Employees having less than seventy (70) days accumulated sick leave at the time of their retirement or death shall receive payment as stated above only for the number of sick leave days accumulated.

Section ~~5~~6~~B~~A: A yearly bonus shall be paid in July for non-use of sick leave for the prior fiscal year:

0 Days $1,000	1 Day $400
2 Days ..... $ 200	2+ Days ..... $ 0

An employee who has been employed by the Town for one (1) year of service will receive this benefit. Payments will be made no later than August 1st for the prior year and prorated for an employee whose incentive is less than one year. Work related absences shall not be used to determine whether an employee shall receive the sick leave bonus.

Section ~~6~~7: If an employee of the Town in good standing after completion of five (5) years of continuous service resigns, said employee shall receive payment equal to seventy-five (75) percent of accumulated sick leave calculated at the employees rate of pay in effect at the time of resignation (up to seventy (70) days maximum sick leave). Only employees hired before July 1, 2023, are eligible for this benefit.

Section ~~7~~8: Sick Leave Bank

1. Each unit member on July 1st shall be asked to contribute one (1) or more of his/her accumulated sick days to a sick leave bank and said contribution shall be matched for the first 200 days contributed by the union.
2. Employees shall not be obligated to contribute if on July 1st the bank has reached its cap of five hundred (500) days.
3. Providing that the balance in the Bank is sufficient, ~~W~~withdrawals of the first twenty (20) day shall be approved by the three (3) Union Member Sick Bank Committee to an employee per calendar year (January 1st to December 31st) within ten (10) working days of receipt of all documentation required by the Committee. The three (3) Union Member Sick Bank Committee must be identified to the Town Manager each year after elections.
4. Any withdrawals beyond the original twenty (20) days, listed in Article 9 (8.3)~~7~~4, from the bank shall be approved by a majority vote of a Sick Leave Bank Committee consisting of three (3) persons designated by the Union and three (3) persons designated by the Town Manager. In the event of a tie vote on any application, the request for use of the time shall be granted. ~~In the event of a split decision, the Town Manager shall be considered an ex-officio member of the Sick Leave Bank Committee, and as such, shall render a final determination concerning a request to withdraw days from the Sick Leave Bank~~.

   The Sick Leave Bank Committee may extend for two (2) additional twenty (20) day periods the grant for additional leave, and in no event shall such leave exceed sixty (60) days in total.

   Decisions of the Committee with respect to eligibility and entitlement shall be final and shall not be the subject to grievance or arbitration.
5. Withdrawals may be made for no more than twenty (20) day increments.
6. In order to be eligible to draw from the Sick Leave Bank, the employee must:
   a. have been employed for at least one year and choose to opt-in for donation, a waiver for this section can be requested to the committee list ~~7~~Article 9 (8.4);
   b. have exhausted all of their available sick time, vacation time and personal days ~~but with the exception that five (5) days of vacation time is allowed to be kept by the employee~~, in order to be eligible to draw from the Sick Leave Bank;

c. verify said illness or injury in accordance with the provisions outlined in Article ~~1~~7, and to the extent requested by the Sick Leave Bank Committee;

d. be willing to take all reasonable steps necessary to make a full recovery and prevent a recurrence of the disability including continued treatment for problems contributing to the disability.

e. Decisions made by the Sick Leave Bank Committee shall be final and binding and not subject to reversal by the Town, appeals or grievance/arbitration.

f. The Treasurer's Office will administer the usage of sick bank for the ~~I.U.P.E. 140"~~ members of AFSCME Council 93 clerical union, but one Union Sick Bank Committee Member will maintain the record keeping of the sick bank balances.

Section ~~8~~9: Sick Leave Abuse

An employee should be considered having established a pattern of sick leave abuse when more than five (5) sick days are taken before or after days off including weekends. A pattern of sick leave abuse will also be established when an employee uses five (5) sick days on the same day of the week.

Employees who have established a pattern of sick leave abuse may be subject to disciplinary action to include, but not be limited to, nonpayment for sick days in the current contract year.

ARTICLE 10 - BEREAVEMENT LEAVE

Section 1: Employees shall be granted five (5) working days with no loss of pay or benefits upon the death of the following: mother, father, mother-in-law, father-in-law, spouse, child, stepchild (whether biological or adopted), brother, sister, grandparent, grandchild, or any other relative residing with the employee. Employees shall be granted three (3) working days with no loss of pay or benefits upon the death of the following: aunt, uncle or other in-law.

ARTICLE 11 - PERSONAL LEAVE

Section 1: On completion of twelve (12) months permanent employment in the Town, employees shall be granted three (3) days personal leave each year for the purpose of conducting personal business which cannot be conducted outside of working hours.

Section 2: The Town Manager may grant an employee in good standing a leave of absence pursuant to M.G.L. Chapter 31, Article XII.

Section 3: Upon retirement, an employee will ***not*** be paid for any unused personal days.

ARTICLE 12 - FAMILY AND MEDICAL LEAVE ~~AND MEDICAL~~ ACT

This section incorporates the Federal Family Leave and Medical Leave Act; ~~Small Necessities Leave Act of 1998 and the Massachusetts Maternity Leave Act of 1972.~~ All requests for FMLA absences must submit a completed Medical Certification of Health Care Provider for Employee/Family Member Serious Health Condition Forms and must be approved by the Director of Human Resources.

~~Section 1: The Department Head and the Town Manager may grant an extension of the leave beyond twelve (12) weeks.~~

~~Section 2: While I.U.P.E. 140 AFSCME Council 93 members retain prime responsibility to make arrangements that illness, or other incapacitation of family members do not interfere with their work obligations, up to five (5) sick days per year may be used for necessary care of a sick or incapacitated family member of the immediate family (parent, spouse, children or individual who the member has custody of and/or resides with the employee) in the event of an unforeseen event making it difficult to make other arrangements. The leave will include unanticipated daycare needs of the aforementioned individuals. The use of this section will not count towards the sick leave bonus in Article 9, Section 5A.~~ *(Moved to Article 9, Section 5)*

Section ~~3~~1: Employees who are taking FMLA for issues related to a family member (mother, father, brother, sister, child or anybody else who lives in the house) that is not the employee may use up to twenty (20) sick days per year. This time will need to be used simultaneously with FMLA benefits. If the need for FMLA is extended past twenty (20) days, the employee will need to use accrued vacation time simultaneously to the FMLA benefits. This leave can only be used for a family member's medical situation or birth/adoption and cannot be used in conjunction with sick bank.

Family leave time must be taken in full day increments or no less than half (1/2) day increments with the approval of the Town Manager or designee in emergencies.

The employee must inform his/her Department Head and the Human Resources Director in writing prior to using that option. Email is acceptable notice. This notice is for record-keeping purposes.

ARTICLE 13 –MISCELLANEOUS

Section 1~~A~~: Bid Procedure

It is mutually agreed and made a condition of this Agreement that a procedure is hereby established to provide employment opportunity for employees (except temporary) covered by this Agreement. The Town shall post at each department in the bargaining unit, notice of additional permanent positions established in any department with this bargaining unit as a result of increase of work force covered by this Agreement or any vacancies therein. Such postings shall notify the employees of employment opportunities ten (10) days prior to selection and shall contain the job qualifications and requirements; and, as hereinafter defined, any regular employee or regular part-time employee covered by this Agreement may bid thereon. Preference first shall be given to the employee who meets the qualifications of the position. Selection shall be made from a list of the top three (3) qualified candidates. In the event employees within the bargaining unit are not desirous of bidding for the vacancy, or in the event that in the judgment of the Town, there is no qualified employee within the bargaining unit, consideration will then be given to applicants not in the bargaining unit. However, the Town shall be the sole judge of qualifications of the applicants. Applicants for the position will be interviewed and the right of selection by the Town will not be exercised in an arbitrary manner.

Section 1~~B~~A: Clerical Pool

In the event of an emergency and if after consultation with a Department Head and the President of the Union, it is determined by the Town Manager that the additional short term assistance is required in a department, he may assign a member or members of the unit to assist in a defined task for a specific period of time after consultation with the Union President and the Department Head.

In all such instances, the Town will make every effort to assign employees to a task consistent with their current duties and salary. It is not the intention of this Article to either increase or decrease the weekly salary of any unit member. This in no way affects Article 6, Section 3 of this Agreement.

Section 2: Clarification

A salary step increase shall be paid to an employee who has completed at least ten (10) years of service for his/her last twelve (12) months of service under the guidelines specified below:

The employee shall receive a 10% salary increase at age 62 but before age 64; a 15% salary increase at age 55 but before age 62. This increase shall be paid for his/her last 12 months of service in his/her weekly salary increments. They must notify the department in writing of their anticipated date of separation a year in advance.

An employee who continues employment beyond the twelve (12) month period of their anticipated separation date shall have his/her salary deducted at the same rate it was increased.

~~B)~~ Optional to the Employee: An employee with twenty-five (25) years of full time service as recognized by MGL Chapter 32 with the last ten (10) years of such full time service being in the Town of Billerica, and having a minimum of one hundred (100) sick days accumulated, may request to be designated a “Senior” employee for a period of three (3) consecutive years. The period of time shall not exceed three (3) consecutive years selected by the employee. During the period of time that the employee is designated as “Senior” they shall receive a base salary increase of 6% above what their annual salary would have been that year. In addition, during the period of time that each employee is designated

"Senior" they will be required to provide a doctor's certificate for each three (3) consecutive days of sick leave or for each day in excess of ten (10) sick days in a year if requested to do so by the Town.

Employees will be designated as "Senior" only once in their career and for only one (1) three-year period. An employee who requests to be designated as "Senior" under this section will forever forfeit his/her rights to sick leave buy back. Also, any such employee will not be eligible for Sick Leave buy back as outlined under Article 9, Sections 6A~~5~~ and 7~~6~~, nor will they be eligible for the Retirement Incentive benefits outline in Article 1~~2~~3, Section 2. Finally, when an employee requests "Senior" status it is an irrevocable decision regardless of whether or not the employee completes three (3) years of service from the date of request.

Section 3: An approved departmental transfer shall take effect within thirty (30) days, unless by mutual agreement between the Union and the Town Manager.

Section 4: The employer shall allow the employees the use of any municipal building for two (2) hours during work hours with a limit of three (3) such meetings a year, for the purpose of conducting Union meetings. The Union meetings are to be determined by the availability of such buildings.

Section 5: All accumulated sick leave and remaining personal leave and vacation leave and compensatory time, shall be posted in a conspicuous space in each department on a monthly basis. Each Department Head shall be responsible for the posting and accuracy of said list.

Section 6: Step raises shall be granted when due by the submission of proper documentation to the Town Manager no later than thirty (30) days prior to the effective date of said step raise. Step raises shall be granted on the anniversary date of the employee's hire. For promotions, step raises shall be granted on the anniversary of the date of promotion for full and for part time help. The Town Manager shall inform the Department Head if the documentation is improper and/or incomplete within seven (7) days of its receipt by said Manager.

If documentation is determined to be incorrect, improper or incomplete, the Department Head shall make such corrections as are necessary and resubmit proper documentation within five (5) working days. In such an instance, the Personnel Board shall attempt to approve said step raise so that the raise be paid in the pay period following the employee's anniversary date, if possible, but no later than thirty (30) days following the resubmission of proper documentation.

Section 7: Department Heads shall submit recommendations for upgrades and/or reclassifications to the Town Manager on the basis of ~~merit, and/or increase in responsibility, workload, or vacancies~~ an increase in responsibilities that are more complex. Upon submission of proper documentation to the Town Manager containing justification by his determination for said upgrading or reclassification, approval or rejection of said request shall be made within thirty (30) days of its submission.

Upon execution of this Collective Bargaining Agreement, the parties agree that all members are properly graded.

Employees may submit requests for upgrades and/or reclassifications to their respective Department Head. Such request shall be accompanied by appropriate documentation substantiating the request. The Department Head shall submit the request to the Town Manager within fifteen (15) days of its submission with a recommendation to either approve or reject said request. Approval or rejection of the request shall be made within thirty (30) days of its submission to the Town Manager.

An employee covered under this Agreement must remain in the hired grade a minimum of one (1) year from their initial date of employment before being promoted to a higher classification.

ARTICLE 14 -LAYOFF, CUTBACK, ETC.

All employees covered by this Agreement who may be affected by phase-out, layoffs, cutbacks or any austerity move, shall be first considered for rehire when openings occur within the Town, by seniority within classification and title.

Seniority shall be defined as continuous, uninterrupted service with the Town of Billerica in an ~~I.U.P.E Local 140~~ AFSCME Council 93 Clerical Bargaining Unit position calculated from the date of hire.

The Town has added language to be more consistent with Civil Service laws.

Layoff Procedure

When the Union and the employer have agreed that layoffs are the appropriate method to accomplish a reduction in the level of services, layoffs shall be accomplished in accordance with the following procedure:

7. Bargaining unit employees shall be laid off within rank/title, regardless of department, in inverse order of seniority.
8. A laid off employee shall have the right to bump less senior employees in different titles, with the same rank/grade, within the bargaining unit, provided the laid off employee possesses the minimum qualifications for the position into which he/she wishes to bump. Employees shall be bumped in inverse order of seniority.
9. If there are no positions into which a laid off employee can bump in accordance with paragraph 2 above, a laid off employee shall have the right to bump employees in positions with different titles, in a lower rank/grade, within the bargaining unit, provided the laid off employee possesses the minimum qualifications for the position into which he/she wishes to bump. Employees shall be bumped in inverse order of seniority. Laid off employees exercising bumping rights under this paragraph shall be allowed to bump into the highest lower rank/grade, with a less senior employee, for which the laid off employee possesses the minimum qualifications.
10. Employees displaced by other ~~I.U.P.E 140~~ AFSCME Council 93 employees exercising their bumping rights hereunder shall themselves be considered to be laid off and shall have bumping rights in accordance with the procedures here in above.
11. Laid off employees shall have recall rights for five (5) years. No vacancy in a position that can be filled by an employee on a recall list shall be filled in any manner except through the recall list as long as there is an employee with recall rights willing to accept the position. Employees shall have recall rights to the position from which they were laid off and to any position that if vacant at the time of layoff they would have had bumping rights under the procedures here in above.

In the event of a layoff, those persons shall be entitled to be paid for all unused sick leave and all vacation and personal days to which they are entitled as of the layoff date.

Upon rehire, those persons shall return at the same salary step and longevity status which they had attained prior to the layoff, and their time in service shall continue as though there had been no break in service.

ARTICLE 15 - DUES DEDUCTIONS

Section 1: The Town agrees to deduct Union dues from the employees who have signed membership forms and who have authorized such deductions in writing, and mail said dues, with a list of employees from whom dues have been deducted, to: ~~I.U.P.E. 140 7 Technology Drive, Chelmsford, MA 01824~~ AFSCME Council 93, 116 Flanders Road, Westborough, MA 01581, and or

email to: duesrosters@afscme93.org

Section 2: All employees covered by this Agreement whose monthly dues are not being paid by authorized deductions shall be required as a condition of employment to make payment on/or after the 30th day following the beginning of such employment or the effective date of this Agreement, whichever is later, an Agency Service Fee to the Union.

Section 3: An employee may consent in writing to the authorization of the deduction of a political education fund fee from their wages and to the designation of the Union as recipient thereof. Such consent shall be on a form acceptable to the Town and shall contain the signature of the employee. An employee may withdraw their political education fund fee authorization by giving at least sixty (60) days' notice in writing to the Town.

ARTICLE 16 – WELFARE

It is recognized that medical, dental and other insurance benefits are to be maintained in accordance with State and Federal guidelines and laws. The Town shall contribute towards the premium cost at the existing rates consistent with other Collective Bargaining Agreements.

Reactivate employees Insurance Advisory Committee.

ARTICLE 17 – EDUCATION

Section 1: With prior approval of the Town Manager and the Department Head, the Town will reimburse up to $1,000 per year to an employee for Tuition Reimbursement for work related courses at an accredited college or university in which the employee receives a "C" or better, or in the case of pass/fail, a pass.

Section 2: The employer shall make available at least fifteen (15) hours of in-house training and refresher courses for each employee each year. Examples of areas of training are, but not limited to, the following: Microsoft, Munis and Outlook.

ARTICLE 18 – DURATION

This Agreement shall be in full force and effect from July 1, ~~2023~~ 2026 through June 30, ~~2026~~ 2029, and shall continue year to year thereafter, unless either party submits a written notice to the other party indicating a desire to negotiate changes or provisions. The notice indicating such desire shall be served at least sixty (60) days prior to June 30 of any contract year. The Contract shall remain in effect until said changes or revisions have been agreed upon.

ARTICLE 19 - JUST CAUSE

No employee covered by this Agreement shall bedischarged for any reason other than for just cause.

ARTICLE 20 - PROBATIONARY PERIOD

Following their original appointment to the Town of Billerica as a permanent full time employee, a person shall perform the duties of such position on a full time basis for a probationary period of one hundred eighty (180) workdays before they shall be considered a full time tenured employee in such position except as otherwise provided by Civil Service rule.

If the conduct or capacity of a person serving a probationary period or the character or quality of the work performed by them is not satisfactory to the appointing authority, he/she may at any time after such person has served thirty (30) days and prior to the end of such probationary period, give such person a written notice to that effect, stating in detail the particulars wherein his/her conduct or capacity or the character or quality of his/her work is not satisfactory, whereupon his/her service shall terminate. In default of such notice, such person shall be deemed to be a tenured employee upon the termination of such period.

The probationary period of an employee shall not be deemed to be interrupted by his temporary appointment pursuant to Article 6 to a position in a higher title in the same departmental unit.

ARTICLE 21 - UNION BUSINESS

Section 1: Subject to prior notice to the employer, Union staff representatives shall be given access to the premises of the employer for the performance of official Union business. Requests for such access must be made in advance to the employer. The employer shall not unreasonably, arbitrarily or capriciously deny such access.

Section 2: Subject to prior approval of the employer, a Union Steward shall be given time off without loss of pay for the investigation, processing, and arbitrating of grievances and other aspects of contract administration in the amount of no more than three (3) hours per week, and no more than twelve (12) hours per month.

Section 3: Subject to prior approval of the employer, Union Officers shall be given leaves of absence without loss of wages, benefits or other privileges to attend meetings, conventions and executive board meetings of the local, city, state, regional, and parent organizations in the amount of three (3) days per fiscal year. Requests for such leave will be made, in writing, to the employer. The employer shall not unreasonably, arbitrarily or capriciously deny such leave.

ATTACHMENT A - AFSCME Council 93 Dues Card

The Town will notify the union of all new hires eligible to join the bargaining unit and comply with MGL Chapter 150E.

~~I, _____, an employee of the Town of Billerica, hereby notify the Billerica Town Manager of my intention to retire on _____, and hereby request payment of any retirement incentive due me pursuant to the Memorandum of Agreement dated September 11, 1987 between the Town of Billerica and NAGE Local RI 236.~~

~~If I receive payment in any form of the retirement incentive between this date and my proposed retirement date, I hereby authorize the Town of Billerica to deduct from my weekly wages or salary an amount, after my proposed retirement date, equaling the total amount of retirement incentive paid to me.~~

~~SIGNED: _____ PROPOSED RETIREMENT DATE: _____~~

~~EMPLOYEE NAME: _____ BIRTH DATE: _____~~

~~DATE: _____~~

ADD AFSCME Council 93 Dues Card. - **NEED**

ATTACHMENT B – HEALTH CO-PAYS AND BI-WEEKLY PAY SYSTEM

The ~~I.U.P.E Local 140~~ AFSCME Council 93 has agreed to accept the Town's employees' health co-pays at the current rate. See ARTICLE 16 – WELFARE.

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This Collective Bargaining Agreement is subject to ratification by the Town of Billerica Select Board and by American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME), Council 93 and the appropriation by Town Meeting. This agreement shall not be implemented unless the parties have ratified and fully executed the Agreement.

This Agreement has been duly executed by authorized representatives of the Town of Billerica and by AFSCME, Council 93.

In WITNESS WHEREOF, the Union and the Town, by their authorized representatives, have set their hands to this Collective Bargaining Agreement on this day of MONTH, 20##.

Christopher Dillon, Billerica Town Manager	AFSCME, Council 93 Representative

Date:_____

TOWN OF BILLERICA
CHAMPIONSHIP RECOGNITION SIGNAGE POLICY

Purpose
The purpose of this policy is to establish clear and consistent guidelines for recognizing significant achievements by Billerica-affiliated teams and organizations through municipal signage and related digital content. This policy ensures fairness, sustainability, and responsible use of Town resources while celebrating accomplishments that bring distinction to the community.

1. Eligibility

Recognition under this policy shall be limited to the following:

a. **Billerica Public Schools** athletic teams, academic teams, and extracurricular organizations (including performing arts and clubs)
b. **Shawsheen Valley Technical High School** teams and organizations with Billerica student participation
c. **Billerica-based youth organizations**, including athletics, academic teams, and performing arts groups, as approved by the Town

All organizations must be formally organized and recognized by the Town or School Department.

2. Qualifying Achievements

A nomination and application process must be developed and made accessible online through the designated webpage or website.

Recognition shall be granted for the following accomplishments:

a. **State Championships or State-Level Titles** (or equivalent recognition from a governing body) in athletics, academics, or performing arts
b. **National Championships or National-Level Recognition**
c. Other significant achievements may be considered on a case-by-case basis with approval of the Select Board

Local, league, sectional, or divisional titles shall not automatically qualify unless specifically approved by the Select Board.

3. Form of Recognition

The Town shall utilize a **standardized signage and digital recognition model**, which may include:

SAMPLE

a. **Permanent or semi-permanent signage** installed at designated municipal locations (e.g., Town borders, Town Center, Town Hall, or other approved sites)
b. **Digital recognition**, including a dedicated webpage (e.g., Town Hall of Fame or similar platform), which may include team photos, rosters, and historical records.
c. **QR code integration** on physical signage linking to the Town's recognition webpage
d. **Designated UR** to be included on physical signage to accommodate individuals who do not use QR codes.

All signage shall follow a uniform design approved by the Town.

4. Duration of Recognition

a. Physical signage recognizing specific championships may be displayed for a period of **up to 30 days**, after which it may be removed or replaced
b. Permanent signage may reference championships generally, with detailed and historical recognition maintained digitally
c. Digital recognition shall be maintained as a **permanent historical record**, subject to available resources

5. Retroactive Recognition

a. The Town may, at its discretion, include **past championship teams and qualifying non-sports achievements** in the digital recognition platform
b. Retroactive physical signage shall not be required but may be considered by the Select Board

6. Administration and Oversight

a. The **Town Manager or designee** shall be responsible for administration of this policy
b. The Town may designate a department or committee (e.g., Communications, School Department, or Hall of Fame Committee) to maintain digital content
c. Verification of achievements shall be coordinated with the appropriate school officials or governing bodies

7. Funding

a. All signage and related costs shall be subject to **available funding and appropriation**
b. The Town may seek **grants, sponsorships, or donations**, consistent with applicable laws and policies
c. No signage shall be installed without prior funding approval

8. Design and Installation

a. All signage design, placement, and installation shall be subject to approval by the Select Board through its Town Manager having consulted with appropriate Town Departments
b. Installation shall comply with all applicable safety, zoning, and public works requirements

SAMPLE

c. The Department of Public Works (DPW) shall coordinate installation and maintenance, as appropriate

9. Exceptions

Any exceptions to this policy must be approved by the Select Board.

10. Effective Date

This policy shall take effect upon approval by the Select Board.

Adopted by the Billerica Select Board on: _____

SAMPLE

MEMORANDUM

TO: Select Board

FROM: Christopher Dillon, Town Manager

SUBJECT: Town Manager's Report

DATE: April 9, 2026

Town Manager

First Floor Bathrooms

If you have been in the Town Hall in the past month and a half, you may have noticed the 1st floor bathrooms have been under renovations and updating. As of the typing of this email, the bathrooms are now back open and functioning very well. The goal from the beginning was to have them operational for the election. There are a couple of minor/punch list items to be completed, but I also wanted to thank Bob Sallese and his team for their exceptional work.

Boiler at Town Hall

I was made aware yesterday that one of the boilers for Town Hall is down. We are currently getting pricing for repairs and also replacement. Mr. Sallese believes the boiler is at its life expectancy and we will likely have to replace. Again, we will know more once we get numbers for both. For additional information, there are three boilers that support the Town Hall. The other two should be able to maintain the temperature for the building until the third is repaired or replaced.

Liberty Tree

The Board may recall that Dan Burns, with the Billerica Minutemen, attended your March 2nd meeting regarding approval for a "Liberty Tree" on the Town common. The Board approved of the installation, but directed Mr. Burns to work with DPW Director Russell on the location. Staff met with Mr. Burns last Monday, March 30th, and found an agreeable location. The tree is scheduled for installation on April 21st.

Parker Street

The Board has been actively involved with the traffic in and around the Parker Street and the Parker Elementary School. It has been suggested to modify signage, reduce the speed limit, and limit travel during certain times. The DPW Director suggested letting staff get together, evaluate, and formulate a plan to report back to the Board. At the time of drafting the TM Report, we are scheduled to meet later in the day (2:00pm), and I hope to update the Board with a little more information from that meeting. Once a thorough and complete recommendation has been formulated, we will schedule the discussion before the board.

Grant for Fire

Attached to this update is a letter we recently received regarding a Firefighter Safety Equipment Grant the Town of Billerica received for $24,996. The Chief will be using the funds to purchase SCBA cylinders for the department air packs. The air packs have a 15-year lifespan and we "retired" more than 30 in the last couple of years that we purchased years ago with a similar grant. This will allow the Fire Department to replace approximately 20.

Department of Public Works

- Stormwater Outreach: As part of the Public Education and Outreach requirements under the Town's Stormwater MS4 Permit, we are working with a local girl scout troop to help them learn about stormwater. They used an Enviroscape model, which demonstrates how pollutants may reach waterways in stormwater runoff and plan to stencil storm drains in a neighborhood.

- Congressionally Directed Spending Grant Applications: We submitted three projects under this grant through Senators Warren & Markey's offices:
- Improving Walkability and Safety in Billerica School Neighborhoods,
- Reliable Water Infrastructure for Public Safety, Resilience, and Growth,
- Optimizing Sewer Infrastructure for System Capacity

Previously, we submitted the same projects through Congressman Moulton's office. None of these projects were selected for submission by Congressman Moulton. We are also looking into other opportunities for the Town through Senator Friedman's office.

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Department of Fire Services
P.O. Box 1025 ~ State Road
Stow, Massachusetts 01775
(978) 567~3100 Fax: (978) 567~3121
www.mass.gov/dfs

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LT. GOVERNOR

GINA K. KWON
SECRETARY

JON M. DAVINE
STATE FIRE MARSHAL

March 31, 2026

The Honorable Marc Lombardo
The Commonwealth of Massachusetts
State House Room 443
Boston, MA 02133-1053

Dear Representative Lombardo:

On behalf of Governor Maura Healey and Secretary of Public Safety and Security Gina Kwon, I am pleased to inform you that the funds for the FY 2026 Firefighter Safety Equipment Grant have been awarded to local fire departments. A list of award decisions for eligible applicants within your constituency is attached for your reference.

Fire departments will use this funding to purchase a wide variety of equipment that will make impactful improvements to the safety of their personnel. Many will be outfitting their firefighters with new protective gear, while others will be acquiring important tools such as thermal imaging cameras, hazardous gas detectors, and personnel accountability systems. I am certain that many emergency calls will have better outcomes for both responders and victims as a result of this program, and that the long-term health of our firefighters will be greatly enhanced.

I am proud every day of the way the fire service in Massachusetts serves the public with great dedication and expertise. I am also deeply thankful for the support of the Healey-Driscoll Administration and the Legislature which made this program possible. The fire service is appreciative of all of your ongoing efforts to further vital public safety initiatives in Massachusetts.

Sincerely,

Jon Davine

Jon M. Davine
State Fire Marshal
Enclosure

Department of Fire Services
Commonwealth of Massachusetts

FY26 Firefighter Safety Equipment Grant Awards

22nd Middlesex District

Fire Department	Award Amount
Town of Billerica	$24,996.00