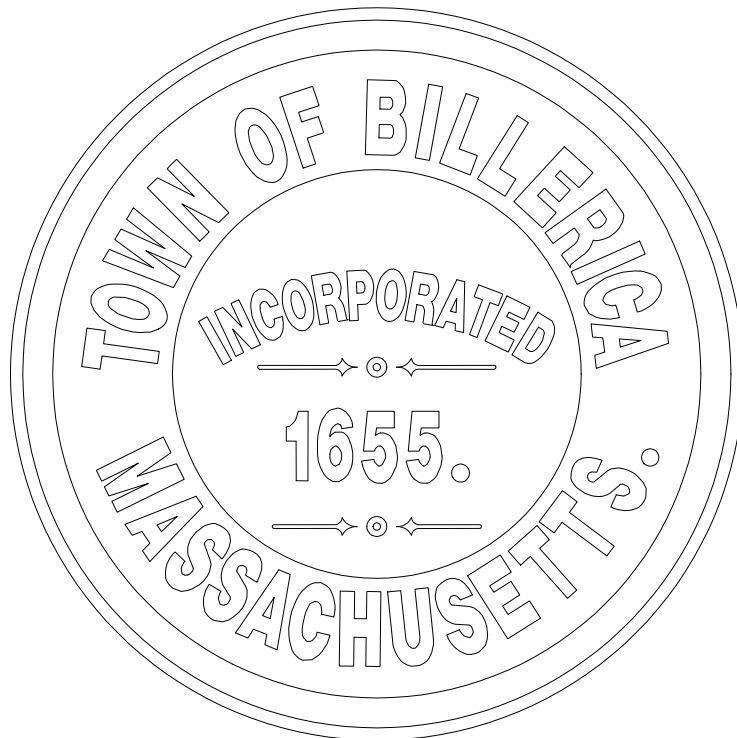


TOWN OF BILLERICA

PRELIMINARY WARRANT



ANNUAL SPRING TOWN MEETING

**Annual Spring Town Meeting
Tuesday, May 7, 2013 at 7:30 PM**

At

Billerica Town Hall Auditorium

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
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1	To Set Compensation of Elected Officials			Finance Committee	
2	To Hear Reports of Town Departments, Committees & Officers			Town Manager; authorized by BOS	

Financial Articles

3	To Transfer Funds Between 2013 Budget Line Items	3,000,000		Town Manager; authorized by BOS	
4	Fiscal Year 2014 Town and School Budget	132,137,510		BOS, Town Manager & Finance Committee	
5	To Allow Town Manager and Finance Committee to Transfer Funds			Finance Committee	
6	To Fund Collective Bargaining Agreement for Teachers Union			Billerica School Committee	
7	To Fund Collective Bargaining Agreement for School Paraprofessionals			Billerica School Committee	
8	To Fund Collective Bargaining Agreement for School Secretarial			Billerica School Committee	
9	To Fund Collective Bargaining Agreement for School Administrators			Billerica School Committee	
10	To Fund Collective Bargaining Agreement for School Cafeteria Personnel			Billerica School Committee	
11	To Fund Collective Bargaining Agreement for School Custodians			Billerica School Committee	
12	To Fund Collective Bargaining Agreement for IAFF Firefighters			Town Manager; authorized by BOS	
13	To Fund Collective Bargaining Agreement for IAFF Civilian Fire Alarm Operators			Town Manager; authorized by BOS and School Committee	
14	To Fund Collective Bargaining Agreement for SEIU Local 888 Administrative Unit			Town Manager; authorized by BOS	
15	To Fund Collective Bargaining Agreement for Town Non-Union Personnel			Town Manager; authorized by BOS	
16	To Fund Collective Bargaining Agreement for BMEA DPW Workers			Town Manager; authorized by BOS	
17	To Fund Collective Bargaining Agreement for IAEP Police EMT's & Paramedics			Town Manager; authorized by BOS	
18	To Fund Collective Bargaining Agreement for NEPBA Police Civilian Dispatchers			Town Manager; authorized by BOS	

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
19	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (A) Patrolmen			Town Manager; authorized by BOS	
20	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (B) Superior Officers			Town Manager; authorized by BOS	
21	To Fund Collective Bargaining Agreement for IUPE Clerical Unit			Town Manager; authorized by BOS	
22	To Authorize Departmental Revolving Funds	1,180,000		Town Manager; authorized by BOS	
23	To Fund Master Plan	50,000		Planning Board	
24	To Fund Water Conservation Rebate Program	50,000		Town Manager; authorized by BOS	
25	To Fund Retro-Fit Public Buildings with Water Conservation Fixtures	107,000		Town Manager; authorized by BOS	
26	To Fund Infiltration/Inflow Removal Program Phase II I/I Investigation	100,000		Town Manager; authorized by BOS	
27	To Fund the Design of Middlesex Turnpike Phase III	1,180,000		Town Manager; authorized by BOS	
28	Middlesex Corporate Park Roadway Layout/Construction Financing	4,000,000		Town Manager; authorized by BOS	

Local Acceptance of State Statutes and Petition to General Court

29	Payment in Lieu of Tax Agreement – Shaffer Landfill Site on Pond Street			Town Manager; authorized by BOS	
30	To Request that Town Meeting Vote to Authorize the Board of Selectmen to File a Home Rule Petition for Extension of Civil Service List for the Position of Police Sergeant			Billerica Police Department	
31	OPEB Trust Custodial			Town Manager; authorized by BOS	

Land Use Articles

32	To Authorize the Board of Selectmen to Acquire Easements for Bertha Circle and Poe Rd Pump Station Elimination Project			Town Manager; authorized by BOS	
33	To Authorize the Board of Selectmen to Acquire Easements Located at 16 Mount Pleasant Street and 11 Station Street for Sidewalk Purposes			Town Manager; authorized by BOS	
34	To Authorize the Board of Selectmen to Accept as Public Ways			Town Manager; authorized by BOS	
35	To Authorize the Board of Selectmen to Grant Utility Easements to National Grid			Town Manager; authorized by BOS	

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
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By-Law Changes

36	To Amend the General By-Laws			General By-Law Review Committee	
37	To Accept a Proposed Zoning By-Law Amendment for a Temporary Moratorium on Medical Marijuana Treatment Centers			Planning Board	

Petitioner Articles

38	Petitioner Article			Petitioner	
39	Petitioner Article			Petitioner	
40	Petitioner Article			Petitioner	
41	Petitioner Article			Petitioner	

PRELIMINARY
WARRANT
2013 ANNUAL SPRING TOWN MEETING

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

Greetings,

You are hereby authorized and requested to notify and warn the inhabitants of said Town of Billerica qualified by law to vote in Elections and Town Affairs, to meet at the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA on Tuesday, May 7, 2013 at 7:30 PM and subsequent Thursdays and Tuesdays until all of the business in the Warrant shall have been acted upon, then and there to vote on the following articles:

ARTICLE 1 - TO SET COMPENSATION OF ELECTED OFFICIALS

To see if the Town will vote to fix the compensation of the following six elected officers of the Town and determine any salary increase that shall become effective July 1, 2013; or act in relation thereto.

- Selectmen, Chairman - \$2,000
- Selectmen, Members - \$1,800
- Town Clerk - \$96,074; or act in relation thereto.

Submitted by the Billerica Finance Committee

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

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

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

ARTICLE 3 - TRANSFER FUNDS BETWEEN 2013 BUDGET LINE ITEMS

To see if the Town will vote to transfer from available funds the sum of \$3,000,000 to amend various Fiscal Year 2013 budget line items; or act in relation thereto.

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

ARTICLE 4 - FISCAL YEAR 2014 TOWN AND SCHOOL BUDGET

To see if the Town of Billerica will vote to adopt, pursuant to Article 5 of the Billerica Home Rule Charter, the following proposed line item budget for fiscal year beginning July 1, 2013 and ending June 30, 2014. It is anticipated that \$35,031 will be transferred from the Hallenborg Rink Fund to fund a portion of the Debt Service Budget.

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

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

Submitted by the Board of Selectmen, Town Manager and Finance Committee

ARTICLE 5 - TO ALLOW TOWN MANAGER AND FINANCE COMMITTEE TO TRANSFER FUNDS

To see if the Town will vote to allow the Town Manager, upon the request of a Department Head, Board or Commission, to make a transfer of funds between budget line items not-to-exceed a difference of \$5,000 from the amount voted at Town Meeting per line item for the Fiscal Year 2014, with the exclusion of the travel accounts within the same department. Transfers within department line items in excess of \$5,000 for Fiscal Year 2014 must be approved by the Finance Committee. A written report from the Town Manager on all transfers of \$5,000 and under must be provided to the Finance Committee on the first Tuesday of each month; or act in relation thereto.

Submitted by the Finance Committee

ARTICLE 6 - TO FUND COLLECTIVE BARGAINING AGREEMENT – TEACHERS

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

Submitted by the Billerica School Committee

ARTICLE 7 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL PARAPROFESSIONALS

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

Submitted by the Billerica School Committee

ARTICLE 8 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL SECRETARIAL

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

Submitted by the Billerica School Committee

ARTICLE 9 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL ADMINISTRATORS

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

Submitted by the Billerica School Committee

ARTICLE 10 - TO FUND COLLECTIVE BARGAINING AGREEMENT – CAFETERIA PERSONNEL

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

Submitted by the Billerica School Committee

ARTICLE 11 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL CUSTODIANS

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

Submitted by the Billerica School Committee

ARTICLE 12 - TO FUND COLLECTIVE BARGAINING AGREEMENT - IAFF FIREFIGHTERS

To see if the Town of Billerica will vote to raise and appropriate or transfer from available funds a sum of money to fund the Collective Bargaining Agreement between the Town and IAFF Firefighters (International Association of Firefighters); or act in relation thereto.

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

ARTICLE 13 - TO FUND COLLECTIVE BARGAINING AGREEMENT - IAFF CIVILIAN FIRE ALARM OPERATORS

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

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

ARTICLE 14 - TO FUND COLLECTIVE BARGAINING AGREEMENT - SEIU LOCAL 888 ADMINISTRATIVE UNIT

To see if the Town of Billerica will vote to raise and appropriate or transfer from available funds a sum of money to fund the Collective Bargaining Agreement between the Town and SEIU Local 888 Administrative Unit (Service Employees International Union); or act in relation thereto.

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

ARTICLE 15 - TO FUND SALARY ADJUSTMENTS FOR TOWN NON-UNION PERSONNEL

To see if the Town of Billerica will vote to raise and appropriate or transfer from available funds a sum of money to fund salary adjustments for Town Non-Union Personnel; or act in relation thereto.

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

ARTICLE 16 - TO FUND COLLECTIVE BARGAINING AGREEMENT - BMEA DPW WORKERS

To see if the Town of Billerica will vote to raise and appropriate or transfer from available funds a sum of money to fund the Collective Bargaining Agreement between the Town and BMEA DPW Workers (Billerica Municipal Employees Association); or act in relation thereto.

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

ARTICLE 17 - TO FUND COLLECTIVE BARGAINING AGREEMENT - IAEP POLICE EMT'S & PARAMEDICS

To see if the Town of Billerica will vote to raise and appropriate or transfer from available funds a sum of money to fund the Collective Bargaining Agreement between the Town and IAEP Police EMT's & Paramedics (International Association of EMT's & Paramedics); or act in relation thereto.

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

ARTICLE 18 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE CIVILIAN DISPATCHERS

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

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

ARTICLE 19 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE OFFICERS - GROUP (A) PATROLMEN

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

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

ARTICLE 20 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE OFFICERS - GROUP (B) SUPERIOR OFFICERS

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

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

ARTICLE 21 - TO FUND COLLECTIVE BARGAINING AGREEMENT - IUPE CLERICAL UNIT

To see if the Town of Billerica will vote to raise and appropriate or transfer from available funds a sum of money to fund the Collective Bargaining Agreement between the Town and IUPE Clerical Unit (Independent Union of Public Employees); or act in relation thereto.

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

ARTICLE 22 - TO AUTHORIZE DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote to authorize revolving funds for certain Town departments under M.G.L. Chapter 44, Section 53E^{1/2} for the Fiscal Year beginning July 1, 2013 as follows; or act in relation thereto.

<u>REVOLVING FUND</u>	<u>AUTHORIZED TO SPEND FUND</u>	<u>REVENUE SOURCE</u>	<u>USE OF FUND</u>	<u>FISCAL YEAR 13 SPENDING LIMIT</u>
Wetlands By-Law	Town Manager	Fees from Wetland By-Law	Enforcement of Wetland By-Law	\$30,000
C.O.A. Programs	Council on Aging Director	Fees from Senior Center Programs	Support of the Senior Center Programs	\$60,000
BEAM Program	School Superintendent	Revenues from Medicaid and Health Insurance	Support of BEAM Program	\$850,000
Respite Care Program	C.O.A. Director	Fees from Respite Care Program	Support of Respite Care Program	\$120,000
Backflow Prevention	DPW Director	Fees for Backflow Prevention Inspections	Backflow Prevention Program	\$120,000
TOTAL:				\$1,180,000

Submitted by the Town Manager; authorized by the Board of Selectmen and Billerica School Committee

ARTICLE 23 - TO FUND MASTER PLAN

To see if the Town will raise and appropriate or transfer from available funds a sum of \$50,000 for the Planning Board to undertake an update to the Master Plan; or act in relation thereto.

Submitted by the Planning Board

ARTICLE 24 - TO FUND WATER CONSERVATION REBATE PROGRAM

To see if the town will vote to transfer and appropriate from the Water Conservation Fund the sum of \$50,000 to fund the Water Conservation Rebate Program; or act in relation thereto.

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

ARTICLE 25 - TO FUND RETRO-FIT PUBLIC BUILDINGS WITH WATER CONSERVATION FIXTURES

To see if the town will vote to transfer and appropriate from the Water Conservation Fund the sum of \$107,000 to fund retro-fitting public buildings with water conservation fixtures; or act in relation thereto.

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

ARTICLE 26 - TO FUND INFILTRATION/INFLOW REMOVAL PROGRAM PHASE II I/I INVESTIGATION

To see if the town will vote transfer and appropriate from the Inflow and Infiltration Mitigation Fund the sum of \$100,000 for the infiltration/inflow program as detailed in the Comprehensive Wastewater Management Plan, Infiltration/Inflow Analysis Report and the Sanitary Sewer Overflow Abatement Plan; or act in relation thereto.

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

ARTICLE 27 - TO FUND THE DESIGN OF MIDDLESEX TURNPIKE PHASE III

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow the sum of \$1,180,000 for the Middlesex Turnpike Phase III; or act in relation thereto.

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

ARTICLE 28 - MIDDLESEX CORPORATE PARK ROADWAY LAYOUT/CONSTRUCTION FINANCING

To see if the Town will vote to accept the layouts as public ways of the Middlesex Corporate Park and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain taking any land necessary for the purposes of such ways as so laid out, and to appropriate and transfer from available funds and/or to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow at one time, or from time to time, under and pursuant to Chapter 44 Section 7 or 8 or any other enabling authority, the sum of \$4,000,000 for such purchase, taking and layout, including the costs of designing and constructing such ways, and all legal, financing and other costs incidental and related thereto; and further to authorize the Board of Selectmen to assess betterments to the owners of the land abutting the ways to recover said costs and expenses; or act in relation thereto.

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

ARTICLE 29 - PAYMENT IN LIEU OF TAX AGREEMENT – SHAFFER LANDFILL SITE ON POND STREET

To see if the Town will vote to authorize the Board of Selectmen to negotiate and execute a PILOT agreement pursuant to G.L. C. 59, §38H, and regulations promulgated there under, with respect to annual payments in lieu of real and personal property taxes for a term of up to 25 years relative to the parcel of land located at 209 Pond Street, Billerica, commonly referred to as the “Shaffer Landfill”; said PILOT agreement to be based upon the proposed construction and operation of a solar photovoltaic electricity generating facility with an expected capacity of approximately 5.8 megawatts on said parcel; or act in relation thereto.

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

ARTICLE 30 - TO REQUEST THAT TOWN MEETING VOTE TO AUTHORIZE THE BOARD OF SELECTMEN TO FILE A HOME RULE PETITION FOR EXTENSION OF CIVIL SERVICE PROMOTIONAL LIST FOR THE POSITION OF POLICE SERGEANT

To see if the Town will vote to authorize the Board of Selectmen to file a so-called "Home Rule Petition" with the General Court of the Commonwealth for the purpose of extending a Police Promotional List for the position of Police Sergeant. The Home Rule Petition shall be worded substantially similar to the following:

An Act Relative to Town of Billerica Police Department Promotional List

SECTION 1: Notwithstanding the provisions of Chapter 31 of the General Laws, or of any other general or special law to the contrary, the Town of Billerica is hereby authorized to make permanent promotions to the rank of Police Sergeant from Civil Service Certification List 290682 until such time as a new Town of Billerica Police Sergeant Promotion List is established and certified by Civil Service.

SECTION 2: This act shall take effect immediately following its passage.

Or act in relation thereto.

Submitted by the Billerica Police Department

ARTICLE 31 - OPEB TRUST CUSTODIAL

To see if the Town will vote to designate the State Health Care Security Trust as custodian of its Other Post-employment benefits ("OPEB") Trust Funds pursuant to M.G.L. Chapter 32B, Subsection 20; or act in relation thereto.

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

ARTICLE 32 - TO AUTHORIZE THE BOARD OF SELECTMEN TO ACQUIRE EASEMENTS FOR BERTHA CIRCLE AND POE ROAD PUMP STATION ELIMINATION PROJECT

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain taking, easements for public sewer purposes in and over a portion of the properties identified on Billerica Assessor's Map 71 Block 28, Map 71 Block 24-1, Map 80 Block 91-1-2, Map 80 Block 92, and Map 80 Block 73, specifically, that portion of said parcel described as a Sewer Easement and Construction Easement on a Plan Of Easements drawn by Ducharme & Dillis Civil Design Group, Inc.; to authorize the Selectmen to execute any documents or instruments necessary to effect said easements.

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

ARTICLE 33 - TO AUTHORIZE THE BOARD OF SELECTMEN TO ACQUIRE EASEMENTS LOCATED AT 16 MOUNT PLEASANT STREET AND 11 STATION STREET FOR SIDEWALK PURPOSES

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain taking an easement for roadway and sidewalk purposes in and over a portion of the property located at 16 Mt. Pleasant Street and 11 Station Street, identified on Billerica Assessor's Map 10 Block 72 and Map 10 Block 50, specifically, that portion of said parcel described as a XXX Easement on a Plan drawn by XXX, containing XXX and XXX square feet, more or less; to authorize the Selectmen to execute any documents or instruments necessary to effect said easement.

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

ARTICLE 34 - TO AUTHORIZE THE BOARD OF SELECTMEN TO ACCEPT AS PUBLIC WAYS

To see if the Town will vote pursuant to M.G.L. c. 82, §23 to accept as public ways of the Town of Billerica those streets and ways listed below, the layout of which is shown on the official Town of Billerica Map of 1831, a copy of which is on file in the Office of the Town Clerk; or act in relation thereto;

1831 Map - List of Roads

Current Street Name	From	To
Alexander Road	Cook Street	Wilmington Town Line
Allen Road	Boston Road	Andover Road
Allen Road Extension	Allen Road	Andover Road
Andover Road	Boston Road	Tewksbury Town Line
Baldwin Road	Allen Road	Salem Road
Boston Road	Burlington Town Line	Chelmsford Town Line
Bridge Street	Treble Cove Road	Boston Road
Charnstaffe Lane	Concord Road	Boston Road
Chelmsford Road	Chelmsford Town Line	Boston Road
Colson Street	Treble Cove Road	Lowell Street
Concord Road	Bedford Town Line	Boston Road
Cook Street	Boston Road	Wilmington Town Line
Cummings Street	Concord Road	Boston Road
Dudley Road	Concord Road	Bedford Town Line
Farmers Lane	Boston Road	Dead End
Faulkner Street	Mt. Pleasant Street	Old Elm Road
Floyd Street	Boston Road	Salem Road
Gray Street	Andover Road	Tewksbury Town Line
High Street	Pollard Street	Tewksbury Town Line
Lexington Road	Bedford Town Line	Boston Road
Middlesex Turnpike	Bedford Town Line	Concord Road
Mt. Pleasant Street	Faulkner Street	High Street
Nashua Road	Chelmsford Town Line	Bedford Town Line
Oak Street	Sheldon Street	Pond Street
Old Elm Road	Faulkner Street	Colson Street
Old Middlesex Turnpike	Concord River	Dead End passing River Street Extension

Patten Road	Gray Street	Tewksbury Town Line
Pollard Street	Boston Road	950' passing High Street
Pond Street	Andover Road	Tewksbury Town Line
Rangeway Road	Carlisle Town Line	Boston Road
River Street	Boston Road	River Street Extension
River Street	Rosewood Avenue	Treble Cove Road
River Street Extension	River Street	Dead End
Rogers Street	High Street	Mt. Pleasant Street
Salem Road	Dead End	Wilmington Town Line
School House Lane	Lexington Road	Wyman Road
Sheldon Street	High Street	Tewksbury Town Line
Sprague Street	Treble Cove Road	Boston Road
Springs Road	Concord Road	Bedford Town Line
Sullivan Road	Dead End	1,250' passing Rangeway Road Northward
Treble Cove Road	Carlisle Town Line	Pollard Street
Tufts Lane	Boston Road	Dead End
Webb Brook Road	Boston Road	Allen Road
West Street	Chelmsford Town Line	Treble Cove Road
Whipple Road	George Brown Street	Wilmington Town Line
Winning Road	Treble Cove Road	Dead End
Wyman Road	Dead End	Boston Road

The Following Roads Shown on the 1831 Map Have Already Been Accepted:

Current Street Name	From	To	
Bicknell Road	Cook Street	Burlington Town Line	Accepted 10/01/1996
George Brown Street	Whipple Road	Salem Road	Accepted 04/05/1975
Manning Road	Lexington Road	Dead End	Accepted 03/15/1886
Orchard Road	Bedford Town Line	Bridge Over Route 3	Accepted 03/15/1886

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

ARTICLE 35 - TO AUTHORIZE THE BOARD OF SELECTMEN TO GRANT UTILITY EASEMENTS TO NATIONAL GRID

To see if the Town will vote to authorize the Board of Selectmen to grant utility easements to National Grid at the following locations:

Adage Pump Station

Easement between the Town/Property Owner/National Grid for the underground electrical service and pad mounted transformer.

Middlesex Turnpike Pump Station

Easement from the Town to National Grid for the new underground electrical service from the pole to the meter socket on the building.

Lake Street Pump Station

Easement from the Town to National Grid for the new underground electrical service from the pole to the meter socket on the building.

Marshall Street Pump Station

Easement from the Town to National Grid for the new underground electrical service from the pole to the meter socket on the building.

Monson Pump Station

Easement from the Town to National Grid for the new underground electrical service from the pole to the meter socket on the building.

Nashua Road Pump Station

Easement from the Town to National Grid for the new underground electrical service from the pole to the meter socket on the building and underground natural gas service to fire the new generator.

And to authorize the Board of Selectmen to execute any documents or instruments necessary to effect said easement; or act in relation thereto

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

ARTICLE 36 - TO AMEND THE GENERAL BY-LAWS

To see if the Town will vote to amend the General By-Laws as follows:

1. Article 1, Section 1.4 of the General By-Laws by replacing the word "At" to "Prior To".

Current:

At the first session of the Annual Spring Town Meeting, the Representatives in each of the respective precincts shall elect one of their number to act as Chairman and one of their number to act as Clerk of that precinct, both for a term of one (1) year.

Proposed:

Prior to the first session of the Annual Spring Town Meeting, the Representatives in each of the respective precincts shall elect one of their number to act as Chairman and one of their number to act as Clerk of that precinct, both for a term of one (1) year.

2. Article 1, Section 2.7A of the General By-Laws as follows:

Current:

A. Any Representative wishing to speak on an article shall stand or raise their hands to be recognized by the Moderator who shall acknowledge them and place their names on a list. Once recognized, each Representative shall be seated and wait to be called upon to speak, in turn, by the Moderator.

Proposed:

A. Any Representative wishing to speak on an article shall stand or raise his/her hand to be recognized by the Moderator who shall acknowledge him/her and place his/her name on a list. Once recognized, each such Representative shall resume his/ her seat and wait to be called upon to speak, in turn, by the Moderator. **Alternatively, whenever, at the discretion of the Moderator, the anticipated nature and scope of discussion on any Article shall so warrant, the Moderator may request that Representatives wishing to speak on a particular matter form lines behind microphones as the Moderator shall direct, whereupon those standing in the respective lines shall be authorized to speak, in turn, by the Moderator.**

3. Article 2, Section 2.2 of the General By-Laws as follows to reflect the actual practice of the COA:

Current:

The Council on Aging shall consist of seven (7) voting members, four (4) or more aged 60 or over, appointed by the Board of Selectmen from the voters and residents of the Town for a term of three (3) years, each so arranged that as nearly an equal number of such terms of office as is possible shall expire each year. In addition, there will also be one (1) nonvoting member from each of the following, appointed by each board: the Board of Health, the Housing Authority and the Veterans' Office.

Proposed:

The Council on Aging shall consist of seven (7) voting members, four (4) or more aged **sixty (60)** or over **and three (3) alternate members, who vote in the absence of a regular member,** appointed by the Board of Selectmen from the voters and residents of the Town for a term of three (3) years, each so arranged that as nearly an equal number of such terms of office as is possible shall expire each year.

4. Article 2, Section 12.2 of the General By-Laws by replacing the word “not Town Officers” to “shall not be a Town Officer”.

Current:

Each member shall be a registered voter of the Town, and not Town Officers.

Proposed:

Each member shall be a registered voter of the town, and **shall not be a** Town Officer.

5. Article 2, Section 39 of the General By-Laws, by deleting Section 39 in its entirety. The Communication Committee was dissolved by the Fall 2012 Town Meeting.
6. Article 3, Section 7 sub-section “**GENERAL**” of the General By-Laws as follows:

Current:

Voter’s Card \$5.00

Proposed:

Voter’s Card **\$0.00**

7. Article 7, Section 2.9 of the General By-Laws by adding the title “**Authority of the Animal Control Officer**”.
8. Article 7, Section 2.9 of the General By-Laws as follows:

Current:

Any Animal Control Officer shall have police powers in the enforcement of this By-Law and no person shall interfere with, hinder, molest or abuse any Animal Control Officer in the exercise of such powers.

Proposed:

Any Animal Control Officer shall have police powers in the enforcement of this By-Law. **No** person shall interfere with, hinder, molest or abuse any Animal Control Officer in the exercise of such powers.

9. Article 7, Section 2.14 of the General By-Laws by changing the title “Animal Control Officer” to “**Appointment of the** Animal Control Officer”:

10. Article 9, Section 11 of the General By-Laws as follows:

Current:

DISCHARGE OF WATER ON TO PUBLIC WAYS

The discharge of water on to public ways shall be prohibited between November 15th and April 15th.

Proposed:

DISCHARGE OF WATER ON TO PUBLIC WAYS

The discharge of water on to public ways shall be prohibited between November 15th and April 15th.

A violation of this bylaw shall occur when a property owner intentionally discharges water from his/her property onto a public way. It shall not include the natural flow of water onto a public way.

11. Article 13, Section 1 of the General By-Laws as follows:

Current:

Mandatory Paper Recycling

Each residential household situated within the Town shall be required to actively participate in a Mandatory Paper Recycling Program. Paper to be recycled includes newspaper/inserts, junk mail, magazines, catalogs, phone books, office paper, chip board such as cereal, cracker and beer and soda boxes, shoe boxes and corrugated cardboard. Provisions of this By-Law shall be effective upon the Town implementing weekly recycling program.

Proposed:

Mandatory Recycling

Each residential household situated within the Town shall be required to actively participate in a Mandatory Recycling Program. Items that can and cannot be recycled may be found in the "Town of Billerica Recycling and Trash Collection Guide", maintained by the Department of Public Works. Provisions of this By-Law shall be effective upon the Town continuing the weekly recycling program.

Or act in relation thereto.

Submitted by the General By-Law Review Committee

ARTICLE 37 - TO ACCEPT A PROPOSED ZONING BY-LAW AMENDMENT FOR A TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS

To see if the Town will vote to accept the proposed Zoning By-Law Amendment for a Temporary Moratorium on Medical Marijuana Treatment Centers:

Section 5.I Temporary Moratorium on Medical Marijuana Treatment Centers

Whereas, by vote at the State Election on November 6, 2012, the voters of the Commonwealth approved Ballot Question 3 authorizing legislation regulating the cultivation, distribution, possession and use of marijuana for medical purposes; and

Whereas, said legislation became effective on January 1, 2013; and,

Whereas, the State Department of Public Health is required to issue regulations regarding implementation of the new law within 120 days of the law's effective date; and,

Whereas, currently under the Town of Billerica Zoning Bylaw (and other local bylaws and regulations), a medical marijuana treatment facility is not a permitted use in the Town; and,

Whereas any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including medical marijuana treatment centers; and,

Whereas, the regulation of medical marijuana raises novel and complex legal and land use planning issues; and,

Whereas the Town needs time to study and consider the regulation of medical marijuana treatment centers and address such novel and complex issues; and,

Whereas the Town needs time to address the potential impact of the state regulations on local zoning; and,

Whereas the Town needs time to undertake a planning process to consider substantive amendments to the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to medical marijuana; and,

Whereas the Town deems it to be in the public interest and consistent with the underlying goals and objectives of the Zoning Bylaw to adopt a temporary moratorium on the use of land and structures located in the Town for medical marijuana treatment centers and related purposes so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws and regulations in a manner consistent with sound land use planning goals and objectives;

Wherefore, the Town of Billerica hereby adopts the following temporary moratorium on the use of land and structures for medical marijuana treatment centers in the Town:

For the reasons set forth above and notwithstanding any other provision in the Town of Billerica Zoning Bylaw to the contrary, the Town of Billerica hereby adopts a temporary moratorium on the use of land or structures for purposes of cultivation, distribution, possession and use of marijuana for medical purposes and/or the operation of a medical marijuana treatment center. The moratorium shall remain in effect until June 30, 2014 (unless repealed earlier by action of Town Meeting). During the moratorium period, the Town will undertake a planning process to address the potential impacts of the medical marijuana legislation in Billerica, consider the Department of Public Health regulations regarding medical marijuana treatment facilities and related uses, and adopt appropriate zoning regulations to address the impact and operation of medical marijuana treatment centers and related uses in Billerica.

Or act in relation thereto.

Submitted by the Planning Board

ARTICLE 38 - (PETITIONER ARTICLE)

To see if Town Meeting Members will vote to have a fifteen minute time restriction for proponents on their presentations.

Submitted by Virginia Musker and Messrs. Musker, Lyman, Fischer, Robertson and Madames Carey, Carey, Lyman, El-Fakih, Regan and MacDonald.

ARTICLE 39 - (PETITIONER ARTICLE)

To see if Town Meeting will vote to have their electronic vote shown at the actual time of the voting rather than the next day. Residents then will be able to see how their town meeting member who represents their precinct actually votes on issues that have direct impact to them.

Submitted by Virginia Musker and Messrs. Musker, Lyman, Fischer, Robertson and Madames Carey, Carey, Lyman, El-Fakih, Regan and MacDonald.

ARTICLE 40 - (PETITIONER ARTICLE)

To see if the Town will vote to form a Committee to bring to Town Meeting a plan to complete the Yankee Doodle Bike Path from the Billerica/Bedford town line to Billerica Memorial High School.

Submitted by Edward Hurd and Messrs. Gadbois, Roy, Tracey, Morgan, Morgan, Whippen, MacDonald and Madames Hurd, Hurd, Libby, Tracey and MacDonald.

ARTICLE 41 - (PETITIONER ARTICLE)

To see if the Town will vote to authorize the Board of Selectmen to abandon approximately a 20' x 150' drainage easement located on the properties of #52 and #54 Forest Park Avenue as shown on Land Court Plan 33684A and of plan of land submitted and drawn by Land Engineering and Environmental Services Inc. dated March 13, 2013. Property owners are Paul and Laurie Brennan of 52 Forest Park Avenue, Assessors Map 14, Parcel *& Land Court Book 136, page 49 and Kenneth and Monica Dube of 54 Forest Park Avenue Assessors Map 14, Parcel 88, Land Court Book 133, Page 205. The purpose of abandoning the easement which currently has no drainage installed in it is so a garage can be constructed on #52 Forest Park Avenue and that both families can have the full use and enjoyment of their property; or act in relation thereto.

Submitted by Paul Brennan and Messrs. Brennan, McGuerty, Gullage, Gullage, Annese and Madames Brennan, Gough, Brennan, McNamara, Abelli, Marcolongo, Morrison and McGuerty.

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