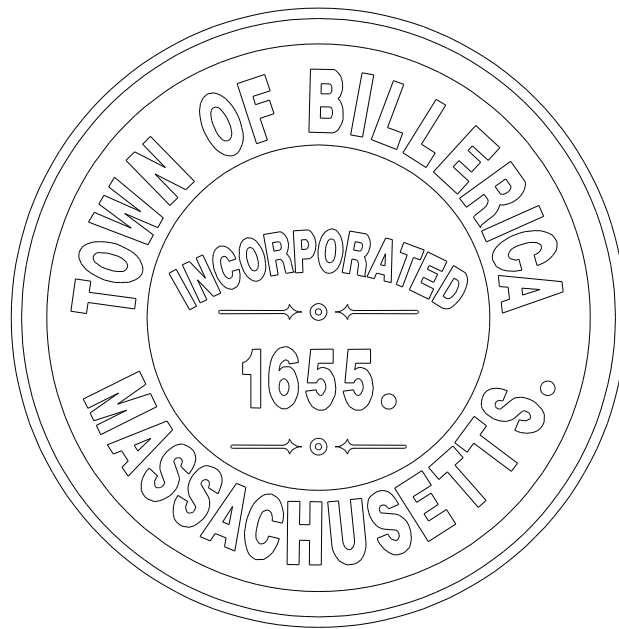


**TOWN OF BILLERICA**  
**PRELIMINARY WARRANT**



**ANNUAL FALL**  
**TOWN MEETING**

**Annual Fall Town Meeting**  
**Tuesday, October 6, 2015 at 7:30 PM**  
**At**  
**Billerica Town Hall Auditorium**

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
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*Committee Articles*

1	To Appoint One Member to the Bowers Fund			Town Manager; authorized by BOS	
2	To Hear Reports of Town Departments, Committees & Officers			Town Manager; authorized by BOS	

*Financial Articles*

3	To Amend the Fiscal Year 2016 Town/School Budget	\$6,000,000		Town Manager; authorized by BOS	
4	To Amend the Fiscal Year 2016 Water Enterprise Budget	\$6,000,000		Town Manager; authorized by BOS	
5	To Amend the Fiscal Year 2016 Sewer Enterprise Budget	\$6,000,000		Town Manager; authorized by BOS	
6	To Fund Collective Bargaining Agreement - Teachers			School Committee	
7	To Fund Collective Bargaining Agreement – School Administrators			School Committee	
8	To Fund Collective Bargaining Agreement – School Paraprofessionals			School Committee	
9	To Fund Collective Bargaining Agreement – School Secretarial			School Committee	
10	To Fund Collective Bargaining Agreement – School Custodians			School Committee	
11	To Transfer and Appropriate the Remaining Balance of the Backflow Prevention Revolving Fund to the Water Enterprise Capital Budget			Town Manager; authorized by BOS	
12	Revolving Funds			Town Manager; authorized by BOS	
13	To Appropriate from Free Cash Monies to the Debt Stabilization Fund	\$1,800,000		Town Manager; authorized by BOS	
14	To Fund Fiscal Year 2016 School Capital Budget	\$3,000,000		School Committee	
15	To Fund Water Enterprise Hydrant Replacement	\$90,000		Town Manager; authorized by BOS	

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
16	To Fund Water Main and Drainage Replacement	\$2,000,000		Town Manager; authorized by BOS	
17	To Fund Design and Survey Work for the Yankee Doodle Bike Path	\$190,000		Town Manager; authorized by BOS	
18	Walkway and Step Improvements at the Billerica Public Library	\$150,000		Town Manager; authorized by BOS	
19	To Fund the Fiscal Year 2016 Town Capital Plan	\$3,000,000		Town Manager; authorized by BOS	
20	To Vote Monies from Free Cash to the OPEB Trust	\$1,000,000		Town Manager; authorized by BOS	
21	To Vote Monies from Free Cash to the Snow and Sand Deficit	\$600,000		Town Manager; authorized by BOS	
22	Vietnam Veterans Park Master Plan	\$170,000		Town Manager; authorized by BOS	
23	To Fund Assessors Consultant Fees	\$100,000		Board of Assessors & Town Manager; authorized by BOS	
24	Supplemental Funding for the Construction of a Compost Site	\$300,000		Town Manager; authorized by BOS	
25	Lighting Replacement / Improvement at the Wastewater Treatment Plant	\$29,000		Town Manager; authorized by BOS	
26	To Vote Free Cash to the Stabilization Fund	\$6,000,000		Finance Committee	
27	To Vote Free Cash to the Debt Stabilization Fund	\$6,000,000		Finance Committee	
28	To Vote Free Cash to the Land Bank Account	\$6,000,000		Finance Committee	
29	To Vote to Transfer from Free Cash Monies for the Purpose of Reducing the Fiscal Year 2016 Tax Levy			Finance Committee	
30	To Fund Water Enterprise Study and Twenty (20) Year Capital Improvement Plan	\$200,000		Town Manager; authorized by BOS	
31	Sewer, Water, Sidewalk and Traffic Signal on Salem Road at Pond Street	\$4,000,000		Town Manager; authorized by BOS	

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
32	To authorize the Board of Selectmen and the Board of Assessors to Negotiate and Execute a Payment in Lieu of Taxes (PILOT) Agreement			Board of Assessors & Town Manager; authorized by BOS	
33	To Approve a Certified Project Application			Town Manager; authorized by BOS	
34	To Study Board of Selectmen's Compensation			Town Manager; authorized by BOS	

*Land Article*

35	Easement on Cook Street at Pines Road for Crosswalk/Ramp			Town Manager; authorized by BOS	
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*By-Law Change Articles*

36	General By-Law Amendment on Sewer Connections			Town Manager; authorized by BOS	
37	To Create a General By-Law Enabling the Police Department to Conduct State and Federal Fingerprints Based Criminal History Checks			Town Manager; authorized by BOS	
38	To Establish a Zoning By-Law Review Committee			Committee on Rules	
39	To Establish a General By-Law Review Committee			Committee on Rules	
40	Proposed Zoning By-Law Changes Regarding Definition of Light Manufacturing			Town Manager; authorized by BOS	

*Local Acceptance of State Statues*

41	To Accept the Provisions of M.G.L. Chapter 126 of the Acts of 1988 and Chapter 73 of the Acts of 1986			Board of Assessors	
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<b>Article Number</b>	<b>Purpose</b>	<b>Value</b>	<b>Funding Source</b>	<b>Submitted by:</b>	<b>Finance Committee Recommendation</b>
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*Miscellaneous*

42	To Establish a Charter Review Committee			Committee on Rules	
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*Petitioner Articles*

43	Petitioner Article			Petitioner	
44	Petitioner Article			Petitioner	
45	Petitioner Article			Petitioner	

**PRELIMINARY WARRANT  
OCTOBER 6, 2015  
ANNUAL FALL 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, October 6, 2015 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 APPOINT ONE MEMBER TO THE BOWERS FUND**

To see if the Town will vote to appoint one (1) member to the Bowers Fund for a term of five (5) years; or act in relation thereto.

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

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**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

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**ARTICLE 3 - TO AMEND VARIOUS FISCAL YEAR 2016 TOWN AND SCHOOL OPERATING BUDGET LINE ITEMS**

To see if the Town will vote to raise and appropriate or transfer from available funds or reduce various line items by the sum of \$6,000,000 to amend the Fiscal Year 2016 Town and School Operating Budget; or act in relation thereto.

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

**ARTICLE 4 - TO AMEND VARIOUS FISCAL YEAR 2016 WATER ENTERPRISE BUDGET LINE ITEMS**

To see if the Town will vote to raise and appropriate or transfer from available funds or reduce various line items by the sum of \$6,000,000 to amend the Fiscal Year 2016 Water Enterprise Budget; or act in relation thereto.

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

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**ARTICLE 5 - TO AMEND VARIOUS FISCAL YEAR 2016 SEWER ENTERPRISE BUDGET LINE ITEMS**

To see if the Town will vote to raise and appropriate or transfer from available funds or reduce various line items by the sum of \$6,000,000 to amend the Fiscal Year 2016 Sewer Enterprise Budget; or act in relation thereto.

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

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**ARTICLE 6 - TO FUND COLLECTIVE BARGAINING AGREEMENT – TEACHERS**

To see if the Town will 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, AFT-MA, AFT, AFL-CIO; or act in relation thereto.

Submitted by the School Committee

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**ARTICLE 7 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL ADMINISTRATORS**

To see if the Town will 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 School Committee

**ARTICLE 8 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL PARAPROFESSIONALS**

To see if the Town will 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, AFT-MA, AFT, AFL-CIO, Paraprofessionals; or act in relation thereto.

Submitted by the School Committee

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**ARTICLE 9 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL SECRETARIAL**

To see if the Town will 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 School Committee

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**ARTICLE 10 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL CUSTODIANS**

To see if the Town will 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 School Committee



**ARTICLE 11 - TO TRANSFER AND APPROPRIATE THE REMAINING BALANCE OF THE BACKFLOW PREVENTION REVOLVING FUND TO THE WATER ENTERPRISE CAPITAL BUDGET**

To see if the Town will vote to transfer and appropriate the remaining balance of the Backflow Prevention Revolving Fund to the Water Enterprise Capital Budget; or act in relation thereto.

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

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**ARTICLE 12 - REVOLVING FUNDS**

To see if the Town will vote to establish revolving funds; or act in relation thereto.

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

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**ARTICLE 13 - TO APPROPRIATE FROM FREE CASH MONIES TO THE DEBT STABILIZATION FUND**

To see if the Town will vote to transfer and appropriate from Free Cash the sum of \$1,800,000 to the Debt Stabilization Fund; act in relation thereto.

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

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**ARTICLE 14 - TO FUND FISCAL YEAR 2016 SCHOOL CAPITAL BUDGET**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$3,000,000 to fund the Fiscal Year 2016 School Capital Budget; or act in relation thereto.

Submitted by the School Committee

**ARTICLE 15 - TO FUND WATER ENTERPRISE HYDRANT REPLACEMENT**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$90,000 for the installation/replacement of Fire Hydrants (this will be year three of the Hydrant Replacement Program); or act in relation thereto.

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

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**ARTICLE 16 - TO FUND WATER ENTERPRISE CAPITAL INFRASTRUCTURE**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,000,000 for the installation/replacement of Water Main and Drainage System; or act in relation thereto.

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

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**ARTICLE 17 - TO FUND DESIGN AND SURVEY WORK FOR THE YANKEE DOODLE BIKE PATH**

To see if the Town will vote to transfer and appropriate from Free Cash the amount of \$190,000 to fund design and survey work for the Yankee Doodle Bike Path; or act in relation thereto.

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

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**ARTICLE 18 - WALKWAY AND STEP IMPROVEMENTS AT THE BILLERICA PUBLIC LIBRARY**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$150,000 for a concrete walkway and step improvements at the Billerica Public Library; or act in relation thereto.

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

**ARTICLE 19 - TO FUND THE FISCAL YEAR 2016 TOWN CAPITAL PLAN**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$3,000,000 to fund the Town Capital Plan; or act in relation thereto.

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

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**ARTICLE 20 - TO VOTE MONIES FROM FREE CASH TO THE OPEB TRUST**

To see if the Town will vote to transfer and appropriate from Free Cash the sum of \$1,000,000 to the OPEB Trust Fund; or act in relation thereto.

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

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**ARTICLE 21 - TO VOTE MONIES FROM FREE CASH TO THE SNOW AND SAND DEFICIT**

To see if the Town will vote to transfer and appropriate from Free Cash the sum of \$600,000 to fund the Snow and Sand Deficit; or act in relation thereto.

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

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**ARTICLE 22 - VIETNAM VETERANS PARK MASTER PLAN**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$170,000 for the Vietnam Veterans Park Master Plan; or act in relation thereto.

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

**ARTICLE 23 - TO FUND ASSESSORS CONSULTANT FEES**

To see if the Town will vote to raise and appropriate or transfer from available funds the amount of \$100,000 to fund appraisal and consulting costs to defend the Town in trials at the Massachusetts Appellate Tax Board; or act in relation thereto.

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

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**ARTICLE 24 - SUPPLEMENTAL FUNDING FOR THE CONSTRUCTION OF A COMPOST SITE**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$300,000 for the construction/completion of a Compost Site at the former House of Correction (HOC) Wastewater Treatment Plant; or act in relation thereto.

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

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**ARTICLE 25 - LIGHTING REPLACEMENT/IMPROVEMENT AT THE WASTEWATER TREATMENT PLANT**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum \$29,000 for the replacement/improvement of lighting at the Wastewater Treatment Plant; or act in relation thereto.

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

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**ARTICLE 26 - TO VOTE FREE CASH TO THE STABILIZATION FUND**

To see if the Town will vote to transfer and appropriate from Free Cash the sum of \$6,000,000 to the Stabilization Fund; or act in relation thereto.

Submitted by the Finance Committee

**ARTICLE 27 - TO VOTE FREE CASH TO THE DEBT STABILIZATION FUND**

To see if the Town will vote to transfer and appropriate from Free Cash the sum of \$6,000,000 to the Debt Stabilization Fund; or act in relation thereto.

Submitted by the Finance Committee

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**ARTICLE 28 - TO VOTE FREE CASH TO THE LAND BANK ACCOUNT**

To see if the Town will vote to transfer and appropriate from Free Cash the sum of \$6,000,000 to the Land Bank Account; or act in relation thereto.

Submitted by the Finance Committee

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**ARTICLE 29 - TO VOTE TO TRANSFER FROM FREE CASH MONIES FOR THE PURPOSE OF REDUCING THE FISCAL YEAR 2016 TAX LEVY**

To see if the Town will vote to transfer and appropriate from Free Cash a sum of money to be applied or expended for the purpose of reducing the Fiscal Year 2016 Tax Levy; or act in relation thereto.

Submitted by the Finance Committee

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**ARTICLE 30 - TO FUND WATER ENTERPRISE STUDY AND TWENTY (20) YEAR CAPITAL IMPROVEMENT PLAN**

To see if the Town will vote to raise and appropriate or transfer from the Water Enterprise Fund the sum of \$200,000 for the Water Plant and Water Distribution System Evaluation and Twenty (20) Year Capital Improvement Plan; or act in relation thereto.

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

**ARTICLE 31 - SEWER, WATER, SIDEWALK AND TRAFFIC SIGNAL ON SALEM ROAD AT POND STREET**

To see in the Town will vote to authorize the Town to borrow the sum of \$4,000,000 for the purpose of design and installation of sewer upgrades, water upgrades, a new sidewalk and a traffic signal on Salem Road at Pond Street; or act in relation thereto.

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

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**ARTICLE 32 - TO AUTHORIZE THE BOARD OF SELECTMEN AND THE BOARD OF ASSESSORS TO NEGOTIATE AND EXECUTE A PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT**

To see if the Town will vote to authorize the Board of Selectmen and the Board of Assessors to negotiate and execute a payment in lieu of taxes (PILOT) agreement pursuant to M.G.L., Ch. 59, Sec. 38H(b) and Department of Revenue guidelines promulgated thereunder, or any other enabling authority, with respect to annual payments in lieu of personal property taxes for a term of up to 20 years relative to a parcel of land located at 67 High Street, N Billerica (Iron Horse Park), commonly referred to as the “Pan Am Systems” property as shown on Assessor’s Map 17, Parcel 2-1, with respect to a Solar Photovoltaic Electricity Generating Facility, with an expected capacity of approximately 5.0 Megawatts to be installed, owned and operated by a third party upon said parcel on such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town; and further to authorize the Board of Selectmen to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town to undertake the purpose of this article; or act in relation thereto.

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

**ARTICLE 33 - TO APPROVE A CERTIFIED PROJECT APPLICATION**

To see if the Town will vote to approve a Certified Project Application submitted by **XXXXXXXXXXXX**, 129 Concord Road for facilities located within the Concord Road Economic Opportunity Area (EOA) in Billerica, Massachusetts and more specifically described on Assessors Map 68, Parcel 5-3. Said approval will provide local and state tax relief to promote economic development in accordance with M.G.L c.23A, ss 3A-3H. In addition, the Project Certification confirms:

- (A) The project, as proposed, is consistent with and can reasonably be expected to benefit significantly from inclusion as a Certified Project.
- (B) The project, as described in the Project Certification Application, will increase employment opportunities for the residents of Billerica by allowing for continued growth and expansion
- (C) The Town requests that this project be designated as a Certified Project for a term of not less than five (5) years or more than twenty (20) years duration; or act in relation thereto.

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

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**ARTICLE 34 - TO ESTABLISH A COMPENSATION REVIEW COMMITTEE FOR ELECTED POSITIONS**

To see if the Town will vote to establish a committee for the purpose of studying the compensation of any elected boards or commissions and making recommendations to Town Meeting on any changes; or act in relation thereto.

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

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**ARTICLE 35 - EASEMENT ON COOK STREET AT PINES ROAD FOR CROSSWALK / RAMP**

To see in the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain an easement for crosswalk /ramp installation on Cook Street at Pines Road and to authorize the BOS to execute any documents or instruments necessary to effectuate the purpose of the article; or act in relation thereto.

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

**ARTICLE 36 - GENERAL BY-LAW AMENDMENT ON SEWER CONNECTIONS**

To see if the Town will vote to amend the Town’s General By-Laws, Article VIII, Public Utilities, Section 2, Sewers, by inserting the following new subsection:

- 2.1(A) Failure to comply with the requirements of Section 2.1 herein shall be subject to an annual fine of \$200, with each year or portion thereof during which a violation persists constituting a separate offense.

This By-Law may be enforced through any lawful means in law or in equity, including, but not limited to, non-criminal disposition pursuant to M.G.L. Chapter 40, Subsection 21D the Town’s By-Laws. The Director of the Department of Public Works or designee shall be the enforcing authority of this By-Law.

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

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**ARTICLE 37 - TO CREATE A GENERAL BY-LAW ENABLING THE POLICE DEPARTMENT TO CONDUCT STATE AND FEDERAL FINGERPRINT BASED CRIMINAL HISTORY CHECKS**

§ XXX.X

To see if the Town will vote, as authorized by Chapter 256 of the Acts of 2010, and incorporated into the Massachusetts General Laws as Chapter 6, Section 172 B 1/2, to create a By-Law enabling the Police Department to conduct State and Federal Fingerprint Based Criminal History Checks for individuals applying for the following licenses:

- 1. Hawking and Peddling
- 2. Liquor Licensee
- 3. Manager or Alternate Manager of a Liquor License
- 4. Solicitors and Canvassers
- 5. Dealers in Junk, Second-Hand Articles and Techniques
- 6. Second-Hand Motor Vehicle Dealer
- 7. Pawn Dealers
- 8. Hackney Drivers, and



9. Ice Cream Truck Vendors

and to adopt appropriate policies and procedures to effectuate the purposes of this By-Law; or take any other action relative thereto.

§ XXX.X Purpose and Legislative Authorization

A. In order to protect the health, safety and welfare of the inhabitants of the Town of Billerica, and as authorized by MGL c. 6, § 172B1/2, this chapter shall require:

1. Applicants for certain Town licenses permitting the conduct of specific occupational activities with the Town as enumerate above, to submit to fingerprinting by the Billerica Police Department;
2. The Police Department to conduct criminal record background checks based on fingerprints; and
3. The Town to consider the results of such background checks in determining whether or not to grant a license.

B. The Town authorizes the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Systems (the “DCJIS”) and the Federal Bureau of Investigation (the “FBI”) as may be applicable to conduct on behalf of the Town and its Police Department fingerprint-based state and national criminal record background checks, including of FBI records, consistent with this chapter. The Town authorizes the Police Department to receive and utilize records of the State Police, the DCJIS and the FBI in connection with such background checks, consistent with this chapter.

§ XXX.X Applicability; Notification of Applicant

A. Any applicant for a license to engage in any of the following occupational activities within the Town shall submit a full set of fingerprints taken by the Billerica Police Department within 10 days of the date of the application for a license for the purposes of conducting a state and national criminal background check to determine the suitability of the applicant for the license:

1. Hawking and Peddling
2. Liquor Licensee
3. Manager or Alternate Manager of a Liquor License

4. Solicitors and Canvassers
  5. Dealers in Junk, Second-Hand Articles and Techniques
  6. Second-Hand Motor Vehicle Dealer
  7. Pawn Dealers
  8. Hackney Drivers, and
  9. Ice Cream Truck Vendors
- B. At the time of fingerprinting, the Police Department shall notify the individual fingerprinted that the fingerprints will be used to check the individual's criminal history records.

§ XXX.X Processing; Communication of Results

- A. The Police Department shall transmit the fingerprints it has obtained pursuant to this By-Law to the Identification Section of the Massachusetts State Police, the DCJIS and/or the FBI or the successors of such agencies as may be necessary for the purpose of conducting fingerprint-based state and national criminal records background checks of license applicants specified in this By-Law.
- B. The Police Department shall provide the applicant with a copy of the results of his or her fingerprint-based criminal record background check and supply the applicant the opportunity to complete, or challenge the accuracy of the information contained in it, including in the FBI identification record. The Police Department shall also supply applicants with information regarding the procedures for obtaining a change, correction or updating of a criminal record, including a copy of 28 CFR Part 16.34 pertaining to FBI identification records. In no event shall the Police Department render a suitability evaluation pursuant to the subsection below until it has taken steps detailed in this subsection and otherwise complied with any other procedures required by any Town policy applicable to licensing-related criminal record background checks.
- C. The Police Department shall communicate the results of fingerprint-based criminal record background checks to the applicable licensing authority within the Town. The Police Department shall in addition render to the licensing authority its evaluation of the applicant's suitability for the proposed occupational activity based upon the results of the criminal records background check and any other relevant information known to it. In rendering its evaluation, the Police Department shall consider all applicable laws, regulations and Town

policies bearing on an applicant’s suitability. The Police Department shall indicate whether the applicant has been convicted of, or is under pending indictment for, a crime that bears upon his or her suitability or any felony or misdemeanor that involved force or the threat of force, controlled substances or a sex-related offense.

§ XXX.X Reliance on Results

- A. Licensing authorities of the Town shall utilize the results of fingerprint-based criminal record background checks for the sole purpose of determining the suitability of the subjects of the checks in connection with the license applications specified in this By-Law. A Town licensing authority may deny an application for a license on the basis of the results of a fingerprint-based criminal record background check if it determines that the results of the check render the subject unsuitable for the proposed occupational activity. The licensing authority shall consider all applicable laws, regulations and Town policies bearing on an applicant's suitability in making this determination. The licensing authority should not deny an applicant the license based on information in the record unless the applicant has been afforded a reasonable time to correct or complete the information, or has declined to do so.

§ XXX.X Compliance with Law, Regulation and Town Policy

Implementation of this chapter and the conducting of fingerprint-based criminal record background checks by the Town shall be in accordance with all applicable laws, regulations and Town policies. The Board of Selectman is authorized to promulgate regulations for the implementation of this chapter. The Town shall not disseminate criminal record information from the FBI to unauthorized persons or entities.

§ XXX.X Fees

The fee charged by the Police Department for the purpose of conducting fingerprinting-based criminal background checks shall be \$100. A portion of the fee, as specified in MGL c. 6, § 172B1/2, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder of the fee may be retained by the Police Department for costs associated with the administration of the fingerprinting system.

**Effective Date**

This By-Law shall take effect upon approval by the Attorney General, so long as the requirements of G.L. c. 40 sec. 32 are satisfied.

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

**ARTICLE 38 - TO ESTABLISH A ZONING BY-LAW REVIEW COMMITTEE**

To see if the Town will vote to establish a Zoning By-Law Review Committee in accordance with the provisions of Section 7-9(b) of the Charter and Article II, Section 38 of the General By-Laws. Said Committee shall consist of eleven (11) members as follows: Town Planner, Building Commissioner, one member from the Zoning Board of Appeals, one member of the Planning Board and seven members of the Town to be appointed by the Moderator for a term of three years; or act in relation thereto.

Submitted by the Committee on Rules

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**ARTICLE 39 - TO ESTABLISH A GENERAL BY-LAW REVIEW COMMITTEE**

To see if the Town will vote to establish a General By-Law Review Committee in accordance with the provisions of Section 7-9(b) the Charter and Article II, Section 5 of the General By-Laws. Said Committee shall consist of nine (9) members. Eight shall be appointed by the Town Moderator. One shall be a member of the Committee on Rules, appointed by said Committee. Each member will be appointed for a term of three years; or act in relation thereto.

Submitted by the Committee on Rules

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**ARTICLE 40 - PROPOSED ZONING BY-LAW CHANGES REGARDING DEFINITION OF LIGHT MANUFACTURING**

**SECTION 2 DEFINITIONS**

**CURRENT:**

***LIGHT MANUFACTURING** – Includes uses such as printing or publishing plant; bottling works, fabrication and packaging, finishing, or processing.*

**PROPOSED:**

**LIGHT MANUFACTURING:** Fabrication, processing, packaging, or assembly operation employing only electric or other substantially noiseless and inoffensive motor power, utilizing hand labor or quiet machinery and processes, and free from agents disturbing to the neighborhood, such as odors, gas fumes, smoke, cinders, flashing or excessively bright lights, **refuse matter**, electromagnetic radiation, heat or vibration and undertaken entirely within the confines of a building or

structure. Quiet shall mean undetectable from the property line. (Allowed by right within the Industrial General Zone.)

**HEAVY MANUFACTURING:** Manufacturing other than light manufacturing. (Allowed only in the Industrial Zone and requires a Site Plan Special Permit.)

ADD DEFINITION (NEW):

**Refuse:** All garbage, waste paper and paper boxes, tree brush and vine cuttings, floral decorations, tin cans, metal ware, bottles, cans, glassware, plastic ware, ashes, newspaper, paper cartons, wooden crates and discarded metal objects, or any combination of the above materials.

**SECTION 5.C.8.f INDUSTRIAL USES**

(2) By Special Permit

ADD:

(e) Heavy Manufacturing

Required Findings:

- The use is not detrimental to the area in which it is located.
- The use does not adversely impact traffic.
- There is adequate landscaping and buffer to screen the use from surrounding uses.
- The use is not detrimental to the existing business climate or to future business development in the area.
- The hours of operation are tailored to safeguard against early morning and late night disturbance of residents in nearby neighborhoods.
- The use will comply with the Sound By-Law.

**SECTION 5.F TABLE OF USE REGULATIONS**

ADD:

Heavy Manufacturing N N N N N N N SP N N N N N N N N N N N

*The intent is to show a Site Plan Special Permit is required in the Industrial Zone.*

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

**ARTICLE 41 - TO ACCEPT THE PROVISIONS OF M.G.L. CHAPTER 126 OF THE ACTS OF 1988 AND CHAPTER 73 OF THE ACTS OF 1986**

To see if the Town will vote to accept the provisions of M.G.L. Chapter 126 of the Acts of 1988 and Chapter 73 of the Acts of 1986 in order to offer optional additional real estate tax exemptions to persons who qualify for current property tax exemptions under Clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A and 41C of Section 5 of G.L. Chapter 59 in the amount of a uniform 60% increase for all persons qualified.

Submitted by the Board of Assessors

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**ARTICLE 42 - TO ESTABLISH A CHARTER REVIEW COMMITTEE**

To see if the Town will vote to establish a Charter Review Committee in accordance with the provisions of Section 7-9(a) of the Charter. Said Committee shall consist of eleven (11) members as follows: The Town Clerk and ten residents of the Town to be appointed by the Moderator; or act in relation thereto.

Submitted by the Committee on Rules

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**ARTICLE 43 - PETITIONERS ARTICLE**

To see if the Billerica Town Meeting will vote to transfer \$1,000,000 (one million dollars) from Free Cash to offset the fiscal 2016 real estate taxes; or act in relation thereto.

Submitted by Michael S. Rosa and Messrs. Rosa, Sarno, Pippin, Melanson, Ramos and Madames Rosa, Pagliuca, Green, Witkowski, Tremblay, Melanson, Tzannos and Anderson.

**ARTICLE 44 - PETITIONERS ARTICLE**

To see if the Town of Billerica will vote to authorize the Board of Selectmen to petition the General Court to enact the following special legislation; to designate Billerica Massachusetts as the Yankee Doodle Town. Provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen be authorized to approve amendments which shall be within the scope of the general public objectives of the petition; or act in relation thereto.

Submitted by Michael S. Rosa and Messrs. Rosa, Sarno, Pippin, Melanson and Madames Rosa, Pagliuca, Green, Witkowski, Tremblay, Melanson, Milano, Rodewald, Tzannos and Anderson.

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**ARTICLE 45 - PETITIONERS ARTICLE**

**RESOLUTION CONCERNING COMMON CORE FEDERAL EDUCATION STANDARDS**

**WHEREAS**, local control of education standards is key to the success of educational standards where parents and educators have a say in those standards, and

**WHEREAS**, taxpayers of the Commonwealth have spent millions of dollars developing highest in the nation education standards and the MCAS tests only now have to spend millions more on lower Common Core Federal Standards, and

**WHEREAS**, Massachusetts students have regularly ranked in the top three states on the National Assessment for Educational Progress, and

**WHEREAS**, the Common Core Federal Standards (CCFS) are a set of academic standards, promoted and supported by two private membership organizations, the National Governor’s Association (NGA) and the Council of Chief State School Officers (CCSSO) as a method for conforming American students to uniform (“one size fits all”) achievement goals to make them more competitive in a global marketplace, and

**WHEREAS**, the NGA and the CCSSO received tens of millions of dollars from private third parties to advocate for and develop the Common Core Federal Standards strategy through a process that was not subject to any freedom of information acts or other sunshine laws, and never piloted the Common Core Standards, and

**WHEREAS**, the NGA and the CCSSO in concert with their same corporations developing the Common Core Federal Standards ‘assessments’ have created new textbooks, digital media, and other teaching materials aligned to the standards which must be purchased and adopted by local school districts in order that students may effectively compete on Common Core Federal Standards ‘assessments’, and

**WHEREAS**, direct accountability to the voters and transparency are key to the success of educational standards neither of which characterize the NGA and the CCSSO; therefore be it

**RESOLVED**, that the Town of Billerica asserts that we support local control over educational standards and curriculum and reject federal attempts to impose federal standards and curriculum, such as Common Core, and be it

**RESOLVED**, that the Town of Billerica urges a reversal of the decision of the Board of Elementary and Secondary Education that adopted Common Core Federal Standards, and be it

**RESOLVED**, that the Town of Billerica urges the Governor to take any actions necessary to eliminate Common Core Federal Standards for the Commonwealth’s education system, and be it

**RESOLVED**, that the Town of Billerica urges the members of the State Legislature to limit the development and adoption of the education standards by the Board of Elementary and Secondary Education to those developed within and under the complete control of the Commonwealth of Massachusetts and be it further,

**RESOLVED**, that the Town Manager, the Board of Selectman, the Superintendent of Schools and the School Committee of the Town of Billerica **SHALL** transmit this resolution to Governor Baker, The Speaker and Minority Leader in the Massachusetts House of Representatives and the President and Minority Leader of the Massachusetts State Senate.

Submitted by Anthony M. Ventresca and Messrs. Rosa, MacMillan, Robertson, Robertson, Robertson, MacDonald, Simolaris, Lovegrove, Jones, Cangiamila and Madames Rosa, MacMillan, Robertson, MacDonald and Chandler.







And you are hereby directed to serve this Preliminary Warrant by posting true and attested copies thereof, one copy at the Town Hall, one copy at the Billerica Public Library, one copy at the Billerica Police Station, one copy at the Belly Buster Diner, one copy at Pinehurst Post Office, one copy at the Center Post Office, Boston Road, one copy at Market Basket, Town Plaza, Boston Road, one copy at the West Billerica Fire Station, one copy at the Nutting Lake Post Office, one copy at Jim's Barber Shop, 8 Andover Road, one copy at the Ninety-Nine Restaurant, Lexington Road, one copy at the Pinehurst Fire Station, one copy at the East Billerica Fire Station, one copy at the North Billerica Post Office and one copy at the North Billerica Fire Station.

Given under our hands this 27<sup>th</sup> day of August 2015.

BOARD OF SELECTMEN



JOHN J. PISCATELLI, CHAIRMAN



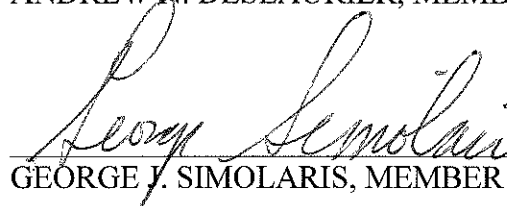
DANIEL L. BURNS, VICE CHAIRMAN



MICHAEL S. ROSA, SECRETARY



ANDREW N. DESLAURIER, MEMBER



GEORGE J. SIMOLARIS, MEMBER

A true copy attest



Constable, Town of Billerica