

**WARRANT AND PROCEEDINGS
of the SPECIAL TOWN MEETING
held on January 24, 2005**

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, Massachusetts Avenue, Boxborough, MA on Monday, January 24, 2005 at 7:30 p.m. to act on Articles 1 through 4 of this Special Town Meeting Warrant.

LIST OF ARTICLES

1. **AMEND FY 2005 OPERATING BUDGET**
2. **CODMAN HILL ROAD CONDO**
3. **DISPATCH SERVICES**
4. **CAPITAL EXPENDITURE – REPLACE CRUISER MODEMS**

This Special Town Meeting was called to order at 7:30 p.m. by Moderator, Reginald C. Brown. There were 142 voters in attendance.

ARTICLE 1 AMEND FY 2005 OPERATING BUDGET

(Majority vote required)

To see if the town will vote to raise and appropriate or otherwise provide the sum of One Hundred Thirteen Thousand Forty-Eight Dollars (\$113,048), more or less, to provide for the operations and expenses of the town for the fiscal year beginning July 1, 2004 by amending the operating budget as voted under Annual Town Meeting Article 5 on May 10, 2004 by adjusting the line items as indicated below; or take any other action relative thereto.

| Line Item # | Description | Appropriated at ATM 5/10/04 | Reserve Fund Transfer Used | Proposed Increase/ <Decrease> Appropriation | Total FY 05 Allocation |
|-------------|-------------------------------|-----------------------------|----------------------------|---|------------------------|
| 151 | Legal | \$64,000 | \$70,087 | \$32,000 | \$166,087 |
| 175 | Planning Board Salaries | \$55,675 | \$0 | \$<8,952> | \$46,723 |
| 175 | Planning Board Other Expenses | \$3,897 | \$7,200 | \$1,752 | \$12,849 |
| 192 | Town Hall Salaries | \$166,815 | \$0 | \$<17,790.50> | \$149,025 |
| 192 | Town Hall Other Expenses | \$81,475 | \$0 | \$17,790.50 | \$99,266 |
| 915 | Med, Life, LTD | \$911,675 | \$0 | \$33,248 | \$944,923 |
| 132 | Reserve Fund | \$146,000 | | \$55,000 | \$201,000 |
| | | Totals: | \$77,287 | \$113,048 | |

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

Due to unforeseen changes in personnel as well as some unbudgeted expenses, the general operating budget must be adjusted. The selectmen are recommending that town meeting votes to move funds between two salary and two expense line items, and also to augment Legal Services, Medical Insurance etc. and the Reserve Fund. Explanations for each adjustment follow in the Finance Committee recommendation.

The Finance Committee recommends.

The Finance Committee recommends this article. There are a number of different items covered in this article.

Line item 151 - Legal Expenses

The Finance Committee policy is to include all legal expenses for the town, including the school system, in one line item. There were extraordinary expenses for the Blanchard School that depleted the Legal Services budget and thus required an infusion from the Reserve Fund.

Line item 175 - Planning Board

Boxborough's budgeting policy is to keep the salary line and the other expenses line items separate. While this can cause complexities when changes occur, it is still felt by the Finance Committee that keeping these two items separate is best for Boxborough. The only way to facilitate the transfer of funds from the salary line to the other expenses line is by a vote of town meeting. Line item 175 relates to the departure of the Town Planner. Back filling her position while a search occurred for her replacement required paying for a consultant out of the "other expenses" line item. This entailed using funds from the reserve fund to cover the expense for the consultant.

Line item 192 - Town Hall

Line item 192 is similar; an unexpected change in staffing occurred requiring the town to move to a contracted service. The funds were available in the salary line item, but the contracted service must be funded from the "other expenses" line item.

Line item 915 - Med, Life, LTD

This line brings the volatile appropriation in line with current estimates.

Line 132 - Reserve Fund

This item resets the Reserve Fund back to a level that the Finance Committee believes will be sufficient for the rest of the fiscal year. The Finance Committee reviewed the history for the last few years at a similar time in the fiscal year. \$110,000 should be sufficient to allow the town to meet unexpected fiscal requirements. In addition to \$77,287 used for legal and planning, the reserve fund was used for an ADA access issue in the town hall parking lot.

ACTION ON ARTICLE 1, January 24, 2005. It was explained that the large increase in Legal Expenses was because of Sped expenses. On Mr. Kushner's motion, the town did vote to transfer the sum of Twenty-eight Thousand Four Hundred Twenty-Eight Dollars (\$28,428) from available funds provided by the State as one-time non-recurring municipal aid and up to Eighty-Four Thousand Six Hundred Twenty Dollars (\$84,620) from overlay surplus, to provide for the operations and expenses of the Town for the fiscal year beginning July 1, 2004 by amending the operating budget as voted under Annual Town Meeting Article 5 on May 10, 2004 by adjusting the line items as indicated in the warrant under Article 1.

ARTICLE 2 CODMAN HILL ROAD CONDO

(Two-thirds vote required)

To see if the town will vote to transfer the care, custody, control and management of a parcel of land identified as lot 135.36F block 1 on Assessor's Map 1, being unit 36F of the Codman Hill Condominium located at 294 Codman Hill Road, from the Town Treasurer to the Boxborough Housing Board to be held for the purpose of

disposition and to further authorize the Boxborough Housing Board to dispose of said parcel on such terms and conditions as it deems appropriate; or take any other action relative thereto.

Summary

This condominium unit was taken by the town for non-payment of taxes and in July 2004, the land court issued a foreclosure decree on the property, which means that the property is now owned by the town. However, Town Counsel has advised that the unit will not be considered marketable until the expiration of a one year appeal period, which will be in July 2005. By statute, the Town Treasurer is the custodian of all tax title property. Approval by the town to transfer the custody of the unit to the Housing Board will enable the Board in the short term to use its available funds to make necessary repairs to the unit in preparation for sale to an affordable buyer. The Housing Board plans to use its Condominium Exchange Program to sell the unit with an affordable housing deed restriction in July 2005, after the appeal period has passed. The restriction will ensure that the unit is protected as part of the town's affordable housing stock. By law, all proceeds from the sale will go into the town's general fund.

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

The Board of Selectmen strongly supports the Housing Board and its efforts to provide affordable housing in Boxborough. By allowing the Housing Board to act as agent for the town in the sale of the tax title property, the town will get another deed-restricted affordable condominium unit, while realizing an estimated \$80K of free cash from the proceeds. The Housing Board has processes in place to handle the sale of the unit, whereas the Selectmen would be faced with an additional administrative burden and processing costs that will be avoided. The Housing Board's plan is a win-win.

The Finance Committee recommends.

As currently written, the proceeds from the sale of the condominium in question by the Housing Board will revert to the town's general fund, by virtue of Massachusetts municipal finance statutes. These proceeds will then be available to offset operational expenses in FY '07. Two significant benefits accrue if the Housing Board disposes of the property, as compared to the Town Treasurer: 1) the Housing Board may rent the condominium prior to the sale, with an income that will offset the nominal expenses the town is now paying to carry the property, and 2) the resulting sale by the Housing Board will add another affordable unit to the town's growing stock. If this article fails, the Treasurer will dispose of the property at auction early in FY '06, after incurring some modest carrying cost, and the unit will not add to our certified affordable housing stock.

The Housing Board recommends.

The Housing Board welcomes the opportunity to use this tax title property in its ongoing Condo Exchange Program to provide additional affordable housing in Boxborough. The cost to the Housing Board for necessary repairs would be about the same as the buy-down costs that the Board is currently experiencing for market units in the Condo Exchange Program, and comparable effort would be required to administer the sale of the unit.

ACTION ON ARTICLE 2, January 24, 2005. On Mr. Fox's motion, The Town did vote, unanimously, to transfer the care, custody, control and management of a parcel of land identified as lot 135.36F block 1 on Assessor's Map 1, being unit 36F of the Codman Hill Condominium located at 294 Codman Hill Road, from the Town Treasurer to the Boxborough Housing Board to be held for the purpose of disposition and to further authorize the Boxborough Housing Board to dispose of said parcel on such terms and conditions as it deems appropriate.

ARTICLE 3 DISPATCH SERVICES

(Majority vote required)

To see if the town will vote to authorize the Board of Selectmen to seek alternative methods to deliver dispatch services to the town and further, to negotiate terms to bring forward for approval by the town at Annual Town Meeting in May; or take any other action relative thereto.

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

In 2000 when the BoS recommended and the town voted to establish the current Dispatch Center, it had two objectives: to integrate both the Fire and Police dispatch into one service and to improve the services which could be provided to the town. It was estimated at the time that the increased cost to the town to accomplish this would be about \$100K over the previous contracts with Acton and Littleton dispatch.

The departments were successful in the integration and service levels improved considerably, but the costs and the problems that were encountered had been underestimated. Costs have about doubled, and there have been many hiring, training and employee retention issues in providing this service. Also, the BoS believes that the single dispatcher coverage that the town has is not ideal, because there is no backup when things get busy. For a relatively small town, like Boxborough, this makes for very inefficient economies of scale when providing services like these.

Confronted with the budget crunch expected in the coming years, the selectmen have been looking for alternatives which would provide a solution which would not result in a significant loss of service and believe that a regional approach to dispatch would be better. The Board still believes that an integrated dispatch service covering all 911 calls for ambulance, police and fire is needed, so will keep that goal when examining regional service solutions. An affirmative vote for this article will give the BoS a strong position in its discussions with surrounding towns to seek the best outcome for Boxborough.

The Finance Committee recommends.

In the present environment of tight budgets with no relief likely in the foreseeable future, it is incumbent upon town officials to seek the most effective and economical means of providing essential services. Regionalization, or the sharing of key services with adjacent towns, becomes a means of reducing costs while maintaining service levels. Among the town services that are viable candidates for efficient regionalization, the most promising near term prospect appears to be dispatch. Improved facilities in neighboring towns, combined with technological advances, appear to provide the opportunity for both responsive and cost-effective multi-town service for single-point emergency dispatch. The problems of confusion and poor responsiveness, related to multi-point out of town service that motivated Boxborough's initiation of local dispatch are resolvable with appropriate safeguards. This article only permits the BoS to explore options for providing dispatch services.

ACTION ON ARTICLE 3, January 24, 2005. Mr. Wheeler stated that it is costing us \$150,000 a year to operate the dispatch center on our own. We need to find some way to cut our expenses and we want the Town to give the selectmen permission to pursue this. Mr. Carroll stated that this would mean a center located in Acton who state-of-the-art equipment, but has problems with their employees. Mr. Neville stated that the Selectmen do not need our permission to pursue this. If we go regional, it should be number of towns and we should have a chance to apply for any open positions. Mr. Powers wanted to know if this would make our service better. Ms. Rice stated that we tried this once, but that it didn't work. Mr. Coleman stated that they are familiar with many of the citizens, and know their voices. Mr. Bunyard said that all these concerns are important and do not want to lay off fire or police officers. There were various opinions on this subject and Mark White stated that the present center is costing twice as much as we were told it would, and regionalization is not a bad thing. Mrs. Neville made a motion to move the question. This motion carried. On Mr. Wheeler's motion, the Town did vote to authorize the Board of Selectmen to seek alternative methods to deliver dispatch services to the town and further, to negotiate terms to bring forward for approval by the town at a future town meeting.

ARTICLE 4 CAPITAL EXPENDITURE – REPLACE CRUISER MODEMS

(Majority vote required)

To see if the town will vote to raise and appropriate or otherwise provide the sum of Four Thousand One Hundred Twenty-Seven Dollars and seventy-four cents (\$4,127.74), more or less, for the purpose of acquiring modems for the Police Department mobile units; or take any other action relative thereto.

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

This recommended purchase is to replace outdated equipment that is currently used by the Police Department. Since 2001, each cruiser has been outfitted with a mobile computer that allows police officers instant access to many law enforcement agencies such as the Registry of Motor Vehicles (all states), Board of Probation, National Crime Information Computer, Interpol, Firearms Record Bureau, Boxborough Police Records Management and Dispatch systems, etc. Such information is a key part of officer safety and increases the officers' efficiency by enabling them to make better and faster decisions in the course of their duties.

The Police Department's current mobile service provider, Verizon, has notified the town that they are discontinuing and will no longer be servicing the existing technology used by the modems (CDPD). Verizon is changing to an improved standard (CDMA). After some investigation, the Board of Selectmen unanimously supports this change. This is a case of technology forcing the town to make changes, but the selectmen believe that the modems are a key component to the police department's functionality.

The Finance Committee recommends.

The supplemental appropriation of this article will enable the Town to raise and appropriate approximately \$4,127.00 for the purpose of obtaining six (6) new modems to be installed in each of the Town's police cruisers.

Modems are communications devices installed in the police cruiser laptop computers that enable our police officers to query via wireless connections the Criminal Justice Information System, the RMV, the Warrant Management System, Board of Probation, National Crime Information System, Interpol, Firearms Record Bureau, Boxboro Police Records Management, and Dispatch. The Dispatch module provides call information to responding police officers, such as call type, location, known site hazards, previous calls to this location etc. The new modems will be using CDMA digital technology with a current life expectancy of at least six (6) years.

The currently installed modems were purchased in FY 2001 and use an older wireless technology. Last year, Verizon announced that they were discontinuing service for the current modems. Verizon is no longer providing CDPD (Cellular Digital Packet Data) support for the towers that provide wireless communication for the police's data transfer system. If any of Verizon's infrastructure fails they will not repair it. Starting on December 2005 the service will be discontinued. According to the town's vendor, "Transcor," this has become a problem for some law enforcement agencies already. The FinCom believes that the town should purchase and install the new modems before Verizon pulls the plug so as to avoid any possible communication interruptions.

The Boxborough Information Technology Committee recommends.

BITcom has reviewed this warrant article and fully supports the Police proposal. One key thing is that the Police MUST make this change not later than fall of this year (2005). The communications service (CPDP) is being discontinued later this year and the change must be made before then. In order to avoid contention for resources in converting the police cruisers and to avoid potential serious service outages, BITcom believes it is prudent to get this done now rather than later this year when several other towns will be in a rush to switch over.

ACTION ON ARTICLE 4, January 24, 2005. Mr. Powers stated that it was important that we have a reliable service and that we have no breakdowns. On Ms. Hilberg's motion, the Town did vote to transfer from Overlay Surplus the sum of Four Thousand One Hundred Twenty-Seven Dollars and seventy-four cents (\$4,127.74) for the purpose of acquiring modems for the Police Department mobile units.

The meeting adjourned at 8:30 p.m.

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

Hereof, fail not deliver these warrants with your return of service thereon to the Town Clerk on or before January 7, 2005.

Leslie Fox, Chairman
Board of Selectmen

Simon C. Bunyard, Clerk
Board of Selectmen

David L. Birt
Board of Selectmen

Kristin Hilberg
Board of Selectmen

Donald R. Wheeler
Board of Selectmen

POSTED: DECEMBER 30, 2004

BY: DAVID L. BIRT
CONSTABLE

Please Stay After Our Special Town Meeting for A “State of the Town” Forum

This will be a chance for you to hear short presentations from the Finance Committee, Local and Regional School Committees and Board of Selectmen regarding our current financial situation and the solutions that may be offered at Annual Town Meeting and on the ballot. In anticipation of the difficult choices that will need to be made, Town Officials would like to hear the voter’s questions, comments, suggestions and spending priorities.

Discussion topics will include but are not limited to:

- An overview of our current service levels and budget policies
- How Acton’s override situation impacts Boxborough
- Rationale for a Structural Override to maintain current staffing and services
- Rationale for an Incremental Restored Services Budget and Override
- Potential effects of the override scenarios on future Town services and property tax bills

Budget Realities

Although all of our budgets are still working documents, our anticipated expenses and revenues for the 2006 Fiscal Year are as follows. More detailed information will be available at the State of the Town Forum, and will continue to evolve right up until Annual Town Meeting in May.

| FY’06 Anticipated Expenses | Dollar Amount |
|--|----------------------|
| Budgets We Have Local Authority Over | |
| Town | 3,552,089 |
| Blanchard School | 5,030,883 |
| Reserve Fund (the town emergency fund) | 146,000 |
| Non-Discretionary Assessments | |
| AB Regional Schools | 5,409,000 |
| Minuteman Vocational Technical School | 183,513 |
| Employee Benefits | 1,520,532 |
| Debt | 1,335,716 |
| Overlay (for real estate tax abatements) | 200,000 |
| Total Anticipated Expenses | 17,377,733 |
| FY’06 Anticipated Revenues | |
| Total Maximum Allowable Levy (Real Estate Taxes) | 12,693,497 |
| State Aid | 1,895,216 |
| Local Receipts (permits, fees, etc.) | 1,315,567 |
| Total Anticipated Revenue | 15,904,280 |
| Anticipated Budget Deficit | 1,473,453 |

Some History

It is important to recognize that the problem of deficit budgets is not new to Boxborough. For several years we have been passing budgets that exceed the growth rates allowed by Proposition 2 1/2 largely because labor costs and benefits alone have grown more than 2 1/2% per year. We have escaped override crises in the past by trimming budgets and using available funds built up in the growth years of the 1990s. But the trends in flat state aid, reduced growth, and depleted cash reserves are coming to a head, requiring careful evaluation of spending priorities. This is the discussion we would like to begin in a constructive way on January 24th.

Our Options

Simply put, prudence and fiscal responsibility require that we fund the budget with some combination of an override, budget cuts and the use of our available funds (savings accounts). There are numerous possible scenarios here, depending upon spending priorities and the willingness of voters to exceed Proposition 2 1/2 limitations.

Currently there are two principal override scenarios being discussed by The Finance Committee, Board of Selectmen and Local School Committee:

- **A Structural Override** which will allow us to maintain most services as currently offered. There may be some adjustments made within departments and programs, but the intent is to avoid reducing the overall services taxpayers currently receive.
- **An Incremental Restored Services Override** which would allow us to add personnel and/or make purchases and complete infrastructure maintenance that have been put on hold, eliminated or cut over the past three years. Examples of this might be revised and updated textbooks for Blanchard, an IT specialist for the Town, completion of postponed facility maintenance such as Police Station and Town Hall roof repairs and painting, or restored training for municipal employees (Town Hall, police, fire, etc.).

In order to help us make these important decisions we will be seeking your input at this meeting as well as through on-line and published surveys. We need your input on the type of override that should be put forward at the Annual Town Meeting as well as what services you find most important and which you may be willing to reduce or eliminate if an override should fail.

In Summary

- Our revenues are 17% short of our expenses. We cannot use all of our cash reserves to make this up. We also cannot cut non-discretionary assessments.
- Public Officials will be reviewing all local budgets (Blanchard and Town) as well as examining various scenarios for solving the deficit problem. As we begin to formulate decisions, we will continue to inform the voters via our regularly scheduled meetings, the local newspaper and cable station, as well as on the Town and Blanchard websites.
- We are actively looking for voter participation in this process.

The decisions made at the May 2005 Annual Town Meeting and on the 2005 ballot will affect every citizen in Boxborough. Please make every effort to stay informed, ask questions and **BE INVOLVED IN THESE IMPORTANT DECISIONS!**