



Boxborough Annual Town Report 2022

DEDICATED TO
THE TOWN'S VOLUNTEERS, ELECTED OFFICIALS
AND EMPLOYEES,
WHOSE DILIGENT EFFORTS
MAKE BOXBOROUGH'S TOWN GOVERNMENT
WORK FOR YOU

Front Cover Photos:

**95-105 Sargent Rd conservation land, Blanchard Band at Fifer's Day,
Annual Town Meeting vote on 95-105 Sargent Rd,**

**95-105 Sargent Rd conservation land, Jamie Eldridge presents John Fallon with a citation for his
years of Town service at his last Annual Town Meeting as Moderator**

Town of Boxborough

Annual Report

for the Year Ending December 31, 2022

Special Town Meeting

Monday, February 28, 2022, 7 PM

Boxboro Regency Hotel

Annual Town Meeting

Monday, May 9, Tuesday, May 10 & Thursday, May 12, 2022, 7 PM

Blanchard Memorial School

Town Election

Tuesday, May 17, 2022

Town Hall

7 AM – 8 PM

State Primary

Tuesday, September 6, 2022

Town Hall

7 AM – 8 PM

State Election

Tuesday, November 9, 2022

Town Hall

7 AM – 8 PM

Fall Town Meeting

Tuesday, November 15, 2022, 7 PM

Blanchard Memorial School

Thank you

to all who contributed to

the Town of Boxborough's

2022 Annual Report,

with special thanks to

Rebecca Harris, Town Clerk

Rajon Hudson, Assistant Town Administrator,

Kelley Price, Administrative Assistant

for compiling, formatting,

and editing the submissions

IN MEMORIAM

CHARLENE GOLDEN

(1935-2022)

SCHOOL COMMITTEE: 1971-1977

SCHOOL BUILDING COMMITTEE: 1971-1977

BYLAWS COMMITTEE: 1972-1973

GROWTH POLICY COMMITTEE: 1976-1977

CONSERVATION COMMISSION: 1972-1975; 2002-2020

STEELE FARM USE COMMITTEE: 1994-1995

LAUREN GRADY

(1955-2022)

BLANCHARD MEMORIAL SCHOOL TEACHER: 1996-2021

AND AN AIDE AND SUBSTITUTE FOR SEVERAL MORE YEARS. A SCHOLARSHIP HAS BEEN ESTABLISHED IN HER HONOR AT ACTON-BOXBOROUGH SCHOOLS.

JOHN BRENTZEL

(1938-2022)

RECREATION COMMISSION: 1977-1980

GEORGINA GAEBEL

(1939-2022)

RECREATION COMMISSION: 1976-1979

PUBLIC CELEBRATIONS COMMITTEE: 1976-1979

DONALD SPINNEY

(1932-2022)

CEMETERY COMMISSION: 1967-1976

DEBORAH ROBINSON

(1951-2022)

PERSONNEL BOARD: 1993-1995

PATROL OFFICER: 1993-1995

DOUGLAS BARRUS

(1934-2022)

STEELE FARM USE COMMITTEE: 1994-1995

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BOXBOROUGH FACTS AND FIGURES

INCORPORATED:	February 25, 1783
POPULATION:	5,301
AREA:	10.39 Square Miles
FORM OF GOVERNMENT:	Open Town Meeting – Select Board
VOTERS:	4,029 (as of November 15, 2022)
TAX RATE:	\$15.52 (FY23) \$17.42 (FY22) \$17.17 (FY21) \$16.72 (FY20) \$16.42 (FY19) \$16.44 (FY18) \$16.81 (FY17) \$16.36 (FY16) \$16.65 (FY15) \$17.69 (FY14) \$17.69 (FY13) \$17.87 (FY12)
SCHOOLS:	Acton-Boxborough Regional School District
HOSPITALS:	Emerson Hospital, Concord Nashoba Community Hospital, Ayer UMass Memorial – Marlborough Hospital, Marlborough
UTILITIES:	Cable Service – Comcast and Verizon Telephone Service – Verizon Electrical Service – Littleton Electric Light Department and Hudson Light and Power Department, the latter serving a portion of southeastern Boxborough Natural Gas Service – National Grid The town does not provide water or sewerage
TRANSPORTATION:	Commuter rail service is available in South Acton and Littleton MART van available through Council on Aging for seniors, age 60 and older, or any resident with disabilities Go Boxborough Transportation Program provides seniors and adults with disabilities a supplemental transportation option to medical appointments that are outside the service area, time or availability of MART van services
PUBLIC SAFETY:	EMERGENCY: 911 Police Department Fire Department Ambulance Emergency Medical Technicians Public Safety Dispatch Center

FEDERAL OFFICIALS

President of the United States

Joseph R. Biden, Jr. (2021-2025)
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500
Tel: 202-456-1414
Fax: 202-456-2461

UNITED STATES SENATORS

Elizabeth Warren
www.warren.senate.gov
2400 JFK Building
15 New Sudbury Street
Boston, MA 02203
Tel: 617-565-3170

Edward J. Markey
www.markey.senate.gov
975 JFK Building
15 New Sudbury Street
Boston, MA 02203
Tel: 617-565-8519

309 Hart Senate Office
Washington, DC 20510
Tel: 202-224-4543

255 Dirksen Senate Office Building
Washington, DC 20510
Tel: 202-224-2742

REPRESENTATIVES IN CONGRESS

Lori Trahan

See website for additional office locations and hours in Fitchburg, Lawrence,
Acton, Hudson, Concord

<http://trahan.house.gov>

Rep.LoriTrahan@mail.house.gov

Lowell Office

126 John Street, Suite 12
Lowell, MA 01852
Tel: 978-459-0101

Washington Office

2439 Rayburn HOB
Washington, DC 20515
Tel: 202-225-3411

OFFICIALS OF THE COMMONWEALTH

Governor	Charlie Baker	Mass.gov/orgs/office-of-the-governor
Lt. Governor	Karyn Polito	Mass.gov/orgs/office-of-the-governor
Secretary	William Francis Galvin	Sec.state.ma.us
Treasurer	Deborah Goldberg	Mass.gov/orgs/office-of-state-treasurer-and-receiver-general-deborah-b-goldberg
Auditor	Suzanne M. Bump	Mass.gov/orgs/office-of-the-state-auditor
Attorney General	Maura Healey	Mass.gov/orgs/office-of-attorney-general
Senator, Middlesex & Worcester District	James B. Eldridge State House, Room 320 Boston, MA 02133	James.Eldridge@masenate.gov Tel: 617-722-1120 Fax: 617-722-1089
Representative in General Court, 37th Middlesex	Danillo Sena 24 Beacon Street, Room 39 Boston, MA 02133	Danillo.Sena@mahouse.gov Tel: 617-722-2014

ELECTED TOWN OFFICIALS

Moderator

John Fallon (2022)
Dennis Reip (2023)

Town Clerk

Rebecca Harris (2025)

Select Board

Wesley Fowlks (2025)
John Markiewicz (2023)
Leslie Fox, Clerk (2023)
Jennifer Campbell, ^{Chair 2022} (2024)*
Diana Lipari, Chair (2024)

Commissioner of Trust Funds

Select Board

Constables

Andrew Weiner (2025)
Owen Neville (2024)

Library Board of Trustees

Mary Brolin, Chair (2024)
Janet Glidden (2022)
Robert McNeece (2025)
Sunitha Paravasthu (2024)
Nancy Settle-Murphy (2023)
Molly Wong (2023)

Board of Health

Marie Cannon, Chair (2023)
James Comolli (2025)
Lori Lotterman (2024)
Bryan Lynch (2022)
Jim Garreffo, *Nashoba Associated Boards of Health*

Planning Board

Mark Barbadoro, Chair (2023)
Cindy Markowitz, Clerk (2023)
Robin Lazarow (2022)
Rebecca Verner (2024)
Kathleen Vorce (2025)
Mark White (2025)
Janet Keating-Connolly, Associate Member (2024)

AB Regional School Committee (Boxborough Members)

Adam Klein, Chair (2024)
Elizabeth Fowlks (2025)
Evelyn Abayaah-Issah (2023)
Tessa McKinley (2023)
Nora Shine, Vice Chair (2022)

APPOINTMENTS MADE BY SELECT BOARD

Town Administrator /

Chief Procurement Officer

Carter Terenzini, *Interim* (2022)
Michael Johns (2025)

Assistant Town Administrator

Rajon Hudson (2023)

Accountant

Megha Patel (2022)*
Kelli Pontbriand (2024)

Assessor

Lynda McQuade (2024)*
Kelly Szocik (2025)**

Building Inspector / Commissioner Code Administration Officer

Edward Cataldo (2023)
Frank Ramsbottom, *Alternate* (2023)
Craig Martin, *Call Inspector* (2022)
Daniel Britko, *Local Inspector* (2023)

* Resigned

** Appointed to fill vacancy

*** Retired

**** Passed

^ on administrative leave

Richard Flannery, *Alt. Gas & Plumbing Inspector*
(2023)
Norm Card, *Inspectional Services* (2023)
Joe Gervais, *Inspectional Services* (2023)
Bill Morehouse, *Inspectional Services* (2023)

Council on Aging Coordinator
Kimberley Dee (2023)

Community Services Coordinator
Rose Gage (2022)*
Wendy Abetz (2023)**

**Director of Public Works, Tree Warden
& Moth Superintendent**
Ed Kukkula

Town Planner
Simon Corson (2022)*
Tracy Murphy (2025)*
Alec Wade (2025)**

Treasurer/Collector
Sara Hunter, Interim (2022)**
Cynthia Petrillo (2023)*
Jared Aponte (2025)**

FIRE DEPARTMENT

**Fire Chief, Fire Warden, Emergency Management
Director, Right to Know Coordinator, Roy Custance
Scholarship Administrator**
Paul Fillebrown, Jr. (2023)

Officers Full-Time (2023)
Shawn Gray, Captain
Jonathan Williams, Lieutenant

Officers Per-Diem (2023)
Jason Malinowski, Captain
Adam Nichols, Lieutenant

Firefighter/EMTs Full-Time (2023)
Derek Dirubbo
Benjamin Kendrick**
Courtney Panaro
Sean Parlon
Brian Smith**(*)
Stephen Wright

Call Firefighters (2023)
Juan Barrios
Lawrence Roche

Firefighters/EMTs Per-Diem (2023)
Robert Barrett*
Cameron Breault
Zachary Broderick

Lindsay Byrne
Michael Byrne
Justin Chaires
Zachary Clements*
Edmond Daigneault
James Devogel
Jake Driscoll**
David Dutton
Christopher Fischer*
Patrick Giorgio**
Christopher Hillman**
David Hillman***
Raymond Hobin
Brendan Hurley
Ronald Hyatt
Derek Jordan
Benjamin Kendrick**
Edward Lindsay
Daniel Motyka**
Joshua Schrader
Tyler Schwabe
Brian Smith**
Ronald Sisco
Robert T. Stemple***
Benjamin Wilmot

* Resigned

** Appointed to fill vacancy

*** Retired

**** Passed

^ on administrative leave

POLICE DEPARTMENT

Police Chief, Keeper of Lock-up, Dispatch Center Co-Director, Deputy Emergency Management Director

Warren Ryder (2025)[^]
Warren O'Brien, *Lieutenant/Interim Chief****
James DiGianvittorio, *Interim Chief* (2022)
John Szewczyk, *Interim Chief***

Administrative Assistant

Ashley Cartier*
Elizabeth Hoenshell**

Police Officers (2023)

Warren O'Brien, *Lieutenant****
Robert Bielecki, *Sergeant*
Nathan Bowolick, *Sergeant*
Philip Gath, *Acting Sergeant*
Brett Pelley, *Sergeant*

Steven Patriarca, *Detective*
Robert Arakelian, *Patrol Officer*
Maxwell Bressi, *Patrol Officer*
Amanda Flower, *Patrol Officer*
Jeffrey Landgren, *Patrol Officer*
Christopher Lowney, *Patrol Officer*
Bradley Lupiani, *Patrol Officer*
Timothy Schaeffer, *Patrol Officer*

Reserve Police Officers (2023)

Robert R. DaCosta
Steven P. Duffy*
Michael Fleury
Philip Kearns*
Patrick E. Mortimer
Warren O'Brien

Public Safety Dispatchers (2023)

Appointed by Fire Chief
Angela Alves, *Supervisor*
Fiona Barry
Ashley Cartier*
Danielle Hobin*
Susan Kennedy
Brenda Santucci
Zach Stillman**
Morgan Taylor*

Lock-Up Attendants (2023)

Amy Waxman

Animal Control Officer (2023)

Phyllis Tower

BOARDS AND COMMITTEES

Acton-Boxborough Cultural Council

Sharon Garde, *Chair*²⁰²² (2022)
Benjamin Davies (2024)
Beth Hydak (2024)*
Brijesh Singh (2025)
Hongbing Tang (2023)

Ad Hoc Cable TV License Renewal Advisory Committee (2023)

Jay Bhatia, *At-Large*
Wesley Fowlks, *Select Board Designee*
Kirby Dolak, *Ex-Officio*

* Resigned

** Appointed to fill vacancy

*** Retired

**** Passed

[^] on administrative leave

Agricultural Commission

Owen Neville, Chair (2025)
John Neyland, Vice Chair (2024)
Kathie Becker (2023)
Bryon Clemence (2023)
Margaret Delano (2023)
Sarah Murphy, Clerk (2024)*

Board of Registrars

Rebecca Harris, Chair (2025)
Nancy C. Brown (2023)
Christine Casebolt (2024)
Heather Fleming (2024)

Boxborough Affordable Housing Trust

Leslie Fox, Chair (2024)
R. Allen (AI) Murphy (2023)
Becky Neville (2023)*
Ron Vogel (2025)

Boxborough Building Committee (2023)

Leslie Fox, Chair
Gary Kushner, Vice Chair
Becca Edson*
Hugh Fortmiller
Larry Grossman, *Sustainability Comm., At-Large*
Diana Lipari
Bill Litant
Bryan Lynch
R. Allen (AI) Murphy
Owen Neville
Maria Neyland, *At-Large**
Than Stuntz

Boxborough Housing Board

R. Allen (AI) Murphy, Chair (2023)
F. Channing Wagg, Vice-Chair (2024)
Diane Friedman (2025)
Dolores Fromer (2024)
Jessi Robinson (2023)
Korinne Stevens (2023)
Ron Vogel (2025)

Ex-Officio Members

Leslie Fox, *Select Board Liaison*
David Koonce, *Conservation Commission Liaison*

Cemetery Commission

William Sutcliffe, Chair (2023)
Jim Moss (2025)
Owen Neville (2024)

Cemetery Superintendent

Linda Collins, Co-Superintendent (2023)*
Ed Kukkula, Co-Superintendent (2023)

Community Preservation Committee

Dennis Reip, Chair²⁰²² (2023), *Conservation Commission**
Ron Vogel, Chair (2023), *Housing Board*
Rita Gibes Grossman, Vice-Chair (2024), *Select Board Designee*
Hugh Fortmiller, Clerk (2022), *Select Board Designee*
Hilary Greven (2022), *Recreation Commission*
Becca Edson (2023), *Recreation Commission*
John Fallon (2025), *At-Large*
Robin Lazarow (2022), *Planning Board*
Elizabeth Markiewicz (2023), *Conservation Commission*
John Neyland (2024), *Agricultural Commission*
Alan Rohwer (2023), *Historical Commission*
Priya Sundaram (2024), *Finance Committee*
Kathleen Vorce (2025), *Planning Board*

Ex-Officio Members

Wesley Fowlks, *Select Board Liaison (2022)*
Simon Corson, *Town Planner (2022)**
Tracy Murphy, *Town Planner (2025)**
Alec Wade, *Town Planner (2025)***

Conservation Commission

Dennis Reip, Chair²⁰²² (2024)*
Samuel Anderson (2023)
David Follett (2023)
Norm Hanover (2025)
Lucy Indge (2025)
David Koonce (2023)
Elizabeth Markiewicz, Chair (2023)
Stephen Schmitt (2024)
Hoff Stuart (2022)

Council on Aging

Bill Litant, Chair (2023)

* Resigned

** Appointed to fill vacancy

*** Retired

**** Passed

^ on administrative leave

Anne Canfield, Vice-Chair (2024)
Karen Whitcomb, Secretary (2024)
Sonali Bhatia (2025)
Barbara Birt (2022)
Carolyn (Taryn) Light (2022)
Barbara Wheeler (2022)

Design Review Board

Rebecca Verner, Chair (2024)
Wesley Fowlks (2024)
Richard Hilton (2023)
Kimberly Musto (2023)
Brian Picca (2025)

Diversity, Equity & Inclusion Committee (2023)

Lovingsky Jasmin, ²⁰²²Chair*
Peishan Bartley
John Fallon
Wesley Fowlks
Song Issah*
Lakshmi Kaja
Nora Michnovez, Chair
Amy Osenar
Mary Sullivan

Election Constables

John Fallon
Elizabeth Markiewicz
John Nadwairski
Owen Neville
Elizabeth Nichols
Alan Rohwer
Andrew Weiner

Election Wardens

Timothy Blankenship
John Fallon
Elizabeth Markiewicz
Elizabeth Nichols
Alan Rohwer
Li Zhou

Economic Development Committee

Rich Guzzardi, Chair (2023)
Marta Andreu (2025)
Kristin Hilberg (2024)

John Neyland (2024)
Mark White (2025), *Planning Board Liaison*
Dawn Willis (2022)

Ex-Officio Members

Simon Corson, *Town Planner**
Tracy Murphy, *Town Planner**
Alec Wade, *Town Planner***
Becky Neville, *Finance Comm. Liaison*

Field Driver

Phyllis Tower (2023)

Historical Commission

Alan Rohwer, Chair (2024)
Chad Childers (2025)
Kevin Mahoney (2023)
Brian Picca (2025)

Inspector of Animals

*Nominated by Board of Health, appointed by
Commonwealth of MA*
Phyllis Tower (2023)

Inspector of Gas & Plumbing

Steve Bottazzi (2024)
Norman Card, Jr., *Alternate* (2023)
Richard Flannery, *Alternate* (2023)

Inspector of Wires

Bill Morehouse (2023)
Joe Gervais, *Alternate* (2023)
Charles Weeks (2021)***

Personnel Board

Sheila Bauer, Chair (2023)
Bill Litant (2023)
Lee Slade, Clerk (2025)
Maria Neyland, *Associate* (2022)

Public Celebrations & Ceremonies Committee

Sunitha Paravasthu (2022)

Recreation Commission

Megan Connor, Chair (2024)
Becca Edson (2025)
Hilary Greven (2024)

* Resigned

** Appointed to fill vacancy

*** Retired

**** Passed

^ on administrative leave

Claudine Lesk (2023)
Stacey O’Connell (2023)
Matt Spurling (2024)
Heather Whitney (2022)*

Steele Farm Advisory Committee

Jeanne Steele Kangas, Chair (2024)
Chris Hydak (2023)
Melissa MacGillvray (2024)
Sarah Murphy, Clerk²⁰²² (2023)*
John Skinner (2025)
Arden Veley, Clerk (2024)

Sustainability Committee

Francie Nolde, Chair (2025)
Johanna Choo (2023)
Chris Delise (2024)*
Richard Garrison (2024)
Suresh Jasrasaria (2023)
Palmer Moore (2025)
Barbara Salzman (2024)
Eric Whitney (2023)
Connor Reardon, LELD (*Ex-officio*)

Town Counsel

K|P Law (2023)

Veterans Services Officer

James MacRae, District Veterans’ Services Officer (2023)

Water Resources Committee

Leslie Fox, Chair (2023), *Select Board*
Mark Barbadoro (2022), *Planning Board*
Bryon Clemence (2024), *At-large*

Bryan Lynch (2024), *Board of Health Agent for WRC*
John Neyland (2025), *Agricultural Commission*
Stephen Schmitt (2023), *Conservation Commission*
Janet Keating-Connolly (2025), *Associate Member, Planning Board*

Simon Corson, *Town Planner, Ex-Officio**
Tracy Murphy, *Town Planner, Ex-Officio**
Alec Wade, *Town Planner, Ex-Officio**

Well-Being Committee

Elizabeth Markiewicz, Chair (2025)
Cassie LaRussa (2024)
R. Allen (Al) Murphy (2025)
Mary Pavlik (2023)
Ann Seymour, *Board of Health Designee* (2024)
F. Channing Wagg (2021)

Ex-Officio Members

Wendy Abetz, *Community Services Coordinator*
Tamara Berard, *Nashoba Associated Boards of Health*
Carter Terenzini, *Interim Town Administrator**
Michael Johns, *Town Administrator***
Warren Ryder, *Police Chief* ^
Paul Fillebrown, Jr., *Fire Chief*
Cindy Worthington-Berry (*Boxborough UCC*)
Diana Lipari, *Select Board*

Zoning Board of Appeals

Mark White, Chair (2024)
Mark Barbadoro (2025)
Stefano Caprara (2025)
Kristin Hilberg (2023)
Michael Toups (2023)
Shawn McCormack, *Alternate* (2023)
Than Stuntz, *Alternate* (2023)

APPOINTMENTS MADE BY MODERATOR

Finance Committee

Maria Neyland, Chair (2023)
Gary Kushner, Clerk (2024)
Becky Neville, Chair²⁰²² (2023)

Antony Newton (2025)
Sachin Mathur, Vice Chair (2022)
Keshava Srivastava (2023)
Priya Sundaram, Vice Chair (2024)

* Resigned
** Appointed to fill vacancy
*** Retired
**** Passed
^ on administrative leave

**APPOINTMENTS MADE BY LIBRARY BOARD
OF TRUSTEES**

Peishan Bartley, Library Director

**APPOINTMENTS MADE BY BOARD OF
HEALTH**

Boxborough Emergency Reserve Corps

Ronald Sisco, Chair
Diane Ford

**TOWN OF BOXBOROUGH EMPLOYEES NOT
OTHERWISE RECOGNIZED**

Department of Public Works

Linda Collins, *Administrative Assistant**
Scott Doughty, *Foreman*
Juan Barrios
Steve Barter
Edmond Daigneault
Francis Flynn, *Facilities Manager*
Greg Martino
Alexander Luther
Lawrence Roche
Alexander Page
Travis Woelfe

Council on Aging Van Drivers

Dolan Geneau
Sandy Verner

Library Staff

Jennifer Bauder, *Senior Library Assistant*
Barbara Breese, *Senior Library Assistant*
Meghan Bouffard, *Information Services Librarian*
Anne-Marie Mulligan, *Technical Services Librarian*
Daniel Yoshio Shartin, *Senior Library Assistant**
Shijesta Victor, *Senior Library Assistant***
Heather Waddell, *Youth Services Librarian*

Town Hall

Karen Guzzardi, *Administrative Assistant, Treasurer/Collector and Town Clerk*
Cheryl Mahoney, *Administrative Assistant, Select Board, Town Administrator, Boards/Committees**
Kelley Price, *Administrative Assistant, Select Board, Town Administrator, Boards/Committees***
Mary Nadwairski, *Administrative Assistant, Conservation Commission, Zoning Board of Appeals and Planning Dept.*
Kim Pelsler, *Administrative Assistant, Building Department, Board of Health, and Veterans Services*
Cindy Regan, *Dept. Assistant/CoA Van Dispatch*
Erin Twomey, *Dept. Assistant, Assessor, Accountant, and Recreation Commission**
Kyungae Lim, *Dept. Assistant, Assessor***
Thida Long, *Administrative Assistant, Treasurer/Collector*
Kelsey Genetti, *Dept. Assistant, Recreation Commission**
Natalie Steele, *Dept. Assistant, Community Services Coordinator and Recreation Commission***
Elizabeth Hoenshell, *Administrative Assistant, Accountant and Police Department***

* Resigned
** Appointed to fill vacancy
*** Retired
**** Passed
^ on administrative leave

SELECT BOARD

I began the process of writing this Select Board submission for the 2022 Annual Report by reviewing prior reports on the Boxborough Town website; they go back digitally to 2002. It was very interesting to see how many Select Board (then “Board of Selectmen”) selections began with “It was a difficult year” or words to that effect. I guess I must add to that sentiment again this year because indeed “It has been a **very** difficult year.” Thankfully though, it has also been a very productive year for moving the Town in a direction for future viability and good governance; however, change is always difficult even if it is not particularly controversial.

The first subject that must be addressed... and it is very controversial... is the issue of the Police Department and the Police Chief, Warren Ryder. The Select Board voted to send the issues concerning the Police Department to the FBI for investigation last October 2021 and then voted again in January 2022 to place Chief Ryder on “paid administrative leave” for an indeterminate period. As of this writing in early January 2023, it appears that the FBI will not currently be seeking an indictment of Chief Ryder but investigations continue. Hopefully there will be a resolution by the time this report is printed and distributed. To cover the administration of the Police Department during this period, Lieutenant Warren O’Brien stepped in as Interim Police Chief until he retired in June, followed by Interim Police Chief James DiGianvittorio and then our current Interim Police Chief John Szewczyk.

This year the Select Board and Interim Town Administrator Carter Terenzini dealt with staffing issues. In 2021, we lost the entire Finance Team. These are difficult positions to fill because of the expertise required and the small pool of professionals with municipal finance experience. In large measure, the support staff for those positions was previously lacking, contributing to the loss of these valuable employees. ITA Terenzini developed a Staffing Plan that filled those support positions by only adding minimal cost to the Town and successfully hired and contracted with new Finance Team professionals: Jarod Aponte (Treasurer/Tax Collector and Finance Director), Kelly Szocik (Assessor) and Kelli Pontbriand (part-time Accountant). The Staffing Plan also included the creation of the “Office of Land Use and Permitting (OLUP) to consolidate and coordinate planning and building services and the new position of “Facilities Manager” under the management of the Director of Public Works.

This year we said goodbye to Simon Corson (Town Planner) who left for another planning position in Colorado, Warren O’Brien (Police Department Lieutenant) who retired but still serves as a Reserve Officer and Cheryl Mahoney (Administrative Assistant to the Town Administrator and the Select Board). Cheryl served the Town so ably for many years in this position. We wish her well in her new job and hope that as a Boxborough resident we will someday get the benefit of her knowledge and experience as a Town volunteer in an elected or appointed position. Thank you all for your years of service on behalf of the Town. We also said goodbye to Linda Collins, who assisted with Fire and Department of Public Works, in addition to stepping in to assist with the Accounting Department when we were only able to hire a remote Accountant. She will be missed, and we wish her well in her new position in the Town of Lincoln.

We also welcomed our other new employees:

Kelley Price (Administrative Assistant to the Town Administrator and the Select Board)

Alexander Wade (Town Planner and OLUP Director)

Ed Cataldo (Building Inspector)

Wendy Abetz (Community Service Coordinator)

Kelsey Genetti (Department Assistant to Recreation Commission)

Natalie Steele (Department Assistant to Community Services / Recreation Commission)

Elizabeth Hoenshell (Administrative Assistant)

Thida Long (Administrative Assistant)
Kyungae Lim (Department Assistant to the Assessor)

The Select Board focused this year on fully defining the job description of the Town Administrator in anticipation of a new permanent TA. We worked on aligning supporting documentation with that job description including our Board's Operating Procedures and refining the roles of support staff as they related to the authority of the Town Administrator. After a thorough search and vetting process, we hired our new Town Administrator Michael Johns who arrived in November, just in time for the Fall Town Meeting. ITA Terenzini remained for several weeks to assist with the transition. We thank Carter Terenzini for the expertise he brought to the Town and credit him for helping us sort through administrative issues that had fallen through the cracks over the years. TA Michael Johns has already taken up the reins with great skill and aplomb. We look forward to working with him for many years to come.

The Board called two Town Meetings in addition to our Annual Town Meeting, May 9-12. They were held on February 28th and November 15th. This year's Town Meeting will include a Warrant Article to see if the voters will support the creation of a yearly Fall Town Meeting (probably in November) in addition to the ATM in May. It appears that Town business has become too complicated to deal with all the issues in one yearly Town Meeting.

The Select Board approved and accepted grants totaling more than \$600,000 including those for the Fire Department, the DPW, the Police Department, the Economic Development Committee, the Sustainability Committee, and a LAND Grant from the MA Executive Office of Energy and Environmental Affairs towards the purchase of 95 & 105 Sargent Road. We also accepted a generous gift of land from Ruth Landry at the corner of Summer Road and Flagg Hill Road for a softball field and more than \$42,000 from the Boxborough Conservation Trust towards the purchase of 21.35 acres at 95 & 105 Sargent Road as Town conservation land. The deed to that land has been recorded and the parcels are now officially designated Town properties, under management of the Conservation and Agricultural Commissions.

The Select Board accepted the receipt of \$1.73M in ARPA funds (American Rescue Plan Act) putting the monies into a Reserve Fund for the designated funding of infrastructure improvements and other social and community-based needs including the Boxborough Emergency Assistance Program of \$105,000. The Board thanks Wendy Abetz, Community Services Coordinator and her group for the development and presentation of this program for our citizens.

This year saw the formation of a new union in Town by the workers in our Department of Public Works. The Select Board along with incredible assistance from ITA Terenzini and Assistant Town Administrator Rajon Hudson, successfully negotiated a new contract with this union as well as with the Police and Dispatch Unions. We expect to see the final contract with the Firefighters Union successfully completed soon as well. The Board also negotiated the renewal of Fire Chief Paul Fillebrown's contract for three years. Thank you to all - administrators and employees - for your hard work and cooperation on these issues.

Finally, the Board wishes to thank Jennifer Campbell who served as a Board member for one and a half years with the last six months as our Chair. The Board accepted her resignation for personal reasons with great regret. She was an excellent member of the Board and a fantastic Chair. We hope that someday the Town will again get the benefit of her knowledge, experience and wisdom.

Respectfully submitted,
Diana Lipari
Boxborough Select Board Chair

PERSONNEL BOARD

The Personnel Board is made up of 5 non-employee Boxborough residents by the Select Board to maintain and administer the Personnel Plan established in 1980.

The Personnel Plan sets forth the policies, benefits and expectations for employees and provides a system of checks and balances to ensure that employees are treated fairly. All changes to the Plan are subject to approval by Town Meeting.

During the 2022 Annual Town Meeting, changes were made to the Plan concerning promotions and reclassifications, temporary out of grade work, and the annual review process.

The Personnel Board worked with other departments to develop updated job descriptions and participated in the Town Administrator screening process.

Currently, there are 3 members of the Board and the Personnel Board is seeking the service of two additional residents to perform the work of the Board. The Personnel Board is grateful to Keith Lyons and Tracey Sierra who served on the board during 2022. The Board welcomed two new members as well - Bill Litant and Lee Slade. The Board expresses gratitude to Rajon Hudson, Assistant Town Administrator, Becky Neville, Finance Committee liaison to the Personnel Board, and Maria Neyland who was both an associate member and liaison during 2022.

Respectfully submitted,
Sheila Bauer, Chair

FINANCE COMMITTEE

Boxborough's Finance Committee (FinCom) is comprised of up to nine members appointed by the Moderator for individual three-year terms. We are responsible for initiating and managing the Town's budget process. This process of formulating the budget for a fiscal year beginning on July 1 typically begins the previous fall and culminates in the presentation of the Finance Committee recommendation for the operating budget at the Annual Town Meeting (ATM) in May. We are also tasked by town bylaw with the responsibility to consider "all matters of business included within the articles of any warrant for Town Meetings" and "shall after due consideration report thereon in print its recommendation as to each article." The Finance Committee communicates with voters the key financial and operating issues within town government so to develop informed debate at town meetings and other forums. As part of this role, the Finance Committee along with the Town Accountant maintains and updates the Town capital plan, which provides a forward-looking view of potential capital expenditures.

The 2022 fiscal year ended on June 30, 2022. Over the course of the year the Finance Committee approved \$134,820.68 in reserve fund transfers. These reserve fund transfers are proposed by department heads and approved or not approved by the Finance Committee. Reserve fund transfers are used to offset unforeseen expenses and emergencies. Additionally, FinCom, along with the Select Board, approved End of Year Transfers, this year totaling \$62,500.

Throughout FY2022, the Finance Committee engaged in numerous activities that directly or indirectly affected the financial stability of the Town during this first year of the Pandemic. Some of these activities during FY2022 are documented below:

- Presentations at the ATM on the current financial status including revenues and abatements and near-term budget projections.
- Presentation to the ATM on the Boxborough Capital plan.
- Discussion of warrant articles including, but not limited to the town budget and various capital purchases.
- Participation on the Boxborough Building Committee (BBC)
- Participation on the AB Regional School Building Committee
- Participation on the CPC subcommittee

The Finance Committee continues to have active liaisons to most boards, committees, and departments in town. FinCom liaisons review both the committee budgets and the warrant articles. The Finance Committee also has as a permanent seat on the Affordable Housing Trust and the Community Preservation Committee. Members have also served on the Boxborough Building Committee (BBC), the ABRS Building Committee, and the Boxborough Leadership Forum (BLF). The Finance Committee bylaw allows Finance Committee members to actively vote on building committees. The Finance Committee continues to provide feedback to the various committees in town.

Respectfully submitted,
Maria Neyland, Chair

TOWN ASSESSOR

The Board of Assessors (BOA) is responsible for establishing the value of property for tax purposes, which in Boxborough is made up of a single Assessor. The Assessor is responsible for the valuation of all taxable property, Real and Personal. The Assessor grants all statutory exceptions and all applications for the town's Senior Work off Program. The Assessor acts on all abatement applications, and is also responsible for defending all appeals made to the Appellate Tax Board (ATB). The Assessor administers all special assessments qualifying as classified, within the farm and forest management programs (also known as Chapter 61/61A/61B). Assessments in Massachusetts are based upon full and fair cash value as of January 1st.

The Assessor's office completed its interim year certification for FY2023. The Town of Boxborough's next certification, as directed by the Massachusetts Department of Revenue, will be in FY2024. Until FY2024, interim year certifications will be completed by the Assessor's office.

Each property in town has a property record card (PRC) on file with all components that make up the valuation of the parcel, such as: land size, building characteristics, condition, quality, etc. The BOA recommends that each taxpayer obtain a copy of their individual PRC to ensure all information is accurate. The PRCs are available for no charge during regular business hours, can be requested by email (kszocik@boxborough-ma.gov) and are also available online www.boxborough-ma.gov. However, these PRC's are from a static database that is only updated once per year. For the most up to date record please obtain a PRC directly from the Assessor's office.

The tax rate for FY2023 is \$15.52 per \$1000 of value.

The Assessor's office will continue cyclical inspections for all Real Estate and Commercial/Industrial Parcels and for Personal Property within Commercial/Industrial parcels through the Spring of 2023. This practice is required by the Massachusetts Department of Revenue and ensures fair and equitable assessments.

Respectfully submitted,
Kelly Szocik, Principal Assessor

Class Values

Fiscal Year	Class 1 Residential	Classes 3, 4 & 5 Commercial, Industry, Personal Property	Total
2023	\$18,761,234 (81.92%)	\$4,139,601(18.08%)	100.00%
2022	\$17,428,584 (79.63%)	\$4,459,060 (20.37%)	100.00%
2021	\$16,333,709 (78.79%)	\$4,396,346 (21.21%)	100.00%
2020	\$15,687,183 (79.40%)	\$4,070,500 (20.60%)	100.00%
2019	\$15,081,713 (78.65%)	\$4,094,773 (21.35%)	100.00%
2018	\$14,160,648 (77.83%)	\$4,032,602 (22.17%)	100.00%

Historic Assessed Values by Class

Fiscal Year	Residential Levy	Commercial Levy	Industrial Levy	Personal Property Levy	Total Levy	Tax Rate
2023	\$18,761,229.16	\$1,149,115.17	\$2,248,291.45	\$742,198.53	\$22,900,834.31	\$15.52
2022	\$17,428,584.32	\$1,324,027.41	\$2,169,459.57	\$965,573.45	\$21,887,645	\$17.42
2021	\$16,333,709	\$1,292,933	\$2,262,540	\$840,873	\$20,730,057	\$17.17
2020	\$15,687,183	\$1,263,004	\$2,173,933	\$633,563	\$19,757,682	\$16.72
2019	\$15,081,713	\$1,245,286	\$2,163,235	\$686,252	\$19,176,486	\$16.42
2018	\$14,160,648	\$1,219,158	\$2,134,554	\$678,890	\$18,193,250	\$16.44
2017	\$13,612,985	\$1,364,900	\$2,094,492	\$644,960	\$17,173,377	\$16.81
2016	\$12,673,677	\$1,363,145	\$2,035,145	\$583,967	\$16,656,155	\$16.36
2015	\$12,308,846	\$1,248,465	\$2,162,694	\$547,034	\$16,267,038	\$16.64
2014	\$12,477,025	\$1,335,489	\$2,293,630	\$535,417	\$16,641,560	\$17.69

Historic Levies and Tax Rate

Fiscal Year	Average Single Family Home Tax Bill	% Change From Previous Year	Average Single Family Assessment	Total Value All Property	Tax Levy	Tax Rate
2023	\$11,868	17.2%	\$764,691	\$929,864,800	\$22,900,834	\$15.52
2022	\$11,420	6.3%	\$655,560	\$793,227,500	\$21,885,085	\$17.42
2021	\$10,607	4.1%	\$617,781	\$1,207,341,692	\$20,730,057	\$17.17
2020	\$10,179	1.85%	\$608,780	\$1,181,679,592	\$19,758,359	\$16.72
2019	\$9,994	5.46%	\$608,661	\$1,167,873,673	\$19,176,486	\$16.42
2018	\$9,476	0.14%	\$576,400	\$1,106,645,400	\$18,193,250	\$16.44
2017	\$9,464	5.38%	\$563,020	\$1,053,976,024	\$17,715,395	\$16.81

LA-4 Comparison

Use Code	Description	FY22 Parcel Count	FY23 Parcel Count	FY22 Assessed Value	FY23 Assessed Value	% Change Value
101	Single Family	1,210	1,216	\$793,227,500	\$929,864,800	17.2%
102	Condominium	818	862	\$131,855,900	\$181,250,400	37.5%
104	Two Family	12	12	\$6,659,600	\$7,668,700	15.2%
105	Three Family	0	0	0	0	0%
109	2 Or More Residences/1 Lot	2	2	\$1,189,600	\$1,355,100	13.9%
111-125	Apartments 4+ Units	6	6	\$44,765,600	\$65,170,900	45.6%
130-132, 106	Vacant Residential Land	134	129	\$7,662,200	\$6,169,200	-19.5%
300-393	Commercial	74	72	\$53,210,600	\$50,124,100	-5.8%
400-452	Industrial	44	45	\$121,499,200	\$142,039,200	16.5%
012-043	Mixed Use	0	18	\$15,132,650	\$17,362,985	14.7%
016-018, 601-899	Chapter Land / Mixed Use Chapter Land	47	47	\$801,913	\$843,251	5.2%
501-508	Personal Property	94	90	\$55,429,490	\$47,822,070	-13.6%
Total Real & Personal Property Value (Taxable)			2,521	\$1,256,466,403	\$1,475,569,221	17.4%
900-990	Exempt Real Estate		175	\$125,208,000	\$137,415,600	9.7%

TOWN ACCOUNTANT

Submitted herewith are the financial statements for the Town of Boxborough for the fiscal year ended June 30, 2022. Included are the following reports:

* Statement of Net Position

Beginning in 2003 with implementation of Governmental Accounting Standards Board Statement 34 (GASB34), the Capital Assets of the town were added to the financial statements and the change in net assets are reported year to year. Beginning in 2015 GASB45 added net pension liability to the financial statements halving the Town's Total Net Position.

* Statement of Activities

Calculates the Changes in Net Assets

* Balance Sheet (all accounts)

Shows the breakdown of our major governmental funds, ties to the Statement of Net Position less the Capital Assets and Depreciation

* Statement of Revenues, Expenditures and changes in Fund Balances (All Funds)

Complete Audited Statements are available upon request. FY2021 records were audited by Roselli, Clark & Associates.

Respectfully submitted,
Kelli Pontbriand/Town Accountant

TOWN OF BOXBOROUGH, MASSACHUSETTS

STATEMENT OF NET POSITION

JUNE 30, 2022

	Governmental Activities
Assets:	
Cash and cash equivalents	\$ 10,922,954
Investments	2,085,844
Receivables, net of allowance for uncollectibles:	
Property taxes	470,968
Excise taxes	131,648
Departmental and other	27,102
Intergovernmental	13,039
Tax foreclosures	306,967
Capital assets, not being depreciated	5,407,078
Capital assets, net of depreciation	13,702,357
Total Assets	33,067,957
 Deferred Outflows of Resources:	
Related to net pension liability	895,904
Related to net other postemployment benefit liabilities	1,929,405
Total Deferred Outflows of Resources	2,825,309
 Liabilities:	
Warrants and accounts payable	604,950
Unearned revenue	848,768
Other liabilities	1,895
Accrued interest expense	38,243
Noncurrent liabilities:	
Due in one year or less	1,160,412
Due in more than one year	21,507,579
Total Liabilities	24,161,847
 Deferred Outflows of Resources:	
Related to net pension liability	2,117,384
Related to net other postemployment benefit liabilities	174,370
Total Deferred Inflows of Resources	2,291,754
 Net Position:	
Net investment in capital assets	14,245,828
Restricted:	
Nonexpendable permanent funds	137,155
Community Preservation	678,643
Affordable Housing	379,728
Other purposes	1,362,418
Unrestricted	(7,364,107)
Total Net Position	\$ 9,439,665

See accompanying notes to basic financial statements.

TOWN OF BOXBOROUGH, MASSACHUSETTS

**GOVERNMENTAL FUNDS
BALANCE SHEET
JUNE 30, 2022**

	General	Town Capital Projects	Community Preservation	ARPA Grant	Affordable Housing Trust	Nonmajor Governmental Funds	Total Governmental Funds
Assets:							
Cash and cash equivalents	\$ 5,343,479	\$ 2,656,013	\$ 674,169	\$ 848,768	\$ -	\$ 1,400,525	\$ 10,922,954
Investments	1,518,826	-	-	-	379,728	187,290	2,085,844
Receivables, net of allowance	-	-	-	-	-	-	-
Property taxes	466,494	-	4,474	-	-	-	470,968
Excise taxes	131,648	-	-	-	-	-	131,648
Intergovernmental	-	-	-	-	-	13,039	13,039
Department and other	-	-	-	-	-	27,102	27,102
Tax foreclosures	306,967	-	-	-	-	-	306,967
Total Assets	7,767,414	2,656,013	678,643	848,768	379,728	1,627,956	13,958,522
Deferred Outflows of Resources	-	-	-	-	-	-	-
Total Assets and Deferred Outflows of Resources	\$ 7,767,414	\$ 2,656,013	\$ 678,643	\$ 848,768	\$ 379,728	\$ 1,627,956	\$ 13,958,522
Liabilities:							
Warrants and accounts payable	\$ 524,676	\$ 2,000	\$ -	\$ -	\$ -	\$ 78,274	\$ 604,950
Unearned Revenue	-	-	-	848,768	-	-	848,768
Other liabilities	1,895	-	-	-	-	-	1,895
Total Liabilities	526,571	2,000	-	848,768	-	78,274	1,455,613
Deferred Inflows of Resources:							
Unavailable revenue - property taxes	466,494	-	4,474	-	-	-	470,968
Unavailable revenue - excise taxes	131,648	-	-	-	-	-	131,648
Unavailable revenue - other	306,967	-	-	-	-	-	306,967
Total Deferred Inflows of Resources	905,109	-	4,474	-	-	-	909,583
Fund Balances:							
Nonspendable	-	-	-	-	-	137,155	137,155
Restricted	-	2,654,013	674,169	-	379,728	1,430,970	5,138,880
Committed	576,560	-	-	-	-	-	576,560
Assigned	776,774	-	-	-	-	-	776,774
Unassigned	4,982,400	-	-	-	-	(18,443)	4,963,957
Total Fund Balances	6,335,734	2,654,013	674,169	-	379,728	1,549,682	11,593,326
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	\$ 7,767,414	\$ 2,656,013	\$ 678,643	\$ 848,768	\$ 379,728	\$ 1,627,956	\$ 13,958,522

See accompanying notes to basic financial statements.

TOWN OF BOXBOROUGH, MASSACHUSETTS

GOVERNMENTAL FUNDS
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
JUNE 30, 2022

	General	Town Capital Projects	Community Preservation	ARPA Grant	Affordable Housing Trust	Nonmajor Governmental Funds	Total Governmental Funds
Revenues:							
Real estate and personal property taxes, net	\$ 21,601,401	\$ -	\$ 183,662	\$ -	\$ -	\$ -	\$ 21,785,063
Intergovernmental	323,581	345,203	85,370	17,016	-	964,286	1,735,456
Motor vehicle and other excises	1,033,106	-	-	-	-	-	1,033,106
License and permits	460,465	-	-	-	-	-	460,465
Departmental and other revenue	459,396	-	309	-	-	1,074,731	1,534,436
Penalties and interest on taxes	38,160	-	-	-	-	-	38,160
Fines and forfeitures	15,016	-	-	-	-	-	15,016
Investment income (loss)	(27,121)	-	1,075	-	(12,273)	(3,399)	(41,718)
Contributions and donations	-	-	-	-	-	21,750	21,750
Total Revenues	23,904,004	345,203	270,416	17,016	(12,273)	2,057,368	26,581,734
Expenditures:							
Current:							
General government	1,665,483	23,321	-	17,016	12,565	427,230	2,145,615
Public safety	3,241,975	45,092	-	-	-	830,238	4,117,305
Education	12,964,071	-	-	-	-	-	12,964,071
Public works	1,188,093	555,703	32,642	-	-	618,256	2,394,694
Health and human services	158,131	-	-	-	-	44,359	202,490
Culture and recreation	504,038	25,151	115,687	-	-	70,503	715,379
Pensions and other fringes	2,148,021	-	-	-	-	-	2,148,021
State and county tax assessments	81,264	-	-	-	-	-	81,264
Debt service:							
Principal	865,000	-	-	-	-	-	865,000
Interest expense	229,532	-	-	-	-	-	229,532
Total Expenditures	23,045,608	649,267	148,329	17,016	12,565	1,990,586	25,863,371
Excess (Deficiency) of Revenues Over (Under) Expenditures	858,396	(304,064)	122,087	-	(24,838)	66,782	718,363
Other Financing Sources (Uses):							
Proceeds from issuance of debt	-	2,415,000	-	-	-	-	2,415,000
Bond premiums	-	247,417	-	-	-	-	247,417
Transfers in	159,146	898	-	-	-	54,506	214,550
Transfers out	(35,000)	(168,652)	(10,000)	-	-	(898)	(214,550)
Total Other Financing Sources (Uses)	124,146	2,494,663	(10,000)	-	-	53,608	2,662,417
Net Change in Fund Balances	982,542	2,190,599	112,087	-	(24,838)	120,390	3,380,780
Fund Balances - Beginning of year	5,353,192	463,414	562,082	-	404,566	1,429,292	8,212,546
Fund Balances - End of year	\$ 6,335,734	\$ 2,654,013	\$ 674,169	\$ -	\$ 379,728	\$ 1,549,682	\$ 11,593,326

See accompanying notes to basic financial statements.

TREASURER/COLLECTOR

TRESURER'S FY22 TAX RECEIVABLES

REAL ESTATE TAX

Fiscal Year	Uncollected 7/1/21	Commitments	Exemptions Abatements Tax Title	Collections	Refunds	Outstanding 6/30/22
2022		\$ 21,164,955.45	\$ 85,275.89	\$ 20,847,236.74	\$ 102,539.75	\$ 334,982.57
2021	\$ 141,029.16		\$ 113,021.37	\$ 96,953.96	\$ 117,119.63	\$ 48,173.46
2020	\$ 29,749.53		\$ 108,338.91	\$ 10,777.56	\$ 108,338.91	\$ 18,971.97
2019	\$ 23,475.47			\$ 7,549.39		\$ 15,926.08
2018	\$ 4,275.67			\$ 506.75		\$ 3,768.92
2017	\$ 7,207.49			\$ (150.07)		\$ 7,357.56
2016	\$ 17,290.62			\$ (46.61)		\$ 17,337.23
Total	\$ 223,027.94	\$ 21,164,955.45	\$ 306,636.17	\$ 20,962,827.72	\$ 327,998.29	\$ 446,517.79

COMMUNITY PERSERVATION ACT

Fiscal Year	Uncollected 7/1/21	Commitments	Exemptions Abatements Tax Title	Collections	Refunds	Outstanding 6/30/22
2022		\$ 211,649.53	\$ 1,747.24	\$ 207,986.06	\$ 718.31	\$ 2,634.54
2021	\$ 1,276.15		\$ 23,541.72	\$ 923.87	\$ 23,614.65	\$ 425.21
2020	\$ 296.30		\$ 1,083.39	\$ 110.85	\$ 1,083.39	\$ 185.45
2019	\$ 401.83			\$ 119.60		\$ 282.23
2018	\$ 162.85					\$ 162.85
2017	\$ 90.25					\$ 90.25
2016	\$ 174.00					\$ 174.00
Total	\$ 2,401.38	\$ 211,649.53	\$ 26,372.35	\$ 209,140.38	\$ 25,416.35	\$ 3,954.53

PERSONAL PROPERTY TAX

Fiscal Year	Uncollected 7/1/21	Commitments	Abatements	Collections	Refunds	Outstanding 6/30/22
2022		\$ 965,581.73		\$ 963,226.00		\$ 2,355.73
2021	\$ 1,417.16			\$ 0.17		\$ 1,416.99
2020	\$ 1,165.09			\$ (6.59)		\$ 1,171.68
2019	\$ 23,994.82			\$ (0.11)		\$ 23,994.93
2018	\$ 1,339.89			\$ 5.07		\$ 1,334.82
2017	\$ 1,598.99			\$ 489.89		\$ 1,109.10
2016	\$ 257.04			\$ (0.16)		\$ 257.20
Total	\$ 29,772.99	\$ 965,581.73	\$ -	\$ 963,714.27	\$ -	\$ 31,640.45

MOTOR VEHICLE TAX

Fiscal Year	Uncollected 7/1/21	Commitments	Abatements	Collections	Refunds	Outstanding 6/30/22
2022		\$ 807,634.05	\$ 19,660.36	\$ 711,856.36	\$ 10,832.39	\$ 86,949.72
2021	\$ 68,735.73	\$ 208,500.04	\$ 25,522.43	\$ 216,210.04	\$ 26,229.85	\$ 61,733.15
2020	\$ 19,606.47		\$ 426.88	\$ 9,621.00	\$ 474.75	\$ 10,033.34
2019	\$ 19,152.99			\$ 4,866.66	\$ 383.10	\$ 14,669.43
2018	\$ 10,710.83			\$ 2,542.93	\$ 64.17	\$ 8,232.07
2017	\$ 8,469.92			\$ 2,779.25		\$ 5,690.67
2016	\$ 7,067.21			\$ 729.86		\$ 6,337.35
Total	\$ 133,743.15	\$ 1,016,134.09	\$ 45,609.67	\$ 948,606.10	\$ 37,984.26	\$ 193,645.73

TREASURER'S FY22 CASH AND DEBT REPORT

RECAPITULATION	
Treasurer's Cash Balance 7/1/2021	\$ 6,313,019.17
Treasurer's Trust Fund Balance 7/1/2021	\$ 3,280,434.23
Subtotal	\$ 9,593,453.40
FY 2022 Receipts	\$ 30,795,651.38
FY 2022 Approved Disbursements	\$ 26,375,585.80
Treasurer's Cash Balance 6/30/2022	\$ 14,013,518.98

Debt - Current & Future Payment Summary

Current Long - Term Debt	Principal	Interest	Total
FY 2022	\$ 865,000.00	\$ 229,492.39	\$ 1,094,492.39
FY 2023	\$ 1,030,000.00	\$ 280,390.86	\$ 1,310,390.86
FY 2024	\$ 975,000.00	\$ 242,131.28	\$ 1,217,131.28
FY 2025	\$ 810,000.00	\$ 204,131.28	\$ 1,014,131.28
FY 2026	\$ 690,000.00	\$ 170,531.28	\$ 860,531.28
FY 2027	\$ 605,000.00	\$ 141,781.28	\$ 746,781.28
FY 2028	\$ 540,000.00	\$ 114,481.28	\$ 654,481.28
FY 2029	\$ 495,000.00	\$ 90,431.28	\$ 585,431.28
FY 2030	\$ 460,000.00	\$ 69,637.50	\$ 529,637.50
FY 2031-2036	\$ 1,420,000.00	\$ 138,243.75	\$ 1,558,243.75
Total	\$ 7,890,000.00	\$ 1,681,252.18	\$ 9,571,252.18

*Not included is the Boxborough share of the Regional School Bond Debt
which is determined annually by proportionate enrollment figures*

Debt - FY22 Payment List Detail

Original Date of Issue & Purpose	Principal	Interest	Total
February 13 2015 : School Roof (I)	10,000.00	2,237.50	12,237.50
February 13 2015 : Replace Windows - School (I)	6,000.00	1,348.76	7,348.76
February 13 2015 : Paving - Town Hall, DPW (I)	20,000.00	2,400.00	22,400.00
February 13 2015 : Equipment - DPW Generator (I)	4,000.00	663.76	4,663.76
February 13 2015 : Equipment - DPW Mower (I)	5,000.00	450.00	5,450.00
February 13 2015 : Equipment - Ambulance (I)	30,000.00	900.00	30,900.00
February 13 2015 : Equipment - DPW Mower 2 (I)	10,000.00	900.00	10,900.00
February 13 2015 : Equipment - Security Upgrades School (I)	5,000.00	300.00	5,300.00
February 13 2015 : Equipment - Fire Dept. Air Paks (I)	15,000.00	3,018.76	18,018.76
February 13 2015 : Equipment - Fire Dept. Brush Truck (I)	15,000.00	1,800.00	16,800.00
February 13 2015 : Equipment - DPW Dump Truck (I)	15,000.00	1,350.00	16,350.00
February 13 2015 : Equipment - Public Safety Radio System (I)	45,000.00	5,400.00	50,400.00
Subtotal	\$180,000.00	\$20,768.78	\$200,768.78

TREASURER'S FY22 CASH AND DEBT REPORT

<i>Original Date of Issue & Purpose</i>	<i>Principal</i>	<i>Interest</i>	<i>Total</i>
November 17 2020 : Paving Roadways (I)	30,000.00	21,083.33	51,083.33
November 17 2020 : Farm Tractor with Field Cutter (I)	10,000.00	4,116.67	14,116.67
November 17 2020 : Asphalt Hot Box (I)	5,000.00	3,513.89	8,513.89
November 17 2020 : Four Columns Vehicle Lift (I)	5,000.00	2,786.11	7,786.11
November 17 2020 : Grange Meeting Room (I)	19,000.00	11,460.56	30,460.56
November 17 2020 : Ambulance (I)	36,000.00	8,633.89	44,633.89
November 17 2020 : DPW Road Paving (I)	30,000.00	21,083.33	51,083.33
November 17 2020 : Transfer Station Roll-Off Truck (I)	25,000.00	14,658.33	39,658.33
Subtotal	\$160,000.00	\$87,336.11	\$247,336.11

<i>Original Date of Issue & Purpose</i>	<i>Principal</i>	<i>Interest</i>	<i>Total</i>
June 12 2018 : DPW Paving (I)	20,000.00	9,150.00	29,150.00
June 12 2018 : Police Station Landscaping and Parking Lot (I)	10,000.00	2,250.00	12,250.00
June 12 2018 : Fire Station Parking Lot (I)	10,000.00	2,500.00	12,500.00
June 12 2018 : Communications Network (I)	10,000.00	3,000.00	13,000.00
June 12 2018 : Radio Equipment (I)	10,000.00	1,000.00	11,000.00
June 12 2018 : Refurbish Loader (I)	5,000.00	250.00	5,250.00
June 12 2018 : Library Carpet (I)	10,000.00	2,500.00	12,500.00
June 12 2018 : Dept Equipment - Trucks (I)	25,000.00	7,500.00	32,500.00
June 12 2018 : Land/DPW Facility (I)	75,000.00	37,450.00	112,450.00
Subtotal	\$175,000.00	\$65,600.00	\$240,600.00

<i>Original Date of Issue & Purpose</i>	<i>Principal</i>	<i>Interest</i>	<i>Total</i>
December 23 2016 : PD Building Repairs (I)	5,000.00	1,912.50	6,912.50
December 23 2016 : Paving (I)	20,000.00	5,700.00	25,700.00
December 23 2016 : Road Paving (I)	20,000.00	6,350.00	26,350.00
December 23 2016 : Departmental Equipment - FD Pumper Truck (I)	35,000.00	14,700.00	49,700.00
December 23 2016 : Departmental Equipment - FD Turnout Gear (I)	10,000.00	1,350.00	11,350.00
December 23 2016 : Departmental Equipment - DPW Asphalt Roller (I)	5,000.00	525.00	5,525.00
December 23 2016 : Departmental Equipment - DPW Chipper (I)	5,000.00	1,125.00	6,125.00
December 23 2016 : PD Equipment - (Security Camera/Video) (I)	5,000.00	525.00	5,525.00
December 23 2016 : PD Equipment - (Finger Printing) (I)	5,000.00	75.00	5,075.00
December 23 2016 : Departmental Equipment - Utility Truck (I)	5,000.00	225.00	5,225.00
December 23 2016 : Departmental Equipment - Animal Control Truck (I)	5,000.00	75.00	5,075.00
December 23 2016 : Departmental Equipment - Front End Bucket Truck (I)	10,000.00	4,475.00	14,475.00
December 23 2016 : DPW Pickup Truck (I)	5,000.00	375.00	5,375.00
December 23 2016 : REF - Wastewater Disposal Facility - School (IE)	30,000.00	4,050.00	34,050.00
December 23 2016 : REF - Land Acquisition - Conservation (IE)	30,000.00	450.00	30,450.00
December 23 2016 : REF - Land Acquisition (IE)	5,000.00	375.00	5,375.00
December 23 2016 : REF - Building Reconstruction - Library (IE)	110,000.00	8,100.00	118,100.00
December 23 2016 : REF - Water - School (OE)	40,000.00	5,400.00	45,400.00
Subtotal	\$350,000.00	\$55,787.50	\$405,787.50

Grand Total	\$865,000.00	\$229,492.39	\$1,094,492.39
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TREASURER'S FY22 RECEIPTS

GENERAL FUND	
Other Taxes - Motel Hotel Room Occupancy	\$ 94,218.62
Other Taxes - Local Meals Option	\$ 24,373.64
Cell Tower Rental Fee	\$ 54,002.84
Ch71 School Transportation	\$ 5,095.00
Other State Revenue	\$ 192.45
Miscellaneous Revenue	\$ 92,909.55
Transfer From General Funds	\$ 315,512.08
Transfer From Special Rev	\$ 33,902.32
Transfer From Capital Funds	\$ 159,145.62
Liquor Licenses	\$ 11,550.00
Business Licenses	\$ 950.00
Assessor - Sale of Copies	\$ 519.00
Earnings on Investments	\$ 1,259.58
Treasurer Misc Rev	\$ 39.04
Personal Property - 2017	\$ 494.21
Personal Property - 2018	\$ -
Personal Property - 2019	\$ -
Personal Property - 2020	\$ -
Personal Property - 2021	\$ -
Personal Property - 2022	\$ 963,226.36
Real Estate - 2017	\$ -
Real Estate - 2018	\$ 508.13
Real Estate - 2019	\$ 7,540.78
Real Estate - 2020	\$ (97,561.35)
Real Estate - 2021	\$ (17,629.82)
Real Estate - 2022	\$ 20,700,895.16
Real Estate Supplemental 2022	\$ 43,927.62
Motor Vehicle Excise - Prior Years	\$ 32.29
Motor Vehicle Excise - 2015	\$ 238.33
Motor Vehicle Excise - 2016	\$ 739.38
Motor Vehicle Excise - 2017	\$ 2,811.67
Motor Vehicle Excise 2018	\$ 2,478.87
Motor Vehicle Excise 2019	\$ 4,529.52
Motor Vehicle Excise 2020	\$ 9,146.72
Motor Vehicle Excise 2021	\$ 197,382.98
Motor Vehicle Excise 2022	\$ 697,177.18
Interest - Property Taxes	\$ 27,043.49
Interest - Excise Taxes	\$ 11,117.10
Municipal Lien Certificates	\$ 5,700.00
Demand Fees	\$ 4,744.15
Collector Misc Rev	\$ 1,100.95
MVE Clear Fees	\$ 1,834.72
Town Clerk Fees	\$ 790.00
Town Clerk - Sale of Copies	\$ 2,570.00
Dog License	\$ 6,385.25
Dog License Late Fee	\$ 475.00
Town Clerk Misc Rev	\$ 2,420.70
Planning Board Fees	\$ 1,287.36
Planning Board - Sale of Copies	\$ 550.00
Board of Appeals Fees	\$ 1,703.85
Police Outside Detail Admin Fee	\$ 11,387.00
Police - Misc Fees	\$ 4,929.51
Police - Permits	\$ 1,312.50
Police Court Fines	\$ 14,500.90
Police Misc Fines	\$ 40.00
Ambulance Receipts	\$ 79,901.20

REVOLVING 53E1/2	
Cons Com - Town ByLaw Fee	\$ 2,050.00
GIS Assessor Maps CAI/tech	\$ 160.00
Community Gardens	\$ 60.00
Fire Alarm System Maintenance	\$ 6,750.00
Gas/Plumbing Inspection	\$ 36,396.00
Electrical Inspection	\$ 57,847.97
ACO Overtime Littleton	\$ 7,697.11
ACO Overtime Stow	\$ 3,037.68
ACO Services Littleton	\$ 25,074.00
ACO Services Stow	\$ 24,988.83
Kenneling Rev Boxborough	\$ 360.00
Kenneling Rev Littleton	\$ 530.00
Kenneling Rev Stow	\$ 670.00
COA Class Revenue	\$ 16,760.00
Senior Van Revenue	\$ 27,134.81
Library Copier Revenue	\$ 415.00
Library Fines	\$ 203.00
Recreation TKD	\$ 19,750.00
Recreation Special Programs Other	\$ 414.00
Field Permits	\$ 120.00

REVOLVING OTHER	
Cons Com - State WPA Fee	\$ 992.50

STATE POLICE GRANTS	
911 Support	\$ 32,292.52

STATE FIRE GRANTS	
Fire State Grant AED	\$ 1,582.00
CSTF state grant rev	\$ 5,255.92
Dept Fire Services Grant	\$ 10,000.00
Fire Safe	\$ 3,675.00
Senior SAFE	\$ 2,555.00

STATE GRANTS - CULTURE	
ABCC Grant	\$ 14,302.58
ABCC Grant Interest	\$ 24.51

STATE GRANTS - LIBRARY	
Technology Capital Fund	\$ 12,938.68

STATE GRANTS - COA	
Elder Affairs	\$ 8,544.00

STATE GRANTS - OTHER	
TNC Surcharge	\$ 355.80
R111 Revenue account	\$ 553,635.14
SMRP Grant Revenue	\$ 750.00
Bucket Truck Training Grant	\$ 2,850.00

FEDERAL GRANTS FIRE	
CESF Grant FY20	\$ 25,543.00

FEDERAL GRANTS TOWN	
ARPA Revenues FY22	\$ 865,783.64
CARES Rev	\$ 227,169.60

TREASURER'S FY22 RECEIPTS

Fire - Permits	\$ 7,400.00
Building Dept. - Admin.Use Fees	\$ 25,136.99
Building - Sales of Copies	\$ 63.10
Building Dept Other Permits	\$ 5,083.00
Building - Permits	\$ 417,822.62
DPW - Permits	\$ 70.00
DPW Misc Rev	\$ 9,983.32
Transfer Station Fees - Current Year	\$ 97,347.50
Transfer In from Spec Rev	\$ 750.00
Cemetery Fees	\$ 7,415.22
Board of Health - Permits	\$ 1,200.00
Veterans Benefits Reimbursement	\$ 10,341.24
Rec Com Summer Program	\$ 63,750.00
State Owned Land	\$ 3,829.00
Exemptions to VetsBlindSurv	\$ 1,004.00
Chapter 70	\$ 25,888.00
Unrestricted General Government Aid	\$ 277,232.00

INSURANCE	
Transfer In from GF	\$ 35,000.00
Town Insurance Revenue	\$ 7,721.75
Police Insurance 111F	\$ 67,428.54
Fire Insurance 111F	\$ 22,428.56

RECEIPTS RESERVED FOR APPROPRIATION	
Ambulance RRA Revenue	\$ 80,363.27
Sale of Cemetery Lots	\$ 5,100.00

PLANNING /ZBA CONSULTING	
Planning Dept Other Misc	\$ 64,909.45
984 Mass Ave	\$ 5,000.00
700 Mass Ave	\$ 10,000.00
Taylor Farm Road	\$ 5,000.00

COMMUNITY PRESERVATION	
CPA Interest	\$ 309.23
CPA Revenue 2019	\$ 95.61
CPA Revenue 2020	\$ (972.54)
CPA Revenue 2021	\$ (22,728.83)
CPA Revenue 2022	\$ 207,267.75
CPA State Share	\$ 85,370.00
CPA Earnings on Investments	\$ 1,074.63

RECEIPTS RESERVED FOR CAPITAL	
Transfer from Capital Funds	\$ 9,505.92

GIFTS	
Sidewalk Fund Interest	\$ 61.55
Fire Dept Gift Rev	\$ 200.00
DPW Gifts Revenues	\$ 3,078.78
COA Gift	\$ 1,000.00
Collection Development Income	\$ 15,200.00
Collection Development Interest	\$ 12.32
Whitcomb House Interest	\$ 95.20
Steele Farm Fundraising Campaign	\$ 250.00

OTHER SPECIAL REVENUE

FEDERAL GRANTS OTHER	
Hager Bridge Grant Rev	\$ 73,315.00

DOT - HIGHWAY REIMBURSEMENT	
Chapter 90	\$ 360,103.52

CAPITAL VEHICLES	
Fire Pumper Truck - Bond Proceeds	\$ 800,000.00
Fire Pumper Truck - Bond Premium	\$ 81,176.60
DPW Dump Truck - Bond Proceeds	\$ 60,000.00
DPW Dump Truck - Bond Premium	\$ 3,595.71

CAPITAL LAND	
Transfer In from Spec Rev	\$ 897.70
Road Improvements - Bond Proceeds	\$ 300,000.00
Road Improvements - Bond Premium	\$ 19,672.43
Liberty Field - Bond Proceeds	\$ 1,255,000.00
Liberty Field - Bond Premium	\$ 120,615.95

OPEB	
OPEB Trust Fund Interest	\$ (167,394.29)
Transfer From GF	\$ 100,000.00

TRUST FUNDS NONEXPENDABLE	
Cemetery Perpetual Care Trust - NonExpendable	\$ 5,100.00

TRUST FUNDS EXPENDABLE	
Peter F Whitcomb Trust Interest	\$ (175.44)
Hammonds Scholarship Trust Interest	\$ 4,124.19
Roy F Custance EMT Trust Interest	\$ 236.66
Cemetery Perpetual Care Interest	\$ (1,986.88)
Grace Priest Cemetery Trust Interest	\$ (200.14)
War Memorial Trust Interest	\$ 31.92
Reita I Bean Trust Interest	\$ (206.06)
Siemens Trust Interest	\$ (203.44)
Valerios Trust Interest	\$ (21.84)
Henry H Brooks Trust Interest	\$ (61.02)
A W Wetherbee Trust Interest	\$ (2.20)
Betsey Krusen Library Trust Interest	\$ (203.37)
Grace Priest Library Trust Interest	\$ (15.60)

AFFORDABLE HOUSING TRUST	
BAHT Interest	\$ (12,272.47)

CONSERVATION TRUST	
Conservation Trust Interest	\$ (757.06)
Transfer From CPA	\$ 10,000.00

STABILIZATION	
Stabilization Interest	\$ (28,381.59)

PAYROLL WITHHOLDING	
Group Health Ins. WH	\$ 186,841.20
Life Insurance WH	\$ 1,148.98

DETAILS

TREASURER'S FY22 RECEIPTS

Fire Public Education	\$ 1,745.00
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Police Outside Detail	\$ 378,300.40
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Fire Outside Details	\$ 100,232.50
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CABLE	
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ATT Comcast License	\$ 34,597.12
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Verizon License	\$ 315.50
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ATT Comcast Capital Cable Only	\$ 15,497.25
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ATT Comcast Operations Salaries	\$ 11,010.91
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Verizon PEG Access Cable Related	\$ 31,525.26
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OTHER AGENCY	
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Deputy Collector Fees	\$ 3,379.56
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Pistol Permit State Portion	\$ 3,912.50
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OFFICE OF THE TOWN CLERK

BOARD OF REGISTRARS REPORT

The Board of Registrars conducted the Annual Census of 2022, which showed the population of Boxborough to be 5,301. There were voter registration sessions held in advance of Annual Town Meeting, Town Election, and Special Town Meeting; with the new Votes Act of 2022, the voter registration deadline is 10 days before each election/town meeting event. As of the Town Election in May, there were 3,927 registered voters in Boxborough. The State Primary was held on September 6, 2022, with 25.9% of registered voters casting ballots (1,035 ballots cast out of 3,998 registered). The State Election was held on November 8, 2022, with 61.3% of registered voters casting ballots (2,470 ballots cast out of 4,031 registered). As of the Fall Town Meeting on November 15, 2022, there were 4,029 registered voters in Boxborough. The Votes Act also mandated early voting and vote by mail, and 44 people (4.3%) voted early and 459 (44.3%) voted by mail for the Primary; 204 people (8.3%) voted early and 996 (40.3%) voted by mail in the State Election.

The Board of Registrars (BOR) certified 444 signatures on petitions for seven different initiatives filed for the 2022 State Election and a total of 998 signatures on nomination papers for 40 different candidates in the Town, Primary, and State Elections. We thank Nancy Brown, Heather Fleming, and Christine Casebolt for continuing to serve along with Chair, Rebecca Harris.

VITAL STATISTICS

There were 49 births recorded in the year 2022.

There were 13 marriage intentions filed and 13 marriage certificates issued in 2022.

There were 26 deaths recorded in 2022, and 10 burial permits were issued.

DOG AND KENNEL LICENSES

There were 620 dog licenses and 5 kennel licenses issued in 2022.

EXECUTIVE SUMMARY

After Rebecca Harris was appointed as Temporary Town Clerk to fill out retiring Clerk, Elizabeth Markiewicz's term in 2021, Dr. Harris was elected to a three-year term in the May 2022 Town Election.

The many varied duties of the Town Clerk's office have kept us busy over the past year, especially with two state elections to run this past fall, including the new mandated mail in and early voting procedures. The Town Clerk's office keeps track of new appointments, resignations, campaign finance reporting, state ethics training and open meeting law material distribution to board members. We hired and trained election workers for all three elections and three Town Meetings, using electronic PollPads for check-in at all of those events.

The Town Clerk oversees Town Meeting voter check-in and minutes for all Town Meetings, three of which were held this year. This office also manages posting of the majority of board and committee meeting agendas and minutes, in accordance with the state Open Meeting Law; with the continuance of the remote meeting guidance, the Town Clerk also managed Zoom credentials and meetings for many boards/committees.

One of the most important aspects of the Town Clerk's office in recent years is to serve as the Chief Records Access Officer. In 2022 there were 96 logged records requests that came through the Town Clerk's office, with hundreds of others submitted to RAOs in the Police and Fire Departments, as well as DPW, Planning, and Building Departments. Our Public Records Request Guidelines adopted by the Select Board in December 2021 (available on the website) was put into practice in 2022.

All appointed board and commission members received Open Meeting Law guidelines, as required by the state every three years and for all new appointments. A total of 18 Open Meeting Law violations were submitted to the Attorney General's Office for review; actions were taken to provide the requestor with what the committees were able to provide. All members and town employees also received Conflict of Interest guidelines (every two years, and for all new volunteers and employees) and were encouraged to submit ethics certificates to demonstrate that they participated in ethics training as required by the state. All those holding elected offices were also reminded to submit campaign finance reports, pre and post-elections and at the end of the calendar year.

The Assistant Town Clerk, Karen Guzzardi, took over many of the duties of the Treasurer/Collector for several months during a period of transition in that office. She stepped into this critical role to ensure that many functions of the Town continued to operate smoothly, including payroll and major bank deposits. We are forever grateful for her taking on this role, while also managing the many duties she oversees in the Town Clerk's office, including dog licenses, transfer station stickers, and many other duties.

The Town Clerk served as the Project Manager for the \$400,000 Local Acquisitions for Natural Diversity (LAND) Grant that was awarded to the Town by the MA Executive Office of Energy and Environmental Affairs. This grant was awarded in support of the acquisition of 21.35 acres of forest at 95 & 105 Sargent Rd for conservation land and sustainable forestry under the purview of the Conservation and Agricultural Commissions.

Respectfully submitted,
Rebecca Harris, Town Clerk

CONSTABLES

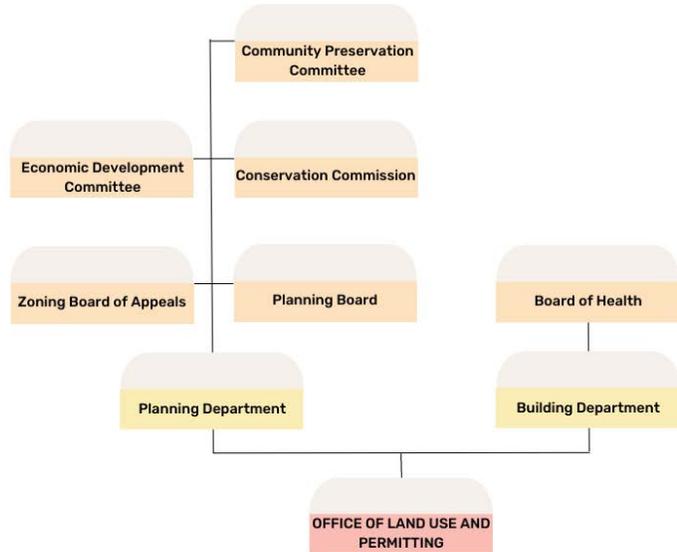
The Constables worked the Town Election, the State Primary, and the State Election. They posted Warrants for the above as well as for Annual Town Meeting and two Special Town Meetings.

Respectfully submitted,
Owen Neville, Constable

OFFICE OF LAND USE AND PERMITTING

In 2022, the Town of Boxborough formed the Office of Land Use and Permitting. This Office is the collective services of the Building Department, Planning Department, and various boards and committees. Our charge is to consider the responsible use of land in Boxborough, while ensuring the safety and compliance of construction and development.

Shown to the right is a diagram of the Office of Land Use and Permitting (the Office). The two departments within the office intake and evaluate several forms of permits, submitted by citizens and businesses. These permits are approved, denied, or conditionally granted by some of the boards and committees.



The boards and committees under the Office are offered technical and staff support of differing nature based on level of need. While some only require assistance preparing agendas and minutes, others may require more comprehensive guidance and support.

Furthermore, the Office assists in the implementation of Boxborough 2030 Master Plan. The plan provides vision into the desired growth of the community, to be implemented by many of the boards and committees within the Office.

In November of 2022, Alexander “Alec” Wade was hired as Director of the Office of Land Use and Permitting. His role will be to offer guidance and support to the Office’s staff, elected officials, and appointed board members. Boards not pictured above who feel they fall under the umbrella of the Office, and would like additional support or guidance, should consider contacting the Director to consider how this office could assist them moving forward. Boards or Committees who would like additional support should pass vote at a meeting and submit a letter to the Director by email to awade@boxborough-ma.gov.

Respectfully submitted,
Alec Wade, Director of the Office of Land Use and Permitting
Town Planner

BUILDING DEPARTMENT, INSPECTIONAL SERVICES

Department Description

The Building department consists of the Building Commissioner, Electrical Inspector, a Plumbing and Gas Inspector, and an Administrative Assistant. All of the Inspectors work on a part-time basis. The Administrative Assistant is full-time at 35 hours per week.

The general tasks of the Building Department include receiving and reviewing building permit applications, both paper and electronic, reviewing building plans, Forms of Intent, issuing permits, and conducting

inspections. The Building Department works closely with all other departments, general contractors, and residents alike.

In July 2021, the Building Department welcomed Edward Cataldo as the Building Inspector on a part-time basis. Ed continues to provide not only inspectional services but also meets with contractors and residents to review plans, answer questions, and generally help ensure their project proceeds smoothly through the permitting process.

2022 Accomplishments

We continue to improve the permitting process with Patriot PermitPro. We have made changes by adding some reports that allow us to better track the permits and fees.

The Town Center Project, also known as the Enclave, has been issued twenty-five Certificates of Occupancy.

2022 saw a large number of new residential homes, additions, and renovations being built accounting for the majority of permits issued. There are a couple of large commercial projects that either continued construction or were ready to break ground in 2022.

Permits

Please find below the summary of building permits issued along with breakdown of individual disciplines as follows:

2022/2021 BUILDING PERMITS ISSUED		
	2022	2021
New Construction		
Residential/Single Family	27	19
Commercial	1	2
Telecommunications	1	0
Pools	1	8
Accessory Buildings	3	0
Solar	0	2
Additions/Alterations		
Residential	116	154
Commercial	27	17
Mechanical/Sheet Metal	34	19
Demolition	4	13
Sign	2	7
Solid Fuel	7	7
Telecommunications	4	1
Tents	5	6
Total Building Permits	232	255
Construction Cost	\$18,277,641.43	\$43,100,836.07
Permit Fees	\$833,374.00	\$584,492.36

The entire Building Department for calendar year 2022 issued a total of 746 permits, with a breakdown as follows:

Total Permits

Building Permits	232
Electrical Permits	251
Plumbing Permits	133
Gas Permits	130
Total Permits Issued	746

Including Building Permit fees, Certificates of Occupancy, and fines, the Building Department brought in for calendar year 2022: **\$833,374.00**

ELECTRICAL INSPECTOR

I hereby submit my report for the year ending December 31, 2022:

Total Electrical Permits	251
Total Fees Collected	\$66,238.00

PLUMBING & GAS INSPECTOR

I hereby submit my report for the year ending December 31, 2022:

Total Plumbing Permits	133
Total Fees Collected	\$18,135.00
Total Gas Permits	130
Total Fees Collected	\$14,995.00

Respectfully submitted,
Kim Pelsner, Building Department

BOARD OF HEALTH

Nashoba Associated Boards of Health continues to serve the Boxborough Board of Health in meeting the challenges of environmental and public health needs in your community. As the pandemic specific requirements and guidance were eased, and the State of Emergency ended in June, we have provided assistance to your Board's return to pre-pandemic public health activities.

- The agency staff informed, educated and stayed current with the COVID-19 information from the Department of Public Health to help residents in your community navigate the changes.
- Our public health nursing staff were still providing contact tracing and outreach in your communities (including regional COVID-19 vaccination clinics), while reaching out to Councils on Aging to establish well adult clinics and conduct regular fall flu clinics.
- Our VNA continued their home health activities in your community.
- As a recipient of a Public Health Excellence Grant, we have brought on staff to increase our presence in food service establishments and provide improved communication, and public health education to the Nashoba District.

We look forward to continuing our work with **Boxborough's Board of Health** to meet the public health, environmental and nursing needs of your community.

Environmental Health Department

The Nashoba Sanitarian serving your community is always available at our Ayer office and he has regular hours in the Town Hall to serve your residents and work with you Town Hall staff.

Food Service Licensing and Inspections

11

This office licenses, inspects, responds to complaints and conducts follow up on concerns in licensed operations. Many of the inspections done this year were in response to COVID complaints; also affecting inspections: some businesses were closed or closed part of the year (schools). As more businesses opened this office has increased inspections.

Recreational Permitting and Inspections

12

This office licenses, inspects and responds to complaints regarding recreational camps for children, bathing beaches and public and semi-pools. We sample bathing beaches weekly, providing the results to community partners, to ensure swimming only occurs at the public and semi-public beach which meet State regulations.

Housing & Nuisance Investigation

16

This office inspects dwelling units for compliance with the State Sanitary Code upon occupancy and prior to occupancy. We issue orders to affect corrective actions, reinspect and initiate legal action if necessary. Similarly, complaints from residents concerning unsanitary conditions or pollution are investigated.

Title 5 related work – On-site Sewage Disposal

We received 16 applications for soil testing (testing necessary for the design of a sewage disposal system) and witnessed 40 tests performed (perc tests and soil evaluation holes).

We received 20 applications for sewage disposal system and reviewed 47 plans for new and replacement systems.

Our office prepared 15 sewage disposal system permits for the Board's review and approval: 1 for new construction and 14 for the replacement of failed systems

We conducted 62 inspections during the construction of sewage disposal system.

We reviewed 41 Title 5 inspection reports and we were available to provide consultation to residents on matter relating to sewage disposal systems

Private Well related services

Private wells are regulated by local regulations and we issued 8 well permits for new and replacement private water supply wells and assisted 19 residents with water quality and quality reports and interpretation of their results.

Rabies Clinics – Animals Immunized

(Due to COVID-19, clinics were limited in 2022)

Nashoba Nursing Service & Hospice

Nashoba’s Certified Home Health Registered Nurses visit and provide skilled services to patients in their home under physician’s orders. These services include assessment of physical, psychological, and nutritional needs. Skills include teaching/supervision of medications, wound care, ostomy care, IV therapy on a 24-hour basis, catheter care, case management and referral to other services as needed.

Nashoba’s Certified Home Care Aides provide assistance with daily activities of daily living including bathing dressing, exercises and meal preparation.

Nashoba Therapists provide skilled physical, occupational, speech, and dietary therapeutic interventions through assessment, treatment and education. Their integration of client, caregiver, and medical outcomes aims at attaining maximum functional dependence.

<u>Nursing Visits</u>	251
<u>Home Health Aide Visits</u>	20
<u>Rehabilitative Therapy Visit</u>	175

Community Health Nursing

Nashoba’s Community Health Nursing program provides an essential public health service to it member communities guided by the American Nurses Association (ANA) 16 Standards of Public Nursing Practice.

The Nashoba nursing team reviewed, investigated and reported on all mandated communicable and infectious diseases (including COVID-19) while working closely with the Massachusetts Department of Public Health’s (MDPH) epidemiology team. Though this daily reporting and investigation work is not always visible, it is vital to protect the public from the spread of disease and includes:

- Working with MDPH and other local boards of health to identify and manage clusters of disease/exposures in the District.
- Contact tracing for our member communities and teaching about the processes of Isolation and Quarantine. Teaching risk reduction, infection control measures and disease management.
- Serving as a resource for individuals and businesses interpreting the everchanging information on the disease and the State’s response to the pandemic.
- Working with school nurses and childcare providers in the District to provide information, offer advice and support and assist with contact tracing in the schools and daycare centers as needed.
- Collaboration with all municipal staff, including Councils on Aging, to address questions about COVID-19 (and other diseases), exposures and actions which may be necessary to address these exposures.

Communicable Disease Number of Cases:

Cryptosporidiosis.....	1
Giardiasis	1
Human Granulocytic Anaplasmosis	1
Influenza	42
Lyme Disease (suspected).....	11
Salmonellosis.....	1

The Nashoba nursing staff provided monitoring and guidance to travelers and residents testing positive for TB infection (not contagious): **119** throughout the district this calendar year, and have also been managing **2** active TB cases in the District since Spring/Summer 2022 and continue to date. The towns in the Nashoba District fall into a **LOW RISK TB** category (as defined by MDPH).

In addition to the mandated disease surveillance and reporting, our staff serves as a resource to the community, addressing questions and concerns from the public on a variety of health and safety issues (immunizations, head lice, chronic disease management, safe drug/sharps disposal etc.) in a variety of ways including:

- Monthly well adult clinics have been & continue to be offered throughout the district. Nashoba nursing staff conducted **159** total clinics this year; including **10** clinics in Boxborough. Clinics provide the opportunity for residents to meet with the nurse for blood pressure checks, blood sugar screening, general health counselling, resource information and referrals as needed. Districtwide flu clinics are held in the fall.
- Nashoba conducted seasonal flu clinics in each community to make vaccinations available to everyone, including homebound residents. We administered **2,130** flu shots to community members, including **174** Boxborough residents.
- We conducted regionalized COVID-19 vaccine clinics the first quarter of the year until the public demand/interest in the vaccine waned. In an effort to increase vaccine accessibility, clinics were also held at local food pantries, shelters, churches, schools, businesses, etc. A total of **509** district community members were vaccinated for COVID-19 in the 2022 calendar year.
- The nurses are available for & have made home visits to make general assessments, assist with coordinating care and services, provide support/teaching and make referrals to other local community resources.
- Nashoba has offered community outreach and educational programs covering topics such as disease prevention, chronic disease management, emergency preparedness, mental health awareness, and overall wellness.
- Nashoba staff attend and regularly participate in collaborative meetings, trainings and conferences to keep current with the latest developments in local public health.
- Nashoba staff facilitated several meetings with key stakeholder groups to promote partnership, encourage strong regional communication, and foster working relationships. This has helped to identify common goals and guide future public health initiatives and outreach.

Community Health: Communications and Public Health Education Summary

The Public Health Educator/Communications Specialist (PHE/CS) role has evolved since its inception in Sept 2021 to best support the needs of the District. In the past year, the PHE/CS has been communicating timely and relevant public health information to towns and stakeholders, and providing educational opportunities across the District with a social determinants of health (SDOH) lens. This work has included:

- Developing educational programs and presentations both independently and collaboratively with the PH nursing team: Harm reduction, emergency preparedness, etc.
- Providing education and advocacy related to treatment and de-stigmatization of substance use disorder.

- Maintaining up-to-date distribution lists, communicating within the district via channels such as quarterly newsletters, regular email updates, etc. pertaining to public health news, information and events such as flu and rabies clinics. Exploring ways to diversify communication methods to reach as many community members as possible.
- Building and maintaining relationships with stakeholders through meetings and attending community events to represent NABH.
- Serving as a resource for community members with public health related questions across a broad range of topics; developing a robust, in-depth Resources page for the website (which is currently being finalized).
- Attending trainings with an emphasis on health equity and public health service regionalization. MDPH has prioritized these areas because research has shown they have the biggest impact on health outcomes for the broadest range of people.
- PHE/CS has utilized an SDOH lens to identify health inequities that most impact the NABH region to focus efforts and collaborate with community partners to lessen these gaps.
- Developing educational and communications materials for district and individual towns by request including print, electronic, presentation, and TV/news media materials.
- Maintaining and improving upon NABH website to keep info relevant and accessible. Maintaining agency social media to reach more people in district with current, relevant and seasonal public health information.
- Organizing events to facilitate the exchange of information such as a Spring Wellness Festival and first regional informal local board of health gathering.

Respectfully submitted,
 Marie Cannon, Chair, Board of Health

BOXBOROUGH EMERGENCY RESERVE CORPS (BERC)

The Boxborough Emergency Reserve Corps (BERC) is a subcommittee of the Board of Health and a member of the Massachusetts Medical Reserve Corps (MRC) and has recently registered as a Community Emergency Response Team (CERT). The general purpose of the BERC is to create volunteer capacity to supplement first responders in the event of local, regional, and national emergencies. The primary responsibilities of BERC are to:

- Support emergency response systems, health care and public health partners
- Enhance the ability to respond to and recover from critical events and disasters
- Promote the health and well-being of the citizens of Boxborough

Emergency preparedness is the crucial first step in dealing with an unexpected crisis. The BERC continues to educate the public to raise awareness of emergency preparedness in the community by encouraging all Boxborough residents to develop a home/family/pet Preparedness Plan. To enable residents to create this plan, we offer a variety of resources including informational handouts and links to websites. We conduct outreach/education on emergency preparedness at town events such as Fifer's Day, the Harvest Fair/FreeBee Market, the Public Safety Open House, Council on Aging luncheons, and presentations to various community groups, and have been able to award some families with 72-hour emergency Go Bags. Boxborough's emergency capability has been enhanced by:

- Shelter –
 - Emergency power - A generator is in-place at the Blanchard Memorial School

- Supplies – many shelter supplies including cots, sleeping bags, blankets, 1st aid kits, and personal care kits have been obtained through grants, including pet sheltering supplies
- Safety Equipment –
 - Through the award of grants, BERC was able to add PPE, safety equipment, and uniforms/vests to enhance the safety of our volunteers
- Communication –
 - Two-way radios have been purchased using emergency preparedness funds for use by BERC volunteers and the Fire Department
 - Amateur HAM radio expertise within the BERC volunteers

The BERC relies on citizen volunteers to help it achieve its mission and exemplifies the Boxborough spirit of standing ready to help others. Volunteers are trained in the structure of emergency response as well as the skills necessary to support first responders such as the Incident Command system (ICS), sheltering, CPR, first aid, and other emergency response skills. BERC is actively seeking additional volunteers with either medical or non-medical backgrounds. The goal is that about 1% of the population or 50-60 volunteers are needed in order to serve the various needs of the community in a local emergency. Working with the town's first responders, BERC enhances Boxborough's ability to handle unexpected emergencies.

During the COVID-19 pandemic years of 2020 and 2021, BERC participated in mask distribution events and COVID-19 vaccination clinics. BERC participated in a drive-thru mask distribution event held at the Regency hotel over two days where over 11,000 masks obtained by a benefactor were safely distributed to residents of Boxborough and neighboring towns. BERC assisted the Nashoba Associated Boards of Health (NABOH) with over 18 COVID vaccination clinics for first responders, seniors, and the townspeople served by the NABOH. BERC also assisted the NABOH with the annual Flu vaccination clinics. In 2022, BERC participated in Fifer's Day and the FreeBee markets for public outreach and education, and again assisted the NABOH with the annual Flu vaccination clinic, as well as training exercises.



For more information or to contact the BERC, please refer to the following web site:

www.boxborough-ma.gov/287/Emergency-Reserve-Corps

Respectfully submitted,
Ronald Sisco, Chair

CENTRAL MASSACHUSETTS MOSQUITO CONTROL PROJECT (CMMCP)

The Central Massachusetts Mosquito Control Project (CMMCP) currently provides its services to 44 cities and towns throughout Middlesex and Worcester Counties. The Project's headquarters is located at 111 Otis St., Northborough, MA. Project personnel are available to meet with any town board or resident to discuss the Project's procedures and activities. Our phone number is (508) 393-3055.

CMMCP practices Integrated Mosquito Management (IMM), blending state of the art methods and techniques with expertise, experience, and scientific research to provide our member communities with modern, environmentally sound, cost effective mosquito control. IMM encourages the use of non-chemical means to accomplish the goal of mosquito reduction.

The Mosquito Awareness program which we offer to elementary schools in our district is very popular. Project staff meets with students and teachers to discuss mosquito biology, mosquito habitat, and control procedures. Much of the presentation is directed towards what the children and their families can do to prevent mosquitoes from developing around their homes. Slides, videos, handouts, and coloring books help to make this an interesting program. We also offer an educational program geared towards senior citizens.

As part of our effort to reduce the need for pesticides, our first line of control is our ditch maintenance program. By cleaning clogged and overgrown waterways, mosquito habitat can be reduced, drainage areas are returned to historical conditions, and water quality is improved. Source reduction, the elimination or reduction of mosquito larval habitat (i.e. water-holding containers), is practiced by alerting residents and business owners about potential mosquito producing sites they have created. We now have a tire collection program that removed these larval habitats from the environment and are then brought to a facility for recycling. Residents are informed about basic mosquito biology, and the need to eliminate these man-made larval habitats.

Bacterial larval control with Bti (*Bacillus thuringiensis* var. *israelensis*) is used to treat areas where mosquito larvae are found and source reduction or wetland restoration is not feasible. We have an extensive database of known larval habitats, and we encourage the public to notify us of any areas they suspect could harbor mosquitoes. Our field crews will investigate all requests and treat the area only if pre-determined thresholds of mosquito larvae are exceeded. Bti is a naturally occurring product, and is exclusive to mosquito larvae, preserving other aquatic organisms in their habitat. We treated 775 acres of wetland by helicopter with funding from the Board of Health in 2022. Pre- and post-monitoring showed a 95.5% decrease in mosquito larvae in the treated areas.

Our goal is to handle all mosquito problems with wetlands restoration, source reduction or larval control, but we recognize that there are times when adult mosquito spraying is the only viable solution. In such cases residential areas are treated with pickup truck mounted sprayers. Applications are site-specific and are determined by weather, type of area and mosquito population levels. These applications are initiated **only by request** of town residents. A phone notification system has been installed to announce potential spray areas for member cities and towns on their scheduled evening, and this information is listed on our website.

The project's surveillance program monitors adult mosquito and larval population density, and is the backbone for prescribing various control techniques. We have expanded the adult collection program to monitor for West Nile Virus in our service area. Specialized traps are used as a mobile force for viral monitoring, and are placed in member towns on a weekly basis for routine sampling. If a WNV or EEE hot spot is identified, surveillance is intensified to sample mosquitoes and these collections are sent in to the Mass. Dept. of Public Health for testing.

We are now running a research and efficacy department which checks for efficacy of our products and techniques, and to research in new or different areas of mosquito control. GIS has been added to our operations to allow better data collection and analysis. The Project has a website at www.cmmcp.org which has extensive information on our program, products we use, and mosquito control procedures. Requests for service can be made through the website, as well as pesticide exclusions.

Timothy Deschamps, Executive Director
Timothy E. McGlinchy, Director of Operations

COMMUNITY PRESERVATION COMMITTEE

The Community Preservation Committee (CPC) is primarily responsible for evaluating proposals for the appropriation of the Town's Community Preservation Act (CPA) funds and for making recommendations for these appropriations at Town Meeting. CPA funds may be used to support projects or expenses in three general categories:

- Open Space and Recreation
- Community Housing
- Historic Resources

The Community Preservation Committee meets once a month with the following annual goals and objectives:

- Evaluate the needs and resources of the Town regarding Community Preservation projects and expenditures in coordination with other municipal boards, including the Conservation Commission, Historical Commission, Planning Board, Recreation Commission, Agricultural Commission, and Housing Board
- Conduct an annual Public Hearing to consider Community Preservation proposals and resources
- Update the Town's Community Preservation Plan
- Review CPA account balances and spending, and ensure that annual CPA state filing requirements are met
- Prepare a CPA budget and make project recommendations for Town Meeting approval

The CPC recommended four CPA appropriations for 2022 Annual Town Meeting consideration:

- Two were in the category of Open Space and Recreation for funding a Sargent Road land acquisition and the Conservation Trust Fund.
- One was in the category of Community Housing for funding the Boxborough Rental Assistance Program (BRAP).
- One was in the category of Historic Resources for funding restoration and stabilization of monuments and other structures in the North and South cemeteries.

All four recommendations passed as Warrant Articles at Town Meeting.

We wish to thank the Town's various employees and volunteers who contribute to accomplishing our mission.

CPC Projects Funded by Year

Project	ATM Year	Category	Amount	Status
Steele Farm Barn Exterior Restoration	2015	Historic Resources	\$90,000	Complete
Preservation and Restoration of Historic Town Hall Exterior Front Steps	2015	Historic Resources	\$10,000	Complete
Conservation of Historic Town Records	2015	Historic Resources	\$12,000	Complete
Site Plan for Basketball and Tennis Courts at Liberty Fields	2016	Open Space and Recreation	\$5,500	Complete
Regional Housing Monitoring Services (Year 3 – Calendar Year 2016)	2016	Community Housing	\$5,465	Complete
Regional Housing Monitoring Services (Year 4 – Calendar Year 2017)	2016	Community Housing	\$6,000	Complete
Boxborough Rental Voucher Program	2016	Community Housing	\$26,280	Complete
Conservation of Historic Town Records	2016	Historic Resources	\$11,000	Complete
Rehabilitation of Grange Meeting Room	2016	Historic Resources	\$106,775	Complete
Rehabilitation of Historic Town Hall Exterior Front Steps	2016	Historic Resources	\$35,000	Complete
Conservation Trust Fund	2017	Open Space and Recreation	\$5,000	Complete
Regional Housing Monitoring Services (Year 4 – Fiscal Year 2018)	2017	Community Housing	\$3,025	Complete
Boxborough Rental Assistance Program	2017	Community Housing	\$37,650	Complete
Conservation of Historic Town Records	2017	Historic Resources	\$10,000	Complete
North Cemetery Restoration	2017	Historic Resources	\$9,025	Complete
Preservation of Steele Farmhouse	2017	Historic Resources	\$30,000	Complete
Flerra Meadows Playground Rehabilitation	2018	Open Space and Recreation	\$62,000	Complete
Boxborough Rental Assistance Program	2018	Community Housing	\$37,650	Complete
Conservation Trust Fund	2018	Open Space and Recreation	\$10,000	Complete
Veterans Monument	2018	Historic Resources	\$105,000	Complete
Preservation of Steele Farmhouse	2018	Historic Resources	\$190,000	Complete
Boxborough Rental Assistance Program	2019	Community Housing	\$37,650	Complete

Flerra Baseball Field Rehab.	2019	Open Space and Recreation	\$8,000	Complete
Flerra Playground Fence	2019	Open Space and Recreation	\$7,600	Complete
Conservation Trust Fund	2019	Open Space and Recreation	\$10,000	Complete
Sargent Memorial Library - Brick Patio Renovation And Expansion	2020	Open Space and Recreation	\$35,000	On-going
Flerra Community Garden Water Supply	2020	Open Space and Recreation	\$15,000	Complete
North Cemetery Restoration	2020	Historic Resources	\$9,500	Complete
Preservation Of Historical Records	2020	Historic Resources	\$10,000	On-going
Boxborough Rental Assistance Program	2020	Community Housing	\$38,050	On-going
Regional Housing Services	2020	Community Housing	\$12,000	On-going
Hager Land Connection	2020	Open Space and Recreation	\$54,000	On-going
Conservation Trust Fund	2020	Open Space and Recreation	\$10,000	Complete
Liberty Field Capital Improvements	2021	Open Space and Recreation	\$300,000	On-going
Boxborough Rental Assistance Program	2021	Community Housing	\$38,050	On-going
Conservation Trust Fund	2021	Open Space and Recreation	\$10,000	On-going
Boxborough Rental Assistance Program	2022	Community Housing	\$38,050	On-going
Conservation Trust Fund	2022	Open Space and Recreation	\$10,000	On-going
Cemetery Restoration	2022	Historic Resources	\$9,500	On-going
Land Acquisition Sargent Road	2022	Open Space and Recreation	\$400,000	New

Respectfully submitted,
Ron Vogel, Chair

CONSERVATION COMMISSION

Mission

The Boxborough Conservation Commission (ConsCom) is a seven-member board that is appointed by the Select Board. The Commission is responsible for managing the Town's Conservation Land and for administering the State Wetlands Protection Act and Town of Boxborough Wetlands Protection Bylaw.

The Commission meets on a regular basis on the 1st and 3rd Wednesday of each month. The public is welcome to attend. The Commission spends a majority of its time fulfilling its legal obligations under the Massachusetts Wetlands Protection Act and the Boxborough Wetland Bylaw. Routine activity includes the following:

- Issuing Orders of Conditions, Certificates of Compliance, Extensions and Determinations of Applicability.
- Performing site inspections as needed.
- Striving to protect unique habitats, rare species and vernal pools.
- Holding meetings, hearings and Commission deliberations as needed.
- Advising other town boards on wetland matters.
- Planning, managing and maintaining the comprehensive conservation trail system in Boxborough.
- Maintaining all conservation land in Boxborough through the Land Stewardship (LanSCom) program.

The Commission continues to review the Boxborough Wetland Bylaw and has established policies for the exemption of minor activities related to maintenance. Members periodically attend seminars and workshops. Additionally, the Commission continues examining and discussing conservation land management practices.

Activity under the Wetlands Protection Act and Town Bylaw

A landowner or developer is required to file a formal Notice of Intent (NOI) prior to doing any work within a wetland and/or the 100’ adjacent land resource area commonly known as the “buffer zone.” During calendar year 2022, the Commission reviewed 8 Notices of Intent (NOI), 1 Request for Determination of Applicability (RDA), and 0 Abbreviated Notice of Resource Delineations (ANRAD). The Commission issued 6 Certificates of Compliance (CoC) and 1 Extended Order of Conditions.

<u>Year</u>	<u>NOI</u>	<u>RDA</u>	<u>ANRAD</u>	<u>COC</u>	<u>Extensions</u>
2017	8	2	1	7	1
2018	4	3	0	6	0
2019	4	1	1	1	1
2020	4	4	1	8	1
2021	4	0	2	3	0
2022	8	1	0	6	1

The fees, forms, instructional documents, and meeting minutes are posted on the town website.

Conservation Land Stewardship

The Conservation Commission, Land Stewardship Committee (LanSCom) and Boxborough Conservation Trust (BCT) continue to collaborate on acquiring new Conservation Land and managing existing Conservation parcels. At Annual Town Meeting this year, the Town voted to acquire for passive recreation and open space purposes 21.35 acres on Sargent Road. Commission members worked with BCT on a successful application for a \$400,000 Local Acquisitions for Natural Diversity (LAND) grant from the MA Executive Office of Energy and the Environmental Affairs to help offset the cost of the acquisition.

Trail maintenance and clearing remains an on-going effort with the LanSCom coordinating the necessary labor that involves the service of the DPW along with a variety of volunteer labor provided by LanSCom members, prospective Eagle Scouts, and other community service organizations.

The Commission also coordinates with other Town Boards and Commissions with land use interests, and provides representatives to serve on the Community Preservation Committee and the Water Resources Committee.

Acknowledgments

There are a number of other people in town whose help contributes greatly to our mission. We are fortunate to have a dedicated and tireless group of LanSCom volunteers performing trail maintenance and improvement work throughout the year. Other trail work volunteers include ABRHS students, the Boy Scouts, and Advanced Micro Devices, as part of their annual community service day. Special thanks to Norm Hanover for his continued effort on the trail kiosks, signs and markers. We would also like to thank Ed Kukkula and the Department of Public Works for their assistance with land and trail maintenance, and the staff at Town Hall. We make a special thank you to Mary Nadwairski for all her help in keeping us organized and for interacting so positively with the public and other boards.

Citizen Interest

If you would like to find out more about assisting the Commission as a Commission member, as an associate member, or as a land steward, please call any member or Mary Nadwairski (978-264-1722) at Town Hall. Residents interested in making a donation to the Conservation Trust Fund to aid in protecting open spaces are also encouraged to contact the Commission.

Respectfully submitted,
Elizabeth Markiewicz, Chair

ECONOMIC DEVELOPMENT COMMITTEE

The Economic Development Committee (EDC) was reinstated by the Select Board in November of 2017 to work with the Planning Board, the Finance Committee, and other boards and commissions to achieve the goals as set out in the Boxborough2030 Master Plan. It has been recognized that economic development is critical to achieve the overall success of the plan. The dedicated purpose of the EDC is to develop and promote balanced business development that is in keeping with the town's character; simultaneously improving the Town's economic viability and quality of life through thoughtful development in keeping with the Town's rural character and sense of community. The EDC is comprised of five members and two Ex-Officio members.

In 2022, the EDC successfully applied for and secured a Community Planning Grant. This grant of over \$46,000 will be used to engage consulting services in the planning of a Boxborough Town Center. The Town's Town Center district was first zoned as such over 25 years ago; however, due to fluctuating economic factors, services businesses have generally sought location in neighboring communities. This project, to be launched in 2023, will evaluate existing conditions and factors, gather rich and diverse public input through community forums, and identified opportunities for development in the Town Center. Residents and business owners can expect to see this project launched in spring of 2023, with public engagement to ensue throughout the summer and fall months.

This past year, the EDC also secured local ARPA funding for much needed business relief. The ongoing pandemic was detrimentally impactful to the small business community and highlighted both emergent and pre-existing barriers to success. In 2023, the EDC will use the funding secured to launch a business grant program, providing funding to combat the impacts of COVID-19 and create more innovative and unique businesses in Boxborough. This program will develop the Town's business base with priority businesses serving residents of Boxborough and our neighboring towns in a way that enhances and expands our Town Center. This effort will help to create a vibrant village core that becomes a business and cultural center of the community. The EDC anticipates this program will launch between the spring and summer of 2023.

Meetings of the EDC are typically held on the 3rd Thursday of each month, or additionally as needed. Residents and businesses interested in engaging with the work of the EDC may visit their page on the Town website, or by contacting the Town Planner via email to awade@boxborough-ma.gov.

PLANNING BOARD

Introduction

The Planning Board is a five-member elected board with staggered three-year terms. The Planning Board also has an Associate member position, appointed jointly by the Board and the Select Board. The Associate member may be designated to sit on the Board to act on Special Permit applications under certain circumstances. The Planning Board is supported by the Town Planner who offers professional and administrative assistance and guidance on the technical and theoretical aspects of planning.

Annual Town Meeting, May 2022

The Planning Board proposed two articles for the May 2022 Annual Town Meeting. The articles involved:

- 1) Amendment of the Zoning Bylaw to include regulation of small-scale ground mounted solar energy systems, which passed by 2/3 majority.
- 2) Amendment of the Zoning Bylaw to include regulation of medium and large-scale ground mounted solar energy systems, which passed by 2/3 majority.

For a complete explanation of these articles, please see the Warrant and Proceedings Section of the Town Report. Town Planner, Alec Wade, is also available to help citizens understand legislation which is proposed or already in place.

Special Town Meeting, November 2022

The Planning Board proposed four articles for the November 2022 Special Town Meeting. The articles involved:

- 1) Amendment of the Zoning Bylaw to recodify the document for clarity and interpretation, which passed by 2/3 majority.
- 2) Amendment of the Zoning Bylaw to align the definition of lot coverage with the requirements in the dimensional table, which passed by 2/3 majority.
- 3) Amendment of the Zoning Bylaw to align the bylaw with the General Stormwater Bylaw and regulations for Construction and Post Construction, which passed by 2/3 majority.
- 4) Amendment of the Zoning Bylaw to amend the way gross floor area is calculated in buildings with 12 foot high or greater ceilings, which passed by 2/3 majority.

For a complete explanation of these articles, please see the Warrant and Proceedings Section of the Town Report. Town Planner, Alec Wade, is also available to help citizens understand legislation which is proposed or already in place.

Development Review & Special Permits

The Planning Board reviewed the development plans listed below:

- Site Plan Modification – 1414 Massachusetts Avenue – Vibalogics: The Board approved a modification of the existing site plan to address landscaping issues and the relocation of the process wastewater tank.
- Site Plan Modification - 1414 Massachusetts Avenue – Arranta Bio MA2, LLC: The Board approved a modification of the existing site plan to address landscaping issues and the relocation of the industrial process wastewater tank.
- Site Plan Review and Special Permits – 984 and 996 Massachusetts Avenue & 38 Sara’s Way – the board conditionally approved the construction of 3 two-family homes with associated infrastructure.
- Site Plan Approval, Open Space and Commercial Development Permit, Earth Removal permit, and Storm Water Permit – 400 Beaverbrook Road – The Board granted conditional approval for the construction of a new 64,000 square foot research and development office building in the office park district.

Approval Not Required Plans

Plans that do not require approval under the Massachusetts Subdivision Control Law, but which are to be recorded in the Registry of Deeds or filed with the Land Court, may be submitted to the Board for review and endorsement. A division of land that has frontage on an existing town way, or on a subdivision road that has been constructed or bonded, may be submitted to the Planning Board for Approval Not Required (ANR) endorsement. The Planning Board had no submittals of ANR plans for endorsement during 2022.

Scenic Road, Public Shade Tree Removal, and Stone Wall Alteration Permits

In Boxborough, any road work that requires the removal/modification of stone walls or the removal of public shade trees along designated scenic roads in the public right-of-way must receive approval from the Board under the Scenic Road and Stone Walls Bylaws. The Planning Board approved one Stone Wall Alteration permit for the Conservation Commission at the Fort Pond Brook trailhead at Littlefield Road in 2022.

Master Plan Status Updates (Boxborough 2030)

In 2016, the Planning Board approved and the Board of Selectmen endorsed Boxborough2030 as the Town’s new Master Plan. Substantial time and effort were invested into the Master Plan Update process by the Master Plan Update Committee (MPUC), the Town Planner and other



Town staff, and the Town’s project consultant, the Metropolitan Area Planning Council. [Boxborough2030](#) is a website with extensive information detailing over a year of research about Boxborough’s existing conditions, a critical community engagement process, and in-depth recommendations with implementation steps looking forward to the year 2030. The Master Plan Update process helped create supporting Goals, Strategies, and Actions Items for the aspirations in Boxborough2030, all of which are summarized in a [Recommendations & Implementation Plan](#). In 2020, the Select Board and the Planning Board jointly conducted progress updates with each Board and Committee and compiled that information into a [Master Plan Action Item Status](#) document. In 2022, the Planning Board obtained input from Boards

and Committees using a streamlined template to ensure each responsible entity is actively pursuing the completion of each task and updated the [Master Plan Action Item Status](#) document accordingly. In 2023, the Town Planner and the Planning Board will endeavor to conduct the same progress update.

Zoning Bylaw Recodification

In 2022, the Planning Board successfully completed its Zoning Bylaw Recodification, culminating in passage at Special Town Meeting. This effort reformatted and reorganized the Zoning Bylaws of the Town in a more cogent and legible manner. By doing so, the Planning Board anticipates citizens, business owners, and developers will now be better able to understand the rules and regulations of the Town. Similarly, the Town will now be able to better interpret and enforce the many zoning bylaws that govern development and operation.

Proposed Bylaw Amendments for 2023 Annual Town Meeting

In preparation for the 2023 Annual Town Meeting, the Board began discussing potential Zoning Bylaw amendments including modifications to the Accessory Apartment zoning bylaw.

The Planning Board encourages all residents to participate in the local planning process. The Board typically meets on scheduled Monday evenings at 7:00 PM via Zoom. Meetings are posted on the town website (www.boxborough-ma.gov) on the Town Calendar and in Town Hall.

Any planning questions or comments may be directed to the Planning Board or Town Planner Alec Wade at 978-264-1723 or awade@boxborough-ma.gov.

Respectfully submitted on behalf of the Boxborough Planning Board
Alec Wade,
Director of Land Use and Permitting
Town Planner

ZONING BOARD OF APPEALS

In Boxborough the Zoning Board of Appeals (ZBA) is a five-member board with provision for two alternates. The Board of Selectmen appoints members to three-year staggered terms.

The ZBA is a quasi-judicial body established by the Commonwealth of Massachusetts under the Zoning Enabling Act, Massachusetts General Laws, Chapter 40A, Section 12, and Section 9100 of the Boxborough Zoning Bylaw. The ZBA has and exercises all of the powers granted to it by G.L. c. 40A, c. 40B, and c. 41 of the Massachusetts General Laws, and by the Zoning Bylaw.

The ZBA's primary powers include hearing and deciding applications for Special Permits in accordance with the provisions of Section 9200 of the Zoning Bylaw; to hear and decide appeals or petitions for Variances from the terms of the Zoning Bylaw pursuant to G.L. c. 40A, s. 10; to hear and decide appeals from decisions of the Inspector of Buildings; and to hear and decide applications for Comprehensive Permits for the construction of low or moderate income housing by a public agency, limited dividend organization, or non-profit corporation, as authorized under G.L. c. 40B. Public hearings are held for each application for a Special Permit, Variance or other form of appeal.

Enforcement of the Zoning Bylaw is the duty of the Building Inspector / Code Enforcement Officer. The Board of Selectmen appoints the Building Inspector / Code Enforcement Officer and any of his decisions

may be appealed to the Zoning Board of Appeals as provided for in Massachusetts General Laws, Chapter 40A, within 30 days after that decision.

The ZBA generally holds meetings on the first and third Tuesday evenings of the month at the Town Hall, as needed. Additional meetings are scheduled as may be necessary and posted. During 2022 the Board considered five applications for Special Permits.

The ZBA continues to receive applications. The fees, forms, instructional documents, and meeting minutes are posted on the town website. We encourage the community to check the Town web site for details about these meetings and hearings and call the Town Hall (978-264-1722) with any questions.

Respectfully submitted,
Mark White, Chair

DESIGN REVIEW BOARD

The Design Review Board was created in May of 2000 through the adoption of zoning bylaw changes proposed by the Town Center Visioning Committee at Annual Town Meeting. The role of the Design Review Board is to support the Planning Board and Zoning Board of Appeals by providing detailed review of site plan approval or special permit applications for new construction, exterior alteration, or expansion of buildings in the Town Center and Business Districts and for new or modified signs within the Town Center District or as otherwise requested by the Planning Board.

The Design Review Board augments the planning process by assessing specific design attributes to enhance the natural and aesthetic qualities of the town; to preserve the value of land and buildings; and to protect and preserve the scenic, historic, cultural aspects, heritage and rural character of the town.

During 2022, the Design Review Board met to document assessments of multiple projects utilizing the Board's Design Review Guidelines, including several reviews specifically requested by the Planning Board. Reviews and recommendations were made on the following applications:

- 871 Massachusetts Avenue – Application for the proposed construction of a 4,920 square foot truck canopy accessory structure.
- 984 Massachusetts Avenue – Application for the proposed construction of three structures containing two units per structure for a total of six residential units.
- 244 Adams Place – Application for the proposed construction of a 140,000 square foot Office / Research & Development / Light Manufacturing facility.
- 400 Beaver Brook Road – Application for proposed construction of a 64,000 square foot Office / Research & Development facility.

Further, in accordance with the 2030 Master Plan Recommendations and Implementation Plan, the Design Review Board continues to update and bring clarity to a draft version of the Design Review Board Design Guidelines. These updated guidelines will take into account larger scale developments within the Town Center District and adopt a review process to ensure future developments are consistent with Boxborough's rural character.

Respectfully submitted,
Rebecca Verner, Chair

ACTON-BOXBOROUGH CULTURAL COUNCIL

About the Acton-Boxborough Cultural Council

The Acton-Boxborough Cultural Council (ABCC), established in 1982, has as its mission to award and administer Massachusetts Cultural Council (MCC) Grant funds, to promote the arts, and to help develop cultural programs in the Acton and Boxborough communities. Volunteers are appointed to the Council by the Select Board of each community, but it functions as a single entity undertaking these activities:

- Review of grant applications from individuals, libraries, schools, and arts and community organizations and awarding MCC grant funds to projects that provide a local public benefit. The ABCC is one of 329 Local Cultural Councils (LCCs) that are funded by the Massachusetts Cultural Council through an annual appropriation by the state legislature.
- Sponsorship of cultural programs for the Acton and Boxborough communities using funds generously designated by Town Meeting of each community. These funds have been used by the ABCC to encourage diverse culture by presenting jazz, classical, and world music concerts, vocal performances, films, opera, and public art installations.
- Advocacy for the arts through community outreach and publicity.

This Annual Report gives preliminary results of our FY23 Grant Cycle in which we plan to support 37 individuals, schools, libraries and arts organizations using state funds allocated to us by the Massachusetts Cultural Council. This report will also highlight the local events, programs and collaborations the ABCC was able to undertake in 2022 thanks to the continued financial support from our Towns.

ABCC Members

Voting Members (member throughout 2022 unless specified)

Acton:

Nancy Savage (Secretary, Publicity through June 2024)
Chelsea Reinhold (Started November 2022)
Mary Hurley (Started November 2022)
Jin Hong Yang (Chair, Foreign Film Series Coordinator, through June 2024)
Ryenne Flynn (Secretary, Publicity ended June 2022)

Boxborough:

Ben Davies (Website, through June 2023)
Brijesh Singh (Treasurer through June 2024)
Hongbing Tang (Member through June 2023)
Sharon Garde (Chair, Website, ended June 2022)
Beth Hydak (Member, ended November 2022)

Non-Voting High School youth members

Maria Paunescu (Publicity)
Eddy Zhao (Youth member)

Recruitment: We work closely with the Acton and Boxborough Select Boards, town staff and other Town volunteers on our continued membership efforts. We are now looking for new members to join us. We can currently accept three additional members from Acton and we can always accept more members from Boxborough. We are proud to have two high school youth members in our council who are actively and energetically participating in our activities.

MCC Funding

The ABCC is one of 329 Local Cultural Councils (LCCs) funded by the Massachusetts Cultural Council (MCC) through an annual appropriation by the state legislature. Each fall, we are required to distribute this annual allocation through a grant process. We review each application and award monies considering the quality, originality, creativity, planning, budget, and most importantly, community benefit, of each proposed project.

In October 2022 the ABCC was allotted \$16,200 to give out during our grant season. We publicized the availability of grants through emails, fliers, bookmarks, Facebook, our website, the town websites, and press releases in *The Beacon* and *Action Unlimited*. We received 42 applications requesting a total of \$29,015 in funding. The number of applicants this year was more than last year, similar to prior COVID years. We chose to fund 37 projects that give the greatest benefit to our communities. There are a few virtual events being funded, but most, thankfully, are back to real live performances.

Local Funding and Council-Initiated Events

The ABCC was once again generously supported by both Acton and Boxborough town funds via warrant articles and line items. The dedication of the voters, boards and public officials in both towns is truly remarkable. Acton provided the ABCC with \$2,000 through a Warrant Article, while Boxborough provided \$1,400 for exclusive use in Boxborough. Few local cultural councils enjoy this level of local support. We are extremely grateful and seek every opportunity to acknowledge the support of our two towns. We are grateful also for the physical support that the two towns provide: meeting spaces, access to town equipment (screens, projectors, etc.). We are also thankful for the continued support and active involvement of our liaisons, Boxborough Select Board member Wes Fowlks and Acton Selectman Jim Snyder-Grant.

We were pleased to hold our annual Grantee Reception outdoor in June 2022. Unfortunately, we were unable to host our 4-week International Film Series in person. We held the short films through ActonTV in two sessions and made online recommendations for 3 foreign films. In 2022, only one program requested carry over and the rest of the programs were held as planned.

Here are some highlights of the programs we sponsored from this past year:

Combatting Hate and Prejudice – Acton-Boxborough Regional School District, R.J. Grey Junior High School, Ms. Janet Applefield, a child survivor of the Holocaust, shared her family's story of their life in Poland prior to the Holocaust and their experience during the Holocaust. Ms. Applefield's one-hour presentation included storytelling, photographs, and other primary source documents.

Harvard Town Band performance – This year the Harvest Fair was combined with Boxborough FreeBee Market, the Harvard Town Band was able to give a live performance. It was well attended, and everyone seemed happy to hear live music again.

Simple Steps to Creating Beautiful Artwork – This was a 2-hour free workshop held at Sargent Memorial Library. The program gives people an easy process for completing a work of art and allows them to experience a level of accomplishment and community.

Open Door Theatre of Acton, Inc. – Open Door Theater performed the Lightning Thief outdoors at Nara Park. They pride themselves in educating the community at large, their participants and training other theaters on equity, inclusion and tolerance through the medium of theater, and affordable reasonable accommodations to include a diversity of participants. Not only were their casts diverse, but the audience was as well. They provided a Sensory/Autism Friendly Performance (AFP) accommodations which have sound, light and other sensory modifications, performances interpreted by American Sign Language interpreters, and audio-described headphone-narrated performances for the visually impaired and all of their performances were open captioned using integrated projections.

Music for Seniors – This was an event held at the Boxborough Senior Center, with Howie Newman (acoustic guitar, vocals) presenting a musical program specially developed for senior citizens. It included music from Frank Sinatra, Dean Martin, the Beatles and Elvis Presley as well as show tunes, oldies, standards, patriotic songs and other well-known songs. Howie also adds trivia, background stories about the songs and a little G-rated humor, making this an interactive, highly-entertaining experience. It's a sing-along, toe-tapping musical journey from the early 1900s up through the 1960s.

Promoting Diversity

Some of the events that we have sponsored which promote diversity, besides those listed above, are:

- Asian Style Digital Art workshops
- Indian Classical Music Concert and Music Appreciation Session
- Children & Adults Sing Indian Classical and Tagore Songs
- Year of the Tiger Chinese Opera Show

Respectfully Submitted,
Jin Yang, Chair

ACTON BOXBOROUGH REGIONAL SCHOOL DISTRICT (ABRSD)

Beginning in 2020, the Acton Boxborough Regional Schools publishes an Annual Report that it provides to members of the community. This report is available at the district's website (www.abschools.org) or: <https://www.boxborough-ma.gov/DocumentCenter/View/3047/ABRSD-Annual-Report-2022>



AGRICULTURAL COMMISSION

The Agricultural Commission comprises five members appointed by the Select Board. Our mission is to represent, enhance and sustain agriculture, farming and related activities within the town. We meet monthly as posted.

The Commission oversees the Community Gardens at Middle Road and Flerra Meadows. We monitor uses at the Paddock Estates agricultural parcel including the trail easement.

In late winter and spring, we worked with and helped support the Steele Farm Advisory Committee on the rehabilitative trimming of apple trees on the farm. For the cleanup, we were extremely grateful to be assisted by a very enthusiastic group of ABRHS students on the Senior Workday.

We recommended acquisition and worked toward Town Meeting passage of the Chapter 61 parcels at 95 and 105 Sargent Road.

The Commission provided input to the Planning Board and Town Meeting on proposed changes and amendments to the Zoning Bylaw.

Respectfully submitted,
Owen Neville, Chair

BOXBOROUGH BUILDING COMMITTEE

The Boxborough Building Committee (BBC) was first appointed by the Select Board in 2016, shortly after the adoption of the Boxborough 2030 Master Plan.

Administrative matters

The Select Board approved revision of the BBC charter for membership to be comprised of a minimum of 9 members, preferable odd in number, and clarified the roles of the Select Board and Finance Committee members, and election of chair and vice-chair.

Finance Committee representative Maria Neyland resigned from the BBC, and the Select Board appointed Finance Committee member Priya Sundaram. Becca Edson of the Recreation Committee resigned from the BBC.

Background

In November 2019, the committee had concluded that the most viable option for new public safety facilities was the town-owned parcel at 72 Stow Road and voted that future efforts should focus on it. At 13.4 acres, this property appeared to be able to accommodate public safety facilities for fire, police and dispatch, and possibly other municipal uses.

In 2021 the committee reviewed and updated the 2015 HKT Architects space needs analysis for staffing, occupancy, and fire department apparatus projections. The updated study concluded that a combined facility would require a total building floor area of 35,000 square feet, including 1000 square feet for a large meeting room or emergency operations center. This was a slight change in overall footprint in the original 2015 HKT report.

HKT Architects and Pare Corporation Civil Engineers carried out a site constraints study for the 72 Stow Road site based on the updated space needs analysis. Test pits were dug to assess historical ground water levels and the presence of ledge. No ledge was found; there were no issues with ground water level.

This study found no show-stoppers due to site constraints. It illustrated several options for placement of a combined public safety facility of 35,000 square feet with allowance for parking and apparatus movement. The analysis included possible locations for public water supply wells, septic system, and leach field satisfying constraints due to Board of Health and DEP regulations.

2022 Accomplishments

With the favorable results of the site constraints study in hand the committee was in position to make further progress towards conceptual design. After much discussion we concluded that it would be prudent to seek an independent review of staffing assumptions and space needs.

The committee felt it would be feasible to contract for such a study with the remaining budget available. After discussion and advice from the Inspector General's Office and KP Law, it was determined that it would be best to Issue a Request for Qualifications (RFQ) for an architectural consultant. We were advised that it

would not be necessary to follow the Designer Selection statute (MGL c 7C), but rather ordinary Procurement (MGL c 30B) with applicable exemptions.

The chair and members of the committee created a statement of work (SOW) for independent review of space needs and approved an RFQ to be issued by the town in August 2022. Context Architecture, led by Jeff Shaw, submitted a response to our RFQ and was subsequently interviewed by the committee. Upon the recommendation of the committee, the Select Board approved execution of a contract, subject to negotiated price. The Assistant Town Administrator completed the price negotiation in early December, and Context Architecture signed a contract for the first phase of work.

In mid-December the Context team visited the Fire Station and Police Station to kick off their work. They interviewed both Chiefs and department staff.

In January 2023 Context will deliver a preliminary space needs analysis for review by the committee. Following that, the next phase of work will be defined.

Respectfully submitted,
Les Fox, Chair

BOXBOROUGH HOUSING BOARD

Background

The Boxborough Housing Board (BHB) was created in accordance with a bylaw passed unanimously at a Special Town Meeting on October 30, 2000, upon the recommendation and final report delivered by the Affordable Housing Study Committee.

On-going Programs

Boxborough Rental Assistance Program

The Boxborough Rental Assistance Program (BRAP) initiated in 2015 provides rental assistance to eligible households that are renting in Boxborough. It presently is funded at a level that will support fourteen Boxborough Households. Twelve of the BRAP slots use funding from the Community Preservation Act (CPA). In 2022, an additional two BRAP slots were funded from the American Rescue Plan Act (ARPA). The BRAP assists households attain self-sufficiency by working with them to reduce their rental cost burden. A subsidy of \$250/month is paid directly to the participating household's landlord. Households may renew their participation for a total of three years, subject to annual income eligibility verification. Although State and Federal programs currently exist with much the same goals, such as the Federal Section-8 or Massachusetts Rental Voucher Programs, they are oversubscribed and have long waiting lists.

The financial assistance provided by the BRAP has allowed participating households to maintain stable housing while redirecting resources to pay for medical care, safety repairs on vehicles, and educational items for school-aged children. All participants must be Boxborough residents. BRAP flyers are now available in English, Portuguese, and Spanish. Applicant qualification continues to be performed by Metro West Collaborative Development, Inc. (Metro West CD) of Watertown, MA.

The BRAP is overseen by the BHB and administered by the Community Services Coordinator (CSC). Early in 2022, Rose Gage, the CSC, resigned. For the subsequent difficult months, the Community Services Administrative Assistant, Wendy Abetz, and the BHB maintained the program. Wendy displayed great

initiative and industry in familiarizing herself with BRAP; eventually, she was promoted and became our new CSC.

Chapter 40B Affordable Housing

Monitoring Activities

The BHB monitors affordable units in the Condominium Exchange Program (CEP), Boxborough Meadows, and Summerfields. It is assisted by Metro West CD through a regional group, the Assabet Regional Housing Collaboration (ARHC). This collaboration provides services related to the monitoring, maintenance, and creation of affordable housing. The Town of Hudson serves as the lead entity in this collaboration, which is defined by an Intermunicipal Agreement between Boxborough, Berlin, Bolton, Devens, Harvard, Hudson, Lancaster, Littleton, and Stow. The ARHC collaboration helps Boxborough monitor affordable units, reduces the time that Town staff spends on routine matter, and enables the sharing of ideas and experiences by the member communities.

In the past year, no resales of affordable units have occurred. However, issues related to resales have arisen. The resale of an affordable unit is governed by constraints detailed in a Deed Rider for the unit. In general, these constraints are designed to guarantee that the unit remains affordable and continues to be owned by households with appropriate incomes. The details can differ substantially. The Boxborough Meadows Deed Rider was developed some time ago and has since been superseded by the “Universal Deed Rider” developed by Massachusetts Department of Housing and Development (DHCD). In particular, the Universal Deed Rider contains provisions that are fairer to the affordable-unit owner. The BHB, led by Korinne Stephens, initiated an effort to clarify resale procedures and to incorporate features of the Universal Deed Rider in them.

The BHB sends self-certification letters to affordable-unit owners to verify that they still live in the unit and maintain contact with them in case that they have concerns that require our attention.

The table shows the Chapter 40B affordable units in Boxborough. Of these, the BHB serves as the Monitoring Agent for:

Condominium Exchange Program

Under the CEP, condominiums were converted from market-rate units to affordable units using subsidies provided by the Town of Boxborough and the Federal Home Loan Bank of Boston. Of the six affordable units that were created, two remain. Four CEP units have been resold as market-rate units and are no longer included in Boxborough’s Subsidized Housing Inventory (SHI).

Project Name	Units
Boxborough Meadows	12
Summerfields at Boxborough	6
Condo Exchange Program	2
Paddock Estates at Boxborough	244
Codman Hill Road	1
Craftsman Village at Elizabeth Brook	1

62 **Total SHI Units 266**

Boxborough Meadows

Boxborough Meadows is a 48-unit home-ownership complex that is located off Route 111/Massachusetts Avenue. It contains twelve affordable units.

Summerfields

Summerfields is a 24-unit, age-restricted home-ownership condominium complex located on Summer Road. Six of the units are affordable.

Water Quality at Boxborough Meadows

An owner of an affordable unit in Boxborough Meadows reported that unsafe levels of radionuclides was measured in the owner's well water. Because this represented a health hazard and an unexpected and potentially large expense, the BHB decided to proactively help the affordable owners at Boxborough Meadows. The BHB requested and received funding from the Boxborough Affordable Housing Trust (BAHT) for the testing of affordable-unit wells at Boxborough Meadows and the implementation of any required remediation measures. The tests revealed that eleven of the twelve affordable-unit wells were free of hazard, and the owner of the unit with the contaminated well was reimbursed for a remediation system. The BHB continues to monitor the situation.

Dump Stickers

The BHB approved a proposal from Jessi Robinson to pay for the dump stickers of any affordable-unit owners that need it. Currently, Boxborough has 266 affordable units, of which 248 are provided with refuse removal in their neighborhoods. Remaining are 19 units for which refuse removal is not provided. Jessi presented this proposal to the Select Board, which approved it. The policy is currently in place. The BHB continues to examine ways to help affordable-housing families and to maintain our affordable-housing stock in Boxborough.

Other Chapter-40B Affordable Housing in Boxborough

Paddock Estates at Boxborough is a 244-unit apartment community located near the intersection of Route 111/Massachusetts Avenue and Interstate 495. All 244 rental units (61 affordable units) were added to Boxborough's SHI, as shown in the table. Craftsman Village at Elizabeth Brook is a four-unit home-ownership community located off Codman Hill Road. It contains one affordable unit.

Status of Boxborough on the Subsidized Housing Inventory

The Subsidized Housing Inventory (SHI) lists the number of Chapter-40B affordable units (266), the total number of units (2,062), and the ratio of the former to latter (12.9%). This ratio is well above the 10% mandate, which means that developers cannot override Boxborough's zoning provisions through Chapter 40B developments. However, the SHI has not yet been updated to reflect 2020 Census figures. The data that has thus far been released does not include data on vacant "seasonal, occasional, or recreational use" units. The release of this data is currently scheduled for May of 2023. Our best estimates indicate that Boxborough will remain above the 10% mandate, but it is not certain.

In the opinion of the BHB, the best way to remain above the 10% mandate is to institute a policy of Inclusionary Zoning (IZ) in Boxborough. Inclusionary Zoning can take many forms; in general, IZ

zoning bylaws require developers to contribute to the affordable-housing efforts of a community. A change to our zoning bylaws is required, outside the purview of the BHB. The BHB has discussed the matter with the Planning Board and will continue to do so.

Present and Future Housing Initiatives

Boxborough's Housing Production Plan (HPP) should be updated. If Boxborough remains above the 10% mandate, the HPP will focus upon providing Boxborough residents with a broad range of affordable housing in the future. Housing outside the income range addressed by Chapter 40B affordable housing will be addressed, such as affordable homes for downsizers and young families, as well as homes for families with extremely low incomes. The BHB will evaluate housing construction that is more friendly to our environment. The BHB will do its utmost to stay involved in the development of land in that may offer opportunities for such housing

Input to the Planning Board on proposed projects

Campanelli Companies is under discussion with TUV Rhineland, a company that does consumer-items testing, regarding a property at 400 Beaver Brook. The BHB requested that the Planning Board ask TUV Rhineland for \$50,000 in lieu of producing affordable housing.

Additional Topics

Stow Road Project

The Stow Road property was purchased by the BHB in 2010. It consists of approximately 13.5 acres and is located on 70-72 Stow Road. The property was acquired with funds from the BAHT. The objective of the purchase was to develop a home-ownership project that incorporates housing of diverse types and is well suited to Boxborough's needs. However, the housing density that is allowed by the present zoning is not high enough to enable an economically viable development. Achieving housing that fills Boxborough's gaps in housing availability, is attractive to contractors, and satisfies the legal requirements proved exceedingly difficult.

The Boxborough Building Committee (BBC) is considering whether the property can serve as a location for a Public-Safety Facility. The implementation of this plan would involve transfer of the property to the control of the Select Board and the compensation of the BAHT for the property. The BHB established a subcommittee, led by Channing Wagg, to establish an asking price for the Stow Road property. The subcommittee has deemed the property to consist of eight useable acres, which form the core of its value. The subcommittee derived a value of \$157,392 per acre from the assessed land values of adjacent residential lots on Stow Road, yielding a total value of \$1,259,136.

Goals and Strategies

In the past year, the BHB has had several discussions regarding goals and the strategies by which we can augment affordable housing in Boxborough. As mentioned above, we are examining more new programs for this purpose, such as a series of informational meetings on such subjects as heat pumps or solar power. We are developing a maintenance program designed to ensure that existing affordable units satisfy current code requirements and are maintained in good working order.

We believe that that formation of "Town-Administrator (TA) Advisory Groups" has been excessive and has resulted in the exclusion of the BHB from discussions in which it should have had a voice. A notable example is the discussions regarding 400 Beaverbrook. These TA Advisory Groups seem to have been crafted to avoid the strictures of the Open Meeting Law and seem to conflict with at least its spirit.

Town Support

The Boxborough Housing Board is grateful for the help and support of Town Hall Staff, particularly Wendy Abetz. Wendy, somewhat heroically, stepped in to help us with BRAP when our CSC resigned. As the CSC, she continues to enthusiastically support and guide the program. The guidance of Select Board member Les Fox is also much appreciated. The BHB looks forward to expanded collaboration with the various town boards and staff whose missions intersect with its own.

Respectfully submitted,
Al Murphy, Chair

BOXBOROUGH COMMUNITY ACCESS STATION (BxB-TV)

Based on defined BxB-TV Policies and Procedures and the yearly IMA, LCTV's Video Production Supervisor is responsible for budgeting, managing, and maintaining the recording, playback of defined meetings and the broadcast equipment. The primary focus of live broadcasting for the current fiscal year has been on covering the Select Board, Planning Board, and Finance Committees' regularly scheduled meetings and the Annual and Special Town meetings.

The Video Production Supervisor, Kirby Dolak, is supported by two hourly Media Production Technicians for meeting coverage and LCTV's Video Production Coordinator Judy Reid. Office support and liaison is provided by the TA's Office Administrator Kelley Price.

Fiscal Year 2023 Accomplishments

- Successfully continue to provide Zoom based virtual meeting with use of LCTV's Streaming services to make the Zoom virtual meetings also live on Boxborough's Comcast Channel 9 and Verizon channel 39.
- Providing hybrid in-person meeting coverage by taping and post-production work of the Live Finance Committee meetings.
- Providing meeting coverage by taping and post-production work of the virtual-live or delayed broadcast of Select Board and Planning Board meetings.
- Successful negotiation of the Verizon Franchise agreement. Next agreement to be worked on will be the Comcast franchise agreement.
- Boxborough - Verizon Franchise Renewal 2022 Agreement Summary
 1. Five-year versus ten-year agreement with Verizon
 2. Verizon to provide Boxborough with up to three standard-definition channels and one high-definition channel.
 3. Verizon to pay:
 - a. Boxborough \$35,000 for BXBTv broadcast-related capital equipment use.
 - b. Boxborough BXBTv quarterly franchise license fees for each Verizon subscriber (\$.50/subscriber)
- Additional Hybrid meeting training provided to the Finance Committee.
- Provided live and streaming coverage of the 2022 three-night Annual Town Meeting from the Blanchard Middle School with additional data communications assistance of ABRSD IT department.
- Provided special Delayed/Live and streaming coverage of the Town Administrator interviews.
- Assist Finance department with review and audit of FY revenue and expenses of the Cable department. Provide financial revenue data to the Franchise Negotiation team.

- Working with Select Board and ATA on an On-Demand Cloud Portal solution from Castus TV for storage/airing of non-broadcasted meetings, that could satisfy Town requested - possible State mandated transparency requirements.
- BLF trialed Littleton's OWL automated camera/microphone system for non-broadcast hybrid meeting support in Morse Hilberg room.
- Provided HLS simulcast streaming of ABRSD School Committee meetings on BXB-TV Government Channels.
- Provided Boxborough relevant Littleton Electric Light and Water Department (LELWD) content on BXBTV.

Fiscal Year 2024 Goals and Objectives

- Continue to manage and operate BXB-TV using available cable franchise fees. Consult on the CY 2021 Comcast cable franchise agreement re-negotiations team as an ex-officio member.
- Continue to provide virtual meeting coverage to the Select Board, Planning Board as allowed by the Governors Executive order. Finance Committee meeting coverage, as a Hybrid from the Grange Hall.
- Provide residents with additional video production and ENG gear training opportunities in Boxborough and LCTV's studios.
- Continue to provide Grange Hall AV training to staff, board or committee chairs and interested residents.
- Advocate for the video coverage of additional non-broadcast board and committee meetings using the OWL camera systems for video capture and the Castus TV Cloud Portal solution for storage and On-Demand viewing.
- Continue to build connections with additional Town departments to better use BXB-TV media services.
- Continue to support the Select Board, the Town Administrator, and other Town offices to increase communications and ensure transparency of government activities.
- Assist when possible with additional video projects on Town government issues/ opportunities.
- Provide input on the proposed Town Safety building to include a second video broadcasting suite.

CEMETERY COMMISSION

There were nine burials in South Cemetery in 2022.

Restoration and preservation continued at North Cemetery. This included a major rebuild of the front of one of the vaults and stabilization of other items. This work is made possible, in large part, by Community Preservation Act funding. The Commission is very appreciative of this assistance.

The Commission continually strives to maintain and enhance our cemeteries and thanks the Superintendent and all the Department of Public Works staff for their efforts. We welcome your input in this regard.

Respectfully submitted,
Owen Neville, Chair

COMMUNITY AND SOCIAL SERVICES DEPARTMENT

The Community Services Coordinator (CSC) position was vacated in early 2022 and a new CSC (the former Department Assistant) started in mid-August. A new assistant started in the beginning of October. The new staff members quickly formed a cohesive team and connected with local organizations and community members to assess the needs of the residents and learn about different resources. The following are accomplishments for 2022:

Fiscal Year 2022/2023 Accomplishments

Direct Client Intervention

- Since mid-August, we have assisted about 40 families in need with guidance for food pantries, applying for SNAP benefits, rental assistance, financial assistance, clothing, Residential Assistance for Family in Transitions (RAFT).
- Ran a holiday support drive for 25+ Boxborough families and provided gift cards, toys and gifts for families identified as needing support.
- Collected ~\$3,100 in gift cards and garnered 8 sponsors utilizing the Boxborough Bee and Social Media to provide families with support around the holidays. The support was graciously provided by St. Vincent DePaul Society, Danny's Place, The Boxborough Minuteman, Toys for Tots, UCC of Boxborough Support Fund and many Boxborough residents.
- Assisted seven families in applying for Beacon Santa resulting in a total of \$1,300 in Target Gift Cards.

Interactions and Enhancements

- Completed a course on Mental Health First Aid USA and received a three-year certificate.
- Joined forces with Massachusetts State Representative Dan Sena's aid, Lorena, who provided Portuguese translation to one of our families.
- Worked closely with the Blanchard Memorial School Principal and Counselor to identify families at risk.
- Worked closely with Rob McNeece to refer clients who may qualify for fuel assistance.
- Collaborated with police, local clergy, and local hotel to assist a local homeless man through the holidays.
- Collaborated with Laura Ducharme, Acton Community Services Coordinator, to learn many of the programs available.
- Worked in partnership with Reverend Cindy Worthington-Berry. She has been an incredible source of knowledge to help me in this position so I can help others.
- Cooperated with the Boxborough Police, especially Rob Arakelian, to discuss resources regarding: domestic violence, substance abuse and mental health issues.
- Wrote grants for Boxborough families through the Acton Boxborough United Way (ABUW), United Church of Christ in Boxborough Community Support Fund and A Friend in Need.
- Worked with residents who are ex-military on benefits and referred them to James MacRae, the Veteran's Services Coordinator for Acton and Boxborough.

ARPA Funding Programs

- Used the American Rescue Plan Act (ARPA) funds to create two additional slots in the Boxborough Rental Assistance Program (BRAP) and filled both slots.
- Coordinated and initiated two programs utilizing ARPA monies: the Acton Food Pantry support program and the Boxborough Emergency Assistance Program (BEAP), before the CSC position was officially filled.
- Assembled a team to create the BEAP utilizing \$105k in ARPA funds. The program officially kicked off January 2, 2023.

- Successfully completed the agreement for the Acton Food Pantry in December with the Interim Town Administrator so that the Food Pantry can spend the \$15k received from the ARPA funds to acquire much needed items to distribute to town residents.
- Worked with ABUW to create a google form for the BEAP application. Once the form is completed, it will roll into an excel spreadsheet so that we can easily report on funds distributed.
- Presented BEAP to the Select Board on December 12th, 2023 and gave updates on the other two ARPA programs under the Community Services Department.

Community Outreach

- Set up a table at Fifer's Day in June and asked attendees about the Boxborough Bee and how they received their newsletter.
- Worked on a team of three to provide residents with the Boxborough Bee – local newspaper that reports news of Boxborough on a quarterly basis.
- Attended the FreeBee market in October 2022 and handed out information about the Community Services Department in Boxborough as well as distributed other free items.
- Attended an art program at the library called “*I am More* (than my anxiety, depression or gender identity).”
- Attended a program at ABRHS sponsored by the United Way about the Indigenous people of Massachusetts.
- Made connections with Acton Council on Aging at their 5th anniversary open house.
- Assisted senior citizens of Boxborough and Acton, along with Kim Dee, Boxborough COA, on a field trip to ABRHS and received a tour from the superintendent and Principal. We then sat down with students to learn about school now and then.
- Made connection with Massachusetts State Senator, Jamie Eldridge, to see how his office could support Boxborough Community Services.
- Received tours of both the Open Table Food Pantry in Maynard and Acton Food Pantry in Boxborough.
- Worked closely with Donna Bottari at the Acton Food Pantry to provide adult diapers through a social media drive.

Boxborough Rental Assistance Program (BRAP)

- Worked closely with Al Murphy and Channing Wagg of the Housing Board to update the BRAP application for the Fiscal Year 2023 and make it available to other outlets so it is easily accessible for residents.
- Processed applications through MetroWest Collaborative Development to screen clients for eligibility and enroll them in the program.
- Provided ongoing stabilization services to the participating households.
- Enrolled three new families into BRAP and more to come on the horizon.
- Managed the program with landlords and tenants to ensure they understand the benefits and terms of the program.

I wish to thank the numerous people and boards who have supported me in my new position over the last several months. Your expertise and knowledge about Boxborough have been indispensable.

Respectfully Submitted,
Wendy Abetz, Community Services Coordinator

COUNCIL ON AGING

The Boxborough Council on Aging's mission is to advocate for Boxborough residents age 60 and older by enhancing their quality of life and independence through programs and services that address their health, economic, and transportation concerns, as well as social and cultural interests. It is noted that more than 26 percent of the Boxborough population is age 60 and greater. The COA provides them with information and referrals for issues relating to Medicare healthcare insurance options, fuel assistance, and in-home care services. The COA also provides health screenings, podiatry clinics, exercise classes, and social activities. The COA and the Friends of the Council on Aging subsidize a range of educational and social programs.

The Boxborough Council on Aging Board, appointed by the Select Board until June 30, 2022, had seven members, then became a five-member board when two members stepped down.

The Board works closely with the COA Coordinator to identify and respond to seniors' concerns, develop programs, implement appropriate services, educate citizens, and advocate on behalf of seniors and their families. COA staff includes a 32-hour/week Council on Aging Coordinator Kimberley Dee; and 19-hour/week Department Assistant/Van Transportation Coordinator Cindy Regan. The COA Board is particularly grateful for Kim and Cindy's expertise and dedicated service. The COA also retains two part-time van drivers: Dolan Geneau and Sandy Verger, and the Board notes they offer our constituents vital mobility in a kind, generous, safe, and understanding manner.

2022 Activities

Buzz Newsletter: The COA published ten Buzz newsletters in 2022. The newsletter was mailed to more than 620 households per issue.

Montachusett Regional Transit Authority (MART) Van Transportation: The COA operated van service on Tuesdays, Wednesdays, and Thursdays, from 9:30am-3:30pm. In 2022, the van service provided more than 789 rides to older adults, and to residents with disabilities.

Go Boxborough Transportation Program: Thanks to an American Rescue Plan Act (ARPA) Fund grant, the COA provided Boxborough seniors and adults with disabilities a supplemental transportation option. This program provides transportation to medical appointments that are outside the service area, time or availability of our MART van services. We provided 18 rides through this program in 2022.

Senior Tax Work Off: The successful Senior Tax Work Off program saw 20 seniors perform more than 1,140 hours of work during the 11/1/2021-10/31/2022 session for more than \$16,000 of work hours.

Senior Discounts: The COA began to collect the names of local businesses offering discounts to Boxborough seniors. At this time, 14 businesses offering services including auto service, take-out food, movie tickets, financial planning, and more, are on board. A list was published in the Buzz and is expected to be posted on the COA website.

Classes, Programs and Lunches: Exercise classes were offered via Zoom, in-person and a hybrid format this year and we offered both in-person lunches at the Community Center and Grab n' Go lunches as well. There were seven weekly class offerings for fitness, chair yoga and mat stretch/flex yoga and two sessions of tai chi/qigong classes. Each week, two fitness classes were offered via Zoom, and two in person. Chair yoga classes were offered simultaneously in person and via Zoom, Mat yoga classes were offered in-person only after June 2, 2022 and the tai chi/qigong class was in-person only from February until June. There

were five in-person group lunches at the Community Center, five grab n' go lunches and one grab n' go ice cream truck event. Monthly health screenings, three educational presentations, and five live entertainment performances were also offered in-person. We organized a very successful MBTA Senior Charlie Card event, enabling more than forty individuals to obtain, at no charge, an MBTA senior discount of 50 percent off all fares. We thank our community partners for sponsoring our lunches, and our instructors for providing high-quality exercise classes.

Thank you to the Friends of the Council on Aging and other town organizations

The Friends of the Council on Aging provides financial support and sponsorship for seniors' programs and lunches; this support helps to keep participants' fees affordable. The COA appreciates FCOA's vital support.

The older adult community benefits from the services provided by the employees at the Department of Public Works, the Fire Department, the Police Department, Town Hall, and the Whitcomb House Trust Fund administered by the Sargent Memorial Library. We acknowledge and appreciate their dedication to such a large and vital segment of the Boxborough population.

Respectfully submitted,
William Litant, Chair

DEPARTMENT OF PUBLIC WORKS

The Department of Public Works (DPW) strives to support and enhance Boxborough's quality of life through sound management practices, vision and teamwork with a dedication to excellence. The DPW provides municipal services to the Town in a cost effective, dependable, responsive, efficient and safe manner. These services include; roadway and sidewalk maintenance and preservation, MassDOT Chapter 90 and town roadway replacement funding, storm water maintenance, vehicle and equipment maintenance, water supply and distribution, wastewater management, preservation and maintenance of public parks, athletic fields, conservation land, open space and cemeteries, tree removal and pruning, operation and upkeep of a solid waste and recycling transfer station, general maintenance of town owned buildings and snow and ice operations.

The DPW consists of nine full time employees: the DPW Director, Administrative Assistant, Foreman, Skilled and Semi-skilled employees, and one part-time employee. This past year the DPW hired a new employee, Greg Martino, who will be splitting his time at the DPW and Transfer Station. He started work on 08/30/22 and has already become a valuable asset to the department.

It is with a deep sadness that I have to report that Linda Collins, the DPW/FD Administrative Assistant, has taken a new position with the Town of Concord. During the two years that she worked for the departments she made a big impact and was an exceptional employee. She will be missed!

In July 2021 a new 6-wheel dump truck was ordered to replace a 16-year-old truck. Due to the pandemic and supply chain issues the truck has not been delivered yet but hopes are that it will be here in January 2023.

Road work continued in 2022. Numerous roads in town were milled and resurfaced. They include: Morse Lane, Old Harvard Road, Houghton Lane, Colonial Ridge Drive, Davidson Road, Depot Road (from the train tracks to Littlefield Road), Chester Road, Pine Pasture Run, and Old Orchard Lane.

The Highway Department provides maintenance and repair of approximately 32 miles of Town roads, sidewalks, storm water utilities, catch basins, and public shade trees.

- Catch basin and drop inlet cleaning: all were cleaned this year.
- All Town roads were swept
- Numerous catch basins were repaired on the newly paved roads
- Patching and pothole repair: 42 tons of asphalt were used to patch potholes and patch rough areas throughout town
- Continuing tree work: Trees were trimmed Sargent Road, Barteau Lane, Liberty Square Road, Old Harvard Road, and Burroughs Road.

During FY22 winter season the Town saw 57 inches of snow and the Highway Department was sent out a total of 37 times to treat/plow Town roads.

To my staff: Thanks for being so dedicated and hard-working! Know that it is recognized and greatly appreciated not just by me but by the residents as well!

Respectfully submitted,
Edward Kukkula, Director of Public Works

DIVERSITY, EQUITY AND INCLUSION COMMITTEE (DEIC)

The Diversity, Equity and Inclusion Committee (DEIC) is a five to ten member committee, currently made up of seven members, formed in 2020. DEI has been brought to the forefront of public awareness, and Boxborough has made a commitment to create and foster a welcoming, inclusive and equitable town for all residents and guests regardless of their age, gender, orientation, race or socio-economic status. This commitment led to the Select Board's creation of the DEIC to help research and propose changes to the various boards and committees whose work may be impacted by DEI-related considerations.

As 2022 began, multiple members of the committee volunteered through Acton-Boxborough United Way to facilitate community circles related to Martin Luther King Day and other important topics. Community circles aim to connect local community members through respectful and open discussion.

The DEIC finalized, analyzed, and submitted the results of a survey aiming to better understand the needs and experiences of the community to the Select Board. The survey examined individuals' experiences with diversity and identity in town, and included topics such as comfortability discussing race and other sensitive subjects, public opinion on town leadership, identity-related conflicts and other unfair treatment suggestions for improvement in town.

The DEIC compiled a holiday calendar that included holidays from a variety of religious and cultural backgrounds; its purpose is to act as a reference for boards and committees to be mindful in scheduling meetings and events.

Respectfully submitted,
Nora Michnovez, Chair

FIRE DEPARTMENT

During 2022 the Fire Department continued to grow and move forward to get closer to the recommended operational level determined by the National Fire Protection Association (NFPA). The Departments accomplishments, statistics, and our continued mission to go above and beyond the call of duty have been highlighted in the 2022 Annual Report. It is my pleasure to present the 2022 Boxborough Fire Department to the community.

Our mission continues as our visions expand to provide high quality and quick response times to minimize loss of life and property from fire, provide Emergency Medical Services, mitigate the consequences that natural and manmade disasters would have on life, property and the environment, and provide fire protection services and public education programs through non-emergency support activities.

The Fire Department’s responsibilities are ever-expanding as the Town and community grows. The range of emergencies we respond to includes, but is not limited to: medical, fire, natural disasters, hazardous spills, motor vehicle accidents, pandemic response and other everyday emergencies. We stand ready and prepared while equipped to handle unpredictable emergencies with continued professionalism, courtesy and promptness 24/7.

We continue to operate out of a 70-year-old station which we have outgrown. We have found creative ways to work in crowded, inadequate work spaces as we wait for the much-anticipated construction of a new Public Safety Building. We provide both fire and medical emergency services to the residents in a 10 square mile radius. We also cover 7 miles of Route 495 North and South.

The 2022 Fire Department is a combination department that consists of:

1 Full Time Chief, Emergency Management Director
2 Full Time Officers- 1 Captain, 1 Lieutenant
2 Call Officers- 1 Captain, 1 Lieutenant
5 Full Time EMT/Firefighters
28 Per Diem EMT/Firefighters
2 Call Firefighters

- The Chief also serves as the Chair of the Local Emergency Planning Committee. In conjunction with the Police Chief, he is jointly responsible for the operation of Boxborough’s joint emergency dispatch center, including 911 systems and services.
- The department is a member of Fire District 14 and is responsible for maintaining and deploying the regional hazmat decontamination trailer.

The mixed staffing structure provides coverage 24 hours a day, 7 days a week. The addition of another full-time member half way through the fiscal year has allowed the Department to bring its staffing level closer to the Department’s desired level and closer to the recommended operational level determined by the National Fire Protection Association (NFPA). The addition of staff has allowed the Department to grow and provide better availability and the ability to be prepared and respond with backup coverage for additional emergencies. Additional staff in the future will provide beneficial coverage as we approach the appropriate level of staff needed to respond to all town emergencies.

The Fire Department’s fleet and apparatus consist of:

3 Class-A Pumpers	1 Support Vehicle
1 Basic Life Support Ambulance	2 Command Vehicles
1 3,000-gal Tender	1 Hazardous Materials Trailer

1 Hose wagon	1 Emergency Management Shelter Trailer
1 Brush Truck	

During the 2022 calendar year, the Fire Department handled a total of 1,469 calls/services. Motor vehicle accidents and emergencies along the 495 Route continue to keep the department very active on these 7 miles of the stretch on both the north and south side.

Fire Department Statistics – Calendar Year 2022

Aircraft Incidents	0	Medical Assist	81
Alarm Box Maintenance	72	Medical Emergency	423
Alarm Investigations	103	Motor Vehicle Accidents	75
Detail/Fire watch	17	Mutual Aid – Ambulance	77
Fire – Brush	9	Mutual Aid – Fire Apparatus	38
Fire – Vehicle	3	Outside Smoke Investigations	7
Fire – Chimney	1	Public Education – SAFE/CPR	145
Fire – Other	25	Public Education – Car Seat Install	65
Fire – Structure	4	Special Service – Suspicious Item	1
Hazardous Materials Incident	11	Special service – Other Assistance	37
Inspections /Permits	138	Special Service – Water Problem	10
Investigation – Carbon Monoxide	13	Special Station Coverage	10
Investigation – Natural Gas	1	Training	36
Investigation – Odor	14	Water Rescue	1
Investigations – Other	36	TOTAL RESPONSES	1469

2022 Inspections, Permits & Public Requests

**Total Issued
302 *Other 58**

Blasting Permit	1	Master Box Connection	0	Smoke Detector Permits	103
Combustible/Flammable Permit	23	Oil Burner Permits	24	Sprinkler Permits	37
Cutting/Welding Permit	11	Powder Permits	1	Tank Removal Permits	8
Fire Alarm Permits	16	Plan Submittals	55	Tank Truck Permits	0
L.P. Gas Permits	23			Tank Truck Permits	0
Master Box Monitoring *	42	Reports & Copies *	16		

2022 Fire and EMS Training

The department continues to provide training throughout the year to keep all the members up to date on the newest techniques and on current and new equipment. Training is offered both online and in person. Training highlights: we trained on behavioral emergencies, we implanted EMS tactical ballistic vests, Emergency report documentation, Current CPR updates. Training for up to date auto extrication techniques, training on how to deal with new electric and hybrid power systems, District Mass Decontamination, ladder drills, search and rescue drills, ice rescue, forcible entry and daily use of fire equipment.

The Fire Department's services and commitment to the community go far beyond putting out fires and responding to medical emergencies. We are committed to providing valuable educational programs to our seniors, youth, and residents through a number of programs that department staff actively participate in and execute throughout the year.

Educational programs provided

- SAFE Program (Student Awareness of Fire Education): This grant-based program allows firefighters to educate children of the dangers of fires and smoking. This program is led by Captain Jason Malinowski and is presented in both the Blanchard School and daycares in the community, to ensure the vital education for the youth of Boxborough.

- Senior SAFE Program: This grant-based program allows the department to assist the needs of seniors in the community as it relates to fire safety and detection. The department held senior events and conducted over 26 Senior Safe Home Safety Checkups, tested smoke/carbon dioxide detectors, and assisted with testing and installation of new detectors/ batteries this past year.
- Child Passenger Safety Program: Captain Shawn Gray & Captain Jason Malinowski perform this program with staff assistance while providing free service by aiding parents and guardians with inspections along with educating safety techniques involved with proper car seat installations for the youth.
- “Heart Safe Community” and CPR: The state of Massachusetts designates Boxborough as a “Heart Safe Community,” which provides CPR, First Aid, and Safety training for the residents, local businesses and local sports leagues.

Additional educational and services we provide throughout the year

- The department works with local business upon request to assist in fire drills and evacuation planning.
- Offers fire extinguisher training for local businesses upon request.
- Fire Prevention: The department provides a variety of inspection services as required by Massachusetts Common Law Chapter 148,527 CMR 1.00, the requirements of the NFPA, and other regulatory enforcement activities: Building walkthrough’s and preplanning with property owners; Plan review for both residential and commercial construction and site walkthroughs; Residential and business inspections for new construction and various types of remodeling depending on code requirements and remodeling extent intended.

2022 Accomplishments

- Continued to work with the Boxborough Building Committee to address the pressing need for a new, combined Public Safety Building.
- Worked with the Select Board and Finance Committee to accommodate the necessary staffing of the Fire Department both at career and per-diem level.
- Finalized delivery of the new front-line apparatus, Engine 62, to replace the aging previous model (estimated delivery April 2023).
- Researched the efficiency of replacing the current Hose Wagon 65 with a more functional apparatus that will allow the Fire Department to better meet Boxborough’s current and future needs. Grant pending with FEMA.
- Continued to enhance training opportunities for the Fire Department and further update and develop standard operating practices (SOPs). These updates will keep the Boxborough Fire/EMS Department operating at the forefront of the ever-changing needs of the Town of Boxborough.
- Continued to work with the Emergency Management Team, along with the Boxborough Emergency Reserve Corps (BERC), to be prepared to assist the community of Boxborough in a time of need.
- Continued to seek Grant funding to enhance the ability of the Fire/EMS Department and emergency management to better provide for the community of Boxborough.
- Enhanced public education programs to continue to engage community members of all ages. Programs included but were not limited to: Spring Fest, Truck or Treat, Santa Drive Around Day, Car Seat Inspections, CPR Classes, School Visits, Senior Luncheons, Acton Food Pantry Drive, Community Open Houses for Parents’ Network, etc.
- Rolled out building walk through program for pre-planning of all commercial buildings in town.

2023 Goals and Objectives

- Work collaborate with multiple departments and committees to make significant progress to bring a combined Public Safety Building to Town Meeting for consideration

- Execute on year 4 of career staffing plan to bring all shifts up to at least three Firefighter/EMTs.
- Successful onboarding of new per diems to complement career staff (note two per diems recently hired as career staff).
- Onboard new Firefighter/EMT and new Department Assistant. Work cooperatively with the DPW Director to maximize the efficiency of the new Department Assistant.
- Pursue FEMA - AFG Grant for Hose Wagon 65 (if unsuccessful in current cycle)
- Aggressively pursue and execute various fire grants both on the state and federal level.
- Continue extensive building walk throughs for all commercial and Town buildings to prepare for emergency management best practices for quicker response times.
- Continue to enhance training opportunities for the Fire Department and further update and develop standard operating practices (SOPs). These updates will keep the Boxborough Fire/EMS Department operating at the forefront of the ever-changing needs of the Town of Boxborough.

As our department and town continues to grow I want to share my sincere thanks to all the men and women in Boxborough's Public Safety Departments. Our commitment and desire to go above and beyond the call of duty has made our department and Boxborough a great place to work and live safely. I want to acknowledge all the hard work, professionalism and teamwork the Fire Department members commit to each day. The dedication of the Officers, Full-Time EMT/Firefighters, Per Diems and administrative staff, all contribute to keeping this Station operating efficiently while facing many challenges in the world and community each day. I am proud of their work and accomplishments. I also want to recognize the Boxborough Emergency Reserve Corps for all the time and effort they have invested to provide for the betterment of the community we live in.

I want to thank the community for their support and generosity throughout the year. I invite you to visit our station or call with questions or concerns you may have throughout the year. Our doors are always open.

Respectfully submitted,
Paul B. Fillebrown, Boxborough Fire Chief

HISTORICAL COMMISSION

During 2022 the Historical Commission continued operation of 575 Middle Road as a Town Museum with both Town and Historical Society exhibits and volunteers manning opening hours each month of the year. The basement dehumidifier was replaced after the failure of the previous unit.

Commission members are participating in the work of other Town committees including the Design Review Committee, Veterans' Tribute Committee, and the Community Preservation Committee.

As a continuation of an existing program for many years, a sign was procured and installed to commemorate the homesite of Boxborough's historian and author Lucie Hager.

At the request of a local resident, the Commission investigated adding 72 Stow Road to the "Historically Significant" category under the Demolition Delay Bylaw. The resident presented a well-researched history of the house and his reasoning for its inclusion on the list. The Commission made a site visit to the house supported by the Housing Commission, who originally purchased the house on behalf of the Town. After

review and discussion, the Commission decided not to at 72 Stow Road to the “historically Significant” category, as it did not meet the requirements met by the other properties on the list.

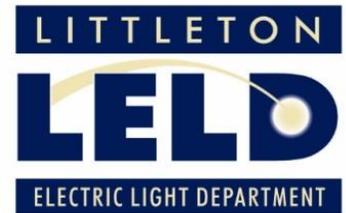
The Commission responded to requests for information on various aspects of Town history.

Respectfully submitted,
Alan Rohwer, Chair

LITTLETON ELECTRIC LIGHT DEPARTMENT

The Board of Electric Light Commissioners is pleased to present the annual report of the Electric Light Department for the calendar year 2022.

The department continues to advance its tradition as a progressive public utility committed to safety, reliability, sustainability, and quality service. As your local electric company, we consistently strive to provide our rate payers with some of the lowest rates in the region, while offering superior customer service and outstanding value to the community.



A review of residential rates charged by municipal and investor-owned utility companies show that LELD’s rates are consistently significantly lower than our neighbors. In fact, LELD’s electric rate was again one of the lowest in the state for 2022. For purposes of comparison, a Littleton customer using 750 kWh per month has a monthly bill of \$100.62. The same usage in Acton, served by Eversource, would cost \$221.64; while in Concord, served by Concord Municipal Light, would cost \$151.14. LELD continues to keep these rates low, and at the same time reinvest into our local distribution system in order to improve overall system reliability.

Littleton Electric Light Department continued to be recognized as a Smart Energy Provider by the American Public Power Association (APPA) — a trade group in Washington, D.C., that represents more than 2,000 not-for-profit, community-owned electric utilities, such as LELD. This recognition is based on energy efficiency and distributed energy resources, environmental and sustainability programs, communication/education, and smart energy information. LELD also continues to be recognized as a Reliable Public Power Provider, based on reliability, safety, workforce development, and system improvement.



During the year, LELD line crews replaced about 2,800 feet of old “open wire” lines on Summer Road with the Hendrix Aerial Cable System, provided at no cost by Marmon Utility LLC. Spacer cable, such as the Hendrix Aerial Cable System, arranges the wires in a diamond shape for a stronger system able to withstand the impacts of severe weather and downed tree limbs. With the completion on Summer Road, LELD began making upgrades to the SCADA communication on several devices in Boxborough. This fiber connection is much faster, secure, and more reliable.



The level 2 public charger at the Sargent Library had saved 8,877kg of greenhouse gases and 1,569 gallons of gasoline in 2022. Customers continue to have access to charge their vehicles for free at the LELD stations, while the public must pay to charge. LELD’s electric vehicle program also continues to offer \$300 rebates for residential home charging upgrades and a monthly credit to those who charge during off-peak hours. There have been 220 customers who have taken advantage of the electric vehicle program.

The Littleton Electric Light Department relaunched the Solar Rebate Program in 2022. This provided customers with \$50,000 in solar rebates to make solar technology more affordable and to support the adoption of renewable energy. The department also introduced the Renewable Energy Choice, a new program for customers to choose to have 100% of their electricity come from renewable sources.

The Green Rewards Program continues to save customers electricity and money. In 2022, the program saved approximately 64,000 kWh and has saved residents over \$50,000 in energy conservation measures through rebates on heating and cooling systems, home improvements, and electrification. LELD has continued its annual funding and contributions toward Boxborough's community development by supporting Boxborough Schools for new technology equipment.

The business office launched our new service portal that now provides customers with easy and secure access to the most current account information. For more information, please visit our website: www.lelwd.com

Respectfully submitted,

Board of Electric Light Commissioners

Scott Larsen, Chairman

Jim Karr, Secretary

Bruce Trumbull, Member

Ivan Pagacik, Vice-Chairman

Dick Taylor, Member

POLICE DEPARTMENT & EMERGENCY COMMUNICATIONS CENTER

I am pleased to present the 2022 Boxborough Police Annual Report. In this report you will find detailed Department Statistics for the 2022 Calendar year. Also included are statistics from previous years to illustrate trends and how certain categories of crime and enforcement activities have increased/decreased from previous years.

From January 1, 2022 to December 31, 2022 the Boxborough Police Department handled 9,375 calls for service. Three new employees began working for the agency in 2022. The Police Department welcomed Officer Bradley Lupiani to its ranks in October. Officer Lupiani came to Boxborough after serving five years with the Great Barrington Police Department. He has already proved to be a valuable asset to both the Police Department and the community. Dispatcher Zach Stillman began working in the Emergency Communications Center in November and has also proven to be a valuable commodity to the town. Elizabeth Hoenshell was named the new Administrative Assistant in September and has provided tremendous professional staff support to the agency. Also, the department and Town of Boxborough saw the retirement of one of its most respected members. In July of 2022, LT. Warren J. O'Brien retired after 38 years of service in law enforcement. We wish him all the best.

The Police Department provides 24/7 professional service with a budgeted department size of 13 Officers (1 Chief, 1 Lieutenant, 3 Sergeants, 1 Detective, and 7 Officers). Police Personnel serve as law enforcement liaisons to several community resources such as the Domestic Violence Service Network (DVSN), Communities for Restorative Justice (C4RJ), Northwest Middlesex Community Outreach Initiative (COIN), and the Middlesex District's Attorney Opioid Task Force. We continue to grow our relationship with Boxborough's Council on Aging and Acton Boxborough Regional Schools where we attended various events throughout the year. The Department also engaged in numerous community outreach events throughout the year including Coffee with a Cop, the Public Safety Trick or Treat Event, and partnering with the Fire Department to escort Santa throughout Boxborough during the holidays.

Professional training for all police personnel continues to be paramount to the department’s mission. In the past year, Officers received training in various subject matters, including conflict resolution, stress management, communication and de-escalation, mental health, legal updates, cyber investigations, bias training, CPR/AED, firearms, and defensive tactics.

The Boxborough Police Department is a professional State Accredited Agency as it continues to operate in compliance with the programs established by the Massachusetts Police Accreditation Commission. It was granted re-accreditation in 2021 as the department successfully passed the assessment and was granted another three-year term. The accreditation standards are considered best practices, both administratively and operationally. These carefully selected standards impact both Officers and public safety, address high liability/risk management issues, and promote general operational efficiency throughout the department.

The Emergency Communications Center also provides 24/7 coverage for all communications and certified E911 services to the Town and its emergency service providers. The “Are you OK” program where pre-registered individuals receive a daily phone call originating in the dispatch center is still in effect, resulting in thousands of calls to enrolled individuals.

The Boxborough Police Department is very appreciative of the unwavering support by the community throughout the years. The department will continue to strive to provide the highest quality public safety services to all residents and visitors to the Town of Boxborough.

Finally, it my honor and privilege to thank all the members of the Boxborough Police Department and the Emergency Communications Center for their dedication to both their profession and the Town of Boxborough. It is because of your commitment and professionalism that Boxborough remains the beautiful town to live, work, and visit.

Respectfully submitted,
John Szewczyk, Interim Chief of Police



BOXBOROUGH POLICE DEPARTMENT

520 Massachusetts Avenue, Boxborough, Massachusetts 01719 Phone: (978) 264-1750

Police Department and Emergency Communications Center Statistics

INCIDENT	2020	2021	2022
911 Hang-ups	186	298	304
Animal Complaints	156	168	461
Annoying Phone Calls	15	7	5
Arrests	51	33	26
Assist Citizens	563	455	156
Assist Fire/EMS	582	662	665
Aggravated Assaults	3	2	5
Breaking & Entering	1	5	5
Burglar Alarms	93	68	62
By-Law Violation	1	5	1

MOTOR VEHICLE	2020	2021	2022
Motor Vehicle Stops	1271	1045	663
Verbal Warnings	709	860	487
Citations Issued	395	185	176
Written Warnings	172	64	34
Civil Citation	96	50	33
Criminal Citations	24	71	109
Average OVER Speed	19 MPH	21 MPH	16 MPH

Complaints (traffic problems)	294	226	70
Disturbances - General	112	39	49
Disturbance - Domestic	32	25	16
Disturbance - Mental Health	55	81	62
Follow-up investigation	88	55	47
Larcenies/Fraud	87	48	44
M.V. Accidents w/injury	52	55	75
M.V.A. /Property Damage	40	51	42
M.V. Theft	1	0	3
Missing Persons	8	3	3
Noise Complaints	24	20	20
Protective Custody	0	2	0
Rape/Sex offenses	5	5	7
Robbery	0	0	0
Shoplifting	1	1	1
Summoned to Court	99	83	65
Suspicious Activity	313	267	214
Vandalism	11	11	13
Simple Assaults	7	2	1

Case Activity Statistics	2020	2021	2022
Total Offenses Committed	446	295	237
Total Felonies	45	35	42
Total Crime Related Incidents	227	161	133
Total Non-Crime Related Incidents	235	209	164
Total Orders	24	16	19

ANIMAL CONTROL/FIELD DRIVER

The Animal Control Officer is under the supervision of the Chief of Police. Phyllis Tower, a Boxborough resident, is the Animal Control Officer (ACO) as well as the Field Driver. Regularly scheduled hours for Animal Control are Monday through Friday, 8:00 AM – 6:00 PM. ACO Tower is also on call and will respond to emergency calls. Contact Dispatch at 978-264-1750. Emergency calls consist of injured or aggressive animals.

The Animal Control Officer performs a variety of functions including, but not limited to catching stray and/or injured dogs, seeking treatment for ill/injured impounded dogs, responding to complaints regarding stray or injured animals, working with shelters and networking agencies to assist in the safe, legal and healthy transfer of impounded animals, and working with police agencies to help further investigate charges of animal cruelty as stipulated and explained in Massachusetts General Law. Barking Dog complaints and loose dogs are not necessarily emergencies. Police Officers will respond to calls of a non-emergency nature and will inform ACO Tower of their findings.

The Field Driver position is a town officer position that was developed in early New England times. The driver is authorized to round up and impound domestic farm animals roaming at large. Rabies will continue to be monitored, and all residents are reminded that all dogs over the age of 6 months must be

vaccinated for rabies and licensed with Boxborough. State law also requires that all cats over the age of 6 months must be vaccinated for rabies.

Animal Control Officer - Calls for Service

	2020	2021	2022
Boxborough	153	124	138
Littleton	105	86	129
Stow	224	182	192
TOTAL	482	392	459

Dispatched Call	Dog	Cat	Deer	Raccoon	Fox	Geese	Turtle	Other	Total
# of Calls	61	11	10	7	6	6	4	33	138

Boxborough is currently in an annual inter-municipal agreement providing Animal Control Officer services with the towns of Littleton and Stow. This agreement is pursuant to the 2006 Town Meeting authorization and Chapter 40 Section 4A of the General Laws, which authorized the Select Board to enter into Inter-municipal agreements with other towns for the purpose of creating a shared Animal Control Officer and allocate the costs associated with the position. All three towns share the cost of the position equally.

Respectfully submitted,
John Szewczyk, Interim Chief of Police

ANIMAL INSPECTOR

Phyllis Tower is the Animal Inspector for the Town of Boxborough.
Two Quarantines: 10 days and 45 days
Barn Book: 26 Residents owning Livestock

Respectfully submitted,
John Szewczyk, Interim Chief of Police

RECREATION COMMISSION

Department Description

The Boxborough Recreation Commission is a seven-member commission. We are responsible for the development and implementation of recreational programs for Boxborough citizens of all ages. The Commission is also responsible for the management of recreation programs at Flerra Meadows, Fifer’s Field and Liberty Field and sometimes at Blanchard Memorial School.

2022 was quite a year for the Recreation Commission. We managed to bring a full Summer Playground Summer program back and even had a wait list for several of our programs, i.e., Running Club and flag football. We also did our best given budget constraints and town hall short staffing. Here is our budget narrative and annual report. We continue to look for ideas that will engage all members of our community. We would love to bring fitness programs for adults, yoga classes, game days, and a candy cane hunt in town for all kids. Feel free to email any ideas to boxborough.rec@gmail.com.

Fiscal Year 2022/2023 Accomplishments:

Liberty Field

After years of planning, the Recreation Commission sought approval from residents at the June 2021 Annual Town Meeting (ATM) to fund the capital improvements at Liberty Field. The project includes rebuilding the existing baseball field and improving the drainage around the soccer fields. In addition, new elements will include: a playground, adult fitness area, tennis and pickleball courts, basketball court, pavilion and stone dust walking path connecting to the Patch Hill Conservation trails. Due to inflation the three bids that came back after being posted were all way over the approved budget. Therefore, in November, the commission had to go back to the community and request further funding from free cash to be approved by residents on November 15th. After that, we were able to secure Green Acres as our contractor for Liberty and work will begin ASAP.

Summer Playground

We managed to hold the program for all four full weeks in July. We hired 3 directors, two assistant directors and several counselors and counselors in training made up of mostly Boxborough students. The summer playground program was available to children in grades K through 6th grade and we limited the capacity to 100 each week this year. This was a sold-out program and had an extensive wait list. We limited the program to two weeks per child, but next year we will open this program up further. The program provided well-supervised games, sports and creative activities. New this summer we added STEM and nature-based programming as well. Each week had a theme.



The Flerra Summer Playground program provides Boxborough, Acton and surrounding towns with a half day summer fun experience for elementary school students. After two long years of COVID, we were

finally able to have a “normal” summer once again. Our enrollment cap was lifted, as it will be going forward, and we were able to have as many friends as possible join us for 4 weeks of summer fun! Our staff consists of entering 8th and 9th grade volunteers, and high school age paid counselors grade 10 and above. A typical day at Flerra Summer Playground consists of games in the field - such as dodgeball and tenni-ball, with arts & crafts and board games under the tent! Each week we order big, inflatable water slides for what we call “Water Wednesdays” to cool the kids off from the hot summer sun! On the last day of the program, we have our annual water balloon fight and a big talent show to highlight the incredible talent these kids have - Singing, dancing, plays, you name it! Flerra Summer Playground really tries to make the program a community effort and we can’t thank our friends, neighbors and fellow community members enough for all the crafts, games, and other donations they made to us this year. Follow us on Facebook @Flerra Summer Playground to keep up with all that we do. Can’t wait to see everyone back again next July! Save the Date: July 5th-July 28th 2023.



Tae Kwon Do

The Commission continues to offer an extraordinarily successful Tae Kwon Do program that operates out of the Blanchard Gym four nights a week, and over zoom 7 days a week including weekends and holidays. This is directed by Master Rick Barrett with several counselors assisting students throughout the sessions. The Tae Kwon Do Program has raised \$40,000 as of the end of the 2022 calendar year. Proceeds from this effort are earmarked specifically for future expansion of youth programming within the Town. Tae Kwon Do serves 62 students of all ages and ranks (beginners through advanced). At this point, the program has awarded 9 1st degree Black Belts. Additionally, we currently have 5 students who are candidates for 1st degree black belts and 4 who are candidates for 2nd degree black belts. Interest for

enrollment continues to be on the rise in town among our families in the community. This past summer, the Recreation Commission worked closely with the DPW who supported the program training at Flerra Meadows.

Through the study of the Tae Kwon Do, students can work individually and as part of a supportive team in pursuit of their own social and emotional learning by setting and achieving short and long-term goals, developing, and maintaining positive relationships and strengthening their decision-making skills. Tae Kwon Do cultivates both inner and outer strengths which support the social emotional intrapersonal and interpersonal cognitive development in the areas of self-awareness, self-management, social awareness, and relationship building. This program offers scholarship support as well through for those interested in participating through the revolving fund.

Running Club

This past fall of 2022, The Recreation Commission re-launched a running club program for students in grades K-6, for all students as well as parents and caregivers who can participate too. This was held on Wednesday mornings from 8:00-8:45 a.m. We limited capacity to 50 students and even had a wait list at one point. Adult volunteers helped run this incredible program at Blanchard Memorial School. This program was free to the community through the revolving fund use. Little feet and sneaker charms were given out for each 6 laps around the field which was equivalent to one mile. Most students even got to 2 miles each morning. Even through the cold, kiddos and parents were out there smiling and running, skipping, hopping, or walking backwards around the loop along with Rob Guilmette, (Mr. G), Blanchard's physical education teacher, who is invaluable to the Recreation Commission, leading stretches and keeping everyone going throughout the morning session. With the cold temperatures, ice and snow, we have temporarily placed the running program on hold until the spring.

Flag Football/Basketball Programs

We had a successful fall run of Flag Football for our older elementary aged children and hired the Blanchard school's physical education teacher. Many children had never played before and learned a lot while gaining some much-needed outdoor air and exercise after all. Due to lack of gym space with community ed, and yet need for movement for our students, we are trying a basketball program before school on Wednesday mornings beginning in January through March, while running club is on hold.

The commission continues to seek input from the community about the need for additional recreational sports and programming for children and adults of all ages! We would love to bring back a fitness boot camp in the future too with the renovation of Liberty Field in the works.

Winterfest/aka Springfest

With past weather issues in the winter, not having enough snow to last year having too much snow. We decided to try for another Springfest. We are requesting our budget be \$2,000 for supplies and serve as an opportunity for economic development in our community with local vendors sharing their information and wares to the community. A March 2023 Springfest will be planned possibly at Flerra Field. Stay tuned for further details! With this truly becoming a community day and our growing population in town, it was amazing what we did with our tiny budget in years past with over 300 attendees.





Recreation Commission's Fiscal Year 2022/23 Goals and Objectives:

Implement Capital Improvements at Liberty Field

The Commission We continue to meet monthly to discuss the progress of Liberty Field with the project manager, William Murray of Places Associates and our approved contractor, Green Acres. We continue to seek earmark funds from the state budget and grants from the Massachusetts trail grants. We anticipate breaking ground in March of 2023 with hopes to reopen the renovated Liberty Field in June of 2024.

Additional Programming and Field Space

The Commission is constantly reviewing program options and is always considering both improvements in existing program content as well as new program offerings. We are currently looking into ways to invest in current programming using the money from the Tae Kwon Do program such as buying pieces of equipment for community use.

However, the more we plan, the more we realize that the lack of space in town is a problem, and we are forced to limit programs as a result. Blanchard Memorial School has reached its capacity for space, and we have now become incredibly limited for opportunities there.

The Boxborough Recreation Commission continues to engage with town residents for ideas for programming in spaces that are not owned by the town. We continue to collaborate with the Council of Aging and hope to do more. We have invited them to participate in our meetings to share ideas as well.

We hope to offer more recreational opportunities in town for residents of all ages to maintain a happier and well-connected community.

The Recreation Commission also spearheaded the Boxborough Town Tree Lighting as well because the Town lacked a Public Celebrations Committee this year. This successful event was held on December 3rd 2022 and the Boxborough Regency provided chocolate chip cookies and the Boxborough Dunkin Donuts provided hot cocoa. The Blanchard Memorial School Brass/wind and chorus sang and played holiday music for all to enjoy. Santa made an appearance, thanks to the Fire Department for transporting him.

We also accepted land from a generous resident in town, Ruth Landry (pictured below with a painting of her beloved horse), to begin a softball field renovation in the near future on Summer Road.

Respectfully submitted,
Megan Connor, Chair



SARGENT MEMORIAL LIBRARY

2022 marks the first full year back to pre-pandemic level services at Sargent Memorial Library, opening Monday through Thursday, 10am to 8pm, and on Saturday from 10am to 3pm during September to January. The Library is staffed by seven full and part-time members (FTE 4), each bringing in different expertise and experiences, but all share a love of books and the desire to serve the community.

The Library's operation is funded by under 1.8% of the Town's total budget. Combined with the additional financial support from the Friends of the Boxborough Library and the Sargent Memorial Library Foundation, we are able to build a well curated collection, circulate many materials of different formats through different channels, and offer enriching and fun programs for people all ages.

Some of our achievements can be quantified. For example, in fiscal year 2022 (7/1/2021-6/30/2022), we:

- Serves 4,550 patrons, including 400 new members.
- Maintained a collection of over 56,000 physical items, including 69 print magazine subscriptions, 9 hotspots, a newly established Nintendo Switch games collection, an induction stove, 3 tabletop telescopes, museum passes to 29 museums and institutions, and 2 birding kits with binoculars and bird field guides.
- Continued to expand our foreign language collection in the Children’s section to include books in Portuguese, Hindi, Chinese, Spanish, and Hebrew.
- Circulated over 71,000 physical items, 11,000 eBooks and audiobooks through OverDrive/Libby, and over 17,000 uses of electronic databases.
- Provided patrons access to sixteen electronic databases in addition to the Gale databases offered by the Massachusetts Board of Library Commissioners, and one offered by the CW MARS library consortium. These additional databases include Fregal for music download and streaming; Hoopla for instantaneous videos, ebooks, and audiobooks borrowing; Kanopy for movie and video streaming, Culturegram for social studies; Craftsy for craft ideas and tutorials, and many more. The full list is on our constantly updated website (www.boxlib.org).
- Created digital content every week for Library announcements, to highlight collection materials, and for user involvement.

But many more of our achievements go beyond numbers. The following paragraphs will highlight accomplishments in the Youth Department, the FY23-FY27 Strategic Plan project, and programs that merit special mentions.



In the Youth Department



There is always something going on in the Youth Department. Every week, the Youth Services Librarian, Heather Waddell holds two pre-school story times, one lap-sit baby story time, one evening story time, two craft times, one Dungeon and Dragon session for teens, and one Wander Home (a kids-oriented role-playing game) for 4th graders and up. Every month, there is a Lego club and a reading club as well. During the Summer Reading Program, the activities intensify with extra STEAM themed weekly craft time, nature journaling workshops, Monday Family Movies times, puppet shows, drumming workshop, digital art workshop, and a grand Summer Reading Party with music performances by Jumping Juba at the end.

There is also always something new to read! Last year, we expanded the children's audiobook collections by adding Read-Alongs, books with a built-in audio player for professionally recorded narration. More titles have been added to the collection, including chapter books. To further encourage independent readers, the Cozy Corner for elementary school age kids opened in November. This is a special space for kids to read quietly, relax, and play board games.

Furthermore, the Library works closely with all the schools in the Acton Boxborough school district, supporting the teachers with printed materials and electronic databases. Students from the Blanchard Memorial School and Boxborough Children's Center are able to take advantage of our close proximity to walk over for research trips or special story times. The Library also offers volunteering opportunities for high schoolers to fulfill their community service requirements.

Strategic Plan

One of our biggest achievement in 2022 is the completion of a 5-year strategic plan for fiscal years 2023 to 2027. The project is financed by the Sargent Memorial Library Foundation. The purpose is to define the Library's role within the community, to identify the Library's operational goals and objectives, and the steps to achieve them. The final document is the result of a six-month planning process, with the involvement of the Library staff, the Board of Library Trustees, the Friends of the Boxborough Library, the Sargent Memorial Library Foundation members, other stakeholders and key community members who serve on the Strategic Planning Advisory Committee, and all the community members who took time to take part in a focus group or filled out a survey.

We gathered community feedback and insights about the Library through:

1. One (1) Community Visioning Exercise with the Strategic Plan Advisory Committee.
2. Two (2) Strength-Opportunity-Aspirations-Results (S.O.A.R.) Exercises were conducted with 1) the staff and 2) the Library Board of Trustees, Friends of the Boxborough Library officers, and Sargent Memorial Library Foundation officers.
3. Four (4) Focus Groups: three were conducted with the general public and one with children 12 years old and younger.
4. One (1) Community Survey yielded 285 responses. It was available online and in print at the Library and the Town Hall.

From the research results, a new set of Mission, Vision, Goals, and Objectives were formulated, with the Mission of the library being to "[provide] services and resources that encourage personal growth, enrich lives, foster social connections, and promote civic involvement". Following the direction set by the plan, the staff has come up with a set of action items for this fiscal year to help us fulfill the goals and objectives. The full plan is available at the Library's website: www.boxlib.org.

Programming

Beyond the traditional Library services, we are always looking for new ways to engage and service our community members, to build understanding, and to foster belonging and inclusion.

The Library holds monthly programs, such as the monthly Culturally Curious Art Talks that span from September through December; and workshops such as: candle making, seed starting, nature journaling, and pastel painting. There are three events we would like to highlight however, as they illustrate the Library's efforts to foster understanding and build connections in the community.

In May 2022, the Library partnered with Open Door Theater and Acton's Danny's Place to hold an Ask Me Fair. During the fair, families were invited to have one-on-one conversations with presenters from a wide arrange of backgrounds and of different identities. In August, we invited OUT MetroWest to lead a LGBTQ+ Basics and Beyond conversation. In October, we hosted the first Diwali Fest organized by Acton resident Deepika Prakash on the Library lawn. Well over 1200 people from neighboring towns attended the festival celebrating not just Indian culture, but also friendship and camaraderie. These of these programs offer participants opportunities to open up their hearts and minds, and to know each other that much deeper.



In addition to workshops and presentations, festivals and fairs, we are also establishing regular, low-key, cost-effective, monthly programs that provide participants a chance to catch up with old friends, make new ones, and establish relationships. A new book club was formed and led by our Senior Library Assistant Jen Bauder, and a new monthly adult craft night led by Information Services Librarian Meghan Bouffard was launched in October. We hope that these offerings will not only stimulate participants intellectually, but also nourish them mentally by allowing old friends to visit and new friendships to be made.

Gratitude

The success of the library would not be possible without the guidance and assistance of the Library Board of Trustees, the support of other town departments and committees, and the community. To all those who sent us kind notes and tokens of appreciation, donated to the Sargent Memorial Library Foundation or the Friends of the Boxborough Library, or simply continued to use the library, you have our sincerest thanks. You have made our days better and our work even more meaningful. We thank you for your patience, too, while we worked out different ways to accommodate the changing situations.

The contributions of library volunteers are integral to the smooth running of the library. Our volunteers include Acton Boxborough Regional High School students and Boxborough senior residents. Throughout the year, these volunteers made sure our materials are in good shape and at the right location. We are extremely grateful to the works they do.

It must be noted that the dedication and diligence of library staff members, Jennifer Bauder, Meghan Bouffard, Barbara Breese, Anne-Marie Mulligan, Shijesta Victor, and Heather Waddell are what made it possible for the library to continue its operation. As a team, we continue to strive to make the library a welcoming and safe place where you can pursue community engagement and access information.

Respectfully submitted,
Peishan Bartley, Library Director

STEELE FARM ADVISORY COMMITTEE (SFAC)

In FY2022 the SFAC met monthly by Zoom or in the barn to carry out the mission of maintaining the property as a farm and addressing the needs of the many visitors who enjoy the farm: dog-walkers, equestrians, hikers, bird-watchers and others.

The 1794 Levi Weatherbee/Steele farmhouse is the doorway to the farm, and its stabilization began with Phase I in 2018. Due to the deterioration of the outside envelope (roof, siding, windows) of this historic 238-year-old farmhouse, we initiated the Phase II process by filing an application with the Community Preservation Committee for funding the repairs. Chris Hydak prepared a PowerPoint presentation to the CPC explaining the pressing need for these repairs. John Skinner, a lifelong contractor, finalized the cost estimates.

A new walking trail was blazed in the back acres of the Steele Farm property. A special thanks to Tom Bieber, of the Boxborough Conservation Trust, and many other volunteers and who marked the trail and removed major obstacles. Another special thank you to a large group of graduating AB seniors who spent hours cutting out the remaining small brush.

Many decades ago, Steele Farm was covered by apple trees. A few of these old apple trees still exists and the SFAC hired a professional arborist to trim these historic old trees. A large group of volunteers helped by putting the slash in piles. The Agricultural Commission and the SFAC funded this project.



Boxborough Scout Troop #1, on one of their campouts at Steele Farm, cut out the stumps of old Christmas trees and put the stumps in a pile which Owen Neville burned. This coming spring, the SFAC with the help of volunteers, will plant new tree seedlings. Christmas trees will be tall enough for sale in a few years.

Our Department of Public Works (DPW) is critical to the success of Steele Farm. Among there many jobs associated with Steele Farm, they mow the front lawn and brush hog major sections of land that are turning into dense brush. A very special thank you to Ken Whitcomb who has mowed the grass around the Christmas trees and along the main trails. This fine cutting of grass by Ken makes the trails more tick proof.

The dog waste station has been vital for dog-walking visitors to keep the farm environment clean and safe. The SFAC is responsible for making sure there are always doggy bags available and the DPW removes the doggy waste left in the trash can.

A volunteer group consisting of Chris Hydak, Bruce Hager, Kristin O’Neil and Arden Veley cut brush around the barn, the ice house, the pollinator garden and repaired ruts in the parking lot. Volunteers are essential to the maintenance of the Steele Farm land.

Respectfully submitted,
Jeanne Kangas, Chair and Arden Veley, Clerk

SUSTAINABILITY COMMITTEE

The Sustainability Committee (f/k/a Energy Committee) was formed in 2009 and rebranded in 2019 to expand its mission and focus on a broad range of topics that directly impact the future of our community. The Committee has seven members, one alternate, plus one representative from Littleton Electric Light Department (LELD). Its mission is to help develop a culture of sustainability in our community through a partnership with residents, town government, and businesses using innovation, education, communication, and comprehensive and strategic planning.

The Committee celebrated a number of important accomplishments in 2022, including:

- **Passed the ‘Boxborough Bill’ to unlock significant state support for our Town** through the ability to apply for Green Communities designation through the Massachusetts Department of Energy Resources (DOER). Up until now, communities powered by municipal light departments, like our own Littleton Electric Light Department (LELD), were unable to participate in DOER’s Green Communities Program. But thanks to dedicated work from Committee members and state lawmakers (many thanks to State Senator Jamie Eldridge and State Representative Dan Sena!), legislation (dubbed the ‘Boxborough Bill’) was passed in 2022 to allow towns like Boxborough to apply for the program and access state resources and funding to help our Town become more resilient in the face of future challenges while reducing our carbon footprint and operating costs.
- **Launched EnergizeBoxborough.org** to bring residents together for education and engagement in a broad range of sustainability actions, both small and large, and see how big of an impact we can make when we work together around a common goal. We know from our 2021 climate change survey that residents want a) to learn more about what they can do to combat climate change, and b) to take action *now*. As of this writing, we’re nearing our initial goal of getting 100 households signed up, with over 140 individual actions already completed! If you haven’t already, visit [EnergizeBoxborough.org](https://energizeboxborough.org) today and join your neighbors in the effort. There’s so much you can do (and much you may have already done without even realizing it) and no better time than right now!

- **Introduced recycling and composting to Fifer’s Day** with the support of the Boxborough Minutemen Company, including three sorting stations that were staffed by Committee members to educate attendees on how to differentiate between items for composting, recycling and regular trash. The Minutemen also contributed compostable cups, plates, bowls and utensils, which greatly reduced the amount of waste destined for landfills. Black Earth Compost took all of the compostable material generated by the event, while Committee members and DPW staff collected recycling and regular trash bound for the transfer station.

- **Added a sustainability perspective to a number of other important issues** beyond the work of the Committee itself, including:
 - Supported the Planning Board in the development of zoning bylaws related to solar energy that sought to strike a balance between clean energy adoption and our Town’s rural character. The proposed bylaws were approved at the 2022 Annual Town Meeting.

 - Reinforced the Boxborough Conservation Trust’s efforts to protect vital natural resources associated with nearly 30 acres of land off Sargent Road by advocating for the Town’s purchase of the land. The proposed purchase was approved at the 2022 Annual Town Meeting.

 - Pushed for the incorporation of sustainable design and construction methods in a number of new commercial developments being presented to the Planning and Zoning Boards.

 - Educated community members on sustainability topics as a regular attendee of FreeBee Market events.

Respectfully submitted,
 Francie Nolde, Chair

TOWN COUNSEL

During 2022, Town Counsel provided significant legal services to the Town, including the rendering of numerous legal opinions, approving contracts as to form, attending Town Meetings, and meeting with the Select Board and various other Town boards. We advised the Select Board and Town staff on a number of labor and employment matters, including collective bargaining negotiations, and provided assistance with and represented the Town in responding to numerous open meeting law concerns and public record requests.

Of particular note, we assisted the Town in acquiring a valuable piece of conservation land at 95 and 105 Sargent Road that required an intervening purchase by the Sudbury Valley Trustees to preserve the Town’s ability to obtain a LAND grant to fund the purchase.

We also issued several legal updates at no cost to the Town advising the Town on important developments in the law and other matters of legal and practical interest.

We extend our appreciation to the Select Board for its confidence in retaining this firm. We also appreciate the assistance and cooperation we have received on all matters from the Select Board, Town Meeting, the

Town Administrator, the department heads, and the boards and committees with whom we have had the pleasure of working. We look forward to working with the members of Town government in the future.

Respectfully submitted,
KP Law, P.C.
Town Counsel

VETERANS' SERVICES

Overview of services

The Veterans' Service Officer's job is to help veterans learn about, apply for, and in some cases, receive benefits. Veterans' Agents are knowledgeable about an array of federal, state, and local benefits to which you may be entitled. These services include assistance submitting service connected injury claims and Veteran pension claims to the Department of Veterans Affairs. The primary duty of a Veteran's Agent is to help administer Massachusetts State Chapter 115 Veterans' Benefits to eligible Acton and Boxborough residents. Chapter 115 provides a needs-based means tested program of financial and medical assistance for indigent veterans and their dependents, including un-remarried surviving spouses. Qualifying veterans and their dependents receive financial assistance for food, shelter, clothing, housing supplies and medical care.

Available Monday through Friday at the Acton Health and Human Services Building located at 30 Sudbury Road in Acton.

Available Tuesdays from 10am to 2pm at the UCC Church, located at 723 Massachusetts Avenue in Boxborough, across the street from Town Hall.

James MacRae,
District Director Veteran Services, Acton and Boxborough



WATER RESOURCES COMMITTEE

Membership and charter

Mark Barbadoro resigned from the WRC as Planning Board representative. Upon the recommendation of the Planning Board, the Select Board appointed Planning Board Associate Member Janet Keating-Connolly as the Planning Board representative to the WRC.

After many years on the Board of Health, Bryan Lynch chose not to run for re-election in May 2022. The Board of Health recommended his appointment to the WRC as Planning Board Agent. The Select Board appointed Bryan in this capacity, allowing him to continue on the WRC.

The Select Board approved revision of the WRC charter to reflect these memberships as agents for Planning Board and Board of Health.

The WRC worked with the Town Clerk to comply with a large public records request from the Harvard Sportsmen's Club (HSC).

Miscellaneous matters

The WRC sponsored an article on the consent agenda for \$12,500 to be used for removal of test wells on the HSC that had been installed for the town's water exploration conducted by CDM. The article was approved.

The committee sponsored Article 24 for the 2022 ATM to re-purpose \$20,000 that had been approved under Article 11 of the 2020 ATM. Article 11 had been restricted to appraisals of land related to new source development. Article 24 was approved by town meeting, so the committee can now use these funds for more general purposes, in particular for hiring consultants to assist in development of a long-range plan for water.

The web page was updated to include a set of useful links to information on water quality, private well maintenance, PFAS and other topics. The WRC page now points to the DEP pages as the authoritative source for general PFAS information and to the Boxborough Board of Health page for local updates on local PFAS contamination.

Private well water quality

Last year the WRC worked with the Board of Health, Nashoba Boards of Health and RCAP Solutions to encourage private well owners to sign up for RCAP's free private well testing program and to have their wells tested regularly. This RCAP program, now completed, was for standard water chemistry and quality, not PFAS. Forty wells were tested, and the results presented to the Board of Health. Participants received water quality reports for owners' education and follow-up.

Groundwater quality monitoring and mapping

Ongoing efforts and discussion of potential approaches, but no substantial progress to report.

PFAS monitoring

The DEP program for free PFAS testing for private (homeowner) wells was completed, and the results presented to the WRC in February. About 40 private wells were tested. Most wells tested below the state maximum allowed limit of 20 PPT. A few that had larger concentrations have arranged for private remediation measures. The well at the new DPW building was below the state maximum allowed. The Hager well (a town-owned public water supply) had zero PFAS. The Town Hall well (a private well not regulated by DEP) tested above allowable limits. Appropriate notices were posted at Town Hall and the town continued the past practice of supplying bottled drinking water. The WRC sponsored an article for the May 2022 ATM to install a PFAS remediation system for the Town Hall well. The article was defeated over concerns about installation and service costs. Bottled water delivery to Town Hall will continue. On a related note, and with the concurrence of Town Counsel, Boxborough did join a large class-action suit against manufacturers of PFAS. There is presently no update on this lawsuit.

Water and economic development

WRC members provided input to the application for a MEPA Certificate for Environmental Notification Form, and draft DEP Ground Water Discharge Permit related to proposed development at Lincoln Properties' 1414 Mass Ave site.

Western water quality and supply

The WRC sponsored a proposed article for the May 2022 ATM to use CPA funds to acquire approximately 18 acres of land at the Harvard Sportsmen's Club (HSC) for a potential future large water source to supply properties west of I-495. The specific parcels had been identified in the 2008 CDM report as of primary value for water due to the underlying aquifer. The proposed article was strongly supported by the Community Preservation Committee.

The proposed ATM article was conditioned on obtaining favorable results from re-testing the HSC sites in advance to verify the quantity and quality of water. The WRC sponsored an article at the STM on February 28, 2022, to gain access to the HSC land and conduct such tests. This STM article failed. Consequently, the CPC pulled the ATM article to acquire the land.

Potential water supply from Littleton Water Department

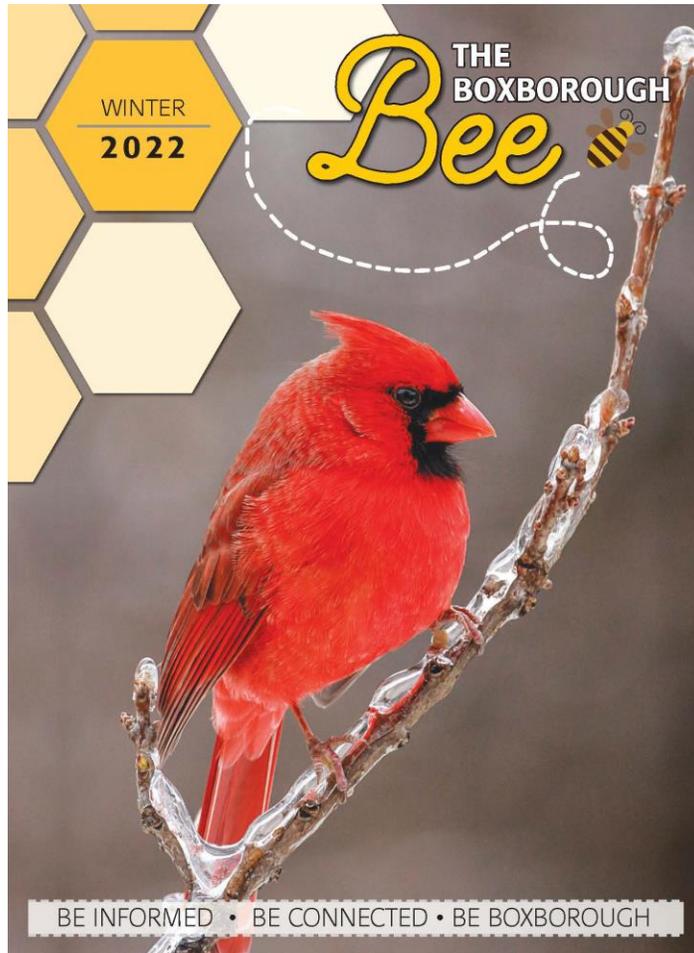
In late Winter, the WRC was advised by the Littleton Water Department (LWD) that a new well in Littleton might be able to supply water for Boxborough's needs west of I-495, and that engineering studies were being planned. This news opened the door to another way to supply water. On March 9, the WRC voted to brief the Select Board on this development and made a recommendation "...to engage with LWD to begin discussing options to address the western water issue". On April 25 the Select Board voted that it was "... incumbent upon the Select Board to be supportive of actions needed to address the water quality issues at the I-495 interchange...". Subsequently, on June 27 the WRC made a presentation to the Select Board recommending continued engagement with LWD. On July 12 the Select Board sent a letter to LWD affirming the WRC's recommendation.

LWD has continued to develop plans and conduct feasibility studies to bring water to the western part of Boxborough. In December the committee learned that LWD had received about \$19M funding from the Drinking Water State Revolving Fund for this project. Next year the Select Board will address potentially entering into an Intermunicipal Agreement with Littleton for water service.

Respectfully submitted,
Les Fox, Chair

WELL-BEING COMMITTEE

The Well-Being Committee was established in 2013 by the Board of Selectmen to assist in identifying and addressing human service needs in the community and to look for ways to improve the health and well-being of all town residents. The Well-Being Committee supports the work of the Community Services Coordinator in whatever ways the CSC finds helpful. Staying connected is one of the ways to promote health and well-being, and to that end, the Well-Being Committee continues to oversee the publication of the "Boxborough Bee", the quarterly newsletter that was originally funded through a CHNA-15 grant. The newsletter provides updates on town issues from the Select Board chair, a column on health topics, a listing of upcoming activities, and articles of general interest to town residents. The Committee continues to look for ways to have a positive impact on the health and well-being of Town residents.



WARRANT AND PROCEEDINGS

**SPECIAL TOWN MEETING
FEBRUARY 28, 2022**

To either of the Constables of the Town of Boxborough in the County of Middlesex, 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 Parade Room at the Regency Hotel, 242 Adams Place, Boxborough, Boxborough, MA on Monday, February 28, 2022 at 7:00 p.m. to act on Articles 1 through 6 of this Special Town Meeting Warrant.

Article 1	Payment of Prior Fiscal Year Bills.....	4
Article 2	Fiscal 2022 General Fund Operating Budget Supplement – A.....	6
Article 3	Fiscal 2022 General Fund Operating Budget Supplement – B.....	7
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Special Motions

John Fallon, Moderator, initiated the meeting and introduced Jonathan Eichmann, Town Counsel of KP Law and Rebecca Harris, Temporary Town Clerk. He explained the need for a procedural vote for an election of a Temporary Town Clerk for the purposes of the Special Town Meeting.

Mary Brolin moved to nominate Rebecca J. Harris to act as Temporary Town Clerk for the purposes of this meeting.

The motion was seconded by the Select Board. Wes Fowlks had a single ballot for the election of Rebecca Harris and the entire board validated it. Les Fox reported one vote for Rebecca Harris. John Fallon swore in the Temporary Town Clerk, Rebecca J. Harris.

Action on the motion: Motion carried by majority vote (unanimous).

John Fallon introduced the warrant and noted that on page 14 there is a Diversity Equity and Inclusion Survey. He explained that the motions will be shown on the screen, and will not all be exactly the same as what is in your warrant. John thanked Christina Phanord and the Regency for their support and offering the space and set up at a low cost. Mr. Fallon recognized Carter Terenzini, Interim Town Administrator, Rajon Hudson, Assistant Town Administrator, and Cheryl Mahoney, who is leaving the town’s employ later this week; he thanked her for her many years of service. John introduced the Select Board Chair Wes Fowlks, who introduced Select Board members Les Fox, Diana Lipari, John Markiewicz, and Jennifer Campbell. The Finance Committee was introduced by Becky Neville, Chair (Gary Kushner, Keshava Srivastava, Maria Neyland, Priya Sundaram, and Sachin Mathur).

Mr. Fallon described the process of Town Meeting.

Main Motion: WES FOWLKS, SELECT BOARD CHAIR

(Majority Vote Required)

Motion regarding reconsideration

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

Action on the motion: Motion carried by majority vote.

ARTICLE 1 PAYMENT OF PRIOR FISCAL YEAR BILLS

Wes Fowlks moved to (a) authorize the payment of so-called "late bills" from prior fiscal years for the following invoices in the following amounts:

Late bill vendor list	Invoice	Amount
Transcend Maintenance Services Inc	Box-202105	\$ 2,298.00
Guardian Information Technologies	17043	\$ 420.00
Guardian Information Technologies	17179	\$ 1,470.00
Nashoba Health Medical	8	\$ 1,081.50
Town of Littleton	LTBX201676	\$ 275.00
AC & M Fire Equipment	#25636, 25637 & 25635	\$ 295.00
		\$ 5,839.50

(b) appropriate the sum of ~~Five Thousand Five Hundred Forty-Four Dollars and Fifty Cents (\$5,544.50)~~ **Five Thousand, Eight Hundred Thirty-nine Dollars and Fifty Cents (\$5,839.50)** to provide for the payment of said late bills and (c) to meet said appropriation by a transfer of said amount from certified free cash.

\$5,544.50 (free cash)

(Nine-tenths vote required)

Summary:

This is a housekeeping article. Authorization to pay a prior year's bill must be approved by Town Meeting.

- The original Nashoba Valley Medical Center invoice was delayed due to the vendors switching over to a new billing system. The cost for this invoice is One Thousand Eighty-one Dollars and Fifty Cents (\$1,081.50)
- The Guardian Information Technologies invoice(s) were presented for payment when the vendor was reconciling their accounts after our fiscal year end closeout. The cost for these invoices is One Thousand Eight Hundred Ninety Dollars (\$1,890.00)
- Transcend invoices missed initial review of incoming emails and did not show as an outstanding bill as of June which would have given us an alert in time to have paid it from FY 2021, invoice amount of Two Thousand Two Hundred Ninety-eight Dollars (\$2,298.00).
- Town of Littleton invoice was missed during transition of fire department assistant amount of Two Hundred Seventy-five Dollars (\$275.00).
- ****amended after warrant printing: we were made aware on February 22nd that three AC & M Fire Equipment bills went unpaid (Town Hall, Library, and Historical Commission), totaling Two Hundred**

and Ninety-Five dollars (\$295.00).

These invoices did not make the initial review for the closeout of FY 2021 and have been identified as outstanding bills for said fiscal year.

The Select Board recommends (5 Yes - 0 No – 0 Recused/Absent)

The Select Board recommends for the reasons stated in the summary.

The Finance Committee recommends (6 Yes - 0 No - 0 Recused/Absent):

Finance Committee recommends (6-0): The Town is required to pay the bills when they are received. In this case, the bills came in after the close of the fiscal year. The Finance Committee recommends paying these bills using free cash, there will be no impact to the tax rate.

Discussion on Article 1:

The motion was seconded. Jeanne Kangas, Hill Rd. asked what the last bill was for. Mr. Terenzini explained that it was for fire extinguisher inspections, outstanding from May-June of 2021.

Action on Article 1: Motion carried unanimously.

ARTICLE 2 FISCAL 2022 GENERAL FUND OPERATING BUDGET SUPPLEMENT – A

\$50,000.00 Free Cash
(Majority vote required)

Becky Neville moved to appropriate the sum of Fifty Thousand Dollars and No Cents (\$50,000.00) for supplemental appropriation to the Reserve Fund in the Fiscal Year 2022 General Fund Operating Budget (account #001-132-5960-000)

And to meet said appropriation by a transfer of said sum from certified free cash.

Summary:

The amount of unforeseen or emergency expenses this fiscal year have caused the Reserve Fund to run dangerously low, and there is a great concern that there will not be sufficient funds to maintain the reserves for the rest of the year. The key expenditures that are of concern are the Hager Well maintenance, consulting companies being utilized to cover vacancies for the financial departments and train new Town Hall staff for those departments. These services are anticipated to be utilized before the end of the fiscal year. There may be other unanticipated or emergency expenses that could potentially happen during this time, so this appropriation will be critical because of the concerns listed.

The Select Board recommends (5 Yes - 0 No – 0 Recused/Absent)

The Select Board recommends for the reasons stated in the summary.

The Finance Committee recommends (6 Yes - 0 No - 0 Recused/Absent)

The Finance Committee recommends (6-0): Due to this year's unforeseen or emergency expenses the Reserve Fund is dangerously low and may not have sufficient funds if needed for the rest of the year. The expenditures from the fund so far have really fallen into two categories Hager Well Maintenance (\$29,500) and consultants to fill in vacancies and train new Town Hall staff (\$70,608 as of 1/18/22). We anticipate the need for more consultant time before the end of the fiscal year. There may be other unanticipated or

emergency expenses that we also incur. This money will be funded from Free Cash, there will be no impact to the tax rate.

Discussion on Article 2:

Becky Neville explained that it has been a difficult year because of the expenses of the Hager Well and the number of employees leaving, especially in the financial sector. We need to hire consultants to train new people as well as fill in the gaps between hires.

Cindy Markowitz of Meadow Ln. wanted to know what is left in free cash. Ms. Neville responded that \$2.3 million is left in free cash (we like to maintain at least 10% of the budget, which is about 10% of \$11 million or \$1.1 million, not considering the regional school system piece).

Hong Li of Burroughs Rd. wondered how many people have left and why so many expenses. What is the % of the full budget for these costs? Ms. Neville explained that the Treasurer, Assessor, and Accountant have all left so there were training costs even when people are hired. We are down to \$39,000 now and hopefully we will not need to use it. Mr. Li urged that we don't vote to increase the budget.

Action on Article 2: Motion carried by majority vote.

ARTICLE 3 FISCAL 2022 GENERAL FUND OPERATING BUDGET SUPPLEMENT – B

\$15,000.00 Free Cash
(Majority vote required)

Wes Fowlks moved to (a) appropriate the sum of Fifteen Thousand Dollars and No Cents (\$15,000.00) for supplemental appropriation to the Fiscal Year 2022 General Fund Operating Budget accounts as follows;

Department	Account	Amount	Account #
Treasurer/Collector	Personnel	\$10,000.00	001-145-5112-0000
Recreation	Personnel	\$5,000.00	001-630-5126-0000

And to meet said appropriation by a transfer of said sum from certified free cash.

Summary:

A recent financial review by others and two in-house studies have shown that the Town needs to add to the staffing resources that it provides to support its several finance units (Assessing, Accounting and Treasurer/Collector). In the run-up to this Town Meeting a detailed analysis was done of all of the Town's governmental units at Town Hall to develop a staffing-plan as to how the Town might best meets those needs over time. During this same time, we also had vacancies in two key financial positions for which we lacked adequate back-up support fully trained in all of the functions of the offices (Assessing and Treasurer/Collector which process payroll). These events showed – in real time – the challenges to the Town's business continuity that results from this lack of resources. This funding will provide for the creation of a half-time Administrative Assistant position in the Office of the Treasurer/Collector during the last four months of this fiscal year. The position will then be carried – in full – in the FY '23 budget request for this office at a cost of roughly \$30,000. The article similarly provides for the creation of a part-time Department Assistant position for the Recreation Commission which is currently receiving staff support through the staff assigned to support the Office(s) of the Assessor and Town Accountant. The 400+/- hours a year being devoted by that staff member to support the Recreation Commission leaves us with less than

500 hours to support the Assessing and Accounting functions; functions which are in desperate need of even more time than we are requesting in FY '23 as we attempt to minimize the initial costs of the added staffing. Like the position in the Treasurer/Collector's office, this position will also be carried - in full - in the FY '23 budget request at a cost of roughly \$10,000. With this added staffing we will have the equivalent of 4.0 full time equivalent (FTE) persons in our several finance units while our peers have 5.7. Our recreation unit will have a 0.2 FTE person while their peers have 0.7. These additions will not address all of the staffing issues that we have - and will leave tasks undone - but will make quantifiable progress toward meeting our needs.

The Select Board recommends (5 Yes - 0 No – 0 Recused/Absent):

The Select Board recommends for the reasons stated in the summary.

The Finance Committee recommends (6 Yes - 0 No – 0 Recused/Absent):

The Finance Committee recommends (6-0) – The Finance Committee realizes there is a need for a 19.5 hour a week Administrative Assistant for the Treasurer/Collectors' Office. When we lost our Treasurer/Collector earlier this year it meant we had to rely on other support staff from within Town Hall and very expensive consultants. We feel having a position dedicated to this office, who is trained specifically for this office is a necessary addition to staff.

We also support a 400 hour a year Department Assistant dedicated to the Recreation Commission. The increase in programs offered and attended continues to expand. The registrations take a good deal of time from Town Hall staff, which takes away from support for our Account and Assessor.

Both positions will be funded out of free cash for the remainder of this year and there will be no impact on taxes this year.

Discussion on Article 3:

Wes Fowlks explained that the town has found some needs for support for staffing at Town Hall, so we are proposing to alleviate some of the strain on current employees. Both positions will be funded out of free cash for this year, so no impact on current taxes.

Jim Gorman of Hill Rd. cited the phrase in the summary: "functions which are in desperate need of even more time than we are requesting for FY23" and asked if we budgeting enough in FY23 to cover these positions? Mr. Fowlks responded that that will be handled at ATM in May 2022.

Carter Terenzini explained that they went through a detailed analysis of the town's staffing needs; the staffing plan they produced is constrained by minimal increases in expenses. In the long run, what we are currently proposing is not likely to be enough, but for now, with work flow changes we propose, it will be sufficient. We are trying to keep the costs as low as possible. He thinks this is a good way to go for about two years, and that the level of staffing proposed is all that they'll be able to pass at Town Meeting.

Jim Gorman is for giving the legislative body the chance to make a choice rather than giving the town a lower level of staffing than is needed.

Action on Article 3: Motion carried by majority vote.

ARTICLE 4 FISCAL 2022 LIBRARY CAPITAL BUDGET SUPPLEMENT

\$15,000.00 Free Cash
(Majority vote required)

Mary Brolin moved to appropriate the sum of Fifteen Thousand Dollars and No Cents (\$15,000.00) for a Capital Budget Supplement for an item entitled Library – HVAC Software.

And to meet said appropriation by a transfer of said sum from certified free cash.

Summary:

The library is requesting the amount of \$15,000 so that it might upgrade the software which controls the HVAC system for the Sargent Memorial Library building. The HVAC control software system has reached its end-of-life, is no longer supported, and is showing signs of deterioration. When the system fails it would not be readily repairable. This would require emergency service calls that are more costly than regular maintenance and repairs. This article would provide funding for an upgrade to a new software system that has stronger security measures, a better, HTML5-based Web user interface, and technical support. (By Peishan Bartley)

The Library Board of Trustees recommends (5 Yes - 0 No – 1 Absent)

The Library Board of Trustees recommends this article unanimously for the reasons stated in the summary.

The Select Board recommends (5 Yes - 0 No – 0 Recused/Absent)

The Select Board recommends this article for the reasons stated in the summary.

The Finance Committee recommends (6 Yes - 0 No - 0 Recused/Absent)

The Finance Committee recommends (6-0) – This article will be funded out of free cash, has no impact on the tax rate, and has been added to the Capital Plan.

Discussion on Article 4:

Presentation was given by Peishan Bartley, Library Director. HVAC Control Software needs an upgrade. The library is 12,000 sq ft with nice tall ceilings. For an HVAC system to be able to warm and cool and circulate air, we need a different kind of HVAC than what we have at home. Two rooftop units, 2 boilers, and the software is the brain that tells how these pieces work together – it reads various inside and outside temperature and water temperature. The boilers cannot turn on without the software; air quality and outdoor temperature and CO2 levels are monitored. Last update was in 2014; current system is Java based that is no longer supported. The new system is HTML5 with remote accessibility. Emergency service will be much more expensive; this was needed in 2014.

Dick Wagman from Leonard Rd. states that this software is almost identical to what he programs for a living. The key thing for people who aren't HVAC wizards is that there are complicated areas of large buildings that are occupied and not, with different needs for heating and cooling. He strongly supports this article.

Hong Li of Burroughs Rd. asked how often does this need to be replaced (Dr. Bartley responded 7-8 years). Why are you saying end of life rather than end of support? Peishan explained that there are no patches for current software. Will we have quotes from various vendors? Yes. That is why this money is requested.

Carlos Farrington from Depot Rd. asked what the software is based on? User side is HTML5. Basically no difference between Java and HTML – it has to do more with the system you are using than the actual software. Are you changing the sensors and if so, how often? There will not be a compatibility issue; he is concerned about sensors and how often they will be replaced. The failure you had wasn't related to the software, it was related to a component. It is actually a failure in the component and would have to be

reinstalled. User interface is HTML5. How implement? Dr. Bartley explained that every year they sign up for twice annual preventative maintenance tests and service (that is in their operating budget). We will build it into our capital plan so we will expect it.

Mary Brolin requested that Jason from Templeton be allowed to speak. John Fallon allowed him to speak, hearing no objection. Jason wanted to clarify that HVAC app is actually a specialized thing with various components so it's a very specific application. You would need the vendor to update the product or get a front-end solution; they are going towards cloud-based solutions. The scheduling and alarm-based solutions are helpful.

Action on Article 4: Motion carried by majority vote.

ARTICLE 5 FUNDING FOR PUBLIC WATER SUPPLY TESTING

\$75,000 Free Cash
(Two-thirds Majority Vote Required)

Les Fox moved to appropriate the sum of Seventy-Five Thousand Dollars and No Cents (\$75,000.00) for: a) use by the Water Resources Committee to locate and test potential sources of water on land of the Harvard Sportsmen's Club, Inc. and others, as identified on Exhibit(s) A and B, for use as a public water supply, and in conjunction therewith to perform a due diligence review preliminary to acquisition of lands and interests in lands for public water supply and water supply protection purposes, which review may include appraisal, legal and consultancy services incidental and related thereto, and (b) use by the Select Board to pay the costs of acquiring such interests in land as may be necessary and convenient to conduct such access, testing, and review, and any and all costs incidental and related thereto, and further to authorize the Select Board to acquire such interests in land for access, testing, and review by purchase, gift, or eminent domain, upon such terms and conditions as it shall deem reasonable, necessary and in the best interests of the Town, and to execute any and all documents and enter into any and all agreements related to the carrying out of the intent of this article,

And to meet said appropriation by a transfer of said sum from certified free cash.

Exhibit A. Parcels of the Harvard Sportsmen's Club land to be tested.

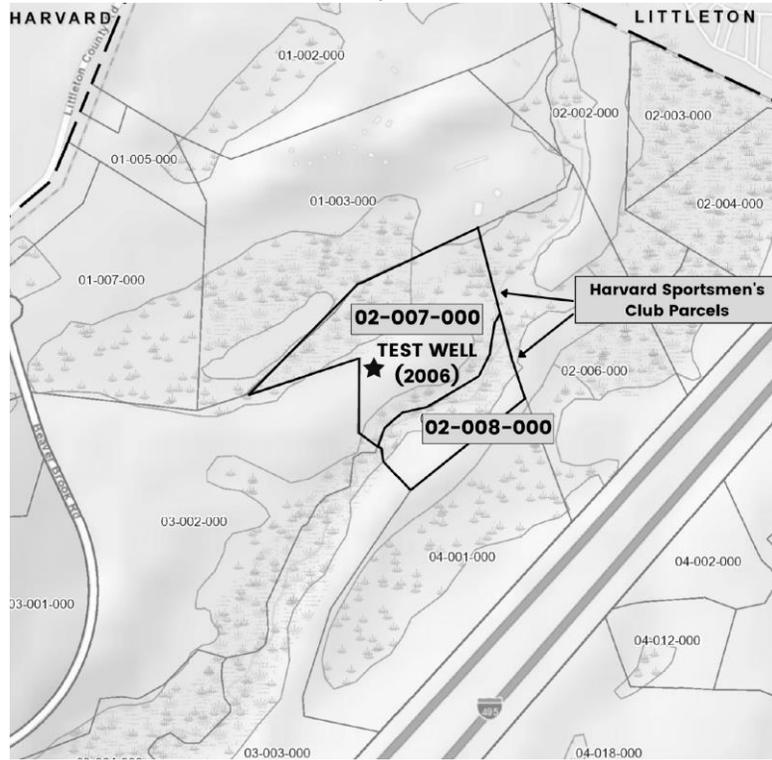
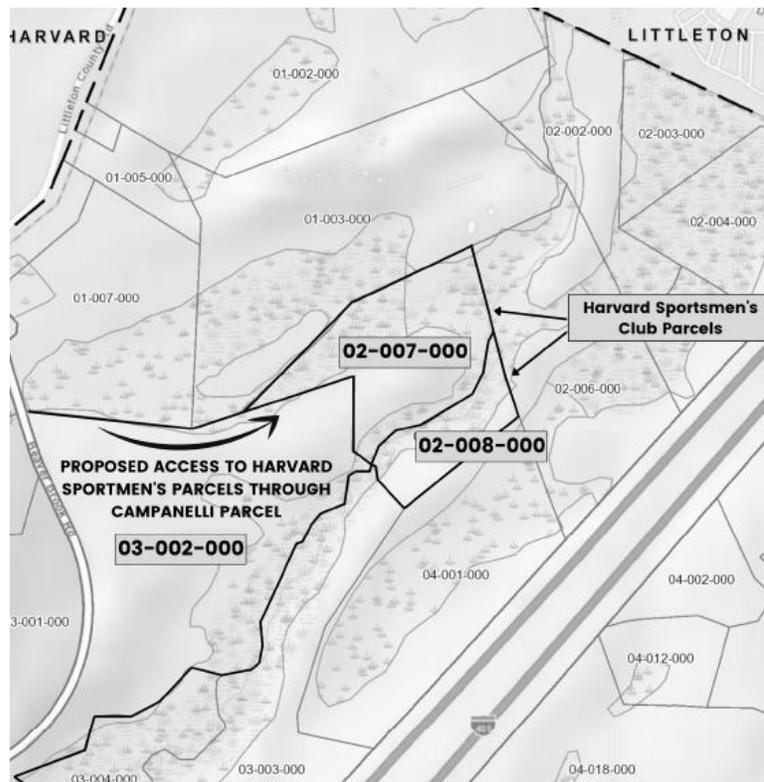


Exhibit B. Possible Access for testing through adjoining Campanelli land.



Summary:

The Water Resources Committee (WRC) has prepared an article for the May 2022 Annual Town Meeting proposing the use of CPA funds to acquire approximately 18 acres of land of the Harvard Sportsmen’s club for protection of a significant water resource of the Beaver Brook Aquifer, and to enable a possible new source of drinking water for Boxborough residents and businesses west of I-495. The land includes two parcels identified on the town GIS assessors’ maps as parcel 02-007 (12 acres) and parcel 02-008 (6 acres) as shown in Exhibit A. This article will fund certain expenses associated with due diligence testing to verify water quantity and quality, and to determine whether hazardous substances are present, before committing to acquire the land.

The Water Resources Committee recommends (4 Yes – 0 No - 1 Absent):

The Water Resources Committee (WRC) has prepared an article for the May 2022 Annual Town Meeting proposing the use of CPA funds to acquire 18 acres of land of the Harvard Sportsmen’s club for protection of a significant water resource of the Beaver Brook Aquifer, and to enable a possible new source of drinking water for Boxborough residents and businesses west of I-495. The land consists of two parcels as shown in Exhibit A.

The town installed test wells on this land in 2006 and found it to be suitable for a public water supply system. Testing at the time showed the water was of very high quality and is possibly the largest available groundwater resource in Boxborough. The Open Space and Recreation Plan identifies this area as high priority for protection.

Before acquiring the land, the town will conduct an evaluation in accordance with MGL Ch 21E to determine whether there are hazardous substances present. A phase-one paper study may be sufficient, but physical access might be required. In either case, no funds are currently available for a qualified consultant to conduct a 21E evaluation. This article would provide such funds.

The WRC also wishes the existing (2006) test well to be re-tested for both quality and yield. The Salt Remediation Program of MADOT is willing to support the re-testing for yield. Re-testing will require input and coordination with MADEP. Re-testing the well will require access to the subject parcels.

The WRC believes CPA funds should not be used for due-diligence testing as this would diminish the amount available for land acquisition.

The WRC will need to contract an entity to provide engineering services and project management to oversee and coordinate the several activities. This article will enable work that is not within the scope for use of ARPA funds and the underlying Eligibility Guidelines for the State Drinking Water Revolving Fund.

It is the preference of the WRC to acquire access to the land for both 21E and water testing under license agreements to be executed with HSC, and Campanelli, owners of the adjoining property, as indicated in Exhibit B. This article would enable right of entry for testing by eminent domain, if necessary.

The Water Resources Committee recommends this article. It will permit the first critical steps to be taken to acquire and protect a major water resource for the benefit of the town.

The Select Board recommends (5 Yes - 0 No – 0 Recused/Absent):

This article will fund and enable necessary due diligence activities required prior to the proposed purchase of private land containing a large water resource of significant benefit to the town, as outlined in the recommendation of the Water Resources Committee. An article to purchase the land will be

proposed for Annual Town Meeting. An existing well should be re-tested to verify capacity before then. Access to the land must be assured to carry out testing. It is prudent and best practice to protect the town by conducting a 21E evaluation to determine whether hazardous substances are present. Expenses related to drilling and testing must be covered, as well as project supervision. There are currently no funds available for this work.

The Finance Committee recommends (6 Yes - 0 No – 0 Recused/Absent):

The Finance Committee recommends (6-0) – The primary purpose of the Water Resources Committee (WRC) warrant article is to secure a large and clean water source for the Town of Boxborough. This will ensure a long term, future high-quality water supply for the town as the need arises. There are currently issues with water contamination in residences and businesses west of RT495. The recommendation by the WRC is to acquire two parcels of land (18 acres) from the Harvard Sportsmen Club which sits above the Beaver Brook Aquifer. This water source was last evaluated in 2006 by digging test wells which showed a clean large-scale water supply. These well tests need to be repeated and requires a 21E evaluation. The town needs a negotiated agreement with the Harvard Sportsmen Club to perform the tests. In case an agreement cannot be reached WRC requests that the STM authorize the Select Board to acquire the rights of access only by Eminent Domain. The town will also negotiate with the Campanelli Corporation for access to Harvard Sportsmen Club parcels via Campanelli land parcel 3-002-000. The funding requested is to hire a consultant for the 21E evaluation and legal fees for the proposed acquisition. If the water supply tests, are positive then WRC will request use of CPA funds at the ATM in May 2022 to acquire the lands. CPA funds can be supplemented by grants. The Finance committee strongly believes that the STM should approve this warrant article. Funding would be free cash and will not impact the tax rate.

Discussion on Article 5:

Les Fox of the Water Resources Committee gave a presentation. The intent of the article is for due diligence prior to purchase land with large water resource, reduce risk, including acquisition with Community Preservation Act (CPA) funds at Annual Town Meeting in May 2022. The goal is to maximize CPA funds available for purchase (Community Preservation Committee has reviewed a proposal and is supportive). He gave the history of the WRC and that it originally searched for a suitable water source and did some study in 2006 (CEM installed a test well) but then the committee disbanded. They want to make sure there are no hazardous materials and that the water source is suitable.

He showed the figures in the warrant for placement of test wells and explained that water quality testing and pump testing were done in 2006; they want to make sure quality and quantity of water is still there. Town has a practice that it doesn't buy land until it does a 21E evaluation to ensure that hazardous materials are not buried there – first, a desktop study to determine what the land was used for in the past, and then survey the exact location of where we would want to put in a well, want to hire a consultant for engineering and project management. WRC expects some funding from MA DOT salt remediation program. The MA DOT has funds because the practice of salting roads is contributing to salt in the aquifer.

Process: first would like to negotiate license with the owner (Harvard Sportsmen's Club) to test for water – that old license is no longer in operation. We don't have to go through a large part of HSC land to get to the test site, and Campanelli has agreed to let us access their land, at least in conversations we've had with them recently. Step one is STM and step two is ATM; at this STM we need the funds to do the due diligence. At ATM we would ask for \$ to acquire the land. WRC has \$ to do an appraisal.

This article will provide \$75,000 for due diligence and right of access. We hope to negotiate access and may need to use eminent domain, which hopefully will not be necessary. You can't vote for one and not the other (need to approve the funding and the right of access at the same time). We need to protect this

water supply no matter what – that side of town has water quality issues and we need to maintain and secure this water source.

Frank Sweeney from Flagg Hill Rd, a member of HSC asked for permission for Kevin Connolly of HSC to speak, which was granted by Mr. Fallon. Kevin Connolly is on the Board of Directors of HSC. HSC heard about testing in 2006 via word of mouth, and then it fizzled and no one has approached them. HSC is concerned about the use of the land. Why are the “and others” not being discussed? Why not an option to put the well on the Campanelli property?

Mr. Fox responded that it is complicated. We have just started the conversation with Jason at HSC, and we have started to discuss with Dan at HSC.

The chunk of land on Campanelli property has a Conservation Restriction (CR) on it which restricts the use of the land for a well. We would like to explore that, but it is hard to remove a CR (requires an act of state legislature). All the hydrogeological studies show that the HSC land is excellent for water supply.

Mr. Connolly is concerned that that is a vibrant part of their property and they are worried that it will result in access restrictions.

Mr. Fox responded that they should only imagine a small well head with a fence around it; it will not likely change the land or the access very much. They would need to work out what might be possible with the HSC.

Mr. Connolly would encourage the town to hold off on passing this so they can discuss it further with the WRC.

Mark Marlow of Depot Rd. is a member of the HSC and encouraged the town to vote no. He stated that if you think it's OK to empower some people with the right to steal land then go ahead and say yes; we do not want your money, and we are not going to sell it. There's plenty of water in Boxborough. We are going to force you into eminent domain; say no to a committee having the power of eminent domain.

Suzanne Schmitt of 952 Depot Rd moved to amend the motion under Article 5 by adding the words “only for the area west of interstate route 495” after “public water supply” in the motion.

Discussion on the amendment:

Les Fox can't speak for the whole WRC, but is fairly supportive. Becky Neville said the finance committee is opposed. The select board agrees with the Fin Com that it is too restrictive.

Discussion on the amendment: Dennis Reip of Old Harvard Rd. thinks the amendment should be rejected as too restrictive. There are a lot of people who live east of 495 who may need to use this water supply. Don't clutter this with amendments about other things.

Elizabeth MacDonald of Swanson Rd. thinks this is amendment is an attempt to derail the whole thing, but the town should let them look into a public water supply. Aquifers can get tapped out and the fire at Harvard Ridge showed that the lack of water supply for fire.

Amendment was defeated by a majority vote.

David Fortini of Codman Hill Rd. stated that the HSC has been here since the 1930s and that he moved here in order to be closer to the HSC. The 12 acres that has been selected is the heart of the club; they are talking

about purchasing the main portion of the facility – the clubhouse, the ranges, everything. He asked that the town please consider that we are not likely to sell that and it would have to be forcibly taken by the government. He is not a supporter of eminent domain, and believes there are other areas in Boxborough where we could look for water. This is coming up after the sale of property to Campanelli. Boxborough is a beautiful rural community; what does Campanelli intend to build that needs this water?

Robin Lazarow of Hill Rd. says that the \$75,000 is not based on any RFP; \$275k has already been requested from CPC without even having a formal appraisal. That all may not be enough to acquire it. There may be available state funds for this that have not been explored. The original ask from the WRC was \$150k. Do we even know the full cost of all of this? There are too many unknowns and additional costs. She commends the WRC for their time and effort, but if the ultimate goal is to create a public water supply we have to think long and hard about whether the town is ready for this.

Dennis Reip of Old Harvard Rd. urged everyone to consider voting yes on this article. We do know that private sources of water are limited and once they're gone, they're not coming back. The future is uncertain and this is an appropriate incremental step to take. He requested to ask Les Fox to speak to this; he wanted to clarify about the 12 acres as their active area – it's mostly wetlands so they shouldn't be on that area with the activities they describe.

Mr. Fox responded by noting that there were no structures on the maps they mentioned and the area is very wet. There are no known structures on the areas we are talking about, and hope to have an arrangement where HSC can enjoy that land with the coexistence of the well.

Sam Gersh of 35 Swanson Ct. is alarmed by eminent domain. There's 90 years of lead in that land. We need that land as therapy and eminent domain is borderline criminal. He can't drink the water he has now, so why not put the money towards fixing that.

David Fortini of Codman Hill Rd. requested that the map be put up: 12 acres on map with 2006 test well is shown and the clubhouse is in the ½ mi protection zone. You would not want lead in the protection zone (½ mi protection zone).

Mr. Fox is not sure where the ½ mi zone comes from. You would have forested land in the 400 ft radius that DEP requires around the well. The Campanellis have their own well according to Mr. Fox; he doesn't know what they're going to do there.

Mr. Fortini said they are going to develop it, and that means that whatever water is found there is going to be used for the development by Campanelli. Essentially it is being taken for use by a developer to build homes and supply them with water.

Mr. Fox clarified that eminent domain would involve compensating the owner. Mr. Fox said that under current zoning, Campanelli has no right to build housing. The size of the well they have would service the entire campus at build out. Some years ago Mr. Fox tried to have a conversation with Mr. Hurley of HSC and he refused to talk.

Susan Bak of Burroughs Rd. moved the question and it was seconded. Two people objected to the assessment by the Town Moderator that a 2/3 majority voted. The Town Moderator as a matter of courtesy called for a standing vote. Tellers counted the standing vote and it passed with 82 yes votes and 28 no votes. The vote on moving the question passed by a 2/3 majority.

A vote on Article 5 was taken as a standing vote.

Action on Article 5 (2/3 majority vote required): Motion does not carry. (Yes: 62 and No: 49)

ARTICLE 6 FUNDING FOR TOWN ADMINISTRATOR SEARCH

\$12,500 Free Cash
(Majority Vote Required)

Wes Fowlks moved to appropriate the sum of Twelve Thousand Five Hundred Dollars and No Cents (\$12,500.00) for consultancy, advertisement, legal and related expenses in the recruitment of the Town's next Town Administrator, and to meet said appropriation by a transfer of said sum from certified free cash.

Summary:

The former Town Administrator and the Select Board were not able to complete a contract and so the Select Board opted to sign a contract with an Interim Town Administrator. This was a 1-year contract with the intention of starting a search in the beginning of this calendar year in order to fill the position with a long-term hire who would to start in July 2022. At the time of the last Town Meeting there was no warrant article or budget for executing a search for a permanent Town Administrator. Additionally, since it could be argued that this was a foreseen expense a Reserve Fund Transfer was not an appropriate action to get the funding.

The Select Board recommends (5 Yes - 0 No – 0 Recused/Absent):

The Select Board recommends this article as it will allow the Town to contract with a professional recruitment firm to execute the search for a permanent Town Administrator and cover the related costs.

The Finance Committee recommends (6 Yes - 0 No - 0 Recused/Absent):

Finance Committee recommends (6-0): With the upcoming departure of Boxborough's Interim Town Administrator, it is imperative for the Town to secure services of a professional consultant to aid in the recruitment of a replacement. This is a similar service we used in 2017 when we needed a new Town Administrator. This article will be funded out of Free Cash and will not impact the tax rate.

Discussion on Article 6: no discussion.

Action on Article 6: Motion carried by majority vote.

MOTION TO DISSOLVE MEETING

(Majority vote required)

Wes Fowlks moved to dissolve the February 28, 2022 Boxborough Special Town Meeting. Meeting was dissolved at 8:47 PM. **Motion carries by a majority vote.**

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 February 14, 2022.



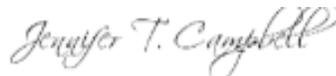
Wesley I. Fowlks, Chair
Select Board



Leslie R. Fox, Clerk
Select Board



John M. Markiewicz
Select Board



Jennifer Campbell
Select Board



Diana Lipari
Select Board

116 voters in attendance, February 28, 2022

True Copy, ATTEST:



**Rebecca J. Harris
Temporary Town Clerk, Boxborough**

WARRANT AND PROCEEDINGS

ANNUAL TOWN MEETING MAY 9, 10, AND 12 2022

To either of the Constables of the Town of Boxborough in the County of Middlesex, 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 MGL Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Monday, May 9, 2022 at 7:00 PM to act on Articles 2 through 35 of this Annual Town Meeting Warrant.

You are also required to notify all such residents of Boxborough to come to their polling place at Town Hall, Second Floor, Grange Meeting Room, 29 Middle Road, Boxborough, MA, on Tuesday the 17th day of May, 2022 at 7:00 AM for the Election of Town Officers. The polls will be open continuously until 8:00 PM when they shall be closed.

CONSENT AGENDA

In an effort to streamline Town Meeting and therefore make it more inviting to voters, the Select Board will again use Consent Agendas. This will speed the passage of articles which the Select Board, after consulting with Town Counsel, the Moderator, and the Finance Committee, feels should generate no controversy and can be properly voted without debate. The purpose of a Consent Agenda is to allow motions under these articles to be acted upon as one unit and to be passed without debate.

This year, there will be 2 Consent Agendas:

- The **Financial Consent** (Articles #10 through #21, inclusive) includes articles considered to be non-controversial. This consent includes a combination of staffing hours proposals, consulting proposals, standard authorizations, annual transfers, reoccurring programs, capital items, and Community Preservation Act Funds. These articles have been supported by both the Finance Committee and Select Board and are proposed to be funded with Free Cash and Bonding. These articles are indicated with (*).
- The **Non-Financial Consent** (Articles #24 through #29, inclusive) includes articles which have been supported by both the Finance Committee and Select Board. These articles are indicated with (**).

MAY 9, 2022

Counters/Tellers were sworn in by the Temporary Town Clerk: Heather Fleming, Adam Klein, Susan Bak, Karen Guzzardi, Christine Marlow, Becca Edson, Mary Brolin, Bob Stemple, and Elizabeth Fowlks.

Town Moderator, John Fallon convened Annual Town Meeting at 7:01 pm. It was the 240th Town Meeting. 199 registered voters were in attendance on night one. On night two, May 10th there were 283 registered voters in attendance, and on night three, May 12th there were 87 registered voters.

Special Motions

John Fallon introduced Jonathan Eichmann, Town Counsel of KP Law and Rebecca Harris, Temporary Town Clerk. He explained the need for a procedural vote for an election of a Temporary Town Clerk for the purposes of the Annual Town Meeting.

Mary Brolin moved to nominate Rebecca J. Harris to act as Temporary Town Clerk for the purposes of this meeting. Mark Barbadoro seconded.

Action on the motion: Motion carried unanimously

John Fallon asked if there were any other nominations and noted that he heard none.

Mary Brolin moved that Wes Fowlks, Chair of the Select Board, cast a single ballot for the election of Rebecca J. Harris.

Action on the motion: Motion carried unanimously

One vote was cast and examined by the Select Board. Les Fox reported one vote for Rebecca J. Harris. John Fallon swore in the Temporary Town Clerk, Rebecca J. Harris, using his powers under MGL 41-107.

Moderator Fallon made the following introductory remarks:

“Before we get started, I would like to make a few personal comments. As most of you know this will be my 18th and last meeting as your town meeting moderator. I would like to thank you for the privilege of being your moderator and all the cooperation many many people have given me. When I talk with other moderators, I tell them I have been fortunate to preside over meetings of intelligent and thoughtful people who listen to what is being said and take their job as legislators seriously and who usually conduct themselves in a pretty civil manner.”

Mr. Fallon went on to outline the Rules of Town Meeting, the materials available at the back of the hall, the availability of the warrant, and procedural and logistical issues. He thanked volunteers, staff, and Temporary Town Clerk Harris for their help putting together the Warrant and the 2021 Town Report. He announced the Town Election on May 17, 2022; while there are no contested elections, it is a validation of democracy and gives the people on the ballot a vote of confidence.

We will have Fifer’s Day on June 18th, and The Golden Fife Award and Parade Marshall are open again for nominations, due on May 20th.

The Star-Spangled Banner was sung by the Blanchard Chorus, directed by Margie Callaghan.

Lauryn Mansfield-Priest and Allison Mansfield-Priest led the meeting in a voluntary Pledge of Allegiance.

Mr. Fallon led a Moment of Silence for those who died during the last year from the town of Boxborough, from our Armed Forces, from COVID, and from all forms of injustice.

He stated that we have lost some good people during 2021 and 2022.

Introductions:

Boxborough Select Board (BSB) & Carter Terenzini, Acting Town Administrator

Mr. Fowlks introduced other members of BSB: Jennifer Campbell, Les Fox, Diana Lipari, and John Markiewicz.

Mr. Fallon thanked his volunteers on the Finance Committee, and announced that there are vacancies on the Finance Committee, so encouraged interested community members to talk to current members. Becky

Neville, Chair, introduced the members of the Finance Committee: Priya Sundaram, Gary Kushner, and Maria Neyland. Not present were Keshava Srivastava and Sachin Mather.

Mark Barbadoro, Chair of the Planning Board introduced the other members: Rebecca Verner, Janet Keating-Connolly, Mark White, Cindy Markowitz, and Robin Lazarow, who he thanked for her years of service, because she is stepping down.

Boxborough members of the Acton Boxborough School Committee (ABRSC) were introduced by Chair Adam Klein: Vice Chair Nora Shine (not present), Evelyn Abayaah-Issah, and Tessa McKinley. They were joined again this year by some Acton members of the ABRSC as special guests, introduced by Adam Klein: Amy Krishnamurthy and Kyra Wilson Cook. Also present were Peter Light, Superintendent of Schools, Assistant Superintendent Marie Altieri, and AB Schools CFO Dave Verdolino.

Rajon Hudson, Assistant Town Administrator was introduced: he ran the A/V projector, so we could the motions and presentations and Kelley Price our new Administrative Assistant to the Town Administrator and Select Board was assisting him.

Town Department Heads and staff present were introduced:

Mr. Fallon stated that there are lots of new faces this year; feel free to go up before or after the meeting and introduce yourself to someone you do not know.

Fire Chief: Paul Fillebrown

Acting Chief of Police, Lieutenant Warren O'Brien, who was recognized for his 20 years of service years of service keeping us all safe; he will be retiring in June.

Library Director: Peishan Bartley

DPW Director: Ed Kukkula

Town Assessor: Lynda McQuade

Department Assistant in the Building Department: Kim Pelsler (not recognized on the floor, but present)

Council on Aging and Community Services Coordinator: Kim Dee

Mr. Fallon recognized Cheryl Mahoney's service at town hall and town meeting for the past 15 years.

Littleton Community Television (LCTV) broadcasted the meeting live and also for later re-broadcast. Thank you to Kirby Dolak, LCTV's Production Supervisor and videographers/technicians, Judy Reid, Rob Croy, Dave Astolfi, and Diane Douglas.

Mr. Fallon also thanked the A-B Regional Schools tech team, led by Amy Bisiewicz, which had provided technical assistance and WIFI.

Thanks also to the Blanchard School's principal Dana Labb for being our gracious host and Blanchard School's Dan Ralls and his staff and to Ed Kukkula and our DPW crew for preparing the gym for tonight's Town Meeting.

In addition to the fine work of our paid staff, one reason this Town runs well is the dedicated work of literally hundreds of volunteers who so generously contribute countless hours of their time. We all owe a debt of gratitude to you.

He recognized two long serving volunteers:

a) Bryan Lynch who was elected to the Planning Board in 1976 and the Board of Health in 2001 and has been on numerous other town committees over his long career, and

b) Janet Glidden who has been a library trustee for over 20 years.

Both are stepping down from their positions this year.

Mr. Fallon outlined the rules of Town Meeting, following Town Meeting Time, including how the Consent agendas would work.

At the call of each Consent Agenda, the Moderator announced the number of each article. If one or more voters object to including any particular Article in the Consent Agenda, they said the word "Hold" in a loud voice when the number is called. The Article was then be removed from the Consent Agenda and restored to its original place in the Warrant. We then debated and voted on it in the usual manner. After the calling of the individual items in the Consent Agenda, the Moderator asked that all items remaining be passed AS A UNIT by the voters.

Voters were asked to carefully review the list of articles proposed for each Consent Item. Summaries are included under each article printed in this warrant.

Main Motion: Wes Fowlks, Select Board Chair

(Majority Vote Required)

Motion regarding dates of adjourned session:

Wes Fowlks, Select Board Chair moved that any adjourned sessions of the 2022 Annual Town Meeting being held on Tuesday May 10th, Thursday May 12th, Wednesday May 18th and Thursday May 19th starting at 7 pm and further that no debate will begin on any new article after 10:30 pm.

Discussion on the motion: Jeanne Kangas moved to amend that motion to 10:00 pm.

Vote on Amendment (No new items will be picked up for debate after 10:00 pm):

Action on the motion: Motion to amend carried by majority vote.

Mr. Fowlks moved that any adjourned sessions of the 2022 Annual Town Meeting being held on Tuesday May 10th, Thursday May 12th, Wednesday May 18th and Thursday May 19th starting at 7 pm and further that no debate will begin on any new article after 10:00 pm.

Action on the motion: Motion on amended motion carried by majority vote.

Motion regarding reconsideration

Mr. Fowlks moved that once final action has been taken on an Article, and the next order of business has been taken up, or the session of the Annual Town Meeting has been adjourned, the Article may not again

be considered at that Annual Town Meeting unless the Moderator determines in his discretion that reconsideration would be in the best interest of the voters.

Action on the motion: Motion carried by majority vote.

Motion regarding Temporary Moderator

Mr. Fowlks moved that Dennis Reip be elected Temporary Moderator to preside over this meeting during Article 22 and at other times during this meeting as determined by the Moderator.

Action on the motion: Motion carried by majority vote.

Motion Regarding Timing of Articles: Start May 10th with Articles 22 and 23 and set a time limit on (initial) debate on Article 22

Mr. Fowlks moved that Article 22 be taken up as the first Article on Tuesday May 10 and Article 23 be taken up as the second Article on Tuesday May 10 and that further that if debate on Article 22 extends to 7:45 pm, Article 22 shall be tabled until the debate and vote on Article 23 is completed and then Article 22 shall be taken off the table and debate recommenced on that article.

(Note: This would take a 2/3 vote since it includes a motion to table)

Action on the motion: Motion carried unanimously.

**BELOW IS A REPRESENTATION OF WHAT WILL APPEAR
ON THE TUESDAY MAY 17, 2022 BALLOT:**

ARTICLE 1 CHOOSE TOWN OFFICERS

(Majority vote required)

Town Moderator, for a one-year term

Select Board member, for a three-year term

Board of Health member, for a three-year term

Library Trustees, two members, each for a three-year term

Planning Board, two members, for a three-year term

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

Constable, for a three-year term

Town Clerk, for a three-year term

As well as other Town Officers as may be necessary.

The Select Board recommends unanimously (5-0).

The Finance Committee recommends unanimously (5-0).

Office	Term (yrs)	Name	Votes
Moderator	1	Dennis Reip	192
		<i>Write-in:</i>	4
		Blank	43
Select Board	3	Wesley Fowlks	142
		<i>Write-in:</i> Richard Guzzardi	72
		Blank	25
School Committee	3	Elizabeth Fowlks	176
		<i>Write-in:</i>	2
		Blank	61
Planning Board	3	Mark White	166
		Kathleen Vorce	175
		<i>Write-in:</i>	3
		Blank	134
Library Trustees	3	Robert McNeece	203
		Reeves Briggs	188
		<i>Write-in:</i>	0
		Blank	87
Board of Health	3	James Comolli	197
		<i>Write-in:</i>	0
		Blank	42
Constable	3	Andrew Weiner	191
		<i>Write-in:</i>	1
		Blank	47
Town Clerk	3	Rebecca Harris	215
		<i>Write-in:</i>	0
		Blank	24

Total Voters: 3,927

Ballots Cast: 239

Turnout: 6%

ARTICLE 2 RECEIVE REPORTS

(Majority vote required)

Mr. Fowlks moved that the Town vote to receive the reports of the Select Board and other Town Officers, Agents and Committees, including those published in the 2021 Annual Town Report.

The Select Board recommends unanimously (5-0).

The Finance Committee recommends unanimously (5-0).

Action on the motion on Article 2: Motion carried unanimously.

Planning Board Chair Mark Barbadoro gave the Planning Board report. The planning board has been extremely busy this past fiscal year, with several new developments and redevelopment projects. They completed site plan approval for ArrantaBio, the 2nd pharmaceutical company in town that will occupy approximately 130,000 sq ft at 1414 Mass Ave. Wastewater/processed water must be trucked offsite by a licensed wastewater contractor to ensure that no processed water ended up in the town's aquifer, as well as requiring improvements in landscaping and drainage around the site. Recent sales data indicated that the building recently sold for \$76 million in excess of the purchase price 5 years ago of \$6.25 million.

They reviewed and issued favorable decisions for a subdivision for two new homes at the end of Priest Lane, formerly part of the Town Center zoning. They are currently reviewing site plan and special permits for three two-family developments at Granite Hill at Mass Ave and Sara's Way. They are reviewing applications for redevelopment of 60 Codman Hill for warehouse distribution center. They heard two separate preliminary development proposals for developments at 244 Adams Place. Reviewed and endorsed ANRs under the subdivision control act and reviewed ongoing review of compliance items at the Enclave project. They reviewed several shade tree and stone wall removal applications. They reviewed and recommended that the town accept Taylor Farm Rd, while working on a tri-party agreement to maintain a modest amount of funds to ensure compliance with other town requirements.

They formed a working group with Sustainability Committee to bring 2 solar bylaws to this Town Meeting. Submitted a joint letter with the BSB to the MA Dept of Community and Housing Development regarding draft regulations for multi-family housing units around new MBTA regulations. Continued work with outside consultant for recodifying the Zoning Bylaw to address technical deficiencies and make the bylaw more user friendly. That will be brought to the next Town Meeting. The Planning Board worked on modifying the recently approved Stormwater Bylaw amendments, including ensuring that land disturbance on land over an acre will minimize disturbance to wetlands. We worked to update the Planning Board resource library on the town website. Worked with interim TA to develop a new Office of Land Use and Development, held 20 public meetings, made several site visits. They appointed an Associate Member who can review certain applications. The Planning Board representatives also sit on other boards including the CPC, DRB, EDC, WRC, Regional committees such as MAGIC and MAPC and Littleton Electric. He encouraged members of the public to attend Planning Board meetings which are generally held twice per month.

Adam Klein gave the AB Regional School Committee report. The School Committee and staff were proud to welcome back the 5,400 students back to in person school, and thanked the staff and teachers and particularly nursing staff and administrators for keeping everyone safe and for contact tracing. Especially thanked Dawn Bentley and the two fire departments for holding vaccination clinics. The Boardwalk Campus building project update was given: the name was given this fall, and represents the connection between the two schools and the connection to the outdoor environment where students have gone to learn about the ecology of the area. The project will continue for another year, but is on track to open

next fall. Our contractor prides itself in diversity in hiring (and using Boxborough-based contractors) and the building will be triple net-zero: net-zero water, net-zero energy, and net-zero waste. It will be the cleanest zero-carbon school building the state. Thanks to Mary Brolin and the School Building Committee. The project continues to be on time and on budget.

He went on to discuss the FY23 Budget, and emphasized the responsibility to the taxpayers and the community. There is a significant increase in healthcare costs, ability to return to school safely post-pandemic. After several below average years there were increased healthcare costs. They saw varying academic and social-emotional needs: it was important to rebuild the revolving accounts (school lunch, athletics, kindergarten, community education) post-pandemic and implement Multi-Tiered System of Supports (MTSS). Also working towards transition to free all-day kindergarten.

The three strategies for maintaining the long-view to meet present and future needs were: reducing expenses, shifting resources, and using reserves. Reduced expenses: reduced staff by 20.5 full-time equivalents, reductions in departmental and building level budgets. They shifted resources – reducing an assistant superintendent position to a director-level position and reallocated duties for central office positions. Use of reserves increased to \$1.8 million (increase of \$205,000 over FY22). Short-term costs will be addressed with these reserves, but this level of reserve use is not sustainable.

There is some concern about the retirement of the mascot and associated costs: there is no money in the budget for replacing uniforms or any other changes. There is planned replacement of old uniforms anyway in the future, so those will be replaced as needed and we will look at the various building representations of the mascot in facilities. There will be an assessment of those uses, and will be addressed as part of regular maintenance.

The final budget is \$102,899,440 (3.19% increase over last year); final assessment to the Town of Boxborough is \$13,257,674 (4.59% increase over last year). This increase is consistent with past years' increases. Boxborough's average increase over the past 5 years is 2.76% - our share of the budget is calculated on a rolling average of the number of students in the schools over the past 3 years.

Wes Fowlks, Chair of the Select Board, gave the Select Board report. He expressed thanks for volunteers and staff. There are a lot more people here than come to Select Board meetings, so he wanted to clear up some of the misconceptions about what is happening in town. He explained that Boxborough has had a transition year and wants to address the concerns the BSB have received about Town Hall turnover. Some town staff have left the state; last year, there were requests from Town Hall staff (Accountant and Treasurer/Collector) for support staff. That request was rejected, and soon after, they left. At one of our Select Board meetings, two staff asked for an increase in their compensation and titles because of the extra work they were doing. At the same time the Town Administrator said they were working on a staffing plan, and the Personnel Board recommended that these two employees be reclassified (but the Select Board denied that request amidst work on the staffing plan). Another employee wanted to be reclassified after hour years of asking, and subsequently left. We can't do a lot that private businesses can do; we can't counter offer as easily.

Mr. Fowlks wanted to make sure people know that the Select Board is not doing nothing to address these concerns. He also expressed his happiness with the current and new employees. He hopes for understanding from town residents and hopes they are understanding about the work that staff have in front of them, and the limited resources that the Town has. He wanted to express gratitude to the public for their patience.

He also emphasized the fiduciary responsibility of the Select Board: this means people with a fiduciary duty must act in a way that will benefit someone else and put the town's interests ahead of their own. He stressed the need for some information to be private.

Mr. Fowlks said that the Select Board will be asking for more support, and being more deliberate about building Boxborough. The ability to have autonomy, mastery, and purpose are all important in the town staff.

There is a shift in the employment marketplace; where previously there was institutional knowledge that is now lost. They are thinking about how do to reorient to provide growth opportunities for the people who work in town.

He is tabling one more aspect of his presentation until 8 pm.

Soon after 8 pm, Wes Fowlks turned over the presentation to Jamie Eldridge, State Senator for Boxborough, who commended John Fallon for his years of service serving on nine boards and committees since 1993 (*correction: 1985), including as Town Moderator since 2005. Senator Eldridge said that Mr. Fallon is among the best public servants that Boxborough has ever had. He has served on 9 (*correction: 11) boards and committees over these many decades. Senator Eldridge so appreciates the public service, friendship, and partnership of John Fallon to help make Boxborough so special. Whenever there's an event going on in the community, John always emails him personally and it's so important for legislators to know about those. He read the citation from the Senate: "Be it Hereby Known that the Massachusetts Senate Hereby extends it congratulations to John Fallon in recognition of your dedicated service to the Town of Boxborough for serving on *11 boards and committees since *1985, including as the Town Moderator since 2005, and be it further known that the Massachusetts Senate extends its best wishes for continued success" signed Senate President Karen Spilka and Senator Eldridge. (*amended later to correct number and dates)

Rep. Dan Sena presented a House citation and commended John Fallon for his years of service. He read the citation from the Senate: "Be it Hereby Known that the Massachusetts House of Representatives Hereby extends it congratulations to John Fallon in recognition of your dedicated service to the Town of Boxborough for serving on *11 boards and committees since *1985, including as the Town Moderator since 2005. The entire membership extends its very best wishes and expresses the hope for future good fortune and continue success in all endeavors." signed Ronald Mariano, Speaker of the House and State Representative Danillo Sena. (*amended later to correct number and dates).

Mr. Fallon received a standing ovation.

ARTICLE 3 SET SALARIES AND COMPENSATION OF ELECTED OFFICIALS

(Majority vote required)

Mr. Fowlks moved that the Town vote to fix the salaries and compensation of various elected officials for the fiscal year beginning July 1, 2022 as follows:

Select Board Members	\$400.00 each member/year
Board of Health Members	\$200.00 each member/year
Town Clerk	\$65,250.00
Constables	\$3.00 each copy/warrant posted
Planning Board Members	\$400.00 each member/year

Boxborough Members of A-B Regional School Committee	\$400.00 each member/year
Library Board of Trustees	\$200.00 each member/year
Town Moderator	\$100.00/year

Summary:

Elected members still may choose not to accept these stipends and instead choose to volunteer their time in service to the town. The budget reflects the choices made by each Board.

The Select Board recommends (4-1).

Majority (Pro): The majority feel that stipends should be available to those who choose to take them.

Minority (Con): The Minority of the Select Board does not believe that salaries of stipends for elected boards (excluding what is mandated by state legislature and full-time position of the Town Clerk). The salaries are taxed at the State and Federal level and are taking away monies that can be used on residents and resources within Town. Additionally, these salaries that are set are somewhat insignificant on an individual level, as even at one of the lowest tax brackets the salaries are after taxes only 80% of the intended. For example, childcare is currently \$20/hour, and so at these low of levels they are mostly symbolic and the money could better serve the Town and its residents.

The Finance Committee recommends unanimously (5-0).

Discussion on Article 3: Wes Fowlks mentioned that the Select Board will forgo their stipends and use that money for events for Town Hall staff.

Action on the motion on Article 3: motion carried by majority vote.

**Addendum: FY2023 Classification and Compensation Schedule
Regular Full-Time, Reduced Hours and Part-Time Employees**

GRADE	POSITIONS	FLSA Status	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14
16	Assistant Town Administrator	Exempt	84,841	86,962	89,136	91,364	93,649	95,990	98,389	100,849	103,370	105,955	108,604	111,319	114,102	116,954
	Police Lieutenant															
15	COA & Community Services Director	Exempt	72,206	74,011	75,862	77,758	79,702	81,695	83,737	85,831	87,976	90,176	92,430	94,741	97,109	99,537
	Inspector Bldgs Commissioner (BICO)															
	Town Accountant															
	*Town Assessor															
	Town Planner															
	*Town Treasurer/Collector															
14	Community Services Coordinator	Exempt	61,451	62,987	64,562	66,176	67,830	69,526	71,264	73,046	74,872	76,744	78,662	80,629	82,644	84,711
	Council on Aging Coordinator															
	Town Clerk/ <i>Temporary Town Clerk</i>															
	DPW Foreman	Non-Exempt	29.44	30.17	30.93	31.70	32.50	33.31	34.14	34.99	35.87	36.77	37.68	38.63	39.59	40.58
13	Associate Town Planner	Exempt	56,713	58,131	59,585	61,074	62,601	64,166	65,770	67,414	69,100	70,827	72,598	74,413	76,273	78,180
	Youth Services Librarian															
	Information Services Librarian	Non-exempt	27.16	27.84	28.53	29.24	29.98	30.72	31.49	32.28	33.09	33.91	34.76	35.63	36.52	37.44
	Technical Services Librarian															

GRADE	POSITIONS	FLSA	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14
		Status														
12	Administrative Assistant	Non-Exempt	25.26	25.89	26.54	27.20	27.88	28.58	29.30	30.03	30.78	31.55	32.34	33.14	33.97	34.82
	Conservation Agent															
	DPW Worker Skilled															
	Fleet Maintenance Mechanic															
11	Animal Control Officer	Non-exempt	23.51	24.10	24.70	25.32	25.95	26.60	27.26	27.94	28.64	29.36	30.09	30.84	31.62	32.41
	Department Assistant															
10	Bldgs/Grnds Maint Worker	Non-exempt	21.86	22.40	22.96	23.54	24.13	24.73	25.35	25.98	26.63	27.30	27.98	28.68	29.40	30.13
	DPW Worker Semi Skilled															
	Sr. Library Assistant															
	Transfer Station Operator															
9	Library Assistant	Non-exempt	20.34	20.85	21.37	21.90	22.45	23.01	23.59	24.18	24.78	25.40	26.04	26.69	27.35	28.04
8	Van Dispatcher	Non-exempt	18.92	19.40	19.88	20.38	20.89	21.41	21.94	22.49	23.06	23.63	24.22	24.83	25.45	26.09

* Under three year contract

Updated 12/10/21

FY2023 Classification & Compensation Schedule
Temporary, Per Diem and Intermittent

SG	Hourly (All Non-exempt)	FY22 Rate	FY22 1/1/2022	FY23 Rate
0	CIT	\$11.56		\$14.44
0	Intern (Town Hall)	\$11.56		\$14.44
1	Counselor	\$13.50	\$14.25	\$15.00
1	Asst. Animal Control Officer	\$13.50		\$15.00
1	Election Workers	\$13.50	\$14.25	\$15.00
2	Media Production Technician	\$14.27		\$15.56
2	Seasonal Conservation Officer	\$14.39		\$15.56
3	Laborer - Cemetery	\$13.50	-	\$14.25
3	Clerk of Elections	\$15.21		\$16.14
4	Lead Counselor	\$14.62		\$16.75
5	Van Driver	\$17.02		\$17.38
6	Seasonal Maintenance & Cemetery Worker	\$16.03		\$18.03
8	Lock Up Attendant	\$17.27		\$21.42
TBD	Part Time Dispatcher	\$19.47		
8	Winter Sports Director	\$21.42		\$21.42
8	Specialty Instructor Level I	\$21.42		\$21.42
9	Substitute Librarian	\$19.83		\$20.34
10	Special Police Officer	\$19.83		\$21.86
10	Specialty Instructor Level II	\$21.95		\$21.95
10	Summer Recreation Director	\$21.95		\$21.95
10	Snow Plow Operator	\$25.28		\$25.28
11	Firefighter/EMT	\$19.83		\$23.51
11	Animal Control Officer	\$21.80		\$23.51

Stipends (Annual)	Rate
Field Driver	\$45
Registrar Member	\$275
Registrar Chairperson	\$925
Cemetery Superintendent	\$5,000
Animal Inspector	\$1,015
Finance Director	\$6,000

Fee Based	Rate
Wiring Inspector	90% Permit Fees
Plumbing & Gas Inspector	90% Permit Fees
Meeting Secretaries	\$130.43/meeting

SG	Hourly (All Non-exempt)	FY22 Rate	FY22 1/1/2022	FY23 Rate	Stipends (Annual)	Rate
11	Lead Summer Recreation Director	\$22.53		\$23.51		
11	Veterans Services Officer	\$22.53		\$23.51		
TBD	Deputy Fire Chief	\$25.47				
14	Fire Lieutenant	\$21.80		\$29.44		
15	Fire Captain	\$22.53		\$33.91		
NR	Asst. Building Inspector	\$30.18		\$30.18		
NR	Call Building Inspector	\$35.13		\$35.13		
	Junior Library Page	\$11.56				
	Library Page	\$11.56				
	Fire Department Chaplain	\$19.83				
	Gym Director	\$21.42				
	Call Fire Chief	\$48.93				

SG 1 through 7 =
3.75% difference in
SG

Revised 12_14_2021

ARTICLE 4 AMEND FY2022 PERSONNEL PLAN, INCLUDING THE CLASSIFICATION AND COMPENSATION SCHEDULE

(Majority vote required)

Sheila Bauer, Personnel Board Chair moved that the Town vote to amend certain sections of the Personnel Administration Plan including the Classification and Compensation Schedule in the matter that is set forth in the document on file with the Town Clerk entitled "Proposed Changes to Personnel Administration Plan – May 2022" and available on the Town's website or take any other action relative thereto.

Summary:

Vote 1: Administrative changes to the plan

Various grammatical and clarifying changes made throughout document.

Article V: The Position Classification Plan, Section 3 and 3a

In Sections 3 and 3a change the word "allocation" to "classification" to provide clarity and consistency in the general usage of the terms for the purposes of the Classification and Compensation Plan.

Article VI: The Pay Plan, section 2

Amend the title of the section to "Promotions and Reclassifications" to reflect the full content of the section. Provide new language under subsection b to reflect how an employee's pay rate shall be determined if their position is reclassified to a higher grade. The section, with the new language in bold reads as follows:

Promotions or Reclassifications

- a. When an employee is promoted to a position in a higher class, the employee's salary shall be increased to the minimum rate for the higher class. In the case of overlapping ranges, the promoted employee shall be increased to the step immediately above the employee's present salary.
- b. ~~Any regular full-time employee specifically assigned by the Department Head to a higher hourly rated position for the purpose of fulfilling all of the duties of that position for the full shift or more, i.e. temporarily promoted, shall be paid at a rate equal to the rate of the higher position but no more than step 3. However, the employee shall not suffer a reduction in pay.~~ **When an employee is promoted, or the position they hold is reclassified to a position in a higher grade, the employee's salary shall be increased to the minimum rate for the higher grade. In the case of overlapping ranges, the promoted or reclassified employee shall be increased to the step immediately above the employee's current salary step.**

Article VI: The Pay Plan, section 7

Remove language that requires annual step increases for employees be approved by the Select Board, Personnel Board and Annual Town Meeting. Replaces this section with a language directing employees will receive steps advancements provided that annual reviews are conducted pursuant to the Employee Handbook. The Personnel Administration Plan applies to all non-union employees for the Town. This revised language creates equity and parity between non-union personnel and unionized personnel. The section, with the new language in bold reads as follows:

Salary Step Adjustments

~~On an annual basis, the Select Board, in consultation with the Personnel Board, will determine whether step advancements will be granted to employees who are paid under the Classification and Compensation Schedule. If after such review it is determined that~~

the 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 “proficient” or better will be advanced to the next step within their job classification on the following July 1. **This employee step advancement occurs annually, provided that annual reviews have been submitted pursuant to the Employee Handbook by June 1.**

~~New employees who were hired before January 1 who have achieved an overall performance rating of “proficient” 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 “proficient” 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.~~

Article VI: The Pay Plan, section 11

This is a new section that provides language for how an employee is to be paid if they are performing out of grade work for a period of more than ten (10) business days. The new section, with the new language in bold reads as follows:

Temporary Out of Grade Work

Whenever at the direction of the Town Administrator, or at the direction of the Department Head with the consent of the Town Administrator, an employee is assigned tasks and responsibilities for a period of more than ten (10) business days which are normally and ordinarily performed by another employee in a higher grade and which are not among those tasks and responsibilities that the employee would normally and ordinarily be expected to perform under the terms and conditions of the job description for their position, the employee shall be paid an additional five (5) percent of their base pay for the period of time beyond ten (10) business days that they perform the “out of grade” tasks and responsibilities provided, however, that in no case shall they be paid more than the top step of the higher grade position which would normally and ordinarily carry out such tasks and responsibilities.

Article XI: Leaves of Absence, section 1

Section 1 specifically pertains to sick leave. This section has been amended to include regular part-time employees. A regular part-time employee will earn sick leave on a pro-rated basis according to their hours worked. A regular part-time employee is one who works fewer than 20 hours during their regular work week. The section, with the new language in bold reads as follows:

SICK LEAVE

- a. Each regular full-time and regular reduced-hours, **and regular part-time** employee shall be entitled to one day, of the same number of hours as regularly or on average worked, of paid sick leave for each five (5) calendar weeks of continuous service per year to be used in case of illness, or injury, or other temporary disabilities which necessitate the employee's absence from work, except for conduct which is cause for termination of the employee's employment.

Vote 2: Classification and Compensation Schedule – Positions

The Personnel Board recommends **adding** to the Regular Full-Time, Reduced Hours and Part-Time Employee Classification and Compensation Schedule the position(s) of:

<u>Title</u>	<u>Grade</u>
Associate Town Planner	13

The Personnel Board recommends **removing** the following positions from the Temporary, Per Diem and Intermittent Schedule: Junior Library Page, Library Page, Fire Department Chaplain, Gym Director, and Call Fire Chief. The Gym Director is now combined with the Winter Sports Director.

Vote 3: Classification and Compensation Schedule – Wage Increase

The Classification and Compensation plan applies to all non-union employees. Positions are classified into groups and classes doing substantially similar work and having substantially equal responsibilities and are then set forth in the Classification and Compensation Schedule, which is incorporated into the Personnel Administration Plan.

FY2023

The Personnel Board voted a step increase and a 1.9% wage adjustment effective July 1, 2022 (FY2023) to the Regular Full-Time, Reduced Hours and Part-Time Employee Classification and Compensation Schedule with the following exceptions: DPW Foreman, DPW Worker Skilled, Building and Grounds Maintenance Worker, DPW Worker Semi-Skilled. The 1.9% wage adjustment is based on a fiscal 3-year average of the CPI-U (Consumer Price Index – Urban)

Employees on the Temporary, Per Diem and Intermittent Schedule will receive a 1.9% wage adjustment, with the following exceptions: CIT, Counselor, Assistant Animal Control Officer, Winter Sports Director, Specialty Instructor Level I, Snowplow Operator, Specialty Instructor Level II and Summer Recreation Director.

Employees receiving a stipend or paid on a fee basis will not receive the 1.9% increase, except for the Meeting Secretary position which will receive a 1.9% increase.

All changes are reflected in the documents labeled FY2023 Classification and Compensation Schedule: Regular Full-time, Reduced Hours and Part-Time Employees, FY2023 Stipends and Fee Based, and FY2023 Classification & Compensation Schedule: Temporary, Per Diem and Intermittent.

VOTE 1

The Personnel Board recommends unanimously (3-0).

This article incorporates a number of administrative changes to the Personnel Plan, all of which will be discussed in more detail at Town Meeting.

The Finance Committee Recommends (5-1).

Majority (Pro): The Finance Committee supports the proposed changes in the language of the Personnel Plan as described above and plans to have financial impact at Town Meeting.

Minority (Con): The retirement contribution is increasing at a rate of >10% Year-over-Year and is projected to become the 2nd biggest line item (only below the school budget) in 6 years! Adding an automatic step increase will worsen the situation and will lead to significant tax increase for the town.

VOTE 2

The Personnel Board recommends unanimously (3-0).

This article cleans up the Classification and Compensation schedule to reflect only those positions which are currently used by the Town. The added positions allow the Town flexibility to hire for these positions in FY2023. Without adding these positions, the Town would not be able to add personnel with these job titles.

The Finance Committee Recommends unanimously (6-0).

The Finance Committee recommends the addition of Associate Planner to the Compensation Plan. This addition will allow for flexibility in hiring. This recommendation is only for the addition and subtractions to the Plan and has no budgetary implications.

VOTE 3

The Personnel Board recommends unanimously (5-0).

The Personnel Board recommends that all eligible employees receive a step increase. Further, to ensure that the Classification and Compensation schedule maintains salaries in the 75th percentile of comparable towns, the Personnel Board recommends a 1.9% wage adjustment based on a fiscal 3-year average of the CPI-U (Consumer Price Index – Urban). Using the fiscal 3-year average is consistent with the Boards practice since FY2019.

The Finance Committee Recommends unanimously (6-0).

The Finance Committee recommends the 1.9% COLA (Cost of Living Adjustment) for our employees on the Personnel Plan. Several years ago, the FinCom, Select Board and the Personnel Board came up with a formula to use a 3-year rolling average of the CPIU (Consumer Price Index) to avoid spikes in the COLA given.

The Select Board recommends unanimously (5-0).

The Select Board unanimously recommends this warrant article, and the proposed amendments to the personnel bylaws. These changes will help us to attract and retain talent as well as giving the employees an understanding of what to expect in regards to annual increases. Also, these changes are moving towards helping employees grow through performance reviews. Additionally, the changes will provide benefits for our regular part time employees that they were lacking, and that other towns around us currently have.

Introduction of Article 4 by Sheila Bauer, Chair of the Personnel Board:

To make things easier to understand there will be 3 votes under Article 4:

Vote 1: Approval of administrative changes to the plan

Vote 2: adding the position of Associate Town Planner and eliminating a number of unused positions.

Vote 3: setting a wage adjustment, effective July 1, 2021, for non-union employees of 1.9%.

Discussion on Article 4, Vote 1:

Rosemary Sedgewick of Hill Rd appreciated the presentation by Mr. Fowlks in terms of what is going on with Town Hall staff. She wonders if the increase after 10 days of 5% will make a difference to people who feel they are working too hard for too little

Mr. Fowlks said this is a step in the right direction. Sheila Bauer clarified that this is a temporary increase for working out of class. Ms. Sedgewick is wondering about the possibility of an internship program.

Jim Comolli from Sargent Rd. asked a clarifying question regarding the employee review and step increase. Ms. Bauer said this makes the Personnel Plan more flexible. Mr. Comolli asked regarding the out of grade work: is there just one person who determines how that works? There were problems with this before, so how is that determined, and maybe it needs review by multiple parties with an appeals process perhaps.

Sheila Bauer discussed how the out of grade pay process works. For example the Town Clerk is gone so the Assistant Town Clerk fills in for her. There is an expectation that there are a few more tasks that will be required. There needs to be a mechanism to compensate that person for stepping into another role. Wes

is referring to the issue of when we don't have enough staff at town hall and different people are doing something outside the realm of their responsibilities.

Patricia Bruner of Burroughs Rd wonders what is the incentive for the Personnel Board to stop the temporary 5% increase in pay if the Town can fill the needs of the town without hiring someone permanently at a higher rate?

Ms. Bauer said the incentive is that the Town needs to be fully staffed.

Interim Town Administrator Terenzini said it's difficult to know the duration because it depends on why that vacancy has occurred. It may be a long-term disability or illness and it may also depend upon the job market. He provided examples of how we may be missing knowledge when we don't have the job filled; it is very important to fill positions long-term because there is too much stress over the long-term on employees who are filling in. It is a recognition of employees for going above and beyond, and it is a modest increase.

Patricia Bruner stated that if you don't have a formal provision for permanent reassessment, it seems that there is an opportunity for even more burnout.

Mr. Fowlks clarified that it is a short-term option because a person's job cannot be given away, for example if they are on leave.

Cheryl Mahoney of Liberty Square Rd. spoke about the Staffing Plan that people worked hard to create. If you're talking about someone filling in, you still have a gap in staff.

Isaiah Livshin of Burroughs Rd asked if when we're talking about out of pay work, why are we only talking about work at one level above?

Sheila Bauer said we have to pick something that's predictable and transparent. That's what we picked in the interest of fairness and transparency.

Mr. Livshin said so it's not about the workload, it's only about work outside their grade?

Ms. Bauer said it's not more work.

Mr. Livshin disputed that it would not be more work; it could be double the workload if someone is doing an extra job.

Mr. Fowlks said that most of the Departments have a Dept Head and a Dept Assistant; it would most often be the assistant stepping up to fill the head role, so the assistant would get the out of scope pay.

John Markiewicz asked to clarify that if someone is doing extra work, what happens currently?

Ms. Bauer said someone might be paid overtime, for example.

Lee Slade of Burroughs Rd. commented about the larger issue of turnover at Town Hall. Every company is suffering from turnover because of the great resignation, so he wanted to applaud everyone for reconsidering the personnel plan. You need to balance increases with performance evaluations; you need to provide something beyond just small pay increases. There are benefits beyond just salary increases.

Molly Wong of Stonehedge Pl, echoed what Mr. Slade just said. This is just one technical piece, just one tool and there's more to come. Vote 1 is just one tool, and it doesn't address all of the issues, but I think we should vote for this.

Mark Marlow of Depot Rd. said that part-time employees appear to be getting sick days. Could part-time staff earn sick days?

Sheila Bauer said an employee who is part-time has to work 19 hrs/week. They accrue time off after working a certain number of hours as long as they have a status as a 19 hr part-time employee.

Mr. Marlow asked what continuous service means (Section 1, letter a) – what does continuous weeks mean?

Mr. Fowlks responded: 19 hrs for 5 weeks working, then they'd get a prorated sick day.

Kyle Coulter of Swanson Rd. **moved the question. That motion carried by 2/3 majority.**

Action on the motion: Motion on Vote 1 carried by majority vote.

Discussion on Article 4, Vote 2: No discussion on Classification and Compensation Schedule: adding Associate Town Planner.

Action on the motion: Motion on Vote 2 carried by a majority vote.

Discussion on Article 4, Vote 3: Step increase and wage adjustment increase of 1.9% with exceptions above.

Mark Marlow said the CPI is very low, it's not going to change?

Sheila Bauer said it's a rolling average.

Mark Marlow said are we signing up for this for every year or just this year. When is that set?

Ms. Bauer said November or December of each year.

Hong Li of Burroughs Rd. asked about the budget. He was told by Mr. Fallon that that is not part of this discussion.

Christine Marlow of Depot Rd. asked about the statement of dissent from Fin Com that will cause the retirement contributions to increase so how confident are we that these rate increases, although needed are not going to send our budget out of whack.

Ms. Neyland said that the person who expressed dissent is not here tonight, but it is true that pension will be the highest budget driver in town, in terms of a percentage basis. So it needs to be on the agenda for Fin Com discussion going into the next year. Mr. Fallon said this is outside the scope of this discussion.

Dave Follett of Cobleigh Rd. said that the CPIU is actually around 8.5% so we are actually talking about salary cuts in terms of real \$ compensation. Wondering how Fin Com and Personnel Board can address this. At some level you get what you pay for.

Sheila Bauer said we had to make this decision months ago so we had to go with the numbers we had. We also don't have to do it as a rolling average; we could have that discussion in the future between Personnel Board / Fin Com / Select Board.

Dave Follett said in real dollars you're introducing pay cuts for these employees. Six months ago it wasn't where it is now but it's still well above what you're giving; it's a basic question of fairness.

Wes Fowlks said I would say you're right, but because it was decided early on, and it's also about precedent and municipalities are slow to react.

Mr. Terenzini said we can only adjust here at Town Meeting; we can't do anything in advance. These discussions were started last year and the warrant has to be published well in advance of Town Meeting. The 1.9% adjusts the entire scale, and there are 12 steps on the entire scale. No one is anywhere near that top; should they achieve a satisfactory performance review, they should achieve a step, roughly 2.5 %, further escalated by 1.9%. It may not reflect inflation of the last 3-4 months, and none of us can predict when that will drop down. The delta isn't as severe as you might think.

Mary Brolin of Guggins Ln. said a 1.9% increase is incredibly modest. We should not be balancing our town budget on the backs of our Town of Boxborough staff.

Jeff Barrus of Patch Hill Rd. wanted to point out that inflation is taking away the % increase. Proposed to move the question. Mr. Fallon reminded him that he can't talk AND move the question. (But no one was at a microphone so the vote took place immediately anyway).

Action on the motion: the motion on Vote 3 passed with a majority.

ARTICLE 5 TOWN OPERATING BUDGET

\$24,468,636 Raise & Appropriate

(Majority vote required)

Becky Neville, Finance Committee Chair moved that Town raise and appropriate the sum of twenty-four million, four hundred thousand sixty-eight, six hundred and thirty-six dollars (\$24,468,636) for the operations and expenses of the Town during the fiscal year beginning July 1, 2022 for the purposes for which funding are set forth in the Department Account Numbers 114 through 915, and any subheadings included under said account numbers, as printed in Article 5 of the Annual Town Meeting warrant, under the heading FY2023 Budget,

Except for:

Department 123, Total Other – Executive Offices, which has been reduced by \$5,000 to \$11,745

Department 196, Total Other – Facilities, which has been reduced by \$10,000 to \$53,775

Department 210, Total Other – Police, which has been reduced by \$10,500 to \$200,305

Department 220, Total Salaries – Fire, which has been reduced by \$10,000 to \$1,148,176

Department 310, Total Other – Minuteman, which has been reduced by \$12,095 to \$152,135

Department 311, Total Other – Assabet, which has been reduced by \$21,766 to \$49,814

Department 312, Total Other – Nashoba, which has been reduced by \$5,571 to \$92,429

Department 422, Total Other – DPW, which has been reduced by \$10,000 to \$120,496

Department 429, Total Other – Fuel, which has been reduced by \$20,000 to \$148,350

Department 610, Total Other – Library which has been reduced by \$5,050 to \$159,700

Department 174, Total Salary – Planning, which, as a result of an amendment, has been increased by \$7,271 to \$250,910

And to meet this appropriation that an amount of \$600,000 be transferred from Free Cash, and the balance be raised by taxation.

For more information refer to the Finance Committee Report at the end of this Warrant.

		FY23	FY22	% Change FY22 v 23	FY21
Department Totals		Budget	Budget		Budget
114	Total Salary	100	0	100.0%	0
114	Total Other	80	75	6.7%	65
114	Total Moderator	180	75	140.0%	65
119	Total Salary	0	0	0.0%	0
119	Total Other	160	120	33.3%	170
119	Total Town Constable	160	120	33.3%	170
122	Total Salary	0	0	0.0%	2,000
122	Total Other	0	2,615	100.0%	2,885
122	Total Select Board	0	2,615	100.0%	4,885
123	Total Salary	302,870	215,020	40.9%	192,230
123	Total Other	11,745	5,330	120.4%	5,080
123	Total Town Administrator	314,615	220,350	42.8%	197,310
131	Total Salary	0	0	0.0%	3,000
131	Total Other	385	375	2.7%	3,375
131	Total Town Finance Comm	385	375	2.7%	3,375
135	Total Salary	96,447	84,230	14.5%	79,005
135	Total Other	43,600	73,000	-40.3%	37,335
135	Total Accountant	140,047	157,230	-10.9%	116,340

141	Total Salary	106,887	85,230	25.4%	80,005
141	Total Other	21,220	16,015	32.5%	13,860
141	Total Assessor	128,107	101,245	26.5%	93,865
145	Total Salary	108,402	77,310	40.2%	71,575
145	Total Other	28,700	27,740	3.5%	25,990
145	Total Treasurer/Collector	137,102	105,050	30.5%	97,565
151	Total Salary	0	0	0.0%	0
151	Total Other	78,400	78,400	0.0%	87,600
151	Total Legal	78,400	78,400	0.0%	87,600

This year's Town Hall budget was reformatted by the Interim Town Administrator. He combined the Select Board Budget and the Town Administrator into Executive Offices Support staff is now budgeted in the department they support, increasing many budgets substantially, but the reduction can be seen in Budget 192.

The Interim TA also offered contracts to members of the finance team and the salaries reflected are higher than those found in the Personnel Plan.

		FY23	FY22	%change	FY21
152	Total Salary	0	0	0.0%	0
152	Total Other	345	345	0.0%	320
152	Total Personnel Board	345	345	0.0%	320
156	Total Salary	7,500	7,500	0.0%	5,000
156	Total Other	251,775	242,920	3.6%	151,210
156	Total Technology	259,275	250,420	3.5%	156,210
161	Total Salary	93,655	61,305	52.8%	50,690
161	Total Other	2,664	1,945	37.0%	1,830
161	Total Town Clerk	96,319	63,250	52.3%	52,520
162	Total Salary	11,204	2,975	276.6%	7,280
162	Total Other	8,360	7,495	11.5%	7,560
162	Total Elect. & Registrar	19,564	10,470	86.9%	14,840
171	Total Salary	0	0	0.0%	0
171	Total Other	1,600	1,600	0.0%	2,150
171	Total Conservation Comm	1,600	1,600	0.0%	2,150
174	Total Salary	250,910	74,450	237.0%	80,980
174	Total Other	17,000	6,225	173.1%	3,830
174	Total Land Use and Permitting	267,910	80,675	232.1%	84,810
175	Total Salary	5,913	5,075	16.5%	3,000

175	Total Other	5,425	5,425	0.0%	4,580
175	Total Planning Board	11,338	10,500	8.0%	7,580

The Town Clerk's budget now includes the support staff associated with that office and is no longer in budget 192. The Department of Land Use and Permitting is a new budget which combines the previous budgets titled Town Planner and the Building Inspector and associated administrative support.

In FY22 budget the Town Planners budget was \$80,675 and the Building Inspectors budget was \$102,245.

		FY23	FY22	%change	FY21
176	Total Salary	1,304	1,280	1.9%	0
176	Total Other	635	635	0.0%	225
176	Total ZBA	1,939	1,915	1.3%	225
179	Total Salary	0	0	0.0%	0
179	Total Other	200	100	100.0%	200
179	Total Ag Comm	200	100	100.0%	200
182	Total Salary	0	0	0.0%	0
182	Total Other	3,750	3,500	7.1%	0
182	Total Economic Development	3,750	3,500	7.1%	0
192	Total Salary	0	226,565	-100.0%	212,660
192	Total Other	54,240	50,510	7.4%	47,655
192	Total Town Hall	54,240	277,075	-80.4%	260,315
	Budget 192 is down because support staff has been moved into associated budgets.				
196	Total Salary	0	0	0.0%	0
196	Total Other	53,775	58,015	-7.3%	52,865
196	Total Facilities	53,775	58,015	-7.3%	52,865
199	Total Salary	0	0	0.0%	0
199	Total Other	950	1,250	-24.0%	500
199	Total Sustainability Comm	950	1,250	-24.0%	500
	Total Salaries - Town Government	985,193	840,940	17.2%	855,101
	Total Other - Town Government	585,009	581,020	0.7%	457,291
	Total Town Government	1,570,202	1,421,960	10.4%	1,312,767

		FY23	FY22	%change	FY21
210	Total Salary	1,389,481	1,369,159	1.5%	1,210,305

210	Total Other	200,305	135,915	47.4%	190,295
210	Total Police	1,589,786	1,505,074	5.6%	1,400,600
215	Total Salary	393,949	389,470	1.2%	317,570
215	Total Other	58,768	61,425	-4.3%	54,425
215	Total Dispatch	452,717	450,895	0.4%	371,995
220	Total Salary	1,148,176	1,034,810	11.0%	879,350
220	Total Other	147,720	150,370	-1.8%	117,870
220	Total Fire	1,295,896	1,185,180	9.3%	997,220
		FY23	FY22	%change	FY21
241	Total Salary	0	87,270	-100.0%	82,020
241	Total Other	0	13,975	-100.0%	13,755
241	Total Building Insp	0	101,245	-100.0%	95,775
292	Total Salary	18,061	17,290	4.5%	16,405
292	Total Other	5,495	5,495	0.0%	4,385
292	Total ACO	23,556	22,785	3.4%	20,790
	Total Salaries - Protection	2,949,667	2,897,999	1.8%	2,734,360
	Total Other - Protection	412,288	367,180	12.3%	419,195
	Total Protection	3,361,955	3,265,179	3.0%	2,889,560

Last year a police cruiser was taken out of the budget, this year it has been put back in.
There are no grants in the Police Budget.

The Building Inspector's budget has now been merged into Budget 174.

		FY23	FY22	%change	FY21
300	Total Salary	1,600	1,600	0.0%	1,600
300	Total Other	0	0	0.0%	0
300	Total School Committee	1,600	1,600	0.0%	1,600
310	Total Salary	0	0	0.0%	0
310	Total Other	152,135	220,205	-30.9%	252,005
310	Total Minuteman	152,135	220,205	-30.9%	252,005
311	Total Salary	0	0	0.0%	0
311	Total Other	49,814	49,050	1.6%	46,250

311	Total Assabet	49,814	49,050	1.6%	46,250
312	Total Salary	0	0	0.0%	0
312	Total Other	92,429	112,000	-17.5%	64,895
312	Total Nashoba	92,429	112,000	-17.5%	64,895
320	Total Salary	0	0	0.0%	0
320	Total Other	13,257,674	12,676,080	3.8%	12,123,120
320	Total ABRSD	13,257,674	12,676,080	3.8%	12,123,120
	Total Salaries - Education	1,600	1,600	0.0%	1,600
	Total Other - Education	13,552,052	13,057,335	3.8%	12,486,270
	Total Education	13,553,652	13,058,935	3.8%	12,487,870

Minuteman currently has 4 students. 8 additional students applied.

But did not get into due to space.

Assabet currently has 1 student and another applied for next year, but was not admitted because of lack of space for out-of-district room for students.

Nashoba will have 3 students next year. 4 applied and did not get in.

We did budget 1 extra student at Assabet in case a student finds a vocational school to go to.

		FY23	FY22	%change	FY21
422	Total Salary	626,621	626,455	0.0%	584,070
422	Total Other	120,496	137,360	-12.3%	137,770
422	Total DPW	747,117	763,815	-2.2%	721,840
423	Total Salary	66,880	66,880	0.0%	63,850
423	Total Other	139,710	139,710	0.0%	135,800
423	Total Snow & Ice	206,590	206,590	0.0%	199,650
424	Total Salary	0	0	0.0%	0
424	Total Other	3,000	2,500	20.0%	3,500
424	Total Street Lighting	3,000	2,500	20.0%	3,500
425	Total Salary	0	0	0.0%	0
425	Total Other	61,280	59,760	2.5%	28,500
425	Total Hager Well	61,280	59,760	2.5%	28,500
429	Total Salary	0	0	0.0%	0
429	Total Other	148,350	88,025	68.5%	77,500
429	Total Fuel	148,350	88,025	68.5%	77,500

431	Total Salary	0	0	0.0%	0
431	Total Other	10,000	0	100.0%	0
431	Total Hazardous Waste	10,000	0	100.0%	0
433	Total Salary	0	0	0.0%	0
433	Total Other	132,900	137,400	-3.3%	146,300
433	Total Transfer Station	132,900	137,400	-3.3%	146,300
		FY23	FY22	%change	FY21
491	Total Salary	5,000	5,000	0.0%	5,000
491	Total Other	500	500	0.0%	500
491	Total Cemetery	5,500	5,500	0.0%	5,500
	Total Salaries - Public Works	698,501	698,335	0.0%	652,920
	Total Other - Public Works	616,236	565,255	14.3%	529,870
	Total Public Works	1,314,737	1,263,590	6.4%	1,182,790

The big increase in the DPW budgets is the fuel budget.
The fuel budget is almost double.
There is also a Hazardous Waste Day scheduled for next year.

		FY23	FY22	%change	FY21
505	Total Salary	1,015	1,015	0.0%	990
505	Total Other	0	0	0.0%	150
505	Total Animal Inspector	1,015	1,015	0.0%	1,140
511	Total Salary	600	600	0.0%	505
511	Total Other	52,679	47,255	11.5%	45,050
511	Total BoH	53,279	47,855	11.3%	45,555
529	Total Salary	52,095	48,900	6.5%	0
529	Total Other	8,005	7,650	4.6%	6,225
529	Total Community Services	60,100	56,550	6.3%	6,225
541	Total Salary	74,486	48,245	54.4%	71,575
541	Total Other	9,240	8,790	5.1%	8,700
541	Total Council on Aging	83,726	57,035	46.8%	80,275
543	Total Salary	0	0	0.0%	0
543	Total Other	34,999	33,965	3.0%	34,185
543	Total Veterans	34,999	33,965	3.0%	34,185

Total Salaries - Health Services	128,197	98,760	29.8%	73,070
Total Other - Health Services	104,923	97,660	7.4%	94,310
Total Health Services	233,120	196,420	18.7%	167,380

The big increases in these budgets are caused by a change in where the support staff is placed. They all used to be put in Budget 192 and are now placed in the budget they support.

		FY23	FY22	%change	FY21
610	Total Salary	276,462	265,029	4.3%	238,565
610	Total Other	159,700	162,750	-1.9%	153,400
610	Total Library	436,162	427,779	2.0%	391,965
630	Total Salary	52,298	38,300	36.5%	31,790
630	Total Other	11,900	12,900	-7.8%	12,175
630	Total Rec Comm	64,198	51,200	25.4%	43,965
670	Total Salary	0	0	0.0%	0
670	Total Other	2,000	2,000	0.0%	2,000
670	Total Steele Farm	2,000	2,000	0.0%	2,000
691	Total Salary	0	0	0.0%	0
691	Total Other	7,373	12,850	42.6%	8,050
691	Total Hist Comm	7,373	12,850	-42.6%	8,050
692	Total Salary	0	0	0.0%	0
692	Total Other	1,500	1,500	0.0%	1,400
692	Total Public Celebrations	1,500	1,500	0.0%	1,400
699	Total Salary	0	0	0.0%	0
699	Total Other	1,400	1,400	0.0%	1,400
699	Total AB Cultural Council	1,400	1,400	0.0%	1,400
	Total Salaries - Culture & Rec	328,760	303,329	8.4%	270,355
	Total Other - Culture & Rec	183,873	193,400	-4.9%	178,425
	Total Culture & Rec	512,633	496,729	3.2%	448,780

		FY23	FY22	%change	FY21
710	Total Salary	0	0	0.0%	0
710	Total Other	1,065,000	870,000	22.4%	870,000
710	Total Retirement of LT Debt	1,065,000	870,000	22.4%	870,000

751	Total Salary	0	0	0.0%	0
751	Total Other	229,632	229,495	0.1%	217,110
751	Total Debt Interest	229,632	229,495	0.1%	217,110
830	Total Salary	0	0	0.0%	0
830	Total Other	1,218,757	1,144,435	6.5%	943,155
830	Total County Retirement Assmt	1,218,757	1,144,435	6.5%	943,155
912	Total Salary	0	0	0.0%	0
912	Total Other	214,013	201,385	6.3%	193,320
912	Total Other Insurance	214,013	201,385	6.3%	193,320
915	Total Salary	0	0	0.0%	0
915	Total Other	1,044,936	967,460	8.0%	1,056,490
915	Total Employee Benefits	1,044,936	967,460	8.0%	1,056,490
	Total Salaries - Administration	0	0	0.0%	0
	Total Other - Administration	3,772,338	3,412,772	10.5%	3,280,075
	Total Administration	3,772,338	3,412,772	10.5%	3,280,075

132	Total Salary	0	0	0.0%	0
132	Total Other	150,000	150,000	0.0%	150,000
132	Total Reserve Fund	150,000	150,000	0.0%	150,000

Employee health insurance was up 8.72%

Debt was up 22.4% due to the bonding of Liberty Fields, a dump truck, paving, and a pumper truck for the FD.

	FY23	FY22	%change	FY21
Total Salaries - Town Government	985,193	840,940	17.2%	855,101
Total Salaries - Protection	2,949,667	2,897,999	1.8%	2,734,360
Total Salaries - Public Works	698,501	698,335	0.0%	652,920
Total Salaries - Health Services	128,197	98,760	29.8%	73,070
Total Salaries - Culture & Rec	328,760	303,329	8.4%	270,355
Total Salaries	5,090,317	4,839,363	5.2%	4,585,806
Total Other - Town Government	585,009	581,020	0.7%	457,291
Total Other - Protection	412,288	367,180	12.3%	419,195
Total Other - Public Works	616,236	565,255	9.0%	529,870
Total Other - Health Services	104,923	97,660	7.4%	94,310
Total Other - Culture & Rec	183,873	193,400	-4.9%	178,425
Total Town Other	1,902,329	1,804,515	5.4%	1,679,091

Total Town Government	1,570,202	1,421,960	10.4%	1,312,767
Total Protection	3,361,955	3,265,179	3.0%	2,889,560
Total Public Works	1,314,737	1,263,590	4.0%	1,182,790
Total Health Services	233,120	196,420	18.7%	167,380
Total Other - Culture & Rec	512,633	496,729	3.2%	
Total Town Expenses	6,992,646	6,643,878	5.2%	6,001,277
<hr/>				
Total Other - Education	13,553,652	13,058,935	3.8%	12,487,870
Total Other - Administration	3,772,338	3,412,772	10.5%	3,280,075
Total Reserve Fund	150,000	150,000	0.0%	150,000
Total Other Costs	17,475,990	16,621,707	5.1%	15,917,945
<hr/>				
Total Expenses	24,468,636	23,265,585	5.2%	21,919,222

The Select Board will defer their recommendation to Town Meeting floor.

The Finance Committee recommends unanimously (5-0).

The Finance Committee supports this budget. We will continue to review departmental budgets with an eye towards reducing the burden to the taxpayers.

Finance Committee Report (is in the back of the warrant):

Rebecca Neville delivered the Fin Com report. The Goals of the Fin Com: 1) minimize budget increases, 2) manage the operating budget based on previous approved ATM warrant articles, 3) proposed increased services through warrant, 4) plan Capital, 5) manage long-term debt, and 6) address unfunded retired benefits (OPEB). Keep in mind we have four union contracts including a new union that have not been settled yet.

She outlined the typical Town Accountant and Fin Com process; in the middle of January there were many budgets not received. There was no Budget Saturday, no Capital Budget day. Thanks to Karen Guzzardi for putting budget books together, and Becky Harris for going over and prepping the budget for the warrant. The town accountant tried to help but had no experience, and the current town accountant currently is not on site and is part time. The Fin Com received several budgets the day before they needed to go to the printer. The Fin Com had to make cuts to the budget (reflected in the motion on this budget) so it is now at 5.1% increase, down from 5.6% printed in the warrant. The Fin Com gave Department Heads a dollar amount as a goal to cut and to avoid micromanaging, the Dept heads figured out where to make the cuts (Table shown re cuts). The Fin Com recommended using \$600,000 from Free Cash to reduce the tax burden. There are possible inconsistencies in the FY22 budget.

All graphs made by Sachin and Gary, so thanks to them. The regional budget is the largest number, at 53.95% of the FY23 budget, not including vocational schools. Other large and fast-growing budgets include Police, Fire, and County Retirement.

Fire Department is working on meeting the OSHA standards and adjusting the per diem costs. These are projections for the next several years. The projected growth for the next 7 years also shown. Budget impacts shown by percentage of total budget. Other costs are 11.1% of the total budget – these are the places where cuts can easily be made.

Capital plan for the next 5 years graph was shown.

Revenue: Only way to reduce taxes on residential properties is to increase taxes on commercial properties. Or increasing fees (building permits, inspection fees) and abatements also affects the total revenue. Assessments are not as high this year as previous years, and part of this is due to abatements. Lynda McQuade, Assessor has been great about communicating with Fin Com and keep them up to date.

Commercial properties will be providing more revenue in the future: 1414 Mass Ave will see an increase; Cisco Property was bought and 2 of the 3 old office buildings have tenants; 60 Codman Hill may be redeveloped.

\$656,571 is the average home value in FY22; Town Hall didn't feel confident in making an estimate so Fin Com took last year's value and added 3% = \$676,268. If all agenda items pass, the average tax bill would be up \$120. This doesn't include the contracts that haven't been settled.

Fin Com thanked our Town Moderator for his many years of service and guidance, including presiding over 18 ATMs and many STMs. John Fallon has had so many years of service on boards and committees including those that are non-town (Blanchard School Council, Friends of the Library, Boxborough Historical Society, Household Goods) and will continue to serve on many. As the appointing authority for Fin Com, he has appointed 39 Fin Com members and has never told Fin Com what to do. But, she always thinks "what would John say?" before opening her mouth. Mr. Fallon was presented with an afghan with all of the seals and logos of the boards and committees he has been on.

Majority Select Board recommendation is for the Budget as Amended (provided there is a future amendment for an increase of \$7,500 for Town Planner).

Minority Select Board recommendation (by Diana Lipari) is not to recommend the budget as it is now, and hopes there will be amendments on the floor of town meeting to rectify some of her concerns. There are 11 employees in Town Hall currently, which is the same number of employees that we had in 2002, while other departments have grown, specifically the Public Safety Departments. We need to take a look at how we are spending our money and what our priorities are so I cannot support this budget.

Discussion on Article 5:

Mr. Fallon clarified about the dollar amounts in the warrant vs. the motion after a question by Mr. Livshin and Rosemary Sedgewick of Hill Rd. asked for clarity on how we can find out more about the budget details. Ms. Neville stated that the budget is on the Town website (under Fin Com page).

Mr. Fallon proceeded to read out the line item numbers and names for the budget.

Jeff Barrus of Patch Hill asked for clarity on how we can find out more about the budget details and with the changes, how do we know where things are moved?

Becky Neville clarified that the budget line 123 total looks like an increase, but it's only because of budget line items being moved around within Town Hall budgets (support staff are moved into individual budgets for departments). There is no increase in head count, there is an increase in 13% to attract a good candidate for Town Administrator at about \$150,000.

Diana Lipari clarified that the general salary ranges are available as a handout. You can access the internet now and look at the Fin Com page – there is a version 10 of this budget that provides more details. Ms.

Neville clarified that the version we are voting on tonight is not online yet; version 11 has the cuts we are discussing, but version 10 does not.

Sheila Hanrahan of Fifer's Ln asked about Line 123 as to whether it's a head count increase. Mr. Terenzini clarified that it is not a head count increase, but that it is estimated that it will cost \$150,000 to attract a good candidate for Town Administrator, a 13.4% increase.

Keith Lyons of Burroughs Rd. moved to reduce the total salary line item in 156 to zero (reduce by \$7,500). We haven't had a Technology person since January, and by all accounts it's going well. There would be a return on investment because staff would be able to focus on their work and not be side-tracked. We have been fine without this help, and Guardian IT has been providing service. There is a chance that there will be no cost.

Finance Committee does not recommend. This is part of a contract, and until that contract is no longer in place, we have to pay it.

Select Board did not make a recommendation, but the stipend is subject to appropriation.

Ms. Neville asked for a legal opinion.

Atty. Jon Eichman said it's hard to give an opinion without seeing the contract, but if the Town is obligated to pay a certain amount in a contract they should not break the contract; it is hard to know without seeing what it says. There may be a provision in the contract regarding certain amounts being provided only if appropriated at Town Meeting.

Discussion on this amendment:

Mark Barbadoro supports the amendment, and because we need IT support, it can't just be paid to someone without return on investment, especially with the spate of public records requests.

Steve Ballard of Swanson Rd., asked who the individual who is the IT technical person? It is a stipend for extra IT work that has been done for extra work and he gets that on top of extra pay but now he's not working so how is that of value to the town?

Becky Neville responded that he is on leave.

Wes Fowlks provided clarity about appropriations; in the contract that is being referenced, it says that the terms of the contract allow for appropriation subject to town meeting.

Mark White of Sara's Way wants everyone to understand that we're talking about a Police Chief who is on paid administrative leave, if we make this decision now, we're talking about any contract with language about appropriations subject to approval at town meeting, we have to be careful with that. We have to honor our contracts; any contract with any "subject to appropriation" language could have those parts removed.

Jeff Glidden of Sargent Rd. confirmed that the way the contract is structured is that this body tonight decides on the appropriation.

Vote on the Motion: Mr. Fallon declared that he wanted to take a standing vote since in his opinion this was too close to call. Motion was defeated 68 (against) vs. 65 (for).

Mr. Fallon proceeded to read Line Item numbers and names.

Mark Barbadoro moved that in Line Item 174 Land Use and Permitting we increase salary line item by \$7,271 for a total of \$250,910 for that budget line. Select Board and Finance Committee both recommend.

Mr. Barbadoro clarified that the reason for this increase is because we trying to bring on a new Town Planner who requires a higher salary that matches her experience.

John Markiewicz of Patch Hill Rd. stated that having spent nearly 24 years on the planning board, wants to emphasize that we'd be crazy not to support this Town Planner candidate. She is a fantastic candidate.

Cheryl Mahoney wants to ask a point of clarification, under Article 4 we approved an Associate Town Planner; in line 174 there would be an impact? Ms. Neville clarified that is in Article 8, and we have to add it in after that item is approved.

Mark Marlow of Depot Rd. asks what a Town Planner actually does for the town.

Mark Barbadoro explained that one of the responsibilities of the Town Planner is to aid the Town Planning Board. All of the regulation of growth and development in town needs to be overseen by the Town Planner. A skillset that she has is getting grants for infrastructure projects so with any luck she will pay for herself within a few years. We also have a new model for the Building and Planning Dept where they will work closely together in our new staffing plan. So there will be a better working relationship between the Planner and Building Department.

Junhua Ding of Emanuel Dr. wanted to clarify why the line item is so high?

Becky Neville said \$250,910 is the new budget line item. The Town Administrator chose to merge the Building and Planning Depts so Building Inspector budget 241 was brought to zero. The new line includes assistants for Land Use and Planning and Building Department; a total of four people.

Cindy Markowitz of Meadow Ln., as a member of the Planning Board wanted to urge the town to support this article and would request that the Fin Com show the worksheets as back up for this budget.

Mark Barbadoro said that part of the overall scheme of the Land Use and Planning Dept has an Associate Planner position.

Hong Li of Burroughs Rd. said it seems like a new position or a new position; why is it so much more \$?

Wes Fowlks explained that we need to add an increase in salary for this new candidate who came forward before the budget was finalized. The contract that the Select Board has finalized with this candidate has an increase in salary.

Dave Follett moved the question. Motion carried by 2/3.

Motion on the amendment carried by a majority.

Rosemary Sedgewick of Hill Rd. said she couldn't find the budget online.

Becky Neville sent the budget so it can be put up on the web.

Mr. Fallon proceeded to read budget Line Items numbers and names.

Regarding Police Budget, other line 210, John Markiewicz of Patch Hill Rd. would like a better understanding of the current police fleet and why we use Tahoes rather than Explorers. He wanted to know which ones are marked vs. unmarked. He requested that if we have to buy a new vehicle, that we consider hybrids.

Ms. Neville provided the list of vehicles (two 2020 Tahoes in good condition, two 2019 Tahoes in good condition, two 2017 Ford PPVs in good condition, two 2018 Tahoes in good condition, one with specialized equipment / one unmarked Chief's cruiser, 2015 Tahoe in fair condition that is the Lieutenant's cruiser, one 2012 Taurus with specialized equipment in fair condition – an unmarked detective's car, a 2013 Ford PPV that is an unmarked spare cruiser in poor condition, a 2011 Tahoe that is an unmarked cruiser (to be traded in), and a 2005 Toyota Camry sedan for undercover/surveillance that is in poor condition.

Currently 13 vehicles; we have no motorcycles; lease for motorcycles is only seasonal and none have been signed for 2022.

Lt O'Brien's recommendation was that the 2013 Ford Explorer and 2011 Tahoe be traded in; the recommendation is that a Ford hybrid replace these vehicles.

Mr. Markiewicz commended Lt. O'Brien for his years of service and asked a point of clarification about the \$750/ year for the annual dues for Central Mass Law Enforcement Council – it is comprised of 80 different communities. What is cost to the Town, Mr. Markiewicz asked, beyond those dues. Lt. O'Brien said that if it is overtime and someone is sent to another community then we pay for that. There were vehicles that had been provided to other communities for crash reconstruction; we no longer provide vehicles. The overtime costs depend on how long they were there.

Mark Barbadoro asked if we have 12 cars left in the fleet, how many can be on the road at any one time, given that there are 6 officers on duty at any one time?

Lt. O'Brien said that it depends on the situation. There are circumstances with evacuations or major fires, we have to have traffic posts and we have to call people in. We also need to have a back-up vehicle if there is one in for repairs. Last year they didn't get a new cruiser so they hung onto vehicles they would have ordinarily traded in. If they are fully staffed there would be 13 officers on the department; depends on the situation how many people would respond.

Steve Ballard wanted to follow up that we should have the budget detail IN the warrant. He saw version 10 that is on the website, and saw a \$55,000 line item for this car.

Lt. O'Brien said that is the amount would cover a Ford Hybrid – it's a little bit less. This would be a marked police car. The Lt's car would move down the line and we'd get rid of the older unmarked car for the Lt. The total is upwards of \$54,000 including radios and command center, etc. The Tahoe is a little bit more. This would be a marked police cruiser and we'd get rid of the older unmarked, so this would not be for the Lt.

Mr. Ballard said you don't have 13 officers on duty at any one time, right. Lt. agreed. Ballard said that there would be neighboring towns responding. If it's a long event, then we can call in our own police and have

responders from neighboring towns. Lt. responded that if it's a long duration event then we would call in our own people. Have the leases for motorcycles been taken out of the budget? Ms. Neville said they were not put in the budget (it was a grant in previous years).

Jennifer Campbell of Patch Hill Rd. thanks Lt. for going for a hybrid vehicle. We don't have all 13 vehicles at the station at the same time and they are for different purposes.

The Lieutenant and the detectives take cars home so they are not at the station at all times because they have specialized equipment in the car or need to respond to a scene immediately. We have a vehicle that is used for commercial vehicle purposes. We rotate cars so that they can be maintained and keep the mileage down.

Mark Barbadoro asked how long a police car will last (not as long as a privately owned vehicle)?

Lt. O'Brien said they take abuse that normal cars don't go through; they are running at almost all times if the officer is in the car. Mileage only tells one part of the story; the hours on the motor tell a different story. Replacement schedule that is comfortable would be about 4-5 years on average.

Mark Barbadoro moved to amend line item 210 other Police to level fund it with the prior year, that is reduce by \$64,390 (\$135,915). It is 25% higher than the surrounding towns so we should hold off on the vehicle. We all draw from the same pot for all of Boxborough's staff – Town Hall may need more resources and so it seems that we should reduce the police other budget to come in line with other towns.

Lt. O'Brien said that you then end up with high maintenance costs. If you keep a car longer, the warranties expire. You may be throwing good \$ after an old expensive vehicle.

Fin Com does not recommend. Select Board is divided: 2 recommend the amendment; 3 don't.

Jeanne Kangas of Hill Rd said that the motion is in the right direction but she wants to further amend it. She agrees we don't need a cruiser every year, or even every other year. Every third year might be appropriate, so I agree with this motion. The maintenance costs for servicing vehicles is about \$24k/year and if because you delay buying a cruiser at the cost of \$55k, you still save financially even if you just spend maintenance costs. Next year we will need a new cruiser. I applaud the move to a Ford hybrid.

Cheryl Mahoney wants a point of order to clarify it is more than just the car being cut, so what's the motion on the floor? All the others would have to be adjusted down.

Mr. Fallon clarified what the motion said: \$135,915 for Police Line 210.

Jennifer Campbell said we didn't get a cruiser last year, and we could be in trouble with maintenance problems in the future.

Owen Neville suggests that we defeat the amendment. Maybe we can shrink the fleet in the future and it wouldn't affect services but we should not do that now; the budget is already reduced.

Mr. Ballard supports the amendment; last town meeting there was a \$55k request and those were both voted down last year (\$77k total). At one point, I understand that that was put back in. Can anyone explain if that was put back in the budget?

Becky Neville said yes.

Mr. Ballard said then the budget was not actually level. And you asked them to reduce last year's budget by \$10,000. So that indicates there is fluff and they have ways to reduce their budget. They can move their money around. Looking at the salary line there is plenty there. There is too much in the salary too. He continued to talk about salary and police.

Mr. Fallon pointed out repeatedly that we are not talking about individuals' salaries or the salary line item as Mr. Ballard continued to talk about aspects not related to this line item.

Mark White said the Police' responsibility is to show up. And show up fast. You have to replace a lot of equipment with cars that are used in this way; we're talking about a fleet of cars in various stages of disrepair. You can get a lot of money for your old cars. Now is a good time to trade in a car.

Mark Barbadoro wanted to clarify a few things: he's really glad that we have a great police force, and appreciates what they do. As a percentage of their own budget, it is 25% higher than surrounding towns so just want to discuss that. If it is an unreasonable risk, then vote against the amendment. But if you think it is a reasonable thing to have 13 cars and trade in a couple to get a new vehicle at a reduced cost.

Simon Bunyard of Hill Rd. said the Fin Com has really looked hard at this budget and they have a command of the details. Mr. Bunyard agrees that we need to get new vehicles and he trusts the Fin Com to examine the budget. He wants to defeat this amendment and disagrees with last year's as well.

Nora Shine of Mayfair Dr. moved the question which carried by a 2/3 vote.

Motion on the amendment: defeated by a majority vote of 29 in favor, 90 against.

Mr. Fallon proceeded to read line item numbers and names.

Molly Wong had a question about the waitlist at Minuteman and asked what the mechanism is for them to go?

Becky Neville said because we're not in the district, they won't take our students. If someone got in we would have to pay for it.

Jeanne Kangas moved that line item 320 ABRSD be reduced by \$581,594. She pointed out that there are many nearby towns with higher ratings than ours. 6.4% is the increase for Boxborough. I realize that is according to a formula, but it's not sustainable and puts an undue burden on our families. The cuts were from part-time aides; the cuts should be in administration. I urge the Fin Com to meet with our School Committee in the fall; you'll put a shot across the bow of school expenses and tell them there is a limit and you've reached it if you vote for this amendment.

School Committee does not recommend. Fin Com does not recommend. Select Board does not recommend (4, with one abstention because of employment in the schools).

Christine Marlow said that the School Committee has a responsibility to reduce the budget. Don't retire the mascot when it will cost the town \$1.3 million and don't send teachers to California for DEI training. Don't cut assistants, when that is what we need most. They are spending our hard-earned tax dollars pushing a progressive agenda, but we should be just teaching them.

Eric Michnovetz of Flagg Hill Rd. asked about the logistics of cutting an assessment; doesn't this mean that we can't just cut this? Ms. Neville asked that Superintendent Light and Dave Verdolino speak to this issue because yes, Acton's assessment would increase.

Mr. Fallon said yes, we can cut the assessment budget. But it has lots of consequences.

Peter Light, Superintendent of Schools spoke about the fact that Boxborough is 16% of the total budget and Acton would have the option to reduce their budget. We could convene a Special Town Meeting. We could go to a Regional Town meeting if there's a budget disagreement. Dave Verdolino (Finance Director) said you need a majority; either town not voting for it would be a majority. If Boxborough's assessment were reduced that much, we'd have to proportionally reduce the overall amount to the district by over \$3 million in order to proportionately decrease the budget.

Jennifer Campbell of Patch Hill Rd applauded the school system for supporting DEI and said that is in line with our values.

Mr. Ballard agreed with Ms. Campbell and said the previous speaker doesn't understand how it works. If priorities are out of whack, the percentage is in line with what is expected, we have health insurance trust increases. We are actually paying less now that we regionalized; we were paying \$18,000 per student. Now we are paying less as a district. The school district is not extravagantly spending money; if you look at the union contract for the teachers, in 2012 the bottom pay rate was \$42k and now the bottom rate of pay is \$53k – there has been no rate increase for teachers after inflation. The top grade was \$90k in 2012 and now it's \$97k – it should be \$111k in today's dollars. We've given a huge cut to the top teachers who have been there. Maybe class sizes have improved; but we are not wasting money on teachers we are wasting money on gadgets.

Vote on the amendment: amendment defeated by a majority vote.

Cheryl Mahoney pointed out that 710 Long-term debt isn't clear – our debt carry is going to increase in the future. What's the long-term impact?

Becky Neville tried to clarify how debt works over the long-term.

Mr. Fallon said look at page 97 of the warrant.

Mr. Terenzini placed last year's debt out for bidding at 2.9% at 15 year bonding, and it was structured for even principal. The least costly items are spread out over 6 years, and the most costly item is spread out over 14 years. In terms of structure and payment, you got a good rate. I can't speak to your long-term debt strategy. You do want to achieve debt smoothing. You can commit to bond payments every year. Whatever you appropriate tonight, you add to your recap in November.

Becky Neville – long term debts include Library, DPW, School, Liberty Fields, all things we've purchased in the past. Overall it's pretty steady if you look at the past few years.

Ms. Mahoney wanted a discussion about impact of debt and impact to her taxes. It was clarified that this is last year's debt. Ms. Neville said his happens with every warrant article but we'll put a slide in for next year if you want to request that the Fin Com chair does that.

Becky Neville moves to raise and appropriate \$24,468,636 with the cuts listed above, including adding \$7,271 for total salary 174 for Planning to \$250,910 and \$600,000 from free cash with the balance being raised through taxation.

Action on the motion on Article 5, as amended: Motion passed by well more than a majority.

Mr. Fallon noted that it was past 10:00 so asked for a motion to adjourn until Tuesday May 11 at 7:00 pm. Moved and seconded. Meeting adjourned at 10:52 pm.

ARTICLE 6 FUND COST ITEMS OF FIRST YEAR OF COLLECTIVE BARGAINING AGREEMENTS

(Majority vote required)

Wes Fowlks, Select Board Chair moved that the Town will vote to fund the cost items of the first year of collective bargaining agreements between the Town and one or more of its unions, and further, to raise and appropriate, transfer from available funds, or otherwise provide such sums as necessary.

A	Boxborough Professional Firefighters, Local 4601	\$ XXXX
B	Massachusetts Coalition of Police, Local 200, Police	\$ XXXX
C	Massachusetts Coalition of Police, Local 200A, Dispatch	\$ XXXX
D	DPW Local 424M, Unit MA Div.125	\$ XXXX

Summary:

Funding for the first year of collective bargaining agreements must be approved by Town Meeting. This article is for the funding of the three-year collective bargaining agreements with the Town's four collective bargaining units for the one-year period July 1, 2022 – June 30, 2025 for the Town's four unions: Massachusetts Coalition of Police, Local 200, Police; Massachusetts Coalition of Police, Local 200A, Dispatch and Boxborough Professional Firefighters, Local 4601, and DPW (United Public Service Employees) Local 424M, Unit MA Div.125. At the time of the printing of the warrant the contracts had not been settled. If they are settled before Town Meeting, they will then be presented.

The Select Board recommends (5-0).

The Select Board recommends the approval of the Collective Bargaining Agreements (CBAs). The CBAs have been negotiated with the unions and the Select Board in collaboration with the negotiation team, we have strived to create agreements which are beneficial to both the Town as well as the respective Unions. At the time of the writing of recommendations the negotiations have not been finalized but we are hoping to have an update at Town Meeting.

The Finance Committee will defer their recommendation to Town Meeting.

Discussion on Article 6: Wes Fowlks moved to pass over Article 6.

Action on the motion to pass over Article 6 (made on Thursday May 12 after article 34): Carried unanimously.

Thursday, May 12, 2022 Meeting opened at 7:01 pm

ARTICLE 7 FIRE: ADDITION TO STAFF, INCLUDING BENEFITS

\$32,663 Raise & Appropriate

(Majority vote required)

Wes Fowlks, Select Board Chair moved that the Town vote to raise and appropriate \$32,663 for the hiring of an additional Full-Time Firefighter/EMT and to meet said appropriation by taxation.

Summary:

The current group staffing model for the Fire Department is one Full-Time EMT/Firefighter and one Per Diem EMT/Firefighter on duty 24/7. When a call for service comes in, 100% of the resources are engaged and unavailable for the duration of the incident. When a second call comes in during this period, there are no resources available to respond immediately to a possibly life-threatening situation.

In Fiscal Year 2021 and 2022, the Town made the first steps toward additional staffing by adding one Full-Time EMT/Firefighter to a shift Rotation each year. This brought these shifts to a total of three EMT/Firefighters. Two of the four shift rotations are still staffed with only two EMT/Firefighters.

This staffing model was implemented in 1988 and has not been changed in over 32 years. During this timeframe, the population has increased 150% and the number of calls annually has increased 250%. This addition in staff will enable the town to maintain coverage at the station when the Ambulance is dispatched out of town. Additionally, it is a step closer to meeting National Fire Protection Association (NFPA) and Occupational Safety and Health Administration (OSHA) required standards for Fire Safety.

The Federal Emergency Management Agency (FEMA) offers a reimbursement grant to municipalities for just this type of staffing change. The SAFER Grant (Staffing for Adequate Fire & Emergency Response) offers 100% reimbursement for three (3) years for salary and benefits. The Fire Department currently has a grant request pending for this fiscal year for 2 EMT/Firefighters.

If the SAFER Grant is awarded, the Town will hire two Full-Time EMT/Firefighters during the Recruitment Period and there will be no need to appropriate money with this article. If the SAFER Grant is not awarded, the Town will hire one Full-Time EMT/Firefighter in January 2023 if this article is successfully passed.

The Select Board recommends (4-1).

Majority (Pro): The majority of the Select Board recommends this article. The Town hired a Fire Chief ~3 years ago, who identified some staffing shortages within the Department. The Town had significantly understaffed EMT/Fire Fighters and relied heavily on Per-diem, which as a result left many of the shifts under staffed. The Select Board also recognizes that the Town will likely not be awarded the SAFER Grant, however we do believe that it is important to add this additional staff for the safety of our residents.

Minority (Con): A minority of the Select Board does not recommend this article. The addition of another Firefighter/EMT to the Town payroll, particularly given the unlikely awarding of the SAFER grant, should not occur this year. Beyond the salary and compensation costs, another Firefighter/EMT causes the Town to incur additional costs for uniforms and equipment. Before adding such expense to the taxpayers, the minority believes the Town should take another look at the operations/services that are required from this department based on current population data.

The Finance Committee recommends (3-2).

Majority (Pro): This is the third year of a four-year program to apply for US funds to fully fund additional EMT/FF personnel. The SAFER grant fully funds the additional staff including benefits for 2 years. If the

SAFER grant is not approved then the Chief would plan to hire one additional EMT/FF in January 2023. The chief's goal is to have the Boxborough full time staff reach 8 EMT/FF over a number of years. We are currently at 6 full time employees plus the chief. The Chief is finding it harder each year to find per diem EMT/FF staff to support the station and be available for the various types of calls both in Town and on our stretch of route 495 we support. This will add \$16.72 to the average single family tax bill or \$0.025 per thousand.

Minority (Con): The Fin Com supports applying for the SAFER grant, but believes that we should delay hiring an additional EMT/FF this year if the SAFER grant is not approved.

Discussion on Article 7:

Select Board majority recommendation was given by Chair, Wes Fowlks (above); additionally, he stated that this year we are losing a long-term full time EMT/Fire Fighter.

Select Board minority recommendation was given by Diana Lipari (above).

Presentation by Fire Chief Fillebrown: this is the third year that he has presented this article. Currently the staff model is from 1988 (only 2 people on one shift), and by adding 1 EMT/FF in January 2022, now 50% of the shifts have appropriate coverage of 3 members per shift. When called for an emergency, the two-person shifts leave the town uncovered for any additional emergencies. The population in 1988 was 3,300 and now it's above 5,500; the number of calls has increased a lot (525 in 1988 and up to 1,482 in 2021). The SAFER Grant helps us meet minimum standards; it's a 3-year grant funding 2 full-time EMT/FFs. Having three EMT/FFs 24/7 is important. He showed images of 2 vs. 3 person shifts – two fires in town and the challenges of having only 2 people on, with no one to watch what's going on and back up the others.

Fin Com majority and minority recommendations (above) were given by Gary Kushner.

Action on the motion on Article 7: Carried by a majority vote.

ARTICLE 8 ASSOCIATE PLANNER

\$31,000 Raise & Appropriate

(Majority vote required)

Wes Fowlks, Select Board Chair, moved that the Town will vote to appropriate the sum of Thirty-One Thousand Dollars and No Cents (\$31,000.00) for the FY 2023 operating budget for the compensation and benefit costs of a part-time Associate Planner as follows:

Office of Land Use & Permitting	Act# 174 Personnel	\$30,000
Insurance	Act # 912 Workers Comp	\$500
Benefits	Act# 915 Medicare	\$500
	Total:	\$31,000

And to meet said appropriation by taxation

Summary:

As the result of staff turnover, numerous recommendations from our audit firm and others to improve the staffing levels at Town Hall, and the inability to perform certain key functions if we lost the single individual devoted to a task, the Select Board instructed the Interim Town Administrator to "... create a staffing plan that covers the services Town Hall staffing requirements for Town Hall, inclusive of CoA (i.e. Council on Aging) and CSC (i.e. Community Services Coordinator) and DPW (i.e. Department of Public Works) as to building maintenance." That report was prepared under an assumption that all avenues to minimize costs would be explored. It was presented in December of 2021 and has now been reviewed by both the Select Board and Finance Committee. This article would fund the portion of the report dedicated to the activities which constitute the use of land and permitting of development.

The current job description for the Building Inspector & Code Enforcement Officer (BI/CEO) has three major functions. These functions are, in order, building permits/inspections, code enforcement, and building maintenance lead. It has been acknowledged by many that the third of those elements was added to justify the creation of a full-time position. It has been generally acknowledged that this has not worked well. It has also been generally acknowledged that the recruitment of a full-time Building Inspector is challenging – at best – across the Commonwealth, and that – absent the enforcement duties – a full time Inspector is neither needed nor justified.

The current Building Inspector has committed to three years with us for a scheduled three days a week of a scheduled 18 hrs/wk. While he understands he will need to do what is reasonable to accomplish the job, should it require modestly more than that, this schedule allows him to stay within the current "cap" on the hours that retirees may work while drawing their pensions. In addressing the reduced hours for the BI/CEO we have moved the building maintenance responsibilities to a new position within the DPW entitled Building & Grounds Team Leader.

While code enforcement responsibilities will remain with this position (excepting the exclusion of the Board of Health (BoH) orders which are more appropriately enforced by the BOH agent, Nashoba Associated Boards of Health), the Associate Planner would correspond with interested parties that file a complaint and provide background and review memorandum for use by the BI/CEO to reduce demands on their time and workload. This has been a relatively successful method of operation in the past when the town also had a part-time BI/CEO. This Associate Planner will also relieve the Town Planner of the more general support of the various advisory Boards and Committees that they currently provide, provide modest technical support for the Sustainability and Water Resources Committee(s), and enable research grant opportunities so that the Town Planner may concentrate on higher level functions.

The Select Board recommends unanimously (5-0).

The Select Board supports this article for the reasons stated in the summary. The addition of an Associate Planner will be beneficial to the town, as it will provide necessary support to this very busy and important department and the organization at large.

The Finance Committee recommends (4-1).

Majority (Pro): A majority of the Finance Committee supports this warrant article. This year it has become apparent that Town Hall is understaffed. The number of boards that rely on the Town Planner has grown substantially in the last several years. This position would support many of those boards. Additionally, by adding this 19.5 hour a week, unbenefited position, the Town will only need a part-time building inspector, saving the town the cost of benefits and pension liability. The cost of this warrant article will be \$16.20 or .024 per \$1,000 on the average tax bill.

Minority (Con): A minority of the Finance Committee does not support this warrant article. Additionally, the Interim Town Administrator is looking at using ARPA \$150,000 funds to reconfigure the west wing of Town Hall to accommodate this position and is hoping to move both the Council on Aging and

Community Services Offices out of Town Hall. The Town will have to look at renting space to house these offices thereby adding additional cost.

Select Board recommendation was given by Wes Fowlks (above); additionally, this is part of the Staffing Plan and hiring the Associate Planner would enable us to apply for more grants to reduce costs to the town overall.

Finance Committee majority recommendation was given by Gary Kushner (above) and **minority recommendation** was given by Becky Neville (above).

Discussion on Article 8:

Jeanne Kangas of Hill Rd. thinks this article is premature. We have a very qualified Town Planner about to come on board. Does she need an assistant and tear up Town Hall to kick out the COA and put them somewhere else? We don't know. The new Town Planner is well qualified, so why rush, considering the cost. We need to wait until the new person is on board, just as we did with the DPW, who didn't end up needing an assistant. This is premature and expensive.

Maria Neyland of Picnic St. stated that at the Select Board's December 27, 2021 meeting the Staffing Plan was presented. The Associate Planner was at the center of this plan; Mr. Terenzini said he would relocate COA/Community Services/Rec Com Assistant and support staff to a new site off site, as well as potentially using the Morse-Hilberg Room as office space.

Mr. Barbadoro and Mr. Ballard raised points of order that discussion of space was not relevant to this article. Mr. Fallon ruled that this discussion was relevant since the space issue was mentioned in the warrant.

Maria Neyland continued that the current community center lease will be up in the Fall of 2022 so you could do an RFP to relocate all of this team plus having a place with program space. This was reiterated at the January 24th meeting. At January 18th meeting you proposed to use ARPA funds to prioritize this; rental space is going for \$15-17/ square foot. That would be \$21,000-51,000 / year for a space, but we have no idea what kind of space you're talking about because this has not been vetted at a public meeting. It has not been raised with the COA either. It is not in the FY23 budget. Her question to the TA or SB is will we incur this cost if we hire an Associate Planner?

Carter Terenzini, Interim Town Administrator said that she is conflating the issues. The budget contains approximately \$67,000 for a part time Building Inspector; grand total of \$98,000 including the Associate Town Planner. If you do not use this approach you need to go back to needing to hire a full-time Building Inspector. That cost, if you are able to find one, would be approximately \$112,500-\$115,000. You save \$15,000 in FY23 by hiring an Associate Planner. In years 2-3, the contributions to the state pension system would go down by approximately \$25,000, phased in over 2 years. At the end of 3 years, you have saved approximately \$40,000.

Now let's talk about the space issue. It has been suggested many times that the planner and the associate planner share a space. They are relatively small and not well-illuminated or ventilated. There is \$140,000 in the ARPA spend plan. The first step of that would be to do a ventilation study of all of the building to improve ventilation. They are hopeful that some of the space will be rearranged, and barrier walls removed so that people are in open office space. They would then relocate the COA within Town Hall, using ARPA \$. It is the fear of the unknown. Right now there is program space that you're renting that is around \$15,000 per year (could be wrong) – it is part-time and temporary and the COA cannot set up the way the COA would like to (it is available only from 8am – 4pm). He knows there are conversations around that space

with the landlord about improving this situation. You must put out an RFP for a new space by June 30th, 2023 by statute 30B. Recreation has an admin with no office space, Community Services Coordinator upstairs and assistant across the hall, and COA downstairs. So when we go out to bid, wouldn't it make sense that these programs are all co-located?

Is it a given that this will happen? Is there a strong possibility that it will cost more? Possibly. How much does it save you if you have a new Land Use and Planning Dept model? That saves you \$40,000, so even if you have an increase of \$50,000 for new space, you're still ahead. And the COA would be in the same space as their program space.

Mark Barbadoro of Old Harvard Rd. asked "Is this article about an Associate Town Planner or a building? Can we hire someone without remodeling the building and relocating the COA?"

Mr. Fallon said that it is about hiring an Associate Planner but it is legitimate to discuss where the person would be located.

Wes Fowlks said I believe that is possible to hire the Associate Planner without changing the building around, yes.

Mr. Barbadoro asked if it would cost more \$ or less \$ to keep the Building Inspector part time?

Mr. Fowlks said less \$.

Mr. Barbadoro recommends hiring the Associate Town Planner. If you want to vote no on renovating the building, you can vote on that later.

Mark White of Sara's Way is going to vote for this Article, and is on two land use planning boards. An assistant in this new department will help the entire department and the volunteers who work on these boards; also we have a new Town Planner coming in and we want to support this person. Please support this article.

John Markiewicz of Patch Hill Rd., having been on the Planning Board for a long time, strongly supports this article. This was proposed many years ago by an old Town Planner, Elizabeth Hughes. A full time Building Inspector is very hard to hire and find, and the ARPA \$ costs the town nothing. People that put together proposals before we knew that we would be able to spend it the way we want to. We were lucky to get it as lost revenue, so we are going to honor the proposals already put in. I know there are many commercial properties coming up and we'll need this person, due to the complexities of the development coming down the road.

Rich Guzzardi of Reed Farm Rd. said we have to provide the support on a daily basis, especially for a new staffer coming on. He is on the Economic Development Committee and was talking to the Planner / EDC Director in Harvard – he said Boxborough is very different. In Harvard they have not had a site plan approval or subdivision in 20 years; Boxborough has a lot of volume. That kind of transactional work puts a load on the town planner. If you look at it from an Economic Development perspective, there are multi-national businesses that want to come in. They want to go into Town Hall and be able to get assistance. The planning office is where these businesses end up, and it is a complex effort. We also have small businesses that come into Town Hall, we need to have a Planning Office that is effective and responsive.

Cheryl Mahoney of Liberty Square Rd. said in 1989 when the Town first hired a Town Planner. The workload has tripled, but the model has not changed. For the past 2.5 years, the SB and the Planning Board have been in discussions about the support the Planner must provide. There has been a long-term discussion of how things work in town hall with space. There have been lawsuits that have happened because of the planning dept/ building dept being short-staffed. We are using the same staffing model and our boards and population have tripled. COA using the Community Center was a stop-gap measure; the senior population continues to increase. She supports this article.

Becky Neville moved the question. Carried by a 2/3 vote.

Action on the motion on Article 8: Motion carried by majority.

ARTICLE 9 TOWN HALL STAFFING CHANGES

\$8,993 Raise & Appropriate

(Majority vote required)

Wes Fowlks, Select Board Chair moved that the Town vote to appropriate the sum of Eight thousand Nine Hundred and Ninety-three Dollars and No Cents (\$8,993) for the FY '23 operating budget for the compensation, insurance and benefit costs of increased hours and upgrades for existing employees as follows:

a.) Increased Standard Hours (From 19 hr/wk to 19.5 hr/wk)	\$2,133.00 (1)
Insurance (Acc't # 912)	31.00
Benefits (Acc't # 915)	41.00
b.) Additional Flexible/Floating Hours	\$3,716.00 (2)
Insurance (Acc't # 912)	54.00
Benefits (Acc't # 915)	71.00
c.) Upgrade Positions	\$2,778.00 (3)
Insurance (Acc't # 912)	73.00
Benefits (Acc't # 915)	96.00

And to meet said appropriation by taxation, with said funds being apportioned to certain budget accounts as set forth in the warrant.

Note: (1) Should this portion of the Article pass, the appropriated funds shall be apportioned to Town Accountant Acc't # 135) \$642.00, Treasurer/Collector (Acc't #145) \$746.00, Town Clerk (Acc't #161) \$745.00

(2) Should this portion of the Article pass; the appropriated funds shall be apportioned to Town Accountant Acc't # 135) \$494.00, Town Assessor (Acc't #141) \$988.00, Treasurer/Collector (Acc't #145) \$1,143.00, Land Use & Permitting (Acc't #174) \$1,091.00

(3) Should this portion of the Article pass; the appropriated funds shall be apportioned to Town Clerk (Acc't #161) \$733.00, and Land Use & Permitting (Acc't #174) \$2,045.00

Summary:

As the result of staff turnover, numerous recommendations from our audit firm and others to improve the staffing levels at Town Hall, and the inability to perform certain key functions if we lost the single individual devoted to a task, the Select Board instructed the Interim Town Administrator to "... create a staffing plan that covers the services Town Hall staffing requirements for Town Hall, inclusive of CoA (i.e., Council on Aging) and CSC (i.e., Community Services Coordinator) and DPW (i.e., Department of Public Works) as to building maintenance." It was presented in December of 2021 and has now been reviewed by both the Select Board and Finance Committee.

This article will fund the upgrade of two positions from Department Assistants to Administrative Assistants, as recommended in the report. Article funds would add 140 hours of additional flexible/floating hours across several departments which may be used during the course of the year at the discretion of the Department Head. Finally, this would move part-time employees from a standard work week of 19 hours per to 19.5 hours per week.

These additional hours are added at a nominal increase in the costs of insurance and benefits and avoid moving to full-time or full-time reduced hours employees until we can see how these additions – and changes to workflow – improve productivity.

The Select Board recommends unanimously (5-0).

The Select Board recommends for the reasons stated in the Summary. This is one measure to implement the Staffing Model that was prepared to determine where additional support was needed at Town Hall.

The Finance Committee Recommendations:

a) Changing 19 hour a week staff to 19.5 (3-2)

Pro: A majority of the Finance Committee supports this warrant article. This year it has become apparent that Town Hall is understaffed. This would add some much-needed help without adding head count.

Con: A minority of the Finance Committee does not support this warrant article. By increasing the positions to 19.5 we are adding \$2,205 to the payroll. This has been a very difficult year and we do not think adding this amount to the budget is necessary.

b) Floating Hours (3-2)

Pro: A majority of the Finance Committee supports this warrant article. This year it has become apparent that Town Hall is understaffed. This would add some additional hours for Department Assistants and Administrative Assistants to cover the office when a department head is out due to vacation, illness or resignation.

Con: A minority of the Finance Committee does not support this warrant article. It is not clearly defined how this time will be used. This has been a very difficult year and we do not think adding this amount to the budget is necessary.

c) Upgrade Positions (5-0)

The Finance Committee recommends this article. Job responsibilities for some positions have changed over time and need to be updated.

The total tax impact for Votes 1, 2, and 3 is \$5.15 on the average single-family house or \$0.0076 per thousand valuation

Discussion on Article 9:

Jeanne Kangas of Hill Rd. supports this article. Mr. Markiewicz gave her information about how the town was staffed 20 years ago. Back then we have the same number now. There has been no change in 20 years, and yet the town has grown considerably over the years. Other departments: dispatch is up 5, DPW up 2,

Fire up 3, Library up 4, police up 5, Town Hall not up at all. I think we do need more staff hours and time at Town Hall. It's prudent, although she hates to spend \$.

Susan Bak of Burroughs Rd. moved to divide the question into three votes.

Discussion on motion: Ms. Bak supports the last part (c), but doesn't see that the additional ½ hr is going to make much difference, and the floating hours feels like a slush fund. But she would support the upgrade of positions (the last part).

Action on the motion to divide into three votes: 41 for and 27 against.

Discussion on vote a:

Wes Fowlks of Stow Rd. said these are tools that we can use to support the staffing plan and he encourage us to use it. We may not even need to spend all the money, but it is good to have this as an option for the staff.

Heather Fleming of Stow Rd. wanted to echo Wes' statements and that it's a vote of confidence adds up to support the people who are working at Town Hall.

Cheryl Mahoney of Liberty Square Rd. asked if this 0.5 hrs was part of the personnel plan that was presented to the SB?

Mr. Terenzini said it was.

Ms. Mahoney said that this is step one and it may be clear that more support might be needed. That extra half hour can mean a lot. Regarding the point about Friday: on Fridays Town Hall was closed prior to the TA before this one. Previously Friday was a catch-up day for staff to prepare documents and file.

Mr. Markiewicz strongly supports it and pointed out that our staff at Town Hall need to be recognized. It is the life and livelihood of our staff that get discussed at Town Meeting; the three items together will at \$0.075/tax bill so for that amount we strongly support

Steve Jefferies of Sargent Rd. asked if everyone at Town Hall would get the 0.5 hr.

Mr. Terenzini said this moves the part time staff to 19.5 hrs. It is the lowest cost means of getting a benefit to staff, but not triggering the level at which you need to provide staff benefits.

Mr. Jefferies ask what the roles are?

Mr. Terenzini said that the departmental assistants and administrative assistants supporting COA, Assessor/Accounting, Town Clerk, Treasurer/Collector.

Motion on Vote a carried by a majority vote.

No discussion on Vote b.

Motion on Vote b carried by a majority vote.

Discussion on Vote c.

Owen Neville of Middle Rd. asked to clarify dollar amounts on Vote c and whether the costs of a and b depend on the Vote on c. and would we need to revisit the other two articles based on the vote on c.

Mr. Terenzini said that c upgrades positions, so there would be different dollar amounts by a tiny fraction.

Motion on Vote c carried by a majority vote.

FINANCIAL CONSENT AGENDA #1: #10-21

Mr. Fallon explained the procedure for financial consent agenda.

Dave Follett of Cobleigh Rd. asked to hold Article 11

Main Motion: Wes Fowlks Select Board Chair

Wes Fowlks moved to approve the Financial Consent Agenda Warrant Articles 10 and 12 through 21 in accordance with the funding sources and amounts set forth in the 2022 Annual Town Meeting warrant under articles 10 and 12 through 21 respectively.

Action on the motion: Motion carried unanimously.

ARTICLE 10 POLICE/FIRE INJURY COVERAGE TRANSFER (*)

\$38,774 Free Cash

(Majority vote required)

Wes Fowlks, Select Board Chair moved that the Town vote to transfer the sum of Thirty-Eight Thousand Dollars, Seven Hundred Seventy-Four (\$38,774), more or less, from Free Cash to the Injury Leave Indemnity Fund, established under Article 8 of the 2016 December Special Town Meeting, and authorized by MGL Ch 41 § 111F.

Summary:

In Special Town Meeting in December 2016, Section 60 of the Acts of 2016 (from the Municipal Modernization Act) was accepted, establishing the fund for this purpose. At present, the fund has been drawn down to approximately \$11,226. Calculations have shown that a balance of \$50,000 is an optimal amount to cover the absence of one injured employee for a year. This fund is used to offset the difference in any insurance payments received to cover the unfilled shifts caused by an employee who is absent due to an on the job injury. In the event of an off the job injury, this fund could be used to offset the difference between budgeted sick leave and actual costs for an extended absence. This fund would also be used for independent medical examinations requested by the Town.

The Select Board recommends unanimously (5-0).

The Select Board recommends for the reasons stated in the Summary. We feel it is important for the town to ensure funding is in place in the unfortunate instances where an employee is injured so that we can continue to operate fully-staffed.

The Finance Committee recommends unanimously (5-0).

The Town created a special fund 6 years ago for when a member of the protection team (police or fire) are hurt on the job. This fund covers officer or EMT/firefighter replacement until insurance reimbursement catches up or is not enough to cover the costs. The fund is being used and will require some replenishment.

Action on Article 10: Passed unanimously as part of the Financial Consent Agenda.

ARTICLE 11 CABLE SERVICES AND EQUIPMENT (*)

\$ 97,224

(Majority vote required)

Wes Fowlks, Select Board Chair moved that Town vote to appropriate the sum of Ninety-Seven Thousand Two Hundred Twenty-four Dollars (\$97,224), said funds to be transferred from the PEG Access and Cable Related Fund receipts reserved for appropriation account, for the purpose of providing for FY 2023 cable TV operations and for the acquisition of new equipment to improve the quality of the Town's cable television broadcast quality and expand meeting coverage.

Summary:

This provides funding for Videographers to staff/record Select Board, Planning Board, and Finance Committee meetings, as well as the Annual and Special Town Meeting events. (\$6,500). LCTV services are the majority of this appropriation (\$73,000) and include all organizational and management services for Cable broadcasting. The remainder of the budget is for On-Demand Hosting and Streaming Services (\$3,200), and other expenses related to connectivity and new hardware including cables, video equipment, etc. (6,000). There is also an encumbered balance of \$8,524 for legal fees to complete the 2021 renegotiation of the cable franchise contracts with Verizon and Comcast and the Town.

The funds for this article are appropriated from Cable Franchise fees paid to the Town from Comcast and Verizon subscribers. Any funds remaining unspent at the end of the year are returned to the Cable fund for re-appropriation in a subsequent year.

The Select Board recommends unanimously (5-0).

The Select Board recommends this article, as it believes broadcasting and recording of meetings is an important function of Democracy. Additionally, the Select Board would like to use this opportunity to advise the residents that likely a majority of this funding will be shifting to the general population as the majority of the burden has been carried by subscribers to Cable TV services (Verizon and Comcast). However, as the number of subscribers dwindle, the fees collected and given to the town dwindle as well. There is currently legislation being considered at the State level which would collect a tax on streaming services, but absent of that legislation passing the burden of recording and broadcasting will be transitioning to the residents of the town at large.

The Finance Committee recommends unanimously (5-0).

This is the annual acceptance of the funds from the cable subscribers in Town who pay a portion of their bill to fund this appropriation.

Discussion on Article 11:

Dave Follett of Cobleigh Rd asked when are we cutting the cord with Cable?

Wes Fowlks said there is a little more complexity to this. There is legislation at the state level that is about taxing streaming services. There is a lot of post-production work that happens afterwards in order to broadcast to homes.

Mr. Follett, who works in technology said that it doesn't address the question.

Mr. Fowlks said this allows us to appropriate the funds from the cable right of way agreements that we have with Verizon and Comcast. The funds would still need to be appropriated so we need to think about whether we want to record meetings, because regardless of how we are streaming them, this amount would need to be supplemented with free cash. It depends on whether people want to discuss in the future the need to have these and other meetings recorded.

Michael Toups of Pine Hill Rd. discussed the idea of renegotiation of the PEG agreement. There are hidden fees. Does the town negotiate with the cable companies in any way?

Mr. Fowlks said that Verizon and Comcast are negotiating shorter and shorter contracts (only for cable TV, and only 50% of households currently have cable). This would likely shift the burden to each taxpayer. The PEG fees could be negotiated, but the BXB TV recording services provided by Kirby are very valuable.

Mr. Toups said he agrees that the broadcast is very important but we need to make sure that we're aware of how we're paying for this.

Ms. Mahoney doesn't disagree with Mr. Follett or Mr. Fox but this is an immediate funding question. The long and short of this is if you don't vote to approve this, the town will be unable to use this \$97,000. This money is sitting in the bank, but this vote must pass for the transfer to happen.

Action on the motion on Article 11: Motion carried unanimously.

ARTICLE 12 TRANSFER TO OPEB TRUST FUND (*)

\$ 50,000 Free Cash

(Majority vote required)

Wes Fowlks, Select Board Chair moved that the Town vote to transfer from free cash the sum of Fifty Thousand Dollars (\$50,000), for the Other Post-Employment Benefits Liability Trust Fund established under Article 25 of the 2010 Annual Town Meeting, and authorized by MGL Chapter 32B, Section 20, in order to offset the anticipated future cost of providing post-retirement health and life insurance benefits to current and future retired Town employees.

Summary:

This article proposes to continue the annual transfers that the Town has made to the OPEB Trust Fund, in order to offset the anticipated future cost of providing post-retirement health and life insurance benefits to current and future retired Town employees. To-date, the Town has authorized the transfer of \$750,000 to the Fund with current balance of approximately \$1,094,714.39.

The Select Board recommends unanimously (5-0).

The amount proposed in this article will continue the effort started in 2012 to make a small but actuarially significant contribution to fund the Town's liability for retirees' healthcare benefits. The proposed amount of our Fiscal Year 2023 contribution represents a reasonable balance between actuarial estimates of future liabilities and the estimated future value of the accumulating and compounding trust fund contributions. Failure to fund this OPEB obligation through regular and actuarially significant contributions may, in the future, affect the Town's Standard and Poor's AAA credit rating.

The Finance Committee recommends unanimously (6-0).

This will continue the Town’s annual transfer into the OPEB (Other Post-Employment Benefits) trust fund to offset anticipated expenses related to providing post-retirement health and life insurance to retired Town employees.

Action on Article 12: Passed unanimously as part of the Financial Consent Agenda.

ARTICLE 13 DEPARTMENTAL REVOLVING FUNDS EXPENSE LIMITS (*)

(Majority vote required)

Wes Fowlks, Select Board Chair moved that the Town vote, pursuant to the provisions of G.L. c. 44 §53E½, as most recently amended, and the Town’s Revolving Fund Bylaw to set the FY 2023 spending limits for the Town’s revolving funds as follows:

GIS Assessor Maps	\$ 5,000
Conservation Commission	\$ 20,000
Community Gardens	\$ 2,000
Fire Alarm System Maintenance	\$ 20,000
Plumbing & Gas Inspection	\$100,000
Electrical Inspection	\$150,000
Animal Control	\$ 75,000
Council on Aging Programs	\$ 25,000
Senior Van	\$ 32,000
Library Fines	\$ 10,000
Library Photocopier	\$ 2,500
Field Permitting	\$ 10,000
Recreation Programs	\$ 25,000
Steele Farm	\$ 10,000

Summary:

In 2016, the Municipal Modernization Act provided for the establishment of Revolving Funds by bylaw. In May 2017, Town Meeting approved a general bylaw, which established the various revolving funds for the Town, as well as specified the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend from each fund. Moving forward, instead of having to re-authorize the revolving funds each year, Town Meeting is required only to establish the spending limits for the various Revolving Funds. The proposed spending limits are noted in the table above. This year, increases in the Fire Alarm System Maintenance Fund and the Recreation Programs fund are proposed. Each of these funds has been restricted in the last few years and increasing these limits will allow for expansion of allowable expenses within the parameters established. There are available funds available and revenues incoming to support these increases.

The Select Board recommends unanimously (5-0).

These revolving fund spending limits were set up for the purpose of carrying out the Departments' normal function and defraying the routine, predictable expenses associated therein.

The Finance Committee recommends unanimously (6-0).

The revolving fund spending limits must be approved on an annual basis by Town Meeting.

Action on Article 13: Passed unanimously as part of the Financial Consent Agenda.

ARTICLE 14 FIRE DEPARTMENT: BUILDING IMPROVEMENTS (*)

\$30,000 Free Cash

(Majority vote required)

Wes Fowlks moved that the Town vote to transfer from free cash the sum of Thirty Thousand Dollars (\$30,000), to provide for the replacement of a fire detection system.

Summary:

We are replacing an over 20-year-old fire alarm system and bringing the alarm system up to today's NFPA standards and state requirements.

This current fire alarm system was last upgraded over 20 years ago, the used both existing and used equipment for the upgrade. The fire alarm panel in the building, currently cannot be upgraded. We are seeking to add new heat and smoke detectors; a new panel and we will also be adding carbon monoxide detectors to the system to be monitored that are currently not.

This system we are replacing will be providing protection and detection for both staff and all fire department equipment.

The Select Board recommends unanimously (5-0).

The Select Board recommends for the reasons stated in the Summary. Fire alarms and smoke detectors should be completely up-to-date in order to protect our employees at the Fire Department.

The Finance Committee recommends unanimously (5-0).

The FinCom recommends this article for protection of our EMT/FF in the case of an emergency. We know that there is a strong need to replace our fast-fading building, but we are at the point where we have to repair some of the building systems while we work through the process of developing a replacement. In this case the fire detection system has failed and must be replaced. This article will be funded by free cash.

Action on Article 14: Passed unanimously as part of the Financial Consent Agenda.

ARTICLE 15 FIRE DEPARTMENT CISTERNS INSPECTIONS AND REPAIRS (*)

\$15,000 Free Cash

(Majority vote required)

Wes Fowlks, Select Board Chair moved that the Town vote to transfer from free cash the sum of Fifteen Thousand Dollars (\$15,000), to provide for the cistern and fire pond maintenance and repairs.

Summary:

The Boxborough Fire Dept was awarded an amount of \$142,500.00 from the American Rescue Plan Act of 2021 for use in Maintaining, Servicing, and Evaluating our Cisterns and Fire Ponds located throughout the

town. The Town of Boxborough has no municipal water supply, and all our fire suppression efforts are supplied by these fire ponds and cisterns. The 53 Water Sources that are distributed throughout the town need to be tested yearly to make sure they will be reliable when an emergency occurs. The study will clean, evaluate, and test the fire ponds and cisterns that are in most need of service. The Fifteen Thousand dollars will be used for repairs and maintenance of these fire ponds and cisterns as addressed as the primary concerns for repairs that are not covered in the ARPA funding.

The Select Board recommends unanimously (5-0).

The Select Board recommends for the reasons stated in the Summary. Reliable water sources in a town with no town water supply are crucial to fire safety.

The Finance Committee recommends unanimously (5-0).

There are close to 60 cisterns in Boxborough, but the full state of each of the cisterns is not known. The plan is to review each of the cisterns over the next few years. We would then replicate the series of reviews every 7 to 10 years and will be covered in the capital plan.

Action on Article 15: Passed unanimously as part of the Financial Consent Agenda.

ARTICLE 16 FIRE DEPARTMENT: MATCH GRANT FUNDS FOR PUMPER TRUCK (*)

\$20,000 Free Cash

(Majority vote required)

Wes Fowlks, Select Board Chair, moved that the Town vote to transfer from free cash the sum of Twenty Thousand Dollars (\$20,000) more or less, to match a potential grant through FEMA AFG program (Federal Emergency Management Agency Assistance to Firefighters Grant) for the purchase of a pumper with additional carrying capacity for water, provided that said funds may only be expended upon the award of said grant.

Summary:

The Boxborough Fire Department applied for this grant to replace a piece of Fire apparatus that is over 30 years old and currently out of service. The current appartus is currently slated to be replaced next year per the capital plan. If awarded the grant, the Town's portion for this apparatus is 5% of the total applied for (\$400,000). If the Grant is not awarded, these funds will not be used and returned to free cash. If not awarded the grant, we will apply for the grant again in the next period and also seek the full funding from Town meeting, if the second grant is unsuccessful.

The Select Board recommends unanimously (5-0).

The Select Board recommends for the reasons stated in the Summary. This grant is an excellent value for the town, and meets a need for our continued fire safety. We applaud the Fire Department for seeking out this source of funding.

The Finance Committee recommends unanimously (5-0).

The FinCom recommends this article as a win for the Town. Currently the Town has one tender and a hose truck. The hose truck carries a large amount of hose, but the hose is only good if there is a cistern in the area of the emergency. The Chief believes it would be better for the Town to purchase a second tender and remove the hose truck from the fleet. The plan is to replace the hose truck by a second tender in 2 years. While a tender typically runs in the 100's of thousands of dollars, in this case the Town is seeking a

grant. The grant would allow the Town to purchase the tender 2 years earlier and cost the Town approximately \$20,000 out of free cash.

Action on Article 16: Passed unanimously as part of the Financial Consent Agenda.

ARTICLE 17 DPW – DUMPSTER (*)

\$10,000 Free Cash

(Majority vote required)

Wes Fowlks, Select Board Chair, voted to transfer free cash the sum of Ten Thousand Dollars (\$10,000), to purchase a new 30 yard open top roll-off container to replace an existing roll-off container for use at the Transfer Station.

The Select Board recommends unanimously (5-0).

The Select Board recommends for the reasons stated in the Summary.

The Finance Committee recommends unanimously (5-0).

The Finance Committee recommends. This article replaces one of the existing large dumpsters at the transfer station. The current dumpster is at its end of life.

Action on Article 17: Passed unanimously as part of the Financial Consent Agenda.

ARTICLE 18 COMMUNITY PRESERVATION FUND – CPC REPORT AND ESTABLISH FY23 RESERVES (*)

(Majority vote required)

Dennis Reip, Community Preservation Fund Chair moved that the Town vote to hear and act on the report of the Community Preservation Committee on the FY 2023 Community Preservation budget and to appropriate from the Community Preservation Fund FY 2023 estimated annual revenues a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for FY 2023; and further, to reserve for appropriation from said estimated annual revenue a sum of money for open space, including land for recreational use, community housing, and historic resources purposes, and for a FY 2023 Budgeted Reserve; all as recommended by the Community Preservation Committee.

- \$25,000 open space, including land for recreation use
- \$25,000 community housing purposes
- \$25,000 historic resources
- \$175,000 FY 23 budgeted reserve
- \$5,000 to meet the administrative expenses of the Community Preservation Committee

Summary:

Each fiscal year, the legislative body, i.e. Town Meeting, must appropriate or reserve for future appropriation no less than 10% of the estimated annual revenue to be set aside or spent for each of the three categories of allowable community preservation purposes. Up to 5% may be spent on administrative

expenses.

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

Additionally, the CPC is recommending that an amount of \$5,000 be set aside to meet the administrative expenses of the Community Preservation Committee. These expenses include legal fees, project signs, and membership in the Community Preservation Coalition.

“Estimated annual revenue” is the total of the amount to be collected in the upcoming fiscal year, i.e. FY 2023, under the local surcharge and the November state matching funds for the prior fiscal year.

The Community Preservation Committee recommends unanimously (8-0).

The Select Board recommends unanimously (5-0).

The Select Board unanimously recommends for the reasons listed in the Summary.

The Finance Committee recommends unanimously (5-0).

The Finance Committee Recommends.

Action on Article 18: Passed unanimously as part of the Financial Consent Agenda.

ARTICLE 19 COMMUNITY PRESERVATION FUND – COMMUNITY HOUSING – BOXBOROUGH RENTAL ASSISTANCE PROGRAM (BRAP) (*)

\$38,050 CPA (Housing/Budgeted Reserve)

(Majority vote required)

Al Murphy, of the Housing Board, moved that the Town vote to appropriate from the Community Preservation Fund Community Housing Reserve the sum of Twenty-Seven Thousand and Fifty Dollars (\$27,050), and the sum of Eleven Thousand Dollars (\$11,000), from the Community Preservation FY23 budgeted reserve for the Boxborough Rental Assistance Program (BRAP) as recommended by the Community Preservation Committee.

Summary:

The Boxborough Rental Assistance Program (BRAP) provides rental assistance to income-eligible households who are renting qualifying housing units in Boxborough. The program provides housing stability and housing opportunities to cost-burdened renters. It targets households that have low incomes and assists seniors, disabled adults, and families with minor children. It helps households attain self-sufficiency. Although State and Federal programs with similar goals, such as the Federal Section-8 or Massachusetts Rental Voucher Programs, currently exist, they are oversubscribed and have long waiting lists. The BRAP has been used as a model for similar programs in other Massachusetts towns.

A subsidy of \$250/month is provided by BRAP and is paid directly to the participating household's landlord. Households may renew their participation for a total of three years, subject to annual income eligibility verification. However, this limit of the participation period has been temporarily extended in the past year because of the COVID-19 pandemic. Participating landlords have expressed appreciation for the program and a desire to help their tenants. This will be the seventh year of the BRAP. It began with a six-household pilot program in 2016, was expanded to twelve households in 2017, and has continued at this level through 2021.

We expect to continue as part of the Assabet Regional Housing Collaboration that is implemented by Metro West Collaborative Development (Metro West CD). The table below includes the budget for administrative support of the BRAP. Eligibility determination will be performed through Metro West CD, as in previous years. In addition, administrative funds are requested to expand the program’s outreach. BRAP flyers are now available in English, Portuguese, and Spanish. The direct costs of the rental assistance are based upon assisting twelve households at \$250.00 per month for one year. The total program costs are shown below.

Total BRAP Costs

Cost Category	7/1/22 to 6/30/23
Direct Program Cost	\$36,000
Administrative Costs	\$2,050
Total	\$38,050

The total funds requested are \$38,050. Of this amount, \$2,050, or 5.4%, represents administrative costs.

The Community Preservation Committee recommends unanimously (8-0-1).

The Housing Board recommends unanimously.

The Well-Being Committee defers their recommendation to town meeting.

The Planning Board recommends unanimously (5-0).

The Select Board recommends unanimously (5-0).

The Housing Board’s Rental Assistance Program serves a segment of the community that cannot afford to purchase housing. Administered through the Community Services Coordinator, this initiative of the Housing Board makes effective use of CPA funds to provide assistance to Boxborough residents with critical housing needs.

The Finance Committee recommends unanimously (5-0).

The Boxborough Rental Assistance Program (BRAP) was able to assist households during FY22 by issuing rental assistance to those who met strict eligibility requirements (with coordination from the Town’s Community Services Coordinator, who assists recipient families to improve their financial situation, so they can eventually support themselves without BRAP assistance). The BRAP intends on continuing this level of support during FY23 and their request of \$38,050 will allow this to proceed.

Action on Article 19: Passed unanimously as part of the Financial Consent Agenda.

ARTICLE 20 COMMUNITY PRESERVATION FUND – OPEN SPACE (INCLUDING RECREATION) – CONSERVATION TRUST FUND (*)

\$10,000 CPA (Open Space)

(Majority vote required)

Dennis Reip, Chair of the Community Preservation Committee moved that the Town vote to appropriate from the Community Preservation Fund Open Space Reserve the sum of Ten Thousand Dollars (\$10,000), and to transfer the funds to the Conservation Trust fund for Community Preservation purposes as recommended by the Community Preservation Committee.

Summary:

The Conservation Trust Fund (CTF) is used to fund the acquisition, capital improvement, preservation, and management of the Town's Conservation Land. For the past 11 years the CTF has been funded by an approval of an annual Warrant Article at Town Meeting with funding for the last 5 years provided by the Town's CPA funds. This request for CPA funds is intended to continue the annual cycle funding of the CTF and provides an immediate and dedicated source of money to pay for anticipated land management needs.

Approving CPA funds for the CTF is consistent with Boxborough2030 and the Town's Open Space and Recreation Plan:

"Action 1.3.1.5. Include a line item in the Town Meeting Warrant each year for the Town's Conservation Trust Fund, to provide funding for land acquisition."

The Community Preservation Committee recommends unanimously (8-0-1).

The Conservation Commission recommends unanimously (6-0).

The Planning Board recommends unanimously (5-0).

The Select Board recommends unanimously (5-0).

The Select Board supports the Conservation Commission in its request. The Conservation Trust Fund enables the 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 recommends unanimously (5-0).

The Conservation Commission has used this fund to deal with the expense of maintaining and evaluation conservation land, and it also serves as a resource which can be used to help with possible land acquisitions. It could also contribute to the due diligence (environmental testing, design, legal support, etc.) expenses of evaluating the suitability of such land. This year's request of \$10,000 which matches previous years request will replenish and maintain the CTF to a level that is consistent with the past years.

Action on Article 20: Passed unanimously as part of the Financial Consent Agenda.

ARTICLE 21 COMMUNITY PRESERVATION FUND – HISTORIC RESOURCES – CEMETERY RESTORATION (*)

\$9,500 CPA (Historic Resources)
(Majority vote required)

Owen Neville of the Cemetery Commission moved that the Town vote to appropriate from the Community Preservation Fund Historic Resources Reserve the sum of Nine Thousand Five Hundred Dollars (\$9,500), for Community Preservation purposes to restore and stabilize monuments and other structures in the North and South cemeteries as recommended by the Community Preservation Committee.

Summary:

This project will allow the Cemetery Commission to continue the process, begun four years ago, of stabilizing and restoring the monuments and other structures in the North and South cemeteries. Age and other factors have brought this far beyond normal perpetual care.

The Community Preservation Committee recommends unanimously (8-0-1).

The Cemetery Commission recommends unanimously (3-0).

The Historical Commission defers their recommendation to town meeting.

The Planning Board recommends unanimously (5-0).

The Select Board recommends unanimously (5-0).

The Select Board recommends for the reasons stated in the Summary. The town cemeteries are historical and meaningful sites in town, and we need to preserve them. Using CPA funding is an excellent way to do this.

The Finance Committee recommends unanimously (5-0).

Finance Committee fully supports the continued renovation and repair of North and South Cemetery as a historic town site and supports that this work be covered under CPA Historic funding.

Action on Article 21: Passed unanimously as part of the Financial Consent Agenda.

Night Two. *Town meeting reconvened May 10, 2022 and was called to order by John Fallon at 7:02 pm.

Mr. Fallon noted that he has recognized a member of the community's long-term service as a volunteer in the past, but has not yet recognized his service as a town employee: Bob Stemple is running his last shift at the Fire Department this week, and has been keeping us safe for about 25-26 years.

Mr. Fallon reminded the meeting that it had voted on Monday that Article 22 was to be taken up first on Tuesday, spend 45 minutes on Article 22, and then table Article 22 and move to Article 23. He also reminded the meeting that a vote was taken Monday to have Dennis Reip take over as Moderator for Article 22 because Mr. Fallon had put this article on the warrant.

Mr. Reip came to the table on the stage to take over the meeting; Mr. Fallon moved to the podium on the floor.

ARTICLE 22 AMEND SECTION 6 OF THE FINANCE COMMITTEE BYLAW

(Majority vote required)

John Fallon, Town Moderator moved that the Town vote to amend Section 6 of the Boxborough Finance Committee Bylaw, codified as Article 3 § 1 of the Town's General Bylaws, to add the language in bold italics and to delete the language indicated by strikethroughs as printed in the warrant.

SECTION 6. The ***Town Administrator shall, after consultation with the Select Board, solicit from the various Town boards, officers, commissions, and departments charged with the expenditure of Town money their estimates of the amount of money necessary for meeting their capital and operational needs for the ensuing fiscal year and*** ~~and those voters submitting special articles authorizing expenditures of Town money shall, not later than the fifteenth day of January of each year, prepare and submit to the Select Board in duplicate on forms provided by the and Finance Committee for the purpose detailed estimates, in the form of a proposed budget, deemed by the Town Administrator to be necessary of the amounts deemed by them necessary for meeting said needs together the administration of the respective offices or departments for the ensuing fiscal year with explanatory statements of the reasons for any changes from the amounts appropriated for the same purpose in the preceding year and They shall also prepare, in like form estimates of all probable items of income which may be received by them during the ensuing year in connection with the administration of their~~ ***respective boards, offices, commissions, committees, or departments or offices, and a statement of the amount of appropriation requested by them for the ensuing fiscal year. Such estimates and statements shall be filed***

~~with the Finance Committee who shall at once transmit a copy of same to the Town Accountant.~~ ***The Town Administrator shall present and defend the same throughout the review process by the Select Board and Finance Committee. The Finance Committee shall approve and finalize the budget they deem necessary and appropriate to be inserted in the Annual Town Meeting warrant and present the same to the Annual Town Meeting.***

Summary:

The Select Board has indicated that they intend to have the position description of the new Town Administrator reflect the recommendations in the 2017 report of the Town Government Study Committee (TGSC). The TGSC report recommended that the Town Administrator assume coordination and management of the budget process while the Finance Committee continues to have responsibility for finalizing and approving the budget that is inserted in the Annual Town Meeting warrant and presenting this budget to Annual Town Meeting. In order to make adoption of this TGSC recommendation possible, Section 6 of the Finance Committee bylaw needs to be amended.

The Town Moderator submitted this article.

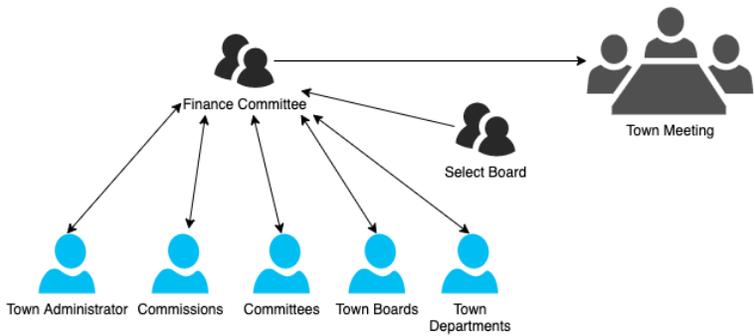
The purpose of this amendment is to enable the Select Board to hire a new Town Administrator with the job description they desire. A budget process similar to that outlined in the amendment was actually followed in most of the past few years and worked well.

The Select Board recommends unanimously (5-0).

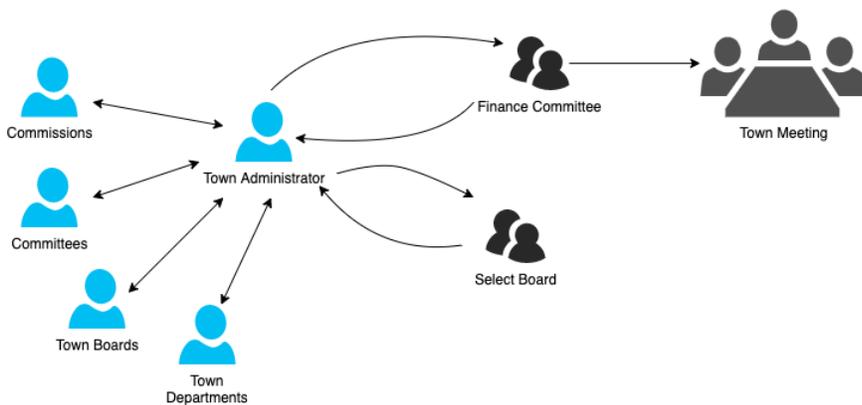
The Select Board unanimously supports the proposed changes to the Finance Committee bylaw as proposed by the Moderator. These changes reflect the practice of the past several years (excluding the current fiscal year) for preparing, reviewing and critiquing the budget and then presenting it to Town Meeting.

The Select Board fails to see how the Town's long-term interests would be best served fiscally by having the same entity prepare the different budgets as well as critique them and then present them to Town Meeting. The Select Board believes the Town's residents would be better served with separate entities preparing the budget from the entity who is charged with critiquing and reviewing the budget before it goes to Town Meeting, which has again been the practice of the last several years excluding the current fiscal year. The following diagram is to illustrate visually the proposed changes in budgeting structure.

Current Finance Committee Bylaw



Proposed Changes to Finance Committee Bylaw



These changes if approved would also be in-line with the proposal from the Town Government Study Committee whose report and recommendations were accepted and adopted by two different Select Boards. It will also help to provide clarity of responsibility for the next and future Town Administrators.

The Select Board believes that approving these proposed modifications from the Moderator is not only best practice but common sense and in the best interest of the residents of the Town. Accepting the proposed changes will effectively codify the practices that have been occurring for the last several fiscal years with the exclusion of the current year and provide more fiscally rigorous review of the Town’s budget.

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

The Finance Committee does NOT recommend this bylaw change. In addition, the Town Government Study Committee did not indicate a need for a change. As the moderator pointed out the process has worked well many years with the Town Administrator, the Accountant, and the Department Heads creating budgets and then providing budget books in mid-December to the Select Board and the Finance Committee.

When discussing this bylaw change, a member of the current Select Board said that the fact FinCom Liaisons meet with department head is a concern. It is precisely because FinCom meets with department heads to discuss in great length a department’s budget, we are able to budget in a manner that has allowed the town to moderate the town’s tax rate as much as possible. For many years we have been able to tax well below our allowable amount, in fact this year we are taxing nearly \$3,000,000 below the levy. If this

By-law amendment is accepted the FinCom would not be “allowed” to speak directly to department heads or committees regarding budget. This would hamper our ability to make thoughtful educated decisions on budgets.

This year due to many factors, the Finance Committee had no choice but to work directly with department heads. We collected budgets and reviewed them in order to provide budgets to be placed in Article 5. Had these bylaw changes been in place this would not have been “allowed” and the FinCom would not have had the time or information it needed to make thoughtful and educated recommendation of Article 5.

The FinCom believes that this bylaw change is detrimental to the Town as it weakens a strong and independent Finance Committee and that is not in the best interest of the taxpayers and our community as the FinCom provides guardrails for the budgeting process.

Discussion on Article 22:

Rich Guzzardi of Reed Farm Rd. made a **motion to pass over Article 22**. It was seconded and Mr. Reip clarified what this procedural motion would mean.

Mr. Fallon did not take a position on this motion. Mr. Fallon wanted to clarify why he introduced the Article in the first place. The Select Board wanted to propose a bylaw that would allow the Town Administrator to have a strong job description, including the power to run the budget process. The only way that could be done would be to change the bylaw. Mr. Fallon thought it was inappropriate for them to propose a bylaw; this bylaw is not a vote of no confidence in the finance committee.

Mr. Reip clarified that this discussion was on the motion to pass over.

The Finance Committee supports passing over this article. There was never any discussion between the Select Board and The Fin Com about this article. We should work together to provide clarity, efficiencies and increased transparency.

The Select Board unanimously does not recommend passing over. This is a proposal by the Moderator to support what the Select Board believes is a good managerial style.

Mr. Guzzardi believes intentions are solid across the board, but that this is a bylaw that could potentially change the way we develop, vet and approve a budget. Seeing the opposition across Select Board and Fin Com for us to have to pick a side. If we do this, it is potentially a long-term mistake. He understands why it was proposed, and understand that the Fin Com has concerns, so that’s why he recommended to pass over this article.

Mark White of Sara’s Way agreed with Mr. Guzzardi’s amendment. Because there was no resolution or discussion between the two committees/boards; this town is in no position at this time to be making these kinds of decisions. A lot of things have changed; if it ain’t broke don’t fix it.

Simon Bunyard of Hill Rd. said that this motion is an effort to kill this article without debating it. It’s an important enough issue that we should have the debate about it. It’s a shame that the two boards haven’t had discussion about it and come to consensus. We should have this discussion now. Maybe if it’s voted down we can come back next year after better discussion and compromise.

Michael Toups of Leonard Rd. asked if it could be brought up again.

Diana Lipari of Littlefield Rd. said it is disappointing that people are trying to block the discussion about this article. This is about a discussion about the Town Administrator as a strong administrator. We should hear arguments pro and con and because we’re going to hire a Town Administrator so it is time to have the debate now. We shouldn’t prevent debate.

Tom Johnson of Barteau Ln. wants to support discussing the article and voting on it. Not knowing the background on the two committees, but debate is healthy and we are the entity to make this decision.

Jennifer Campbell of Patch Hill Rd. agrees that we should have debate on this. We have to look at who made this article – it is from the Moderator to oversee a process that he is responsible for. We shouldn't have this amount of unclarity about the budget before hiring a new TA.

Kathleen Vorce of Liberty Square Rd. said we should pass over the article. As one of the people who was on the Government Study Committee long ago, she thinks we should not make this move now to debate the article.

John Markiewicz of Patch Hill Rd. said that because this is the legislative body, we should have the power to discuss it. Because it is an Article brought up by a neutral Town Moderator we should discuss it.

John Fallon wanted to make it very clear he is not for or against the article or the motion to pass over.

Ms. Neville moved the question.

Vote to move the question: Passed with a 2/3 majority.

Vote on the motion to pass over Article 2. Failed with majority voting against, 117 against and 69 for.

John Fallon made the original motion above and the presentation. The Finance Committee Bylaw Section 6 controls the budget process. The Select Board wishes to hire a strong Town Administrator including to manage the budget process. There was a suggestion that the Select Board bring a warrant article; which he thought would be inappropriate in that he is the appointing authority. Therefore he brought the article forward but is neither advocating for or against.

Gary Kushner of the Fin Com made a presentation against the Article. This Article would not allow Department Heads to meet with Fin Com. We have a strong bond rating and this comes from many years of working well together.

Select Board presentation by Wes Fowlks, Chair. The SB unanimously recommends this Article even though change is scary. The SB is elected and the Fin Com is appointed; both are important and play important roles; and the Moderator appoints the Fin Com. In the past few years, we have been doing what these changes are proposing to codify. There were some differences in the TA job description – we can't be divided on our own interpretation on how things should run. These changes don't exclude anyone from interacting with Department Heads. This has been the effective practice for at least four years. Budget Saturday and Capital Saturday only started 3 years ago, and that was a change.

Becky Neville of the Fin Com said that the TA would be able to move \$ around and there would be less transparency, not more. The entire budget in Acton, for example, is one paragraph. Ms. Neville doesn't believe we can add the budget to the warrant but we can make it more visible on the website and have copies available at Town Meeting. If this bylaw change goes through you may be asked to vote on one giant line item.

Jim Moss of Centennial Way said he is opposed to any changes. We need to keep the connection between the Town residents and the Fin Com and the various town departments. Our Select Board and Fin Com members live in this town, but the Town Administrator could come from anywhere; we want to make sure town residents have a voice. He also thanked John Fallon for his years of service.

Maria Neyland of Picnic St. expressed her concerns about changes in which a bottom line budget could give the TA and SB control over the total amounts. The Town Government Study does not say the Fin Com roles should have changes. If you take a close look at this bylaw amendment it would cause there to be less transparency going forward. The Select Board's own slide presented last night said "allowed for consideration of the budget as a whole rather than by department"; the language being added says "the

TA after consultation with the SB...” – there is no mention of the Fin Com. We have concerns that the Fin Com’s recommendations would be ignored. Last night we discussed how to best control pension costs going forward; all transparency and control of adding staff could be taken away, and more importantly the voice of the taxpayers could be taken away. The bylaw may need to be updated going forward, but needs to be accomplished by having all the players work together on language that works. This did not happen this year. There was no discussion among the boards.

Atty. Eichman had a point of clarification: typographical error in Section 6, 6th line beginning with words ***prepare and submit to the select board*** should be in italics and bold. That is new language.

Jeanne Kangas of Hill Rd has served on both boards and has chaired both, but it’s rare to disagree unanimously. If it’s not broken, don’t fix it. It is hard when the Fin Com is split 3 to 3 but over the years our finance committee has been fiscally responsible and they really care about our money. They don’t have to think about re-election. They only think about how to do things in Boxborough more efficiently at less cost. She urged support for the Fin Com.

Megan Connor of Mayfair Dr. had a question about whether this was discussed before between the Fin Com and Select Board. Volunteers like those on the Rec Com rely on the Fin Com liaison to help with our budgets.

Ms. Neville said we knew about the article from a Boxborough Leadership Forum (BLF) meeting, and it was proposed that we meet by John Markiewicz but we never met. Then they saw the bylaw change presented and had to discuss it within the Fin Com.

Wes Fowlks said because it was put forth by the Town Moderator, then it was not the Select Board responsibility to put forth debate.

Article 22 was tabled until after Article 23 at 7:45 pm (May 10) in accord with vote taken on Monday May 9.

Article 22 was taken off the table and discussion resumed on Article 22, with Dennis Reip as Moderator, at 8:48pm (May 10):

Diana Lipari said according to Section 7 of the Fin Com bylaw opposes what the Fin Com claims. It should give the power of the creation of the budget to the TA, who is a professional. He creates a unified budget. There’s nothing that says this budget has to change in its form or that the Fin Com cannot consult with departments or committees. The only section we’re talking about is section 6. Section 7 says that the Fin Com shall dully consider the statements and may confer with the boards and committees and departments.

Priya Sundaram of Patch Hill Rd. is opposed because it doesn’t allow for access of department heads to the Fin Com, as seen by the illustration on page 45. Town Administrators may come and go but Fin Com stays and the bylaw stays. We need the ability to hear varied viewpoints. So please deny this bylaw.

Mary Brolin of Guggins Ln. has a question about what a strong Town Administrator means? Would the Library budget be able to be cut by the TA before it gets to the Library Committee if this passes?

Diana Lipari said that a strong TA would be the direct supervisor of Dept. heads (Town Study gov. committee voted for this in 1999). If not, then the SB would have to oversee the day to day operations. The oversight of the budget is an important part of the TA’s responsibility. This puts professionals in charge of what the town is doing. Municipal law and finance are complicated. She was not sure about the answer to the library question, deferred to the TA. Mr. Terenzini confirmed that the library would not be influenced by that because of the nature of its elected board.

Mary Brolin, as a Library Trustee, wants to make sure that the best budget gets to Fin Com. Ms. Lipari said that wouldn't change and the Fin Com would still get to see all the budgets.

Michael Toups of Pine Hill Rd., as a former Fin Com member, said that the Fin Com doesn't exert enough control over budgets and this would make that worse. Having a Town Administrator have control over the budgets takes away the town's control. It could be redistributed by the town administrator; not sure about accuracy of the idea that Budget Saturday is a new idea – we used to have multiple meetings on weekends between Fin Com and town departments. Please vote against this.

Jennifer Campbell of Patch Hill Rd. was on the Govt Study Committee that made the recommendation, and the reason why we didn't discuss with the Fin Com was because it wasn't under their purview. The Fin Com's responsibility doesn't change with this bylaw; the Fin Com still owns the budget and if they don't like the budget that the Fin Com presents then they can change it. And then the town meeting can make changes. The issue of how the budget is presented in the warrant: there is nothing that says that the Fin Com has to change the way they do it. Line items can still be discussed one by one.

Mark Barbadoro of Old Harvard Rd. said we need "tough customers" like the Fin Com to oversee the budget. He has overseen different departments in municipal government; he can be a bit prickly and maybe can't communicate that well. If there is a department that has trouble communicating their needs to the Fin Com (a department of one, for example) vs. other departments that are larger and they often get what they need. Town Administrators can see what happens on a daily basis and can see the daily needs of departments. Ultimately the Fin Com will still watch the bottom line, but this bylaw doesn't take the ability to mind the budget away from the Fin Com.

Tessa McKinley of Picnic St. has served on the AB Regional School Committee for 5 years and has been through the budget process; this year is the first year where she has felt a huge disconnect between our town government and school committee (with the exception of Gary, who always comes to School Committee meetings). Until tonight she has not ever met the Town Administrator. The previous one was much more hands on with School Committee and BLF. All the major committee meet and discuss the budget normally. The problem with this amendment is that it's not about who controls the budget, but seeing this year as a disaster and there is a lot of evasion from the Select Board means we shouldn't make this change now. The Select Board obviously came up with the idea to change this. It is not a well-thought out idea.

Jim Comolli of Sargent Rd. is trying to figure out what the best mode would be. The Fin Com presented five different principles at the beginning. Are those Boxborough principles – how were those generated?

Becky Neville spoke about how to manage the budget a bit and what principles the Fin Com has (these have been consistent over the years). Boxborough does a really good job of managing the budget and we have enough reserves to do things in a responsive and responsible way.

Mr. Comolli wanted to ask the Select Board how those principles would then translate if the TA is in control of the budget and how the principles would be dictated.

Wes Fowlks responded that there would be checks and balances. The expectation would be that the professional municipal employee would be able to assess the specific needs.

Carter Terenzini apologized for not attending meetings; having been hired for 25 hrs per week, but doing more, he has not been able to make all the meetings. He spoke about how he has managed a variety of

budgets. The Select Board is a policy-making body and there is no bigger policy than the budget. The TA then takes that set of directives and works with the department heads and the Fin Com in other towns typically sees what is requested by departments and also what TA recommends and the Fin Com approves and provides input. Then it goes into the warrant. The issue is that you are trying to recruit a new TA; the idea that a TA is going to apply for a job that isn't clearly defined is a fallacy. The job description, the bylaw, and the Govt Study Committee report do not line up.

John Markiewicz said that because we have an interim TA and the Fin Com spent many hours working on this, it would make sense to keep everyone in the loop with a unified budget for everyone to see. It focuses only on Section 6 of the bylaw. Section 4 still allows for information to be gathered.

Jim Comolli asked if it was accurate to say that this bylaw would give the Select Board more input into the budget process.

Ms. Lipari said that we had meetings last year with the Fin Com and this year we had no joint meetings. This bylaw is not to have the Select Board control the process, but she would like to see joint meetings of the Fin Com and Select Board. The strong TA would have an overview. Last year they were all given budget books in December. The Select Board would have input, but wouldn't dictate anything.

Ms. Neville clarified that John Markiewicz was the liaison to the Fin Com and there was a lot of communication between him and the Fin Com. Information was given to him right away when he asked for it.

Mr. Markiewicz commented that the Fin Com spent a lot of hours doing things that would normally have been done by the Town Administrator and the Finance team, which was not in place. This article would not give more power or strength to the Select Board. It is trying to give the TA ability to unify all the information in the budget and then information would be distributed and a back and forth would begin between department heads and still allows Fin Com to put what they want into the warrant.

Mr. Comolli said that it seems like it would be great if it works well if everyone gets along but there seem to be possibilities for it to go wrong.

Brigid Bieber of Emanuel Dr. was on the fence about it until recently and the more she listens, she is not in favor of this amendment. It seems that everyone needs to iron out the language so that everyone agrees (Fin Com, SB, Moderator need to get together – there is a disconnect in the language). She acknowledged that everyone is doing their best working hard for the town. She knows how difficult it is to work on budgets for a town board, having been on School Committee for 12 years. Ms. Bieber agreed with getting a strong TA and we need to make the language line up with the way our budget process works but we're a small town that relies on volunteer boards to get work done. We are going to see more head-butting if we can't agree on the language.

Mr. Markiewicz said that this is really just talking about the budget process (Section 6). Town Govt Study Committee was approved in 2017 unanimously. Five years later the current SB reaffirmed that findings, which were that we will have a Chief Operating Operator who will pull together budgets for the town. It's important because of trying to hire a new TA. He modeled it after another town's bylaw.

Ted Kail of Guggins Ln who was on the Fin Com pointed out that the tax rate was low and even decreased in one year and Boxborough was called out by the Boston Globe. Why would we change what was the best practice? The process is about building relationships and trust. Those years were fiscally responsible and

he has confidence in the Fin Com (who live here) rather than the TA who is using a town as a stepping stone in their career.

Mark White said that Town Govt isn't a business. It doesn't work like one and having been on the Fin Com and SB; this is a community organization so it needs to be run like one. He understands the SB rationale, but the way to make the job description clear is keep the way it works in Boxborough and if you can accept that then we want you working for us. If it isn't broken, why are we fixing it. He said Fin Com has done a fantastic job.

Jeff Glidden of Sargent Rd. said the first thing you have to have is a Town Administrator. We must fill that role and it was over a year ago that we talked about hiring someone new and nothing has happened. The fundamental issue is not having a TA who is permanent.

Dick Wagman of Leonard Rd. said he is trying to understand this and maybe we need a unified front. He would like to see a different proposal that everyone would support together. He has not heard clarity that would justify this change.

Simon Bunyard of Hill Rd. said that there is a lot of emotion between the Fin Com and the SB – the tug of war is nothing new. It's been going on for years. We elect people to set the priorities, agenda, tone for managing employees. We authorize them to do this by electing them, through their Town Administrator who will be managing the town employees. To think that they also don't control the funding to support those agendas seems a little out of whack. Shouldn't the Select Board see what the priorities are and set those budgets? The Fin Com can validate and come to their own conclusions, but you can't hobble the Select Board by not allowing them to determine the priorities for the funding to support it.

Christine Marlow Depot Rd. asked the Fin Com if the TA would have final say over your recommendations?

Becky Neville said we never had a conversation about it, and we had no input and never had any budget books this year because of the absence of a finance team. We are not sure of the answer because we had no input. Our understanding is that we would be able to provide input, but it will be challenging to do so if we don't have the opportunity to meet with department heads and the TA.

Ms. Marlow said that someone else mentioned that the TA could be the advocate for the small departments. Could this still happen?

Mr. Markiewicz envisions that the TA would be able to visualize all of the budgets and everyone can talk to each other. The ultimate decision about who would approve the budgets lies with the people in this room.

Ms. Campbell said that the Fin Com could change the way the budget is presented at Town Meeting in answer to Christine Marlow's question.

Mr. Markiewicz said it is important for one individual to be able to visualize and oversee all of the budgets. All of the final decisions are made by the people in this room – Town Meeting is the chance to get input from people, in addition to the input along the way from the Fin Com and Select Board.

Ms. Marlow wants clarity on the slide saying that it could be a one line item budget.

Ms. Campbell said that that decision still relies on the Fin Com regarding how the budget is presented at Town Meeting. Mr. Fowlks said it was an oversimplification; it could be possible to show one department

as a single line item to make sure it aligns with the priorities as a whole, but the whole budget wouldn't be presented that way at Town Meeting.

Ms. Marlow wanted to make sure the two boards can discuss this before we make any changes.

Lee Slade of Burroughs Rd. said not to take this hard work of town boards for granted. I know both boards have only the best interests of the town in mind, so it is disappointing to see this loggerheads after all of those agreements in the warrant. My experience in making change particularly under duress is that it isn't a good idea. Now I know I am going to vote against this amendment.

Dave Follett has been in town for 30 years and is always blown away by the diversity of talent. The volunteer boards are all filled with talented people. The key to making that work is empowerment. If we have a stronger Administrator, we are talking about empowering that TA. Shifting that power away from the boards means it's a cleaner process but also a single point of failure. Is it a little chaotic at times, yes. But our previous TA who did not work out, and with autocracy there is room for a lot of chaos.

Elizabeth Fowlks of Stow Rd. said it does make sense that we would want a clearly defined TA role to be held accountable, especially with the lack of resources the Fin Com had. She fears that we will be in the same spot a year from now if we don't make this clear change in recruiting someone. Also she questioned how when voting down an item at Town Meeting, if it can be flexible in terms of what the department head cuts after those votes are made.

Ms. Neville and Mr. Kushner clarified that money could be moved around within the line item after the vote to lower a line item.

Keith Lyons of Burroughs Rd. asked if it was the intent of the hiring committee to hire Ryan as a strong administrator. Ms. Neville was on the hiring committee and confirmed that. Mr. Lyons stated that the bylaw chart was what he was used to in the past; it is basically ratifying what was done back then so he will be supporting it.

Susan Bak of Burroughs Rd. moved the question.

Motion to move the question passed by a 2/3 majority.

Action on the motion on Article 22: motion was defeated by a majority vote.

Mr. Fallon returned to the moderator's chair on the stage; it was moved and seconded to adjourn at 10:00 pm until Thursday night, May 12 at 7:00 pm.

On night 2, May 10 at about 7:45pm Mr. Fallon returned to the moderator's chair on the stage and discussion on Article 23 commenced:

ARTICLE 23 COMMUNITY PRESERVATION FUND – OPEN SPACE (INCLUDING RECREATION) – LAND ACQUISITION SARGENT ROAD

\$1,275,000 total

\$400,000 CPA (Open Space/Budgeted Reserve)

\$675,000 (bonding)

\$200,000 (BCTrust)

(Two-thirds vote required)

Dennis Reip, Chair of the Community Preservation Committee moved that the Town vote to authorize the Select Board to acquire, by gift or purchase, upon such terms and conditions as the Select Board may determine, the fee or lesser interest in all or a portion of two tracts of land totaling 21.35 acres, more or less, located at 95 and 105 Sargent Road in Boxborough, further identified as Lot 11-005-000 and Lot 11-003-000, respectively, on the Boxborough Assessor's Maps, being that land described in a deed recorded with the Middlesex South Registry of Deeds in Book 78879 at page 206, for conservation and passive recreation purposes, said land to be held in the care, custody, management and control of the Boxborough Conservation Commission and Boxborough Agricultural Commission in accordance with the authority granted to said Commissions under Massachusetts General Laws, including Chapter 40, Section 8C, by and on behalf of the Town of Boxborough thereafter; and as funding therefor, to appropriate the sum of One Million, Two Hundred and Fifty Thousand Dollars (\$1,250,000.00) for said acquisition, and the sum of Twenty-Five Thousand Dollars (\$25,000) for all costs incidental and related thereto; that to meet said appropriation, to transfer Fifteen Thousand Dollars (\$15,000) from the Community Preservation Open Space Reserve Account, and Three-Hundred and Eighty-Five Thousand Dollars (\$385,000) from the Community Preservation FY23 budgeted reserve, and authorize the Treasurer with the approval of the Select Board to borrow Eight Hundred and Seventy-Five Thousand Dollars (\$875,000) under G.L. c. 44 and G.L. c. 44B or any other enabling authority, and issue bonds and notes therefor; and further to authorize the Select Board and the Conservation Commission or its designees to apply for, accept, and expend on behalf of the Town such other funds as may be provided to pay for all or a portion of the costs of acquiring said tracts of land, including but not limited to grants and/or reimbursement from the Commonwealth of Massachusetts under the Local Acquisitions for Natural Diversity (LAND) grant program (M.G.L. Chapter 132A, §11), and donations from the Boxborough Conservation Trust, and that such gifts and any grants shall be used to reduce the amount to be borrowed hereunder, and further to authorize the Select Board and Conservation Commission to enter into all agreements and execute any and all instruments as may be necessary or convenient on behalf of the Town to affect said acquisitions, including assignment of the Town's right-of-refusal pursuant to the provisions of M.G.L Chapter 61, and to authorize the Select Board to convey a permanent restriction or restrictions in the lands acquired pursuant to the authority granted herein to Sudbury Valley Trustees or other qualified land trust in satisfaction of the requirements of and in accordance with M.G.L. Chapter 44B, §12(a), upon such terms and conditions as the Select Board, Conservation Commission, and Agricultural Commission may determine.

Summary:

Article 23 authorizes the Town to purchase 21.35 forested acres located at 95 and 105 Sargent Road for the sole purpose of using the property for conservation, agriculture, and open space passive recreation. It also authorizes the Town to allocate \$400,000 in Community Preservation Act funds to the purchase. This would be the first use of Community Preservation Act funds for open space preservation since the Community Preservation Committee began receiving applications for funding in 2015.

Why this land? Preservation of this land is in accord with Goal 1.3 of the Boxborough2030 Master Plan to “[p]rotect and/or acquire additional lands for conservation, water resources protection, wildlife habitat, agricultural land preservation, recreation, trails, and wildlife corridors.” These two properties were identified as having high value for conservation in the Town’s 2015 Open Space and Recreation Plan (OSRP). This purchase also meets the Community Preservation Committee General Selection Criteria for Community Preservation Act funding for open space as follows:

- Outdoor Recreation: creates connectivity links between almost 5 miles of walking trails.

- Water Resource Protection: preserves upland for aquifer protection and prevents runoff in Town-identified flood-prone areas.
- Wildlife conservation: protects existing wildlife habitat and maintains a wildlife corridor.
- Agricultural Activity: maintains active forest management through Agricultural Commission supervision.
- Climate and Environmental Resiliency: reduces flooding potential, sequesters carbon in the forest, mitigates noise and air pollution from the nearby highway, promotes continued biodiversity for both vegetation and wildlife.
- Landscape Preservation: maintains the rural landscape on a stretch of one of Boxborough's scenic roads, so designated by Town Meeting vote in 1975.

Why a conservation purchase now? The last major conservation purchase by the Town was in 2002 (Patch Hill), yet between 2000 and 2020 the number of households in Boxborough increased by 22%. The Town's 2015 Open Space and Recreation Plan identified 26 properties of Open Space, Conservation, Agriculture, and Recreation Interest, **including 95 and 105 Sargent Road**. Eight of those properties, totaling 217.5 acres, are now lost as open space opportunities. A ninth property was taken by the Town for back taxes, but, until now, none of the properties on the OSRP list has been presented to the voters for purchase.

What is the urgency? 95 and 105 Sargent Road recently became available to the Town through the Chapter 61 program, which provides tax relief to an owner who manages the property for forestry. When an owner plans to sell Chapter 61 property and sends the Town a valid Notice of Intent to take the property out of Chapter 61 protection, the Town is given a right of first refusal (ROFR) at the price agreed upon by the owner and prospective purchaser (in this instance a residential developer) in a bona fide purchase and sale agreement. If the Town wants to acquire the property, it must exercise or assign this ROFR within 120 days of receipt of the Notice of Intent, but first must get approval for the purchase through a Town meeting vote. After the ROFR is exercised, the actual purchase of the property must occur within 90 days.

What will this purchase cost the Town? The total cost of purchasing 95 and 105 Sargent Road is \$1,275,000; the purchase price is \$1,250,000 and administrative costs are estimated at \$25,000. To support the purchase, the Boxborough Conservation Trust will contribute to the Town \$100,000 of its funds and up to an additional \$100,000 in donated funds. The CPA monies provided under this Article would add another \$400,000 to the funds needed for the purchase. The Trust is also seeking grants from private foundations, possibly adding another \$20-35,000. The State allows for assignment of the ROFR to a qualified conservation organization, which can then execute an interim purchase of the land. This move gives the Town time to apply, through the state Executive Office of Energy and Environmental Affairs, for a LAND grant of up to \$400,000 (LAND grant monies cannot be used retroactively to reimburse the Town for funds already used for a purchase). Once the disposition of the LAND grant application is known, the Town must buy the property from the interim owner regardless of the outcome of the application. Sudbury Valley Trustees may act as an interim owner to give the Town the time needed to apply for a LAND grant. Under the most optimistic scenario, CPA funds along with Boxborough Conservation Trust funds, foundation grants, and a LAND grant award could provide \$1,035,000 of the \$1,250,000 purchase price. However, the foundation grants and the LAND grant sums are contingent upon successful grant applications, and therefore those funds may be unavailable. With \$400,000 in CPA funds and up to \$200,000 in funds from the Boxborough Conservation Trust, the additional Town funds that may be needed to pay for 95 and 105 Sargent Road and associated administrative costs are estimated to be +/- \$675,000. This Article authorizes the Town to purchase 95 and 105 Sargent Road regardless of the outcome of a LAND grant application.

The Community Preservation Committee recommends (8-0-1).

The Conservation Commission recommends (5-0-2)

The Recreation Commission recommends (6-0-1).

The Planning Board recommends unanimously (5-0).

The Select Board recommends unanimously (5-0).

The Select Board recommends for the reasons stated in the Summary. We have few parcels of land left in town that have been valued as highly for conservation and forestry. As this parcel is connected to others, it will help with flood control and animal habitats. We are grateful to the parties and individuals involved who have worked so hard to provide creative funding options from a combination of grants and private contributions. The Select Board realizes that many of these funding sources remain unknown, and that the actual costs may be lower, but that we should fully fund this acquisition via CPC funds, bonding, and donations to preserve this important parcel of land.

The Finance Committee recommends CPC portion (5-0).

The Finance Committee fully supports the acquisition of the land on Sargent Road. This land meets or exceeds all the criteria for conservation, and it is contiguous to existing conservation land: Rolling Meadows and Half Moon Meadows, as well as land under conservation restriction across Littlefield Road. It also meets the criteria for protecting wildlife and water resources and provides to climate resiliency. Recreation Commission in the future, intends to create new trails to connect with existing trails for a total of five miles which can be enjoyed by all in our Town.

The Finance Committee recommendation of the bonding portion (3-3).

Pro: Half of the Finance Committee fully supports the acquisition of land on Sargent Road. This land would preserve the town's wildlife, water resources, provide climate resiliency. It would offer nature trails in the future, of about 5 miles that can be utilized by all age groups in town. This is achievable with \$400,000 CPC funds, bonding, and donations. The tax impact on this article would be \$52.84 on the average single-family house or \$0.0781 per thousand valuation for a 10-year bond or \$41.09 for the average single-family house and \$.0608 for a 15-year bond.

Con: Half of the Finance Committee does not support the authorization to bond up to \$675,000 for this article. It is difficult to support given the unknown status of a grant opportunities. In addition, the town Debt increased dramatically after last year's town meeting causing an increase to this year's budget and the subsequent tax rate will cause a financial burden to members of our community. The potential addition of \$675,000 in debt will only exasperate this burden.

Lisa St. Amand, Clerk of the Boxborough Conservation Trust (BCTrust) made the presentation with Tom Bieber, Treasurer of BCTrust. BCTrust is an all-volunteer non-profit land conservation organization, that worked closely with the town to put this article on the warrant. She discussed how this property was offered to the town under Chapter 61's rules of Right of First Refusal (originally in Forestry Management in exchange for reduced taxes) and need for Town Meeting approval within 120 days and purchase within 90 days after that. The town has not made a major conservation purchase in 20 years, but the number of households has grown 22% in that time. A valid Notice of Intent to sell to a developer was received by the town; the developer wants to put up at least 5 homes and purchase the property for \$1.25 million. The Open Space and Recreation Plan (OSRP), Community Preservation Committee (CPC) criteria, and Master Plan all emphasize the town's priority of protecting lands for recreation and conservation. It is adjacent to several conservation properties with trails; the Recreation Commission says there could be 5 miles of trails with connectivity among these parcels and additional trails on this property could help bypass a low visibility site on Sargent Rd where people like to walk. She detailed the important benefits to water resource protection; drought resilience and aquifer recharge – benefits groundwater resources. A recent Municipal Vulnerability Preparedness (MVP) workshop identified nearby stream crossings as flooding

concerns – development would involve more runoff and less drought resilience and water recharge. The parcels would provide a corridor for wildlife, connecting and maintaining intact habitats. The Agricultural Commission is interested in managing the land for forestry – it is named as prime forest by MA Department of Conservation and Recreation (DCR). It is a scenic road with forest and open land on the other side.

She detailed how we will pay for this land: CPA funds will be \$400,000, BCTrust will contribute \$210,000 from over 100+ generous friends and a grant from the Fields Pond Foundation – this is even more than was in the warrant. This brings the cost to the town down to \$665,000. Another \$25,000 private grant is pending. We have the opportunity to apply for a LAND grant; if we assign our right of first refusal to a qualified land conservation organization, we can meet all the requirements of Right of First Refusal and apply for a LAND grant. Sudbury Valley Trustees (SVT), a regional land trust, agreed to step in as interim owner to allow the town to apply for a LAND grant. Worst case is \$665,000; best case with the LAND grant is \$240,000 to have to borrow.

Tom Bieber, Treasurer of BCTrust spoke on the fiscal impact. After the warrant was printed we received notice that we received a \$10,000 grant from the Fields Pond Grant, so the numbers are a little bit different than printed in the warrant. Worst case: the average impact would be \$52.14 in the first year assuming 10 year bond at 3.5% / best case is \$22.16 in the first year. The average impact would be worst case \$41.96 / best case \$15.48 over the life of the 10 year loan, as low as \$1.29/month for the average home. If the development goes forward, the scenarios of revenue and expenses were laid out. The biggest single expense is education, at over \$16,000 per home. With constant revenue, it is just below 7 students according to the district's average numbers of students per home. Each additional student's marginal cost after 7 students is a net impact of \$8.45 to the average homeowner's tax bill. This goes up to \$27 impact on the average homeowner's tax bill if there are a total of 10 students in these homes. Cost of purchasing needs to be weighed in light of a risk of increased taxes with development. The complete impact is unknown, we know that people move to Boxborough for the schools. If we preserve it, it will be paid for in 10 years and do its job forever.

Lisa St. Amand presented the final slide. In 2016 the OSRP identified 26 properties that were priorities for conservation; 8 of those properties, totaling 220 acres are now lost conservation opportunities. None were presented at Town Meeting and most were developed. None of our CPA funds has been spent on conservation, one of the top priorities for these funds. Twenty years since the last conservation purchase was brought to Town Meeting. We have a chance to build on Boxborough's strong conservation tradition with a chance to conserve this property for the future.

Finance Committee gave their recommendations (above).

Select Board gave their recommendation (above).

Owen Neville gave the **Agricultural Commission recommendation**: Ag Com supports unanimously; forestry was identified in Master Plan and this purchase will enable the forestry that has gone on for many years to continue. We are happy to establish a forest stewardship program on this property.

Megan Connor gave the **Recreation Commission recommendation**: Rec Com fully recommends and supports due to connectivity and chances for recreation and activities, now more than ever. Protection of this conservation land meets several of the conservation goals of the OSRP including. Even though part of the town's goal is to purchase land we have not done so over 20 years. The Rec Com fully supports this article.

Palmer Moore gave the **Sustainability Committee recommendation**: last year we voted a resounding yes at Town Meeting to support a Sense of the Meeting for sustainability and tonight we have a perfect embodiment of supporting sustainability in our community. It creates new opportunities for outdoor recreation, sustains our access to clean water, sustains CO₂ stored in the trees and soil, and sustains the wildlife corridors and habitats; we ask that you vote in support of a sustainable community.

Christine Marlow of Depot Rd is concerned about adding costs to our taxpayers. Are there other ways to save this land but not burden the taxpayer. She wanted to know if the interest rate could be higher than current rate? Are there other ways to purchase this land, and wanted to clarify what happened with the Inches Woods purchase. Ms. St. Amand clarified that BCTrust purchased Inches Woods, not the town.

Lisa St. Amand clarified that under Chapter 61 the town has to purchase the land. Limited development is not really possible on this land; BCTrust feels that 100% conservation is the most appropriate way to conserve this property. BCTrust's contribution to this is over to \$200,000, and all of our fundraising was couched in this. This is not a property that lends itself to a limited development scheme. Tom Bieber clarified how they picked the bond rates, after consultation with Fin Com. Last night Mr. Terenzini mentioned that 2.89% was the bond rate we got for last year's bond.

Mary Brolin thanked BCTrust, SVT, and the town for all of the work that they have done on this. She urged us to act now, even without the LAND grant, we would be paying 50% of the value! With the LAND grant, it would be 20% of the value. Our family has walked conservation land in town even more now after the pandemic than ever before. The opportunity to stay on conservation land rather than the dangerous curve on Sargent Rd is great. It's a chance to build climate resiliency. \$3.50/month at the high end is cheaper than the gym! And there's still time to donate to the BCTrust and bring down our taxes even more.

Karl Malakian of Littlefield Rd. is in support of this article. His firsthand observation of this land gives a perfect view into the woods. A super-highway of animals using this corridor and all the humans using the trails nearby. Remember that once those trees are gone, nothing is coming back. These are likely to be very large homes taking up a lot of space.

Anne Gardulski on Sargent Rd. is an abutter but would feel the same way if it was across the town. As a geology professor at Tufts University, she wants to talk about rain water that falls in the uplands moves down vertically into the deep aquifer – when it percolates down, it remediates chemicals and we are adding all of the chemicals and salt from our impermeable surfaces. We don't have a lot of undeveloped upland yet to save. The beauty is the other aspect of this land. She urged the town to please preserve it.

George Krusen of Depot Rd. asks that we vote for this purchase. Everyone is concerned about climate change and there are small things we can do, but we can increase our contribution to counter climate change by purchasing a piece of land like this. Phyllis Campbell who owned this land would very likely to want to see this land conserved. 10 years ago he cut the trees on his land under a management program, and he started to get his forester to leave the big trees there so they will take more carbon out of the air. Wood needs to stay on the ground. Vote for this and you'll save the world.

Susan McDougall of Depot Rd. has walked the 3 mile loop for 30 years. There are so many neighbors walking this land and given the safety of this turn in the road it would be wonderful to extend the trails for safety.

Mark Barbadoro, Chair of the Planning Board spoke to the fact that the Planning Board voted unanimously in favor of this proposal; it is in compliance with the Master Plan and it was a priority parcel on the OSRP

and is an incredible piece of land which will save the town money if we're not putting children in the school system over many years.

Nora Shine asked to yield her time so that a non-voter, 11-year-old Sabina Flohr speak. Sabina wants to preserve what makes Boxborough special, having seen the woods behind her house disappear. It has made her sad to look out her window and see houses replace the trees; her favorite part of Boxborough is swamp stomping, hearing birds sing, and chasing away deer that are eating her family's plants. If we buy this land we can preserve what makes Boxborough special.

Jim Comolli who lives on the other side of Sargent Rd. knows this is a big ask and knows that it is one of the remaining largest parcels left. It is also important to point out that it is very special that over 100 friends and neighbors have raised over \$100,000, including many abutters who are trying to reduce the tax burden to the town.

Ted Kail of Guggins Ln asked why not bond over 30 years?

Tom Bieber knows that the town would shop the bonding and would get the best rate and the best time frame. Liberty Fields was bonded at 14 years; this would be combined with other debt and would be shopped by the Town Treasurer to get the best rate. Mr. Terenzini said that 30 yr bonding for a project of this size would not be authorized under statute; 15-20 would be more likely. Debt smoothing would be ongoing.

Mr. Keogh asked about the two other large properties in town.

Ms. St. Amand said that they can't predict when properties will become available; there is often a very short window to act.

Brian McCann of Liberty Square Rd. said that debt and land are not getting any cheaper. This is a good investment and a good time to be a buyer.

Heather Fleming knows that there are a lot of people who contributed are from the entire town and speaks to the value of this property to the whole town. There are a lot of people here and many children; they are here because their parents moved here for the open space, and because they know it's important; it's important for the youth to have a voice. She read a statement from her 6th grader, Isobel Awtry in support of leaving the land in conservation to prevent climate change. The entire process, from cutting down the trees, the equipment that moves the trees and builds the houses and electricity for the houses all contribute to fossil fuel burning and climate change. But none of that would happen if we kept the land in forest for conservation. She emphasized the joy people will get from walking on the trails and the habitat for animals that rely on the land.

John Sonner of Summer Rd. asked why the Fin Com was divided on their partial recommendations.

Maria Neyland explained her difficult decision. She would like to see the BCTrust get the LAND grant and the decision regarding the bonding part came at a difficult time in the budget process.

Simon Bunyard of Hill Rd. mentioned again the protection of the aquifer in this town. If any aquifer gets contaminated or goes dry with the cost of town wells and piping, it would be exorbitantly expensive. Far too little emphasis is placed on water planning. It is one of our most vulnerable assets. Water lines are a much bigger cost to the town, so we should be buying up every acre of land that we can. It's \$0.10 on the

dollar against the cost of piping water supplies and drilling special town wells when the time comes and you need it. It may not happen right away but it will happen. He urged a yes vote on this article.

Mary Nadwairski of Stonehedge Pl. moved the question.

Motion to move the question carried by a 2/3 majority vote.

Action on the motion on Article 23: Motion on Article 23 passed with a 2/3 vote as declared by the moderator.

Mr. Fallon left the moderator's chair; Mr. Reip assumed the moderator's chair; Article 22 was taken off the table and discussion on Article 22 was then resumed (May 10th, at 8:48 pm)

ARTICLE 24 AMENDING ARTICLE 11 of the 2020 ATM PROVIDING FUNDING TO THE WATER RESOURCES COMMITTEE ()**

(Majority vote required)

Wes Fowlks moved that the Town vote to amend its action under Article 11 of the June 22, 2020 Annual Town Meeting by adding the language in bold italics as follows;

to transfer from Free Cash the sum of Twenty Thousand Dollars (\$20,000) to hire ***consultants to evaluate future town water needs, including potential solutions to water issues west of I-495, and*** an appraiser to provide an appraisal of real property to establish a fair market value of said property and affiliated legal expenses, including all costs incidental and related as printed in the warrant.

Summary:

This article is to amend the action of Article 11 of the 2020 ATM which appropriated funds to be used only for appraisals of land. The proposed amendment would provide funds for the Water Resources Committee (WRC) to hire consultants to help pursue a number of activities described in its charter and provide more benefits to the town as a whole, such as: 1) analysis of town-wide water needs at projected build-out (last performed in 2002); sustainability of continued reliance on private wells; and evaluation of options for solutions to the water quality issues west of I-495, and potentially elsewhere in Boxborough. Approval of this article will have no effect on taxes.

The Water Resources Committee recommends unanimously (4-0).

Article 11 of the 2020 ATM was made overly restrictive to appraisals only. Approval of this article will permit the WRC to pursue a number of activities outlined in its charter providing benefits to the town as a whole.

The Select Board recommends unanimously (5-0).

This article will repurpose Article 11 of the 2020 ATM, to permit more beneficial use of the funds previously appropriated by Town Meeting, for use by the Water Resources Committee in accordance with its responsibilities and charter. Approval of this article requires no appropriation and will not increase taxes.

The Finance Committee recommends unanimously (5-0).

The Finance Committee supports amending Article 11 of the 2020 ATM meeting. The issue of providing a source of clean water to residents and businesses west of RT495 in Boxborough needs to be solved. The amendment will allow the Water Resources Committee to continue to pursue a solution to this problem. This is a Boxborough Community issue.

Discussion on Article 24:

Amendment on Article 24:

Mark Marlow of Depot Rd. moved that the Town vote to amend the motion under Article 24 by striking from Article 11 of the June 22, 2020 Annual Town Meeting the words “and an appraiser to provide an appraisal of real property to establish a fair market value of said property and affiliated legal expenses, including all costs incidental and related thereto”

The language with his amendment would be:

The Town votes to amend its action under Article 11 of the June 22, 2020 Annual Town Meeting by adding the language in bold italics and by deleting the language indicated by strikethroughs as shown below:

to transfer from Free Cash the sum of Twenty Thousand Dollars (\$20,000) to hire ***consultants to evaluate future town water needs, including potential solutions to water issues west of I-495,*** ~~and an appraiser to provide an appraisal of real property to establish a fair market value of said property and affiliated legal expenses, including all costs incidental and related thereto.~~

Mark Marlow said it is first necessary to determine that there is a problem; quantify the problem and tell us the most economical way to solve the problem.

Motion on Amendment to Article 24:

The Select Board does not recommend.

The Chair of the Water Resources Committee said that the original intent was to allow for general purposes, not only for an appraisal but this amendment doesn't limit that.

Mr. Ballard made the point of order that only the chair of the WRC spoke on this amendment, but did not confer with the rest of his committee. Mr. Fallon acknowledged that is a valid point.

Finance Committee does not recommend.

Ms. Mahoney would like to ask Town Counsel a question. Does this proposed amendment meet the legal threshold that the WRC intends to use for this article. Mr. Eichman said it is a legal amendment. Ms. Mahoney was concerned that removing this language could limit the town's flexibility in terms of addressing the water resources concerns throughout the community.

Mark Barbadoro of Old Harvard Rd. asks about the intent of the original article. Mr. Fox said Mr. Barbadoro was absent at the meeting when the recommendation was made; the original intent was to find a source of water for a certain part of town. This article's intent is to look for water in any part of town. He views the amendment as immaterial. Mr. Barbadoro said that there is a lot of grant funding for environmental justice communities so it may be that the WRC needs to explore that and possibly to go back to the drawing board to some extent. It may be worth considering all of the options, including filtration. It also costs

millions of dollars to move water down the road. Mr. Barbadoro is in favor of removing the language and figure out how to deal with this issue.

Mr. Marlow wanted to move the question but could not because he made the amendment.

Michael Toups of Pine Hill Rd. asked if the language regarding 495 precludes looking at water issues in other parts of town? Mr. Fox clarified that it does not.

Bob Stemple moved the question.

Motion to vote on the amendment passed by a 2/3 majority.

Motion on the Amendment: defeated 25 by 45.

Owen Neville of 29 Middle Rd. said why doesn't the article say to repurpose rather than amend.

Mr. Eichman said that might be a better way to put it but it still holds legally to use the words as written.

Action on the motion on Article 24: Motion carried by a majority vote.

NON-FINANCIAL CONSENT AGENDA #2

Main Motion: Wes Fowlks Select Board Chair

Wes Fowlks moved to approve the Non-Financial Consent Agenda Warrant Articles 25 and 27 through 29 in accordance with the funding sources and amounts set forth in the 2022 Annual Town Meeting warrant under articles 25 and 27 through 29 respectively.

Article 26 will be held.

Article 26 should read 046 rather than 044.

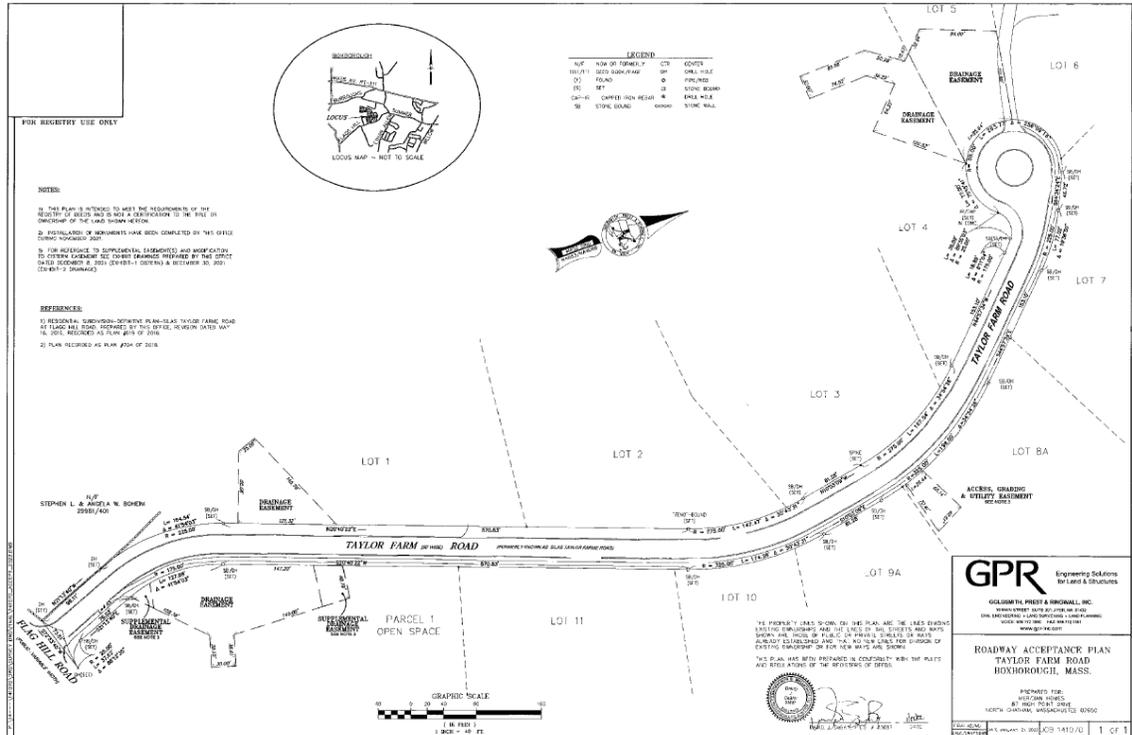
Action on the motion: Motion on the Non-Financial Consent agenda carried unanimously.

ARTICLE 25 TAYLOR FARM ROAD ACCEPTANCE ()**

(Majority vote required)

Wes Fowlks, Select Board Chair moved that the Town vote to accept the laying out of Taylor Farm Road and establish it as a town way, together with all drainage and other easements appurtenant thereto and included in the Order of Layout, the boundaries and measurements shown on the plan referred to in the description, which plan shall be included in the Order of Layout of the Select Board to be adopted with respect to such way and related easements and filed in the office of the Town Clerk in accordance with the provisions of Massachusetts General Laws Chapter 82, Section 21 - 23 and to authorize the Select Board to acquire by purchase, eminent domain, gift or otherwise for highway purposes such interests in land as may be necessary for such town ways, including all drainage and other easements appurtenant thereto as printed in the warrant.

Summary:



The fee in that certain roadway known as Taylor Farm Road in Boxborough, Middlesex County, Massachusetts, as shown on a plan of land entitled "As-Built Plan and Profile, Taylor Farm Road, Boxborough, Massachusetts, prepared for Meridian Homes, Inc., dated May 6, 2016, Scale 1" = 200 Feet, prepared by Goldsmith, Prest & Ringwall, Inc.", which plan is to be recorded with Middlesex South District Registry of Deeds herewith.

Said Taylor Farm Road is more particularly bounded and described as follows:

BEGINNING AT A Drill hole in a Stone wall, said point being Southwesterly corner located on the Northerly sideline of Flag Hill Road at Land now or formerly of Stephen & Angela Boheim;

Thence; N 21°13'40" W and 96.11 feet to a Drill Hole in a Stone Wall,

Thence, along a tangent curve to the right with a radius of 225.00 feet and a curve distance of 164.54 feet to a Drill Hole in a Stone Bound;

Thence; N 20°40'22" E and 570.83 feet to a "FENO" Bound,

Thence, along a curve to the left having a radius of 275.00 and a curve distance of 147.47 feet to a Drill Hole in a Stone Bound;

Thence; N 10°03'09" W and 81.28 feet to a Spike (set in a driveway),

Thence, along a tangent curve to the left with a radius of 275.00 feet and a curve distance of 167.54 feet to a Drill Hole in a Stone Bound;

Thence; N 44°57'34" W and 153.10 feet to a Drill Hole in a Stone Bound,

Thence, along a tangent curve to the left with a radius of 175.00 feet and a curve distance of 18.89 feet to a Drill Hole in a Stone Bound;

Thence, along a tangent curve to the left with a radius of 25.00 feet and a curve distance of 39.09 feet to a Capped Iron Rod in Concrete;

Thence, along a reverse curve to the right with a radius of 59.00 feet and a curve distance of 263.77 feet to a Drill Hole in a Stone Bound;

Thence; S 64°34'24" E and 46.72 feet to a Drill Hole in a Stone Bound;

Thence, along a tangent curve to the right with a radius of 225.00 feet and a curve distance of 77.02 feet to a Drill Hole in a Stone Bound;

Thence; S 44°57'34" E and 153.10 feet to a Drill Hole in a Stone Bound;

Thence, along a tangent curve to the right with a radius of 325.00 feet and a curve distance of 198.00 feet to a Drill Hole in a Stone Bound;

Thence; S 10°03'09" E and 81.28 feet to a Drill Hole in a Stone Bound;

Thence, along a tangent curve to the right with a radius of 325.00 feet and a curve distance of 174.28 feet to a Drill Hole in a Stone Bound;

Thence; S 20°40'22" W and 570.83 feet to a Drill Hole in a Stone Bound;

Thence, along a tangent curve to the left with a radius of 175.00 feet and a curve distance of 127.98 feet to a Drill Hole in a Stone Bound;

Thence; S 21°13'40" E and 76.03 feet to a Drill Hole in a Stone Bound;

Thence, along a tangent curve to the left with a radius of 25.00 feet and a curve distance of 37.62 feet to a Drill hole in a Boulder;

Thence; S 72°33'45" W and 73.51 feet to the **POINT OF BEGINNING**.

CONTAINING: 84,399 square feet or 1.94 acres of land, more or less.

THE HEREIN DESCRIBED PARCEL IS KNOWN AS TAYLOR FRAM ROAD AND IS SHOWN ON THE PLAN HEREINABOVE REFERENCED AS A 50' WIDE RIGHT OF WAY WITH A 22 FEET OF PAVED WIDTH.

The above-described fee in Taylor Farm Road is conveyed together with the benefit of the following easements as shown on said plan:

**DESCRIPTION OF
Drainage Easement (Parcel 1/Open Space)**

DESCRIPTION of a Drainage Easement for Taylor Farm Road (a.k.a. Silas Taylor Farme Road), in the town of Boxborough, Middlesex County, State of Massachusetts in accordance with a plan entitled Road

Acceptance Plan, dated January, 2022 and as shown on Residential Subdivision Definitive Plan(s) as recorded as Plan 691 of 2016, at the Middlesex County (South) Registry of Deeds.

BEGINNING AT A POINT, said point being 4.84 feet northerly from a stone bound located on the Easterly sideline of referenced road, and additionally shown on an exhibit plan, by this office and dated December 30, 2021 (which supplements the easement created on the Definitive Subdivision).

Thence, along a curve to the right having a radius of 175.00 feet, for an arc length of 123.13 feet to a point;

Thence; N 20°40'22" E and 147.20 feet to a point,

Thence; S 82°38'32" E and 40.79 feet to a point,

Thence; S 02°31'52" W and 149.06 feet to a point,

Thence; S 73°44'22" E and 38.61 feet to a point,

Thence; S 16°15'38" W and 30.00 feet to a point,

Thence; N 73°44'22" W and 39.55 feet to a point,

Thence; S 45°44'01" W and 108.38 feet to the **POINT OF BEGINNING**.

CONTAINING: 17,346 square feet or 0.4 acres of land, more or less.

The above-described easements are intended for the benefit of the Town of Boxborough and all owners of lots on Taylor Farm Road for use for utility, drainage and slope purposes. Said easements include the right to enter upon said easements areas for purposes of installing, constructing, maintaining, repairing and improving said Taylor Farm Road and any drainage facilities of all types and kinds and to enter upon said easement areas with any and all equipment necessary to effectuate the purposes of said easements.

**DESCRIPTION OF
Drainage Easement (Lot 1)**

DESCRIPTION of a Drainage Easement for Taylor Farm Road (a.k.a. Silas Taylor Farme Road), in the town of Boxborough, Middlesex County, State of Massachusetts in accordance with a plan entitled Road Acceptance Plan, dated January, 2022 and as shown on Residential Subdivision Definitive Plan(s) as recorded as Plan 691 of 2016, at the Middlesex County (South) Registry of Deeds.

Said Easement being more fully described as follows:

BEGINNING AT A POINT, said point being 17.84 feet northerly from a bound located on the westerly sideline of Taylor Farm Road, as shown on referenced plan.

Thence; N 69°19'38" W and 88.08 feet to a point,

Thence; N 19°05'50" W and 25.08 feet to a point, by land now or formerly Boheim,

Thence; N 66°15'08" E and 145.79 feet to a point,

Thence; S 20°40'22" W and 121.32 feet to the **POINT OF BEGINNING**.

CONTAINING: 7,166 square feet or 0.16 acres of land, more or less.

The above-described easements are intended for the benefit of the Town of Boxborough and all owners of lots on Taylor Farm Road for use for utility, drainage and slope purposes. Said easements include the right to enter upon said easements areas for purposes of installing, constructing, maintaining, repairing and improving said Taylor Farm Road and any drainage facilities of all types and kinds and to enter upon said easement areas with any and all equipment necessary to effectuate the purposes of said easements.

**DESCRIPTION OF
Drainage Easement - Lots 4 & 5**

DESCRIPTION of a Drainage Easement for Taylor Farm Road (a.k.a. Silas Taylor Farme Road), in the town of Boxborough, Middlesex County, State of Massachusetts in accordance with a plan entitled Road Acceptance Plan, dated January, 2022 and as shown on Residential Subdivision Definitive Plan(s) as recorded as Plan 691 of 2016, at the Middlesex County (South) Registry of Deeds.

Said easement being more fully described as follows:

BEGINNING AT A POINT, said point being the Lot Corner of Lots 4 & 5, located on the westerly sideline of Taylor Farm Road as shown on referenced plan,

Thence; S 39°16'00" W and 120.52 feet to a point,

Thence; N 46°02'55" W and 64.25 feet to a point,

Thence; S 35°15'33" W and 36.29 feet to a point,

Thence; S 02°02'34" E and 74.52 feet to a point on a stone wall,

Thence; S 86°12'00" W and 30.00 feet, along said stone wall, by land now or formerly Miller, to a point,

Thence; N 02°02'34" W and 85.58 feet to a point,

Thence; N 35°15'33" E and 50.98 feet to a point,

Thence; N 46°02'55" W and 10.47 feet to a point, on the Lot Line of Lots 4 & 5,

Thence; N 46°02'55" W and 32.94 feet to a point,

Thence; N 20°59'58" E and 94.00 feet to a point,

Thence; S 80°24'46" E and 111.80 feet, by Lot 6, to a point,

Thence, along a curve to the left having a radius of 59.00 feet, for an arc length of 85.64 feet to the **POINT OF BEGINNING**.

CONTAINING: 22,599 square feet or 0.52 acres of land, more or less.

The above-described easements are intended for the benefit of the Town of Boxborough and all owners of lots on Taylor Farm Road for use for utility, drainage and slope purposes. Said easements include the right to enter upon said easements areas for purposes of installing, constructing, maintaining, repairing and

improving said Taylor Farm Road and any drainage facilities of all types and kinds and to enter upon said easement areas with any and all equipment necessary to effectuate the purposes of said easements.

**DESCRIPTION OF
Fire (Cistern) Easement - Lot 8A**

DESCRIPTION of a Fire (Cistern) Easement for Taylor Farm Road (a.k.a. Silas Taylor Farme Road), in the town of Boxborough, Middlesex County, State of Massachusetts in accordance with a plan entitled Road Acceptance Plan, dated January, 2022 and as shown on Residential Subdivision Definitive Plan(s) as recorded as Plan 691 of 2016, at the Middlesex County (South) Registry of Deeds.

Said Easement being more fully described as follows:

BEGINNING AT A POINT, said point being 5.00 feet northerly from the lot corner of Lots 8A & 9A located easterly sideline of Taylor Farm Road, as shown on referenced plan and additionally shown on an exhibit plan, by this office and dated December 8, 2021 (which modifies the easement created on the Definitive Subdivision).

Thence, along a curve to the left having a radius of 325.00 feet, for an arc length of 26.44 feet to a point;

Thence; N 63°00'52" E and 65.14 feet to a point,

Thence; S 26°59'08" E and 40.61 feet to a point,

Thence; S 74°51'22" W and 70.41 feet to the **POINT OF BEGINNING**.

CONTAINING: 2,247 square feet or 0.05 acres of land, more or less.

The above-described easements are intended for the benefit of the Town of Boxborough and all owners of lots on Taylor Farm Road for use for utility, drainage and slope purposes. Said easements include the right to enter upon said easements areas for purposes of installing, constructing, maintaining, repairing and improving said Taylor Farm Road and any drainage facilities of all types and kinds and to enter upon said easement areas with any and all equipment necessary to effectuate the purposes of said easements.

Summary:

This article would bring Taylor Farm Road under the care, custody, and control of the Town of Boxborough. This roadway is currently being privately maintained.

The Select Board recommends unanimously (5-0).

The Select Board recommends for the reasons stated in the Summary.

The Finance Committee recommends unanimously (5-0).

The Finance Committee recommends. The FinCom believes that all requirements placed on the landowner from the planning board have been met based on verbal communication. This acceptance will slightly increase chapter 90 funds to help offset our maintaining of this road.

The Planning Board recommends unanimously (5-0).

The Planning Board recommends accepting Taylor Farm Road as a Town Way. The Town's Consulting Engineer has advised the Planning Board that the adjustments to the outlet structure to Basin #2 and the removal of a section of guard rail in front of the transformer have been completed. The final spring

catchbasin cleaning is required to be completed prior to Town Meeting and is scheduled for the week of April 25, 2022.

Action on Article 25: Passed unanimously as part of the Non-financial Consent Agenda.

ARTICLE 26 GIFT OF LAND ()**

(Majority vote required)

Wes Fowlks moved that the town vote to authorize the Select Board to acquire, upon such terms and conditions as the Select Board may determine in its discretion, a parcel of land located at 144 Summer Road, comprising about 7.5 acres, identified as parcel 20-046-000 on the town's assessor's maps, said land being shown as Lot C on plan entitled "Plan of Land in Acton, Mass, and Boxborough, Mass., Owned by: Mildred L. Erikson, dated November 23, 1973, by Acton Survey & Engineering, Inc., recorded with Middlesex South District Registry of Deeds in Book 12573, Page 67, for recreational, accessory, and related purposes, such as attendee parking and sheds for recreational equipment and field maintenance.

Summary:

The owner of this land wishes to gift it to the town, with a restriction that it be used for recreational purposes, and that it never be developed or put into conservation use.

The Select Board recommends unanimously (5-0).

The Select Board supports and highly recommends acceptance of Ruth Landry's generous gift of land to the town. Town Residents will be able to continue enjoying an attractive open vista at the intersection of Flagg Hill and Summer Roads while benefitting from the addition of much-needed recreational space.

The Finance Committee recommends unanimously (5-0).

The FinCom fully supports the sale of the land to the Town. We want to thank Ruth Erikson Landry for the donation of her land to the Town.

The Recreation Commission recommendation. Defers their recommendation to town meeting. Becca Edson gave the recommendation on Town Meeting floor, and said that the Rec Com definitely recommends and appreciates the donor of this land.

Discussion on Article 26:

Dave Follett wanted to see what the recommendation of the Rec Com was.

John Fallon and Les Fox want to thank Ruth Landry and Jeanne Kangas for working with her and the entire town is very grateful to her for donating her land. There has been discussion of using this land as a girls' softball field which many people will be happy about.

Action on the motion on Article 26: Motion carried unanimously.

ARTICLE 27 CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM ()**

(Majority vote required)

Wes Fowlks, Select Board Chair moved that the Town vote to authorize the Select Board 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.

Summary:

This article authorizes the Town to accept and spend Chapter 90 roadway maintenance funds allocated to Boxborough by the Commonwealth of Massachusetts. These funds may be expended for a variety of construction projects, ranging from road re-paving to retaining wall and guardrail installation, and also may be expended to acquire certain equipment instrumental in maintaining town roads and consulting for pavement management plans. The FY 2023 funds accepted by this Town Meeting action will be used for road maintenance projects in the Town.

The Select Board recommends unanimously (5-0).

This authorization is required every year in order to receive Chapter 90 state highway reimbursement funds.

The Finance Committee recommends unanimously (5-0).

The Finance Committee recommends this article which allows the Town to accept and spend funds provided by the State based on the miles of road in Town for necessary paving projects in the Town.

Action on Article 27: Passed unanimously as part of the Non-financial Consent Agenda.

ARTICLE 28 GENERAL BYLAW: CONSTRUCTION AND POST-CONSTRUCTION GENERAL BYLAW ()**

(Majority vote required)

Mark Barbadoro, Chair of the Planning Board moved that the Town vote to amend Article 9 §1 of the General Bylaws, entitled “Construction and Post-Construction Stormwater”, to retitle and the renumber the bylaw as “**Article 11 § 1 Stormwater Bylaw – Construction and Post-Construction**”, and to add the language in *italics* and delete the language indicated by strikethroughs as printed in the warrant.

Article 11 § 1 Stormwater Bylaw – Construction and Post-Construction

SECTION 1. PURPOSE

The purpose of this Bylaw is to establish minimum stormwater management requirements and procedures in order to minimize damage to public and private property and infrastructure; safeguard the public health, safety, environment and general welfare; protect aquatic resources and wildlife habitat; protect the quality and health of water resources; conserve groundwater supplies; and, foster climate change resiliency.

This Bylaw seeks to meet that purpose through the following objectives:

1. establish the Town of Boxborough *Planning Board* as the legal authority to ensure compliance with the provisions of this Bylaw and its accompanying Rules and Regulations through a reviewal process, inspections, monitoring, and enforcement;
2. establish administrative procedures for: the submission, review, and approval or disapproval of Stormwater Management Permits; the inspection of approved active projects; and post construction monitoring;
3. establish decision-making processes surrounding new development and redevelopment that protect watershed integrity and preserves and/or restores the health of local water resources such as lakes, ponds, streams, rivers, wetlands, and groundwater; and

4. ensure compliance with requirements of the United States Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4) and other applicable state and federal mandates.

SECTION 2. DEFINITIONS

For the purposes of this Bylaw, the following shall mean:

AGRICULTURAL USE: The normal maintenance or improvement of land in agricultural or ~~aquaculture~~ *aquacultural* use, as defined by the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40, and its implementing regulations.

APPLICANT: Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth of Massachusetts or the federal government to the extent permitted by law requesting a ~~soil erosion and sediment control permit~~ *Stormwater Management Permit* for proposed ~~land disturbance~~ *Disturbance of Land* activity.

BEST MANAGEMENT PRACTICE (BMP): ~~An activity, procedure, restraint, or structural improvement that helps reduce the quantity or improve the quality of stormwater runoff.~~

CERTIFICATE OF COMPLETION: Document issued by the Town of Boxborough ~~Select Planning Board~~ or *its* Reviewing Agent upon receipt of a final inspection report and acknowledgement that all conditions of the Stormwater Management Permit have been satisfactorily completed.

CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC): A certified specialist in soil erosion and sediment control. This certification program, sponsored by the Soil and Water Conservation Society in cooperation with the American Society of Agronomy, provides the public with evidence of professional qualifications.

DISTURBANCE OF LAND: *Action to alter the existing vegetation and/or underlying soil of a site, such as clearing, grading, site preparation (e.g., excavating, cutting, and filling), soil compaction, and movement and stockpiling of top soils.*

ENFORCEMENT ORDER: A written order issued by the ~~Select Planning Board~~ or *its* Reviewing Agent to enforce the provisions of this Bylaw.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN

SYSTEM: The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Boxborough, MA.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER

DISCHARGE PERMIT: A permit issued by the EPA or jointly with the Commonwealth of Massachusetts that authorizes the discharge of stormwater to waters of the United States.

NEW DEVELOPMENT: Any construction, ~~land alteration, activities or addition~~ *Disturbance of impervious surfaces on previously undeveloped sites* ~~Land~~ resulting in a total ~~disturbance of land equal to or earth disturbances~~ greater than 1 acre (or activities that are part of a larger common plan of development disturbing greater than 1 acre) ~~on an area that does has not meet the definition of Redevelopment previously been developed to include impervious cover.~~

OWNER: A person with a legal or equitable interest in property.

PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth of Massachusetts or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

PLANNING BOARD: Town of Boxborough Planning Board.

PROFESSIONAL ENGINEER (P.E.): A ~~registered~~ *licensed* Professional Engineer within the Commonwealth of Massachusetts in good standing.

~~REDEVELOPMENT: Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface or increase the impervious area on previously developed sites. Any construction, land alteration Disturbance of Land, or improvement of impervious surfaces resulting in total disturbance of land equal to or earth disturbances greater than 1 acre (or activities that are part of a larger common plan of redevelopment development disturbing greater than 1 acre) that does not meet the definition of New Development new development.~~

~~REVIEWING AGENT: Person~~ *The Boxborough Town Planner, other employee or third-party consultant designated by the Select Planning Board as responsible for the purposes of administering and enforcing this Bylaw.* ~~SELECT BOARD: Town of Boxborough Select Board bylaw.~~

STORMWATER: Stormwater runoff, snow melt runoff, and surface water runoff and drainage.

STORMWATER MANAGEMENT PERMIT: The written approval granted by the ~~Select Planning~~ Board to undertake a construction activity pursuant to a Stormwater Management Permit Application. A valid Stormwater Management Permit must be signed by a majority of the ~~Select Planning~~ Board participating at a duly noted public hearing, and such permit must be recorded at the Middlesex Registry of Deeds, prior to the start of any work.

~~WATERS OF THE COMMONWEALTH: All waters within the jurisdiction of the Commonwealth of Massachusetts, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, groundwaters, and vernal pools.~~

WETLAND RESOURCE AREAS: Areas specified in the Massachusetts Wetlands Protection Act Regulations, 310 CMR 10.00, as amended, and in the Town of Boxborough Wetland Bylaw, as amended.

SECTION 3. APPLICABILITY

No person may undertake a construction activity, including clearing, grading, or excavation that results in a ~~land disturbance~~ *Disturbance of Land* to an area equal to or greater than one (1) acre ~~of land~~ or will disturb less than one acres ~~of land~~ but is part of a larger common plan of development or sale that will ultimately disturb an area equal to or greater than one (1) acre ~~of land~~ within the Town of Boxborough without first obtaining a Stormwater Management Permit issued by the ~~Select Planning Board or Reviewing Agent.~~

SECTION 4. AUTHORITY

This Bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, pursuant to the Regulations of the federal Clean Water Act found at 40 CFR 122.34, and as authorized by the residents of the Town of Boxborough at the spring 2020 Town Meeting and as amended.

SECTION 5. RESPONSIBILITY FOR ADMINISTRATION

The ~~Select~~ *Planning* Board shall be the permit granting authority for this Bylaw. Any powers granted to or duties imposed upon the ~~Select~~ *Planning* Board may be delegated in writing by the ~~Select~~ *Planning* Board to any Town employee, board, commission, committee or *town agent, or third-party agent* hereby known as the “~~Reviewing Agent.~~”

~~The Select Board shall not have jurisdiction over stormwater issues within wetland resource areas and/or buffer zone where the Conservation Commission has jurisdiction under the Wetlands Protection Act, the Boxborough Wetland Bylaw and/or the Town of Boxborough Regulations for the Wetland Bylaw. The Conservation Commission shall be the permit granting authority under this Bylaw for projects requiring a Stormwater Management Permit for land disturbance activities occurring within wetland resource areas and/or buffer zone subject to the Commission’s jurisdiction.~~

~~The Select Board or its Reviewing Agent~~ *The Planning Board* shall take any of the following actions as a result of an application for a Stormwater Management Permit as specifically defined within the Stormwater Management Rules and Regulations promulgated as a result of this Bylaw: Approval, Approval with Conditions, or Disapproval.

SECTION 6. REGULATIONS

The ~~Select~~ *Planning* Board may adopt, and periodically amend, the Stormwater Management Rules and Regulations relating to the terms, conditions, definitions, enforcement, fees (including application, inspection, and/or consultant fees), procedures and administration of this Bylaw by majority vote of the ~~Select~~ *Planning* Board, after conducting one (1) advertised public hearing to receive comments on any proposed revisions. The hearing(s) shall be duly advertised in a paper of general circulation in the Town of Boxborough no less than fourteen (14) days prior to the date of the public hearing.

SECTION 7. EXEMPTIONS

The following activities are exempt from requirements under this bylaw:

1. normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04, as amended;
2. maintenance of existing landscaping, gardens, or lawn areas associated with a single-family dwelling;
3. the construction of fencing that will not substantially alter existing terrain or drainage patterns;
4. normal maintenance and improvements of the Town of Boxborough’s publicly owned roadways and associated drainage infrastructure; *and*
5. emergency repairs to any stormwater management system or feature that poses a threat to public health or safety, or as deemed necessary by a Town department or board.;~~and~~
6. ~~projects that are wholly subject to jurisdiction under the Wetlands Protection Act and/or the Boxborough Wetlands Protection Bylaw and demonstrate compliance with the Massachusetts Stormwater Management Policy as reflected in an Order of Conditions issued by the Conservation Commission.~~

SECTION 8. ENFORCEMENT

The ~~Select Planning Board, and/or an authorized agent of the Select Board~~ *its Reviewing Agent*, shall enforce this Bylaw, regulations, ~~orders~~ violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

Civil Relief. If a person violates the provisions of this Bylaw, permit, notices, *and/or* order issued thereunder, the ~~Select Planning Board~~ may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations *and/or* compelling the person to perform abatement or remediation of the violation.

Enforcement Orders. The ~~Select Planning Board~~ may issue a written order to enforce the provisions of this Bylaw, which may include requirements to:

1. cease and desist from construction or ~~land-disturbing~~ *Disturbance of Land* activity until there is compliance with this Bylaw and the Stormwater Management Permit;
2. repair, maintain, or replace the stormwater management system or portions thereof in accordance with the operation and maintenance plan;
3. maintain, install, or perform additional erosion and sediment control measures;
4. perform monitoring, analyses, and reporting;
5. remediate adverse impact resulting directly or indirectly from malfunction of the stormwater management system or erosion and sediment control system;
6. cease and desist from unlawful discharges, practices, or operations; *and/or*,
7. remediate contamination in connection therewith.

If the ~~Select Planning Board~~ determines that abatement *and/or* remediation of adverse impacts is required, the Enforcement Order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator *and/or* property ~~owner~~ *Owner* fail to abate or perform remediation within the specified deadline, the Town of Boxborough may, at its option, *with the approval of a court of competent jurisdiction*, undertake such work, and the property ~~owner~~ *Owner* shall reimburse the Town's expense.

Within thirty (30) days after completing all measures necessary to abate the violation, the violator and the property ~~owner~~ *Owner* shall be notified of the costs incurred by the Town of Boxborough, including administrative costs. The violator *and/or* property ~~owner~~ *Owner* may file a written protest objecting to the amount or basis of costs with the ~~Select Planning Board~~ within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the ~~Select Planning Board~~ affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall constitute "municipal charges" as set forth in G.L. c.40, §58, and by its adoption of this bylaw the Town of Boxborough authorizes the imposition of a "municipal charges lien" for such costs in accordance with that statute. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in G.L. Ch. 59, § 57, after the thirty-first day at which the costs first become due.

Criminal Penalty. Any person who violates any provision of this Bylaw, order, or permit issued thereunder, shall be punished by a fine of not more than \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the Town may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch. 40, section 21D, in which case the ~~Select Planning Board~~ *and/or* its Reviewing Agent shall be the Authorized Enforcing Agent. The penalty for the 1st

violation shall be \$100. The penalty for the 2nd violation shall be \$200. The penalty for the 3rd and all subsequent violations shall be \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

Entry to Perform Duties under this Bylaw. To the extent permitted by state law, or if authorized by the ~~owner~~ Owner or other party in control of the property, the ~~Select~~ Planning Board and/or its Reviewing Agent, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this bylaw and regulations and may make or cause to be made such examinations, surveys, or sampling as the ~~Select~~ Planning Board and/or Reviewing Agent deems reasonably necessary.

Appeals. A decision of the ~~Select~~ Planning Board and/or its Reviewing Agent shall be final. Further relief of a decision by the ~~Select~~ Planning Board and/or its Reviewing Agent made under this Bylaw shall be appealed to the Superior Court, in accordance with M.G.L. c. 249, §4.

Remedies Not Exclusive. The remedies listed in this bylaw are not exclusive of any other remedies available under any applicable federal, state, or local law.

SECTION 9. WAIVERS AND PROVISIONS FOR RELIEF

The ~~Select~~ Planning Board or its Reviewing Agent, in its discretion, may waive strict compliance with any requirement of this Bylaw or any other regulations promulgated hereunder, where:

1. such action is allowed by federal, state and local statutes and/or regulations;
2. it is in the public interest;
3. a public safety issue exists; and
4. it is consistent with the purpose and intent of this Bylaw.

Any ~~applicant~~ Applicant may submit a written request to be granted such a waiver, *provided that an alternative or equivalent approach to meeting this Bylaw and accompanying Stormwater Management Rules and Regulations is provided to the Planning Board or its Reviewing agent.* Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of this Bylaw does not further the purposes or objectives of this Bylaw. The ~~Select~~ Planning Board or its Reviewing Agent may require documentation to be submitted and stamped by a qualified P.E. ~~registered~~ licensed in Massachusetts or a Certified Professional in Erosion and Sediment Control (CPESC).

SECTION 10. SURETY

The ~~Select~~ Planning Board may require the permittee to post before the start of ~~land disturbance~~ Disturbance of Land or construction activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by Town counsel, and be in an amount deemed sufficient by the ~~Select~~ Planning Board to ensure that the work will be completed in accordance with the Stormwater Management Permit. If the project is phased, the ~~Select~~ Planning Board may release part of the bond as each phase is completed in compliance with the Stormwater Management Permit but the bond may not be fully released until the ~~Select~~ Planning Board has received the final inspection report as required by the Stormwater Management Rules and Regulations and issued a Certificate of Completion.

SECTION 11. SEVERABILITY

If any provision, paragraph, sentence, or clause of this Bylaw shall be held invalid for any reason, all other provisions shall continue in full force and effect.

Adopted: ~~June 29, 2020~~ TBD
Approved by the Attorney General's Office: ~~December 16, 2020~~ TBD

Summary:

The Town is proposing to update its General Bylaw for Construction and Post Construction Stormwater. The existing General Bylaw was adopted at the 2020 town meeting to meet various requirements of the Environmental Protection Agency's (EPA's) National Pollutant Discharge and Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit which covers stormwater discharges within Boxborough and approximately 260 other communities. This permit program was created to improve the quality of the nation's waterways by reducing pollutants associated with stormwater runoff. The EPA has identified land disturbance and polluted stormwater runoff as a major source of water pollution. The existing bylaw meets permit requirements, including reviewing proposed development projects, addressing use of erosion controls during construction, inspecting construction sites, and treating stormwater runoff prior to leaving the site for projects that disturb over one acre of land.

The proposed changes to the General Bylaw in this amendment are minor, and are intended to achieve the following objectives: change bylaw responsibility from the Select Board to the Planning Board; clarify that all applicable projects must be reviewed by the Planning Board; update definitions to more closely match those under EPA's NPDES MS4 Permit; and address other minor inconsistencies and/or typographical errors.

The Select Board recommends unanimously (5-0).

The Select Board recommends this article for the reasons stated in the Summary. It is in the best interest of the town for the Planning Board to have this responsibility, as it falls under their area of expertise and should be in coordination with other planning needs.

The Finance Committee recommends unanimously (5-0).

The Planning Board recommends (4-1).

Majority (Pro): The proposed amendments to this General Bylaw, which was adopted by Town Meeting in June, 2020, change the responsibility for Stormwater permitting for construction projects from the Select Board to the Planning Board. Such a change is sensible in that the Planning Board is accustomed to reviewing land use applications whereas the Select Board is not. The Select Board is supportive of this change.

This General Bylaw enhances local oversight in the continued effort to protect the towns wetlands, waterways and other natural resources during construction and after construction of projects that disturb one acre of land or more.

The Planning Board worked with the Town's Consultant, Comprehensive Environmental Inc., (CEI) to ensure that the proposed minor changes to the General Bylaw are consistent with the Environmental Protection Agency's (EPA) National Pollution Discharge Elimination System (NPDES) General Permit requirements for stormwater discharges from small municipal separate storm sewer systems (MS4). The Planning Board has been working with CEI to develop Rules and Regulations to establish the procedures and requirements for Stormwater Management Permits associated with the construction and post-construction activities identified under this General Bylaw.

Minority (Con): No written opinion.

Action on Article 28: Passed unanimously as part of the Non-financial Consent Agenda.

ARTICLE 29 ACCEPTANCE OF MGL C 148 §§ 2H AND 26I (FIRE SUPPRESSION) ()**

(Majority vote required)

Chief Paul Fillebrown, Fire Department Chief moved that the town vote to accept the provisions of Massachusetts General Laws Chapter 148 Section 26h and Section 26i.

Summary:

This article would require every lodging house or boarding house, where lodgings are let to six or more people, shall be protected throughout with an adequate system of automatic sprinklers in accordance with the provisions of the state building code.

It would also require any building hereafter constructed or hereafter substantially rehabilitated so as to constitute the equivalent of new construction and occupied in whole or in part for residential purposes and containing not less than four dwelling units, shall be equipped with an approved system of automatic sprinklers in accordance with the provisions of the state building code.

Background:

Adoption of these provisions will empower the Fire Chief to require adequate automatic sprinkler systems are installed in accordance with the state building code. It is possible these systems could have minimized the damage done to the properties damaged by fire on Swanson Rd.

Section 26h which provides that,

every lodging house or boarding house shall be protected throughout with an adequate system of automatic sprinklers in accordance with the provisions of the state building code. No such sprinkler system shall be required unless sufficient water and water pressure exists. In such buildings or in certain areas of such buildings, where the discharge of water would be an actual danger in the event of a fire, the head of the fire department shall permit the installation of such other fire suppressant systems as are prescribed by the state building code in lieu of automatic sprinklers. The head of the fire department shall enforce the provisions of this section.

For the purposes of this section "lodging house" or "boarding house" shall mean a house where lodgings are let to six or more persons not within the second degree of kindred to the person conducting it, but shall not include fraternity houses or dormitories, rest homes or group residences licensed or regulated by agencies of the commonwealth.

Any lodging or boarding house subject to the provisions of this section shall be equipped with automatic sprinklers within five years after acceptance of this act by a city or town.

and the provisions of Massachusetts General Laws Chapter 148 Section 26i which provides that,

any building hereafter constructed or hereafter substantially rehabilitated so as to constitute the equivalent of new construction and occupied in whole or in part for residential purposes and containing not less than four dwelling units including, but not limited to, lodging houses, boarding houses, fraternity houses, dormitories, apartments, townhouses, condominiums, hotels, motels and group residences, shall be equipped with an approved system of automatic sprinklers in accordance with the provisions of the state building code. In the event that adequate water supply is not available, the head of the fire department shall permit the installation of such other fire suppressant systems as are prescribed by the state building code in lieu of automatic sprinklers. Owners of buildings with approved and properly maintained installations may be eligible for a rate reduction on fire insurance.

The Planning Board recommends unanimously (5-0).

The Select Board recommends unanimously (5-0).

The Select Board recommends for the reasons stated in the Summary. This effort will help to protect our residents and Fire Department staff during a fire emergency.

The Finance Committee recommends unanimously (5-0).

The Finance Committee recommends. This is a safety issue that the Fire Chief endorses and may save lives. There will be no tax impact if this general law is passed.

Action on Article 29: Passed unanimously as part of the Non-financial Consent Agenda.

ARTICLE 30 DEPARTMENT OF PUBLIC WORKS (DPW): ROAD MAINTENANCE

\$ 300,000 Bond

*\$ \$345.10 TNC (Transportation Network Company)**

(Two-thirds vote required)

Wes Fowlks moved that the Town vote to appropriate the sum of Three Hundred Thousand, Eight Hundred and Ninety- Seven Dollars and Seventy Cents (\$300,897.70) for the purpose of maintaining roadways in Boxborough, including the payment of any costs incidental or related thereto, and that to meet this appropriation, authorize the Treasurer, with the approval of the Select Board, to borrow the sum of Three Hundred Thousand Dollars (\$300,000) under and pursuant to Chapter 44, Section 7(1) of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor, and appropriate and transfer the sum of Eight Hundred Ninety-Seven Dollars and Seventy Cents (\$897.70) received from the Transportation Infrastructure Enhancement Trust Fund, pursuant to Chapter 187 of the Acts of 2016.

Summary:

Approval of this article will enable the town to continue the long-term project of bringing all our roadways up to good condition. It will continue the action, begun at the 2015 Annual Town Meeting, of supplementing the Chapter 90 roadway maintenance funding provided by the Commonwealth of Massachusetts with additional Town funding to accelerate the rate of repaving roads in Town. The level of Chapter 90 funding alone in recent years has been insufficient to repave even one mile per year of the Town's approximately 30 miles of roadway. In Fiscal Year 2021, a consultant was hired to provide a comprehensive roadway assessment study of conditions throughout Boxborough. By studying all the roads and determining the various degrees of degradation, we can manage the repair and maintenance more fully by different types of sealing before undertaking a full paving project. The proposed projects for the Fiscal Year 2021 and Fiscal Year 2022 road construction seasons include a combination of sealing and paving projects. The minor amount of \$897.70 from TNC⁺ is included with this article since a specific Town Meeting appropriation for road-related work is required by statute in order to expend the funds.

*TNC – Transportation Network Company - The Transportation Network Company Division ("TNC Division") of the Department of Public Utilities collected assessments from all Transportation Network Companies ("TNCs") operating in the Commonwealth in 2017. The collected assessments were credited to the Commonwealth Transportation Infrastructure Fund ("Fund") pursuant to St. 2016, c. 187, §8(c)(i). One-half (½) of the amount received has been distributed proportionately to each city and town based on the number of TNC rides that originated in that city or town. The funds received by each city or town are special revenue and must be used "to address the impact of transportation network services on municipal roads..." St.2016,c.187, §8(c)(i)

The Select Board recommends unanimously (5-0).

The Select board recommends for the reasons stated in the Summary. It is important to maintain and monitor the driving conditions of all our roads.

The Finance Committee recommends (5-1).

Majority (Pro): The Town started financing additional road paving a number of years ago above the funds provided by the state. This effort was to accelerate the repairs to our roads. Funding for this article is from bonding. The tax impact is \$36.45 on the average single-family house or \$0.0539 per thousand valuation for the first year of a projected 5-year bond.

Minority (Con): A minority of the Finance Committee does not support the authorization to bond. Our debt jumped dramatically after last year's town meeting and the impact on the tax rate will make it difficult for some citizens. We should wait a year to do this.

Discussion on Article 30:

Christine Marlow of Depot Rd. said that we have added \$136+ to our tax bill. There are people on fixed incomes who have had to endure a lot of expenses. We keep adding money; is there a way to postpone it to another time?

Wes Fowlks said it is important to do this road maintenance because if we don't do it as regular maintenance then it would be a significant cost increase in future years. Ed Kukkula of the DPW has put together a road maintenance plan, and this is part of planning ahead for future years.

Ms. Marlow asked if it's possible that Article 27 \$ could be used for this or is this necessary?

Wes Fowlks said we ask for this amount of \$ every year. And we will likely be bonding it.

Becky Neville said that we always bond it every year.

Wes Fowlks said it is less than the cost of a new tire.

Ms. Marlow said we just need to let people know this is not a good town if you're on a fixed income.

Gary Kushner said that this item is in the Capital Plan every year from Chapter 90 funds (tax on gas from the state). We have been doing this for 3-4 years and that \$ is just not enough. By providing this bond, this will help us get caught up.

Cheryl Mahoney said that in order to do an entire repaving it costs the town \$200,000 per road mile. Chapter 90 is \$246,000 so you would get 1.25 mi of road paved if only used Chapter 90 funds. That used to be all the town did, and there were some terrible roads, like Foster Rd, that used to look like awful; lots of roads here used to look like that. There is a graduated plan; from sealing to resurfacing, grind-down. This is maintenance, dealing with wear and tear so it needs to be done regularly.

Action on the motion on Article 30: Carried by a 2/3 majority vote as declared by the moderator.

ARTICLE 31 STEELE FARM – PAINTING OF THE ICE HOUSE

\$3,000 Free Cash

(Majority vote required)

To see if the town will vote to authorize Town to hire a qualified professional to paint the Icehouse at Steele Farm, upon such terms and conditions as the Select Board may determine in its discretion, to preserve and maintain it for the future, or take any other action related thereto, and to appropriate from free cash the sum of Three Thousand (\$3,000) for said purpose, or take any other action related thereto.

Summary:

The exterior of the 1904 Richardson icehouse at Steele Farm is in urgent need of painting to protect and preserve it for the future. The icehouse provides information and is the focus of demonstrations about the agricultural history of the Town before refrigeration was invented. Preparation of the structure for painting is expected to include replacement of some shingles.

The Select Board recommends unanimously (5-0).

The Select Board recommends for the reasons stated in the Summary. This article will preserve a piece of town history, and will enable us to use professionals for both the painting and the rooftop repairs.

The Finance Committee recommends (4-1).

Majority (Pro): A majority of the Finance Committee supports the painting of the ice house at Steele Farm. We believe it is important to maintain our historic buildings.

Minority (Con): A small minority of the FinCom does not support \$3,000 for painting the ice house. There is no indication in the article if there is lead paint on the building. The belief is that volunteers can paint the ice house with 2 to 3 cans of paint and paint brushes

The Steele Farm Advisory Committee recommendation will be deferred to Town Meeting floor.

Jeanne Kangas of Hill Rd. moved that the Town pass over this article.

It may seem to be not a lot of money; but fortunately the Steele Farm Advisory Committee is frugal and after thinking about it and making some phone calls, she contacted Susan Dilorenzo who is building a house that overlooks the farm. They own a home improvement company and had noted that the Ice House needed work. She and her husband volunteered to repaint and re-shingle the ice house. We are very grateful to them to volunteering.

Dick Wagman asked if the reason they are withdrawing the article is because they have found local talent to help accomplish this.

Motion to pass over Article 31 passed unanimously.

ARTICLE 32 PFAS REMEDIATION FOR TOWN HALL WELL

\$25,000 Free Cash

(Majority vote required)

Les Fox, Chair of the Water Resources Committee moved that the town vote to appropriate \$25,000 from free cash for the design and installation of a PFAS remediation system for the Town Hall well.

Sponsor: Select Board / Town Administrator / DPW (TBD)

Summary:

The Town Hall well was tested for PFAS in 2021 and found to have PFAS at more than twice the maximum allowable concentration of 20 parts per trillion. The town continued the practice of supplying bottled water to town hall, which is consistent with DEP guidelines. However, we would rather supply PFAS-free water to Town Hall employees and the public, to be achieved with installation of a PFAS remediation system. The appropriation will fund the engineering, design, and installation of a remediation system.

Water Resources Committee recommendation. The Water Resources Committee did not have a scheduled meeting before the Warrant went to print. The committee will provide its recommendation at Town Meeting.

The Select Board recommends unanimously (5-0).

The Select Board prefers to do more than simply provide bottled drinking water at town hall. Installation of a PFAS remediation system will ensure the public and employees are not exposed to water containing high levels of PFAS.

The Finance Committee does not recommend (1-4).

Minority (Pro): A minority Finance Committee recommends this article for the health and safety of our employees.

Majority (Con): A majority Finance Committee supports the remediation but believe the funding should be from ARPA funds, \$150,000 of which has been earmarked for Town improvements.

Discussion on Article 32:

Water Resources Committee recommendation was given by Les Fox, Chair. The WRC voted for this article on April 13th, and voted to support it 4-1 due to the reasons stated in this article. The 1 dissent was concerned about the maintenance costs.

Janet Connolly of Flagg Hill Rd. needs to know how that amount was reached and will it be sufficient for remediation.

Les Fox got 2 quotes from 2 vendors but only for the filtration aspect, but there is also some uncertainty about plumbing costs. The quotes that came in for the filtration costs were around \$10,000-15,000, so we feel confident that we will have enough to cover it. We hope to get the cost down once this article passes.

Ms. Connolly said that it will be more expensive. Why was bottled water brought to Town Hall originally?

Mr. Fox said originally there was a dislike of the taste of the water at least 10 years ago; PFAS then became an issue. The church (on public water supply) and nearby carriage house were tested and had high levels of PFAS. The Town Hall is not on a public water supply. There is no legal requirement to provide water that is drinkable in a private home. Mr. Fox thought that for employees and residents it would be best to supply water for drinking; they are now recommend that all of the water be treated so that the sink water is usable. They want it to meet the standards of a public water supply. Not sure if we need to rearrange the plumbing so that we could just treat the water that is drinking water.

Ms. Connolly said that this is a chance to talk about risks and contaminants in our water. The primary pathway of exposure is drinking it; dermal contact does not pose a risk to health at all. We are talking about routes of exposure only in drinking water; the water is not being drunk and so it is not posing a risk to

health. Spending money on this is not sending the right message. We would be diverting resources from places where we should be spending money such as an inventory of PFAS in town.

Dave Follett agreed with the previous speaker. He has a friend who is a point person for PFAS for the state of NY. The general approach is to put carbon filters under the sinks and putting in household wide systems are not necessary. Under sink systems are the only ones that are necessary. The amount of money seems much higher than necessary.

Dick Wagman of Leonard Rd. wants to know what PFAS is.

Les Fox said that these are chemicals that are long-chain hydrocarbons that are everywhere in the US. Mass DEP has set higher standards (20 ppt vs. 70 ppt). If you consume a lot of it, it has impacts. It is up to you what your personal risk is.

Mr. Wagman wonders why we considered this form of remediation. Why not consider the possibility of just remediating the drinking water?

Les Fox said activated charcoal is the best way and you have to upsize the system. If a public water supply so all of the water that goes out would have to meet that standards. Best to err on the side of being safer and restrictive. May make sense for only cold water in sinks but we don't know that it's feasible. Money that is unspent goes back to free cash.

Mark Barbadoro of Old Harvard Rd. asked what the amount of PFAS was when tested?

Les Fox said it was 54 ppt on average. The DEP maximum is 20.

Mr. Barbadoro voted against this originally, but a lot of personal products have PFAS. The leaching fields deliver PFAS into drinking water. But it's a lot of money if no one's drinking it. There are only faucets in the bathroom where no one is drinking it anyway.

Mark Marlow asked how deep the well is. And where does the water go? Would it go into the neighbors' water supply from the leach field.

Mr. Fox does not know the depth; plus or minus 250 ft. He confirmed that there is a leach field so it could spread into the neighbors' wells.

Mr. Marlow asked why not use ARPA funds?

Mr. Fox said that the funding process was slow to get started, and through the Lost Revenue Funding SB didn't want to change how the funds were going to be allocated at this point. The funding process was slow to get started.

Mr. Ballard of Swanson Rd. asked if the other wells have been tested for PFAS – DPW, Library, Police and Fire.

Mr. Fox said the DPW well has a small amount, well below the standards. Police, Fire and Library all consume from Hager Well which has zero PFAS.

George Krusen of Depot Rd. would advise not voting for this and continue at the town hall using the bottled water. He used to be in water treatment business long before PFAS so has an interest in this. PFAS is per- and polyfluoroalkyl species– in the manufacture of these compounds, they have as waste all sorts of chains that contain fluoride and when a town wants to test someone has to make a decision which types of polymers get assessed. In MA, they use the latest research and decide which ones to test. They don't see the whole story. Littleton's system for their drinking water is being built and there's a good chance that in future another type of test will be required to assess other fluoride compounds so why don't we wait and save the \$25,000 and use bottled water for now.

Jeanne Kangas asked what the cost per year is of providing bottled water to Town Hall.

Mr. Fowlks said he didn't know. Most likely lower than \$25,000.

Ms. Kangas said in this time of higher costs, it would be more prudent to provide bottled water than to spend money on a remediation system for which the science may change. Also because the Town Hall is not on a public water supply, and is more like a home well system, this is solvable by a sink filtration system. Costs about \$600 and the filters need to be replaced every 500 gallons cost \$174. That's a lot less than \$25,000; I suggest we vote no on this and continue to provide bottled water which is a lot cheaper.

Janet Conolly wanted to share what PFAS means (Per- and polyfluoroalkyl species) – there are thousands of different chemicals in this category. Many of the household systems will reduce the PFAS levels, but not lower them to 20 ppt – the MA standard. They may reduce to 70 ppt, the federal standard. So make sure you evaluate the system that you choose in your house. We would be buying something that we think will work to solve a problem we don't know that we have.

Robin Lazarow moved the question.

Motion to move the question passed by 2/3 majority.

Action on the motion on Article 32: defeated by a majority.

ARTICLE 33 ZONING BYLAW AMENDMENT: SOLAR ENERGY SYSTEMS – SMALL-SCALE GROUND-MOUNTED AND ROOF-MOUNTED BYLAW

(Two-thirds vote required)

Rebecca Verner of the Planning Board moved that the Town vote to amend Boxborough Zoning Bylaw Section 4003 Business/Industrial Use Table, Article IV Use Regulations, Article V Dimensional Requirements (footnotes) and adding Section 7800 Solar Energy Systems – Small-Scale Ground-Mounted and Roof-Mounted, and by adding the following language in bold italics and deleting the language indicated by strikethroughs, and further that non-substantive changes to the numbering of the Zoning Bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw as printed in the warrant.

4003(4): Business/ Industrial Uses

	AR	R1	B	B1	OP	TC	IC
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Roof-Mounted Solar Energy Systems	Y	Y	Y	Y	Y	Y	Y
Small-Scale Ground-Mounted Solar Energy System (2,250 s.f. or less)²⁰	Y¹⁹	Y¹⁹	Y	Y	Y	N	Y

ARTICLE V DIMENSIONAL REQUIREMENTS

5000

FOOTNOTES

¹⁹ *The Planning Board, by special permit, may reduce setbacks from lot lines for the Solar Layout of a Small-Scale Ground-Mounted Solar Energy System to those of an accessory structure, if such adjustments enhance the overall site design and still provide protection to adjacent properties.*

²⁰ *To avoid “project segmentation” (i.e., project phasing), in determining the size of a Ground-Mounted Solar Energy System, the area calculated shall be the aggregate area (square Footage) of all such systems on contiguous parcels of land held in common ownership. Any proposed increase in area of existing arrays that would cause the Solar Energy System, in total, to meet a different size definition (i.e., increase from “Small” to “Medium” or “Medium” to “Large”) shall trigger the requirements of the larger size definition.*

7800 Solar Energy Systems – Small-Scale Ground-Mounted and Roof-Mounted

7801 Purpose

To facilitate and provide reasonable regulations for the placement, design, construction, operation, monitoring, modification, removal and recycling of Small-Scale Ground-Mounted and Roof-Mounted Solar Energy Systems that address public health, safety and welfare in accordance with Massachusetts General Law Chapter 40A, Section 3, and which minimizes impacts on scenic, rural, natural and historic community resources.

7802 Applicability

This section shall apply to all Small-Scale Ground-Mounted and Roof-Mounted Solar Energy Systems, including related buildings, structures, and equipment, and to physical modifications of such installations that substantially alter their type, configuration, or size as determined by the Planning Board.

7802.1 Site Plan Approval

Site Plan Approval may be required for Solar Energy Systems as noted below:

- (1) Roof-Mounted Solar Energy Systems do not require Site Plan Approval.*
- (2) Small-Scale Ground-Mounted Solar Energy Systems require Minor Site Plan Approval if the proposed Solar Energy System is, a) located in an Agricultural-Residential (AR) or Residential 1 (R-1) zoning district and b) requires placement in the front or side yard due to an inability to site said Solar Energy System in the rear yard.*
- (3) Pre-existing, non-conforming Small-Scale Ground-Mounted Solar Energy Systems are not subject to Site Plan Approval unless they are substantially altered, as determined by the*

Planning Board. Any increase in square footage is considered a substantial alteration and shall be subject to review by the Planning Board.

(4) Small-Scale Ground-Mounted and / or Roof-Mounted Solar Energy Systems, included in Development and Redevelopment plans subject to Site Plan Approval under Section 8000, will be reviewed as part of the Site Plan Approval review process.

(5) Site Plan Approval Application Policy and Procedures - Applicants undergoing Site Plan Approval for Small-Scale Ground-Mounted and Roof-Mounted Solar Energy Systems shall refer to the following document(s) for additional information regarding application requirements:

- “Site Plan Approval Provisions for Small-Scale Ground-Mounted and Roof-Mounted Solar Energy Systems”*
- “Minor Site Plan Approval provisions for Small-Scale Ground-Mounted Solar Energy Systems”*

7802.2 Designation of Special Permit Granting Authority

Where a special permit is required pursuant to Sections 4003(4) and 4XXX, the Planning Board shall be the Special Permit Granting Authority (SPGA) for Small-Scale Ground-Mounted Solar Energy Systems.

7803 Solar Energy System Definitions

7803.1 *Ground-Mounted shall mean that installations are structurally mounted to the ground in any manner, including but not limited to ground anchored pole, rack, or rail installations, or non-ground penetrating ballasted installations; Roof-mounted installations or canopy installations above parking lots or driveways are not Ground-Mounted Solar Energy Systems.*

7803.2 *Solar Collector shall mean a device, structure or a part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy.*

7803.3 *Solar Energy shall mean radiant energy received from the sun that can be collected in the form of heat or light by a Solar Collector.*

7803.4 *Solar Energy System shall mean a device or structural design feature, whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a Solar Collector to another medium using mechanical, electrical, or chemical means such as to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation, or water heating.*

7803.5 *Solar Energy System, Ground-Mounted shall mean a Solar Energy System of any size that is structurally mounted to the ground in any manner, including but not limited to ground anchored pole, rack, or rail installations, or non-ground penetrating ballasted installations; not roof-mounted installations or canopy installations above parking lots or driveways.*

7803.6 *Solar Energy System, Roof-Mounted shall mean a Solar Energy System that is structurally mounted to the roof of a building or structure; may be of any size (small-, medium- or large-scale).*

- 7803.7 ***Solar Energy System, Small-Scale Ground-Mounted*** shall mean a Solar Energy System with a Solar Layout of 2,250 square feet or less. Inclusive of appurtenant structures.
- 7803.8 ***Solar Layout for Small-Scale Ground-Mounted*** shall mean the total area of the vertical projection on the ground of all Solar Collectors in the installation's most horizontal tilt position.
- 7803.9 ***Utility Provider*** shall mean the local electrical distribution company (Littleton Electric Light Department (LELD) or other).

7804 Standards and Requirements

The following provisions shall apply to all Small-Scale Ground-Mounted and Roof-Mounted Solar Energy Systems in zoning districts where they are a permitted use.

(1) Setbacks

The Solar Layout of a Small-Scale Ground-Mounted Solar Energy System and Roof-Mounted Solar Layouts of an installation along with appurtenant structures, including but not limited to: buildings, equipment shelters, storage facilities, transformers and substations shall adhere to the building setbacks for front, side and rear yard dimensional requirements of the zoning district in which it is located.

All Small-Scale Ground-Mounted Solar Energy Systems in Agricultural-Residential Districts (AR) or Residential Districts (R-1) shall be installed in the rear yard to the greatest extent practicable. Placement of such systems, or a portion of such systems, in front or side yards is allowed only upon demonstration to the Planning Board that locating the Solar Energy System solely within the rear yard is not practicable or would result in a significant reduction of the Solar Energy Systems performance. Location of some or all of the Solar Energy System within the front or side yard in Agricultural-Residential Districts (AR) or Residential Districts (R-1) shall require a Minor Site Plan Approval.

(2) Landscaping and Screening

Additional screening is not required for Small-Scale Ground-Mounted Solar Energy Systems so long as said systems are sited in the rear yard and property setbacks for the rear and side yard are maintained in a vegetated state, including existing trees and woods, or evergreen plantings, at least three feet in height at the time of planting and which will normally at maturity reach at least five feet in height.

(3) Protection of Forest Land, Land Clearing, Habitat Impacts and Historically Significant Structures

a) Land Clearing - Not more than one (1) acre of land shall be deforested for any one Small-Scale Ground-Mounted Solar Energy System. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the Solar Energy System or otherwise prescribed by applicable laws, regulations, and bylaws/ordinances.

b) Prohibited Locations - Small-Scale Ground-Mounted Solar Energy Systems are prohibited in locations of wetlands or aquifer districts as mapped by the

Town of Boxborough, permanently protected open space as defined by the Town of Boxborough Open Space and Recreation Plan, Priority Habitat Areas and BioMap2 Core Habitat and Critical Natural Landscape as mapped by the Massachusetts Division of Fisheries and Wildlife’s Natural Heritage & Endangered Species Program (NHESP) and Habitat of Potential Regional or Statewide Importance as mapped by the Department of Environmental Protection (DEP).

- c) Historically Significant Structures – Solar Energy Systems on historically significant structures as identified by the Boxborough Historical Commission or as designated by federal, state, or local registries or databases, shall have limited or no visibility to the public and be integrated into the structure to minimize adverse visual impacts. The Planning Board and Design Review Board (in accordance with their purview under the Zoning Bylaw), reserve the right to recommend modifications to the proposed Solar Energy Systems to maintain the historical character of structures(s).**

(4) Decommissioning

Upon decommissioning of Solar Energy Systems all solar panel components shall be reused or recycled using industry best practices available at the time of decommissioning.

(5) Height Limitations

Existing zoning district height limitations apply to all Small-Scale Ground-Mounted Solar Energy Systems. If the Small-Scale Ground-Mounted Solar Energy System is accessory to a principal building or structure on a lot, then the height restriction for accessory structures would apply as defined in Section 5008 of this Bylaw. If the Small-Scale Ground-Mounted Solar Energy System is the principal structure on a lot, then the height restriction shall be a maximum of fifteen (15) feet from finished grade. An increase in height may be granted in commercial districts by special permit.

4003(4): Business/ Industrial Uses

	AR	R1	B	B1	OP	TC	IC
Roof-Mounted Solar Energy Systems	Y	Y	Y	Y	Y	Y	Y
Small-Scale Ground-Mounted Solar Energy System (2,250 s.f. or less)²⁰	Y¹⁹	Y¹⁹	Y	Y	Y	N	Y

ARTICLE V DIMENSIONAL REQUIREMENTS

5000

FOOTNOTES

¹⁹ **The Planning Board, by special permit, may reduce setbacks from lot lines for the Solar Layout of a Small-Scale Ground-Mounted Solar Energy System to those of an accessory structure, if such adjustments enhance the overall site design and still provide protection to adjacent properties.**

²⁰ To avoid “project segmentation” (i.e., project phasing), in determining the size of a Ground-Mounted Solar Energy System, the area calculated shall be the aggregate area (square Footage) of all such systems on contiguous parcels of land held in common ownership. Any proposed increase in area of existing arrays that would cause the Solar Energy System, in total, to meet a different size definition (i.e., increase from “Small” to “Medium” or “Medium” to “Large”) shall trigger the requirements of the larger size definition.

Summary:

This Zoning Bylaw will bring local regulation for Small-Scale Ground-Mounted and Roof-Mounted Solar Energy Systems that currently does not exist. Our current Zoning Bylaw makes no reference to Solar Energy Systems of any size as an “allowed use”, and thus could be in conflict with State Law. Adopting this local Zoning Bylaw provides clarity for the installation of Small-Scale Ground-Mounted and Roof-Mounted Solar Energy Systems in Boxborough.

A similar article was brought forward by the Planning Board to the 2021 Annual Town Meeting where residents, including members of the Sustainability Committee and Agricultural Commission, raised concerns about certain provisions that would potentially limit Small-Scale Ground-Mounted and Roof-Mounted Solar Energy Systems in town, particularly with regard to individual homeowners’ rights to place such systems on their property and provisions that were thought to be overly restrictive or onerous.

Over the past year, the Planning Board has worked closely with members of the Sustainability Committee, the Agricultural Commission and other residents to address these concerns. Several public hearings were held in early 2022 and the proposed Bylaw language was further refined to address a variety of concerns. In sum, the proposed revised Zoning Bylaw will provide for the following:

- Predictable permitting and defined rules for Small-Scale Ground-Mounted and Roof-Mounted Solar Energy System installations;
- Roof and Building-Mounted Solar Energy Systems allowed “By Right” in all zoning districts;
- Small-Scale (up to 2,250 square feet / up to approximately 15 kilowatts (kWh)) Ground-Mounted Solar Energy Systems allowed “By Right” in all districts, with the exception of Town Center;
- Provides for screening, landscaping, sufficient setbacks and height restrictions to minimize impacts to abutters;
- Provides for environmental protections of the Town’s natural resources;
- Protects the public health, safety, welfare and quality of life for residents.

A streamlined Minor Site Plan Approval may be required for Small-Scale Ground-Mounted Solar Energy Systems that are proposed in side and front yards to ensure any impacts to abutters are minimized to the extent possible. Minor Site Plan Approval requirements are identified in a new supplement to the existing Site Plan Approval Rules and Regulations, to be adopted by the Planning Board.

A summary of the types of Solar Energy Systems permitted by zoning district is provided below:

Table 1- Summary of Small-Scale Ground Mounted and Roof-Mounted Solar Energy Systems

Type of Solar Energy System / Size	Allowed By Right in District	Requires Special Permit Application	Prohibited Districts	Requires Site Plan Approval
<i>Roof and Building- Mounted</i>	<i>All zoning districts</i>	<i>No</i>	<i>None</i>	<i>No</i>
<i>Small-Scale Ground-Mounted (2,250 s.f. or less)</i>	<i>Agricultural- Residential, Residential-1,</i>	<i>No</i>	<i>Town Center District</i>	<i>No*</i>

	<i>Business, Business-1, Office Park, Industrial- Commercial Districts</i>			
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** Minor Site Plan Approval is required for Small-Scale Ground-Mounted Solar Energy Systems proposed in residential side and front yards. Minor Site Plan Approval is not required for Small-Scale Ground-Mounted Solar Energy Systems located in residential back yards that meet the dimensional requirements.*

The Planning Board recommends unanimously (5-0).

The Planning Board understands the importance of mitigating climate change and supports renewable energy, including Solar Energy Systems, to help reduce our carbon footprint. The Small-Scale Ground-Mounted and Roof-Mounted Solar Energy Systems Zoning Bylaw is being proposed to ensure that such Solar Energy Systems are appropriately sited and are compatible with their surroundings.

This Zoning Bylaw addresses the concerns that were raised by the Sustainability Committee, Agricultural Commission and residents during the past year. This Bylaw balances the interests of those wishing to install Small-Scale Ground-Mounted and/or Roof-Mounted Solar Energy Systems and reap the associated benefits, while minimizing impacts to their neighbors. Adoption of this Zoning Bylaw will eliminate the conflict between state and local law, reduce permitting uncertainty, and reduce potential for costly litigation.

The proposed bylaw incorporates input and guidance from a number of sources including several Town Boards and Committees, the Massachusetts Department of Energy Resources (DOER) (including the Green Communities Division), the Metropolitan Area Planning Council, several solar energy installers, and the Town’s Consulting Engineer. Additionally, the Planning Board consulted many nearby communities’ existing Solar Bylaws in the preparation of this Bylaw and incorporated many of the zoning concepts from these surrounding communities. The proposed Bylaw satisfies the requirements for Green Communities as designated by the DOER.

By providing the Town with two separate Solar Energy Systems Bylaws, one for Small-Scale Ground-Mounted and Roof-Mounted Solar Energy Systems and one for Medium and Large-Scale Ground-Mounted Solar Energy Systems, the Planning Board is providing residents with additional options to vote for either or both Bylaws.

The Sustainability Committee recommends (4-2-2).

Majority (Pro): The majority of the Sustainability Committee supports the proposed bylaw for providing clear, reasonable regulation of small-scale, ground-mounted solar systems throughout our community, and for allowing roof-mounted solar systems of any size without restriction. This will allow residents, farmers and businesses in Boxborough to pursue a clean energy transition and reduce our reliance on fossil fuels.

Minority (Con): The minority of the Sustainability Committee does not support the proposed bylaw for imposing restrictions on small-scale, ground-mounted solar systems that unreasonably regulate that use as compared to how our current zoning bylaws address other, comparable uses. The need to address climate change and accelerate the adoption of clean energy is now, and we cannot afford to hinder that effort by putting roadblocks in the way.

The Finance Committee recommends (4-0-2).

A majority of the Finance Committee supports this warrant article. We feel the Planning Board has made significant changes from last year and incorporated changes suggested by both the Sustainability Committee and the Agricultural Commission. This bylaw will not have a tax impact on homeowners.

Mark Barbadoro stated that the Planning Board held hearings that were duly advertised.

Discussion on Article 33:

Rebecca Verner from the Planning Board presented on both Articles 33 and 34. The Planning Board unanimously recommended both articles.

Because we have no bylaws on Solar Energy Systems (SES), it means that we may be in conflict with state laws. Everyone knows we have a large installation (20+ acres) generates revenue for the town and opt-in benefits of renewable energy for 2,000 residents. It has impacts to drainage and stormwater; located in an aquifer district and the cleared habitat was in Potential Habitat of importance and also within NHESP Priority Habitat. These are some of the best forests for sequestering carbon and when you remove forests it has a lot of negative impacts, especially filtration above the aquifer, removing pollutants, preventing erosion.

We took a model that the Department of Energy Resources (DOER) used. DOER discourages loss of land and natural resources; encourages location on rooftops and on non-productive land as well as dual use such as agrivoltaics to protect farmland underneath ground-mounted systems. MA DOER Green Communities has reviewed these bylaws and pending a small change, they have been found to be in compliance with Criterion 1 of the Green Communities Act.

We currently don't allow for ground-mounted systems on land in town. Because it is not specifically mentioned in Section 4003; where a use is not specifically mentioned, it is prohibited. MGL states that no solar systems should be prohibited. Because of this conflict in town vs. state law, each permit must get discretionary review – no clear regulations currently so there is no by-right option for permitting. We want to support solar in our community. With a solar bylaw we get less dispute and litigation and by-right permits for residential scale SES of 2,250 sq ft and commercial scale permits for SES of up to 40,000 sq ft. We would be able to become a green community, encourage brownfield development and encourage new systems for new construction. Protection of aquifers and habitats.

Through this long process, the WRC, Sustainability Committee, Ag Comm, Places Associates, and consultation of 12-15 bylaws from neighboring communities. PB has spent over 2 years developing and modifying this bylaw. We heard everyone, and wanted to make sure that this was more in line with environmental welfare and Sustainability Committee's Solar Sub-committee. We separated the 2 bylaws and worked together to get where we are today.

Adding these systems helps the law not be misinterpreted. These bylaws are consistent with the 2030 Master Plan and helps preserve the town's heritage and character, wetlands, aquifers, forested lands and wildlife habitats. They promote the use of solar on disturbed lands and reduces the town's overall carbon footprint. This aligns with the Sustainability Committee's policies on Climate Change.

She then discussed the details of what scale would be allowed in what area.

Agricultural Land restrictions – reasonable regulations are proposed. If a farm is more than 2 acres, then they can put as much SES on the property as needed.

No costs to the town. Possible additional tax revenue that could come to the town with new infrastructure around town. We would be preserving property value for homeowners.

Comparison of bylaw vs. no bylaw was presented. She urged everyone to vote yes.

Finance Committee recommends (above).

Sustainability Committee majority recommends; minority does not. Recommendations were given by Palmer Moore (above).

Agricultural Commission recommendation: Owen Neville presented the recommendation. Ag Com did not get the recommendation out in time, but when they did meet, the warrant was already printed. The Agricultural Commission does not recommend. The Commission was impressed with the minority recommendation of the Sustainability Committee; you can't put a solar array in your side yard so that Ag Com thinks that this could be better.

At 9:45 pm John Markiewicz made a motion to remove the 10 pm restriction on starting discussion on a new article.

Motion passed with a majority.

Ms. Verner stated that the goal was not to make this overly restrictive. Rear yard is recommended, but if there's a reason why they need to put it in the side or front yard, there is a very minor site plan approval process to be able to address that issue. It will be a simple approval process.

Cheryl Mahoney of Liberty Square Rd. said that she wanted to understand what the Initials in the Table for Zoning stand for. Ms. Verner clarified: IC = industrial commercial; B/B1 = business; OP = office parks; AR = agricultural residential, R/R1 = residential, TC = Town Center. What is the footnote about 20 – segmentation.

Mark Barbadoro said that Footnote 20 is about not being able to subdivide the land; each parcel can't have its own array on it. If the land is one big lot on your deed, then if 15 different parcels, you can't have 15 different arrays on the same area of land. And the reason not on TC = Town Center, is like in West Acton, in order to look similar. They also restrict solar in that district via historic district.

Ms. Mahoney said we have a Historic District. You might want to put another footnote in about historic district. Mr. Barbadoro said we do not have a 40C historic district with the Design Review Board.

Mr. Fallon said the type of Historical District that we have is not 40C, as recognized by the state, so it doesn't restrict development.

Ms. Mahoney said you might want to include historic district in the bylaw as another footnote. Ms. Verner said that this came up for discussion throughout the process.

Mr. Kushner of Flagg Hill Rd. what is changing in the motion (Mr. Barbadoro clarified that that is Article 34.) He asked what is brownfield? (Ms. Verner clarified that it is a degraded site). And why not talked to Hudson Electric but not Littleton Electric? Mr. Barbadoro said that Hudson Electric is a very small portion of Boxborough.

Mr. Markiewicz of Patch Hill Rd. said that this is a very strong article. We didn't have this when the large array went in; we lost a large area of forest. The site plan review for side yards just allows for you to not annoy your neighbors. It gives everyone a chance to weigh in. The Green Communities Program is an option only if we pass this bylaw, and that gives us a chance to apply for more grants.

Mr. Barbadoro clarified that it wouldn't require a special permit to put it in your side yard; it would be a discretionary permit. This is a way for neighbors to come to compromises.

Francie Nolde of Sargent Rd., is a member of the Sustainability Committee, but speaking as a community member wanted to thank everyone for voting for Sargent Rd. preservation. Buildings are the largest purveyor of greenhouse gas emissions. Solar is a way to reduce greenhouse gases. Last year, she couldn't vote for the bylaw because it was too restrictive, but this year, they worked so hard with the Sustainability Committee. We came to many compromises. It's not perfect but it's worth supporting now. Neighbors, if they don't agree, they have a way to avoid contention. This will help solve those problems. When Jamie Eldridge put forward a bill just for Boxborough to become a Green Community, we have a pathway to become a green community only if we pass a solar bylaw for large systems.

Chris Delise of Sargent Rd. worked with the Planning Board on this process. It was a long process, but he wants to thank everyone. As written this article is far better and more comprehensive than it was a year ago. Mr. Barbadoro has said don't let the perfect become the enemy of the good, but this process takes a lot of power and money and rights off the table by reducing your ability to control the siting of the small systems. He confirmed that it was the Article 34 that was required for becoming a Green Community, not small-scale, Article 33. He is concerned that Article 33 doesn't give enough freedom to the homeowner.

Barbadoro thanked Mr. Delise for the hard work. Site-plan review is an administrative permit, and it will not prohibit your small-scale solar – this kind of permit will not be turned down. There is no discretion, so the rules will allow for putting it on your property.

Mr. Delise said why not remove it?

Mr. Barbadoro said it allows for discussion with your neighbors.

Carol Dionne of Burroughs Rd. asked if the Town Center Land being developed by Toll Brothers is zoned Town Center. How do these bylaws control solar panels on that land? Lots of it is still undeveloped and will be developed.

Rebecca Verner said that that project has a deed restriction for the condo association that is written in, so they cannot change it.

Carol Dionne asked if it would be possible for the lots that are zoned AR off of Priest Ln to have solar – this would be two lots (owned by original owner). Mr. Barbadoro clarified that it would only be small-scale that would be possible there.

Becky Neville moved the question. The motion carried by a 2/3 vote.

Action on the motion on Article 33: motion carried by a 2/3 vote as declared by the moderator.

ARTICLE 34 ZONING BYLAW AMENDMENT: SOLAR ENERGY SYSTEMS – MEDIUM AND LARGE-SCALE GROUND-MOUNTED BYLAW

(Two-thirds vote required)

Mark Barbadoro, Chair of the Planning Board moved that the Town vote to amend Boxborough Zoning Bylaw Section 4003 Business/Industrial Use Table, Article IV Use Regulations, Article V Dimensional Requirements (footnotes) and adding Section 7800 Solar Energy Systems – Medium and Large-Scale Ground-Mounted, and by adding the following language in bold italics and deleting the language indicated by strikethroughs, and further that non-substantive changes to the numbering of the Zoning Bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw printed in the warrant except that in section 7803.8 on page 81 of the warrant:

- A) The word “about” on line 4 shall be eliminated and replaced by the words “greater than”
- B) The word “or” on line 4 shall be eliminated
- C) The word “greater” on line 5 shall be eliminated.

4003(4): Business/ Industrial Uses

	AR	R1	B	B1	OP	TC	IC
<i>Medium-Scale Ground-Mounted Solar Energy System²⁰</i>	<i>N</i>	<i>SP (PB)</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>N</i>	<i>Y</i>
<i>Large-Scale Ground-Mounted Solar Energy System²⁰</i>	<i>N</i>	<i>N</i>	<i>SP (PB)</i>	<i>SP (PB)</i>	<i>SP (PB)</i>	<i>N</i>	<i>SP (PB)</i>

ARTICLE IV USE REGULATIONS

4XXX Special Permits for Medium or Large-Scale Ground Mounted Solar Energy Systems

The Planning Board shall be the Special Permit Granting Authority for the issuance of special permits in the case where an applicant requests to install a Medium or Large-Scale Ground-Mounted Solar Energy System. In addition to the standards set forth in Section 7800 of this Bylaw, the Special Permit Granting Authority shall also consider each of the following factors before the issuance of a special permit:

- (1) Suitability of the site for the proposed Medium or Large-Scale Ground-Mounted Solar Energy System;***
- (2) Adequate landscaped and natural buffers are provided around the installation. Where applicable, physical buffers, such as berms and/or fences are proposed between residential and installations of Medium or Large-Scale Ground-Mounted Solar Energy System;***
- (3) The proposal, to the maximum extent possible, protects the existing tree canopy and stone walls on Massachusetts Avenue (Route 111) and along designated scenic roadways;***
- (4) The proposal retains and/or preserves unique natural, historical or cultural resources located on the site, if any;***

ARTICLE V DIMENSIONAL REQUIREMENTS

5000

FOOTNOTES

²⁰ To avoid “project segmentation” (i.e., project phasing), in determining the size of a Ground-Mounted Solar Energy System, the area calculated shall be the aggregate area (square footage) of all such systems on contiguous parcels of land held in common ownership. Any proposed increase in area of existing arrays that would cause the Solar Energy System, in total, to meet a different size definition (i.e., increase from “Small” to “Medium” or “Medium” to “Large”) shall trigger the requirements of the larger size definition.

7800 Solar Energy Systems – Medium and Large-Scale Ground-Mounted

7801 Purpose

To facilitate and provide reasonable regulations for the placement, design, construction, operation, monitoring, modification, removal and recycling of Medium and Large-Scale Ground-Mounted Solar Energy Systems that address public health, safety and welfare in accordance with Massachusetts General Law Chapter 40A, Section 3, and which minimizes impacts on scenic, rural, natural and historic community resources, and provides adequate financial assurance for the eventual decommissioning of such installations.

7802 Applicability

This section shall apply to all Medium and Large-Scale Ground Mounted Solar Energy Systems, including related buildings, structures, and equipment, and to physical modifications of such installations that substantially alter their type, configuration, or size as determined by the Planning Board.

7802.1 Site Plan Approval

Site Plan Approval may be required for Solar Energy Systems as noted below:

- (1) Medium and / or Large-Scale Ground-Mounted Solar Energy Systems require Site Plan Approval.*
- (2) Site Plan Approval Application Policy and Procedures - Applicants undergoing Site Plan Approval for Medium and / or Large-Scale Ground-Mounted Solar Energy Systems shall refer to the following document(s) for additional information regarding application requirements:*
 - “Site Plan Approval provisions for Medium-Scale Ground-Mounted Solar Energy Systems”*
 - “Site Plan Approval provisions for Large-Scale Ground-Mounted Solar Energy Systems”*

7802.2 Designation of Special Permit Granting Authority

Where a special permit is required pursuant to Sections 4003(4) and 4XXX, the Planning Board shall be the Special Permit Granting Authority (SPGA) for Medium and Large-Scale Ground-Mounted Solar Energy Systems.

7803 Solar Energy System Definitions

7803.1 *Agrioltaics or Dual Use shall mean the co-developing of the same area of land for both solar photovoltaic power as well as for agriculture. The*

coexistence of solar panels and crops implies a sharing of light between these two types of production.

- 7803.2** *Community Solar Farm shall mean a Solar Energy System, Ground-Mounted that provides electricity or bill credits to three or more unique Boxborough customers serviced by the Utility Provider. The share of any one customer shall not exceed 50% of the total capacity of the Solar Energy System.*
- 7803.3** *Ground-Mounted shall mean that installations are structurally mounted to the ground in any manner, including but not limited to ground anchored pole, rack, or rail installations, or non-ground penetrating ballasted installations; Roof-mounted installations or canopy installations above parking lots or driveways are not Ground-Mounted Solar Energy Systems.*
- 7803.4** *Solar Collector shall mean a device, structure or a part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy.*
- 7803.5** *Solar Energy shall mean radiant energy received from the sun that can be collected in the form of heat or light by a Solar Collector.*
- 7803.6** *Solar Energy System shall mean a device or structural design feature, whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a Solar Collector to another medium using mechanical, electrical, or chemical means such as to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation, or water heating.*
- 7803.7** *Solar Energy System, Ground-Mounted shall mean a Solar Energy System of any size that is structurally mounted to the ground in any manner, including but not limited to ground anchored pole, rack, or rail installations, or non-ground penetrating ballasted installations; not roof-mounted installations or canopy installations above parking lots or driveways.*
- 7803.8** *Solar Energy System, Large-Scale Ground-Mounted shall be considered an industrial facility use and mean a Solar Energy System with a Solar Layout that occupies 40,000 square feet or more of surface area (equivalent to a rated nameplate capacity of greater than 250kW DC). Inclusive of appurtenant structures.*
- 7803.9** *Solar Energy System, Medium-Scale Ground-Mounted shall be considered an industrial facility use and mean a Solar Energy System with a Solar Layout that occupies more than 2,250 but less than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 10 – 250kW DC). Inclusive of appurtenant structures.*
- 7803.10** *Solar Layout for Medium and Large-Scale Ground-Mounted shall mean the total area of the vertical projection on the ground of all Solar Collectors in the installation's most horizontal tilt position and shall include all spaces between the panels.*
- 7803.11** *Utility Provider shall mean the local electrical distribution company (Littleton Electric Light Department (LELD) or other).*

7804 Standards and Requirements

The following provisions shall apply to all Medium-Scale and Large-Scale Ground-Mounted Solar Energy Systems in zoning districts where they are a permitted use.

(1) Setbacks

The Solar Layouts of Medium-Scale or Large-Scale Ground-Mounted Solar Energy Systems, along with all appurtenant structures, including but not limited to: buildings equipment shelters, storage facilities, transformers and substations shall adhere to a one hundred (100) foot front, side and rear yard setback requirement in all zoning districts. The Planning Board may reduce setbacks from lot lines by Special Permit for the Solar Layout of a Medium-Scale Ground-Mounted Solar Energy System of 5,000 square feet or less, and/or for any appurtenant structures, if such adjustments enhance the overall site design and still provide protection to adjacent properties. In such a case, additional screening may be required to minimize adverse impacts.

Any Medium-Scale Ground-Mounted Solar Energy Systems allowed by Special Permit within residential districts shall be installed in the rear yard.

(2) Landscaping and Screening

All appurtenant structures, including but not limited to: buildings, equipment shelters, storage facilities, transformers, and substations shall be architecturally compatible with each other. All structures shall be hidden from view by vegetation or fencing and shall be in place prior to operation. Landscape plantings and/or solid fenced screening shall be provided to reduce the visual impact of Ground-Mounted Solar Energy Systems, along with all appurtenant structures, and specifically to protect nearby receptors from danger, harm, or nuisance that may result from reflective glare. Solar Energy Systems and all appurtenant structures shall have anti-reflective surfaces.

Front, side and rear yard setback areas shall be designed to reduce the visual impact of the Medium and Large-Scale Ground-Mounted Solar Energy System upon adjacent property by use of trees and shrubs and/or naturally vegetated conditions or fencing. Where naturally vegetated conditions are insufficient to reduce visual impacts year-round, landscape plantings for Medium and Large-Scale Ground-Mounted Solar Energy Systems shall consist of a densely planted screen of evergreen foliage not less than eight (8) feet in height at the time of installation. Suitable landscape plantings shall consist of native species identified by the UMass Clean Energy Extension Pollinator-Friendly Solar PV for Massachusetts initiative.

Should fencing be used, it shall be no more than seven (7) feet high, constructed of durable materials and supplemented with landscape plantings, as defined above. Berms or other methods to adequately screen the facility, depending on site specific conditions may be considered. All screening shall be maintained and replaced as necessary by the owner / operator of the Medium or Large-Scale Ground-Mounted Solar Energy System.

(3) Lighting

Lighting of Medium and Large-Scale Ground-Mounted Solar Energy Systems and appurtenant structures shall be limited to that required for safety and operational

purposes, and shall be fully shielded from abutting properties. Lighting of the Medium or Large-Scale Ground-Mounted Solar Energy System shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution. Security lighting shall be controlled by motion detectors or infrared sensors with an on-time of no more than ten (10) minutes per activation. No all-night lighting will be allowed.

(4) Utility Connections

All utility connections, conduits, cables, power lines, transformers and inverters shall be placed underground, except (a) where otherwise required by the Massachusetts State Building Code, Massachusetts and/or National Electric Code, the Utility Provider or other authority having jurisdiction; (b) in adverse ground conditions such as appropriate soil conditions, shape and topography of the site, ledge or excess water; or (c) for connection to existing above ground utility lines.

- a) Wiring – Wiring within the installation’s Solar Layout shall follow industry standards and meet the requirements of the Utility Provider.*
- b) Aboveground Connections - Aboveground connections that already exist proximate to the site of the proposed facilities may be used, subject to Site Plan Approval by the Planning Board and subject to the requirements of the Utility Provider.*
- c) Electrical Transformers - Electrical transformers for utility interconnections may be located above ground, subject to Site Plan Approval by the Planning Board and subject to the requirements of the Utility Provider.*
- d) Access Roads
 - a. Where feasible all access roads and utilities shall minimize bisecting of the property and be installed along the perimeter of project.*
 - b. Access roads and associated tree clearing shall not exceed twenty-five (25) feet in width.**

(5) Noise

- a) Noise Generating Equipment - All noise-generating equipment shall be installed as far from abutting structures as practical to mitigate potential noise impacts.*
- b) Noise Studies - A pre and post-construction noise study shall be required of all Large-Scale Ground-Mounted Solar Energy System installations to demonstrate that the facility is in compliance with the Massachusetts DEP’s Noise Policy.*

(6) Signs

- a) Signs shall comply with the requirements of Section 6300 of this Bylaw.*
- b) Dimensions – Facilities located within the Agricultural / Residential Districts shall not have more than one (1) sign, with dimensions no larger than one (1) square foot in area per side shall be required to identify the owner and provide a 24-hour emergency contact phone number and may be installed with the trademarks of the installer, manufacturer, and operator of the installation.*
- c) Advertisements - Medium and Large-Scale Ground-Mounted Solar Energy Systems shall not be used for displaying any advertising except for reasonable identification of the manufacturer, owner or operator of the Solar Energy System.*

- d) *Visibility - Signs should not be visible to abutters nor to passersby on the street, if it can still be visible for emergency purposes.*

(7) Stormwater Management and Conservation

Best management practices shall be used for controlling and managing stormwater run-off and drainage for Medium and Large-Scale Ground-Mounted Solar Energy Systems in compliance with all applicable federal, state and local regulations. To the largest extent possible, the ground shall remain pervious to rain water. Where necessary, adequate provision shall be made for groundwater recharge and to prevent site run-off and erosion.

Calculation of Impervious Area - Medium and Large-Scale Ground-Mounted Solar Energy Systems shall not be included in calculations for lot coverage or impervious cover so long as the Solar Collectors have planted surfaces beneath them such as pollinator habitat, dual-use solar or agrivoltaics installations. If the area beneath a Medium or Large-Scale Ground-Mounted Solar Energy System is to be paved or otherwise rendered impervious then this land area shall in fact, count toward any coverage or impervious surface limit. Land required for access roads, utility connections and appurtenant structures will be included in calculations for lot coverage or impervious cover of land.

(8) Protection of Forest Land and Prime Farm Land, Land Clearing, Habitat Impacts and Historically Significant Structures

- a) *Land Clearing - Not more than one (1) acre of land shall be deforested for any one Medium and/or Large-Scale Ground-Mounted Solar Energy System, and no such installation shall be placed on such land that was deforested within the prior 5 years, other than a Community Solar Farm. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the Solar Energy System or otherwise prescribed by applicable laws, regulations, and bylaws/ordinances.*
- b) *Prohibited Locations – Medium and / or Large-Scale Ground-Mounted Solar Energy Systems are prohibited in locations of old growth forest, prime farmland soils as defined by the US Department of Agriculture Natural Resources Conservation Service, wetlands, aquifer districts, permanently protected open space, Priority Habitat Areas and BioMap2 Core Habitat and Critical Natural Landscape mapped by the Massachusetts Division of Fisheries and Wildlife's Natural Heritage & Endangered Species Program (NHESP) and Habitat of Potential Regional or Statewide Importance as mapped by the Massachusetts Department of Environmental Protection (DEP).*
- c) *Historically Significant Structures – Solar Energy Systems on historically significant structures as identified by the Boxborough Historical Commission or as designated by federal, state, or local registries or databases, shall have limited or no visibility to the public and be integrated into the structure to minimize adverse visual impacts. The Planning Board and Design Review Board (in accordance with their purview under the Zoning Bylaw), reserve the right to recommend modifications to the proposed Solar Energy Systems to maintain the historical character of structure(s).*

d) Preferred Locations - Siting of Solar Energy Systems is encouraged in the following locations:

- **Building Roofs**
- **Brownfield sites and previously developed sites**
- **Parking lots**

Greenfield development is discouraged. Applicants who propose greenfield installations will be required to demonstrate why the proposed site is preferable to a previously developed site. Such demonstration shall include a comparison of environmental impacts and a cost-benefit assessment.

(9) Height Limitations

- a) Existing zoning district height limitations apply for all Ground-Mounted Solar Energy Systems.**
- b) If a Ground-Mounted Solar Energy System is accessory to a principal building or structure on a lot, then the height restriction for accessory structures would apply as defined in Section 5008 of this Bylaw.**
- c) If a Ground-Mounted Solar Energy System is the principal structure on a lot, then the height restriction shall be a maximum of fifteen (15) feet from finished grade.**
- d) An increase in height may be granted in commercial districts by Special Permit from the Planning Board.**

(10) Decommissioning

- a) Upon decommissioning of Solar Energy Systems all solar panel components shall be reused or recycled using industry best practices available at the time of decommissioning.**
- b) Life-Cycle Analysis – At the time of Application for Site Plan Approval, the Applicant may be required, as deemed appropriate by the Planning Board, to demonstrate a life-cycle analysis of the components to ensure that there is a net environmental benefit to the proposed installation.**
- c) Surety - Proponents of Large-Scale Ground-Mounted Solar Energy Systems shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125% of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.**

4003(4): Business/ Industrial Uses

	AR	R1	B	B1	OP	TC	IC
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Medium-Scale Ground-Mounted Solar Energy System²⁰	N	SP (PB)	Y	Y	Y	N	Y
Large-Scale Ground-Mounted Solar Energy System²⁰	N	N	SP (PB)	SP (PB)	SP (PB)	N	SP (PB)

ARTICLE IV USE REGULATIONS

4XXX Special Permits for Medium or Large-Scale Ground Mounted Solar Energy Systems

The Planning Board shall be the Special Permit Granting Authority for the issuance of special permits in the case where an applicant requests to install a Medium or Large-Scale Ground-Mounted Solar Energy System. In addition to the standards set forth in Section 7800 of this Bylaw, the Special Permit Granting Authority shall also consider each of the following factors before the issuance of a special permit:

- (1) Suitability of the site for the proposed Medium or Large-Scale Ground-Mounted Solar Energy System;***
- (2) Adequate landscaped and natural buffers are provided around the installation. Where applicable, physical buffers, such as berms and/or fences are proposed between residential and installations of Medium or Large-Scale Ground-Mounted Solar Energy System;***
- (3) The proposal, to the maximum extent possible, protects the existing tree canopy and stone walls on Massachusetts Avenue (Route 111) and along designated scenic roadways;***
- (4) The proposal retains and/or preserves unique natural, historical or cultural resources located on the site, if any;***

ARTICLE V DIMENSIONAL REQUIREMENTS

5000

FOOTNOTES

²⁰ To avoid “project segmentation” (i.e., project phasing), in determining the size of a Ground-Mounted Solar Energy System, the area calculated shall be the aggregate area (square footage) of all such systems on contiguous parcels of land held in common ownership. Any proposed increase in area of existing arrays that would cause the Solar Energy System, in total, to meet a different size definition (i.e., increase from “Small” to “Medium” or “Medium” to “Large”) shall trigger the requirements of the larger size definition.

Summary:

This new Zoning Bylaw will bring local regulation for Medium and Large-Scale Ground-Mounted Solar Energy Systems that currently does not exist. Our current Zoning Bylaw makes no reference to Solar Energy Systems of any size as an “allowed use”, and thus could be in conflict with State Law. Adopting this local Zoning Bylaw provides clarity for Medium and Large-Scale Ground-Mounted Solar Energy System installations in Boxborough.

The Zoning Bylaw addresses the placement, design, construction, operation, monitoring, modification, removal and recycling of Medium and Large-Scale Ground-Mounted Solar Energy Systems. The purpose is to enable the installation of Medium and Large-Scale Ground-Mounted Solar Energy Systems consistent with State Law, to provide guidance for commercial installations, to minimize impacts on scenic, rural, natural and historic community resources, as well as to provide adequate financial assurance for the eventual decommissioning of such installations.

Over the past year, the Planning Board has worked closely with members of the Sustainability Committee, Agricultural Commission and other residents to address a number of concerns. Several public hearings were held in early 2022 and the proposed Zoning Bylaw language was further refined. The proposed Zoning Bylaw for Medium and Large-Scale Ground-Mounted Solar Energy Systems will provide for the following:

- Predictable permitting and defined rules for Medium and Large-Scale Ground-Mounted Solar Energy System installations;
- Medium-Scale Ground-Mounted Solar Energy Systems sized (up to 40,000 square feet / up to 250 kilowatts (kWh)) allowed “By right” in the Business, Business-1, Office Park and Industrial-Commercial Districts;
- Meets Green Communities Act Criterion 1;
- Encourages the siting of Solar Energy Systems on brownfield sites, previously developed sites and parking lots.
- Provides for environmental protections of the Town’s natural resources;
- Protects the public health, safety, welfare and quality of life for residents.

Site Plan Approval and/or Special Permits may be required, depending on the size and location of the proposed Medium or Large-Scale Ground-Mounted Solar Energy System. Site Plan Approval process and procedures, including Site Plan Approval Provisions for Medium-Scale and Large-Scale Ground-Mounted Solar Energy Systems are identified in a new supplement to the existing Site Plan Approval Rules and Regulations, to be adopted by the Planning Board.

A summary of the types of Solar Energy Systems permitted by zoning district is provided below:

Table 2- Summary of Medium and Large-Scale Ground-Mounted Solar Energy Systems

<i>Type of Solar Energy System / Size</i>	<i>Allowed By Right in District</i>	<i>Requires Special Permit Application</i>	<i>Prohibited Districts</i>	<i>Requires Site Plan Approval</i>
<i>Medium-Scale Ground-Mounted (greater than 2,250 s.f. and less 40,000 s.f.)</i>	<i>Business, Business-1, Office Park and Industrial-Commercial Districts</i>	<i>Residential-1 District</i>	<i>Agricultural-Residential and Town Center Districts.</i>	<i>Yes</i>
<i>Large-Scale Ground-Mounted (greater than 40,000 s.f.)</i>	<i>None</i>	<i>Business, Business-1, Office Park, and Industrial-Commercial Districts.</i>	<i>Agricultural-Residential, Residential-1, and Town Center Districts</i>	<i>Yes</i>

The Planning Board recommends unanimously (5-0).

The Planning Board understands the importance of mitigating climate change and supports renewable energy, including Solar Energy Systems, to help reduce our carbon footprint. The Medium and Large-Scale

Solar Energy Systems Zoning Bylaw is being proposed to ensure that such Solar Energy Systems are appropriately sited and are compatible with their surroundings.

This Zoning Bylaw addresses the concerns that were raised by the Sustainability Committee, Agricultural Commission and residents during the past year. This Zoning Bylaw balances the interests of those wishing to install Medium or Large-Scale Ground-Mounted Solar Energy Systems and reap the associated benefits, while protecting the rural nature, important landscapes and viewsheds across Boxborough's 10.4 square miles.

Adoption of this Zoning Bylaw will eliminate the conflict between State and Local Law, reduce permitting uncertainty, minimize disputes between neighbors and reduce potential for costly litigation.

The proposed Bylaw incorporates input and guidance from a number of sources including several Town Boards and Committees, the Massachusetts Department of Energy Resources (DOER) (including the Green Communities Division), the Metropolitan Area Planning Council, several solar energy installers, and the Town's Consulting Engineer. Additionally, the Planning Board consulted many nearby communities' existing Solar Bylaws in the preparation of this Bylaw and incorporated many of the zoning concepts from these surrounding communities. The proposed Bylaw satisfies the requirements for Green Communities as designated by the DOER.

By providing the Town with two separate Solar Energy Systems Bylaws, one for Small-Scale Ground-Mounted and Roof-Mounted Solar Energy Systems and one for Medium and Large-Scale Ground-Mounted Solar Energy Systems, the Planning Board is providing residents with additional options to vote for either or both Bylaws.

The Sustainability Committee recommends (6-0-2).

The Sustainability Committee unanimously supports the proposed bylaw for recognizing the holistic nature of 'sustainability', where we as a community must balance things like the broader transition to clean energy with the protection of our important natural resources, as well as the preservation of our rural character. The bylaw isn't perfect, but it represents a significant effort to strike that balance as we go forward and confront the ways in which our community must adapt to a changing future.

The Finance Committee recommends (3-0-3).

Half of the Finance Committee supports this warrant article. We feel the Planning Board has made significant changes from last year and incorporated changes suggested by both the Sustainability Committee and the Agricultural Commission. This bylaw will not have a tax impact on homeowners.

Discussion on Article 34:

Mark Barbadoro moved that the Town vote to amend Boxborough Zoning Bylaw Section 4003 Business/Industrial Use Table, Article IV Use Regulations, Article V Dimensional Requirements (footnotes) and adding Section 7800 Solar Energy Systems – Medium and Large-Scale Ground-Mounted, and by adding the following language in bold italics and deleting the language indicated by strikethroughs, and further that non-substantive changes to the numbering of the Zoning Bylaw printed in the warrant except that in section 7803.8 on page 81 of the warrant:

- a) The word "about" on line 4 shall be eliminated and replaced by the words "greater than"

- b) The word “or” on line 4 shall be eliminated
- c) The word “greater” on line 5 should be eliminated.

Mr. Barbadoro explained that the change in the wording at 7803.8 was necessary according to the DOER and Green Communities to allow for 250 kW arrays.

Agricultural Committee does not recommend. Owen Neville of the Agricultural Commission said that Chapter 40A section 3 speaks to solar; the zoning bylaw should already allow for solar. The Ag Com believes that solar arrays should be considered in any zoning district. For example the Town of Lexington reduced their solar bylaw to 2.5 pages and recognized that it’s already in 40A section 3.

Bob Stemple of Kendall Rd. wanted to know if it’s in the regulation for covering parking lots?

Mark Barbadoro said that falls into its own category, and you can put parking lot covering solar arrays anywhere in commercial districts.

John Neyland of Picnic St. still feels that they are not quite there; he recognizes that it’s a lot of work. He asks if it meets the acid test of what customer can or can’t do. You can’t clear more than an acre. Donny Morse could put an array that’s a couple panels wide, but he couldn’t do it within this bylaw. I would love to keep discussing to get it more well ironed out because it’s a heavy lift to try to amend it every year.

Carol Dionne of Burroughs Rd. commented on the aspect of the bylaw that was about by-right vs. site plan review. Some of the guidelines don’t prevent things, but allow the town to have a voice in controlling them.

Mark Barbadoro said by-right doesn’t mean you can do whatever you want. There are still regulations that you have to put in, without discussing it with the Planning Board but you have to get approval from the Building Inspector. It would trigger a review if someone wanted to ask for something larger.

Ms. Dionne said if a business wanted to come in and clear more than an acre, it doesn’t outright prevent, but triggers a review.

Mark White of the Planning Board wants to commend the members of the Planning Board for the work they’ve put in. There was a lot of give and take with the other boards was excellent. Overall it’s a well-crafted regulatory document. It may be more restrictive than other things in your yard, but it didn’t exist as an option when the original bylaws were created and that’s why it’s regulated. It was disturbing to see so many acres of prime forest knocked down. This bylaw makes for good neighbors. No bylaw we ever write is going to be perfect.

John Markiewicz spoke the as liaison to the Sustainability Committee; there was a tremendous amount of compromise between the two boards. This is the article needed in order to be closer to getting to become a Green Community. Select Board has endorsed becoming more energy efficient.

Dick Wagman of Leonard Rd. is reminded of social security which most people support. It didn’t start out that way. As a result people kept coming back and trying to improve it. Solar is new, and the first crack at a bylaw on it may not be perfect. It seems that this is a good first crack so let’s support it.

Michael Toups of Pine Hill Rd asked if 7804 section A allows for clearing of one-acre land – removing trees and shrubs? Mr. Barbadoro said this correct. Is there a minimum tree size for a shrub? He wanted to clarify a few sections and definitions.

Mark Barbadoro would interpret this probably the same way as the Building Inspector – if it's scrub land it probably would not have the same application.

Mr. Toups of Pine Hill Rd. clarified that the section about “accidentally” clearing land with the 5 year moratorium means if you have cleared more than an acre within the first 5 years, and then want to put a solar panel in you wouldn't be allowed. Old growth forest is not relevant because it is a commonly understood definition. Mr. Barbadoro clarified the different definitions: virgin old-growth forest vs. old growth forest.

Mr. Toups argued that maybe the definition is not clear. Also asked how much farmland soils exist in Boxborough? Mr. Barbadoro said it is in a map in the OSRP and doesn't know how much, but it's a lot.

Mr. Toups asked if there are any ways to re-use and recycle? Ms. Verner said they didn't want to hinder the bylaw by including language that would then have technology changes over the years. There are ways to reuse and recycle and they would encourage that. Mr. Toups said life cycle analysis is important. Ms. Verner said it is something to consider and it is mentioned as best practices but it is not required.

Mr. Toups supports it but thinks that the Planning Board may need to come back to make some adjustments.

Rita Grossman of Depot Rd. thanks everyone for the hard work that has gone into this. She agreed that it is important to get this on the books and wants to know if you can change BioMap 2 to BioMap 3 in the bylaw because it's about to be released. It was clarified by Ms. Verner and Mr. Barbadoro that the bylaw could be changed at a later date.

Ms. Grossman wanted to clarify if there is BioMap land in Commercially zoned areas but already disturbed surfaces, you would be able to put solar panels in those areas. Mr. Barbadoro said it would depend on the specific case: you can't find every eventuality in, so it would have to be analyzed on a case by case basis. Mr. Barbadoro wants to make sure it is not bigger than the zoning bylaw itself, you can't address everything. Brownfield sites would be encouraged. Ms. Verner said that through the site-plan review process that kind of thing would be addressed.

Susan Bak moved the question. The motion carried by a 2/3 vote.

Action on the motion on Article 34: Carried by a 2/3 vote as declared by the moderator.

Motion on Article 6. Wes Fowlks moved to pass over Article 6. The Select Board has not come to final terms with the unions for the first year of their contracts. **Fin Com recommends** passing over.

Action on the motion on passing over Article 6 passed unanimously.

ARTICLE 35 SENSE OF THE MEETING: BECOMING A VOCATIONAL TECHNICAL SCHOOL MEMBER TOWN

Sponsor: Select Board

Wes Fowlks, Select Board Chair moved that the Town vote if it is the sense of the meeting to request that the Select Board explore the possibility of the Town becoming a member of a regional vocational technical high school and report to back to the 2023 Annual Town Meeting as to the likely districts we might join, the process for doing so and the educational and financial impacts of doing so.

Summary:

At the 2016 Special Town Meeting, Boxborough voted to withdraw from the Minuteman Regional Vocational High School district. This vote was made after several years of declining enrollment of Boxborough students at Minuteman. However, 12 students from Boxborough applied for enrollment at one of the three schools that students from Boxborough have been attending since the withdrawal (Minuteman, Assabet Valley, and Nashoba Tech). All three schools had full admissions based on their member towns, thus were unable to accommodate Boxborough students. Vocational education has a long tradition of preparing students for careers or for further education. Towns are required to pay tuition and transportation for students who choose to attend a vocational school. Without being a member of any district, we run the risk of not being able to provide an appropriate education alternative to Acton-Boxborough, or to having to pay extra in transportation costs to go to schools even further away than the three current options. By exploring opportunities to join one of the nearby vocational districts we can help to ensure that our students receive the best education for their needs.

The Select Board recommends unanimously (5-0).

The Select Board feels that our students deserve this important educational option should they choose to. This article will lead to provide us with any available options that we can pursue for the future.

The Finance Committee recommends unanimously (6-0).

Finance Committee recommends.

Discussion on Article 35:

Jennifer Campbell presented on behalf of the Select Board. Vocation Tech school are decided by the town rather than the region. In 2016 the Town voted to leave the Minuteman Vocational School District as a town. There had been declining enrollment, increasing costs. Prior to that we had some advantages. Our students were given priority and could receive admission. Transportation was coordinated. Since 2016 we have a choice of Assabet, Minuteman, Nashoba. This year 12 students applied and none were accepted. One student was accepted at Essex but isn't going because the commute is way too long. Tuition is around \$17-20,000 per student; maybe extra costs for students with IEPs. The transportation costs per school is \$32-38,000 per school. If we were member town, the students would have to go to that member school unless there was a program that wasn't offered at that school. Not all students thrive at ABRHS. There is the benefit of learning a trade.

She proposed that we form a committee to one of the schools and present this as an option at a future town meeting. If we don't vote for this we still have to pay transportation costs and students have limited options. Our students can't vote so we need to show them that we care about their future.

Dick Wagman of Leonard Rd. remembers the Town Meeting at which we voted it down. He remembers it as a big blunder. We shouldn't force students to stay at ABRHS. Strongly supports trying to get back into something. It's OK to pick one school.

Michael Toups wishes that this wasn't done in 2016. We were assured that we would have more choices for our students. We asked them about what if they don't have room for us. The answer was no, and barely debated. They claimed it would cut transportation costs. His youngest went to Minuteman and then RPI. Unfortunately the horse has left the barn and we can't get back into Minuteman. They sized it

for a smaller number of students than they had previously. He urged us to vote yes, but doesn't know how to solve this problem.

Cheryl Mahoney thanked Jennifer for the presentation. Mr. Toups' daughter was Valedictorian as was the AB student the year before. It was actually a longer protracted discussion. In 2015 this was put forth, but no analysis had been done so very reluctantly that person agreed to formulate a Vocational Study Committee. The findings of the Committee are that more students will want to go to these schools. Every study shows that that will change. That person pushed through the Article to remove us from the district and then left town. He also helped to sway Minuteman by reducing the size of the building.

Steve Ballard of Swanson Rd. stated that last year we had 11 Voch Tech students and previously there were none; the numbers are increasing and it's great. Last summer DESE changed their regulations because these regional schools had become an industry that were being gained by privileged families. If you look at the demographics at Minuteman, there are a lot from Acton, including 1 English language learner. They don't reflect the demographics that you would hope for. Large Hispanic populations in places like Lawrence aren't represented.

Christine Marlow said it's an important subject and it's heartbreaking to hear that 12 of our students didn't get into a voc tech school. If you are a member are you given priority?

Ms. Campbell explained that yes, our students wouldn't even be considered.

Ms. Marlow wants to vote yes on this. The numbers are changing so please vote yes.

Heather Fleming of Stow Rd. very much supports it, and would love to do this for our community not only to give our kids the choice and also to send the message that choice is fine and not better than or less than.

Mark White moved the question. Motion carried by 2/3 vote

Action on the motion on Article 35: Motion carried unanimously.

Wes Fowlks moved to dissolve the May 9, 10 and 12, 2022 meeting at 10:52 pm. The motion to dissolve the meeting carried unanimously. Moderator John Fallon received an instant standing ovation on the occasion of his final Town Meeting.

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 25, 2022.

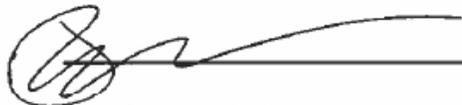
Wesley I. Fowlks, Chair
Select Board



Leslie R. Fox, Clerk
Select Board



John M. Markiewicz
Select Board



Jennifer Campbell
Select Board

Diana Lipari
Select Board

199 voters in attendance, May 9, 2022
283 voters in attendance, May 10, 2022
87 voters in attendance, May 12, 2022

True Copy, ATTEST:



Rebecca J. Harris
Temporary Town Clerk, Boxborough

WARRANT AND PROCEEDINGS

**FALL TOWN MEETING
NOVEMBER 15, 2022**

To either of the Constables of the Town of Boxborough in the County of Middlesex, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn all residents of the Town of Boxborough, who shall be qualified to vote in elections and Town affairs, 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 Tuesday, November 15, 2022 at 7:00 p.m. to act on the following articles:

Article 1	Payment of Prior Fiscal Year Bills (**)	3
Article 2	Funding of Collective Bargaining Agreements	4
Article 3	Amending the Personnel Administration Plan	5
Article 4	Amending the FY '23 Operating Budget	9
Article 5	Funding for Assessing Services and Software (**)	12
Article 6	Funding for Capital and Special Articles (**)	13
Article 7	Funding (Supplemental) for Liberty Field (**)	15
Article 8	Funding (Supplemental) for Sargent Road Acquisition (**)	17
Article 9	Funding for the Economic Development Committee	19
Article 10	Recodification of the Existing Zoning Bylaw	21
Article 11	Amending the Zoning Bylaw Relative to Calculating the Gross Floor Area	23
Article 12	Amending the Zoning Bylaw to Align it with the Stormwater Bylaw and Regulations	24
Article 13	Amending the Zoning Bylaw to Align the Definition of Lot Coverage with the Requirements in the Dimensional Table	25

CONSENT AGENDA

Articles on the Consent Agenda are exceptions to the general process of Town Meeting. In every Town Meeting warrant the Select Board, in consultation with Town Counsel, the Moderator and the Finance Committee, identify those articles they feel should generate no controversy and can be properly voted without debate. These articles are put on the Consent Agenda to allow motions under these articles to be acted upon as one unit and to be passed without debate.

At the call of the Consent Agenda, the Moderator will read 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 say "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 for a motion that the voters pass all items remaining AS A UNIT on one vote. Use of the Consent Agenda process makes the Town Meeting more efficient by speeding up the handling of non-controversial items.

The articles we anticipate taking up in this manner are indicated by a double asterisk (**).

NOTE: only Articles 5 and 6 remained in consent agenda at Town Meeting.

NOVEMBER 15, 2022

Counters/Tellers were sworn in by Town Clerk, Rebecca Harris: John Fallon, Barbara Birt, Anne McNeece, Tessa McKinley, Cheryl Mahoney, and David McKiernan

Town Moderator, Dennis Reip convened the Fall Town Meeting at 7:03 pm. 173 registered voters were in attendance.

Dennis Reip introduced Town Counsel Joseph (Joe) Fair from KP Law and Town Clerk Rebecca Harris.

Moderator Reip made introductory remarks.

He explained the basic Town Meeting process and thanked the Town Hall staff for putting the warrant together.

Mr. Reip thanked Littleton Community Television (LCTV), especially Kirby Dolak, LCTV's Video Production Supervisor, Judy Reid LCTV's Video Program Coordinator, and Rob Crory BXBTB Media Technician. They make the audiovisual components of Town Meeting possible, as well as editing and providing the broadcast for later viewing.

He introduced our new Town Administrator, as of a week ago Monday, Michael Johns. Mr. Johns said a few words of introduction and expressed that he was looking forward to working with the volunteers and staff in Boxborough.

He introduced former Interim Town Administrator, Carter Terenzini, now serving the role of Assistant to the Select Board.

Chair of the Boxborough Select Board (BSB) was introduced: Diana Lipari, who introduced the other members of BSB: Les Fox, Wes Fowlks, and John Markiewicz

Chair of the Finance Committee, Maria Neyland was introduced, and each member of the Fin Com introduced themselves: Priya Sundaram, Vice Chair, Gary Kushner, Clerk, Tony Newton, and Becky Neville.

Mr. Reip introduced Rajon Hudson, Assistant Town Administrator and Kelley Price, Administrative Assistant, together running the A/V projector.

Moderator Reip expressed thanks to Blanchard School's principal Dana Labb for being our gracious host and Blanchard School's Dan Ralls and his staff and to Ed Kukkula and our Department of Public Works (DPW) crew for preparing the gym for tonight's Town Meeting.

Mr. Reip expressed that in addition to the fine work of our paid staff, one reason this Town runs well is the dedicated work of literally hundreds of volunteers who so generously contribute countless hours of their time.

Town Meeting Process: Moderator Reip explained:

"The agenda for this meeting is the Warrant and everything we discuss at this meeting is contained in the warrant. This is not the public comment section of a Select Board or Planning Board meeting nor is it a public forum or public hearing. The Boxborough Town Meeting is the "legislature" for the Town. We collectively approve Town expenses, vote on capital purchases, approve by-laws, determine land use and more.

My job as Moderator is to be the presiding officer of this legislature. The Boxborough Town Meeting process is guided by Town Meeting Time, a handbook of parliamentary law prepared by the Massachusetts Moderators Association. You can obtain this at the library or buy one through the Massachusetts Moderators Association.

You were given a 1-page handout on “Boxborough Town Meeting Process” as you walked in. Four key points:

- a) To be recognized and speak you need to be at one of the alternating microphones.
- b) Speakers are limited to 3 minutes and we run a clock. I will not be able to see the clock so I will count on Rajon and/or Kelley, and your fellow citizens to keep track of time.
- c) All discussion must be relevant to the Motions on the floor, and must be civil.
- d) I will call for a vote when no one is standing at microphone. If someone wants to end debate before that they need to come to a microphone and say “I move the question.” Sponsors of the article cannot move the question. You cannot make comments at the mic, and then immediately move the question.

All voters should have received a “bright green” card when you signed in. If I ask for a vote by hands or standing, I will ask you to raise the card to make it easier for the vote to be counted.

Note: if anyone has a question about process you can stand in place and say “Point of Order” in a loud voice and direct your question to me.

Except for a point of order, you **MUST** be at a microphone to ask a question, make a comment, make a motion (end debate, adjourn the meeting).

We will have two microphones tonight. I will be recognizing people to speak in an equitable alternating fashion. I will refer to these as the microphone to my right (your left), and the microphone to my left (your right). Please note the beige color chairs along the aisles directly behind each microphone. These chairs are provided for people waiting in line at the microphones.

Please remember to keep the discussion CIVIL and disagree without being disagreeable. We also refrain from applause, boos, cheer or jeers of any kind. Boxborough has a long tradition of civility at TM. Let’s continue with this tradition.”

Preliminary Motions

Because we do not have a Town Meeting (TM) process bylaw, each TM needs to make its own rules.

Ms. Lipari moved that any adjourned sessions of this Meeting be held on Wednesday, November 16th starting at 7 pm and further that no debate will begin on any new article after 10:30 pm, provided however, that the Moderator may at any time call for a vote to continue past this time in the interests of concluding the meeting this evening.

Seconded. **Motion passed unanimously.**

Ms. Lipari moved that once final action has been taken on an article, and the next order of business has

been taken up, or the session of this Special Town Meeting has been adjourned, the Article may not be again considered at this Special Town Meeting unless the Moderator determines in his discretion that reconsideration would be in the best interests of the voters.

Seconded. **Motion passed by majority.**

Note: votes are taken by voice, show of hands, or standing count. Under town by-law Mr. Reip explained that he has the ability to declare a 2/3 vote without taking a standing count. If he does so and seven voters think he was in error, they have the ability to object and there will be a standing vote.

Moderator Reip explained that the sequence of some of the Motions on the Articles will be re-ordered:

Based on discussion with, and concurrence from the Chair of the Planning Board (PB) that the Motions on PB Articles 10 through 13 will be reordered such that 10 still goes first, followed by Motions on Articles 13, 12 and 11.

**Therefore, the revised sequence of Motions will be:
1-9, and 10, 13, 12, 11**

ARTICLE 1 PAYMENT OF PRIOR FISCAL YEAR BILLS

Submitted by: Town Administrator
Amount: \$12,349.84 (free cash) amended to: \$9,529.84 (free cash)
Required Vote: Nine-tenths

Diana Lipari, Chair of the Select Board moved that the Town vote to appropriate the sum of Twelve Thousand Three Hundred Forty-Nine Dollars and Eighty-Four Cents (\$12,349.84) to provide for the payment of certain late bills from prior fiscal years for the following invoices in the following amounts:

Late bill vendor list	Invoice	Amount
Creedon and Co.	38960-6	\$4,812.84
Minuteman High School	N/A	\$4,702.00
Mead Talerman & Costa LLC	N/A	\$2,835.00

And to meet said appropriation by a transfer of said sum from certified free cash. Motion was seconded.

Summary:

This is a housekeeping article. These invoices were not processed in time for the closeout of FY 2022¹ and have been identified as outstanding bills for the said fiscal year. Authorization to pay a prior year's bill must be approved by Town Meeting.

The Select Board recommends (5 Yes – 0 No – 0 Recused/Absent)

The Select Board recommends for the reasons stated in the summary.

The Finance Committee recommends (6 Yes – 0 No – 0 Recused/Absent)

Main Motion: Diana Lipari, Select Board Chair, seconded.

Discussion on Article 1:

Rick Barrett of Whitcomb road moved to amend Article 1 by striking the words “Twelve Thousand Three Hundred Forty-Nine Dollars and Eighty-Four Cents (\$12,349.84)” and substituting the words “Nine Thousand Five Hundred Twenty-Nine Dollars and Eighty-Four Cents (\$9,529.84).”

Mr. Barrett questioned why when there were sufficient funds and invoices received, these bills were not paid on time.

The Select Board does not recommend this amendment.

The Finance Committee does not recommend 4 to 1.

Discussion on Amendment to Article 1:

Rick Barrett asked that the information be printed in the warrant as it had been in past years; if it had been, he wouldn't have to ask these questions. He has an email from the Interim Town Accountant to the Interim Town Administrator of September 9, 2022, with an invoice for tent set up and rental from Creedon and Co. for 6 weeks, totaling \$4,812.84. Of that \$1,992.84 was FY22 costs and \$2,820 was FY23 costs for four weeks in July. Because this portion was FY23 costs, and these funds are available, the invoices should have been split into fiscal years and those that could have been paid should have been paid. He hopes this lapse does not result in damage to the excellent relationship that has been built with this company over the years.

Mr. Terenzini said he doesn't recall that that was the explanation given to him at the time these bills were presented.

Rick Barrett said he has the email, and doesn't feel the burden to the tax payer should be added.

The Fin Com revised their recommendation based on the discussion that just took place: they recommend 5 to 0.

Owen Neville of Middle Rd. is in support of the amendment because the article is for payment of prior year bills not current year bills.

Point of order: the amendment should be displayed on the screen.

Action on the amendment: Motion on the amendment carried.

Discussion on the original motion as amended. None.

Moderator called for a vote on the motion as amended by show of hands, which carried by majority but was not unanimous.

Because a 9/10s vote was required, Moderator then called for a standing vote.

Action on the amended motion on Article 1: motion carried by 9/10 majority (137 yes to 3 no).

¹ MGL Ch 44 §56: “The fiscal year of all towns of the commonwealth shall begin with July first and end with the following June thirtieth, and the returns made to the director under section forty-three shall show the financial condition of the town at the close of business on June thirtieth; provided, however, that the treasurer shall, until July fifteenth, enter in his books all items for the payment of bills incurred...”

ARTICLE 2: FUNDING OF COLLECTIVE BARGAINING AGREEMENTS

Submitted by: Town Administrator
Amount: \$114,728 (Taxation)
Required Vote: Majority

Diana Lipari, Chair of the Select Board moved to appropriate the sum of sum of One Hundred Fourteen Thousand Seven Hundred Twenty Eight Dollars and No Cents (\$114,728.00) to the FY '23 Operating Budget as shown on the screen to fund the cost items of the first year of three-year collective bargaining agreements between the Town and the identified union:

A	Boxborough Professional Firefighters, Local 4601	\$ XXXX
B	Massachusetts Coalition of Police, Local 200, Police	\$77,457.00
C	Massachusetts Coalition of Police, Local 200A, Dispatch	\$11,284.00
D	DPW Local 424M, Unit MA Div.125	\$25,987.00

And to meet said appropriation by taxation. Motion was seconded.

And to further authorize the Town Administrator to allocate said sums to the personnel, insurance and benefit cost account(s) as appropriate to each agreement.

Summary:

Funding for the first year of collective bargaining agreements must be approved by Town Meeting. This article is for the funding of the first year of three-year collective bargaining agreements covering the period July 1, 2022 – June 30, 2025 with the Town’s four unions: Massachusetts Coalition of Police, Local 200, Police; Massachusetts Coalition of Police, Local 200A, Dispatch; Boxborough Professional Firefighters, Local 4601; and DPW (United Public Service Employees) Local 424M, Unit MA Div.125. At the time of the printing of the warrant, some of the contracts had not been settled. If they are settled before Town Meeting, they will then be presented.

The Select Board will defer their actual Yes/No count to Town Meeting

The Select Board will be recommending the approval of the Collective Bargaining Agreements (CBAs). The CBAs have been negotiated with the unions and the Select Board, in collaboration with the negotiation team, has strived to create agreements that are beneficial to both the Town as well as the respective Unions. At the time of the writing of recommendations, the negotiations have not been finalized but we are hoping to have an update at Town Meeting.

The Select Board Recommends unanimously. The collective bargaining agreements have been negotiated with the unions and have benefits to both the unions and the Town.

The Finance Committee unanimously recommends. The recommendation was deferred to Town meeting because they just got the details tonight; the change to the tax rate is 9 cents/thousand s or \$59.96 on the median home price.

No discussion.

Action on the motion on Article 2: motion carried by majority vote.

ARTICLE 3: AMENDING THE PERSONNEL ADMINISTRATION PLAN

Submitted by: Town Administrator

Amount: N/A

Required Vote: Majority

To see if the Town will vote to amend the Personnel Administration Plan by deleting the words and/or amounts noted in strikethrough, and inserting the words and/or amounts shown in bold print as follows:

- (a) FY2023 Classification & Compensation Schedule
Per Diem and Intermittent Employees & Stipends

Hourly (All Non-exempt)	FY-23 Rate
Part Time Dispatcher	19.84 22.50
Special Reserve Police Officer	21.86 25.00

- (b) ARTICLE VI. THE PAY PLAN

Section 2. Promotions or Reclassifications

~~a. When an employee is promoted to a position in a higher class, the employee's salary shall be increased to the minimum rate for the higher class. In the case of overlapping ranges, the promoted employee shall be increased to the step immediately above the employee's present salary.~~

~~b. When an employee is promoted, or the position they hold is reclassified to a position in a higher grade, the employee's salary shall be increased to the minimum rate for the higher grade. In the case of overlapping ranges, the promoted or reclassified employee shall be increased to the step immediately above the employee's current salary step.~~

When an employee is promoted to a position in a higher class or the position they hold is reclassified to a position in a higher grade, the employee's salary shall be increased to the first step which provides them with an increase in pay of at least 5% above their base pay prior to the promotion or reclassification.

- (c) ARTICLE X. VACATIONS

Section 2. Regular reduced-hours **and regular part-time** employees shall be entitled to vacation according to Section 1 except that the resulting days shall be multiplied by the average number of hours worked each week and then divided by forty (40).

Section 3. ~~Regular part-time,~~ **Per diem,** and intermittent employees do not accrue vacation time

- (d) ARTICLE XI. LEAVES OF ABSENCE

Section 1 SICK LEAVE

h. Sick Leave Bank

There is hereby created a Sick Leave Bank (the “Bank”) to provide offsetting pay for a limited time to those participating Town employees (the “Participant”) who have exhausted their personal accrued leave time, in all of its forms, and suffer from a disabling injury or illness. The Bank is a voluntary, participative arrangement entered into by Town employees seeking to provide some measure of relief to ill or disabled peers and does not represent an obligation upon the Town to create time upon the records of the Bank for use by Participants beyond the time contributed by Participants or as otherwise established within this policy.

Administration of the Bank: The records of time contributed to and drawn from said Bank shall be maintained by the Town Officer charged with maintaining such records. Approvals and disapprovals of membership and withdrawals shall be administered by the Town Administrator subject to any appeal process established herein provided, however, that if the Town Administrator shall become a Participant in the Bank, the Chair of the Select Board shall act in the stead of the Town Administrator with respect to any decision required to be made with respect to the Town Administrators participation in the bank.

Eligibility for the Bank: All employees eligible to receive and accrue sick leave are eligible to apply to enroll in and participate in the Bank. Any such employee represented by a bargaining unit is only eligible to apply to and enroll in the Bank if the entity bargaining on their behalf has negotiated for the inclusion of this policy within their Collective Bargaining Agreement.

Initial Membership Application: Applications for enrollment in the Bank shall be on a form to be designed by the Town Administrator and will only be accepted for consideration during the so-called “Open Enrollment” period established annually for employees to enroll in and/or change their enrollments in the Town’s various insurance programs. However, upon creation of the Bank, there shall be a period of thirty (30) days thereafter in which employees may apply to become a Participant in the Bank.

Initial Membership Deposit: Applications for enrollment shall provide authorization for the Town to withdraw an initial deposit of at least two (2) days of sick leave from the accrued sick leave time of the applicant for transfer to the Bank and may authorize up to four (4) days of sick leave time to be transferred to the Bank.

Annual Membership Deposit: Annually, during the Open Enrollment Period, Participants must provide authorization for the Town to withdraw an additional deposit of at least two (2) days hours of sick leave from the accrued sick leave time of the Participant for transfer to the Bank and may authorize up to four (4) days of sick leave time to be transferred to the Bank.

Opt-Out Provision: Any Participant may remove himself or herself from the Bank at any time; however, once removed, the employee may not withdraw any sick leave contributed to the Bank at the time they initially joined or that they contributed to the Bank as part of any subsequent contribution.

Loss of Deposits: Deposits of sick leave time become the sole property of the Bank and are not returned to the Participant for their sole use, except in accordance with the application for a

withdrawal as outlined below.

Application for Withdrawals: A Participant, or their designee, shall apply to withdraw time from the Bank upon a form to be designated by the Town Administrator. Said form shall require a certification from a qualified medical or mental health professional as to the disabling injury or illness, an indication as to how long the condition may persist, and a certificate of the Town Officer maintaining the Bank of any and all time the applicant has remaining of their personal accrued leave time, in all forms, which must be fewer than eighty (80) hours of total leave time at the time of application.

Maximum Withdrawal & Use Thereof: No Participant may be granted more than an initial grant of twenty (20) days of leave from the Bank in any twelve-month calendar year period. Any such grant of leave may not be drawn against until all other available leave time on the books of the Participant has been fully exhausted.

Continuing Accruals of Sick Leave: Under no circumstances may a Participant, while using time derived from the Bank, accrue any type of leave.

Refunds for Monies Recovered: Any Participant who subsequently receives any form of reimbursement for any Town offered disability or Worker's Compensation Policy covering any illness or disability originally covered by a withdrawal of time from the Bank will reimburse the Bank for the value of the duplicate coverage.

Appeals: Should an application for withdrawal be denied, the Participant may appeal to a three-member board which shall be established to hear the matter within 72 business hours. The Town Administrator shall appoint one person to the panel, the Participant shall appoint one member to the panel, and those two members shall appoint a third party who shall decide the matter within 48 hours of appointment.

Special Levies: Should the level in the Sick Leave Bank be insufficient to provide the time required to fund an approved application, the Town Administrator may issue a special levy requiring a Participant to contribute at least one additional day, but no more than three additional days, of their sick leave time to the Bank. A levy made upon any Participant shall be binding upon all Participants equally. However, no such levy may force any Participant into a negative balance position and the Town Administrator may allow any Participant unable to respond to a special levy to do so when able.

Extraordinary Circumstances: In extraordinary circumstances of illness or disability during a period of time in which an employee was not eligible to apply for membership in the Bank, the Town Administrator may make a one-time call for contributions of sick leave time in any amount to a specific employee who shall be identified in the call for voluntary contributions. Any employee granted time under these provisions shall not be eligible to accrue leave time during any such period of time and any voluntary contribution made in excess of that needed to meet the needs of the employee shall be transferred to the permanent records of the Bank.

Or take any other action related thereto.

The Select Board recommends (5 Yes – 0 No – 0 Recused/Absent)

Section(s) (a) is a needed increase in the wage scale to better attract candidates for these positions, (b), and (c) are necessary clarifications to the plan while (d) the establishment of the optional sick bank leave gives an opportunity for employees to share and borrow accrued days donated by plan participants. This is one way the town is trying to provide non-salary incentives and benefits to recruit and retain employees in a most challenging job market.

The Finance Committee will defer their recommendation to Town Meeting.

The Personnel Board will defer their recommendation to Town Meeting.

Ms. Lipari moved to pass over this article. Motion was seconded.

Discussion on the motion to pass over Article 3: Select Board recommends to pass over unanimously.

Mr. Johns reported that after meeting with the Personnel Board earlier this week, there is a desire to meet collaboratively and work on these changes together and bring them back to Annual Town Meeting.

Recommendation from the Personnel Board chair Sheila Bauer is to pass over.

Recommendation from the Fin Com is also unanimous to pass over.

Cheryl Mahoney of Liberty Square Rd. expressed her support of the details of this article.

Action on the motion to pass over Article 3: motion carried unanimously.

ARTICLE 4: AMENDING THE FY '23 OPERATING BUDGET

Submitted by: Town Administrator
Amount: \$68,400.00 (Free Cash)
Required Vote: Majority

Diana Lipari, Chair of the Select Board moved that the Town vote to amend the FY '23 Operating Budget by appropriating an additional sum of Sixty-Eight Thousand Four Hundred Dollars and No Cents (\$68,400.00) in the following amounts for the following accounts:

Town Clerk – Personnel	\$1,500.00
Assessor – Personnel	\$4,900.00
Treasurer/Collector - Personnel	\$4,500.00
Legal – Expenses	\$50,000.00
Town Insurance	\$7,500.00

And to meet said appropriation by a transfer of said sum from certified free cash. Motion was seconded.

Summary:

Town Clerk: In preparing the FY '23 budget, the wages for two employees were calculated based upon an interpretation of the proposed changes to the bylaw which would establish how wages for persons who were promoted or reclassified were to be determined. In advising the employees of their new pay

rate for FY '23, one took an exception to this interpretation believing it should be a different (higher) wage. While Town Counsel believed the interpretation used to set the budget was a fair and reasonable one, he also believed that an argument could be made by the employee. Given this advice, we deemed it in the best interest of employee morale to acquiesce to the request but to take steps to clarify the interpretation for the future (See Article 3). In recalculating the wage of the individual who believed we were not interpreting the wage correctly, we did take the same steps for the employee in the Town Clerk's office which we had also calculated in this same manner. For the first employee, there were sufficient funds in the budget due to a staffing vacancy. For the second employee in the Town Clerk's office there was no such vacancy and thus a lack of sufficient funds to cover the difference. This appropriation covers that difference.

Assessor: The FY '23 budget apportioned the time of the Department Assistant (DA) between assessing and accounting. That was based on a belief that we would have a full-time Accountant. However, that plan did not work when our several efforts to hire a full-time Accountant were not successful. We had to step back and reorganize the staffing for accounting which now needed more hours of administrative support. At the same time, we found a need to fill an administrative position at the Police Department. We were able to reduce that position from full-time to part-time and share it with accounting. Over time, cost of this plan is actually lower and allows us to add some needed hours in assessing. However, it means we need to backfill the assessing budget for those hours we originally thought would be devoted to accounting. We now need to cover the full costs of the Assessing DA out of that budget.

While we considered transferring some of the savings to be realized by reorganizing the position in the police department, we anticipate that their budget will need to be backfilled at some point in the spring due primarily to overtime coverage being incurred to cover officers out with injuries. Transferring money now merely makes the anticipated problem larger in the spring.

Treasurer/Collector: In preparing the FY '23 budget, it was believed that the position of Finance Director would not be needed with the anticipated recruitment of a full-time qualified accountant and a minimum of backlog of issues on the agenda for the incoming TA who could act as Finance Director. Neither of those assumptions have proven out and we now believe it is important to have a single designated person as Team Leader to coordinate the finance team.

Legal Expenses: Legal expenses are dramatically higher than anticipated due primarily to ongoing litigation that we had hoped would be resolved, numerous requests for public records, many of which need to be reviewed by Counsel, and the need to defend against numerous complaints that various Boards have violated the Open Meeting Law and ongoing collective bargaining.

Town Insurance: The injuries in the Police Department negatively impacted our experience rating on our Injured on Duty (IOD) insurance coverage and drove the FY '23 premium renewal far above what was anticipated. It is highly likely the same will occur with other coverages and a backfill of the liability insurance may be needed as we get closer to the spring as well.

A majority of the Select Board recommends all of the increases to the Operating Budget.

A majority of the Select Board recommends these changes to the operating budget in order to make up for unanticipated changes and costs associated with the town's operations.

A minority of the Select Board recommends all the increases with one exception:

A minority of the Select Board (1) recommends all of the various items except the \$4,500 for the Office of the Treasurer/Collector. The minority feels that it would be better to wait until all members of the finance team have had more time to work together before appointing a finance director which these funds would be used to compensate.

A majority of the Finance Committee recommends all of the increases to the Operating Budget.

A minority of the Finance Committee recommends all of the increases with two exceptions:

The Finance Committee recommends on several elements of the article as follows:

Town Clerk – Personnel (6 Yes – 0 No – 0 Recused/Absent)

Assessing – Personnel (5 Yes – 1 No – 0 Recused/Absent)

The minority does not recommend the \$4,900 increase for Assessors office. While there is no dispute for need for the additional hours for the Department Assistant in the Assessor’s office, it is the funding source that is of concern (Free Cash); as the minority feels that for full transparency this item should be a budget line-item transfer rather than additional funding.

Treasure/Collector (4 Yes – 2 No – 0 Recused/Absent)

The minority does not recommend \$4,500 for the Treasurer/Collector office. The minority feels that an appointment of Finance Director should be done as part of the Annual Budgeting cycle and by the Select Board and new Town Administrator

Legal – Expenses (6 Yes – 0 No – 0 Recused/Absent)

Town Insurance (6 Yes – 0 No – 0 Recused/Absent)

Moderator Reip explained: Please be aware that the Motion on Article 4 involves 5 separate budget items. To make it easier to explain, discuss, and to vote on the Motion, there will 5 separate discussions and votes with one discussion/vote per item listed in the Warrant.

Discussion on Article 4, Vote 1:

Select Board and Fin Com recommend unanimously.

No discussion.

Action on the motion on Article 4, Vote 1: motion carried by majority vote.

Discussion on Article 4, Vote 2:

Select Board recommends unanimously; Majority of the Fin Com recommends. Minority does not recommend (see above).

No discussion.

Action on the motion on Article 4, Vote 2: motion carried by majority vote.

Discussion on Article 4, Vote 3:

Select Board recommends 4 to 1 (see above); Majority of the Fin Com recommends. Minority does not recommend (see above).

Michaela Barrett of Whitcomb Rd. noted that the \$4,500 is a pro-rated portion of the \$6,000 stipend approved in 2020 for this position. She reported on the experience and qualifications of the previous Town Accountant. She questioned what qualifications the current Treasurer/Collector has in comparison.

Mr. Terenzini said that this position was originally not in the budget when we anticipated having full-time staff for all three positions. He reported that it has not been possible to secure a full time Accountant. When this was budgeted, there was not the need for this position. The current Treasurer/Collector does not have all the qualifications of the person you cited but has 8 years of municipal financial experience, but in the absence of a full-time municipal accountant, and the fact that there are many more items on the plate of this Treasurer/Collector, it is the feeling now that this is the kind of status needed.

John Markiewicz of Patch Hill Rd. strongly recommends support of this article. It has been an extremely challenging finding people for the finance team. We don't want to lose someone because of \$4,500, it would be a shame. We will probably need to spend a lot more money than we will spend now to retain this person.

Action on the motion on Article 4, Vote 3: motion carried by majority vote.

Discussion on Article 4, Vote 4:

The Select Board recommends unanimously. Majority of the Fin Com does not support this.

Rick Barrett of Whitcomb Rd. stated that we should have enough \$ in the legal budget already. Counsel should not need to be contacted regarding public records requests and open meeting law violations, and our boards should be trained to avoid OML violations. He questions whether this is a proposed increase that has been proposed in order to hide hidden costs of hiring a private investigator.

Ms. Lipari said that we do have a lot of continuing expenses that emerge with legal. Originally there was a request to make the legal budget higher, with anticipated higher costs coming down the line. That request was turned down by the Fin Com. We've had new litigation come up included White vs. Boxborough as well as CBK, and it is impossible to fully anticipate what the town will face in terms of its legal responsibilities. We want to be able to defend ourselves against litigation. We can't refuse to respond to public records requests.

Sometimes things come to the SB attention; in some cases these things can be handled by in house personnel and in some cases we have to bring in third party entities. When things such as this are under review, the select board cannot provide information; the transparency that is being requested, we are not able to comment because it is not appropriate to comment on ongoing investigations.

Ms. Mahoney of Liberty Square Rd has a point of order. In the warrant, the Fin Com recommendation was 6 yes and 0 no. The one we were just provided said the Fin Com voted unanimously against this vote.

Fin Com responded: Chair Maria Neyland stated that the Fin Com revoted their recommendation this evening.

Ms. Neyland explained that the \$125k line item for legal was put forth by the ITA last March and Fin Com asked for back-up straight through until their final vote, so they cut the budget down to \$75k. It is tracking at about what we anticipated it would be tracking per month.

Jim Connolly of Flagg Hill Rd. stated that he understands that the SB can't comment on ongoing investigations, but because collective bargaining is almost complete, and he would like to understand the

budgeting process. He asked where these numbers coming from within the limits of what the SB is able to tell us.

Mr. Terenzini corrected a few of the things. One of the problems with looking at cash expenditures is that some bills are yet to be received and some are in the process of being paid. As of September 30th, you have \$50,700 in legal bills have been paid. That is about 2/3 of the budget for legal bills. Some of that was for work you'll see later this evening; some was for litigation. With respect to Open Meeting Law, your boards are actually very good at following OML. OML and Public Records Requests have been weaponized in this community by certain individuals; there are multiple requests from the same individuals that follow on repeated requests. There is no provision in the statute for individuals such as this; you have spent approximately \$11k in the first three months of this year on PRR and OML; you can't just hand things to people; they have privileged information in them, and unfortunately we need to have Town Counsel review many of these documents. You've had Cable negotiations and still have Comcast to work on. There are a variety of other matters. You've been served notice under chapter 21E, a legal claim that will easily cost \$15k in the next few months. It's not easy when presenting the original request to anticipate but you can base things on previous years (last year we spent about \$125k).

Susan Bak of Burroughs Rd. has questions for Fin Com. Back when she was on Fin Com and SB, our prior Town Accountant and Town Administrator provided a list of items. They would tell us how many hours were spent and the \$ amount on each item. Did you ask for a report like that, Fin Com?

Ms. Neyland stated that she has been asking for a report like that since Feb. Then Town Meeting happened, and the numbers that Carter just provided were never given to us. On Saturday once I asked again for tonight's meeting. Kelli Pontbriand, the Accountant said she doesn't get the detailed legal bills, any longer. She gets a fully redacted version, and the full one is kept in the Select Board office. We have received maybe one in the last several months.

Ms. Bak asked if SB can provide a legal bill amount for how much we pay attorneys who have been retained in response to employees who have had to hire attorneys in response to management actions?

Mr. Terenzini stated that his best guestimate is that it was slightly less than \$1,000 in the last fiscal year.

Ms. Neville of Middle Rd. asked five questions for the SB or Town Counsel. Regardless of who is being investigated or why, she stated that she has talked to several people who have been questioned by Paul L'Italien, a private investigator that KP Law hired on behalf of the Town. 1) how much KP Law has billed us for private investigator services? 2) has a cap been set on the amount the KP Law can spend on investigator services, 3) did we pay an agency fee to KP Law to facilitate this hiring, 4) are we paying travel through KP Law to Paul L'Italien for when he travels from his office in Pembroke to Boxborough, and 5) what else are we hiding in legal fees?

Ms. Lipari believes that those questions were answered by Mike Johns, the new TA.

Mr. Johns stated that he started to address Ms. Neville's questions. He answered two of them today that he was able to answer and also sent a list of bucketed legal bills from the beginning of the calendar year. For example from January 1st – August 31, 2022 the legal bills totaled \$111,348. There are numerous litigations and various legal services, public records requests, general legal services, etc. We've started providing some of this and in as much detail as we can at this point.

Ms. Neville said General Legal services is the biggest number and there is no accounting for the details. She urges everyone to vote no and not allow the SB to get more \$ to launder through legal.

Kristin Hilberg of Hill Rd. asked the Fin Com what happens if we vote this down tonight.

Ms. Neyland said we make a lot of assumptions, but don't know when we are going to be sued or when lawsuits are going to end. For anything unknown or emergency we can do a reserve fund transfer. These

may be legitimate and we would ask for detailed bills, and we would do a reserve fund transfer. There is \$115k in the reserve fund.

Ms. Hilberg said that helps, because we still don't know what these bills are. I trust the Fin Com and the system that they will make the necessary transfer.

Ms. Lipari said the problem is that we know we will go over budget in the legal budget.

Ms. Hilberg said based on what you're saying you don't need \$50k.

Ms. Lipari said there is a delay on bills and we're only in November. The public records requests and all of the other things that come up. It was already projected by the TA initially that it was already over budget. Keep in mind that legal bills are subject to certain exceptions in Public Records Law – these bills have to go back to legal for redaction and that requires even more \$.

Ms. Hilberg said that there's no getting around that we have significant transparency issues. The Fin Com is telling us that they don't know what they're spending the money on and you're saying trust us and we need to bring the town back together. I'm having trouble voting for this without knowing what I'm actually voting for.

Larry White of Sara's Way stated that he hasn't been to a Town Meeting in a long time. Maybe it should be \$1 million because of the way you've been treating people. How many Building Inspectors, Town Planners, etc. the Town has gone through in the last few years? It is a time of uncertainty and little or no consideration for personal or constitutional rights. There will be more lawsuits and more negativity. Should we keep funding these questionable practices or should we say stop? You can't keep acting like this; employees can't do their jobs if they risk being fired and micromanaged. One of the things we should do at this point is to reinstate Chief Ryder. We're paying him and what if he sues us? Would be more cost effective if we brought him back.

Moderator Reip said Mr. White is drifting off topic. His time is up.

Mark White of Sara's Way asked what is the money for? Fin Com asked what it's for and they didn't get an answer. Something has to change. He is concerned that the only way to talk to the SB and make them listen is in this room because in their meetings they don't have to listen to us. Or we cannot elect them the next election, and that's rather difficult to do. He is concerned that the SB is not listening. He doesn't want to give them any more money until he understands what it is being spent on.

Chad Childers of Middle Rd. moved the question.

Motion to move the question carried by two-thirds majority.

Action on the motion on Article 4, Vote 4: motion failed.

Discussion on Article 4, Vote 5:

Select Board and Fin Com recommend unanimously.

Action on the motion on Article 4, Vote 5: motion carried by majority vote.

CONSENT AGENDA

Diana Lipari, Chair of the Select Board moved to approve Financial Consent agenda Articles 5, 6, and 7 as published in the warrant and unanimously recommended by SB and Fin Com. Motion was seconded.

Article 5 through 7 have been identified as financial Consent agenda articles and have "***" in the warrant.

These are articles that involve some appropriations and transfers that were unanimously recommended by the BSB and FC and have been identified in advance as items that would likely pass without debate and are intended to be acted upon as a unit.

The moderator went through the articles one by one by name. If one or more voters object to including any particular article in the consent agenda and wish to debate it please say “hold” in a loud voice when I read the title of that article. That article will be removed from the consent agenda.

After the name of #5, #6, and #7 has been read Mr. Reip asked for a motion from BSB Chair Diana Lipari that all articles remaining in the consent agenda be passed as a unit by TM.

We will then go back and discuss the “hold” articles one by one in the usual fashion.

Article 7 was held.

Diana Lipari Select Board Chair moved to approve Articles 5 and 6 entitled respectively as follows,

Title	Page #
Funding for Assessing Services and Software (**)	12
Funding for Capital and Special Articles (**)	13

as published in the warrant and unanimously recommended by the Select Board and Finance Committee. Motion was seconded.

The Select Board recommends (5 Yes – 0 No – 0 Recused/Absent)

The Finance Committee recommends (6 Yes – 0 No – 0 Recused/Absent)

Point of Order: Ms. Neyland needed to add the taxation information. Fin Com recommends unanimously; at the time of the printing of the warrant the Fin Com didn’t have the complete information. The taxation information for Capital Special Article of \$30,000 is \$0.23 per thousand dollars, or \$15.68 per median household; this is the MS4 permitting item.

Action on the motion on Articles 5 and 6: motion carried by majority vote.

ARTICLE 5: FUNDING FOR ASSESSING SERVICES AND SOFTWARE ()**

Submitted by: Town Assessor
Amount: \$30,000 (Free Cash)
Required Vote: Majority

Diana Lipari, Chair of the Select Board moved that the Town vote to appropriate the sum of Thirty Thousand Dollars and No Cents (\$30,000.00) to be spent by the Town Assessor for cyclical inspections, periodic personal and real property valuations, full valuations, interim statistical updates and the related software and upgrades and to meet said appropriation by a transfer of said sum from certified free cash.

Summary:

The Town voted to provide the Assessor with the sum of \$120,000 at Annual Town Meeting of 2021 (Art. 18) for similar purposes. However, after meeting with the various vendors and the Department of Revenue (DOR) the Assessor has discovered the Town is further behind in its cyclical inspection program than had been anticipated and they are unable to complete all of the required work as required by FY '24 without further funding. (Communities are required by the DOR to complete a full revaluation of all property every five years and complete an inspection of every property, including tax exempt property, every ten years). During the discussion of the FY '23 budget the FinCom considered a request to begin to include certain funding within the annual operating budget for annual work on the requirement, whether or not to continue to try to do the bulk of the work with one large appropriation or break the estimated amount needed every five years (\$150,000+/-) into an annual sum. This amount will allow the Assessor to demonstrate to DOR that sufficient funds are in hand well enough in advance to ensure that the Town can complete all of the required work, and provide additional lead time to the staff to ensure they can, in fact, undertake and complete that work.

This set us on the path of appropriating a consistent amount of money in each future year to carry out the needed work. This approach minimizes periodic spike to the budget such as the \$125k appropriation at the 2021 Annual Town Meeting. It is anticipated that these future annual costs will be funded from taxation.

The Select Board recommends (5 Yes – 0 No – 0 Recused/Absent)

The Select Board recommends unanimously. The town is behind in the required cyclical inspections. This money will help to bring us current on a faster cycle and ensure the proper tax assessments.

The Finance Committee recommends (6 Yes – 0 No – 0 Recused/Absent)

This item is expected to be a recurring expense and will be added to the Capital Plan.

Action on the motion on Article 5: motion carried by majority vote as part of consent agenda.

ARTICLE 6: FUNDING FOR CAPITAL AND SPECIAL ARTICLES ()**

Submitted by: Town Administrator
Amount: \$57,500 (Transfers, Free Cash and Taxation)
Required Vote: Majority

Diana Lipari, Chair of the Select Board moved that the Town vote to appropriate the sum of Fifty-Seven Thousand Five Hundred Dollars and No Cents (\$57,500.00) for capital and special articles for the following purposes in the following amounts as generally specified below:

MS-4 Permitting Requirements	\$30,000.00
Police Department Storage Facility	\$15,000.00
Water Resources Committee	\$12,500.00

And to meet said appropriation by:

- A. A transfer from certain prior unexpended appropriations in the following amounts; (a) Thirty Two Dollars and Nine Cents (\$32.09) (ATM 2008 Art 20), (b) One Thousand Twenty One

- Dollars and Ninety Nine Cents (\$1,021.99) (ATM 2017 Art 21), (c) Six Thousand Five Hundred Five Dollars and Sixty Five Cents (\$6,505.65) (ATM 2018 Art 35), (d) Three Hundred Seven Dollars and Thirty Six Cents (\$307.36) (ATM 2020 Art 23), (e) Nine Hundred Ninety Four Dollars and Four Cents (\$994.04) (ATM 2020 Art 31), (f) Two Hundred Ninety Nine Dollars and Sixty Five Cents (\$299.65) (ATM 2015 Art 20), (g) Nine Thousand Thirty Six Dollars and Ninety Cents (\$9,036.90);
- B. A transfer of Nine Thousand Three Hundred Two Dollars and Thirty-Two Cents (\$9,302.32) from certified free cash; and
 - C. The balance of Thirty Thousand Dollars and No Cents (\$30,000.00) from Taxation.

Summary:

The Town has annual maintenance, development of policies, and reporting requirements that it must undertake under the so-called MS-4 program (Municipal Separate Storm Sewer System) established by the federal government for all communities in an “Urbanized Area”. Due to staff turnover, the annual request toward this work was not included in the warrant for the Annual Town Meeting.

At the Police Department, there is a need for a locker room for female officers. Although we have the funds to do this and we have identified a space in which to do it, we need exterior storage space to which we can move the items currently being stored in that location within the building. The current storage structures are deteriorated, incapable of any form of climate control and unsuitable to properly house the items we need to store.

In 2006 the Town developed several exploratory wells on the property of the Harvard Sportsmen Club (HSC) to determine if a well could be established that had sufficient quantity and quality of water to be one element of a public water supply for the area of the I-495 Interchange. The terms and conditions of the license we were granted to enter onto the HSC property required us to remove the test wells and restore the premises once we were done if they requested us to do so. The HSC has now requested that we do so. These monies will allow us to remove any remaining well casings, seal the wells in accord with DEP’s rules and regulations, cover any related costs of removal, site restoration or clean-up, pay attendant legal costs and support continued efforts on the water quality issue at the I-495 interchange.

The Select Board recommends (5 Yes – 0 No – 0 Recused/Absent)

The Select Board recommends all three expenses unanimously for the reasons stated in the summary.

The Finance Committee recommends (6 Yes – 0 No – 0 Recused/Absent)

The Finance Committee unanimously recommends.

Action on the motion on Article 6: motion carried by majority vote as part of consent agenda.

ARTICLE 7: FUNDING (SUPPLEMENTAL) FOR LIBERTY FIELD ()**

Submitted by: Recreation Commission
 Amount: \$175,000 (Free Cash)
 Required Vote: Majority

Diana Lipari, Chair of the Select Board moved that the Town vote to appropriate the sum of One Hundred

Seventy-Five Thousand Dollars and No Cents (\$175,000.00) for the additional expenses incurred in the redevelopments of Liberty Field and to meet said appropriation by a transfer of said sum from certified free cash. Motion was seconded.

Summary:

At the time of the initial vote for Liberty Field at the 2021 Annual Town Meeting, the supply chain issues and price increases due to the pandemic were unforeseen. The project was put out to bid in mid-May of 2022 and unfortunately, the lowest bid received was considerably over budget. The Recreation Commission voted to modify the bid package by doing a scaled-down renovation of the baseball field, using stone dust for the walking path, and holding off on the basketball court. The modified bid package was rebid in mid-August. Two of the bids received came in under budget, but with a very low construction contingency. These two low bids did not include the paved walking path, basketball court, and sub-drainage for the soccer fields. However, the bids listed estimates for completing each of these elements (paved path, sub-drainage and basketball court) per the original scope of the Liberty Field project.

The funds requested would allow the Liberty Field project to proceed with sub-drainage for the soccer fields, a paved walking path, and basketball court as initially planned, and a reasonable construction contingency. We would also note that this amount will be reduced by a gift of \$50,000 toward the pickleball courts once that element of the project is completed.

The Select Board recommends (5 Yes – 0 No – 0 Recused/Absent)

A majority of the Select Board recommends. The high bids reflect the increase in supply costs that have occurred over the past year and a half since the project was approved at Town Meeting. The soccer field drainage is a major requirement in order to fix a current issue and was part of the reason for the project in the first place. Because of restrictions on the bonding of the project and to ensure the validity of the current bids, this is necessary to do at this time and not wait until Annual Town Meeting.

The Finance Committee recommends (6 Yes – 0 No – 0 Recused/Absent)

Unfortunately, since ATM, the costs for construction have increased higher than the originally requested amount. Two sets of bids were received, the second set had items that we in Town really wanted and would not receive. By approving this article, we will have a fully functional set of fields. We also want to note to the Town that even with these added funds additional work will be required in the next 4 to 8 years on the baseball field. This work will be added to the capital plan. The RecCom has a written agreement from a private donor to reimburse the Town for \$50,000 once the pickleball courts are in place as of December 2023.

The Recreation Commission recommends (5 Yes – 0 No – 1 Recused/Absent)

The Recreation Commission unanimously supports this article as it will enable Liberty Field to be completed as planned, but with a modified rehabilitation of the baseball field. Approving this funding now will ensure that the town can proceed with the lowest bid (including bid alternates) that was received in September 2022. The Recreation Commission did seek alternate funding in 2022, including the Mass Trails Grant, MA state budget earmark and others; but unfortunately, none was granted. In the coming year, the Recreation Commission will continue to seek other ways of funding to defray the cost of the project.

Discussion on the motion on Article 7.

Jim Connolly of Flagg Hill Rd. wonders how much the original article was for and if we don't have enough money, can we wait until we do?

Hilary Greven of the Recreation Commission reminded us that the Town Meeting of June 2021 overwhelmingly supported this article. It includes rehab to the baseball field, walking path, rehab of the soccer fields, pickleball court and adult fitness areas. \$1.255 million was approved with \$300k CPA funds. The remainder was bonded. We already have the bond so we have a limited time to spend this money. We went out to bid the first time in May and all of the bids were overbudget and didn't include construction contingencies. We talked with our landscape architect and figured out what we could modify and go back out to bid. We went back out to bid and wouldn't do the baseball fields as originally planned as that was coming in double what we anticipated. We removed the basketball court because that could be added later. We put in a stone dust walking path in place of pavement. The underbudget bids didn't include the sub-drainage or basketball courts. Two bidders gave us estimates of what it would cost including a construction contingency. If we don't do it now, costs are only going to go up; we tried to get a good estimate back in 2021 but now supply chain issues and costs are very high.

Ms. Mahoney of Liberty Square Rd. stated that she would like to see the slide show.

Ms. Greven presented a slide show. Once the pickleball courts are created we will receive a generous gift of \$50k to reduce the cost to town to \$125k. We will be able to move forward as originally planned with a 10% construction contingency and get everything except the baseball field rehab. We already bought playground equipment at a discount via CommBuys. We applied for ARPA Funds, a Mass Trails grant, and an earmark. We can apply for these again.

Ms. Mahoney remembered that back when it was originally voted, the Fin Com recommended and the SB recommended with a phased time period. Has Fin Com changed their position since they first voted? Ms. Neyland said they have not, and they still support this article.

Ms. Mahoney asked if it is already bonded and what time period was it contracted on?

Mr. Terenzini stated that all articles of ATM 2021 were bonded earlier this year including road paving, fire engine, dump truck were bonded for low 3-3.5% for 10 years as far as he remembers. You have one year from the time of bonding to spend 25% of the money. All has to be spent over the course of two years. Today current bonding would be a one-year BAN only for approximately 4.25%. You would receive the full negative impact of every change from the federal reserve bank.

Ms. Mahoney wanted to know how much has been spent so far.

Ms. Greven stated that \$250k has been spent so far on infrastructure planning and equipment.

Eric Vroom of Liberty Square Rd. (vice president of ABYB baseball) stated that it is very important that we support this. This is an area that isn't available now especially for the baseball field; it could be a revenue source for the town. There are not a lot of these fields around, so having a 50/70 hybrid field available would be a great option for revenue, so he highly recommends that we vote to complete this project.

Johanna Choo of Burroughs Rd. wondered how critical the paving is and does Rec Com have plans to generate revenue from these fields from outside users?

Ms. Greven asked Moderator Reip to allow William Murray of Places, Associates.

Mr. Murray, the landscape architect for this project explained that these numbers are actual bids and there is no escalation in the bid. They are contractually obligated to give us the paved path because they are holding these bids for us. As Ms. Greven mentioned, we have two contractors bidding for this and we've asked both of them to hold their bids. The 10% included here is always required because we're digging in the earth and we know they didn't do pristine construction when they built the ball fields the first time around.

Ms. Choo asked about cheaper alternatives to paving.

Mr. Murray said we went out to bid with stone dust; included a bid alternate. The problem with stone dust is that it's maintenance-heavy. The asphalt is a far more durable material. The contractors prefer to do the asphalt because it's cleaner and faster for them. The Rec Com looked at other surfaces. Ultimately 3-4 of these were ruled out because they are not green or too expensive.

Megan Connor of Mayfair Dr., Chair of the Rec Com said yes there are a lot of neighboring towns that are looking to use the field and we plan to use these to generate revenue. She reminded everyone that the \$175,000 comes from free cash so doesn't affect taxes. This has been a long time coming for adults and youth because it's the only municipal land in town that can be utilized in this way.

Ms. Hilberg is in favor of this and happy to have a multi-generational facility. I wonder how much \$ is left in free cash?

Ms. Neyland responded that as of July 1 there was \$2,983,617 which is much higher than it usually is because of covid, much of what was budgeted was not spent and went back into free cash. If the articles pass tonight, the balance will be \$2,728,617, including \$175k taken out. The balance of \$2.7 million with an additional \$600k coming out as voted at ATM, we will have \$2.1 million left.

Ms. Hilberg said this is such an important project. We are far into the project and hard to come back later. The contingency is so important. Having a project sit idle is a problem. This is prudent all the way around.

Mary Nadwairski moved the question.

Motion to move the question passed by two-thirds majority.

Action on the motion on Article 7: motion carried by majority vote.

ARTICLE 8: FUNDING (SUPPLEMENTAL) FOR SARGENT ROAD ACQUISITION

Submitted by: Town Administrator

Amount: ~~\$25,000 (Free Cash)~~ \$10,000 (Free Cash)

Required Vote: Majority

Diana Lipari, Chair of the Select Board moved to approve the Article as published in the warrant provided, however, that the amount to be appropriated shall be reduced to Ten Thousand Dollars and No Cents (\$10,000.00). Motion was seconded.

Original Article:

To see if the Town will vote to appropriate the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000) for the additional expenses incurred in the acquisition and related costs of meeting certain grant obligations and to meet said appropriation by a transfer of said sum from certified free cash.

Or take any other action related thereto.

Summary:

At the May 2022 Annual Town Meeting, the Town voted to acquire 95-105 Sargent Road. The acquisition was a result of a Right of First Refusal (ROFR) offered to the Town because the land had been in Chapter 61 Forestry. The total appropriation was \$1,275,000 (\$1,250,000 for the actual acquisition and \$25,000 for costs related to the acquisition). The \$25,000 for associated costs included, but was not limited to, a boundary survey, title insurance, baseline documentation report and land management plan, and associated legal fees. We had hoped to offset some of those costs by applying for a \$400,000 grant from the Commonwealth of Massachusetts under the Local Acquisitions for Natural Diversity (LAND) program.

The Town has since learned that the full \$400,000 LAND grant was awarded to the Town, resulting in several expenses that the Town needs to incur in order to get the full reimbursement. Due to the timing of the need to close on the purchase and await the final LAND grant paperwork, it was necessary to assign the ROFR to Sudbury Valley Trustees (SVT) in order to apply for the grant. One of the main drivers of the increased expense is the high-interest rates on treasury bills that weren't anticipated (interest will be paid to SVT as part of the Memorandum of Agreement between SVT and the Town in order to apply for the LAND grant). Surveys are currently expensive and legal fees associated with all of the transactions are costlier than anticipated. A trailhead sign is required that acknowledges the LAND grant and it was not originally included in associated budgeted costs.

The Boxborough Conservation Trust (BCT) has now raised \$17,000 above and beyond its original promise of \$200,000. With the LAND grant, BCT contributions, and Community Preservation Committee (CPC) funds, the cost remaining to the taxpayer of the total project is estimated at \$275,000 plus the \$25,000 requested in this article, for a total of \$300,000. Thanks to the successful LAND grant application, this amount is significantly lower than the amount for bonding that was presented at Annual Town Meeting, or \$675,000.

The Select Board recommends (5 Yes – 0 No – 0 Recused/Absent)

The Select Board recommends unanimously these expenses to get this worthwhile purchase completed and remains grateful to the BCT for its work in offsetting costs through fundraising and grant applications.

The Finance Committee recommends (6 Yes – 0 No – 0 Recused/Absent)

The FinCom supports the acceptance of the State LAND grant and the funds required prior to receiving the grant. Spending \$25,000 to save the Town the full amount to purchase the Sargent Road property is a good tradeoff for the Town.

Discussion on Article 8:

Ms. Mahoney asked for the reason for the reduction in costs.

Mr. Terenzini noted that the BCTrust raised an additional \$17k and received a grant of \$25k so they are covering most of the costs and the town owes a debt of gratitude to the BCTrust for raising additional funds far above what they originally committed to.

Action on the motion on Article 8: motion carried unanimously.

ARTICLE 9: FUNDING FOR THE ECONOMIC DEVELOPMENT COMMITTEE

Submitted by: Economic Development Committee (EDC)
Amount: \$10,000 (Free Cash)
Required Vote: Majority

John Neyland of the EDC moved to pass over Article 9. Motion was seconded.

To see if the Town will vote to appropriate the sum of Ten Thousand Dollars and No Cents (\$10,000.00) for Boxborough’s contribution toward the funding of a Technical Assistance Panel to be provided by the Urban Land Institute of New England (ULI/NE) to develop an action plan for Boxborough Town Center

And to meet said appropriation by a transfer of said sum from certified free cash.

Summary:

This funding is a contribution by the Town to engage the Urban Land Institute of New England (ULI/NE) to provide a Technical Assistance Panel (TAP) focused on revitalizing our Town Center to be an expanded and economically viable commercial, social and cultural center. To accomplish this, there is much work to be done. “Town Center” needs to be re-imagined as an expanded village center incorporating the current Town Center district with adjacent commercial and municipal properties along Rt. 111 and on Middle and Stow Roads (See Map). The institute facilitates a panel of independent planners, engineers, real estate experts and other professionals who provide time and resources working with communities throughout New England to help revitalize their commercial centers. A completed TAP has a value of \$30,000-\$40,000, and ULI/NE requests a \$10,000 contribution from the community. At the conclusion of the TAP, the Town will receive an assessment and set of recommendations and actions for us to move forward with realizing a viable and expanded Town Center.

Establishing a vibrant Town Center has been a long-established goal for Boxborough. There are multiple strategies and actions in the Boxborough 2030 Master Plan calling for efforts to further our Town Center. This was reaffirmed in the survey conducted by UMASS, indicating that people in town desire a mixed-use, village style development for the Town. The Economic Development Committee believes this approach puts the Town on a path to realizing our vision for a Town Center, and is committed to working with all boards, committees, residents and businesses to bring this vision to life.

This funding request is in conjunction with an effort to secure grant funding from the Commonwealth of Massachusetts for Town Center Revitalization. An application was submitted in June for \$47,000 in funding to allow the town to hire a consultant to complete an assessment of our constraints and opportunities for an expanded town center. Grant decisions are expected in the Fall of 2022. Should Boxborough not be successful in securing the grant funding, this \$10,000 for ULI/NE will enable us to keep moving forward to realizing a viable and expanded Town Center, better positioning us for grant funding in 2023. Should we be successful in winning this grant funding, this \$10,000 will enable us to jump start the effort before starting the grant work, which will provide Boxborough the largest benefit.

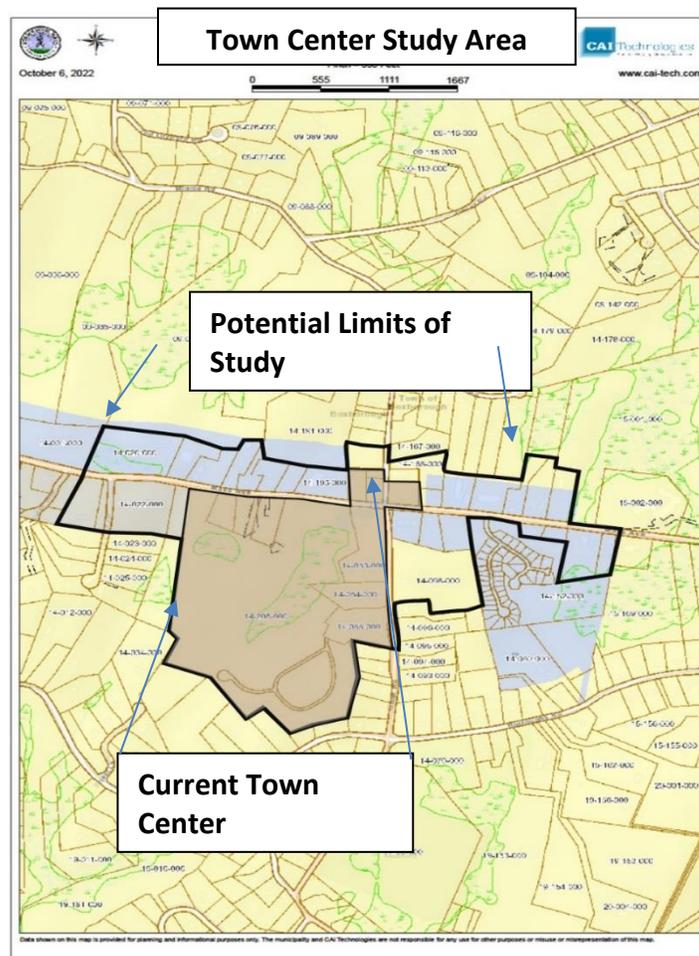
The Select Board recommends (4 Yes – 1 No – 0 Recused/Absent)

It is the opinion of the majority of the Select Board that the value of the input we receive far outweighs the small cost for this project. It will allow the Economic Development Committee and other boards and committees to use this data to plan for the future.

It is the opinion of the minority of the Select Board that the proposed funding for another study regarding the Village Town Center is unnecessary. The Boxborough 2030 Master Plan was quite clear about the priorities for such a Town Center. The University of Massachusetts study, which cost the Town approximately \$25,000, iterated those goals. While there may be some minor benefits for another look at the process of creating such a Town Center, the minority believes that it is now time to be doing the work with the help of our Town Planner, not doing another study of the work to be done. The proposed funds would be better spent in more productive and fruitful ways.

The Finance Committee recommends (6 Yes – 0 No – 0 Recused/Absent)

The EDC recommends (4 Yes – 0 No – 2 Recused/Absent)



Discussion on the motion to pass over Article 9:

Mr. Neyland explained that the Article was to explore possible changes to the Town Center district, Middle / Hill / Burroughs Rd area. At the same time we were successful in receiving a grant of \$48k from the state, so we'll drop the \$10k request for now. We may come back for future funding. The idea is to

explore if we could come up with something that looks like a village or town center.

SB recommends passing over and Fin Com recommends passing over and appreciates the financial prudence.

Larry White of Sara’s Way wanted to discuss something about the article.

Moderator Reip made sure that his comment was about passing over vs. not. The comment was not relevant to passing over.

Action on the motion on Article 9: motion to pass over carried unanimously.

ARTICLE 10: AMENDING THE ZONING BYLAW RELATIVE TO RECODIFICATION

Submitted by: Planning Board

Amount: N/A

Required Vote: Two-Thirds

Mark Barbadoro, Chair of the Planning Board moved that the Town vote to Article 10 as written in the warrant. Motion was seconded.

To see if the Town will vote to amend the Zoning Bylaw Article I through Article IX by adopting the Recodification of the existing Zoning Bylaw as shown in a 100 page document entitled “Proposed Zoning Bylaw Recodification,” on file at the Town Clerk’s office, Town Planner’s office, and viewable on the Town of Boxborough’s Website if you [Click Here](#)

(https://www.boxborough-ma.gov/DocumentCenter/View/2708/boxborough_zbl_9_28_22)

By taking the following actions:

1. Deleting in their entirety the following provisions and all their subparts of the existing Zoning Bylaw:

- Article I Authority, Purpose, and Regulations
- Article II Definitions
- Article III Establishment of Districts
- Article IV Use Regulations
- Article V Dimensional Requirements
- Article VI General Regulations
- Article VII Special Regulations
- Article VIII Site Plan Approval & Design Review
- Article IX Administration

2. Substituting the following provisions and their subparts in the zoning article on file in the office of the Town Clerk and Town Planner:

- Article 1 Authority and Purpose
- Article 2 Administration
- Article 3 Establishment of Districts
- Article 4 Use Regulations
- Article 5 Dimensional Requirements

Article 6	General Regulations
Article 7	Special Regulations
Article 8	Special Districts
Article 9	Definitions

Summary:

The purpose of the recodification is to make the Bylaw easier for users to navigate, simplify and update its language, and provide a better structure for predictability and flexibility in both the interests of current use and future adaptability by:

Reorganizing, repositioning, and renumbering portions of the Zoning Bylaw to enhance accessibility and adaptability;

Editing sentence structure, word choice, and paragraph formatting throughout, for clarity;
Providing consistency with present State law;

Consolidating all definitions under a single article and grouping some topic-specific definitions;

Reformatting Section 4003 “Use Regulation Schedule” to identify the special permit granting authority for each use;

Eliminating redundant or unnecessary provisions; correcting spelling and typographical errors, and eliminating or updating outdated statutory references, and

Removing administrative procedures (such as plan submission requirements) that would be better suited to the Planning Board’s Rules and Regulations document.

The Select Board defers to the Planning Board on matters of zoning.

Planning Board recommends (4 Yes – 0 No – 1 Recused/Absent)

The Finance Committee recommends (6 Yes – 0 No – 0 Recused/Absent)

Discussion on Article 10:

Mark Barbadoro noted that the Planning Board held public hearings on all zoning articles, and that they were duly advertised. Mr. Barbadoro presented on all articles related to zoning.

Mark Barbadoro asked a Point of Order of the Town Moderator about whether he had to do a Planning Board report.

Owen Neville asked a point of order to find out what Barbadoro’s point of order was.

Larry White of Sara’s Way asked to clarify the wording change written in the warrant. Where are the changes?

Cindy Markowitz of the Planning Board gave the presentation on recodification of the existing Zoning Bylaw. The document is approximately 100 pages, on file with the Town Clerk and on the website.

The last recodification occurred in 1991. It was time to recodify because of all the changes that had been made. We did a zoning audit in 2019. A zoning diagnostic of 13 pages came out of that including ways to provide ease of use and language clarity. We went to Town Meeting to get additional funding in 2021 to

hire a consultant to help us implement some of the changes. We hired Barrett Planning Group for this and held hearings on Oct 3 and Oct 17 for public input.

Revised document is a work product that is the same bylaw with technical changes but no intent or policy related changes. There is a lot of rewording and reformatting but no change to intent.

Consistency with present state law, updated statutory references, consolidated definitions on one page. Improved the use table, special permit authority, etc. We've developed a working document with our consultant to make changes in the future. We suggest you bring typographical errors to the attention of the Town Planner in the future. Zoning bylaws are living documents that continue to change over the years.

Action on the motion on Article 10: motion carried by two-thirds majority vote.

ARTICLE 13: AMENDING THE ZONING BY-LAW TO ALIGN THE DEFINITION OF LOT COVERAGE WITH THE REQUIREMENTS IN THE DIMENSIONAL TABLE

Submitted by: Planning Board
Amount: N/A
Required Vote: Two-Thirds

Mark Barbadoro, Chair of the Planning Board moved that the Town vote to approve Article 13 as written in the Warrant. Motion was seconded.

To see if the Town will vote to amend the definition of "Lot Coverage" as found in Zoning Bylaw Article II entitled "Definitions" subsection 2158 or in Article 9 entitled "Definitions" subsection 9.2 of the recodified Zoning Bylaw to add the language in bold, as follows:

Lot coverage shall mean the percentage of the lot area that is occupied by buildings, **structures, and impervious surfaces.**

Summary:

The purpose of the additional language is to harmonize the definition of Lot Coverage with the requirements contained in table 5002 of the Zoning Bylaw. The definition of "Lot Coverage" in Section 2158 only includes the area covered by buildings; however, table 5002 "Maximum Lot Coverage" also includes *Structures and impervious surfaces*. This change will not alter the current requirements, but it will clarify them.

The Planning Board recommends (5 Yes – 0 No – 0 Recused/Absent)

The Finance Committee recommends (1 Yes – 4 No – 1 Recused/Absent)

A majority of the Finance Committee does NOT recommend this article. We are concerned that it will put too many constraints on a developer. Thoughtful redevelopment of our existing office parks and business district is important to help shift the tax burden from the residential taxpayers to commercial taxpayer.

One member of the FinCom felt that there are issues with water runoff due to impervious surfaces. We as a town need to protect the water aquifer refill.

Discussion on Article 13: Mark Barbadoro gave the Planning Board presentation.

The Dimensional Schedule contains “lot coverage” but no other references to it. Table includes structures and references to other surfaces. The definition of “lot coverage” needs to be spelled out in the special definition.

This was discovered after the recodification and he didn’t want to have it voted against because it was in there and have a lot of work done for nothing. People are suspicious and easily spooked; some people might think that they were trying to bury a substantive change in the recodification.

He is confident that this will not change how we do business in Boxborough.

Planning Board recommends unanimously. Fin Com majority does not recommend (see above); minority supports it (see above).

Larry White of Sara’s Way is confused and suspicious. He believes it’s still not clear what the bylaw says. He said it does seem like it would bring down developers’ useable area.

John Fallon of Paddock Ln. urged people to vote for this and believes that it was good faith for the Planning Board to pull this out of the recodification.

Mark White of Sara’s Way is speaking as a member of the Planning Board and believe it’s very clear. There is no significant change; he voted for it along with the rest of the Planning Board.

Cindy Markowitz of Meadow Ln. doesn’t understand the Fin Com’s recommendation and asked them to explain it more fully.

Ms. Neville of the Fin Com asked why it wasn’t included in recodification if it was a housekeeping thing.

Mr. Connolly of Flagg Hill Rd. asked if the table that lists impervious surfaces the part of the bylaw that covers what is allowed to be covered in percentage of lots allowed to be covered.

Mr. Barbadoro said the Table is not changing.

Mr. Connolly said then if you vote yes, everything becomes more consistent but the amount that you can build on doesn’t change?

Mr. Barbadoro said that is correct.

Larry White said maybe you need to define what impervious means. A porch or a patio are sometimes defined as impervious? It makes more sense to identify what impervious really means. There were many reinterpretations of the rules.

Jeff Glidden of Sargent Rd. moved the question.

Motion to move the question carried by two-thirds majority.

Action on the motion on Article 13: motion carried by two-thirds majority vote.

ARTICLE 12: AMENDING THE ZONING BY-LAW RELATIVE TO ALIGNING IT WITH THE STORM WATER BY-LAW AND REGULATIONS

Submitted by: Planning Board

Amount: N/A

Required Vote: Two-Thirds

Mark Barbadoro, Chair of the Planning Board, moved that the Town vote to approve Article 12 as written in the Warrant. Motion was seconded.

To see if the Town will vote to strike footnote 1 as found in the Zoning Bylaw Subsection 5002 entitled “Dimensional Schedule, or in Section 5.1.2. entitled “Dimensional Requirements” of the recodified Zoning Bylaw as follows:

~~**1 Unless drainage retention structures such as filtered catch-basins, impoundments etc., are constructed which will ensure that the recharge rate will not be reduced by an amount more than the 30% coverage would produce.”**~~

Summary:

The purpose of this amendment is to create consistency with the Planning Board Stormwater Rules and Regulations, which are required by state and federal regulations to be more restrictive than the current restrictions in the Zoning Bylaw. Currently the Zoning Bylaw allows for up to 100% lot coverage by buildings, structures, and impervious surfaces in the Office Park and Industrial Commercial zoning districts, if certain engineered stormwater systems are in place. The amendment will place a limit on the developable area of a lot to protect our most environmentally sensitive areas in these districts, similar to the other commercial districts.

The Planning Board recommends (5 Yes – 0 No – 0 Recused/Absent)

The Finance Committee recommends (6 Yes – 0 No – 0 Recused/Absent)

Discussion on Article 12:

Mark Barbadoro gave the Planning Board presentation. This is a zoning bylaw amendment to align the stormwater bylaw and the zoning bylaw.

Footnote 1 in the Dimensional Table applies to the Maximum Lot Coverage item in the Office Park and Industrial-Commercial Zoning Districts. Footnote 1 reads: “Unless drainage retention structures such as filtered catch-basins, impoundments, etc., are constructed which will ensure that the recharge rate will not be reduced by an amount more than the 30% coverage would produce.” This footnote allows for an alternative engineering design for stormwater management when lot coverage is proposed to exceed 30% in the IC and OP zoning districts.

There are two areas where the footnotes are in the table. Lot coverage is important when determining recharge levels for groundwater. An engineer wants to determine how much water is recharging into the ground and how much flows off on the surface. The less lot coverage there is, the more stormwater can permeate back into the ground through natural soil. This footnote could allow for 100% lot coverage as long as an engineered design predicted that recharge would be equal to that achieved with only 30% lot coverage.

As written, 30% lot coverage is allowed without any stormwater management. This is at odds with current state and federal regulations which are more stringent than our zoning bylaw. MA Stormwater Standards: “At a minimum, the annual recharge from the post-development site shall approximate the annual recharge from pre-development conditions based on soil type.”

Also at odds with Boxborough’s General Bylaw on Stormwater, which has multiple goals including safeguarding public health, safety, environment, protecting aquatic resources and wildlife habitat, conserving water resources and groundwater supplies and fostering climate change resiliency.

Under our current zoning bylaw, the first 30% of development can ignore stormwater run-off. Because our current IC and OP zoning districts are located primarily in the Aquifer Protection District, there is more

potential run-off in this area than in other districts and that is at odds with this area being most environmentally sensitive. It is also at odds with Strategy 3.4.1 of the Master Plan “Minimize development impact by protecting town’s limited water supply and managing stormwater runoff.”

There is no cost to the town to making this change and it aligns with state and federal stormwater regulations.

Finance Committee recommends unanimously. Planning Board recommends unanimously.

Sue Reuther of Reed Farm Rd. asked if it affects only businesses?

Mr. Barbadoro said it would affect businesses; only future businesses.

John Neyland of Picnic St. said it seems to not make sense to strike out the footnote and it doesn’t apply to the vast majority of our town which is residential. It is an overbearing restriction. But if you limit development it does have a financial impact.

Mr. Barbadoro addressed the fact that our stormwater bylaw addresses 100% of the stormwater damage, and the zoning bylaw doesn’t address that. Most importantly we made a mistake by putting our office park over the largest aquifer in town.

Michael Toups of Pine Hill Rd. is asking about certain types of areas allow for stormwater: in certain districts up to 50% coverage is allowed. He doesn’t think the footnote gives you a free pass because you still need to meet the stormwater requirements. He is in favor, but it is confusing.

Mr. Barbadoro said the stormwater bylaw doesn’t lead you to the general bylaw. Our water regulations are contradictory and less restrictive in one bylaw; this intent is to make them consistent. If you read the zoning bylaw, there is no way to know that we have a General Stormwater Bylaw (that is more restrictive).

Mr. Connolly tried to clarify that it only applies to new development, to be consistent with the stormwater bylaw, you would need to use engineering control to minimize the runoff? But it’s not going to block development?

Mr. Barbadoro stated that it will block some development.

Mr. Connolly but if you create a stormwater system that would allow 100% of the drainage to infiltrate that would be theoretically allowed?

Mr. Barbadoro said yes. We will not go back and make an existing office park re-engineer their stormwater system.

Rita Grossman had a question about the ceiling height. (Question was in regards to the next Article; she had a hard time hearing in the back).

Ms. Markowitz of Meadow Ln. said its intent is to align the zoning bylaw with state standards and our current stormwater bylaw.

Ms. Mahoney asked if those in the IC and OP districts are the only properties affected? Also clarified what was already stated by Ms. Markowitz.

Mr. Barbadoro said yes, and there are residential developments in those districts.

Susan Bak of Burroughs Rd. moved the question.

Motion to move the question carried by over two-thirds majority.

Action on the motion on Article 12: motion carried by two-thirds majority vote.

ARTICLE 11: AMENDING THE ZONING BYLAW RELATIVE TO CALCULATING THE GROSS FLOOR AREA OF A BUILDING

Submitted by: Planning Board

Amount: N/A

Required Vote: Two-Thirds

Mark Barbadoro, Chair of the Planning Board, moved that the Town vote to approve Article 11 as written in the warrant. Motion was seconded.

To see if the Town will vote to amend the definition of the “Floor Area Ratio”, as found in the Zoning Bylaw Article II Section 2136 or in Section 9.2 of the recodified Zoning Bylaw, to add the language in bold as follows:

Floor Area Ratio shall mean the ratio of the total gross floor area of all buildings on a lot to the total area of the lot. **When calculating the total Gross Floor Area of buildings on a lot, any Gross Floor Area of buildings with a ceiling height greater than 12’0” other than residential buildings and their accessory structures, shall be added twice to the total.**

Summary:

The purpose of this amendment is to limit the amount of high cube flex space buildings on a property. This change will encourage mixed uses in multistory facilities instead of land-intensive warehouse facilities without any prohibition of the use. The change shall promote *mixed-use development* in accordance with Strategy 3.1.4 of the Recommendations and Implementation Plan of the Master Plan (*Boxborough 2030*). This also gives the Planning Board more flexibility to potentially provide Floor Area Ratio (FAR) density bonuses for potential future commercial and housing developments that incorporate active agricultural management or open space preservation in their overall development design as identified in Action 3.4.3.2 of the *Boxborough 2030* Master Plan.

The Planning Board recommends (4 Yes – 1 No – 0 Recused/Absent)

The Finance Committee recommends (0 Yes – 6 No – 0 Recused/Absent)

The Finance Committee unanimously does NOT recommend this article. Changing the Floor Area Ratio to 12’ will significantly restrict the redevelopment of our office parks and reduce the amount of commercial property tax the Town will be able to collect. Boxborough has several Office Parks ready for redevelopment and being located at the junction of Routes 2 and 495 makes them very desirable. This change in the FAR will make it more difficult for many projects to go forward. Most office buildings and restaurants being built today have a ceiling height of greater than 12’. The Finance Committee would like to see these properties thoughtfully redeveloped so that the tax burden can be shifted from the residents to commercial taxpayers.

The Economic Development Committee Recommends (0 Yes – 4 No – 2 Recused/Absent)

The EDC believes the current bylaws, as written, is already restrictive, and any further change to make it more restrictive will further inhibit commercial development within the districts the Town has zoned for such development.

Discussion on Article 11:

Mark Barbadoro gave a presentation. It will limit the amount of gross development on land while still

allowing new development. 90% of the proposed development is located in the OP district, which is environmentally sensitive. 25% or more of our population lives in or in proximity to this district.

New developments have been proposed that are 30-40 feet tall with one story on the hotel land. There are some proposed developments that will cover 2 million sq ft. This area is environmentally sensitive, but R&D and light manufacturing are allowed in those districts. They are a pre-existing non-conforming lot. They can get a permit with the ZBA and convert their floor area into high bay flex space. Guttierrez behind the hotel (all on Adams Pl) are proposing 120,000 sq ft. development. They have the same situation with a lot of undeveloped land. 100% of the hotel land is in aquifer protection district, with a portion of the Guttierrez within this district. In case you are not aware, this is a river that flows underground. Someday if we ever have our own municipal water supply, it will likely be from some portion of this aquifer protection district.

It's an environmental justice community, downstream from the development is the Public Water supply for condos (approx. 25% of our population), DEP Important Habitat, Natural Heritage and Endangered Species Program (NHESP) Priority Habitat, includes 100s of acres of open space and abuts permanently protected open space.

The AP and OP were established in 1984. New regs to protect aquifer protection district were established. Lot coverage regulations were put in place. In 1989 the Floor-Area Ratio (FAR) regulations were put into place. FAR was restricted to 0.1, restricting gross floor area to 10% on the lot. These have protected our water supply and natural resources. Over the years, R&D requirements have changed. The current shift is away from Information Technology (IT) and towards life science and warehouses. They need larger open floor areas. There is more call for High Bay Flex Space.

There is potential for pathogens, hazardous waste, increased traffic and other development downsides.

These uses are not consistent with the Aspirations and Goals of the 2030 Master Plan. (e.g., "Improve the quality of life for residents," "Economic development should not be pursued simply to increase the commercial tax base," "long-term water resource management and protection," and "recreational facilities, and open space for all ages," "prioritizing enhanced quality of life over expanding the commercial tax base," and "appropriately scaled and mixed-use developments").

Solution: set reasonable limits on some types of development. Diversify Commercial space use types.

This bylaw will double the Gross Floor Area for buildings that have a ceiling height greater than 12 ft. Total Gross Floor Area is the total floor area contained in the building on every floor. Total Gross Floor Area/Sq Footage of the Lot = FAR. It is an intensity regulation. All floors on any story are counted. Example: 10,000 sq ft building on/100,000 sq ft = 0.1 FAR. If another story is added it is a 0.2 FAR but the footprint remains the same. Allowable FAR in our bylaw in OP district is 0.1.

FAR of different buildings with more stories can have equal FARs but smaller lot coverage.

If you're talking about conservation of land, you can do a lot with stacking of stories. High Bay Flex space buildings are as large as office buildings but have 1/2 or 1/3 the Gross Floor Area. We are talking about many 100,000s of thousands of sq ft of factory/warehouse space. You end up covering a great deal of area and use up a lot of open space this way. Illustrations in ppt of existing buildings on Beaver Brook Campus for example. You could build many more 40 foot tall buildings on an equivalent lot.

Costs of this zoning amendment: could result in a reduction of about 500,000 sq ft of currently proposed development. The town could see future tax abatements if the market for High Bay Flex Space diminished and we're left with stranded assets. The Boston Globe had an article from today "Boston's lab boom is hitting the brakes."

If we are left with a lot of empty life science buildings, we have lost revenue and lost open space. The trend is downward.

Commercial, Industrial and Personal (CIP) property tax revenue: we have the largest contribution of CIP compared to towns of surrounding size. We are in the top 25%; those that are higher than us have split tax rates. Of flat tax communities we are number 1. In the entire county for flat tax rates we have the highest CIP last fiscal year. This year it dropped a bit, mainly because our residential tax rate went up so those are being taxed at a higher value.

He urged a yes vote to preserve open space and for the reasons given.

Planning Board recommended 4 to 1.

Fin Com unanimously does not recommend (see above).

Mr. Neyland stated that the EDC believes that the zoning bylaw is restrictive enough as written.

Select Board defers to the Planning Board for matters of planning.

Owen Neville of Middle Rd. was at the 1984 Town Meeting. He feels that we have taken great pains to protect our water supply. He showed an illustration of building size vs. lot size and how much it would shrink. We have a 0.1 ratio currently; Mr. Barbadoro showed a 1:1 ratio. Our Planning Board is meticulous. He is concerned that this is too restrictive so urged a no vote.

Mr. Barbadoro had a point of fact to clarify that a one-story building would cover the same amount of the lot unless it has a ceiling height of over 12 ft or if the building is already in existence.

Ms. Choo is concerned that this district is right next to route 495. The development would involve clearcutting and you would lose the buffer for noise. The cheapest way to development is to cut down trees, sell the timber, and building one-story buildings; she argues that we should not be chasing after developers that could go bankrupt and be left with no tax revenue. She moved to Boxborough for the open space and tree protection. We should think far ahead and encourage long-term thinking and encourage everyone to vote yes.

Rita Grossman of Depot Rd. applauds that Planning Board for tackling this as well as appreciating the EDC and Fin Com trying to bring in tax revenue. We have a challenge here. She likes to think of it as, liking her flush toilet and indoor plumbing but wouldn't install it on her dining room table. Our aquifer is the dining room table and even though we would like to see development for economic reasons, we need to come up with a solution. Could there be a compromise with how high the ceilings can be within the intent of what you're trying to accomplish? Her husband, an architect, said that many developments don't have dropped ceilings, and the mechanicals would be exposed; would 15 feet or a different number be possible?

Mr. Barbadoro said yes, we could do a higher number for ceiling. Usually the dropped ceiling is 12 ft and there's room for mechanicals. Cathedral spaces are nice in restaurants but we're never going to get a 100,000 sq ft restaurant in Boxborough. We're talking about 5-10,000 sq ft of cathedral ceiling; that would be allowed. There is flexibility to allow for some of that; the whole restaurant wouldn't have to have a cathedral ceiling, for example. He is concerned that if we're not careful, we will lose the one restaurant that we do have.

Mr. Toups thinks it's a great idea but is afraid there are a lot of problems that will show up. There are commercial offices with high ceilings and low cubes; he doesn't like the 12 ft number. If no dropped ceiling, then you're up to 16 ft. For example, if a three-story atrium is built, does that mean there needs to be 12-ft ceilings on all of the floors?

Mr. Barbadoro said the floor area of an atrium (usually on 3-4 floor buildings) will be counted twice. KP Law's Jonathan Eichmann reviewed it and the calculation makes sense.

Mr. Toups is still concerned that 12 ft is very restrictive and low.

Larry White asked if this pertains to any zone? If the intention is for office parks only, there should be

wording added regarding that.

Mr. Barbadoro said it only applies to the OP and IC districts for a minimum standard of Gross Floor Area in those districts. The other districts have unlimited.

Mr. White said that is not true because in A1 there is a limit.

Mr. Barbadoro asked to look that up.

Mr. White said it was disingenuous to bring up water and asked how you can bring up public water supply for these buildings because that wouldn't happen. The Planning Board is commended for trying to clean up some stuff, but is trying to have more power and he doesn't think it's appropriate. You can't build out these areas because of wetlands, etc. Making two stories is better for open space, and it is cheaper to build two stories, to counter the earlier speaker's point.

Ms. Lipari of Littlefield Rd. said she remembers a Planning Board meeting about 1414 Mass Ave. and possible warehouses. The developers talked about a flex space and how wonderful it is and outfit it for future second and third stories. What the Planning Board is trying to prevent a building from going too high with extra stories – all impacts to water supply, septic etc. would be the results of a building that can turn into something else other than what it was regulated to be. That is why when you have a building above a certain area you want to represent what it could become. She recommends that we vote yes on this.

Mark White of Sara's Way was the dissenting vote on the Planning Board due to the 12 ft ceiling height. They had the big fear of an Amazon warehouse coming in with traffic and water impacts. But a warehouse is not allowed in the office park district. I had proposed an 18 ft height; 12 ft is really low. The intention of this change is to encourage multiuse space, but it doesn't really do that. The last big development, Vibalogics is a building that's worth \$56 million; an Amazon warehouse would have been worth a fraction of that. The traffic is low and impact is low because of waste management. It's problematic to get through – they have to apply for permits and site plan review. We have a dump on that aquifer, we can't use that as a public water supply anyway. The hotel can't be forced to stay. There a lot of things that can't go in without permission from the Planning Board.

Ms. Mahoney agreed with Mark White – 12 feet is arbitrary. The new school in Acton, the building she works in has multiple ceiling heights. Can we bring manufacturing back to the US; R&D spaces are far more than 12 ft high. The Planning Board needs to rethink that restriction. 1984 was 40 years ago; office parks are a thing of the past.

Mr. Connolly supports the article. Developers will always overbuild. They will try to get they can get. We will be spending more money on legal fees because developers will try to use the buildings for what they want to use it for. The question about this bylaw is: is it protective enough. You could always give a variance if needed. Once the trees are cut and the endangered species are eliminated, they are not coming back. I would urge you to consider if the possibility of short-term tax revenue is enough to justify risking the aquifer, the noise protection, and the environment.

Stephanie Stoumbelis of Emanuel Dr. supports this article and appreciates that it is an important piece in taking the long view and a small part of addressing a global crisis. So anything that can be done to protect land is important. It's also important that it is in a part of town with the highest population density.

Larry White of Sara's Way moved to amend Article 11 to pertain to Office Parks only. Gary Kushner seconded. He wants to make sure it cannot be used in other areas.

Mr. Barbadoro made a point of order that there are two districts on the use table that currently have a FAR of 0.1 so it applies to those two districts only, Office Parks (OP) and Industrial Commercial (IC).

Joe Fair of KP Law opined that the Zoning Bylaw as already written only applies to the OP and IC districts.

Vote on the motion on the amendment fails.

Kristin Hilberg of the Economic Development Committee reported that the EDC had a lot of discussion about unintended consequences. She appreciated Mr. Barbadoro's bringing up the Master Plan; the concern is that it's a reaction to what's happening at Adams Place. Maybe there should be an amendment on the ceiling height. Part of what they're trying to understand is what types of buildings can use high bay flex space with a 12 ft ceiling height?

Mr. Barbadoro clarified that high bay flex space is not defined in the bylaw. The high bay flex space buildings are really more like 40 ft tall. You would probably be completely rebuilding the building into a multistory building or knocking it down. He doesn't feel that 12 ft is a hard limit, and is perhaps a bit arbitrary because these things evolve.

Ms. Hilberg said she is factoring in the fact that we already have limitations in place in zoning and we've done a good job protecting open space and water resources. Was the Water Resources Committee approached for an opinion on this article?

Mr. Barbadoro showed a map of the proposed 1414 Mass Ave. building that was an extra slide in his presentation. He said that you can be sure that if developers propose a certain building then that is what they are intending to build. This image is with the FAR of 0.1 – it is covering a lot of the lot.

Ms. Hilberg sees other limitations that will protect our open space. She thinks this is not the right time and that it's not well-thought out. She is all about protecting open space and water, but thinks this isn't in the best interest of the town.

Francie Nolde of Sargent Rd. is feeling like we're weighing commercial development tax base vs. conservation. There are about 40 acres and you walk up a hill with a very intense forest that gives you noise pollution abatement, carbon sequestration, and loss of trees. That hill will be dug out so it can be flat. All that natural wildlife habitat destroyed and all impervious surface. There are vernal pools there, circled with buildings. Try to imagine what that will look like, and the fact that it is an environmental justice area.

Mary Nadwairski of Stonehedge Pl. moved the question. Seconded.

Motion to move the question passed by two-thirds majority.

Moderator called for a vote on the motion on Article 11 by show of hands, which carried by majority but because a two-thirds majority vote was required, Moderator then called for a standing vote.

Action on the motion on Article 11: motion carried by two-thirds majority vote (84 yes, 35 no = 70.6%).

Diana Lipari moved to dissolve the meeting. Motion to dissolve the meeting passed unanimously. Adjourned at 10:39pm.

You are required to serve this Fall 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 November 1, 2022.



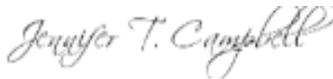
Wesley I. Fowlks, Chair
Select Board



Leslie R. Fox, Clerk
Select Board



John M. Markiewicz
Select Board



Jennifer Campbell
Select Board



Diana Lipari
Select Board

173 voters in attendance, November 15, 2022

True Copy, ATTEST:



**Rebecca J. Harris
Town Clerk, Boxborough**

TOWN PHONE DIRECTORY
TOWN STAFF DIRECT DIAL NUMBERS

The main number for Town Hall is 978-264-1700 For personal assistance, dial "0" after main number

Assessor	978-264-1720	Kelly Szocik
Assessor Support	978-264-1721	Kyungae Lim
Board of Health Support	978-264-1726	Kim Pelser
Conservation Commission Support	978-264-1722	Mary Nadwairski
Council on Aging Coordinator	978-264-1717	Kimberley Dee
Council on Aging/COA Van Support	978-264-1730	Cindy Regan
Inspector of Buildings	978-264-1725	Ed Cataldo
Inspectional Services Support	978-264-1726	Kim Pelser
Town Accountant	978-264-1716	Kelli Pontbriand
Town Accountant Support	978-264-1721	Elizabeth Hoenshell
Town Administrator	978-264-1712	Michael Johns
Assistant Town Administrator	978-264-1718	Rajon Hudson
Town Administrator Support	978-264-1714	Kelley Price
Town Clerk	978-264-1727	Rebecca Harris
Town Clerk Support	978-264-1724	Karen Guzzardi
Town Planner	978-264-1723	Alec Wade
Town Treasurer/Tax Collector	978-264-1715	Jared Aponte
Town Treasurer/Tax Collector Support	978-264-1724	Thida Long
Recreation Commission Support	978-264-1719	Natalie Steele
Veterans' Agent Support	978-264-1726	Kim Pelser
Zoning Board of Appeals Support	978-264-1722	Mary Nadwairski
Town Hall FAX	978-264-3127	

TOWN WEBSITE AND EMAIL ADDRESSES

The Town website, which includes email addresses for Town employees, is www.boxborough-ma.gov. Town Hall employees may also be contacted by email, using the person's first initial and last name as follows: initiallastname@boxborough-ma.gov. For example, Town Administrator Michael Johns' email address is mjohns@boxborough-ma.gov.

OTHER TOWN DEPARTMENT BUSINESS PHONE NUMBERS

Fire	978-264-1770	Paul Fillebrown, Jr, Fire Chief
Police	978-264-1750	John Szewczyk, Interim Police Chief
Public Works	978-264-1790	Ed Kukkula, DPW Director
DPW / Fire Support	978-264-1793	Melissa Pelletier
A-B Regional School District	978-264-4700	Peter Light, Superintendent
Blanchard Memorial School	978-263-4569	Dana Labb, Principal
Sargent Memorial Library	978-263-4680	Peishan Bartley, Library Director
Animal Control Officer	978-264-1750	Phyllis Tower

For all emergency services call 9-1-1

MEETINGS SCHEDULE

All meetings are posted with the Town Clerk, on the Town Hall Bulletin Board, and on the Town's website, www.boxborough-ma.gov. If interested, please call ahead to request an appointment to be placed on the agenda.

MEETINGS	DAY AND TIME	LOCATION*
AB Cultural Council	1 st Tuesday, 7:30 p.m.	Zoom
Affordable Housing Trust	As posted	Zoom
Agricultural Commission	2 nd Tuesday, 7:30 p.m.	Zoom/Town Hall
Annual Town Meeting	2 nd Monday in May (start), 7:00 p.m.	Blanchard
Annual Town Election	Tuesday after 3 rd Monday in May	Town Hall
Board of Health	Wednesdays as posted, 7:30 p.m.	Zoom/Town Hall
Boxborough Building Committee	As posted	Zoom
Boxborough Emergency Reserve Corps	As posted	Zoom
Boxborough Housing Board	2 nd Thursday, 7:30 p.m.	Zoom
Cemetery Commission	10:00 a.m. one Thursday per month	DPW
Community Preservation Committee	1 st Thursday, 7:30 p.m.	Zoom
Conservation Commission	1 st & 3 rd Wednesdays, 7:30 p.m.	Zoom
Council on Aging	As posted	Zoom
Design Review Board	As posted	Zoom
Economic Development Committee	3 rd Thursday, 7:30 p.m.	Zoom
Finance Committee	Tuesdays as posted, 7:00 p.m.	Zoom/Town Hall
Historical Commission	As posted	Zoom
Library Board of Trustees	As posted	Zoom
Personnel Board	Tuesdays as posted, usually 5:30 pm	Town Hall
Planning Board	Mondays as posted, 7:00 p.m.	Zoom
Public Celebrations & Ceremonies Comm.	As posted	Zoom
Recreation Commission	alternating Wednesdays, 7 or 7:30 p.m.	Zoom/Town Hall
School Committee	1 st Thursday, 7:00 p.m.	Zoom
Select Board	2 nd & 4 th Mondays, 6:00 p.m.	Zoom/Town Hall
Steele Farm Advisory Committee	As posted	Zoom/Steele Farm Barn
Sustainability Committee	usually second Wednesdays, 7:00 p.m.	Zoom
Water Resources Committee	3 rd Tuesday as posted, 7:30 p.m.	Zoom
Well-Being Committee	as posted, 8:15 a.m.	Zoom
Zoning Board of Appeals	1 st & 3 rd Tuesdays, 7:30 p.m.	Zoom

*Location for public meetings changed due to COVID-19 pandemic

RESIDENT INTEREST FORM

The Select Board continues to seek volunteers to staff the town's various boards and committees. Participation through membership on one of the town boards, committees or commissions will offer you a rewarding challenge, enabling you to share your talents and enthusiasm to help shape the town in which we live. The commitment of our dedicated volunteers is what helps maintain the community spirit in Boxborough.

Remember, town government is as strong, creative, and vibrant as its volunteers, who DO make a difference.

If you are interested in volunteering for a position on one of the town's boards, please complete the Resident Interest form on the following page.

Resident Interest Form

Name: _____ Phone: _____

Address: _____

Occupation: _____

Special Training/Education: _____

Experience/General Interest: _____

Amount of time available: _____

Date submitted: _____ Email Address: _____

- Acton-Boxborough Cultural Council
- Affordable Housing Trust
- Agricultural Commission
- Board of Health*
- Board of Registrars
- Boxborough Building Committee
- Boxborough Emergency Reserve Corps
- Boxborough Housing Board
- Cemetery Commission
- Community Preservation Committee
- Conservation Commission
- Council on Aging
- Design Review Board
- Diversity, Equity, and Inclusion Committee
- Economic Development Committee
- Finance Committee
- Historical Commission
- Land Stewards
- Recreation Commission
- Steele Farm Advisory Committee
- Sustainability Committee
- Water Resources Committee
- Well-being Committee

Filling out this form does not ensure appointment. All committee vacancies will be filled by citizens deemed most qualified to serve in a particular capacity. If you are interested in serving on an appointed town committee, please fill out this form and mail to: **Kelley Price, Town Hall, 29 Middle Road, Boxborough, MA 01719** or email a scanned copy to kprice@boxborough-ma.gov

*Indicates an elected board