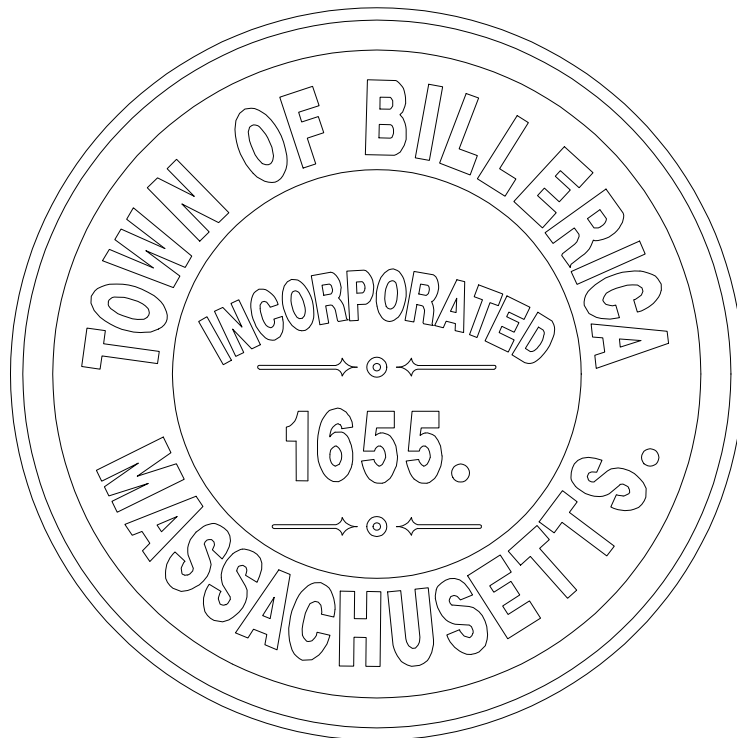


TOWN OF BILLERICA

FINAL 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	Recommends
2	To Hear Reports of Town Departments, Committees & Officers			Town Manager; authorized by BOS	Recommends

Financial Articles

3	To Transfer Funds Between 2013 Budget Line Items	\$236,383		Town Manager; authorized by BOS	Recommends
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	Recommends
6	To Fund Collective Bargaining Agreement for Teachers Union			Billerica School Committee	Reserves Recommendation
7	To Fund Collective Bargaining Agreement for School Paraprofessionals			Billerica School Committee	Reserves Recommendation
8	To Fund Collective Bargaining Agreement for School Secretarial			Billerica School Committee	Recommends
9	To Fund Collective Bargaining Agreement for School Administrators			Billerica School Committee	Reserves Recommendation
10	To Fund Collective Bargaining Agreement for School Cafeteria Personnel			Billerica School Committee	Reserves Recommendation
11	To Fund Collective Bargaining Agreement for School Custodians			Billerica School Committee	Reserves Recommendation
12	To Fund Collective Bargaining Agreement for IAFF Firefighters			Town Manager; authorized by BOS	Reserves Recommendation
13	To Fund Collective Bargaining Agreement for IAFF Civilian Fire Alarm Operators			Town Manager; authorized by BOS and School Committee	Reserves Recommendation
14	To Fund Collective Bargaining Agreement for SEIU Local 888 Administrative Unit			Town Manager; authorized by BOS	Reserves Recommendation
15	To Fund Collective Bargaining Agreement for Town Non-Union Personnel			Town Manager; authorized by BOS	Reserves Recommendation
16	To Fund Collective Bargaining Agreement for BMEA DPW Workers			Town Manager; authorized by BOS	Reserves Recommendation
17	To Fund Collective Bargaining Agreement for IAEP Police EMT's & Paramedics			Town Manager; authorized by BOS	Reserves Recommendation
18	To Fund Collective Bargaining Agreement for NEPBA Police Civilian Dispatchers			Town Manager; authorized by BOS	Reserves Recommendation

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	Reserves Recommendation
20	To Fund Collective Bargaining Agreement for NEPBA Police Officers – Group (B) Superior Officers			Town Manager; authorized by BOS	Reserves Recommendation
21	To Fund Collective Bargaining Agreement for IUPE Clerical Unit			Town Manager; authorized by BOS	Reserves Recommendation
22	To Authorize Departmental Revolving Funds	\$1,180,000		Town Manager; authorized by BOS	Recommends
23	To Fund Master Plan	\$50,000		Planning Board	Recommends
24	To Fund Water Conservation Rebate Program	\$50,000		Town Manager; authorized by BOS	Recommends
25	To Fund Retro-Fit Public Buildings with Water Conservation Fixtures	\$107,000		Town Manager; authorized by BOS	Recommends
26	To Fund Infiltration/Inflow Removal Program Phase II I/I Investigation	\$100,000		Town Manager; authorized by BOS	Recommends
27	To Fund the Middlesex Turnpike Phase III Project	\$1,180,000		Town Manager; authorized by BOS	Recommends
28	Middlesex Corporate Park Roadway Layout/Construction Financing	\$4,000,000		Town Manager; authorized by BOS	Reserves Recommendation

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	Recommends
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	Recommends
31	OPEB Trust Custodial			Town Manager; authorized by BOS	Reserves Recommendation

Land Use Articles

32	To Authorize the Board of Selectmen to Acquire Easements for Bertha Circle and Poe Road Pump Station Elimination Project			Town Manager; authorized by BOS	Recommends
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	Recommends
34	To Authorize the Board of Selectmen to Accept as Public Ways	This Article has been Withdrawn			
35	To Authorize the Board of Selectmen to Grant Utility Easements to National Grid			Town Manager; authorized by BOS	Recommends

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	Recommends
37	To Accept a Proposed Zoning By-Law Amendment for a Temporary Moratorium on Medical Marijuana Treatment Centers			Planning Board	Recommends

Petitioner Articles

38	Petitioner Article			Petitioner	Does Not Recommend
39	Petitioner Article			Petitioner	Does Not Recommend
40	Petitioner Article			Petitioner	Recommends
41	Petitioner Article			Petitioner	Recommends

FINAL
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

Finance Committee recommends approval.

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

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

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

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

Finance Committee recommends approval.

Article 2 Explanation: In accordance with M.G.L. Chapter 40, Section 49, this article allows Town Meeting to hear and act upon reports submitted in the FY 2012 Annual Town Report.

ARTICLE 3 - TRANSFER FUNDS BETWEEN 2013 BUDGET LINE ITEMS

To see if the Town will vote to transfer from available funds the sum of \$236,383 to amend various Fiscal Year 2012 budget line items;

From:			To:		
91070-7020	Worker's Comp	\$ 80,000	54350-5280	Veteran's Benefits	\$ 80,000
91070-7052	County Retirement	\$ 156,383	91700-5966	Transfer to OPEB Trust	\$ 156,383
		\$ 236,383			\$ 236,383

or act in relation thereto.

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

Finance Committee recommends approval.

Article 3 Explanation: This article is requesting two line item transfers. The first transfer for \$80,000 will bring the Veteran's Benefits line item up to the projected level of spending for this Fiscal Year. This increase is also accounted for in the FY 2014 Budget. The Workers Comp line item has surplus funds due to less claims than anticipated and credits received from our insurance provider Mass Interlocal Insurance Association (MIIA).

The Town was able to pay for the County Retirement Assessment in one payment, which entitles the Town to a credit. It is being requested that the balance from this credit be transferred to the OPEB Trust Fund.

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

		EXPENDED FY2010	EXPENDED FY2011	EXPENDED FY2012	BUDGETED FY2013	DEPT REQ FY2014	TOWN MGR FY2014	FIN COM FY2014
122 - Board of Selectmen								
5110	Personnel	67,950	68,221	67,933	73,617	74,396	74,396	74,396
5190	Contractual Obligations	3,911	3,393	4,100	4,100	4,000	4,000	4,000
5400	Supplies & Expenses	1,000	1,000	1,000	1,000	1,000	1,000	1,000
5200	Contract Services/Leases	8,098	8,098	8,360	8,360	8,360	8,360	8,360
7044	NMCOG Assessment	9,863	9,862	9,863	10,492	11,000	11,000	11,000
TOTAL		90,822	90,574	91,256	97,569	98,756	98,756	98,756
123 - Town Manager								
5110	Personnel	242,680	348,101	361,240	366,650	383,198	383,198	383,198
5120	Permanent Part Time	14,921	15,517	9,034	17,331	18,760	18,760	18,760
5130	Overtime	-	-	-	-	-	-	-
5190	Contractual Obligations	3,860	4,909	6,004	7,087	7,087	7,087	7,087
5400	Supplies & Expenses	30,000	28,860	28,748	30,000	30,000	30,000	30,000
5200	Contract Services/Leases	370	1,000	-	1,000	1,000	1,000	1,000
7037	Comm. Plan./Proj./Tech. Asst.	5,000	2,300	5,152	5,000	5,000	5,000	5,000
7050	Pensions	475	475	475	475	475	475	475
7051	Emp. Medical Exams	47,306	65,000	83,804	85,000	85,000	85,000	85,000
7053	Prof. Training/Development	3,179	2,498	8,585	12,500	22,500	22,500	22,500
7061	Pr. Town Rep./TM Handouts	8,917	10,000	11,424	10,000	15,000	15,000	15,000
TOTAL		356,708	478,660	514,466	535,043	568,020	568,020	568,020
125 - Systems Admin.								
5110	Personnel	115,039	115,906	47,061	76,056	78,121	78,121	78,121
5190	Contractual Obligations	3,759	4,270	1,827	-	-	-	-
5400	Supplies & Expenses	53,828	47,179	48,715	22,000	22,000	22,000	22,000
5200	Contract Services/Leases	365,411	364,565	353,669	348,530	351,750	351,750	351,750
TOTAL		538,037	531,920	451,272	446,586	451,871	451,871	451,871
XXX - Water Billing								
5110	Personnel	-	-	211,293	-	-	-	-
5190	Contractual Obligations	-	-	6,943	-	-	-	-
5400	Supplies & Expenses	-	-	20,954	-	-	-	-
5200	Contract Services/Leases	-	-	51	-	-	-	-
TOTAL		-	-	239,241	-	-	-	-

	EXPENDED FY2010	EXPENDED FY2011	EXPENDED FY2012	BUDGETED FY2013	DEPT REQ FY2014	TOWN MGR FY2014	FIN COM FY2014
129 - Cable Advisory Committee							
5120 Permanent Part Time	-	-	-	-	-	-	-
5400 Supplies & Expenses	-	-	-	-	-	-	-
TOTAL	-	-	-	-	-	-	-
131 - Finance Committee							
5120 Permanent Part Time	430	380	771	1,000	1,000	1,000	1,000
5400 Supplies & Expenses	-	-	-	-	-	-	-
5200 Contract Services/Leases	606	526	785	1,000	1,600	1,600	1,600
7063 Reserve Fund	-	-	-	250,520	250,520	250,520	250,520
TOTAL	1,036	906	1,556	252,520	253,120	253,120	253,120
135 - Town Accountant							
5110 Personnel	187,587	187,777	191,599	203,132	205,124	205,124	205,124
5190 Contractual Obligations	4,042	5,697	5,697	6,897	7,681	7,681	7,681
5400 Supplies & Expenses	1,325	999	1,000	1,000	1,500	1,500	1,500
5200 Contract Services/Leases	460	670	642	1,000	500	500	500
7062 Town Audit	54,000	54,000	56,000	56,000	56,000	56,000	56,000
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	247,414	249,143	254,938	268,029	270,805	270,805	270,805
141 - Assessor							
5110 Personnel	288,086	260,094	306,048	343,426	356,053	356,053	356,053
5120 Permanent Part Time	-	-	1,125	1,500	1,500	1,500	1,500
5190 Contractual Obligations	10,056	5,846	5,965	7,420	10,186	10,186	10,186
5400 Supplies & Expenses	2,987	3,036	2,607	3,250	3,250	3,250	3,250
5200 Contract Services/Leases	33,000	66,883	68,595	77,750	77,750	77,750	77,750
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	334,129	335,859	384,340	433,346	448,739	448,739	448,739
145 - Treasurer/Collector							
5110 Personnel	434,875	416,176	385,749	541,322	550,272	550,272	550,272
5120 Permanent Part Time	20,409	20,409	20,409	46,764	58,885	58,885	58,885
5130 Overtime	-	-	-	-	7,500	-	-
5190 Contractual Obligations	13,971	12,877	11,534	17,217	15,942	15,942	15,942
5400 Supplies & Expenses	3,470	2,000	2,785	66,848	66,785	66,785	66,785
5200 Contract Services/Leases	16,997	40,000	74,957	96,804	97,184	97,184	97,184
5235 Tax Revenue Collection	112,600	100,000	84,863	50,000	50,000	50,000	50,000
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	602,322	591,462	580,298	818,955	846,568	839,068	839,068
161 - Town Clerk							
5110 Personnel	223,102	224,354	229,055	235,621	245,188	238,838	238,838
5190 Contractual Obligations	10,439	10,641	10,558	11,327	11,627	11,627	11,627
5400 Supplies & Expenses	945	1,245	710	1,360	1,360	1,360	1,360
5200 Contract Services/Leases	721	453	769	2,425	2,415	2,415	2,415
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	235,207	236,693	241,092	250,733	260,590	254,240	254,240

	EXPENDED FY2010	EXPENDED FY2011	EXPENDED FY2012	BUDGETED FY2013	DEPT REQ FY2014	TOWN MGR FY2014	FIN COM FY2014
162 - Election Department							
5120 Permanent Part Time	14,896	40,181	26,888	52,780	17,740	17,740	17,740
5400 Supplies & Expenses	1,765	1,059	1,136	3,352	1,204	1,204	1,204
5200 Contract Services/Leases	40,083	42,164	33,776	47,444	27,732	27,732	27,732
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	56,744	83,404	61,799	103,576	46,676	46,676	46,676
163 - Board of Registrars							
5110 Personnel	42,649	42,654	43,434	44,270	44,634	44,634	44,634
5120 Permanent Part Time	2,722	2,722	2,723	2,825	2,763	2,763	2,763
5130 Overtime	-	-	-	-	-	-	-
5190 Contractual Obligations	2,143	2,143	2,327	2,927	2,927	2,927	2,927
5400 Supplies & Expenses	4,680	3,068	1,088	8,350	8,350	8,350	8,350
5200 Contract Services/Leases	2,503	3,643	2,254	3,125	3,125	3,125	3,125
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	54,697	54,230	51,826	61,497	61,799	61,799	61,799
171 - Conservation Commission							
5110 Personnel	149,874	139,847	109,423	160,700	163,087	163,087	163,087
5120 Permanent Part Time	-	-	-	-	-	-	-
5130 Overtime	1,423	389	114	2,442	2,460	2,460	2,460
5190 Contractual Obligations	600	1,600	-	9,240	10,240	10,240	10,240
5400 Supplies & Expenses	995	941	6,100	1,100	1,100	1,100	1,100
5200 Contract Services/Leases	7,317	4,669	6,444	20,793	1,200	1,200	1,200
7092 Beaver Dam Control	14,812	11,812	12,000	12,000	12,000	12,000	12,000
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	175,021	159,258	134,082	206,274	190,087	190,087	190,087
175 - Planning Board							
5110 Personnel	113,898	115,433	118,772	123,153	124,297	124,297	124,297
5120 Permanent Part Time	-	-	-	-	-	-	-
5130 Overtime	1,317	2,056	1,542	3,274	3,315	3,315	3,315
5190 Contractual Obligations	4,100	4,100	4,600	600	600	600	600
5400 Supplies & Expenses	607	772	814	910	1,500	1,500	1,500
5200 Contract Services/Leases	580	626	572	710	1,500	1,500	1,500
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	120,502	122,987	126,299	128,646	131,212	131,212	131,212
176 - Board of Appeals							
5110 Personnel	47,258	47,257	47,969	49,052	49,418	49,418	49,418
5120 Permanent Part Time	-	-	-	-	-	-	-
5130 Overtime	3,166	2,268	2,931	3,529	3,529	3,529	3,529
5190 Contractual Obligations	4,408	4,634	3,808	4,734	4,734	4,734	4,734
5400 Supplies & Expenses	444	591	752	752	752	752	752
5200 Contract Services/Leases	-	-	75	80	80	80	80
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	55,276	54,750	55,536	58,147	58,513	58,513	58,513

	EXPENDED FY2010	EXPENDED FY2011	EXPENDED FY2012	BUDGETED FY2013	DEPT REQ FY2014	TOWN MGR FY2014	FIN COM FY2014
192 - Town Hall							
5110 Personnel	-	-	-	-	-	-	-
5190 Contractual Obligations	-	-	-	-	-	-	-
5400 Postage	92,059	97,692	105,424	100,858	100,858	100,858	100,858
5400 Custodial Supplies	4,004	3,967	2,883	4,000	4,000	4,000	4,000
5200 Supplies & Expenses	24,329	21,995	12,980	25,000	25,000	25,000	25,000
7059 Cleaning Services	-	-	-	-	-	-	-
5256 Utilities	198,910	192,348	191,343	192,000	192,000	192,000	192,000
7058 Building Maintenance	160,000	143,522	140,833	150,000	150,000	150,000	150,000
7055 Telephone	100,000	99,838	102,298	110,000	110,000	110,000	110,000
7065 Abandoned Buildings	3,000	-	3,000	3,000	3,000	3,000	3,000
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	582,302	559,362	558,761	584,858	584,858	584,858	584,858
691 - Historical Commission							
5400 Supplies & Expenses	-	50	50	50	50	50	50
5200 Contract Services/Leases	-	250	250	250	250	250	250
TOTAL	-	300	300	300	300	300	300
910 - Town Systemwide							
7080 Town Retirements	75,000	75,000	75,000	75,000	75,000	75,000	75,000
7095 Streetlights	224,367	260,000	260,000	260,000	260,000	260,000	260,000
7096 Legal	263,673	249,999	230,000	250,000	210,000	210,000	210,000
TOTAL	563,040	584,999	565,000	585,000	545,000	545,000	545,000
TOTAL GENERAL GOVERNMENT	4,013,257	4,134,507	4,312,062	4,831,080	4,816,914	4,803,064	4,803,064
210 - Police Department							
5110 Personnel	4,096,544	4,033,597	4,191,486	4,584,668	4,730,055	4,730,055	4,730,055
5120 Permanent Part Time	-	-	-	-	-	-	-
5130 Overtime	502,000	569,945	565,107	593,000	593,000	593,000	593,000
5190 Contractual Obligations	1,332,338	1,359,137	1,425,733	1,474,776	1,562,702	1,562,702	1,562,702
5400 Supplies & Expenses	338,337	384,901	375,254	430,700	444,050	444,050	444,050
5256 Utilities	-	-	-	-	-	-	-
5200 Contract Services/Leases	90,051	85,660	97,000	109,800	116,100	116,100	116,100
5800 Capital Outlay	63,675	126,296	100,500	175,000	140,000	140,000	140,000
TOTAL	6,422,945	6,559,536	6,755,080	7,367,944	7,585,907	7,585,907	7,585,907
220 - Fire Department							
5110 Personnel	4,490,923	4,529,308	4,747,002	4,980,351	5,150,586	5,150,586	5,150,586
5120 Permanent Part Time	12,100	13,177	16,552	17,375	18,987	18,987	18,987
5130 Overtime	626,249	528,200	552,066	577,077	602,000	602,000	602,000
5190 Contractual Obligations	878,216	827,383	904,866	1,007,300	994,189	994,189	994,189
5400 Supplies & Expenses	270,685	270,708	316,975	341,350	373,600	373,600	373,600
5200 Contract Services/Leases	157,369	106,807	106,021	109,238	115,558	115,558	115,558
5256 Utilities	78,006	81,066	72,613	84,500	84,500	84,500	84,500
5800 Capital Outlay	-	-	25,000	-	-	-	-
TOTAL	6,513,548	6,356,649	6,741,095	7,117,191	7,339,420	7,339,420	7,339,420

	EXPENDED FY2010	EXPENDED FY2011	EXPENDED FY2012	BUDGETED FY2013	DEPT REQ FY2014	TOWN MGR FY2014	FIN COM FY2014
231 - Ambulance							
5110 Personnel	651,963	660,291	653,666	672,540	669,180	669,180	669,180
5120 Permanent Part Time	1,985	1,181	5,000	10,000	10,000	10,000	10,000
5130 Overtime	147,663	168,738	149,457	180,000	180,000	180,000	180,000
5190 Contractual Obligations	84,536	88,194	174,575	89,000	83,122	83,122	83,122
5400 Supplies & Expenses	59,690	55,495	66,595	66,600	74,800	74,800	74,800
5200 Contract Services/Leases	59,386	64,750	76,707	87,800	99,300	99,300	99,300
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	1,005,223	1,038,649	1,125,999	1,105,940	1,116,402	1,116,402	1,116,402
241 - Building Department							
5110 Personnel	314,523	270,853	313,166	320,416	331,038	331,038	331,038
5120 Permanent Part Time	99,266	117,307	90,715	101,594	95,816	95,816	95,816
5130 Overtime	4,227	10,149	4,227	10,000	10,000	10,000	10,000
5190 Contractual Obligations	34,077	34,077	27,983	34,142	34,142	34,142	34,142
5400 Supplies & Expenses	3,801	6,330	5,360	6,400	6,400	6,400	6,400
5200 Contract Services/Leases	4,035	4,705	5,588	5,675	5,675	5,675	5,675
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	459,929	443,421	447,039	478,227	483,071	483,071	483,071
244 - Sealer Weights and Measures							
5120 Permanent Part Time	-	-	-	-	-	-	-
5400 Supplies & Expenses	350	350	500	350	500	500	500
5200 Contract Services/Leases	6,000	7,150	7,150	7,150	7,150	7,150	7,150
TOTAL	6,350	7,500	7,650	7,500	7,650	7,650	7,650
291 - Emergency Management							
5110 Personnel	10,419	10,420	10,575	10,940	10,895	10,895	10,895
5400 Supplies & Expenses	7,607	6,000	6,000	6,000	10,000	8,000	8,000
5190 Contractual Obligations	-	2,900	3,400	3,400	3,400	5,400	5,400
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	18,026	19,320	19,975	20,340	24,295	24,295	24,295
292 - Animal Control							
5110 Personnel	51,351	51,351	52,728	54,025	54,426	54,426	54,426
5120 Permanent Part Time	16,467	16,556	18,061	21,426	21,518	21,518	21,518
5130 Overtime	-	-	-	-	-	-	-
5190 Contractual Obligations	2,700	1,650	2,505	3,250	3,250	3,250	3,250
5400 Supplies & Expenses	941	1,101	791	1,100	1,100	1,100	1,100
5200 Contract Services/Leases	1,185	1,206	1,213	2,000	2,000	2,000	2,000
5256 Utilities	4,195	4,688	5,088	6,000	6,000	6,000	6,000
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	76,839	76,552	80,385	87,801	88,294	88,294	88,294

	EXPENDED FY2010	EXPENDED FY2011	EXPENDED FY2012	BUDGETED FY2013	DEPT REQ FY2014	TOWN MGR FY2014	FIN COM FY2014
510 - Board of Health							
5110 Personnel	232,848	236,539	240,420	248,218	251,883	251,883	251,883
5120 Permanent Part Time	30,714	29,822	29,994	33,206	33,455	33,455	33,455
5130 Overtime	6,182	5,676	6,686	7,403	7,458	3,500	3,500
5190 Contractual Obligations	20,700	26,596	24,118	26,234	26,234	26,234	26,234
5400 Supplies & Expenses	661	2,867	2,895	2,895	2,895	2,895	2,895
5200 Contract Services/Leases	6,397	5,372	4,932	9,576	9,576	9,576	9,576
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	297,502	306,872	309,045	327,532	331,501	327,543	327,543
TOTAL PUBLIC SAFETY	14,800,362	14,808,499	15,486,269	16,512,475	16,976,540	16,972,582	16,972,582
410 - Engineering							
5110 Personnel	378,297	374,181	329,144	337,353	341,284	406,284	406,284
5130 Overtime	1,134	4,382	2,255	14,500	14,500	14,500	14,500
5190 Contractual Obligations	8,250	9,050	6,500	7,800	33,093	33,093	33,093
5400 Supplies & Expenses	4,237	7,394	7,225	7,400	7,400	7,400	7,400
5200 Contract Services/Leases	12,589	22,746	21,048	21,800	21,800	21,800	21,800
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	404,507	417,753	366,172	388,853	418,077	483,077	483,077
421 - Public Works Administration							
5110 Personnel	442,379	433,075	446,202	465,261	515,188	470,188	470,188
5120 Permanent Part Time	-	-	-	-	-	-	-
5130 Overtime	-	-	-	-	-	-	-
5190 Contractual Obligations	13,250	18,159	13,044	16,194	17,154	17,154	17,154
5400 Supplies & Expenses	2,088	1,427	1,835	2,500	2,500	2,500	2,500
5200 Contract Services/Leases	12,356	8,759	8,779	14,500	14,500	14,500	14,500
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	470,073	461,420	469,861	498,455	549,342	504,342	504,342
422 - Highway Department							
5110 Personnel	808,658	733,379	716,970	821,574	828,380	828,380	828,380
5130 Overtime Regular	48,100	58,068	54,499	55,426	55,426	55,426	55,426
5150 Temporary/Seasonal	-	37,646	49,014	82,320	82,320	82,320	82,320
5190 Contractual Obligations	30,249	46,213	70,022	29,075	65,483	65,483	65,483
5400 Supplies & Expenses	387,571	419,577	500,717	519,577	519,577	519,577	519,577
5200 Contract Services/Leases	175,080	291,843	240,204	291,843	291,843	291,843	291,843
5256 Utilities	29,250	29,250	26,377	29,250	29,250	29,250	29,250
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	1,478,908	1,615,976	1,657,803	1,829,065	1,872,279	1,872,279	1,872,279
423 - Snow and Ice							
5131 Snow Overtime	141,089	141,487	64,936	70,000	70,000	70,000	70,000
5278 Snow and Sand Expenses	745,076	350,001	369,482	350,000	350,000	350,000	350,000
TOTAL	886,165	491,488	434,418	420,000	420,000	420,000	420,000

	EXPENDED FY2010	EXPENDED FY2011	EXPENDED FY2012	BUDGETED FY2013	DEPT REQ FY2014	TOWN MGR FY2014	FIN COM FY2014
433 - Solid Waste							
5285 Solid Waste	3,172,152	3,105,142	3,157,100	3,362,448	3,060,496	3,060,496	3,060,496
	3,172,152	3,105,142	3,157,100	3,362,448	3,060,496	3,060,496	3,060,496
441 - Sewer Department							
5110 Personnel	1,095,396	1,040,918	1,076,670	1,141,810	1,147,881	1,147,881	1,147,881
5150 Temporary/Seasonal	-	10,759	11,156	13,173	13,173	13,173	13,173
5130 Overtime	130,000	163,604	124,430	130,000	130,000	130,000	130,000
5190 Contractual Obligations	50,106	68,401	50,506	50,205	120,339	120,339	120,339
5400 Supplies & Expenses	416,031	497,671	460,936	446,500	497,600	427,300	427,300
5200 Contract Services/Leases	797,626	850,429	830,092	748,600	857,500	807,500	807,500
5256 Utilities	545,974	551,884	464,004	615,000	491,000	390,000	390,000
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	3,035,133	3,183,666	3,017,794	3,145,289	3,257,493	3,036,193	3,036,193
450 - Water Division							
5110 Personnel	1,194,964	1,145,981	1,091,129	1,119,235	1,126,674	1,126,674	1,126,674
5120 Permanent Part Time	46,278	80,719	47,040	84,816	85,827	85,827	85,827
5130 Overtime	254,911	274,895	297,000	297,000	317,000	317,000	317,000
5132 Flushing Program	36,905	33,880	27,450	87,450	159,450	159,450	159,450
5150 Temporary/Seasonal	-	-	15,120	15,120	15,120	15,120	15,120
5190 Contractual Obligations	60,809	92,328	53,409	55,759	56,309	56,309	56,309
5400 Supplies & Expenses	1,283,535	1,186,560	1,250,737	1,151,899	1,151,846	911,875	911,875
5200 Contract Services/Leases	293,708	256,746	253,669	265,855	305,695	305,695	305,695
5256 Utilities	537,719	551,884	546,801	569,000	653,000	653,000	653,000
5800 Capital Outlay	-	-	-	-	12,000	-	-
TOTAL	3,708,829	3,622,993	3,582,355	3,646,134	3,882,921	3,630,950	3,630,950
491 - Cemetery Parks/Trees							
5110 Personnel	372,801	357,398	355,083	431,124	433,288	433,288	433,288
5120 Permanent Part Time	36,622	32,707	38,957	49,585	49,585	49,585	49,585
5130 Overtime	54,199	62,079	93,106	68,415	85,000	85,000	85,000
5190 Contractual Obligations	51,240	13,002	11,762	17,124	17,124	17,124	17,124
5400 Supplies & Expenses	33,167	43,316	52,189	57,100	57,100	57,100	57,100
7093 Mosquito Control	9,900	10,125	10,800	21,600	21,600	21,600	21,600
5200 Contract Services/Leases	45,439	42,646	52,188	75,300	72,180	72,180	72,180
5256 Utilities	11,283	12,292	8,095	14,070	14,070	14,070	14,070
5800 Capital Outlay	-	-	-	-	-	-	-
5100 Perpetual Care	-	-	-	-	-	-	-
TOTAL	614,651	573,565	622,181	734,318	749,947	749,947	749,947
TOTAL PUBLIC WORKS	13,770,418	13,472,003	13,307,683	14,024,561	14,210,555	13,757,284	13,757,284

	EXPENDED FY2010	EXPENDED FY2011	EXPENDED FY2012	BUDGETED FY2013	DEPT REQ FY2014	TOWN MGR FY2014	FIN COM FY2014
300 - Billerica Public Schools							
5160 Professional Salaries	37,539,041	36,892,820	37,492,821	38,869,952	41,523,303	41,523,303	41,523,303
5170 Clerical Salaries							
5180 Other Salaries							
5400 Supplies & Expenses	1,368,528	1,661,881	1,661,881	1,886,564	1,763,843	1,763,843	1,763,843
5200 Contract Services/Leases	4,086,539	9,607,709	9,607,709	10,060,800	9,250,170	9,250,170	9,250,170
5256 Utilities	1,372,846	1,676,592	1,676,592	1,546,592	1,376,592	1,376,592	1,376,592
5800 Capital Outlay	12,823	277,352	277,352	427,352	277,352	277,352	277,352
TOTAL	44,379,777	50,116,354	50,716,355	52,791,260	54,191,260	54,191,260	54,191,260
310 - Shawsheen Technical School							
5300 Operating Costs	6,699,746	6,635,759	6,505,060	7,103,613	7,703,613	7,703,613	7,703,613
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	6,699,746	6,635,759	6,505,060	7,103,613	7,703,613	7,703,613	7,703,613
TOTAL PUBLIC EDUCATION	51,079,523	56,752,113	57,221,415	59,894,873	61,894,873	61,894,873	61,894,873
610 - Public Library							
5110 Personnel	462,262	466,363	516,211	513,892	595,012	595,012	595,012
5120 Permanent Part Time	481,108	488,904	437,391	453,418	385,470	385,470	385,470
5190 Contractual Obligations	34,045	36,801	33,434	27,174	25,992	25,992	25,992
5400 Supplies & Expenses	173,722	179,116	183,946	191,600	201,000	201,000	201,000
5200 Contract Services/Leases	73,875	56,034	56,300	56,180	61,655	61,655	61,655
7059 Cleaning Service	14,717	15,018	14,877	16,000	16,000	16,000	16,000
5256 Utilities	78,800	74,075	75,599	76,800	76,800	76,800	76,800
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	1,318,529	1,316,311	1,317,758	1,335,065	1,361,929	1,361,929	1,361,929
630 - Recreation Department							
5110 Personnel	214,038	212,137	180,793	183,486	185,590	185,590	185,590
5120 Permanent Part Time	58,920	62,195	93,896	98,870	99,475	106,649	106,649
5190 Contractual Obligations	6,782	7,393	7,793	9,293	9,293	9,293	9,293
5400 Supplies & Expenses	12,080	12,074	12,040	12,080	12,080	12,080	12,080
5200 Contract Services/Leases	33,980	44,210	40,490	40,520	49,160	40,660	40,660
5256 Utilities	8,086	10,868	9,049	10,000	10,000	10,000	10,000
5800 Capital Outlay	-	-	-	-	-	-	-
TOTAL	333,886	348,877	344,060	354,248	365,598	364,272	364,272
91070 - Civic Events/Organizations							
7067 VFW-P, DAV, VFW-S	600	800	600	800	800	800	800
7068 Memorial Day/Homecoming	8,066	7,712	8,184	8,500	8,500	8,500	8,500
7097 Family First Night	5,000	5,000	4,950	5,000	5,000	5,000	5,000
7098 350th Celebration	-	-	-	-	-	-	-
7076 Middlesex Canal	1,500	1,500	1,484	1,500	1,500	1,500	1,500
7077 Beautification	519	1,000	947	1,000	1,000	1,000	1,000
7084 Scholarship Account	4,092	4,240	4,240	4,600	4,600	4,600	4,600
TOTAL	19,777	20,252	20,405	21,400	21,400	21,400	21,400
TOTAL LIBRARY & RECREATION	1,672,192	1,685,440	1,682,223	1,710,713	1,748,927	1,747,601	1,747,601

		EXPENDED FY2010	EXPENDED FY2011	EXPENDED FY2012	BUDGETED FY2013	DEPT REQ FY2014	TOWN MGR FY2014	FIN COM FY2014
543 - Veterans Services								
5110	Personnel	112,980	112,980	114,980	117,531	118,141	118,141	118,141
5190	Contractual Obligations	7,229	8,708	8,708	9,034	9,034	9,034	9,034
5400	Supplies & Expenses	1,764	1,983	2,896	3,100	4,710	4,710	4,710
5200	Contract Services/Leases	1,285	1,059	1,285	1,285	1,285	1,285	1,285
5280	Veterans Benefits	390,000	445,000	515,000	445,000	515,000	515,000	515,000
	TOTAL	513,258	569,730	642,869	575,950	648,170	648,170	648,170
541 - Council on Aging								
5110	Personnel	182,888	184,142	191,269	193,546	179,899	179,899	179,899
5120	Permanent Part Time	10,660	9,799	10,681	11,082	16,005	16,005	16,005
5190	Contractual Obligations	5,001	7,395	7,593	4,877	3,599	3,599	3,599
5400	Supplies & Expenses	11,645	11,558	14,150	13,000	13,500	13,500	13,500
5200	Contract Services/Leases	47,233	46,945	44,352	48,452	51,291	51,291	51,291
5256	Utilities	43,455	39,883	35,640	44,500	42,890	42,890	42,890
5800	Capital Outlay	-	-	-	-	-	-	-
	TOTAL	300,882	299,722	303,685	315,457	307,184	307,184	307,184
561 - Commission on Disabilities								
5400	Supplies & Expenses	-	100	100	100	100	100	100
5200	Contract Services/Leases	-	100	100	100	100	100	100
	TOTAL	-	200	200	200	200	200	200
563 - Housing Partnership								
5150	Temporary/Seasonal	-	-	-	-	-	-	-
5400	Supplies & Expenses	119	-	500	500	500	500	500
	TOTAL	119	-	500	500	500	500	500
TOTAL HUMAN SERVICES		814,259	869,652	947,254	892,106	956,054	956,054	956,054
710 - Capital								
7150	Equipment	-	-	385,729	492,000	500,000	500,000	500,000
7140	Contracts	-	-	-	500,000	500,000	500,000	500,000
	TOTAL	-	-	385,729	992,000	1,000,000	1,000,000	1,000,000

	EXPENDED FY2010	EXPENDED FY2011	EXPENDED FY2012	BUDGETED FY2013	DEPT REQ FY2014	TOWN MGR FY2014	FIN COM FY2014
710 - Debt and Interest							
7150 Debt Principal - Town	4,562,897	4,426,632	5,845,172	5,355,462	5,024,887	5,024,887	5,024,887
7140 Debt Principal - School	515,000	540,000	535,000	680,000	650,000	650,000	650,000
7550 Debt Interest - Town	1,566,715	1,285,078	1,444,493	1,597,990	1,453,396	1,453,396	1,453,396
7160 Debt Interest - School	248,320	240,757	229,764	288,249	264,245	264,245	264,245
7580 New Debt - Town Interest	-	540,186	192,294	-	-	-	-
7130 Temp Borrowing - Town	457,780	253,220	420,000	420,000	420,000	416,500	416,500
7140 Temp Borrowing - School	-	-	-	-	-	-	-
7170 New Debt - School Interest	-	-	-	-	-	-	-
7180 New Debt - Town Principal	-	797,000	399,566	-	-	-	-
7570 New Debt - School Principal	-	-	-	-	-	-	-
TOTAL	7,350,712	8,082,873	9,066,289	8,341,701	7,812,528	7,809,028	7,809,028
91070 - Town/School Shared Costs							
7010 Bldg/Auto/Liab Insurance	862,362	946,127	897,603	1,020,000	1,020,000	1,020,000	1,020,000
7012 Health Insurance	12,571,830	12,575,000	12,626,640	12,226,640	12,226,640	12,226,640	12,226,640
7020 Workers' Compensation	480,413	449,678	443,470	666,000	666,000	666,000	666,000
7030 Unemployment Comp.	177,836	90,251	99,617	100,000	100,000	100,000	100,000
7042 Medicare	744,517	737,706	773,096	775,000	775,000	775,000	775,000
7052 County Retirement Assessment	6,891,684	6,898,125	7,568,961	8,085,947	8,153,848	8,153,848	8,153,848
7052 OPEB Trust Contribution	-	-	-	-	255,536	255,536	255,536
TOTAL	21,728,642	21,696,887	22,409,387	22,873,587	23,197,024	23,197,024	23,197,024
TOTAL TOWN & SCHOOL SHARED COSTS	29,079,354	29,779,760	31,861,405	32,207,288	32,009,552	32,006,052	32,006,052
SUMMARY							
General Government	4,013,257	4,134,507	4,312,062	4,831,080	4,816,914	4,803,064	4,803,064
Public Safety	14,800,362	14,808,499	15,486,269	16,512,475	16,976,540	16,972,582	16,972,582
Public Works	13,770,418	13,472,003	13,307,683	14,024,561	14,210,555	13,757,284	13,757,284
Public Education	51,079,523	56,752,113	57,221,415	59,894,873	61,894,873	61,894,873	61,894,873
Library and Recreation	1,672,192	1,685,440	1,682,223	1,710,713	1,748,927	1,747,601	1,747,601
Human Services	814,259	869,652	947,254	892,106	956,054	956,054	956,054
Town/School Shared Costs	29,079,354	29,779,760	31,861,405	32,207,288	32,009,552	32,006,052	32,006,052
TOTAL	115,229,365	121,501,974	124,818,311	130,073,096	132,613,414	132,137,510	132,137,510

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

Finance Committee recommends approval.

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

ARTICLE 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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 6 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Town of Billerica School Committee and the Billerica Federation of Teachers, Local 1677, MFT, AFT, AFL-CIO.

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 7 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Town of Billerica School Committee and the Billerica Federation of Teachers, Local 1677, MFT, AFT, AFL-CIO, Paraprofessionals.

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

Finance Committee recommends approval.

Article 8 Explanation: This article seeks to fund a 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.

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 9 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Town of Billerica School Committee and the Billerica Administrators Group affiliated with the Massachusetts Association of Professional School Administrators.

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 10 Explanation: This article seeks to fund a 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.

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 11 Explanation: This article seeks to fund a 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.

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 12 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Town of Billerica and IAFF Firefighters (International Association of Firefighters).

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 13 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Town of Billerica and IAFF Civilian Fire Alarm Operators (International Association of Firefighters).

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 14 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Town of Billerica and SEIU Local 888 Administrative Unit (Service Employees International Union).

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 15 Explanation: This article seeks to fund salary adjustments between the Town of Billerica and Town Non-Union Personnel.

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 16 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Town of Billerica and BMEA DPW Workers (Billerica Municipal Employees Association).

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 17 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Town of Billerica and IAEP Police EMT's & Paramedics (International Association of EMT's & Paramedics).

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 18 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Town of Billerica and NEPBA Police Civilian Dispatchers (New England Police Benevolent Association, Inc.).

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 19 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Town of Billerica and NEPBA (New England Police Benevolent Association, Inc.) Group (A) Patrolmen.

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 NEPBA (New England Police Benevolent Association, Inc.) Group (B) Superior Officers; or act in relation thereto.

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 20 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Town of Billerica and NEPBA (New England Police Benevolent Association, Inc.) Group (B) Superior Officers.

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 21 Explanation: This article seeks to fund a Collective Bargaining Agreement between the Town of Billerica and IUPE Clerical Unit (Independent Union of Public Employees).

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 14 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

Finance Committee recommends approval.

Article 22 Explanation: Revolving Funds are allowed under M.G.L. Chapter 44, Section 53E ½. Under the statute, Town Meeting must authorize use of the above noted Revolving Funds each year.

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

Finance Committee recommends approval.

Article 23 Explanation: This article seeks authorization for the Planning Board to hire one or more consultants to assist in the completion of an update to the Master Plan. M.G.L. Chapter 41, Section 81D requires that a Planning Board undertake a Master Plan. The current Master Plan was completed in 2002. It is more a rule of thumb than a requirement that such planning effort be undertaken about every ten years.

Under the statute, a Master Plan should consist of nine elements: Goals and Policies, Land Use, Housing, Economic Development, Open Space and Recreation, Natural and Cultural Resources, Services and Facilities, Transportation and an Implementation Program.

The Town has been awarded Direct Local Technical Assistance Funds from the North Middlesex Council of Governments to undertake two of these elements – Housing and an Economic Development Strategies Plan.

The requested \$50,000 is sought to pursue additional elements of a Master Plan. This funding is not sufficient to complete an entire Master Plan (communities of a similar size and complexity have recently spent between \$100,000 and \$150,000). It is anticipated that additional grant opportunities will be pursued as available to complete remaining elements.

An updated Master Plan will examine prior recommendations and strategies for current relevancy, engage public input on current issues and identify policies and regulatory changes that may need to be revised or updated to achieve recommendations to guide the future evolution of Billerica.

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

Finance Committee recommends approval.

Article 24 Explanation: The Department of Environmental Protection (DEP) is requiring communities to strive for daily water consumption of not greater than 65 gallons per capita. Additionally, the DEP restricts the amount of water the Town can withdraw from the Concord River annually. This program will help encourage water conservation and help the Town meet these goals. At the 2011 Spring Town Meeting, the Town appropriated \$50,000 for a Rebate Program. The Town has approved 230 rebates and reimbursed home owners approximately \$44,000 for rebates on approved appliances.

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

Finance Committee recommends approval.

Article 25 Explanation: The Town's Water Withdraw Permit requires Billerica to retrofit all public buildings with water conservation fixtures. The Town was mandated to provide a list of public buildings prior to January 1, 2011 that are required to be retrofitted, and to retrofit them on or before January 1, 2014. This appropriation will satisfy that provision of the Administrative Consent Order.

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

Finance Committee recommends approval.

Article 26 Explanation: Continuing with the on-going I/I work, the intent of this round of funding is to focus on the following:

Sewer System and Manhole Rehabilitation

To repair/rehabilitate I/I sources identified by the program

- Manhole grouting or lining
- Sewer joint sealing
- Sewer lining

Sump Pump Re-Direction Program

To assist property owners with disconnecting and re-directing sump pumps. This will be on-going with more funding requirements in future years.

ARTICLE 27 - TO FUND THE MIDDLESEX TURNPIKE PHASE III PROJECT

To see if the Town will vote to appropriate \$1,180,000 for the purpose of providing Engineering and Permitting Services for the plans and specifications for the Middlesex Turnpike Phase III Project and for the acquisition and or taking of permanent and temporary easements for construction and maintenance of the Middlesex Turnpike Phase III Project. To meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,180,000 under M.G.L. Chapter 44, Subsections 7(3) and 7(22) or any other enabling legislation and the Board of Selectmen may take any action necessary to carry out this project; or act in relation thereto.

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

Finance Committee recommends approval.

Article 27 Explanation: The Town previously appropriated \$1,500,000 through borrowing Article 22 of the May 2006 Town Meeting. This article gave authorization to the Board of Selectmen to do takings or easements and design associated with the Middlesex Turnpike Phase III Project. The Town paid \$500,000 for 75% design services for this project. No easements were done at the time because the project was not on the Mass Transportation Improvement Plan (TIP). Consequently, \$1,000,000 of this bonding authorization has sunset.

This article is requesting to authorize \$1,180,000 to fund completion of design, permitting and takings or easements associated with this project. It is scheduled to be funded in Fiscal Year 2016 of the TIP. The funding from the State for this project is \$22,000,000.

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

Finance Committee will make its recommendation about this article at Town Meeting.

Article 28 Explanation: This article was initiated by a majority of the businesses in the Middlesex Corporate Park. These businesses are requesting the use of the Town's bonding capacity to reconstruct the roadways of the Middlesex Corporate Park. The entire cost of this project will be borne by the owner of the Middlesex Corporate Park through a betterment assessment. The Town is also required to accept the roadway in order to perform the work. It is anticipated that these improvements, along with the Middlesex Turnpike Phase III Project, will help to encourage economic growth in the area.

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

Finance Committee recommends approval.

Article 29 Explanation: This article authorizes the Board of Selectmen to negotiate a Pilot Agreement for 209 Pond Street. There have been attempts to reduce the local tax revenue capacity of these types of Energy Projects. A Pilot Agreement will ensure revenue stability from this project for 25 years.

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

Finance Committee recommends approval.

Article 30 Explanation: This article asks that the Town vote to file a Home Rule Petition with the General Court. The purpose of this article is to extend a Police Sergeant Exam Eligible List until the next exam and list are established. The Town is currently unable to fill Sergeants positions. This Home Rule Petition would correct an oversight and allow the Town to move forward.

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

Finance Committee will make its recommendation about this article at Town Meeting.

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

Finance Committee recommends approval.

Article 32 Explanation: The funding of this project was approved in Article 20 by Town Meeting in Spring 2012 for \$1,587,000. A total of four easements are required in order to complete this project. This article will give the Town the means to acquire easements necessary in order to move forward with construction. Compensation for easements can be absorbed within the appropriation.

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 easements for roadway and sidewalk purposes in and over a portion of the property located at 16 Mt. Pleasant Street and to authorize the Selectmen to execute any documents or instruments necessary to effect said easements; or act in relation thereto.

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

Finance Committee recommends approval.

Article 33 Explanation: This article requests Town Meeting to authorize the Board of Selectmen to do any takings, easements or accept as a gift an easement necessary for this Sidewalk Project. This project was funded by Town Meeting through Article 16 of the October Town Meeting of 2012. No additional appropriation is necessary.

ARTICLE 34 – ARTICLE 34 HAS BEEN WITHDRAWN

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

Finance Committee recommends approval.

Article 35 Explanation: Town Meeting has already approved all funding associated with these projects. This article will authorize the Board of Selectmen to establish utility easements associated with these projects.

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

Finance Committee recommends approval.

Article 36 Explanation: The Town Charter requires that a General By-Law Review Committee be formed every 5 years. This committee was authorized by a vote of the 2010 Spring Town Meeting. The committee was appointed later that year and our review began in early 2011. Article 36 is the result of our review.

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

Finance Committee recommends approval.

Article 37 Explanation: Massachusetts became the 18th state to legalize medical marijuana. The new law became effective on January 1, 2013. The law requires at least one Treatment Center in every county. There can be no more than five Treatment Centers in any county and not more than 35 state wide (at least through 2013). In addition to storing and selling marijuana, Treatment Centers can grow marijuana. Qualifying patients can purchase and possess a 60-day supply at any one time. Patients with additional qualifying hardships can grow their own marijuana at home.

Under the new law, “Medical Marijuana Treatment Center shall mean a not-for-profit entity, as defined by Massachusetts law only, registered under this law, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies or educational materials to qualifying patients or their personal caregivers.”

The specific use of the word “OR” in this definition enables a treatment center to be any one or any combination of the activities listed. The law also allows for each Treatment Center to have one off-site cultivation location, separate from its office/retail storefront.

There are some residents who would prefer to hide all aspects of medical marijuana from view by children. There are some residents who see medical marijuana as no greater threat to society than a liquor store or standard pharmacy. Due to various criteria in Federal Law, including the Controlled Substances Act, standard pharmacies are not going to undertake the dispensing of medical marijuana. Therefore Treatment Centers are anticipated to be entirely new facilities.

At the earliest, State regulations to oversee implementation will not become effective until May 24, 2013. Until such regulations are released, it is uncertain whether additional local regulations might be necessary to further govern the potential location and operation of one or more Medical Marijuana Treatment Centers in Billerica. The timing of the release of the State regulations is too late for adoption of local By-Laws at the May 2013 Town Meeting. The temporary moratorium would enable the Planning Board and the Town time to study the potential impact on Billerica and present any necessary By-Law amendments at either the September 2013 or May 2014 Town Meeting.

The retail, agricultural, distribution, and other operational components of commercial facilities, and parameters for qualified patients and caregivers to grow in their homes, needs to be analyzed for their potential impacts to land use, building codes, public safety and public health. The different types of activities cited in the definition may need different types of By-Laws or Regulations. On March 13, 2013 the Attorney General disapproved a complete ban on Medical Marijuana Facilities, (as passed in Wakefield), but approved a temporary moratorium (as passed in Burlington). The disapproval of a ban means that Billerica needs to be prepared for the potential that a facility may seek to locate within town. This proposed temporary moratorium on Medical Marijuana Facilities is submitted to enable the Town sufficient time to complete an analysis of the impacts and prepare a strategy for permitting such facilities in Billerica.

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.

Finance Committee does not recommend.

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.

Finance Committee does not recommend.

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.

The Committee shall be made up of seven (7) members:

- One (1) Appointed by the Board of Selectmen
- One (1) Appointed by the Finance Committee
- One (1) Appointed by the Conservation Commission
- Four (4) Appointed by the Town Moderator

Or act in relation thereto.

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

Finance Committee recommends approval after reconsideration.

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.

Finance Committee recommends approval.

