



**TOWN OF BOXBOROUGH
ANNUAL TOWN MEETING
MAY 9, 2016
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- 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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- 6. CPC REPORT AND ESTABLISH FY 17 RESERVES**
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- 8. COMMUNITY HOUSING**
 - A. Regional Housing Monitoring Services (Year 3 – calendar year 2016)**
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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 percent of the estimated annual revenue to be set aside or spent for each of the three categories of allowable community preservation purposes. Up to 5% may be spent on administration. “Estimated annual revenue” is the total of the amount to be collected in the upcoming fiscal year, i.e. FY 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.

ARTICLE 1 CHOOSE TOWN OFFICERS

(Majority vote required)

One Moderator, for a one-year term

One Town Clerk, for a three-year term

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

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

Two Library Trustees, each for a three-year term

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

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

One Constable, for a three-year term

As well as other Town Officers as may be necessary.

ARTICLE 2 RECEIVE REPORTS

(Majority vote required)

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

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

ARTICLE 3 SET SALARIES AND COMPENSATION OF ELECTED OFFICIALS

(Majority vote required)

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

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

or take any other action relative thereto.

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

**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									
	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 \$166,562)			

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

ARTICLE 5 TOWN OPERATING BUDGET

(Majority vote required)

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

[Budget will be inserted on pages 14 – 21]

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

Will re-vote on 4/4 when S. Bak returns; she was absent when 4 budgets were revised on 3/21.

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

(Majority vote required)

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

all as recommended by the Community Preservation Committee,

or take any other action relative thereto.

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>
146,000	<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, 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 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.

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

(Majority vote required)

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

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		

all as recommended by the Community Preservation Committee,
or take any other action relative thereto.

Summaries and Recommendations

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

The Community Preservation Committee recommends.

The Recreation Commission recommends unanimously.

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.

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

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 \$265,000 is being sought from the Town of Acton.

The Community Preservation Committee recommends.

The Recreation Commission recommends unanimously.

In 2005, the 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 endeavor to improve and expand the facility, which will benefit the communities of Boxborough and Acton.

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

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.

ARTICLE 8 COMMUNITY PRESERVATION FUND - COMMUNITY HOUSING

(Majority vote required)

To see if the Town will vote to appropriate from the Community Preservation Fund Community Housing Reserve the sum of Thirty-Seven Thousand Seven Hundred Forty-Five Dollars (\$37,745), more or less, for Community Preservation purposes, projects or acquisitions as follows:

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		

all as recommended by the Community Preservation Committee,

or take any other action relative thereto.

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).

8C - Boxborough Rental Voucher Program (BRVP)

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 BVRP 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 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 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.

ARTICLE 9 COMMUNITY PRESERVATION FUND – HISTORIC RESOURCES

(Majority vote required)

To see if the Town will vote to appropriate from the Community Preservation Fund Historic Resources Reserve the sum of Fifty-Nine Thousand Dollars (\$59,000), more or less, and the sum of Ninety-Three Thousand Seven Hundred and Seventy-Five Dollars (\$93,775), more or less, from the Community Preservation Fund Balance for Community Preservation purposes, projects or acquisitions as follows:

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

all as recommended by the Community Preservation Committee,

or take any other action relative thereto.

Summaries and Recommendations

9A - Conservation of Historic Town Records

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 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.

9B – Rehabilitation of Grange Meeting Room

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.

9C – Preservation and Rehabilitation of Historic Town Hall Exterior Steps

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.

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

(Majority vote required)

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

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 contribution to fund our liabilities for retirees' healthcare benefits. The town's FY 2017 unfunded liability, as reported in the June 30, 2014 actuarial study, amounts to \$2,635,793 and the proposed amount is a reasonable percentage of our total obligations. Not funding this obligation may, in the future, affect our Standard and Poor's AAA credit rating.

Jim G. may provide some tweaks

ARTICLE 11 FRAUD RISK ASSESSMENT**

(Majority vote required)

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

Summary

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

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.

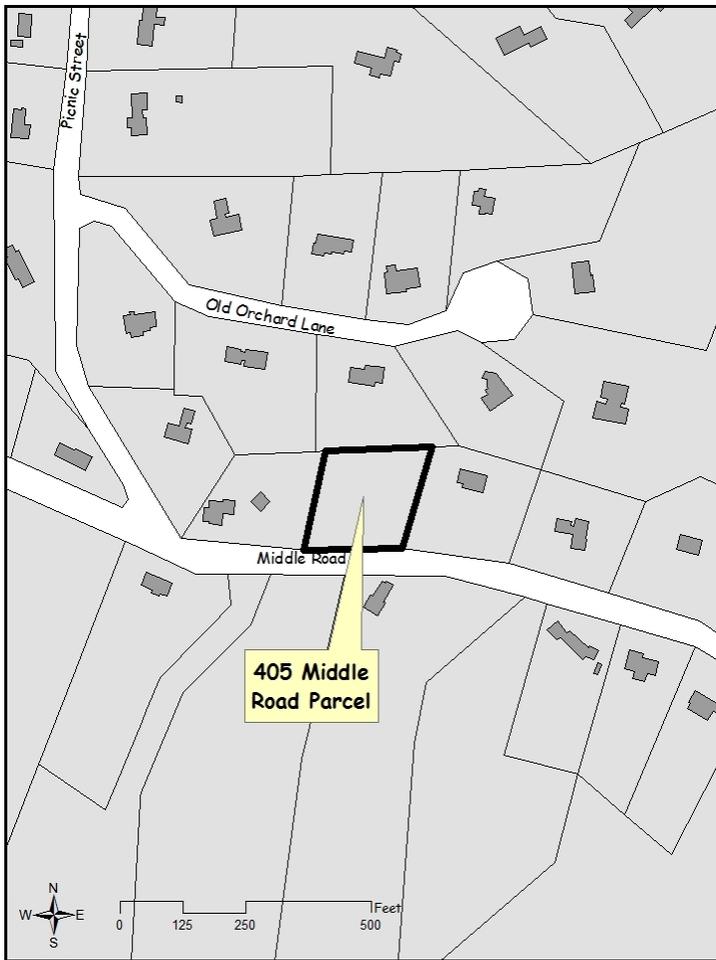
ARTICLE 12 SOIL AND PERCOLATION TESTING – 405 MIDDLE ROAD**

(Majority vote required)

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

Summary

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



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

The property at 405 Middle Road is located 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.

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

(Majority vote required)

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

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.

ARTICLE 14 REPLACEMENT OF 3 TOWN HALL HVAC UNITS**

(Majority vote required)

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

Summary

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

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.

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

(Majority vote required)

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

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.

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

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Ten Thousand Five Hundred Dollars (\$10,500), more or less, for the purpose of upgrading the existing library meeting room A/V system, or take any other action relative thereto.

The Library Board of Trustees recommends unanimously.

The Library Trustees unanimously recommend this necessary expenditure. Due to the age of the equipment of the existing A/V system as well as the audio visual standard moving from analog to digital it is our recommendation to upgrade the projector to an HD resolution projector which is standard today. In addition, the standard video output on most laptop computers is HDMI which does not exist on the ceiling mounted projector. Replacement parts and regular service, which ensures 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.

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

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Five Thousand One Hundred Dollars (\$5,100), more or less, for the purpose of acquiring a commercial dehumidifier and storage shelving for the Boxborough Museum, or take any other action relative thereto.

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.

ARTICLE 18 CLOSE COMPLETED ARTICLES**

(Majority vote required)

To see if the Town will vote to transfer to the General Fund the unexpended balance of monies in the amount of Twenty-Eight Thousand Two Hundred Fifteen Dollars and Forty-One Cents (\$28,215.41), more or less, as voted by past Town Meetings, and indicated in the table below:

	Description	Amount
May 2010 (ATM) Article 11	Fire Dept – Mobile Networks	\$40.14
May 2011 (ATM) Article 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>

and further, to transfer from **free cash** the sum of One Hundred Fifty-Seven Dollars (\$157), more or less, 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), or take any other action relative thereto.

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

ARTICLE 19 DEPARTMENTAL REVOLVING FUNDS RE-AUTHORIZATION**

(Majority vote required)

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

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

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

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

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

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

The Library Board of Trustees recommends unanimously.

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

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

(Majority vote required)

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

Summary

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, establish 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 receipts reserved for appropriation special revenue fund. 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.

ARTICLE 21 CABLE INFRASTRUCTURE**

(Majority vote required)

To see if the Town will vote to appropriate the sum of **One Hundred Fifteen Thousand Dollars (\$115,000)**, more or less, said funds **to be transferred from** the PEG Access and Cable Related Fund receipts reserved for appropriation account, for the purpose of 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, or take any other action relative thereto.

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>	\$55,200
<i>Contract Videographers</i>	2,000
<i>On-demand service</i>	3,000
<i>Grange Meeting Room infrastructure improvements</i>	40,000
<i>Additional camera heads</i>	7,500
<i>For videographing of concurrent meetings, while BoS is being broadcast in Grange Meeting Room</i>	
<i>2 camera kits</i>	5,000
<i>2 tripod kits w/bags</i>	700
<i>2 wireless mike kits</i>	1,600
Total	\$115,000

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 live 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 live 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.

3/24: TA has just been informed that cost of services provided by LCTV may be revised. Awaiting further cost info.

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

(Two-thirds vote required)

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

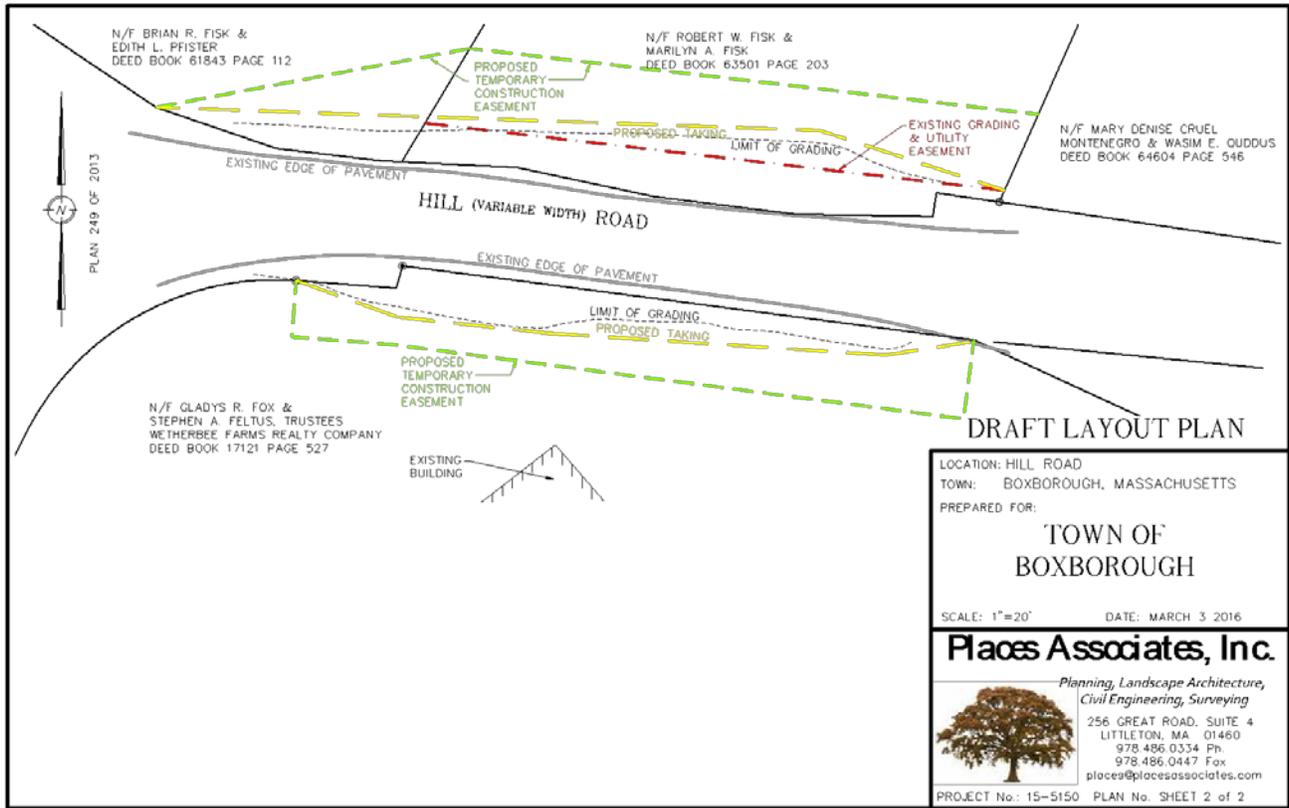
Summary

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 (FY16) 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.]



ARTICLE 23 CONSERVATION TRUST FUND

(Majority vote required)

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

Summary

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

Justification and Need

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

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

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

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

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

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

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

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

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

Background Information

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

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

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

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

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

The Conservation Commission recommends (6-0).

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.

ARTICLE 24 INFORMATION TECHNOLOGY HARDWARE UPGRADES

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

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

Summary

This article provides for a phased approach to upgrading our network with a more robust, secure infrastructure. The Town's network infrastructure is comprised of CISCO network switches, 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 uninterrupted 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, one failing ruggedized tablet and a desktop unit for the Police Department, 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, uninterrupted power supplies and a portion of cabling. If the Town is successful in its application, \$41,000 of the requested \$72,500 (just over half 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.

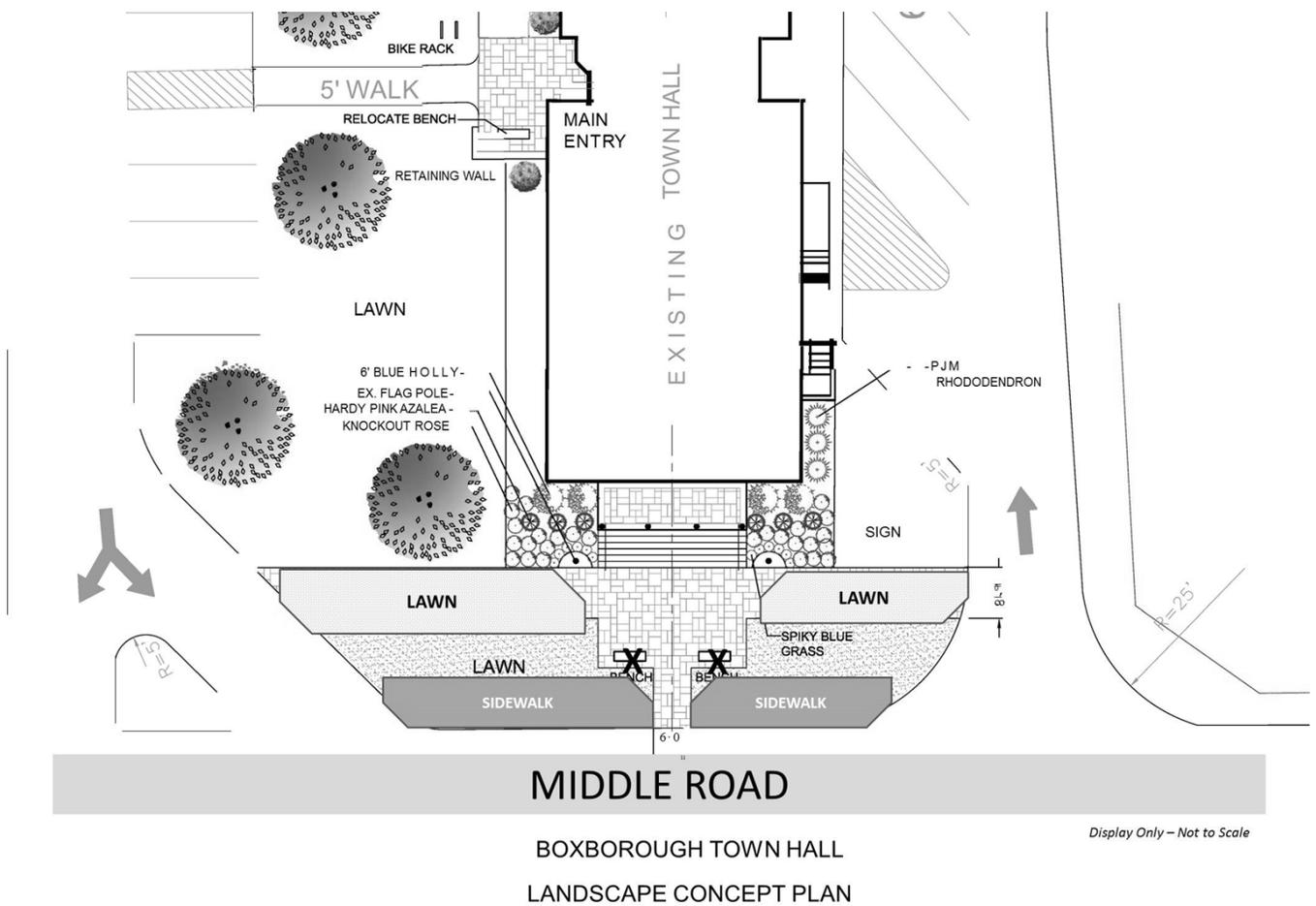
ARTICLE 25 TOWN HALL FRONT (MIDDLE ROAD) WALKWAY & SIGNAGE

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

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

Summary

This article seeks an appropriation to replace the walkway/patio at the base of the Middle Road entrance steps. The walkway area is uneven and mortar joints in the brickwork are failing in some areas. The brickwork will be replaced by interlocking pavers from the base of the steps out to the roadway and will accent the granite/fieldstone stairs. 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.



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

Jim G. will be providing language for recommendation.

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

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

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

Summary

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 to the 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.

ARTICLE 27 POLICE DEPARTMENT – BUILDING REPAIRS AND MAINTENANCE

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

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

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

Or take any other action relative thereto.

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. The carpet replacement is on the capital plan for FY17. A deficiency must be corrected in the case of the Lobby and Evidence 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...

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

ARTICLE 28 POLICE DEPARTMENT – EQUIPMENT

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

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

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

Or take any other action relative thereto.

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 tasers since 2014. Additional tasers are required to equip the part-time police officers who have been 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 finger printing data systems widely used by law enforcement at the local, state and national level.

The Board of Selectmen...

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

ARTICLE 29 FIRE DEPARTMENT – REPLACE UTILITY TRUCK

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

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Forty-Five Thousand Five Hundred Dollars (\$45,500), more or less, for the purpose of replacing the Fire Department’s current utility vehicle with a ¾ ton pickup truck, or take any other action relative thereto.

Summary

This article would fund a ¾ ton pickup truck, replacing the current utility vehicle. This pickup truck 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 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.

Jim G. will be tweaking.

ARTICLE 30 ANIMAL CONTROL (DOGS & CATS) PICKUP TRUCK

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

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Forty Thousand Dollars (\$40,000), more or less, for the purpose of acquiring and equipping a 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, or take any other action relative thereto.

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...

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. 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.

ARTICLE 31 DPW – ROAD PAVING

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

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Three Hundred Thousand Dollars (\$300,000), more or less, for the purpose of paving roadways in Boxborough, or take any other action relative thereto.

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.

ARTICLE 32 DPW – REPLACE FRONT END (BUCKET) LOADER

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

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

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.

ARTICLE 33 DPW - REPLACE PICKUP TRUCK

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

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

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.

ARTICLE 34 DPW - VHF RADIOS AND RELATED EQUIPMENT

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

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

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>
<i>Total</i>	<i>\$95,000</i>

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.

ARTICLE 35 HAGER WELL - SYSTEM UPGRADES

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

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

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.

ARTICLE 36 PUBLIC SAFETY BUILDING – ADDITIONAL SITE & BUILDING DATA

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of **Eighty Thousand Dollars (\$80,000)**, more or less, for the purpose of continuing conceptual design and costing studies, conducting site surveys and geotechnical studies, and delineating wetlands boundaries for proposed Public Safety Facilities, or take any other action related thereto.

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 detailed floor plan for the combined Public Safety Facility has furthermore been developed and 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 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
Architect/Engineering Fees	39,000
Total	\$80,000

The Board of Selectmen...

While all participants agree that significant upgrade of our Police and Fire facilities is necessary to serve the Town’s evolving and expanding needs, there remains considerable disagreement about specific needs and priorities, and their associated construction project costs. The Board believes that additional study and data gathering is required before sensible decisions regarding construction project scope, timing and cost can be determined. The proposed article will fund the gathering of additional site data, enabling more reliable design decisions, as well as adaptation of the conceptual design to reflect agreed upon Town priorities.

Articles 37 – 43 Zoning Bylaw Amendments to be added

[These will be properly incorporated at the end of the process]

- 37. ZONING BYLAW AMENDMENT – AMEND ZONING MAP**
- 38. ZONING BYLAW AMENDMENT – AMEND SECTION 8102 DESIGN REVIEW BOARD**
- 39. ZONING BYLAW AMENDMENT – AMEND SECTION 5002 DIMENSIONAL SCHEDULE AND SECTION 5003 REDUCED FRONTAGE LOTS**
- 40. ZONING BYLAW AMENDMENT – AMEND SECTION 9004 PENALTY**
- 41. ZONING BYLAW AMENDMENT – AMEND SECTION 2181 STRUCTURE**
- 42. ZONING BYLAW AMENDMENT – AMEND SECTION 2130 FARM, SECTION 4003 USE REGULATION SCHEDULE, SECTION 4107 ACCESSORY APARTMENT, AND SECTION 8003 EXEMPTIONS**
- 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**

**2016 Annual Town Meeting Warrant Articles
Planning Board**

ARTICLE 37 ZONING BYLAW AMENDMENT – AMEND ZONING MAP
(Two-thirds vote required)

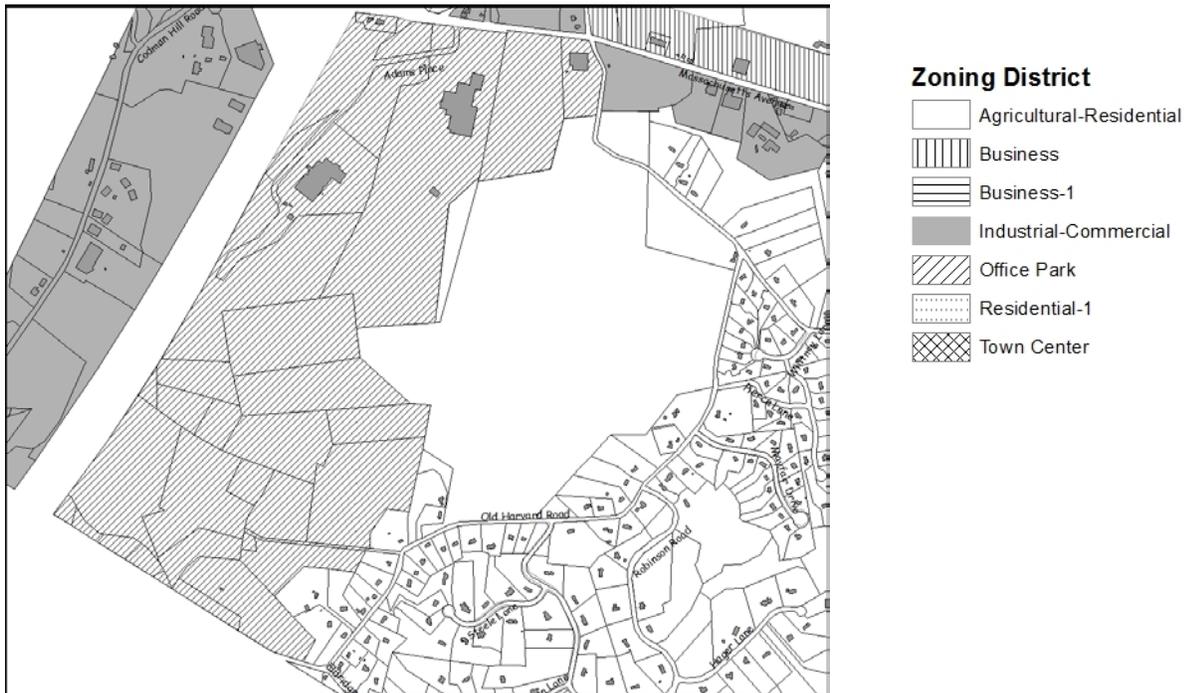
To see if the Town will vote to amend the Boxborough Zoning Bylaw by adopting an updated Zoning Map which incorporates the changes as discussed below and displayed in the following images of the Zoning Map:

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

EXISTING ZONING DISTRICT BOUNDARIES:

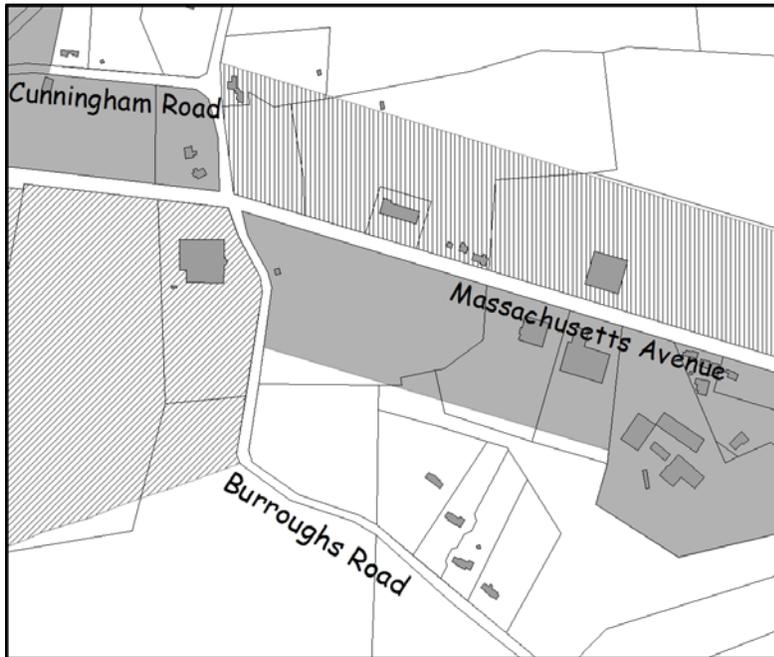


PROPOSED ZONING DISTRICT BOUNDARIES:



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

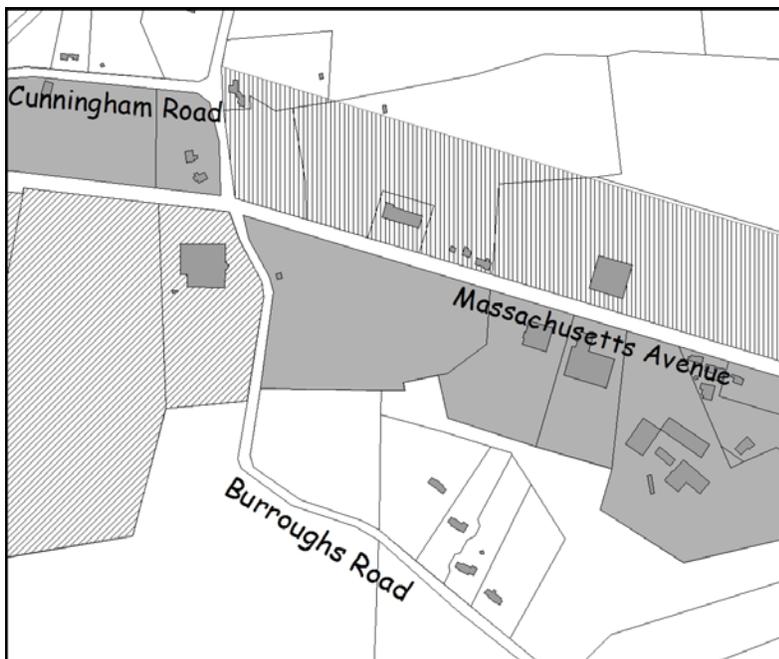
EXISTING ZONING DISTRICT BOUNDARIES:



Zoning District

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

PROPOSED ZONING DISTRICT BOUNDARIES:

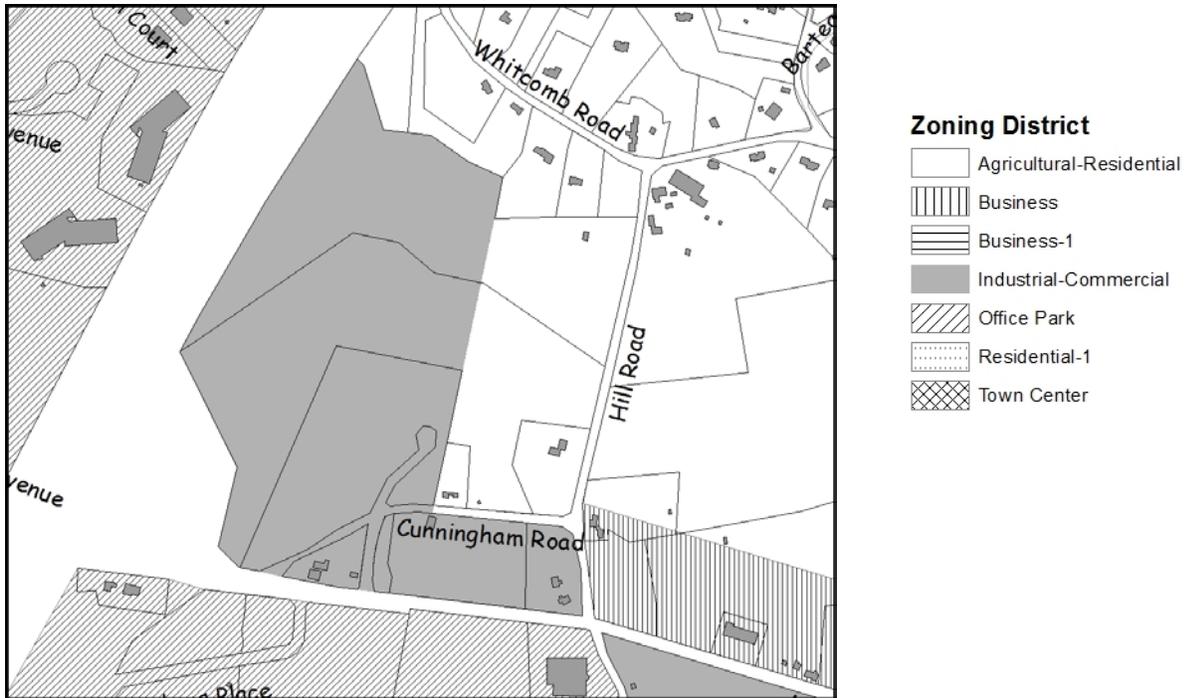


Zoning District

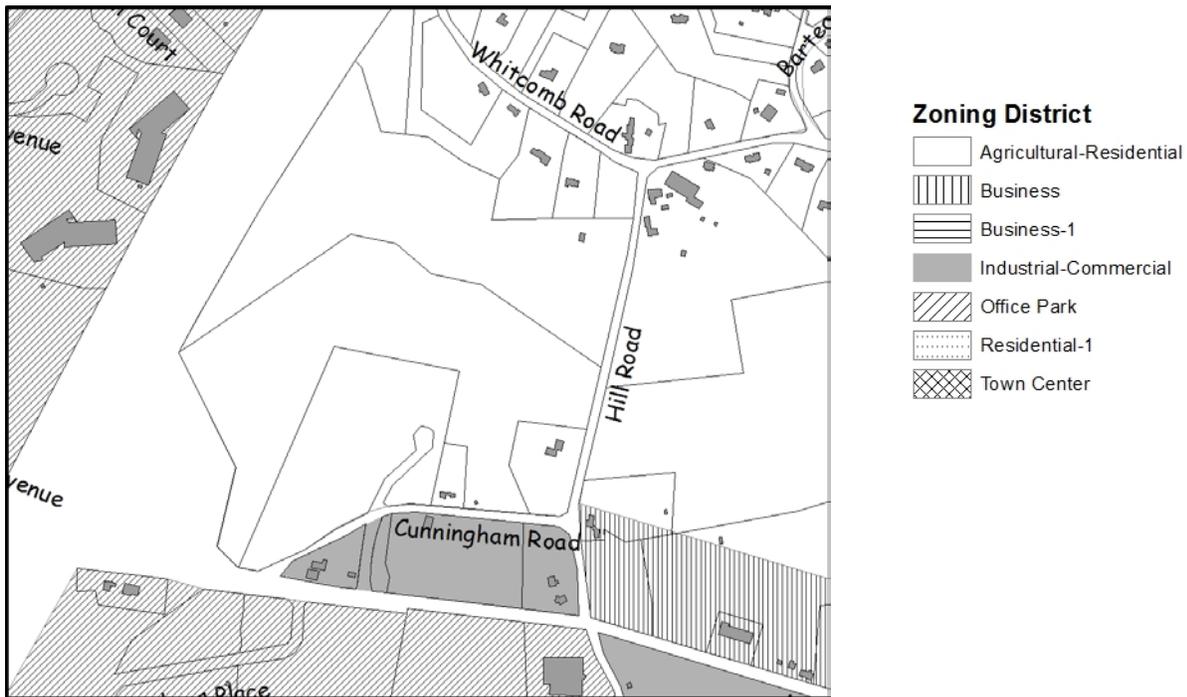
-  Agricultural-Residential
-  Business
-  Business-1
-  Industrial-Commercial
-  Office Park
-  Residential-1
-  Town Center

Area 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:



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:



Or take any other action relative thereto.

The Planning Board Recommends (3-0).

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

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

(Two-thirds vote required)

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

8102 Design Review Board

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

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

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

Or take any other action relative thereto.

The Planning Board Recommends (3-0).

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

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

(Two-thirds vote required)

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

5002 Dimensional Schedule

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

Or take any other action relative thereto.

ARTICLE 40 ZONING BYLAW AMENDMENT – AMEND SECTION 9004 PENALTY
(Two-thirds vote required)

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

9004 Penalty

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

Or take any other action relative thereto.

The Planning Board Recommends (3-0).

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

ARTICLE 41 ZONING BYLAW AMENDMENT – AMEND SECTION 2181 STRUCTURE
(Two-thirds vote required)

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

2181 ***Structure*** shall mean anything constructed or erected, the use of which requires fixed location on or under the ground. Structure shall not include landscape features such as fences no greater than ~~six~~***seven (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.

Or take any other action relative thereto.

The Planning Board Recommends (3-0).

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

ARTICLE 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)

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

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

4003 Use Regulation Schedule

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

4107 Accessory Apartment

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

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

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

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

8003 Exemptions

The following shall not require site plan approval:

- (1) In an Industrial-Commercial or Office Park District construction, alteration or expansion of a building, provided that such building shall not have a gross floor area in excess of (500) square feet or a proposed expansion of ten (10) percent of the existing gross floor area, including the basement, if applicable.
- (2) In a Business District construction, alteration or expansion of a building, provided that such building shall not have a gross floor area in excess of (500) square feet or a proposed expansion of ten (10) percent of the existing gross floor area, including the basement, if applicable.

- (3) In all zones, normal maintenance or repair of any building, ~~or~~ accessory *building, or* structure.

Or take any other action relative thereto.

The Planning Board Recommends (3-0).

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

ARTICLE 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)

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

2185 Upland Lot Area shall mean the contiguous area of the lot exclusive of (1) all wetlands as defined by the Wetlands Protection Act (MGL ~~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~~
- ~~(409)~~ Flood Plain Overlay
- ~~(410)~~ 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	SP

<p>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.</p>	
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~~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

Or take any other action relative thereto.

The Planning Board Recommends (3-0).

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

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

ARTICLE 44 GENERAL BYLAW AMENDMENT – STONE WALLS

(Majority vote required)

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

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

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

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

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

The complete bylaw will then read as follows:

Section 1: AUTHORITY

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

Section 2: PURPOSE

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

Section 3: DEFINITIONS

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

3.1 Town Way

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

3.2 Stone Wall

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

3.3 Removal, Tearing Down, or Destruction of Stone Walls

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

3.4 Preservation

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

3.5 Construction

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

Section 4: APPLICABILITY

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

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

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

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

Section 5: PROCEDURES

5.1 Application

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

5.2 Public Meeting and Notice

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

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

Section 6: COMPENSATORY ACTIONS

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

Section 7: ENFORCEMENT

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

Or take any other action relative thereto.

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.

ARTICLE 45 GENERAL BYLAW AMENDMENT – ANNUAL TOWN MEETING

(Majority vote required)

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

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

Or take any other action relative thereto.

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

The Board supports this request of the Town Clerk because it will eliminate possible confusion in the minds of voters who are accustomed to elections being held on Tuesdays.

ARTICLE 46 GENERAL BYLAW – NEW – RECONSIDERATION OF VOTE

(Majority vote required)

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

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

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

or take any other action relative thereto.

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.

ARTICLE 47 GENERAL BYLAW – NEW – VOTE COUNTS BY MODERATOR

(Majority vote required)

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

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

or take any other action relative thereto.

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.

ARTICLE 49 CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM**

(Majority vote required)

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

The Board of Selectmen 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 FY17 funds accepted by this Town Meeting action will be used almost exclusively for repaving projects in Town.

ARTICLE 50 DISCONTINUANCE OF CUNNINGHAM ROAD**

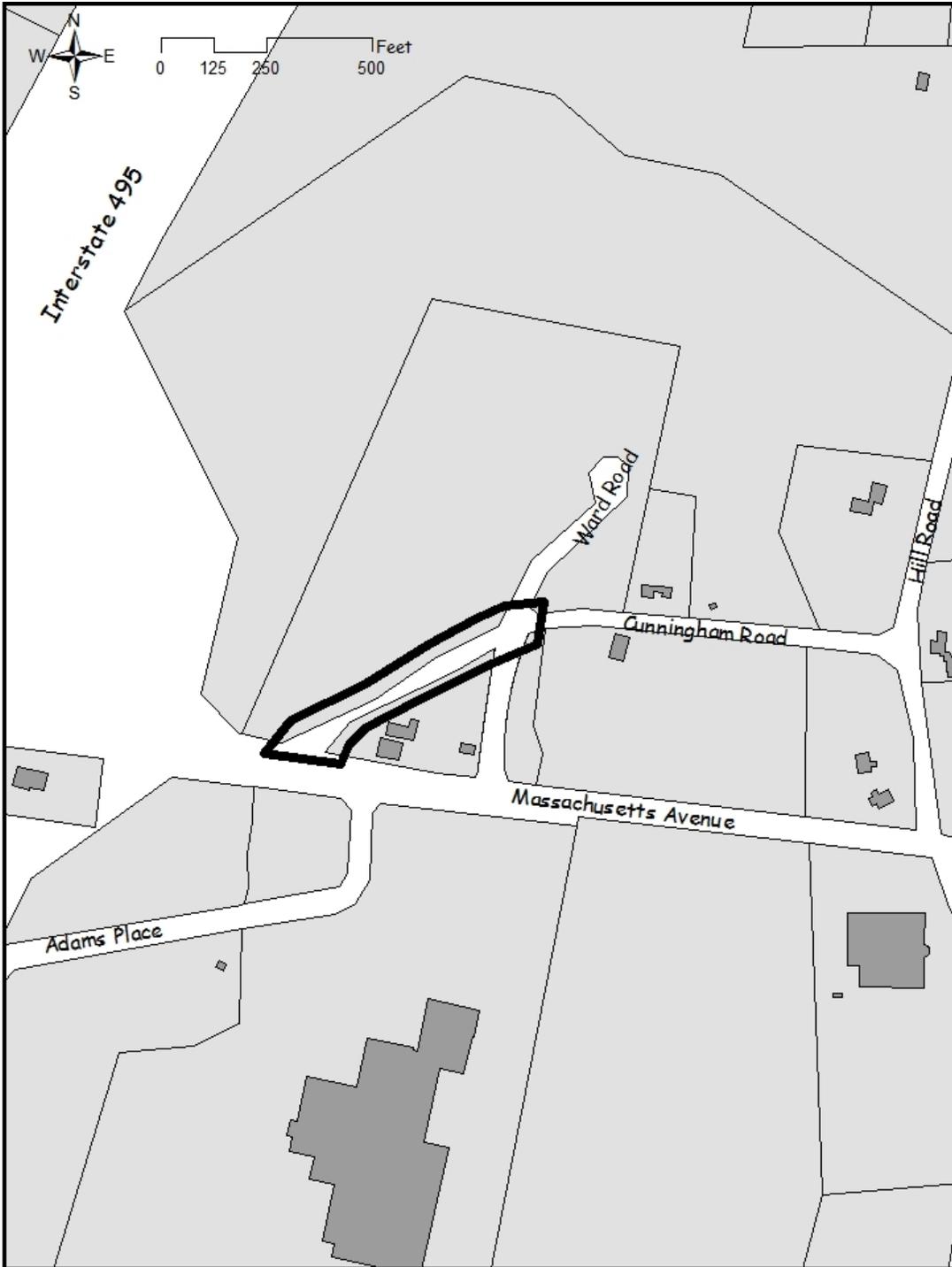
(Majority vote required)

To see if the Town will vote to discontinue the westerly portion of Cunningham Road **from its intersection with Massachusetts Avenue through its intersection with the easternmost edge of Ward Road**, as a public way; or take any other action relative thereto.

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.

Jim G. preparing BoS recommendation.



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

(Majority vote required)

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

Summary

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

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

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.

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