



**BOARD OF SELECTMEN**  
**Meeting Minutes**  
**March 12, 2012**

**Approved: April 23, 2012**

**PRESENT:** Christine Robinson, Chair Pro Tem; Frank Powers, Member; Rebecca Neville, Member and Les Fox, Member

**NOT PRESENT:** Raid Suleiman and Selina Shaw, Town Administrator

Chair pro tem Robinson called the meeting to order at 6:30 pm in the Hilberg Meeting Room.

**EXECUTIVE SESSION**

- It was moved and seconded to adjourn to executive session to conduct strategy sessions in preparation for negotiations with non-union personnel (Police Chief) as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200 and Boxborough Professional Firefighters Association, Local 4601) and to reconvene in open session at 7 pm in the Grange Meeting Room to conduct the remaining business on the agenda. Chair pro tem Robinson stated: "An open meeting may have detrimental effect on the bargaining position of the Board". **Approved 4-0 by roll call vote: Neville "aye", Fox "aye", Powers "aye" and Robinson "aye".**

Chair Suleiman reconvened the meeting in open session at 7:05 PM in the Grange Meeting Room.

**PRESENT:** Raid Suleiman, Chair

**ALSO PRESENT:** Cheryl Mahoney, Department Assistant

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

**ANNOUNCEMENTS**

- Chair Suleiman read the announcements.

**PUBLIC HEARINGS**

- At 7:10 PM Chair Suleiman opened the public hearing portion of the agenda. He reviewed the public hearing process and procedures. The first hearing was to consider the FY 2013 Schedules A & B of the Personnel Plan and the job descriptions for the Information Systems Coordinator and the IT Support Technician. Personnel Board Chair, Anne Canfield, and member, Susan Bak, were present. Canfield updated the Selectmen on the efforts of the Personnel Board and advised that they have voted to recommend the approval of Schedules A & B for FY 2013. There was discussion on the proposed changes to Schedule A. Based on an analysis of the workload and responsibilities of the current IT Technician it has been determined that it was more appropriate to identify this position as an IT Coordinator. The IT Tech position will remain but will now be part-time; supporting the Coordinator. There was discussion on proposed changes to Schedule B. Canfield advised that the Personnel Board is recommending that non-union and non-contractual personnel that have reached the top step (G) receive a 1.5% increase and those that are still eligible for steps would only get their allotted step increase. The one employee that had previously been grandfathered in - classified as G+, will receive a 0.5% increase. There was discussion about converting the metric used in determining increases to a merit system. This proposal will need further review. If this change was approved it would not be implemented until FY 2014. Canfield noted that the Personnel Board has recommended that wages remain static for those specific intermittent positions identified in FY 12. This hearing was closed at 7:30 PM.
  - ◊ Member Neville moved to place FY 2013 Schedules A & B of the Personnel Plan, as proposed by the Personnel Board, on the Annual Town Meeting warrant Seconded by Member Powers. **Approved 5-0.**

◇ Further to the recommendation of the Personnel Board, Member Neville moved to approve the job descriptions for the Information Systems Coordinator and the IT Support Technician, dated 02/29/12. Seconded by Member Powers. **Approved 5-0.**

- The public hearing to consider the proposed Right-to-Farm Bylaw was opened at 7:33 PM. Agricultural Commission Chair, John Neyland, and members of the Commission were present. The proposed language in the bylaw is a consolidation of existing state laws; and would not grant any new rights to land owners. It just places this information in to one easy to access document. A specific change would be that a disclosure form would need to be executed when a property was conveyed. Neyland spoke to the Stow farming bylaw information, provided. There was discussion as to zoning classifications, enforcement procedures, and the necessity of educating real estate professionals. Further to the recommendation of the Agricultural Commission, Member Neville moved to place adoption of the Right to Farm Bylaw on the Annual Town Meeting warrant. Seconded by Member Powers. **Approved 5-0.** Public hearing portion of the agenda was closed at 7:43 PM.

## **APPOINTMENTS**

- DPW Director, Tom Garmon appeared before the Selectmen to discussed proposed recommendations for FY 13 Transfer Station fees and Rules & Regulations. There was public input. Director Garmon recommended that the Town adopt a fee schedule for the disposal of certain bulk items and white goods. This is a means of bringing waste disposal costs down. Boxborough is the only community in the area that does not charge residents to dispose of these bulk items. Dir. Garmon spoke to these proposed bulk item fees for these items. The consensus was that seniors would not have to pay these additional fees. It was suggested public input should be sought before any new fees were implemented. It was determined that this needs further investigation, and the Selectmen would be willing to revisit this discussion at a later date. Discussion turned to the setting of the regular FY 13 Transfer Station Sticker fees. There was philosophical discussion about user fees versus the use of tax dollars for Transfer Station services. Member Neville moved to set Transfer Station annual fee for FY 13 at \$50.00 per household. Seconded by Member Robinson. **Not Approved 1-4.** It was noted that the Selectmen would also consider revisiting these issues at a later date. Member Powers moved to maintain Transfer Station fees for FY 13 at the same levels set for FY 12, as follows: \$150 for the 1<sup>st</sup> vehicle and \$50 for the second vehicle if sticker is purchased by July 31, 2011; \$180 for the 1<sup>st</sup> vehicle and \$80 for the second vehicle if sticker is purchased after July 31<sup>st</sup>; pro-rated fees for new residents of \$75 if purchased between Jan 1 – March 31 and \$37.50 if purchased between April 1 – June 30; no charge for residents aged 65 or older as of July 1, 2012; and no charge for replacement stickers. Seconded by Member Robinson. **Approved 4-1 (Neville dissenting).** Dir. Garmon was directed to revise the proposed FY 13 Transfer Station Application; deleting the bulk disposal fee schedule and updating the necessary information, pursuant to this vote.
- Jennifer Benson, State Representative, 37th Middlesex District and James Eldridge, State Senator were present to update the Selectmen on activities in the State legislature and their respective legislative activities. Members of various Town boards and the public were present for this discussion. Sen. Eldridge provided informational materials. His top priorities are issues related to local aid; protecting the social safety net; and protecting the environment. Water quality and water supply were discussed. Rep. Benson provided a handout outlining recent legislative FY 13 budget discussions. Of significant concern to her are issues that affect community development; such as education, affordable housing and small business concerns. Her office is researching school funding issues – specifically the fluctuations in SPED funding and the local notification & funding requirements. Member Powers spoke to a concern that he had regarding the installation of gas utilities in his area. He reported that an infrastructure survey of the area has been conducted and the, per household projected cost to install natural gas in the public way, is several thousand dollars. There was discussion about the possibility of governmental assistance or incentives to encourage conversion to natural gas. Sen. Eldridge advised that, though lowering energy costs is a concern other infrastructure projects, such as public water systems and transportation, take priority. Rep. Benson provided an update on the Acton Water District Bill. She is anticipating that it will be out of committee on or about March 21<sup>st</sup>. Member Fox spoke to transportation infrastructure concerns, such as identifying new funding sources for improvements & repairs and the proposed MBTA cuts & fare increases. Sen. Eldridge advised that he and Rep. Benson had attended a discussion on the proposed MBTA changes in Fitchburg this weekend. Rep. Benson provided an update on casino development in the state. She also advised that the Joint Committee on Education is reviewing the concerns raised by some of the Minuteman School District member towns, as to out-of-district tuition, specifically non-member towns' lack of contribution for capital items. Rep. Benson was also asked her opinion on the weighted voting component of the Acton Boxborough school district regionalization discussions. Town Treasurer, Margaret Dennehy, asked whether there would be further reforms on Health Insurance, specifically the requirement to offer benefits to certain reduced hours employees. Sen. Eldridge advised that while they are looking at other Health care reforms this issue is not one of them. Concern was also voiced on the on-going difficulties with the prevailing wage component of public contracts.

- Regional School Study Committee members, Mac Reid and Mary Brolin, were in to speak to a PowerPoint presentation regarding the Administrative Structure Options that are currently under review. Other members of the Regional Study Committee were also present. Brolin reviewed and summarized the issues facing the Boxborough School District. Boxborough's current administrative structure is not sustainable. This presentation's focus was on the regionalization option, specifically regionalizing with Acton. There has been review of the current district agreement and initial discussion on the various terms and concerns if we regionalize. Several community forums have been scheduled in both Boxborough and Acton to present these options and receive input. "Sense of the Meeting" articles are also in each town's 2012 Town Meeting Warrants. There was concern that the Town would lose local control over 2/3<sup>rd</sup> of the budget since regionalizing would result in a "bottom line" assessment. It was determined that the Regional School Study Committee would come to the March 19<sup>th</sup> meeting to present the other Administrative Structure Options.

## MINUTES

- The Selectmen passed over approval of the Regular Session minutes of February 6, 2012.
- Member Powers moved to accept the minutes for the Executive Session of February 27, 2012 (BoS Contract Negotiating Team), as written. Seconded by Member Neville. **Approved 5-0.**

## SELECTMEN REPORTS

- Member Neville noted that all of the boards that she liaises with were at this meeting so she had nothing additional to report.
- Member Powers reported that Minute Man Air Field's hearing before the Conservation Commission continues. MMAF has retained an environmental scientist who will be revisiting the mitigation items.
- Member Fox reported that MAGIC is sending input into MBTA Advisory Board on the proposed cuts and fare increases.

He also reported that the revised Steele Farm Conservation Restrictions is almost ready to re-submit to the State. After receiving the initial state approval the intention is to submit to Town Counsel and then seek public input.

- Chair Suleiman reported that the Energy Committee has presented their proposed article to the Finance Committee.
- Member Robinson reported that she had been busy with various budget & contract meetings.

## OLD BUSINESS

The Selectmen re-opened discussion on the FY 13 Budget. There is concern as to how the Finance Committee is communicating their determinations with some departments and boards. There was discussion on the respective roles and responsibilities of the Selectmen and Finance Committee, specifically as to setting the FY 13 Budget and Town Meeting. It was determined that discussion on these matters would take place at the upcoming BLF meeting and would be the primary agenda item; that way the Moderator could participate in the discussion and other boards also could have input. It was also determined that BLF would be relocated from the Library to the Grange Meeting Room.

Discussion was re-opened on Annual/Special Town Meeting. Members of the Finance Committee and School Committee were present for this discussion. Several constituents have communicated that they want to be present for the article on the Community Center leasing article but this would be a problem for them if it was later in the evening. Member Powers proposed that this article be moved forward to the Special Town Meeting warrant. He has discussed this with the Moderator. Member Powers moved to remove the "Lease of the UCC Fellowship Hall for Community Center" Article from the Annual Town Meeting and place in the Special Town Meeting. Seconded by Member Robinson. **Approved 5-0.** There was discussion on the placement of the police command vehicle capital item. The Selectmen's practice is to have command vehicles as separate warrant articles. FinCom has determined that this vehicle acquisition should be part of the police budget. School Committee member, Maria Neyland, spoke to the FinCom's article looking for approval of the Teachers' Assoc. contract. She questioned whether this article was lawful under Education Reform. Town Counsel will be consulted. Neyland, as a resident, inquired about why the approval of the 3<sup>rd</sup> police sergeant was not an article. It was stated that this promotion is part of the Police Department's FY 13 budget, and could be discussed under the budget article. It was noted that the article funding discussion should take place in the next several weeks as the warrant is set to close before the end of the month. Member Fox reported that MEMA had advised just today that they will be recommending favorably on our grant application to FEMA to provide funding of the cost of the generator.

## **NEW BUSINESS**

- The Selectmen reviewed the request of Boxborough Conservation Trust to serve wine and beer their Annual Meeting. Member Powers moved to authorize the Boxborough Conservation Trust to serve beer and wine at its 2012 Annual meeting, being held at the Sargent Memorial Library on March 31, 2012, subject to the conditions specified on the application, and further, to waive the fee. Seconded by Member Neville. **Approved 5-0.**
- The Selectmen took up a Reserve Fund Transfer Request from the Police Dept for vehicle repair/maintenance. Member Powers moved to forward to the Finance Committee for approval the request to transfer \$2399.00 from the Reserve Fund to account #01-210-5200-5246 (Police Dept Repair and Maintenance – Vehicles). Seconded by Member Neville. **Approved 5-0.**

## **EXECUTIVE SESSION**

- It was determined that an Executive Session was not needed.

## **ADJOURN**

- At 10:28 PM Member Neville moved to adjourn. Seconded by Member Robinson. **Approved 5-0.**

## SELECTMEN'S ANNOUNCEMENTS

MARCH 12, 2012

*The necessary contact information is available at the end of these announcements.*

- **Boxborough's Annual Town Meeting** will be held on **Monday, May 14<sup>th</sup>** at the Blanchard Memorial School. More details will be provided in the coming months.
- **The FY 2013 budget process has begun. The current draft budget is available on the Town's website (Home page, under "NEWS").** You are encouraged to attend Selectmen, Finance Committee, School Committee and Library Trustee meetings at all times, but especially during the budget season. Please check the web calendar for meeting dates. Your input is important.
- **The Board of Selectmen will hold a public hearing next Monday, March 19<sup>th</sup>,** in the Grange Meeting Room, Boxborough Town Hall. At 7:40 PM a hearing will be held to consider proposed proposed laying out and acceptance of Hughes Lane as a public way. All are welcome to attend.
- **Nomination papers are still available for elected town offices** at the Town Clerk's office, Boxborough Town Hall, 29 Middle Road. The annual Town Election will be held May 21<sup>st</sup>. Offices that will be on this year's ballot are:
  - 2 seats on the Board of Selectmen, and
  - 2 seat on the Library Board of Trustees.There is also one seat available on the:
  - Board of Health
  - Planning Boardand the Local School Committee, and on both the Regional and Local Committees. The positions of:
  - Tax Collector, and
  - Town Moderatorwill also be on the ballot. The last day to file completed papers is Monday, March 26<sup>th</sup> at 5:00 PM.

- All dogs in Massachusetts are required to be licensed annually. **The deadline to renew your dog license for 2012 was March 10<sup>th</sup>.** If you have not already licensed your dog, you will be charged a late fee of \$5.00, in addition to the license fee. The fine will increase to \$25.00 after March 20<sup>th</sup>. Applications can still be obtained at Town Hall or downloaded from the town website.
  
- Town Departments welcome your questions and feedback on services. Please contact them through the email hyperlink appearing on each department's web page, give them a call or stop in to chat. If you are unable to stop in during normal office hours, don't hesitate to call and make an appointment for a mutually convenient time outside of normal hours.
  
- The Selectmen want to hear from you and invite residents to contact them regarding issues of concern. The Board can be contacted via e-mail from the link on the Selectmen's webpage.
  
- The Board of Selectmen continues to look for volunteers willing to serve on the various Town boards and committees, many of which have openings. Please consider participating. You will find it to be a worthwhile and rewarding experience. No matter what your knowledge or interest is, we can use your help in making Town government work.

- Contact information is available on the town website: <http://www.town.boxborough.ma.us> or you may call Town Hall at 978-263-1116 if you have any questions.
- The Selectmen can be contacted directly at [selectmen@town.boxborough.ma.us](mailto:selectmen@town.boxborough.ma.us).
- If you wish to find out more about volunteer opportunities on Town boards or committees contact Town Administrator Selina Shaw [Selina.shaw@town.boxborough.ma.us](mailto:Selina.shaw@town.boxborough.ma.us)
- For more information on Dog licensing or the Annual Town Election can be found on the Town Clerk's webpage or you may call Town Clerk, Liz Markiewicz at 978-263-1116 extension 117.



**BOARD OF SELECTMEN**  
**Meeting Agenda**  
**Boxborough Town Hall**  
**Grange Meeting Room**  
**March 12, 2012**

**1. CALL TO ORDER, 6:30 PM**

**2. EXECUTIVE SESSION, HILBERG MEETING ROOM**

*Move to adjourn to executive session to conduct strategy sessions in preparation for negotiations with non-union personnel (Police Chief) as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200 and Boxborough Professional Firefighters Association, Local 4601), and to reconvene in open session at 7 PM in the Grange Meeting Room to conduct the remaining business on the agenda*

**ROLL CALL  
VOTE:**

NB: Chair shall state: "An open meeting may have a detrimental effect on the bargaining position of the Board"

**RE-CONVENE IN OPEN SESSION AT 7 PM IN THE GRANGE MEETING ROOM**

**3. ANNOUNCEMENTS**

**4. PUBLIC HEARINGS**

- a) Personnel Plan, Schedules A & B, 7:00 PM
  - i. *Move to place FY 2013 Schedules A & B of the Personnel Plan, as proposed by the Personnel Board, on the Annual Town Meeting warrant* **VOTE:**
  - ii. *Further to the recommendation of the Personnel Board, move to approve the job descriptions for the Information Systems Coordinator and the IT Support Technician, dated 02/29/12* **VOTE:**
- b) Proposed Right-to-Farm Bylaw, 7:15 PM  
*Further to the recommendation of the Agricultural Commission, move to place adoption of the Right to Farm bylaw on the Annual Town Meeting warrant* **VOTE:**

**5. APPOINTMENTS**

- a) Thomas Garmon, DPW Director, proposed recommendations for FY 13 Transfer Station fees and Rules & Regulations **VOTE:**
- b) Jennifer Benson, State Representative, 37th Middlesex District and James Eldridge, State Senator, Middlesex & Worcester District
- c) Regional School Study Committee
- d) Citizens' concerns

**6. MINUTES**

- a) Regular session, February 6, 2012 **ACCEPT & POF**
- b) Executive session, February 27, 2012 (BoS Contract Negotiating Team) **ACCEPT & POF**

**7. SELECTMEN REPORTS**

**8. OLD BUSINESS**

- a) FY 13 Budget
- b) Annual/Special Town Meeting

**9. NEW BUSINESS**

- a) Request of Boxborough Conservation Trust to serve wine and beer at BCTrust’s Annual Meeting  
*Move to authorize the Boxborough Conservation Trust to serve beer and wine at its 2012 Annual meeting, being held at the Sargent Memorial Library on March 31, 2012, subject to the conditions specified on the application, and further, to waive the fee.*
- b) Reserve Fund Transfer Request – Police Dept Repair and Maintenance - Vehicles  
*Move to forward to the Finance Committee for approval the request to transfer \$2399.00 from the Reserve Fund to account #01-210-5200-5246 (Police Dept Repair and Maintenance – Vehicles)*

**VOTE:**

**VOTE:**

**10. CORRESPONDENCE**

**ACCEPT & POF**

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

**11. PRESS TIME**

**12. EXECUTIVE SESSION**

*Move to adjourn to executive session to conduct strategy sessions in preparation for negotiations with non-union personnel (Police Chief) as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200 and Boxborough Professional Firefighters Association, Local 4601), and to adjourn immediately thereafter*

**ROLL CALL  
VOTE:**

NB: Chair shall state: “An open meeting may have a detrimental effect on the bargaining position of the Board”

**13. CONCERNS OF THE BOARD**

**14 ADJOURN**

**ARTICLE 4 PERSONNEL ADMINISTRATION PLAN CHANGES**

(Majority vote required)

To see if the Town will vote to amend Classification of Positions (Schedule A) and Compensation of Positions (Schedule B); or take any other action relative thereto.

**Summary**

Schedules A and B have been revised to include the positions of IT Support Technician (at Grade 30) and Information Systems Coordinator (at Grade 60). These positions are shared with the Blanchard Memorial School. The latter shared position has been in place since 2008. The addition to the Town's Schedules is a housekeeping item, and has been included to promote greater transparency. The IT Support Technician is new, and will provide an additional 16-hours per week IT support to the Town and Blanchard Memorial School. The funding for these positions is split between use of cable funding on the Town side (\$TBD) and through the school budget (\$TBD), the latter of which is appropriated through Article 9.

**Schedule B**

FY 2013 is a transition year, as the Personnel Board works to develop a newly considered Schedule B in FY 2014 with ranges to be provided to employees based upon merit. For FY 2013, the Personnel Board and Board of Selectmen have recommended revisions to Schedule B as follows:

Steps A through G remain at the same level as in the current year, i.e. FY 2012. Consistent with the Personnel Bylaw, existing employees achieving an overall performance rating of "meets requirements" move up one step, which reflects an increase of 3.5% over the previous year. (New employees hired after January 1 would not move to the next step until the following July 1, assuming an overall performance rating of "meets requirements").

Those salaried and hourly employees on Step G in FY 2012, who achieve an overall performance rating of "meets requirements" will move to Step G+ in FY 2013. Compensation for Step G+ reflects a 1.5% increase over FY 2012.

With the exception of the positions noted by highlighted text, compensation for positions on the Per Diem and Intermittent Schedule reflects a 1% increase over FY 2012. The following positions in FY 13 reflect NO change over FY 2012: Registrar Chairperson, Clerk of Elections, Election Worker and Registrar Member; Fence Viewer and Field Driver; and Lead Counselor, Counselor, Counselor-in-Training, Intern (Town Hall), Library Page and Junior Library Page.



FY 2013 Classification of Positions – Schedule A

**REGULAR FULL-TIME SCHEDULE**

**Exempt Employees**

Accountant  
Assessor  
Inspector of Buildings/ Code Administration Officer  
Planner  
Treasurer  
Information Systems Coordinator

**Non-Exempt Employees**

Secretary  
Department Assistant  
DPW Foreman  
DPW Worker  
DPW Semi-skilled Worker  
Building & Grounds Maintenance Worker

**REGULAR REDUCED HOURS  
SCHEDULE**

COA Coordinator  
Youth Services Librarian  
Technical Services Librarian  
Sr. Library Assistant  
Library Assistant  
DPW Worker  
Inspector of Buildings/ Code Administration Officer

**REGULAR PART-TIME SCHEDULE**

Secretary  
Department Assistant  
Youth Services Librarian  
Technical Services Librarian  
Sr. Library Assistant  
Library Assistant  
Transfer Station Operator I  
Conservation Agent  
Van Dispatcher  
IT Technician

**PER DIEM SCHEDULE**

Fire Lieutenant/EMT  
Call Firefighter/EMT  
Call Firefighter  
Special Police Officer  
Dispatcher

**INTERMITTENT SCHEDULE**

Cemetery Superintendent  
Cemetery Laborer  
Registrar Chairperson  
Clerk of Elections  
Election Worker  
Registrar Member  
Veterans' Agent  
Call Fire Chief  
Deputy Fire Chief  
Fire Captain  
Fire Lieutenant  
Call Firefighter/EMT  
Fire Department Chaplain  
Call Building Inspector  
Special Police Officer  
Lock-up Attendant  
Dispatcher  
Seasonal Maintenance Worker  
Snow Plower  
Seasonal Conservation Worker  
Assistant Building Inspector  
Wiring Inspector  
Plumbing and Gas Inspector  
Dog Officer  
Assistant Dog Officer  
Animal Control Officer  
Animal Inspector  
Fence Viewer  
Field Driver  
Director of Summer Playground  
Director of Gymnastics  
Director of Winter Programs  
Lead Counselor  
Counselor  
Counselor-in-Training  
Intern (Town Hall)  
Library Page  
Junior Library Page  
Van Driver

FY 2013 Classification of Positions – Schedule A

*The following information is not part of Schedule A and is placed here for informational purposes only. These positions are elected, or pay is set by bargaining unit or personal contract.*

**DEPARTMENT HEADS**

*DPW Director*

*Fire Chief*

*Library Director*

*Police Chief*

*Town Administrator*

**UNION EMPLOYEES**

*Police Sergeant*

*Police Officer (StepA1/A1)*

*Firefighter/EMT*

*Dispatch Supervisor*

*Dispatcher*

**ELECTED POSITIONS**

*Selectman*

*Board of Health Member*

*Planning Board Member*

*Library Trustee*

*Moderator*

*Constable*

*Tax Collector*

*Town Clerk*

FY 2013 Classification of Positions – Schedule A

**REGULAR FULL-TIME SCHEDULE**

**Exempt Employees**

Accountant  
Assessor  
Inspector of Buildings/ Code Administration Officer  
Planner  
Treasurer  
Information Systems Coordinator

**Non-Exempt Employees**

Secretary  
Department Assistant  
DPW Foreman  
DPW Worker  
DPW Semi-skilled Worker  
Building & Grounds Maintenance Worker

**REGULAR REDUCED HOURS SCHEDULE**

COA Coordinator  
Youth Services Librarian  
Technical Services Librarian  
Sr. Library Assistant  
Library Assistant  
DPW Worker  
Inspector of Buildings/ Code Administration Officer

**REGULAR PART-TIME SCHEDULE**

Secretary  
Department Assistant  
Youth Services Librarian  
Technical Services Librarian  
Sr. Library Assistant  
Library Assistant  
Transfer Station Operator I  
Conservation Agent  
Van Dispatcher  
IT Technician

**PER DIEM SCHEDULE**

Fire Lieutenant/EMT  
Call Firefighter/EMT  
Call Firefighter  
Special Police Officer  
Dispatcher

**INTERMITTENT SCHEDULE**

Cemetery Superintendent  
Cemetery Laborer  
Registrar Chairperson  
Clerk of Elections  
Election Worker  
Registrar Member  
Veterans' Agent  
Call Fire Chief  
Deputy Fire Chief  
Fire Captain  
Fire Lieutenant  
Call Firefighter/EMT  
Fire Department Chaplain  
Call Building Inspector  
Special Police Officer  
Lock-up Attendant  
Dispatcher  
Seasonal Maintenance Worker  
Snow Plower  
Seasonal Conservation Worker  
Assistant Building Inspector  
Wiring Inspector  
Plumbing and Gas Inspector  
Dog Officer  
Assistant Dog Officer  
Animal Control Officer  
Animal Inspector  
Fence Viewer  
Field Driver  
Director of Summer Playground  
Director of Gymnastics  
Director of Winter Programs  
Lead Counselor  
Counselor  
Counselor-in-Training  
Intern (Town Hall)  
Library Page  
Junior Library Page  
Van Driver

**FY 2013 Classification of Positions – Schedule A**

*The following information is not part of Schedule A and is placed here for informational purposes only. These positions are elected, or pay is set by bargaining unit or personal contract.*

**DEPARTMENT HEADS**

*DPW Director  
Fire Chief  
Library Director  
Police Chief  
Town Administrator*

**UNION EMPLOYEES**

*Police Sergeant  
Police Officer (Step A1/A1)  
Firefighter/EMT  
Dispatch Supervisor  
Dispatcher*

**ELECTED POSITIONS**

*Selectman  
Board of Health Member  
Planning Board Member  
Library Trustee  
Moderator  
Constable  
Tax Collector  
Town Clerk*

FY 2013 Compensation of Positions - Schedule B

Position Title	Step A	Step B	Step C	Step D	Step E	Step F	Step G	G Plus
<b>Salaried (Exempt) Employees</b>								
Grade 60	55,639.39	57,586.76	59,602.30	61,688.38	63,847.47	66,082.14	68,395.01	69,420.94
Information Systems Coordinator								
Inspector of Buildings/Code Administration Officer								
Town Accountant								
Town Assessor								
Town Planner								
Town Treasurer								
Grade 50	48,382.03	50,075.40	51,828.04	53,642.02	55,519.49	57,462.67	59,473.87	60,365.98
Grade 40	43,195.91	44,707.77	46,272.54	47,892.08	49,568.30	51,303.19	53,098.81	53,895.29
Grade 30	38,571.25	39,921.25	41,318.49	42,764.64	44,261.40	45,810.55	47,413.92	48,125.13
Grade 20	34,435.21	35,640.45	36,887.86	38,178.94	39,515.20	40,898.23	42,329.67	42,964.61
Grade 10	31,310.69	32,406.56	33,540.79	34,714.72	35,929.73	37,187.27	38,488.83	39,066.16
<b>Hourly (Non-Exempt) Employees</b>								
Grade 60	\$26.74	\$27.68	\$28.65	\$29.65	\$30.69	\$31.76	\$32.88	\$ 33.37
Grade 50	\$23.27	\$24.08	\$24.93	\$25.80	\$26.70	\$27.64	\$28.61	\$ 29.03
Council on Aging Coordinator								
DPW Foreman								
Grade 40	\$20.77	\$21.49	\$22.24	\$23.02	\$23.83	\$24.66	\$25.53	\$ 25.91
Youth Services Librarian								
Conservation Agent								
Grade 30	\$18.54	\$19.19	\$19.86	\$20.56	\$21.28	\$22.02	\$22.79	\$ 23.14
DPW Worker								
Department Assistant								
IT Support Technician								
Technical Services Librarian								
Grade 20	\$16.55	\$17.13	\$17.73	\$18.35	\$19.00	\$19.66	\$20.35	\$ 20.65
Bldg. & Grounds Maint. Worker								
DPW Semi-Skilled Worker								
Transfer Station Operator I								
Senior Library Assistant								
Grade 10	\$15.06	\$15.59	\$16.13	\$16.70	\$17.28	\$17.89	\$18.51	\$ 18.79
Library Assistant								
Secretary								
Van Dispatcher								

Draft\_Public Hearing\_March 12, 2012\_GPlus

A-G (level with FY 12)

GPlus (1.5% increase over G)

Intermittent and PerDiem: 1% except for positions highlighted which are level with FY12

Per Diem Schedule (No Steps)

Fire Lieutenant/EMT	17.95
Call Fighter/EMT	16.30
Call Firefighter	16.30
Special Police Officer	16.30
Dispatcher	16.30

Intermittent Schedule (No Steps)

Cemetery Superintendent	8,561.10 annually
Cemetery Laborer	10.74
Registrar Chairperson	900.34 annually
Clerk of Elections	11.43
Election Worker	10.17
Registrar Member	270.12 annually
Veterans' Agent	15.16
Call Fire Chief	42.06
Deputy Fire Chief	19.72
Fire Captain	18.83
Fire Lieutenant	17.96
Call Firefighter/EMT	16.30
Fire Department Chaplain	16.30
Call Building Inspector	42.06
Special Police Officer	16.30
Lock-up Attendant	14.59
Dispatcher	16.30
Seasonal Maintenance Worker	13.30
Snow Plower	21.08
Seasonal Conservation Worker	12.46
Assistant Building Inspector	25.93
Wiring Inspector	fees = \$50,000 cap/yr (Selectmen & FinCom may modify if required)*
Plumbing and Gas Inspector	fees = \$15,000 cap/yr (Selectmen & FinCom may modify if required)*
Dog Officer	10,790.45 annually
Assistant Dog Officer	10.56 4 hour call min
Animal Control Officer	2,628.45 annually
Animal Inspector	968.37 annually
Fence Viewer	40.00 annually
Field Driver	45.00 annually
Director of Summer Playground	18.79
Director of Gymnastics	18.10
Director of Winter Programs	18.10

Draft\_Public Hearing\_March 12, 2012\_GPlus

A-G (level with FY 12)

GPlus (1.5% increase over G)

Intermittent and PerDiem: 1% except for positions highlighted which are level with FY12

**Intermittent Schedule (No Steps) (continued)**

Lead Counselor	12.50
Counselor	9.25
Counselor-in-Training	min wage [currently \$8.00]
Intern (Town Hall)	min wage [currently \$8.00]
Library Page	min wage +.50, i.e. 8.50
Junior Library Page	min wage [currently \$8.00]
Van Driver	12.99

**NOTE**

\*Fee maximum is 1% of FY12 levy (or \$168,749.31)

*The following information is not part of Schedule B and is placed here for informational purposes only. These positions are elected, or pay is set by bargaining unit or personal contract.*

**Department Heads**

		<b>FY 2012</b>	<b>FY 2013</b>
DPW Director	Contract expires 6/30/14	77,273.08	78,045.81
Fire Chief	Contract expires 6/30/14	88,000.00	88,880.00
Library Director	Contract expires 12/31/11	72,172.00	72,893.72
Police Chief	Contract expires 6/30/14	95,950.00	TBD
Town Administrator	Contract expires 6/30/13	91,000.00	95,095.00

**Union Employees**

Police Sergeant (Steps 1-3)	28.06	28.57	29.07				
Police Officer (Steps A1-A2-F)	20.56	21.28	22.03	22.80	23.60	24.42	25.28
Fire Lieutenant (Step A)	27.68						
Firefighter: EMT (Steps A-F)	20.81	21.54	22.29	23.07	23.88	24.71	
Dispatch Supervisor (Steps A-F)	19.06	19.72	20.42	21.13	21.87	22.63	
Dispatcher (Steps A-F)	17.23	17.83	18.46	19.11	19.77	20.47	

**Elected Positions**

	<b>FY 2012</b>	<b>FY2013</b>
Selectman	400.00 annually	400.00 annually
Board of Health Member	166.67 annually	166.67 annually
Planning Board Member	109.00 annually	109.00 annually
Library Trustee	0.00 annually	0.00 annually
Moderator	0.00 per meeting	0.00 annually
Constable	3.00 warrant posted location	3.00 warrant posted location
Tax Collector (Grade 50, G+)	59,473.87	60,365.98
Town Clerk (Grade 50, G+)	40,144.86	40,747.04

Draft\_Public Hearing\_March 12, 2012\_GPlus

A-G (level with FY 12)

GPlus (1.5% increase over G)

Intermittent and PerDiem: 1% except for positions highlighted which are level with FY12

## Information Systems Coordinator

### **Definition:**

Reports to the Town Administrator and the Boxborough School District Superintendent. Provides support for the operations and maintenance of the school and the town's data, video, cable and voice networks including computers, hardware and software, database design and management, Internet access, e-mail, and other technology-based products/services.

### **Distinguishing Characteristics:**

Appointed by Town Administrator and Boxborough School District Superintendent.

Provide ongoing support and training to all school and town employees, including help desk response, trouble shooting and maintenance of technology equipment, systems and networks, software upgrades, etc.

Carry out network administrative functions, including backups, anti-virus updates, hardware installation, and coordination of hardware and software maintenance with vendors.

Support Boxborough's town-wide area network (WAN).

Manage the town's and school district's voice, video, cable, data networks, email and websites, including but not limited to back-up procedures, network accounts and maintenance.

Provide training and consultation for teachers, administrators, support staff, and town employees on a daily basis to assist with technology problems and concerns.

Support School District-wide and town software applications. Evaluate and recommend purchase of hardware and software to support the School District and Town. Verify purchases and coordinate setup of equipment and installation of software.

Assist the town's information and network security authorities (Town Administrator, BITCom, District Superintendent) in addressing information security requirements, IT system capabilities. Respond to security incidents, should they occur.

Maintain an inventory of software purchases and licenses to ensure compliance to copyright laws and guidelines.

Troubleshoot and maintain technology equipment, systems and networks. Facilitate repairs when required. Supervise work by outside contractors.

Present reports to the School Committee and Board of Selectmen as requested.

Perform other related tasks or duties at the discretion of the Superintendent and Town Administrator.

Research and evaluate information technology; serve as a consulting resource on information technology for Town and School employees.

Negligible physical effort required in performing the duties under typical office conditions. Work is basically office-type but may require non-sedentary duties involving moderate physical efforts.

**Examples of work:**

Perform level 1 systems administration tasks including but not limited to:

- Preparation of new Windows systems with prerequisite applications, shared folder permissions, etc.
- Configuration of network access for new and old systems based on predefined permission profiles
- Support of user base with first level troubleshooting requests such as application access, system performance, printing, booting issues, etc.
- Upgrading of systems by installing new memory peripherals or network devices
- Creation of shared folders or private folders on shared network drives
- Provision of remote/network application access using remote desktop/terminal services

Monitor health of Local Area Networks and perform Wide Area Networks periodically, utilizing Windows and Cisco network management tools and including tasks such as:

- Troubleshooting and resolving first level issues such as identifying and resetting/replacing troubled device/system
- Installation and configuration of systems in LAN and WAN based on provided/available instructions

Upgrade/install standard off-the-shelf windows applications/tools/utilities using provided instructions

Research for optimal application/equipment/system on web

Liaise with software network system vendors to install/debug

Escalate in timely manner any issues (level 2) that could not be resolved

Coordinate operation of Cable System, including tasks such as:

- Understanding and scheduling personnel for live meeting/ event broadcast
- Understanding current cable infrastructure and live broadcast setup

- Understanding and maintaining Windows scheduler that controls graphic (non video) display on channel
- Loading various PowerPoint presentations submitted by various departments for display on cable channel
- Scheduling recorded video broadcast using Windows scheduler application
- Debugging first level network and Windows scheduler issues for cable broadcast
- Liaising with cable operators for any issues, reconfiguration, changes, etc
- Escalating unresolved issues in timely manner

Perform other position-related duties, as assigned.

### **RECOMMENDED MINIMUM QUALIFICATIONS:**

#### *I - Education and Experience*

Bachelor's degree in computer science or related field, with 3 to 5 years MIS related experience, including network support, help desk, personal computers, Internet, hardware and software installation and support, programming, etc., or any equivalent combination of education and experience. Microsoft and/or Cisco certifications desirable. Experience with municipal financial software, networks and operating systems, and a wide variety of databases and software packages for word processing, recordkeeping, data management, forecasting and projections, report writing, fiber optic communications, security.

#### *II- Knowledge and Ability*

Knowledge: Thorough knowledge of contemporary information technology and business systems, including local and wide area networking, personal computers and operating systems; servers and workstations, office applications (word processing, spreadsheets, and databases) and Internet. Proficiency in industry standard data management techniques, protection, disaster recovery and developments; familiarity with web design and maintenance. Basic knowledge of the functions, practices and routines of all Town departments. Basic understanding of federal and State laws and Town bylaws that pertain to privacy, communication and information access

Ability: Effective customer service and communication skills are required to address employees, vendors, public officials. Contacts require courtesy, tact and diplomacy to resolve issues. Ability to translate complex technical issues into easy-to-understand language. Confidentiality is required when dealing with Town financial data, personnel and school records, fire/police logs, etc.

Skills: Specialty skills in using a personal computer, network system hardware, computer testing equipment and general office equipment. Use of non-motorized equipment (handcarts) for moving computers is often required.

*III- Special Requirements*

Massachusetts Class D Drivers License

*IV- Physical Demands*

The physical demands listed are representative of those that must be met by the employee to successfully perform the essential functions of this job. Reasonable accommodations to ensure individuals with disabilities can perform essential functions are considered. While performing the duties of this job, the employee is frequently required to sit, talk, hear, stand, and walk. The employee must occasionally lift and/or move up to 50 pounds, bend/stoop, crawl/kneel and push.

The employee must have vision correctable to a level sufficient to drive a vehicle; review detailed diagrams, layouts, code and instrumentation; and view detailed images on computer screens for extended time periods. Requires the ability to distinguish color. Requires sufficient manual dexterity in combination with eye-hand coordination for keyboard input, and data entry.

Requires the ability to operate a motor vehicle for travel to various Town departments/sites.

*The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. This position description does not constitute an employment agreement between the Town and the employee and is subject to change by the town as the needs of the Town and requirements of the job change.*

Position description received by: \_\_\_\_\_ Date: \_\_\_\_\_

## IT Support Technician

### **Definition:**

Reports to the Information Systems Coordinator, under the guidance of Town Administrator and the Boxborough School District Superintendent.

Provides support for the operations and maintenance of school and the town data, video, cable and voice networks including computers, hardware and software, databases, Internet access, e-mail, and other technology-based products/services.

### **Distinguishing Characteristics:**

Appointed by Town Administrator and Boxborough School District Superintendent.

Provide ongoing support to town and school employees including response to help desk tickets and system trouble shooting.

Perform basic workstation provision tasks including operating system, software and driver installations, as well as system configuration for end users.

Perform workstation decommissioning tasks such as data removal and system sanitization prior to disposal.

Assist with systems administration such as exchanging backup drives, content updates on web and cable systems, antivirus and other software updates.

Supervise outside vendors with pre-planned access to town systems for hardware and software maintenance.

Provide training and consultation to school and town employees to assist with technology problems and concerns.

Update systems documentation including results of help desk results, software license usage and hardware inventory

Perform other related tasks or duties at the discretion of the Superintendent, Town Administrator or Information Systems Coordinator.

### **Examples of work:**

Perform level 1 systems support tasks including but not limited to:

- Support of town and school users with first level troubleshooting requests including but not limited to application errors, system performance, printer access, antivirus and boot issues.

- Preparation of new Windows systems with prerequisite applications and shared folder access both manually and via Windows Deployment System based upon provided / available instructions.
- Work in conjunction with Information System Coordinator to stage and deploy replacement computers, as well as decommission existing computers in accordance with pre-defined replacement plan.
- Perform tasks outlined in checklists to prepare for events such as school openings.
- Upgrading of systems by installing new software, memory peripherals or network devices

Escalate in timely manner any issues (level 2) that could not be resolved

Assist with operation of Cable System, including tasks such as:

- Understanding current cable live broadcast setup
- Updating slides or scheduled video playback

Perform other position-related duties, as assigned.

### **RECOMMENDED MINIMUM QUALIFICATIONS:**

#### *I - Education and Experience*

Bachelor's degree in computer science or related field, with at least 1 – 3 years MIS related experience, including network support, help desk, personal computers, Internet, hardware and software installation and support etc., or any equivalent combination of education and experience. Microsoft and/or Cisco certifications are desirable. Experience with Microsoft Windows workstation and server operating systems, Microsoft Office and basic networking.

#### *II- Knowledge and Ability*

Knowledge: Thorough knowledge of contemporary information technology and business systems, including local networking, personal computers and operating systems; servers and workstations, office applications (word processing, spreadsheets, and databases) and the Internet. Understanding of industry standard data management techniques, protection, disaster recovery and developments; familiarity with web design and maintenance. Basic knowledge of the functions, practices and routines of all Town departments. Basic understanding of federal and State laws and Town bylaws that pertain to privacy, communication and information access

Ability: Effective customer service and communication skills are required to address employees, vendors, public officials. Contacts require courtesy, tact and diplomacy to resolve issues. Ability to translate complex technical issues into easy-to-understand

language. Confidentiality is required when dealing with Town financial data, personnel and school records, fire/police logs, etc.

Skills: Specialty skills in using a personal computer, network system hardware, computer testing equipment and general office equipment. Use of non-motorized equipment (handcarts) for moving computers is often required.

*III- Special Requirements*

Massachusetts Class D Drivers License

*IV- Physical Demands*

The physical demands listed are representative of those that must be met by the employee to successfully perform the essential functions of this job. Reasonable accommodations to ensure individuals with disabilities can perform essential functions are considered. While performing the duties of this job, the employee is frequently required to sit, talk, hear, stand, and walk. The employee must occasionally lift and/or move up to 50 pounds, bend/stoop, crawl/kneel and push.

The employee must have vision correctable to a level sufficient to drive a vehicle; review detailed diagrams, layouts, code and instrumentation; and view detailed images on computer screens for extended time periods. Requires the ability to distinguish color. Requires sufficient manual dexterity in combination with eye-hand coordination for keyboard input, and data entry.

Requires the ability to operate a motor vehicle for travel to various Town departments/sites.

*The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. This position description does not constitute an employment agreement between the Town and the employee and is subject to change by the town as the needs of the Town and requirements of the job change.*

Position description received by: \_\_\_\_\_ Date: \_\_\_\_\_



## **RIGHT TO FARM BYLAW**

### **Section 1 Legislative Purpose and Intent**

The purpose and intent of this Bylaw is to state with emphasis the Right to Farm accorded to all citizens of the Commonwealth under Article 97, of the Constitution, and all state statutes and regulations thereunder including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9, Chapter 111, Section 125A and Chapter 128 Section 1A. We the citizens of Boxborough restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution ("Home Rule Amendment").

This General Bylaw encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands within the Town of Boxborough by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This Bylaw shall apply to all jurisdictional areas within the Town.

### **Section 2 Definitions**

The word "farm" shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory thereto.

The words "farming" or "agriculture" or their derivatives shall include, but not be limited to the following:

- farming in all its branches and the cultivation and tillage of the soil;
- dairying;
- production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodities;
- growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- raising of livestock including horses;
- keeping of horses as a commercial enterprise; and
- keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), and other domesticated animals for food and other agricultural purposes, including bees and fur-bearing animals.

"Farming" shall encompass activities including, but not limited to, the following:

- operation and transportation of slow-moving farm equipment over roads within the Town;
- control of pests, including, but not limited to, insects, weeds, predators and disease organism of plants and animals;
- application of manure, fertilizers and pesticides;

- conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the agricultural output or services of the farm;
- processing and packaging of the agricultural output of the farm and the operation of a farmer's market or farm stand including signage thereto;
- maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products; and
- on-farm relocation of earth and the clearing of ground for farming operations.

### **Section 3 Right To Farm Declaration**

The Right to Farm is hereby recognized to exist within the Town of Boxborough. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this Bylaw are intended to apply exclusively to those commercial agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this Bylaw shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

### **Section 4 Disclosure Notification**

Not later than 21 days after the purchase and sale contract is entered into, or prior to the sale or exchange of real property if no purchase and sale agreement exists, for the purchase or exchange of real property, or prior to the acquisition of a leasehold interest or other possessory interest in real property, located in the Town of Boxborough, the landowner shall present the buyer or occupant with a disclosure notification which states the following:

“It is the policy of this community to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by commercial agricultural operations including the ability to access water services for such property under certain circumstances.”

A copy of the disclosure notification shall be given on a form prepared by the Town and shall be signed by the landowner prior to the sale, purchase, exchange or occupancy of such real property. A copy of the disclosure notification must be filed with the Board of Selectmen or its designee prior to the sale, purchase, exchange or occupancy of such real property. In addition to the above, a copy of this disclosure notification shall be provided by the Town to landowners each fiscal year by mail in the Town census and in one or more of the following forms: annual report, official Town website, transfer station, or library.

A violation of Section 4 shall be subject to a fine of \$300 and shall be enforced by the Board of Selectmen or its designee. The Town is authorized to enforce Section 4 under the non-criminal disposition provision of G.L. c. 40, § 21D.

There shall be maintained on roadways at town borders signage stating that Boxborough is a Right to Farm community.

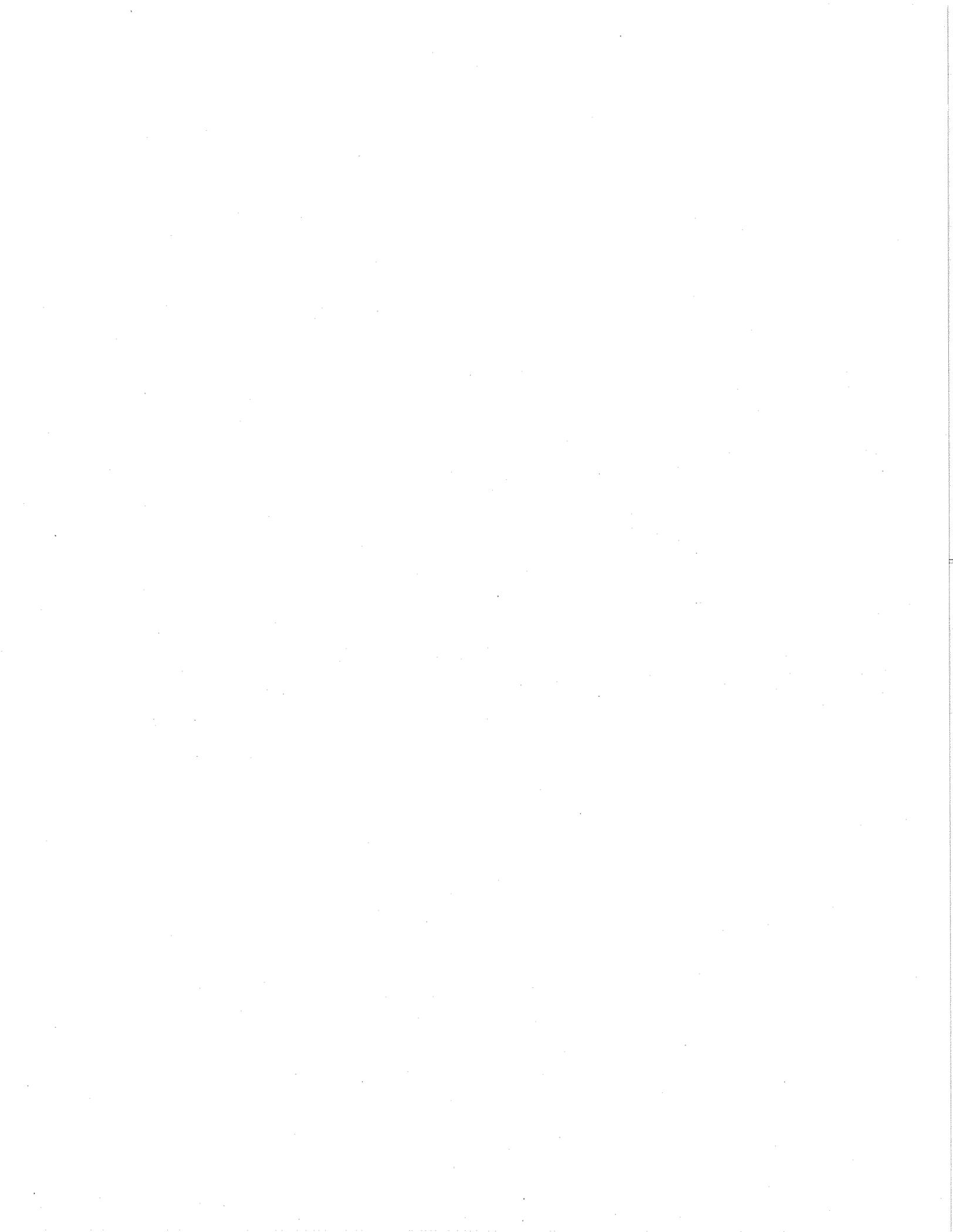
#### **Section 5 Resolution of Disputes**

Any person who seeks to complain about the operation of a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Board of Selectmen, the Code Administration Officer, or the Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Code Administration Officer or Board of Selectmen may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within an agreed upon time frame.

The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon time frame.

#### **Section 6 Severability Clause**

The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause, of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.





# Disclosure Notification

## Stow Agricultural Commission

380 Great Road  
Stow, MA 01775

Stow Town Meeting passed a right-to-farm bylaw in December, 2005, which states, in part:

Not later than 21 days after the purchase and sale contract is entered into, or prior to the sale or exchange of real property if no purchase and sale agreement exists, for the purchase or exchange of real property, or prior to the acquisition of a leasehold interest or other possessory interest in real property, located in the Town of Stow, the landowner shall present the buyer or occupant with a disclosure notification which states the following:

**“It is the policy of this community to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by commercial agricultural operations including the ability to access water services for such property under certain circumstances.”**

A copy of the disclosure notification shall be given on a form prepared by the Town and shall be signed by the prospective landowner prior to the sale, purchase, exchange or occupancy of such real property. A copy of the disclosure notification must be filed with the Board of Selectmen or its designee prior to the sale, purchase, exchange or occupancy of such real property. In addition to the above, a copy of this disclosure notification shall be provided by the Town to landowners each fiscal year by mail.

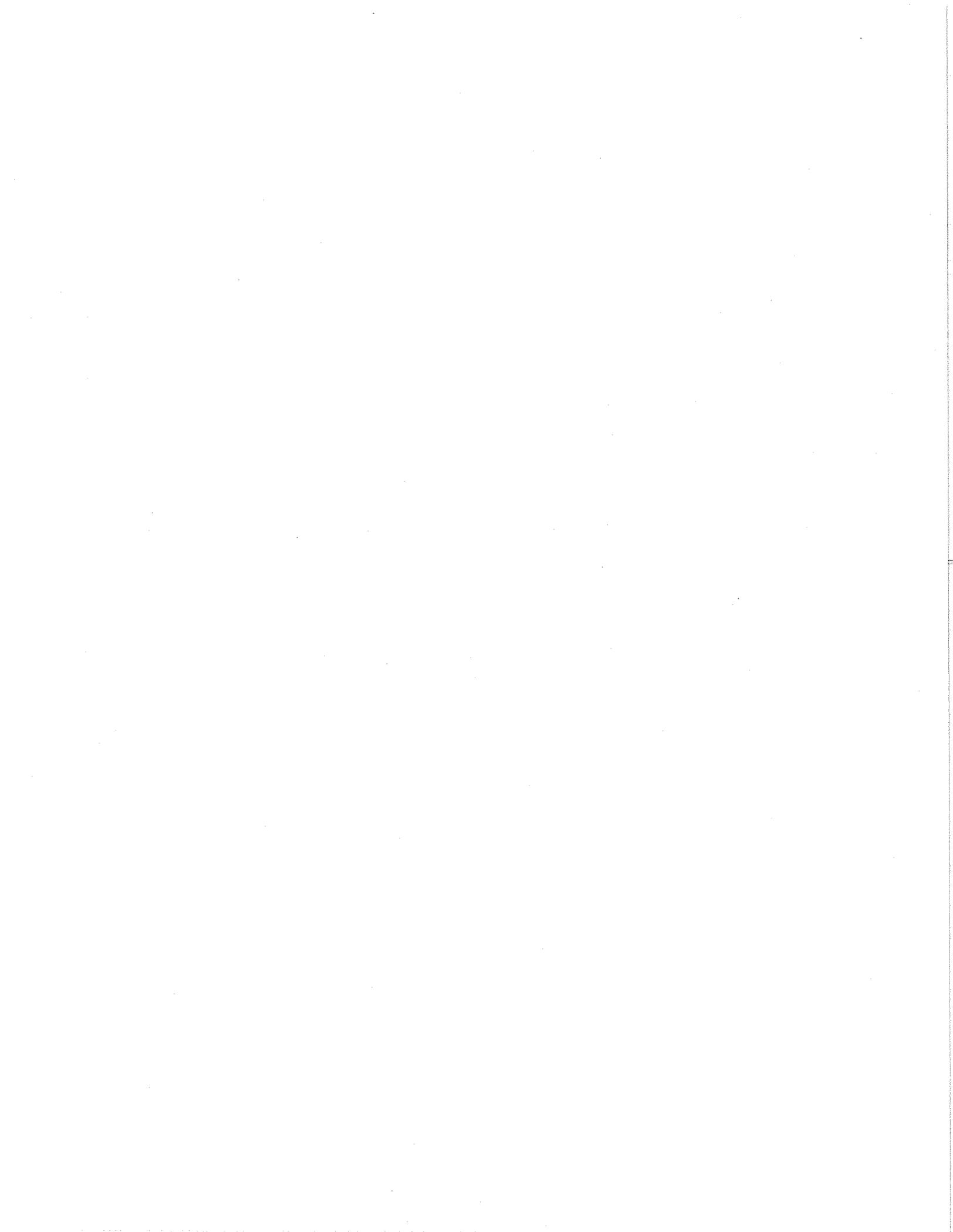
Date \_\_\_\_\_

Address of property \_\_\_\_\_

Name of purchaser \_\_\_\_\_

Signature of purchaser \_\_\_\_\_

For office use only
Date received _____





5a TOWN OF BOXBOROUGH

29 Middle Road

Boxborough, MA 01719

DPW 978-263-1600 • Transfer Station 978-263-3578

Town Hall 978-263-1116

Application for Transfer Station Sticker

Effective July 1, 2012 the FEES for the FY 2013 transfer station stickers will be as follows:

- If purchased between April 2, 2012 and July 31, 2012 - \$150.00 for the first vehicle & \$50.00 for the second vehicle
- If purchased after July 31, 2012 - \$180.00 for first vehicle & \$80.00 for second vehicle
- Residents 65 or older (must be 65 by July 1, 2012) are entitled to two stickers at no charge for any household vehicles (maximum of two stickers per household).
- New residents to the Town of Boxborough - \$150.00 for the first vehicle & \$50.00 for the second vehicle (through Dec 31, 2012; \$75.00 (January 1, 2013 – March 31, 2013); \$37.50 (April 1, 2013 – June 30, 2013))
- Vehicles must be registered to an address in the Town of Boxborough - two stickers per household
- Stickers will be affixed to your vehicle by a town employee or designee at the Transfer Station
- Payment in cash or check may be made at the Town Hall during regular business hours beginning April 2nd but stickers will not be available at the Transfer Station until June 1, 2012. Checks should be made payable to "Town of Boxborough".

\*\* PLEASE NOTE: STARTING JULY 1, 2012\*\*

FEES WILL BE CHARGED FOR DISPOSAL OF BULK ITEMS

LIST OF FEES IS PRINTED ON BACK OF APPLICATION AND AVAILABLE ON THE TOWN WEBSITE AND THE TRANSFER STATION

Thank you very much for your cooperation and assistance

Please complete the following:

TELEPHONE NUMBER \_\_\_\_\_

Vehicle #1

Vehicle #2

Name \_\_\_\_\_

Name \_\_\_\_\_

Res. Address \_\_\_\_\_

Res. Address \_\_\_\_\_

Boxborough, MA 01719

Boxborough, MA 01719

Year of Vehicle \_\_\_\_\_

Year of Vehicle \_\_\_\_\_

Make/Model \_\_\_\_\_

Make/Model \_\_\_\_\_

Color \_\_\_\_\_

Color \_\_\_\_\_

Registration/Plate No. \_\_\_\_\_ State \_\_\_\_\_

Registration/Plate No. \_\_\_\_\_ State \_\_\_\_\_

No sticker(s) will be given out without the registration/plate number(s).

Check sticker(s) requested:

- FY 2013 sticker \$150.00 1<sup>st</sup> sticker; 2<sup>nd</sup> sticker \$50 (April 2, 2012 thru July 31, 2012)
- FY 2013 sticker \$180.00 1<sup>st</sup> sticker; 2<sup>nd</sup> sticker \$80 (August 1, 2012 thru June 30, 2012)
- Senior Citizen (65 or older by July 1, 2012) 1st & 2<sup>nd</sup> stickers No charge
- New Resident \$75 (Jan 1 – March 31, 2013) – 2<sup>nd</sup> sticker \$25.00
- New Resident \$37.50 (April 1 – June 30, 2013) – 2<sup>nd</sup> sticker \$25.00

Checks made payable to "Town of Boxborough"

Sticker #s Issued	OFFICIAL USE	
Vehicle #1 _____	ONLY	<input type="checkbox"/> Check # _____
Vehicle #2 _____		<input type="checkbox"/> Cash _____
Date Sticker was issued		<input type="checkbox"/> Senior Citizen, No Charge
_____		Total Amount Received \$ _____
		Date Received _____

BULK ITEM FEES EFFECTIVE JULY 1, 2012

Air Conditioner \$15  
Auto Battery \$5  
Computer/ Monitors \$15  
Dehumidifier \$20  
Dishwasher \$15  
Electronics \$5  
Furniture, Upholstered \$25  
Mattress \$25  
Microwave \$15  
Pool Liner \$25  
Propane Tank \$5  
Refrigerator/Freezer \$20  
Rugs up to 6' sq \$5  
Rugs over 6' sq \$10  
TV's under 27" \$15  
TV's over 27" \$25  
Sleeper Sofa \$35  
Stove \$15  
Washer/ Dryer \$15  
Water Heater \$25

CHECKS ONLY\*\*\* MADE TO "TOWN OF BOXBOROUGH"

PAY AT THE TRANSFER STATION



**DEPARTMENT OF PUBLIC WORKS**  
577 Massachusetts Avenue, Boxborough, Massachusetts 01719  
(978) 263-1600  
www.town.boxborough.ma.us

Due to the continually rising cost of trucking and disposal of bulk items, it is recommended that the Town implement bulk items disposal fees at the Transfer Station.

In FY11, the Town paid a total of \$145,383.00 in trucking and disposal fees alone.

1129 tv's, computers, electronics, refrigerators, freezers, and ac's were collected.  
The disposal cost was \$3,532.00.

258 tons of bulk waste alone was collected. The disposal cost was \$33,450.90.

This includes mattresses, furniture, stoves, dishwashers, microwave ovens, washers/dryers, rugs, lawn furniture, wood, metal, bicycles, rigid plastics, skis, window treatments, and various items from household cleanouts. We do not track the number of items that go into the metal and wood containers, but the tonnage speaks for itself. All our neighboring communities have been collecting bulk fees for years.

Average fees of surrounding towns\*\* Acton, Ayer, Bolton, Harvard, Littleton

	Other Towns	Boxborough Proposed Fees
Appliances, non freon	\$12-25	\$15
dishwasher, stove, micro		water tank \$25
Batteries, Auto	\$3-\$5	\$5
CRT's tv's, comps, monitors	\$10-\$25	\$15
Console tv	\$25	\$25
Freon items fridge, freezer a/c	\$15-\$25	\$20
Furniture, Upholstered	\$25	\$25
Mattresses	\$10-25	\$25
Misc Electronics, dvd, vcr	\$5-\$10	\$5
Propane tanks	\$5-\$14	\$5
Rugs	\$5-\$45	\$5- \$10
Truckload Rugs	\$55	\$50

While we are not suggesting that we implement fees for all items, we do feel that fees for the above items would seriously help to defray the costs of disposal. Based on annual swag collection numbers, we can foresee the potential revenue of the following:

Freon items 1040 @ \$20 ea = \$20,800

Propane tanks 300 @ \$5 ea = \$1,500

CRT's/Electronics 1129 @ \$10 ea = \$11,290

Bulk items 1040 @\$25 ea = \$26,000 This amounts to a potential \$59,590 to offset disposal costs.

The days where we are not charged for the disposal of these items are long gone. Massachusetts Solid Waste Regulations 310 CMR 19.017 ban certain materials from being disposed or transferred or contracted for disposal. White goods and CRT's are among these items. They must be disposed of in a manner that is compliant with these laws. This applies to the generators, the haulers and the waste facilities. Generators must be compliant in the manner that materials are collected and that their haulers are compliant. Haulers and facilities must be trained

and licensed to move and dispose of solid waste. Rejected loads can result in fines. Meeting these regulations drives up the cost of hauls and disposal.

After looking at how other towns collect fees, in order to keep the administrative cost down and not incur the expense of printing stickers, we suggest a two sheet carbon ticket that would be available at the Transfer Station only. We are awaiting a quote for these tickets. The resident (who must have a TS sticker) would go to the attendant and they would check what is to be disposed of and mark the ticket accordingly. Only checks would be accepted. During the implementation of this process, we think it would be beneficial to have a Senior Tax Write-off Volunteer assigned to marking the tickets and collecting of fees. This would allow the 2 attendants to tend to their usual duties, but they would be available for any questions and to help with the unloading of items. The carbon copy would go to the resident as a receipt. The original and checks would go to the DPW to track the items collected and then submitted with a Payment to the Treasurer Form for deposit.

Sample below

TOWN OF BOXBOROUGH					
	Name		Sticker #		
QTY					QTY
	\$20	Air Conditioner	Propane Tanks	\$5	
	\$5	Auto Battery	Refrigerator/Freezer	\$20	
	\$15	Computer/Monitor	Rugs up to 6' sq	\$5	
	\$15	Dehumidifier	Rugs over 6' sq	\$10	
	\$15	Dishwasher	Rug Truckload	\$50	
	\$5	Electronics	TV's under 27"	\$15	
	\$25	Furniture, Upholstered	TV's over 27"	\$25	
	\$25	Mattress	Sleeper Sofa	\$35	
	\$15	Microwave	Stove	\$15	
	\$25	Pool Liner	Washer/Dryer	\$15	
			Water Heater	\$25	
		Other ** as determined by attendant**			
TOTAL BULK FEES					
	Date		Check #		
<b>ABSOLUTELY NO CASH *****CHECKS ONLY</b>					

We would have to release plenty of notice to the residents of the new fees and process. The Transfer Station Application would make note that bulk fees will be charged starting July 1, 2012. Fees would be listed on the back of the application and would be available on the Town website and at the TS. Bulk fees would apply to all residents that have stickers. We would like to see that any fees charged go into a Transfer Station revolving account, in order to offset the operating costs.

Please let us know of any questions and suggestions. We appreciate your consideration in implementing these fees.

Regards,



Thomas Garmon  
Director, DPW

# Report of the Regional School District Study Committee

1

## Overview

- Charge of the Committee and Membership
- Governance Issues
- Analysis of Educational Impacts
- Analysis of Administrative Impacts
- Financial Analysis and Preliminary Results
- Draft Warrant Article

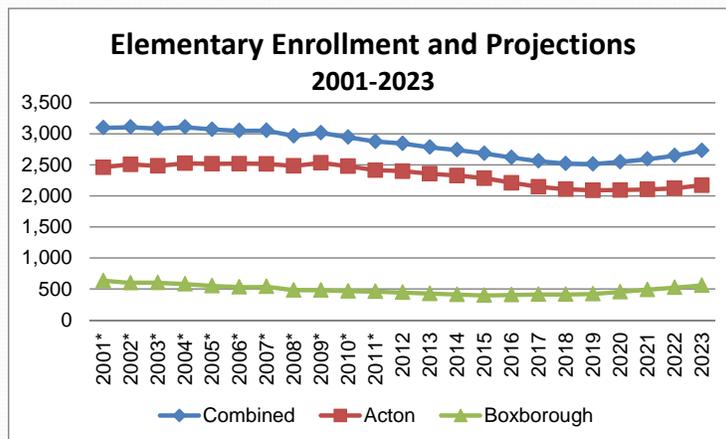
2

## Charge of the Committee

- Consideration of the viability of expanding the current District to include grades pre-K through 12
- Research and evaluate possible amendments to the current Regional Agreement (with and without full regionalization)
- Report back to Regional School Committee
- Membership:
  - Mac Reid and Peter Ashton (co-chairs)
  - Xuan Kong and Adria Cohen (Acton)
  - Mary Brolin and Kristin Hilberg (Boxborough)

3

## Demographics



4

## Governance Issues

- Budget/Assessments
  - Percentage of towns' budgets to schools
  - Allocation of transportation costs
  - Current debt

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## Governance Issues

- Regional Buy-In:
  - Current buildings
  - Debt
- Facilities
  - Own or lease
- Construction/Renovation Costs
  - Each town responsible for town buildings
  - Boxborough 5% discount

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## Governance Issues

- Location of Students
  - Guarantee of hometown school
    - Special Education
    - Special educational & extra-curricular programs
  - Parent options
    - Equal access in Acton
    - Transportation responsibility
- Community Education
  - Integration of Boxborough programs

7

## Analysis of Educational Impacts

- Interviewed administrators, teachers, union representatives
- Perceived benefits of regionalization:
  - Shared curriculum efforts will reach more students
  - Enhanced professional development opportunities
  - Greater efficiency and enhanced services for special education in both towns

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## Analysis of Educational Impacts

- Perceived benefits of regionalization (cont.):
  - Greater efficiency in obtaining resources (e.g., textbooks)
  - Expanded collaboration with administrative and instructional personnel
  - Increased flexibility, ability to maintain, enhance programs

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## Analysis of Educational Impacts

- “Hesitations” with regard to regionalization:
  - Impact on individual school identities
  - Longer distances by bus to school for some
  - Possible changes to Blanchard’s music, chorus, band programs
  - Possible changes in class sizes and number of specialists
  - Implications for contractual changes

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## Administrative: Current Structure

- Full regionalization will simplify governance and structure
  - Currently three school districts with three school committees
  - Distinct student record, human resource, and financial management systems
  - Duplicative regulatory reporting effort

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## Administrative: Full Regionalization

- Full Regionalization enables better service delivery in a more cost effective manner
  - Streamlined operations and organization
  - More coherent learning experience for students
  - More transparent financial reporting
  - More consistent benefit management for employees
  - Simplified inter-governmental relationship
  - Improved parent-guardian interaction with schools

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## Administrative: Study Process

- Met with both superintendents to review current administrative structures
- Interviewed all department heads at district level
- Examined impact on elementary schools at building level
- Reviewed interview results with two superintendents together to receive further feedback
- Surveyed other regional school district organization structures
- Brainstormed with members of study committee

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## Administrative: Study Outcome

Summary of Impacts and Potential Savings with Full Regional Organization:

Department	Add FTE	Lose FTE	Net FTE
Superintendent	-	(2.40)	(2.40)
Curriculum	1.00	(0.20)	0.80
Finance*	0.25	(1.50)	(1.25)
Pupil Services	0.40	(0.50)	(0.10)
Educational Technology	0.50	-	0.50
Municipal Staff	-	(1.00)	(1.00)
Elementary Staff Support	1.50	-	1.50
Transportation	Contract savings nets out against additional bus lease costs		
Community Education	Integration of Boxborough with Acton could save 1 FTE		
<b>TOTAL</b>	<b>3.65</b>	<b>(5.60)</b>	<b>(1.95)</b>

\* Budget analyst position included in FY13 and therefore not included here

Estimated savings = \$150,000

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## Financial Analysis and Preliminary Results

- Analyzed two cases: “Base Case” – status quo  
“Full Regionalization:” pre-K thru 12
- Difference between the two reflects potential savings
- Developed 5 year projections of budgets and revenues
- Analyzed FY11 and FY12 budget and revenue data; used FY13 as starting point for comparative analysis
- Base Case follows budgets and expected revenue amounts and calculates costs to Acton and Boxborough

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## Financial Analysis and Preliminary Results

- In the Regionalization case, we:
  - Identified savings from changed administrative structure (~\$150,000)
  - Identified additional transportation revenues from the state using conservative assumptions (~\$520,000)
  - Identified savings in Acton municipal and Boxborough municipal budgets of certain administrative costs (~\$60,000)
  - Projected a decline in Boxborough choice revenue as program is assumed to be phased out over seven years (~\$25,000/yr.)
  - Projected a shift of APS retirees’ HI costs from APS budget to municipal budget as required by law
  - Projected no change in current academic environment

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## Financial Analysis and Preliminary Results

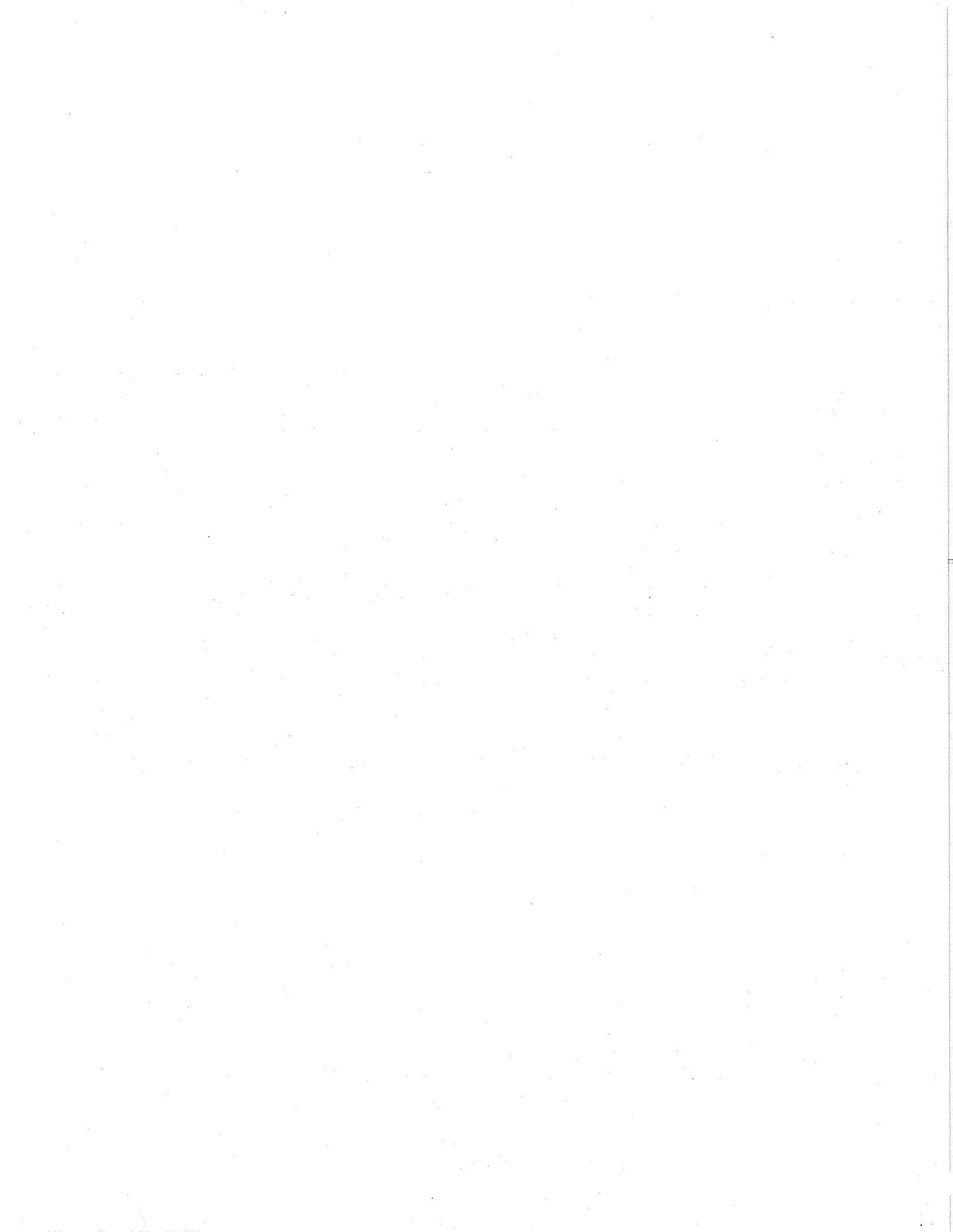
- Preliminary results have identified cost savings and potential additional revenue of approximately \$695,000 per year in the full regionalization case
- Further shift toward Acton of total enrollment (84% vs. 82% using three year average)
- Under current agreement regionalization leads to higher costs in Acton, very significant savings in Boxborough
- Based on our preliminary conclusions, if both communities are to participate in savings, some adjustment to the regional agreement would be necessary

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## Sense of Town Meeting – Warrant Article

*It is the sense of Town Meeting that the Acton-Boxborough Regional School Committee direct the Regional School District Study Committee to draft a regional agreement between Acton and Boxborough that would include grades pre-kindergarten through 12 for approval at 2013 annual town meeting, or take any other action relative thereto.*

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Potential STM/ATM Articles – May 2012

STM Minuteman Regional Amend FY 12 Assessment \$15,176  
 [add'l capital share of Trades Hall remediation project]

#	Department/Board	Nature of Article	Est. Appropriation	Proposed Funding Source/ Comments
1.		Choose Town Officers		
2.		Receive Reports		
3.		Set Salaries and Compensation of Officers		
4.	Personnel Board	Amend Schedules A & B		
5.	Finance Committee	Approve the cost items of the collective bargaining agreement between the Town and the Massachusetts Coalition of Police, Local 200, Police	\$TBD	
6.	Finance Committee	Approve the cost items of the collective bargaining agreement between the Town and the Boxborough Professional Firefighters Association, Local 4601	\$TBD	
7.	Finance Committee	Approve the cost items of the collective bargaining agreement between the Town and Massachusetts Coalition of Police, Local 200A, Dispatch	\$TBD	
8.	Finance Committee	Approve the cost items of the collective bargaining agreement between the Boxborough School Committee and the Boxborough Teachers Association	\$TBD	
9.	Finance Committee	Town Operating Budget	\$TBD	
10.	Boxborough School Committee	Sense of the meeting – Boxborough School District/Blanchard Elementary School Administrative Structure - Job Sharing, K - 12 Regionalization with Acton		
11.	AB Regional S. C.	AB Regional Schools Lower Fields	\$TBD	
12.	Finance Committee	Transfer \$ from Free Cash to Stabilization Fund	\$182,000	
13.	Board of Selectmen (Treasurer)	Transfer \$ from Free Cash to OPEB Trust Fund	\$200,000	
14.	Board of Selectmen/ Boxborough School Comm/ Library Board of Trustees	Emergency Generators – Hager Well & Blanchard Memorial School	\$69,000	
15.	Board of Selectmen (DPW)	Generator – Public Works (CP)	\$50,000	
16.	Board of Selectmen (DPW)	Field Mower – Public Works (CP)	\$50,000	
17.	Board of Selectmen (DPW)	Consultant to perform preliminary design study of Transfer Station	\$18,000	
18.	Board of Selectmen (Town Hall)	Capital Improvements: Painting exterior (CP)	\$TBD	

**Potential STM/ATM Articles – May 2012**

#	Department/Board	Nature of Article	Est. Appropriation	Proposed Funding Source/ Comments
19.	Board of Selectmen (Town Hall)	Add 10 hr./week staff position to provide support to Tax Collector & Treasurer [for est. purposes, used 30C on Sched B and rounded to next \$100]	\$10,400	
20.	Board of Selectmen (Police Department)	Refurbish/rebuild a 2006 marked police cruiser (CP)	\$13,500	
21.	Board of Selectmen (Police Department)	Police Cruiser (Chief's command vehicle)	\$34,500	
22.	Board of Selectmen (Fire Department)	Install AC system in day room and office areas (CP)	\$20,000	
23.	BoS (Fire Department)	Emergency Response Command Vehicle (CP)	\$50,000	
24.	BoS (Public Safety Dispatch)	Emergency Medical Dispatch – Training, Quality Assurance & Related Software	\$15,000	
25.	Boxborough School Committee	Capital Improvements: Replace roof (CP)	\$180,000	
26.	Boxborough School Committee	Capital Improvements: Repair of Blanchard Memorial School's mortar and masonry (CP)	\$30,000	
27.	Boxborough School Committee	Capital Improvements: Carpet replacement (CP)	\$15,000	
28.	Boxborough School Committee	Capital Improvements: Replace current gym & library lighting (CP)	\$10,300	
29.	Boxborough School Committee	Capital Improvements: Fencing around school perimeter (CP)	\$20,000	
30.	Boxborough School Committee	Two way radios (CP)	\$6,300	
31.	Boxborough School Committee	Bill of a Prior Fiscal Year (MTRS)	\$5215.25	
32.	Library Board of Trustees	Capital Improvements: Paint exterior (CP)	\$20,000	
33.	Planning Board	Consultant to conduct build-out analysis	\$10,000	
34.	Conservation Commission	Transfer to ToB Conservation Trust Fund (CP)	\$5,000	
35.	CoA	Lease of community center from UCC	\$10,800	
36.	Agricultural Commission	Right to Farm Bylaw		
37.	Planning Board	Amend Zoning Bylaw – to add a definition for Landscaping Services Use and Landscaping Contractor Use... and to amend Table of Uses to so include		
38.	Planning Board	To acquire by eminent domain an easement for sidewalk purposes (Middle Road from Mass Ave to Town Hall) NB: Need to take by eminent domain. Acquisition was approved last year, but motion was for it to be gifted...		

**Potential STM/ATM Articles – May 2012**

#	Department/Board	Nature of Article	Est. Appropriation	Proposed Funding Source/ Comments
39.	Board of Selectmen	Establish Revolving fund for field permit fees – to be used to help offset field maintenance expense		
40.	Petition Article (Frances Nolde)	Sense of Meeting - Resolution to Support Passage of a Constitutional Amendment Defining Rights of Individual Persons		
41.	Petition Article (Philip Kicelemos)	All funding articles to be approved by election (in addition to Town Meeting vote)		
42.	Board of Selectmen [Consent]	Close out old articles:	<\$TBD>	Transfer to general fund
43.	Board of Selectmen [Consent]	Road acceptance – Hughes Lane		
44.	[Consent]	Personal real estate exemptions – increase in exemptions (purely housekeeping... each year need to accept Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988)		
45.	[Consent]	Chapter 90 appropriation (Reimbursable)		
46.	Board of Selectmen [Consent]	Revolving Fund - GIS Assessor Map (for the payment and expenditure of fees to update the GIS Assessor Map) (\$5,000) – amend to include collection of fees from copying to be used for plotter supplies expense		
47.	Board of Selectmen [Consent]	Reauthorize Revolving Funds: <ul style="list-style-type: none"> <li>• Community Gardens (\$2,000)</li> <li>• Electrical Inspection (\$50K)</li> <li>• Plumbing and Gas Inspection (\$15K)</li> <li>• Fire Arms Permits (\$2,000)</li> <li>• Library Fines (\$7,500)</li> <li>• Dog License Fees (\$4,000)</li> <li>• Steele Farm (\$10,000)</li> <li>• Integrated Preschool Program (\$44,000)</li> <li>• ConsComm Wetland Bylaw (\$20,000)</li> <li>• Senior Van (for expenses and revenues associated with operation of the van) (\$4,000)</li> <li>• Fire Alarm System Maintenance (\$4,100)</li> </ul>		

**Potential STM/ATM Articles – May 2012**

Borrow (within 2 ½):	\$
Free Cash:	\$
Stabilization Fund:	\$
Capital Exclusions:	\$
Prop 2 ½:	\$
Debt Exclusions:	\$
Total:	\$



## BOXBOROUGH SPECIAL TOWN MEETING

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

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Boxborough, who shall be qualified to vote in accord with the provisions of M.G.L. Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Monday, May 14, 2012 at 7:00 p.m. to act on Article 1 of this Special Town Meeting Warrant.

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### ARTICLE 1 AMEND FY 2012 OPERATING BUDGET

(Majority vote required)

To see if the Town will raise and appropriate, or appropriate from available funds, an additional sum of money in the amount of Fifteen Thousand One Hundred and Seventy-Six (\$15,176) to defray the necessary expenses of the Minuteman Regional Vocational Technical School District (the "District") for the District's 2012 fiscal year, bringing the total appropriation from the Town for the District's 2012 fiscal year to \$; or to take any other action relative thereto.

#### Summary

This article requests additional funds for fiscal year 2012 (July 1, 2011 through June 30, 2012) for the Minuteman Regional Vocational Technical School District Assessment pursuant to an Amended Budget voted by the Minuteman School Committee on March 13, 2012. The Amended Budget was required due to unforeseen, emergency renovations to the Trades Hall section of the school building and water service improvements required to address code issues.



## 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 14, 2012 at 7:00 p.m. to act on Articles 2 through 47 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 21st day of May, 2012 at 7:00 a.m. for the Election of Town Officers pursuant to Article 1. The polls will be open continuously until 8:00 p.m. when they shall be closed.

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### CONSENT AGENDA

In an effort to streamline Town Meeting and therefore make it more inviting to voters, the Board of Selectmen has decided to continue the use of the Consent Agenda. This agenda speeds the passage of articles which the Selectmen feel, in consultation 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 the Consent Agenda (#42 through #47, inclusive).** The articles to be taken up on the Consent Agenda are indicated by a double asterisk (\*\*).

### THE CONSENT AGENDA WILL BE TAKEN UP AFTER CONSIDERATION OF ARTICLE 41.

Please do your homework. If you have any questions about the consent articles or procedure, please feel free to call the Town Administrator, at 978-263-1116, ext. 101 or send an e-mail to [selina.shaw@town.boxborough.ma.us](mailto:selina.shaw@town.boxborough.ma.us) before Town Meeting.

At the call of the Consent Agenda, the Moderator will call out the numbers of the Articles, one by one. If one or more voters object to any particular Article being included 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 automatically from the Consent Agenda and restored to its original place in the Warrant, to be debated and voted upon in the usual manner. After the calling of 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. Complete summaries are found under each article printed in this warrant.

**Additionally, on this year's warrant are three sense of the meeting motions, indicated by a double triangle. It is intended that these motions will be discussed at the beginning of the second night of Town Meeting.**

**ARTICLE 1 CHOOSE TOWN OFFICERS**

(Majority vote required)

**One Moderator** for a one-year term

**Two Board of Selectmen** members, each for a three-year term

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

**Two Library Trustees**, each for a three-year term

**One Planning Board** member for a three-year term

**One School Committee (Local and of the Region)** member for a three-year term

**One Tax Collector**, for a three-year term

**ARTICLE 2 HEAR AND RECEIVE REPORTS**

(Majority vote required)

To receive the reports of the Selectmen and other Town Officers, Agents and Committees as published in the 2011 Annual Town Report, and further, to hear and receive the reports as presented at Annual Town Meeting; or take any other action relative thereto.

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

**ARTICLE 3 SET SALARIES AND COMPENSATION OF OFFICERS**

(Majority vote required)

To see if the Town will vote to fix the salaries and compensation of various officials for the fiscal year beginning July 1, 2012 as follows:

Selectmen	\$400.00 each member/year
Board of Health	\$166.67 each member/year
Tax Collector	\$60,365.98/year
Town Clerk	\$40,747.04/year
Constables	\$3.00 each copy/warrant posted
Planning Board Members	\$109.00 each member/year

or take any other action relative thereto.

## **ARTICLE 4 PERSONNEL ADMINISTRATION PLAN CHANGES**

(Majority vote required)

To see if the Town will vote to amend Classification of Positions (Schedule A) and Compensation of Positions (Schedule B); or take any other action relative thereto.

### **Summary**

Schedules A and B have been revised to include the positions of IT Support Technician (at Grade 30) and Information Systems Coordinator (at Grade 60). These positions are shared with the Blanchard Memorial School. The latter shared position has been in place since 2008. The addition to the Town's Schedules is a housekeeping item, and has been included to promote greater transparency. The IT Support Technician is new, and will provide an additional 16-hours per week IT support to the Town and Blanchard Memorial School. The funding for these positions is split between use of cable funding on the Town side (\$TBD) and through the school budget (\$TBD), the latter of which is appropriated through Article 9.

### **Schedule B**

FY 2013 is a transition year, as the Personnel Board works to develop a newly considered Schedule B in FY 2014 with ranges to be provided to employees based upon merit. For FY 2013, the Personnel Board and Board of Selectmen have recommended revisions to Schedule B as follows:

Steps A through G remain at the same level as in the current year, i.e. FY 2012. Consistent with the Personnel Bylaw, existing employees achieving an overall performance rating of "meets requirements" move up one step, which reflects an increase of 3.5% over the previous year. (New employees hired after January 1 would not move to the next step until the following July 1, assuming an overall performance rating of "meets requirements").

Those salaried and hourly employees on Step G in FY 2012, who achieve an overall performance rating of "meets requirements" will move to Step G+ in FY 2013. Compensation for Step G+ reflects a 1.5% increase over FY 2012.

With the exception of the positions noted by highlighted text, compensation for positions on the Per Diem and Intermittent Schedule reflects a 1% increase over FY 2012. The following positions in FY 13 reflect NO change over FY 2012: Registrar Chairperson, Clerk of Elections, Election Worker and Registrar Member; Fence Viewer and Field Driver; and Lead Counselor, Counselor, Counselor-in-Training, Intern (Town Hall), Library Page and Junior Library Page.

**ARTICLE 5 TO FUND MASSACHUSETTS COALITION OF POLICE, LOCAL 200, POLICE COLLECTIVE BARGAINING AGREEMENT**

(Majority vote required)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the Collective Bargaining Agreement dated July 1, 2012 – June 30, 2015, between the Town of Boxborough and the Massachusetts Coalition of Police, Local 200, Police; or take any other action relative thereto.

**ARTICLE 6 TO FUND BOXBOROUGH PROFESSIONAL FIREFIGHTERS ASSOCIATION, LOCAL 4601 COLLECTIVE BARGAINING AGREEMENT**

(Majority vote required)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the Collective Bargaining Agreement dated July 1, 2012 – June 30, 2015, between the Town of Boxborough and the Boxborough Professional Firefighters Association, Local 4601; or take any other action relative thereto.

**ARTICLE 7 TO FUND MASSACHUSETTS COALITION OF POLICE, LOCAL 200A, DISPATCH COLLECTIVE BARGAINING AGREEMENT**

(Majority vote required)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the Collective Bargaining Agreement dated July 1, 2012 – June 30, 2015, between the Town of Boxborough and the Massachusetts Coalition of Police, Local 200A, Dispatch; or take any other action relative thereto.

**ARTICLE 8 TO FUND BOXBOROUGH TEACHERS ASSOCIATION COLLECTIVE BARGAINING AGREEMENT**

(Majority vote required)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the Collective Bargaining Agreement dated July 1, 2012 – June 30, 2015, between the Boxborough School Committee and the Boxborough Teachers Association; or take any other action relative thereto.

**ARTICLE 9 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, 2012; or take any other action relative thereto.

**ARTICLE 10 SENSE OF THE MEETING – BOXBOROUGH SCHOOL DISTRICT/BLANCHARD  
ELEMENTARY SCHOOL ADMINISTRATIVE STRUCTURE - JOB SHARING,  
K - 12 REGIONALIZATION WITH ACTON, NEITHER <sup>ΔΔ</sup>**

(Non-binding vote)

To see if the Town will vote to adopt the following non-binding sense of the meeting resolution:

It is the sense of the town meeting that the Boxborough School Committee continues to explore job-sharing opportunities for administrative/front office positions with the school district of another community.

Or take any other action relative thereto.

**Summary**

As presented to you at last year's Town Meeting, the Boxborough School Committee is currently exploring changes to administrative structure of the Boxborough School District/Blanchard Elementary School. The School Committee is assessing three models:

- (1) Job sharing some of the administrative/front office positions with another community where any positions that are shared would be partially funded by the Boxborough School District; a Union School Committee would be created to oversee the shared positions. The Boxborough School District would maintain control over all other aspects of its school district.
- (2) Regionalizing with Acton from kindergarten through 12th grade. Currently, we regionalize with Acton for 7th through 12th grade; this option would add in the kindergarten through 6th grades.
- (3) The model that was in place for the 2009/2010 school year with the positions of Superintendent/Curriculum Director, Principal, Director of Pupil Services and a Business Manager

The Boxborough School Committee would like to get a sense of Town Meeting's support to...

**ARTICLE 11      ACTON BOXBOROUGH REGIONAL SCHOOLS LOWER FIELDS**

(Two-thirds vote, if borrowing or stabilization fund)

To see if the Town will vote to raise and appropriate, borrow or otherwise provide the sum of TBD Thousand Dollars (\$xxx,000), more or less, for the purpose of paying the Town’s proportional contribution for the Acton-Boxborough Regional School’s Lower Fields Renovation Project; or take any other action relative thereto.

Insert Summary

**ARTICLE 12      TRANSFER TO STABILIZATION FUND**

(Two-thirds vote required)

To see if the Town will vote to transfer the sum of One Hundred Eight-Two Thousand Dollars (\$182,000), more or less, from Free Cash to the Stabilization Fund; or take any other action relative thereto.

**ARTICLE 13      TRANSFER TO OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND**

(List quantum required)

To see if the Town will vote to transfer the sum of Two Hundred Thousand Dollars (\$200,000), more or less, from Free Cash to the OPEB Trust Fund; 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. This transfer would enable the town to start funding that liability.

**ARTICLE 14 CAPITAL EQUIPMENT ACQUISITION – HAGER WELL AND BLANCHARD MEMORIAL SCHOOL EMERGENCY GENERATORS**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow, or otherwise provide the sum of Sixty-Nine Thousand Dollars (\$69,000), more or less, for the purpose of acquiring and installing an emergency generator at the Blanchard Memorial School and the Hager Well House; or take any other action relative thereto.

**Summary**

Briefly describe purpose, grant application and need for additional funding

**ARTICLE 15 CAPITAL EQUIPMENT ACQUISITION – DPW GENERATORS**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Fifty Thousand (\$50,000), more or less, for the purpose of acquiring and installing an emergency generator at the Department of Public Works facility to support the fuel tanks, operation of the liquid magnesium system and to supply emergency power to the building; or take any other action relative thereto.

**ARTICLE 16 CAPITAL EQUIPMENT ACQUISITION – DPW FIELD MOWER**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Fifty Thousand (\$50,000), more or less, for the purpose of acquiring a field mower for the Department of Public Works; or take any other action relative thereto.

**ARTICLE 17 RECONFIGURATION OF TRANSFER STATION – FEASIBILITY STUDY**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of **Eighteen Thousand Dollars (\$18,000)** more or less, for the purpose of conducting a feasibility study and developing preliminary engineering plans and a construction cost estimate for a reconfiguration of the Town's Transfer Station; or take any other action relative thereto.

**ARTICLE 18 CAPITAL IMPROVEMENTS – TOWN HALL – EXTERIOR PAINTING**

(Majority vote required)

To see if the Town will vote to provide the sum of **TBD Thousand Dollars (\$TBD)**, more or less, to scrape and paint the exterior of the older, west section of the town hall; or take any other action relative thereto.

**ARTICLE 19 TOWN HALL – ADDITIONAL PART-TIME STAFF**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Ten Thousand Four Hundred Dollars (\$10,400) more or less, for the purpose of funding an additional part-time staff position at town hall to support the Tax Collector, Town Treasurer and town hall operations; or take any other action relative thereto.

**ARTICLE 20 CAPITAL EQUIPMENT ACQUISITION – POLICE COMMAND VEHICLE**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Thirty-Four Thousand Five Hundred Dollars (\$34,500), more or less, for the purpose of replacing the Police Chief's Command Vehicle; or take any other action relative thereto.

**ARTICLE 21 CAPITAL EQUIPMENT – REFURBISH/REBUILD POLICE CRUISER**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Thirteen Thousand Five Hundred Dollars (\$13,500), more or less, for the purpose of refurbishing and rebuilding a 2006 marked police cruiser; or take any other action relative thereto.

**ARTICLE 22 CAPITAL IMPROVEMENT – INSTALLATION OF CENTRAL AIR CONDITIONING AT FIRE STATION**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Twenty Thousand Dollars (\$20,000), more or less, for the purpose of installing air conditioning in the living quarters and office areas of the fire station; or take any other action relative thereto.

**ARTICLE 23 CAPITAL EQUIPMENT ACQUISITION - EMERGENCY RESPONSE COMMAND VEHICLE - FIRE DEPARTMENT**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Fifty Thousand Dollars (\$50,000), more or less, for the purpose of acquiring an emergency response command vehicle for the Fire Department; or take any other action relative thereto.

**ARTICLE 24 EMERGENCY MEDICAL DISPATCH – TRAINING, QUALITY ASSURANCE & RELATED SOFTWARE**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Fifteen Thousand Dollars (\$15,000), more or less, for the purpose of providing training and acquiring quality assurance and related software for emergency medical dispatch; or take any other action relative thereto.

**ARTICLE 25      CAPITAL IMPROVEMENT – REPLACE ROOF AT BLANCHARD MEMORIAL SCHOOL**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of One Hundred Eighty Thousand Dollars (\$180,000), more or less, for the purpose of replacing the roof at the Blanchard Memorial School; or take any other action relative thereto.

**ARTICLE 26      CAPITAL IMPROVEMENT – REPAIR MORTAR AND MASONRY AT BLANCHARD MEMORIAL SCHOOL**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Thirty Thousand Dollars (\$30,000), more or less, for the purpose of repairing mortar and masonry at the Blanchard Memorial School; or take any other action relative thereto.

**ARTICLE 27      CAPITAL IMPROVEMENTS - BLANCHARD MEMORIAL SCHOOL – CLASSROOM CARPETING**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Fifteen Thousand Dollars (\$15,000), more or less, for the purpose of removing and replacing classroom carpeting at the Blanchard Memorial School; or take any other action relative thereto.

**ARTICLE 28      CAPITAL IMPROVEMENTS - BLANCHARD MEMORIAL SCHOOL – GYMNASIUM AND LIBRARY LIGHTING**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Ten Thousand Three Hundred Dollars (\$10,300), more or less, for the purpose of replacing the existing lighting in the gymnasium and library at the Blanchard Memorial School; or take any other action relative thereto.

**ARTICLE 29      CAPITAL IMPROVEMENTS - BLANCHARD MEMORIAL SCHOOL – SAFETY  
IMPROVEMENTS - PERIMETER FENCING AROUND PLAYING FIELDS**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Twenty Thousand Dollars (\$20,000), more or less, for the purpose of installing fencing around the perimeter of the playing fields at the Blanchard Memorial School; or take any other action relative thereto.

**ARTICLE 30      CAPITAL ACQUISITION – TWO WAY RADIOS - BLANCHARD MEMORIAL  
SCHOOL**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Six Thousand Three Hundred Dollars (\$6,300), more or less, for the purpose of acquiring two-way radios for the Blanchard Memorial School; or take any other action relative thereto.

**ARTICLE 31 BILL OF A PRIOR FISCAL YEAR**

(Four-fifths vote required)

To see if the Town will vote to raise and appropriate, or borrow, or otherwise provide the sum of Five Thousand Two Hundred Fifteen Dollars and twenty-five cents (\$5,215.25), more or less, for the purpose of paying Massachusetts Teachers' Retirement System (MTRS) for outstanding amounts owed; or take any other action relative thereto.

**ARTICLE 32 CAPITAL IMPROVEMENTS – SARGENT MEMORIAL LIBRARY - PAINTING**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Twenty Thousand (\$20,000), more or less, for the purpose of power washing and painting the exterior of the Sargent Memorial Library; or take any other action relative thereto.

**The Library Board of Trustees recommends unanimously.**

The Library Trustees unanimously recommend this expenditure. The building was last painted in the Fall of 2004. The paint has peeled in many areas; it has mildew and is need of new caulk in joints.

Please attend Town Meeting and vote in favor of this article to maintain our Library and keep it a source of Town pride. [Supplied by Trustees – confirm with Counsel that this is ok]

## **ARTICLE 33 PLANNING BOARD – TOWN BUILD-OUT ANALYSIS**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Ten Thousand Dollars (\$10,000), more or less, for the purpose of conducting a town-wide build-out analysis to estimate potential future housing units and commercial development under current zoning and alternative futures to model the different amount, location, and type of development that might result from changes to that zoning; or take any other action relative thereto.

### **Explanation**

A build-out analysis provides critical information for town officials to plan for the provision of efficient community services to meet future demands and needs. It is also useful for town residents in determining what kind of community they want for the future. Additionally, a build-out analysis is required to update the Town's Master Plan, Open Space & Recreation Plan, and Housing Production Plan. All three of these plans are required by the State and are currently expired. This status makes the Town ineligible for many State grants.

In 2000, a build-out analysis was done as part of the Master Plan process. Based on that build-out analysis the population was projected to be 6,285 in 2010 and 7,397 in 2020 with another 700 households added over the next 20 years. This projected build-out never happened. According to the 2000 Census, the Town's population was 4,868 with 1,900 households. The 2010 Census has the Town's population at 4,996 with 2,073 households. There are likely many factors that contributed to this discrepancy, but it is believed the biggest issue was the level of mapping for potentially developable property and the inability to factor out environmental constraints.

The tools used today to conduct a build-out analysis are substantially different from the previous build-out studies in two ways: first, it considers the potential for reuse or infill development on previously developed sites (which was not included in the circa 2000 build-out studies); and second, it allows for the rapid creation of multiple "alternative futures" for the town that might result from changes to zoning bylaws or other regulations. Additionally with more accurate GIS mapping and aerial photography property physical constraints can be analyzed more accurately and provide for a higher level of potential build-out accuracy.

The build-out will estimate potential future housing units and commercial development under current zoning. Potential housing units will be characterized by type and affordability, where possible.

**The Planning Board recommends unanimously.**

## **ARTICLE 34      CONSERVATION TRUST FUND**

(Majority vote required)

To see if the Town will vote to raise and appropriate, or borrow or otherwise provide the sum of Five Thousand (\$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 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 \$26,000. An estimated working balance of \$30,000 is proposed in order to adequately meet the anticipated expenses.
3. The Conservation Trust Fund has incurred the following expenses/encumbrances in 2011:
  - \$4,060 for a botanical inventory survey at Rolling Meadows.
  - \$860 for property boundary survey at Flerra 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. Last year's (2011) ATM approved an appropriation of \$5000.
4. Routine operations and maintenance are funded separately at approximately \$1000 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 (does/does not) recommend (x – x).**

The Board of Selectmen.....

**The Finance Committee (does/does) not recommend (x – x).**

The majority of FinCom ..... If approved, this article will be paid out of free cash.

## **ARTICLE 35 LEASE OF U.C.C. FELLOWSHIP HALL FOR COMMUNITY CENTER**

(Majority vote required)

## **ARTICLE 36 RIGHT TO FARM BYLAW**

(Majority vote required)

To see if the Town will vote to adopt a general bylaw, *Right to Farm Bylaw*, as worded below; or take any other action relative thereto.

### **RIGHT TO FARM BYLAW**

#### **Section 1 Legislative Purpose and Intent**

The purpose and intent of this Bylaw is to state with emphasis the Right to Farm accorded to all citizens of the Commonwealth under Article 97, of the Constitution, and all state statutes and regulations thereunder including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9, Chapter 111, Section 125A and Chapter 128 Section 1A. We the citizens of Boxborough restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution ("Home Rule Amendment").

This General Bylaw encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands within the Town of Boxborough by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This Bylaw shall apply to all jurisdictional areas within the Town.

#### **Section 2 Definitions**

The word "farm" shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory thereto.

The words "farming" or "agriculture" or their derivatives shall include, but not be limited to the following:

- farming in all its branches and the cultivation and tillage of the soil;
- dairying;
- production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodities;
- growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- raising of livestock including horses;
- keeping of horses as a commercial enterprise; and
- keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), and other domesticated animals for food and other agricultural purposes, including bees and fur-bearing animals.

“Farming” shall encompass activities including, but not limited to, the following:

- operation and transportation of slow-moving farm equipment over roads within the Town;
- control of pests, including, but not limited to, insects, weeds, predators and disease organism of plants and animals;
- application of manure, fertilizers and pesticides;
- conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the agricultural output or services of the farm;
- processing and packaging of the agricultural output of the farm and the operation of a farmer's market or farm stand including signage thereto;
- maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products; and
- on-farm relocation of earth and the clearing of ground for farming operations.

### **Section 3 Right To Farm Declaration**

The Right to Farm is hereby recognized to exist within the Town of Boxborough. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this Bylaw are intended to apply exclusively to those commercial agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this Bylaw shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

### **Section 4 Disclosure Notification**

Not later than 21 days after the purchase and sale contract is entered into, or prior to the sale or exchange of real property if no purchase and sale agreement exists, for the purchase or exchange of real property, or prior to the acquisition of a leasehold interest or other possessory interest in real property, located in the Town of Boxborough, the landowner shall present the buyer or occupant with a disclosure notification which states the following:

“It is the policy of this community to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by commercial agricultural operations including the ability to access water services for such property under certain circumstances.”

A copy of the disclosure notification shall be given on a form prepared by the Town and shall be signed by the landowner prior to the sale, purchase, exchange or occupancy of such real property. A copy of the disclosure notification must be filed with the Board of Selectmen or its designee prior to the sale, purchase, exchange or occupancy of such real property. In addition to the above, a copy of this disclosure notification shall be provided by the Town to landowners each fiscal year by mail in the Town census and in one or more of the following forms: annual report, official Town website, transfer station, or library.

A violation of Section 4 shall be subject to a fine of \$300 and shall be enforced by the Board of Selectmen or its designee. The Town is authorized to enforce Section 4 under the non-criminal disposition provision of G.L. c. 40, § 21D.

There shall be maintained on roadways at town borders signage stating that Boxborough is a Right to Farm community.

#### **Section 5      Resolution of Disputes**

Any person who seeks to complain about the operation of a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Board of Selectmen, the Code Administration Officer, or the Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Code Administration Officer or Board of Selectmen may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within an agreed upon time frame.

The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon time frame.

#### **Section 6      Severability Clause**

The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause, of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

**ARTICLE 37 ZONING BYLAW AMENDMENT – AMEND SECTION 2100 DEFINITIONS AND SECTION 4003(4) TABLE OF USES BUSINESS/INDUSTRIAL USES**

(Two-thirds vote required)

To see if the Town will vote to amend the Boxborough Zoning Bylaw Section 2100 Definitions, by adding the definition of “Landscaping Services” and “Landscaping Contractors” and to renumber the remaining definitions accordingly throughout the Zoning Bylaw, and to amend Section 4003(4) Table of Uses Business/Industrial Uses as follows:

**Landscaping Services:** A business for the purpose of landscaping, snow removal and yard maintenance, such as grass cutting, leaf removal, and the care of planting beds, as well as the installation of plants, planting beds, at-grade walks and small landscape features. The business utilizes lawn mowers, snow blowers and other light equipment. There may be small displays of materials for review by customers, but there is no storage or distribution of bulk material at the site.

**Landscaping Contractors:** A business for the purpose of large scale site grading and clearing as well as all other Landscaping Service uses. The business utilizes heavy equipment and may store and/or distribute bulk materials at the site.

**4003(4) BUSINESS/INDUSTRIAL USES (Continued)**

	<b>DISTRICTS</b>						
	<b>AR</b>	<b>R1</b>	<b>B</b>	<b>B1</b>	<b>OP</b>	<b>TC</b>	<b>IC</b>
Landscaping Services	Y <sup>19</sup>	N	Y	Y	SP	Y <sup>19</sup>	Y
Landscaping Contractors	N	N	SP	SP	SP	N	Y

**FOOTNOTES**

<sup>19</sup> See Section 4102

## **ARTICLE 38 ACQUISITION OF SIDEWALK EASEMENT**

(Two-thirds vote required)

To see if the Town will vote to authorize the Board of Selectmen to acquire by eminent domain, or otherwise, an easement for sidewalk purposes as shown on a plan entitled Easement Exhibit, #709 Massachusetts Avenue, Boxborough, Massachusetts, dated 3/31/11 and prepared by Goldsmith, Prest & Ringwall, Inc.; or take any other action relative thereto.

### **Need to add new plan reference**

#### **Summary**

There has been a significant increase in pedestrian traffic along Massachusetts Avenue (Route 111) with the development of the 48 residential units in Boxborough Meadows and the sidewalk between Stow Road and the Blanchard Elementary School. Now that the trail between the School and the Library is complete, it is highly likely that there will be even more pedestrian traffic. Additionally, a significant number of children cross Massachusetts Avenue in two locations: at Middle Road, in order to get to Flerra Field, and at Loring Avenue to reach the shopping plaza.

The Town has received a permit extension from MassDoT for the installation of crosswalks in both of these locations. As part of the Planning Board's effort for safe pedestrian walkways along Massachusetts Avenue, the Board will be working with the Selectmen and the Department of Public Works on the installation of the two crosswalks and a new sidewalk along Middle Road to the Town Hall. To accommodate the sidewalk at the northeast corner of Massachusetts Avenue and Middle Road, the property owners have offered to gift to the Town an easement. The Planning Board is supportive of this warrant article and thankful that the property owners have offered the easement.

Town Meeting authorized the acquisition of this easement in 2011. However, [add explanation re: need to take by eminent domain]

**ARTICLE 39 REVOLVING FUND – FIELD PERMITTING FEES**

(Majority vote required)

To see if the Town will vote pursuant to the provisions of MGL c. 44, § 53E1/2 to authorize a revolving fund for purposes of receiving fees from the permitting of town fields and paying expenses directly attributable to the management and care of those fields and the administration of the permitting up to Twenty Thousand Dollars (\$20,000), to be under the direction of the **Town Administrator** who shall approve all such expenditure; and further to provide that the monies remaining in the fund at the end of fiscal year 2013 be carried over into fiscal year 2014 to pay for expenses not yet completed; or take any other action relative thereto.

**ARTICLE 40 SENSE OF THE MEETING – RESOLUTION TO SUPPORT PASSAGE OF A CONSTITUTIONAL AMENDMENT DEFINING RIGHTS OF INDIVIDUAL PERSONS<sup>ΔΔ##</sup> - SUBMITTED BY FRANCES NOLDE**

(Non-binding vote)

To see if the Town will vote to adopt the following non-binding sense of the meeting resolution which was submitted by petition:

It is the sense of the town meeting that the Board of Selectmen sends a letter to our Congressional Delegation in Washington to support passage of a Constitutional Amendment to be returned to the states for ratification

Or take any other action relative thereto.

**Summary from FN???**

**ARTICLE 41 TOWN VOTING – BALLOT – MONDAY TOWN HALL FOLLOWING TOWN MEETING FOLLOWING WEEK<sup>##</sup> - SUBMITTED BY PHILIP KICELEMOS**

To see if the Town will vote that all town registered voters shall be provided the opportunity to vote on each warrant article requiring funds from the following sources, free cash, the general fund or funds voted on any article voted at the town meeting prior to this voting date regardless of the amount. Voting can only be done on that Monday during times indicated and properly posted. All votes will be counted and vote count made public after the voting date. These votes taken that date supercede votes taken at previous town meeting.

Or take any other action relative thereto.

**Summary from PK???**

**ARTICLE 42      CLOSE OUT OLD 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 TBD Dollars (\$TBD), more or less, as voted by past Town Meetings, or take any other action relative thereto.

The articles to be closed are indicated below:

<b>Article #</b>	<b>Description</b>	<b>Amount</b>
Article	May (ATM)	
Article	May (ATM)	
Article	May (ATM)	
		Total: _____
		_____

**ARTICLE 43 ROAD ACCEPTANCE – HUGHES LANE\*\***  
(Majority vote required)

To see if the Town will accept as a public way the following street or portion thereof, as laid out by the Board of Selectmen according to a plan on file with the Town Clerk and to authorize the Board of Selectmen to take the fee or easement in said street by eminent domain or otherwise, including easements for drainage, utility or other purposes where shown on said plan or described in the Order of Layout:

Hughes Lane

The metes and bounds description of Hughes Lane are as follows:

See Exhibit A attached hereto

The parcel herein described is shown as Hughes Lane on a plan entitled, “Fair Oaks Park, Definitive Subdivision of Land in Boxborough, Massachusetts”, Prepared for: Landwest Development, LLC, Date: September, 2002, Revised March, 2003, May 28, 2003 and July 29, 2003, recorded on March 8, 2004 as Plan No. 218 of 2004.

Subject to and together with easements and restrictions of record insofar as the same may be still in force and applicable.

And to authorize the Board of Selectmen to acquire, by purchase, eminent domain, gift or otherwise, for highway purposes, the fee or any lesser interests, as well as easements for drainage, utility, sidewalk, slope and otherwise, in any lands that may be necessary for said Town way; and to determine whether the Town will appropriate money therefor to be provided by taxation, by appropriation from available general funds, by borrowing under the provisions of Chapter 44 of the General Laws or otherwise or take any action relative thereto.

The easements conveyed are described as follows:

1. The perpetual right and construction easement over, under and upon that certain strip of land forty (40') feet wide situated adjacent to and parallel with Hughes Lane, on the above referenced plan, for the purpose of accommodating completion and maintenance of the subdivision roadway and drainage system, including but not limited to, drainage structures and facilities, lot grading, easement monumenting, and loaming and seeding. Without limiting the generality hereof, said easement includes the right to perform grading, and to deposit fill and other material necessary for the construction, drainage, support, and maintenance of said Hughes Lane and includes the right to enter upon said areas with materials, vehicles and equipment in order to effectuate this easement.
2. The perpetual right and easement over, under and upon that portion of land being shown as “50' Wide Drainage and Sidewalk Easement” over a portion of Lot BZ on the above referenced plan, for the purpose of installing, constructing, and maintaining drainage facilities of all types and kinds and for the purpose of the construction, reconstruction and maintenance of sidewalks. Without limiting the provisions hereof, said grant of easement includes the right to enter onto said Lot BZ, with any and all material and equipment necessary to effectuate this easement, the right to install, construct and maintain any and all drainage facilities, and the right to pass and repass over the sidewalks once constructed, within the easement area that may be necessary to effectuate the easement. If the Grantee exercises any rights under this reservation, then, the Grantee shall reasonably restore the disturbed premises to the approximate condition then in existence prior to the exercise of any rights herein. Said Easement Area is more particularly described as Easement A on Exhibit B attached hereto.
3. The perpetual right and construction easement over, under and upon that certain strip of land situated adjacent to and parallel with the northeasterly boundary of Lot 8 with Lot BZ and being shown as

“Drainage and Public Access Easement”, on the above referenced plan, for the purpose of installing, constructing and maintaining drainage facilities of all types and kinds, together with the right to enter onto the easement area by foot or with vehicles and machinery, for the purpose of access and maintaining the drainage facilities and detention basin situated within the “Drainage and Public Access Easement” area on said Lot BZ, and for the purpose of access, by foot only, to Parcel C as shown on the Plan. Said Easement Area is more particularly described as Easement B on Exhibit B attached hereto.

4. The perpetual right and construction easement over, under and upon that certain strip of land situated adjacent to and parallel with the northeasterly boundary of Lot 8 with Lot BZ and being shown as “Drainage and Public Access Easement”, on the above referenced plan, for the purpose of installing, constructing and maintaining drainage facilities of all types and kinds, together with the right to enter onto the easement area by foot or with vehicles and machinery, for the purpose of access and maintaining the drainage facilities and detention basin situated within the “Drainage and Public Access Easement” area on said Lot 8, and for the purpose of access, by foot only, to Parcel C as shown on the Plan. Said Easement Area is more particularly described as Easement C on Exhibit B attached hereto
5. The perpetual right and construction easement over, under and upon that certain strip of land on Lot 5A being shown as “Drainage and Public Access Easement”, on a plan entitled, Plan of Land, Hughes Lane, Boxborough, Massachusetts” Prepared for: Landwest Development, LLC, 148 Park Street, No. Reading, MA 01864, dated February 1, 2005, and recorded with the Middlesex South District Registry of Deeds as Plan No. 401 of 2005, for the purpose of installing, constructing and maintaining drainage facilities of all types and kinds, together with the right to enter onto the easement area by foot or with vehicles and machinery, for the purpose of access and maintaining the drainage facilities and detention basin situated within the “Drainage and Public Access Easement” area on said Lot 8, 5A, and for the purpose of access, by foot only, to Parcel C as shown on the Plan. The Easement Area is also shown on the above first referenced plan. Said Easement Area is more particularly described as Easement D on Exhibit B attached hereto.
1. The perpetual right and construction easement over, under and upon that certain strip of land on Lot 5A being shown as “Access Easement”, on a plan entitled “Easement Plan, Lots 5A & 6A, Hughes Lane, Boxborough, Massachusetts, Prepared for: Landwest Development, LLC, 148 Park Street., No. Reading, MA 01864, Scale: 1 inch = 60 feet, Date: July 7, 2005, and recorded with the Middlesex South District Registry of Deeds as Plan No. 1057 of 2005, the above referenced plan, for the purpose of installing, constructing and maintaining drainage facilities of all types and kinds, together with the right to enter onto the easement area by foot or with vehicles and machinery, for the purpose of access and maintaining the drainage facilities and detention basin situated within the “Access Easement” area on said Lot 8, 5A, and for the purpose of access, by foot only, to Parcel C as shown on the Plan. Said Easement Area is more particularly described as Easement E on Exhibit B attached hereto.
6. The perpetual right and easement over, under and upon that portion of land being shown as “50’ Wide Drainage and Sidewalk Easement” over a portion of Lot 1 on the above first referenced plan, for the purpose of installing, constructing, and maintaining drainage facilities of all types and kinds and for the purpose of the construction, reconstruction and maintenance of sidewalks. Without limiting the provisions hereof, said grant of easement includes the right to enter onto said Lot 1, with any and all material and equipment necessary to effectuate this easement, the right to install, construct and maintain any and all drainage facilities, and the right to pass and repass over the sidewalks once constructed, within the easement area that may be necessary to effectuate the easement. If the Grantee exercises any rights under this reservation, then, the Grantee shall reasonably restore the disturbed premises to the approximate condition then in existence prior to the exercise of any rights herein. Said Easement Area is more particularly described as Easement A on Exhibit F attached hereto.

All installation, maintenance, use, repair, replacement and removal hereby authorized shall be done in such a manner as not to interfere unreasonably with the surface or aerial uses of said Easement Area. Whenever any

surface is disturbed by authority of this instrument, it shall be restored with reasonable promptness to substantially its condition prior to such disturbance.

**ARTICLE 44 PERSONAL REAL ESTATE EXEMPTIONS\*\***

(Majority vote required)

To see if the Town will vote to accept Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988, providing for an increase of up to 100% of the underlying statutory amount in certain property tax exemptions for qualifying senior citizens, disabled veterans, and other individuals; or take any other action relative thereto.

**Summary**

Under this annual optional exemption provision, a city or town may accept the new law each year by vote of the local appropriating authority, which is defined as a majority vote at town meeting.

“Other individuals” includes surviving spouse, surviving spouse minor children, blind persons, service persons injured in combat, police & firefighter killed in line of duty.

Anyone with questions or who might wish to take advantage of these tax exemptions should contact the Town Assessor, Duane Adams, at 263-1116, Ext. 109 or by e-mail to: [duane.adams@town.boxborough.ma.us](mailto:duane.adams@town.boxborough.ma.us).

**ARTICLE 45 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.

**ARTICLE 46 GIS ASSESSOR MAPS REVOLVING FUND\*\***

(Majority vote required)

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Section 53E and 1/2 to authorize a revolving fund for purposes of receiving fees collected from the Planning Board for applications to modify existing parcel boundaries and/or the creation of new parcels and copying fees charged to applicant, and that all such fees be deposited in said fund to pay for costs up to Five Thousand Dollars (\$5,000) associated with the updating of the GIS Assessor maps and related expenses, to be under the direction of the Town Administrator, who shall approve all such expenditure; and further to provide that in the event that the revolving fund is reauthorized for FY 2009, the monies remaining in the fund at the end of the fiscal year 2008 may be carried over into fiscal year 2009 to pay for expenses not yet completed; or take any other action relative thereto.

**ARTICLE 47 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 53E ½, for the following purposes: electrical inspection fees; plumbing/gas inspection fees; firearms permits fees; library fees, fines and penalties, dog licensing fees and penalties; sale of trees and other wood, farm products & leasing and rental fees; integrated preschool tuition; fees associated with the regulation of the local Wetland Bylaw; fares and reimbursement from Montachusett Regional Transit Authority (MART); annual fire alarm service fees; and rental of Community Gardens’ plots; said fees of the revolving accounts to be expended by the authorized entity without further appropriation; or take any other action relative thereto.

<b>Revolving Fund</b>	<b>Authority to Spend Funds</b>	<b>Revenue Source</b>	<b>Use of Funds</b>	<b>FY 13 Spending Limit</b>	<b>Disposition for FY 13 Fund Balance</b>
Electrical Inspection	Building Inspector	Electrical inspection fees	To pay Electrical Inspector for inspections conducted by him	\$50,000	Carryover to FY 2014 to pay for inspections for permits not yet completed
Plumbing & Gas Inspection	Building Inspector	Plumbing/gas inspection fees	To pay the Plumbing/Gas Inspector for inspections conducted by him	\$15,000	Carryover to FY 2014 to pay for inspections for permits not yet completed
Firearms Permits	Police Chief	Firearms Permits fees	To defray expenses for cost of administering firearms licensing program	\$2,000	Carryover to FY 2014 to pay for expenses not yet completed
Library Fines	Library Director	Library fees, fines & penalties	To defray costs of library material acquisitions/ services	\$7,500	Carryover to FY 2014 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 Dog Officer	\$4,000	Carryover to FY 2014 to pay for expenses not yet completed

<b>Revolving Fund</b>	<b>Authority to Spend Funds</b>	<b>Revenue Source</b>	<b>Use of Funds</b>	<b>FY 13 Spending Limit</b>	<b>Disposition for FY 13 Fund Balance</b>
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 2014 to pay for expenses not yet completed
Integrated Preschool Program	Blanchard Memorial School Business Manager under direction of Boxborough School Committee & Blanchard Memorial School Superintendent	Tuition	To defray Program expenses	\$44,000	Carryover to FY 2014
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 2014 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	\$4,000	Carryover to FY 2014 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	\$4,100	Carryover to FY 2014 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 2014 to pay for expenses not yet completed



9a

**Selina S. Shaw**

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**From:** Simon C. Bunyard [Simon@SimonBunyard.com]  
**Sent:** Friday, February 24, 2012 1:58 PM  
**To:** 'Raid Suleiman'; selina.shaw@town.boxborough.ma.us  
**Cc:** Rita Grossman - personal  
**Subject:** Permit for Serving Alcohol at BCTrust Annual Meeting

Dear Raid and Selina,

The Boxborough Conservation Trust requests permission to serve beer and wine at no cost to attendees at its 2012 Annual Meeting to be held at the Sargent Memorial Library on Mar 31<sup>st</sup> between the hours of 3:00pm and 9:00pm. We anticipate less than 75 attendees. We have submitted a request to the Library Trustees for an exemption to their standard policies to allow the serving of alcohol at this event. I will provide Selina with a certificate of insurance shortly.

Please advise if there is anything further you will need from me in this regard.

Thank you, in advance,

Simon

Simon C. Bunyard, Director  
Boxborough Conservation Trust  
978-263-3139  
simon@simonbunyard.com

3/1/2012



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

MAR 2, 2012

NO. \_\_\_\_\_

TO THE LICENSING/PERMITTING AUTHORITIES:

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

BOXBOROUGH CONSERVATION TRUST  
P.O. BOX #626 ACTON MA 01719

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

STATE CLEARLY  
PURPOSE FOR  
WHICH LICENSE/  
PERMIT IS  
REQUESTED

To SERVE ALCOHOL TO OUR MEMBERS  
AT THE ANNUAL MEETING ON MARCH  
31, 2012, FREE OF CHARGE.

GIVE LOCATION  
BY STREET  
AND NUMBER

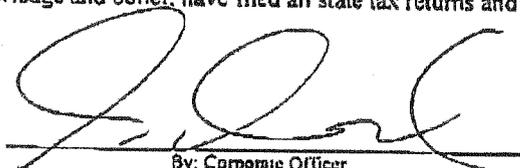
At SARGENT MEMORIAL LIBRARY

in said Town of Boxborough

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

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

\_\_\_\_\_  
\*Signature of Individual  
or Corporate Name (Mandatory)

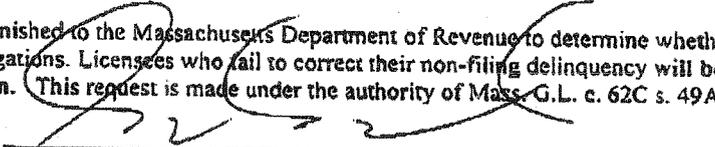
  
By: Corporate Officer  
(Mandatory, if Applicable)  
DIRECTOR, BCT TRUST

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

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

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

Received \_\_\_\_\_ 20

  
\_\_\_\_\_  
Signature of Applicant

A.M. \_\_\_\_\_  
Hour \_\_\_\_\_  
P.M. \_\_\_\_\_

1092 Hill Rd BOXBOROUGH  
Address

Approved \_\_\_\_\_ 20

License/Permit Granted \_\_\_\_\_ 20

LA-01/08/04

- Conditions:
- 1) Servers shall require proper identification.
  - 2) Cups/glasses for wine/beer shall be visibly different than those used for non-alcoholic beverages
  - 3) There shall be a limit of two (2) cups/glasses of wine/beer per person.



**From:** Rita Grossman [mailto:leahjen@verizon.net]  
**Sent:** Wednesday, March 07, 2012 2:13 PM  
**To:** 'Maureen Strapko'  
**Cc:** simon@simonbunyard.com  
**Subject:** RE: Request for Community Room

Hi Maureen,

This is good news. Thank you so much!

Rita

---

**From:** Maureen Strapko [mailto:mstrapko@cwmmars.org]  
**Sent:** Wednesday, March 07, 2012 11:57 AM  
**To:** 'Rita Grossman'  
**Subject:** RE: Request for Community Room

Hi Rita,

At their meeting last night the Library Board of Trustees approved the use of the library meeting room on Saturday, March 31, 2012 for the Boxborough Conservation Trust. They also approved the BCT serving wine and beer at their meeting. The meeting room will have to be returned to the original configuration and all trash removed when the meeting is over.

If you have any special needs for equipment, please make arrangements ahead since I may be out of the library that week.

Maureen

Maureen Strapko  
Library Director  
Sargent Memorial Library  
427 Mass Ave  
Boxborough, MA 01719

P(978)263-4680  
F(978)263-1275

**From:** Rita Grossman [mailto:leahjen@verizon.net]  
**Sent:** Monday, February 27, 2012 2:54 PM  
**To:** Maureen Strapko  
**Cc:** [Simon@SimonBunyard.com](mailto:Simon@SimonBunyard.com)  
**Subject:** RE: Request for Community Room

Terrific. Thanks Maureen!

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**From:** Maureen Strapko [<mailto:mstrapko@cwmars.org>]  
**Sent:** Monday, February 27, 2012 9:29 AM  
**To:** 'Rita Grossman'  
**Subject:** RE: Request for Community Room

Hi Rita,

I'll forward the request to the Library Trustees. Our next meeting is scheduled for Tues. Mar. 6.

Maureen

Maureen Strapko  
Library Director  
Sargent Memorial Library  
427 Mass Ave  
Boxborough, MA 01719

P(978)263-4680  
F(978)263-1275

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**From:** Rita Grossman [<mailto:leahjen@verizon.net>]  
**Sent:** Friday, February 24, 2012 3:24 PM  
**To:** Maureen Strapko  
**Cc:** [Simon@SimonBunyard.com](mailto:Simon@SimonBunyard.com)  
**Subject:** RE: Request for Community Room

Hi Maureen,

Here you are. Simon has already requested our one day alcohol permit from Town Hall.

Best,  
Rita

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**From:** Maureen Strapko [<mailto:mstrapko@cwmars.org>]  
**Sent:** Friday, February 24, 2012 12:47 PM  
**To:** 'Rita Grossman'  
**Subject:** RE: Request for Community Room

Hi Rita,

If you email me a letter from the BCT requesting permission to serve alcohol for the one day event, I'll add this request to our March 6 agenda for the Board of Library Trustees. You will also need to make the request for a one day liquor license to the BoS.

Maureen

Maureen Strapko  
Library Director  
Sargent Memorial Library  
427 Mass Ave  
Boxborough, MA 01719

P(978)263-4680  
F(978)263-1275

**From:** Rita Grossman [<mailto:leahjen@verizon.net>]  
**Sent:** Friday, February 24, 2012 12:43 PM  
**To:** Maureen Strapko  
**Cc:** 'Gardulski, Anne F.'; [Ruth@SimonBunyard.com](mailto:Ruth@SimonBunyard.com); [Simon@SimonBunyard.com](mailto:Simon@SimonBunyard.com)  
**Subject:** Request for Community Room

Hi Maureen,

I've attached the Boxborough Conservation Trust's request to use the community room on March 31st for our annual meeting.

Like last year we would like to serve wine and beer and I stated that on the application. Besides the app, do we need to submit a separate request to the Library Board of Trustees, and, we need a permit from Town Hall, yes?

It was nice to see you yesterday. I love the library and should visit more often!

Best,

Rita





# CERTIFICATE OF LIABILITY INSURANCE

OP ID: 12EB

DATE (MM/DD/YYYY)

02/28/12

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER <b>Alliant Insurance Services Inc</b> 4530 Walney Road - Suite 200 Chantilly, VA 20151 John R Muha / FMA	703-397-0977 703-397-0995	CONTACT NAME: <b>Anna M. Hill, CPCU, AU</b> PHONE (A/C, No. Ext): <b>703-397-0977</b> E-MAIL ADDRESS: <b>ahill@alliantinsurance.com</b> PRODUCER CUSTOMER ID #: <b>BOXBO-1</b>	FAX (A/C, No.): <b>703-397-0995</b>
INSURED <b>Boxborough Conservation Trust</b> <b>P.O. Box 626</b> <b>Acton, MA 01720</b>	INSURER(S) AFFORDING COVERAGE <b>INSURER A : Federal Insurance Co</b> <b>INSURER B :</b> <b>INSURER C :</b> <b>INSURER D :</b> <b>INSURER E :</b> <b>INSURER F :</b>		NAIC # <b>20281</b>

**COVERAGES**

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	X	35763965	01/01/12	01/01/13	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ Included Host Liqu \$ Included
	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		35763965	01/01/12	01/01/13	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A			WC STATUTORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
 Re: BCTrust Annual meeting on 3/31/2012.  
 Certificate holder is included as an additional insured under the general liability insurance with respect to the operations of the Named Insured for use of premises.

**CERTIFICATE HOLDER****CANCELLATION**

TOWNOFB

Town of Boxborough  
 Town Hall - 29 Middle Rd  
 Boxborough, MA 01719

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

*Anna M. Hill*

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# Reserve Fund Transfer Request

Date: March 12, 2012

It is requested by the undersigned that the sum of \$ 2,399.00 transferred from the Reserve Fund to:  
UMAS Acct. # 01-210-5200-5246 - FLEET Police Dept. Repair/Maint-Vehicles  
(Fund # - Dept. # - Object - Detail)

Description (i.e. Selectmen's expenses) Fleet Maintenance

The balance in the line item as of 03/05/12 (Date) is \$ 2,012.22. An amount of \$ 17,000.00 was originally budgeted/appropriated. Additional funds are now requested for the reasons explained below. (Detailed explanation should include reasons for lack of funds, breakdown of known or estimated costs to be expended prior to June 30<sup>th</sup>, and any other pertinent information). Also, please list any previous requests for transfer during the fiscal year for this line item.

The continued high mileage fleet has experienced several break downs and unexpected repairs this FY. This recent breakdown exceeds the operating line for vehicle maintenance and would prohibit any further repairs or maintenance to the rest of the fleet.

This request is for extraordinary or unforeseen expense and has been voted upon and approved by the majority of board or commission members, or in the case of a department, by the department head and Town Administrator, as indicated by the signatures below. Please also indicate name of board or commission.

	(Signature)	Chief of Police	(Title)
	(Signature)	Town Administrator	(Title)
_____	(Signature)	_____	(Title)
_____	(Signature)	_____	(Title)

On the dates listed below, it was voted by the Board of Selectmen/Finance Committee to transfer the sum of \$ \_\_\_\_\_ from the Reserve Fund to UMAS Acct. # \_\_\_\_\_ to be used for the purposes and in the amounts indicated above.

<u>Board of Selectmen</u>	Date:	<u>Finance Committee</u>	Date:
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Copy to:	Initial Distribution Date Sent:	Notification of Finance Committee Action Date Sent:
Finance Committee	_____	_____
Department Head	_____	_____
Board of Selectmen	_____	_____
Town Administrator	_____	_____
Town Treasurer	_____	_____
Town Accountant	_____	_____

**Selina S. Shaw**

**From:** Chief Warren B. Ryder (BPD) [ryder@boxboroughpolice.com]  
**Sent:** Tuesday, March 06, 2012 11:31 AM  
**To:** 'Selina S. Shaw'; 'Margaret Dennehy'; Becky Neville; Board of Selectmen - General; 'Christine L. Robinson'; 'Frank Powers'; Les Fox; 'Raid Suleiman'  
**Subject:** RFT Request

To: Board of Selectmen  
From: Chief Warren B. Ryder  
RE: Police Fleet  
Date: March 6, 2012

- Marked Police Cruiser #15 a 2006 Ford Crown Victoria with 89,500 miles suffered several mechanical failures last week.

ABS Modulator	\$950.
Driver side window motor	\$285.
Airbag sensor	\$165.
Brakes, rotors, discs	\$800.
Lube/Oil/Filters	\$50.
Inspection	\$29.
Computer power converter	\$120.
<b>TOTAL</b>	<b>\$2,399.</b>

- This vehicle has been in service since February of 2006 and has incurred \$10,384 of service and repairs in its lifetime.
- The Fleet Maintenance and repair budget for FY12 has a balance of \$2,192 as of this date.

Given the state of the fleet (below) and depleted budget this vehicle has been taken out of service.

Status	UNIT	YEAR	Make	Model	Mileage
Active Patrol	Car 10	2010	Ford	Expedition	20,407
Active Patrol	Car 11	2011	Chevrolet	Tahoe	14,377
Active Patrol	Car 12	2008	Ford	Crown Vic	71,483
Reserve/Training	Car 17	2005	Ford	Crown Vic	109,881
Active Patrol	Car 18	2006	Ford	Crown Vic	103,387
Reserve/Detective	Car 19	2005	Ford	Expedition	104,865
Command	Car 22	2005	Ford	Five Hundred	106,805

Reserve Car #17 has been put into service for the time being. I am requesting a Reserve Fund Transfer to make these repairs and pass inspection as this is the vehicle is the best candidate for the proposed refurbishment article. If the vehicle sits until July 1 it will most likely deteriorate beyond its usefulness.

If you have any questions please contact me.

Respectfully,

Warren B. Ryder  
Chief of Police

3/6/2012

**TOWN OF BOXBOROUGH MONTHLY EXPENDITURE REPORT**

For the Period 01/01/11 To 03/31/12

AccountNumber	AccountName	Original Budget	Budget Adjustments	Current Budget	Payments This Period	Payments To Date	Receipts This Period	Receipts To Date	Payments to Date-Net	Ending Balance	Percent Expended
<b>Police</b>											
001-210-5100-5112	Police Dept. Salary - Police Chief	95,950.00	0.00	95,950.00	64,315.28	64,315.28	0.00	0.00	64,315.28	31,634.72	67.03%
001-210-5100-5114	Police Dept. Salary - Full Time Officers	536,376.00	0.00	536,376.00	359,095.53	359,095.53	0.00	0.00	359,095.53	177,280.47	66.95%
001-210-5100-5117	Police Dept. Salary - Secretary	50,133.00	0.00	50,133.00	33,421.92	33,421.92	0.00	0.00	33,421.92	16,711.08	66.67%
001-210-5100-5119	Police Dept. Salary - Special Officers	11,427.00	0.00	11,427.00	1,420.32	1,420.32	0.00	0.00	1,420.32	10,006.68	12.43%
001-210-5100-5122	Police Dept. Salary - Lock up Attendants	2,890.00	0.00	2,890.00	4,425.34	4,425.34	0.00	0.00	4,425.34	-1,535.34	153.13%
001-210-5100-5123	Police Dept. Salary - Town Details	7,824.00	0.00	7,824.00	1,727.04	1,727.04	0.00	0.00	1,727.04	6,096.96	22.07%
001-210-5100-5130	Police Dept. Salary - FT Officer Overtime	146,221.00	0.00	146,221.00	99,717.11	99,717.11	0.00	0.00	99,717.11	46,503.89	68.20%
001-210-5100-5148	Police Dept. Salary - Quinn Bill	62,971.00	0.00	62,971.00	47,147.20	47,147.20	0.00	0.00	47,147.20	15,823.80	74.87%
001-210-5200-5210	Police Dept. Electricity	12,000.00	0.00	12,000.00	7,177.52	7,177.52	0.00	0.00	7,177.52	4,822.48	59.81%
001-210-5200-5212	Police Dept. Heating	3,750.00	0.00	3,750.00	1,266.92	1,266.92	0.00	0.00	1,266.92	2,483.08	33.78%
001-210-5200-5240	Police Dept. Equipment Maintenance	2,500.00	0.00	2,500.00	5,219.22	5,219.22	0.00	0.00	5,219.22	-2,719.22	208.77%
001-210-5200-5242	Police Dept. Repair and Maint - Building an	3,000.00	0.00	3,000.00	3,196.58	3,196.58	0.00	0.00	3,196.58	-196.58	106.55%
001-210-5200-5246	Police Dept. Repair and Maint - Vehicles	17,000.00	0.00	17,000.00	14,987.78	14,987.78	0.00	0.00	14,987.78	2,012.22	88.16%
001-210-5200-5319	Police Dept. Mobile Units	3,400.00	0.00	3,400.00	1,924.77	1,924.77	0.00	0.00	1,924.77	1,475.23	56.61%
001-210-5200-5340	Police Dept. Internet Access	1,100.00	0.00	1,100.00	575.49	575.49	0.00	0.00	575.49	524.51	52.32%
001-210-5200-5341	Police Dept. Telephone	12,000.00	0.00	12,000.00	7,735.54	7,735.54	0.00	0.00	7,735.54	4,264.46	64.46%
001-210-5400-5421	Police Dept. Equipment Supplies	7,000.00	0.00	7,000.00	5,808.83	5,808.83	0.00	0.00	5,808.83	1,191.17	82.98%
001-210-5400-5580	Police Dept. Ammunition	3,000.00	0.00	3,000.00	2,299.70	2,299.70	0.00	0.00	2,299.70	700.30	76.66%
001-210-5400-5585	Police Dept. Law Book Updates	1,900.00	0.00	1,900.00	1,095.00	1,095.00	0.00	0.00	1,095.00	805.00	57.63%
001-210-5400-5590	Police Dept. Uniform Allowance - Full Time	16,950.00	0.00	16,950.00	11,842.72	11,842.72	0.00	0.00	11,842.72	5,107.28	69.87%
001-210-5500-5501	Police Dept. - Defibrillator Maintenance	2,140.00	0.00	2,140.00	0.00	0.00	0.00	0.00	0.00	2,140.00	0.00%
001-210-5700-5715	Police Dept. Professional Development	3,600.00	0.00	3,600.00	3,504.78	3,504.78	0.00	0.00	3,504.78	95.22	97.36%
001-210-5700-5716	Police Dept. Training	3,500.00	0.00	3,500.00	2,829.75	2,829.75	0.00	0.00	2,829.75	670.25	80.85%
001-210-5700-5775	Police Dept IT Repair and Maintenance	4,000.00	0.00	4,000.00	2,186.99	2,186.99	0.00	0.00	2,186.99	1,813.01	54.67%
001-210-5800-5858	Police Dept. Cruiser Purchase	39,500.00	0.00	39,500.00	39,503.00	39,503.00	0.00	0.00	39,503.00	-3.00	100.01%

TOWN OF BOXBOROUGH MONTHLY EXPENDITURE REPORT

For the Period 07/01/11 To 03/31/12

AccountNumber	AccountName	Original Budget	Budget Adjustments	Current Budget	Payments This Period	Payments To Date	Receipts This Period	Receipts To Date	Payments to Date-Net	Ending Balance	Percent Expended
Sum	Police	1,050,132.00	0.00	1,050,132.00	722,424.33	722,424.33	0.00	0.00	722,424.33	327,707.67	68.79%



**Internal Communications and Outgoing Communications**  
**March 12, 2012**

1. Coverletter from Attorney John Giorgio, Town Counsel - Kopelman & Paige, P.C, dated February 24, 2012, to TA Shaw, accompanying the Litigation Status Report and Annual Report of Town Council [2011].\*
2. Letter from TA Shaw, dated February 24, 2012, to Ms. Janine Bush advising her of the Board of Selectmen's decision in the matter of Buddy. [*Copy of letter only without referenced exhibits*] #
3. February 2012 Monthly Construction Activity Report from the Building Department, dated February 29, 2012.\*
4. Correspondence from Tracy Shoultz, Community Mitigation Analyst of Insurance Services Office, Inc. (ISO), dated February 22, 2012, to TA Shaw regarding Boxborough's Building Code Effectiveness Grading Schedule Classification Results. [Inspector Jennings responsive materials included] \*
5. Letter from TA Shaw, dated March 5, 2012, to MAPC Energy Services Coord., Helen Aki, advising her of Boxborough's interest in participating in a regional solar PV project through the 2012 DLTA program.\*
6. Letter from TA Shaw, dated March 6, 2012, to John T. Moriarty, in response to his information and records request.
7. Correspondence from Comcast's Senior Manager of Government & Community Relations, Timothy Kelly, to the Board of Selectmen:
  - a. Dated February 27, 2012, regarding important price adjustment information.
  - b. Dated March 1, 2012, regarding XFINITY Signature Support.
  - c. Dated March 8, 2012, accompanying Comcast's 2012 Annual notice and payment of Comcast's YE 2011 Annual Licensing Fee [\$387.50]
8. Letter from National Grid's VP – Operations & Construction, dated February 27, 2012, to TA Shaw, advising of the status of National Grid's contract with the Utility Steel Workers of America – Brotherhood of Utility Workers Local 12003 and National Grid's continuity preparations in the event that the collective bargaining process breaks down and there is a work stoppage.

\* Indicates that the item is included in the agenda packet as well as in the general notebook.

# Indicates that the item had been previously distributed.





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**KOPELMAN AND PAIGE, P.C.**

*The Leader in Municipal Law*

101 Arch Street  
Boston, MA 02110  
T: 617.556.0007  
F: 617.654.1735  
www.k-plaw.com

February 22, 2012

**John W. Giorgio**  
jgiorgio@k-plaw.com

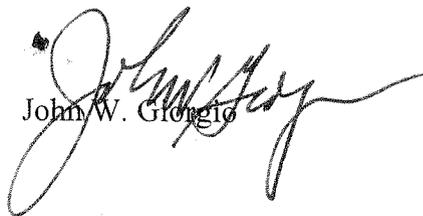
Ms. Selina S. Shaw  
Town Administrator  
Boxborough Town Hall  
29 Middle Road  
Boxborough, MA 01719

Re: Litigation Status Report and Annual Report of Town Counsel

Dear Ms. Shaw:

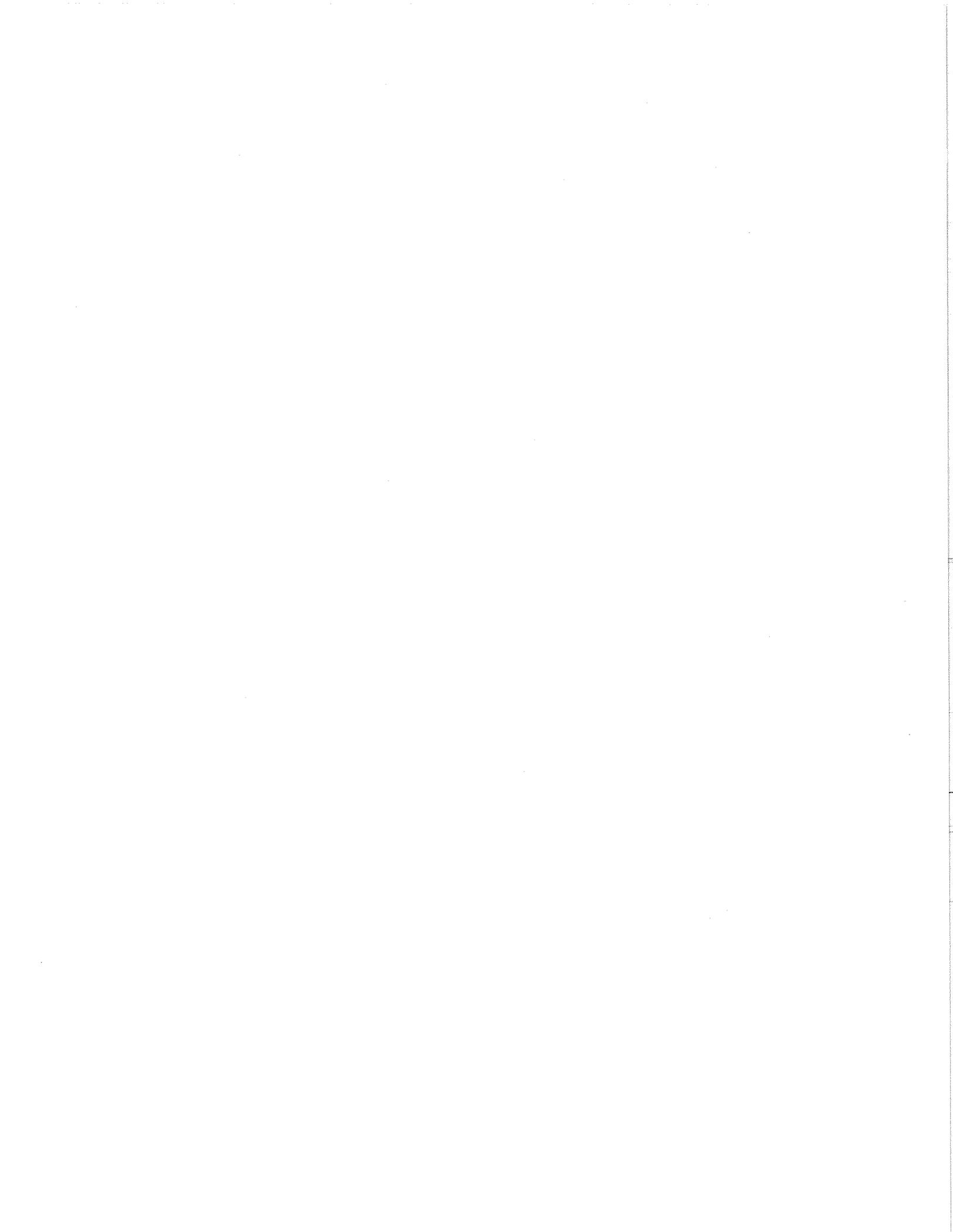
Enclosed please find an updated Litigation Status Report and the Annual Report of Town Counsel – 2011.

Very truly yours,



John W. Giorgio

JWG/bp  
Enc.  
444443/boxb/0001



**TOWN OF BOXBOROUGH**  
**ANNUAL REPORT OF TOWN COUNSEL**  
**2011**

During 2011, Town Counsel provided significant legal services to the Town, including the rendering of numerous legal opinions, approving contracts as to form, attending Town Meetings, and meeting with the Board of Selectmen and various other Town boards. There are currently two active litigation cases involving the Town.

Town Counsel has been advising the Board of Selectmen, the Town Administrator, and the School Committee with respect to ongoing employment and labor issues. In particular, we have been working with Town officials as they consider adopting new health insurance legislation which would allow the Town to make certain plan design changes in the Town's group insurance.

Town Counsel also assisted in the negotiation of a lease of space at the United Church of Christ for the town's <sup>Community center</sup> ~~Council on Aging~~ activities. *M per JC*

We extend our appreciation to the Board of Selectmen for its confidence in retaining this firm. We also appreciate the assistance and cooperation we have received on all matters from the Board of Selectmen, Town Meeting, the Town Administrator, the department heads, and the boards and committees with whom we have worked. We look forward to working with the members of the Town government in the future.

Respectfully submitted,

Kopelman and Paige, P.C.  
Town Counsel

**TOWN OF BOXBOROUGH  
LITIGATION STATUS REPORT  
MATTERS PENDING WITH TOWN COUNSEL  
February 21, 2012**

1. Harvard Ridge Condominium Association v. Bank of America, N.A.,  
(Town of Boxborough)  
Middlesex Superior Court, C.A. No. 11-3730  
(03700-0084-JDU)

The Condominium association brought action to foreclose on an Association lien with respect to a unit owned by the defendant. The Town is an interested party due to its property tax lien on unit, which it seeks to preserve. The parties executed a Stipulation of Dismissal which conclude the case.

2. Wheeler v. Boxborough Zoning Board of Appeals  
Middlesex Superior Court, C.A. No. MICV2010-04725  
(03700-0148-JDE)

This is an appeal by the applicant, pursuant to G.L.c.40A, §17, of the Zoning Board of Appeals's November 29, 2010, decision denying a special permit application to create a reduced frontage lot on the east side of Burroughs Road at its intersection with Whitney Lane. The case is scheduled for trial on May 10, 2012.



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**BOXBOROUGH BUILDING DEPARTMENT**

29 Middle Road, Boxborough, Massachusetts 01719

Phone: (978) 263-1116 • Fax: (978) 264-3127

www.town.boxborough.ma.us

To: Board of Selectmen ✓  
Town Planner  
Town Assessor  
Town Clerk  
Finance Committee  
School Committee  
From: Building Department  
Date: February 29, 2012  
RE: Building Department Monthly Construction Activity Report



The Building Department has released the February 2012 Construction Activity Report. A copy is attached.

ma

## Building Department Monthly Construction Activity CY 2012

	January	February	March	April	May	June	July	August	Sept.	October	November	December	Y-T-D Total
<b>Residential:</b>													
Single Family - new													0
Additions/Alterations	8	3											11
Repairs													0
Foundation Only													0
Pool													0
Accessory Apartment													0
<b>Business:</b>													
New													0
Additions/Alterations	3	1											4
<b>Other:</b>													
Construct. trailers													0
Tents													0
Cell Tower / Antenna	1												1
Demolition		1											1
Foundation Only	1												1
Mechanical /Sheet Met	1	1											2
Woodstove	2	1											3
Signs													0
Shed/Barn													0
Change of Use													0
<b>Totals:</b>													0
Number of Permits	16	7	0	0	0	0	0	0	0	0	0	0	23
Construction Cost	1,508,792	128,600											1,637,392
<b>Total Fees</b>	9,640	1,403											11,043
<b>Fines Collected</b>													0

# Permit Listing Report

by District

Date Range: Issued between 02/01/2012 And 02/29/2012

Printed On: Wed Feb 29, 2012

SQL Statement: ([Type of Permit]="Building")

District	Address (Work Location)	District	Zoning	Owner	Work Category	Est. Cost	Proposed Use And Detail		
Permit Type	Permit No	Online Permit No	Permit Status	Date Issued	Contractor (Phone #)	Work Description	Fees Paid	Check #	
	<b>304 REED FARM RD</b>			LUNDQUIST, DEBRA M & LUNDQUIST, ERIC D	Kitchen Remodel	<b>\$99,800.00</b>			
Building	BP-2012-0107		OPEN	Feb-06-2012	Hancock Builders		Kitchen Bump Out and Remodel	\$998.00	13936
	<b>1190 LIBERTY SQ RD (1220 LIBERTY SQ RD)</b>		A/R	MADGE, LESLIE SLEEPER, TR	Sheet Metal Commerical	<b>\$0.00</b>			
Building	BP-2012-0108		OPEN	Feb-08-2012	Joe Peters (978) 423-6383		Sheet Metal Permit	\$40.00	cash
	<b>34 MASS AV</b>			OLYMPUS REALTY INC	Demolition	<b>\$10,000.00</b>			
Building	BP-2012-0109		OPEN	Feb-16-2012	Stephen Marsht (978) 263-3020		DEMOLITION WORK ONLY- INTERIOR ONLY	\$100.00	2231
	<b>156 TOKATAWAN SPRING LN</b>			ROBINSON, NEILL D & KAREN A	Bathroom Remodel	<b>\$10,000.00</b>			
Building	BP-2012-0110		OPEN	Feb-16-2012	Nicholas Biagiotti		Bathroom Renovation	\$100.00	1085
	<b>70 CODMAN HILL RD</b>			70 CODMAN HILL ROAD, LLC C/O WINSTANLEY ENTERPRISES	COMMERCIAL - ALTERATION OR FIT-UP	<b>\$6,500.00</b>			
Building	BP-2012-0111		OPEN	Feb-16-2012	Cole Contracting, Inc.		Install chamber		
	<b>420 DEPOT RD</b>		A/R	Alexis Ladd	Woodstove	<b>\$1,300.00</b>			
Building	BP-2012-0112		OPEN	Feb-21-2012	John Nothardt (508) 875-3874		Wood-firplace insert		
	<b>288-300 SWANSON RD</b>			STEPHANIE SURETTE	ADDITION/ALTERATIO N	<b>\$1,000.00</b>			
Building	BP-2012-0113		OPEN	Feb-21-2012	STEPHANIE SURETTE		Bedroom renovation		

# Permit Listing Report

*by District*

District	Address (Work Location)	District	Zoning	Owner	Work Category	Est. Cost	Proposed Use And Detail		
Permit Type	Permit No	Online Permit No	Permit Status	Date Issued	Contractor (Phone #)	Work Description	Fees Paid	Check #	
District ( ) TOTALS:						ESTIMATED COST:	\$128,600.00	NUMBER OF PERMITS:	7
						FEES INVOICED:	\$1,403.00	FEES PAID:	\$1,238.00
								BALANCE:	\$165.00
GRAND TOTALS:						ESTIMATED COST:	\$128,600.00	NUMBER OF PERMITS:	7
						FEES INVOICED:	\$1,403.00	FEES PAID:	\$1,238.00
								BALANCE:	\$165.00





4 B EVES DRIVE SUITE 200 MARLTON, NJ 08053 (856) 985-5600 FAX: (856) 810-9065

102(1)

\*

February 22, 2012

Ms. Selina Shaw, Town Administrator  
Boxborough  
29 Middle Road  
Boxborough, MA 01719

Received  
2-24-2012

RE: Building Code Effectiveness Grading Schedule Classification Results  
Boxborough, Middlesex County, MA

Dear Ms. Shaw:

We wish to thank you and Mr. Mark Dupell, Inspector of Buildings for the cooperation given to us during our recent Building Code Effectiveness Grading Schedule (BCEGS) survey. Insurance Services Office, Inc. (ISO) is the leading supplier of statistical data, underwriting information, and actuarial analysis to the property/casualty insurance industry in the United States. The BCEGS classifications are distributed by ISO for use by property/casualty insurers to assist in their insurance underwriting and premium development programs for residential and commercial properties. Insurers can use the BCEGS classification number to offer insurance premium discounts to eligible properties in Boxborough.

ISO has completed its analysis of the building codes adopted by your community and the effort put forth to enforce those codes. The resulting BCEGS Classification is a Class 5 for 1 & 2 family residential property and a Class 4 for commercial and industrial property. The new Classification is a regression from the former Class 4 for 1 & 2 family residential property. The principal reasons contributing to this regression are:

- Residential code prorated, due to residential sprinkler ordinance not adopted by the State of Massachusetts.
- Changes in certification requirements for all sub codes since the last survey.
- Certification requirement prior to hire.
- The use of performance evaluations for quality assurance for plan reviewers and field inspectors.
- Change in training hours and expenditures reported since last survey.

out of town's control

John will submit to Tracy

A revised BCEGS classification would apply to new buildings receiving a Certificate of Occupancy during or after the calendar year in which the revision takes place.

Before we re-classify your community to reflect this change, we would like to know if Boxborough desires to develop an improvement program in other areas to better their BCEGS classification.

If this letter is acknowledged by March 22, 2012 advising us that this matter will be reviewed within the next three months we will postpone the implementation of the classification changes.

After review, if it is your decision to begin an improvement program to regain PL Class 4, we will need to receive, by June 22, 2012, a list of the changes you intend to make. Additionally, we would appreciate your estimate of the amount of time which will be needed to complete each item. No re-classifying action will be taken if changes are implemented to regain the current classification within one year of the receipt of this letter.

We want to highlight the fact that the ISO Building Code Effectiveness Grading program is an advisory insurance underwriting information and rating tool. It is not intended to analyze all aspects of a comprehensive building code enforcement program. It is not for purposes of determining compliance with any state or local law nor is it for making loss prevention or loss safety recommendations.

If you have any questions about the classification that was developed, please let us know.

Sincerely,

*Tracy Shoultz*

Community Mitigation Analyst  
(856) 985-5600 x425 FAX (856) 810-9065  
[Tmitchell-shoultz@iso.com](mailto:Tmitchell-shoultz@iso.com)

cc: Mr. Mark Dupell, Inspector of Buildings

2/29/12

John has spoken w/ Tracy.

We will retain previous standing, once John has submitted items 2-5 on previous page

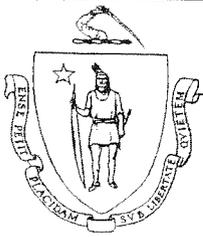
Tracy Shoultz, Community Mitigation Analyst  
ISO Regional Processing Center  
4 B Eves Drive  
Suite 200  
Marlton, NJ 08053

Date: 3-1-12

We have reviewed your letter of February 22, 2012 advising the results of the recent survey for Boxborough. With regards to the regression from our previous classification, we plan to take the following action (please check the appropriate statement below):

- We will review the results of the survey and decide if Boxborough, MA will institute programs to regain our previous BCEGS classification number. We understand that we are to notify ISO by March 22, 2012 of our decision.
- We are in the process of developing an action plan or have implemented an action plan to effect changes that will regain our original class. This plan will be submitted to ISO by June 22, 2012 and will include details of condition(s) to be addressed and a timeline for bringing the plan to completion.
- Boxborough has completed the action plan and we are attaching the relevant information to be evaluated by ISO for the purposes of re-classifying Boxborough.
- The conditions that have resulted in our less favorable classification are mandates Boxborough must adhere to. We do not intend to make significant changes in the immediate future to the other aspects of our agency that might improve the BCEGS classification.
- We have reviewed the results of the survey for Boxborough and feel our building code enforcement effort at present represents our best interest. We understand that you will contact us in approximately 5-years to update the survey. We can request a new BCEGS survey from ISO if we institute changes that would effect our classification.
- We would like an ISO BCEGS representative to contact us regarding our recent BCEGS evaluation. The person they should call is \_\_\_\_\_ at the following phone number (\_\_\_\_) \_\_\_\_\_.
- Other, please explain.

Name: John Jewings Title: Inspector of Buildings  
Street Address: 29 Middle Rd  
City: Boxborough State: MA Zip Code: 01719  
Phone Number: (978) 263-1116 x115



State Board of Building Regulations & Standards  
Training Report: 1/1/2009 - 12/31/2011

John J. Jennings III

Local Inspector

City/Town:

Certificate Number: 02-12-1262 /

Title Held:

Certificate Date: December 17, 2002

**Category 1 Credit:**

Course#	Course Name	Date	Credit
C-1788	Sign Codes	3/4/09	5.0
MB-0809	MBCIA Shear Wall	8/20/09	2.0
MB-1009	MBCIA Steel Decking	10/22/09	2.0
MB-1109	MBCIA EPA Rules/Cert Req	11/19/09	3.0
MB-1209	MBCIA Ch 34 & 93	12/17/09	2.0
C-056	Res Energy DOER	1/21/10	4.0
MB-0110	MBCIA Means of Egress	1/28/10	2.0
MB-0210	MBCIA Stairs/Stairways	2/25/10	2.0
MB-0811	MBCIA Struc Eng	8/25/11	2.0
MB-1110	MBCIA Framing	11/18/10	2.0
C-2168	2006 IBC Means/Egress	2/7/12	3.0
IC-149	2006 IBC Structural Load	2/7/12	2.0
IC-150	2006 IBC Soil Invst	2/7/12	2.0
IC-146	2006 IBC Methods App	2/7/12	2.0
IC-100	2006 IBC Temp Certif.	2/7/12	1.0
IC-155	2006 IGCC I Codes	1/30/12	2.0
IC-098	2006 IBC Day Care	1/30/12	3.0
IC-153	2006 IFC Fire Protection	2/7/12	2.0
IC-152	2009 IBC BO Official Tech	2/7/12	2.0

**Category 2 Credit:**

Course#	Course Name	Date	Credit
D7-0209	Distirct Meeting/lpswich	2/11/09	1.0

Category 1 Total

Category 2 Total

Total Contact Hours For '00 - '02: 4

For '03 - '05: 57.5

For '06 - '08:

Total Contact Hours For This Report 46

-----  
Date of this Report: February 23, 2012

**John Jennings**

---

**From:** John Jennings [john.jennings@town.boxborough.ma.us]  
**Sent:** Thursday, March 01, 2012 11:10 AM  
**To:** 'Tmitchell-shoultz@iso.com'  
**Cc:** 'Selina S. Shaw'  
**Subject:** ISO report dated 2-2-12

Tracy, per our conversation yesterday 2-29-12, I will mail to you my current certification and a copy of my training hours. I will also send a copy of our plan review forms. Thank you John Jennings Inspector of buildings  
Boxborough ma





102(5)

\*

**BOXBOROUGH BOARD OF SELECTMEN**  
29 Middle Road, Boxborough, Massachusetts 01719  
Phone: (978) 263-1116 · Fax: (978) 264-3127  
www.town.boxborough.ma.us

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Raid M. Suleiman, Chair    Christine L. Robinson, Clerk    Leslie R. Fox    Rebecca R. Neville    Francis J. Powers

March 5, 2012

Helen Aki, LEED AP  
Energy Services Coordinator  
Metropolitan Area Planning Council  
60 Temple Place, 6th Floor  
Boston, MA 02111

Re: DLTA Clean Energy Projects

Dear Helen,

Please accept this letter on behalf of the Town of Boxborough to express our interest in participating in a regional solar PV project through the 2012 District Local Technical Assistance (DLTA) program.

The Boxborough Energy Committee is looking for strategies to save the Town both money and energy.

With the implementation of single-stream recycling collection at the Town's transfer station, the amount of recyclable materials being hauled to the processing facility has increased, and likewise, the cost to transport this material has also increased.

One option being discussed to reduce hauling costs is to compact the recyclables, similar to what is currently done for solid waste (trash) at the Town's transfer station today. Compaction reduces the material significantly, requiring fewer trips to the processing facility. Adding new recycling compactors at the transfer station will require some reconfiguration of the existing layout, and additional electrical service to power the equipment.

The existing transfer station is adjacent to a capped landfill. We have learned that landfill sites can be ideal candidates for the siting of a solar facility. We request funds to hire a consultant to evaluate the feasibility of installing a solar power facility on the landfill site to support the future needs of the adjacent transfer station's power requirements.

Many technical issues need to be addressed when developing a Photo Voltaic (PV) solar facility on a closed, capped, landfill. The solar system cannot compromise the operation of the existing cap (i.e. gas and leachate collection) and storm water management. We also need to determine the total power requirements, power storage, and anticipated costs.

We understand that a local match, while not required, is encouraged to demonstrate commitment to these projects. We will determine Boxborough's ability to contribute both in terms of funding and staff time, and get approval for participation in these projects with the appropriate elected officials, boards, or other entities in the municipality.

By signing this letter, I acknowledge that MAPC will regard Boxborough as an interested DLTA participant unless otherwise notified. This letter is not a binding agreement.

Sincerely,

Selina S. Shaw  
Town Administrator





**Minutes, Notices and Updates**  
**March 12, 2012**

**Minutes**

1. Minutes of the Agricultural Commission meetings held August 17, 2011; February 15, 2012 and February 27, 2012.
2. Minutes of the BITcom meeting held February 14, 2012.
3. Minutes of the Finance Committee meeting of February 27, 2012.
4. Minutes of the Conservation Commission meeting of February 1, 2012.

**Notices**

1. Notice of Finance Committee meetings:
  - a. Held March 5, 2012
  - b. To be held March 12, 2012.
2. Notice of Personnel Board meetings:
  - a. Held March 5, 2012
  - b. To be held March 26, 2012.
3. Notices of Boxborough School Committee related meetings:
  - a. Policy Subcommittee meeting held March 7, 2012.
  - b. Regular meeting held March 8, 2012.
  - c. School Committee Negotiations Subcommittee & Teachers' Assoc. (Executive Session) meetings to be held: March 14, 2012; March 28, 2012; April 4, 2012 and April 11, 2012.
  - d. School Committee's participation at the Selectmen's meeting to be held March 12, 2012.
4. Notices of Board of Selectmen meetings:
  - a. Regular Meeting to be held March 12, 2012.
  - b. Contract Negotiating Team [Executive Session]:
    - i. Held March 5, 2012
    - ii. To be held March 19, 2012
    - iii. To be held March 29, 2012.
5. Notice of an Acton-Boxborough Cultural Council meeting to be held March 12, 2012.  
[Acton]

6. Notice of an Agricultural Commission meeting to be held March 12, 2012 [participation in the Selectmen's meeting for the Right to Farm Bylaw hearing]
7. Notice of a Recreation Commission meeting to be held March 13, 2012.
8. Notice of the Boxborough Information Technology Committee meeting to be held March 13, 2012.