



**TOWN OF BOXBOROUGH
ANNUAL TOWN MEETING MINUTES
MAY 9, 10 & 12, 2016**

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- 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**

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LEGEND

- ** CONSENT AGENDA



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 51 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 #10 through #22, inclusive) includes reauthorization of revolving funds, transfers and some appropriation articles considered to be non-controversial. The **Non-monetary Consent** (Article #49 through #51 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 9 AND 48, 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 (Articles 6-9)

In 2014, Boxborough’s voters accepted Sections 3 to 7, inclusive of Chapter 44B of the General Laws, known as the Massachusetts Community Preservation Act and early in 2015 the Community Preservation Committee (CPC) was established. It is 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.

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% 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 2017, under the local surcharge and the November state matching funds for the prior fiscal year.

The CPC’s recommendations for this year are found later in the warrant under articles 6 – 9.

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.

John Fallon, Town Moderator, welcomed everyone and called the 234th Annual Town Meeting to order at 7:04pm. There were 135 registered voters in attendance.

Mr. Fallon pointed out that there were many handouts on the back table with important information. He made some announcements. The Blanchard Vocal Ensemble sang the Star Spangled Banner and led the meeting in the Pledge of Allegiance. He introduced members of town boards, town department heads and AB regional school staff. He also recognized Maripatt Shemowatt who retired last year after 30 years as Tax Collector. He outlined the process for participating in town meeting.

Vincent Amoroso, Chair of the Board of Selectmen, moved that any adjourned sessions of Annual Town Meeting will be held on Tuesday, May 10th; Thursday, May 12th; Wednesday, May 18th and Thursday, May 19th, and further, that no debate will begin on any new article after 10:30 p.m.

Action on the motion: Motion carried unanimously.

Mr. Amoroso moved that on annual town meeting matters requiring a two-thirds vote by statute, a count need not be taken unless seven or more registered voters immediately question the vote so declared by the Moderator.

Action on the motion: Motion carried unanimously.

Mr. Amoroso moved that 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 again be considered at that Town Meeting unless the Moderator determines in his discretion that reconsideration would be in the best interests of the voters.

Discussion:

Owen Neville, Middle Rd., spoke against the motion. He said people need to come to every session of town meeting in order to be informed and this motion is not in line with Boxborough tradition. He pointed out that the Flerra Meadow Conservation area was purchased as a result of reconsideration.

Michael Toups, Flagg Hill Rd., spoke against the motion. He agreed with Owen and doesn't think the Moderator should have the discretion on reconsideration.

Action on the motion: Motion carried by majority vote.

Mr. Amoroso moved that Article 36, *Public Safety Building – Additional Site & Building Data*, be taken out of order and be considered as the first order of business at the adjourned session of the annual town meeting on Tuesday, May 10.

Action on the motion: Motion carried by majority vote.

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

Office	Name	Term (yrs)	Vote for...	#Votes
Moderator	John G. Fallon*	1	One	120
Write-ins	Owen Neville			2
Blanks				8
Town Clerk	Elizabeth Markiewicz*	3	One	124
Write-ins				0
Blanks				6
Selectman	Richard M. Barrett	3	One	112
Write-ins	Owen Neville			2
Blanks				16
School Committee	Mary F. Brolin*	3	One	116
Write-ins				0
Blanks				14
Planning Board	John M. Markiewicz*	3	Not more than Two	116
Write-ins	Abby Reip			53
	Zhiyu Bo			1
	Jennie Rawski			1
Blanks				90
Library Trustees	Janet J. Glidden	3	Not more Than Two	117
	Robert W. McNeece*			118
Write-ins				0
Blanks				25
Board of Health	Bryan F. Lynch*	3	One	117
Write-ins				0
Blanks				13
Constable	Kevin J. Mahoney	3	One	117
Write-ins				0
Blanks				13

ARTICLE 2 RECEIVE REPORTS

(Majority vote required)

Mr. Amoroso moved to receive the reports of the Selectmen and other Town Officers, Agents and Committees as published in the 2015 Annual Town Report, and further, to hear and receive the reports as presented at Annual Town Meeting.

The Board of Selectmen recommends unanimously (5-0).

The Finance Committee recommends unanimously (5-0).

Action on Article 2: Motion carried unanimously.

Mary Brolin, vice-chair of the AB Regional School Committee, presented the ABRSD budget report. Before she did so, she spoke about the work of AB Regional Financial Subcommittee and the projected financial benefits of regionalization. Blanchard per pupil costs decreased after regionalization, as promised. Regional transportation benefits were also realized. Mary recognized all the members of the Regional School Committee and staff. She described budget priorities: meet guidelines for class size; staff at levels to support social, emotional and learning needs of students; complete capital and educational needs assessment study. She said the budget is increasing 3.47% over last year. Salaries, OPEB, health insurance, special education, and transportation cost increases are the budget drivers.

Larry Grossman, member of the Energy Committee, made the Energy Committee presentation. He said the mission of the committee was to help the Town achieve sustainability. He talked about the success of the Solarize Boxborough initiative: 35 residents took advantage of the program, providing 254kw of clean energy every year. He also mentioned the success of the compactors at the Transfer Station in reducing the cost of recyclables for a savings of \$20K per year. Future initiatives: become a “green community” by working with LELD; want to revisit pay-per-throw; reduce energy use of town buildings; consider purchasing hybrid vehicles when possible for town use; establish “swap shed” at transfer station; municipal composting area.

ARTICLE 3 SET SALARIES AND COMPENSATION OF ELECTED OFFICIALS

(Majority vote required)

Mr. Amoroso moved 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

The Board of Selectmen recommends unanimously (5-0).

The Finance Committee recommends unanimously (5-0).

This includes an annual increase to the Town Clerk of \$1,817 (+4.04%). All other salaries to elected officials remain the same.

Action on Article 3: Motion carried unanimously.

**FY 2017
CLASSIFICATION AND COMPENSATION SCHEDULE**

REGULAR FULL-TIME, REDUCED AND PART-TIME EMPLOYEES										
GRADE	POSITIONS	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
16	No Positions	72,875.83	74,697.73	76,565.17	78,479.30	80,441.28	82,452.32	84,513.62	86,626.46	88,792.13
15	Inspector of Buildings	66,254.72	67,911.09	69,608.87	71,349.09	73,132.82	74,961.14	76,835.17	78,756.05	80,724.95
	Information Systems Coordinator									
	Police Lieutenant									
	Town Accountant									
	Town Assessor									
	Town Planner									
	Town Treasurer/Collector									
14	Tax Collector (Elected)	56,932.55	58,355.86	59,814.76	61,310.13	62,842.88	64,413.95	66,024.30	67,674.91	69,366.78
	Town Clerk (Elected)									
13	Community Services Coordinator	26.23	26.88	27.56	28.24	28.95	29.67	30.42	31.18	31.96
	Council on Aging Coordinator									
	(DPW) Foreman									
	Youth Services Librarian									
12	Conservation Agent	23.00	23.57	24.16	24.77	25.39	26.02	26.67	27.34	28.02
	Youth Services Librarian									
11	Department Assistant	20.34	20.85	21.37	21.90	22.45	23.01	23.59	24.18	24.78
	DPW Worker									
	IT Support Technician									
	Technical Services Librarian									
10	Bldgs/Gnds Main Worker	19.69	20.18	20.69	21.21	21.74	22.28	22.84	23.41	23.99
	DPW Semi-Skilled									
	Senior Library Assistant									
	Transfer Station Operator									
9	Library Assistant	17.90	18.35	18.81	19.28	19.76	20.26	20.76	21.28	21.82
8	Van Dispatcher	16.27	16.68	17.09	17.52	17.96	18.41	18.87	19.34	19.82

PER DIEM AND INTERMITTENT EMPLOYEES			
Hourly			
CIT	10.00		
Intern (Town Hall)	10.00		
Junior Library Page	10.00		
Library Page	10.25	**11.00	min wage 1/1/17
Counselor	10.50	**11.00	min wage 1/1/17
Election Workers	10.64	**11.00	min wage 1/1/17
Asst. Animal Control Officer - Dogs & Cats	11.09	4 hr min call	
Laborer - Cemetery	11.43		
Clerk of Elections	12.30		
Media Production Technician	12.88		
Seasonal Conservation Officer	13.00		
Lead Counselor	13.21		
Van Driver	14.18		
Seasonal Maintenance Worker	14.47		
Lock Up Attendant	15.60		
Part Time Dispatcher	17.59		
Fire Department Chaplain	17.90		
Firefighter/EMT	17.90		
Special Police Officer	17.90		
Substitute Librarian	17.90		
Gym Director	19.34		
Winter Recreation Director	19.34		
Fire Lieutenant	19.69		
Summer Recreation Director	19.82		
Animal Ctl Officer	20.34		
Fire Captain	20.34		
Veterans Services Officer	20.34		
Snow Plow Operator	22.83		
Deputy Fire Chief	23.00		
Cemetery Superintendent	23.00		
Asst. Building Inspector	27.25		
Call Building Inspector	31.73		
Call Fire Chief	44.19		
Stipends (Annual)			
Fence Viewer	40.00		
Field Driver	45.00		
Registrar Member	270.12		
Registrar Chairperson	900.34		
Animal Inspector	987.74		
Fees-based			
Wiring Inspector	\$150,000 cap/yr		
Plumbing & Gas Inspector	\$100,000 cap/yr		
Fee max is 1% of FY 16 levy (or \$166,561)			

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

Personal Contracts									
Position	Contract Expiry Date	FY 2016		FY 2017					
DPW Director	Contract expires 6/30/17	\$ 82,812.00	\$ 84,055.00						
Fire Chief	Contract expires 8/31/18	\$ 97,113.00	\$ 100,998.00						
Library Director	Contract expires 6/30/16	\$ 80,000.00	\$ 82,476.00						
Police Chief	Contract expires 6/30/17	\$ 117,750.00	\$ 120,499.00						
Town Administrator	Contract expires 9/30/16	\$ 108,500.00	\$ 113,100.00						
Positions Governed by CBA's									
Position									
Police Sergeant (Steps 1-3)	\$ 31.36	\$ 31.93	\$ 32.49						
Police Officer (Steps A1/A2-F)	\$ 22.98	\$ 23.78	\$ 24.62	\$ 25.47	\$ 26.38	\$ 27.28	\$ 28.25		
hired after 7/1/15	\$ 22.98	\$ 23.58	\$ 24.19	\$ 24.82	\$ 25.46	\$ 26.13	\$ 26.81	\$ 27.50	\$ 28.22
Fire Lieutenant (Step A)	\$ 30.57								
Firefighter/EMT (Steps A-F)	\$ 22.59	\$ 23.37	\$ 24.19	\$ 25.04	\$ 25.92	\$ 26.82			
hired after 7/1/15	\$ 22.59	\$ 23.16	\$ 23.73	\$ 24.32	\$ 24.93	\$ 25.55	26.19	\$ 26.85	
Dispatch Supervisor (Steps A-F)	\$ 20.99	\$ 21.72	\$ 22.50	\$ 23.28	\$ 24.09	\$ 24.92			
Dispatcher (Steps A-F)	\$ 18.80	\$ 19.45	\$ 20.14	\$ 20.85	\$ 21.58	\$ 22.32			
Elected Officials									
Position	FY 2016			FY 2017					
Selectman	\$ 400.00	annually		\$ 400.00	annually				
Board of Health Member	\$ 166.67	annually		\$ 166.67	annually				
Planning Board Member	\$ 109.00	annually		\$ 109.00	annually				
Library Trustee	\$ -	annually		\$ -	annually				
Moderator	\$ -	per meeting		\$ -	annually				
Constable	\$ 3.00	/warrant posted/location		\$ 3.00	/warrant posted/location				
Town Clerk	\$ 45,005.48	(Grade 14-8)		\$ 46,822.58	(Grade 14-9)				

ARTICLE 5 TOWN OPERATING BUDGET

(Majority vote required)

Dilip Subramanyam, chair of the Finance Committee, moved that the Town appropriate the sum of

Nineteen Million Six Hundred Forty Thousand Seven Hundred Sixty-One Dollars (\$19,640,761)

for the operations and expenses of the Town during the fiscal year beginning July 1, 2016, the purposes for which funding are set forth in the Department Account Numbers 100 through 945, and any subheadings included under said account numbers, as printed in Article 5 of the 2016 Annual Town Meeting warrant, under the heading FY17 Submitted Budget,

and to meet this appropriation that an amount of Three Hundred Fifty Thousand Dollars (\$350,000) be transferred from Free Cash

and that the balance be raised by taxation.

The Finance Committee recommends unanimously (5-0).

The BoS and the FinCom have worked together carefully to build up the Free Cash balance over the last several years to establish a strong financial position for the Town and as a hedge against unexpected, unusual future expenditures. Although we are proposing using some of the Free Cash balance to lower the tax increase and rate this year, the town’s financial position (free cash plus stabilization funds) remains above the Finance Committee guidelines and higher than the historical average.

The Board of Selectmen recommends unanimously (5-0).

Dilip Subramanyam, Chair of the Finance Committee, made the Finance Committee presentation. He introduced the committee members and talked about the FY17 budget goals. He noted that the budget represents a 3.1% increase over last year, mostly due to the ABRSC budget. He showed how much of the budget would come from taxation, state receipts, borrowing, and from town reserves (free cash). He talked about the importance of fiscal discipline.

		FY17							
		Submitted	FY16		FY17	FY17	FY16	FY15	
		Budget	Budget		vs FY16	vs FY16	YTD 3/31	Budget	
								Actual	
100	Total Salary	0	0		0	0%	0	0	
100	Total Other	11,940	11,700		240	2%	9,750	11,400	
100	Total General Gov't	11,940	11,700		240	2%	9,750	11,400	
114	Total Salary	0	0		0	0%	0	0	
114	Total Other	50	50		0	0%	50	47	
114	Total Moderator	50	50		0	0%	50	47	
119	Total Salary	0	0		0	0%	0	0	
119	Total Other	145	175		(30)	-17%	36	175	
119	Total Town Constable	145	175		(30)	-17%	36	175	
122	Total Salary	2,000	2,000		0	0%	1,000	2,000	
122	Total Other	2,818	2,119		699	33%	2,868	1,927	
122	Total Selectmen	4,818	4,119		699	17%	3,868	3,927	
123	Total Salary	113,100	108,750		4,350	4%	79,105	105,000	
123	Total Other	2,700	2,875		(175)	-6%	2,112	2,825	
123	Total Town Administrator	115,800	111,625		4,175	4%	81,218	107,825	
131	Total Salary	0	0		0	0%	0	0	
131	Total Other	480	480		0	0%	341	455	
131	Total Town Finance Comm	480	480		0	0%	341	455	
135	Total Salary	69,609	66,908		2,701	4%	48,774	64,311	
135	Total Other	36,390	36,708		(318)	-1%	34,898	26,968	
135	Total Accountant	105,999	103,616		2,383	2%	83,672	91,279	
141	Total Salary	70,609	67,908		2,701	4%	49,774	64,311	
141	Total Other	14,990	17,964		(2,974)	-17%	16,330	13,113	
141	Total Assessor	85,599	85,872		(273)	0%	66,104	77,424	
145	Total Salary	72,350	67,908		4,442	7%	50,996	65,311	
145	Total Other	16,745	8,350		8,395	101%	4,971	8,350	
145	Total Treasurer	89,095	76,258		12,837	17%	55,967	73,661	
146	Total Salary	0	67,676		(67,676)	-100%	0	65,087	
146	Total Other	0	11,381		(11,381)	-100%	3,294	20,118	
146	Total Collector	0	79,057		(79,057)	-100%	3,294	85,205	
151	Total Salary	0	0		0	0%	0	0	
151	Total Other	48,500	53,500		(5,000)	-9%	19,595	53,500	
151	Total Legal	48,500	53,500		(5,000)	-9%	19,595	53,500	
	122 Total Other - Selectmen: Added dues for 495 MetroWest Partnership								
	141 Total Other - Assessor: Re-allocated mapping to Technology (Dept. 156)								
	145 Total Other - Treasurer: Re-allocated postage, office supplies and additional training from Collector (Dept. 146)								
	146 Total Salary - Collector: Position eliminated								
	146 Total Other - Collector: Position eliminated, some costs re-allocated to Treasurer (Dept. 145)								
	151 Total Other - Legal: Collective bargaining agreements settled (Counsel had assisted in negotiations)								

		FY17 Submitted Budget	FY16 Budget	FY17 vs FY16	FY17 vs FY16	FY16 YTD 3/31	FY15 Budget	FY15 Actual
152	Total Salary	0	0	0	0%	0	0	0
152	Total Other	320	320	0	0%	200	260	320
152	Total Personnel Board	320	320	0	0%	200	260	320
156	Total Salary	0	0	0	0%	0	0	0
156	Total Other	123,312	95,319	27,993	29%	65,781	27,994	42,599
156	Total Technology	123,312	95,319	27,993	29%	65,781	27,994	42,599
161	Total Salary	47,823	46,006	1,817	4%	33,809	44,259	44,259
161	Total Other	2,043	2,120	(77)	-4%	694	2,178	1,822
161	Total Town Clerk	49,866	48,126	1,740	4%	34,503	46,437	46,081
162	Total Salary	6,400	4,028	2,372	59%	2,369	4,762	4,244
162	Total Other	6,312	5,632	680	12%	3,572	6,070	6,058
162	Total Elect. & Registr.	12,712	9,660	3,052	32%	5,941	10,832	10,302
171	Total Salary	0	0	0	0%	0	0	0
171	Total Other	2,150	2,150	0	0%	617	2,150	1,774
171	Total Conservation Comm	2,150	2,150	0	0%	617	2,150	1,774
175	Total Salary	70,154	67,453	2,701	4%	49,046	64,856	64,856
175	Total Other	6,445	7,330	(885)	-12%	5,702	5,775	7,384
175	Total Planning Board	76,599	74,783	1,816	2%	54,749	70,631	72,240
176	Total Salary	0	0	0	0%	0	0	0
176	Total Other	210	210	0	0%	20	335	90
176	Total ZBA	210	210	0	0%	20	335	90
179	Total Salary	0	0	0	0%	0	0	0
179	Total Other	200	100	100	100%	0	200	0
179	Total Ag Comm	200	100	100	100%	0	200	0
192	Total Salary	174,444	172,420	2,024	1%	117,849	168,116	148,575
192	Total Other	45,160	43,723	1,437	3%	87,107	45,355	44,116
192	Total Town Hall	219,604	216,143	3,461	2%	204,956	213,471	192,691
199	Total Salary	0	0	0	0%	0	0	0
199	Total Other	300	150	150	100%	127	1,000	917
199	Total Energy Comm	300	150	150	100%	127	1,000	917
	Total Salaries - Town Government	626,489	671,057	(44,568)	-7%	432,723	648,013	629,550
	Total Other - Town Government	321,210	302,356	18,854	6%	258,064	219,007	242,661
	Total Town Government	947,699	973,413	(25,714)	-3%	690,787	867,020	872,211
	156 Total Other - Technology: Mapping re-allocated from Assessor (Dept. 141), Planning (Dept. 175) & Town Hall (Dept. 192); consulting no longer supplemented by Cable Funds							
	162 Total Other - Elections & Registrars: Additional major election							
	175 Total Other - Planning: Mapping re-allocated to Technology (Dept. 156)							
	179 Total Other - Agricultural Commission: Planning to attend conference							
	199 Total Other - Energy Committee: Logo for Greener Boxborough							

		FY17							
		Submitted	FY16		FY17	FY17	FY16	FY15	
		Budget	Budget		vs FY16	vs FY16	YTD 3/31	Budget	
								Actual	
210	Total Salary	1,063,333	1,053,802		9,531	1%	823,731	1,008,200	1,053,407
210	Total Other	144,740	104,140		40,600	39%	86,865	137,290	144,814
210	Total Police	1,208,073	1,157,942		50,131	4%	910,595	1,145,490	1,198,221
215	Total Salary	285,936	279,984		5,952	2%	191,539	250,302	259,439
215	Total Other	36,395	36,420		(25)	0%	29,161	36,020	40,488
215	Total Dispatch	322,331	316,404		5,927	2%	220,700	286,322	299,926
220	Total Salary	819,259	804,221		15,038	2%	499,038	765,214	708,462
220	Total Other	109,480	107,980		1,500	1%	54,264	103,498	93,156
220	Total Fire	928,739	912,201		16,538	2%	553,303	868,712	801,617
241	Total Salary	72,211	69,863		2,348	3%	46,312	68,383	65,919
241	Total Other	11,215	9,775		1,440	15%	3,407	2,250	2,556
241	Total Building Insp	83,426	79,638		3,788	5%	49,720	70,633	68,475
245	Total Salary	0	0		0	0%	0	0	270
245	Total Other	0	0		0	0%	0	0	0
245	Total Electrical Insp	0	0		0	0%	0	0	270
291	Total Salary	2,787	2,746		41	1%	1,162	2,705	1,352
291	Total Other	545	450		95	21%	304	400	505
291	Total ACO	3,332	3,196		136	4%	1,466	3,105	1,857
292	Total Salary	14,158	11,507		2,651	23%	8,407	11,292	11,260
292	Total Other	4,850	2,850		2,000	70%	3,408	1,625	2,375
292	Total ACO Dog & Cat	19,008	14,357		4,651	32%	11,815	12,917	13,635
299	Total Salary	45	45		0	0%	45	45	45
299	Total Other	20	25		(5)	-20%	0	50	9
299	Total Field Driver	65	70		(5)	-7%	45	95	54
	Total Salaries - Protection	2,257,729	2,222,168		35,561	2%	1,570,234	2,106,141	2,100,154
	Total Other - Protection	307,245	261,640		45,605	17%	177,409	281,133	283,902
	Total Protection	2,564,974	2,483,808		81,166	3%	1,747,643	2,387,274	2,384,056
	210 Total Other - Police: Vehicle purchase - not included in FY 16								
	241 Total Other - Building Inspector: Additional code books & trainings								
	291 Total Other - Animal Control: Increased mileage due to improvements in recording								
	292 Total Salary - Animal Control Dogs & Cats: Increased hours for on-call services								
	292 Total Other - Animal Control Dogs & Cats: Increased mileage due to improvements in recording								
	299 Total Other - Field Drive: Decreased mileage due to improvements in recording								

		FY17							
		Submitted	FY16		FY17	FY17	FY16	FY15	FY15
		Budget	Budget		vs FY16	vs FY16	YTD 3/31	Budget	Actual
310	Total Salary	0	0		0	0%	0	0	0
310	Total Other	197,492	165,340		32,152	19%	124,007	147,254	147,254
310	Total Minuteman	197,492	165,340		32,152	19%	124,007	147,254	147,254
320	Total Salary	0	0		0	0%	0	0	0
320	Total Other	11,503,148	11,120,240		382,908	3%	8,340,180	10,594,577	10,594,577
320	Total ABRSD	11,503,148	11,120,240		382,908	3%	8,340,180	10,594,577	10,594,577
	Total Salaries - Education	0	0		0	0%	0	0	0
	Total Other - Education	11,700,640	11,285,580		415,060	4%	8,464,187	10,741,831	10,741,831
	Total Education	11,700,640	11,285,580		415,060	4%	8,464,187	10,741,831	10,741,831
310 Total Other - Minuteman: 2 additional students, reduced costs for debt; calculations reflect new Regional Agreement									

		FY17							
		Submitted	FY16		FY17	FY17	FY16	FY15	
		Budget	Budget		vs FY16	vs FY16	YTD 3/31	Budget	
								Actual	
422	Total Salary	537,008	521,287		15,721	3%	363,217	505,987	486,001
422	Total Other	94,150	89,500		4,650	5%	75,769	87,590	90,388
422	Total DPW	631,158	610,787		20,371	3%	438,986	593,577	576,389
423	Total Salary	62,881	60,739		2,142	4%	32,722	53,121	81,110
423	Total Other	105,875	106,610		(735)	-1%	101,959	107,765	166,832
423	Total Snow & Ice	168,756	167,349		1,407	1%	134,681	160,886	247,942
424	Total Salary	0	0		0	0%	0	0	0
424	Total Other	5,500	3,000		2,500	83%	2,890	3,000	3,000
424	Total Street Lighting	5,500	3,000		2,500	83%	2,890	3,000	3,000
425	Total Salary	0	0		0	0%	0	0	0
425	Total Other	27,800	22,400		5,400	24%	13,345	22,400	30,006
425	Total Hager Well	27,800	22,400		5,400	24%	13,345	22,400	30,006
429	Total Salary	0	0		0	0%	0	0	0
429	Total Other	75,300	72,075		3,225	4%	45,518	97,250	90,321
429	Total Fuel	75,300	72,075		3,225	4%	45,518	97,250	90,321
431	Total Salary	0	0		0	0%	0	0	0
431	Total Other	10,000	0		10,000		0	10,000	9,275
431	Total Hazardous Waste	10,000	0		10,000		0	10,000	9,275
433	Total Salary	0	0		0	0%	0	0	0
433	Total Other	133,350	130,100		3,250	2%	79,022	140,850	122,378
433	Total Transfer Station	133,350	130,100		3,250	2%	79,022	140,850	122,378
491	Total Salary	9,085	8,953		132	1%	3,807	8,821	8,820
491	Total Other	1,000	1,000		0	0%	11,800	1,000	455
491	Total Cemetery	10,085	9,953		132	1%	15,607	9,821	9,275
	Total Salaries - Public Works	608,974	590,979		17,995	3%	399,746	567,929	575,931
	Total Other - Public Works	452,975	424,685		28,290	7%	330,303	469,855	512,654
	Total Public Works	1,061,949	1,015,664		46,285	5%	730,049	1,037,784	1,088,586
	424 Total Other - Street Lighting: Increased rates for street lights & parking lot lighting								
	425 Total Other - Hager Well: 5-year cleaning								
	431 Total Other - Hazardous Waste: Hazardous Waste Day every other year								

		FY17							
		Submitted	FY16		FY17	FY17	FY16	FY15	FY15
		Budget	Budget		vs FY16	vs FY16	YTD 3/31	Budget	Actual
505	Total Salary	1,003	988		15	2%	494	988	494
505	Total Other	216	98		118	120%	144	100	100
505	Total Animal Inspector	1,219	1,086		133	12%	638	1,088	594
511	Total Salary	501	500		1	0%	250	500	500
511	Total Other	40,467	39,290		1,177	3%	19,193	36,390	38,939
511	Total BoH	40,968	39,790		1,178	3%	19,443	36,890	39,439
529	Total Salary	25,302	24,320		982	4%	16,120	0	8,163
529	Total Other	545	680		-135	-20%	0	25,000	3,397
529	Total Community Services	25,847	25,000		847	3%	16,120	25,000	11,560
541	Total Salary	50,034	47,908		2,126	4%	33,175	46,051	46,051
541	Total Other	5,675	5,100		575	11%	3,275	4,700	4,700
541	Total COA	55,709	53,008		2,701	5%	36,450	50,751	50,751
543	Total Salary	4,068	4,008		60	1%	2,164	1,027	39
543	Total Other	360	355		5	1%	88	355	33
543	Total Veterans	4,428	4,363		65	1%	2,252	1,382	73
	Total Salaries - Health Services	80,908	77,724		3,184	4%	52,203	48,566	47,084
	Total Other - Health Services	47,263	45,523		1,740	4%	22,700	41,545	43,773
	Total Health Services	128,171	123,247		4,924	4%	74,903	90,111	90,857
	505 Total Other - Animal Inspector: Increased mileage due to improvements in recording								
	529 Total Salary - Community Services: Hours may be temporarily increased, but add'l hours would be funded by grant and would not affect salary budget								
	529 Total Other - Community Services: Decreased mileage costs due to fewer scheduled off-site meetings								
	541 Total Other - COA: Increased printing and postage due to increased circulation								

		FY17							
		Submitted	FY16		FY17	FY17	FY16	FY15	FY15
		Budget	Budget		vs FY16	vs FY16	YTD 3/31	Budget	Actual
610	Total Salary	243,191	234,065		9,126	4%	165,110	214,309	214,068
610	Total Other	134,700	129,329		5,371	4%	75,222	119,012	125,593
610	Total Library	377,891	363,394		14,497	4%	240,332	333,321	339,660
630	Total Salary	25,481	26,722		(1,241)	-5%	23,851	26,471	21,712
630	Total Other	10,840	9,800		1,040	11%	7,170	9,400	10,336
630	Total Rec Comm	36,321	36,522		(201)	-1%	31,021	35,871	32,048
670	Total Salary	0	0		0	0%	0	0	0
670	Total Other	1,500	1,500		0	0%	18,321	1,000	2,672
670	Total Steele Farm	1,500	1,500		0	0%	18,321	1,000	2,672
691	Total Salary	0	0		0	0%	0	0	0
691	Total Other	4,045	4,045		0	0%	1,284	3,174	9,478
691	Total Hist Comm	4,045	4,045		0	0%	1,284	3,174	9,478
692	Total Salary	0	0		0	0%	0	0	0
692	Total Other	965	965		0	0%	395	965	510
692	Total Public Celebr	965	965		0	0%	395	965	510
699	Total Salary	0	0		0	0%	0	0	0
699	Total Other	1,500	1,500		0	0%	0	1,500	1,192
699	Total AB Cultural Council	1,500	1,500		0	0%	0	1,500	1,192
	Total Salaries - Culture & Rec	268,672	260,787		7,885	3%	188,961	240,780	235,780
	Total Other - Culture & Rec	153,550	147,139		6,411	4%	102,391	135,051	149,780
	Total Culture & Rec	422,222	407,926		14,296	4%	291,352	375,831	385,560
	630 Total Other - Recreation Commission: Playground repairs								

		FY17						
		Submitted	FY16		FY17	FY17	FY16	FY15
		Budget	Budget		vs FY16	vs FY16	YTD 3/31	Budget
								Actual
710	Total Salary	0	0		0	0%	0	0
710	Total Other	955,000	985,000		(30,000)	-3%	860,000	740,000
710	Total Retirement of LT Debt	955,000	985,000		(30,000)	-3%	860,000	740,000
751	Total Salary	0	0		0	0%	0	0
751	Total Other	167,858	188,438		(20,580)	-11%	180,150	162,897
751	Total Debt Interest	167,858	188,438		(20,580)	-11%	180,150	162,897
830	Total Salary	0	0		0	0%	0	0
830	Total Other	671,055	629,903		41,152	7%	629,903	612,822
830	Total County Retirement Assmt	671,055	629,903		41,152	7%	629,903	612,822
912	Total Salary	0	0		0	0%	0	0
912	Total Other	72,637	62,600		10,037	16%	45,111	60,279
912	Total Other Insurance	72,637	62,600		10,037	16%	45,111	60,279
915	Total Salary	0	0		0	0%	0	0
915	Total Other	677,800	632,750		45,050	7%	554,324	583,303
915	Total Employee Benefits	677,800	632,750		45,050	7%	554,324	583,303
945	Total Salary	0	0		0	0%	0	0
945	Total Other	85,756	81,391		4,365	5%	71,117	78,640
945	Total Liability Insurance	85,756	81,391		4,365	5%	71,117	78,640
	Total Salaries - Administration	0	0		0	0%	0	0
	Total Other - Administration	2,630,106	2,580,082		50,024	2%	2,340,605	2,237,941
	Total Administration	2,630,106	2,580,082		50,024	2%	2,340,605	2,237,941
		2,630,106	2,580,082		50,024	2%	2,340,605	2,237,941
132	Total Salary	0	0		0	0%	0	0
132	Total Other	185,000	185,000		0	0%	99,954	185,000
132	Total Reserve Fund	185,000	185,000		0	0%	99,954	185,000
	751 Total Other - Debt Interest: No new borrowing issued in FY2016							
	830 Total Other - County Retirement Assessment: Actuarial adjustment							
	912 Total Other - Other Insurance: Increased accident insurance premium (higher claims)							
	915 Total Other - Employee Benefits: 2 of 3 health insurance plans each increased by 8.3%							
	May include coverage for Community Services Coordinator for additional (grant) hours							

	FY17							
	Submitted	FY16	FY17	FY17	FY16	FY15	FY15	
	Budget	Budget	vs FY16	vs FY16	YTD 3/31	Budget	Actual	
Total Salaries - Town Government	626,489	671,057	(44,568)	-7%	432,723	648,013	629,550	
Total Salaries - Protection	2,257,729	2,222,168	35,561	2%	1,570,234	2,106,141	2,100,154	
Total Salaries - Public Works	608,974	590,979	17,995	3%	399,746	567,929	575,931	
Total Salaries - Health Services	80,908	77,724	3,184	4%	52,203	48,566	47,084	
Total Salaries - Culture & Rec	268,672	260,787	7,885	3%	188,961	240,780	235,780	
Total Salaries	3,842,772	3,822,715	20,057	1%	2,643,867	3,611,429	3,588,499	
Total Other - Town Government	321,210	302,356	18,854	6%	258,064	219,007	242,661	
Total Other - Protection	307,245	261,640	45,605	17%	177,409	281,133	283,902	
Total Other - Public Works	452,975	424,685	28,290	7%	330,303	469,855	512,654	
Total Other - Health Services	47,263	45,523	1,740	4%	22,700	41,545	43,773	
Total Other - Culture & Rec	153,550	147,139	6,411	4%	102,391	135,051	149,780	
Total Town Other	1,282,243	1,181,343	100,900	9%	890,868	1,146,591	1,232,771	
Total Town Government	947,699	973,413	(25,714)	-3%	690,787	867,020	872,211	
Total Protection	2,564,974	2,483,808	81,166	3%	1,747,643	2,387,274	2,384,056	
Total Public Works	1,061,949	1,015,664	46,285	5%	730,049	1,037,784	1,088,586	
Total Health Services	128,171	123,247	4,924	4%	74,903	90,111	90,857	
Total Culture & Rec	422,222	407,926	14,296	4%	291,352	375,831	385,560	
Total Town Expenses	5,125,015	5,004,058	120,957	2%	3,534,735	4,758,020	4,821,270	
Total Other - Education	11,700,640	11,285,580	415,060	4%	8,464,187	10,741,831	10,741,831	
Total Other - Administration	2,630,106	2,580,082	50,024	2%	2,340,605	2,237,941	2,256,574	
Total Reserve Fund	185,000	185,000	0	0%	99,954	185,000	168,078	
Total Other Costs	14,515,746	14,050,662	465,084	3%	10,904,746	13,164,772	13,166,483	
Total Expenses	19,640,761	19,054,720	586,041	3%	14,339,527	17,922,792	17,819,675	

Mr. Fallon went through budget line item by line item. There was no discussion.

Action on Article 5: Motion carried unanimously.

**ARTICLE 6 COMMUNITY PRESERVATION FUND - CPC REPORT AND ESTABLISH
FY 17 RESERVES**

(Majority vote required)

Owen Neville, chair of the Community Preservation Committee, moved 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 the sum of Eight Thousand Dollars (\$8,000) 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:

Twenty-Three Thousand Dollars (\$23,000) for open space, including land for recreational use,
 Twenty-Three Thousand Dollars (\$23,000) for historic resources,
 Twenty-Three Thousand Dollars (\$23,000) for community housing purposes, and

One Hundred Fifteen Thousand (\$115,000) for a FY 2017 Budgeted Reserve;

and further, to transfer from the Community Preservation Fund Balance the sum of Seven Hundred Dollars (\$700) to the Open Space Reserve, and the sum of Seven Hundred Dollars (\$700) to the Community Housing Reserve to meet the 10% set asides for 2016 as required by Massachusetts General Law Chapter 44B.

Summary

Each fiscal year, the legislative body, i.e. Town Meeting, must appropriate or reserve for future appropriation no less than 10% 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 administrative expenses.

This year, the Community Preservation Committee is recommending that the following estimated amounts be set aside from estimated annual revenue:

\$23,000	<i>open space, including land for recreation use</i>
23,000	<i>historic resources</i>
23,000	<i>community housing purposes</i>
115,000	<i>FY 17 budgeted reserve</i>

Additionally, the CPC is recommending that an amount of \$8,000 be set aside to meet the administrative expenses of the Community Preservation Committee. These expenses include legal fees, project signs and membership in the Community Preservation Coalition.

“Estimated annual revenue” is the total of the amount to be collected in the upcoming fiscal year, i.e. FY 2017, under the local surcharge and the November state matching funds for the prior fiscal year.

The state’s match was greater than estimated when the May 2015 Town Meeting voted to approve the 2016 reservations and appropriations. This article seeks to remedy that shortfall.

The Board of Selectmen recommends unanimously (5-0).

The Selectmen support the establishment of the reserves and the set aside for administrative expenses as proposed by the Community Preservation Committee.

The Finance Committee recommends unanimously (5-0).

The Town passed the Community Preservation Act (CPA) in May 2014, which was also supported at the ballot in November 2014. Pursuant to the CPA, the Town levies a surcharge of 1.0% on Boxborough real estate bills. These local CPA revenues will be matched by the state from a dedicated fund. This is a bookkeeping exercise to allow appropriation of FY17 revenues. The following chart highlights the actual/projected flow of funds since inception:

Community Preservation Fund Balance (6/30/14)	\$0
Add: 1% surcharge collected	\$154,530
FY15 CP Fund Balance (6/30/15)	\$154,530
Add: 1% surcharge collected (estimate)	\$159,202
Add: State Match (29%, based on FY15)	\$46,149
Less: Appropriations (Approved May 2015)	(\$112,000)
Less: Administrative costs (Approved May 2015)	(\$8,000)
Estimated CP Fund Balance (6/30/16)	\$239,881

Add: 1% surcharge collected (estimate)	\$175,000
Add: State Match (30% estimate)	\$47,761
Less: Appropriations (Proposed May2016)	(\$236,020)
Less: Administrative Costs (Proposed May 2016)	(\$8,000)
Estimated CP Fund Balance (6/30/17)	\$218,622

Mr. Neville provided an overview of how the Community Preservation Fund works and said that the town had received \$46k from the state in matching funds last year. He talked about the role of the Community Preservation Committee.

Action on Article 6: Motion carried unanimously.

ARTICLE 7 COMMUNITY PRESERVATION FUND - OPEN SPACE (INCLUDING RECREATION)

(Majority vote required)

7A

Mitzi Weil, member of the Recreation Commission and Community Preservation Committee, moved to appropriate from the Community Preservation Fund Open Space Reserve the sum of Five Thousand Five Hundred Dollars (\$5,500) for the preparation of a Site Plan for Basketball and Tennis Courts at Liberty Fields, as recommended by the Community Preservation Committee.

7A	\$5,500	Site Plan for Basketball and Tennis Courts at Liberty Fields	Recreation Commission
7B	\$40,000	T.J. O’Grady Skate Park Expansion	Recreation Commission
TOTAL	\$45,500		

Summaries and Recommendations

7A - Site Plan for Basketball and Tennis Courts at Liberty Fields

The Community Preservation Committee recommends.

The Recreation Commission recommends unanimously.

Kevin Lehner, chair of the recreation Commission, presented the rationale for the recommendation. He said it was based on input from town residents from the Open Space survey on what they wanted to see for recreational options for the town.

The Board of Selectmen recommends unanimously (5-0).

Open space parks are critical to the quality of life in a community and provide a wide range of benefits. The Boxborough Open Space and Recreation survey completed in 2015 found that Boxborough residents were most interested in a Town pool, tennis courts and basketball courts. Currently our residents must travel to surrounding towns to use outdoor basketball and tennis courts as none exist in Boxborough. Based on land use maps, the Recreation Commission believes there is sufficient room at Liberty Fields to accommodate one basketball court and one tennis court.

Funding this article through the CPA will provide for surveying of the land, designing an initial layout and developing a construction document and cost estimates, which will enable the Recreation Commission to come back to a future Town Meeting to seek funding for the construction of a basketball court and tennis court at Liberty Fields.

The Finance Committee recommends unanimously (5-0).

This is consistent with the Recreation Commission plan and will generate plans for the creation of a facility that will support a broad community in town. A concern is that it might lead to overuse of the grass soccer fields by preventing their rotation.

Action on 7A: Motion carried unanimously.

7B - CPC – TJ O’Grady Skate Park Expansion

Ms. Weil moved to appropriate from the Community Preservation Fund Open Space Reserve the sum of Forty Thousand Dollars (\$40,000) to be transferred to the Town of Acton, pursuant to an Inter-Municipal Agreement, for the T.J. O’Grady Skate Park Expansion, as recommended by the Community Preservation Committee.

Summary

The T.J. O’Grady Memorial Skate Park is situated on Hayward Road in Acton, abutting the grounds of the Acton-Boxborough Regional High School. It opened in November 2005 to celebrate the life of T.J. O’Grady, a Boxborough resident and student at the R.J. Grey Junior High who tragically passed away while skateboarding on a street in Boxborough. The park was originally funded by the taxpayers of Acton, corporate and personal donations, as well as in-kind volunteer hours.

As the use of the Skate Park by Boxborough and Acton residents continues to grow, funding is now being sought for the construction of a skate bowl and a plaza, which will provide a formal entrance to the skate park complex, a viewing area for onlookers and handicap accessible park amenities for Skate Park and Lower Field amenities. The majority of the funding for the \$265,000 project is being sought from the Town of Acton.

The Community Preservation Committee recommends.

The Recreation Commission recommends unanimously.

Mr. Lehner gave a brief history of the T.J. O’Grady Skate Park. He pointed out that it was established to honor a Boxborough teen who died while skate-boarding on a town roadway.

In 2005, the Recreation Commission came before the Town to request \$40,000 to aid in the initial construction of the Skate Park. That request was voted down, and the original design was not constructed. The Recreation Commission strongly supports this current endeavor to improve and expand the facility, which will benefit the communities of Boxborough and Acton.

He showed the current skate park and where the expansion is planned. There are two phases—phase 1 is being funded by Acton; phase 2 needs help from the Town of Boxborough.

Mr. Lehner said that the state now encourages regional cooperation on using CPA funds. He highlighted several examples of successful collaboration between towns for recreational projects.

The Board of Selectmen does not recommend (3-2).

Majority Opinion: Mr. Stemple

The Selectmen voted not to support the use of Boxborough CPA monies to fund the expansion of the T.J. O’Grady Skate Park primarily because the skate park is located in Acton. It goes against a key argument advanced for adoption of CPA at the 2014 ATM. At that time the Selectmen noted it would be smart financial planning to

leverage state matching funds for town preservation expenditures that we would likely make anyway, absent CPA. Funding expansion of the skate park in Acton would be inconsistent with that intent.

Minority Opinion: Mr. Amoroso

We recommend that the Town adopt the recommendations of the Community Preservation Committee and the Recreation Committee and use \$40,000 of Boxborough CPA monies to fund 15% of the cost of improving the T.J. O'Grady Skate Park. Although the park is located in Acton, it is adjacent to the playing fields of the Acton Boxborough Regional High School, where it has been and will continue to be a benefit to Boxborough's students and residents. Acton will pay 85% of the cost, in keeping with our towns' respective enrollment at ABRHS.

In 1955, Boxborough decided to regionalize grades 7-12 with Acton. We have sent generations of Boxborough students to the ABRHS campus next to this skate park. In 2013, by a vote of 439-175, Boxborough recommitted itself to jointly educate our students with Acton by extending the Regional School District to include the elementary schools. Fully 60% of our town budget supports the AB Regional School District. About half of Boxborough's education budget is spent in Acton because it benefits Boxborough's students to do so. This skate park expansion will do so, too.

As the summary above notes, this skate park celebrates the life of T.J. O'Grady, a Boxborough resident and student at the R.J. Grey Junior High School, who tragically passed away while skateboarding on a street in Boxborough. The fact it is named for a Boxborough student who never had the benefit of a skate park is not the reason to fund it: it is the reason we need it.

Vince Amoroso
Susan Bak

The Finance Committee unanimously does NOT recommend (5-0).

The Finance Committee would like to see Community Preservation Open Space monies used to support activities in Boxborough that would benefit a broader segment of the population. In addition, the Committee has serious concerns about reported inappropriate use of the Skate Park.

Discussion:

Becky Neville, Middle Rd., said it is not Regional property; it is strictly an Acton property.

Maria Neyland, Picnic St., agreed with Becky that it is not the same as if it were a regional property. She has seen smoking and other negative behaviors.

Norm Hanover, Boxmill Rd., spoke in favor of encouraging fitness among town youth, but thinks we'd be better off funding facilities for activities that person can participate in throughout life.

Trina Touns, Flagg Hill Rd., said that a lot of opportunities for sports are elitist and expensive. Skate boarding is accessible.

Amy Burke, Sargent Rd., said she is not against skate-boarding. She spends a lot of time in Lower fields and has personally seen drug activity at the skate park.

Malin Goodwin, Littlefield Rd., mentioned the inadequate parking at lower fields, would this make it worse? Mr. Lehner asked to recognize Cathy Fochtman, Acton Recreation Director. She said that expansion of the skate park will not add or take away from existing parking.

Walter vanRoggen, Patch Hill Rd., asked how many Boxborough residents use the facility. Mr. Lehner said there is no way to know. The skate park is open to all.

Vince Amoroso, Liberty Square Rd., addressed the issue of drug activity. According to the Acton Chief of Police there were 2 or 3 times that kids were there after hours in 2015. There were no reports or arrests for drugs or alcohol in 2015, or 2016 to date. Surveillance cameras and increased police presence have made a difference.

Frank Powers, Stonehedge Pl., moved the question.

The motion to vote now carried by 2/3, as declared by the moderator.

Action on Article 7B: Motion failed.

ARTICLE 8 COMMUNITY PRESERVATION FUND - COMMUNITY HOUSING

(Majority vote required)

8A	\$5,465	Transfer to the Affordable Housing Trust for Regional Housing Monitoring Services for Year 3 (Calendar Year 2016) Services	Boxborough Housing Board
8B	\$6,000	Transfer to the Affordable Housing Trust for Regional Housing Monitoring Services for Year 4 (Calendar Year 2017) Services	Boxborough Housing Board
8C	\$26,280	Boxborough Rental Voucher Program (BRVP)	Well-Being Committee and Boxborough Housing Board
TOTAL	\$37,745		

8A and 8B

Ron Vogel, member of the Community Preservation Committee, moved to appropriate from the Community Preservation Fund Community Housing Reserve the sum of Eleven Thousand Four Hundred Sixty-Five Dollars (\$11,465) to be transferred to the Affordable Housing Trust, pursuant to a grant agreement, for Regional Housing Monitoring Services for Years 3 and 4 (Calendar Years 2016 and 2017) Services, as recommended by the Community Preservation Committee.

Al Murphy provided the Housing Board presentation and spoke to the activities of the RHS.

Summaries and Recommendations

8A and 8B - Transfer to the Affordable Housing Trust for Regional Housing Monitoring Services for Years 3 and 4 (2016 & 2017)

Summary

For the past two years, Boxborough has been a part of a Regional Housing Services (RHS) collaboration that provides services related to the monitoring and maintenance of affordable housing. The RHS has also prepared Boxborough’s Housing Production Plan. The services are provided by Metro West Collaborative Development, Inc. of Watertown, MA and will also include assistance with handling the Town’s responsibilities for the new Chapter 40B development, Jefferson at Beaver Brook.

Article 8A requests \$5,465 for the Town’s portion of Year 3 (Calendar Year 2016) of the RHS. Article 8B requests \$6,000 for the anticipated Year 4 (Calendar Year 2017) of the RHS. In both cases, funds will be transferred to Boxborough’s Affordable Housing Trust (AHT) to avoid difficulties related to differences in the funding cycles of the RHS and the Town, calendar year versus fiscal year, respectively. A Grant Agreement will legally constrain the AHT to use the funds only for the RHS.

The Community Preservation Committee recommends.

The Housing Board recommends.

The RHS has worked well and has significantly unburdened both Housing Board members and Administrative Staff.

The Board of Selectmen recommends unanimously (5-0).

The Finance Committee recommends unanimously (5-0).

For the past two years, the town has been part of a Regional Housing Services collaboration that administers services associated with the monitoring and maintenance of affordable housing and supports residents seeking affordable housing services. This appropriation will fund the third year of this service arrangement.

The Finance Committee also unanimously recommends (5-0) funding the fourth year of the Regional Housing Service collaboration.

Action on Articles 8A and 8B: Motion carried unanimously.

8C - Boxborough Rental Voucher Program (BRVP)

Mr. Vogel moved to appropriate from the Community Preservation Fund Community Housing Reserve the sum of Twenty-Six Thousand Two Hundred Eighty Dollars (\$26,280) for the establishment and implementation of the Boxborough Rental Voucher Program (BRVP), as recommended by the Community Preservation Committee.

Mr. Murphy made the presentation on the Rental Voucher Program and described how it would operate. He said that it is intended as a short-term solution for housing issues experienced by certain financially stressed residents.

Summary

The Boxborough Rental Voucher Program (BRVP) will help very-low to moderately-low income residents with their rental-housing expenses. The Well-Being Committee and the Housing Board jointly support this program. A number of low-income Boxborough households are faced with financial stress due to high rent and the inability to obtain federal and state rental-assistance. The BRVP will target households that have incomes that are lower than the incomes of those typically helped by a Chapter 40B development. In some cases, their circumstances have already brought them to the attention of our Community Services Coordinator. Similar programs, the Federal Section 8 Program or the Massachusetts Rental Voucher Program, are oversubscribed and have long waiting lists.

An outside organization will be used to help administer the program. Details such as eligibility rules, payment mechanics, and providing financial counseling to recipients are being finalized. An important objective of the BRVP will be to work with households to attain self-sufficiency; case management and other counseling as needed will be a requirement for participation.

The Community Preservation Committee recommends.

The Well-Being Committee recommends.

The Committee is convinced that there is significant need for rental assistance in the community and urges Town Meeting to support the Boxborough Rental Voucher Program as proposed.

The Housing Board recommends.

The BRVP addresses a need that has been identified by a recent Housing Needs Assessment and the Housing Production Plan. The BRVP will help low-income members of our community with their housing expenses, help that is otherwise not readily available.

The Board of Selectmen recommends unanimously (5-0).

The Finance Committee recommends unanimously (5-0).

Pro: This program uses CPA funds to reduce the rental costs for some of the neediest households in town, specifically those with incomes below the Very-Low-Income level which are lower than those typically helped by a 40-B development. The program would provide rental assistance up to \$250/month to qualifying households.

The program would be comparable to existing programs in other towns, and would be administered by an outside organization.

Con: The administrative costs of \$8,280 are high relative to the amount expended on rental support (\$18,000); in order to achieve its objectives, this needs to be part of a broader support program that has not been defined or costed out; we need to be prepared to continue this for the foreseeable future as once it is implemented it could be difficult to stop.

Discussion:

Jeanne Kangas, Hill Rd., had a question for Al. How do you determine if it works? He said there were concerns—the program needs landlords to continue to participate, and the families will get ongoing case management. She is concerned that there are no metrics for success.

Mary Brolin, Guggins Ln., says there is research that says if you help people short-term they have good outcomes. She offered to help with developing the metrics.

Channing Wagg, member of the Well-Being Committee, said that conceptually the program works—he cited two communities that have had success in helping people become self-sufficient.

Michael Fetterman, Burroughs Rd., asked whether the people need to be from Boxborough to participate. Al said those details are being worked out.

Walter Van Roggen asked about the budget. How was it arrived at. Al said that the Housing Board wanted to be conservative.

Zhiyo Bo, Guggins Ln., wanted to clarify about Boxborough residency.

Dave Follett, Cobleigh Rd., said the concept is great. He wondered about implementation. Al said the point of contact for participants would be Lauren Abraham, Community Services Coordinator. Dave was uncomfortable with committees being so familiar with the issues faced by struggling families. Al asked for Lauren Abraham to address the privacy concerns expressed by Mr. Follett. She described the application process—it would strictly be the financials that indicate whether they qualify, no personal or family issues would be shared. She admitted that committee members would know the families that are applying. She said Metrowest could also be used to do the selection. Mr. Follett said he was concerned about taking support away. Lauren said that ending programs is always difficult. Mr. Follett said he was going to vote against the motion. He thought there were details that still needed to be worked out.

Mr. Toups asked about the numbers. What is startup cost vs yearly. Al estimated that the cost would be \$4k/year. Mr. Toups noted how few families would be helped. Al said you can't help everyone and they wanted to start small.

Ms. Neville moved the question. That motion carried by 2/3, as declared by the Moderator.

Action on Article 8: Motion carried by majority vote.

ARTICLE 9 COMMUNITY PRESERVATION FUND – HISTORIC RESOURCES

(Majority vote required)

9A	\$11,000	Conservation of Historic Town Records	Town Clerk
9B	\$106,775	Rehabilitation of Grange Meeting Room	Inspector of Buildings
9C	\$35,000	Rehabilitation of Historic Town Hall exterior steps	Inspector of Buildings
TOTAL	\$152,775		

Summaries and Recommendations

9A - Conservation of Historic Town Records

Alan Rohwer, member of the Community Preservation Committee, moved to appropriate from the Community Preservation Undesignated Fund Balance the sum of Eleven Thousand Dollars (\$11,000) for the Conservation of Historic Town Records, as recommended by the Community Preservation Committee.

Summary

The requested appropriation will fund the second phase of a three-year project to preserve historic records of the town. The process includes deacidification, mending and reinforcement of paper as necessary, resewing and rebinding, as well as photographing each page and preparing a CD for web access.

Phase one of the project, which was funded by an appropriation from CPA funds at last year’s Town Meeting, was completed in October 2015 and preserved Town Records for 1835-1866, 1866-1896, 1896-1918, 1918-1933 and 1932-1947.

The second phase of the project will include Town Records for 1947-1955, 1955-1961, 1961-1969, 1970-1975, Town Order Book for 1853-1876, Selectmen’s Orders for 1876-1911, Town Order Book for 1820-1833 and Board of School from 1881-1898.

The Community Preservation Committee recommends.

The Board of Selectmen recommends unanimously (5-0).

This is year two of a three-year project to repair, rebound and renovate the preservation of public records as required under MGL Chapter 66, §9. Many of the town’s historic records are in very poor condition. Bindings, covers and individual pages of documents have deteriorated and the writing is becoming illegible. Without prompt attention, we are in danger of losing vital information from the town’s past.

The Finance Committee recommends unanimously (5-0).

This will support the second year of a three-year project to preserve and digitize historic records of the town. This is an obligation under state law.

Action on Article 9A: Motion carried unanimously.

9B – Rehabilitation of Grange Meeting Room

Mr. Rohwer moved to appropriate from the Community Preservation Fund Historic Resources Reserve the sum of Twenty-Four Thousand Dollars (\$24,000) and the sum of Eighty-Two Thousand Seven Hundred and Seventy-Five Dollars (\$82,775) from the Community Preservation Undesignated Fund Balance for the Rehabilitation of Grange Meeting Room, as recommended by the Community Preservation Committee. Gerry Noel, Building Inspector, was recognized to make the presentation. He pointed out the changes that would be made: removal of

the stage, creation of two office areas and a foyer leading into the meeting room. He spoke about all the improvements that would be made to the lighting, communications technology, flooring and ceiling.

Summary

The appropriation will enable the rehabilitation of the Grange Meeting Room, while also providing for the increased efficiency of Town Hall space. The project will include necessary improvements to the room's lighting, ceiling, walls and floor as well as the construction of a lobby/reception area at the east end of the meeting room. Additionally, through a dedicated cable funding source, improvements will be made to the Town's cable and presentation infrastructure.

The upstairs Town Hall space will be enhanced by creating a lobby area, which will provide a place for those waiting to enter the Grange Meeting Room for a meeting or event and will enable them to congregate without distracting those in the meeting room. The capital improvements will also increase the efficiency with which the townspeople are able to vote, as it will allow the Town Clerk to develop a queue that makes better use of the space and does not extend down the stairs.

The Community Preservation Committee recommends.

The Board of Selectmen recommends unanimously (5-0).

The original Town Hall was constructed in 1901. The high usage and traffic of the Grange Hall Meeting Room by boards, committees, commissions and other groups for meetings and functions on a regular basis has taken a toll on the space. The original plaster ceiling was replaced by a suspended ceiling with inefficient fluorescent lighting. The fir flooring has suffered over 100 years of heavy use and is beyond repair. The plaster and wood walls are cracked and damaged and the room needs to be repainted.

This article and a previously funded article for the flooring will allow for new flooring, plastered ceiling with energy efficient period lighting and fresh paint on the walls. A large retractable video screen will be installed to facilitate multimedia presentations by various boards, committees, or others. Data, communication and CATV cables will be run under the floors for enhanced broadcast of meetings on cable TV.

Architectural elements such as the two wood columns from the stage will be retained to maintain the original spirit of their 1901 installation.

This project will improve the functionality of a one-hundred-year-old building and is an attempt to adapt to the demands of the 21st century.

Funding for the CATV infrastructure will be from the proceeds granted under licensing agreements with Verizon and Comcast.

The Finance Committee recommends unanimously (5-0).

This project will renovate the Grange Meeting Room in the Town Hall, a heavily used room, and provide better AV facilities for meetings that are held there.

Discussion:

Malin Goodwin, Littlefield Rd., asked about the need for storage. Gerry said that storage would be moved to space in the museum.

Becky Neville asked about the previous warrant articles that funded this. Gerry said there was \$10K appropriated in a previous article.

Action on Article 9B: Motion carried by majority vote.

9C - Rehabilitation of Historic Town Hall Exterior Steps

Mr. Rohwer moved to appropriate from the Community Preservation Fund Historic Resources Reserve the sum of Thirty-Five Thousand Dollars (\$35,000) for the Rehabilitation of Historic Town Hall exterior steps, as recommended by the Community Preservation Committee.

Mr. Noel made the presentation showing the need to fix the exterior steps.

The Community Preservation Committee recommends.

The Board of Selectmen recommends unanimously (5-0).

Last year, Town Meeting voted to fund the repair of the exterior steps to Town Hall with an appropriation of \$10,000. Unfortunately, the funding was not adequate.

The existing stairs are made of brick and mortar. This material does not hold up well in New England winters. Under the circumstances, the Inspector of Buildings has recommended a two-inch-thick veneer granite slab for the stairs with fieldstone risers. Granite won't chip or crack from the freezing or thawing process, nor does it degrade over time like wood, brick or concrete and is unaffected by ice melting chemicals.

The fieldstone risers and the sides of the stairs will match the foundation of the existing building and restore it to its historical condition. The only maintenance required in the future will be to repair or replace the mortar used to install the fieldstone.

This article will also provide for four hand railings, two of which will align with the pillars at the front of the Town Hall.

The Finance Committee recommends (3-2).

This article adds to the funds that were allocated to this project at the ATM in May 2015, to repair the main steps at the front of the Town Hall. A significant concern is that this is a large expense for an access route that is rarely used.

Action on Article 9C: Motion carried by majority vote.

FISCAL CONSENT AGENDA: ARTICLES 10,11,13-22

(Two-thirds majority required)

Mr. Amoroso moved to approve the fiscal consent agenda, articles 10 through 22, except for 12, as printed in the 2016 Annual Town Meeting warrant under articles 10 through 22 inclusive, except for 12, to be appropriated as printed in the "Town of Boxborough Annual Town Meeting May 9, 2016 Motions" handout.

Action on Articles 10, 11, and 13-22, inclusive: Motion carried unanimously.

ARTICLE 10 TRANSFER TO OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND**

(Two-thirds vote required)

As part of the Fiscal Consent Agenda, Mr. Amoroso moved to transfer from the stabilization fund the sum of Sixty-Two Thousand Five Hundred Dollars (\$62,500) 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.

Summary

On May 11, 2010, Town Meeting authorized the establishment of an OPEB Trust Fund to provide a mechanism for housing the monies to fund the actuarial liability for retiree benefits. A transfer of seventy-five thousand dollars was initially authorized by Town Meeting in 2012 to begin funding that liability. For each of the past three years, we have continued that funding by transferring one hundred thousand dollars to the OPEB Trust Fund.

This year's proposed appropriation would enable the town to continue to fund the liability, but at a reduced rate to take into consideration the reduced liability due to the transfer of school employees to the AB Regional School District. (The OPEB liability attributable to staff at the Region is included in the Town's education budget, as part of the Town's assessment).

The Board of Selectmen recommends unanimously (5-0).

As explained in the summary, the amount proposed in this article will continue the effort started in 2012 to make a small but actuarially significant contribution to fund the Town's liability for retiree's healthcare benefits. The Town's FY 2017 unfunded liability, as reported in the June 30, 2014 actuarial study, amounts to \$2,635,795. This estimated unfunded liability results from an actuarial calculation combining somewhat speculative rates of future retiree healthcare outlays, mortality rates and future fund earnings. The proposed amount of our FY 2017 contribution represents a reasonable balance between actuarial estimates of future liabilities and the estimated future value of the accumulating and compounding trust fund contributions. Failure to fund this OPEB obligation through regular and actuarially significant contributions may, in the future, affect the Town's Standard and Poor's AAA credit rating.

The Finance Committee recommends unanimously (5-0).

The Town established an OPEB ("Other Post-Employment Benefits") Trust Fund in 2010 and the current balance is ~ \$375,000. In addition to pension benefits, the Town provides retired employees with health care and life insurance benefits; costs are accounted for on a pay-as-you-go basis. While the accounting standards under GASB 45 do not require pre-funding of these liabilities, the Finance Committee believes that it is prudent to set aside reserves to begin addressing the issue. Bonding authorities also look favorably upon putting aside funds to fund the OPEB liability.

Our last actuarial study was completed as of June 30, 2014 and provided the Town with a detailed analysis of the unfunded liability for other post-employment benefits for active and retired employees, which totaled \$2,578,000. This amount represented a decrease of \$6,305,000 from \$8,883,000 as shown in the previous June 30, 2011 actuarial study. The decrease is due to the transfer of Blanchard School employees into the Acton-Boxborough Regional School District.

Boxborough OPEB History

Year	OPEB Trust Fund Contribution
FY13	\$75,000
FY14	\$100,000
FY15	\$100,000
FY16	\$100,000
FY17	\$62,500 (proposed)

Unfunded liability is approximately \$2,578,000 (as of 6/30/14).
 OPEB Trust Fund Balance, assuming that FY 17 is funded as proposed, will be approximately 437,500.
 Funded Ratio = 17%

ARTICLE 11 FRAUD RISK ASSESSMENT**

(Majority vote required)

As part of the Fiscal Consent Agenda, Mr. Amoroso moved to transfer from free cash the sum of Ten Thousand Dollars (\$10,000) for the purpose of hiring a consultant to perform a risk assessment to identify, analyze, and manage the risk of asset misappropriation.

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.

The Board of Selectmen recommends unanimously (5-0).

The Town's independent auditor has recommended that the Town undertakes a fraud risk assessment. Such a study is the prudent and responsible course of action in order to mitigate potential risk associated with fraud. The assessment will proactively identify and address the Town's vulnerabilities to internal and external fraud and enable management to develop plans to mitigate fraud risk, develop techniques to determine if fraud has occurred in high-risk areas, and assess internal controls.

The Finance Committee recommends unanimously (5-0).

Approval of this article will enable the development and implementation of a long-overdue fraud risk assessment program.

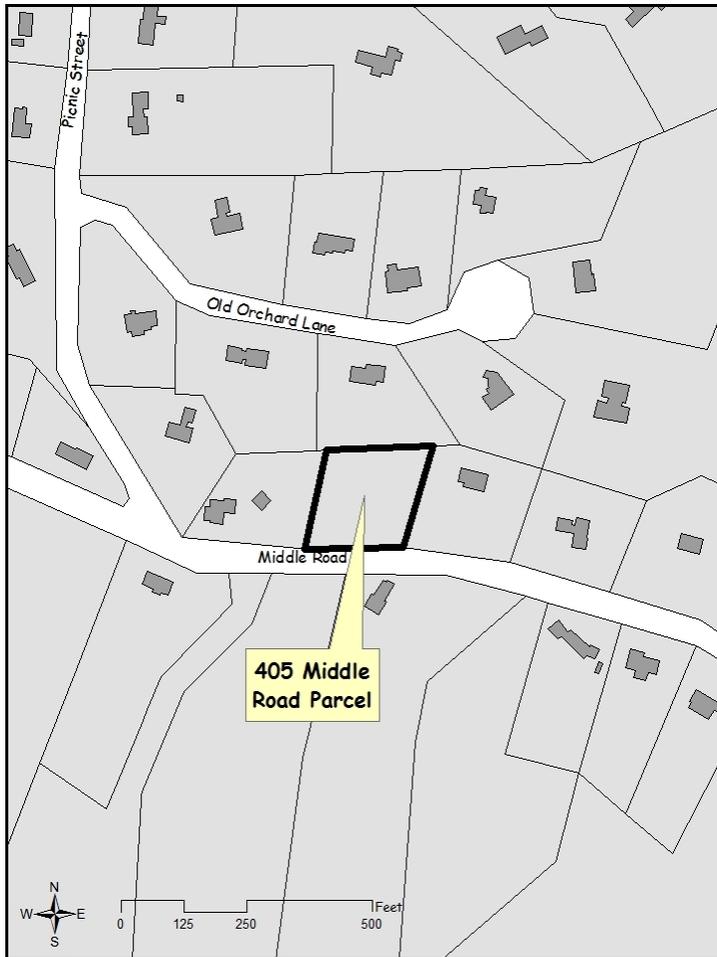
ARTICLE 12 SOIL AND PERCOLATION TESTING – 405 MIDDLE ROAD

(Majority vote required)

Mr. Amoroso moved to transfer from free cash the sum of Three Thousand Dollars (\$3,000) for the purpose of hiring a consultant to perform soil and percolation testing at 405 Middle Road.

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 dwelling on the property.



The Board of Selectmen recommends unanimously (5-0).

The property at 405 Middle Road is in a desirable location just steps away from the Steele Farm land. It could have substantial value to the town depending on the results of the soil and percolation testing. The Board believes that \$3,000 is a reasonable expenditure that will allow us to determine the market value of the property. This will allow the Town to make an informed decision when determining how it can best serve the interests of the Town.

The Finance Committee recommends unanimously (5-0).

This work is a necessary precursor to understanding how best the town can utilize this property.

Discussion:

Jessica Eichelburg, Hill Rd., wants to know what “value” means? Mr. Amoroso said the property could have financial value. Is there a precedent for town property being developed and sold for profit for the benefit of the town?

Mr. Gustafson, Old Orchard Lane, said that the lot was part of the Old Orchard Lane development but was not sold as a lot originally because it didn’t perk.

Jeanne Kangas said that she is not aware of any property that the town has done this with.

Mr. Fox said that one of the Codman Hill condos was taken in a tax-taking and then converted to a deed-restricted affordable unit and sold.

Mr. Bunyard asked whether the town was building a house or selling a lot? Mr. Amoroso said there is no plan yet on whether to sell it as a lot or build a house on it and sell it that way. Need to know what the property is worth before can determine options.

Al Murphy said that the Housing Board is interested in the property. Habitech for Humanity has looked at the property and is very interested in developing it. Need to know if it perks.

Ms. Eichelburg asked who decides how the property is used. It sounds to her as if the decision has been made to develop it. Mr. Amoroso said any expenditure of funds would be voted by town meeting.

Mr. Fox said this property is a tax-taking and the town can recover the taxes.

Mr. Follett, member of ConsCom, said it was not of interest in terms of conservation and open space.

Owen Neville said that drainage from Old Orchard Lane comes through the lot. Is it a legal lot? He asked to have Town Planner address the issue. Adam Duchesneau, Town Planner, said that according to General Law, if a lot conformed at one time to the zoning bylaw it would be grand-fathered if had 50 feet of frontage, which it does.

Action on Article 12: Motion carried by majority vote.

ARTICLE 13 COST OF BORROWING AND FIRST YEAR'S INTEREST**

(Majority vote required)

As part of the Fiscal Consent Agenda, Mr. Amoroso moved to transfer from free cash the sum of Fifty Thousand Dollars (\$50,000) 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.

The Board of Selectmen recommends unanimously (5-0).

The appropriation requested under this article provides for monies necessary to pay the first year's interest and cost of issuance for borrowing authorized at the 2015 and 2016 town meetings.

The Finance Committee recommends unanimously (6-0).

The proposed bond issue will be used to finance a combination of warrant articles approved at the 2015 Annual Town Meeting (~ \$1.2 million) as well as selected warrant articles at this ATM. The estimated bonding cost has been provided by Eastern Bank. The timing and terms of the bond issue are TBD.

ARTICLE 14 REPLACEMENT OF 3 TOWN HALL HVAC UNITS**

(Two-thirds vote required)

As part of the Fiscal Consent Agenda, Mr. Amoroso moved that the sum of Twenty Thousand Dollars (\$20,000) be and hereby is appropriated for the purpose of paying costs of replacing one furnace and two air conditioning systems in the Town Hall, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7 or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

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.

The Board of Selectmen recommends unanimously (5-0).

The Town Hall has suffered for many years with inefficient, poorly balanced, and most recently unreliable HVAC equipment. As indicated in the Summary, a substantial portion of the HVAC system has been replaced in the past year due to equipment failures. This article completes the renovation of the Town Hall HVAC system, and should provide many years of trouble-free service.

The Finance Committee recommends unanimously (6-0).

In FY 16, the Finance Committee approved reserve fund transfer requests to replace three furnace/AC units which failed at Town Hall. Approval of this article will provide for the replacement of the remaining furnace and two HVAC units remaining on the east side of Town Hall with more energy efficient units. The Town Hall HVAC units are 30 years old and beyond their useful life. The result is an inefficient and unreliable HVAC system that is in need of replacement. These items were added to the Capital Plan in 2016 due to the increased likelihood of their failure.

**ARTICLE 15 REPAIRS TO TOWN HALL CHIMNEY AND BOXBOROUGH MUSEUM
ROOF****

(Two-thirds vote required)

As part of the Fiscal Consent Agenda, Mr. Amoroso moved that the sum of Ten Thousand Dollars (\$10,000), be and hereby is appropriated for the purpose of paying costs of repairing the Town Hall chimney and the Boxborough Museum roof, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7 or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

The Board of Selectmen recommends unanimously (5-0).

The chimneys on the Town Hall suffer a number of problems, including: damaged flashing, cracked bricks, loose or missing mortar and cracked or spalled top covers. Repair of these conditions is needed to forestall further deterioration that would lead to more serious repair/replacement requirements in the not-too-distant future. The Museum roof has a persistent if elusive leak that has led to flooring and interior wall damage. As noted for the chimney repairs, a modest investment now will save a much larger damage remediation requirement in the future. The approximate split in cost between the two elements is: Town Hall chimney ~ \$1,800 and Museum roof ~ \$8,200.

The Finance Committee recommends unanimously (6-0).

Based upon inspections performed by the Town’s Inspector of Buildings, there is a need for repointing the Town Hall chimneys. In addition to this the Town Museum roof is in need of repair. It was reroofed in 2001 and it’s expected to last another 8-10 years. However, there is a need to fix a section of the roof that is currently leaking a small amount of water. Both of these projects were added to the Capital Plan in 2016 after an evaluation by the Town’s Inspector of Buildings.

**ARTICLE 16 UPGRADE AUDIO/VISUAL SYSTEM AT THE SARGENT MEMORIAL
LIBRARY****

(Two-thirds vote required)

As part of the Fiscal Consent Agenda, Mr. Amoroso moved that the sum of Ten Thousand Five Hundred Dollars (\$10,500), be and hereby is appropriated for the purpose of paying costs of upgrading the existing library meeting room A/V system, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7 or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

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 ensure 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.

The Board of Selectmen recommends unanimously (5-0).

Meetings are held in the Library's meeting room five times a week on average. The availability of a functioning, up-to-date audio-visual system is essential for providing presentations to meeting attendees. Those include government meetings that are also held in the room. The proposed upgrade includes removal of the older VHS components and projection systems and the installation of HDMI versus VGA laptop display support and newer Blue-ray video technology. The turn-key presentation system upgrade will integrate with the Town's new video studio in a box system allowing for delayed broadcast of events and meetings from the Library. The Board of Selectmen supports the request of the Library Trustees.

The Finance Committee recommends unanimously (5-0).

The current A/V system at the Library is out of date and incompatible with most modern laptop computers. This has been part of the Capital Plan for several years.

**ARTICLE 17 CAPITAL IMPROVEMENTS - BOXBOROUGH MUSEUM BASEMENT
(DEHUMIDIFIER AND STORAGE SHELVING UNITS)****

(Majority vote required)

As part of the Fiscal Consent Agenda, Mr. Amoroso moved to transfer from free cash the sum of Five Thousand One Hundred Dollars (\$5,100) including all costs incidental and relating thereto, for the purpose of acquiring a commercial dehumidifier and storage shelving for the Boxborough Museum.

Summary

To make the museum basement a useful space for off-site storage of various Town Hall records and materials, the humidity needs to be controlled and shelving installed. The space allocated for Town Hall record storage is approximately 22' x 11' and would accommodate eleven 48" x 24" shelving units. We plan to use the same type of shelving currently in the Town Hall vault since it has lasted well. Eleven shelving units are estimated to cost \$3,100; a commercial dehumidifier has been estimated at \$2,000.

The Board of Selectmen recommends unanimously (5-0).

When the former Town Library was transferred to the Historical Commission for use as a Museum, a portion of the enabling agreement provided for the storage of Town Records in the basement of the Museum, in addition to the artifacts that the Commission might wish to store. The intention of storing documents and artifacts in the Museum basement has been frustrated by excessive moisture and humidity levels in the basement, rendering the safety of materials stored there problematical. Drainage work by the DPW has improved, but not eliminated this situation, and active de-humidification is required to achieve the objective of safe document and artifact storage in the Museum basement. The importance of a solution to the basement moisture/humidity problem has been increased recently by the need to place public safety communications equipment also in the Museum. The recommended funds will provide for a commercial dehumidifier and storage shelving to finally achieve the objective of safe storage in the Museum basement.

The Finance Committee recommends unanimously (5-0).

The basement of the Historic Museum continues to be used for storage for the Town. The dehumidifier needs to be replaced and storage shelving needs to be added.

ARTICLE 18 CLOSE COMPLETED ARTICLES**

(Majority vote required)

As part of the Fiscal Consent Agenda, Mr. Amoroso moved to transfer to the General Fund the unexpended balance of monies in the amount of Twenty-Eight Thousand Two Hundred Fifteen Dollars and Forty-One Cents (\$28,215.41) as voted by past Town Meetings, and indicated in the table printed in the 2016 Annual Town Meeting warrant under Article 18 and further, to transfer from free cash the sum of One Hundred Fifty-Seven Dollars (\$157) to pay off short term borrowing notes issued under the authorization granted under Article 9 of the May 2013 Annual Town Meeting (Town Hall Windows).

	Description	Amount
May 2010 (ATM) Article 11	Fire Dept – Mobile Networks	\$40.14
May 2011 (ATM) Article 14	Police Station – Capital Improvements – Painting, Gutters & Fascia Board	87.11
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>\$28,215.41</u>

The Board of Selectmen recommends unanimously (5-0).

The Finance Committee recommends unanimously (6-0).

The purposes of these articles have been achieved – no more expenditures are required against the original town meeting authorizations. The unexpended funds will be transferred to the General Fund, producing a positive effect on our free cash position in FY 17.

ARTICLE 19

DEPARTMENTAL REVOLVING FUNDS - RE-AUTHORIZATION AND INCREASE CAPS FOR ELECTRICAL AND GAS/PLUMBING INSPECTIONS**

(Majority vote required)

As part of the Fiscal Consent Agenda, Mr. Amoroso moved to reauthorize departmental revolving accounts previously established by vote of the Town under Massachusetts General Laws, Chapter 44, Section 53E ½, as printed in the 2016 Annual Town Meeting warrant under Article 19 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.

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
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

Revolving Fund	Authority to Spend Funds	Revenue Source	Use of Funds	FY 17 Spending Limit	Disposition for FY 17 Fund Balance
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
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

Revolving Fund	Authority to Spend Funds	Revenue Source	Use of Funds	FY 17 Spending Limit	Disposition for FY 17 Fund Balance
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 recommends unanimously (5-0).

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 Beaver Brook 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., \$166,561), 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. Additionally, this article will permit the library to use up to \$1,500 in photocopying fees per year to defray expenses directly attributable to the use of the copier, e.g. copier supplies, maintenance.

The Finance Committee recommends unanimously (6-0).

**ARTICLE 20 ACCEPT MGL CH 44 § 53F¾ - PEG ACCESS AND CABLE RELATED FUND
AND TRANSFER EXISTING MONIES****

(Majority vote required)

As part of the Fiscal Consent Agenda, Mr. Amoroso moved 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 as of June 30, 2016 to the PEG Access and Cable Related Fund.

Summary

Under the terms of the cable television licenses granted by the Town, through the Board of Selectmen (the Issuing Authority), to Comcast (12/18/11 – 12/17/21) and Verizon (9/18/06 – 9/17/21), the Licensees provide the Town with: quarterly annual payments to support the ongoing operations of providing cable access, an annual licensing fee, as well as capital funding to be used for PEG Access equipment and/or facilities, including PEG Access video return. These monies have been held in a special revenue account under the control of the Issuing Authority, the Boxborough Board of Selectmen.

New legislation provides that the Town, upon acceptance of MGL c.44 S 53F¾, establishes a special revenue account in which the Town would reserve for appropriation the aforementioned cable related revenues to be expended for the purposes noted above. The legislation provides for transparency on the expenditure of the cable funds. Whereas such expenditure was previously under the control of the Board of Selectmen pursuant to the cable licensing agreements, it would now be subject to authorization by Town Meeting.

This article also provides for the transfer of the balances remaining in the previously established special revenue accounts to a new special revenue fund for receipts reserved for appropriation. As noted above, expenditures from that fund will require an affirmative vote of Town Meeting. The fund can be used for no purpose other than supporting the PEG Access and cable-related activities. Article 21 seeks town meeting approval of such expenditure.

The Board of Selectmen recommends unanimously (5-0).

Acceptance of this article will bring the town into compliance with recent Massachusetts Department of Revenue directives on the use and appropriation of funds received from our licensed cable television franchisees (Verizon and Comcast). Our previous method and process was working just fine but DOR has issued new rules on accountability for collection and appropriation of revenues obtained from our licensed cable operators.

The Finance Committee recommends unanimously (6-0).

ARTICLE 21 CABLE INFRASTRUCTURE**

(Majority vote required)

As part of the Fiscal Consent Agenda, Mr. Amoroso moved to appropriate the sum of One Hundred Seventeen Thousand Five Hundred Dollars (\$117,500), said funds to be transferred from the PEG Access and Cable Related Fund receipts reserved for appropriation account, for the purpose of providing for FY 17 cable TV operations and for the acquisition of new equipment to improve the quality of the Town’s cable television broadcast quality and expand meeting coverage.

Summary

This article is a companion to Article 20. Town meeting approval of Article 20 established a new Special Revenue Account for Appropriation for cable-related purposes. Article 20 also transferred all funds remaining in the old special revenue account under the Board of Selectmen to the newly established Special Revenue Account for Appropriation. Appropriations from this new account must be authorized by town meeting. As before, appropriations must be for the benefit of residents related to Public, Education and Government channel access and related activities. Annual licensing fees and capital equipment grants from Verizon and Comcast fund the special revenue account. No tax revenues are involved. Although Town meeting must approve these appropriations, they do not affect anyone’s tax bill.

The appropriations requested for operations and purchase of new equipment is summarized below.

<i>LCTV Services</i>	<i>\$57,700</i>
<i>Contract Videographers</i>	<i>2,000</i>
<i>On-demand service</i>	<i>3,000</i>
<i>Grange Meeting Room infrastructure improvements</i>	<i>40,000</i>
<i>Additional camera heads</i>	<i>7,500</i>
<i>For videographing of concurrent meetings, while BoS is being broadcast in Grange Meeting Room</i>	
<i>2 camera kits</i>	<i>5,000</i>
<i>2 tripod kits w/bags</i>	<i>700</i>
<i>2 wireless mike kits</i>	<i>1,600</i>
<i>Total</i>	<i>\$117,500</i>

The Board of Selectmen recommends unanimously (5-0)

The Selectmen have long planned to upgrade and expand our cable television capabilities to improve the quality of recordings and broadcasts from the Grange meeting room. This article will fund significant audio/visual recording enhancements for the Grange room infrastructure. It will also provide for broadcasts from the Sargent Library for committee meetings and public events that may be held there. We will be able to record committee meetings taking place in Town Hall concurrently with broadcasts from the Grange room.

In addition to planned improvements and expansions, funds must be appropriated for continued video services contracted through Littleton Community Television (LCTV), and the video-on-demand (VOD) service we introduced in 2015. The VOD service permits residents on-line access to previously recorded meetings.

The appropriations in this article will fund a number of enhancements to the town’s cable television offerings and capabilities. This will not only improve the quality of what we have long been doing, it will make it more convenient for citizens to view and appreciate the workings of their town government.

The Finance Committee recommends unanimously (5-0).

This is an appropriate use of cable franchise funds and will allow two concurrent meetings to be recorded at the same time. The wiring of Grange Hall will be a much safer environment without cables on the floor.

ARTICLE 22 ACQUISITION OF EASEMENTS FOR ROADWAY PURPOSES – HILL ROAD**

(Two-thirds vote required)

As part of the Fiscal Consent Agenda, Mr. Amoroso moved 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: “Easement Plan, Location: Hill Road, Town: Boxborough, Massachusetts, Prepared for: Town of Boxborough” dated May 2, 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 transfer from free cash the sum of Five Thousand Dollars (\$5,000) 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.

Summary

The short stretch of Hill Road immediately to the north and east of the Whitcomb Road intersection is presently supported on its lateral edges by old stone walls whose condition and conformation preclude the installation of effective guardrails and cause concern about the stability of the roadway margins under modern heavy traffic. During the present fiscal year (FY 16) engineering studies have been completed and have concluded that a sloped heavy stone riprap supporting grade should be installed to both support the roadway margins and allow installation of effective guardrails. A plan view of the proposed grading is shown on the following layout by Places Associates, Inc. In order to accommodate the grading and riprap, the Town must permanently acquire a small amount of property (either via deed or permanent easement) from the abutters, and also obtain temporary easement for use of equipment and personnel during the actual construction project. This article authorizes the Board of Selectmen to obtain the required permanent and temporary interests in the abutting parcels. The only funds required are those needed to reimburse the abutting landowners for the preparation of such legal documents of conveyance as may be required. The required funding for legal documentation is not to exceed \$5,000.

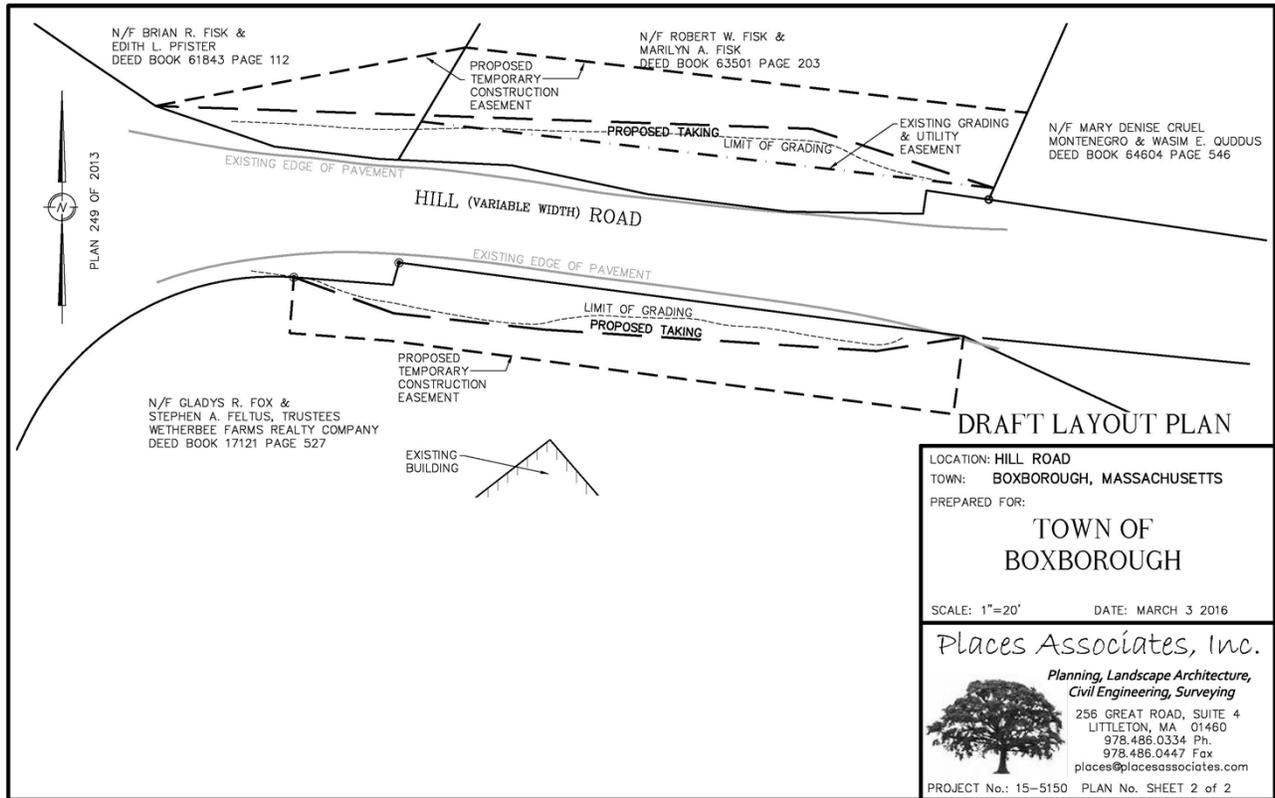
The Board of Selectmen recommends (4-0-1).

As indicated in the summary, the grading construction project required to stabilize the described portion of Hill Road and to install effective guardrails demands that the Town acquire both temporary and permanent interest in small amounts of abutters’ property. This article authorizes the Board of Selectmen to obtain the necessary easements and also authorizes the expenditure of funds to complete the necessary legal documentation for any required conveyance.

[N.B. Selectman Les Fox is one of the abutters and has recused himself from discussion on the matter; he abstained from voting.]

The Finance Committee recommends unanimously (6-0).

This article allows for the Town to spend up to \$5,000 in legal fees in the taking of a small amount of land on either side of Hill Road that in the long run will provide a much safer road for motorists.



ARTICLE 23 CONSERVATION TRUST FUND

(Majority vote required)

Dennis Reip, chair of the Conservation Commission, moved to transfer from free cash the sum of Five Thousand Dollars (\$5,000), said sum to be transferred to the Town's Conservation Trust Fund.

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 of 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).

The Board of Selectmen recommends unanimously (5-0).

The Board of Selectmen supports the Commission in its request. The Conservation Trust Fund enables the Conservation Commission to carry out a variety of prudent activities including land value assessment, engineering and other services in support of potential land acquisition that might otherwise not happen due to the time constraints of the opportunity.

The Finance Committee unanimously does NOT recommend (5-0).

While the Finance Committee applauds the work of the Conservation Commission and has recommended funding of this article in the past, we believe the passage of the Community Preservation Act now provides a sufficient funding source for conservation-related activities. In addition to the current Conservation Trust Fund balance of ~\$15,000 and funding in the Town operating budget, the Conservation Commission can now submit funding requests to the CPC to use Community Preservation Act monies.

Discussion:

Michael Fetterman, Burroughs Rd., said that working with CPC is a long process. Applauds the idea of going for CPC funds in future.

Rita Grossman, Depot Rd., spoke in support of the motion. Also likes the idea of going for CPC funds, but doesn’t think that all uses would be covered by CPC.

Cheryl Mahoney, Liberty Square Rd., has an issue with this fund. She thought that when it started it was only going to be a one year request. That was 5 years ago. She wants them to seek CPC funding.

Mr. Reip said the town has been funding the trust for at least 17 years.

Simon Bunyard, Hill Rd., spoke in favor of the motion. He said that some projects required that the ConsCom act quickly.

Amy Burke, Fincom member, said that ConsCom can always request an RFT through the BOS—a reserve fund transfer—to meet an unexpected need.

Mr. Bunyard felt it was unnecessarily bureaucratic. ConsCom should be free to make these decisions.

Ms. Grossman agreed with Mr. Bunyard that ConsCom should be free to spend the money on the projects that they see fit.

Dave Follett, ConsCom member, said that the ConsCom went through a planning process as part of the master plan process (Boxborough 2030) He said that moving quickly on land acquisition was recognized as being important.

There were more questions about how the CPC process would work.

Action on Article 23: Motion carried by majority vote.

ARTICLE 24 INFORMATION TECHNOLOGY HARDWARE UPGRADES

(Majority vote required)

Les Fox, member of the Board of Selectmen, moved to transfer from free cash the sum of Sixty-Seven Thousand Dollars (\$67,000) to provide for replacement of: uninterruptible power supplies (UPS's), switches, one police department server, one desktop computer, one laptop computer, three printers and a portion of the aging town hall cable.

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, which 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.

The Capital Plan is currently being updated to include the Town's IT infrastructure and hardware so that we can plan for the phased replacement of our aging switches, UPS's, computers, peripheral equipment and cabling. In addition to the network switches noted above, we are seeking an appropriation to replace two of twelve uninterruptible power supplies, one well past its end of life and the other soon to be reached. Other hardware to be replaced includes the Police Department server that was placed in service in 2004, a laptop for the Council on Aging Coordinator's office, and three printers (Town Hall and Dispatch). Funding is also requested for the first phase of replacing cabling for the Town Hall's local area network, which was installed in 2001.

In February, the Town applied for a Community Compact IT grant to architect, configure, set up, and deploy a new robust network infrastructure. The grant would provide funding to upgrade the existing core network, and as well as to replace all of the town's switches, uninterruptible power supplies and a portion of cabling. If the Town is successful in its application, \$41,000 of the requested \$67,000 (approximately sixty percent of the appropriation sought in this article) will be funded by the grant. Awards are not expected to be announced until late spring, which likely would be after Annual Town Meeting. If we are successful and an award is announced prior to Town Meeting, a reduced appropriation would be sought; otherwise monies would be returned to the Town at next year's Town Meeting.

The Board of Selectmen recommends unanimously (5-0).

The Board of Selectmen recommends this article. Its purpose is to ensure reliable operation of our core IT infrastructure for delivery of essential information services for town operations. A portion of the funds requested will replace obsolete and unsupported network switches gifted to the town by CISCO approximately seven years ago. The additional items are part of the normal and regular IT equipment refresh cycle. All items have been recommended by Boxborough's ad hoc IT steering committee comprised of the Board of Selectmen and the department heads, and Guardian Information Technologies, our IT consultant and services provider.

The Finance Committee unanimously recommends (6-0).

Although there are some concerns about the apparent high labor costs, this equipment is needed to maintain the appropriate IT environment to support town operations. It will replace several old components that were originally gifted to the town, as well as replacing other items as part of a regular equipment refresh program.

Action on Article 24: Motion carried unanimously.

ARTICLE 25 TOWN HALL FRONT (MIDDLE ROAD) WALKWAY & SIGNAGE

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

Susan Bak, member of the Board of Selectmen, moved to pass over Article 25 “Town Hall Front (Middle Road) Walkway & Signage.”

Ms. Bak wants to wait until next year and apply for CPC funds for the walkway and signage.

Action on Article 25: Motion to pass over carried unanimously.

Summary

This article seeks an appropriation to replace the walkway/patio at the base of the Middle Road entrance steps and will restore the 1901 Town Hall landscape appearance to complement the proposed new granite steps. This will also restore compliance with the building code as the bricks at the base of the stairs, along with the riser heights, are uneven and pose a tripping hazard. The existing brick throughout this patio area is worn, decayed, and continues to break and heave. This will only continue to deteriorate and possibly become a liability for the Town in the coming years.

From a construction standpoint, due to the use of heavy equipment, the revitalization of the granite steps will unintentionally cause additional disturbance to the existing patio and walkway area.

Additionally, the current state of the landscaping in front of Town Hall greatly detracts from the building’s appearance. In its current condition, the front landscaping makes the Town Hall look unkempt, neglected, and ultimately, uninviting. Both sides of the walkway will be flanked by grassy areas, shrubbery, trees and other vegetative growth. The Public Works Department will assist with some of the preparatory demolition work and plantings, which will help manage the cost of the project.

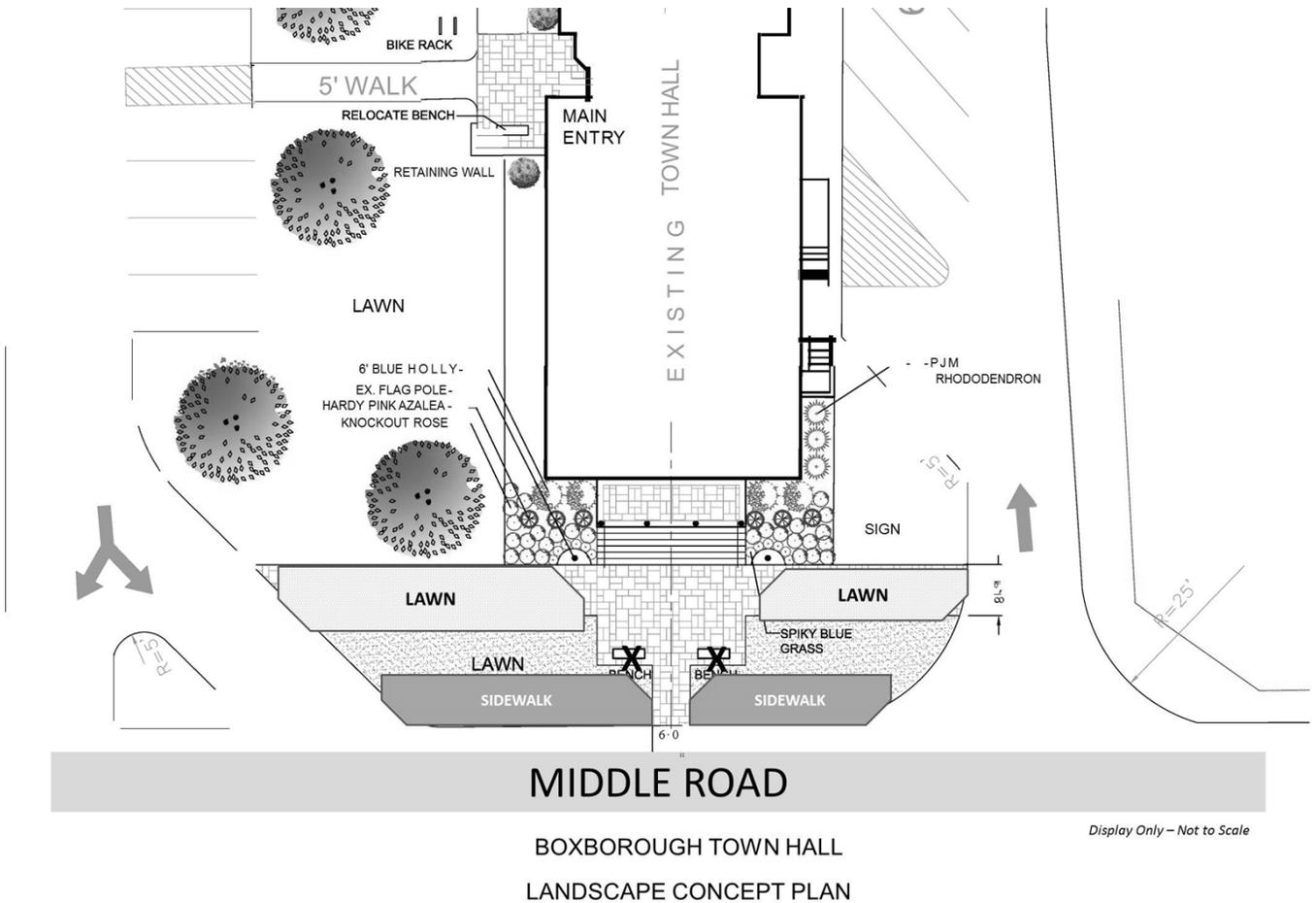
This project will not only restore the continuity of the patio area at the front of the stairs, but will additionally accent the gateway to the historic Town Hall structure and improve street presence. The residents of Boxborough need not only be proud of their homes, but should also have pride in their hometown, which begins with the appearance of Town Hall and the property on which it sits.

The Board of Selectmen does not recommend (3-2).

This article provides funding to rehabilitate the walkway, apron and landscaping at ground level in front of the Town Hall. The project complements and completes the renovation of the Town Hall front stairs, separately funded by a Community Preservation Act project. The majority of the Board believes that it would be appropriate to pass over the article at this year’s ATM and submit a funding request for the walkway project to CPC next year with the hope that the project would be recommended for CPA funding at the May 2017 Town Meeting.

The Finance Committee unanimously does NOT recommend (0-5).

The work proposed under this article is not in the Capital Plan and seems more of a "nice to have" than an urgent requirement. While some work will be necessary in this area as a result of repairing the TH front steps, the Finance Committee would prefer a temporary fix while this project is considered for possible CPA funding. Additionally, the Finance Committee would like to see that a complete landscaping plan be developed, which would include how best to incorporate the Town's WWI monument, currently located outside of the Town Hall. This is the State's oldest WWI memorial and deserves a thoughtful planning process.



ARTICLE 26 ACCESS CONTROL SYSTEM – TOWN HALL, POLICE AND FIRE

(Two-thirds vote required)

Mr. Fox moved that the sum of Forty-Five Thousand Dollars (\$45,000), be and hereby is appropriated for the purpose of paying costs of providing for an IP enabled secure card access control system for the Town Hall, and the Police and Fire stations, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7 or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

Summary

This article will fund the first of two phases to deploy a town-wide monitoring and access control system for all town buildings. The Town Hall and public safety facilities will be prioritized and will be covered in the first phase of the project. Sensitive data and equipment are located at these buildings, and controlling access to these facilities is imperative. The second phase of the project, for which we will seek an appropriation next year, will add the DPW, Library and Museum.

Currently, building access is controlled by issuance of physical keys to authorized individuals under a master key system. Town employees and chairs of committees and boards are issued keys. Records must be maintained for keys issued, lost/replaced and returned. With growth in the number of keys issued, record keeping and physical key inventory management has become unwieldy. It can be problematic to ensure there are no keys outstanding to unauthorized individuals. Lock repair and maintenance is more costly and complicated by the master key system.

The IP enabled access control system will use RFID cards issued to authorized individuals. Access to buildings will be controlled by card readers that query the card presented and check for access authorization in the master database. Upon termination of employment or change in committee status, issued cards can be revoked with the click of a mouse. There will be no need to return keys or cards. The card readers will be connected to the town network to communicate to the master database and monitoring system at Dispatch. Dispatch personnel will be able to provide assistance 24x7 in case of any issue. In the next phase of the town's access control and security deployment, IP enabled video cameras will be installed at all card-reader equipped doors.

The Board of Selectmen recommends unanimously (5-0).

The Board of Selectmen recommends this article to improve the town's ability to provide a safe and secure environment for employees and volunteers.

The Finance Committee unanimously does NOT recommend (0-6).

The Finance Committee is in favor of adding such a system to key buildings in town. The amount requested covers Town Hall and the Fire Department but does not include other buildings like the Library and the Museum. In addition to the safe keeping of historical items, the town intends to store critical town records now that the basement of the Museum has been fixed. It is therefore recommended that this item be added to the Capital Plan after investigating the cost for all key buildings. This item was not in the Capital Plan previously.

Mr. Toups asked about the life expectancy of the equipment. Chief Ryder said the lifespan would be 10-12 years similar to other technology items. The chief said we already have the equipment to make the ID card.

Action on Article 26: Motion carried failed: Yes: 40 No: 27

Mr. Amoroso moved to adjourn Annual Town Meeting to 7pm Tuesday night.

May 10, 2016

The Moderator called the meeting to order at 7:05pm. Article 36 was taken out-of-order.

ARTICLE 36 PUBLIC SAFETY BUILDING – ADDITIONAL SITE & BUILDING DATA

(Two-thirds vote required)

Mr. Gorman moved to transfer from the stabilization fund the sum of Eighty Thousand Dollars (\$80,000) for the purpose of continuing conceptual design and costing studies, conducting site surveys and geotechnical studies, and delineating wetlands boundaries for proposed Public Safety Facilities.

Mr. Gorman made a brief presentation describing the work that has been done thus far. He said that the May 2014 town meeting approved money to study the space needs of the police and fire departments. May 2015 town meeting approved monies for developing designs and cost estimates for a Public Safety facility. After looking at the options, the best one seemed to be to build a combined facility on the current site. He showed a proposed schematic of the conceptual design of the combined facility. \$600-700/sq.ft. construction costs. 28% of cost is contingency because of the uncertainties. The BOS wanted to study the design further to try to reduce the uncertainties.

Summary

The ongoing Public Safety Facilities Needs Assessment has identified space and facilities needs for the Police, Dispatch and Fire departments, through joint efforts of the Space Needs Committee and HKT Architects, Inc., and formulated several conceptual designs aimed at meeting those needs. A conceptual floor plan for the combined Public Safety Facility has furthermore been developed, reviewed and reduced. It is presently being costed by professional construction estimators. This conceptual design and associated cost estimate will provide a firm basis for updating the facility concept design subject to specific site conditions that may be found as well as revised design, construction sequencing and cost constraints that may be determined by the Town. Additional study is needed at the conceptual design and costing level to solidify Town needs and priorities, before proceeding to the Schematic Design Phase, which represents a cost commitment approximately 5x the conceptual design level. An estimate and approximate breakdown of the proposed article cost is outlined below:

Site Survey	\$10,000
Geotechnical Testing (borings)	15,000
HazMat Determination	8,000
Wetlands Scientist/Flagging	8,000
Additional Engineering/ Design	39,000
Total	\$80,000

The Board of Selectmen defers its recommendation until Town Meeting.

The Finance Committee unanimously does NOT recommend (6-0).

Given the considerable disagreement about the specific needs and priorities, the Finance Committee believes that any further expenditure on this project, particularly any expense related to specific site assessment, is premature.

Ted Kail presented the Finance Committee recommendation. He also went over the timeline of the space needs study. He thought there should have been some upper and lower bound cost estimates coming out of the FY16 study. What are we getting in this article vs what we got from last year’s article. He questioned the need to flag the wetlands. Surely the town knows the wetland boundaries. What are the deliverables? Not specific enough.

FinCom has analyzed the cost of other towns' facilities—cost should be \$500-\$600/sq.ft. Wants to know what are “must haves”.

Discussion:

Becky Neville, Hill Rd., noted the Space Needs Committee doesn't have a recommendation in the warrant. BOS recommends 5-0. Jim said the Space Needs Committee voted that the combined facility was the best bet and that more information was needed to resolve uncertainties with cost.

Jeff Glidden, Sargent Rd., liked the benchmarking done by the Fincom for costs, what about for size needed? Would be good to know. Ted Kail said the FinCom did look at size of facility in some comparably sized towns population-wise. Looked at square footage for police and fire. Boxborough is smallest. Doubling the space is a rule of thumb based on his conversations with other towns.

Mr. Gorman said that the facility will be useful for 20-30 years. Boxborough is expected to grow during that time.

Frank Powers spoke as a member of the Space Needs Committee and said some members thought some more thought needed to go into square footage. His conversations with seniors indicate they won't support it. He feels there's a lot more to do. We need to keep studying the issues—he urged support of the motion.

Jim Moss, Bicentennial Way, appreciated the benchmarking. Wanted to know if anyone looked at Acton and their facility. Ted Kail provided some information on the Acton Public Safety building.

Maria Neyland, Picnic St., said she thinks we should go forward with the study. She wondered where Ted's square footage numbers came from—were they completed projects? Yes. She points out that the \$797/sq. ft. number for Boxborough includes the 28% contingency. She said they are only looking for \$80k to answer some questions to get more realistic cost estimates. There is no question that we need new facilities. Why not keep moving forward by voting yes on this motion. Doing nothing will only cost more down the road.

Gary Kushner, Flagg Hill Rd., FinCom member, believe we need a fire station but not a police station. Doesn't seem that efforts have been made to reduce duplication. Doesn't feel that we have the “must haves” design.

Mr. Gorman responded to Mr. Kushner. The \$80k is to re-evaluate the design and look at alternatives with an effort to reduce costs.

Michael Fetterman, Burroughs Rd., have we spent all the monies in the two previous warrant articles. Mr. Gorman said approximately all the money has been spent.

Dilip Subramanyam, spoke as a member of the Space Needs Committee. He was not happy with the square footage at 35k sq. ft. He pointed out that the committee was only advisory.

Diane Lipari, littlefield Rd., wanted a specific answer on how much was left in warrant articles. Balance in the account is obligated but not spent yet--\$40k is left. Surprised that there were concerns about hazardous materials. Can we cut the amount and still make progress? Mr. Gorman said that would have to be discussed whether we could spend less. What would happen to the project if this is voted down? Mr. Gorman pointed out that once momentum is lost, it's hard to get back on track. Will lose time.

Dave Follett, Cobleigh Rd., was on Boxborough2030 Master Plan Committee. They found public land availability very constrained. One of the conclusions was to solve the land problem first rather than force police, fire and DPW into suboptimal space. There's a lot of money invested in the particular site—would rather evaluate other sites with the money.

Rita Grossman, Depot Rd., said we definitely need a fire department. \$800/sq. ft. what is it based on? Mr. Gorman said based on keeping combined facility on current site while also having to find a place for the police and fire are temporarily re-located. Noticed that half of the 80K asked for is to evaluate the current site. Mr. Gorman said it is not a bad site—very centrally located. The other “half” would be spent looking at alternative designs and sites. Rita would like less money spent on looking at current site. Mr. Gorman said that we could end up splitting the fire and police stations and repurposing the fire department as a DPW site.

Mr. Subramanyam said that FinCom does not want to stop progress and proposed coming back at a Special Town meeting with a better proposal.

Dave Follett asked of the \$25M—how much is for relocating fire and police temporarily? Jim Gorman said that a significant portion –15%-20%. How big a lot is needed for the facility? Mr. Subramanyam said that 5 acres should do it. Could we buy land for that amount? Mr. Gorman said that it is not so easy to find land but agreed that it is an option.

Hugh Fortmiller, Sargent Rd., said that his experience is that form follows function. Are there basic services that the town must provide? Did that factor into the design? Mr. Gorman said that extensive efforts were made by the chiefs and the consultants about the needs and the functions that must be supported. Mr. Moss, Bicentennial Way, moved the question. Motion carried.

Action on Article 36: Motion failed. Yes: 40 No: 51

ARTICLE 27 POLICE DEPARTMENT – BUILDING REPAIRS AND MAINTENANCE

(Two-thirds vote required)

Mr. Fox moved that the sum of Eighty-Two Thousand Dollars (\$82,000), be and hereby is appropriated for the purpose of paying costs to provide for building repairs and maintenance at the Police station as printed in the 2016 Annual Town Meeting warrant under Article 27, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7 or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

	Purpose	Amount	Comment
A.	Exterior Doors	\$20,000	Exterior doors are original to the building. They 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.
B.	Detention Cell	\$15,000	Detention Cell walls: The Dept. of Public Health has failed our inspection, citing porous walls and rusted fixtures.
C.	Evidence Room	\$12,000	Improvements are needed to secure evidence room.
D.	Clapboards and Trim Replacement	\$12,000	Clapboards and trim replacement (rot); caulking is needed around all exterior gaps to prevent insect infestation.
E.	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.
F.	Walkway	\$8,000	The Building Inspector recommends replacement of the walkway in front of the Police Station from the driveway to the front door only (not along the parking lot side of the building). Walkway is original to the building (1989) and is cracked and dipped. There is a 1 ½ inch lip, which causes a trip hazard as you enter the front door of the building.

Summary

This article is to fund repairs and maintenance that are needed for various items of the Police Department building and grounds as described in the accompanying table. Most of these needs arise from ordinary wear and tear. A security deficiency must be corrected in the case of the Evidence/Property Room. The detention cells have failed inspection by the Department of Public Health due to unsanitary condition of the walls and integrated metal sink/toilet fixture. This must be corrected so that the detention cell can be used legally. The Chief is working with the Energy Committee to leverage their town-wide initiative on energy efficient lighting for potential savings on fixtures, bulbs and installation expenses.

The Board of Selectmen recommends unanimously (5-0).

These are necessary maintenance and repair items for the police department facilities.

The Finance Committee recommends unanimously (5-0).

The Finance Committee agrees that these repairs to the Police station are necessary maintenance items that are required to keep the building in good operating condition.

Chief Ryder said that the repairs needed were to address health code violations, safety issues, and address physical issues such as rusted exterior doors. Worked with the FinCom to identify the most critical items.

Action on Article 27: Motion carried unanimously.

ARTICLE 28 POLICE DEPARTMENT – EQUIPMENT

	Purpose	Amount	Comment
A.	Tasers	\$7,300	To equip and certify five part-time police officers with electronic control devices, commonly referred to by their brand name, Taser®.
B.	Ruggedized tablet	\$5,500	To replace one existing PatrolPC® ruggedized tablet in a police car. The current unit is running with an older processor, has become problematic, and is past due for replacement (EOL '13). This type of device is optimized for use in police vehicles. The police patrol environment is unique and challenging, calling for a computer that is designed for continuous use 24/7, under intense and dangerous circumstances, where the performance and ruggedness of the MDT is critical to public safety. Through our own trial and errors we have learned that traditional laptops cannot withstand the extreme temperatures, vibration, intense use and dusty environments. Additionally, as vehicles and passenger compartments are getting smaller we need to separate the keyboard from the monitor to accommodate for all of the auxiliary police related equipment in the cabin.
C.	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.
D.	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
E.	Firearms	\$4,800	Firearms are end of life and worn; convert from .40 Cal to 9MM
F.	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.
G.	Office Furniture	\$1,000	Replace two aged desks and update report writing area with usable furniture.

Motion on 28-(B-G)
(Two-thirds vote required)

Mr. Fox moved to transfer from free cash the sum of Twenty-Three Thousand Three Hundred Dollars (\$23,300), and that the sum of Sixty-Eight Thousand Five Hundred Dollars (\$68,500), be and hereby is appropriated for the purpose of paying costs to provide for equipment for the Police Department as printed in the 2016 Annual Town

Meeting warrant under Article 28, parts B, C, D, E, F & G, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow the sum of Sixty-Eight Thousand Five Hundred Dollars (\$68,500) under and pursuant to Chapter 44, Section 7 or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

Mr. Fox asked Chief Ryder to explain the need for the items. Chief Ryder did so.

Mr. Subramanyam said the Finance Committee recommends unanimously.

Discussion:

Ms. Neyland asked about the tablets-weren't they on the Police IT budget? Yes, the tablets were in the police budget.

Ms. Neville said that fingerprinting was mandated at the school. Had to go to Leominster. Could it be done here. The Chief said yes.

Action on Motion 28 B-G: Motion carried unanimously.

Motion 28-A

(Majority vote required)

Mr. Fox moved to transfer from free cash the sum of Seven Thousand Three Hundred Dollars (\$7,300) for the purpose of equipping and certifying five part-time Boxborough police officers with electronic control devices, commonly referred to by their brand name, Taser®.

Summary

This article addresses certain needs of the Police Department for equipment used in police operations, as summarized in the table. The Police Department has been equipping full-time officers with Electronic Control Devices (ECD -Tasers) since 2014. Additional ECD's are required to equip the part-time police officers who will be trained and qualified for their use. The existing security cameras have poor quality and the video server for recording has insufficient capacity. It cannot keep up with the current volume of recording, and cannot accept that which will be generated by the additional surveillance cameras planned as enhancements to a town-wide access control and monitoring system. The present .40 Cal firearms are at end life and should be replaced in any event, and the Chief will take this opportunity to change over to the 9 MM standard firearms. The current use of ink-pad fingerprinting generates poor-quality prints and does not integrate well with modern digital fingerprinting data systems widely used by law enforcement at the local, state and national level

The Board of Selectmen recommends unanimously (5-0).

The Board of Selectmen supports these upgrades and replacements of equipment essential to police operations.

The Finance Committee were evenly split in their recommendation (3-3).

The Finance Committee recognizes that upgrades and replacement of much of this equipment is needed for police operations. However, some members of the committee disagree with the provision incorporated in this request for training in the use of the tasers. The Police operating budget contains a line item for training/conferences of \$12,500 which they believe is the appropriate source for funding any and all police training requirements.

Mr. Subramanyam moved to amend the motion by striking the word "seven" and substituting the word "six" so the motion would now read: "transfer from free cash the sum of six thousand three hundred dollars (\$6,300) for the purpose of equipping and certifying five part-time Boxborough police officers with electronic control devices, commonly referred to by their brand name, Taser®.

He said that Fincom doesn't want to pay for training through a warrant article—it should come from the police budget.

Mr. Fox asked the chief to speak to this. Salary expenses and expense items pay for training. \$6300 pays for the tasers, \$1000 pays for the training of officers on the tasers.

Discussion:

Maria Neyland asked about who would be trained? Chief Ryder said that the only people who need the training are the part-time officers who are getting the tasers.

Eric Michnovetz, Flagg Hill Rd., asked if they voted for the amendment would they be denying the officers training? No, the chief would cut another training from his training budget. Mr. Subramanyam pointed out that the police can always do a reserve fund transfer. Mr. Michnovetz thought that we should train the officers on the tasers and urged town meeting to vote no on amendment.

Ms. Neyland also recommended voting against the amendment.

Mr. Toups was against using reserve fund transfers in this way. Should be for unforeseen or emergencies.

Frank Powers said that with everything in the news, to make chief cut back on officer training is the wrong thing to do. Urged defeat of the motion.

Keshava Srivastava, former FinCom member, said reserve fund transfers are routine.

Owen Neville urged defeat of the amendment. He spoke against the use of reserve fund transfers.

Action on amendment: Motion to amend failed.

Francie Nolde asked the chief about tasers—has concerns. Wondered how often they have been used. The Chief has seen a rise in violent. He said there were two uses of tasers and 5 displays of tasers in past two years. No injuries.

Action on Article 28-A: Motion carried by majority vote.

ARTICLE 29 FIRE DEPARTMENT – REPLACE UTILITY TRUCK

(Two-thirds vote required)

Jim Gorman, member of the Board of Selectmen, moved that the sum of Forty-Four Thousand Five Hundred Dollars (\$44,500), be and hereby is appropriated for the purpose of paying costs to provide for replacing the Fire Department's current utility vehicle with a ¾ ton pickup truck, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7 or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

Summary

This article would fund a ¾ ton pickup truck, replacing the current utility vehicle. This pickup truck will be equipped with a hydraulic lift gate to assist in loading and unloading heavy equipment items, including a snowblower for clearing hydrants, portable generators, portable pumps, and off-road rescues. The truck will be set up for a plow to allow clearing of dry hydrants after snowfall, without waiting for DPW vehicle/personnel availability. The truck will also be used to transport the department's trailers and light tower to incidents and/or Town events. The primary reason for purchasing a four-wheel drive, lift gate equipped pickup truck is to facilitate off road rescues along the 25(+) miles of trails accessing the Town's conservation and municipal lands. The vehicle will also be used to transport department personnel to required building inspections, Fire Academy classes, and prolonged incidents as required. The ability to transport pumps and generators to assist residents during/after severe weather and flooding events as well as transporting a snowblower for hydrant clearing activities after winter storms will reduce the need to deploy larger apparatus for these purposes, which are secondary to their primary function of responding to emergencies.

The Board of Selectmen recommends unanimously (5-0).

This multi-purpose vehicle will not only greatly facilitate off road rescues on the Town's extensive trail network but also provide necessary personnel and equipment transport that does not require the capabilities of the department's heavy apparatus. Fulfilling these less demanding needs with a relatively low cost vehicle represents sound management of our Fire Department fleet assets.

The Finance Committee recommends unanimously (5-0).

The Finance Committee believes there is a compelling case for the pickup as an additional vehicle. This vehicle would provide access to areas of the town where the rest of the vehicles would not fit. The vehicle's lift gate option would aid in snow removal of cisterns and other fire suppression systems earlier than when the DPW could get to that work.

Discussion:

Rita Grossman asked if the vehicle energy efficient or hybrid? No

Action on Article 29: Motion carried unanimously.

ARTICLE 30 ANIMAL CONTROL (DOGS & CATS) - PICKUP TRUCK

(Two-thirds vote required)

Mr. Fox moved that the sum of Forty Thousand Dollars (\$40,000), be and hereby is appropriated for the purpose of paying costs to provide for the acquisition and equipping of a pickup 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, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7 or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

Summary

As of July 1, 2016, Boxborough's ACO will be providing services to Boxborough, Littleton and Stow. The ACO has been using her personal vehicle, with mileage reimbursement. Both Town Counsel and MIIA, the town's insurance carrier, have advised against use of personal vehicles to conduct town business because of the risks presented both to the ACO as well as to the town. The amount of \$40,000 requested in this article is based on a quote from an authorized dealer on the state's bid list. The quote includes the base vehicle (pickup truck) plus a Leer Cap/Cab transport kennel insert. With a five-year refresh cycle, the cost of borrowing for the proposed vehicle plus annual insurance and operating expenses will be covered by fees collected and disbursed through the ACO revolving fund. In steady-state, the vehicle will not be a net cost to the town.

In 2014, we began negotiations with the Town of Littleton for the provision of animal control services under an Intermunicipal Agreement (IMA) between the two towns. Consequently, at the May 2014 town meeting we requested the establishment of a revolving fund to receive fees collected, and pay for expenses of ACO operations. The relationship with Littleton has gone very well. The IMA was renewed for the current fiscal year and we will renew for the upcoming fiscal year beginning July 1. Meanwhile, we have also negotiated acceptable terms for ACO services to be provided to Stow, beginning on July 1.

We are now at the point we anticipated in May 2014 where Boxborough's ACO will be providing ACO services for three towns, and the fees from Littleton and Stow will cover cost of operations. The town accountant has carefully reviewed the financial data to date and concluded that the ACO fees will cover the amortization of borrowing for a new vehicle for the ACO.

The Board of Selectmen recommends (4-1).

The Board of Selectmen supports the purchase of a dedicated vehicle for use of the ACO. We considered whether we could re-purpose a used truck from the DPW that is scheduled for replacement, but were advised that the vehicle is past useful life and would require some refitting expenses in any event. The condition of the vehicle provides too great a risk to utilize it in rendering ACO services for three towns. We now have a proven business model for delivery of ACO services that will shield the town from cost of expanded operations. Boxborough's ACO will be providing ACO services for three towns, and the fees from Littleton and Stow will cover cost of operations. With the proposed new ACO vehicle not only can we follow best practices and lower our risk, we can pay for it out of ACO fees.

The Finance Committee unanimously does NOT recommend (6-0).

The ACO position has without incident, never been issued a town funded vehicle. There is currently a new police cruiser at \$40,000 in the budget, and purchasing an ACO pickup truck would provide for **two** new vehicles for public safety. This would contradict the town's informal rule of adding one vehicle for public safety every year. The Finance Committee is also of the opinion that \$40K is too expensive for a vehicle, which includes custom molding and heated mirrors. This was also not in the Capital Plan.

Chief Ryder made the presentation in favor of the motion since Animal Control is a Public Safety function. Territory covers 46 square miles. Proper equipment minimizes the risks to employee and individual. Town Counsel and the insurer strongly advise against the use of personal vehicles for public purpose. It is not a police vehicle.

Discussion:

Francie Nolde said that one of the goals of the Energy Committee is to buy energy efficient vehicles and trucks are not usually energy efficient. The Chief said he did not know the mileage. Energy efficient vehicles are typically more expensive.

Hoff Stuart, Burroughs Rd., thought the price was high. The Chief said the vehicle itself is \$23K, then you add a cab for the animals, a lift for picking up large animals (deer), etc.

Eric Michnovetz asked if the vehicle would finance itself from revenue from the two other towns. Anything after 5 years is gravy. Why wouldn't we do this? The revenues from other towns would pay for ACO salary. Mr. Fox said that revenue comes from Boxborough, Stow and Littleton. Pays for salary and benefits for the ACO and debt service on vehicle if it is purchased.

Jeanne Kangas, Hill Rd., said the motion sounds reasonable. Asked the Fincom what cost would they have considered reasonable? Mr. Subramanyam said no.

Selina Shaw explained the costs of the ACO: mileage reimbursement is \$8,000/year which would offset the cost of the vehicle within 5 years.

Walter van Roggen asked how often large animals were involved. How busy is the ACO--207 calls in Boxborough for service in 2015.

Richard Tower, Hill Rd., pointed out that the job was now full-time and should have the proper equipment.

Maria Neyland asked about the cost and said \$23K is very reasonable for a truck. Customizing is expensive.

Asked about the costs. Questioned the insurance issues. Chief Ryder asked the insurance provider how to cover the ACO using her own car. Insurer said it is not advisable and employee would have to register as a commercial vehicle. Liability and cost argue that we support the purchase of the vehicle.

Amy Burke, FinCom member, asked questions about the insurance. The town's insurance policy covers the TA using her vehicle on the way to a meeting. If there was an accident TA's own insurance covers first then the town would cover.

Richard Hilton, Littlefield Rd., described experience with ACO. He's seen the vehicle she drives and feels it is not adequate. She should not be driving her own vehicle.

Becky Neville moved the question. Motion carried unanimously.

Action on Article 30: Motion carried by 2/3 as declared by the Moderator.

ARTICLE 31 DPW – ROAD PAVING

(Two-thirds vote required)

Mr. Gorman moved that the sum of Three Hundred Thousand Dollars (\$300,000), be and hereby is appropriated for the purpose of paying costs to provide for paving roadways in Boxborough, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7 or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

The Board of Selectmen recommends unanimously (5-0).

This article continues the action, begun at the 2015 Annual Town Meeting, of supplementing the Chapter 90 roadway maintenance funding provided by the Commonwealth of Massachusetts with additional Town funding to accelerate the rate of repaving roads in Town. The expected level of Chapter 90 funding in recent years has been insufficient to repave even 1 mile per year of the Town’s approximately 30 miles of roadway. This shortfall has led to a general deterioration of town roads, a situation obvious to all residents. With the funds appropriated in May 2015, the Town is repaving Picnic Street and Patch Hill Road, supplementing the construction work to be funded on Hill Road, as well as Swanson Road repaving, funded by Chapter 90 monies. The funding of this article, if approved, will enable repaving of Robinson Road, the eastern end of Burroughs Road, and possibly additional stretches of road, depending upon available Chapter 90 resources and the cost estimates developed for each paving project. This road paving request is likely to be continuing from year to year until such time as we have “caught up” with a sustainable repaving schedule or Chapter 90 resources have been substantially increased.

The Finance Committee recommends unanimously (6-0).

As most residents are aware, many roads in Boxborough are in deplorable condition. The Town receives between \$200,000-\$250,000 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 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 cycle 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 the Town to catch-up with the deteriorating road conditions 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.

Action on Article 31: Motion carried unanimously.

ARTICLE 32 DPW – REPLACE FRONT END (BUCKET) LOADER

(Two-thirds vote required)

Mr. Gorman moved to:

transfer the unexpended bond proceeds in the amount One Thousand Six Hundred Eighty Dollars and eleven cents (\$1,680.11) from Article 13 of the May 2008 Annual Town Meeting (*Capital Equipment Acquisition – Fire and Public Works Departments*),

transfer the unexpended bond proceeds in the amount of One Thousand Five Hundred Thirty-Seven Dollars (\$1,537) from Article 9 of the May 2013 Annual Town Meeting (*Capital Improvements – Town Hall Replacement Windows (Original Section)*),

transfer from free cash the sum of Seven Hundred Eighty-Two Dollars and eighty-nine cents (\$782.89),

and that the sum of One Hundred Ninety-Six Thousand Dollars (\$196,000), be and hereby is appropriated for the purpose of replacing the DPW’s vintage 1978 front end (bucket) loader with a new one, including the payment of all other costs incidental and related thereto, and

that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow the sum of One Hundred Ninety-Six Thousand Dollars (\$196,000), under and pursuant to Chapter 44, Section 7 or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

The Board of Selectmen recommends unanimously (5-0).

The Town DPW operates two front end (bucket) loaders, the newer being a 1996 model and the older being a 1978 model. The 37-year-old loader has transmission and hydraulic system problems and is at present only useful for loading trucks with sand and salt in the DPW yard during snowstorms, as it is too unreliable for general use. The replacement loader proposed is a mid-level model with pricing from the state contract bid list. The DPW employs its front end (bucket) loaders for a wide variety of purposes, ranging from construction to earthmoving to snow removal. If approved, the replacement loader will move to the front line tasks and the 20 year old model will move to a supporting role. Failure to replace the loader will materially diminish the DPW’s ability to clear snow in winter and will slow construction and earthmoving projects in other seasons.

The Finance Committee unanimously recommends (6-0).

The replacement of the current loader has been on the Capital Plan for the past two years and is in need of immediate replacement. The loader was purchased in 1978, which means it is 38 years old and well beyond its useful life. High-cost maintenance repairs are common and the vehicle is unreliable, which is a major concern for the DPW.

Action on Article 32: Motion carried unanimously.

ARTICLE 33 DPW - REPLACE PICKUP TRUCK

(Two-thirds vote required)

Mr. Gorman moved that the sum of Forty Thousand Dollars (\$40,000), be and hereby is appropriated for the purpose of paying costs to provide for replacing the DPW Director’s aging 1-ton pickup truck with a new ¾-ton pick-up truck, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7 or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

Summary

The current vehicle, a one-ton 2008 F-350 pickup truck, has 145,000 miles on it; the vehicle is becoming less reliable, the body is corroding, and costs to repair are becoming excessive. The vehicle is used for plowing and daily operations. The DPW is seeking to replace the aging vehicle with a more energy efficient, comparable three-quarter ton pick-up truck.

The Board of Selectmen recommends unanimously (5-0).

This article seeks to replace the DPW Director’s pickup truck, which is eight years old and has 145,000 miles on the odometer. It should be noted that many of these miles are extremely hard plowing experience and, though the vehicle is well maintained, the truck has significant body rust and damage. The truck is due for new tires and brakes, which, along with increasing incidence of repairs, makes it more cost effective to replace the truck than invest additional money in a vehicle near the end of its useful life.

The Finance Committee recommends (5-1)

The current vehicle has 145,000 miles and is becoming less reliable. The body is corroding and the ongoing maintenance costs are increasing. The new vehicle will be used for plowing snow in the winter and supporting other DPW projects throughout the year. This was added to the Capital Plan in 2016.

Action on Article 33: Motion carried unanimously.

ARTICLE 34 DPW - VHF RADIOS AND RELATED EQUIPMENT

(Two-thirds vote required)

Mr. Gorman moved that the sum of Ninety-Five Thousand Dollars (\$95,000), be and hereby is appropriated for the purpose of paying costs to provide for the acquisition of eighteen new mobile VHF radios and related equipment for the DPW, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7 or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

Summary

The DPW currently operates an unlicensed Low Band radio system to maintain communications between the vehicles and headquarters. This system is not compatible with Public Safety communications radios and has become sufficiently obsolescent that parts and repairs are extremely difficult to obtain, risking large scale unresolvable failures in the near future. This article proposes to replace the current system with a fully licensed VHF radio system able to communicate directly with public safety dispatch and vehicles, employing a combination of newly purchased equipment and systems repurposed from Boxborough Police Department radio equipment rendered surplus by the recently completed Public Safety Communications upgrade. This system will include VHF repeaters at the Swanson Road and Hager sites, interface and base station equipment at the Public

Safety Dispatch center and DPW barn, mobile radios for the 18 DPW vehicles and portables for DPW personnel. The approximate cost breakdown for the proposed DPW radio system is as follows:

<i>Engineering</i>	<i>\$16,000</i>
<i>Licensing</i>	<i>5,000</i>
<i>Swanson Road Equipment and Sitework</i>	<i>19,500</i>
<i>Hager Equipment and Sitework</i>	<i>20,000</i>
<i>Police Station Equipment</i>	<i>14,700</i>
<i>DPW Barn Equipment</i>	<i>4,200</i>
<i>Reprogramming Police (Portable) Radios</i>	<i>500</i>
<i>New Mobile (Vehicle) Radios</i>	<i>11,000</i>
<i>Contingency</i>	<i>4,100</i>
Total	\$95,000

The repurposing of former BPD repeater equipment and radios will save approximately \$51,000 in additional costs that otherwise would be incurred over and above the \$95,000 estimate.

The Board of Selectmen recommends unanimously (5-0).

The DPW radio system is both unlicensed and beyond obsolescent. It must be replaced to provide reliable communications with DPW personnel and vehicles, and to provide interoperability with public safety systems in the event of emergencies.

The Finance Committee recommends (4-2).

The replacement of DPW radios was initially part of a Public Safety communication system article but was removed prior to approval of that article at the ATM in May 2014. This item had been in the Capital Plan in 2014 as part of that larger project but was removed prior to the approval of the Public Safety Communication article, and was not reinstated subsequently in the Capital Plan. The majority view was that this project should be funded as it would add to the overall efficiency of DPW personnel and the safety of residents. The minority view was that for this project to be approved, it should have been included in the current Capital Plan.

Diane Lipari, Littlefield Rd., wondered why we spend so much time on \$1000 and no time on the bigger numbers. How do the warrant articles impact the increase in taxes? Mr. Fallon said the 3% increase in taxes assumes all warrant articles pass.

Frank Hubley, Old Harvard Rd., wondered where the cost breakdown comes from. Chief Ryder said that the vendor and consultant developed the numbers. Mr. Hubley asked about the functionality. The idea behind giving the DPW radio communications is that they would operate off the Hager and Swanson Rd. transmitters. That keeps the costs down. Mr. Hubley has designed many systems for towns—never seen this type of system for a DPW. Doesn't see the need. Too expensive. A single station would work. The chief said the topography of Boxborough is difficult. Felt that adding DPW to existing system was best.

Mr. Hubley moved to amend the motion to reduce the amount to \$25,000. Mr. Gorman said that he had no idea if a single station would be sufficient. He urged defeat of the amendment.

Mr. Neville spoke in support of the amendment.

Finance Committee said that they supported the amendment.

Mr. VanRoggen asked how the original quote was arrived at. Mr. Gorman explained. Mr. Amoroso provided some background. A few years ago, when upgrading the radio system for police, fire and DPW, they decided not to include the DPW in the first round. The DPW used the old VHS equipment which now needs replacing.

Mr. Gorman said that if we accept the amendment for \$25,000, we won't know what we'll get. Mr. Van Roggen asked how urgent was it.

Mr. Michnovetz said that he didn't know how the reduced budget would work. Would you go back to the consultant and the vendor and see what we could get and what performance we would get. If acceptable, okay, but if not would have to come back to town meeting.

Ms. Neyland spoke against the amendment. Best number is the number that has been researched. Would rather people voted down original number.
Mr. Toups asked about radio coverage. Mr. Gorman did not know about the VHF band. Chief Ryder explained how the portable radios would work.
Mr. Hubley said that repeaterized systems are not common practice in a public works context.
Rick Barrett, Whitcomb Rd., said greatest area of weakness is communication in disaster situations. Spoke against the motion.
Cheryl Mahoney reminded the meeting about the ice storm. How difficult communication was and how vital the DPW was in dealing with the crisis.
Mr. Hubley re-iterated that a simple simplex system is all that's needed for the DPW.

A resident moved the question. Motion carried.

Motion on the amendment to lower the amount to \$25K : Motion defeated Yes: 33 No: 50

Tess Summers said that the motion doesn't relate to the article. In order to create a system that the DPW could use, equipment needs to be installed at other locations.
Eric Michnovetz urged a vote against the article-too much uncertainty.

Action on Article 34: Motion failed. Yes: 37 No: 51

ARTICLE 35 HAGER WELL - SYSTEM UPGRADES

(Majority vote required)

Mr. Gorman moved to transfer from free cash the sum of Fifty-Five Thousand Dollars (\$55,000) for the purpose of providing system upgrades to the Hager Well infrastructure.

Summary

The Hager Well is a public water supply, owned and managed by the Town under DEP rules and oversight, providing water to the Blanchard School, Sargent Memorial Library, Police Station and Fire Station. The Town contracts for monthly and quarterly water sampling to identify levels of various contaminants, which results are reported to DEP and validate the continuing safety of the water supply for human consumption. Over the past year the levels of some contaminants have increased to levels indicating problems with the water filtration system, though not exceeding DEP guidelines. A preliminary engineering study indicated that the filtration system at the Hager Well pumphouse contained some design deficiencies and filter elements nearing the end of their useful lives. The ROM cost of \$50,000 was developed by a competent water system engineering firm with extensive experience in water system design and DEP permitting. Of this total approximately \$12,000 is for filtration system design engineering and permitting, and the balance is for purchase of components, plumbing and installation.

The Board of Selectmen recommends unanimously (5-0).

This article is about as close to a "no-brainer" as we are likely to see, since the maintenance of a safe public water supply for the Blanchard School, Library and Public Safety facilities is at or near the highest priority for the Town.

The Finance Committee recommends unanimously (6-0).

These upgrades will allow the Blanchard School, Police and Fire Departments and the Library to go back to drinking the well water instead of having to use bottled water.

Discussion:

Becky Neville asked if there was reimbursement from the region. Mary Brolin said that the maintenance fee does not transfer to the region. Boxborough maintains the system. The region pays for what they use.

Action on Article 35: Motion carried unanimously.

Nancy Fillmore, member of the Planning Board, said the Planning Board held a duly advertised public hearing on the proposed zoning bylaw amendments as printed in the 2016 Annual Town Meeting warrant under Articles 37-43 inclusive on February 22, 2016, and voted to recommend each of them.

ARTICLE 37 ZONING BYLAW AMENDMENT – AMEND ZONING MAP

(Two-thirds vote required)

Nancy Fillmore, member of the Planning Board, moved to amend the Zoning Map, as such map is provided for in Section 3002 of the Boxborough Zoning Bylaw, to adjust the boundaries of zoning districts in the manner set forth and displayed in the images of the Zoning Map as printed in the 2016 Annual Town Meeting warrant under Article 37, and further to amend said Section 3002 to add the language in bold italics and to delete the language indicated by strikethrough, as printed in the 2016 Annual Town Meeting warrant under Article 37.

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,~~ **as it may be amended.**

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:



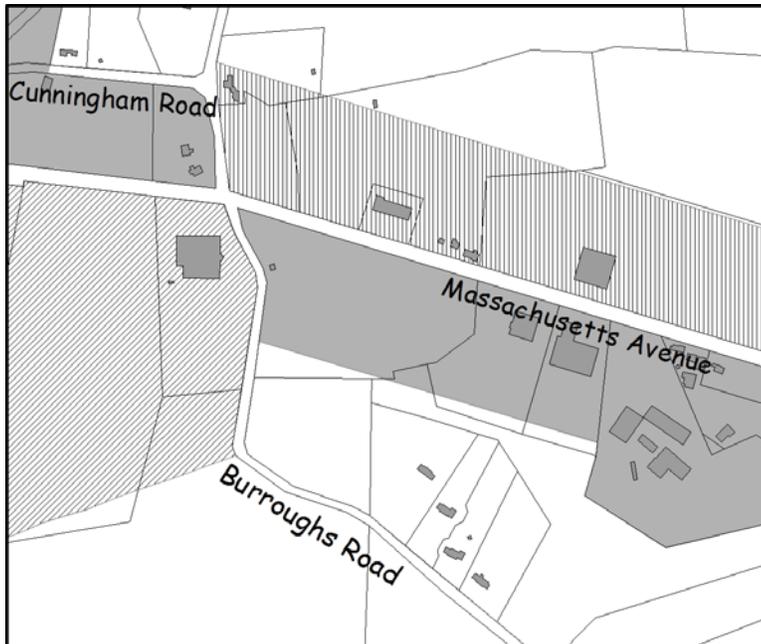
PROPOSED ZONING DISTRICT BOUNDARIES:



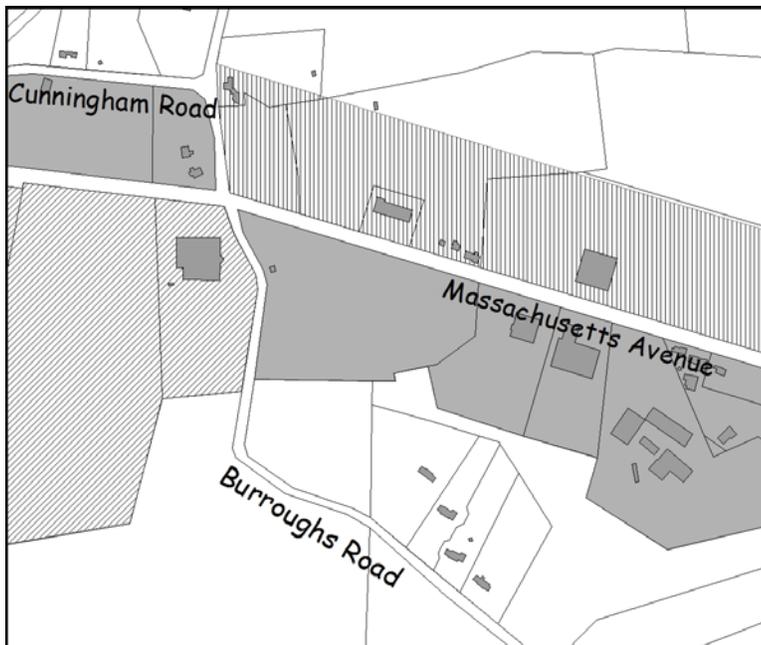
The affected lots are identified on the map above by Assessor’s Map and Parcel Number, and include the following: 13-022-000, 13-023-000, 13-024-000, 17-015-000, 17-019-000, 17-020-000, 18-003-000, 18-004-000, 18-005-000, 18-006-000, 18-007-000, 18-008-000, 18-009-000, and 18-010-000.

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:



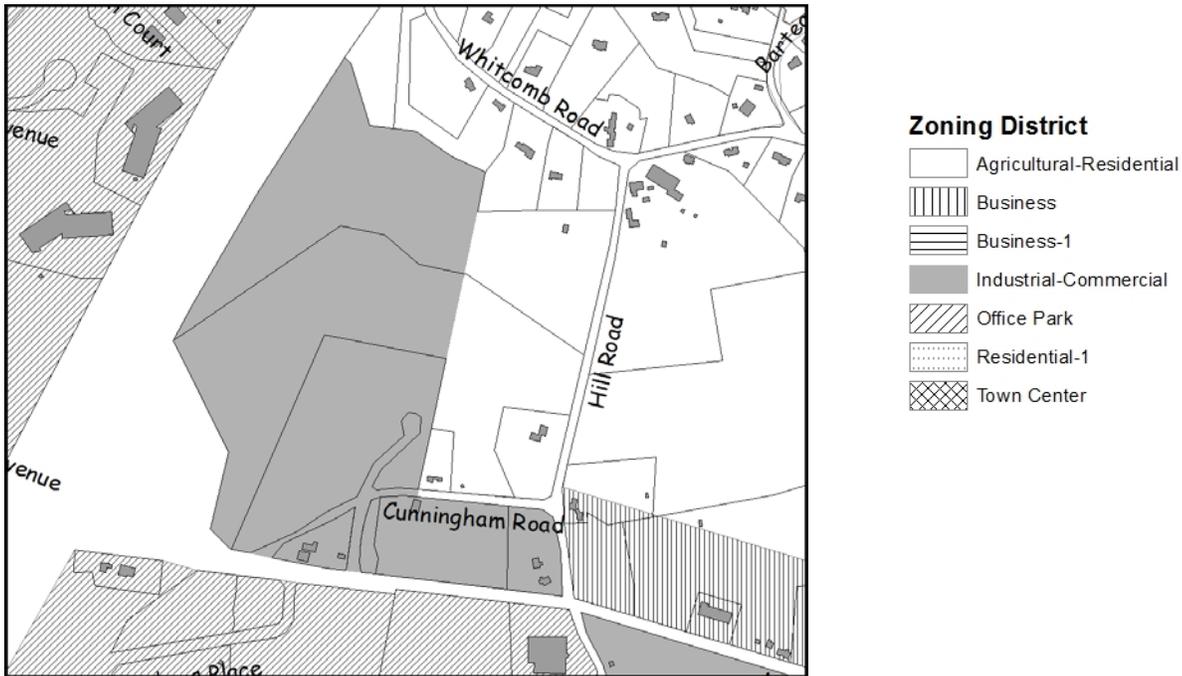
PROPOSED ZONING DISTRICT BOUNDARIES:



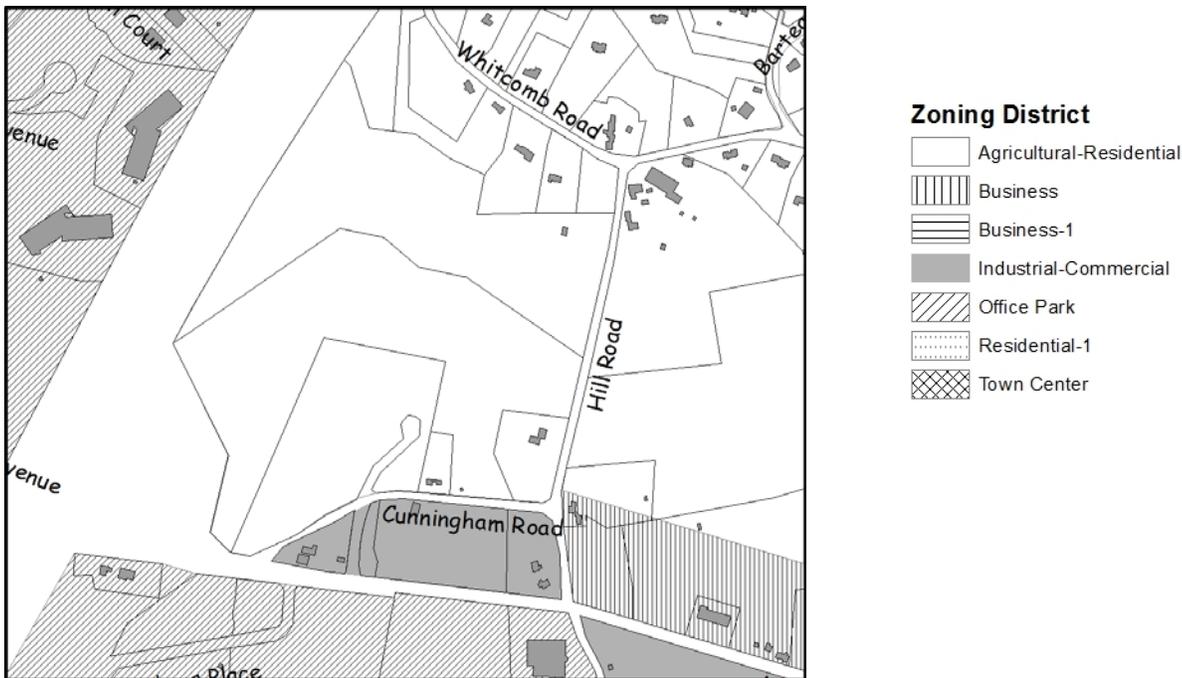
The affected lots are identified on the map above by Assessor's Map and Parcel Number, and include the following: 13-018-000, 13-019-000, 13-020-000, and 13-030-000.

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:



PROPOSED ZONING DISTRICT BOUNDARIES:



The affected lots are identified on the map above by Assessor’s Map and Parcel Number, and include the following: 08-012-000, 08-013-000, and 08-014-000

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 affected lots are identified on the map above by Assessor's Map and Parcel Number, and include the following: 04-067-000, 04-068-000, and 04-069-000.

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.

The Finance Committee unanimously recommends (5-0).

This article will simplify processes for the Assessor, and overall will have minimal fiscal impact on the town budget.

Discussion:

Mr. Follett asked about area on page 75 moving from Industrial to Agricultural-Residential. It was identified as the Coutts property. A builder wanted to build a residence there but couldn't because of the zoning and requested the change.

Mr. Neville expanded on the thinking behind the change—wanted to keep all of Hill Road residential.

A resident of Burroughs Road had question on p. 73, area 2, on extending industrial-commercial toward Burroughs Road. Already noise –concern there will be more. The idea was to “clean up” the lots so a lot would not be in two zones. Nancy asked that Adam Duchesneau, the Town Planner, be recognized.

Mr. Duchesneau said that if industrial use would expand would have to come to a hearing. He pointed out that the areas actually have a lot of wetlands so impact will be inconsequential. The actual amount of land that is changing is less than 100 feet.

Mitzi Weil, Burroughs Rd., asked about the map on Page 75. Are we spot zoning for developers? No –we are preventing a potential industrial or commercial activity. How large is the property—4 acres.

Larry Sun, Burroughs Road, how did the zoning come about. Adam said that in the 50's a swath of land on either side of 111 was designated industrial—did not look at lots. Mr. Sun asked if there was another way to deal with issue. Adam said no. Uses are regulated. A boundary change will not change the usage.

Mr. Neville said that boundary lines are as old as the town. Zoning evolves over time.

Charlie Summers, Hill Rd., asked about page 73 asked about the easternmost section. He said that there is a lot of noise from some of these businesses.

Michael Toups asked about page 75. Concerned about the change from industrial to residential. He asked about the property to the east and south. Part is Liberty Field and the other is the Coutts property. Struggling with why we would change one parcel. Adam said only 2 single family homes could be built on it. If it stayed industrial commercial, could put a gas station or many other things.

Mark White, Sara's Way, thinks rezoning this property opens a can of worms. Mr. Duchesneau explained the rationale for the recommended changes.

Mr. Follett said is it the developer that drove the change or the concern about the character of Hill Rd. Adam said that the developer approached the Planning Board. There may be other developers or land owners who want to rezone a property. Mr. Follett doesn't think it feels right. Adam said the Planning Board could have chosen not to pursue it.

Mr. Neville said that across the street are the 4 apartment buildings. Doesn't make sense to change to Ag-Res since they'd be non-conforming.

Ms. Neville moved the question. Motion carried.

Action on Article 37: Motion carried by 2/3 as declared by the moderator.

Mr. Amoroso made a motion to adjourn to Thursday. Motion carried unanimously.

May 12, 2016

After some preliminary announcements, Mr. Fallon called the meeting to order at 7:05pm. There were 61 registered voters in attendance.

ARTICLE 38 ZONING BYLAW AMENDMENT – AMEND SECTION 8102 DESIGN REVIEW BOARD

(Two-thirds vote required)

John Markiewicz, member of the Planning Board, moved to amend Boxborough Zoning Bylaw Section 8102 Design Review Board, to add the language in bold italics and to delete the language indicated by strikethroughs, as printed in the 2016 Annual Town Meeting warrant under Article 38.

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) OneTwo*** 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.

The Finance Committee unanimously recommends (5-0).

This article has no significant financial impact.

Action on Article 38: Motion carried unanimously.

ARTICLE 39 ZONING BYLAW AMENDMENT – AMEND SECTION 5002 DIMENSIONAL SCHEDULE AND SECTION 5003 REDUCED FRONTAGE LOTS

(Two-thirds vote required)

Mr. Markiewicz moved to amend Boxborough Zoning Bylaw Sections 5002 Dimensional Schedule and 5003 Reduced Frontage Lots, to delete the language indicated by strikethroughs, as printed in the 2016 Annual Town Meeting warrant under Article 39.

5002 Dimensional Schedule

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

The Finance Committee unanimously recommends (5-0).

This article has a minimal financial impact for the town.

Action on Article 39: Motion carried unanimously.

ARTICLE 40 ZONING BYLAW AMENDMENT – AMEND SECTION 9004 PENALTY

(Two-thirds vote required)

Mr. Markiewicz moved to amend Boxborough Zoning Bylaw Section 9004 Penalty, to add the language in bold italics, as printed in the 2016 Annual Town Meeting warrant under Article 40.

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.

The Finance Committee unanimously recommends (5-0).

This is a housekeeping article for the Planning Board and has no significant financial impact for the town.

Mark White asked why we had the article? Mr. Markiewicz said it was so that ZBA and Planning Board decisions are both considered when enforcing the Zoning Bylaw. He asked if the Town were obligated to fine – Adam said that enforcement was at the discretion of the Town. Town Counsel says bylaw would allow fine instead of going to court to seek injunctive relief, which is always available for serious violations.

Lonnie Weil was confused about when to use the bylaw and who decides. Town Counsel said it's like any other fineable offense not just those in Zoning Bylaw. All enforcement is at the discretion of town staff. Want to maintain ability of enforcement officers to use discretion. To enforce a fine, enforcement officers have to go to district court. Both parties can then try to convince judge to either get the fine paid or dismissed.

Michal Touns, Pine Hill Rd., are enforcement actions appealable to the ZBA. Adam said yes.

Larry White, Sara's Way, asked about the fine structure.

Action on Article 40: Motion carried unanimously.

ARTICLE 41 ZONING BYLAW AMENDMENT – AMEND SECTION 2181 STRUCTURE

(Two-thirds vote required)

Mr. Markiewicz moved to amend Boxborough Zoning Bylaw Section 2181 Structure, to add the language in bold italics and to delete the language indicated by strikethroughs, as printed in the 2016 Annual Town Meeting warrant under Article 41.

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 (67)** 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.

The Finance Committee unanimously recommends (5-0).

This is a housekeeping article for the Planning Board to ensure compliance with the State Building Code and has no significant financial impact for the town.

Action on Article 41: Motion carried unanimously.

ARTICLE 42 ZONING BYLAW AMENDMENT – AMEND SECTION 2130 FARM, SECTION 4003 USE REGULATION SCHEDULE, SECTION 4107 ACCESSORY APARTMENT, AND SECTION 8003 EXEMPTIONS

(Two-thirds vote required)

Ms. Fillmore moved to amend Boxborough Zoning Bylaw Section 2130 Farm, Section 4003 Use Regulation Schedule, Section 4107 Accessory Apartment, and Section 8003 Exemptions, to add the language in bold italics and to delete the language indicated by strikethroughs, as printed in the 2016 Annual Town Meeting warrant under Article 42.

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.

The Finance Committee recommends unanimously (6-0).

This is an administrative amendment for the Planning Board and has no significant financial impact for the town.

Action on Article 42: Motion carried unanimously.

ARTICLE 43 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)

Owen Neville, chair of the Planning Board, moved 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 sections of the Zoning Bylaw to add the language in bold italics and to delete the language indicated by strikethroughs, and renumbering various sections accordingly throughout the Zoning Bylaw, all as printed in the 2016 Annual Town Meeting warrant under Article 43.

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 ~~eh~~*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
- ~~(11)~~**10** 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.

The Finance Committee recommends unanimously (6-0).

This streamlines what is currently a redundant process and has no significant financial impact to the town.

Norm Hanover, member of the Conservation Commission, made the recommendation for the Commission. He said the Conservation Commission was in favor of the amendment (6-0.)

Action on Article 43: Motion carried unanimously.

ARTICLE 44 GENERAL BYLAW AMENDMENT – STONE WALLS

(Majority vote required)

Mr. Neville moved 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 by revising Section 7: Enforcement to add the language in bold italics, as printed in the 2016 Annual Town Meeting warrant under Article 44.

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.

Summary

The proposed amendments would allow for the temporary removal and replacement of sections of stone walls under the conditions listed in the proposed text and Applicants would not be required to go through a formal public hearing process before the Planning Board.

The Planning Board recommends.

Recent experience has caused the Planning Board to recommend the above changes. Instances where stone wall disturbances are both small and temporary requiring residents to comply with the bylaw as it currently exists, is, in the opinion of the Board, an unnecessary burden. Staff oversight and the required bond will ensure that the stone walls are returned to their pre-disturbance condition.

The Board of Selectmen recommends unanimously (5-0).

This article provides a sensible streamlined approval procedure for temporary openings of a stone wall that may be required for an applicant to complete an otherwise approved project (deck, addition, swimming pool, equipment delivery, etc.). Under present bylaw provisions, an applicant requires Planning Board approval in writing for any alteration of a stone wall within or on the boundary of a Town way. This process may subject applicants to undue delay for projects, being subject to the Planning Board's meeting and hearing schedule. The proposed bylaw change allows the Town Planner to approve limited scope temporary openings that may be required for access to the property, subject to reasonable provisions for restoration of the stone wall to its original condition.

The Finance Committee recommends (4-2).

PRO: This bylaw will ensure the preservation of the Town's historic stonewalls along its roads. CON: The posting of a \$1,000 bond by home owners is an unfair, costly and unnecessary burden to the tax payer.

Action on Article 44: Motion carried unanimously.

ARTICLE 45 GENERAL BYLAW AMENDMENT – ANNUAL TOWN MEETING

(Majority vote required)

Mr. Amoroso moved 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, as printed in the 2016 Annual Town Meeting warrant under Article 45.

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.

The Board of Selectmen recommends unanimously (5-0).

The Board supports this amendment because it will eliminate possible confusion in the minds of voters who are accustomed to federal and state elections being held on Tuesdays.

The Finance Committee recommends unanimously (6-0).

This article has no significant financial impact on the town.

Discussion:

Ms. Fillmore questioned the need to change the bylaw. Aren't we going to confuse people? Mr. Amoroso said that many towns have Tuesday elections.

Ling Chen, 1155 Burroughs Road, said if we made the change we need to advertise so that people are aware.

Becky Neville said the reason people don't come out to vote is the lack of competitive races.

Action on Article 45: Motion carried by majority vote.

ARTICLE 46 GENERAL BYLAW – NEW – RECONSIDERATION OF VOTE

(Majority vote required)

Mr. Amoroso moved to adopt a new general bylaw entitled "Reconsideration of Vote", as printed in the 2016 Annual Town Meeting warrant under Article 46.

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.

The Board of Selectmen recommends unanimously (5-0).

At the last two Annual Town Meetings the Town experimented with this procedure. Its purpose is to encourage discussion, consideration and resolution of an article by the maximum number of voters interested in or affected by it. It recognizes and seeks to eliminate the possibility that the will of the majority of voters present for the discussion and vote can be thwarted by a handful of voters who move for reconsideration after the majority of voters have left Town Meeting. At each of the past two Annual Town Meetings voters approved this procedure for those meetings. The Board believes the procedure worked well in those two Town Meetings and supports adopting it as a bylaw.

The Finance Committee does NOT recommend (5-1).

Although this article has no significant financial impact on the town, the Finance Committee prefers to continue the current practice of allowing Town Meeting to decide whether to adopt this procedure at the start of each Meeting rather than incorporate the adoption of the process as a bylaw.

Discussion:

Mr. Neville spoke against the motion. He said that if we allowed reconsideration at each town meeting, more people would come and stay to the end to make sure that an article is not reconsidered. Conversely, if an article fails one night it can always be reconsidered.

Mr. Van Roggen spoke in favor of having regular rules for every town meeting. He points out how hard it is to attend more than one night of town meeting.

Mr. Amoroso said that the bylaw would give the Moderator discretion over reconsideration.

Becky Neville said town meeting is a marathon not a sprint. People need to come to the whole meeting. Feels reconsideration would motivate attendance.

Mr. Toups spoke against the motion. He feels lack of reconsideration decreases participation. He doesn't want to give more discretion to Moderator. Town meeting is the legislative body.

Jeanne Kangas spoke against the motion. She also did not want to give the Moderator more discretion on reconsideration. Town Meeting Time vs Robert's Rules. We use TMT.

Trina Toups spoke against the motion. She feels that sometimes the question is moved too quickly and then there is no recourse without reconsideration.

Steve Jeffries, Sargent Rd., said he was new to town meeting and asked about the definition of reconsideration.

Mr. Fallon explained that there is no town bylaw on reconsideration. Our tradition is that reconsideration is in order. For the last three years, the BOS has made a motion for each meeting disallowing reconsideration.

Jennifer Campbell, Patch Hill Rd., said each town meeting is different and doesn't think we need bylaw change.

Jim Moss, Bicentennial Way, said that he has been involved with a contentious article. It was passed on the first night of town meeting only to have it up for reconsideration on the third night. He thought it was unfair to have that happen. Urged support of the motion.

Charlene Golden, Hill Rd., reminded town meeting that reconsideration brought us Flerra Field.

Diane Lipari said she is new to Boxborough. Three days is a lot to ask. She thinks many people have articles they're interested in. If we are a legislature—not every congressman is there for every vote. What about quorums? She doesn't think 10 people should be able to overturn the votes of 300 people.

Ms. Neville said you can always do a special within the annual to get around reconsideration.

Cheryl Mahoney spoke against the motion. She said that if we vote the bylaw, if wanted to repeal, you could have an article to repeal at the next annual or special town meeting.

John Markiewicz, Patch Hill Rd., likes the way we've been dealing with the issue of reconsideration.

Trina Toups asked how often articles were brought up for reconsideration. Not often.

Mr. Giorgio shared some information: Boxborough is unusual in not having a bylaw on reconsideration. 3 variables—most say a motion for reconsideration must take place during that session; once article voted on, article can't be voted on again; 2/3

Katie Neville moved the question. Motion to vote now, carried by 2/3, as declared by the Moderator.

Action on Article 46: Motion failed. Yes: 24 No: 38

ARTICLE 47 GENERAL BYLAW – NEW – VOTE COUNTS BY MODERATOR

(Majority vote required)

Mr. Amoroso moved to adopt a new general bylaw entitled “Vote Counts by Moderator”, as printed in the 2016 Annual Town Meeting warrant under Article 47.

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).

The Board of Selectmen recommends unanimously (5-0).

The Board supports this bylaw because it will allow the Moderator to streamline the voting process in cases where a two-thirds vote is required and the result is readily apparent. At the same time, the bylaw provides a reasonable safeguard in the event that seven or more registered voters challenge the Moderator's determination.

The Board notes that the Town's voters have expressed a long-standing preference for this procedure by approving it at town meetings over the last fifteen or so years. The Board believes it has served the Town well in those town meetings, and that it makes sense to adopt it as a regular procedure by approving this bylaw

The Finance Committee recommends unanimously (6-0).

This has no significant financial impact on the town.

Discussion:

Michael Toups has a problem with 7 people being required to challenge.

Action on Article 47: Motion carried. Yes: 34 No: 22

ARTICLE 48 A SENSE OF THE MEETING MOTION TO CREATE A GREENER BOXBOROUGH

(Majority vote required; non-binding)

Francie Nolde, chair of the Energy Committee, moved to pass over Article 48, “A Sense of the Meeting Motion to Create a Greener Boxborough.” Motion carried unanimously.

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.

The Finance Committee unanimously does NOT recommend (6-0).

While conservation was generally supported, some of the recommendations in this article are unclear, none are costed out, so the financial impact on town or residents is uncertain, and one recommended action was recently rejected by the town.

NON-MONETARY CONSENT AGENDA – Articles 49-51

Mr. Amoroso moved to approve the consent agenda, articles 49 through 51, inclusive, as printed in the 2016 Annual Town Meeting warrant under articles 49 through 51 inclusive.

Action on Consent Agenda Articles 49-51, inclusive: Motion carried unanimously.

ARTICLE 49 CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM**

(Majority vote required)

As part of the Consent Agenda, Mr. Amoroso moved 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.

The Board of Selectmen recommends unanimously (5-0).

This article authorizes the Town to accept and spend Chapter 90 roadway maintenance funds allocated to Boxborough by the Commonwealth of Massachusetts. These funds are expended in a variety of construction projects, ranging from road re-paving to retaining wall and guardrail installation, and including from time to time the purchase of equipment instrumental in maintaining Town roads. The FY 17 funds accepted by this Town Meeting action will be used almost exclusively for repaving projects in Town.

The Finance Committee recommends unanimously (6-0).

This article allows for the town to accept and spend funds provided by the state for necessary paving projects in the town.

ARTICLE 50 DISCONTINUANCE OF CUNNINGHAM ROAD (WESTERLY PORTION)**

(Two-third vote required)

As part of the Consent Agenda, Mr. Amoroso moved to see if the Town will vote to discontinue as a public way the westerly portion of Cunningham Road from its intersection with Massachusetts Avenue to the near easternmost edge of its intersection with Ward Road, and to transfer the care, custody, management and control of said discontinued portion of Cunningham Road from the Board of Selectmen for public way purposes to the Board of Selectmen for general municipal purposes, including the purpose of conveyance; and further to authorize the Board of Selectmen to convey all or a portion of the Town's right, title and interest in said discontinued portion, if any, on such terms and conditions, and for such consideration, as the Board of Selectmen deems appropriate, or take any other action relative thereto.

Summary

One of the provisions in the comprehensive permit for the Jefferson at Beaver Brook development to the north side of Massachusetts Avenue near Rte. 495 is that Cunningham Road be discontinued as far as through traffic from Massachusetts Avenue or the development to Hill Road is concerned. The westerly end of Cunningham Road has already been discontinued for practical purposes, since the construction of Ward Road as entrance to Jefferson at Beaver Brook has imposed a barrier to vehicular traffic. The easterly end of Cunningham Road services a single residence in addition to several lots that might support residential or commercial development. If the easterly end of Cunningham Road is to continue as a town way, provision must be made to provide turnaround at the cut-off end adjacent to Ward Road for DPW and Fire Department vehicles. In addition to remaining as a cut-off or cul-de-sac public way on its easterly end, proposals have been made to use the Cunningham Road track for pedestrian or bicycle trails. Several possibilities exist for use of the Cunningham Road track, which can be resolved by collaboration among the stakeholders. The one salient fact is that the terms of the Comprehensive Permit must be honored at some point in time prior to the opening of Jefferson at Beaver Brook. The essence of this provision is that no through traffic be allowed from Massachusetts Avenue and/or the Jefferson at Beaver Brook to Hill Road. This objective can be achieved while maintaining the easterly end of Cunningham Road as a town way, as long as a barrier to vehicular traffic is installed at the crossing with Ward Road.

The Planning Board recommends.

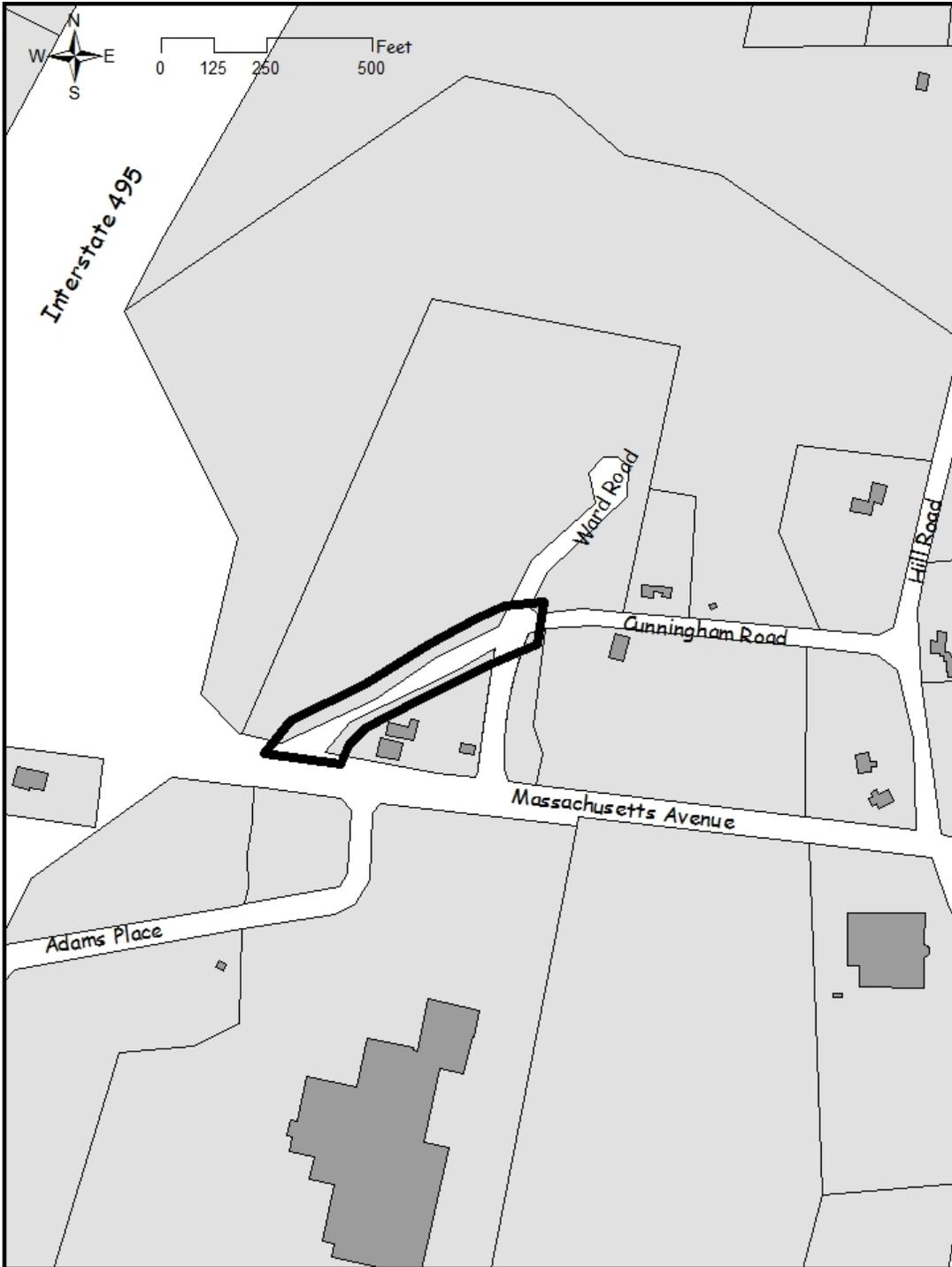
The approved site plan for the 244-unit Chapter 40B project known as Jefferson at Beaver Brook calls for the discontinuance and removal of the western portion of Cunningham Road. Additionally, the site plan also calls for the elimination of any roadway connection between the project access roadway (Ward Road) and Hill Road. The project's site plan was adjusted and approved after several hearings during the application process where substantial input from the public was provided regarding traffic patterns for the area. This action would allow for the project's site plan design to be compliant with the Comprehensive Permit which was issued for the project.

The Board of Selectmen recommends unanimously (5-0).

The Board of Selectmen believes that the Town and developer must honor the commitment made in the Comprehensive Permit to preclude through traffic onto Hill Road from Cunningham Road. This will be achieved by the proposed method of discontinuing the westerly end of Cunningham Road as described in the summary and shown on the accompanying map. The developer of the project will provide for the erection of a barrier to vehicular traffic at the eastern edge of Ward Road where it intersects Cunningham Road. The town will be free to seek the best eventual disposition of the eastern portion of Cunningham Road, which is not the subject of this article, in view of the interests and rights of abutters, the Town of Boxborough and its residents.

The Finance Committee recommends unanimously (6-0).

While this may have a slight negative impact on our Chapter 90 reimbursement, this could be more than offset by the potential development of one or two new parcels.



ARTICLE 51 ACCEPT MGL CH 41 § 110A – OFFICE HOURS ON SATURDAYS**

(Majority vote required)

As part of the Consent Agenda, Mr. Amoroso moved 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.

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.*

The Board of Selectmen recommends unanimously (5-0).

The Selectmen support the Town Clerk's request to accept this chapter of the general laws. In instances when a voter registration deadline falls on a Saturday, registration will take place on the preceding Friday, when staffing is available.

The Finance Committee recommends unanimously (6-0).

This has no significant financial impact for the town.

Ms. Kangas was concerned about the lack of participation at Annual Town Meeting. She said that new residents don't understand town meeting and their responsibilities. Wants to propose a sense of the meeting motion to ask BOS to form a special committee on town meeting and doing outreach to residents and perhaps considering ATM on a Saturday.

John Markiewicz asked the town to recognize Owen Neville for 15 years of service on PB. Town meeting gave round of applause.

Mr. Bo, Burroughs Rd. said we should have an agenda for each day of town meeting on the town website.

Ms. Kangas moved that it be the sense of this meeting that the BOS form a special committee to study and report to them on the ways and means of enlarging citizen participation in our town government of the timing and scheduling of Annual Town Meeting.

Discussion:

Mr. Fox said things are changing and we are having trouble filling boards and getting candidates to run for office. Attendance at town meeting is low. He urged people to come forward to the BOS if interested in being on a committee to look at this.

Action on Sense of the Meeting Motion: Motion carried unanimously.

Rita Grossman, Depot Rd., moved to dissolve town meeting.

Motion to dissolve Annual Town Meeting carried.

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