

**TOWN OF BOXBOROUGH  
WARRANT AND PROCEEDINGS  
SPECIAL/ANNUAL TOWN MEETING  
MAY 14, 2007  
LIST OF ARTICLES**

**SPECIAL TOWN MEETING**

- 1. MUNICIPAL AFFORDABLE HOUSING TRUST BYLAW**
- 2. TAX INCREMENT FINANCING AGREEMENT (CISCO SITE 1)**
- 3. TAX INCREMENT FINANCING AGREEMENT (CISCO SITE 2)**

**ANNUAL TOWN MEETING**

- 1. CHOOSE TOWN OFFICERS**  
**QUESTION 1 - REMOVAL OF SNOW AND ICE FROM PRIVATE WAYS**  
**QUESTION 2 - PROPOSITION 2 1/2 CAPITAL EXPENDITURE EXCLUSION – BLANCHARD MEMORIAL SCHOOL SECURITY INFRASTRUCTURE**  
**QUESTION 3 - PROPOSITION 2 1/2 DEBT EXCLUSION – HAGER WELL HOUSE GENERATOR**  
**QUESTION 4 - PROPOSITION 2 1/2 DEBT EXCLUSION – EMERGENCY GENERATOR TO BE LOCATED AT THE BLANCHARD MEMORIAL SCHOOL**  
**QUESTION 5 - PROPOSITION 2 1/2 LEVY LIMIT OVERRIDE – PROMOTION OF 2 FF/EMTS TO LIEUTENANTS**  
**QUESTION 6 - PROPOSITION 2 1/2 CAPITAL EXPENDITURE EXCLUSION – REPLACE TWO DUMPSTERS**  
**QUESTION 7 - PROPOSITION 2 1/2 CAPITAL EXPENDITURE EXCLUSION – ATHLETIC FIELD LIGHTING – ACTON-BOXBOROUGH REGIONAL SCHOOLS**  
**QUESTION 8 - PROPOSITION 2 1/2 LEVY LIMIT OVERRIDE – COUNCIL ON AGING OUTREACH WORKER**
- 2. HEAR AND RECEIVE REPORTS**
- 3. SET SALARIES AND COMPENSATION OF OFFICERS**
- 4. PERSONNEL ADMINISTRATION PLAN CHANGES**
- 5. TOWN OPERATING BUDGET**
- 6. CAPITAL IMPROVEMENTS – BLANCHARD MEMORIAL SCHOOL SECURITY INFRASTRUCTURE**
- 7. CAPITAL IMPROVEMENTS – HAGER WELL HOUSE GENERATOR**

8. CAPITAL IMPROVEMENTS – EMERGENCY GENERATOR TO BE LOCATED AT THE BLANCHARD MEMORIAL SCHOOL
9. CAPITAL IMPROVEMENTS - POLICE & FIRE STATIONS
10. FIRE DEPARTMENT STAFFING - PROMOTION OF 2 FF/EMTS TO LIEUTENANTS
11. CAPITAL IMPROVEMENTS – REPLACE TWO DUMPSTERS
12. CAPITAL IMPROVEMENTS - ATHLETIC FIELD LIGHTING – ACTON-BOXBOROUGH REGIONAL SCHOOLS
13. AERIAL DROP OF MOSQUITO LARVACIDE (BTI)
14. CAPITAL IMPROVEMENTS – GROUNDWATER SUPPLY TESTING
15. COUNCIL ON AGING STAFFING - OUTREACH WORKER
16. RESIDENCY REQUIREMENT BYLAW
17. STORMWATER BYLAW
18. ZONING BYLAW AMENDMENT – AMEND THE ZONING BYLAW TO ADD SECTION 4107 ACCESSORY APARTMENT
19. ZONING BYLAW AMENDMENT – AMEND THE SIGN EXEMPTIONS TO ALLOW AGRICULTURAL SIGNS
20. ZONING BYLAW AMENDMENT – AMEND SECTION 8000 UNDER SITE PLAN APPROVAL
21. GENERAL BYLAW AMENDMENT – AMEND THE EARTH REMOVAL BYLAW
22. RESCIND UNUSED BORROWING AUTHORITY\*\*
23. CLOSE OUT OLD ARTICLES\*\*
24. ELECTED OFFICIALS GROUP INSURANCE\*\*
25. REVOLVING FUND – SENIOR VAN\*\*
26. REVOLVING FUND – GIS ASSESSOR MAPS\*\*
27. ACCEPTANCE OF MGL CHAPTER 59 §5 CLAUSE 22E - VETERANS’ EXEMPTIONS RESIDENCY REQUIREMENTS\*\*
28. REVOLVING FUND - ELECTRICAL INSPECTION\*\*
29. REVOLVING FUND - PLUMBING AND GAS INSPECTION\*\*
30. REVOLVING FUND - FIRE ARMS PERMITS\*\*
31. REVOLVING FUND - LIBRARY FINES\*\*
32. REVOLVING FUND - DOG LICENSE FEES\*\*
33. REVOLVING FUND – STEELE FARM\*\*
34. REVOLVING FUND – INTEGRATED PRESCHOOL PROGRAM\*\*
35. REVOLVING FUND – CONSERVATION COMMISSION\*\*
36. ELDERLY TAX RELIEF – INCREASE IN EXEMPTIONS\*\*
37. CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM\*\*

#### **LEGEND**

\*\* CONSENT AGENDA



## BOXBOROUGH SPECIAL TOWN MEETING

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

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Boxborough, who shall be qualified to vote in accord with the provisions of M.G.L. Chapter 51, Section 1, to meet at the Blanchard Memorial School, Massachusetts Avenue, Boxborough, MA on Monday, May 14, 2007 at 7:00 p.m. to act on Articles 1 through 3 of this Special Town Meeting Warrant.

John Fallon, the moderator, began by asking people to check in and take their seats. He asked for feedback on the change to 7:00pm start time. He also mentioned that the quasquicentennial celebration for the Town's 225<sup>th</sup> birthday is next year. The quasquicentennial committee would like citizen participation. The moderator made some additional announcements. The Blanchard School Vocal Ensemble performed the "Star Spangled Banner" accompanied by 6<sup>th</sup> grade pianist Brian Li. There was a moment of silence for those Boxborough residents who had died since last town meeting. Town officials were recognized.

The meeting having been legally called and convened and the voters legally notified, the moderator called the Special Town Meeting to order at 7:25pm. There were 203 registered voters in attendance.

### ARTICLE 1 MUNICIPAL AFFORDABLE HOUSING TRUST BYLAW

(Majority vote required)

Les Fox, chair of the Board of Selectmen, moved to adopt a general bylaw, *Municipal Affordable Housing Trust Bylaw*, as written in the Special Town Meeting warrant under Article 1. The motion was seconded by Rebecca Neville, member of the Board of Selectmen.

Section 1. Pursuant to the vote of the 2005 Annual Town Meeting accepting c. 491 of Acts of 2004, and the provisions of G.L. c. 44, sec. 55C, there is hereby established in the Town of Boxborough a Municipal Affordable Housing Trust (the "Trust"), having five Trustees (the "Trustees") to be appointed by the Board of Selectmen as follows:

One member of the Board of Selectmen to serve for a term of two years;

One at-large resident of the Town to serve for a term of two years;

One member of the Finance Committee to serve for an initial term of one year, and thereafter for a term of two years;

Two members of the Boxborough Housing Board, one to serve for an initial term of one year, and, thereafter, for a term of two years, and one to serve for a term of two years.

In the event that a vacancy shall occur on the Board of Trustees, the Board of Selectmen shall fill said vacancy for the unexpired term in accordance with this bylaw.

The Trustees are hereby authorized to execute a Declaration of Trust and Certificate of Trust for the Boxborough Affordable Housing Trust to be recorded with Middlesex South Registry of Deeds and filed with Middlesex South Registry District of the Land Court.

Section 2. The purpose of the Trust shall be to provide for the creation and preservation of affordable housing for the benefit of low and moderate income households, and to support the activities of the Boxborough Housing Board through grants of real and personal property.

Section 3. The Trustees shall have the following powers and duties:

- (1) to accept and receive personal property by gift, grant, devise, or transfer from any person, firm, corporation or other public or private entity, including without limitation grants of funds or other property tendered to the Trustees in connection with provisions of any zoning bylaw or any other bylaw or vote of Town Meeting. The Trustees shall have no authority to acquire, other than by the transfer pursuant to General laws c. 40, section 15A, an interest in real property; it being the intention of this bylaw that the Boxborough Housing Board be the principal board in the Town responsible for the acquisition of interests in real property for affordable housing purposes;
- (2) to purchase and retain personal property, including without restriction investments that yield a high rate of income or no income;
- (3) to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to trust property as the Trustees deem advisable notwithstanding the length of any such lease or contract;
- (4) to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Trustees engage for the accomplishment of the purposes of the Trust;
- (5) to employ advisors and agents, such as accountants, appraisers and lawyers as the Trustees deem necessary;
- (6) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Trustees deem advisable;
- (7) to apportion receipts and charges between incomes and principal as the Trustees deem advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;
- (8) to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;
- (9) to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Trustees may deem proper and to pay, out of Trust property, such portion of expenses and compensation of such committee as the Trustees may deem necessary and appropriate;
- (10) to carry property for accounting purposes other than acquisition date values;
- (11) to borrow money, subject to Town Meeting approval, on such terms and conditions and from such sources as the Trustees deem advisable, to mortgage and pledge Trust assets as collateral;.
- (12) to make distributions or divisions of principal in kind;
- (13) to comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the Trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the Trustees may deem appropriate;

- (14) to manage or improve real property; and to abandon any property which the Trustees determine not to be worth retaining;
- (15) to hold all or part of the Trust property uninvested for such purposes and for such time as the Trustees may deem appropriate; and
- (16) to extend the time for payment of any obligation to the Trust.

**The Board of Selectmen recommends unanimously (4 – 0).**

In May 2005, Town Meeting voted to adopt Chapter 491 of the Acts of 2004, *An Act Establishing Municipal Affordable Housing Trust Funds*, as advised by Town Counsel, in order to comply with directives from the Massachusetts Department of Revenue (DOR) for towns to segregate and protect assets that are restricted to Chapter 40B uses, in accordance with municipal finance rules and procedures. Many of the provisions of the statutory Affordable Housing Trust duplicate powers already given to the Boxborough Housing Board through adoption of our Housing Board Bylaw at Town Meeting in October 2000. We need to clearly delineate the role and function of the Affordable Housing Trust to ensure no conflict arises with the Housing Board's responsibilities. After discussions with Town Counsel and the Housing Board, the Selectmen believe that the best course is to establish the Housing Trust as essentially a financing vehicle for the Housing Board's affordable housing programs and needs. In accordance with the enabling statute itself, Town Meeting must adopt a bylaw to establish a "customized" Affordable Housing Trust tailored to Boxborough's needs.

Boxborough has acquired significant monetary assets for affordable housing purposes through settlement of the Boxborough Meadows lawsuit. We need to create an Affordable Housing Trust, to give us a legal mechanism to access those funds for use by the Housing Board. The Housing Board would request the Board of Trustees to release funds for Housing Board projects and programs.

The proposed structure of the Affordable Housing Trust will allow us to meet the DOR mandates for good municipal finance operations and accountability, while ensuring that the Housing Board can continue to carry out its mission and duties under the Housing Board Bylaw. This will be further facilitated through the composition of the five-member Affordable Housing Trust Board of Trustees comprised of

- Two members of the Boxborough Housing Board
- One Selectman
- One member of the Finance Committee
- One member-at-large

This will confer the Housing Board with a persuasive plurality, but not an absolute majority, in the business of the Board of Trustees. We can apply the checks and balances of municipal financial oversight while ensuring that Boxborough's affordable housing needs are well-served.

**The Housing Board recommends unanimously (6-0).**

The Housing Board agrees with the Board of Selectmen and welcomes the establishment of a clear mechanism to spend the settlement monies for affordable housing.

**ACTION ON ARTICLE 1, May 14, 2005:** Mr. Fox gave some background on why an affordable housing trust by-law is advisable. Gary Kushner, member of the Finance Committee, said the FinCom recommends unanimously. Jeanne Kangas asked a point of order on why only a majority vote, rather than 2/3. Mr. Fox said that general by-laws only require a majority vote.

**On the motion by Les Fox, the Town voted to accept Article 1.**

## **ARTICLE 2        TAX INCREMENT FINANCING AGREEMENT (CISCO SITE 1)**

(Majority vote required)

James Gorman, member of the Board of Selectmen, moved to authorize the Board of Selectmen to execute the First Amendment to Tax Increment Financing Agreement (Site 1 Amendment 1) between the Town of Boxborough and Cisco Systems, Inc., and any documents relating thereto, and to take such other actions as are necessary or appropriate to implement those documents, and take such other and further action as may be necessary or appropriate to carry out the purposes of this vote. Mr. Fox seconded.

**The Board of Selectmen recommends unanimously (4 – 0).**

The Boxborough/Cisco partnership has had extensive positive benefits for the Town in terms of new commercial tax revenue extending into the foreseeable future and near term infrastructure improvements paid directly by Cisco. As a result of employment growth at Cisco not meeting projections made at the time of the original agreement, it is necessary to amend that original agreement. The amendment formulated by Cisco and recommended by the BoS reduces the property tax exemption percentage from 15% to 4%, providing greater revenues for the Town than either the original agreement in June 2000 or the current situation in which the 15% exemption applies to Site 1 and a 0% exemption applies to site 2. Both articles presented at this Special Town Meeting must be passed to validate the ongoing productive partnership between Boxborough and Cisco.

**ACTION ON ARTICLE 2, May 14, 2007:** Mr. Gorman gave some additional background on the history of the agreement. The Finance Committee recommended unanimously. David St. Amand asked how much it would cost the town. Mr. Gorman said that revenue from Cisco to the Town would actually increase slightly if this motion is passed. A Cisco representative put the number at \$12,600.

**On the motion by Mr. Gorman, the Town voted to accept Article 2.**

## **ARTICLE 3        TAX INCREMENT FINANCING AGREEMENT (CISCO SITE 2)**

(Majority vote required)

Mr. Fox moved to authorize the Board of Selectmen to execute the First Amendment to Tax Increment Financing Agreement (Site 2 Amendment II) between the Town of Boxborough and Cisco Systems, Inc., and any documents relating thereto, and to take such other actions as are necessary or appropriate to implement those documents, and take such other and further action as may be necessary or appropriate to carry out the purposes of this vote. Ms. Neville seconded.

**The Board of Selectmen recommends unanimously (4 – 0).**

For the reasons outlined in the BoS recommendation under Article 2, we recommend an affirmative vote on this article in order

**ACTION ON ARTICLE 3, May 14, 2007:** The Finance Committee recommended unanimously.

**On Mr. Gorman's motion, the Town voted to accept Article 3.**

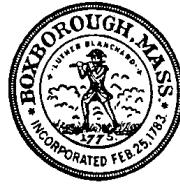
A motion to dissolve the Special Town Meeting was made at 7:45pm by Mr. Fox, seconded by Ms. Neville. The motion passed unanimously.

Before calling Annual Town Meeting to order, the moderator called for motions to govern the rules for the meeting in the absence of a Town Meeting By-Law.

Mr. Fox moved that any adjourned sessions of Annual Town Meeting will be held on Tuesday, May 15; Thursday, May 17; Wednesday, May 23 and Thursday, May 24; and further that no debate will begin on any new article after 10:30pm. The motion was seconded by Ms. Neville. The motion passed unanimously.

Mr. Fox moved that on town meeting matters requiring a two-thirds vote by statute, a count need not be taken unless seven or more registered voters immediately question the vote so declared by the Moderator. The motion was seconded by Ms. Neville. The motion passed unanimously.

The moderator announced that the town would recognize Paul Rey for his 34 years of service on the Conservation Commission. Charlene Golden, chair of the Conservation Commission, provided background on all the progress made by the commission during his tenure and thanked him on behalf of the Town. The moderator introduced state senator Pam Resor who presented Mr. Rey with citations from the State Senate and the House of Representatives in recognition of long and faithful service on the Conservation Commission. Mr. Rey spoke fondly of his time on the Commission.



## BOXBOROUGH ANNUAL TOWN MEETING

The meeting having been legally called and convened and the voters legally notified, Mr. Fallon called the first session of the Annual Town Meeting to order at 7:48pm, with 203 voters in attendance. There was a moment of silent prayer for those who had died during the last year. He reminded town meeting that Article 1 referred to the annual town elections were Monday, May 21, at the Town Hall, from 7am to 8pm. Voters would have the opportunity to elect town officers and vote on 8 questions.

### ARTICLE 1 CHOOSE TOWN OFFICERS

(Majority vote required)

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

**One Town Clerk** for a one-year term

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

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

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

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

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

**One School Committee (Local only)** member for a three-year term

**Two Constables**, each for a three-year term

The results of the election are as follows:

#### **MODERATOR, One Year**

John G. Fallon	519
Blanks	111

#### **TOWN CLERK, One Year**

Elizabeth A. Markiewicz	533
Blanks	97

#### **SELECTMAN, Three Years Vote for ONE**

Francis J. Powers	377
Raid Suleiman	240
Blanks	13

#### **SCHOOL COMMITTEE, Three Years Local and Regional**

Bruce D. Sabot	440
----------------	-----

Blanks	190
--------	-----

**SCHOOL COMMITTEE, Three Years  
Local**

Scott Lukas	467
Blanks	163

**PLANNING BOARD, Three Years  
Vote for not more than TWO**

John M. Markiewicz	440
Clifford Stockley	431
Blanks	389

**LIBRARY TRUSTEES, Three Years  
Vote for not more than TWO**

Sandra Haber	453
Robert McNeece	462
Blanks	345

**BOARD OF HEALTH, Three Years**

Bryan F. Lynch	463
Blanks	167

**CONSTABLE, Three Years  
Vote for not more than TWO**

David L. Birt	445
Richard W. Golden	475
Blanks	340

**QUESTION 1                    REMOVAL OF SNOW AND ICE FROM PRIVATE WAYS**

(Majority vote required)

Shall the town vote to accept the provisions of section six C of chapter forty of the General Laws, which authorize cities and towns to appropriate money for the removal of snow and ice from private ways therein open to public use?

**YES: 287                    NO: 237                    BLANKS: 106**

**QUESTION 2                    PROPOSITION 2 1/2 CAPITAL EXPENDITURE EXCLUSION –  
BLANCHARD MEMORIAL SCHOOL SECURITY INFRASTRUCTURE**

(Majority vote required)

Shall the Town of Boxborough be allowed to assess an additional Fifty Thousand Dollars (\$50,000) in real estate and personal property taxes for the purpose of acquiring and installing a security infrastructure system for the Blanchard Memorial School for the fiscal year beginning July first two thousand and seven?

**YES: 95      NO: 498      BLANKS: 37**

**QUESTION 3      PROPOSITION 2 1/2 DEBT EXCLUSION – HAGER WELL HOUSE GENERATOR**

(Majority vote required)

Shall the Town of Boxborough be allowed to exempt from the provisions of proposition two and one-half so-called, the amounts required to pay for the bond issued in order to pay the costs of acquiring and installing an emergency generator at the Hager Well House, including the payment of all costs incidental and related thereto?

**YES: 131      NO: 454      BLANKS: 45**

**QUESTION 4      PROPOSITION 2 1/2 DEBT EXCLUSION – EMERGENCY GENERATOR TO BE LOCATED AT THE BLANCHARD MEMORIAL SCHOOL**

(Majority vote required)

Shall the Town of Boxborough be allowed to exempt from the provisions of proposition two and one-half so-called, the amounts required to pay for the bond issued in order to pay the costs of acquiring and installing an emergency generator at the Blanchard Memorial School, including the payment of all costs incidental and related thereto?

**YES: 150      NO: 439      BLANKS: 41**

**QUESTION 5      PROPOSITION 2 1/2 LEVY LIMIT OVERRIDE – PROMOTION OF 2 FF/EMTS TO LIEUTENANTS**

(Majority vote required)

Shall the Town of Boxborough be allowed to assess an additional Eighteen Thousand Nine Hundred and Fifty-Two Dollars (\$18,952) in real estate and personal property taxes for the purpose of funding the additional salary for the promotion of two current fulltime Firefighter/EMT's to the rank of Lieutenant for the fiscal year beginning July first two thousand and seven?

**YES: 280      NO: 316      BLANKS: 34**

**QUESTION 6      PROPOSITION 2 1/2 CAPITAL EXPENDITURE EXCLUSION – REPLACE TWO DUMPSTERS**

(Majority vote required)

Shall the Town of Boxborough be allowed to assess an additional Nine Thousand Dollars (\$9,000) in real estate and personal property taxes for the purpose of acquiring two 30-yard open top containers (for metal and bulk waste) for the fiscal year beginning July first two thousand and seven?

**YES: 358      NO: 230      BLANKS: 42**

**QUESTION 7****PROPOSITION 2 1/2 CAPITAL EXPENDITURE EXCLUSION – ATHLETIC FIELD LIGHTING – ACTON-BOXBOROUGH REGIONAL SCHOOLS**

(Majority vote required)

Shall the Town of Boxborough be allowed to assess an additional Twenty-Four Thousand Dollars (\$24,000) in real estate and personal property taxes for the purpose of paying the Town's proportional contribution for the Acton-Boxborough Regional School's Athletic Field Lighting Project, which includes adding athletic lighting to the varsity baseball field, practice soccer field, and five adjacent tennis courts for the fiscal year beginning July first two thousand and seven?

**YES: 290      NO: 316      BLANKS: 24**

**QUESTION 8****PROPOSITION 2 1/2 LEVY LIMIT OVERRIDE – COUNCIL ON AGING OUTREACH WORKER**

(Majority vote required)

Shall the Town of Boxborough be allowed to assess an additional Nine Thousand Two Dollars (\$9,002) in real estate and personal property taxes for the purpose of funding the salary of a Council on Aging Outreach Worker for the fiscal year beginning July first two thousand and seven?

**YES: 192      NO: 390      BLANKS: 48**

**ARTICLE 2 HEAR AND RECEIVE REPORTS**

(Majority vote required)

Mr. Fox moved to receive the reports of the Selectmen and other Town Officers, Agents and Committees as published in the 2006 Annual Town Report, and further, to hear and receive the reports as presented at Annual Town Meeting. Ms. Neville seconded the motion.

**The Board of Selectmen recommends unanimously.**

**The Finance Committee recommends unanimously.**

**ACTION ON ARTICLE 2, May 14, 2007:** Keshava Srivastava, chair of the Finance Committee, made a presentation on the budget, budget trends and projections. He provided background on the development of the budget being presented in Article 5. Bruce Sabot, chair of the Boxborough School Committee, made a presentation on the Blanchard School budget, including the implementation of School Choice. Mr. Fox made a presentation on behalf of the Board of Selectmen on changes in the organizational structure at Town Hall and other developments, such as union contracts, and elements that went into developing the BoS budget recommendation. He pointed out the difference between the FinCom budget and the BoS budget is .5%. All reports are on file in the Town Clerk's office

Mr. Fox moved to take up the hearing of other reports until 7pm Tuesday night. The motion passed unanimously.

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

(Majority vote required)

Mr. Fox moved to fix the salaries and compensation of various officials for the year beginning July 1, 2007 as printed in the Annual Town Meeting warrant under Article 3. Ms. Neville seconded.

Selectmen	\$400.00 each member/year
Board of Health	\$166.67 each member/year
Tax Collector	\$55,505.00 /year
Town Clerk	\$36,199.00 /year
Constables	\$3.00 each copy/warrant posted
Planning Board Members	\$109.00 each member/year

**The Board of Selectmen recommends unanimously (4 – 0).**

This article establishes the salaries for all elected members of Town Government.

**The Finance Committee recommends unanimously.**

**ACTION ON ARTICLE 3: On Mr. Fox's motion, the Town voted unanimously to fix the salaries of various positions as described in Article 3.**

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

(Majority vote required)

Mr. Richard Golden made a motion to adopt the Personnel Administration Plan, Schedules A and B as printed in the Annual Town Meeting warrant under Article 4 with the following changes:

- 1) Delete the position of Outreach Worker from Schedule A, Regular Part-time Schedule
- 2) Add Junior Library Page and Van Driver to Schedule A, Intermittent Schedule
- 3) Add Transfer Station Operator I to Schedule B, Grade 20, Hourly (Non-exempt) Employees
- 4) Delete CoA Outreach Worker from Schedule B, Grade 30, Hourly (Non-exempt) Employees
- 5) Add Cemetery Superintendent to Schedule B, Intermittent Schedule, at a rate of \$7,910.63 annually

Ms. Neville seconded.

Mr. Golden said that the article requesting an appropriation for the position of CoA Outreach Worker (Article 15) will be moved to pass over. The other positions are not new, but were inadvertently left off of Schedules A & B.

(Changes are denoted by highlighting)

### **Schedule A – Classification of Positions**

#### **REGULAR FULL-TIME SCHEDULE**

**Exempt Employees**  
**Assistant Town Administrator**  
Accountant  
Assessor  
Inspector of Buildings/Code Enforcement  
Planner  
Treasurer

**Non-Exempt Employees**  
**Secretary I**

#### **PER DIEM SCHEDULE**

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

#### **INTERMITTENT SCHEDULE**

Cemetery Superintendent  
Cemetery Laborer  
Registrar Chairperson

~~Secretary II~~-Department Assistant

~~Custodian~~

DPW Foreman

DPW Worker

DPW Semi-skilled Worker

Building & Grounds Maintenance Worker

Clerk of Elections

Election Worker

Registrar Member

Veterans' Agent

Call Fire Chief

Deputy Fire Chief

Fire Captain

Fire Lieutenant

Call Firefighter/EMT

Fire Department Chaplain

Call Building Inspector

Special Police Officer

Lock-up Attendant

Dispatcher

Seasonal Maintenance Worker

Snow Plower

Seasonal Conservation Worker

Assistant Building Inspector

Wiring Inspector

Plumbing and Gas Inspector

Dog Officer

Assistant Dog Officer

Animal Control Officer

Animal Inspector

Fence Viewer

Field Driver

Director of Summer Playground

Director of Gymnastics

Director of Winter Programs

Lead Counselor

### **REGULAR REDUCED HOURS SCHEDULE**

COA Coordinator

Children's Librarian

Technical Services Librarian

Sr. Library Assistant

Library Assistant

DPW Worker

### **REGULAR PART-TIME SCHEDULE**

~~Secretary I~~

~~Secretary II~~-Department Assistant

Children's Librarian

Technical Services Librarian

Sr. Library Assistant

Library Assistant

Transfer Station Operator I

Conservation Agent

Outreach Worker

Van Dispatcher

### **INTERMITTENT SCHEDULE** continued

Counselor

Counselor-in-Training

Intern (Town Hall)

Library Page

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

### **DEPARTMENT HEADS**

DPW Director

Fire Chief

Library Director

Police Chief

Town Administrator

### **UNION EMPLOYEES**

Police Sergeant

Police Officer (Step A1/A1)

Firefighter/EMT

Dispatch Supervisor

Dispatcher

### **ELECTED POSITIONS**

Annual Town Meeting May 14, 2007

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

And to amend Schedule B as follows, or take any other action relative thereto.

**Schedule B – Compensation of Positions**

Position Title	Step A	Step B	Step C	Step D	Step E	Step F	Step G
<b><u>Salaried (Exempt) Employees</u></b>							
Grade 60	51,926.00	53,743.00	55,624.00	57,571.00	59,586.00	61,671.00	63,830.00
Inspector of Buildings/Code Enf.							
Town Accountant							
Town Assessor							
Town Planner							
Town Treasurer							
Grade 50	45,153.00	46,734.00	48,369.00	50,062.00	51,815.00	53,628.00	55,505.00
Grade 40	40,313.00	41,724.00	43,184.00	44,696.00	46,260.00	47,879.00	49,555.00
Grade 30	35,997.00	37,257.00	38,561.00	39,911.00	41,308.00	42,754.00	44,250.00
Grade 20	32,137.00	33,262.00	34,426.00	35,631.00	36,878.00	38,169.00	39,505.00
Grade 10	29,221.00	30,244.00	31,302.00	32,398.00	33,532.00	34,705.00	35,920.00
<b><u>Hourly (Non-Exempt) Employees</u></b>							
Grade 60	24.96	25.84	26.74	27.68	28.65	29.65	30.69
Grade 50	21.71	22.47	23.25	24.07	24.91	25.78	26.69
Council on Aging Coordinator							
DPW Foreman							
Grade 40	19.38	20.06	20.76	21.49	22.24	23.02	23.82
Children's Librarian							
Conservation Agent							
Grade 30	17.31	17.91	18.54	19.19	19.86	20.55	21.27
COA Outreach Worker							
DPW Worker							
Department Assistant							
Technical Services Librarian							
Grade 20	15.45	15.99	16.55	17.13	17.73	18.35	18.99
Bldg. & Grounds Maint. Worker							
DPW Semi-Skilled Worker							
Senior Library Assistant							
Grade 10	14.05	14.54	15.05	15.58	16.12	16.69	17.27
Library Assistant							
Secretary							
Van Dispatcher							
<b><u>Per Diem Schedule (No Steps)</u></b>							
Fire Lieutenant/EMT	16.59						
Call Fighter/EMT	15.06						
Call Firefighter	15.06						
Special Police Officer	15.06						
Dispatcher	15.06						
<b><u>Intermittent Schedule (No Steps)</u></b>							

Cemetery Laborer	<b>9.92</b>	
Registrar Chairperson	<b>848.66</b>	annually
Clerk of Elections	<b>10.78</b>	
Election Worker	<b>9.59</b>	
Registrar Member	<b>254.62</b>	annually
Veterans' Agent	<b>14.00</b>	
Call Fire Chief	<b>38.86</b>	
Deputy Fire Chief	<b>18.22</b>	
Fire Captain	<b>17.40</b>	
Fire Lieutenant	<b>16.59</b>	

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

Call Firefighter/EMT	<b>15.06</b>	
Fire Department Chaplain	<b>15.06</b>	
Call Building Inspector	<b>38.86</b>	
Special Police Officer	<b>15.06</b>	
Lock-up Attendant	<b>13.49</b>	
Dispatcher	<b>15.06</b>	
Seasonal Maintenance Worker	<b>12.29</b>	
Snow Plower	<b>19.48</b>	
Seasonal Conservation Worker	<b>11.52</b>	
Assistant Building Inspector	<b>23.96</b>	
Wiring Inspector	fees	<b>\$50,000 cap/yr Selectmen &amp; FinCom may modify if required*</b>
Plumbing and Gas Inspector	fees	<b>\$15,000 cap/yr Selectmen &amp; FinCom may modify if required*</b>
Dog Officer	<b>9,970.58</b>	annually
Assistant Dog Officer	<b>9.77</b>	4 hour call min
Animal Control Officer	<b>2,428.74</b>	annually
Animal Inspector	<b>894.79</b>	annually
Fence Viewer	<b>40.00</b>	annually
Field Driver	<b>45.00</b>	annually
Director of Summer Playground	<b>17.54</b>	
Director of Gymnastics	<b>16.89</b>	
Director of Winter Programs	<b>16.89</b>	
Lead Counselor	<b>12.78</b>	
Counselor	<b>9.59</b>	
Counselor-in-Training	<b>8.96</b>	
Intern (Town Hall)	<b>9.59</b>	
Library Page	<b>9.59</b>	
Junior Library Page	<b>8.63</b>	
Van Driver	<b>12.00</b>	

**NOTE**

\*Fee maximum is 1% of FY07 levy (or \$142,597)

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

**Department Heads**

		<b>FY 2007</b>	<b>FY 2008</b>
DPW Director	Contract expires 12/31/08	<b>82,100.00</b>	<b>85,384.00</b>
Fire Chief	Contract expires 12/31/08	<b>80,000.00</b>	<b>83,200.00</b>
Library Director	Contract expires 12/31/07	<b>58,760.00</b>	<b>64,166.00</b>
Police Chief	Contract expires 12/31/08 (base) with Quinn Bill	<b>84,000.00</b>	<b>88,200.00</b>
Town Administrator	Contract expires 12/31/08	<b>100,800.00</b>	<b>105,840.00</b>
		<b>82,000.00</b>	<b>85,280.00</b>

**Union Employees**

Police Sergeant (Steps 1 – 3)	<b>26.57</b>	<b>27.05</b>	<b>27.53</b>			
Police Officer (Steps A1/A2 – F)	<b>19.48</b>	<b>20.16</b>	<b>20.86</b>	<b>21.59</b>	<b>22.35</b>	<b>23.13</b>
Firefighter/EMT (Steps A – F)	<b>19.09</b>	<b>19.76</b>	<b>20.45</b>	<b>21.16</b>	<b>21.90</b>	<b>22.67</b>
Dispatch Supervisor (Steps A – F)	<b>17.57</b>	<b>18.18</b>	<b>18.82</b>	<b>19.48</b>	<b>20.16</b>	<b>20.87</b>
Dispatcher (Steps A – F)	<b>15.88</b>	<b>16.44</b>	<b>17.01</b>	<b>17.61</b>	<b>18.22</b>	<b>18.86</b>
						<b>N/A</b>

<b><u>Elected Positions</u></b>	<b><i>FY 2007</i></b>	<b><i>FY 2008</i></b>
Selectman	400.00 <i>annually</i>	400.00 <i>annually</i>
Board of Health Member	166.67 <i>annually</i>	166.67 <i>annually</i>
Planning Board Member	109.00 <i>annually</i>	109.00 <i>annually</i>
Library Trustee	0.00 <i>annually</i>	0.00 <i>annually</i>
Moderator	0.00 <i>per meeting</i>	0.00 <i>annually</i>
Constable	3.00 <i>/warrant posted/location</i>	3.00 <i>/warrant posted/location</i>
Tax Collector (Grade 50)	52,117.60	55,505.00
Town Clerk (Grade 50)	33,945.04	36,199.00

**The Board of Selectmen recommends unanimously (4 – 0).**

Schedule A reflects the decision by the Board of Selectmen to eliminate the Assistant Town Administrator position and a request by the Council on Aging for a Van Dispatcher and an Outreach Worker.

Schedule B has been amended to reflect the recommendations of Stone Consulting, with whom the Selectmen contracted, after receiving support at last year's Town Meeting to conduct a town-wide classification and compensation study. Earlier this year, the Consultant presented the findings of the study to the Board of Selectmen and Personnel Board. The boards unanimously voted to implement the recommendations pending Town Meeting authorization. In addition to salary adjustments, the study recommended the use of a grade system for the regular full-time and part-time employees. The grading of positions allows for simpler salary administration and the ability to more easily monitor and ensure that positions of similar responsibility, effort, and skill are comparably paid.

**The Personnel Board recommends.**

The Town of Boxborough retained the services of Stone Consulting, Inc. to conduct a classification and compensation study. The executive summary is available on-line or from the Town Administrator's office.

The objectives of the study were to:

- Develop a job evaluation/classification system that ensures positions are paid equitably and fairly in relationship to one another
- Conduct a market survey of comparable communities to determine the competitiveness of pay
- Review/update and/or design a salary and wage structure for covered positions
- Develop and recommend an approach to implementing the study's results.
- Review and update job descriptions in compliance with the Americans with Disabilities Act and other state and federal statutes.

Staff participation was an integral part of the process.

The findings of the study were reviewed by the Personnel Board and Board of Selectmen who voted to implement subject to Town Meeting approval.

The Personnel Board is proposing the following modifications to Schedule A - Classification of Positions:

- "Secretary II" has been changed to "Department Assistant" and "Secretary I" has been re-titled "Secretary." The Consultant recommended the change in titles to more accurately describe the positions' responsibilities.
- Two new positions have been added - Van Dispatcher and Council on Aging Outreach Worker.
- Two positions have been eliminated – Assistant Town Administrator and Custodian.

The Personnel Board is recommending a revised format to Schedule B – Compensation of Positions to reflect the Consultant's recommended grade levels for full and part-time regular employees. Employees completed job description questionnaires, which were reviewed by Department Heads, the Town Administrator and the

Consultant. Based upon this input, the Consultant recommended new grade levels that reflect a number of criteria including education, experience, judgment, supervision required, occupational risks.

The Consultant recommended target maximum salaries that were in line with the average level of the twenty-one communities surveyed. The proposed new salary structure includes a 1.5% increase to cover the additional health care cost now being borne by the employee as the town's share decreases from 85% to 80%, and a COLA adjustment of 2.1% resulting in a 3.6% increase and a possible step.

The Personnel Board voted to approve the proposed changes to Schedules A & B prior to the public hearing, which was opened on March 19, 2007. The Board of Selectmen voted to support the proposed changes after the public hearing was concluded on March 26.

**The Finance Committee recommends unanimously.**

**ACTION ON ARTICLE 4:** Jeanne Kangas questioned the 3.5% steps on Schedule B. She felt that was a large increase. Mr. Golden responded that the steps were set up 20 years ago. Ms. Kangas was not satisfied with this answer. Ms. Neville responded that the steps were commensurate with comparable towns based on the recently completed personnel compensation study by an outside consultant. Ms. Kangas felt that we should stop comparing ourselves with comparable towns and start looking at private businesses and how private employees are paid. Ms. Neville felt that it was unfair to compare private and municipal employee compensation. Ms. Kangas thanked the BoS for making tough decisions. Karim Raad felt that having automatic increases every year for town employees is ridiculous. He called into question the term "level funding" which translates to 3-7% increases every year. Mr. Golden pointed out that raises this year are mitigated somewhat by increases in employee contributions to health care.

**On a motion by Mr. Golden, the Town voted in favor of Article 4, with the above described changes.**

## **ARTICLE 5                    TOWN OPERATING BUDGET**

(Majority vote required)

Mr. Srivastava moved that the Town appropriate the sum of **\$18,710,769** for the operations and expenses of the Town during the fiscal year beginning July 1, 2007, the purposes for which funding are set forth in the Department Account Numbers 114 through 945, and any subheadings included under said account numbers, as printed in Article 5 of the warrant, under the heading FY2008 Budget and to meet this appropriation that **\$102,248** be transferred from overlay surplus, that an amount of **\$418,292** be transferred from Free Cash and that the balance be raised by taxation. Ms. Neville seconded the motion.

### **The Finance Committee recommends unanimously.**

The operating budget categories and sums presented here represent the funds necessary for the Town to execute governmental, financial, public safety, education and maintenance functions provided to all Boxborough citizens.

The total Town operating budget proposed for FY '08 is \$18,710,769. Adjustments due to the use of State Aid revenues and local receipts, as well as the costs associated with warrant articles and maintaining the Overlay Reserve, lead to an amount \$18,935,769 more or less, to be raised by taxation and the use of free cash. The estimated tax rate associated with the proposed levy limit is \$14.28 per \$1,000 of valuation. This implies a tax bill of \$7,797 for the Department of Revenue estimated average single-family home FY '08 valuation of \$545,900. The estimated FY '08 tax bill for the "average" single family home represents an increase of 3% from the tax bill for FY '07. Voters should be aware that the FY '07 numbers are as voted at the May 9, 2006 ATM and as amended at the October 23, 2006 STM. More detail can be found in the Finance Committee report in your warrant.

The Board of Selectmen has expressed intentions to amend the Police, Fire, Dispatch, and DPW salaries on town meeting floor, funding from free cash.

The salaries and wages for both union and non-union employees (excluding all School employees) are commensurate with the amounts found in "Compensation of Positions FY2008 Schedule B" of the Personnel Administration Plan, as reproduced under Article 4 above. Further details of the tax rate and tax bill implications of Article 5 and other warrant articles may be found in the Finance Committee Report at the end of the warrant.

<u>Account Name</u>	<u>FY2006 ACTUAL</u>	<u>FY2007 BUDGET</u>	<u>FY2008 BUDGET</u>	<u>FY08 BUDGET VS FY07</u>	<u>% CHANGE FY08 VS FY07</u>	<u>% CHANGE FY08 VS FY06</u>	<u>BOS RECOMMENDED BUDGET</u>
114 Total Salaries - Moderator	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
114 Total Other Expenses - Moderator	\$ 25	\$ 75	\$ 75	\$ -	0.00%	200.00%	
114 Total Moderator Expenses	\$ 25	\$ 75	\$ 75	\$ -	0.00%	200.00%	
119 Total Salaries - Town Constable	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
119 Total Other Expenses - Town Constable	\$ 37	\$ 100	\$ 100	\$ -	0.00%	167.81%	
119 Total Constable Expenses	\$ 37	\$ 100	\$ 100	\$ -	0.00%	167.81%	
122 Total Salaries - Selectman	\$ 2,000	\$ 2,000	\$ 2,000	\$ -	0.00%	0.00%	
122 Total Other Expenses - Selectman	\$ 1,583	\$ 1,810	\$ 1,610	\$ (200)	-11.05%	1.68%	
122 Total Selectman Expenses	\$ 3,583	\$ 3,810	\$ 3,610	\$ (200)	-5.25%	0.74%	
123 Total Salaries - Town Administrator	\$ 139,757	\$ 93,903	\$ 85,280	\$ (8,623)	-9.18%	-38.98%	
123 Total Other Expenses- Town Administrator	\$ 5,628	\$ 6,675	\$ 2,425	\$ (4,250)	-63.67%	-56.91%	
123 Total Expenses - Town Administrator	\$ 145,384	\$ 100,578	\$ 87,705	\$ (12,873)	-12.80%	-39.67%	
131 Total Salaries - Finance Committee	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
131 Total Other Expenses- Finance Committee	\$ 305	\$ 450	\$ 450	\$ -	0.00%	47.54%	
131 Total Expenses - Finance Committee	\$ 305	\$ 450	\$ 450	\$ -	0.00%	47.54%	
135 Total Salaries - Accountant	\$ 51,198	\$ 55,110	\$ 57,571	\$ 2,461	4.47%	12.45%	
135 Total Other Expenses- Accountant	\$ 22,164	\$ 20,900	\$ 20,710	\$ (190)	-0.91%	-6.56%	
135 Total Expenses - Accountant	\$ 73,362	\$ 76,010	\$ 78,281	\$ 2,271	2.99%	6.71%	
141 Total Salaries - Assessor	\$ 57,893	\$ 62,316	\$ 53,454	\$ (8,862)	-14.22%	-7.67%	
141 Total Other Expenses-Assessor	\$ 12,158	\$ 9,065	\$ 11,015	\$ 1,950	21.51%	-9.40%	
141 Total Expenses - Assessor	\$ 70,051	\$ 71,381	\$ 64,469	\$ (6,912)	-9.68%	-7.97%	
145 Total Salaries - Treasurer	\$ 56,995	\$ 61,274	\$ 64,830	\$ 3,556	5.80%	13.75%	
145 Total Other Expenses-Treasurer	\$ 11,983	\$ 13,235	\$ 12,155	\$ (1,080)	-8.16%	1.44%	
145 Total Expenses - Treasurer	\$ 68,978	\$ 74,509	\$ 76,985	\$ 2,476	3.32%	11.61%	
146 Total Salaries - Tax Collector	\$ 51,113	\$ 53,118	\$ 56,505	\$ 3,387	6.38%	10.55%	
146 Total Other Expenses-Tax Collector	\$ 14,013	\$ 16,525	\$ 15,682	\$ (843)	-5.10%	11.91%	
146 Total Expenses - Tax Collector	\$ 65,126	\$ 69,643	\$ 72,187	\$ 2,544	3.65%	10.84%	
Selectman Expenses	Removed appreciation event						
Town Administrator Salaries	Change in management design from TA and Asst TA to TA only; salary change was made at STM and reallocated in the FY07 budget						
Assessor Salaries and Expenses	Change in personnel and training requirements for new assessor						

<u>Account Name</u>	<u>FY2006 ACTUAL</u>	<u>FY2007 BUDGET</u>	<u>FY2008 BUDGET</u>	<u>FY08 BUDGET VS FY07</u>	<u>% CHANGE FY08 VS FY07</u>	<u>% CHANGE FY08 VS FY06</u>	<u>BOS RECOMMENDED BUDGET</u>
151 Total Salaries - Legal	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
151 Total Other Expenses-Legal	\$ 72,772	\$ 64,000	\$ 64,000	\$ -	0.00%	-12.05%	
151 Total Expenses - Legal	\$ 72,772	\$ 64,000	\$ 64,000	\$ -	0.00%	-12.05%	
152 Total Salaries - Personnel Board	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
152 Total Other Expenses-Personnel Board	\$ 120	\$ 330	\$ 330	\$ -	0.00%	175.00%	
152 Total Expenses - Personnel Board	\$ 120	\$ 330	\$ 330	\$ -	0.00%	175.00%	
161 Total Salaries - Town Clerk	\$ 33,567	\$ 33,946	\$ 36,449	\$ 2,503	7.37%	8.59%	
161 Total Other Expenses-Town Clerk	\$ 1,453	\$ 1,978	\$ 2,946	\$ 968	48.94%	102.75%	
161 Total Expenses - Town Clerk	\$ 35,020	\$ 35,924	\$ 39,395	\$ 3,471	9.66%	12.49%	
162 Total Salaries - Elect & Regist	\$ 2,122	\$ 4,874	\$ 5,889	\$ 1,015	20.82%	177.54%	
162 Total Other Elect & Regist	\$ 2,685	\$ 5,814	\$ 5,880	\$ 66	1.14%	118.98%	
162 Total Expenses - Elect & Regist	\$ 4,807	\$ 10,688	\$ 11,769	\$ 1,081	10.11%	144.83%	
171 Total Salaries - Conservation Comm	\$ 10,895	\$ -	\$ -	\$ -	0.00%	-100.00%	
171 Total Other - Conservation Comm	\$ 1,650	\$ 4,650	\$ 2,150	\$ (2,500)	-53.76%	30.30%	
171 Total Expenses - Conservation Comm	\$ 12,545	\$ 4,650	\$ 2,150	\$ (2,500)	-53.76%	-82.86%	
175 Total Salaries - Planning Board	\$ 57,218	\$ 59,599	\$ 62,216	\$ 2,617	4.39%	8.73%	
175 Total Other - Planning Board	\$ 3,747	\$ 3,759	\$ 3,760	\$ 1	0.03%	0.35%	
175 Total Expenses - Planning Board	\$ 60,965	\$ 63,358	\$ 65,976	\$ 2,618	4.13%	8.22%	
176 Total Salaries - Zoning Board	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
176 Total Other - Zoning Board	\$ 128	\$ 335	\$ 335	\$ -	0.00%	161.74%	
176 Total Expenses - Zoning Board	\$ 128	\$ 335	\$ 335	\$ -	0.00%	161.74%	
177 Total Salaries - Housing Board	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
177 Total Other - Housing Board	\$ 135	\$ 1,000	\$ 1,000	\$ -	0.00%	638.50%	
177 Total Expenses - Housing Board	\$ 135	\$ 1,000	\$ 1,000	\$ -	0.00%	638.50%	
192 Total Salaries - Town Hall	\$ 156,906	\$ 202,803	\$ 183,990	\$ (18,813)	-9.28%	17.26%	
192 Total Other - Town Hall	\$ 92,416	\$ 88,857	\$ 75,965	\$ (12,892)	-14.51%	-17.80%	
192 Total Expenses - Town Hall	\$ 249,323	\$ 291,660	\$ 259,955	\$ (31,705)	-10.87%	4.26%	
Total Town Government - Salaries	\$ 619,664	\$ 628,943	\$ 608,184	\$ (20,759)	-3.30%	-1.85%	
Total Town Government - Other Expenses	\$ 243,003	\$ 239,558	\$ 220,588	\$ (18,970)	-7.92%	-9.22%	
Total Town Government - Total Expenses	\$ 862,666	\$ 868,501	\$ 828,772	\$ (39,729)	-4.57%	-3.93%	

Town Clerk Salaries and Expenses  
 Elections and Registrations Salaries  
 Conservation Commission Expenses  
 Town Hall Salaries  
 Town Hall Expenses

Salary increase was based on the salary survey; expenses are for additional training and conferences  
 Additional election in FY08  
 Lack of spending  
 Shift in personnel and one time increase in FY07  
 Decrease in IT expenses; decrease in printing of warrant and town report

<u>Account Name</u>	<u>FY2006 ACTUAL</u>	<u>FY2007 BUDGET</u>	<u>FY2008 BUDGET</u>	<u>FY08 BUDGET VS FY07</u>	<u>% CHANGE FY08 VS FY07</u>	<u>% CHANGE FY08 VS FY06</u>	<u>BOS RECOMMENDED BUDGET</u>
210 Total Salaries - Police	\$ 733,898	\$ 846,575	\$ 897,467	\$ 50,892	6.01%	22.29%	\$919,505
210 Total Other - Police	\$ 126,433	\$ 126,576	\$ 110,425	\$ (16,151)	-12.76%	-12.66%	
210 Total Expenses - Police	\$ 860,331	\$ 973,151	\$ 1,007,892	\$ 34,741	3.57%	17.15%	
220 Total Salaries - Fire	\$ 557,157	\$ 618,730	\$ 636,184	\$ 17,453	2.82%	14.18%	\$659,627
220 Total Other - Fire	\$ 111,876	\$ 79,119	\$ 96,784	\$ 17,665	22.33%	-13.49%	
220 Total Expenses - Fire	\$ 669,033	\$ 697,849	\$ 732,968	\$ 35,118	5.03%	9.56%	
221 Total Salaries - Dispatch	\$ 189,245	\$ 199,992	\$ 180,799	\$ (19,193)	-9.60%	-4.46%	\$200,818
221 Total Other - Dispatch	\$ 21,357	\$ 26,219	\$ 25,219	\$ (1,000)	-3.81%	18.08%	
221 Total Expenses - Dispatch	\$ 210,602	\$ 226,211	\$ 206,018	\$ (20,193)	-8.93%	-2.18%	
241 Total Salaries - Building Insp	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
241 Total Other - Building Insp	\$ 32,696	\$ 40,236	\$ 36,450	\$ (3,786)	-9.41%	11.48%	
241 Total Expenses - Building Insp	\$ 32,696	\$ 40,236	\$ 36,450	\$ (3,786)	-9.41%	11.48%	
291 Total Salaries -Emergency Mgt	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
291 Total Other - Emergency Mgt	\$ -	\$ 500	\$ 100	\$ (400)	-80.00%	0.00%	
291 Total Expenses - Emergency Mgt	\$ -	\$ 500	\$ 100	\$ (400)	-80.00%	0.00%	
292 Total Salaries - Dog Officer	\$ 9,254	\$ 9,625	\$ 9,971	\$ 346	3.59%	7.75%	
292 Total Other - Dog Officer	\$ 1,253	\$ 1,553	\$ 1,625	\$ 72	4.64%	29.65%	
292 Total Expenses - Dog Officer	\$ 10,507	\$ 11,178	\$ 11,596	\$ 418	3.74%	10.36%	
299 Total Salaries - Field Driver	\$ 45	\$ 45	\$ 45	\$ -	0.00%	0.00%	
299 Total Other - Field Driver	\$ 5	\$ 15	\$ 15	\$ -	0.00%	198.21%	
299 Total Expenses - Field Driver	\$ 50	\$ 60	\$ 60	\$ -	0.00%	19.93%	
200 Total Salaries - Protection	\$ 1,489,598	\$ 1,674,967	\$ 1,724,466	\$ 49,498	2.96%	15.77%	\$1,789,966
200 Total Other - Protection	\$ 293,621	\$ 274,218	\$ 270,618	\$ (3,600)	-1.31%	-7.83%	
200 Total Expenses - Protection	\$ 1,783,219	\$ 1,949,185	\$ 1,995,084	\$ 45,898	2.35%	11.88%	

Police Salaries

The BoS intends to amend salaries by adding up to an additional \$22,038, for a total of \$919,095, in order to adequately fund level services, maintaining the staffing of two police officers per shift.

Police Expenses

One time cruiser decrease for admin car; decreased maintenance

Fire Salaries

The BoS intends to amend salaries by adding up to an additional \$23,443, for a total of \$659,627, in order to continue to provide adequate staffing at the Fire Station.

Fire Expenses

Increased maintenance and equipment deferred from previous years

Dispatch Salaries

The BoS intends to amend by adding up to an additional \$20,019, for a total of \$200,818, in order to meet the requirements of adequately staffing the Dispatch Center.

Decreased overtime to match actual usage. Decreased training expenses.

<u>Account Name</u>	<u>FY2006 ACTUAL</u>	<u>FY2007 BUDGET</u>	<u>FY2008 BUDGET</u>	<u>FY08 BUDGET VS FY07</u>	<u>% CHANGE FY08 VS FY07</u>	<u>% CHANGE FY08 VS FY06</u>	<u>BOS RECOMMENDED BUDGET</u>
300 Total Salaries - Blanchard School	\$ 3,487,186	\$ 3,870,352	\$ 4,056,639	\$ 186,287	4.81%	16.33%	
300 Total Other - School-Blanchard School	\$ 1,677,888	\$ 1,533,360	\$ 1,366,762	\$ (166,598)	-10.86%	-18.54%	
300 Total Expenses - Blanchard School	\$ 5,165,074	\$ 5,403,712	\$ 5,423,401	\$ 19,689	0.36%	5.00%	
310 Total Salaries - Minuteman Vocational HS	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
310 Total Other - Minuteman Vocational HS	\$ 233,461	\$ 260,801	\$ 286,070	\$ 25,269	9.69%	22.53%	
310 Total Expenses - Minuteman Vocational HS	\$ 233,461	\$ 260,801	\$ 286,070	\$ 25,269	9.69%	22.53%	
320 Total Salaries - A/B RHS Assessment	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
320 Total Other - A/B RHS Assessment	\$ 5,134,769	\$ 5,473,056	\$ 5,676,295	\$ 203,239	3.71%	10.55%	
320 Total Expenses - A/B RHS Assessment	\$ 5,134,769	\$ 5,473,056	\$ 5,676,295	\$ 203,239	3.71%	10.55%	
<b>Total Salaries - Education</b>	<b>\$ 3,487,186</b>	<b>\$ 3,870,352</b>	<b>\$ 4,056,639</b>	<b>\$ 186,287</b>	<b>4.81%</b>	<b>16.33%</b>	
<b>Total Other - Education</b>	<b>\$ 7,046,118</b>	<b>\$ 7,267,217</b>	<b>\$ 7,329,127</b>	<b>\$ 61,910</b>	<b>0.85%</b>	<b>4.02%</b>	
<b>Total Expenses - Education</b>	<b>\$ 10,533,304</b>	<b>\$ 11,137,569</b>	<b>\$ 11,385,766</b>	<b>\$ 248,197</b>	<b>2.23%</b>	<b>8.09%</b>	

Blanchard Expenses  
Minutemen Vocational HS

SPED expenses were decreased based on expected service needs.  
Assessment

<u>Account Name</u>	<u>FY2006 ACTUAL</u>	<u>FY2007 BUDGET</u>	<u>FY2008 BUDGET</u>	<u>FY08 BUDGET VS FY07</u>	<u>% CHANGE FY08 VS FY07</u>	<u>% CHANGE FY08 VS FY06</u>	<u>BOS RECOMMENDED BUDGET</u>
422 Total Salaries - Public Works	\$ 349,631	\$ 420,588	\$ 422,413	\$ 1,825	0.43%	20.82%	\$435,515
422 Total Other - Public Works	\$ 198,571	\$ 217,771	\$ 227,126	\$ 9,355	4.30%	14.38%	
422 Total Expenses - Public Works	\$ 548,201	\$ 638,359	\$ 649,539	\$ 11,180	1.75%	18.49%	
423 Total Salaries - Snow & Ice	\$ 31,707	\$ 46,507	\$ 46,507	\$ -	0.00%	46.68%	
423 Total Other - Snow & Ice	\$ 69,054	\$ 43,582	\$ 43,582	\$ -	0.00%	-36.89%	
423 Total Expenses - Snow & Ice	\$ 100,761	\$ 90,089	\$ 90,089	\$ -	0.00%	-10.59%	
424 Total Salaries - Street Lighting	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
424 Total Other - Street Lighting	\$ 2,790	\$ 3,191	\$ 3,191	\$ -	0.00%	14.37%	
424 Total Expenses - Street Lighting	\$ 2,790	\$ 3,191	\$ 3,191	\$ -	0.00%	14.37%	
429 Total Salaries - Fuel	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
429 Total Other - Fuel	\$ 56,357	\$ 49,500	\$ 49,200	\$ (300)	-0.61%	-12.70%	
429 Total Expenses - Fuel	\$ 56,357	\$ 49,500	\$ 49,200	\$ (300)	-0.61%	-12.70%	
431 Total Salaries - Hazardous Waste Coll	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
431 Total Other - Hazardous Waste Coll	\$ -	\$ 15,000	\$ -	\$ (15,000)	-100.00%	0.00%	
431 Total Expenses - Hazardous Waste Coll	\$ -	\$ 15,000	\$ -	\$ (15,000)	-100.00%	0.00%	
491 Total Salaries - Cemetery	\$ 7,747	\$ 8,355	\$ 8,580	\$ 225	2.69%	10.75%	
491 Total Other - Cemetery	\$ 940	\$ 1,458	\$ 1,402	\$ (56)	-3.84%	49.16%	
491 Total Expenses - Cemetery	\$ 8,687	\$ 9,813	\$ 9,982	\$ 169	1.72%	14.90%	
Total Salaries-Public Works & Facilities	\$ 389,085	\$ 475,450	\$ 477,500	\$ 2,050	0.43%	22.72%	\$490,602
Total - Other Public Works & Facilities	\$ 327,712	\$ 330,502	\$ 324,501	\$ (6,001)	-1.82%	-0.98%	
Total Expenses-Public Works - Facilities	\$ 716,797	\$ 805,952	\$ 802,001	\$ (3,951)	-0.49%	11.89%	
510 Total Salaries - Landfill Monitoring	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
510 Total Other - Landfill Monitoring	\$ 3,956	\$ 5,500	\$ 5,000	\$ (500)	-9.09%	26.38%	
510 Total Expenses - Landfill Monitoring	\$ 3,956	\$ 5,500	\$ 5,000	\$ (500)	-9.09%	26.38%	
511 Total Salaries - Board of Health	\$ 500	\$ 501	\$ 501	\$ -	0.00%	0.20%	
511 Total Other - Board of Health	\$ 168	\$ 1,765	\$ 1,765	\$ -	0.00%	953.23%	
511 Total Expenses - Board of Health	\$ 668	\$ 2,266	\$ 2,266	\$ -	0.00%	239.43%	
519 Total Salaries - Environmental Services	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
519 Total Other - Environmental Services	\$ 9,073	\$ 9,345	\$ 9,345	\$ -	0.00%	3.00%	
519 Total Expenses - Environmental Services	\$ 9,073	\$ 9,345	\$ 9,345	\$ -	0.00%	3.00%	
521 Total Salaries - Family Services	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
521 Total Other - Family Services	\$ 6,000	\$ 6,000	\$ 6,000	\$ -	0.00%	0.00%	
521 Total Expenses - Family Services	\$ 6,000	\$ 6,000	\$ 6,000	\$ -	0.00%	0.00%	

Hazardous waste day is removed for FY08, but planned for FY09

The BoS intends to amend by adding up to an additional \$13,102, for a total of \$435,515 in order to continue to provide level services to the Town.

<u>Account Name</u>	<u>FY2006 ACTUAL</u>	<u>FY2007 BUDGET</u>	<u>FY2008 BUDGET</u>	<u>FY08 BUDGET VS FY07</u>	<u>% CHANGE FY08 VS FY07</u>	<u>% CHANGE FY08 VS FY06</u>	<u>BOS RECOMMENDED BUDGET</u>
522 Total Salaries - Nursing Services	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
522 Total Other - Nursing Services	\$ 2,325	\$ 2,395	\$ 2,395	\$ -	0.00%	3.01%	
522 Total Expenses - Nursing Services	\$ 2,325	\$ 2,395	\$ 2,395	\$ -	0.00%	3.01%	
523 Total Salaries - Mental Health Services	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
523 Total Other - Mental Health Services	\$ 7,000	\$ 7,000	\$ 7,000	\$ -	0.00%	0.00%	
523 Total Expenses - Mental Health Services	\$ 7,000	\$ 7,000	\$ 7,000	\$ -	0.00%	0.00%	
541 Total Salaries - Council on Aging	\$ 28,207	\$ 34,929	\$ 36,270	\$ 1,341	3.84%	28.59%	
541 Total Other - Council on Aging	\$ 2,650	\$ 2,730	\$ 3,064	\$ 334	12.23%	15.61%	
541 Total Expenses - Council on Aging	\$ 30,857	\$ 37,659	\$ 39,334	\$ 1,675	4.45%	27.47%	
543 Total Salaries - Veterans	\$ 50	\$ 50	\$ 190	\$ 140	280.00%	280.00%	
543 Total Other - Veterans	\$ 55	\$ 250	\$ 250	\$ -	0.00%	354.55%	
543 Total Expenses - Veterans	\$ 105	\$ 300	\$ 440	\$ 140	46.67%	319.05%	
599 Total Salaries - Inspect of Animals	\$ 830	\$ 864	\$ 895	\$ 31	3.59%	7.77%	
599 Total Other - Inspect of Animals	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
599 Total Expenses - Inspect of Animals	\$ 830	\$ 864	\$ 895	\$ 31	3.59%	7.77%	
600 Total Salaries - Animal Control Officer	\$ 2,254	\$ 2,345	\$ 2,429	\$ 84	3.58%	7.76%	
600 Total Other - Animal Control Officer	\$ 256	\$ 330	\$ 330	\$ -	0.00%	28.93%	
600 Total Expenses - Animal Control Officer	\$ 2,510	\$ 2,675	\$ 2,759	\$ 84	3.14%	9.91%	
Total Salaries-Health Services	\$ 31,842	\$ 38,689	\$ 40,285	\$ 1,596	4.13%	26.52%	
Total - Other - Health Services	\$ 31,483	\$ 35,315	\$ 35,149	\$ (166)	-0.47%	11.64%	
Total Expenses-Health Services	\$ 63,325	\$ 74,004	\$ 75,434	\$ 1,430	1.93%	19.12%	

<u>Account Name</u>	<u>FY2006 ACTUAL</u>	<u>FY2007 BUDGET</u>	<u>FY2008 BUDGET</u>	<u>FY08 BUDGET VS FY07</u>	<u>% CHANGE FY08 VS FY07</u>	<u>% CHANGE FY08 VS FY06</u>	<u>BOS RECOMMENDED BUDGET</u>
610 Total Salaries - Library	\$ 119,047	\$ 150,026	\$ 164,033	\$ 14,007	9.34%	37.79%	
610 Total Other - Library	\$ 82,914	\$ 98,536	\$ 105,756	\$ 7,220	7.33%	27.55%	
610 Total Expenses - Library	\$ 201,961	\$ 248,562	\$ 269,789	\$ 21,227	8.54%	33.58%	
630 Total Salaries - Recreation Comm.	\$ 18,506	\$ 23,881	\$ 24,740	\$ 859	3.60%	33.69%	
630 Total Other - Recreation Comm	\$ 8,815	\$ 10,880	\$ 10,880	\$ -	0.00%	23.43%	
630 Total Expenses - Recreation Comm	\$ 27,320	\$ 34,761	\$ 35,620	\$ 859	2.47%	30.38%	
691 Total Salaries - Historical Comm	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
691 Total Other - Historical Comm	\$ 3,123	\$ 4,221	\$ 3,061	\$ (1,160)	-27.48%	-1.97%	
691 Total Expenses - Historical Comm	\$ 3,123	\$ 4,221	\$ 3,061	\$ (1,160)	-27.48%	-1.97%	
692 Total Salaries - Public celebration	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
692 Total Other - Public Celebration	\$ 477	\$ 665	\$ 665	\$ -	0.00%	39.42%	
692 Total Expenses - Public Celebration	\$ 477	\$ 665	\$ 665	\$ -	0.00%	39.42%	
693 Total Salaries - Steele Farm	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
693 Total Other - Steele Farm	\$ 500	\$ 500	\$ 500	\$ -	0.00%	0.00%	
693 Total Expenses - Steele Farm	\$ 500	\$ 500	\$ 500	\$ -	0.00%	0.00%	
699 Total Salaries - A/B Cultural Council	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
699 Total Other - A/B Cultural Council	\$ 1,000	\$ 1,500	\$ 1,500	\$ -	0.00%	50.00%	
699 Total Expenses - A/B Cultural Council	\$ 1,000	\$ 1,500	\$ 1,500	\$ -	0.00%	50.00%	
Total Salaries - Culture & Recreation	\$ 137,552	\$ 173,907	\$ 188,773	\$ 14,866	8.55%	37.24%	
Total Other- Culture & Recreation	\$ 96,828	\$ 116,302	\$ 122,362	\$ 6,060	5.21%	26.37%	
Total Expenses - Culture & Recreation	\$ 234,381	\$ 290,209	\$ 311,135	\$ 20,926	7.21%	32.75%	
710 Total Salaries - Maturing Debt Principal	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
710 Total Other - Maturing Debt Principal	\$ 501,000	\$ 678,000	\$ 728,000	\$ 50,000	7.37%	45.31%	
710 Total Expenses - Maturing Debt Principal	\$ 501,000	\$ 678,000	\$ 728,000	\$ 50,000	7.37%	45.31%	
751 Total Salaries - Maturing Debt Interest	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
751 Total Other - Maturing Debt Interest	\$ 600,321	\$ 694,142	\$ 678,415	\$ (15,727)	-2.27%	13.01%	
751 Total Expenses - Maturing Debt Interest	\$ 600,321	\$ 694,142	\$ 678,415	\$ (15,727)	-2.27%	13.01%	
Total Salaries - Debt Service	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
Total Other - Debt Service	\$ 1,101,321	\$ 1,372,142	\$ 1,406,415	\$ 34,273	2.50%	27.70%	
Total Expenses - Debt Service	\$ 1,101,321	\$ 1,372,142	\$ 1,406,415	\$ 34,273	2.50%	27.70%	
Library Salaries	Library board of trustees increased salaries based on salary survey						
Library Expenses	State library rules for accreditation require a specific percent increase in books/peripherals when budgets increase						
Historical Commission Expenses	Based on actual utility usage						

<u>Account Name</u>	<u>FY2006 ACTUAL</u>	<u>FY2007 BUDGET</u>	<u>FY2008 BUDGET</u>	<u>FY08 BUDGET VS FY07</u>	<u>% CHANGE FY08 VS FY07</u>	<u>% CHANGE FY08 VS FY06</u>
830 Total Salaries - County Ret. Assessment	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%
830 Total Other - County Ret Assessment	\$ 276,433	\$ 317,905	\$ 366,730	\$ 48,825	15.36%	32.67%
830 Total Expenses - County Ret Assessment	\$ 276,433	\$ 317,905	\$ 366,730	\$ 48,825	15.36%	32.67%
912 Total Salaries - Other Benefit Insurance	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%
912 Total Other - Other Benefit Insurance	\$ 51,957	\$ 87,628	\$ 67,932	\$ (19,696)	-22.48%	30.75%
912 Total Expenses - Other Benefit Insurance	\$ 51,957	\$ 87,628	\$ 67,932	\$ (19,696)	-22.48%	30.75%
913 Total Salaries - Deferred Compensation	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%
913 Total Other - Deferred Compensation	\$ 5,000	\$ -	\$ -	\$ -	0.00%	-100.00%
913 Total Expenses - Deferred Compensation	\$ 5,000	\$ -	\$ -	\$ -	0.00%	-100.00%
914 Total Salaries - FICA	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%
914 Total Other - FICA	\$ 11,987	\$ 12,600	\$ 13,000	\$ 400	3.17%	8.45%
914 Total Expenses - FICA	\$ 11,987	\$ 12,600	\$ 13,000	\$ 400	3.17%	8.45%
915 Total Salaries - Med,Life, LTD Insurance	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%
915 Total Other - Med,Life, LTD Insurance	\$ 988,045	\$ 1,112,931	\$ 1,173,500	\$ 60,569	5.44%	18.77%
915 Total Expenses - Med,Life, LTD Insurance	\$ 988,045	\$ 1,112,931	\$ 1,173,500	\$ 60,569	5.44%	18.77%
945 Total Salaries -Liability Insurance	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%
945 Total Other - Liability Insurance	\$ 87,702	\$ 99,396	\$ 100,000	\$ 604	0.61%	14.02%
945 Total Expenses - Liability Insurance	\$ 87,702	\$ 99,396	\$ 100,000	\$ 604	0.61%	14.02%
Total Salaries - Employee Benefits	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%
Total Other- Employee Benefits	\$ 1,421,125	\$ 1,630,460	\$ 1,721,162	\$ 90,702	5.56%	21.11%
Total Expenses- Employee Benefits	\$ 1,421,125	\$ 1,630,460	\$ 1,721,162	\$ 90,702	5.56%	21.11%
131 Reserve Fund - Original Budget	\$ -	\$ 157,623	\$ 185,000	\$ 27,377	17.37%	0.00%
131 Reserve Fund - Transferred Out	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%
131 Reserve Fund - Net Balance	\$ -	\$ 157,623	\$ 185,000	\$ 27,377	17.37%	0.00%

County Retirement Assessment

Other Benefit insurance

Reserve Fund

Assessment

Reduction in the amount budgeted for unemp comp as the town decided to take more risk since there have been no cases in FY07 and none yet known for FY08.

Increased reserve fund to match Finance Committee recommended 1% of the budget

<u>Account Name</u>	<u>FY2006 ACTUAL</u>	<u>FY2007 BUDGET</u>	<u>FY2008 BUDGET</u>	<u>FY08 BUDGET VS FY07</u>	<u>% CHANGE FY08 VS FY07</u>	<u>% CHANGE FY08 VS FY06</u>	<u>BOS RECOMMENDED BUDGET</u>
<b>SALARIES</b>							
Town Government	\$ 619,664	\$ 628,943	\$ 608,184	\$ (20,759)	-3.30%	-1.85%	
Protection	\$ 1,489,598	\$ 1,674,967	\$ 1,724,466	\$ 49,498	2.96%	15.77%	\$ 1,789,966
Public Works & Facilities	\$ 389,085	\$ 475,450	\$ 477,500	\$ 2,050	0.43%	22.72%	\$ 490,602
Health Services	\$ 31,842	\$ 38,689	\$ 40,285	\$ 1,596	4.13%	26.52%	
Cultural & Recreation	\$ 137,552	\$ 173,907	\$ 188,773	\$ 14,866	8.55%	37.24%	
Total Salaries Reserved	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
Total Town	\$ 2,667,741	\$ 2,991,956	\$ 3,039,208	\$ 47,252	1.58%	13.92%	\$ 3,117,810
Education	\$ 3,487,186	\$ 3,870,352	\$ 4,056,639	\$ 186,287	4.81%	16.33%	
Employee Benefits	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
Debt Service	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
Reserve Fund	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
Cherry Sheet Assessments	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
<b>TOTAL SALARIES</b>	<b>\$ 6,154,927</b>	<b>\$ 6,862,308</b>	<b>\$ 7,095,847</b>	<b>\$ 233,539</b>	<b>3.40%</b>	<b>15.29%</b>	<b>\$ 7,174,449</b>
<b>OTHER EXPENSES</b>							
Town Government	\$ 243,003	\$ 239,558	\$ 220,588	\$ (18,970)	-7.92%	-9.22%	
Protection	\$ 293,621	\$ 274,218	\$ 270,618	\$ (3,600)	-1.31%	-7.83%	
Public Works & Facilities	\$ 327,712	\$ 330,502	\$ 324,501	\$ (6,001)	-1.82%	-0.98%	
Health Services	\$ 31,483	\$ 35,315	\$ 35,149	\$ (166)	-0.47%	11.64%	
Cultural & Recreation	\$ 96,828	\$ 116,302	\$ 122,362	\$ 6,060	5.21%	26.37%	
Total Town	\$ 992,647	\$ 995,895	\$ 973,218	\$ (22,677)	-2.28%		
Education	\$ 7,046,118	\$ 7,267,217	\$ 7,329,127	\$ 61,910	0.85%	4.02%	
Employee Benefits	\$ 1,421,125	\$ 1,630,460	\$ 1,721,162	\$ 90,702	5.56%	21.11%	
Debt Service	\$ 1,101,321	\$ 1,372,142	\$ 1,406,415	\$ 34,273	2.50%	27.70%	
Reserve Fund	\$ -	\$ 157,623	\$ 185,000	\$ 27,377	17.37%	0.00%	
Cherry Sheet Assessments	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
Reserve Fund	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
<b>TOTAL OTHER EXPENSES</b>	<b>\$ 10,561,210</b>	<b>\$ 11,423,337</b>	<b>\$ 11,614,922</b>	<b>\$ 191,585</b>	<b>1.68%</b>	<b>9.98%</b>	
<b>TOTAL EXPENSES</b>							
Town Government	\$ 862,666	\$ 868,501	\$ 828,772	\$ (39,729)	-4.57%	-3.93%	
Protection	\$ 1,783,219	\$ 1,949,185	\$ 1,995,084	\$ 45,898	2.35%	11.88%	\$ 2,060,584
Public Works & Facilities	\$ 716,797	\$ 805,952	\$ 802,001	\$ (3,951)	-0.49%	11.89%	\$ 815,103
Health Services	\$ 63,325	\$ 74,004	\$ 75,434	\$ 1,430	1.93%	19.12%	
Cultural & Recreation	\$ 234,381	\$ 290,209	\$ 311,135	\$ 20,926	7.21%	32.75%	
Total Salaries Reserved	\$ -	\$ -	\$ -	\$ -			
Total Town	\$ 3,660,388	\$ 3,987,851	\$ 4,012,426	\$ 24,575	0.62%	9.62%	\$ 4,091,028
Education	\$ 10,533,304	\$ 11,137,569	\$ 11,385,766	\$ 248,197	2.23%	8.09%	
Employee Benefits	\$ 1,421,125	\$ 1,630,460	\$ 1,721,162	\$ 90,702	5.56%	21.11%	
Debt Service	\$ 1,101,321	\$ 1,372,142	\$ 1,406,415	\$ 34,273	2.50%	27.70%	
Cherry Sheet Assessments	\$ -	\$ -	\$ -	\$ -	0.00%	0.00%	
Reserve Fund	\$ -	\$ 157,623	\$ 185,000	\$ 27,377	17.37%	0.00%	
<b>TOTAL EXPENSES</b>	<b>\$ 16,716,137</b>	<b>\$ 18,285,646</b>	<b>\$ 18,710,769</b>	<b>\$ 425,123</b>	<b>2.32%</b>	<b>11.93%</b>	<b>\$ 18,789,371</b>
Budget Prior to Reserve Fund Calculation	\$ 16,716,137	\$ 18,128,023	\$ 18,525,769	\$ 397,746	2.19%	10.83%	\$ 18,604,371

**Blanchard Memorial School**  
**FY-08**  
**Budgets**  
*Accounts Summary*

ACCT.	CATEGORY	FY05 Actual	FY 06 Actual	FY07 Budget	FY08 Proposed	Increase/Decrease FY 07 - FY 08
						\$\$\$ %
1100	School Comm.	\$26,310	\$33,413	\$16,554	\$19,392	\$2,838 17.14%
1400	Bus. Office	\$79,315	\$95,028	\$99,695	\$105,482	\$5,787 5.80%
2100	Special Ed Office	\$102,591	\$110,218	\$121,044	\$122,062	\$1,018 0.84%
2200	Supt/Prin Office	\$262,574	\$292,931	\$300,299	\$317,944	\$17,645 5.88%
2250	Tech Admin	\$114,122	\$120,558	\$129,393	\$123,080	(\$6,313) -4.88%
2300	Teaching	\$2,624,457	\$2,835,846	\$3,033,273	\$3,120,581	\$87,308 2.88%
2350	Prof. Development	\$52,737	\$59,377	\$109,744	\$109,802	\$58 0.05%
2400	Textbooks	\$10,389	\$32,992	\$36,740	\$37,850	\$1,110 3.02%
2500	Media	\$58,611	\$81,265	\$72,566	\$59,381	(\$13,185) -18.17%
2700	Guidance	\$30,536	\$44,060	\$48,014	\$52,081	\$4,067 8.47%
2800	Psychological	\$30,087	\$32,256	\$34,527	\$36,849	\$2,322 6.72%
3200	Health Services	\$44,105	\$46,236	\$54,706	\$53,489	(\$1,217) -2.22%
3300	Transportation	\$363,943	\$370,532	\$374,731	\$379,566	\$4,835 1.29%
3400	Food Services	\$5,346	\$25,416	\$27,382	\$33,478	\$6,096 22.26%
4130	Utilities	\$110,245	\$143,293	\$163,440	\$163,440	\$0 0.00%
4220	Maintenance	\$203,498	\$210,462	\$213,559	\$218,912	\$5,353 2.51%
4400	Technology	\$49,391	\$70,573	\$93,858	\$93,858	(\$0) 0.00%
5100	Retirement	\$6,150	\$0	\$42,563	\$88,344	\$45,781 107.56%
6300	Civic Activities	\$5,188	\$4,474	\$4,774	\$5,130	\$356 7.46%
7000	Capital Exp.	\$34,603	\$27,904	\$40,541	\$42,379	\$1,838 4.53%
9100	SPED Tuition	\$325,285	\$239,453	\$216,959	\$45,499	(\$171,460) -79.03%
9400	Collaborative	\$214,915	\$288,786	\$169,349	\$194,803	\$25,454 15.03%
	<b>TOTALS</b>	<b>\$4,754,398</b>	<b>\$5,165,074</b>	<b>\$5,403,711</b>	<b>\$5,423,401</b>	<b>\$19,690 0.36%</b>

**ACTION ON ARTICLE 5:** The moderator went through the budget one page at a time. Ms. Hilberg moved that the Town increase Department 210, Total Salaries Police to **\$919,505**, and to meet this appropriation that an additional amount of **\$22,038** be transferred from Free Cash. The motion was seconded by Mr. Fox. Ms. Hilberg provided background on why the BoS was recommending an increase in this line item. The BoS wants to maintain 2 officers per shift and feels their higher number is a more realistic reflection of the actual cost of the ninth officer needed to ensure that. Ms. Kangas said that she appreciated the FinCom report and questions why so much money is spent on overtime for police. She recommends against the motion, in favor of the FinCom recommendation. Lorraine Carvalho wanted to know if we really needed an extra officer. She wondered if special officers could cover. Ms Hilberg said the BoS felt that the Town was better served with full-time officers. David Follett pointed out that the debate is whether the BoS or the FinCom are correct in estimating the actual cost for next year of Police salaries and which pool of money the difference will come out of. Mr. Follett was inclined to go with the BoS recommendation. Mr. Raad pointed out that the discussion should be about the 22% increase over 2 years and the 6% increase for next year, not the \$22,038 difference between FinCom and BoS budget proposal. The moderator asked for a show of hands in favor of the motion and for a show of hands

against the motion. **The moderator declared that the motion to increase Department 210, Total Salaries Police to \$919,505, and that an additional amount of \$22,038 be transferred from Free Cash passed.**

Mr. Gorman moved that the Town increase Department 220, Total Salaries Fire to **\$659,627**, and to meet this appropriation that an additional amount of **\$23,443** be transferred from Free Cash. Mr. Fox seconded. Mr. Gorman provided some rationale for the recommendation. The true cost of the fourth fire fighter was not reflected in last year's budget because that model was not fully implemented for the whole year. The BoS backs the model developed by the Fire Chief. Ms. Kangas objected again to increasing the line item further. She called on tax payers to think ahead to future years and to keep in mind the least able to pay among the townspeople such as young families and the elderly on fixed incomes. Ken Carroll, fire fighter in Acton, felt that the amount of money was small and that fire fighters are not overpaid. Ms. Carvalho supports the FinCom recommendation. If more money is needed, then midway through the year the budget can be adjusted. Don't set the base higher for next year. Frank Powers spoke of the impact of budget increases on seniors, but felt that emergency service personnel was not where to cut. He was in favor of the amendment. Larry White reminded people that the small things like paying fire and police are what we should fund, rather than large expenses like a new library and a generator. Mr. Raad spoke in favor of the FinCom recommendation and against the amendment. He felt it was not a question of not supporting the services, it's a question of controlling the costs.

**The moderator called for a show of hands and declared that the motion to increase Department 220, Total Salaries Fire to \$659,627, and that an additional amount of \$23,443 be transferred from Free Cash passed.**

Mr. Gorman moved that the Town increase Department 221, Total Salaries Dispatch to **\$200,818** and to meet this appropriation that an additional amount of **\$20,019** be transferred from Free Cash. The motion was seconded by Mr. Fox. Mr. Gorman said the rationale for this is similar to the previous two motions. Ms. Golden said that the FinCom cut the ConsCom budget but indicated that they could go for a reserve fund transfer if goes over budget. She expressed concern that many departments will go over budget. Ms. Carvalho felt that departments need to strive to meet the budget they were given. Mr. Gorman was concerned that reserve fund should not be a buffer for budget overruns, but felt it should continue to be used as an emergency source of funds for unforeseen expenses. Mr. Bunyard has a philosophical problem with the FinCom being able to increase a department's budget as it deems necessary. He called on town meeting to set the best budget possible.

**The moderator called for a show of hands and declared the motion to increase Department 221, Total Salaries Dispatch to \$200,818, and that an additional amount of \$20,019 be transferred from Free Cash carried.**

Karen Metheny questioned line item 241—is it full time or part time. Ms. Neville said it's part-time at 25 hours.

On section 300, the Blanchard School budget, Jeff Glidden questioned what the cost per pupil at Blanchard is. He felt it should be part of the school report every year. Mr. Sabot acknowledged that the state reimburses for Choice students at a lower rate than the actual cost to educate a Blanchard student, but that there are no additional costs associated with adding students because we already are paying the teachers and already have the text books. Mr. Sabot had state numbers for 2005 for per pupil costs of \$9692. Mr. Sabot acknowledged that we don't have state numbers for 2006, 2007 or 2008. Mr. Glidden wanted to know whether there was money in the school budget that would be better used in other departments like police and fire. Al Murphy wanted to know when Blanchard will start to cut teachers in recognition of the decline in enrollment. Mr. Sabot said they look into that every year. If a section can be cut without exceeding class size guidelines, it will be. Mr. Murphy would like to see a projection done over the next few years what to expect in terms of enrollment and staffing. Mary Brolin made the point that the figure of actual kindergarten enrollment is higher than the census number indicated in the FinCom presentation. Mike Gayowski questioned why we have a superintendent and a principal when it used to be a shared position. Felt that the salary increases were excessive. Peter Rodenko felt that with enrollment going down there should be opportunities to reduce the school budget. He felt that we should not have gone with School Choice as a way to maintain the current staffing, rather than cut positions. Mr. Sabot said that despite declining enrollment, eliminating sections was not possible because of class size guidelines. Choice was a way to help with the transition. School is concerned about the 40B developments that are going forward and the potential

impact on enrollment. Mr. Rodenko still feels that the school is taking too much of the town budget. Mr. Suleiman described the research that went into the decision to move forward with choice. Based on 40B development activity, the SC felt that enrollment would start to increase again in the next few years. Choice was a way to creatively maintain the educational program intact in anticipation of an increase in enrollment in the future. Mr. Raad is not convinced that School Choice will ever be stopped and that the school budget will ever be reduced. Mr. Sabot stated that he was a tax payer as well. He does not see School Choice simply to generate extra funds, but to offset teacher costs during a period of reduced enrollment. He stated that if we get to a point where we can cut a section without exceeding class size guidelines, the School Committee will do it. Becky Neville also spoke of Choice as a transition to help manage the reduction in enrollment, while maintaining flexibility in case of an influx of students from the . Zoe Germain of Swanson Rd spoke of School Choice and the impact on other towns. Sending towns experience a negative impact by losing revenue. Felt that if allowed choice need to maintain the kids through graduation. Mr. Murphy has been to several meetings about the 40B developments and his estimates say that 20-30 students would be expected, not 100's. Cliff Stockley wanted to know what cuts were actually made since a big portion of the savings was from the Sped budget reduction. He had a question about the class sizes. If we bring in Choice students how long are we committed to them? Mr. Sabot replied that once accepted, Choice students can stay until 6<sup>th</sup> grade graduation. Feels that a class could have been cut in 4<sup>th</sup> grade rather than taking Choice. Class size would have been 22 which would have been within the guidelines. Cynthia Pierce asked if the School looked at combination classes. Mr. Sabot said no. Mary Brolin said they couldn't cut 4<sup>th</sup> grade, because the following year when the 3<sup>rd</sup> graders moved up, a section would have to be added back. She also indicated that the budget cuts shown for Blanchard in the second round were over and above the savings from the SpEd budget. Ms. Neville urged that people come to School Committee meetings. Janet Glidden wants the SC to listen when people push back on the school budget in the face of declining enrollment. Class sizes of 17 look hard to justify. Ms. Hilberg--Point of order: is there a way to end discussion? The moderator responded that he will decide when to cut off discussion. Mark White didn't realize that once you commit to a choice student, they stay until graduation. Given the possible influx of students from 40Bs, he feels it would have been safer to wait out the lower enrollment for a couple of years rather than accept Choice. He pointed out that SpEd savings can disappear with the addition of one child. Mr. Sabot Norm Hanover wants the School Committee line explained. Mr. Sabot said the line was for advertising for new teachers. Also retirement—2 teachers taking retirement in FY08. Chris (Sargent Rd) doesn't understand the Blanchard budget. He referred to page 25 of the warrant and the increase relative to 2 years ago. Is school choice income in the budget? Mr. Sabot said no. Mr. Raad expects that the SC will do the job the majority of the town wants done. Not everyone can come to all the meetings. Disappointed to learn that combining classes in multi-age to cut costs was not looked at. The moderator cut debate and moved on to line item 310. There were no comments. Mr. Raad questioned line 320 on the regional school budget. Ms Kangas pointed out that the per pupil cost of a student from Blanchard is over \$11,000, according to the Beacon. She asked what the per pupil costs were at the Region. Mr. Sabot reiterated that official numbers from the state are not available after 2005. Ms. Kangas stated that she felt the school should be able to calculate current per pupil costs at least to compare one year to another. Mr. Sabot said that the per pupil cost was usually used to compare across school systems.

Ms. Hilberg moved that the Town increase Department 422, Total Salaries Public Works to **\$435,515** and to meet this appropriation that an additional amount of **\$13,102** be transferred from Free Cash. Mr. Fox seconded. Ms. Hilberg provided rationale behind the BoS salary recommendation. The moderator called for a show of hands in favor of the motion and opposed to the motion.

**The moderator declared that the motion to increase Department 422, Total Salaries Public Works to \$435,515 and to that an additional amount of \$13,102 be transferred from Free Cash passed.**

Mr. Hanover had a question on lines 710 and 751. He asked for the breakdown of what is included in each line. Ms. Hilberg listed sewage disposal facility, water/sewer, land acquisition (Howe/Panek), affordable housing, library, school refunding (refinancing school bonds) and additional school debt.

Karen Metheny wanted to point out on line 151 that shopping around for legal counsel might save money. Owen Neville felt that actual legal fees for '06 are higher than that budgeted for '07 and '08. He thought that the town

should budget more realistically for legal expenses. Ms. Hilberg said BoS and FinCom felt comfortable taking a risk on this line item.

**Mr. Srivastava moved that the Town appropriate \$18,789,371** for the operations and expenses of the Town during the fiscal year beginning July 1, 2007, the purposes for which funding are set forth in the Department Account Numbers 114 through 945, and any subheadings included under said account numbers, as printed in Article 5 of the warrant, under the heading FY2008 Budget, except for

Department 210, Total Salaries Police, \$897,467 is increased to \$919,505

Department 220 Total Salaries Fire, \$636,184 is increased to \$659,627

Department 221, Total Salaries Dispatch, \$180,799 is increased to \$200,818

Department 422, Total Salaries Public Works, \$422,413 is increased to \$435,515

and to meet this appropriation that \$102,248 be transferred from overlay surplus, that an amount of \$496,894 be transferred from Free Cash and that the balance be raised by taxation.

**The moderator called for a show of hands. The motion carried by a majority vote.**

**Annual Town Meeting was adjourned at 10:31pm until 7:00pm, May 15.**

## ATM, MAY 15, 2007

The Moderator began the meeting at 7:15pm by reviewing the results of the previous town meeting. There were 113 registered voters in attendance.

Mr. Powers and Karen Smolin, members of the Council on Aging, presented the report of the Senior Center Task Force. Mr. Powers identified the driving force behind the investigation of the feasibility of a senior center for Boxborough as the projected rapid increase in the senior population over the next ten years. Survey results done in 2005 indicated a strong interest among seniors of such a facility, but there were concerns about the impact on property taxes. Ms. Smolin provided background on the activities of the Task Force since its formation in January 2007. The Task Force identified four areas of senior needs: Programs to enhance socialization, physical activities to promote wellness, nutritional offerings to promote wellness and storage space for medical equipment. Lack of a permanent space hampers the number of programs and activities that can be offered. She said that so far there was no consensus on the committee on whether to recommend a senior center.

Geoff Neagle, Boxborough Fire Chief, reported on the state of public safety and public service in town. Along with the DPW director and the Police Chief, Chief Neagle has met to discuss town wide safety personnel needs and safety issues. Chief Neagle believes that fire personnel are stretched to the maximum. Police activity is up in many areas such as arrests, but down in other areas like by-law infractions. DPW is also stretched. Personnel must plow and maintain more roads, mow more fields, etc. Chief Neagle plans to apply for a SAFER grant from the DHS to pay for additional personnel: The grant would pay 80% in year one, 60% year two, etc. The police and DPW are similarly in need, especially in light of the projected increase in population.

**On a motion by Les Fox, the town voted unanimously to receive the reports.**

## ARTICLE 6            CAPITAL IMPROVEMENTS – BLANCHARD MEMORIAL SCHOOL SECURITY INFRASTRUCTURE

(Majority vote required)

Mr. Sabot moved to raise and appropriate the sum of Fifty Thousand Dollars (\$50,000) for the purpose of acquiring and installing a security infrastructure system for the Blanchard Memorial School, provided that no funds voted under this article shall be borrowed or expended unless the Town has first voted by ballot at a municipal election to assess an additional Fifty Thousand Dollars (\$50,000) in real estate and personal property taxes for said purpose for the fiscal year beginning July first two thousand and seven. Ms. Neville seconded.

The School Committee recommends unanimously (5 - 0).

Passage of Article 6 would enable the School Committee to purchase and install a security infrastructure system to help the Boxborough police and other law enforcement agencies (State Police, FBI, etc.) secure the school in the unlikely event that non-authorized personnel entered the school.

In today's environment, unexpected and unfortunate events are occurring that can put our children in harm's way. It is our responsibility as parents and citizens of Boxborough to insure that our children are safe while attending Blanchard. In the fall of 2006, the Boxborough Police Department surveyed the school's hallways, stairwells, and other spaces and subsequently reported that it was impossible to accurately determine the location of intruders in the event that intruders entered the building. The Security Infrastructure System will provide law enforcement agencies with the ability to see within the building in an emergency.

This article provides funding for:

- Front door video surveillance
- Front door security
- Cameras
- Surveillance control system
- Installation
- Training

**The Finance Committee does not recommend (8 - 0).**

This article is for a security system to be installed at Blanchard Memorial School. We believe that in comparison with other elementary schools in the area the current security system is adequate and a need for an upgrade has not been demonstrated at this time. The increase in taxation would be \$.048 per \$1000 valuation, or \$26.34 for the average single-family home of \$545,900 valuation.

**ACTION ON ARTICLE 6:** Mr. Sabot provided background on the need for a surveillance system at the school for safety reasons. School security is mandated by the state. Mr. Sabot indicated that Blanchard has already done a great deal to improve security. All exterior doors are locked except for the front door. All school personnel wear id badges. Visitors must sign in and wear a visitor badge. Mr. Hanover thought controlling access to the school is a good idea. He asked for a cost break down of the system. Mr. Sabot provided an itemized costing of the system. Mr. Hanover didn't feel that having video in the school would increase security if an intruder did get in. Mr. Raad felt that the system was an over-reaction. Ms. Golden said that at the Acton-Boxborough high school where she works the security cameras are moveable to try to catch nuisance activities. The high school now requires staff to wear badges. She feels that if the high school doesn't feel the need for locked doors and security cameras, why should Blanchard. Dilip Subramanyam wanted to know what Lincoln-Sudbury was doing in the wake of the tragedy there. Mr. Sabot deferred to Dr. Bates who said that they are still reviewing the situation and their response. Mr. Subramanyam asked about town liability. Through the moderator, Town Counsel affirmed that the town is liable for negligent activities of its employees. Mr. Subramanyam questioned what were reasonable precautions? Town Counsel, through the moderator, said the standard depends on the population and the threat, that the limit for damages is \$100k per plaintiff and that the town carries insurance for such eventualities. Mark White said the system is an over-reaction and contributes to a climate of fear. Why not do the simplest and cheapest solution like locking the front door and having people buzzed in. Dana Perry pointed out that it seemed that most of the violence is perpetrated by students. Mr. Sabot brought up the incident in Amish country with a parent as the perpetrator. Mr. Perry would rather put \$50k toward education to prevent bullying and violence among students. Mr. Follett requested that it be taken off the table as currently proposed. He could support a reduced proposal. He asked for the Chief of Police opinion. Chief Vance felt he could not comment as he was not involved in any discussions about the article. Rita Grossman thanked the SC for starting to think about security issues, but couldn't support the article. She wanted to know what was being done state-wide among elementary schools. She felt that there were smaller scale things that could be done to improve security. Laraine King moved the question and it was seconded. The motion to vote now on Article 6 passed. **On a show of hands, the moderator declared that Mr. Sabot's motion on Article 6 failed.**

**ARTICLE 7            CAPITAL IMPROVEMENTS – HAGER WELL HOUSE GENERATOR**

(Two-thirds vote required)

Mr. Gorman moved that the sum of Sixty-Three Thousand Six Hundred Forty-Two Dollars (\$63,642) be and hereby is appropriated for the purpose of paying costs of acquiring and installing an emergency generator at the Hager Well House, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7(9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore; provided however, that no funds shall be borrowed or expended hereunder unless and until the Town shall have voted by ballot at a municipal election to exempt from the provisions of proposition two and one-half, so-called, in accordance with Chapter 59, Section 21C(k) of the General Laws, the amounts required to pay for the bonds authorized by this vote.

**The Board of Selectmen recommends unanimously (4 – 0).**

The Hager well supplies water to the Blanchard School, Library, Police Station and Fire Station for drinking (subject to near term remediation), sanitary, and (in the case of the Library) fire suppression purposes. At present the well has no backup system to provide water in the event of a power failure, except for the gravity feed from

the standpipe. This current “backup” would only last until the water in the standpipe were expended, and would in any event leave the Library without fire suppression due to insufficient pressure. The proposed generator will automatically kick in to provide water supply in the event of a power failure, using a diesel-powered source. The proposed funding of \$63,642 includes the quoted price for the generator, electrical and mechanical installation costs, and the initial charge of diesel fuel. The BoS believes that this is a necessary investment to ensure continuity of essential water supply to these key town buildings.

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

In the event that there is a loss of power in the pump house, there will be a limited supply of water in the standpipe, and once that supply is exhausted, then there will be no water for Blanchard Memorial School, Sargent Library, the police and fire stations. With over 500 people in the Blanchard School, the need to provide water is essential. In addition, since Blanchard Memorial is the evacuation point for the Town of Boxborough in case of emergency, the need to supply water during a prolonged loss of power is essential.

**The Finance Committee does not recommend.**

The Hager Pump house supplies water to the Fire Department, Police Department, Blanchard School and the Library. The existing 30,000 gallon cistern is designed to hold up to 2 days of water which is used for all non-drinking purposes including the protection of the Library. We believe the generator is insurance that is not necessary. This article would add \$.061 per \$1000 or \$33.52 for a median-priced house of \$545,900.

**ACTION ON ARTICLE 7:** Mr. Gorman provided additional rationale for the expenditure. Chief Neagle spoke in support of the article. The well pump is needed to keep the 30,000 gallon cistern filled. In the event of a prolonged loss of power, the cistern could serve as a source of water for the town and would enable the library, school, police and fire stations to stay in operation. Water would also be available for fire suppression. Mr. Hanover asked if the pump is needed to pump water to the school fire suppression. Chief Neagle said that fire suppression for the school is provided by the old well with its own pump. Mr. Hanover wondered how often the school has been without power for more than two days. Chief Neagle could only recall the Blizzard of '78. He also said that the past is not a predictor of the future in terms of power outages. Mr. Hanover wondered if insurance rates would go down. Chief Neagle did not believe so. Mr. Van Roggen asked if there were generators for the fire and police. The chief said there was and described the shared generator as beyond its useful life. If Article 8 passed, do we need Article 7. The chief was not sure, but felt that wiring would be expensive. Ms. Glidden wanted to know what was left in the original water bill. Selina Shaw, Town Administrator, put the figure at \$50,000 which could be used. Ms. Glidden wanted to know if a pump at the Hager House would provide emergency fire suppression capability at the school. The chief said no. Mr. Gorman pointed out that just because there was borrowing authority left in the old warrant article didn't mean there was money there. Ms. Cannon, Chair of the Board of Health, spoke in favor of the article and said that the BOH has been urging the School Committee to purchase a generator for years. Loss of water situations have occurred and pose health risks even for a day. Ms. Grossman felt that having a back-up generator was prudent. Eric Molander asked the chief for maintenance expenses on the generator. In addition to the costs of diesel fuel, the chief estimates \$1000 per year for a twice a year check-up. Mr. Molander asked how long the generator would last. The chief responded that it was 20 years. Larry White spoke in favor and felt that the generator met a specific need at a reasonable price, but he would have liked to see the specifications. Frank Hubley felt the town would be ill advised to purchase diesel fuel generator because it's very polluting. LP gas is cleaner. The chief pointed out that the water tank is self-contained and would not be vulnerable to contamination from a spill. Keshava Srivastava speaking as a voter said that his understanding was that the cistern had enough water for two days. He felt that was enough for most emergencies. Chris Delise asked if the power is out, can the school be occupied. The answer was no. Larry White said that generators can be portable and serve many functions. Anne Canfield asked about how this article hinges on article 8. The chief said that even if Article 8 failed, passing article 7 would allow police and fire to open with their emergency power if they had water. Ms. Cannon pointed out that the school can lose and has lost water without losing power. Someone Mr. Klatt asked why not use a portable generator. The Chief said that voltages vary from building to building and hooking up to various voltages would be difficult and the wiring expensive. Ms. Hilberg felt that this generator would protect the investment the town has made in its public

buildings. Ms. Reuther moved the question. That motion carried. Noting that the vote on the article was too close to call on a hand vote, the moderator called for an actual count. Tellers were sworn in and the count taken.

**Failing to achieve a two-thirds majority, the motion on Article 7 failed: Yes: 62 No: 36**

Ms. Reuther moved to take article 12 out of order. Motion passed.

Mr. Gorman moved to extend discussion beyond 10:30pm. Motion failed.

## **ARTICLE 12 CAPITAL IMPROVEMENTS - ATHLETIC FIELD LIGHTING – ACTON-BOXBOROUGH REGIONAL SCHOOLS**

(Majority vote required)

Todd Webber, Recreation Commission member, moved to raise and appropriate the sum of Eighteen Thousand Four Hundred Forty Dollars (\$18,440) for the purpose of paying the Town's proportional contribution for the Acton-Boxborough Regional School's Athletic Field Lighting Project, which includes adding athletic lighting to the varsity baseball field, practice soccer field, and five adjacent tennis courts; further that the Town shall vote pursuant to Chapter 40 Section 40A of the General Laws to authorize the Board of Selectmen to enter into an agreement with the Town of Acton and the Acton-Boxborough Regional School District for such purpose and provided that no funds voted under this article shall be expended unless the Town has first voted by ballot at a municipal election to assess an additional Twenty-Four Thousand Dollars (\$24,000) in real estate and personal property taxes for said purposes for the fiscal year beginning July first two thousand and seven.

### **The Board of Selectmen does not recommend (3 – 1).**

**Majority:** While the Board of Selectmen can appreciate the need for lighting the tennis courts and contiguous fields located on the AB Regional High School campus, due to current economic circumstances we cannot in good faith expend the funds at this time.

**Minority:** The Town of Acton and the Acton-Boxborough Regional School System have committed to improving these facilities and Boxborough should be willing to contribute a fair share. Our residents, both young and old, make good use of the tennis courts and many children play youth sports on the contiguous fields. It makes both ethical and moral sense to contribute a portion of the funds to make these improvements. Although smaller in size than our Acton counterpart, Boxborough is still a half-partner in the Acton Boxborough Regional School System and with ownership comes responsibility.

### **The Recreation Commission recommends.**

The Recreation Commission voted unanimously to support the efforts of ABYB and other supporting organizations for the lighting project. The proposed Boxborough contribution is reasonable, and represents a proportionate share for enhancements to a recreational asset used by both Acton and Boxborough communities.

### **The Finance Committee recommends (5 - 2).**

The Finance Committee believes that the article supports a wide array of the residents of Boxborough, but the formula to calculate the dollar amount is incorrect. There are currently no lighted facilities in either town to support evening activities. Based on the regional agreement for construction costs, Boxborough pays 21.58% minus 5% or 16.58%. This equates to \$18,400. This article would add \$.0178 per \$1000 or \$9.69 for a median price house of \$545,900.

**ACTION ON ARTICLE 12, May 15, 2007:** Mr. Webber explained that the amount moved was lower than written in the warrant because the original estimate was based on the school operating budget Acton/Boxborough split, not the proportionate share based on the capital budget (21% vs. 16%). At the invitation of Mr. Webber, Mr. Michael Coppolino from ABYB made a presentation on the athletic field lighting proposal and highlighted all the groups that would benefit from adding lighting to the fields, in particular the tennis courts. He pointed out

that the project would qualify for Community Preservation Act funding. He also reported on the significant amount of private fundraising that has been undertaken for the project. Ms. Grossman asked for the potential to light fields in Boxborough. Ms. Hilberg said there is a town by-law that limits the amount of evening lighting. Ms. Grossman was in favor of the article. Mr. van Roggen asked where the \$18,000 came from. Mr. Gorman asked if the project was approved by AB school committee. Yes. Mr. Gorman thinks it's a bad idea to ask Boxborough residents to pay for infrastructure in Acton except for regional agreement matter. Mr. Toups wanted to know the electric cost per year. \$5-\$8k very energy efficient to be paid by the regional high school. No maintenance costs for 25 years, except for bulb replacement. Pam Collins spoke as a former resident of Acton and agreed with Ms. Hilberg. Ms. Neville questioned Mike on when this presentation was made to the regional school committee. Mike said that it was more a general positive feeling from members. Francie Nolde asked how we will ensure energy efficiency. Mr. Coppolino said that the preferred vendor was a leader in developing energy efficient lighting systems. Ms. Nolde also asked how late-10pm or so. Ms. Reuther pointed out that regional school property was Boxborough property and that it was very appropriate for the town to make the donation for the lighting. Ron Vogel spoke in support of the article. He felt that it was a great investment and would mitigate the need for more baseball fields. Mr. Carroll spoke in favor of the motion. Dilip Subramanyam moved the question.

**On Mr. Webber's motion, the Town voted in favor of Article 12.**

Ms. Cannon requested to move article 13 out of order because there were representatives from Central Massachusetts Mosquito Control in attendance should there be any questions. The motion carried.

### **ARTICLE 13 AERIAL DROP OF MOSQUITO LARVACIDE (BTI)**

(Majority vote required)

Marie Cannon moved to transfer from Free Cash the sum of Fifteen Thousand Dollars (\$15,000) for the purpose of contracting with Central Mosquito Control Program to provide up to two aerial drops of mosquito larvacide. Seconded by Owen Neville.

**The Board of Health recommends unanimously (3 – 0).**

With the increased occurrence of incidents, the BOH is interested in reducing the potential public exposure to EEE, West Nile Virus and other diseases transmitted through mosquitoes. In addition, the mosquitoes present a continuous nuisance factor throughout the warm weather months, which can cause secondary issues such as skin infections. Currently the Central Mass Mosquito Control Project (CMMCP) serves Boxborough, as well as 36 other towns in this effort by providing manual land applications of larvacide (Bti) to accessible wet areas and catch basins. In addition, some spraying is employed on a routine basis, which involve synthetic 'adulticides'. The BOH wants to add an aerial element to this 'mosquito battle', which drops (via helicopter) the same Bti material in wet areas not as easily accessible to achieve a greater reduction in the mosquito population. This effort will further reduce direct disease exposure as well as secondary affects from the nuisance bites themselves. This will also reduce the reliance on the synthetic products to mitigate mosquitoes. A two-application approach will include a spring drop to address the tremendous population of the one-generation spring mosquitoes. The second application would follow a significant rain event later in the season to directly impact the later hatching disease transmitting type. The primary focus areas for these applications are the areas where the greatest population is involved in outside activities (school, recreation fields).

**The Finance Committee recommends unanimously.**

The Finance Committee supports this article to protect the population of Boxborough from mosquito-borne disease. This article would add \$.0145 per \$1000 or \$7.90 for a median price house of \$545,900.

**ACTION ON ARTICLE 13, May 15, 2007:** Ms. Cannon made a presentation on the aerial larvacide program. The Board of Health is concerned about the increase in mosquito-borne diseases and the potential threat they pose to Boxborough residents, particularly EEE and West Nile virus. Ms. Cannon indicated that the aerial larvacide program would significantly reduce this threat with no impact to the environment. Larry White spoke in favor of the motion. Ms. Grossman said that her research indicated Bti was found to be target-specific to mosquito larva, but also hits midge and other insect larvae. She pointed out that Concord does not do aerial larvae spraying and would only do so if monitoring found evidence of disease. She feels that monitoring would be a good idea for Boxborough. She questions whether we should allow spraying on the more remote wetland habitats in Boxborough. Ms. Cannon responded that Billerica and Chelmsford have been doing routine spraying for years. Walter Van Roggen wanted to know if there are adjacent towns doing aerial spraying. No. Mr. Hanover, Conservation Commission member, said that his research indicated that Bti has very little potential for negative impact. According to his research, there has been no recorded negative impact on vernal pools or other sensitive habitat. The Conservation Commission supports the aerial spraying. Mr. Neville applauds the BOH for being proactive.

**On a motion by Ms. Cannon, the Town voted in favor of Article 13.**

**Motion to take article 10 out of order. Seconded. Motion failed.**

## **ARTICLE 8 CAPITAL IMPROVEMENTS – EMERGENCY GENERATOR TO BE LOCATED AT THE BLANCHARD MEMORIAL SCHOOL**

(Two-thirds vote required)

Mr. Gorman moved that the sum of Two Hundred Fifty-Seven Thousand Eight Hundred Ninety-One Dollars (\$257,891) be and hereby is appropriated for the purpose of paying costs of acquiring and installing an emergency generator at the Blanchard Memorial School, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7(9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore; provided however, that no funds shall be borrowed or expended hereunder unless and until the Town shall have voted by ballot at a municipal election to exempt from the provisions of proposition two and one-half, so-called, in accordance with Chapter 59, Section 21C(k) of the General Laws, the amounts required to pay for the bonds authorized by this vote.

**The Board of Selectmen recommends unanimously (4 – 0).**

There are three distinct but related purposes for installing a generator at Blanchard School capable of taking up the entire electrical supply should there be a failure of the local or global power grid. These include, in approximate order of importance: 1) providing fire suppression for the school, since the fire pump supplying the sprinklers is dependent upon the school electrical supply, and is not currently backed-up, 2) providing adequate lighting in the event of a power failure either during winter months or in a crowded evening event, and 3) providing the infrastructure to qualify the Blanchard School as an emergency shelter in the event of natural disaster or hostile actions that would require citizens to be displaced from their homes. It is unfortunate that the proposed emergency generator was not included in the Blanchard renovation due to fiscal constraints at the time, and the BoS believes that it is time to rectify that error. The proposed cost of \$257,891 includes the quoted price for the generator, electrical and mechanical installation costs, and the initial charge of diesel fuel.

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

In the event of a power outage at Blanchard Memorial, the generator will provide the school with the necessary electricity to provide lighting, operate the fire suppression system, and heat during winter months. This is especially important since Blanchard Memorial is the evacuation point for the Town of Boxborough if there is natural disaster or hostile activities against the citizens of Boxborough.

**The Finance Committee does not recommend (5 - 1).**

The generator assures fire protection at the school during power outages – currently a well fills two 10,000 gallon cisterns which supply the water for the sprinkler system. In case of an emergency this generator would permit this system to maintain the water flow to potentially minimize overall property damage. This system is inoperative without LELD power. If a power outage occurs during the winter months the generator would be used in order to prevent pipes from freezing. In addition, it will supply power when the building is occupied (code requires building evacuation or a fire watch when the fire protection system is disabled or inoperative). In case of a major disaster, this generator would give the Town the ability to use the School as an emergency shelter. The shelter with the generator would be compliant with FEMA, MEMA and the Red Cross. There is an additional operating cost that would be added to the yearly budget for maintenance and fuel.

We do question the required need of the generator based on the lack of historical events that have required the use of the generator of this size. We are not aware of state or federal grants that would subsidize this project.

The financial impact to the town would be \$.24 per \$1000 or \$135.88 for a median house price of \$545,900.

**ACTION ON ARTICLE 8, May 15, 2007:** Mr. Gorman provided rationale for the emergency generator. Chief Neagle spoke in favor of the article. He said that the generator would provide fire suppression capability in a timely fashion in case of power loss. It would also enable Blanchard School to be used as an emergency shelter. Insurance rates would likely go down because of the increased fire protection. Cliff Stockley wanted to know if there were grants available. Chief Neagle said there were grants for small generators but not a large one. Building 5 at Cisco has been looked at as a possible shelter but requires us to depend on a private company. Frank Powers said that FEMA/MEMA has a disaster mitigation program that seems to support this type of thing. Chief Neagle said they will support cots, blankets and many other items for an emergency shelter but not high capacity generators. Mr. Powers asked if the program specifically excluded large generators. The chief could find no specific mention of generators, but said there is no category in the grant application that the generator fits in. Mr. Hanover thinks the plan is well-intentioned but flawed. He said that it would be pointless if the emergency shelter had power but little else. He asked if there is an overall plan that would include food, water, etc. Chief Neagle said that there was a plan and a team in charge of overseeing the plan for Boxborough that would cover supplies. The shelter could serve 1000 people. Larry White spoke against the article. He wondered if such a high capacity, expensive generator was necessary. He also wondered why we wouldn't look into portable generators. KC Donovan agreed with Larry White. He felt the likelihood of large-scale disasters that would call for this size generator was remote. Dana Perry questioned what the impact of the purchase would be for the average homeowner. Mr. Gorman said the cost would be spread over 10 years and that the cost at peak would be \$38 for an average house. Ms. Cannon spoke in favor of the motion as a member of the BOH. She said that calculating the size of the generator was done the right way and that it was the right size to provide emergency power for Blanchard. Rich Klatt agreed with Larry White and asked if the junior high has a generator. The Chief was not aware of one but said the high school has one. Rich can't see the likelihood that Boxborough would need to have an emergency shelter. Paul Dingle felt there was the shelter issue and the fire suppression issue. Is there a way to separate the two? Chief Neagle said it has to be a certain size to run the fire pump and the cost wasn't much more for a generator that could do both. Mike Willis moved the question. The motion to vote now passed.

**On Mr. Gorman's motion, the Town voted against Article 8.**

**Annual Town Meeting was adjourned at 10:45pm until Thursday, May 17, 2007, at 7:00pm.**

**ATM, MAY 17, 2007**

**The moderator called the meeting to order at 7:05pm. There were 104 voters in attendance.**

**ARTICLE 9 CAPITAL IMPROVEMENTS - POLICE & FIRE STATIONS**

(Majority vote required; third-thirds if from Stabilization Fund)

Ms. Hilberg made a motion to transfer from the Stabilization Fund the sum of Sixty-Three Thousand Six Hundred Forty-Five Dollars (\$63,645), for the purpose of repairing the existing Police and Fire Stations, as written in the Annual Town Meeting warrant under Article 9. Ms. Neville seconded.

Police Station	Exterior lighting	\$5,000
	Carpet replacement	\$5,000
	Garage door replacement	\$4,000
Fire Station	Improved insulation and heating equipment to improve energy efficiency in apparatus bays	\$49,645
	<b>Total</b>	<b>\$63,645</b>

**The Board of Selectmen recommends unanimously (4 – 0).**

These capital improvements are deemed necessary at this time for several reasons. In the police station, approximately \$14,000 is allocated to replacing or repairing garage doors, exterior lighting, and interior carpets that were installed in the building when constructed, almost 20 years ago. The garage door replacement is necessary to provide basic functionality and a reasonable level of energy efficiency. The exterior lighting has to a large degree been rendered inactive by weather/corrosion damage to the poles and fixtures, and will be replaced by building-mounted units. The carpet is in several places torn and is generally soiled beyond cleaning redemption. In the firehouse, the principal use of the approximately \$49,000 is to insulate the roof of the equipment bays and replace a hanging gas-fired heater to provide a reasonable level of energy efficiency. A small fraction of the expenditure is aimed at finishing the erstwhile single-bay garage into useful interior space for the expanded shift coverage authorized by Town Meeting. The BoS believes that this is a necessary consequence to the Town Meeting mandate of 2004 to increase the number of firefighters and improve shift coverage.

**The Finance Committee unanimously does not recommend.**

We recognize the desirability to improve the energy efficiency in this building, but we do not feel the return on fire station improvements makes economic sense. The current budget for heating gas is approximately \$11,400 annually. We believe that the payback period is between 15 and 25 years. Due to limited funds in FY2008 we recommend that the Police Chief use existing FY2007 funds. This article would add \$.0614 per \$1000 or \$33.52 for a median price house of \$545,900.

**ACTION ON ARTICLE 9, May 17, 2007:** Chief Neagle provided more background on the need for the capital improvements. Mr. Carroll spoke in favor of the article and agreed with the Chief on the needs. Ms. Hilberg reiterated the support for the article to maintain and protect town assets. Said money would come out of the stabilization fund. Mr. Kushner said that the Finance Committee recommendation was based on the energy efficiency aspect. He spoke against using the stabilization fund for this type of expenditure. He supported the capital expenditures in the article. Mr. Bunyard felt that the town routinely neglects the maintenance of town facilities. He spoke in favor of the article but against using the stabilization fund. Mr. Van Roggen said that upon hearing the chief's presentation he had changed his mind in favor of the motion.

**On Ms. Hilberg's motion, the Town voted in favor of Article 9 by a two-thirds majority as called by the moderator.**

## **ARTICLE 10 FIRE DEPARTMENT STAFFING - PROMOTION OF 2 FF/EMTS TO LIEUTENANTS**

(Majority vote required)

Ms. Hilberg moved to raise and appropriate the sum of Eighteen Thousand Nine Hundred and Fifty-Two Dollars (\$18,952) for the purpose of funding the additional salary for the promotion of two current fulltime Firefighter/EMT's to the rank of Lieutenant; further that the sum of Eighteen Thousand Nine Hundred and Fifty Two Dollars (\$18,952) be transferred to FY 2008 Budget - Department 220, Total Salaries – Fire, and provided that no funds voted under this article shall be expended unless the Town has first voted by ballot at a municipal election to assess an additional Eighteen Thousand Nine Hundred and Fifty Two Dollars (\$18,952) in real estate and personal property taxes for said purpose for the fiscal year beginning July first, two thousand and seven. Mr. Fox seconded.

### **Two members of the Board of Selectmen recommend passage of this article.**

The full-time fire service has functioned for many years without any command structure below the Chief. This situation has become increasingly problematic as the number of firefighters has increased, the complexity of situations encountered on fire calls has expanded, and the demands for documentation of chain of responsibility from the federal government have become more insistent. This proposal would ensure that there is a clear line of responsibility in the firehouse and at incidents, should the Chief be unavailable. A secondary benefit of the proposal is that it rewards in rank and pay those of our firefighters who have demonstrated superior skills and levels of responsibility, providing a differentiated career path. The BoS believes that it is time to adopt a rational command structure in the Fire Department by this action.

### **Two members of the Board of Selectmen recommend against passage of this article.**

While we agree that there is merit to the staffing model as proposed by the Fire Chief, we do not believe it is fiscally prudent to expend the funds to initiate the change at this time.

### **The Finance Committee does not recommend (7 - 1).**

We do not think these staffing changes make economic sense during a budget season in which we are trying to reduce the overall costs to the town. The current hierarchy in the department is based upon seniority and has apparently worked very well in the past. This article should be revisited if the department is considering an increase in full-time Firemen in the future. We do question if the requested sum includes sufficient amounts to cover overtime and benefits.

This article would add \$.0183 per \$1000 or \$9.93 for a median price house of \$545,900. This article would move the sum \$18,952 to the operating budget in the following years including the yearly percentage increases and would increase the costs for overtime and benefits.

**ACTION ON ARTICLE 10, May 17, 2007:** Chief Neagle provided additional background on the article. Mr. Carroll made a motion to amend Article 10 from hiring 2 lieutenants to only hiring 1 lieutenant and to fund this amendment for the sum of \$9,476. He felt that one would be sufficient given the number of full-time staff. Ms. Hilberg had a point of order—we're promoting not hiring. Seconded by Mr. Raad. Mr. Powers wanted to hear the chief's response to the amendment. The Chief stood behind his original request for two lieutenants. On Mr. Carroll's motion, the town voted against amending the original motion. Ms. Grossman spoke on behalf of the chain-of-command concept and in favor of the article. Mr. Srivastava fully supports what the chief is trying to do but would postpone taking this action until next year. Mr. Sabot spoke in favor of the article because it provides a career path which helps with retaining employees. Lorraine King spoke in favor of the article. Larry White asked how much more a lieutenant would make. The chief said 10% over a top-step fire fighter which was \$59,000. Lorraine King moved the question. Determining that the vote was too close to call, the moderator called for an actual count. The tellers were recalled to conduct the count. **On Ms. Hilberg's motion, the Town voted in favor of Article 10: Yes: 50 No: 29**

## **ARTICLE 11 CAPITAL IMPROVEMENTS – REPLACE TWO DUMPSTERS**

(Majority vote required)

Ms. Hilberg made a motion to raise and appropriate the sum of Nine Thousand Dollars (\$9,000) for the purpose of acquiring two 30-yard open top containers (for metal and bulk waste), provided that no funds voted under this article shall be expended unless the Town has first voted by ballot at a municipal election to assess an additional Nine Thousand Dollars (\$9,000) in real estate and personal property taxes for said purposes for the fiscal year beginning July first two thousand and seven.

### **The Board of Selectmen recommends unanimously (4 – 0).**

These containers would replace the metal and bulk waste dumpsters at the Transfer Station. The current containers were purchased when the Transfer Station was originally built and are over 10 years old. The Highway Department has been repairing them as needed, and their condition continues to deteriorate. They can no longer be welded together to keep them intact and safe-for-transport.

### **The Finance Committee recommends unanimously.**

These containers would replace two of the dumpsters at the Transfer Station used for metal and bulk waste. The existing containers are over ten years old and are falling apart; they can no longer be welded together to keep them intact. This article would add \$.0087 per \$1000 or \$4.74 for a median price house of \$545,900.

## **ACTION ON ARTICLE 11, May 17, 2007: On Ms. Hilberg's motion, the Town voted in favor of Article 11.**

## **ARTICLE 12 CAPITAL IMPROVEMENTS - ATHLETIC FIELD LIGHTING – ACTON-BOXBOROUGH REGIONAL SCHOOLS**

(Majority vote required)

Todd Webber, Recreation Commission member, moved to raise and appropriate the sum of Eighteen Thousand Four Hundred Forty Dollars (\$18,440) for the purpose of paying the Town's proportional contribution for the Acton-Boxborough Regional School's Athletic Field Lighting Project, which includes adding athletic lighting to the varsity baseball field, practice soccer field, and five adjacent tennis courts; further that the Town shall vote pursuant to Chapter 40 Section 40A of the General Laws to authorize the Board of Selectmen to enter into an agreement with the Town of Acton and the Acton-Boxborough Regional School District for such purpose and provided that no funds voted under this article shall be expended unless the Town has first voted by ballot at a municipal election to assess an additional Twenty-Four Thousand Dollars (\$24,000) in real estate and personal property taxes for said purposes for the fiscal year beginning July first two thousand and seven.

**This article was taken out of order, discussed and voted after Article 7 on May 15.**

## **ARTICLE 13 AERIAL DROP OF MOSQUITO LARVACIDE (BTI)**

(Majority vote required)

Marie Cannon moved to transfer from Free Cash the sum of Fifteen Thousand Dollars (\$15,000) for the purpose of contracting with Central Mosquito Control Program to provide up to two aerial drops of mosquito larvicide.

**This article was taken out of order, discussed and voted after Article 12 on May 15.**

## **ARTICLE 14 CAPITAL IMPROVEMENTS – GROUNDWATER SUPPLY TESTING**

(Majority vote required; two-thirds, if from Stabilization Fund)

Mike Willis, chair of the Water Resources Committee, moved to transfer from the Stabilization Fund the sum of Eighteen Thousand Dollars (\$18,000) to supplement the funding voted under Article 17 of the May 9, 2005 Annual Town Meeting for the purposes of installing exploration wells and all associated costs.

### **The Board of Selectmen recommends unanimously (4 – 0).**

This article will provide funding for well testing on a portion of Steele Farm/Picnic Trust close to Route 111. As the town continues to grow, we must consider our future water needs. The Selectmen believe it is important to be proactive and search out possible future water supplies before they become either developed or otherwise compromised. This location could be a potential valuable resource because it is located close to Route 111, a natural conduit for providing water to a majority of the town.

### **The Water Resources Committee recommends unanimously.**

As the town becomes more populated, lots with development potential can impact the DEP's required "radius of protection" around potential future public water supply wellheads. We are identifying these areas and are being pro-active in the attempt to continue the process of ensuring the safety of the town's drinking water supply for future generations. The WRC will make a formal presentation at Town Meeting, provide handouts, and have additional information on their website.

### **The Finance Committee recommends.**

The Finance Committee as a whole supported the article. A minority did not support using stabilization funds for this purpose.

**ACTION ON ARTICLE 14, May 17, 2007:** Mr. Willis provided additional background on the article. Ms. King needed clarification on whether Acton had the right of first refusal on any water found in Boxborough. Mr. Willis replied that, yes, there was a state law giving Acton first right of refusal. The town is looking into having the law repealed. Mr. White wanted to know the radius of protection around a public water supply. Mr. Willis said 400 feet for Zone 1 —no roads, no structures. Mr. White asked about the results of the drilling at the Harvard Sportsmen's Club. Mr. Willis said that that site did have water and may be used, but was not the preferred site based on its location. Mr. Bunyard wondered if access to Steele Farm would be impacted if there was a public water supply there. Mr. Willis said no. Mr. Molander wondered why the exploratory well had to be done this year. Ms. Hilberg said the reason to move now was to protect the 400-foot radius from development if the site is viable as a public water supply. A resident from Daniel's Way, asked about the potential contamination from the Exxon station. Mr. Willis said no, the plume is moving the other way. He asked if there will be traffic limits on roadways. Mr. Willis again said no because the 400-foot radius doesn't cross any roads. Mr. Neville pointed out that trace fractures point to areas where there may be water but there's no guarantee. Mr. Neville suggested moving the drill site slightly within the preferred area in order to locate the well plus the 400-foot buffer within town property. Mr. Willis said that it would be difficult to drill in the area Mr. Neville pointed out. Mr. Neville did not agree. Mr. Raad wants to know how much is in the stabilization fund and how much is it being depleted. The figure is \$81,645. Ms. Hilberg pointed out that the town could look at the stabilization fund as a savings account as well as a rainy day fund. Mr. Gayowski spoke in favor of the motion. He wondered if Exxon could fund the well exploration. Mr. Willis said the Water Resources Committee has already received money from the fine levied on Exxon by DEP, which they used for a public water feasibility study. Mr. White asked if we could go to Acton and ask them to waive their rights to our water. Ms. Hilberg said that it must be done through a Home Rule Petition. Dana Perry of Liberty Square Rd. wondered why the town is looking to build a public water supply. Mr. Willis said that as the town grows there may become a need. Anne Gardulski of Sargent Rd., a geologist, said that private wells in Boxborough are in no immediate danger of drying out, but salt contamination may increase over the years. She said this article would protect a source of water that may be needed 20-30 years in the future when contamination may be an issue. Mr. Bunyard wanted clarification on the

southern portion of the fracture area. Mr. Willis said that access to Route 111 for transport makes it the most attractive. Mark White moved the question. That motion carried.

**On Mr. Willis's motion, the Town voted in favor of Article 14.**

## **ARTICLE 15 COUNCIL ON AGING STAFFING - OUTREACH WORKER**

(Majority vote required)

Mr. Powers moved to withdraw this Article from discussion.

**The Board of Selectmen unanimously does not recommend (4 - 0).**

The Board of Selectmen believes that the needs of our senior citizens are currently being met in an appropriate and fiscally responsible manner. While we understand that our senior population is growing, the majority of the growth appears to be centered on those just entering their senior years. The CoA has instituted a volunteer Friendly Visitor program as well as a volunteer visiting nurse. We would encourage them to continue to expand these volunteer services wherever possible.

The Council on Aging should be commended for their continued hard work as well as the many improvements to our senior programs.

**The Council on Aging recommends unanimously.**

The CoA recommends the funding of a part time (10 hours/week) Outreach Worker in order to provide outreach services to Boxborough senior residents and their families. The Board bases this recommendation on Boxborough's rapidly expanding senior population, coupled with state guidelines (MA Dept of Elder Affairs) for providing support for senior citizens.

**The Finance Committee does not recommend (8 - 0).**

This article is for the implementation of an Outreach Worker to assist the Council on Aging with house visits, to provide information about available services, to document the needs and client status and to assist with the daily operations of the council offices. It should be mentioned that there was an increase in the COA's 2007 budget. The COA Coordinator's hours were increased from 27 hours to 30 hours and 5 hours of secretarial hours were added as well. We believe that the need for an Outreach Worker can be fulfilled with the increased hours, volunteer resources, Minuteman services, Nashoba Nursing Services and senior work off program. The increase in taxation would be \$.0087 per \$1000 valuation, or \$4.74 for the "average" single-family home of \$545,900 valuation.

**ACTION ON ARTICLE 15, May 17, 2007: On Mr. Powers motion, the town voted to withdraw the article.**

## **ARTICLE 16 RESIDENCY REQUIREMENT BYLAW**

(Majority vote required)

Ms. Neville moved to adopt a general bylaw, *Residency Requirement Bylaw*, as written in the Annual Town Meeting warrant under Article 16.

All persons appointed to boards, committees, commissions and authorities shall be residents of the Town of Boxborough who are eligible to be or who are registered to vote in the Town of Boxborough; provided, however, that this bylaw shall not apply to appointments to those boards, committees, commissions or authorities whose charge or enabling legislation specifically allows for or requires appointment of non-resident members. If an appointed member of a board, committee, commission or authority shall remove from the Town, such member shall, after a hearing held by the Board of Selectmen, be deemed to have vacated his office. If an appointed

member of a board, committee, commission or authority moves within the Town, notice shall be provided to the Board of Selectmen within 30 days of such move.

Applicants for appointment and reappointment to municipal boards, committees, commissions and authorities shall provide to the appointing authority proof of residence in the Town. For purposes of this bylaw, proof of residence shall include, but not be limited to, a driver's license, recent utility bill, rent receipt on a landlord's printed letterhead, lease, duplicate copy of a voter registration affidavit, or any other government-issued printed identification which contains the person's name and address. The appointing authority may require provision of additional evidence of residence.

**The Board of Selectmen recommends unanimously (4 – 0).**

This bylaw would require that members of boards and commissions appointed by the Board of Selectmen be residents of Boxborough, unless as stated in their charter or organizational bylaw, there are provisions for non-resident members.

**The Finance Committee recommends unanimously.**

There is no financial impact to the town.

**ACTION ON ARTICLE 16:** Mr. Van Roggen wanted to know the reason behind the by-law and questioned the need. He objected to the article. Ms. Golden questioned the requirement that a resident also be a registered voter or able to become a registered voter. She felt this was unnecessary. Mr. Carroll agreed with the selectmen and was in support of the article. Mr. Bunyard wanted to know if residency and attendance were related. Ms. Neville said that the by-law speaks only to a residency requirement. The policy has attendance requirements. Mr. Molander questioned Town Counsel whether a resident with a green card serve on a committee. Mr. Giorgio said no. It also excludes anyone under 18. Ms. Hilberg moved to amend the motion as follows: strike "who are eligible to be or who are registered to vote in the town of Boxborough." Mr. Neville was opposed to the amendment. He felt that citizenship was something to be valued. Mr. Raad asked if resident meant that they had to be legal residents. Mr. Giorgio said that there would be no restriction on unauthorized residents. He said federal laws pre-empts towns in making laws restricting unauthorized residents. He recommends looking at the issue more carefully rather than further amending the amendment. Mr. Raad was in favor of the amendment. Mr. Carroll felt that non-citizens could be associate members. Mr. Powers spoke in favor of the amendment. On Ms. Hilberg's motion to amend Article 16, the Town voted in favor. Discussion went back to the article as amended. Kathy Vorce asked why the article addressed only appointed boards. Mr. Fox said that to be elected, to get on the ballot, you have to be a registered voter. Brad Dye spoke against the article. He felt appointment to boards should be done on a case by case basis. Mr. Van Roggen wondered what would happen if someone had to move out of town temporarily? Mr. Fox said that there was flexibility. Mr. Giorgio said that an appointed official who moves out of town has vacated his office according to MGL. There is an opportunity for a public hearing before the selectmen to determine whether the official has indeed moved out of town. Ms. Grossman wanted the rationale for the by-law explained. She was in favor of the article. Mr. Toups wanted the definition of a resident. Mr. Giorgio said residency can be determined as stated in the by-law. Menisse Hinds asked what would happen in the case of a divorce and a temporary move to another town. Mr. Giorgio said that in reality the BOS would consider such a matter as a temporary relocation and the individual would still be considered a resident. Mark White moved the question. That motion carried.

**On the motion by Ms. Neville as amended by Ms. Hilberg, the Town voted in favor of Article 16. The amended first sentence of the motion is as follows:**

All persons appointed to boards, committees, commissions and authorities shall be residents of the Town of Boxborough; provided, however, that this bylaw shall not apply to appointments to those boards, committees, commissions or authorities whose charge or enabling legislation specifically allows for or requires appointment of non-resident members.

## **ARTICLE 17 STORMWATER BYLAW**

(Majority vote required)

Mr. Willis moved to adopt a general bylaw, *Discharges into Storm Drains*, to govern discharges into storm drains, as written in the Annual Town Meeting warrant under Article 17.

### **DISCHARGES INTO STORM DRAINS**

#### **SECTION 1. PURPOSE**

Increased and contaminated stormwater runoff is a major cause of impairment of: water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater; contamination of drinking water supplies; alteration or destruction of aquatic and wildlife habitat; and flooding.

Regulation of illicit connections and discharges to storm drains is necessary for the protection of the town's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment.

The objectives of this bylaw are:

1. to prevent pollutants from entering storm water;
2. to prohibit illicit connections and unauthorized discharges to storm drains;
3. to require the removal of all such illicit connections;
4. to comply with state and federal statutes and regulations relating to stormwater discharges; and
5. to establish the legal authority to ensure compliance with the provisions of this bylaw through inspection, monitoring, and enforcement.

#### **SECTION 2. DEFINITIONS**

For the purposes of this bylaw, the following shall mean:

**AUTHORIZED ENFORCEMENT AGENCY:** The Boxborough Board of Health, its employees or agents, or any town appointed board official or municipal employee or contractor designated by the Board to enforce this bylaw.

**BEST MANAGEMENT PRACTICE (BMP):** An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

**BOARD:** The Boxborough Board of Health

**CLEAN WATER ACT:** The Federal Water Pollution Control Act (33 U.S.C. Â§ 1251 et seq.) as hereafter amended.

**DISCHARGE OF POLLUTANTS:** The addition from any source of any pollutant or combination of pollutants into a storm drain or into the waters of the United States or Commonwealth from any source.

**GROUNDWATER:** Water beneath the surface of the ground.

**ILLICIT CONNECTION:** A surface or subsurface drain or conveyance, which allows an illicit discharge into a storm drain, including without limitation sewage, process wastewater or wash water, and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this bylaw.

**ILLICIT DISCHARGE:** Direct or indirect discharge to a storm drain that is not composed entirely of stormwater, except as exempted in Section 8.

**IMPERVIOUS SURFACE:** Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and rooftops.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISCHARGE PERMIT:** A permit issued by United States Environmental Protection Agency or jointly with the State that authorizes the discharge of pollutants to waters of the United States.

**NON-STORMWATER DISCHARGE:** Discharge to a storm drain not composed entirely of stormwater.

**PERSON:** An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

**POLLUTANT:** Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source, that is or may be introduced into any sewage treatment works or waters of the Commonwealth. Pollutants shall include without limitation:

- 1) paints, varnishes, and solvents;
- 2) oil and other automotive fluids;
- 3) non-hazardous liquid and solid wastes and yard wastes;
- 4) refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, accumulations and floatables;
- 5) pesticides, herbicides, and fertilizers;
- 6) hazardous materials and wastes; sewage, fecal coliform and pathogens;
- 7) dissolved and particulate metals;
- 8) animal wastes;
- 9) rock, sand, salt, soils;
- 10) construction wastes and residues; and
- 11) noxious or offensive matter of any kind.

**PROCESS WASTEWATER:** Water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

**RECHARGE:** The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

**STORM DRAIN:** Any publicly or privately owned 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 a storm drain

**STORMWATER:** Storm water runoff, snow melt runoff, and surface water runoff and drainage.

**SURFACE WATER DISCHARGE PERMIT.** A permit issued by the Department of Environmental Protection (DEP) pursuant to 314 CMR 3.00 that authorizes the discharge of pollutants to waters of the Commonwealth of Massachusetts.

**TOXIC OR HAZARDOUS MATERIAL or WASTE:** Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as Toxic or Hazardous under G.L. Ch.21C and Ch.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

**WATERCOURSE:** A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

**WATERS OF THE COMMONWEALTH:** All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, costal waters, and groundwater.

**WASTEWATER:** Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

### **SECTION 3. APPLICABILITY**

This bylaw shall apply to flows entering any storm drains located in the Town of Boxborough.

### **SECTION 4. AUTHORITY**

This bylaw is adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution and the Home Rule Procedures Act, and pursuant to the regulations of the federal Clean Water Act found at 40 CFR 122.34.

### **SECTION 5. RESPONSIBILITY FOR ADMINISTRATION**

The Board shall administer, implement and enforce this bylaw. Any powers granted to or duties imposed upon the Board may be delegated in writing by the Board to employees or agents of the Board, or to any town appointed board official or municipal employee designated by the Board to enforce this bylaw.

### **SECTION 6. REGULATIONS**

The Board may promulgate rules and regulations to effectuate the purposes of this bylaw. Failure by the Board to promulgate such rules and regulations shall not have the effect of suspending or invalidating this bylaw.

### **SECTION 7. PROHIBITED ACTIVITIES**

Illicit Discharges. No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into a storm drain, into a watercourse, or into the waters of the Commonwealth.

**Illicit Connections.** No person shall construct, use, allow, maintain or continue any illicit connection to a storm drain, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

**Obstruction of Storm Drain.** No person shall obstruct or interfere with the normal flow of stormwater into or out of a storm drain without prior written approval from the Board.

## **SECTION 8. EXEMPTIONS**

The following non-stormwater discharges or flows are exempt from the prohibition of non-stormwater provided that the source is not a significant contributor of a pollutant to the municipal storm drain system:

- 1) Waterline flushing;
- 2) Flow from potable water sources;
- 3) Springs;
- 4) Natural flow from riparian habitats and wetlands;
- 5) Diverted stream flow;
- 6) Rising groundwater;
- 7) Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater;
- 8) Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air conditioning condensation;
- 9) Discharge from landscape irrigation or lawn watering;
- 10) Water from individual residential car washing;
- 11) Discharge from dechlorinated swimming pool water (less than one ppm chlorine) provided the water is allowed to stand for one week prior to draining and the pool is drained in such a way as not to cause a nuisance;
- 12) Discharge from street sweeping;
- 13) Dye testing, provided verbal notification is given to the [the Board] prior to the time of the test;
- 14) Non-stormwater discharge permitted under an NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations;
- 15) Discharge for which advanced written approval is received from the Board as necessary to protect public health, safety, welfare or the environment;
- 16) Discharge from the routine application of salt and sand by the Town's Department of Public Works; and

- 17) Discharge from agricultural or lawn care fertilizer products which have been applied in accordance with manufacturer's specifications.
- 18) Discharge or flow resulting from fire fighting activities.

## **SECTION 9. EMERGENCY SUSPENSION OF STORM DRAINAGE SYSTEM ACCESS**

The Board may suspend storm drain access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event any person fails to comply with an emergency suspension order, the Authorized Enforcement Agency may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

## **SECTION 10. NOTIFICATION OF SPILLS**

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to a storm drain or waters of the Commonwealth, the person shall take all necessary steps to ensure containment, and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the municipal fire and police departments and the Board, as well as the appropriate state and federal agencies as may be required by law. In the event of a release of non-hazardous material, the reporting person shall notify the Authorized Enforcement Agency no later than the next business day. The reporting person shall provide to the Authorized Enforcement Agency written confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

## **SECTION 11. ENFORCEMENT**

The Board or an authorized agent of the Board shall enforce this bylaw, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations; provided, however, that the Board is not authorized to take any enforcement action under this section unless and until the Board shall have taken a sample of the discharge, and has determined through appropriate testing protocol that the discharge contains a Pollutant.

**Civil Relief.** If a person violates the provisions of this bylaw, regulations, permit, notice, or order issued thereunder, the Board may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

**Orders.** The Board or an authorized agent of the Board may issue a written order to enforce the provisions of this bylaw or the regulations thereunder, which may include: (a) elimination of illicit connections or discharges to a storm drain; (b) performance of monitoring, analyses, and reporting; (c) that unlawful discharges, practices, or operations shall cease and desist; and (d) remediation of contamination in connection therewith.

If the enforcing person determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that,

should the violator or property owner fail to abate or perform remediation within the specified deadline, the town may, at its option, undertake such work, and expenses thereof shall be charged to the violator.

In the event that the violator or property owner fails to abate or remediate within the specified deadline, and within thirty (30) days after the Town completes all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the town, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the 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 Board affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. 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, or if a protest is filed, on the date at which the adjudicated costs have been determined by the Board or a court of competent jurisdiction.

**Criminal Penalty.** Any person who violates any provision of this bylaw, regulation, order or permit issued thereunder, shall be punished by a fine of not less than \$100, and 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 Board of Health or any police officer of the Town 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 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 or other party in control of the property, the Board, its agents, 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 Board deems reasonably necessary.

**Appeals.** Any person aggrieved by any decision or order by the Board under this bylaw shall have the right to request a hearing before the Board, which, after such hearing, shall issue a written decision explaining the reasons for its decision. Such written decision shall be final. Further relief shall be to a court of competent jurisdiction.

**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 12. SEVERABILITY**

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

## **SECTION 13. TRANSITIONAL PROVISIONS**

Residential property owners shall have sixty (60) days from the effective date of the bylaw to comply with its provisions provided good cause is shown for the failure to comply with the bylaw during that period.

**The Board of Health recommends unanimously (3 – 0).**

This bylaw will give our town a tool to protect its citizens from unlawful discharge of contaminants and also protect our water resources.

**The Finance Committee recommends unanimously.**

We believe that this is the right process to utilize to protect the town. There is no financial impact to the town.

**ACTION ON ARTICLE 17, May 17, 2007:** Mr. Willis said the impetus for the article came from an incident last year with Duraclean, a company that dumped solvents from one of their tanker trucks into a Boxborough storm drain. Without a by-law in place, the police were unable to take any action. Mr. Bunyard commended the BOH on all their hard work on the article. Mr. Hanover wanted clarification on exemption #13-- dye testing. Mr. Willis said dye testing is often used to test septic system leaks. Mr. Hanover wanted clarification on exemption #17. Mr. Willis said that would allow people to use fertilizer on their lawns. Mr. Hanover expressed concerns about lawn care companies that hook up to standpipe to refill their tanks from our ponds, with possible back flow of contaminants. Mr. Giorgio said that if the BOH could demonstrate that a discharge took place, they would be penalized under this by-law. Section 6 enables the BOH to enact any regulations it needs to implement the by-law. A resident of Daniel's Way wondered if the DPW would be in violation of the by-law. Mr. Kushner asked if the by-law has a section to recover the cost of clean-up. The Moderator pointed out that that concern is addressed in the remediation section.

**On Mr. Willis's motion, the Town voted unanimously in favor of Article 17.**

**ARTICLE 18        ZONING BYLAW AMENDMENT – AMEND THE ZONING BYLAW TO ADD  
SECTION 4107 ACCESSORY APARTMENT**

(Two-thirds vote required)

Karen Metheny, chair of the Planning Board, moved to amend the Boxborough Zoning Bylaw to add a new Section 4107 Accessory Apartment, as written in the Annual Town Meeting warrant under Article 18.

**4107 Accessory Apartment**

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

**(1) Accessory Apartments Allowed By Special Permit**

The Planning Board may grant a Special Permit for an accessory apartment provided that:

- (a) The accessory apartment is attached to or within a single-family dwelling, or is within a detached accessory structure in existence on or before March 8, 2007 and
- (b) provided that all of the following additional requirements are met:
  1. No more than one accessory apartment may be located on the lot.
  2. The accessory apartment shall be a use secondary and incidental to the single-family dwelling on the lot, and shall contain no more than 600 square feet of Gross Floor Area.

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

Or take any other action relative thereto.

### **Explanation**

An accessory apartment provides a small additional dwelling unit with a separate kitchen without adding to the number of buildings in the Town or substantially altering the appearance of buildings, the neighborhood or the Town. It increases the range of housing accommodations, encourages a greater diversity of population, and a more efficient and economic use of existing housing stock.

By limiting the number of permits, bedrooms, and occupants, the Town is able to minimize the impact on the school population and on town services due to the creation of accessory apartments. Five permits a year represents only ¼ of 1% of the number of households in Town.

There are approximately 2,285 households in Town; 10% affordable under Chapter 40B requires the creation of 229 affordable units. It would take two years and 10 accessory apartments to raise the 10% requirement by 1 unit to 230 units. Therefore, the creation of an accessory apartment will not significantly impact our affordable housing requirement.

### **The Planning Board recommends unanimously (3 – 0).**

The Planning Board recommends that Town Meeting vote to amend the Boxborough Zoning Bylaw by adding a new Section 4107 to allow accessory apartments.

### **The Finance Committee defers its recommendation until Town Meeting.**

**ACTION ON ARTICLE 18, May 17, 2007:** Ms. Metheny showed some slides of single family homes with accessory apartments to demonstrate that there is very little difference in appearance from a standard single family home. The Finance Committee had no recommendation. Mr. Neville had a point of order: She questioned whether the Fincom is required to make a recommendation on all articles. Mr. Kushner said that the Fincom did not vote on the article and therefore has no recommendation. Mark White spoke on behalf of the article and reminded the meeting that it has come before the town in previous years. He feels that the added restrictions vs. previous versions provide a lot of protection to the town. Mr. Gayowski agreed with Mark on the benefits of the

by-law. He questioned how the town was going to deal with the backlog of existing illegal apartments, given that there will only be 5 permits per year. Ms. Metheny said that each apartment will have to go through the special permit process. Larry White suggested a first-year amnesty program with no limit and then go the 5 per year. Ms. Metheny said that when Stow adopted the by-law there wasn't a deluge of applications. Mr. Follett asked how it would affect valuations. The assessor would evaluate on a case by case basis. Mr. Follett asked if you can remodel an accessory apartment and eliminate that designation. The Town Planner, Elizabeth Hughes, said that through the building permit process you could make the changes to the space that would eliminate the designation. Elizabeth West spoke in favor of the amendment based on her experience with having one. Mr. Toups is concerned that the article is too restrictive when it limits occupancy. Ms. Metheny said that as long as the owner is resident in one of the spaces or other, the occupancy of the other unit is very flexible. Mr. Raad said his concern is not with someone's grandmother living in the space, but if the occupant is a teenager and rowdy. Ms. Metheny said the building inspector would be responsible for enforcement. Mr. Hanover asked who would issue the permit. Ms. Metheny said that the Planning Board would issue the special permit. Mr. Willis spoke in favor of the motion. Larry White moved to amend article 18 as follows: Insert in the first line after "may grant" "in the first year up to 20 permits and thereafter..." Seconded. Ms. Metheny said that many in town were concerned that without a limit there would be a flood of permit applications. Mark White supported the amendment. Mr. Willis made a motion to move the question on the amendment. The amendment carried. Mr. Willis moved the question.

**Action on Article 18, ATM, May 17, 2007: On Ms. Metheny's motion, as amended by Larry White, the Town voted in favor of Article 18. The amended first line of the motion is as follows:**

As provided herein, the Planning Board may grant in the first year up to 20 permits and thereafter a total of 5 permits each calendar year for accessory apartments.

Mr. Fox made a motion at the moderator's discretion to allow Town Meeting to take up new business after 10:30pm. Motion carried.

## **ARTICLE 19 ZONING BYLAW AMENDMENT – AMEND THE SIGN EXEMPTIONS TO ALLOW AGRICULTURAL SIGNS**

(Two-thirds vote required)

Mr. Neville moved to amend the Boxborough Zoning Bylaw, Section 6300 Signs, by adding to the Section 6305 list of signs, which are exempt from sign permit requirements, a new Section 6305(7), as written in the Annual Town Meeting warrant under Article 19.

- (7) Signs associated with an agricultural use as defined in MGL c.40A, §3, offering for sale produce and other products, provided the following:
  - (a) The sign may indicate only the name of the farm, products for sale and/or the price of said products;
  - (b) The sign is designed to be portable, such as an A-frame, H-frame or T-frame sign placed on the surface of the ground or temporarily staked into the ground;
  - (c) Only two such signs may be located on a property without a sign permit;
  - (d) The sign is located on the same property on which the agricultural use is conducted;
  - (e) The sign is displayed only when the agricultural use is open to the public for purchase of products;
  - (f) The sign is not illuminated or inflatable.

Or take any other action relative thereto.

### **Explanation**

Currently, the Bylaw does not provide any mechanism for local agricultural operations to advertise their seasonally available produce or products for sale.

### **Planning Board recommends unanimously (3-0).**

The Planning Board recommends that Town Meeting vote to amend the Boxborough Zoning Bylaw to add a new Section 6305(7) for exempt signs associated with an agricultural use.

### **The Finance Committee recommends unanimously.**

We support the bylaw, but noted that there is no size limitation on the sign. There is no financial impact to the town.

**ACTION ON ARTICLE 19, May 17, 2007:** Mr. Neville provided additional background on the article. Mr. Raad expressed concern that there was no size limit. Mr. Van Roggen asked what the definition of portable was. Mr. Giorgio pointed out that the sign not only has to be portable, but it also cannot be displayed when the agricultural activity is closed. Mr. Follett mentioned a safety concern. He pointed out that the portable sign displayed by the church for their fair created an unsafe situation in terms of visibility on Mass. Ave. He thinks there should be a height restriction. Mr. Giorgio felt that highway safety issues presented by any sign could be addressed by the police department or the building inspector. Mr. Giorgio said that agricultural uses are not subject to local by-laws. Mr. Sabot moved the question.

**On Mr. Neville's motion, the Town voted in favor of Article 19.**

## **ARTICLE 20 ZONING BYLAW AMENDMENT – AMEND SECTION 8000 UNDER SITE PLAN APPROVAL**

(Two-thirds vote required)

Mr. Neville moved to amend the Boxborough Zoning Bylaw Section 8000 Site Plan Approval by deleting Subsection 8004 Procedures in its entirely and substituting therefore a new Subsection 8004, as written in the Annual Town Meeting warrant under Article 20.

### **8004 Procedures**

Applications shall be filed by the petitioner *in accordance with the specifications set forth in the Boxborough Planning Board Rules & Regulations for Site Plan Approval.*

Or take any other action relative thereto.

### **Explanation**

Currently, Section 8004 of the Bylaw contains procedural items dealing with the filing of an application and fees that should not require a vote of Town Meeting to amend. This Section currently reads:

### **8004 Procedures**

Applications shall be filed by the petitioner with the Town Clerk and a copy of said application including the date and time of filing certified by the Town Clerk shall be filed forthwith by the petitioner with the Planning Board. Applications shall be filed with seven (7) prints of the plans.

(1) Upon receipt of the site plan application, the Planning Board shall transmit one copy each to the Inspector of Buildings, the Selectmen, the Police Chief, the Fire Chief, the Conservation Commission, the Superintendent of Streets, and any other department the Planning Board deems appropriate. Such agency shall, within twenty-five (25) days of receiving such copy, report to the Planning Board about their concerns and questions. Agencies may recommend conditions or remedial

measures to accommodate or to mitigate the expected impacts of the development. Failure of such agency to respond within 25 days shall be construed as non-opposition by that agency. The Planning Board shall not render a decision until it has received all board reports or said 25 days has elapsed.

(2) Public Hearing. The Planning Board shall conduct a public hearing on the site plan within thirty-five (35) days after receipt thereof. Notice of the public hearing shall be given by publication in a newspaper of general circulation in Boxborough once, not less than seven (7) days before the day of such hearing. Notice shall also be given, by mail, postage prepaid, to the applicant, abutters, owners of land directly opposite on any public or private street or way, and abutters to abutters within three hundred feet of the property of the applicant as they appear on the most recent applicable tax list. The notice shall contain all of the information specified in G.L. c. 40A, s. 11, para. 2, as may be amended. Costs of providing notice shall be borne by the applicant. A decision regarding the site plan shall be rendered within thirty (30) days of the close of the public hearing. The Planning Board shall notify the applicant, in writing, of its decision. The decision of the Planning Board shall be upon a majority vote of those present. The required time limits for a public hearing and for said action may be extended by written agreement between the applicant and the Planning Board.

These items are included in the Site Plan Rules & Regulations, which can be amended at a noticed public hearing of the Planning Board.

**The Planning Board recommends unanimously (3 – 0).**

The Planning Board recommends that Town Meeting vote to amend the Boxborough Zoning Bylaw to delete the procedural and administrative items from Section 8004 Site Plan Approval.

**The Finance Committee recommends unanimously.**

There is no financial impact to the town.

**ACTION ON ARTICLE 20: On Mr. Neville's motion, the town voted unanimously to approve article 20.**

**ARTICLE 21: GENERAL BYLAW AMENDMENT – AMEND THE EARTH REMOVAL BYLAW**

(Majority vote required)

Mr. Neville moved to amend the Boxborough Earth Removal Bylaw, as written in the Annual Town Meeting warrant under Article 21.

1. In Section I. Definitions, amend Subsection C by deleting the existing definition of the term “abutters” and inserting a new definition of “abutters” to read as follows:
  - C. For the purpose of this Bylaw, “abutters” shall ***be parties of interest as defined in MGL c. 40A, § 11.***
2. In Section II. Earth Removal Procedure, amend Subsections C, D and E to read as follows:
  - C. Any person wishing to obtain a permit or to renew a permit to remove earth material from a property in the Town, or to use any public way within the Town for transporting such material from one part of a property to another part, shall file ***an application pursuant to the Rules & Regulations as most recently adopted by the Board.***
  - D. No permit for the removal of earth, and no renewal thereof, shall be issued until a public hearing has been held by the Board ***as defined in MGL c. 40A, § 11,*** except in those cases specifically exempted in Section III-B.

E. No earth removal permit can be granted pursuant to this By-Law until the applicant shall have paid a fee *as established in the Earth Removal Rules & Regulations.*

3. In Section V. Standards and Requirements Subsection A. Operation Standards by amending Paragraphs 2, 4, and 5 as follows:

2. Operations shall be conducted during the hours 7:30 A.M. to 5:00 P.M., Monday through Friday. *No earth is to be excavated or removed on Saturdays, Sundays or Massachusetts legal holidays. These hours of operation may be altered only upon written authorization of the Planning Board.* Loaded trucks shall leave the premises only during permitted hours. All loaded vehicles shall be suitably covered to prevent dust and contents from spilling and blowing from the load.

4. All trucking routes and methods shall be subject to approval by the Chief of Police and the *Director of Public Works.*

5. All access roads leading to public ways shall be treated with *a* suitable material approved by the Planning Board for a distance of at least 200 feet back from the public way, and shall be maintained so as to confine dust and mud to the premises.

4. In Section VI. General Administration, amend Subsection B as follows:

B. Upon petition and payment of applicable filing fee by the owner, permit holder, abutters, or upon the vote of the Board, the Planning Board may hold a new hearing and/or reissue or modify an existing permit subject to any regulations not in conflict with this Bylaw. The filing fee shall be reimbursed by the permit holder if it is determined that a violation of the conditions of the permit has occurred.

and

5. In Section VII. Violations, amend Subsection B to read as follows:

B. If a permit holder or other offender persists in such violation, the Board shall seek an imposition of penalties authorized by *MGL c. 40, §21, of \$50 for the first offense, \$100 for the second offense, and \$200 for each subsequent offense*, or seek to obtain a court order to compel compliance with this Bylaw. Each day in violation of the provisions of this Bylaw, after warning thereof, shall be considered a separate offense unless the operator shall initiate immediate actions to bring the operation to compliance with this Bylaw. *This Bylaw may also be enforced through the non-criminal disposition procedures set forth in MGL c. 40 § 21D. The enforcing officer under this Bylaw shall be the Building Inspector or any police officer of the Town of Boxborough.*

Or take any other action relative thereto.

### **Explanation**

Currently, the Bylaw contains procedural items dealing with the filing of an application and fees that should not require a vote of Town Meeting to amend from time to time. These Sections currently read:

#### **I. Definitions.**

C. For the purpose of this Bylaw, “abutters” shall mean the owners and/or resident tenants of property which: (1) has one or more boundaries, or parts thereof, in common with the property upon which there is, or is proposed to be an earth removal operation; or (2) has frontage on the opposite side of a public or private way, such frontage lying wholly, partly, or within three hundred (300) feet opposite the street line bounding the earth removal operation; or (3) is deemed by the Planning Board to be affected by the earth removal operation.

#### **II. Earth Removal Procedure.**

C. Any person wishing to obtain a permit or to renew a permit to remove earth material from a property in the Town, or to use any public way within the Town for transporting such material from one part of a property to another part, shall file a completed Form ER-1 together with any required supporting data and

maps with the Planning Board. A filing fee of one hundred dollars (\$100.00) shall accompany the application Form ER-1 when a hearing is required.

- D. No permit for the removal of earth, and no renewal thereof, shall be issued until a public hearing has been held by the Board except in those cases specifically exempted in Section III-B. Notice of said hearing shall be given at least fourteen (14) days in advance in a newspaper commonly used for such notices by the Town, and the posting of copies thereof on municipal bulletin boards. The applicant, and all abutters as determined from the most recent tax list and annual street listing, shall be notified of the purpose, date, time and place of the hearing by registered mail.
- E. No earth removal permit can be granted pursuant to this By-Law until the applicant shall have paid a fee measured by five hundred dollars (\$500.00) for each acre of land described in said permit as well as five hundred dollars (\$500.00) for each partial acre of land described therein; except that the following fee schedule shall apply where the entire area to be excavated is less than one acre:

Area of 0 to 1/4 acre to be excavated \$125.00

Area of 1/4 to 1/2 acre to be excavated \$250.00

Area of 1/2 to 3/4 acre to be excavated \$375.00

Area of 3/4 to 1 acre to be excavated \$500.00

except that no fee shall be required if the volume of earth to be excavated is less than 1,000 cubic yards.

The Planning Board may amend the foregoing fee schedule from time to time after a public hearing.

## V. Standards and Requirements.

- A. Operation Standards.
  - 2. Operations shall be conducted during the hours 7:30 A.M. to 5:00 P.M., Monday through Friday, or as permitted by the Planning Board. Loaded trucks shall leave the premises only during permitted hours. All loaded vehicles shall be suitably covered to prevent dust and contents from spilling and blowing from the load.
  - 4. All trucking routes and methods shall be subject to approval by the Chief of Police and the Highway Surveyor.
  - 5. All access roads leading to public ways shall be treated with oil, stone or other suitable material approved by the Planning Board for a distance of at least 200 feet back from the public way, and shall be maintained so as to confine dust and mud to the premises.

## VII. Violations.

- A. If a violation is determined, a notice shall be sent by certified mail ordering the cessation of earth removal activities.
- B. If a permit holder or other offender persists in such violation, the Board shall seek an imposition of penalties authorized by Paragraph 17, Section 21 of Chapter 40 of the Massachusetts General Laws, or seek to obtain a court order to compel compliance with this Bylaw. The penalty for removing earth for the first offense after the first warning; not more than one hundred dollars (\$100.00) for the second offense; and not more than two hundred dollars (\$200.00) for any subsequent offense. Each day in violation of the provisions of this Bylaw, after warning thereof, shall be considered a separate offense unless the operator shall initiate immediate actions to bring the operation to compliance with this Bylaw.

Additionally, the Bylaw references text from Massachusetts General Law that if amended would require further Town Meeting action to remain consistent. The hours of operation are proposed to be changed to be consistent with the more specific language included in the Earth Removal Rules & Regulations.

**The Planning Board recommends unanimously (3 – 0)**

The Planning Board recommends that Town Meeting vote to amend the Boxborough Earth Removal General Bylaw.

**The Finance Committee recommends unanimously.**

There is no financial impact to the town.

**ACTION ON ARTICLE 21, May 17, 2007: On Mr. Neville's motion, the town voted unanimously in favor of article 21.**

**ARTICLE 22 RESCIND UNUSED BORROWING AUTHORITY\*\***

(Majority vote required)

To see if the Town will vote to rescind the unused balance of the borrowing authority authorized under Article 16 of the Annual Town Meeting on May 9, 2006 for the replacement of a sand/salt mix shed, said amount being Thirty-Four Thousand Dollars (\$34,000), or take any other action relative thereto.

**The Board of Selectmen recommends unanimously (4 – 0).**

The Sand/Salt mix shed has been completed by the DPW, at less material costs than originally anticipated, so we do not need to borrow the full amount authorized in 2006. By rescinding, we avoid additional taxes to pay for bonds that will not be needed.

**The Finance Committee recommends unanimously.**

**ACTION ON ARTICLE 22, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 22 as part of the consent agenda.**

**ARTICLE 23 CLOSE OUT OLD ARTICLES\*\***

(Majority vote required)

To see if the Town will vote to transfer to the General Fund the unexpended balance of monies in the amount of Twenty-One Thousand Three Hundred Twenty-Six Dollars and Forty-Four Cents (\$21,381.75), more or less, as voted by past Town Meetings, or take any other action relative thereto.

The articles to be closed or reduced are indicated below:

<b>Article #</b>		<b>Description</b>	<b>Amount</b>
Article 25	May 2002 (ATM)	Capital Improvements - South Cemetery Shed	\$5,046.00
Article 11	May 2005 (ATM)	Capital Expenditure – Radio Alarm Boxes	180.44
Article 15	May 2005 (STM)	Town Hall – Architectural Design Consultant	16,100.00
Article 8	May 2006 (ATM)	Payment of Prior Year Bills	55.31
Total:			<u>\$21,381.75</u>

**The Board of Selectmen recommends unanimously (4 – 0).**

The purposes of these articles have been achieved – no more expenditures are required against the original town meeting authorizations. The unexpended funds will be transferred to the General Fund, producing a positive effect on our free cash position for the FY09 budget.

**The Finance Committee recommends unanimously.**

**ACTION ON ARTICLE 23, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 23 as part of the consent agenda.**

**ARTICLE 24 ELECTED OFFICIALS GROUP INSURANCE\*\***

(Majority vote required)

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for the purpose of adopting the following legislation:

An Act Relative to the Group Insurance Program of the Town of Boxborough

Section 1. If, pursuant to paragraph (d) of section 2 of chapter 32B of the general laws, the Board of Selectmen of the town of Boxborough allows compensated elected town officials whose duties require less than twenty (20) hours work per week as said Board may determine to participate in said town's group insurance program, such officials shall pay one hundred per cent (100%) of the premiums.

Section 2. Pursuant to section 14 of chapter 32B of the general laws the Board of Selectmen shall adopt such rules and regulations as may be necessary for the administration of said insurance.

Section 3. This act shall take effect upon its passage. The General Court may only make clerical or editorial changes of form to the bill, unless the Selectmen approve amendments to the bill before enactment by the General Court. The Selectmen are hereby authorized to approve amendments, which shall be within the scope of the general public objectives of the petition;

or take any other action relative thereto.

**The Board of Selectmen recommends unanimously (4 – 0).**

MGL c. 32B governs group health insurance. The definition of employee in the statute includes paid elected officials working under 20 hours a week. Absent the Special Act, MGL c. 32B allows elected officials to receive health care insurance with the town paying the same percentage contribution as for all other employees. Adoption of the special act will allow the town to control the cost of providing health care coverage to town elected officials who may choose to receive health insurance through the town's group policy. Adoption of the Act would require paid elected officials opting into the town health care insurance plans to pay 100% of the premiums out of pocket.

Town meeting approved this action in May 2004, and the Selectmen submitted the petition as authorized. Our petition became bogged down in Legislative committee reviews and readings in 2005 and 2006 with no action taken. We have been advised that the Town must re-authorize and resubmit the petition due to the length of time that has passed. We are asking town meeting to once again authorize the Selectmen to proceed. A successful outcome will close a loophole that would otherwise allow elected officials to unfairly participate in the town's group insurance policy at reduced premiums as though they were regular full-time employees.

**The Finance Committee recommends unanimously.**

This article allows our part time elected officials to obtain insurance at group rates. There is no financial impact to the town.

**ACTION ON ARTICLE 24, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 24 as part of the consent agenda.**

**ARTICLE 25 REVOLVING FUND – SENIOR VAN\*\***

(Majority vote required)

To see if the town will vote pursuant to the provisions of M.G.L. Chapter 44, Section 53E and 1/2 to authorize a revolving fund for purposes of receiving fares and reimbursement from Montachusett Regional Transit Authority (MART) and paying expenses associated with the operations of the senior van up to Four Thousand Dollars (\$4,000) to be under the direction of the Town Administrator, who shall approve all such expenditure; and further to provide that in the event that the revolving fund is reauthorized for FY 2009, the monies remaining in the fund at the end of the fiscal year 2008 may be carried over into fiscal year 2009 to pay for expenses not yet completed; or take any other action relative thereto.

**The Board of Selectmen recommends unanimously (4 – 0).**

The October 2006 Special Town Meeting approved the addition of a Senior Van service. The service is being funded by an initial donation from Middlesex Savings Bank and then reimbursement through MART (Montachusett Regional Transit Authority). This is simply an accounting mechanism to handle the revenues and expenses generated by the service.

**The Council on Aging recommends unanimously.**

The establishment of a revolving fund will not impact the town financially in any way. Revenues received will be placed in the fund and will be used to pay the expenses associated with operating the van.

**The Finance Committee recommends unanimously.**

This article is required to authorize the revolving fund established to pay expenses from the fees collected for the indicated purpose. This article has no tax rate implications to the Town.

**ACTION ON ARTICLE 25, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 25 as part of the consent agenda.**

**ARTICLE 26 REVOLVING FUND – GIS ASSESSOR MAPS\*\***

(Majority vote required)

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

**The Board of Selectmen recommends unanimously (4 – 0).**

**The Finance Committee recommends unanimously.**

**ACTION ON ARTICLE 26, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 26 as part of the consent agenda.**

**ARTICLE 27 ACCEPTANCE OF MGL CHAPTER 59 §5 CLAUSE 22E - VETERANS' EXEMPTIONS RESIDENCY REQUIREMENTS\*\***

(Majority vote required)

To see if the Town will vote to accept the provisions of the final paragraph of Chapter 59 §5 clause 22E, which authorizes exemptions available under Chapter 59 §5 clauses 22, 22A, 22B, 22C, 22D and 22E to be granted to otherwise eligible persons who have resided in the commonwealth for one year prior to the date of filing for exemptions under the applicable clause, to be effective for exemptions granted in fiscal year 2008, or take any other action relative thereto.

**Summary**

State law requires that veterans must either have lived in Massachusetts for six months prior to entering service or for the five years prior to applying for the exemption. This local option, if accepted will reduce the 5-year requirement to 1 year. At present, this would affect only one applicant. The potential impact to the town would be a maximum of \$725 per year per applicant.

The Town has previously approved all other local options available to maximize all exemptions, but this one was apparently overlooked.

**The Board of Selectmen recommends unanimously (4 – 0).**

The Board of Selectmen recommends unanimously. The acceptance of this local option will allow veterans to take a property tax exemption after having lived in Boxborough one year instead of five years. The Town has previously accepted all other local options available to maximize deductions.

**The Finance Committee recommends unanimously.**

**ACTION ON ARTICLE 27, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 27 as part of the consent agenda.**

**ARTICLE 28 REVOLVING FUND - ELECTRICAL INSPECTION\*\***

(Majority vote required)

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 to reauthorize a revolving fund for purposes of receiving fees and paying the Electrical Inspector for inspections conducted by him up to Fifty Thousand Dollars (\$50,000), to be under the direction of the Building Inspector who shall approve all such expenditure; and further to provide that in the event that the revolving fund is reauthorized for FY 2009, the monies remaining in the fund at the end of the fiscal year 2008 may be carried over into fiscal year 2009 to pay for inspections for permits not yet completed; or take any other action relative thereto.

**The Board of Selectmen recommends unanimously (4 – 0).**

**The Finance Committee recommends unanimously.**

This article is required to re-authorize the revolving fund established to pay electrical inspectors from the fees collected for the indicated purpose, and to set the maximum annual disbursement from the fund. Currently, the applicable fee schedule states that 90% of electrical inspection fees collected must be disbursed to the Electrical Inspector, and 10% remains for Town administrative fees. Finance Committee supports the disbursement cap of \$50,000 and the provision to rollover unused funds to FY 09. This article has no tax rate implications to the Town.

**ACTION ON ARTICLE 28, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 28 as part of the consent agenda.**

**ARTICLE 29 REVOLVING FUND - PLUMBING AND GAS INSPECTION\*\***

(Majority vote required)

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 to reauthorize a revolving fund for purposes of receiving fees and paying the Plumbing/Gas Inspector for inspections conducted by him up to Fifteen Thousand Dollars (\$15,000) to be under the direction of the Building Inspector who shall approve all such expenditure; and further to provide that in the event that the revolving fund is reauthorized for FY 2009, the monies remaining in the fund at the end of the fiscal year 2008 may be carried over into fiscal year 2009 to pay for inspections for permits not yet completed; or take any other action relative thereto.

**The Board of Selectmen recommends unanimously (4 - 0).**

**The Finance Committee recommends unanimously.**

This article is required to re-authorize the revolving fund established to pay the Plumbing and Gas Inspectors from the fees collected for the indicated purpose, and to set the maximum annual disbursement from the fund. Currently, the applicable fee schedule states that 90% of plumbing and gas inspection fees collected must be disbursed to the Plumbing and Gas Inspector, and 10% remains for Town administrative fees. The Finance Committee supports the disbursement cap of \$15,000 and the provision to rollover unused funds to FY 09. This article has no tax rate implications to the Town.

**ACTION ON ARTICLE 29, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 29 as part of the consent agenda.**

**ARTICLE 30 REVOLVING FUND - FIRE ARMS PERMITS\*\***

(Majority vote required)

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 to reauthorize a revolving fund for purposes of receiving monies and paying expenses for Fire Arms Permits up to Two Thousand Dollars (\$2,000) to be under the direction of the Police Chief who shall approve all such expenditure; and further to provide that in the event that the revolving fund is reauthorized for FY 2009, the monies remaining in the fund at the end of the fiscal year 2008 may be carried over into fiscal year 2009 to pay for expenses not yet completed; or take any other action relative thereto.

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

**The Finance Committee recommends unanimously.**

This article re-authorizes the existing revolving fund for the purposes indicated. According to the State firearms law, the Police Department collects fees when issuing a firearms permit. They must then submit 50% of those fees to the State. This fund allows the financial mechanism to work efficiently. It is capped at the same level as FY 07 (\$2,000) and has no tax rate implications to the town.

**ACTION ON ARTICLE 30, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 30 as part of the consent agenda.**

**ARTICLE 31 REVOLVING FUND - LIBRARY FINES\*\***

(Majority vote required)

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 to reauthorize a revolving fund for purposes of receiving library fees, fines and penalties and that all fees, fines and penalties be deposited in said fund to pay for library material acquisitions or services, up to a maximum of Seven Thousand Five Hundred Dollars (\$7,500), to be under the direction of the Library Director who shall approve all such expenditure; and further to provide that in the event that the revolving fund is reauthorized for FY 2009, the monies remaining in the fund at the end of the fiscal year 2008 may be carried over into fiscal year 2009 to pay for expenses not yet completed; or take any other action relative thereto.

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

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

**The Finance Committee recommends unanimously.**

This article re-authorizes the revolving fund that allows the library to use the modest income from fees and fines to replace and/or augment their current holdings.

**ACTION ON ARTICLE 31, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 31 as part of the consent agenda.**

**ARTICLE 32 REVOLVING FUND - DOG LICENSE FEES\*\***

(Majority vote required)

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 to reauthorize a revolving fund for the purpose of receiving dog licensing fees and that all licensing fees and penalties be deposited in said fund to pay for costs up to a maximum of Four Thousand Dollars (\$4,000) annually relating to the licensing, damage to livestock and fowl, and penalties paid to the Dog Officer, to be under the direction of the Town Clerk who shall approve all such expenditure; and further to provide that in the event that the revolving fund is reauthorized for FY 2009, the monies remaining in the fund at the end of the fiscal year 2008 may be carried over into fiscal year 2009 to pay for expenses not yet completed; or take any other action relative thereto.

**The Board of Selectmen recommends unanimously (4 - 0).**

**The Finance Committee recommends unanimously.**

This article re-authorizes the existing revolving fund. It allows for the acceptance of licensing fees and provides the financial mechanism to pay for the expenses related to licensing, assessing fines and for damage to fowl or livestock. It is funded at the same level (\$4,000 maximum) as authorized in FY 07 and has no tax rate implications to the Town.

**ACTION ON ARTICLE 32, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 32 as part of the consent agenda.**

**ARTICLE 33                    REVOLVING FUND – STEELE FARM\*\***

(Majority vote required)

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 to reauthorize a revolving fund for purposes of receiving monies from the sale of trees and other wood and farm products and from leasing and rental fees and paying expenses of the Steele Farm up to Ten Thousand Dollars (\$10,000), to be under the direction of the Steele Farm Advisory Committee who shall approve all such expenditure by a majority vote; and further to provide that in the event that the revolving fund is reauthorized for FY 2009, the monies remaining in the fund at the end of the fiscal year 2008 may be carried over into fiscal year 2009 to pay for expenses not yet completed; or take any other action relative thereto.

**The Board of Selectmen recommends unanimously (4 - 0).**

**The Finance Committee recommends unanimously.**

This article re-authorizes the revolving fund and allows the addition of income from other wood and farm products and from leasing and rental fees. This expands the sources of income to fund the restoration and maintenance of the Steele Farm property.

**ACTION ON ARTICLE 33, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 33 as part of the consent agenda.**

**ARTICLE 34                    REVOLVING FUND – INTEGRATED PRESCHOOL PROGRAM\*\***

(Majority vote required)

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 to reauthorize a revolving fund for purposes of receiving monies and paying expenses for the Integrated Preschool Program up to Forty-Four Thousand Dollars (\$44,000), to be managed by the Blanchard Memorial School Business Manager, who under the direction of the Boxborough School Committee and Blanchard Memorial School Superintendent, shall approve all such expenditures; and further to provide that in the event that the revolving fund is reauthorized for FY 2009, the monies remaining in the fund at the end of the fiscal year 2008 may be carried over into fiscal year 2009; or take any other action relative thereto.

**The Boxborough School Committee recommends.**

The Boxborough School Committee unanimously recommends the reauthorization of a revolving account for the Integrated Preschool. A revolving account allows the Blanchard School to accept tuitions for typically developing Boxborough students and for out-of-district Special Education students. The revolving account will be used for payment of expenses associated with the Preschool program.

**The Finance Committee recommends unanimously.**

This article reauthorizes a revolving fund initially approved at the May 2002 Annual Town Meeting. The Integrated Pre-School Program initiative has proved both beneficial to the students involved and a financially effective means of providing required services. Reauthorizing this revolving fund will ensure that tuitions and other fees collected will benefit the Program, offsetting School Department costs and effectively reducing the Program appropriations by the estimated fees to be collected.

**ACTION ON ARTICLE 34, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 34 as part of the consent agenda.**

## **ARTICLE 35                    REVOLVING FUND – CONSERVATION COMMISSION\*\***

(Majority vote required)

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Section 53E and 1/2 to reauthorize a revolving fund for purposes of receiving fees associated with the regulation of the local Wetland Bylaw and that all fees be deposited in said fund to pay for expenses directly attributable to local Wetland Bylaw regulatory activities (excluding legal expenses), up to a maximum of Twenty Thousand Dollars (\$20,000), to be under the direction of the Conservation Commission within the administrative procedures established by the Board of Selectmen; the Commission shall approve all such expenditures by majority vote; and further to provide that in the event that the revolving fund is reauthorized for FY 2009, the monies remaining in the fund at the end of the fiscal year 2008 may be carried over into fiscal year 2009 to pay for expenses not yet completed; or take any other action relative thereto.

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

**The Conservation Commission recommends.**

**The Finance Committee recommends unanimously.**

**ACTION ON ARTICLE 35, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 35 as part of the consent agenda.**

## **ARTICLE 36                    ELDERLY TAX RELIEF – INCREASE IN EXEMPTIONS\*\***

(Majority vote required)

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

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

This simply is a housekeeping article; each year we must reconsider and accept this article in order to allow senior citizens, disabled veterans and others who qualify to take advantage of property tax relief opportunities. Anyone with questions or who might wish to take advantage of these tax exemptions should contact the Town Assessor, Will Naser, at 263-1116, Ext. 109 or by e-mail to: william.naser@town.boxborough.ma.us.

**The Finance Committee recommends unanimously.**

At the May 1999 Annual Town Meeting the Town approved Elderly Tax Relief according to the state statute identified above. State law requires that this be reauthorized by the taxpayers annually prior to the setting of the tax rate. This tax relief act has stringent income and asset guidelines. While the total senior-citizen property tax abatement associated with this program is small, the Finance Committee believes that it is important to assist those long-term residents who may find it onerous to pay their property taxes. Many of these residents may have little use for some Town services, enacted in recent years and differing fundamentally in scope and expense from their historical experience and needs. The cost to the town of all Elderly tax relief articles is under \$3,000. This equates to \$.0029 per \$1,000 or \$1.62 for the median price of a house.

**ACTION ON ARTICLE 36, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 36 as part of the consent agenda.**

**ARTICLE 37****CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM\*\***

(Majority vote required)

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

**The Board of Selectmen recommends unanimously (4 – 0).**

**The Finance Committee recommends unanimously.**

Passage of this article would enable the Town to raise and appropriate funds necessary to make highway improvements for roads throughout the Town under the authority of Massachusetts General Law Chapter 90. Said funds raised and appropriated by the Town would be reimbursed by the Commonwealth of Massachusetts.

**ACTION ON ARTICLE 37, May 17, 2007: On a motion by Mr. Fox, the Town voted in favor of Article 37 as part of the consent agenda.**

At 10:45pm, Annual Town Meeting was dissolved.