



BOARD OF SELECTMEN
Meeting Minutes
April 1, 2013

Approved: April 22, 2013

PRESENT: Les Fox, Chair; Vincent Amoroso, Clerk; Member; Robert Stemple, Member; Frank Powers, Member; and Raid Suleiman, Member

ALSO PRESENT: Selina Shaw, Town Administrator and 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.

Chair Fox called the meeting to order at 7:32 P.M. in the Grange Meeting Room of Town Hall.

ANNOUNCEMENTS

- Chair Fox read the announcements.

APPOINTMENTS

- Citizens concerns – None

MINUTES

- Member Powers moved to accept the minutes for the regular sessions of March 18, 2013 & March 25, 2013, as revised: the executive sessions of March 18, 2013 & March 25, 2013; and [BoS Contract Negotiating Team re: Fire] of March 26, 2013, all as written. Seconded by Member Suleiman. **Approved: 4-0-1** (Member Amoroso abstained)

SELECTMEN REPORTS

- Member Amoroso reported that he received a response from his counterpart on the Stow Board of Selectmen on their proposal seeking access to the Boxborough Transfer Station for residents of Stow. Discussions are on-going.

He also noted that, though, there are updates on AB Regional Study Committee activities, but he will discuss them under #8a.

- Member Stemple reported that the Steele Farm Advisory Comm. has made revisions to their proposed ATM Article. They reviewed the current condition of the barn, what needs to be done to keep it safe and prevent deterioration. They are working on obtaining quotes. They are also discussing fund raising opportunities such as re-launching Christmas tree sales or an "adopt-a-tree" program.
- Chair Fox reported that MAGIC conducted a working group, here at Town Hall on March 26th, to address agricultural concerns. With the formation of this group MAPC is recognizing that agricultural interests are important to the region. He encourages anyone that is interested in participating contact himself or the Agricultural Comm.

He also reported that the working draft of the Stow Road Concept Development RFP has been sent to Town Counsel for review. The SRCDC also intends to have a booth at Fifer's Day, again this year.

- Member Powers reported that discussions continue with the three unions. The negotiating team met with Fire last week and will be meeting again on Wednesday. They will be meeting with Police on Tuesday.

He reported that he met with Chief White to discuss the Command Vehicle Article; reviewing the input received from FinCom, the vehicle proposed by the Chief and Chief's vehicle & equipment specifications.

Member Powers also reported that the Council on Aging has been in discussion with Minuteman Senior Services regarding their annual assessment to Boxborough. Minuteman has re-calculated and our assessment has been re-issued and reduced to \$700 far less than the \$1,200 that Minuteman had originally cited.

The Selectmen took Agenda Items # 8(a-c), out of order.

NEW BUSINESS

- The Selectmen opened discussion on a proposal to call a Special Town Meeting on June 3, 2013. Boxborough School Committee Chair and A-B Regional School Comm. member, Maria Neyland and Boxborough School Comm. member; A-B Regional School Comm. member; and Regional Study Committee member, Mary Brolin were present for this discussion. Neyland, Brolin and Member Amoroso updated the Selectmen on recent activities concerning the proposed expansion of the Acton-Boxborough Regional School District. Brolin outlined the revisions that were proposed by Boxborough representatives on the Study Comm. in order to achieve a consensus so this could move forward. The Study Comm. will be presenting this revised proposal to the A-B Regional School Comm. on April 10th and they anticipate ABRSC will vote it on May 2nd. The intention is to hold concurrent Special Town Meetings in Acton and Boxborough on Monday, June 3rd. The Acton Selectmen have voted to call this Special Town Meeting. It was noted that DESE will also have to approve the proposed revisions to the District Agreement. The timeline/benchmarks needed in order to be ready for the June 3rd STMs were discussed. There was discussion on the materials to be included in the proposed warrant and the grant funds that may be available to cover the necessary expenses. There was discussion on Town Counsel’s concerns regarding the disposition of the Blanchard School - conveying the Blanchard from the Town to the District. It was determined that the Boxborough stakeholders would consult with Town Counsel and then District and, possibly, Acton stakeholders and their attorneys could be invited in to conference on this issue at a later time if necessary. It was noted that if Section 5 e – [Enrollment] Rolling Average fails to gain the necessary approvals – local and state, then Boxborough loses a significant protection. There is concern that there would be little support for the revised agreement without “5e.” Member Powers moved to call a special town meeting to be held at 7PM on June 3, 2013, at the Blanchard Memorial School for the purpose of considering expansion of the regional school district with Acton to include grades pre-K – 12. Seconded by Member Stemple. **Approved 5-0.**
- Further to the request of Town Clerk, Elizabeth Markiewicz, Member Stemple moved to appoint Alan Rohwer, Kevin Mahoney and Norman Hanover as Temporary Election Workers and Temporary Constables for terms beginning effective immediately and ending on June 30, 2013. Seconded by Member Suleiman. **Approved 5-0.**
- Member Suleiman moved to notify the Town’s inhabitants who are qualified to vote, by the posting of the warrant no later than April 23, 2013, of the Special State Primaries for Senator in Congress, to be held at Ward 1, Precinct 1, the Boxborough Town Hall on Tuesday, April 30, 2013, from 7 AM to 8 PM. Seconded by Member Powers. **Approved 5-0.**

OLD BUSINESS

- The Selectmen re-opened discussion on Westford’s request to join the 495 Regional Technology Center Economic Target Area (ETA). There was a review of the discussions of March 18th when Westford Town Manager Jodi Ross and members of their Economic Development Committee presented this request. Since then the stakeholder have gotten together and developed a proposed Inter-municipal Memorandum of Understanding. This is a positive for all involved. There was discussion on the process needed to bring Westford in the ETA.
 - ◊ Member Stemple moved to approve the request of the Westford Board of Selectmen and the Westford Economic Committee to allow the town of Westford to join the 495 Regional Technology Center Economic Target Area, provided that there are no costs incurred by the town of Boxborough in the pursuit of the amended ETA. Seconded by Member Powers. **Approved 5-0.**
 - ◊ Member Stemple moved to execute Memorandum of Understanding with the Town of Westford in order to pursue regional economic development goals. Seconded by Member Powers. **Approved 5-0.**
- The Selectmen did a final review of the proposed FY 2014 Budget. There was a general discussion as to how the items, that the Selectmen may seek to amend at Town Meeting, would be referenced in the warrant. Chair Fox moved to approve the final FY 14 Budget, Rev. 3/29/13 for total expenses of \$19,598,284. Seconded by Member Powers. **Approved 4-0-1 on #210-Police** (Member Suleiman abstained) **and Approved 5-0 on all others.**
- The Selectmen took up the final review of the Annual/Special Town Meeting warrant articles; final vote on their recommendations and signing of the warrant.

STM

#	Nature of Article	Vote / Comment
1.	Fund Cost Items Of 1 st Year Of Collective Bargaining Agreement - Massachusetts Coalition Of Police, Local 200, Police	Chair Fox moved to approve Article #1 as well as the Board’s Recommendation. Seconded by Member Powers. Approved 4-0-1 (Member Suleiman abstained)
2.	Fund Cost Items Of 1 st Year Of Collective Bargaining Agreement - Boxborough Professional Firefighters Assoc., Local 4601	Chair Fox moved to approve Articles #2 and 3 as well as the Board’s Recommendation. Seconded by Member Powers.

#	Nature of Article	Vote / Comment
3.	Fund Cost Items Of 1 st Year Of Collective Bargaining Agreement - Massachusetts Coalition Of Police, Local 200A, Dispatch	Approved 5-0.
4.	Prior Year Bill – Dog Officer	Chair Fox moved to approve Article #4 as well as the Board’s Recommendation. Seconded by Member Powers. Approved 5-0.
5.	Capital Improvements: Reconfigure Transfer Station -DPW	Chair Fox moved to approve Article #5 as well as the Board’s Recommendation. Seconded by Member Powers. Approved 5-0.

ATM

#	Nature of Article	Vote / Comment
1.	Choose Town Officers	N/A
2.	Receive Reports	Chair Fox moved to approve Article #2 as well as the Board’s Recommendation. Seconded by Member Suleiman. Approved 5-0.
3.	Set Salaries and Compensation of Officers	Chair Fox moved to approve Article #3 as well as the Board’s Recommendation. Seconded by Member Suleiman. Approved 5-0.
4.	Petition Article - Freeze wages, hiring, promotions	N/A
5.	Personnel Administration Plan Changes	Chair Fox moved to approve Article #5 as well as the Board’s Recommendation as revised. Seconded by Member Powers. Approved 5-0.
6.	Town Operating Budget	N/A
7.	Transfer to Stabilization Fund	Chair Fox moved to approve Article #7 as well as the Board’s Recommendation. Seconded by Member Suleiman. Approved 5-0.
8.	Transfer to Other Post-Employment Benefits (OPEB) Trust Fund	Chair Fox moved to approve Article #8 as well as the Board’s Recommendation. Seconded by Member Suleiman. Approved 5-0.
9.	Capital Improvements: Replacement Windows - Town Hall (Original Section)	Chair Fox moved to approve Article #9 as well as the Board’s Recommendation as revised. Seconded by Member Powers. Approved 5-0.
10.	Capital Equipment Acquisition: Replacement Vehicle –Inspector Of Buildings - Town Hall	Chair Fox moved to approve Article #10 as well as the Board’s Recommendation as revised. Seconded by Member Suleiman. Approved 5-0.
11.	Communications consultant and town share of radio grant - Fire Dept.	Chair Fox moved to approve Article #11 as well as the Board’s Recommendation. Seconded by Member Powers. Approved 5-0.
12.	Capital Equipment Acquisition: Emergency Response Command Vehicle - Fire Dept.	Chair Fox moved to approve Article #12 as well as the Board’s Recommendation. Seconded by Member Powers. Approved 5-0.
13.	Capital Equipment Acquisition: Replace Ambulance - Fire Dept.	Chair Fox moved to approve Article #12 as well as the Board’s Recommendation. Seconded by Member Powers. Approved 5-0.
14.	Capital Equipment Acquisition: Replacement of Air-Paks - Fire Dept.	Chair Fox moved to approve Article #12 as well as the Board’s Recommendation. Seconded by Member Powers. Approved 5-0.
15.	Capital Equipment Acquisition: Four Wheel Drive All Terrain Mower – DPW	Chair Fox moved to approve Article #15 as revised as well as the Board’s Recommendation. Seconded by Member Stemple. Approved 5-0.
16.	Capital Equipment Acquisition: Replace 2 Dumpsters at the Transfer Station – DPW	Chair Fox moved to approve Article #16 as revised as well as the Board’s Recommendation. Seconded by Member Stemple. Approved 5-0.
17.	Capital Improvements: Replace 2 HVAC systems – Police Dept.	Chair Fox moved to approve Article #17 as well as the Board’s Recommendation. Seconded by Member Powers. Approved 4-0-1 (Member Suleiman abstained)
18.	Capital Equipment Acquisition: Replace radios – Police Dept.	Chair Fox moved to approve Article #18 as well as the Board’s Recommendation. Seconded by Member Powers. Approved 4-0-1 (Member Suleiman abstained)
19.	Capital Equipment Acquisition: Electronic control devices (“tasers”) – Police Dept.	Chair Fox moved to approve Article #19 as revised as well as the Board’s Recommendation as revised. Seconded by Member Powers. Approved 4-0-1 (Member Suleiman abstained)
20.	Capital Improvements: Replacement of Windows – Blanchard School	N/A
21.	Capital Improvements: Security upgrades – Blanchard School	N/A
22.	Capital Improvements: Concrete sidewalk	N/A

#	Nature of Article	Vote / Comment
	replacement (front entrance areas) – Blanchard School & Sargent Library	
23.	Capital Improvements: Cell phone repeater - Blanchard School	Chair Fox moved to approve the Board’s Recommendation on Article #23 as presented this evening. Seconded by Member Suleiman. Approved 5-0.
24.	Capital Improvements: Steele Farm barn	Chair Fox moved to approve Article #24 as well as the Board’s Recommendation. Seconded by Member Stemple. Approved 5-0.
25.	Transfer to ToB Conservation Trust Fund	Chair Fox moved to approve Article #25 as well as the Board’s Recommendation as revised. Seconded by Member Stemple. Approved 5-0.
26.	Amend Zoning Bylaw: Add Section 7900-Medical Marijuana Treatment Centers	N/A
27.	Amend Zoning Bylaw: – Amend Section 4003(1)-Residential Uses and Section 4300-Special Permits in Town Center District and Delete Section 5004	N/A
28.	Amend Zoning Bylaw: Amend Section 4107-Accessory Apartment	N/A
29.	Amend Finance Committee Bylaw	Minor wording change to article replace “...no less...” with “...no fewer...” No Recommendation required.
30.	Amend Dog Control Bylaw	Chair Fox moved to approve Articles #30 as revised as well as the Board’s Recommendation. Seconded by Member Suleiman. Approved 5-0.
31.	Amend Dog Licensing Bylaw	Chair Fox moved to approve #31 as well as the Board’s Recommendation. Seconded by Member Suleiman. Approved 5-0.
32.	Establish Veterans Tax Work Off Program	Chair Fox moved to approve Article #32 as well as the Board’s Recommendation as revised. Seconded by Member Stemple. Approved 5-0.
33.	Personal real estate exemptions	Chair Fox moved to approve Article #33 as well as the Board’s Recommendation. Seconded by Member Stemple. Approved 5-0.
34.	Chapter 90 Highway Reimbursement Program	Chair Fox moved to approve Article #34 as well as the Board’s Recommendation. Seconded by Member Powers. Approved 5-0.
35.	Reauthorize Revolving Funds	Chair Fox moved to approve Article #35 as well as the Board’s Recommendation. Seconded by Member Powers. Approved 5-0.

The Selectmen signed the warrant.

- The Selectmen reviewed of the Open Space Survey which is to be included in the back of the warrant.

CORRESPONDENCE

- There was discussion on the correspondence from the Norton Board of Selectmen concerning M.G.L. Ch. 40B. It was been forwarded to the Housing Board.
- There was discussion on the Shared Transportation Study Report Summary. Member Powers reported that Planner Hughes had attended a meeting earlier today on this, but he had not had an opportunity to speak to her.

EXECUTIVE SESSION

At 10:25 PM, Member Powers moved to adjourn to executive session to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200A, Dispatch; Massachusetts Coalition of Police, Local 200, Police; Boxborough Professional Firefighters, Local 4601 and to adjourn immediately thereafter. Seconded by Member Stemple. To conduct such session in an open meeting may have a detrimental effect on the bargaining position of the Board. **Approved 5-0, by Roll Call Vote: Fox “aye,” Powers “aye,” Stemple “aye,” Suleiman “aye,” and Amoroso “aye.”**

SELECTMEN'S ANNOUNCEMENTS

APRIL 1, 2013

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

- We apologize for the **quality** of the Boxborough Government Channel broadcast. We are aware of the issues and are working to resolve them.
- **Boxborough's Annual Town Meeting** will be held on **Monday, May 13th**. The draft warrant and draft FY 14 budget are available on the Town's website (Home page, under "NEWS").
- In the coming weeks, it will be decided whether or not to move forward with a special town meeting to consider **expanding the Acton-Boxborough Regional School District** to include grades pre-K through 12. If it is decided to proceed, a special town meeting would most likely be held on Monday, June 3rd (not April 29th as had been previously announced).
- There will be a **Special State Primary Election** held on Tuesday, April 30th to select candidates for the office of Senator in Congress.
- All dogs in Massachusetts are required to be licensed annually. **The deadline to renew your dog license for 2013 was March 10th**. If you have not already licensed your dog, you will now be charged a late fee of \$25.00. Applications can still be obtained at Town Hall or downloaded from the town website.
- The Boxborough Emergency Reserve Corps or **BERC is holding an Open House** this Saturday April 6th at the Sargent Memorial Library from 9:30 AM to Noon. It is open to residents interested in family and pet emergency preparedness as well as those interested in helping Boxborough when faced with emergencies. At **10:00 AM** there will be presentations from the Chiefs of Police and Fire, Emergency Reserve volunteers and others. Attendees will also have the chance to win a personal 72 hour Emergency Kit. Refreshments will be provided.

- The **127th Anniversary Meeting of the Boxborough Grange #131** has been rescheduled to **Friday April 12th** at 7:30 PM. in the Grange Room of the Boxborough Town Hall. This meeting will feature various presentations including the annual Grange Community Service Award, which recognizes a deserving Boxborough citizen or group. The public is invited and admission is free but please call 978-263-2241 to RSVP if you plan to attend.

- Saturday, April 27th, is **National Prescription Drug Take Back Day**. As part of this initiative the Boxborough Police Department, in conjunction with the Federal Drug Enforcement Administration, will be providing the public an opportunity to prevent prescription drug abuse and theft. There will be collection of potentially dangerous, expired, unused, or unwanted prescription drugs from 10:00 AM to 2:00 PM at the Police Station, 520 Mass. Ave. This program is open everyone not just Boxborough residents. If you can't make it in on April 27th you can stop by the Police Department any time and use the 24 hour drop box located in the lobby. Please go to the Boxborough Police Department's website if you need more information.

- Friends of the Boxborough Library will hold their **Spring Book Sale at the Sargent Memorial Library** from 9:00 AM to 2:00 PM on **Saturday, April 27th**. A preview sale for members will take place Friday, April 26th from 7:00 PM to 9:00 PM (Memberships are always available at the door). The Friends of the Library would also ask that you to save your unwanted used books to donate to this sale during the week of April 22nd, during regular Library hours. The funds from this sale support many library programs that help to make the Library a special place.

- The **Stow Road Concept Development Committee** continues its effort to reach out to residents to hear what you would like to see built at 72 Stow Road. To learn more or to provide your opinion, by completing a brief on-line survey, go to the Link on the Town's website under "NEWS".

- **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: Airport Study Committee (1), ZBA (1 alternate member), Housing Board (1), BITcom (4), Design Review Board (1 at-large member), Energy Committee (1), Public Celebrations & Ceremonies Comm. (1) and the Steele Farm Advisory Committee (2). Also, the Town Moderator is seeking 2 volunteers to serve on the Finance Committee. Please consider participating on a town board. 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.
- 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
- Board of Selectmen, Boxborough School Committee and Acton-Boxborough Regional School Committee **meetings are broadcast on both Comcast's Channel 9 and Verizon's Channel 39**. Residents can also tune-in and view the public meetings playback schedule, to find out when a particular meeting is scheduled for broadcast.
- For questions regarding **the Boxborough Firefighters Association's 100th Anniversary** commemorative t-shirts please contact Lt. Jason Malinowski at jmalinowski@boxboroughfire.com.
- Please contact the Town Clerk, Liz Markiewicz 978-263-1116 x 117 if you have any questions regarding **licensing your dog**.
- To learn about **National Prescription Drug Take-Back Day** please visit Boxborough Police Department website: www.boxboroughpolice.com.

- Please call 978-263-2241 to RSVP if you plan to attend the **Boxborough Grange's Anniversary Meeting** on Friday, April 12th.



BOARD OF SELECTMEN

Meeting Agenda

April 1, 2013

Boxborough Town Hall

Grange Meeting Room

1. CALL TO ORDER, 7:30 PM

2. ANNOUNCEMENTS

3. APPOINTMENTS

- a) Citizens concerns

4. MINUTES

- | | |
|---|--------------|
| a) Regular session, March 18, 2013 | ACCEPT & POF |
| b) Regular session, March 25, 2013 | ACCEPT & POF |
| c) Executive session, March 18, 2013 | ACCEPT & POF |
| d) Executive session, March 25, 2013 | ACCEPT & POF |
| e) Executive session [BoS Contract Negotiating Team re: Fire], March 26, 2013 | ACCEPT & POF |

6. SELECTMEN REPORTS

7. OLD BUSINESS

- a) Request of Westford to join the 495 Regional Technology Center Economic Target Area (ETA)
- i. *Move to approve the request of the Westford Board of Selectmen and the Westford Economic Committee to allow the town of Westford to join the 495 Regional Technology Center Economic Target Area, provided that there are no costs incurred by the town of Boxborough in the pursuit of the amended ETA* **VOTE:**
 - ii. *Move to execute Memorandum of Understanding with the Town of Westford in order to pursue regional economic development goals* **VOTE:**
- b) FY 2014 Budget – final votes
- c) Annual/Special Town Meeting – final review and signature

8. NEW BUSINESS

- a) Special Town Meeting – June 3, 2013
Move to call a special town meeting to be held at 7PM on June 3, 2013 at the Blanchard Memorial School for the purpose of considering expansion of the regional school district with Acton to include grades pre-K – 12 **VOTE:**
- b) Appointment of Temporary Election Wardens and Constables until June 30, 2013
Further to the request of town Clerk Elizabeth Markiewicz, move to appoint Alan Rohwer, Kevin Mahoney and Norman Hanover as Temporary Election Workers and Temporary Constables for terms beginning effective immediately and ending on June 30, 2013 **VOTE:**
- c) Special State Primary Election - Senator in Congress, April 30, 2013
Move to notify the Town's inhabitants who are qualified to vote, by the posting of the warrant no later than April 23, 2013, of the Special State Primaries for Senator in Congress, to be held at Ward 1, Precinct 1, the Boxborough Town Hall on Tuesday, April 30, 2013 from 7 AM to 8 PM **VOTE:**

9. CORRESPONDENCE

ACCEPT & POF

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

10. PRESS TIME

11. CONCERNS OF THE BOARD

12. EXECUTIVE SESSION

- a) Strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200A, Dispatch; Massachusetts Coalition of Police, Local 200, Police; Boxborough Professional Firefighters, Local 4601)

Move to adjourn to executive session to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200A, Dispatch; Massachusetts Coalition of Police, Local 200, Police; Boxborough Professional Firefighters, Local 4601 and to adjourn immediately thereafter

**ROLL CALL
VOTE:**

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

13. ADJOURN



BOARD OF SELECTMEN

Meeting Minutes

March 18, 2013

Approved: _____

PRESENT: Les Fox, Chair; Member; Robert Stemple, Member; Frank Powers, Member; and Raid Suleiman, Member

ABSENT: Vincent Amoroso

ALSO PRESENT: Selina Shaw, Town Administrator and 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.

Chair Fox called the meeting to order at 7:03 P.M. in the Grange Meeting Room of Town Hall.

ANNOUNCEMENTS

- Chair Fox read the announcements.

APPOINTMENTS

- Westford's Town Manager, Jodi Ross, and members of their Economic Development Committee, Bill Nussbum and Eli Demtri were present to discuss Westford's request to join the 495 Regional Technology Center Economic Target Area (ETA). Ross described Westford's efforts to retain businesses and attract appealing commercial ventures. These efforts include participation in other regionally-focused study groups such as the CIC Grant Regional Transportation project and the formation of the Westford Economic Development Committee (EDC) six months ago. Nussbum and Demtri spoke to the work of the EDC. Ross further noted that she has worked with TA Shaw on various boards/committees and similar projects over the years and they work well together. As part of these efforts Westford is now seeking to join the ETA that Boxborough initiated. Participation in this ETA would be very helpful in their effort to obtain Brownfields (reclamation of contaminated properties) grant funding, which is of particular and immediate interest to them. Their request to join was recently approved by Littleton, the other member of this ETA. Westford has received positive feedback from the State on their effort to join this ETA. Westford is willing to share the resources that they have developed. Ross noted that they understand that a decision may not be made tonight, but they wanted to provide this information, and get any input that the Selectmen might have to get the process going. She did clarify the Brownfields grant application deadlines are looming so prompt a decision on their request would be appreciated. The Selectmen noted that it is in everyone's best interest to find sensible ways to increase a community's tax base; and there seems to be little, if any, harm in exploring this and being a good neighbor. Westford has more resources than Boxborough. The Selectmen outlined some of the difficulties facing economic development in Boxborough such as the manpower & work hours needed to support an effective economic development effort and our lack of a public water/sewer infrastructure. There was discussion as to what type of data Westford would be looking for and that the Selectmen would need specifics as to what Westford could do for us in an effort to advance business development; encourage state/federal participation and draw businesses to Boxborough. The Selectmen were invited to a meeting of the Economic Development Comm. on Thursday morning.
- DPW Director, Tom Garmon, was present to review the proposed FY 14 Transfer Station fees and the implementation of bulk disposal fees. Chair Fox provided background on and an overview of implementing bulk fees. This has been under discussion for the past several years. A comparison of Transfer Station revenues to costs indicate that there is a revenue shortfall. Boxborough currently allows the disposal of bulk items, but doesn't charge. Charging bulk item fees should provide additional revenue. Most of the surrounding communities with Transfer facilities charge for the disposal of bulk items. Garmon's intention would be to launch this program in FY 14, starting July 1st. He further noted that this proposal would allow any resident, even those without stickers, to participate in the bulk item disposal program. There was discussion about the proposed fee schedule; voucher format and the administration of this program. Garmon reviewed the proposed bulk disposal item schedule; the related fees and what items would not be accepted, such as tires. It was suggested that the sale of daily, weekly or monthly passes or selling scrap metal directly to a scrap metal company also be considered. There was also discussion on the savings on

trucking/tipping fees that has been realized since the installation of the recycling compactor. Dir. Garmon asked that he is given time to see how the upcoming improvements to Transfer Station affect operations before the Selectmen consider possibly allowing Stow residents to sign up to use the Transfer Station. The Selectmen took up the approval of the proposed FY 14 Transfer Station sticker application and related fees. Dir. Garmon advised that he is proposing to keeping the same basic application format, with just some minor changes such as a further breaking out the circumstances under which applications can be submitted after the July 31, 2013. Member Suleiman moved to approve the proposed bulk disposal fee program and the related fee schedule and to approve the Transfer Station sticker fees for FY 14, as presented. Seconded by Member Powers. **Approved 4-0.**

- IT Systems Coordinator, Matthew Frost was present to discuss plans for upgrading the Town's cable equipment. Frost noted that he has been investigating improvements/upgrades to Town's cable infrastructure for sometime; however this discussion is being brought forward now because of continuing issues with the quality of the cable broadcast, intermittent broadcast failures and equipment failures. Frost referred the Selectmen to his memorandum of March 4, 2013 and project proposal for *Upgrades to the Town of Buxborough's Cable Broadcasting and IT Infrastructure*. Frost is proposing to take a phased approach to this overall project, starting with the immediate, pressing issues with our cable broadcast which is outlined in his proposal under *Section 1 - Proposed Changes to the Broadcast and IT Office*. He has run a demo of the system he is proposing and feels confident that it will resolve many of the existing problems. He also outlined the other component of this portion of his proposal – improvements to the IT Office aka broadcast suite. Although residents have also communicated concerns with the audio portion of the broadcast, until the overall broadcast failure issues are resolved, he can't realistically address the audio quality issues. There was discussion about whether the Selectmen should approve this project in total or in phases. Frost noted that he is still working on obtaining "firm" costs, for many of the non-technologically based components (i.e. HVAC, carpentry...) for the subsequent phases in the proposal so, tonight, he is seeking approval to move forward on just the portion he has identified as phase 1. It was noted that the intention is to use Cable funds, monies that are already set aside for this type of work and not from tax revenues. Chair Fox moved to endorse the project scope of the *March 4, 2013- Upgrades to the Town of Buxborough's Cable Broadcasting and IT Infrastructure* proposal, in principle, and to authorize funding for Phase 1 of this project at \$22,000. Seconded by Member Suleiman. **Approved 4-0.**

Frost also provided an update on the VoIP project. The intention is to have VoIP "live" at all of the facilities that are wired into system in May.

Given the time, the Selectmen took up Agenda Items # 4(a-d)

PUBLIC HEARING ON PROPOSED GENERAL BYLAW CHANGES

- At 8:11 PM, Chair Fox opened the public hearing portion of the agenda. He reviewed the public hearing process and procedures. A list of those present for this hearing is provided and incorporated by reference.
 - ◊ The first portion of this hearing was to consider the proposed changes to the Personnel Plan and Schedule of Positions (A) and Schedule of Compensation (B). Personnel Board Chair Anne Canfield and member Susan Bak were present for this discussion. Canfield provided an update on recent Personnel Board activities. The Personnel Board has voted to approve the proposed changes presented tonight. Canfield opened the discussion on the proposed changes to Article VI. Section 7. Merit Salary Adjustments, providing the background on these revisions and the rationale, specifically noting that these revisions are a result of the merit pay discussions that have taken place and the work of the consultant that is currently reviewing Schedule B. If this change is approved it would go into affect with the new fiscal year (FY 14). Discussion moved to revisions which would augment Article VIII, by adding Section 2, Detail Pay. These revisions are a result of concerns that the Police Department presented to the Personnel Board about the lack of formal language addressing detail pay. The proposed changes to Schedule A were discussed. There is a renaming of the Dog Officer to the Animal Control Officer – Dogs & Cats, bringing it into alignment with the proposed changes to the Dog Control and Dog License Bylaws being discussed later in this public hearing. The other change is adding the position of Media Production Technician to the Intermittent Schedule. This new position and its job description is to be discussed later under New Business. Canfield noted that the Personnel Board has reviewed Schedule B and is recommending a freeze of all steps with just a 2% COLA adjustment for most position with the exception of several noted positions in the to the Intermittent Schedule. Those positions would remain at their FY 13 rate. They also are recommending adding the Media Production Technician position to the Intermittent Schedule. As there was no further discussion Chair Fox concluded this portion of the public hearing. Chair Fox moved to approve the revisions, recommended by the Personnel Board, to the Personnel Plan and to Schedules A & B, for FY 14, as presented and to place it on the Annual Town Meeting warrant. Seconded by Member Suleiman. **Approved 4-0.** Chair Fox moved, contingent upon Town Meeting approval, to freeze steps and to approve a 2% COLA adjustment to the positions in Schedule B, except as otherwise noted. Seconded by Member Suleiman. **Approved 4-0.**

The Selectmen suspended the public hearing to take up Agenda Items # 5(a-d) and #6.

MINUTES

- Member Powers moved to accept the minutes for the regular sessions of February 25, 2013 as written & March 4, 2013 as revised; the executive sessions of March 4, 2013; [BoS Contract Negotiating Team re: Dispatch] of March 4, 2013; [BoS Contract Negotiating Team re: Fire] of March 5, 2013; and [BoS Contract Negotiating Team re: Police] of March 5, 2013 all as written. Seconded by Chair Fox. **Approved 4-0.**

SELECTMEN REPORTS

- The Board passed over Selectmen Reports.

Chair Fox recalled the public hearing.

PUBLIC HEARING (Continued)

- Town Clerk Liz Markiewicz and Dog Officer Phyllis Tower were present for the discussion on proposed changes to Boxborough's Dog Control Bylaw and Dog Licensing Bylaw. Many of the proposed revisions are due to recent changes in M.G.L. Chapters 40 and 140; bring these bylaws in-line with current state law. Both will indicate the change of the name of the position of Dog Officer to Animal Control Officer – Dogs and Cats. Town Counsel has provided their input on these proposed revisions.
 - ◊ Discussion opened on the Dog Control Bylaw. These proposed revisions include: increases to the fine structure for the second, third and subsequent offenses and removal of the Definitions of Terms section as the bylaw will now rely the definitions provided within the statute. As there was no further discussion Chair Fox concluded this portion of the public hearing. Chair Fox moved to approve the proposed revisions to the Dog Control Bylaw as presented and to place on the Annual Town Meeting warrant. Seconded by Member Powers. **Approved 4-0.**
 - ◊ Discussion opened on the Dog Licensing Bylaw. The most significant revision is a substantial increase regarding late fees. Graduated tiers for kennels (per number of dogs) have also been added. Town Clerk Markiewicz reviewed the current practices and procedures for notifying dog owners and how she intends to notify owners of this change when 2014 license renewals are due next year. It was clarified that there will be no change in practice of waiving the license fee for seniors. As there was no further discussion Chair Fox concluded this portion of the public hearing. Chair Fox moved to approve the proposed revisions to the Dog Licensing Bylaw as presented and to place on the Annual Town Meeting warrant. Seconded by Member Stemple. **Approved 4-0.**

The Selectmen suspended the Public Hearing to address Agenda Item # 3d.

APPOINTMENTS (Continued)

- Recreation Commission Chair Matt Rosner was present to discuss the summer program and hiring guidelines. Rosner updated the Selectmen on the activities, proposed changes, and the new ideas being explored by the Recreation Commission. As to Flerra Summer Camp the program directors will now be directly involved in the hiring process. RecComm is also revising the process of choosing counselors within the respective classifications (CITs, 9th graders, returning paid counselors, etc...), so it will be a more precise process than pulling names out; making it more open and known. They are also considering some revisions to the Flerra Summer Program itself – starting it at 8:30 AM; offering extended programs; and reaching out to partners, like AtBats, for other age appropriate activities. They are also considering increasing the fees for summer camp. The RecComm now has a full board so they have the manpower to begin to explore bringing programs in for the other age groups in town. They also want to look at long term planning for recreation facilities within the town. TA Shaw requested that the RecComm forward their input on the MAPC planning project to the Town Planner as soon as possible.

Chair Fox recalled the Public Hearing.

PUBLIC HEARING (Continued)

- ◊ Finance Committee Chair Karim Raad was present to discuss proposed changes to the Finance Committee Bylaw. An overview of the quorum issues that have arisen was provided. The proposed revisions would change the required numbers of members and that a quorum would now be a majority of the members currently serving. The Town Moderator has provided his input. There was discussion concerning the proposed change to the make up "...no less than 5 ...no more than 9..." Concern was voiced about the language referencing the appointment of three members each year rather than staggering term language. TA Shaw will review this counsel.

Chair Fox closed discussion on Public Hearing matters at 9:21PM.

OLD BUSINESS

- FY 2014 Budget change process was reviewed and it was noted which budgets had been revised since the Selectmen's last review.

- The Selectmen opened discussion on the Annual/Special Town Meeting. The proposed list of articles was reviewed and recommendation responsibilities were assigned. There was also a review the recently distributed revisions to this list of articles. Recommendations should be in by Thursday for inclusion the warrant.

Recommendation assignments:

STM

#	Department/Board	Nature of Article	Recommendation to be prepared by...	Notes
1.	Finance Committee	Police Contract – 1 st year funding	Fox/Powers	
2.	Finance Committee	Firefighter Contract – 1 st year funding	Fox/Powers	
3.	Finance Committee	Dispatch Contract – 1 st year funding	Fox/Powers	
4.	Police Department	Current year- bulletproof vests (town’s share of grant)	Fox	
5.	Dog Officer	Prior year bill – reimburse Dog Officer for equipment	Fox	
6.	DPW	Reconfigure transfer station (implementation)	Fox/Amoroso	

ATM

#	Department/Board	Nature of Article	Recommendation to be prepared by...	Notes
1.		Choose Town Officers		
2.		Receive Reports		
3.		Set Salaries and Compensation of Officers		Tax Collector elected to appointed
4.	Petition Article	Freeze wages, hiring, promotions	Town Counsel	* See discussion below.
5.	Personnel Board	Amendments to Personnel Plan and to Schedules A & B	Suleiman	
6.	Finance Committee	Town Operating Budget		
7.	Finance Committee	Transfer \$ from Free Cash to Stabilization Fund		
8.	Treasurer	Transfer \$ from Free Cash to OPEB Trust Fund	Suleiman	
9.	Town Hall	Replace windows in the original section of Town Hall	Suleiman	
10.	Town Hall	Replace Building Inspector’s vehicle	Suleiman	
11.	Fire Department	Communications consultant and town share of radio grant	Powers	
12.	Fire Department	Replace 9-yr old command vehicle	Powers	Appropriation would be to purchase and equip vehicle.
13.	Fire Department	Feasibility study for public safety building	Powers	
14.	Fire Department	Replace 7 year old ambulance	Powers	Appropriation would be to purchase and equip vehicle.
15.	Fire Department	Replacement of Air-paks	Powers	town’s share of grant
16.	DPW	Replace 200 TL70 farm tractor with new Roadside mower	Fox/Amoroso	Replacing Roadside mower with 4- wheel drive all terrain mower
17.	DPW	Replace 2 – 40 yard closed top containers at Transfer Station	Fox/Amoroso	
18.	Police Department	HVAC Replacement/improvement	Fox	Appropriation amount changed
19.	Police Department	Replacement of (13) walkie-talkie and (4) mobile (cruiser) radio	Fox	
20.	Police Department	Bullet proof vests		Article Withdrawn
21.	Police Department	Electronic immobilization devices	Fox	Re-named: Electronic control devices (aka “tasers”)
22.	Police Department	Lighting energy efficiency upgrades	Fox	
23.	Boxborough School Committee	Windows, per building needs assessment	N/A	
24.	Boxborough School Committee & Library Board of Trustees	Concrete sidewalk replacement – front entrance areas	N/A	Article reordered will now come after School – lock system article. ** See discussion below.
25.	Boxborough School Committee	Security upgrades – master lock system replacement and access door controls and cameras	N/A	

#	Department/Board	Nature of Article	Recommendation to be prepared by...	Notes
26.	Board of Selectmen & Boxborough School Committee	Cell phone repeater @ Blanchard School		*** See discussion below.
27.	Steele Farm Advisory Committee	Steele farm barn painting and carpentry repairs	Stemple	
28.	Conservation Comm.	Transfer to ToB Conservation Trust Fund	Amoroso	Same as in prior years
29.	Planning Board	Amend Zoning Bylaw—Temporary Moratorium on Medical Marijuana Treatment Centers	N/A	
30.	Planning Board	Amend Zoning Bylaw - Sections 4003(1) & 4300 and delete Section 5004	N/A	
31.	Planning Board	Amend Zoning Bylaw -- Amend Section 4107	N/A	
32.	Finance Committee	Amend Finance Committee bylaw	N/A	
33.	Board of Selectmen	Amend Dog Control Bylaw - compliance with changes in MGL	Fox	
34.	Board of Selectmen	Amend Dog Licensing Bylaw	Fox	
35.	Board of Selectmen	Establish Veterans Tax Work Off Program	Suleiman	To accept new law - M.G.L. c.59 section 5N

CONSENT AGENDA

36.	Board of Selectmen	Personal real estate exemptions – increase in exemptions	Recommendation - Same as in prior years	
37.	Board of Selectmen	Chapter 90 appropriation (Reimbursable)	Recommendation - Same as in prior years	
38.	Board of Selectmen	Reauthorize Revolving Funds: <ul style="list-style-type: none"> • Electrical Inspection (\$50K) • Plumbing and Gas Inspection (\$15K) • Firearms Permits (\$2,000) • GIS Assessor Map (\$5,000) • Library Fines (\$7,500) • Dog License Fees (\$4,000) • Steele Farm (\$10,000) • Integrated Preschool Program (\$44,000) • ConsComm Wetland Bylaw (\$20,000) • Senior Van (for expenses and revenues associated with operation of the van) (\$4,000) • Fire Alarm System Maintenance (\$4,100) • Community Gardens (\$2,000) • Recreation Field permit fees (\$20,000) 	Recommendation - Same as in prior years	Integrated Preschool Program renamed: <i>Blanchard Preschool Program</i> & value increased to \$50,000.

* **Article # 4 - Citizen's Petition:** The preliminary opinion received from Town Counsel is that the wording of the Petition Article is illegal.

** **Article # 24 - Concrete Sidewalk Replacement – Front Entrance Areas:** Previously, this was two separate articles (Library & School), however in recent discussions involving the Supt. Bates; School Business Mgr. Jeannotte; Library Dir. Strapko it was decided to consolidate these two similar capital projects into one article. School Committee, Maria Neyland, provided her input noting that although the School Committee and the Library Trustees still have to discuss combining of these projects and article consolidation, this will remain as one article. School Committee will work with the Library Trustees on a recommendation and any presentation(s).

*** **Article #26 - Cell Phone Repeater @ Blanchard School:** This item is to address the poor cell phone reception at the School. It was suggested at BLF that the Selectmen co-sponsor this article; as the intention is to for the Blanchard School to be a designated emergency shelter once the generator project is complete.

NEW BUSINESS

- The Selectmen reviewed the proposed job description for Media Production Technician, as drafted by the IT Systems Coordinator. The Personnel Board has reviewed it and has voted to recommend. The Selectmen further revised the job description to identify who this Technician would be reporting to. Member Stemple moved to approve the job description for the Media Production Technician as revised. Seconded by Member Suleiman. **Approved 4-0.**

- Member Suleiman moved to authorize the Acton Boxborough Cultural Council to serve wine at its 2013 annual grant reception, being held at the Sargent Memorial Library on April 5, 2013, subject to the conditions specified on the application, and further, to waive the fee. Seconded by Member Stemple. **Approved 4-0.**
- Member Powers moved to approve the application of the Boxborough District Minuteman Company for a one-day wine and malt beverages license, subject to receipt of adequate insurance coverage, and to approve a temporary common victualler's license for Fifer's Day Festival, to be held on June 15, 2013 (rain date June 16, 2013), at Flerra Field; further to waive the fees associated with these licenses and for the athletic field permit. Seconded by Member Stemple. **Approved 4-0.**

EXECUTIVE SESSION

- It was determined that there was no need for an Executive Session.

ADJOURN

- At 10:05 PM, Member Powers moved to adjourn. Seconded by Member Suleiman. **Approved 4-0.**



BOARD OF SELECTMEN
Meeting Minutes
March 25, 2013

Approved: _____

PRESENT: Les Fox, Chair; Member; Robert Stemple, Member; Frank Powers, Member; and Raid Suleiman, Member

ABSENT: Vincent Amoroso

ALSO PRESENT: Selina Shaw, Town Administrator and 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.

Chair Fox called the meeting to order at 7:30 P.M. in the Grange Meeting Room of Town Hall.

ANNOUNCEMENTS

Chair Fox read the announcements.

APPOINTMENTS

- Minuteman Regional School District Superintendent, Dr. Ed Bouquillon and Assistant Superintendent of Finance, Kevin Mahoney, were present to update the Selectmen on Minuteman's FY 14 budget; various projects and related matters. FinCom member, Susan Bak and Boxborough School Committee Chair, Maria Neyland were also present for this discussion. Dr. Bouquillon spoke to materials in his PowerPoint presentation. Boxborough's assessment for FY 14 is down from last year. Currently, Boxborough has six students attending Minuteman but overall enrollment has been steadily increasing; with a 10% increase in member town applications for the 2013-2014 school year. Minuteman's FY 14 budget has increased, however the FY 14 overall assessment is still less than it was five years ago. It was noted that the capital portion of the overall assessment up by at least 40% for FY 14. Several years ago the Minuteman School Committee decided to initiate a revenue plan to steadily increase tuition for out-of-district students to the maximum allowed by the state under MGL Ch.74. Dr. Bouquillon explained the difference between School Choice "tuition" and the tuition that Minuteman is allowed to charge under MGL Ch. 74. There was discussion on current breakout of post-graduate tuition, student portion/town portion and why post-graduate (adult learner) charges are significantly lower than for high school student. The charging of tuition to post-graduate/adult learners from member towns was also approved, however this is being re-evaluated since there has been a marked drop in enrollment. The R.G. Grey curriculum program component was discussed. Dr. Bouquillon also provided updates on various other activities at Minuteman. Minuteman has the highest percentage of students with IEPs in the state. Conversely, last year Minuteman realized the highest SAT performance in Reading and Writing and one of the highest for Math of any other vocational technical school in Massachusetts. The current student to teacher ratio is 9:1.5; however this number is qualified because Minuteman maintains two separate and distinct faculties – academic and career education. Minuteman uses six indicators to determine which vocational programs to focus on. Dr. Bouquillon provided an update on the MSBA Building project. Minuteman is now involved in the Feasibility Study phase – part of MSBA's Module Three. There was discussion on the dual enrollment figures which MSBA is requiring Minuteman to use as a competent of this phase. There is a concern about the viability of the school if the approved project was restricted to the lower enrollment figure. Dr. Bouquillon provided an update on the Sustainability Study currently underway – this working group's objective is to analyze the existing agreement and current practices to determine what terms are still essential & viable and what needs revising or updating. Dr. Bouquillon provided a summary on the previous efforts to revise the district agreement in recent years. He further noted that the work of this group has been made easier due to grant funding that the District has received. There was discussion on Minuteman's lobbying efforts at the state level. Dr. Bouquillon advised that he was recently informed that, due to the lobbying efforts of some "out-of-district" communities, DESE intends to reduce the Ch. 74 tuition maximum allowance by 8%. This could affect Minuteman's budget projections. Reducing an out-of-district community's obligation is also a disincentive for joining the District. Senate Bill No. 228 – the increase the percentage of MSBA reimbursement for both vocational and academic regional school building projects is being co-sponsored or supported by most of the District's legislators. There was also discussion on the effort to change the existing DESE regulations that bars the District from being able to require a capital contribution from out-of-district

communities. DESE Commissioner Chester has formed a group to study this issue, however progress has been slow. DESE has encouraged Minuteman to work directly with just the DESE on this concern. He confirmed that these concerns are factors being considered by the Sustainability Study working group. Dr. Bouquillon advised that Minuteman is participating in an SPED expenditure analysis underway at the DESE. There was discussion on Minuteman's SPED costs and the difference charged to district and out-of-district communities. The consensus was that the District will not have a successful building project without the resolution of these issues.

The Selectmen took Agenda Items # 4(a-d), out of order.

MINUTES

- The Selectmen passed over review of the executive session minutes of March 18, 2013
- Member Suleiman moved to accept the minutes for the executive sessions of [BoS Contract Negotiating Team re: Dispatch], March 20, 2013; [BoS Contract Negotiating Team re: Fire], March 21, 2013 and [BoS Contract Negotiating Team re: Police], March 21, 2013 all as written. Seconded by Member Stemple. **Approved 3-0-1 (Powers abstained)**

APPOINTMENTS (Continued)

- The Finance Committee was present to review the ATM/STM Articles. The newest FinCom member, Steve Ballard was introduced. There was general discussion as to the bonding and bundling of capital expenditures. The Selectmen and Finance Committee reviewed the list of articles to identify there funding sources.

STM

#	Department/Board	Nature of Article	Est. Appropriation	Funding Source	Notes
1.	Finance Committee	Police Contract – 1 st year funding	\$TBD	Free Cash	
2.	Finance Committee	Firefighter Contract – 1 st year funding	\$TBD	Free Cash	
3.	Finance Committee	Dispatch Contract – 1 st year funding	\$TBD	Free Cash	
4.	Police Department	Current year – 6 bulletproof vests			Deleted*
5.	Dog Officer	Prior year bill – to reimburse Dog Officer for purchase of modular kennel	\$200	Free Cash	
6.	DPW	Capital Improvements: Reconfigure transfer station (implementation) Balance from May 2012 ATM Article: \$14,380.34 Add'l appropriation req'd: \$10,000.00 Total estimated cost: \$24,380.34	\$10,000	Free Cash	

ATM

#	Department/Board	Nature of Article	Est. Appropriation	Funding Source	Notes
1.		Choose Town Officers			
2.		Receive Reports			
3.		Set Salaries and Compensation of Officers			
4.	Petition Article	Freeze wages, hiring, promotions			
5.	Personnel Board	Amendments to Personnel Plan and to Schedules A & B			
6.	Finance Committee	Town Operating Budget	\$TBD		
7.	Finance Committee	Transfer \$ from Free Cash to Stabilization Fund	\$200,000	Overlay Surplus	
8.	Treasurer	Transfer \$ from Free Cash to OPEB Trust Fund	\$100,000	Overlay Surplus	
9.	Town Hall	Replace windows in the original section of Town Hall	\$35,000	Borrow	
10.	Town Hall	Replace Building Inspector's vehicle	\$20,000	Free Cash	
11.	Fire Department	Communications consultant & town share of radio grant	\$35,000	Free Cash	
12.	Fire Department	Replace 9-yr old command vehicle	\$50,000 \$47,500	Borrow +	\$\$ Adjusted
13.	Fire Department	Feasibility study for public safety building			Deleted **
14.	Fire Department	Replace 7 year old ambulance	\$220,000	Borrow +	***
15.	Fire Department	Replacement of Air-paks	\$11,214	Free Cash \$8,004.00 Old Article \$3,210.00	

ATM

#	Department/Board	Nature of Article	Est. Appropriation	Funding Source	Notes
16	DPW	Replace 200 TL70 farm tractor with new Roadside mower	\$100,000	Borrow	
17	DPW	Replace 2 – 40 yard closed top containers at Transfer Station	\$20,000	Borrow	
18	Police Department	HVAC Replacement/improvement	\$35,000	Borrow \$32,179.89 1. Old Auth \$1,342.00 2. Old Auth \$1,478.11	
19	Police Department	Replacement of (13) walkie-talkie and (4) mobile (cruiser) radio	\$38,340	Free Cash	
20	Police Department	Electronic control devices “tasers”	\$13,000	Overlay Surplus	
21	Boxborough School Committee	Windows, per building needs assessment	\$90,000	Borrow	
22	Boxborough School Committee	Security upgrades – master lock system replacement and access door controls and cameras	\$40,000	Borrow	
23	Boxborough School Committee & Library Board of Trustees	Concrete sidewalk replacement – front entrance areas	\$40,000 \$30,000	Free Cash	Adjustment to \$\$ being discussed
24	Board of Selectmen & Boxborough School Committee	Cell phone repeater @ Blanchard School	\$40,000	Stabilization	
25	Steele Farm Advisory Comm.	Steele Farm - Capital Improvements Painting and carpentry repairs	\$25,000	Free Cash	
26	Conservation Comm.	Transfer to ToB Conservation Trust Fund	\$5,000	Free Cash	
27	Planning Board	Amend Zoning Bylaw—Temporary Moratorium on Medical Marijuana Treatment Centers			
28	Planning Board	Amend Zoning Bylaw - Sections 4003(1) & 4300 and delete Section 5004			
29	Planning Board	Amend Zoning Bylaw – Amend Section 4107			
30	Finance Committee	Amend Finance Committee bylaw			
31	Board of Selectmen	Amend Dog Control Bylaw			
32	Board of Selectmen [Consent]	Personal real estate exemptions – increase in exemptions			
33	Board of Selectmen [Consent]	Chapter 90 appropriation (Reimbursable)			
34	Board of Selectmen [Consent]	Reauthorize Revolving Funds: <ul style="list-style-type: none"> • Electrical Inspection (\$50K) • Plumbing and Gas Inspection (\$15K) • Firearms Permits (\$2,000) • GIS Assessor Map (\$5,000) • Library Fines (\$7,500) • Dog License Fees (\$4,000) • Steele Farm (\$10,000) • Blanchard Preschool Program (\$50,000) • ConsComm Wetland Bylaw (\$20,000) • Senior Van (for expenses and revenues associated with operation of the van) (\$4,000) • Fire Alarm System Maintenance (\$4,100) • Community Gardens (\$2,000) • Recreation Field permit fees (\$20,000) 			

* Member Powers moved to remove STM Article #4 Police: Current year – 6 bulletproof vests (town’s share of grant). Seconded by Member Suleiman. **Approved 4-0.**

Member Powers moved to remove ATM Article #13 Fire: Feasibility Study Public Safety facility. Seconded by Member Stemple. **Approved 4-0.

*** Article 14 Fire: Ambulance – there was discussion about investigating establishment of an account which ambulance revenue could be accumulated to be used to fund a future acquisitions.

+ A formal vote may be necessary to identify usable life of the vehicle.

There was a review of the total that would be needed to fund these articles and the break down as to each funding source.

STM Free Cash: \$ 10,200 +

ATM

Borrow (within 2 ½):	\$ 584,680
Unused bond Proceeds:	\$ 2,820
Balance in Old Articles:	\$ 3,210
Overlay Surplus:	\$ 313,000
Free Cash:	\$ 161,344
Stabilization Fund:	\$ 40,000
Total:	\$1,105,054

SELECTMEN REPORTS

- Members Suleiman & Stemple advised that they had nothing to report.
- Chair Fox reported the Stow Road Concept Development Committee had asked that he and BHB Chair, Al Murphy draft an RFP to hire a consultant to assist the Town as the process to develop this property moves forward. TA Shaw is putting the final touches on the RFP.

He also reported that he attended a very interesting presentation on the history of the Fitchburg rail line at last night's Historical Society dinner.

- Member Powers reported that the Negotiating Team met with all three unions last week. The process continues.

He also provided information on the Fitchburg line's dual rail project as reported in the minutes of the MART Advisory Board. The work on the installation of new crossovers and the double tracking is scheduled for completion in June 2013. Littleton Station renovations are ahead of schedule and the So. Acton renovation plans are complete. The station renovations are scheduled to be completed in 2014.

OLD BUSINESS

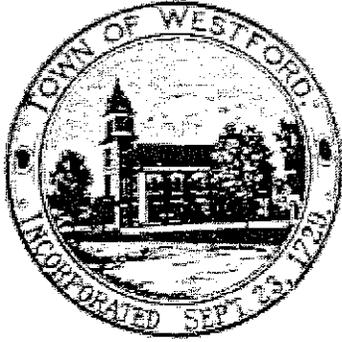
- The Selectmen reviewed their usual process for approving the annual budget for town meeting. It was determined to that the Selectmen would pass over further discussion of the FY 2014 Budget until their meeting of April 1st.
- It was determined to that the Selectmen would pass over final approval of the Annual/Special Town Meeting warrant article language and recommendations until their meeting on April 1st.

NEW BUSINESS

- The Selectmen took up the re-appointment of Veterans Agent, Donald Morse. It was noted that the terms of this appointment are determined by Mass. Law and that is why it is done at this time of year rather than in June when most re-appointments are done. Member Suleiman moved to re-appoint Donald Morse as the Veterans Agent for a one year term commencing April 1, 2013 and ending on March 31, 2014. Seconded by Member Stemple. **Approved 4-0.**

EXECUTIVE SESSION

- At 10:00 PM, Member Powers moved to adjourn to executive session to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200A, Dispatch; Massachusetts Coalition of Police, Local 200, Police; Boxborough Professional Firefighters, Local 4601 and to adjourn immediately thereafter. Seconded by Member Suleiman. "To conduct such session in an open meeting may have a detrimental effect on the bargaining position of the Board." **Approved 4-0, by Roll Call Vote: Fox "aye," Powers "aye," Stemple "aye," and Suleiman "aye."**



70
TOWN OF WESTFORD
ECONOMIC DEVELOPMENT COMMITTEE
TOWN HALL
55 Main Street
WESTFORD, MA 01886
Telephone (978) 692-5501 Fax (978) 399-2557

March 5, 2013

Board of Selectmen
29 Middle Road
Boxborough, MA 01719

Received
3-7-2013

Dear Honorable Board of Selectmen:

We are writing to request permission to appear at your Board of Selectmen's meeting on March 18, 2013, to discuss the possibility of Westford joining your 495 Regional Technology Center Economic Target Area (ETA), which includes the towns of Littleton and Boxborough.

Westford cannot qualify for an ETA designation alone, and as all three of our towns share a common interest in controlled development along the 495 corridor, attracting and retaining businesses that create a synergistic environment, we are hopeful you will agree to allowing us to join your ETA. Littleton, Boxborough and Westford already work together on regional transportation, growth district, and other issues, and we believe business development in one of our towns often has a spillover effect on our neighbors. As you know, many of our neighbors have established ETAs. Adding Westford to the existing Regional Technology Center ETA may give our corridor a competitive advantage, and will further advance our shared vision of beneficial growth, while preserving our individual town's unique characters.

On behalf of the Westford Board of Selectmen and the Economic Development Committee, thank you for your consideration.

Sincerely,

Jodi Ross
Town Manager
Economic Development Committee member



Town of Littleton

37 Shattuck Street
Littleton, MA 01460

March 12, 2013

Town Manager Jodi Ross
Town of Westford
55 Main Street
Westford, MA 01886

Dear Ms. Ross:

This will confirm that, at its meeting on March 11, 2013, the Littleton Board of Selectmen unanimously voted to support the petition of the Town of Westford to the Massachusetts Economic Assistance Coordinating Council (EACC) to amend the 495 Regional Technology Center Economic Target Area, currently comprised of the Towns of Boxborough and Littleton, to include also the Town of Westford.

Our three towns have embarked together on numerous efforts to promote economic development in our region, and Littleton is pleased to support Westford's petition.

Thanks very much.

Sincerely,

Keith A. Bergman
Town Administrator
Town of Littleton

Cc: Boxborough Town Administrator Selina Shaw

**INTER-MUNICIPAL AGREEMENT
BETWEEN THE TOWNS OF BOXBOROUGH
AND WESTFORD**

THIS INTER-MUNICIPAL AGREEMENT is entered into pursuant to M.G.L. c.40, § 4A on this ____ day of April, 2013, by and between the Town of Boxborough, a Massachusetts municipal corporation, with a principal office at 29 Middle Road, Boxborough, MA 01719 (“Boxborough”), and the Town of Westford, a Massachusetts municipal corporation, with a principal office at 55 Main Street, Westford, MA 01886 (“Westford”) with respect to economic development in the I-495/Route 2 Technology Corridor.

WHEREAS, Westford seeks to join with the towns of Boxborough and Littleton in the 495 Regional Technology Center Economic Target Area;

WHEREAS, Boxborough, Littleton and Westford are engaged in a Growth District Initiative of the Executive Office of Housing and Economic Development to expedite appropriate commercial and residential development in the region;

WHEREAS, Boxborough, Littleton and Westford would benefit from increased coordination with economic development activities of the 495/MetroWest Development Compact;

WHEREAS, Boxborough and Westford would like to diversify the economic bases of their communities which are heavily dependent on residential property;

WHEREAS, Boxborough and Westford would like to capitalize on attracting high-tech companies in the I-495 corridor with job creating and tax producing capabilities;

WHEREAS, Boxborough, Westford and Littleton are participating in a Community Innovation Challenge Grant to explore new regional transportation solutions serving residents and businesses through the coordination and sharing of local municipal transportation resources; and

WHEREAS, Boxborough and Westford believe that sharing this designation will benefit the communities by expanding the ETA to provide for greater economic development opportunities across the region.

NOW, THEREFORE, Boxborough and Westford hereby acknowledge, confirm and agree as follows:

1. Boxborough will support Westford’s petition to expand the 495 Regional Technology Center Economic Target Area;

2. Westford shall be responsible for completing the amended ETA application and shall bear all associated costs;

3. Westford and Boxborough will reach out to Littleton to join with them to establish a Regional Economic Development Committee to develop and promote an economic development vision and strategy across the region;

4. Westford and Boxborough will work cooperatively to expand regional transportation solutions; and

5. Westford shall assist Boxborough in pursuing its economic development goals by providing assistance to Boxborough in creating a Boxborough Community Guide, developing a Small Business Permitting Guide and developing a data base of Boxborough businesses.

EXECUTED as of the date and year first above written.

TOWN OF BOXBOROUGH
BOARD OF SELECTMEN

TOWN OF WESTFORD
BOARD OF SELECTMEN



**TOWN OF BOXBOROUGH
SPECIAL/ANNUAL TOWN MEETING
MAY 13, 2013
LIST OF ARTICLES**

SPECIAL TOWN MEETING

1. **FUND COST ITEMS OF FIRST YEAR OF COLLECTIVE BARGAINING AGREEMENT - MASSACHUSETTS COALITION OF POLICE, LOCAL 200, POLICE**
2. **FUND COST ITEMS OF FIRST YEAR OF COLLECTIVE BARGAINING AGREEMENT - BOXBOROUGH PROFESSIONAL FIREFIGHTERS ASSOCIATION, LOCAL 4601**
3. **FUND COST ITEMS OF FIRST YEAR OF COLLECTIVE BARGAINING AGREEMENT - MASSACHUSETTS COALITION OF POLICE, LOCAL 200A, DISPATCH**
4. **PRIOR YEAR BILL – DOG OFFICER**
5. **CAPITAL IMPROVEMENTS – RECONFIGURE TRANSFER STATION**

ANNUAL TOWN MEETING

1. **CHOOSE TOWN OFFICERS**
2. **RECEIVE REPORTS**
3. **SET SALARIES AND COMPENSATION OF ELECTED OFFICIALS**
4. **SUBMITTED BY PETITION^{##}**
5. **PERSONNEL ADMINISTRATION PLAN CHANGES**
6. **TOWN OPERATING BUDGET**
7. **TRANSFER TO STABILIZATION FUND**
8. **TRANSFER TO OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND**
9. **CAPITAL IMPROVEMENTS – TOWN HALL REPLACEMENT WINDOWS (ORIGINAL SECTION)**
10. **CAPITAL EQUIPMENT ACQUISITION – REPLACEMENT VEHICLE –INSPECTOR OF BUILDINGS**
11. **COMMUNICATIONS CONSULTANT AND TOWN SHARE OF FIRE DEPARTMENT RADIO GRANT**
12. **CAPITAL EQUIPMENT ACQUISITION - EMERGENCY RESPONSE COMMAND VEHICLE - FIRE DEPARTMENT**
13. **CAPITAL EQUIPMENT ACQUISITION – REPLACE AMBULANCE**
14. **CAPITAL EQUIPMENT ACQUISITION – REPLACEMENT OF AIR-PAKS**
15. **CAPITAL EQUIPMENT ACQUISITION – FOUR WHEEL DRIVE ALL TERRAIN MOWER – DPW DEPARTMENT**
16. **CAPITAL EQUIPMENT ACQUISITION – DUMPSTERS – DPW DEPARTMENT**

17. CAPITAL IMPROVEMENTS – REPLACEMENT OF TWO HVAC SYSTEMS – POLICE STATION
18. CAPITAL EQUIPMENT ACQUISITION – RADIOS - POLICE DEPARTMENT
19. CAPITAL EQUIPMENT ACQUISITION – ELECTRONIC CONTROL DEVICES - POLICE DEPARTMENT
20. ARTICLE 20 CAPITAL IMPROVEMENTS – REPLACEMENT OF WINDOWS - BLANCHARD MEMORIAL SCHOOL
21. CAPITAL IMPROVEMENTS – SECURITY UPGRADES AT BLANCHARD MEMORIAL SCHOOL
22. CAPITAL IMPROVEMENTS – REPLACEMENT OF CONCRETE SIDEWALKS AT BLANCHARD MEMORIAL SCHOOL AND SARGENT MEMORIAL LIBRARY
23. CAPITAL IMPROVEMENTS – CELL PHONE REPEATER AT BLANCHARD MEMORIAL SCHOOL
24. CAPITAL IMPROVEMENTS – STEELE FARM BARN
25. CONSERVATION TRUST FUND
26. ZONING BYLAW AMENDMENT – ADD SECTION 7900 TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS
27. ZONING BYLAW AMENDMENT – AMEND SECTION 4003(1) RESIDENTIAL USES AND SECTION 4300 SPECIAL PERMITS IN TOWN CENTER DISTRICT AND DELETE SECTION 5004
28. ZONING BYLAW AMENDMENT – AMEND SECTION 4107 ACCESSORY APARTMENT
29. GENERAL BYLAW AMENDMENT – AMEND FINANCE COMMITTEE BYLAW
30. GENERAL BYLAW AMENDMENT – AMEND DOG CONTROL BYLAW
31. GENERAL BYLAW AMENDMENT – AMEND DOG LICENSING BYLAW
32. ESTABLISH VETERANS TAX WORK OFF PROGRAM
33. PERSONAL REAL ESTATE EXEMPTIONS**
34. CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM**
35. REVOLVING FUNDS**

LEGEND

SUBMITTED BY PETITION

** CONSENT AGENDA



BOXBOROUGH SPECIAL TOWN MEETING

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

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Boxborough, who shall be qualified to vote in accord with the provisions of M.G.L. Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Monday, May 13, 2013 at 7:00 p.m. to act on Articles 1 through 5 of this Special Town Meeting Warrant.

**ARTICLE 1 FUND COST ITEMS OF FIRST YEAR OF COLLECTIVE BARGAINING
AGREEMENT - MASSACHUSETTS COALITION OF POLICE, LOCAL 200,
POLICE**

(Majority vote required)

To see if the Town will vote to transfer from Free Cash the amounts necessary to fund the cost items of the first year of the collective bargaining agreement between the Town and the Massachusetts Coalition of Police, Local 200, Police (July 1, 2012 to June 30, 2015); or to take any other action relative thereto.

Summary

Funding for cost items of the first year of collective bargaining agreements must be approved by town meeting. This article is for funding of the collective bargaining agreement with the Massachusetts Coalition of Police, Local 200, Police, for the term July 1, 2012 – June 30, 2015.

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

Contract negotiations had not been completed at the printing of the warrant. The Selectmen will move a specific funding request at town meeting, and make available information about the new agreement to inform voters. This article is placed on the special town meeting warrant so that the funding, if approved, may be applied immediately to fund the agreement retroactively to the beginning of the contract in FY13. Funding for the FY14 portion of the contract will be included in the town operating budget for FY14.

The Finance Committee defers its recommendation until Annual Town Meeting.

At the time of the printing of the warrant the collective bargaining contracts were not available.

**ARTICLE 2 FUND COST ITEMS OF FIRST YEAR OF COLLECTIVE BARGAINING
AGREEMENT - BOXBOROUGH PROFESSIONAL FIREFIGHTERS
ASSOCIATION, LOCAL 4601**

(Majority vote required)

To see if the Town will vote to transfer from Free Cash the amounts necessary to fund the cost items of the first year of the collective bargaining agreement between the Town and the Boxborough Professional Firefighters Association, Local 4601 (July 1, 2012 to June 30, 2015); or take any other action relative thereto.

Summary

Funding for cost items of the first year of collective bargaining agreements must be approved by town meeting. This article is for funding of the collective bargaining agreement with the Boxborough Professional Firefighters Association, Local 4601, for the term July 1, 2012 – June 30, 2015.

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

Contract negotiations had not been completed at the printing of the warrant. The Selectmen will move a specific funding request at town meeting, and make available information about the new agreement to inform voters. This article is placed on the special town meeting warrant so that the funding, if approved, may be applied immediately to fund the agreement retroactively to the beginning of the contract in FY13. Funding for the FY14 portion of the contract will be included in the town operating budget for FY14.

The Finance Committee defers its recommendation until Annual Town Meeting.

At the time of the printing of the warrant the collective bargaining contracts were not available.

**ARTICLE 3 FUND COST ITEMS OF FIRST YEAR OF COLLECTIVE BARGAINING
AGREEMENT - MASSACHUSETTS COALITION OF POLICE, LOCAL 200A,
DISPATCH**

(Majority vote required)

To see if the Town will vote to transfer from Free Cash the amounts necessary to fund the cost items of the first year of the collective bargaining agreement between the Town and the Massachusetts Coalition of Police, Local 200A, Dispatch (July 1, 2012 to June 30, 2015); or take any other action relative thereto.

Summary

Funding for cost items of the first year of collective bargaining agreements must be approved by town meeting. This article is for funding of the collective bargaining agreement with the Massachusetts Coalition of Police, Local 200A, Dispatch, for the term July 1, 2012 – June 30, 2015.

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

Contract negotiations had not been completed at the printing of the warrant. The Selectmen will move a specific funding request at town meeting, and make available information about the new agreement to inform voters. This article is placed on the special town meeting warrant so that the funding, if approved, may be applied immediately to fund the agreement retroactively to the beginning of the contract in FY13. Funding for the FY14 portion of the contract will be included in the town operating budget for FY14.

The Finance Committee defers its recommendation until Annual Town Meeting.

At the time of the printing of the warrant the collective bargaining contracts were not available.

ARTICLE 4 PRIOR YEAR BILL – DOG OFFICER

(Nine-tenth vote required)

To see if the Town will vote to transfer from Free Cash the sum of Two Hundred Dollars (\$200), more or less, for the purpose of reimbursing the Dog Officer for the acquisition of a modular kennel in FY 2012; or take any other action relative thereto.

Summary

This is a housekeeping article. Funding of a prior year's bill must be approved by town meeting. The expense was incurred by the Dog Officer in FY12.

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

The Finance Committee recommends unanimously (7-0)

ARTICLE 5 CAPITAL IMPROVEMENTS -- RECONFIGURE TRANSFER STATION

(Majority vote required)

To see if the Town will vote to transfer the unexpended balance of Fourteen Thousand Three Hundred Eighty Dollars and thirty-four cents (\$14,380.34) from Article 16 of the May 2012 Annual Town Meeting (*Reconfiguration of Transfer Station -- Feasibility Study*) and to transfer from Free Cash the sum of Ten Thousand Dollars (\$10,000), more or less, for the purpose of undertaking the implementation phase for the reconfiguration of the transfer station; or take any other action relative thereto.

Summary

At May 2012 ATM, the town approved \$18,000 for a Feasibility study to reconfigure the Transfer Station. The goal was to reduce hauling fees by installing a compactor to be used for the recyclable items, as was currently being done with the solid waste. As indicated in the FY12 article, the intention was to proceed with reconfiguration of the transfer station to take full advantage of savings on recyclables if the feasibility study was successful. The recycling compactor has been operational since mid September. We are averaging 4 hauls a month of compacted recyclables at a cost of \$720 in hauling fees. Previous to this, we were averaging 13 hauls a month at a cost of \$2,849. These savings speak for themselves. The experiment is a success and in fact exceeded expectations on savings and ROI, at a cost to date of only \$3620 for electrical fit-up and temporary structures. We have enough confidence to proceed now to full implementation which means installation of an additional compactor for recyclables and reconfiguration to accommodate the added equipment and improve traffic flow. Based on experience during the feasibility study, the DPW Director has concluded that the necessary work can be done at modest cost.

In addition, the DPW has been awarded a DEP sustainability grant of \$7,500 to be used towards the purchase of an additional recycling compactor. One of the conditions of the grant is that the compactor is in place and operating by the end of December 2013. We will fund the remainder of the cost of the compactor unit with the \$5,010 balance remaining in ATM 2011, Article 20 (Capital Equipment Acquisition -- Replace Two Dumpsters) and the savings we have realized in trucking fees. The addition of a second compactor will continue to increase our savings, as we will be able to fill the compactors to full capacity before hauling.

The next step in the reconfiguration is to fill the recesses where the compactors now sit, creating one level area. Next, new pads will be poured, electrical hook up installed and the compactors shifted over, creating five single lanes for traffic. We plan to do this in stages so that we can keep the station operating with minimal inconvenience to our residents during the changeover.

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

The feasibility study on compacted recyclables has been a resounding success. The DPW is already saving money on trucking due to the new compactor currently being rented. The addition of a second compactor will improve overall efficiency and reliability of operations, and should generate even more savings. The second compactor will be purchased with funds from a DEP grant supplemented with available funds remaining from an FY11 article for dumpsters. Re-purposing the balance of funds from Article 16 of the May 2012 Annual Town Meeting, together with an additional \$10,000 from free cash will allow the DPW to complete all work. This article is placed on the special town meeting warrant so that, if approved, the funds may be expended immediately to begin work to ensure the December 2013 deadline of the DEP grant can be met.

The Finance Committee recommends unanimously (7-0).

The Energy Committee recommends.

The Energy Committee applauds the success our DPW has accomplished in the first phase of reconfiguring the Transfer Station. We have evidence that one recycling compacter saves the town money by reducing both the amount of disposable trash and number of trips to the waste and recycling center. Now it's time to complete the work by adding a second recycling compacter for even more savings.

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

Hereof, fail not deliver these warrants with your return of service thereon to the Town Clerk on or before April 26, 2013.

Leslie R. Fox, Chairman
Board of Selectmen

Vincent M. Amoroso, Clerk
Board of Selectmen

Francis J. Powers
Board of Selectmen

Robert T. Stemple
Board of Selectmen

Raid M. Suleiman
Board of Selectmen



BOXBOROUGH ANNUAL TOWN MEETING

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

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Boxborough, who shall be qualified to vote in accord with the provisions of M.G.L. Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Monday, May 13, 2013 at 7:00 p.m. to act on Articles 2 through 36 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 20th day of May, 2013 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.

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 (#33 through #35, 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 32.

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 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.

ARTICLE 1 CHOOSE TOWN OFFICERS

(Majority vote required)

- One Moderator** for a one-year term
- One Town Clerk** for a three-year term
- One Board of Selectmen** member for a three-year term
- One Board of Health** member for a three-year term
- Two Library Trustees**, each for a three-year term
- Two Planning Board** members, each for a three-year term
- One Planning Board** member to complete a one-year unexpired term
- One School Committee (Local and of the Region)** member for a three-year term
- One School Committee (Local)** member for a three-year term
- One School Committee (Local)** member to complete a two-year unexpired term
- One Constable** for a three-year term
- One Constable** for a two-year term

As well as other Town Officers as may be necessary, and to vote on the following question:

QUESTION 1 CHANGE THE ELECTED POSITION OF TAX COLLECTOR TO APPOINTED

(Majority vote required)

Shall the town vote to have its elected Tax Collector become an appointed Tax Collector of the town?

Yes ___ No ___

ARTICLE 2 RECEIVE REPORTS

(Majority vote required)

To see if the Town will vote to receive the reports of the Selectmen and other Town Officers, Agents and Committees as published in the 2012 Annual Town Report; or take any other action relative thereto.

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

The Finance Committee recommends unanimously (6-0).

ARTICLE 3 SET SALARIES AND COMPENSATION OF ELECTED OFFICIALS

(Majority vote required)

To see if the Town will vote to fix the salaries and compensation of various elected officials for the fiscal year beginning July 1, 2013 as follows:

Selectmen	\$400.00 each member/year
Board of Health	\$166.67 each member/year
Tax Collector	\$61,573.30/year
Town Clerk	\$41,561.97/year
Constables	\$3.00 each copy/warrant posted
Planning Board Members	\$109.00 each member/year

or take any other action relative thereto.

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

This article establishes the salaries for Boxborough's elected officials.

The Finance Committee recommends unanimously (6-0).

This includes an approximate increase to the Tax Collector of \$1,207 and to the Town Clerk of \$815. All other salaries remain unchanged from previous years.

ARTICLE 4 SUBMITTED BY PETITION

(Majority vote required)

This article that I am asking you to sign to be added to the town warrant for the forthcoming annual town meeting taking place on May 13, 2013 is as follows:

Due to our current \$17.69 Real Estate Tax Rate one of the highest in the state taking in just under \$20,000,000. In Real Estate Taxes. Article request's the following,

A twelve month/one year freeze on all new hiring of any new town employees, full or parttime each department. This article also requires an income freeze on all employees, both full and part time all departments in our community for one year. It also is to include any promotions to a higher position, title, etc. on their current job position for one year.

Due to the fact that our economy in Massachusetts is in deplorable conditions

Continued:

And retirees residing here are being forced into poverty as well as current residents many of whom are having difficulty with living costs, paying their bills, filing bankruptcy with no end in sight.

I am asking you as a registered voter to join with me to address this ever growing serious problem.

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

ARTICLE 5 PERSONNEL ADMINISTRATION PLAN CHANGES

(Majority vote required)

To see if the Town will vote to amend the Personnel Administration Plan by:

- 1) Striking the language in Article VI. The Pay Plan, Section 7. Merit Salary Adjustments in its entirety and replacing with the italicized language below.

(Current language)

~~Existing employees will move from Step to Step each July 1, if they have achieved overall performance rating of "meets requirements" or better.~~

~~New employees hired before January 1, move to the next step on the following July 1, if they have achieved an overall performance rating of "meets requirements" or better. New employees hired after January 1, move to the next step on the July 1, after completing a full year of employment and achieving an overall performance rating of "meets requirements" or better.~~

(Proposed language)

On an annual basis, the Board of Selectmen, in consultation with the Personnel Board, will determine whether step advancements will be granted to employees who are paid under the personnel plan. If after such review it is determined that step advancements will be granted for a given year, then employees with one (1) or more years of service who have achieved an overall performance rating of "meets requirements" or better will be advanced to the next step within their job classification on the following July 1. New employees who were hired before January 1 who have achieved an overall performance rating of "meets requirements" or better will also be advanced to the next step within their job classification on the following July 1. New employees who were hired after January 1 who have achieved an overall performance rating of "meets requirements" or better will move to the next step within their job classification on the July 1 that follows the employee's completion of a full year of employment.

- 2) Amending Article VIII. Other Forms of Pay by adding a new section 2, shown in italics, and re-numbering subsequent sections.

Section 2. Detail Pay

1. *Town Details. A Special Police Officer working a town detail will be compensated at one and a half (1.5) times the hourly rate established for Special Police Officer under Schedule B.*
2. *Private Details. A Special Police Officer or Per Diem Firefighter/EMT working a private detail will be compensated at the rate of forty-five dollars (\$45) per hour, for a minimum of four (4) hours. After four (4) hours worked, an employee working the private detail will be compensated at the rate of forty-five dollars (\$45) per hour, for a minimum of eight (8) hours. An employee working additional hours in excess of eight (8) hours will be compensated on an hour to hour basis at the rate of sixty-seven dollars and fifty cents (\$67.50) per hour for those hours in excess of eight (8) hours. All private details shall be billed to the contractor.*

Further by amending Classification of Positions (Schedule A) by:

- 1) Adding a new position of Media Production Technician to the Intermittent Schedule
- 2) Respectively re-naming the Intermittent Schedule positions of Dog Officer and Assistant Dog Officer to Animal Control Officer - Dogs & Cats and Assistant Animal Control Officer - Dogs & Cats.

- 3) Re-naming the Intermittent Schedule position of Animal Control Officer to Animal Control Officer – Other.

And by amending Compensation of Positions (Schedule B) by:

- 1) Adding a 2% wage adjustment factor (COLA) to all positions on Schedule B except for the following positions which will remain at the same level as in FY 13: Registrar Chairperson, Clerk of Elections, Election Worker, Registrar Member, Seasonal Conservation Worker, 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
- 3) Adding wages for Media Production Technician @ \$12.50/hour

Or take any other action relative thereto.

Summary

The proposed change to Article VI, Section 7 will provide more flexibility to the Board of Selectmen and Personnel Board and will allow the freezing of employees covered by the town's personnel plan in their current steps, if so determined necessary in any given fiscal year. The proposed change also clarifies the meaning of existing vs. new employee, as well as makes clear that once an employee reaches the maximum step within his/her classification, then he/she essentially stays there and does not move to the steps that are in the next highest job classification.

The proposed language for Article VIII, Section 2 (Detail Pay) will formalize the practice of paying a different rate for in-town and private details performed by Special Police Officers and Per Diem Firefighters/EMT's.

The Personnel Board recommends unanimously (5-0).

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

The Finance Committee recommends unanimously (6-0).

SCHEDULE A – CLASSIFICATION OF POSITIONS

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 Support 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-Animal Control Officer - Dogs & Cats~~
~~Assistant Dog-Officer Asst. Animal Control Officer~~
~~Dogs & Cats~~
Animal Control Officer - ~~Other~~
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
~~Media Production Technician~~

The following information is not part of Schedule A and is placed here for informational purposes only. These positions are governed by personal contract or collective bargaining agreement, or are elected.

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*

Proposed FY 2014 Compensation of Positions - Schedule B

Position Title	Step A	Step B	Step C	Step D	Step E	Step F	Step G	G Plus
<u>Salaried/Exempt Employees</u>								
Grade 60	\$ 56,752.18	\$ 58,738.50	\$ 60,794.35	\$ 62,922.15	\$ 65,124.43	\$ 67,403.78	\$ 69,762.92	\$ 70,809.36
Information Systems Coordinator								
Inspector of Buildings/Code								
Administration Officer								
Town Accountant								
Town Assessor								
Town Planner								
Town Treasurer								
Grade 50	\$ 49,349.67	\$ 51,076.91	\$ 52,864.60	\$ 54,714.86	\$ 56,629.88	\$ 58,611.93	\$ 60,663.35	\$ 61,573.30
Grade 40	\$ 44,059.83	\$ 45,601.92	\$ 47,197.99	\$ 48,849.92	\$ 50,559.67	\$ 52,329.25	\$ 54,160.78	\$ 54,973.19
Grade 30	\$ 39,342.68	\$ 40,719.67	\$ 42,144.86	\$ 43,619.93	\$ 45,146.62	\$ 46,726.76	\$ 48,362.19	\$ 49,087.63
Grade 20	\$ 35,123.91	\$ 36,353.25	\$ 37,625.61	\$ 38,942.51	\$ 40,305.50	\$ 41,716.19	\$ 43,176.26	\$ 43,823.90
Grade 10	\$ 31,936.90	\$ 33,054.70	\$ 34,211.61	\$ 35,409.02	\$ 36,648.33	\$ 37,931.02	\$ 39,258.61	\$ 39,847.49
<u>Hourly (Non-Exempt) Employees</u>								
Grade 60	\$ 27.27	\$ 28.23	\$ 29.22	\$ 30.24	\$ 31.30	\$ 32.39	\$ 33.53	\$ 34.03
Grade 50	\$ 23.74	\$ 24.57	\$ 25.43	\$ 26.32	\$ 27.24	\$ 28.19	\$ 29.18	\$ 29.61
Council on Aging Coordinator								
DPW Foreman								
Grade 40	\$ 21.19	\$ 21.93	\$ 22.69	\$ 23.49	\$ 24.31	\$ 25.16	\$ 26.04	\$ 26.43
Youth Services Librarian								
Conservation Agent								
Grade 30	\$ 18.91	\$ 19.57	\$ 20.26	\$ 20.97	\$ 21.70	\$ 22.46	\$ 23.25	\$ 23.59
DPW Worker								
Department Assistant								
IT Support Technician								
Technical Services Librarian								
Grade 20	\$ 16.88	\$ 17.47	\$ 18.08	\$ 18.72	\$ 19.37	\$ 20.05	\$ 20.75	\$ 21.06
Bldg. & Grounds Maint. Worker								
DPW Semi-Skilled Worker								
Transfer Station Operator I								
Senior Library Assistant								
Grade 10	\$ 15.36	\$ 15.90	\$ 16.46	\$ 17.03	\$ 17.63	\$ 18.24	\$ 18.88	\$ 19.17
Library Assistant								
Secretary								
Van Dispatcher								
<u>Per Diem Schedule (No Steps)</u>								
Fire Lieutenant/EMT	\$ 18.31							
Call Firefighter/EMT	\$ 16.63							
Call Firefighter	\$ 16.63							
Special Police Officer	\$ 16.63							
Dispatcher	\$ 16.63							

Intermittent Schedule (No Steps)			
Cemetery Superintendent	\$ 8,732.32	annually	
Cemetery Laborer	\$ 10.95		
Registrar/Chairperson	\$ 900.34	annually	
Clerk of Elections	\$ 11.43		
Election Worker	\$ 10.17		
Registrar Member	\$ 270.12	annually	
Veterans' Agent	\$ 15.46		
Call Fire Chief	\$ 42.90		
Deputy Fire Chief	\$ 20.11		
Fire Captain	\$ 19.21		
Fire Lieutenant	\$ 18.32		
Call Firefighter/EMT	\$ 16.63		
Fire Department Chaplain	\$ 16.63		
Call Building Inspector	\$ 42.90		
Special Police Officer	\$ 16.63		
Lock-up Attendant	\$ 14.88		
Dispatcher	\$ 16.63		
Seasonal Maintenance Worker	\$ 13.57		
Snow Plower	\$ 21.50		
Seasonal Conservation Worker	\$ 12.46		
Assistant Building Inspector	\$ 26.45		
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)*
Animal Control Officer - Dogs & Cats	\$ 11,006.26	annually	
Asst. Animal Control Officer - Dogs & C	\$ 10.77	4 hour call min	
Animal Control Officer - Other	\$ 2,681.02	annually	
Animal Inspector	\$ 987.74	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		
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	\$ 13.25		
Media Production Technician	\$ 12.50		

NOTE
*Fee maximum is 1% of F13 levy (or \$167,162)

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.

<u>Department Heads</u>		FY 2013	FY 2014	
DPW Director	Contract expires 6/30/14	\$ 78,045.81	\$79,608**	**The Board of Selectmen may amend the FY
Fire Chief	Contract expires 6/30/14	\$ 88,880.00	\$90,658**	2014 salaries at ATM
Library Director	Contract expires 12/31/11	\$ 72,894.00	\$74,352	
Police Chief	Contract expires 6/30/14	\$ 100,950.00	\$102,969**	
Town Administrator	Contract expires 6/30/13	\$ 95,095.00	\$96,997**	
<u>Union Employees</u>				
Police Sergeant (Steps 1-3)	TBD			
Police Officer (Steps A1/A2-F)	TBD			
Fire Lieutenant (Step A)	TBD			
Firefighter/EMT (Steps A-F)	TBD			
Dispatch Supervisor (Steps A-F)	TBD			
Dispatcher (Steps A-F)	TBD			
<u>Elected Positions</u>				
Selectman	FY 2013	FY 2014		
Board of Health Member	\$ 400.00 annually	\$ 400.00 annually		
Planning Board Member	\$ 166.67 annually	\$ 166.67 annually		
Library Trustee	\$ 109.00 annually	\$ 109.00 annually		
Moderator	\$ - annually	\$ - annually		
Constable	\$ - per meeting	\$ - annually		
Tax Collector (Grade 50, G+)	\$ 3.00 /warrant posted/location	\$ 3.00 /warrant posted/location		
Town Clerk (Grade 50, G+)	\$ 60,365.98	\$ 61,573.30		
	\$ 40,747.04	\$ 41,561.97		

ARTICLE 6 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, 2013; or take any other action relative thereto.

The Finance Committee recommends unanimously (7-0).

ARTICLE 7 TRANSFER TO STABILIZATION FUND

(Two-thirds vote required)

To see if the Town will vote to transfer the sum of Two Hundred Thousand Dollars (\$200,000), more or less, from Overlay Surplus to the Stabilization Fund; or take any other action relative thereto.

The Finance Committee recommends unanimously (7-0).

The town has a comprehensive Capital Plan that allows a predictable estimate of future capital requirements across all areas of the Town and School. Capital needs can be paid for by one or more of the following - free cash, stabilization fund, or borrowing. The current balance of the stabilization fund is \$904.

Capital funding requests for next year and cumulatively for the next three years are currently projected to exceed \$1 million and \$3.8 million, respectively. The Finance Committee believes it is prudent to continue to reserve funds to support these upcoming capital requirements. A healthy stabilization fund protects the Town and is a strong factor in the Town's bond rating. Expenditures from the stabilization fund require a higher level of scrutiny (2/3rds vote of ATM) to utilize these funds, which is appropriate for large expenditures.

This item will add \$.2105 per \$1,000 of valuation, or \$107.37 for an average priced house if not funded from available funds.

The Board of Selectmen [REDACTED]

ARTICLE 8 TRANSFER TO OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND

(Majority vote required)

To see if the Town will vote to transfer the sum of One Hundred Thousand Dollars (\$100,000), more or less, from Overlay Surplus 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. A transfer of seventy-five thousand was authorized by Town Meeting in 2012 to start funding that liability. This transfer would enable the town to continue to fund the liability.

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

As explained in the summary, the amount proposed in this article will continue the effort started last year to make a small contribution to fund our liabilities for retirees' healthcare benefits. The town's FY 2014 unfunded liability, as reported in the June 30, 2011 actuarial study, amounts to \$10,901,246 and the proposed amount is a small percentage of our total obligations. Not funding this obligation might, in the future, affect our Standard and Poor's AAA credit rating."

The Finance Committee recommends unanimously (7-0).

The Town established an OPEB ("Other Post-Employment Benefits") Trust Fund in 2010. In addition to pension benefits, the Town provides retired employees with health care and life insurance benefits; costs are accounted for on a pay-as-you-go basis. While the accounting standards under GASB 45 do not require pre-funding of these liabilities, the Finance Committee believes that it is prudent to start setting aside reserves to begin addressing the issue. Bonding authorities also look favorably upon putting aside funds to fund the OPEB liability. Our last actuarial study was completed in fiscal 2011 and provided the Town with a detailed analysis of the unfunded liability for other post-employment benefits for active and retired employees, which totaled \$10,900,000. The amount we propose to set aside is slightly under 1% of that amount, or \$100,000.

This item will add \$.1053 per \$1,000 of valuation, or \$53.69 for an average priced house if not funded from available funds.

**ARTICLE 9 CAPITAL IMPROVEMENTS – TOWN HALL REPLACEMENT WINDOWS
(ORIGINAL SECTION)**

(Two-thirds vote required if borrowing)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow, or otherwise provide the sum of Thirty-five Thousand Dollars (\$35,000), more or less, for the purpose of replacing the windows in the original section of town hall with insulated, energy efficient windows; or take any other action relative thereto.

Summary

The windows in the original portion of town hall date back to its construction in 1901. They are in various stages of disrepair and are loose fitting and draughty. This appropriation would facilitate the installation of energy efficient windows that have insulated glass and proper weather stripping. As part of a comprehensive program to make the town hall more energy efficient, replacement of the windows will significantly reduce the heating and air conditioning costs.

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

The Finance Committee recommends unanimously (7-0).

The plan to replace the town hall windows is in the capital plan and is part of an overall comprehensive plan to make town hall more energy efficient.

This item will add \$.0368 per \$1,000 of valuation, or \$18.79 for an average priced house if not funded from available funds or borrowing.

The Energy Committee recommends.

Energy efficiency saves money for the town in the long run. Energy efficiency also supports reducing carbon pollution, a known major contributor to climate change and global warming. Thus, the Energy Committee supports replacement of windows in Town Hall.

**ARTICLE 10 CAPITAL EQUIPMENT ACQUISITION – REPLACEMENT VEHICLE –
INSPECTOR OF BUILDINGS**

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Twenty Thousand (\$20,000), more or less, for the purpose of replacing the Building Inspector's seventeen year old vehicle; or take any other action relative thereto.

Summary

The Building Inspectors vehicle is seventeen years old and should be replaced as the integrity of the frame and mechanical systems are in doubt. The steering is loose and sloppy and the brakes are in need of significant repair work. This article would provide the funds to replace the seventeen year old vehicle with a new or slightly used vehicle.

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

The Finance Committee recommends unanimously (7-0)

This article is to replace an existing 1996 GMC Jimmy which has reached the end of its usable life. The new vehicle will be used by the Building Inspector / Facilities Manager.

This item will add \$.0211 per \$1,000 of valuation, or \$10.74 for an average priced house if not funded from available funds or borrowing.

**ARTICLE 11 COMMUNICATIONS CONSULTANT AND TOWN SHARE OF FIRE
DEPARTMENT RADIO GRANT**

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Thirty-five Thousand (\$35,000), more or less, for the purpose of: 1) hiring a consultant to do a design study for an integrated, interoperable public safety radio communications system and, 2) providing the town's share of a grant-funded purchase of new radio equipment which will be used by the fire department as an essential element of the new integrated, interoperable public safety radio communications system; or take any other action relative thereto.

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

The radio system currently used by the Fire Department is outdated and is in serious need of upgrading.

This article will provide funding for two purposes:

1. Conduct of a study to specify the configuration of a new, integrated, interoperable public safety town-wide radio communications system, (There will be no equipment purchased under this study), and,
2. The town's share of a state grant for an initial complement of radio equipment that will resolve current operational problems and be integral components of the new future radio system.

The Fire Department currently uses radio equipment that operates primarily in what is called the Very High Frequency (VHF) low band (46.50 MHz). All other towns in Fire Service District 14 (our District) have updated their systems to use radios that operate in a higher frequency band, referred to as the Ultra High Frequency (UHF) band (471.6 MHz). Operation in the UHF band avoids the congestion and interference problems that occur in the VHF band. To enable communication with other towns, the Fire Department has a limited number of analog radios capable of operating in the UHF band. The proposed study (with a cost of \$15,000) will define an equipment configuration, including recommended transmitter and receiver locations and control equipment that will enable our Firefighters, Police, Dispatch and School personnel to communicate effectively over a common digital-capable radio system and to be interoperable with like entities in other towns.

The second part of this article will provide \$20,000 as the town's share of a regional grant from the state to equip the department with new, digital-capable radios that operate in the UHF band. These radios will enable effective interoperable radio communications with other town units as well as with units from other towns in emergency situations. It is emphasized that these radios will be central elements of the new integrated, interoperable radio system defined by the study referred to above in item 1. If we do not qualify for the grant, this portion of the article funding will be withdrawn and resubmitted next year.

The Finance Committee recommends unanimously (7-0).

The amount requested includes \$15K for the study by the consultant and an additional \$20K for the town's share of the cost of radios in the event the grant application is approved. The consultant is expected to make recommendations on the location of a radio transmitter on the east side of town and on a console system to ensure interoperability of radio equipment between the fire and police.

This item will add \$.0368 per \$1,000 of valuation, or \$18.79 for an average priced house if not funded from available funds or borrowing.

ARTICLE 12 CAPITAL EQUIPMENT ACQUISITION - EMERGENCY RESPONSE COMMAND VEHICLE - FIRE DEPARTMENT

(Two-thirds vote required if borrowing)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Forty-seven Thousand Five Hundred Dollars (\$47,500), more or less, for the purpose of acquiring and equipping an emergency response command vehicle for the Fire Department; or take any other action relative thereto.

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

This article will provide funds to purchase and equip a new command vehicle for the Fire Department. The Fire Chief is the primary user of this vehicle and he requires this vehicle to fulfill his responsibility as the designated Emergency Management Director for the town of Boxborough. Major equipment items included in equipping the new command vehicle are: new digital-capable radios (replacements for the existing non-supportable, obsolete radios) and some new emergency medical equipment. Where feasible, existing medical equipment will be transferred from the old command vehicle to the new vehicle.

For the past 2 years, a request for replacement of the Fire Chief's command vehicle has been included on the ATM warrant but not executed. Two years ago, this item was passed over because the leadership of the department was in transition. Last year this replacement was defeated in the face of budget cuts. Meanwhile this vehicle has continued in service but has aged and maintenance costs have risen sharply. This vehicle, which the chief uses as a command center for emergency situations, is now 9 years old and has 125,000 miles on it. Maintenance expenses in FY 13 are already at \$2,000 and reliability is degrading as one would anticipate with an older vehicle such as this. The time has come to replace this vehicle with the planned SUV-type vehicle, equipped with incident command supplies to facilitate command operations at the scene of an emergency, including multi-band radios, Incident Command System vests, a medical kit, gas meter, and a defibrillator. The current command vehicle would be reassigned to Fire Prevention for conducting general inspections, transport to/from training activities and related department business.

The Finance Committee recommends (6-0).

The current vehicle is 9 years old with 126,000 miles on it. This item has been deferred twice in the past and the majority felt that this was something that was needed in the next fiscal year especially since maintenance costs for this vehicle are increasing. It is estimated that the vehicle will cost \$42K and added equipment will cost \$5.5K.

This item will add \$.05 per \$1,000 of valuation, or \$25.50 for an average priced house if not funded from available funds or borrowing.

ARTICLE 13 CAPITAL EQUIPMENT ACQUISITION – REPLACE AMBULANCE

(Two-thirds vote required if borrowing)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Two Hundred Twenty Thousand Dollars (\$220,000) more or less, for the purpose of replacing (acquiring and equipping) the ambulance for the Fire Department; or take any other action relative thereto.

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

The purpose of this article is to provide funds for purchasing and equipping a new ambulance as a replacement for our existing, outdated ambulance. Major equipment items that will be fitted in the new ambulance include digital-capable radios, a power stretcher (enables automated raising and lowering a stretcher) and a battery-powered rescue tool (commonly referred to as the “Jaws of Life”).

Our current ambulance is now 7 years old and has 68,000 miles on it. Maintenance costs for our ambulance have been steadily increasing with \$6,700 expended in FY 13 just for the ambulance, approximately 50 % of the department’s total equipment maintenance budget. One consequence of increasing maintenance, and more specifically during the downtime associated with maintenance actions is the loss of revenue from ambulance runs. In FY 12 the town received approximately \$125,000 from ambulance revenue. FY 13 revenue is somewhat less and part of the reason for this is ambulance downtime during which ambulance revenues go to the town supporting us with ambulance service. It is very important to retain an available ambulance for several reasons: 1.) most importantly to minimize the response time in a medical emergency situation and, 2.) to serve the community and be able to collect revenue for that service.

Another factor dictating replacement of our ambulance is that when fully loaded (with medical equipment, EMTs, a patient and often an accompanying family member), our current vehicle exceeds U.S. Department of Transportation gross vehicle weight restrictions. The frame of this original ambulance was, unfortunately, not specified with adequate weight-handling capacity necessary for current ambulance operations.

In addition to the increasing maintenance expense and exceeding U.S. DOT weight restrictions, guidelines provided by the U.S. Fire Service Administration identify a typical ambulance replacement interval of 4.3 years, a figure that our ambulance has far exceeded. The current ambulance will be used in trade for a new ambulance to reduce the acquisition cost.

The Finance Committee does not recommend (4-2).

Majority Opinion

Although the cost of this acquisition is significantly higher than the last time such a purchase was made, the payback is less than two years due to the revenue stream from its use. The current vehicle is 8 years old and is experiencing reliability problems which increase the risks of a breakdown during patient transport (which did happen once) but also reduce the revenue stream. Given the town’s location, reliable transport is important. The cost includes the option of a motorized device to load the stretcher into the vehicle which reduces the risk of injury to the emergency response team.

Minority Opinion

It was felt that the cost was very high and not enough comparison data was presented to demonstrate the value of the vehicle against other alternatives.

This item will add \$.2316 per \$1,000 of valuation, or \$118.11 for an average priced house if not funded from available funds or borrowing.

ARTICLE 14 CAPITAL EQUIPMENT ACQUISITION – REPLACEMENT OF AIR-PAKS

(Majority vote required)

To see if the Town will vote to transfer the unexpended balance of Three Thousand Two Hundred Ten Dollars (\$3,210) from Article 21 of the May 2012 Annual Town Meeting (*Installation of Central Air Conditioning at Fire Station*) and to transfer from Free Cash the sum of Eight Thousand Four Dollars (\$8,004), more or less, for the purpose of acquiring self-contained breathing apparatus (air-paks) for the Fire Department; or take any other action relative thereto.

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

This article is to provide the town's share of a federal grant which will enable the replacement of all 27 air-paks and oxygen bottles for the fire department. The U.S. Department of Transportation requires replacement of these air-paks and bottles every 15 years. We are at year 14 of our use cycle of this equipment and have applied for a grant to assist us in this replacement action. If we receive the grant, the federal government will provide approximately \$215,000 for this purpose. If we do not receive this grant, we will withdraw this article and submit another grant request for next year.

Finance Committee recommends unanimously (6-0).

The amount requested is the town's share in the event that the grant application is approved. If the grant is not approved, this money will not be spent.

This item will add \$.0118 per \$1,000 of valuation, or \$6.02 for an average priced house if not funded from available funds or borrowing.

ARTICLE 15 CAPITAL EQUIPMENT ACQUISITION – FOUR WHEEL DRIVE ALL TERRAIN MOWER – DPW DEPARTMENT

(Two-thirds vote required if borrowing)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of One Hundred Thousand Dollars (\$100,000), more or less, for the purpose of acquiring a Kubota four wheel drive all terrain mower for the DPW to replace the existing mower; or take any other action relative thereto.

Summary

The DPW uses a tractor-mounted flail mower to cut brush along roadsides and trails. The existing mower is mounted on a 2000 New Holland tractor. This equipment is used four days a week for seven months of the year and takes a beating. The New Holland is somewhat undersized for the flail mower which has some limitations in articulation and reach. Some of the parts, such as the flails and bushings, are obsolete or take months to acquire, as they are only available from overseas. We had to have bushings custom made in order to get through this past season. The New Holland has had transmission problems over the past three years. Repair costs over the past two years were \$7,606. Even so, the old mower is eligible for trade in.

The Kubota tractor and mower we wish to acquire has a two section articulated boom, which will increase maneuverability when reaching around stationary objects. The mid mounted joystick controls provide ease of operation and a clearer sightline for the driver, improving both operational efficiency and crew safety. The four-wheel drive will permit better off-road operations for maintenance of the town municipal and Conservation lands. This is a multipurpose machine that has a rear hook up for attaching a stump grinder, brush hog, or other accessories without having to remove the flail arm. It also has an enclosed cab, which allows for mowing during inclement weather. It also keeps brush, poison ivy and such from entering the cab.

This mower is available on State contract, which will keep the cost down and streamline the purchasing process.

The requested funding is net of the trade-in value of the current New Holland tractor/mower.

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

This is a sensible investment in DPW equipment that will improve efficiency of operations, permitting more work to be done in a given time, over more terrain and conditions than with the current mower. The vendor made the Kubota available for testing and evaluation in the field by the DPW crew in the summer of 2012. All were favorably impressed with the machine's ruggedness and capabilities in dealing with a massive infestation of bittersweet, bramble rose, grapevines and brush. This equipment is on the capital plan for the DPW.

The Finance Committee recommends unanimously (5-0).

The DPW purchased a Tractor in 2001 (Article #22) with several attachments for a total of approximately \$47K. The Tractor has been used for road side mowing since that purchase, but the tractor was not the right equipment for the job. The current tractor has reached its age usefulness and the DPW is looking to replace it with an appropriate vehicle for the job needed, including a side mounted Boom arm and a covered cab for more safety protection.

This item will add \$.1053 per \$1,000 of valuation, or \$53.69 for an average priced house if not funded from available funds or borrowing

ARTICLE 16 CAPITAL EQUIPMENT ACQUISITION – DUMPSTERS – DPW DEPARTMENT

(Two-thirds vote required if borrowing)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Twenty Thousand Dollars (\$20,000), more or less, for the purpose of acquiring two replacement roll-off containers to be used at the Transfer Station, or take any other action relative thereto.

Summary

The Transfer Station currently has two solid waste compactor units in use. These units were purchased in 1996 and were scheduled for replacement. We have repeatedly welded pieces of scrap steel over the rusted out bottoms and sides. These containers are hauled on a weekly basis and we are required to assure that there is no leakage. We would like to replace them with two 45-yard octagonal roll-off containers. The tapered design allows for tighter compaction rates than our existing rectangular containers. These dumpsters are available on State contract.

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

This is to replace two container/dumpsters for solid waste (trash) disposal (not for recyclables). The existing dumpsters have been repeatedly repaired to keep them in service. It would be a waste of money to attempt continued repairs. It is time to replace them.

The Finance Committee recommends unanimously (7-0).

The amount requested will replace 2 old containers purchased in 1996 that are falling apart and need regular welding and maintenance. The new containers will be bigger (45 yards) and a better fit for the new Transfer Station configuration.

This item will add \$.0211 per \$1,000 of valuation, or \$10.74 for an average priced house if not funded from available funds or borrowing.

**ARTICLE 17 CAPITAL IMPROVEMENTS -- REPLACEMENT OF TWO HVAC SYSTEMS --
POLICE STATION**

(Two-thirds vote required if borrowing)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Thirty-Five Thousand Dollars (\$35,000), more or less, for the purpose of installing heating, ventilation and air conditioning units at the Police Station; or take any other action relative thereto.

Summary

The HVAC systems currently in use at the police station consist of three separate units. Two of these units are 23 years old and are original to the building. During the summer of 2012 there were several breakdowns and necessary repairs to the aging systems. Technicians strongly suggested replacing both units at that time. Preliminary quotes have come in ranging from \$21,000 to \$30,000. This funding would be used to research, engineer and install the most cost effective and energy efficient systems available.

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

These old HVAC systems are a maintenance liability and at end of life. They need to be replaced.

The Finance Committee recommends unanimously (7-0).

Two of the three HVAC units are original to the building, are 23 years old and in need of immediate replacement due to heavy repairs during 2012. This project was in the Capital Plan, and the Finance Committee supports it.

This item will add \$.0368 per \$1,000 of valuation, or \$18.79 for an average priced house if not funded from available funds or borrowing.

The Energy Committee recommends.

Energy efficiency saves money for the town in the long run. Energy efficiency also supports reducing carbon pollution, a known major contributor to climate change and global warming. Thus, the Energy Committee supports replacement of the Police Station HVAC.

ARTICLE 18 CAPITAL EQUIPMENT ACQUISITION – RADIOS - POLICE DEPARTMENT

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Thirty-Eight Thousand Three Hundred Forty Dollars (\$38,340), more or less, for the purpose of acquiring two-way radios and related equipment necessary for the installation and operation thereof for the Police Department; or take any other action relative thereto.

Summary

The Police Department needs to replace its current supply of 13 year old Motorola two way radios, as they are outdated/discontinued models that are unreasonable to repair. All of the Police Department radios are years beyond their suggested useful lifespan and are becoming less reliable and problematic. These radios are often the only means of direct communication between police officers in the field and the dispatch center or neighboring towns. This article will fund approximately 13 portable (walkie-talkie) and 4 mobile (car) two-way radios, as well as the miscellaneous batteries, clips, chargers etc. necessary for the installation and operation of the units.

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

The current radios need to be replaced. The technical requirements for the police radios are known and specific to police department needs. They will be an integral part of the town's evolving public safety communications system. The study being requested by the Fire Chief under a separate article will address selection and optimum placement of stationary radio transmitter and receiver stations to ensure radio coverage for both departments throughout town.

The Finance Committee recommends unanimously (7-0).

The current communications equipment for the police force are discontinued equipment that are 13 years old, well past their useful lifetime and need to be replaced. The Finance Committee supports this warrant article project.

This item will add \$.0404 per \$1,000 of valuation, or \$20.58 for an average priced house if not funded from available funds or borrowing.

**ARTICLE 19 CAPITAL EQUIPMENT ACQUISITION – ELECTRONIC CONTROL DEVICES -
POLICE DEPARTMENT**

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Thirteen Thousand Dollars (\$13,000), more or less, for the purpose of acquiring electronic control devices (“tasers”) for the Police Department; or take any other action relative thereto.

Summary

The current traditional law enforcement response to resistance is fists, kicks, batons or chemical spray leading to not only a likely suspect injury but an officer injury. Safer and more effective technologies have been developed in lieu of pain and injury methods. The American Medical Association finds that electronic control devices (ECD’s), when used appropriately, can save lives during interventions that would have otherwise involved the use of deadly force. These devices are used by over 17,000 agencies in over 100 countries that report dramatic decreases in injuries to the officer and the public. Currently about 50% of Massachusetts law enforcement agencies are using ECD’s to not only prevent injuries or death but, reduce liability and workers compensation claims. This article will fund approximately 12 electronic control devices as well as the miscellaneous holsters, supplies etc. necessary for the deployment and operation of the units.

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

ECD’s (“tasers”) provide a humane tool for officers to use in controlling belligerent or violent suspects without resorting to more drastic and potentially deadly means.

The Finance Committee recommends unanimously (7-0).

This article is for the purchase of approximately 12 ECD units for the police force. These units are needed to provide a more effective and safer method of enforcing public safety in the town. This project is in the Capital Plan and the Finance Committee supports it.

This item will add \$.0137 per \$1,000 of valuation, or \$6.98 for an average priced house if not funded from available funds or borrowing.

ARTICLE 20 CAPITAL IMPROVEMENTS – REPLACEMENT OF WINDOWS - BLANCHARD MEMORIAL SCHOOL

(Two-thirds vote required if borrowing)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Ninety Thousand Dollars (\$90,000), more or less, for the purpose of removing and replacing windows at the Blanchard Memorial School; or take any other action relative thereto.

The Boxborough School Committee recommends unanimously (5-0).

The School Committee unanimously recommends the replacement of windows as part of the capital plan and to ensure the integrity of the school building. The windows addressed by this warrant article are leaking, are energy inefficient and are compromising the integrity of the building where they are located.

Russo Barr Associates prepared the Condition Survey report on the Building Envelope, January 31, 2012, a copy of which is on file at the Blanchard Memorial School. This survey assessed roofs, windows and exterior masonry to assist in scheduling the future repairs and replacements needed within the town's capital planning. The report prioritized recommendations as Priority 1, 2, or 3. With the scheduled completion of the Roof section replacement and masonry repairs in FY13, the remaining Priority 1 item is the replacement of certain windows.

This article is to seek funding to remove and replace the oldest areas of windows (aluminum frames dating from 1975) with energy efficient aluminum windows, matching the white aluminum framed windows installed in 1997. The windows are mill finished (non painted), aluminum frames, and include fixed and hopper style operable windows. It appears that the frames of these windows may date from a 1975 addition, however the glazing units may have been replaced during the 1997 renovation. The original frames appear to have a relatively inefficient thermal break (if any exists), and the replaced insulated glazing units are less than 1/2" thick, providing poor thermal and energy performance.

The Finance Committee recommends unanimously (7-0).

FinCom recommends funding to remove and replace the oldest areas of windows from 1975 with energy efficient aluminum windows.

This item will add \$.0947 per \$1,000 of valuation, or \$48.32 for an average priced house if not funded from available funds or borrowing.

ARTICLE 21 CAPITAL IMPROVEMENTS – SECURITY UPGRADES AT BLANCHARD MEMORIAL SCHOOL

(Two-thirds vote required if borrowing)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Forty Thousand Dollars (\$40,000), more or less, for the purpose of installing upgraded security systems at the Blanchard Memorial School; or take any other action relative thereto.

The Boxborough School Committee recommends unanimously (5 – 0).

The School Committee unanimously recommends this article to fund safety and security upgrades at the Blanchard School.

Following the tragic events in Newtown, CT all school districts across the Commonwealth and nation have been vigilant in reviewing their current school safety policies, plans and procedures. At Blanchard, concerned parents/guardians provided their thoughts and ideas about school safety to Dr. Bates. The Blanchard Memorial School Council members, the Blanchard Leadership Team, Boxborough School Committee, Boxborough Police Chief, Boxborough Fire Chief, and Boxborough Building Inspector have met to assure that student safety is paramount. We are not only spending time reviewing our current practices but reflecting on improvements that might be needed. After much discussion and consideration, we recommend the following two school safety/security upgrades for the Blanchard Memorial School:

- Update the master lock system in the school with small format interchangeable cores to improve classroom security, by allowing any teacher to lock any classroom from the inside. Further, acquire new locks and hardware as required to update the school's interior and exterior locks for a new master lock system.
- Install camera-monitored door access electronic control at five exterior doors. This includes the purchase and installation of the base software and hardware package for a security center, and equipment to provide door access control for five exterior doors, including electronic access and camera installation. Integrated security software allows up to five people at a time to monitor the entry doors from their workstations, thereby ensuring coverage at all times school is in session.

The Finance Committee recommends unanimously (7-0).

FinCom recommends both initiatives to ensure greater security at Blanchard.

This item will add \$.0421 per \$1,000 of valuation, or \$21.47 for an average priced house if not funded from available funds or borrowing.

ARTICLE 22 CAPITAL IMPROVEMENTS – REPLACEMENT OF CONCRETE SIDEWALKS AT BLANCHARD MEMORIAL SCHOOL AND SARGENT MEMORIAL LIBRARY

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Thirty Thousand Dollars (\$30,000), more or less, for the purpose of replacing concrete sidewalks at the entrances of the Blanchard Memorial School and the Sargent Memorial Library; or take any other action relative thereto.

The Boxborough School Committee recommends unanimously (5 – 0).

The School Committee unanimously recommends this article to replace the cracked and crumbling concrete sidewalks in the front of the building to correct what has become a safety issue.

The concrete apron at the base of the front stairway of the Blanchard School is degrading, with multiple cracks. Efforts to fill gaps and crumbled areas before winter for student and pedestrian safety were only temporary and are already failing.

The School Business Manager and Library Director are coordinating their efforts with the assistance of the Inspector of Buildings to address similar concerns at both the School and Library in an effort to combine this work into one bid to gain efficiencies.

The Library Board of Trustees recommends unanimously (6 – 0).

The concrete on the sidewalk in front of the library has degraded, with multiple cracks and broken pieces. The surface is no longer level and presents a hazard for patrons and staff, particularly for those who are less stable walking or who use walking aides. Efforts to patch the gaps and crumbled areas have lasted only a short time and are once again failing. A recent insurance safety inspection highlighted the hazard and recommended that the Library address the issue as soon as possible. Moreover, with the Blanchard Memorial School addressing a similar issue at the same time, we anticipate a more efficient process hiring one contractor and potentially realizing a cost savings due to the economy of scale.

The Finance Committee recommends unanimously (7 – 0).

FinCom recommends replacing the concrete sidewalks at the entrance of both Blanchard and the Library due to the degrading sidewalks which poses a safety risk for pedestrians.

This item will add \$.0316 per \$1,000 of valuation, or \$16.11 for an average priced house if not funded from available funds or borrowing.

ARTICLE 23 CAPITAL IMPROVEMENTS – CELL PHONE REPEATER AT BLANCHARD MEMORIAL SCHOOL

(Two-thirds vote required if from Stabilization Fund)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Forty Thousand Dollars (\$40,000), more or less, for the purpose of installing a cell phone repeater at the Blanchard Memorial School; or take any other action relative thereto.

The Boxborough School Committee recommends unanimously (5 – 0).

The School Committee unanimously recommends this article to fund a cell phone repeater at the Blanchard school as part of a safety and security upgrade.

There currently is very limited cell phone service coverage on the Blanchard School property. Cell phone service within the Blanchard School building itself is not available. On a daily basis, this is an annoyance. In the case of an emergency at the School, or in the event the Blanchard School is used as the Town's designated emergency shelter, the lack of cell service creates a safety issue. In fact, as part of the recent security review the lack of cell phone coverage in at the Blanchard School was raised as a concern. The installation of a cell phone repeater would ensure that cell service is available and would allow a second (or backup in case the landlines were down) line of communication with emergency personnel, as well as general communication.

The Finance Committee does NOT recommend (6-1).

Majority Opinion

While cell phone access is important, not enough information was provided to support a large capital investment versus lower cost alternatives, including smaller repeaters that can be deployed inside the school, as well as commercial extenders that can work over a network. Also, it would be prudent to discuss the lack of coverage for the school with the Cell Phone Carriers, which was not done prior to submitting this Warrant Article.

Minority Opinion

Blanchard is considered a shelter for the Town, but does not have any cell phone reception. What's more, if the school is in lockdown, it's critical to be able to communicate with others outside the school.

This item will add \$.0421 per \$1,000 of valuation, or \$21.47 for an average priced house if not funded from available funds or borrowing.

ARTICLE 24 CAPITAL IMPROVEMENTS – STEELE FARM BARN

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Forty Thousand Dollars (\$40,000), more or less, for the purpose of providing for restorative carpentry work (including siding repairs, doors, and windows) and painting of the Steele Farm barn; or take any other action relative thereto.

The Steele Farm Advisory Committee recommends.

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

The barn at Steele Farm is in urgent need of routine carpentry repairs and a coat of paint. The doors and windows are in rough shape and there are areas of clapboard siding that need to be replaced. This appropriation will enable the most critical work to be performed to re-establish weather-tightness and safeguard the building from further water damage. Following the completion of the repairs the building will be properly prepared and painted. Large scale renovations and structural work will be addressed in the future in the capital plan

The Board of Selectman along with the Steele Farm Advisory Committee recommends the \$40,000 article

The Finance Committee does NOT recommend (6-1).

While Steele Farm certainly needs to be painted, given all of the other capital improvements slated for the FY2014, this capital improvement should be deferred at this time.

This item will add \$.0421 per \$1,000 of valuation, or \$21.47 for an average priced house if not funded from available funds or borrowing.

ARTICLE 25 CONSERVATION TRUST FUND

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Five Thousand (\$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 \$14,000. Previous discussions with the Finance Committee concluded that an estimated working balance of \$30,000 is considered to be adequate for meeting anticipated expenses.
3. The Conservation Trust Fund has incurred the following expenses/encumbrances in FY 2013:
 - \$3,200 for land survey, and an easement plan and description for a new trail easement on the Fabian Property.
 - \$851.98 for electric fence materials for use in control of invasives at Rolling Meadows.
 - \$13,000 for preparation of an updated Town Open Space and Recreation Plan (OSRP). The OSRP will serve as a guidance document for Town Boards and Commissions, and is a prerequisite for Town eligibility to apply for State grants targeting land acquisition for conservation or recreational purposes and other land management activity.
4. The Conservation Trust Fund has the following upcoming anticipated expenses:
 - Review of Land Acquisition Opportunities - There are a number of parcels (both in and out of Chapter) that may be offered to the Town. Typical due diligence for review of acquisition opportunities (before bringing a potential acquisition to Town Meeting) incurs costs on the order of \$10,000 for appraisals, title searches, and engineering and/or environmental review.
 - Control of Invasive Plants on Conservation Land - Implementation of invasive control plans will involve the cost of contracted labor and equipment that is beyond routine operations and maintenance.
 - Improve the Monitoring of Conservation Restrictions - Preparation and recording of baseline documentation will involve the cost of contracted consultant services.

Background Information

1. From 1990 to 1999 Town Meeting appropriated an average of \$5,000/year to the Conservation Trust Fund.
2. There was one appropriation of \$15,000 to "replenish" the fund in 2000.

3. The last 2 year's (2011 and 2012) ATM approved an appropriation of \$5,000 each year.
4. Routine operations and maintenance are funded separately at approximately \$1,000 per year.
5. Other sources of funds available to the Conservation Commission such as state and town filing fees are limited to covering expenses associated with reviewing and protecting wetland resource areas and land with wetlands interests. The Conservation Trust Fund may be directed toward broader range Conservation land interests independent of wetland resource protection.

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

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

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

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

The Conservation Commission recommends (7 -- 0).

The Board of Selectmen recommends (x - x).

The Board of Selectmen supports the Commission in its request to increase the fund by \$5,000 to a level of approximately \$32,000. The Conservation Trust Fund enables the Conservation Commission to carry out a variety of prudent activities including land value assessment, engineering and other services in support of potential land acquisition that might otherwise not happen due to the time constraints of the opportunity.

The Finance Committee does NOT recommend (6-1).

The majority of FinCom did not approve this article and feels that adding \$5K every year to the Conservation Trust Fund does not really address the Conservation Commission's goals for using such funds. There are enough monies in the Special Funds and Trust Fund accounts over which the Commission has control to fund any studies that the Commission wants to conduct. If approved, this article will be paid out of free cash.

This item will add \$.0053 per \$1,000 of valuation, or \$2.68 for an average priced house if not funded from available funds or borrowing.

ARTICLE 26 ZONING BYLAW AMENDMENT – ADD SECTION 7900 TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS

(Two-thirds vote required)

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section 7900, Temporary Moratorium On Medical Marijuana Treatment Centers, that would provide as follows, and further to amend the Table of Contents to add Section 7900, "Temporary Moratorium on Medical Marijuana Treatment Centers:"

Section 7900 Temporary Moratorium on Medical Marijuana Treatment Centers

Section 7901 Purpose

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town of Boxborough and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

Section 7902 Definition

"Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

Section 7903 Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations Regarding Medical Marijuana Treatment Facilities and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

Or take any action relative thereto.

Explanation

On November 6, 2012, the voters of the Commonwealth approved legislation allowing marijuana for medical purposes. This law became effective on January 1, 2013. The State Department of Public Health has stated that it intends to have draft regulations ready for consideration for adoption by May 8th. Should those regulations be adopted, they would take effect May 24th. On March 13th, the Attorney General disapproved a Wakefield zoning bylaw that would have imposed an outright ban on medical marijuana treatment centers

Currently under the Town of Boxborough's Zoning Bylaw, a medical marijuana treatment facility is not a permitted use in the Town. Any regulations promulgated by the Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including medical marijuana treatment centers. The regulation of medical marijuana raises novel and complex legal and planning issues. The Town needs time to study and consider the regulation of medical marijuana treatment centers and address such complex issues, the potential impact of the state regulations on local zoning, and time to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana.

For these reasons, the Planning Board is recommending Town Meeting adopt a temporary moratorium until June 30, 2014 on the use of land and structures in the Town for medical marijuana treatment centers so as to allow sufficient time to engage in a planning process to address the effects of such structures and use in the Town and to enact bylaws at the 2014 Annual Town Meeting in a manner consistent with sound land use planning goals and objectives.

The Planning Board recommends.

The Finance Committee recommends (6-1).

ARTICLE 27 ZONING BYLAW AMENDMENT – AMEND SECTION 4003(1) RESIDENTIAL USES AND SECTION 4300 SPECIAL PERMITS IN TOWN CENTER DISTRICT AND DELETE SECTION 5004

(Two-thirds vote required)

To see if the Town will vote to amend the Boxborough Zoning Bylaw Section 4003(1) Residential Uses to change two-family dwellings reserved exclusively for elderly occupancy from an allowed use to a special permit use in the Town Center District, as follows:

4003(1) RESIDENTIAL USES	DISTRICTS						
	AR	R1	B	B1	OP	TC	IC
Two-family dwelling, reserved exclusively for elderly occupancy	SP	N	N	SP ¹	N	SP P	N

and further to amend Sections 4301, 4302, and 4303 of the Boxborough Zoning Bylaw to add the *bold, italicized* language and delete the strikethrough language as follows:

4301 Single-Family Dwellings and Two-Family Dwellings Reserved Exclusively for Elderly Occupancy in the Town Center District

In order to promote mixed uses in the Town Center District and to discourage the conversion of a majority of undeveloped Town Center land to residential uses, single-family dwellings *and/or two-family dwellings reserved exclusively for elderly occupancy* shall only be permitted *in the Town Center District* by special permit in conjunction with *non-residential commercial* development in a Mixed Use Development.

4302 Applicability

The Planning Board shall be the special permit granting authority for single-family dwellings *and two-family dwellings reserved exclusively for elderly occupancy* in the Town Center *District*. Single-family dwellings in existence prior to the effective date of this Bylaw shall not be subject to this Bylaw nor shall any extension or alteration to any existing single-family dwelling or a single-family dwelling previously approved under this Bylaw, provided that such extension or alteration complies with the applicable dimensional requirements of the Zoning Bylaw. Building permits for new single-family dwellings *and/or two-family dwellings reserved exclusively for elderly occupancy* may be withheld unless *the* dwellings comply with the provisions of the Bylaw and any special permit rendered hereunder.

New single-family dwellings *and/or two-family dwellings reserved exclusively for elderly occupancy* may only be permitted *in the Town Center District* as part of a Mixed Use Development. Mixed Use Developments may include any use permitted as of right in the Town Center District, or any use for which a special permit has been granted by the Board of Appeals. ~~as well as single-family dwellings.~~

4303 Criteria

Prior to the issuance of a special permit for single-family dwellings, *and/or two-family dwelling reserved exclusively for elderly occupancy* in a Mixed Use Development, the Planning Board shall find the following:

- (1) The proposal is consistent with the current Master Plan;
- (2) The proposal meets all the applicable dimensional requirements of the Zoning Bylaw;
- (3) The proposed commercial uses are compatible with *the* ~~single-family~~ residential uses;
- (4) No more than 30 percent of the Gross Floor Area of the Mixed Use development may be used for *residential* ~~single-family~~ purposes;
- (5) The commercial development will be constructed at the same or greater pace than the residential development on a square footage basis;

(6) Each single-family dwelling is located on its own lot;

(7) Buildings meet the architectural standards in Section 8006(9) for the Town Center District.

and further to delete subsection (1) of Section 5004 of the Boxborough Zoning Bylaw, as follows:

~~5004 — *Supplementary Intensity Regulations*~~

~~(1) For multi-family dwelling in TC district reserved exclusively for elderly occupancy, density not to exceed 10 units/80,000 sq. ft. land area.~~

Or take any action relative thereto.

Explanation

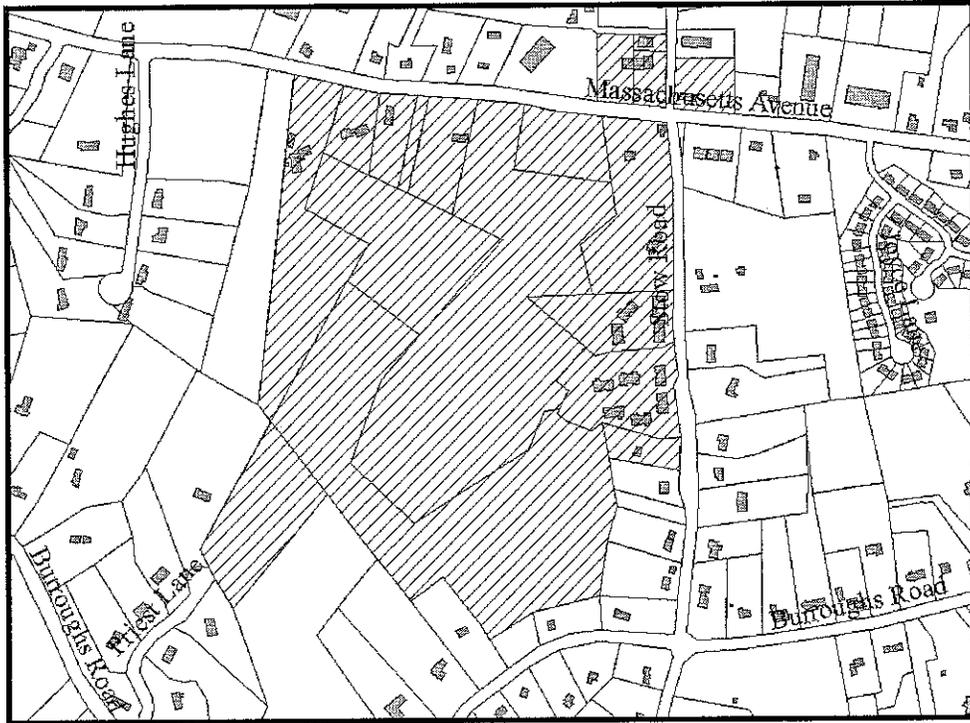
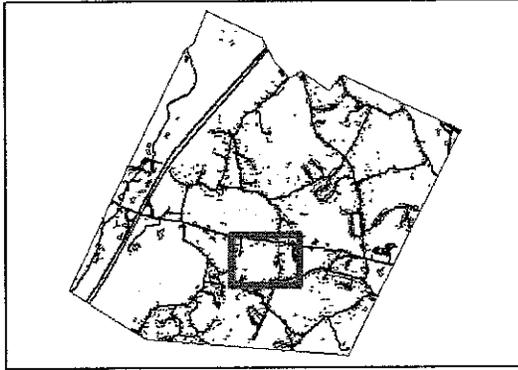
The Town Center Zone District was established to promote mixed uses and to discourage the conversion of a majority of undeveloped Town Center land to residential uses. Currently Section 5004 of the Zoning Bylaw allows by right elderly duplexes in the Town Center Zone District with no requirement that it be part of a mixed use development.

The Planning Board is proposing to amend the Zoning Bylaw to delete Section 5004 and amend Section 4301 so that elderly duplexes are allowed by Special Permit and have to be part of a mixed use development.

The Planning Board recommends.

The Finance Committee recommends unanimously (7 – 0).

Town Center District



ARTICLE 28 ZONING BYLAW AMENDMENT – AMEND SECTION 4107 ACCESSORY APARTMENT

(Two-thirds vote required)

To see if the Town will vote to amend the Boxborough Zoning Bylaw Section 4107 Accessory Apartment by adding the ***bold, italicized*** language and deleting the strikethrough language as follows:

4107 Accessory Apartment

As provided herein, the ***Building Inspector*** ~~Planning Board~~ may grant in the 1st-year up to 20 permits and thereafter a total of 5 permits each calendar year for accessory apartments meeting the requirements set forth herein. An additional dwelling unit may be allowed as an accessory apartment in a single-family dwelling or existing accessory building located on a lot with a single-family dwelling for the purpose of providing small additional dwelling units without adding to the number of buildings in the Town or substantially altering the appearance of buildings, the neighborhood, or the Town; increasing the range of housing accommodations; encouraging a greater diversity of population; and encouraging a more efficient and economic use of existing housing stock by enabling owners of single-family dwellings larger than required for their present needs to share space while maintaining the single-family appearance and character of buildings, the neighborhood, and the Town.

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

The ***Building Inspector*** ~~Planning Board~~ may grant a ***building permit and a Certificate of Use and Occupancy Special Permit*** for an accessory apartment provided that:

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

(b) provided that all of the following additional requirements are met:

1. No more than one accessory apartment may be located on the lot.
2. The accessory apartment shall be a use secondary and incidental to the single family dwelling on the lot, and shall contain no more than 600 square feet of habitable space.
3. The accessory apartment shall contain no more than 3 rooms, excluding hallways, bathrooms and closets.
4. ~~Either~~ The single-family dwelling ~~and~~ the accessory apartment shall be occupied by ***either*** the owner of the lot, ***the owner's family members, or in-home care providers for said owner or their family members.*** For the purposes of this section, the "owner" shall be one or more individuals holding legal or beneficial title to said lot and for whom the dwelling is the primary residence for voting and tax purposes.
5. The private water and on-site sewage disposal systems shall be adequate to serve both the existing single-family dwelling and the accessory apartment.
6. Any entrance required by the inclusion of an accessory apartment shall be clearly secondary to the main entrance of the primary dwelling unit.
7. Any modification to the existing entrances on the front facade of the single-family dwelling shall result in the appearance of a single main entrance.
8. Two (2) off-street parking spaces shall be provided for the accessory apartment.
9. Curb cuts for the lot shall be limited to those already in existence on or before March 8, 2007, or for new construction, shall be limited to one.
10. ~~The accessory apartment shall be occupied only by the owner(s) of the lot, their family members, or in-home care providers for said owner(s) or their family members.~~

101. The number of occupants in the accessory apartment shall be limited to three people.

Or take any action relative thereto.

Explanation

The accessory apartment bylaw was adopted to encourage a range of housing accommodations, a greater diversity of population, a more efficient and economic use of existing housing stock and to potentially help families who require at-home caregivers or perhaps parents with older children who financially cannot live on their own yet share space and the burdens of homeownership.

Currently, an accessory apartment can be permitted by a Special Permit from the Planning Board. Since the accessory apartment bylaw was passed by Town Meeting in 2007, only 3 permits have been issued.

The Planning Board is proposing to change the permitting requirement for an accessory apartment from a Special Permit by the Planning Board to a building permit from the Building Inspector to streamline the process and reduce the cost burden on the property owner.

The Planning Board recommends.

The Finance Committee recommends unanimously (7 – 0).

ARTICLE 29 GENERAL BYLAW AMENDMENT – AMEND FINANCE COMMITTEE BYLAW
(Majority vote required)

To see if the Town will vote to amend Section 1 of the Finance Committee Bylaw by adding the *bold, italicized* language and deleting the strikethrough language as follows:

Section 1. There shall be a Finance Committee, as authorized by the General Laws, Chapter 39, section 16, consisting of *no less than five (5) and no more than nine (9) members, all of whom shall be citizens registered voters of the Town, other than Town officers, appointed or elected. No appointed or elected official of the Town, except for a member serving on the Personnel Board, Capital Budget Committee, Affordable Housing Trust or a building or public works committee, shall be eligible to serve simultaneously on the Finance Committee. Commencing on the effective date of this bylaw, the* The Moderator shall appoint ~~nine (9) members the first year, three (3) for a term of three (3) years, three (3) for a term of two (2) years, and three (3) members for a term of one (1) year, and thereafter three (3) members~~ *to staggered terms* each year for a term of three (3) years, the terms of said members to expire on the last day of June. *A quorum of the Finance Committee shall be a majority of the number of members currently serving.* No committee member shall serve for more than three (3) consecutive terms. Any member of said Committee who shall be appointed or elected to Town office or a committee or board other than the Personnel Board, Capital Budget Committee, Affordable Housing Trust or a building or public works committee shall forthwith upon his qualification in such office, and any member who shall remove from the Town shall upon such removal, cease to be a member of said Committee. Members absent from one-third of the regular meetings in any calendar year may be removed by a two-thirds vote of the other members, present and voting. Said Committee shall choose its own officers. The members of said Committee shall serve without salary.

As amended, Section 1 shall read:

There shall be a Finance Committee, as authorized by the General Laws, Chapter 39, section 16, consisting of no less than five (5) and no more than nine (9) members, all of whom shall be registered voters of the Town . No appointed or elected official of the Town, except for a member serving on the Personnel Board, Capital Budget Committee, Affordable Housing Trust or a building or public works committee, shall be eligible to serve simultaneously on the Finance Committee. Commencing on the effective date of this bylaw, the Moderator shall appoint members to staggered terms. A quorum of the Finance Committee shall be a majority of the number of members currently serving. No committee member shall serve for more than three (3) consecutive terms. Any member of said Committee who shall be appointed or elected to Town office or a committee or board other than the Personnel Board, Capital Budget Committee, Affordable Housing Trust or a building or public works committee shall forthwith upon his qualification in such office, and any member who shall remove from the Town shall upon such removal, cease to be a member of said Committee. Members absent from one-third of the regular meetings in any calendar year may be removed by a two-thirds vote of the other members, present and voting. Said Committee shall choose its own officers. The members of said Committee shall serve without salary.

Or take any action relative thereto.

The Finance Committee recommends unanimously (7 – 0).

Second offense:	Fifteen Dollars (\$15.00) Fifty Dollars (\$50.00)
Third offense:	Twenty-five Dollars (\$25.00) Sixty Dollars (\$60.00)
Subsequent offenses:	Fifty Dollars (\$50.00) One Hundred Dollars (\$100.00) for each offense.

~~Further, if the owner or keeper of a dog be a minor, the parent or guardian of such a minor shall be held liable for any violation of this bylaw.~~

Fines shall be paid to the Town of Boxborough before redemption of the dog, if impounded, or within twenty-one (21) days of issuance of the imposed fine when impoundment has not occurred. An owner or keeper of any dog so impounded for violation of this bylaw shall, in addition to any applicable fees and penalties, pay the ~~commercial kennel or animal hospital~~ **Animal Control Officer – Dogs and Cats** a boarding charge of not less than ~~ten dollars (\$10.00)~~ **forty dollars (\$40.00)** per day while such animal is impounded, nor more than the actual cost for the boarding and care of such animal in any commercial kennel or animal hospital.

E. Violation Abatement or Good Behavior Abatement

After a period of three (3) years from the date of the last violation, any subsequent offenses will be treated as new offenses under Section D.

F. Definitions of Terms Used in Dog Control Bylaw

"Go at large:" any dog shall be deemed at large if said dog is outside the boundaries of the property of its owner or keeper and not under the direct care and control of a person demonstrating the ability to properly care and control the animal.

~~"Nuisance:" any dog shall be deemed a nuisance for, but not limited to, the following reasons:~~

- ~~• biting, attacking or threatening the health or safety of any person while said dog is on property other than that of the owner or keeper~~
- ~~• exhibiting a vicious disposition or excessive barking or other disturbance~~
- ~~• chasing, jumping upon, or running into any person on foot, on bicycle or on other non-motorized conveyance on property other than that of the owner or keeper~~
- ~~• chasing or jumping upon any vehicle on a public way~~
- ~~• attacking, killing or maiming any pet, domestic animal, farm animal, livestock, fowl or protected wild game while said dog is on property other than that of the owner or keeper~~
- ~~• damaging property other than that of the owner or keeper~~
- ~~• defecating on property other than that of the owner or keeper, unless said owner or keeper promptly picks up after the dog~~
- ~~• running free on school property during school hours; except those animals certified by the Massachusetts Commission for the Blind or the Director of the Office of Deafness to assist the visually or hearing impaired, which shall be deemed to be exempt from this provision.~~

Or take any action relative thereto.

Summary

The proposed amendment brings the Animal Control Bylaw into compliance with recent changes to the Commonwealth's animal control laws.

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

The Board of Selectmen held a public hearing on March 18, 2013. The town must bring its local bylaws into compliance with enabling statutes. The language changes and new schedule of fines is in accordance with new language in relevant sections of M.G.L. Ch 140.

The Finance Committee recommends unanimously (7 – 0).

ARTICLE 31 GENERAL BYLAW AMENDMENT -- AMEND DOG LICENSING BYLAW

(Majority vote required)

To see if the Town will vote to amend the Dog Licensing Bylaw by adding the *bold, italicized* language and deleting the strikethrough language as follows:

Section 1. All dogs *six months or older* in the Town of Boxborough shall be licensed by the Town Clerk *annually* beginning January 1st and not later than March 10th of each calendar year. Upon receipt of payment of the licensing fee, the Town Clerk shall issue a license and a tag. The tag, along with current rabies tag, shall be worn by the dog on a collar or harness when the dog is off its ~~owner's~~ *owners* or keeper's property. *The License Period shall be January 1 to December 31 of each calendar year.*

Section 2. Fees for dog licenses are:

Spayed /Neutered	\$10.00
Un-neutered <i>Intact</i>	\$15.00
Kennel up <i>Up</i> to 4 dogs	\$25.00
Kennel 5 - 10 dogs	\$50.00
Kennel 11+ dogs	\$75.00

Section 3. Any person who is the owner or keeper of a dog in the Town of Boxborough and who fails to license said dog by the March 10 deadline in any year, shall be subject to a penalty of ~~five (\$5.00)~~ *fifty dollars (\$50.00)* *per dog* to be payable to the Town Clerk upon demand by the ~~Dog Officer~~ *Animal Control Officer – Dogs and Cats*, in addition to the license fee; ~~and said penalty is to be paid to the Dog Officer as compensation by the Town Clerk.~~ *Any penalties collected pursuant to this section shall be deposited into the Dog License Fees Revolving Fund and may be paid to the Animal Control Officer – Dogs and Cats as compensation.*

Section 4. Any person who by March 20 fails to license a dog which is owned or kept in the Town of Boxborough shall be subject to a penalty of ~~twenty-five (\$25.00)~~ *seventy-five dollars (\$75.00)* to be collected as provided in Section 3 of this bylaw *per dog to be payable to the Town upon demand by the Animal Control Officer – Dogs and Cats*, in addition to the license fee. *Any penalties collected pursuant to this section shall be deposited into the Dog License Fees Revolving Fund and may be paid to the Animal Control Officer – Dogs and Cats as compensation.*

Section 5. Any person who by March 30 fails to license a dog which is owned or kept in the Town of Boxborough shall receive a demand from the ~~Dog Officer~~ *Animal Control Officer – Dogs and Cats* by certified *and regular* mail for immediate payment of the license fee, ~~\$25~~ *one hundred dollars (\$100.00)* fine *per dog* and the cost of the postage. *Any penalties collected pursuant to this section shall be deposited into the Dog License Fees Revolving Fund and may be paid to the Animal Control Officer – Dogs and Cats as compensation.* Those who continue to fail to comply with the provisions of this bylaw will have their names turned over to the Boxborough Police for enforcement and possible court action.

Or take any action relative thereto.

Summary

The proposed amendment brings the Animal Licensing Bylaw into compliance with recent changes to the Commonwealth's animal control laws and clarifies some existing language.

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

The Board of Selectmen held a public hearing on March 18, 2013. The town must bring its local bylaws into compliance with enabling statutes. The language changes and new schedule of fees and penalties is in accordance with relevant sections of M.G.L. Ch 140.

The Finance Committee recommends unanimously (7 – 0).

ARTICLE 32 ESTABLISH VETERANS TAX WORK OFF PROGRAM

(Majority vote required)

To see if the Town will vote to accept G.L. c. 59, Section 5N, authorizing the Board of Selectmen to establish a program to allow Veterans who qualify for participation to volunteer to provide services to the Town in exchange for a reduction in the real property tax obligations of that veteran on the veteran's tax bills, in addition to any exemption or abatement to which that person is otherwise entitled, not to exceed \$1,000.00 and not to exceed the current minimum wage of the Commonwealth per hour; and further to see if the Town will vote to adjust the exemption by

- 1) allowing an approved representative for persons physically unable to provide such services to the Town;
or
- 2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given year, rather than \$1,000.00;

or take any other action relative thereto.

Summary

Last May, the Legislature created a new local option by which cities and towns may establish programs to allow qualified veterans to volunteer to provide services to that city or town in exchange for a reduction in real property tax obligations, in addition to any exemption or abatement to which that person may otherwise be entitled. This is similar to the tax work off program for senior citizens that has been very successful in Boxborough. The maximum exemption allowed under the program would be based upon 125 volunteer service hours calculated at the current minimum wage, which is currently \$8/hour.

The Board of Selectmen...

The Finance Committee recommends unanimously (7 – 0).

ARTICLE 33 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.

The Board of Selectmen [REDACTED]

This simply is a housekeeping article; each year we must reconsider and accept this article in order to allow senior citizens, disabled veterans and others who qualify to take advantage of property tax relief opportunities.

The Finance Committee recommends unanimously (7 – 0).

ARTICLE 34 CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM**

(Majority vote required)

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

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

The Finance Committee recommends unanimously (7 – 0).

ARTICLE 35 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 1/2, 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; preschool tuition; fees associated with the regulation of the local Wetland Bylaw; fares and reimbursement from Massachusetts Regional Transit Authority (MART); annual fire alarm service fees; rental of Community Gardens' plots; fees collected from the Planning Board for applications to modify existing parcel boundaries and/or the creation of new parcels and copying fees; field permitting fees; said fees of the revolving accounts to be expended by the authorized entity without further appropriation; or take any other action relative thereto.

Revolving Fund	Authority to Spend Funds	Revenue Source	Use of Funds	FY 14 Spending Limit	Disposition for FY 14 Fund Balance
Electrical Inspection	Building Inspector	Electrical inspection fees	To pay Electrical Inspector for inspections conducted by him	\$50,000	Carryover to FY 2015 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 2015 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 2015 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 2015 to pay for expenses not yet completed
Dog License Fees	Town Clerk	Dog licensing fees & penalties	To defray expenses related to licensing, damage to livestock and fowl, and penalties paid to the Animal Control Officer -- Dogs & Cats	\$4,000	Carryover to FY 2015 to pay for expenses not yet completed
Steele Farm	Steele Farm Advisory Committee, by majority vote	Sale of trees & other wood, farm products & leasing and rental fees	To defray related expenses of the Steele Farm	\$10,000	Carryover to FY 2015 to pay for expenses not yet completed

Revolving Fund	Authority to Spend Funds	Revenue Source	Use of Funds	FY 14 Spending Limit	Disposition for FY 14 Fund Balance
Preschool Program	Blanchard Memorial School Business Manager under direction of Boxborough School Committee & Blanchard Memorial School Superintendent	Tuition	To defray Program expenses	\$50,000	Carryover to FY 2015
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 2015 to pay for expenses not yet completed
Senior Van	Town Administrator	Fares and reimbursement from Massachusetts Regional Transit Authority (MART)	To defray expenses associated with the operations of the senior van	\$4,000	Carryover to FY 2015 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 2015 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 2015 to pay for expenses not yet completed
GIS Assessor Maps	Town Administrator	Fees collected from the Planning Board for applications to modify existing parcel boundaries and/or the creation of new parcels and copying fees	To defray expenses associated with the updating of the GIS Assessor maps and related expenses	\$5,000	Carryover to FY 2015 to pay for expenses not yet completed
Field Permitting Fees	Town Administrator	Field permitting fees	Management and care of fields and permit administration	\$20,000	Carryover to FY 2015 to pay for expenses not yet completed

The Finance Committee recommends unanimously (7 - 0).

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

Hereof, fail not deliver these warrants with your return of service thereon to the Town Clerk on or before April 26, 2013.

Leslie R. Fox, Chairman
Board of Selectmen

Vincent M. Amoroso, Clerk
Board of Selectmen

Francis J. Powers
Board of Selectmen

Robert T. Stemple
Board of Selectmen

Raid M. Suleiman
Board of Selectmen



Town of Boxborough Open Space and Recreation Plan Update Citizen Survey

The Conservation Commission, Recreation Commission and the Planning Board are in the process of updating the Town's Open Space and Recreation Plan. In addition to being a good idea and keeping the plan current, an update is necessary to qualify for State financial assistance for various grant programs. Your input is valuable, so please take a few minutes to answer the questions below.

Completed surveys can be mailed to the town hall, placed in a labeled basket inside town hall side door, or the survey can be completed on-line from a link on the Town's Website at www.town.boxborough.ma.us.

1) How often do you or your family use town open space land?

Weekly Monthly Few times a year Never

2) Are existing open space lands adequate for your needs?

Yes No

If no what types of open space land would you like the town to acquire?

3) Are you satisfied with the condition and accessibility of town open space and trails?

Yes No If no, why? _____

4) What specific parcel(s) would you like to see the town acquire?

Specific Location _____

5) What trails or open space areas do you use most and for what activities (check all that apply)?

Specific Location _____

Walking/Running Dog Walking Trail Biking Birding Community Gardens

Crosscountry Skiing/Snow Shoeing Horseback Riding

Other: _____

6) What Town actions do you favor to preserve open space? (check all that apply)

Town purchase of land

Zoning for open space conservation

Mandatory dedication of open space by developers

Receipt of conservation and/or agricultural preservation restrictions

Other _____

7) Are you in favor of encouraging agricultural use and farming on suitable town land?

Yes No Not Sure

*To be included
in warrant
mailing.*

8) Which of the following resources do you think should be preserved by the town?

	High	Medium	Low priority
Ground water/aquifers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ponds and wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agricultural lands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scenic areas and view points	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Historic features	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wildlife habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9) Are Town recreation programs and facilities adequate for your needs?

Yes No If no, why? _____

10) What additional recreation facilities or recreational programs does the town need? (check all that apply)

- Outdoor swimming pool/pond Tennis courts Neighborhood Playgrounds
Skating Pond Neighborhood Community Gardens Small fishing/boating area
Basketball courts Biking paths New Expanded Community Center Crosscountry skiing

Other: _____

11) Would you like to see Flerra Summer Camp extended to a full day?

Yes No

12) There are a number of programs for children and preteens. Would you like to see more programs for teens, adults and seniors? (check all that apply)

Teens Adults Seniors

13) The Community Preservation Act (CPA) is a state law that allows cities and towns to impose a real estate tax surcharge of between 1% and 3% (the first \$100,000 of assessed valuation is exempt), the proceeds of which are used for purposes of open space protection (including active recreation), affordable housing, and historical preservation. Would you be in favor of Boxborough adopting the CPA?

Yes No

14) Are you in favor of allowing single family cluster development where current density is maintained (1 unit/60,000 sq ft) but the lots are smaller and clustered together in order to permanently preserve open space?

Yes No Don't Know

15) What age group you are in?

Under 20 20-29 30-39 40-54 55 or older

16) Do you have children? Yes No

If Yes, what ages? 0-5 6-10 11-15 16-18

8b

Selina S. Shaw

From: Elizabeth Markiewicz [elizabeth.markiewicz@town.boxborough.ma.us]

Sent: Wednesday, March 27, 2013 12:57 PM

To: 'Selina Shaw'

Subject: Temporary Constables

Hi Selina,
Could you please ask the Selectmen to appoint the following as temporary constables/election wardens until June 30, 2013?

Alan Rohwer
Kevin Mahoney
Norman Hanover

Thanks!
Liz

Elizabeth Markiewicz, CMMC
Town Clerk
29 Middle Rd.
Boxborough, MA 01719
Ph: 978-263-1116 x117
Fax: 978-264-3127

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

SS.

To either of the Constables of the **TOWN OF BOXBOROUGH**

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said Boxborough who are qualified to vote in the Special State Primaries to vote at

WARD 1 PRECINCT 1

**BOXBOROUGH TOWN HALL
29 Middle Road**

on **TUESDAY, THE THIRTIETH OF APRIL, 2013**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the Special State Primaries for the candidates of political parties for the following office:

SENATOR IN CONGRESS. . . . FOR THE COMMONWEALTH

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of _____, 2013.
(month)

Selectmen of Boxborough

(Indicate method of service of warrant.)

_____, 2013.
Constable (month and day)

(Warrant must be posted at least *seven days prior* to April 30, 2013.)



Internal Communications and Outgoing Communications
March 18, 2013

1. Communication from the CrossTown Connect Shared Transportation Initiative, received March 19, 2013, providing the TransAction Team's Transportation Data Analysis and Observations Summary Report.*
2. Letter from residents, Susan and Henry Frederickson, dated March 25, 2013, to the Les Fox Chairman of the Boxborough Board of Selectmen, commending the Boxborough DPW for the outstanding job they have done during a "most trying winter."
3. Correspondence and supporting data from the Norton Board of Selectmen, received March 25, 2013, to "Members of the Board of Selectmen, Planning Board and Zoning Board of Appeals" seeking our community's assistance by advocating for a change in the way the State calculates a municipality's affordable housing inventory. *

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

Pa (1)

*

CrossTown Connect Shared Transportation Initiative
Transportation Data Analysis and Observations

Received
3/19/13

Introduction

The TransAction Team compiled shuttle data and manifests for the period from mid-August through mid-October. This report summarizes the information for Boxborough, including existing van services, extent of data collected, main routes and destinations used, and general observations.

Boxborough Services and Vans

The Boxborough Council on Aging operates one van, which is owned by Montachusett Area Regional Transit (MART). During the period studied, the Boxborough shuttle operated Monday through Thursday and provided approximately 17 one-way trips per week.

Boxborough Routes and Destinations

The information on routes and destinations was based on analysis of manifest data for 9 weeks (August 1 – September 30, 2012). The GPS data was incomplete for most of August and September, so only manifest data was used.

The spine routes used for both internal and external destinations are Massachusetts Avenue (SR111), Concord Turnpike (SR2 and SR111), and Main Street in Acton (SR27).

The table on the next page shows the distribution of trips to/from destinations within and outside Boxborough. Two group trips that occurred during this period (to Worcester Art Museum and MCI Concord) are excluded.

Because of the rural character of Boxborough, there are relatively few trips to destinations within the town. Shopping trips are almost exclusively to Acton: 53 percent in the Kelley's Corner area and 47 percent in the SR119 corridor; shopping trips account for 40 percent of overall trips.

Medical trips comprise 55 percent of overall trips. Trips to the Emerson Hospital area, including medical offices on Baker Avenue Extension in Concord, not far from Emerson, account for 72 percent of these medical trips. Other medical trip destinations are in the shopping areas in Acton, with a few destinations in Westford, Groton, Lincoln, and Marlboro.

Overall, 98 percent of the destinations served by the senior shuttle were outside Boxborough during the months of August and September, 2012; 48 percent were in Acton, and 40 percent were in Concord; 3 percent were in Westford, and 7 percent were in other towns.

CrossTown Connect Shared Transportation Initiative
Transportation Data Analysis and Observations

Boxborough Shuttle Trips August-September 2012, Excl. Group Trips			
	Destinations/Types	Trips	Percent
		143	
Destinations	Acton	68	48%
	Internal	3	2%
	Emerson	57	40%
	Concord other	0	0%
	Westford	5	3%
	Other External	10	7%
Trip Types	Medical	79	55%
	Shopping	57	40%
	Recreation	0	0%
	Housing	0	0%
	School	0	0%
	Library	1	1%
	Senior Center	0	0%
	Other	6	4%

Overlaps and Potential for Trip Sharing

Trip sharing is an opportunity to make the best use of operating hours as well as a way to recovery from unexpected vehicle outages.

The Emerson Hospital area and other parts of Concord were major destinations for Boxborough and also for the shuttle operated by Acton (11 percent of trips). In addition, about half the shopping trips served by Boxborough were in the Great Road (SR119) corridor in Acton, requiring the shuttle to pass through Acton.

These overlaps suggest a potential for Acton and Boxborough to share trips Boxborough to Concord destinations. For example, a pickup at Emerson Hospital returning to Acton could also serve a Boxborough resident returning home. A similar opportunity for sharing would also apply to trips to Great Road shopping areas when the home location of the Acton and Boxborough residents is not too far from the route through Acton (e.g., West Acton and a Boxboro location not far from the town line near SR111), particularly when contingencies arise that make it difficult for the Boxborough shuttle to make a timely pickup.

Because of the routes used, there is less potential for sharing trips with Maynard (except possibly trips to via an L-shaped itinerary using SR27 and SR62). There is little potential for Boxborough sharing trips with Littleton or Stow.

9a(3)

Bos-IC *
BMB -
email @ A Murphy



TOWN OF NORTON
BOARD OF SELECTMEN
70 EAST MAIN STREET
MUNICIPAL CENTER, NORTON, MASS. 02766

Received
3-25-2013

TELEPHONE (508) 285-0210

To the Members of the Board of Selectmen, Planning Board, and Zoning Board of Appeals

The Town of Norton seeks your community's assistance by advocating for a change in the State's current method of calculating a municipality's affordable housing inventory and asks that your community consider the following:

At its next town meeting in May, the Town of Norton will seek the approval of its legislative body to authorize the Board of Selectmen to submit the enclosed Home Rule Petition and Proposed Amendment to G.L. c.40B prepared by Town Counsel, Kopelman and Paige of Boston, MA. The purpose of this legislation is to ensure that low or moderate income housing authorized by the Town to be built or created under G.L. Chapters 40A, 40B, or 40R shall be included for purposes of G.L. c.40B, §20, on the Subsidized Housing Inventory maintained by the Department of Housing and Community Development (DHCD) as "affordable housing".

By way of background, the inventory and projected units to be built are based on the Census from the Department of Housing and Community Development dated May 10, 2012. As of that date, 32 towns in the Commonwealth would exceed the 10% State-mandated number of housing units if permitted to include the Total Development Units along with the Subsidized Housing Inventory (SHI) Units in the count. (For example: Norton has 6,707 year-round housing units, which means 671 units of affordable housing are needed to be in compliance. Norton has 405 units built but has 715 units approved. If all of Norton's approved units were built today, Norton's affordable housing inventory compliance rate would be 10.7% as opposed to the 6% recognized by the DHCD. Moreover, two Chapter 40B projects now under review by the Zoning Board of Appeals contemplate 373 additional housing units. If approved and built, Norton would have 1,088 units of affordable housing in the SHI.)

As you are probably aware, the developer is expected to obtain permits and start the project within one year of the Town's approval. Unfortunately and as is often the case, if the developer has not pulled a permit, the developer can request an extension of up to two additional years. In most cases, the Town has little choice since DHCD has the authority to override the local option.

Your community is receiving this letter because, based upon the attached Department of Housing and Community Development's Chapter 40B Subsidized Housing Inventory (SHI) dated May 10, 2012, your town would benefit from the inclusion of "approved" units in the Subsidized Housing Inventory calculation.

The Town of Norton respectfully requests that your community include a similar article for consideration at its next Town Meeting that would authorize, if approved by the voters and the



TOWN OF NORTON
BOARD OF SELECTMEN
70 EAST MAIN STREET
MUNICIPAL CENTER, NORTON, MASS. 02766

TELEPHONE (508) 285-0210

Attorney General, the filing of a Home Rule Petition in support of a change to this law with your State Senator and House of Representatives for legislation.

If you have any further questions, you can contact Selectman Bob Kimball by e-mail at selectbob@aol.com or call him on his cell phone, 508-951-0571.

Together we can effect a change that will protect our communities from rapid growth. We urge your community to join the Town of Norton in this endeavor and thank you in advance for your consideration.

2 enclosures

Department of Housing and Community Development
Chapter 40B Subsidized Housing Inventory (SHI)
as of May 10, 2012

Community	2010 Census Year Round Housing Units	Total Development Units	SHI Units	%
Abington	6,364	511	478	7.5%
Acton	8,475	889	507	6.0%
Acushnet	4,097	129	99	2.4%
Adams	4,337	321	321	7.4%
Agawam	12,090	503	471	3.9%
Alford	231	0	0	0.0%
Amesbury	7,041	865	501	7.1%
Amherst	9,621	1,082	1,035	10.8%
Andover	12,324	1,431	1,148	9.3%
Aquinnah	158	41	41	25.9%
Arlington	19,881	1,291	1,086	5.5%
Ashburnham	2,272	147	32	1.4%
Ashby	1,150	0	0	0.0%
Ashfield	793	2	2	0.3%
Ashland	6,581	345	240	3.6%
Athol	5,148	246	246	4.8%
Attleboro	17,978	1,195	1,195	6.6%
Auburn	6,808	212	212	3.1%
Avon	1,763	74	74	4.2%
Ayer * 13.6%	3,440	456	290	8.4%
Barnstable	20,550	1,816	1,357	6.6%
Barre	2,164	78	78	3.6%
Becket	838	0	0	0.0%
Bedford	5,322	1,079	882	16.6%
Belchertown	5,771	394	368	6.4%
Bellingham * 10.8%	6,341	682	557	8.8%
Belmont	10,117	388	388	3.8%
Berkley	2,169	135	20	0.9%
Berlin	1,183	222	101	8.5%
Bernardston	930	24	24	2.6%
Beverly	16,522	1,971	1,849	11.2%
Billerica	14,442	1,472	842	5.8%
Blackstone	3,606	165	123	3.4%
Blandford	516	1	1	0.2%
Bolton	1,729	192	52	3.0%
Boston	269,482	51,554	49,941	18.5%
Bourne	8,584	1,181	561	6.5%
Boxborough * 15.7%	2,062	324	24	1.2%
Boxford	2,730	64	23	0.8%

Boylston	1,765	26	26	1.5%
Braintree <i>11.5% *</i>	14,260	1,640	1,102	7.7%
Brewster	4,803	298	251	5.2%
Bridgewater	8,288	224	220	2.7%
Brimfield	1,491	80	80	5.4%
Brockton	35,514	4,479	4,479	12.6%
Brookfield	1,452	47	41	2.8%
Brookline	26,201	2,536	2,104	8.0%
Buckland	866	3	3	0.3%
Burlington	9,627	1,391	989	10.3%
Cambridge	46,690	7,181	7,091	15.2%
Canton <i>11.2% *</i>	8,710	975	870	10.0%
Carlisle	1,740	52	20	1.1%
Carver	4,514	144	144	3.2%
Charlemont	615	3	3	0.5%
Charlton	4,774	83	83	1.7%
Chatham	3,460	168	168	4.9%
Chelmsford	13,741	1,317	990	7.2%
Chelsea	12,592	2,157	2,152	17.1%
Cheshire	1,481	0	0	0.0%
Chester	585	27	27	4.6%
Chesterfield	524	19	19	3.6%
Chicopee	25,074	2,582	2,545	10.1%
Chilmark	418	3	3	0.7%
Clarksburg	706	8	8	1.1%
Clinton	6,375	551	551	8.6%
Cohasset <i>11.2% *</i>	2,898	325	141	4.9%
Colrain	731	0	0	0.0%
Concord	6,852	762	719	10.5%
Conway	803	0	0	0.0%
Cummington	426	16	16	3.8%
Dalton	2,860	158	158	5.5%
Danvers <i>12.4% *</i>	11,071	1,376	1,013	9.2%
Dartmouth	11,775	971	941	8.0%
Dedham	10,115	1,141	1,096	10.8%
Deerfield	2,154	33	33	1.5%
Dennis	7,653	346	332	4.3%
Dighton <i>16.0% *</i>	2,568	412	110	4.3%
Douglas	3,147	183	140	4.4%
Dover	1,950	69	17	0.9%
Dracut	11,318	993	660	5.8%
Dudley	4,360	105	105	2.4%
Dunstable	1,085	0	0	0.0%
Duxbury	5,532	437	188	3.4%
East Bridgewater	4,897	225	168	3.4%
East Brookfield	888	0	0	0.0%
East Longmeadow	6,072	504	436	7.2%

Eastham	2,632	57	48	1.8%
Easthampton	7,567	513	457	6.0%
Easton	8,105	486	383	4.7%
Edgartown	1,962	88	86	4.4%
Egremont	596	0	0	0.0%
Erving	778	0	0	0.0%
Essex	1,477	40	40	2.7%
Everett	16,691	1,313	1,313	7.9%
Fairhaven	7,003	476	476	6.8%
Fall River	42,650	4,784	4,688	11.0%
Falmouth	14,870	1,224	792	5.3%
Fitchburg	17,058	1,660	1,659	9.7%
Florida	335	0	0	0.0%
Foxborough	6,853	600	590	8.6%
Framingham	27,443	2,875	2,875	10.5%
Franklin	11,350	1,534	1,015	8.9%
Freetown	3,263	98	80	2.5%
Gardner	9,064	1,315	1,315	14.5%
Georgetown	3,031	374	362	11.9%
Gill	591	24	24	4.1%
Gloucester	13,270	980	945	7.1%
Goshen	440	6	6	1.4%
Gosnold	41	0	0	0.0%
Grafton	7,160	551	313	4.4%
Granby	2,451	64	64	2.6%
Granville	630	3	3	0.5%
Great Barrington	3,072	299	221	7.2%
Greenfield	8,325	1,150	1,140	13.7%
Groton	3,930	372	202	5.1%
Groveland	2,423	132	75	3.1%
Hadley	2,200	261	261	11.9%
Halifax	2,971	28	28	0.9%
Hamilton	2,783	124	84	3.0%
Hampden	1,941	60	60	3.1%
Hancock	326	0	0	0.0%
Hanover	4,832	441	441	9.1%
Hanson	3,572	265	143	4.0%
Hardwick	1,185	32	32	2.7%
Harvard <i>14.190 *</i>	1,982	279	108	5.4%
Harwich	6,121	326	326	5.3%
Hatfield	1,549	47	47	3.0%
Haverhill	25,557	2,247	2,025	7.9%
Hawley	137	0	0	0.0%
Heath	334	0	0	0.0%
Hingham <i>24.490 *</i>	8,841	2,153	527	6.0%
Hinsdale	918	0	0	0.0%
Holbrook	4,262	434	434	10.2%

Holden	6,624	498	192	2.9%
Holland	1,051	19	19	1.8%
Holliston	5,077	321	209	4.1%
Holyoke	16,320	3,416	3,373	20.7%
Hopedale	2,278	111	111	4.9%
Hopkinton	5,087	307	181	3.6%
Hubbardston	1,627	52	52	3.2%
Hudson <i>11.3% *</i>	7,962	901	730	9.2%
Hull	4,964	101	101	2.0%
Huntington	919	47	47	5.1%
Ipswich	5,735	521	495	8.6%
Kingston	4,881	347	170	3.5%
Lakeville <i>15.8% *</i>	3,852	610	254	6.6%
Lancaster	2,544	192	107	4.2%
Lanesborough	1,365	25	25	1.8%
Lawrence	27,092	3,851	3,832	14.1%
Lee	2,702	173	176	6.5%
Leicester	4,231	153	153	3.6%
Lenox	2,473	179	179	7.2%
Leominster	17,805	1,456	1,419	8.0%
Leverett	792	2	2	0.3%
Lexington	11,946	1,501	1,329	11.1%
Leyden	300	0	0	0.0%
Lincoln	2,153	308	236	11.0%
Littleton <i>13.0% *</i>	3,443	447	291	8.5%
Longmeadow	5,874	265	265	4.5%
Lowell	41,308	5,265	5,230	12.7%
Ludlow	8,337	179	179	2.1%
Lunenburg	4,037	129	129	3.2%
Lynn	35,701	4,416	4,415	12.4%
Lynnfield	4,319	520	307	7.1%
Malden	25,122	2,566	2,500	10.0%
Manchester	2,275	122	110	4.8%
Mansfield	8,725	990	944	10.8%
Marblehead	8,528	399	332	3.9%
Marion	2,014	107	92	4.6%
Marlborough	16,347	1,732	1,668	10.2%
Marshfield	9,852	746	540	5.5%
Mashpee	6,473	295	277	4.3%
Mattapoisett	2,626	69	69	2.6%
Maynard	4,430	363	363	8.2%
Medfield	4,220	211	193	4.6%
Medford	23,968	1,667	1,641	6.8%
Medway	4,603	284	232	5.0%
Melrose	11,714	966	892	7.6%
Mendon	2,072	106	49	2.4%
Merrimac <i>15.9% *</i>	2,527	403	147	5.8%

Methuen	18,268	1,932	1,643	9.0%
Middleborough	8,921	776	370	4.1%
Middlefield	230	7	7	3.0%
Middleton	3,011	149	145	4.8%
Milford	11,379	983	721	6.3%
Millbury	5,592	244	221	4.0%
Millis	3,148	183	120	3.8%
Millville	1,157	26	26	2.2%
Milton	9,641	558	426	4.4%
Monroe	64	0	0	0.0%
Monson	3,406	148	148	4.3%
Montague <i>10.7% *</i>	3,926	422	390	9.9%
Monterey	465	0	0	0.0%
Montgomery	337	0	0	0.0%
Mount Washington	80	0	0	0.0%
Nahant	1,612	48	48	3.0%
Nantucket	4,896	180	122	2.5%
Natick	14,052	1,674	1,417	10.1%
Needham	11,047	859	837	7.6%
New Ashford	104	0	0	0.0%
New Bedford	42,816	5,095	5,064	11.8%
New Braintree	386	0	0	0.0%
New Marlborough	692	0	0	0.0%
New Salem	433	0	0	0.0%
Newbury	2,699	94	94	3.5%
Newburyport	8,015	703	610	7.6%
Newton	32,346	2,523	2,434	7.5%
Norfolk	3,112	144	111	3.6%
North Adams	6,681	891	879	13.2%
North Andover <i>11.0% *</i>	10,902	1,196	671	6.2%
North Attleborough	11,553	309	297	2.6%
North Brookfield	2,014	142	142	7.1%
North Reading	5,597	604	533	9.5%
Northampton	12,604	1,490	1,425	11.3%
Northborough	5,297	718	605	11.4%
Northbridge	6,144	472	457	7.4%
Northfield	1,290	27	27	2.1%
Norton <i>15.6% *</i>	6,707	715	405	6.0%
Norwell	3,652	294	139	3.8%
Norwood	12,441	717	705	5.7%
Oak Bluffs	2,138	158	146	6.8%
Oakham	702	0	0	0.0%
Orange	3,461	439	375	10.8%
Orleans <i>10.6% *</i>	3,290	327	297	9.0%
Otis	763	0	0	0.0%
Oxford	5,520	404	404	7.3%
Palmer	5,495	316	268	4.9%

Paxton	1,590	12	12	0.8%
Peabody	22,135	2,133	2,018	9.1%
Pelham	564	4	4	0.7%
Pembroke <i>11.9%</i>	6,477	773	619	9.6%
Pepperell	4,335	197	130	3.0%
Peru	354	0	0	0.0%
Petersham	525	0	0	0.0%
Phillipston	658	6	6	0.9%
Pittsfield <i>10.0%</i>	21,031	2,083	1,962	9.3%
Plainfield	283	0	0	0.0%
Plainville	3,459	210	176	5.1%
Plymouth	22,285	845	740	3.3%
Plympton	1,039	47	47	4.5%
Princeton	1,324	20	20	1.5%
Provincetown	2,122	165	124	5.8%
Quincy	42,547	4,089	4,089	9.6%
Randolph	11,980	1,288	1,288	10.8%
Raynham <i>11.9%</i>	5,052	602	487	9.6%
Reading	9,584	880	684	7.1%
Rehoboth	4,252	97	25	0.6%
Revere	21,956	1,818	1,808	8.2%
Richmond	706	0	0	0.0%
Rochester	1,865	8	8	0.4%
Rockland	7,030	457	411	5.8%
Rockport	3,460	135	135	3.9%
Rowe	177	0	0	0.0%
Rowley	2,226	154	92	4.1%
Royalston	523	3	3	0.6%
Russell	687	14	14	2.0%
Rutland	2,913	81	81	2.8%
Salem	18,998	2,347	2,345	12.3%
Salisbury	3,842	532	308	8.0%
Sandisfield	401	0	0	0.0%
Sandwich	8,183	555	314	3.8%
Saugus	10,754	848	759	7.1%
Savoy	318	0	0	0.0%
Scituate	7,163	354	309	4.3%
Seekonk	5,272	87	84	1.6%
Sharon	6,413	461	461	7.2%
Sheffield	1,507	30	30	2.0%
Shelburne	893	51	51	5.7%
Sherborn	1,479	41	34	2.3%
Shirley	2,417	60	60	2.5%
Shrewsbury	13,919	939	858	6.2%
Shutesbury	758	2	2	0.3%
Somerset	7,335	286	267	3.6%
Somerville	33,632	3,228	3,216	9.6%

South Hadley	7,091	395	396	5.6%
Southampton	2,310	44	44	1.9%
Southborough <i>12.8%</i> *	3,433	441	117	3.4%
Southbridge	7,517	494	494	6.6%
Southwick	3,852	180	176	4.6%
Spencer	5,137	268	267	5.2%
Springfield	61,556	10,263	9,986	16.2%
Sterling	2,918	269	68	2.3%
Stockbridge	1,051	111	111	10.6%
Stoneham	9,399	501	495	5.3%
Stoughton <i>14.7%</i> *	10,742	1,515	1,033	9.6%
Stow	2,500	301	147	5.9%
Sturbridge	3,759	258	207	5.5%
Sudbury	5,921	516	351	5.9%
Sunderland	1,718	8	8	0.5%
Sutton	3,324	176	55	1.7%
Swampscott	5,795	218	212	3.7%
Swansea	6,290	255	244	3.9%
Taunton	23,844	1,742	1,629	6.8%
Templeton <i>15.8%</i> *	3,014	475	197	6.5%
Tewksbury <i>12.2%</i> *	10,803	1,294	1,011	9.4%
Tisbury	1,965	123	109	5.5%
Tolland	222	0	0	0.0%
Topsfield	2,157	164	146	6.8%
Townsend	3,356	214	174	5.2%
Truro	1,090	10	10	0.9%
Tyngsborough <i>12.6%</i> *	4,166	526	283	6.8%
Tyringham	149	0	0	0.0%
Upton	2,820	223	178	6.3%
Uxbridge	5,284	360	235	4.4%
Wakefield <i>10.1%</i> *	10,459	1,054	629	6.0%
Wales	772	55	55	7.1%
Walpole	8,984	470	470	5.2%
Waltham	24,805	2,082	1,769	7.1%
Ware	4,539	442	442	9.7%
Wareham	9,880	887	757	7.7%
Warren	2,202	107	107	4.9%
Warwick	363	0	0	0.0%
Washington	235	0	0	0.0%
Watertown	15,521	1,111	948	6.1%
Wayland	4,957	280	160	3.2%
Webster	7,788	663	663	8.5%
Wellesley	9,090	510	478	5.3%
Wellfleet	1,550	34	34	2.2%
Wendell	419	0	0	0.0%
Wenham <i>12.1%</i> *	1,404	169	116	8.3%
West Boylston <i>10.7%</i> *	2,729	293	130	4.8%

West Bridgewater	2,658	125	63	2.4%
West Brookfield	1,578	61	61	3.9%
West Newbury	1,558	86	32	2.1%
West Springfield	12,629	434	434	3.4%
West Stockbridge	645	0	0	0.0%
West Tisbury	1,253	38	23	1.8%
Westborough	7,304	728	678	9.3%
Westfield	16,001	1,063	1,063	6.6%
Westford <i>10.2%</i> ✕	7,671	784	353	4.6%
Westhampton	635	0	0	0.0%
Westminster	2,826	273	86	3.0%
Weston	3,952	252	140	3.5%
Westport	6,417	452	218	3.4%
Westwood <i>11.4%</i> ✕	5,389	615	497	9.2%
Weymouth	23,337	1,915	1,891	8.1%
Whately	654	2	2	0.3%
Whitman	5,513	218	218	4.0%
Wilbraham	5,442	249	248	4.6%
Williamsburg	1,165	51	51	4.4%
Williamstown	2,805	147	147	5.2%
Wilmington <i>12.0%</i> ✕	7,788	938	710	9.1%
Winchendon	4,088	345	345	8.4%
Winchester	7,920	149	147	1.9%
Windsor	387	0	0	0.0%
Winthrop	8,253	636	636	7.7%
Woburn	16,237	1,310	1,142	7.0%
Worcester	74,383	9,502	9,490	12.8%
Worthington	553	22	22	4.0%
Wrentham	3,821	269	165	4.3%
Yarmouth	12,037	501	394	3.3%
Totals	2,692,186	273,160	244,563	9.1%

SPECIAL ACT -- HOME RULE PETITION

To see if the Town will vote to authorize the Board of Selectmen to seek special legislation as set forth below for the purpose of ensuring that low or moderate income housing authorized by the Town to be built or created under G.L. chapters 40A, 40B, or 40R shall be included for purposes of G.L. c.40B, §20 on the Subsidized Housing Inventory maintained by the Department of Housing and Community Development as "affordable housing"; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or take any other action relative thereto:

An Act Relative to Affordable Housing in the Town of Norton

Section 1. Notwithstanding the provisions of sections 20 through 23 of chapter 40B of the General Laws, or of any other general or special law or state regulation to the contrary, the determination of whether the Town of Norton has low or moderate income housing in excess of ten per cent of the total housing units reported in the latest federal decennial census for the Town of Norton for purposes of section 20 of said Chapter 40B, which determination is reflected in a list known as the Subsidized Housing Inventory ("SHI") as maintained by the Massachusetts Department of Housing and Community Development or by a successor department regardless of its name, shall be calculated as follows. As of the date an approval decision is filed with the Norton Town Clerk and through and including the expiration date of the decision as provided by applicable statute or regulation and any extension of such decision granted by action of the Town or the General Court, the SHI shall include all of the following:

1. Any affordable housing unit approved under any local zoning provision under G.L. c.40A, including a so-called Local Initiative Program project, provided that the affordable unit shall be required to have a permanent deed restriction to restrict occupancy or ownership of the unit to an "Income Eligible Household" as presently defined under the Department's regulations at 760 CMR 56.02;
2. Any affordable housing unit in a homeownership project approved under G.L. c.40B or G.L. c.40R; and
3. Any rental housing unit in a rental project approved under G.L. c.40B or G.L. c.40R.

Provided further that if any such approval decision is appealed, the unit or units at issue shall continue to be listed on the SHI unless and until the approval decision is finally overturned by a court of competent jurisdiction.

Section 2. This act shall apply to all housing units meeting the requirements of section 1 wherein the relevant approval decision was filed with the Norton Town Clerk on or before January 1, 2000.

Section 3. This act shall take effect upon passage.

PROPOSED AMENDMENT TO G.L. c.40B.

To see if the Town will vote to support the amendment of G.L. c.40B for the purpose of providing relief to cities and towns from the financial and administrative burdens imposed upon municipalities by the approval of affordable housing under said chapter, which approved housing units do not count as "affordable housing units" for purposes of G.L. c.40B, §20 for inclusion on the Subsidized Housing Inventory maintained by the Department of Housing and Community Development, and, for such purposes, to authorize the Board of Selectmen to submit to its State Representative and State Senator the below legislation for consideration by the General Court, or take any other action relative thereto:

An Act Relative to Municipal Relief with Respect to Temporary Recognition of Affordable Housing Approved by Municipalities

Section 1. It is hereby recognized that, due to fiscal circumstances beyond the control of municipalities and developers of affordable housing, it can be difficult to build affordable housing projects even after such projects have been locally approved.

Section 2. It is hereby further recognized that there are municipalities who have approved low and moderate income housing that would provide low or moderate income housing of ten per cent or greater of the total housing units reported in the latest federal decennial census for purposes of section 20 of chapter 40B of the General Laws; however, not all of the approved and still eligible to be constructed projects have been constructed.

Section 3. It is hereby further recognized that low and moderate income housing projects that have been approved and are still eligible to be constructed should be included in the calculation of whether a municipality has low or moderate income housing of ten per cent or greater of the total housing units reported in the latest federal decennial census for purposes of section 20 of chapter 40B of the General Laws and, so, shall be reflected in the list known as the Subsidized Housing Inventory ("SHI") maintained by the Massachusetts Department of Housing and Community Development.

Section 4. Section 20 of Chapter 40B of the General Laws is hereby amended by deleting in its entirety subsection (1) of the definition of "Consistent with Local Needs" and by inserting in place thereof the following: (1) low or moderate income housing units, which either exist or have been locally approved and notice of the approval has been filed with the city or town clerk and the approval has not yet expired and which are in excess of ten percent of the housing units reported in the latest federal decennial census of the city or town or on sites comprising one and one half per cent or more of the total land area zoned for residential, commercial or industrial use.

Section 5. This act shall be applicable to all low or moderate income housing approved by municipalities under chapter 40B and filed with the respective city or town clerk on or before January 1, 2000. Furthermore, any approval for any housing unit that was in effect (and for which appeals regarding the initial permit were resolved) on or before January 1, 2004 shall expire on January 1, 2014 for any unit for which a building permit has not issued on or before that or for any unit that has a building permit on or before January 1, 2014 but for which an occupancy permit is not issued on or before January 1, 2016.



Minutes, Notices and Updates
April 1, 2013

Minutes

1. Minutes of the Finance Committee meetings held March 18, 2013 and March 23, 2013.

Notices

1. Notice of a Stow Road Concept Development Committee meeting held March 27, 2013.
2. Notice of a Board of Selectmen meeting to be held April 1, 2013.
3. Notice of a Finance Committee meeting to be held April 1, 2013.
4. Notice of a Recreation Commission meeting to be held April 2, 2013.
5. Save the Date Notice of a MBTA Advisory Board meeting to be held April 3, 2013.

