



BOARD OF SELECTMEN
Meeting Agenda
March 14, 2016
Boxborough Community Center
30 Middle Road

1. CALL TO ORDER, Morse-Hilberg Meeting Room 6:15 PM

2. EXECUTIVE SESSION

Move to adjourn to Executive Session in the Morse-Hilberg Meeting Room of Town Hall to conduct strategy session in preparation for negotiations with non-union personnel (the Town Administrator) and to reconvene in open session in the Boxborough Community Center, 30 Middle Road to continue with the regular business on the agenda

Chair shall state: "To conduct such session in an open meeting may have a detrimental effect on the bargaining position of the Board."

**ROLL CALL
VOTE:**

RE-CONVENE AT THE BOXBOROUGH COMMUNITY CENTER, 30 MIDDLE ROAD, 7:00 PM

3. ANNOUNCEMENTS

4. APPOINTMENTS

[Times are estimated; if you are interested in a particular matter, please plan to arrive 15 minutes earlier]

- a) Citizens concerns

5. MINUTES

- a) Regular session, March 7, 2016

ACCEPT & POF

6. SELECTMEN REPORTS

7. OLD BUSINESS

- a) Annual Town Meeting (and Special within the Annual)
Continue review of warrant articles
Re-open warrant to add article for temporary addition of hours for Community Services Coordinator
Move to re-open the Annual Town Meeting warrant to include an article for temporary additional hours for the Community Services Coordinator

VOTE:

- b) FY 17 Budget
Department 123 (Town Administrator) and Department 422 (Public Works)
Possible further discussion and vote

VOTE:

8. NEW BUSINESS

- a) Request of the Acton Boxborough Cultural Council (ABCC) to serve wine at the ABCC's annual grant reception (4/1/16) and to waive the fee
Move to permit the Acton Boxborough Cultural Council to serve wine at its 2016 annual grant reception, being held at the Sargent Memorial Library on April 1, 2016, subject to the conditions specified on the application, and further, to waive the fee

VOTE:

9. CORRESPONDENCE

ACCEPT & POF

- a) Internal Communications
- b) Minutes, Notices & Updates
- c) General Communications

10. PRESS TIME

11. CONCERNS OF THE BOARD

12. ADJOURN



BOARD OF SELECTMEN
Meeting Minutes
February 22, 2016

APPROVED: _____

PRESENT: Vincent Amoroso, Chair; Susan Bak, Clerk; Les Fox, Member; Jim Gorman, Member and Robert Stemple Member

ALSO PRESENT: Selina Shaw, Town Administrator and Cheryl Mahoney, Department Assistant

Chair Amoroso called the meeting to order at 7:03 P.M. in the Boxborough Community Center.

The documents discussed herein have been included with the file copy of the agenda packet for the above referenced date and are hereby incorporated by reference.

ANNOUNCEMENTS

Chair Amoroso read the announcements.

APPOINTMENTS

- Council on Aging (CoA) Chair Frank Powers was present to discuss two candidates for appointment to the CoA, Barbara Birt and Carolyn (Taryn) Light. CoA member Frank Sibley was also present. CoA Chair Powers advised that both of the candidates have attended several CoA meetings and he has worked with them on various Senior Tax Workoff projects. They are a welcome addition to their Board.
 - Further to the recommendation of the CoA, Member Fox moved to appoint Barbara Birt to complete the unexpired term of Susan Page for a term commencing immediately and ending on June 30, 2016. Seconded by Member Stemple. **Approved 5-0.**
 - Further to the recommendation of the CoA, Member Fox moved to appoint Carolyn (Taryn) Light to complete the unexpired term of Lauraine Harding for a term commencing immediately and ending on June 30, 2016 Seconded by Member Stemple. **Approved 5-0.**
- Inspector of Buildings (BICAO), Gerry Noel was present to brief the Board on options for replacing the front steps and walkway of Town Hall. Community Preservation Comm. Chair Owen Neville was also present for this discussion. BICAO Noel advised that he is seeking direction from the Selectmen as this moves forward and for them to determine if a Town Meeting warrant article is necessary. He spoke to the spreadsheet and photo samples of paving material options provided. There was discussion regarding the appearance, durability, cost and upkeep of some of the materials he is recommending. Also, there is a concern about the traction on these surfaces when they are wet. There was discussion on the available options & their respective components, including paving materials; railings and landscaping as profiled in the spreadsheet along with revised cost estimates, funds currently set aside and potential supplemental funding sources. CPC Chair Neville spoke to the CPA funding authorized at last year's Town Meeting and the potential additional funding that may be available through the CPC. There was discussion as a potential supplemental funding article.
- BICAO Noel also provided an update on the Town Hall chairlift project.

Board took item #7c, out of order

NEW BUSINESS

- The Selectmen took up several Reserve Fund Transfer Requests:
 - Chair Amoroso moved to forward to the Finance Committee for approval the request to transfer \$495 from the Reserve Fund to account #001-122-5730-0000, Selectmen Dues/Membership. Seconded by Member Stemple. **Approved 5-0.**
 - Chair Amoroso moved to forward to the Finance Committee for approval the request to transfer \$2,000 from the Reserve Fund to account #001-292-5711-0000, ACO – Dog & Cat Travel. Seconded by Member Fox. **Approved 5-0.**
 - Chair Amoroso moved to forward to the Finance Committee for approval the request to transfer \$2,903 from the Reserve Fund to account #001-691-5241-0000, Hist Commission – Bldg/Grounds Maintenance. Seconded by Member Gorman. **Approved 5-0.**

APPOINTMENTS (Continued)

- Police Chief Warren Ryder came before the Selectmen to present Robert A. Arakelian as a candidate for appointment to the position of Full-time probationary Police Officer. Members of the police department and others were also present. Chief Ryder spoke to the process undertaken to fill this position and to eventually identify Arakelian as a candidate. Arakelian reviewed his professional & personal background, including his experience at the UMass Worcester medical complexes and campus and running his own business. Chief Ryder noted that one of the major benchmarks they utilized is a candidate's ability to fit into the Boxborough community. Further to the recommendation of Police Chief Warren Ryder, Member Fox moved to appoint Robert A. Arakelian to the position of Full-time Probationary Police Officer for a one year term commencing on February 25, 2016 and expiring on February 24, 2017. Seconded by Member Stemple. **Approved 5-0.**
- Chief Ryder remained to provide an update on the public safety building project. Chief Ryder advised that the Space Need Advisory Group (SNAG) has identified plans that the architect will now utilize to develop firm proposed numbers. This Group has reached a milestone and he would like to recommend that the Selectmen now work on establishing a formal building committee for this proposed project with a goal of presenting, at Town Meeting in the future. There was discussion as to the possible make-up of a building committee and whether the Permanent Building Committee could simply be re-invigorated to handle this project. Member Gorman also noted that there will be an article at this year's Town Meeting to fund additional study work on this.

Board took item #6a, out of order

OLD BUSINESS

- The Board took up the ratification and execution of successor agreement between the Town and the Massachusetts Coalition of Police, Local 200, Police. Police Chief Ryder and Officers from Local 200 were present. Member Fox moved to execute the successor agreement between the Town, acting by and through its Board of Selectmen and the Massachusetts Coalition of Police, MCOP Local 200, Police for the term July 1, 2015 – June 30, 2018. Seconded by Member Stemple. **Approved 5-0.**
- There were no Citizens concerns.

MINUTES

- Member Gorman moved to accept the minutes for the Regular session of January 25, 2016, as revised. Seconded by Member Bak. **Approved 5-0.**
- Member Gorman moved to accept the minutes for the Executive session of February 10, 2016, as written. Seconded by Member Bak. **Approved 5-0.**

SELECTMEN REPORTS

- Member Gorman reported that some residents have voiced concern about the aesthetics of the antennae array recently installed behind the Museum. This array will be removed and a new one will be installed next week. Photographs were provided to illustrate.

He reported that he had participated in a meeting with DPW and the DEP regarding the Hager Well facility. It has been determined that some significant system components were mismatched and will need to be updated. An ATM capital article will be needed. \$50,000 is the projected outside number, but will likely be less. ABRSC member Maria Neyland was present and she provided her input as to this expenditure; the potential financial impact to the ABRSD and requested that the District be kept "in the loop."

Member Gorman also reported that he spent two hours on Sunday listening to concerns regarding zoning site plans issues for two commercial properties.

- Member Stemple reported that he and Chair Amoroso met with the current and in-coming Supt. at the Nashoba High School this morning. This was done in anticipation of questions that they felt needed to be answered for Special Town Meeting. This was a positive discussion.
- Chair Amoroso reported that based on the feedback received at the STM Informational Meeting he felt he needed more information. He and Member Fox will be going to Assabet High School on Tuesday. He has had numerous phone discussions with the Nashoba's Supt., Assabet's Supt. and Sec. Wulfson at DESE. They were very helpful. He related some of the information provided concerning – "Choice Students", Out-of-District placement and Out-of-District transportation options. He has been advised that Nashoba has capacity still available; can accept both Choice and Out-of-District students and is willing to extend its Littleton bus route into Boxborough; billing the Town for this. He has also been in communication with ABRSD Supt. Brand and AB School Comm. member, Brigid Bieber regarding the Guidance Staffs' role in providing information on Ch. 74

education option to Boxborough residents if we withdraw. He also related discussions on the process to designate a "Preferred" Vocational school which would allow the Town provide access to just one school, and not to various schools all over the state. He appreciated ABRSC member Neyland remaining so this information could be shared with her. He further advised her that it was very unlikely that ABRSD administrators need to provide any type of report at Special Town Meeting Dover is holding its STM tonight.

OLD BUSINESS (Continued)

- The Selectmen re-opened discussion on Special Town Meeting preparation and reviewed the proposed motions. There was discussion as to the ordering of articles, both here and in the other District Towns. The Board reviewed the ordering of the presentations under Article #2 – Selectmen General Information presentation; Voc. Ed. Advisory Comm.; FinCom; and then the Selectmen's recommendation presentation. Under the Minuteman articles, voters need to clearly understand what a Yes vote means and what a No means. Article #2 - Yes is to withdraw from the Minuteman School District/No to stay and Article #3 – Yes to approve amendments /No to not approve. There was discussion about holding a paper ballot vote and the process. According to the Moderator this has to be a motion on Town Meeting floor. The consensus of the Board was to support a paper ballot motion if it is called for. Member Fox moved to hold a secret paper ballot at Special Town Meeting. Seconded by Member Gorman. **Approved 5-0.**
- Discussion was opened as to Annual Town Meeting (and Special within the Annual) and the proposed list of articles. There was discussion as to the DPW paving capital article for \$400,000. It was clarified that this would be in addition to Ch. 90 funds received from the state. Member Gorman reviewed the proposed roadway paving scheduled breakout in which ones they intend to use town funds for and those to come under Ch. 90. There was a side discussion as to the proposed MASSDoT work on the Route 111 culverts and the necessary detours onto town side roads. There is concern about the increased traffic; and whether a police presence may be necessary. Member Gorman advised that there will be no article for improvements to the DPW office facilities on this year's warrant. However, he did advise that, pursuant to Chief Ryder's report on the public safety building project, an article shall be needed to provide funds for additional study efforts. Member Gorman moved to put a placeholder on the warrant for the appropriate funds to continue the SNAG Study. Seconded By Chair Amoroso. **Approved 5-0.** Also based on earlier discussions concerning the Town Hall steps/walkway, Member Bak moved put a placeholder on the warrant for a CPA appropriation for project related to Town Hall. Seconded by Member Stemple. **Approved 5-0.** Chair Amoroso moved to close the warrant for the annual town meeting and the special town meeting within the annual, which begin on May 9, 2016. Seconded by Member Bak. **Approved 5-0.**

NEW BUSINESS (Continued)

- The Board took up the acceptance of FY 2016 State 911 Department Support and Incentive Grant. The intention is to use this for software upgrades. Member Gorman moved to accept the FY 2016 State 911 Department Support and Incentive Grant in an amount not to exceed \$16,485 to be expended between February 11 – June 30, 2016. Seconded by Member Fox. **Approved 5-0.**
- The Town Clerk is looking for additional help for the Presidential Primary. Further to the recommendation of Town Clerk, Elizabeth Markiewicz, Chair Amoroso moved to appoint John Fallon as Temporary Constable for a term of one month, commencing March 1, 2016 and ending on March 31, 2016. Seconded by Member Stemple. **Approved 5-0.**
- Further to the recommendation of the Board of Health, and in compliance with the State Reclamation and Mosquito Control Board's "Budget Notification & Compliance Certification Policy," Member Bak moved to declare the Board of Selectmen's support of the FY 2017 proposed cherry sheet assessments for the Central Mass. Mosquito Control Project. Seconded by Member Stemple. **Approved 5-0.**

CORRESPONDENCE

- There was discussion on the letter received from AlphaCars thanking the Boxborough Police Dept. for the hard work that lead to the apprehension of a hit-run suspect.

ADJOURN

- The meeting was adjourned at 8:56 PM.



**TOWN OF BOXBOROUGH
SPECIAL/ANNUAL TOWN MEETING
MAY 9, 2016
LIST OF ARTICLES**

SPECIAL TOWN MEETING

- 1. COMMUNITY PRESERVATION FUND – COMMUNITY HOUSING
Regional Housing Monitoring Services (Year 3)**
-

ANNUAL TOWN MEETING

- 1. CHOOSE TOWN OFFICERS**
- 2. RECEIVE REPORTS**
- 3. SET SALARIES AND COMPENSATION OF ELECTED OFFICIALS**
- 4. AMEND FY 2017 PERSONNEL PLAN CLASSIFICATION AND COMPENSATION SCHEDULE**
- 5. TOWN OPERATING BUDGET**
- 6. MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT BORROWING
AUTHORIZATION**

COMMUNITY PRESERVATION FUND

- 7. CPC REPORT AND ESTABLISH FY 17 RESERVES**
- 8. OPEN SPACE (INCLUDING RECREATION)**
 - A. Site Plan for Basketball and Tennis Courts at Liberty Fields**
 - B. T.J. O’Grady Skate Park Expansion**
- 9. COMMUNITY HOUSING**
 - A. Regional Housing Monitoring Services (Year 4)**
 - B. Boxborough Rental Voucher Program**
- 10. HISTORIC RESOURCES**
 - A. Conservation of Historic Town Records**
 - B. Restoration of Grange Meeting Room**
 - C. Preservation and Restoration of Historic Town Hall Exterior Steps**

FINANCIAL CONSENT AGENDA

- 11. TRANSFER TO STABILIZATION FUND****
- 12. TRANSFER TO OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND****

13. CONSERVATION TRUST FUND**
14. FRAUD RISK ASSESSMENT**
15. SOIL AND PERCOLATION TESTING – 405 MIDDLE ROAD**
16. COST OF BORROWING AND FIRST YEAR’S INTEREST **
17. REPLACEMENT OF 3 TOWN HALL HVAC UNITS**
18. REPAIRS TO TOWN HALL CHIMNEY AND TOWN MUSEUM ROOF**
19. INSTALLATION OF “FARMER’S” STONE WALL AT SOUTH CEMETERY**
20. UPGRADE AUDIO/VISUAL SYSTEM AT THE SARGENT MEMORIAL LIBRARY**
21. CAPITAL IMPROVEMENTS - HISTORIC MUSEUM BASEMENT (DEHUMIDIER AND STORAGE SHELVING UNITS) **
22. CLOSE COMPLETED ARTICLES**
23. DEPARTMENTAL REVOLVING FUNDS - RE-AUTHORIZATION AND INCREASE CAPS FOR ELECTRICAL AND GAS/PLUMBING INSPECTIONS**
24. ACCEPT MGL CH 44 § 53F¾ - PEG ACCESS AND CABLE RELATED FUND AND TRANSFER EXISTING MONIES**
25. CABLE INFRASTRUCTURE APPROPRIATION**
26. CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM**
27. **TEMPORARY INCREASE IN HOURS FOR COMMUNITY SERVICES COORDINATOR****

CAPITAL EQUIPMENT AND INFRASTRUCTURE

28. INFORMATION TECHNOLOGY HARDWARE UPGRADES
29. TOWN HALL FRONT (MIDDLE ROAD) WALKWAY & SIGNAGE
30. ACCESS CONTROL SYSTEM – TOWN HALL, POLICE AND FIRE
31. POLICE DEPARTMENT – BUILDING REPAIRS AND MAINTENANCE
 - A. Carpeting
 - B. Exterior Doors
 - C. Detention Cell
 - D. Lobby & Evidence Room
 - E. Clapboards and Trim Replacement
 - F. Interior Lighting
 - G. Exterior Lighting
 - H. Parking Lots and Walkways
32. POLICE DEPARTMENT – EQUIPMENT
 - A. Tasers
 - B. Security Cameras & Video Server
 - C. Defibrillators (Replace 4)
 - D. Firearms
 - E. AFIS Fingerprinting
 - F. Photocopier replacement
 - G. Office Furniture
33. FIRE DEPARTMENT – REPLACE UTILITY TRUCK
34. ANIMAL CONTROL (DOGS & CATS) PICK-UP TRUCK
35. DPW – ROAD PAVING

- 36. DPW - REPLACE BUCKET LOADER
- 37. DPW – REPLACE PICK-UP TRUCK
- 38. DPW – VHF RADIOS AND RELATED EQUIPMENT
- 39. HAGER WELL – SYSTEM UPDATES

STUDIES AND INITIATIVES

- 40. PUBLIC SAFETY BUILDING – ADDITIONAL SITE & BUILDING DATA

ZONING BYLAW AMENDMENTS

- 41. ZONING BYLAW AMENDMENT – AMEND ZONING MAP
- 42. ZONING BYLAW AMENDMENT – AMEND SECTION 8102 DESIGN REVIEW BOARD
- 43. ZONING BYLAW AMENDMENT – AMEND SECTION 5002 DIMENSIONAL SCHEDULE AND SECTION 5003 REDUCED FRONTAGE LOTS
- 44. ZONING BYLAW AMENDMENT – AMEND SECTION 9004 PENALTY
- 45. ZONING BYLAW AMENDMENT – AMEND SECTION 2181 STRUCTURE
- 46. ZONING BYLAW AMENDMENT – AMEND SECTION 2130 FARM, SECTION 4003 USE REGULATION SCHEDULE, SECTION 4107 ACCESSORY APARTMENT, AND SECTION 8003 EXEMPTIONS
- 47. ZONING BYLAW AMENDMENT – DELETE SECTION 7100 WETLANDS AND WATERSHED PROTECTION DISTRICT (W-DISTRICT), DELETE SECTION 7200 LANDS BORDERING THE W-DISTRICT, AMEND VARIOUS OTHER SECTIONS WITH REFERENCES TO SECTIONS 7100 & 7200, AND DELETE THE WETLAND & WATERSHED OVERLAY DISTRICT FROM THE ZONING MAP

GENERAL BYLAW AMENDMENTS AND NEW GENERAL BYLAWS

- 48. GENERAL BYLAW AMENDMENT – ANNUAL TOWN MEETING
- 49. GENERAL BYLAW AMENDMENT – STONE WALLS
- 50. GENERAL BYLAW – NEW – RECONSIDERATION OF VOTE
- 51. GENERAL BYLAW – NEW – VOTE COUNTS BY MODERATOR

SENSE OF THE MEETING

- 52. A SENSE OF THE MEETING MOTION TO CREATE A GREENER BOXBOROUGH

NON-MONETARY CONSENT AGENDA

- 53. ACQUISITION OF EASEMENTS FOR ROADWAY PURPOSES – HILL ROAD**
- 54. DISCONTINUANCE OF CUNNINGHAM ROAD**
- 55. ACCEPT MGL CH 41 § 110A – OFFICE HOURS ON SATURDAYS**

LEGEND

- ** CONSENT AGENDA



BOXBOROUGH SPECIAL TOWN MEETING

To either of the Constables of the Town of Boxborough, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Boxborough, who shall be qualified to vote in accord with the provisions of M.G.L. Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Monday, May 9, 2016 at 7:00 p.m. to act on Articles 1 of this Special Town Meeting Warrant.

ARTICLE 1 COMMUNITY PRESERVATION FUND – COMMUNITY HOUSING

(Majority vote required)

To see if the Town will vote to appropriate from the Community Preservation Fund Community Housing Reserve the sum of Five Thousand Four Hundred Sixty-five Dollars (\$5,465), more or less, from the for the purpose of transferring said sum to the Affordable Housing Trust for Regional Housing Monitoring Services, as recommended by the Community Preservation Committee, or take any other action relative thereto.

You are required to serve this Special Town Meeting Warrant by posting copies thereof, attested by you, at the Town Hall, at the Sargent Library, at the Police Station, at the Fire Station, and at the Blanchard Memorial School, fourteen days at least, before the time appointed for such meeting.

Hereof, fail not deliver these warrants with your return of service thereon to the Town Clerk on or before April 22, 2016.

Vincent M. Amoroso, Chairman
Board of Selectmen

Susan M. Bak, Clerk
Board of Selectmen

Leslie R. Fox
Board of Selectmen

James J. Gorman
Board of Selectmen

Robert T. Stemple
Board of Selectmen



BOXBOROUGH ANNUAL TOWN MEETING

To either of the Constables of the Town of Boxborough, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Boxborough, who shall be qualified to vote in accord with the provisions of M.G.L. Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Monday, May 9, 2016 at 7:00 p.m. to act on Articles 2 through 55 of this Annual Town Meeting Warrant.

You are also required to notify all such residents of Boxborough to come to their polling place at Boxborough Town Hall, 29 Middle Road, Boxborough, on Monday the 16th day of May, 2016 at 7:00 a.m. for the Election of Town Officers. The polls will be open continuously until 8:00 p.m. when they shall be closed.

CONSENT AGENDAS

In an effort to streamline Town Meeting and make it more inviting to voters, the Board of Selectmen will again use the Consent Agenda. This will speed the passage of articles which the Selectmen feel, after consulting with Town Counsel, the Moderator and the Finance Committee, should generate no controversy and can be properly voted without debate. The purpose of the Consent Agenda is to allow motions under these articles to be acted upon as one unit and to be passed without debate. The selectmen have voted unanimously (5 – 0) to recommend all those articles on each of the Consent Agendas.

This year, there will be two Consent Agendas. The **Fiscal Consent** (Article #11 through #27, inclusive) includes reauthorization of revolving funds, transfers and some appropriation articles considered to be non-controversial. The **Non-monetary Consent** (Article #53 through #55 inclusive) will be taken up as usual at the end of Town Meeting. All of the articles to be taken up on the Consent Agendas are indicated by a double asterisk (**).

THE CONSENT AGENDAS WILL BE TAKEN UP AFTER CONSIDERATION OF ARTICLES 10 AND 52, RESPECTIVELY.

At the call of each of the Consent Agendas, the Moderator will announce the number of each Article. If one or more voters object to including any particular Article in the Consent Agenda, they should say the word “Hold” in a loud voice when the number is called. The Article will then be removed from the Consent Agenda and restored to its original place in the Warrant. We will then debate and vote on it in the usual manner. After calling the individual items in the Consent Agenda, the Moderator will ask that all items remaining be passed AS A UNIT by the voters.

Please carefully review the list of articles proposed for each Consent Item. Summaries are included under many of the articles printed in this warrant.

COMMUNITY PRESERVATION FUND (STM Article 1 and ATM Articles 7-10)

[need to update blurb]

At Annual Town Meeting in May 2014, Boxborough’s voters took the first step to accept Sections 3 to 7, inclusive of Chapter 44B of the General Laws, known as the Massachusetts Community Preservation Act. The voters also supported the adoption of a general bylaw to establish the Community Preservation Committee (CPC) to be comprised of nine members representing the Conservation Commission, Historical Commission, Recreation Commission, Housing Board, Agricultural Commission, Finance Committee, Planning Board and two at-large members designated by the Board of Selectmen. At the ballot in November 2014, the voters ratified the action taken at Town Meeting in May and approved the adoption of the Community Preservation Act.

The Community Preservation Fund is a special revenue fund subject to appropriation. The CPC is tasked with receiving applications and making recommendations to Town Meeting before any monies can be expended from the fund for the particular community preservation purposes established by statute: open space (including recreational uses), historic resources, and community housing (low and moderate income housing for individuals and families, including low or moderate income senior housing). Each fiscal year, the legislative body, i.e., Town Meeting, must appropriate or reserve for future appropriation no less than 10 percent of the estimated annual revenue to be set aside or spent for each of the three categories of allowable community preservation purposes. Up to 5% may be spent on administration. “Estimated annual revenue” is the total of the amount to be collected in the upcoming fiscal year, i.e. FY 2016, under the local surcharge and the November 15th state matching funds for the prior fiscal year.

FY2015 is the first year for which the surcharge has been collected for the Community Preservation Fund. Because of the timing of the Town’s acceptance of the CPA, the Town was not able to appropriate the required

FY 2015 set asides prior to the setting of the FY 2015 tax rate. Therefore, a one-time action is required at this Town Meeting to provide for the mandatory set asides.

For this year's Town Meeting, the CPC has recommended the following appropriations:

- 1) 10% set-asides from FY 2015 estimated annual revenue for each of open space, historic resources, and community housing
- 2) 10% set asides each from FY 2016 estimated annual revenue for open space, historic resources and community housing, and a sum for administrative purposes (not to exceed 5% of the estimated annual revenue)
- 3) Three historic resources projects, which will exceed 10% of the required set aside/expenditure

Please carefully review the Warrant and do not hesitate to contact the Town Administrator by email to sshaw@boxborough-ma.gov or phone, 978-264-1712, with any questions regarding the articles or procedures.

ARTICLE 1 CHOOSE TOWN OFFICERS

(Majority vote required)

One Moderator, for a one-year term

One Town Clerk, for a three-year term

One Board of Selectmen member, for a three-year term

One Board of Health member, for a three-year term

Two Library Trustees, each for a three-year term

Two Planning Board members, each for a three-year term

One Acton-Boxborough Regional School Committee member, for a three-year term

One Constable, for a three-year term

As well as other Town Officers as may be necessary.

ARTICLE 2 RECEIVE REPORTS

(Majority vote required)

To see if the Town will vote to receive the reports of the Selectmen and other Town Officers, Agents and Committees as published in the 2015 Annual Town Report, or take any other action relative thereto.

ARTICLE 3 SET SALARIES AND COMPENSATION OF ELECTED OFFICIALS

(Majority vote required)

To see if the Town will vote to fix the salaries and compensation of various elected officials for the fiscal year beginning July 1, 2016 as follows:

Selectmen	\$400.00 each member/year
Board of Health	\$166.67 each member/year
Town Clerk	\$46,822.58/year
Constables	\$3.00 each copy/warrant posted
Planning Board Members	\$109.00 each member/year

or take any other action relative thereto.

**ARTICLE 4 AMEND FY 2017 PERSONNEL PLAN CLASSIFICATION AND COMPENSATION
SCHEDULE**

(Majority vote required)

To see if the Town will vote to amend the Personnel Administration Plan Classification and Compensation Schedule by:

deleting the positions of Tax Collector (grade 14) and Town Treasurer (grade 15) and replacing with the combined position of Town Treasurer Collector (grade 15),

upgrading the position of Youth Services Librarian from grade 12 to grade 13, and

providing for a 1.5% wage adjustment of 1.5% over FY 16 for the majority of positions with the following exceptions:

retain the hourly rate of \$10/hour for the positions of CIT, Intern (Town Hall), and Junior Library Page on January 1, 2017, increase the hourly rate for Library Page, Counselor and Election Workers to \$11.00 per hour to reflect the state minimum wage in effect on that date.

Or take any other action relative thereto.

FY 2017
CLASSIFICATION AND COMPENSATION SCHEDULE

***FOR INFORMATIONAL PURPOSES
PERSONAL CONTRACTS, CBA'S AND ELECTED OFFICIALS***

ARTICLE 5 TOWN OPERATING BUDGET

(Majority vote required)

To see what sums of money the Town will raise and appropriate, transfer from available funds, and/or borrow for the operations and expenses of the Town for the Fiscal Year beginning July 1, 2016, or take any other action relative thereto.

[Budget will be inserted on pages 18 – 25]

ARTICLE 6 MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT BORROWING AUTHORIZATION

(Two-thirds vote required)

ARTICLE 7 COMMUNITY PRESERVATION FUND - CPC REPORT AND ESTABLISH FY 17 RESERVES

(Majority vote required)

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY 2017 Community Preservation budget and to appropriate from the Community Preservation Fund FY 2017 estimated annual revenues a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for FY 2017; and further, to reserve for appropriation from said estimated annual revenue a sum of money for open space, including land for recreational use, historic resources and community housing purposes, and for a FY 2017 Budgeted Reserve;

all as recommended by the Community Preservation Committee,

or take any other action relative thereto.

ARTICLE 8 COMMUNITY PRESERVATION FUND - OPEN SPACE (INCLUDING RECREATION)

(Majority vote required)

To see if the Town will vote to appropriate from the Community Preservation Fund Open Space Reserve the sum of Forty-Five Thousand Five Hundred Dollars (\$45,500), more or less, for Community Preservation purposes, projects or acquisitions as follows:

8A	\$5,500	Site Plan for Basketball and Tennis Courts at Liberty Fields	Recreation Commission
8B	\$40,000	T.J. O'Grady Skate Park Expansion	Recreation Commission

all as recommended by the Community Preservation Committee,

or take any other action relative thereto.

Summary

The Community Preservation Committee recommends.

ARTICLE 9 COMMUNITY PRESERVATION FUND - COMMUNITY HOUSING

(Majority vote required)

To see if the Town will vote to appropriate from the Community Preservation Fund Community Housing Reserve the sum of Thirty-Two Thousand Two Hundred Eighty Dollars (\$32,280), more or less, for Community Preservation purposes, projects or acquisitions as follows:

9A	\$6,000	Transfer to the Affordable Housing Trust for Regional Housing Monitoring Services	Boxborough Housing Board
9B	\$26,280	Boxborough Rental Voucher Program	Well-Being Committee and Boxborough Housing Board

all as recommended by the Community Preservation Committee,

or take any other action relative thereto.

ARTICLE 10 COMMUNITY PRESERVATION FUND – HISTORIC RESOURCES

(Majority vote required)

To see if the Town will vote to appropriate from the Community Preservation Fund Historic Resources Reserve the sum of Fifty-Six Thousand Dollars (\$56,000), more or less, and the sum of Ninety-Six Thousand Seven Hundred and Seventy-five Dollars (\$96,775), more or less, from the Community Preservation Fund Balance for Community Preservation purposes, projects or acquisitions as follows:

10A	\$11,000	Conservation of Historic Town Records	Town Clerk
10B	\$106,775	Restoration of Grange Meeting Room	Inspector of Buildings
10C	\$35,000	Preservation and rehabilitation of Historic Town Hall exterior steps	Inspector of Buildings

all as recommended by the Community Preservation Committee,

or take any other action relative thereto.

ARTICLE 11 TRANSFER TO STABILIZATION FUND**

(Two-thirds vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of One Hundred Thousand Dollars (\$100,000), more or less, for the Stabilization Fund, or take any other action relative thereto.

ARTICLE 12 TRANSFER TO OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND**

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Sixty-two Thousand Five Hundred Dollars (\$62,500), more or less, for the Other Post-Employment Benefits Liability Trust Fund established under Article 25 of the 2010 Annual Town Meeting, and authorized by M.G.L. Chapter 32B, Section 20, in order to offset the anticipated future cost of providing post-retirement health and life insurance benefits to current and future retired Town employees, or take any other action relative thereto.

ARTICLE 13 CONSERVATION TRUST FUND**

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Five Thousand Dollars (\$5,000), more or less, said sum to be transferred to the Town's Conservation Trust Fund, or take any other action relative thereto.

Summary

The appropriation is intended to fund anticipated capital needs related to the conservation of land in Boxborough.

Justification and Need

1. *The Conservation Trust Fund was established under the Conservation Commission Act in 1957 and is intended to provide funds for the following purposes:*

- *Purchase of Land*
- *Capital Improvement of Land*
- *Expenses related to land purchase such as appraisals, title searches etc.*
- *Improvement of conservation land.*
- *Monitoring of Conservation restrictions.*
- *Cost of preparing open space plans and maps.*

2. *The Conservation Trust Fund currently has an unencumbered funds balance of approximately \$15,000. Previous discussions with the Finance Committee concluded that an estimated working balance of \$30,000 is considered to be adequate for meeting anticipated expenses.*

3. *The Conservation Trust Fund has incurred the following expenses/encumbrances in FY 2016:*

Approximately \$9,000 for the purchase of 10 acres of land for conservation in partnership with and generous support from the Boxborough Conservation Trust.

Approximately \$2,000 for legal services associated with acquiring a Conservation Restriction on approximately 25 acres of land for conservation in cooperation with the Boxborough Conservation Trust.

Approximately \$5,800 for the cutting and treatment of invasive plants at Rolling Meadows.

4. *The Conservation Trust Fund has the following upcoming anticipated expenses:*

- *Review of Land Acquisition Opportunities – There are a number of parcels (both in and out of Chapter) that may be offered to the Town. Typical due diligence for review of acquisition opportunities (before bringing a potential acquisition to Town Meeting) incurs costs on the order of \$10,000 for appraisals, title searches, and engineering and/or environmental review.*
- *Control of Invasive Plants on Conservation Land – Implementation of invasive control plans will involve the cost of contracted labor and equipment that is beyond routine operations and maintenance.*
- *Improve the Monitoring of Conservation Restrictions – Preparation and recording of baseline documentation will involve the cost of contracted consultant services.*

Background Information

1. *From 1990 to 1999 Town Meeting appropriated an average of \$5,000/year to the Conservation Trust Fund.*
2. *There was one appropriation of \$15,000 to “replenish” the fund in 2000.*
3. *The last 5 years (2011 through 2015), ATM approved an appropriation of \$5,000 each year.*
4. *Routine operations and maintenance are funded separately at approximately \$1,000 per year.*
5. *Other sources of funds available to the Conservation Commission such as state and town filing fees are limited to covering expenses associated with reviewing and protecting wetland resource areas and land with wetlands interests. The Conservation Trust Fund may be directed toward broader range Conservation land interests independent of wetland resource protection.*

Arguments in Favor of a \$5,000 appropriation to the Conservation Trust Fund:

1. *Providing this appropriation to the Conservation Trust Fund is consistent with the Town’s current Capital Planning efforts and objectives.*
2. *The Conservation Trust Fund provides an immediate and dedicated source of money to pay for anticipated needs, and avoids the need for ad hoc funding out the town’s annual operating budget.*

Arguments Against a \$5,000 appropriation to the Conservation Trust Fund:

1. *The anticipated expenses are uncertain, and should be considered and paid as the needs arise.*

The Conservation Commission recommends (6 – 0).

ARTICLE 14 FRAUD RISK ASSESSMENT**

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Ten Thousand Dollars (\$10,000), more or less, for the purpose of hiring a consultant to perform a risk assessment to identify, analyze, and manage the risk of asset misappropriation; or take any other action relative thereto.

Summary

The Town's independent financial auditor has recommended that Town management develop and implement a fraud risk assessment program to mitigate the risks associated with potential asset misappropriation. The consultant will assess areas determined to have an element of risk and will document potential fraud risks, controls already in place to mitigate the risks, and recommend areas and actions for preventing, detecting, and mitigating fraud.

ARTICLE 15 SOIL AND PERCOLATION TESTING – 405 MIDDLE ROAD**

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Three Thousand Dollars (\$3,000), more or less, for the purpose of hiring a consultant to perform soil and percolation testing at 405 Middle Road, or take any other action relative thereto.

Summary

The property located at 405 Middle Road was acquired by the Town in the 1990's through the tax title/foreclosure process and is part of the Picnic Street Trust, which is under the care, custody and control of the Board of Selectmen. The testing will provide information necessary to be able to assess the viability of constructing a single-family parcel on the property.

[INSERT MAP]

ARTICLE 16 COST OF BORROWING AND FIRST YEAR'S INTEREST **

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Fifty Thousand Dollars (\$50,000), more or less, for the purpose of paying the first year's interest and the cost of issuance for borrowing authorized by vote of Town Meeting in 2015 as well as for borrowing authorized at Town Meeting in 2016, or take any other action relative thereto.

ARTICLE 17 REPLACEMENT OF 3 TOWN HALL HVAC UNITS**

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Twenty Thousand Dollars (\$20,000), more or less, for the purpose of replacing one furnace and two air conditioning systems in the Town Hall, or take any other action relative thereto.

Summary

The Town Hall HVAC units are outdated and inefficient; close to thirty years old, they have exceeded their useful life. Just after the start of the fiscal year, two of the gas-fired furnaces/air conditioning units in the west side of Town Hall failed and were replaced. Four months later, one of the two remaining furnaces in the east end of Town Hall, which had been converted from an oil-fired furnace from the the original part of Town Hall, failed and was replaced. This article will provide for the replacement of the one furnace and two air conditioning units remaining on the east side of Town Hall with more energy efficient units, as well as balance the air flow in this section of Town Hall.

ARTICLE 18 REPAIRS TO TOWN HALL CHIMNEY AND TOWN MUSEUM ROOF**

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Ten Thousand Dollars (\$10,000), more or less, for the purpose of repairing the Town Hall chimney and the Town Museum roof, or take any other action relative thereto.

Summary

This article will provide for the repointing of the Town Hall chimney and fixing a leak in the museum's roof.

ARTICLE 19 INSTALLATION OF “FARMER’S” STONE WALL AT SOUTH CEMETERY**

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Fifteen Thousand Dollars (\$15,000), more or less, for the purpose of constructing a “farmer’s” stone wall at the South Cemetery, or take any other action relative thereto.

Summary

In order to identify the cemetery boundary from the house lot next door, the Cemetery Commission is seeking an appropriation to build a stone wall along the side of the cemetery where no wall currently exists. The wall will be constructed in the same “farmer’s” style as those already in place at the South Cemetery.

The Cemetery Commission recommends (2 – 1).

ARTICLE 20 UPGRADE AUDIO/VISUAL SYSTEM AT THE SARGENT MEMORIAL LIBRARY**

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Nine Thousand Nine Hundred Ninety-five Dollars (\$9,995), more or less, for the purpose of upgrading the existing library meeting room A/V system, or take any other action relative thereto.

The Library Board of Trustees recommends unanimously.

The Library Trustees unanimously recommend this necessary expenditure. Due to the age of the equipment of the existing A/V system as well as the audio visual standard moving from analog to digital it is our recommendation to upgrade the projector to an HD resolution projector which is standard today. In addition, the standard video output on most laptop computers is HDMI which does not exist on the ceiling mounted projector. Replacement parts and regular service, which insures reliable operation, are no longer available on the current equipment. With this upgrade of the Library Audio Visual system we will maintain our investment in this heavily used and important resource in our community.

ARTICLE 21 CAPITAL IMPROVEMENTS - HISTORIC MUSEUM BASEMENT (DEHUMIDIER AND STORAGE SHELVING UNITS) **

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Twelve Thousand Dollars (\$12,000), more or less, for the purpose of acquiring a commercial dehumidifier and storage shelving for the Town's Historical Museum, or take any other action relative thereto.

Summary

[to be added]

ARTICLE 22 CLOSE COMPLETED ARTICLES**

(Majority vote required)

To see if the Town will vote to transfer to the General Fund the unexpended balance of monies in the amount of Twenty-eight Thousand One Hundred Twenty-eight Dollars and thirty Cents (\$28,128.30), more or less, as voted by past Town Meetings, and indicated in the table below:

	Description	Amount
May 2010 (ATM) Article 11	Fire Dept – Mobile Networks	\$40.14
May 2011 (ATM) Article 21	Blanchard Memorial School – Fire Safety Engineering Consultant	313.00
May 2012 (ATM) Article 24	Repair and Replace Blanchard Memorial School’s Exterior Mortar and Masonry	9,213.99
May 2013 (ATM) Article 10	Replacement Vehicle –Inspector of Buildings	667.00
May 2013 (ATM) Article 14	Replacement of Air-Paks – Fire Department	10,861.00
May 2013 (ATM) Article 20	Replacement of Windows – Blanchard Memorial School	2,952.77
May 2014 (STM) Article 2	Fund First Two Years of Collective Bargaining Agreement - Massachusetts Coalition of Police, Local 200, Police	2,081.08
May 2014 (ATM) Article 20	Cost of Bond Issuance	416.33
May 2014 (ATM) Article 22B	Town Hall Carpet Replacement	0.50
May 2014 (ATM) Article 22E	Library – HVAC Control System Upgrade	80.79
May 2014 (ATM) Article 23C	Public Safety - Space Needs Analysis	1.70
May 2015 (ATM) Article 16	Town Museum basement Re-painting	1500.00
	Total:	<u>\$28,128.30</u>

and further, to transfer the sum of One Hundred Fifty-seven (\$157.00), more or less, to supplement a deficit in Article 9 of the May 2013 Annual Town Meeting (Town Hall Windows), or take any other action relative thereto.

ARTICLE 23 DEPARTMENTAL REVOLVING FUNDS RE-AUTHORIZATION**

(Majority vote required)

To see if the Town will vote to reauthorize revolving accounts previously established by vote of the Town under Massachusetts General Laws, Chapter 44, Section 53E½, for the following purposes: electrical inspection fees; plumbing/gas inspection fees; library fees, fines and penalties; library photocopying fees; dog licensing fees and penalties; sale of trees and other wood, farm products & leasing and rental fees (Steele Farm); fees associated with the regulation of the local Wetland Bylaw; fares and reimbursement from Montachusett Regional Transit Authority (MART); general fees from CoA sponsored programs; annual fire alarm service fees; rental of Community Gardens’ plots; fees collected from the Planning Board for applications to modify existing parcel boundaries and/or the creation of new parcels and copying fees; athletic field permitting fees; Recreation Commission program fees; Animal Control services fees; said fees of the revolving accounts to be expended by the authorized entity without further appropriation; and further, to increase the cap on the Electrical Inspection Revolving Fund from \$50,000 to \$150,000, increase the cap on the Plumbing and Gas Inspection Revolving Fund from \$15,000 to \$100,000 and change the spending authority for the Plumbing & Gas Inspection Revolving Fund from the Building Inspector to the Town Administrator, or take any other action relative thereto.

Revolving Fund	Authority to Spend Funds	Revenue Source	Use of Funds	FY 17 Spending Limit	Disposition for FY 17 Fund Balance
Electrical Inspection	Building Inspector	Electrical inspection fees	To pay Electrical Inspector for inspections conducted by him	\$50,000 \$150,000	Carryover to FY 2018 to pay for inspections for permits not yet completed
Plumbing & Gas Inspection	Building Inspector Town Administrator	Plumbing/gas inspection fees	To pay the Plumbing/Gas Inspector for inspections conducted by him	\$15,000 \$100,000	Carryover to FY 2018 to pay for inspections for permits not yet completed
Library Fines	Library Director	Library fees, fines & penalties	To defray costs of library material acquisitions/ services	\$7,500	Carryover to FY 2018 to pay for expenses not yet completed
Library Photocopying Machine Fees	Library Director	Fees from the use of the copier at the Sargent Memorial Library	To defray expenses directly attributable to the use of the copier, e.g. copier supplies, maintenance	\$1,500	Carryover to FY 2018 to pay for expenses not yet completed
Dog License Fees	Town Clerk	Dog licensing fees & penalties	To defray expenses related to licensing, damage to livestock and fowl, and penalties paid to the Animal Control Officer – Dogs & Cats	\$4,000	Carryover to FY 2018 to pay for expenses not yet completed

Revolving Fund	Authority to Spend Funds	Revenue Source	Use of Funds	FY 17 Spending Limit	Disposition for FY 17 Fund Balance
Steele Farm	Steele Farm Advisory Committee, by majority vote	Sale of trees & other wood, farm products & leasing and rental fees	To defray related expenses of the Steele Farm	\$10,000	Carryover to FY 2018 to pay for expenses not yet completed
Conservation Commission	Conservation Commission within the administrative procedures established by the Board of Selectmen, and by majority vote of the Commission	Fees associated with the regulation of the local Wetland Bylaw	To defray expenses directly attributable to local Wetland Bylaw regulatory activities (excluding legal expenses)	\$20,000	Carryover to FY 2018 to pay for expenses not yet completed
Senior Van	Town Administrator	Fares and reimbursement from Montachusett Regional Transit Authority (MART)	To defray expenses associated with the operations of the senior van	\$32,000	Carryover to FY 2018 to pay for expenses not yet completed
General Council on Aging Programs	CoA Coordinator, in consultation with the Council on Aging	General fees from CoA sponsored programs	To pay expenses directly attributed to CoA programs	\$15,000	Carry over to FY 2018 to pay for expenses not yet completed
Fire Alarm System Maintenance	Fire Chief	Annual fire alarm service fees	To defray expenses related to the operation & maintenance of the fire alarm monitoring systems	\$10,000	Carryover to FY 2018 to pay for expenses not yet completed
Community Gardens	Agricultural Commission, by majority vote	Rental of plots	Management & care of Community Gardens	\$2,000	Carryover to FY 2018 to pay for expenses not yet completed
GIS Assessor Maps	Town Administrator	Fees collected from the Planning Board for applications to modify existing parcel boundaries and/or the creation of new parcels and copying fees	To defray expenses associated with the updating of the GIS Assessor maps and related expenses	\$5,000	Carryover to FY 2018 to pay for expenses not yet completed
Field Permitting Fees	Town Administrator	Athletic field permitting fees	Management and care of athletic fields and permit administration	\$10,000	Carryover to FY 2018 to pay for expenses not yet completed

Revolving Fund	Authority to Spend Funds	Revenue Source	Use of Funds	FY 17 Spending Limit	Disposition for FY 17 Fund Balance
Recreation Program Fees	Town Administrator	Recreation program fees	To pay expenses attributable to general programs sponsored by the Recreation Commission	\$5,000	Carryover to FY 2018 to pay for expenses not yet completed
Animal Control	Police Chief	Animal control services performed by the Animal Control Officer – Dogs and Cats, pursuant to Inter-municipal Agreement(s)	To pay a portion of the wages, benefits and expenses directly attributable to the provision of animal control services	\$60,000	Carry over to FY 2018 to pay for expenses not yet completed

The Board of Selectmen...

The electrical inspection and plumbing & gas inspection revolving funds collect permit fees from electrical inspections and plumbing & gas inspections, respectively. Due to the increased number of inspections associated with the 244-unit Jefferson at Beaverbrook development, as well as with several planned smaller developments in town, it is necessary to temporarily increase the caps on these revolving funds. Because Massachusetts General Laws, Chapter 44, Section 53E½ restricts the spending limit under the direct control of any one board, department or officer to 1% of the prior year’s levy (i.e., \$166,562), it is necessary to transfer the spending authority for the plumbing & gas inspection revolving fund from the Building Inspector to the Town Administrator. The monies collected in these revolving funds are used to pay the inspectors. There is no direct budgetary impact of increasing the caps.

Aside from the increased caps for the electrical inspection and plumbing & gas inspection revolving funds, and the change in authority for the latter, this article simply renews the authority of the named departments to collect fees and disburse funds up to the indicated limit. These revolving funds were set up for the purpose of carrying out the departments’ normal functions and defraying the routine, predictable expenses associated therewith.

The Library Board of Trustees recommends unanimously.

This article will permit the library to use fees and fines that are collected up to \$7,500 per year for the acquisition or replacement of materials and services provided by the library.

The Library Board of Trustees recommends unanimously.

This article will permit the library to use fees and fines that are collected up to \$1,500 per year for the acquisition of materials for public use of the library copier/printer.

**ARTICLE 24 ACCEPT MGL CH 44 § 53F¾ - PEG ACCESS AND CABLE RELATED FUND AND
TRANSFER EXISTING MONIES****

(Majority vote required)

To see if the Town will vote to accept MGL Ch 44 § 53F¾ which establishes a special revenue fund known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for FY 2017, which begins on July 1, 2016; further, to transfer the balances in the existing **cable special revenue accounts** to the PEG Access and Cable Related Fund, or take any other action relative thereto.

Summary

[Still to do]

ARTICLE 25 CABLE INFRASTRUCTURE**

(Majority vote required)

To see if the Town will vote to appropriate the sum of **TBD Dollars (\$xx.xx)**, more or less, said funds to be transferred from the PEG Access and Cable Related Fund receipts reserved for appropriation account, for the purpose of paying for services rendered by LCTV for Boxborough's cable television operations as well as to provide for the acquisition and installation of **cable equipment**, or take any other action relative thereto.

ARTICLE 26 CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM**

(Majority vote required)

To see if the Town will vote to authorize the Board of Selectmen to accept Highway funds from the Commonwealth of Massachusetts and that such funds are hereby appropriated for the purpose of providing highway improvements under the authority of Chapter 90 of the General Laws, and any other applicable laws, or take any other action relative thereto.

The Board of Selectmen...

This article authorizes the Town to spend Chapter 90 roadway maintenance funds allocated to Boxborough by the Commonwealth of Massachusetts.

**ARTICLE 27 TEMPORARY INCREASE IN HOURS FOR COMMUNITY SERVICES
COORDINATOR****

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of TBD Dollars (\$xx.xx), more or less, for the purpose of..., contingent upon the Town's receipt of a CHNA 15 Planning Grant for the period July 1, 2016 – December 31, 2017, or take any other action relative thereto.

[This article may not be necessary]

ARTICLE 28 INFORMATION TECHNOLOGY HARDWARE UPGRADES

(Two-thirds vote required if transferred from Stabilization Fund or Borrowed)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Seventy-two Thousand Dollars Five Hundred Dollars (\$72,500), more or less, to provide for replacement of: uninterrupted power supplies (UPS's), switches, one police department server, one ruggedized tablet for the police department, one desktop computer, one laptop computer, three printers and a portion of the aging town hall cable, or take any other action relative thereto.

Summary

This article provides for a phased approach to upgrading our network with a more robust, secure infrastructure. The Town's network infrastructure is comprised of CISCO network switches that were donated to the Town by CISCO 5-7 years ago (at the time, the products were deemed "end of life" / obsolete by the local CISCO facility). The Town's existing core network is currently functioning but aging. Unsupported edge switches render it extremely vulnerable. Unfortunately, CISCO SmartNet (support) is not available for these switches, and thus they cannot be upgraded, or supported, and represent a serious exposure in terms of the Town's ability to deliver services. In the event of a hardware failure, ALL voice and data communication would abruptly cease, which would gravely impact our delivery of Public Safety services. Our environment needs to be upgraded with the addition of modern PoE (Power over Ethernet), edge switches...

[more to be added about the additional items... IT grant...]

ARTICLE 29 TOWN HALL FRONT (MIDDLE ROAD) WALKWAY & SIGNAGE

(Two-thirds vote required if transferred from Stabilization Fund or Borrowed)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Thirty-five Thousand Seven Hundred Forty-five Dollars (\$35,745), more or less, to provide for replacement of the front (Middle Road) walkway at the the base of the Town Hall steps, as well as landscaping and signage, or take any other action relative thereto.

Summary

ARTICLE 30 ACCESS CONTROL SYSTEM – TOWN HALL, POLICE AND FIRE

(Two-thirds vote required if transferred from Stabilization Fund or Borrowed)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Forty-five Thousand Dollars (\$45,000), more or less, to provide for an IP enabled secure card access control system for the Town Hall, and the Police and Fire stations, or take any other action relative thereto.

Summary

Secure card access control will eliminate the need for cumbersome lock-and-key systems, and their inherent drawbacks. This is particularly true for municipal facilities that need to provide access “after hours” to “non-employees” for public meetings. A building access control system will eliminate unauthorized access and loss of *physical* keys, while also providing an audit trail of who, when, and where.

ARTICLE 31 POLICE DEPARTMENT – BUILDING REPAIRS AND MAINTENANCE

(Two-thirds vote required if transferred from Stabilization Fund or Borrowed)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of One Hundred Seventy Thousand Five Hundred Dollars (\$170,500), more or less, to provide for the following building repairs and maintenance at the Police station:

	Purpose	Amount	Comment
A.	Carpeting	\$8,500	Carpeting was last replaced in 2008 and is on the capital plan for scheduled replacement in FY17. The carpets have been regularly maintained and cleaned; however, intense 24/7 traffic has worn them down past the state of repair.
B.	Exterior Doors	\$20,000	Exterior doors are original to the building are failing as they are rusting and the hinges; shock absorbers and mechanisms are worn. The frames are out of square and jam when humid.
C.	Detention Cell	\$15,000	Detention, Cell walls: The Dept. of Public Health has failed our inspection, citing porous walls and rusted fixtures.
D.	Lobby & Evidence Room	\$25,000	Lobby/Evidence to increase lobby area and secure evidence room; also need to replace broken heating unit.
E.	Clapboards and Trim Replacement	\$12,000	Clapboards and trim replacement (rot) and caulking is needed around all exterior gaps to prevent insect infestation.
F.	Interior Lighting	\$15,000	Many of lights have failed beyond bulb replacement and several inoperative switches need replacement.
G.	Exterior Lighting	\$15,000	Light poles original to building and rebuilt in 2008; many not working and rotted beyond repair. The far rear of property is not covered by illumination.
H.	Parking Lots and Walkways	\$60,000	Original to building. Item was passed over in 2012 when other town buildings were done; walkway heaves and has lifted causing trip hazards, and the area around generator needs regrading as snow melt causes a hazard all winter.

Or take any other action relative thereto.

ARTICLE 32 POLICE DEPARTMENT – EQUIPMENT

(Two-thirds vote required if transferred from Stabilization Fund or Borrowed)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of One Hundred Eight Thousand Three Hundred Dollars (\$108,300), more or less, to provide for the following equipment for the Police Department:

	Purpose	Amount	Comment
A.	Tasers	\$7,000	To equip the part-time police officers.
B.	Security Camera & Video Server	\$40,000	Existing equipment is over 10 years old and is past end of life (EOL '13), low resolution/ poor quality and unable to record; should be tied to access control; additional cameras needed for coverage and plan to include Fire Dept doors and bays.
C.	Defibrillators (4)	\$12,000	4 units. One is out of service (10 years old, expected life is 5 to 7 years); they are out of warranty and not serviceable; FD/EMS recommends replacement as we are a Heart Safe Community
D.	Firearms	\$4,800	Firearms are end of life and worn; convert from .40 Cal to 9MM
E.	AFIS Fingerprinting	\$28,500	Current method (ink) is antiquated and problematic. This will provide instant, modern method for criminal identification and forensic analysis, Firearms Licensing, Sex Offender Registrations, Staff Security checks and audits and citizen requests for finger print authentication.
F.	Photocopier Replacement	\$7,000	Exceeds DoR useful lifespan; on the capital plan
G.	Office Furniture	\$9,000	Replace two aged desks and update report writing area with usable furniture

Or take any other action relative thereto.

ARTICLE 33 FIRE DEPARTMENT – REPLACE UTILITY TRUCK

(Two-thirds vote required if transferred from Stabilization Fund or Borrowed)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Fifty Thousand Dollars (\$50,000), more or less, for the purpose of replacing the Fire Department's current utility vehicle with a ¾ ton pickup truck, or take any other action relative thereto.

Summary

This article would fund a ¾ ton pickup truck, replacing the current utility vehicle. This pickup truck would aid in off road rescues (conservation land/trails) and would be outfitted with a plow, and a hydraulic lift gate. This would facilitate clearing dry-hydrants and plowing the parking lots at Fire and Police. In addition, it would be used for fire prevention activities, transporting equipment, personnel, portable generators, portable pumps, and the department's trailers.

[Further details provided by the Chief which could be included in the summary or in a recommendation:

- The primary reason for this acquisition is to facilitate off road rescues. The Town has over 25 miles of trails providing access to several hundred acres of conservation and municipal land.
- Vehicle would be used on inspections and other department business to cut down on apparatus usage and wear and tear.
- Transporting members to from and from Mass Fire Academy classes.
- Transportation of members to and from prolonged incidents, as well as needed equipment and other resources during those incidents.
- Transportation of portable pumps to pump out water at residences, and transportation of portable generators.
- Currently there are no safe means of transporting either pumps, or generators.
- Vehicle would be used to keep the parking lots plowed at the fire and police stations, when DPW is unavailable.
- Presently, the hydrants are plowed when a vehicle becomes available from the DPW. Depending on the storm, this can take several days delaying hydrant clearing.
- The vehicle will be fitted with a hydraulic lift gate. This lift gate will allow us to transport a snow blower around town to assist in clearing hydrants. This will reduce the amount of required shoveling and less stress on the employees.
- This vehicle can be used to transport the trailers we currently own and the light tower to prolonged incidents.
- The vehicle will be used to pick up hose and similar equipment from scenes when they are over.]

ARTICLE 34 ANIMAL CONTROL (DOGS & CATS) PICK-UP TRUCK

(Two-thirds vote required if transferred from Stabilization Fund or Borrowed)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Forty Thousand Dollars (\$40,000), more or less, for the purpose of acquiring and equipping a pick-up truck to be used for the provision of animal control services in the town of Boxborough and in the towns of Littleton and Stow as provided for in the respective Inter-Municipal Agreements between the town of Boxborough and the towns of Littleton and Stow, or take any other action relative thereto.

ARTICLE 35 DPW – ROAD PAVING

(Two-thirds vote required if transferred from Stabilization Fund or Borrowed)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Four Hundred Thousand Dollars (\$400,000), more or less, for the purpose of paving road in Boxborough, or take any other action relative thereto.

Last year's recommendation for updating:

As most residents are aware, many roads in Boxborough are in deplorable condition. The Town receives between \$200,000 and \$300,000 annually from the Commonwealth under the Chapter 90 program, which monies are to be spent on repair and upkeep of roadways. Boxborough contains approximately 30 miles of roadways, and the average cost of repaving runs is approximately \$300,000 per mile. If we rely on Chapter 90 money alone to resurface roads in Town, it will take approximately 30 years to cycle through all the roads, which timespan exceeds the typical life of a roadway by a wide margin. The DPW has in effect been forced into a policy of triaging roads, in which the average condition of Boxborough's roadways continues to deteriorate. This article proposes to augment Chapter 90 funds to the extent that on average we could resurface approximately 2 miles per year, instead of the 1 mile per year at steady state enabled by Chapter 90 funds. This level of overall repaving should allow to Town to catch up with the deteriorating road condition in concert with sealing and spot repairs of the worst roads in Town. We anticipate that this will be an ongoing request until such time that the general condition of roadways improves, or Chapter 90 funding allocations increase, to the point that we may be able to diminish the Town's investment in repaving.

ARTICLE 36 DPW - REPLACE BUCKET LOADER

(Two-thirds vote required if transferred from Stabilization Fund or Borrowed)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Two Hundred Thousand Dollars (\$200,000), more or less, for the purpose of replacing the DPW's vintage 1978 loader with a bucket loader, or take any other action relative thereto.

ARTICLE 37 DPW - REPLACE PICK-UP TRUCK

(Two-thirds vote required if transferred from Stabilization Fund or Borrowed)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Forty Thousand Dollars (\$40,000), more or less, for the purpose of replacing the DPW Director's aging 1-ton pick-up truck with a new ¾-ton pick-up truck, or take any other action relative thereto.

Summary

The current vehicle has 145,000 miles on it; the vehicle is becoming less reliable, the body is corroding, and costs to repair are excessive. The vehicle is used to...

ARTICLE 38 DPW - VHF RADIOS AND RELATED EQUIPMENT

(Two-thirds vote required if transferred from Stabilization Fund or Borrowed)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Ninety-five Thousand Dollars (\$95,000), more or less, for the purpose of acquiring eighteen new portable VHF radios and related equipment for the DPW, or take any other action relative thereto.

ARTICLE 39 HAGER WELL - SYSTEM UPGRADES

(Two-thirds vote required if transferred from Stabilization Fund or Borrowed)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Fifty Thousand Dollars (\$50,000), more or less, for the purpose of providing system upgrades to the Hager Well infrastructure, or take any other action relative thereto.

ARTICLE 40 PUBLIC SAFETY BUILDING – ADDITIONAL SITE & BUILDING DATA

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Eighty Thousand Dollars (\$80,000), more or less, for the purpose of ..., or take any other action relative thereto.

[need further clarification as to what is being sought for this article – further studies? Moving towards schematic design?]

Articles 41 – 47 Zoning Bylaw Amendments to be added:

- 41. ZONING BYLAW AMENDMENT – AMEND ZONING MAP**
- 42. ZONING BYLAW AMENDMENT – AMEND SECTION 8102 DESIGN REVIEW BOARD**
- 43. ZONING BYLAW AMENDMENT – AMEND SECTION 5002 DIMENSIONAL SCHEDULE AND SECTION 5003 REDUCED FRONTAGE LOTS**
- 44. ZONING BYLAW AMENDMENT – AMEND SECTION 9004 PENALTY**
- 45. ZONING BYLAW AMENDMENT – AMEND SECTION 2181 STRUCTURE**
- 46. ZONING BYLAW AMENDMENT – AMEND SECTION 2130 FARM, SECTION 4003 USE REGULATION SCHEDULE, SECTION 4107 ACCESSORY APARTMENT, AND SECTION 8003 EXEMPTIONS**
- 47. ZONING BYLAW AMENDMENT – DELETE SECTION 7100 WETLANDS AND WATERSHED PROTECTION DISTRICT (W-DISTRICT), DELETE SECTION 7200 LANDS BORDERING THE W-DISTRICT, AMEND VARIOUS OTHER SECTIONS WITH REFERENCES TO SECTIONS 7100 & 7200, AND DELETE THE WETLAND & WATERSHED OVERLAY DISTRICT FROM THE ZONING MAP**



BOXBOROUGH PLANNING BOARD
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Owen Neville, Chair Eduardo Pontoriero, Clerk Nancy Fillmore John Markiewicz Hongbing Tang

2016 Annual Town Meeting Warrant Articles March 9, 2016

ARTICLE 41 ZONING BYLAW AMENDMENT – AMEND ZONING MAP (Two-thirds vote required)

To see if the Town will vote to amend the Boxborough Zoning Bylaw by adopting an updated Zoning Map which incorporates the changes as discussed below and displayed in the following images of the Zoning Map:

Area 1: Moving the Agricultural-Residential zoning district further to the north and west on the north and west sides of 1150 Burroughs Road (Wolf Swamp) as well as the area northwest of Old Harvard Road.

EXISTING ZONING DISTRICT BOUNDARIES:

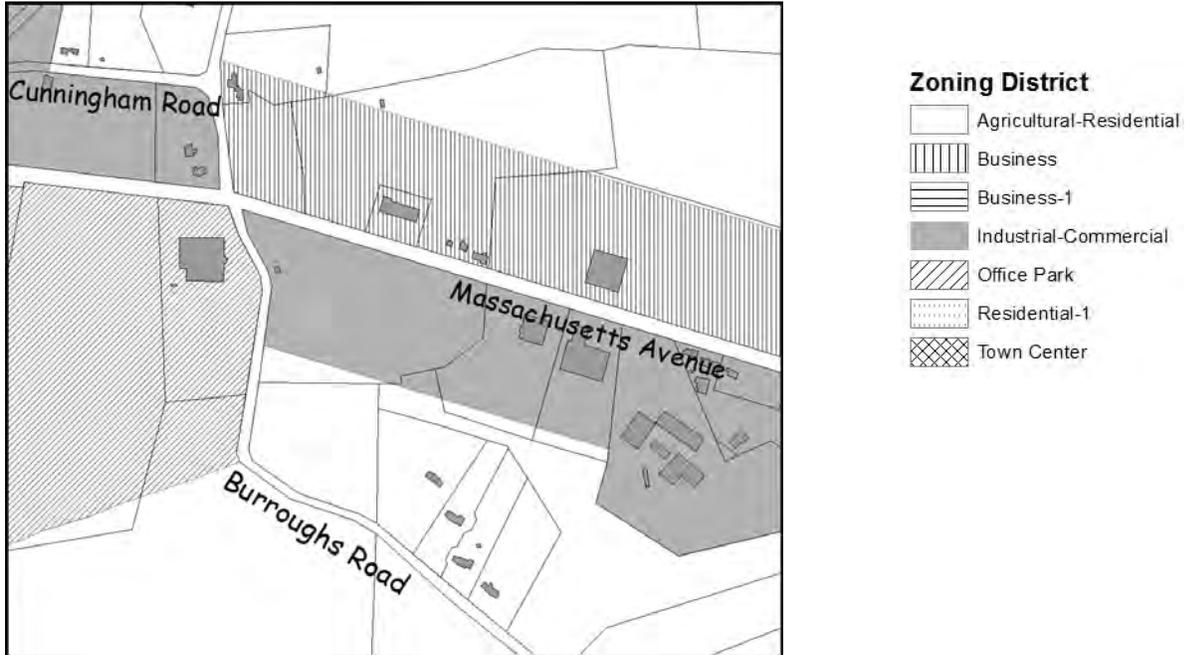


PROPOSED ZONING DISTRICT BOUNDARIES:

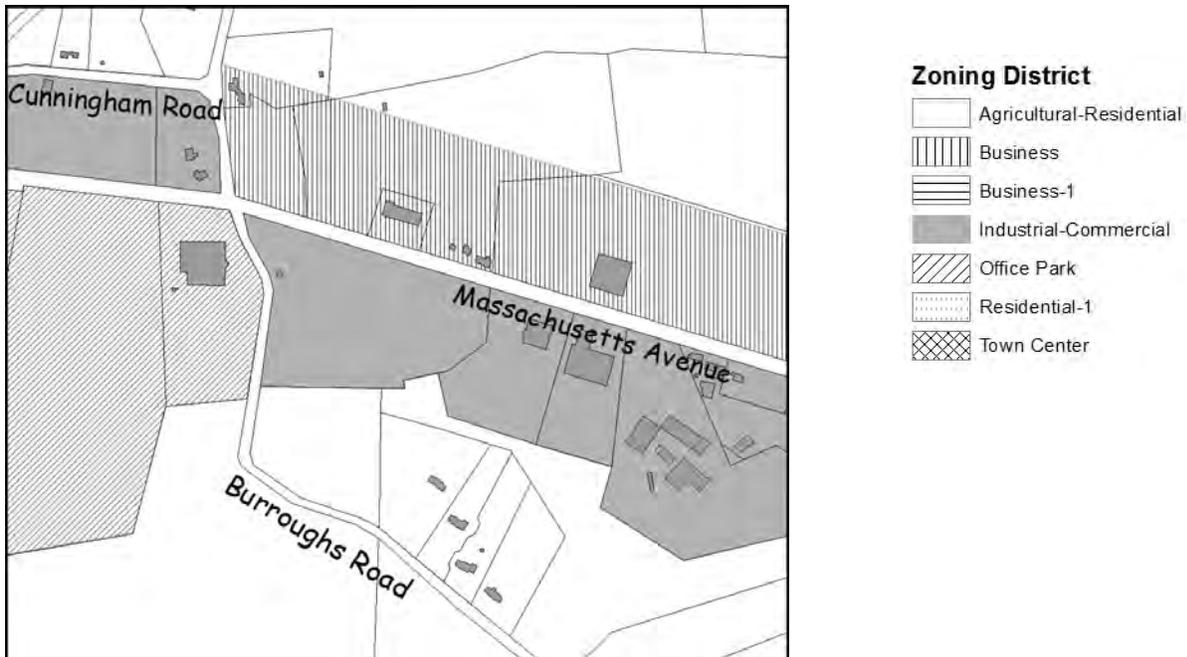


Area 2: Moving the Industrial-Commercial zoning district along the southern sides of 1223, 1170, and 1146 Massachusetts Avenue further south to their rear property boundaries. Additionally, this change involves moving the Agricultural-Residential zoning district further north to the northern boundary of 1103 Burroughs Road.

EXISTING ZONING DISTRICT BOUNDARIES:

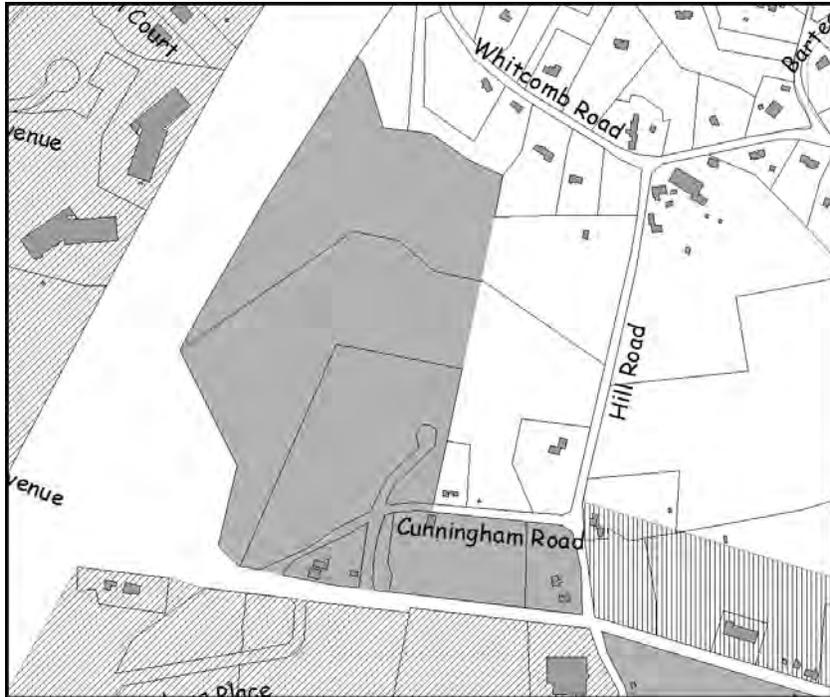


PROPOSED ZONING DISTRICT BOUNDARIES:



Area 3: Moving the Agricultural-Residential zoning district west of Hill Road and north of Cunningham Road, further west to Interstate 495.

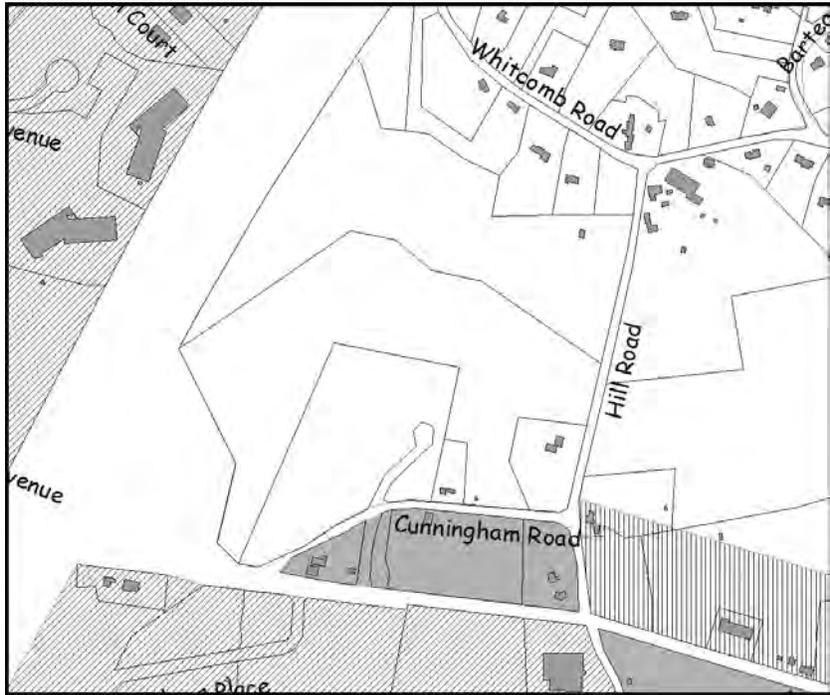
EXISTING ZONING DISTRICT BOUNDARIES:



Zoning District

-  Agricultural-Residential
-  Business
-  Business-1
-  Industrial-Commercial
-  Office Park
-  Residential-1
-  Town Center

PROPOSED ZONING DISTRICT BOUNDARIES:



Zoning District

-  Agricultural-Residential
-  Business
-  Business-1
-  Industrial-Commercial
-  Office Park
-  Residential-1
-  Town Center

Area 4: Changing the Industrial-Commercial zoning district areas at 1165 Rear, 1175, and 1195 Hill Road to Agricultural-Residential.

EXISTING ZONING DISTRICT BOUNDARIES:



PROPOSED ZONING DISTRICT BOUNDARIES:



The Planning Board Recommends (3-0).

In many places in town parcels are split by Zoning District boundaries. In most of these instances, the vast majority of the parcel is in one Zoning District and the significantly smaller, remaining portion of the parcel, is in another Zoning District. By slightly adjusting Zoning District boundaries, it will make it easier for Town Staff to provide clear Zoning Bylaw interpretations and provide a sounder basis for the Town Assessor when determining appropriate assessed values for properties. To this end, the Planning Board has begun this process by looking at parcels in the western portion of town, which does not address all of these instances in the community. As for the parcel on Hill Road near the Town of Littleton, the Planning Board feels changing this parcel from an Industrial-Commercial Zoning District to an Agricultural-Residential Zoning District would allow the property to be developed as a use, at a scale, and at an intensity, which is more aligned with the existing properties in the surrounding area.

ARTICLE 42 ZONING BYLAW AMENDMENT – AMEND SECTION 8102 DESIGN REVIEW BOARD

(Two-thirds vote required)

To see if the Town will vote to amend Boxborough Zoning Bylaw Section 8102 Design Review Board, by adding the following language in bold italics and deleting the language indicated by strikethroughs:

8102 Design Review Board

The Design Review Board shall be composed of five residents of the town who shall be appointed by the Board of Selectmen for three-year terms as designated by the respective organizations as follows:

- (1) One member of the Planning Board or their designee;
- (2) One member of the Board of Selectmen or their designee;
- (3) One member of the Historical Commission or their designee; ***and***
- ~~(4) One member of the Permanent Building Committee or their designee; and~~
- ~~(5) One~~ ***Two*** members representing the community at-large, who shall be elected by the ~~four~~ ***three*** designees as listed above and brought forward to the Board of Selectmen for appointment.

Partial terms shall be designated by the respective board/commission, or elected in the case of the at-large member, and duly appointed by the Board of Selectmen.

The Planning Board Recommends (3-0).

The Permanent Building Committee has not been active in a number of years and this proposed amendment would give the Design Review Board the flexibility to have two (2) at-large members from the community instead of just one (1). This amendment would not preclude a member of the Permanent Building Committee from being a part of the Design Review Board, but would simply provide the Board of Selectmen the ability to appoint up to two (2) at-large members instead of only one (1). The Planning Board feels this will make it easier for the Design Review Board to have a full complement of members as there are currently two (2) vacancies on the Board at this time.

ARTICLE 43 ZONING BYLAW AMENDMENT – AMEND SECTION 5002 DIMENSIONAL SCHEDULE AND SECTION 5003 REDUCED FRONTAGE LOTS

(Two-thirds vote required)

To see if the Town will vote to amend Boxborough Zoning Bylaw Sections 5002 Dimensional Schedule and 5003 Reduced Frontage Lots, by adding the following the language in bold italics and deleting the language indicated by strikethroughs:

5002 Dimensional Schedule

Maximum building height (ft. to top of plate)	45	45	45	30	45	45	45
-----------------------------------------------------------	----	----	----	----	----	----	----

5003 Reduced Frontage Lots

The Board of Appeals may permit construction on a reduced frontage lot pursuant to a special permit in accordance with Section 9200 of this Bylaw in accord with the intensity regulations and requirements set forth below. It is the intent of this section that the intensity regulations, set forth below, be used only at the discretion of the Board of Appeals in those cases where the use of the intensity regulations of Section 5000 will not serve the best interests of the Town. Such lots shall only be permitted in the Agricultural-Residential District.

- (1) The lot shall have a minimum of 120,000 sq. ft.
- (2) Where the lot has an area of at least 120,000 sq. ft., but not more than 200,000 sq. ft., the frontage requirement shall be 75 feet. Lots greater than 200,000 sq. ft. may have frontage of not less than 50 feet.
- (3) The building line shall be at least 150 ft.
- (4) Setbacks shall be 40 ft. for front yards, 30 ft. for side yards, and 40 ft. for rear yards.
- (5) No building shall exceed 3 stories or 45 ft. in height ~~to the top of the plate~~.
- (6) The minimum lot width from the street frontage to the building line shall at no point be less than the minimum frontage required.

The Planning Board Recommends (3-0).

The Zoning Bylaw defines “Building Height” with the definition below and this definition is how the Building Inspector has been enforcing the maximum allowable height of buildings when reviewing Building Permit applications. The words “to top of plate” in Sections 5002 and 5003 actually allow for taller buildings to be constructed than what is intended to be permitted in the Zoning Bylaw as defined in the term “Building Height” and by the designated heights in Section 5002 Dimensional Schedule. The words “to top of plate” indicate the height of a building should be measured from the ground to the point where the roofline meets the side walls of the building and does not take into account the additional height of the actual roofline which extends above

the plate to the peak of the roof. This proposed amendment will make these sections of the Zoning Bylaw consistent with how building height should be measured as laid out in the definition of “Building Height” and with existing zoning enforcement practices.

2113 Building Height shall mean the vertical distance measured from the average finished grade at its point of intersection with the front wall of the building to the point specified below for the particular roof type; provided, however, that no measurement to said point below, taken vertically from any point at finished grade along the foundation wall, shall exceed the building height by greater than ten (10) feet. Building height shall be measured to the:

- (1) Highest point of the roof of a flat roof;
- (2) Point one-half way between the junction of the top of the roof and the extension of the exterior wall, and the top of the ridge line of a gable or hip roof; provided that when the roof slope is greater than a ratio of one (1) foot vertical to one (1) foot horizontal, the measurement shall be taken at a point two-thirds ($\frac{2}{3}$) of the way up;
- (3) Point one-half ($\frac{1}{2}$) way between the intersection of the lower slope with the upper slope and the ridge line or top of a mansard or gambrel roof; or
- (4) Point two-thirds ($\frac{2}{3}$) of the distance up from the sill, plate or exterior wall extended to the top of the roof at that point, and the top of the ridge of a French roof or an A-frame roof.

**ARTICLE 44 ZONING BYLAW AMENDMENT – AMEND SECTION 9004
PENALTY**

(Two-thirds vote required)

To see if the Town will vote to amend Boxborough Zoning Bylaw Section 9004 Penalty, by adding the following language in bold italics and deleting the language indicated by strikethroughs:

9004 Penalty

Whoever shall breach or violate any provision of this Zoning Bylaw and/or any of the decisions of the Board of Appeals *and Planning Board* of the Town of Boxborough *made under the provisions of said Bylaw*, shall be punished by a fine of not exceeding one hundred dollars for each offense or for each day of a continued offense, in the absence of an express provision for another penalty.

The Planning Board Recommends (3-0).

The Planning Board, as well as the Zoning Board of Appeals, issues decisions under the provisions of the Boxborough Zoning Bylaw. This is simply an administrative amendment to make it clear that any breaches or violations of decisions rendered by either the Zoning Board of Appeals or the Planning Board under the provisions of the Zoning Bylaw are enforceable by fine. Additionally, this amendment will make this section of the Zoning Bylaw consistent with existing zoning enforcement practices.

**ARTICLE 45 ZONING BYLAW AMENDMENT – AMEND SECTION 2181
STRUCTURE**

(Two-thirds vote required)

To see if the Town will vote to amend Boxborough Zoning Bylaw Section 2181 Structure, by adding the following language in bold italics and deleting the language indicated by strikethroughs:

2181 Structure shall mean anything constructed or erected, the use of which requires fixed location on or under the ground. Structure shall not include landscape features such as fences no greater than ~~six~~***seven (7)*** feet in height, stone walls or retaining walls no greater than four (4) feet in height, bird baths, driveways, detached stiles, open terraces, ornamental pools, outdoor fireplaces, planting boxes, shelters for household pets, tool houses having not more than 125 square feet of floor area, sculpture, residential lamp posts, mailboxes, fire suppression equipment and their appurtenances, and dry hydrants.

The Planning Board Recommends (3-0).

The State Building Code indicates that fences up to seven (7) feet in height may be constructed without a Building Permit. This proposed change brings our local Zoning Bylaw into compliance with the State Building Code for ease of understanding and enforcement.

ARTICLE 46 ZONING BYLAW AMENDMENT – AMEND SECTION 2130 FARM, SECTION 4003 USE REGULATION SCHEDULE, SECTION 4107 ACCESSORY APARTMENT, AND SECTION 8003 EXEMPTIONS

(Two-thirds vote required)

To see if the Town will vote to amend Boxborough Zoning Bylaw Section 2130 Farm, Section 4003 Use Regulation Schedule, Section 4107 Accessory Apartment, and Section 8003 Exemptions, by adding the following language in bold italics and deleting the language indicated by strikethroughs:

2130 Farm shall mean agricultural, silvicultural, horticultural, viticultural, or floricultural activity on a parcel of land of less than five (5) acres, including necessary accessory ***buildings***, structures, storage, and equipment, but excluding slaughterhouses, rendering plants, fur farms, or piggeries. Dwellings shall be permitted as accessory ~~structures~~***buildings*** only in the Agricultural/Residential, Residence 1, or Town Center Districts.

4003 Use Regulation Schedule

¹⁵ Dwellings shall be permitted as accessory ~~structures~~***buildings*** only in the Agricultural-Residential, Residential 1, and Town Center Districts.

4107 Accessory Apartment

As provided herein, the Building Inspector may grant a total of 5 permits each calendar year for accessory apartments. An additional dwelling unit may be allowed as an accessory apartment in a single-family dwelling or existing accessory building located on a lot with a single-family dwelling for the purpose of providing small additional dwelling units without adding to the number of buildings in the Town or substantially altering the appearance of buildings, the neighborhood, or the Town; increasing the range of housing accommodations; encouraging a greater diversity of population; and encouraging a more efficient and economic use of existing housing stock by enabling owners of single-family dwellings larger than required for their present needs to share space while maintaining the single-family appearance and character of buildings, the neighborhood, and the Town.

(1) *Accessory Apartments Allowed By Building Permit and Certificate of Use and Occupancy*

The Building Inspector may grant a building permit and a Certificate of Use and Occupancy for an accessory apartment provided that:

- (a) The accessory apartment is attached to or within a single-family dwelling, or is within a detached accessory ~~structure~~***building*** in existence on or before March 8, 2007 and

8003 Exemptions

The following shall not require site plan approval:

- (1) In an Industrial-Commercial or Office Park District construction, alteration or expansion of a building, provided that such building shall not have a gross floor

area in excess of (500) square feet or a proposed expansion of ten (10) percent of the existing gross floor area, including the basement, if applicable.

- (2) In a Business District construction, alteration or expansion of a building, provided that such building shall not have a gross floor area in excess of (500) square feet or a proposed expansion of ten (10) percent of the existing gross floor area, including the basement, if applicable.
- (3) In all zones, normal maintenance or repair of any building, ~~or~~ accessory *building*, *or* structure.

The Planning Board Recommends (3-0).

At the 2015 Annual Town Meeting, the town voted to change the definition of “Accessory Structure” to “Accessory Building”. As part of that Warrant Article in 2015, other amendments were made to the Zoning Bylaw to make it consistent with this wording change. This new proposed amendment is simply an administrative amendment to capture additional changes which should have been made to the Zoning Bylaw at the 2015 Annual Town Meeting, but were overlooked.

ARTICLE 47 ZONING BYLAW AMENDMENT – DELETE SECTION 7100 WETLANDS AND WATERSHED PROTECTION DISTRICT (W-DISTRICT), DELETE SECTION 7200 LANDS BORDERING THE W-DISTRICT, AMEND VARIOUS OTHER SECTIONS WITH REFERENCES TO SECTIONS 7100 & 7200, AND DELETE THE WETLAND & WATERSHED OVERLAY DISTRICT FROM THE ZONING MAP

(Two-thirds vote required)

To see if the Town will vote to amend the Boxborough Zoning Bylaw by deleting in their entirety Section 7100 Wetlands and Watershed Protection District (W-District) and Section 7200 Lands Bordering the W-District from the Zoning Bylaw, deleting all references to Sections 7100 and 7200 the Zoning Bylaw, deleting in its entirety the Wetland & Watershed Overlay District from the Zoning Map, deleting in its entirety Zoning Bylaw Appendix C, amending the following sections of the Zoning Bylaw by adding the following language in bold italics and deleting the language indicated by strikethroughs, and renumbering various sections accordingly throughout the Zoning Bylaw, all as follows:

2185 Upland Lot Area shall mean the contiguous area of the lot exclusive of (1) all wetlands as defined by the Wetlands Protection Act (MGL ~~ch~~**Chp.** 131, §–40) and the Boxborough Wetlands Bylaw; **and** (2) the 100 foot wetlands buffer zone as defined in the Boxborough Wetlands Bylaw.; ~~(3) land in the W District as defined in this Bylaw; and (4) land within 100 feet of the W District boundary.~~

3001 Types of Districts

For the purpose of this Bylaw, the Town of Boxborough is hereby divided into the following types of districts:

- (1) Agricultural-Residential (AR)
- (2) Residential-1 (R1)
- (3) Business (B)
- (4) Business-1 (B1)
- (5) Office Park (OP)
- (6) Town Center (TC)
- (7) Industrial-Commercial (IC)
- (8) Aquifer Protection Overlay
- ~~(9) Wetlands and Watershed Protection Overlay~~
- ~~(10)~~ Flood Plain Overlay
- ~~(H10)~~ Wireless Communication Facilities Overlay

3002 Location of Districts

Said Districts, with the exceptions of the Aquifer Protection, ~~Wetlands and Watershed Protection~~, Flood Plain, and Wireless Communication Facilities Districts, which are individually mapped, are located and bounded as shown on a map entitled “Zoning Map of Boxborough, Massachusetts” dated May 2008 and consisting of 12 sheets with an index sheet.

7100—Wetlands and Watershed Protection District (W-District)

7101—Purpose

The W-District is intended to preserve and maintain the groundwater table and water recharge areas for water supply purposes; to protect against pollution and contamination of the water supply; to protect persons and property against hazards of floodwater inundation by assuring the continuation of the natural flow patterns of streams and other watercourses within the Town and by preserving natural floodwater storage areas and other areas subject to seasonal or periodic flooding or which may provide safe floodwater storage capacity; to protect the community against the costs which may be incurred by the detrimental or unsuitable use or development of lands in or adjoining wetlands such as streams and other watercourses, swamps, marshes, bogs, ponds or areas subject to flooding; to conserve natural conditions, wildlife, open space and generally the amenities of the Town; and otherwise to preserve, protect, and promote the health, safety and welfare of the inhabitants of the Town and the public.

7102—Overlay District

The W-District is an overlay district and shall be superimposed on the other Districts established by this Bylaw. Any land lying within the W-District shall also be subject to the development and use regulations of the underlying District in which such land is situated but only to the extent not inconsistent with the regulations for the W-District.

7103—Location of W-District

Said District is located, bounded, and defined as all areas encircled and designated on a Map entitled “W-District Map”, a series of twelve maps numbered 1 through 12 inclusive, prepared by the Planning Board of the Town of Boxborough, dated May 4, 1974, the original, or a true copy certified as such by the Town Clerk, to be kept permanently on file at the Office of the Town Clerk with and hereby made a part of the Official Town of Boxborough Zoning Map, said W-District Map.

7104—Use Regulations

Symbols employed below shall mean the following:

- Y—a permitted use, provided such use does not affect the natural flow patterns of any watercourse.
- N—an excluded or prohibited use.
- SP—a use authorized under special permit as provided under Section 9200 and herein.

a. Outdoor non-commercial recreation, including play and sporting areas, nature study, non-commercial boating, fishing and hunting where otherwise legally permitted	Y
b. Flower or vegetable gardens, lawns, pastures, forestry, grazing and farming, including nurseries, truck gardening, and harvesting of crops	Y
c. Duck walks, landings, foot, bicycle and/or horse paths and bridges, and small structures for non-commercial recreational uses	Y
d. Conservation of soil, water, plants, and wildlife	Y
e. Buildings and structures accessory to the aforementioned uses permitted in	

this section provided that such buildings and structures shall occupy no greater than 125 square feet of ground floor area and that such building shall not be designed, intended, or used for sustained human occupancy	Y
f. Uses accessory to the aforementioned permitted uses provided that exterior, uncovered storage of leachable material including fertilizer, manure, humus, road salt, and other organic and chemical materials and any storage of hazardous materials is not permitted	Y
g. Any use permitted in the underlying District in which the land is situated subject to the same use and development restrictions as may otherwise apply thereto and subject to the requirements of Section 7107 and provided that all necessary permits, orders, and approvals required by local, state, or federal law shall have been obtained	SP
h. Any use permitted in the underlying District in which the land is situated subject to the same use and development restrictions as may otherwise apply thereto provided that the land designated as being within the W District is found by the Board of Appeals, after the matter has been referred to and reported on in writing by the Conservation Commission, not in fact to be a significant groundwater or water recharge area, not an area subject to seasonal or periodic flooding, and otherwise not an area which is important for water supply purposes.	SP

7105 — Special Permits

~~The Special Permit Granting Authority shall be the Board of Appeals. The Board of Appeals may grant a special permit if it determines that the applicant has met the requirements set forth in Section 7107.~~

7106 — Submittals

~~Applications for special permits shall be prepared and submitted to the Board of Appeals in accordance with the provisions of Section 9200 of this Bylaw.~~

7107 — Design Requirements

~~For those uses which require a special permit, the Board of Appeals shall find that:~~

- ~~(1) The proposed use will not endanger any occupants thereof or the public;~~
- ~~(2) The floor levels of any areas used for human occupancy, including working space, shall be at a safe elevation;~~
- ~~(3) Furnaces, utility pipes, sewer pipes, sewer treatment sites, pedestrian ways, and access drives are safe from the effects of flooding;~~
- ~~(4) Structures will withstand the effects of flooding;~~
- ~~(5) Uses involving human occupancy will not be isolated in the event of flooding, and that all possible measures will be taken to insure that animals will not be isolated in the event of flooding;~~
- ~~(6) No materials, including chemicals, oils, acids, leachable salts, refuse, junk or other hazardous leachable or floatable metals will be used or stored on the~~

~~premises so as to endanger human or animal life or property from either intermittent or continuous contact with moisture from any source;~~

- ~~(7) The proposed use, building, or structure will not obstruct or divert flow of flood waters, reduce natural ground or surface water storage, or increase storm water runoff so that water levels on adjacent lands are raised or substantially endangered from increased flooding;~~
- ~~(8) The proposed use will not otherwise be significantly in conflict with the purposes set forth in Section 7101, above and Article I of this Bylaw; and~~
- ~~(9) The portion of any lot which is in the W District may be used to meet the development regulations for the District in which the land is located.~~

~~7108—Procedures~~

~~Prior to submitting an application to the Board of Appeals for a special permit hereunder, the applicant seeking such a permit shall consult with the Conservation Commission and shall submit written notice to the Commission of his intention to do any or all of the activities described in the first paragraph of MGL c. 131, § 40, if such notice is required by law, all in the manner requested by said Commission. Each application to the Board of Appeals for a special permit hereunder (copies of which shall also be delivered to the Planning Board, Conservation Commission and Board of Health) shall be accompanied by a copy of the Notice of Intent referred to above in the form approved by the Conservation Commission and by a statement setting forth in detail the reasons why the proposed use will not be significantly in conflict with the purposes set forth in Section 7101. Prior to or at the public hearing before the Board of Appeals, the Conservation Commission, after consulting with the Planning Board and the Board of Health and with others as appropriate, shall submit its written recommendations and report to the Board of Appeals within 45 days of its receipt of the Notice of Intent which shall include but not necessarily be limited to the following:~~

- ~~(1) An evaluation and opinion of the Notice of Intent accompanying the application to the Board of Appeals; and~~
- ~~(2) An evaluation of the proposed use, including its probable effect or impact on the Town's water supply, the quality of water in the neighborhood, on the natural flow patterns of watercourses, on any nearby or pertinent floodwater storage areas or other areas subject to seasonal or periodic flooding, and on the general health, safety, and welfare of the neighbors and other inhabitants of the Town; and~~
- ~~(3) A recommendation as to the advisability of granting the special permit and as to any restrictions which should be imposed upon the proposed use as a condition of such permit.~~

~~7109—Decision~~

~~The application for a special permit may be approved where, in the opinion of the Board of Appeals, the proposal meets the design standards of Section 7107. The Board of Appeals shall give due consideration to the report of the Conservation Commission submitted to it pursuant to Section 7108, above, and where its decision differs from the recommendations of said Commission, shall state the reasons therefore in writing.~~

~~7110—Existing Uses in the W-District~~

~~The lawful use of any structure or land existing within the W-District on April 18, 1974, or for which a building permit had been issued on or before April 18, 1974 which does not conform to the regulations herein, shall not be subject to the provisions of Section 7100, inclusive; but no extension or enlargement of such a building, structure or use shall be permitted to occur.~~

~~7200—Lands Bordering the W-District~~

~~No buildings, structures, roads, parking areas or other paved surfaces, drainage facilities, sewage treatment plants, septic systems, leaching fields, refuse dumps, land fills, earth removal or similar works, storage of leachable material, or any other construction or site work other than in connection with uses allowed in Section 7104 shall be permitted in any District within one hundred feet (100') of the boundary of the W-District without first obtaining a special permit for exception by the Board of Appeals. In issuing such permit, the board shall find that the applicant has demonstrated to the Board's satisfaction that there is no feasible location on the site for the proposed use, building or structure outside the W-District buffer and that all measures have been taken to mitigate any adverse impacts to the W-District buffer and the wetlands. In establishing that no other feasible location exists, an applicant may rely only on engineering and watershed considerations. The Board of Appeals shall also find that the proposed use, building or structure shall not endanger the health and safety of occupants or of the public, and is consistent with the general purposes of the W-District as stated in Section 7101 of this Bylaw, and is not otherwise prohibited by this Bylaw.~~

~~9203 Application~~

- ~~(7) In the case of a special permit authorizing a use within an aquifer protection district or a wetlands and watershed protection district, evidence that all approvals required from local boards or commissions, including, but not limited to, the Board of Health, Planning Board, Conservation Commission and/or Board of Selectmen, have been obtained prior to the issuance, if any, of a special permit.~~

~~Appendix C—Wetland & Watershed Overlay District Map~~

The Planning Board Recommends (3-0).

The Wetlands and Watershed Protection District (W-District) was implemented at the 1974 Annual Town Meeting to help preserve, protect, and maintain a number of items related to groundwater, wetlands, and flooding through a fixed Zoning Overlay District. The Zoning Board of Appeals is charged with enforcing this district and the 100 foot buffer to the areas around it. In October of 1982, the Town's local Wetland Bylaw was adopted with the intent to preserve and protect the wetlands in town, as indicated in its purpose statement, as well as the 100 foot buffer areas around the wetlands. The Wetland Bylaw is administered by the Conservation Commission. Since 1982, these two bylaws have been operating together in a parallel and redundant process to regulate ground disturbances and development in and around the wetlands and waterways of the town. Applicants requesting to create a ground disturbance in or adjacent to a wetland area are first required to appear before the Conservation Commission to receive some type of approval such as a Notice of Intent (NOI) or an Abbreviated Notice of Resource Area Delineation (ANRAD). As part of this process, Applicants are subject to a number of

application processing costs including an application fee, legal advertisement, abutter mailing list fee, abutter notice mailing fee, multiple copies of plans, a fee to record the decision at the Registry of Deeds, and, most significantly, the cost to hire a certified wetlands agent or engineer to map and delineate the wetland area in the field.

Once approval is received from the Conservation Commission, Applicants are typically required to then go before the Zoning Board of Appeals to seek virtually an identical approval and are subject to the same costs as associated with Conservation Commission's approval process. In all instances researched by the Town Planner, there has not been one case where the Zoning Board of Appeals has added additional conditions to ensure a project remains in compliance or does not harm the subject resource area. In fact, when issuing a decision, the Zoning Board of Appeals simply references the conditions laid out by the Conservation Commission in their decision for the project. This is primarily due to the fact that the Zoning Board of Appeals is a Town board with no technical expertise in wetland or waterway regulatory matters. This redundant process places an undue financial burden on Applicants, who are many times residents, and subjects a proposed project to significant delays by having to appear before two different boards for the same approval. Additionally, the process is also confusing for Applicants as many times they have difficulty understanding why they need approvals from two different Town entities for the same aspects of the same project. In further examining the purpose of the W-District as described in Section 7101 of the existing Zoning Bylaw, all the resources which the W-District is intended to safeguard are already protected by the Wetland Bylaw, the Aquifer Protection District (adopted in 1984), the Federal Emergency Management Agency (FEMA) Flood Maps, and various other aspects of the Zoning Bylaw. Since the town's wetlands, waterways, water recharge areas, floodplains, and other water related resources are protected by other existing bylaws or regulations, and due to the duplicative nature with the Conservation Commission's permitting process, the Planning Board recommends removal of the W-District and its associated elements in their entirety from the Zoning Bylaw.

ARTICLE 48 GENERAL BYLAW AMENDMENT – ANNUAL TOWN MEETING

(Majority vote required)

To see if the Town will vote to amend the Annual Town Meeting General Bylaw by changing the day of the election of town officers from the third Monday in May to the third Tuesday in May, so that the bylaw would read as follows:

The Annual Town Meeting for the election of town officers shall take place on the third **Tuesday** in May of each year and that the Annual Meeting for the transaction of other business shall take place on the second Monday in May of each year.

Or take any other action relative thereto.

ARTICLE 49 GENERAL BYLAW AMENDMENT – STONE WALLS

(Majority vote required)

To see if the Town will vote to amend the Stone Walls General Bylaw by:

adding the following paragraph at the end of **Section 4: Applicability**:

Temporary (less than one (1) month) openings, no greater than ten (10) feet in width in stone walls as defined above, are permitted upon written approval of the Town Planner which may be granted upon provision of a photograph of the portion of stone wall to be impacted, a written statement that the wall will be returned to its original state, and the posting of a \$1,000.00 bond with the Town. The bond so posted will be released upon inspection and approval by the Town Planner that the stone wall has been substantially returned to its initial state.

and revising **Section 7: Enforcement** by adding the language in bold italics as shown below:

No removal, tearing down, or destruction of stone walls within or on the boundary of a Town Way shall occur without prior written approval from the Board, ***excepting only temporary openings as outlined in Section 4.*** In the event of unauthorized removal, tearing down or destruction of such stone walls, the Building Inspector may enforce this Bylaw by criminal prosecution, or by non-criminal disposition in accordance with G. L. c. 40, §21D. A violation of this Bylaw shall be subject to a fine of one hundred dollars (\$100.00) per offense, with each day that such violation continues constituting a separate offense.

The complete bylaw will then read as follows:

Section 1: AUTHORITY

This Bylaw is adopted pursuant to the Town’s Home Rule authority under Section 8 of Article 89 of the Amendments to the Massachusetts Constitution and the Town’s general powers under G.L. c. 40, §21(1).

Section 2: PURPOSE

The purpose of this Bylaw is to facilitate the preservation of stone walls and to protect the scenic quality and character of public ways in the Town by regulating the removal, tearing down, or destruction of stone walls and the construction of new stone walls within or on the boundary of Town Ways. Additionally, this Bylaw is intended to set forth the process for obtaining Planning Board (the Board) approval for such activities.

Section 3: DEFINITIONS

The following terms contained in this Bylaw shall mean and be construed as follows:

3.1 Town Way

Shall mean the entire right-of-way of any way in the Town of Boxborough which has been either laid out and accepted as a public way by statutory process, or has been used by the general public and maintained by the Town as a public way, but shall not include State highways. When the boundary of the Town Way is uncertain, so that a dispute arises as to whether or not certain stone walls or portions thereof are within or on the boundary of the way, the stone walls shall be presumed to be within or on the boundary of the way unless the contrary is shown by survey.

3.2 Stone Wall

Shall mean a man-made continuous grouping of stones forming a straight or curved line.

3.3 Removal, Tearing Down, or Destruction of Stone Walls

Shall mean any act to remove stones; to move stones except for the purposes of repair or maintenance; to cover over stones with non-stone materials or paint; to bury stones; or any other act by which a stone wall or portion thereof is removed, broken down, relocated, or obscured with other materials.

3.4 Preservation

Shall mean the act or process of applying measures necessary to sustain the historic form, integrity and material of an existing stone wall.

3.5 Construction

Shall mean the act or process of creating, by means of new construction, a stone wall.

Section 4: APPLICABILITY

Preservation of existing stone walls shall be exempt from review and approval by the Board.

Prior written approval of the Board in accordance with the provisions of this Bylaw shall be required for:

- 4.1. The removal, tearing down, or destruction of stone walls or portions thereof within or on the boundary of any Town Way.
- 4.2. The construction of a new stone wall within or on the boundary of any Town Way.

Temporary (less than one (1) month) openings, no greater than ten (10) feet in width in stone walls as defined above, are permitted upon written approval of the Town Planner which may be granted upon provision of a photograph of the portion of stone wall to be impacted, a written statement that the wall will be returned to its original state, and the posting of a \$1,000.00 bond with the Town. The bond so posted will be released upon inspection and approval by the Town Planner that the stone wall has been substantially returned to its initial state.

Section 5: PROCEDURES

5.1 Application

Any person, organization, municipal agency, utility or other entity intending to undertake any of the activities described in Section 4 of this Bylaw shall, prior to proceeding with such activity, file a written application for approval with the Board, providing details about the proposed activity and its location.

5.2 Public Meeting and Notice

Upon receiving an application under this Bylaw, the Board shall promptly schedule a public meeting with a notice of the meeting sent to abutters within 300 feet and posted in the Town Hall at least fourteen days prior to the meeting. The meeting notice shall specify the time, date, place and purpose of the meeting, and shall include a brief description of the action proposed and its location. Copies of the meeting notice shall also be sent to the Board of Selectmen, the Public Works Director/Tree Warden, and the Building Inspector.

Conformance with the requirements of this Bylaw will not relieve the Applicant from the necessity of complying with all other applicable Town and State laws including, but not limited to, the Boxborough Driveway Approach Bylaw, the Public Shade Tree law, G.L. c. 87, §1, et seq. and the Scenic Roads law, G.L. c. 40, §15C; provided, however, that the Board may consolidate its meeting under this Bylaw with any hearing required under the Scenic Roads law.

Section 6: COMPENSATORY ACTIONS

Since the purpose of this Bylaw is to protect the scenic quality and character of the Town Ways, the Board may require, as conditions of approval, measures to avoid or reduce visual impacts resulting from alteration of existing stone walls. Such measures may include, but are not limited to, requirements for the redesign or relocation of a proposed driveway entrance, the relocation or reconstruction of portions of stone walls which are proposed to be removed or torn down, or the repair or restoration of portions of stone walls which, although not proposed under the application to be removed or torn down, have fallen into disrepair or have been previously torn down, removed or destroyed.

Section 7: ENFORCEMENT

No removal, tearing down, or destruction of stone walls within or on the boundary of a Town Way shall occur without prior written approval from the Board, excepting only temporary openings as outlined in Section 4. In the event of unauthorized removal, tearing down or destruction of such stone walls, the Building Inspector may enforce this Bylaw by criminal prosecution, or by non-criminal disposition in accordance with G. L. c. 40, §21D. A violation of this Bylaw shall be subject to a fine of one hundred dollars (\$100.00) per offense, with each day that such violation continues constituting a separate offense.

Or take any other action relative thereto.

ARTICLE 50 GENERAL BYLAW – NEW – RECONSIDERATION OF VOTE

(Majority vote required)

To see if the Town will vote to adopt a new general bylaw entitled “Reconsideration of Vote” to read as follows:

Any voter shall be permitted to move reconsideration of a vote taken at town meeting, subject to the limitation or exceptions set forth in succeeding subsections of this bylaw.

Once final action has been taken on an Article, and the next order of business has been taken up, or the session of Town Meeting has been adjourned, the Article may not be considered at that Town Meeting, unless the Moderator determines in his discretion that reconsideration would be in the best interests of the voters.

or take any other action relative thereto.

ARTICLE 51 GENERAL BYLAW – NEW – VOTE COUNTS BY MODERATOR

(Majority vote required)

To see if the Town will vote to adopt a new general bylaw entitled “Vote Counts by Moderator” to read as follows:

On Town Meeting matters requiring a two-thirds vote by statute, a count need not be taken unless the vote so declared by the Moderator is immediately questioned by seven or more registered voters as provided in General Laws, Chapter 39, Section 15 (or as otherwise provided in these bylaws).

or take any other action relative thereto.

**ARTICLE 52 A SENSE OF THE MEETING MOTION TO CREATE A GREENER
BOXBOROUGH**

(Majority vote required; non-binding)

To see if the Town will vote to adopt the following non-binding sense of the meeting resolution to create a greener Boxborough, as submitted by the Energy Committee:

Boxborough cannot become a designated “Green Community” because a municipal light plant supplies the town with electricity. Green communities can receive large grants for energy-saving projects, which benefit all townspeople by lowering energy costs. However, as a town and as residents there are many things we can do to reduce our energy consumption and lower our environmental impact, which will benefit our children and grandchildren.

We ask the sense of the meeting to agree to the following:

Recommend the town:

1. Use the established energy-use baseline for municipal buildings to develop a plan to reduce energy by fifteen percent (15%) within five years. In the past two years, we began savings and estimate a 5% reduction already.
2. Purchase fuel-efficient vehicles where possible.
3. Enforce the 2012 building code that goes into effect in 2016.
4. Consider Pay As You Throw and other methods to reduce solid waste to save the town money.

Encourage residents to:

1. Adopt a five-year plan to reduce their personal energy consumption by twenty percent (20%).
2. Take steps for “Green Living” which means buying green or recycled materials, conserving water and energy, driving and commuting green, and adopting green building designs.
3. Recycle and compost as a way to lower greenhouse emissions.

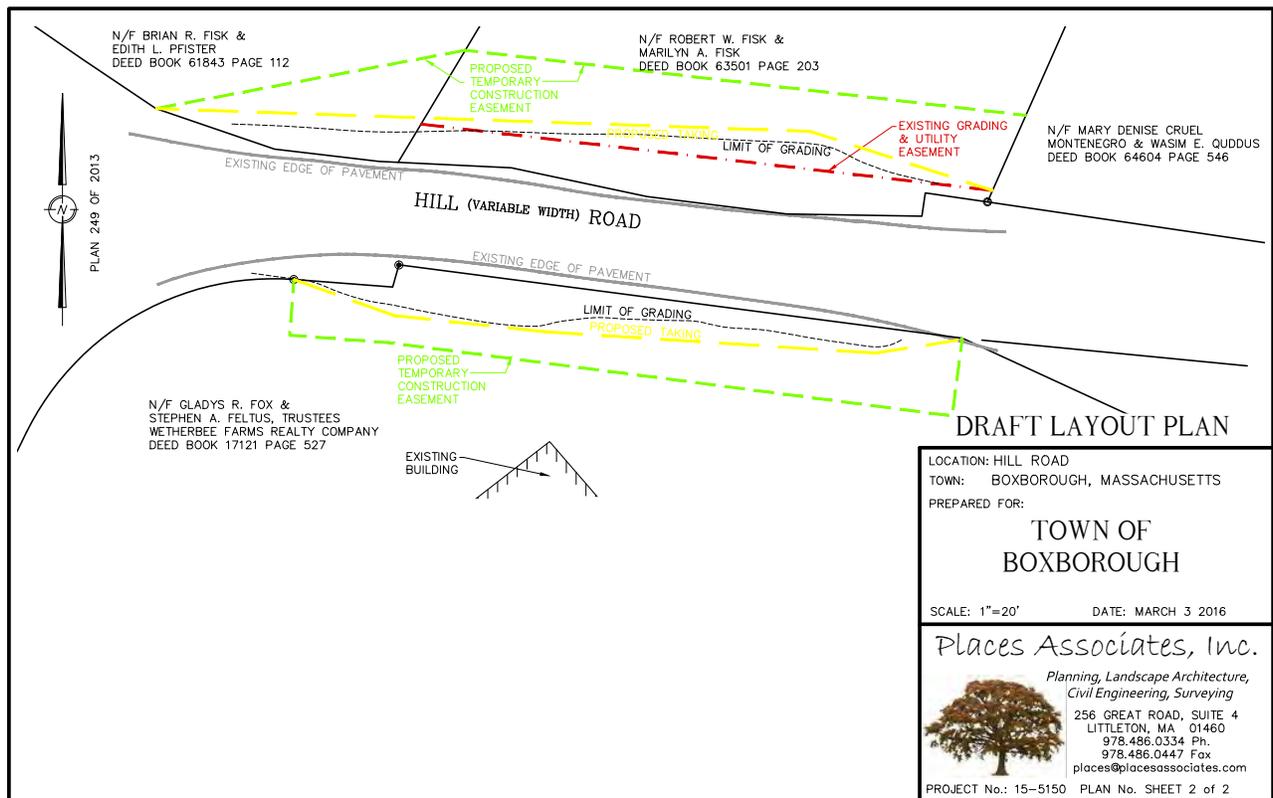
Or take any other action relative thereto.

ARTICLE 52

ACQUISITION OF EASEMENTS FOR ROADWAY PURPOSES – HILL ROAD**

(Two-thirds vote required)

To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift, or eminent domain, and upon such terms and for such consideration as the Selectmen deem appropriate, such permanent and temporary interests in those lands located at 187, 214 and 222 Hill Road in the locations approximately depicted on the plan entitled: "Draft Layout Plan, Location: Hill Road," dated March 3, 2016, prepared by Places Associates, Inc., a copy of which has been placed on file with the Town Clerk, for roadway and roadway construction purposes, which purposes shall include, without limitation, the construction of guardrails and walls, sloping, and drainage improvements serving Hill Road, a public way in the Town, and further to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of such acquisition and construction and all costs related thereto, and to enter into all agreements and take all other actions necessary or appropriate to carry out such acquisition and construction, or to take any other action relative thereto.



ARTICLE 54 DISCONTINUANCE OF CUNNINGHAM ROAD**

[STILL UNDER REVIEW]

ARTICLE 55 ACCEPT MGL CH 41 § 110A – OFFICE HOURS ON SATURDAYS**

(Majority vote required)

To see if the Town will vote to accept the provisions of MGL Ch 41 § 110A, which allows any public office to remain closed on any or all Saturdays to the same extent as if such Saturday were a legal holiday for the purposes of calculating the time frame for filing matters in that office, or to take any other action relative thereto.

Summary

This provision of Mass General Laws, which requires local acceptance, will change any voter registration deadline that falls on a Saturday to the preceding Friday. Under Mass General Laws, the Town Clerk’s office must be open from 9:00am to 8:00pm for all voter registration deadlines, or make other arrangements. Acceptance of this Section will allow the voter registration deadline to fall on the preceding Friday, when there is staffing.

Chapter 41, Section 110A: Any public office in any city or town may remain closed on any or all Saturdays as may be determined from time to time, in a city by the city council, subject to the provisions of the city charter, or, in a town, by vote of the town at a special or regular town meeting, and the provisions of section nine of chapter four shall apply in the case of such closing of any such office on any Saturday to the same extent as if such Saturday were a legal holiday.

You are required to serve this Annual Town Meeting Warrant by posting copies thereof, attested by you, at the Town Hall, at the Sargent Library, at the Police Station, at the Fire Station, and at the Blanchard Memorial School, fourteen days at least, before the time appointed for such meeting.

Hereof, fail not deliver these warrants with your return of service thereon to the Town Clerk on or before April 22, 2016.

Vincent M. Amoroso, Chairman
Board of Selectmen

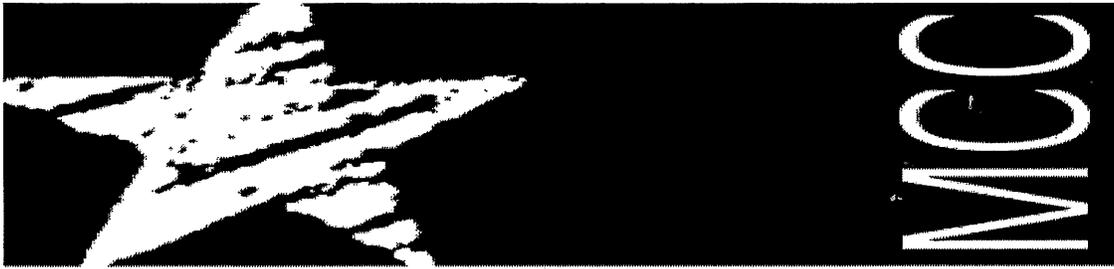
Susan M. Bak, Clerk
Board of Selectmen

Leslie R. Fox
Board of Selectmen

James J. Gorman
Board of Selectmen

Robert T. Stemple
Board of Selectmen

8a



massculturalcouncil.org

March 5, 2016

Received
3-9-2016

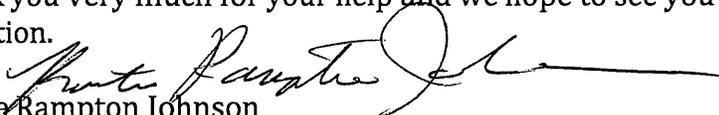
Ms. Selina Shaw, Town Administrator
Town of Boxborough
29 Middle Road
Boxborough, MA 10719

Dear Selina,

The Acton-Boxborough Cultural Council would like to request a one-day license from the Boxborough Board of Selectmen to serve white wine and sparkling wine at our annual Grantee Reception. This year's reception will be held on April 1st, 2016. It will be held at the Sargent Memorial Library.

An Application for License/Permit is attached. We will give each guest two tickets which will entitle them to have two glasses of wine. No wine will be served without a ticket.

Thank you very much for your help and we hope to see you and the selectmen at the reception.


Kristie Rampton Johnson
Co-Chair, ABCC

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF BOXBOROUGH
APPLICATION FOR LICENSE/PERMIT
(GENERAL)

March 5, 2016

No. _____

TO THE LICENSING/PERMITTING AUTHORITIES:

The undersigned hereby applies for a License/Permit in accordance with the provisions of the Statutes relating thereto

Aetion-Boxborough Cultural Council

(Full name of person, firm or corporation making application)

STATE CLEARLY
PURPOSE FOR
WHICH LICENSE/
PERMIT IS
REQUESTED

To Serve white wine and sparkling wine at our 11th Annual Grantee Reception

GIVE LOCATION
BY STREET
AND NUMBER

At The Sargent Memorial Library
427 Mass. Ave
Boxborough, MA

in said Town of Boxborough

in accordance with the rules and regulations made under authority of said Statutes.

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Aetion-Boxborough Cultural Council Patricia Ruppel
*Signature of Individual (Mandatory) By: Corporate Officer (Mandatory, if Applicable)
Co-Chair

** Social Security # (Voluntary) or Federal Identification Number

* This license/permit will not be issued unless this certification clause is signed by the applicant.

** Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. G.L. c. 62C s. 49A.

Received 3/9 2016

Patricia Ruppel
Signature of Applicant

A.M. _____
Hour _____
P.M. _____

Address _____

Approved _____ 20__

License/Permit Granted _____ 20__

Special Event License/Permit

Conditions for the serving (not selling) of wine

Said beverages shall be consumed only at the stated premises.

Servers shall require proper identification.

Glasses/Cups used for wine shall be visibly different than those used for non-alcoholic beverages.

There shall be a limit of two (2) glasses of wine per person.



Internal Communications and Outgoing Communications
March 14, 2016

1. Communication from MEMA and the DCR, dated February 25, 2016, to "Potential Hazard Mitigation Grant Applicants" notifying of the availability of FEMA grant funding for the 2016 Pre-Disaster Mitigation Program and Flood Mitigation Assistance Program.

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Minutes, Notices and Updates
March 7, 2016

Minutes

None

Notices

1. Notice of an Acton-Boxborough Cultural Council meeting held March 9, 2016
2. Notice of A-B Regional School District related meetings:
 - a. A-B Special Ed. Parent Advisory Council held March 9, 2016
 - b. Negotiations Subcommittee [Executive Session] to be held March 14, 2016
3. Notice of Finance Committee meetings:
 - a. to be held March 14, 2016
 - b. to be held March 21, 2016
4. Notice of a Historic Commission meeting to be held March 16, 2016
5. Notice of a CrossTownConnect meeting held March 10, 2016
6. Selectmen's Notices of a public hearings to be held March 21, 2016 to consider:
 - a. The discontinuance of Cunningham Road.
 - b. Proposed revisions to General Bylaws [New Bylaws]
 - i. Reconsideration of Vote Bylaw
 - ii. Vote Counts by Moderator
7. Legal Notices from the Conservation Commission for Public Hearings to be held March 16, 2016, to consider a Notices of Intent filed by:
 - a. Whispering Pines Realty Trust [Bruce Wheeler, Tr.] for work at the property located at 873 Burroughs Road, for the drilling of a bedrock drinking water well for a single family 4-bedroom house with a cleared access road of about 8 ft. wide in the buffer zone 51ft. to BVW.
 - b. Stamski & McNary, Inc. on behalf of James Fenton, Boxborough Town Center, LLC for work at properties located at 700 Mass. Ave. and 800 Mass. Ave, for site preparation, well installation and pump testing for 2 potential public water supplies consisting of 3 bedrock wells within the buffer zone and exploratory soil test pits for planning & design purposes with the buffer zone well.