

**TOWN OF BOXBOROUGH
SPECIAL/ANNUAL TOWN MEETING
MAY 11, 2015
WARRANT & PROCEEDINGS**

SPECIAL TOWN MEETING

1. SNOW AND ICE DEFICIT
2. FUND COST ITEMS OF FIRST YEAR OF COLLECTIVE BARGAINING AGREEMENT - MASSACHUSETTS COALITION OF POLICE, LOCAL 200, POLICE
3. FUND COST ITEMS OF FIRST YEAR OF COLLECTIVE BARGAINING AGREEMENT - MASSACHUSETTS COALITION OF POLICE, LOCAL 200A, DISPATCH
4. FUND COST ITEMS OF FIRST YEAR OF COLLECTIVE BARGAINING AGREEMENT - BOXBOROUGH PROFESSIONAL FIREFIGHTERS, LOCAL 4601

ANNUAL TOWN MEETING

1. CHOOSE TOWN OFFICERS
2. RECEIVE REPORTS
3. SET SALARIES AND COMPENSATION OF ELECTED OFFICIALS
4. AMEND FY 2016 PERSONNEL PLAN & CLASSIFICATION AND COMPENSATION SCHEDULE
5. TOWN OPERATING BUDGET
6. AMENDMENTS TO THE REGIONAL SCHOOL DISTRICT AGREEMENT OF THE MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT
7. WITHDRAWAL FROM MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT
8. COMMUNITY PRESERVATION FUND
9. TRANSFER TO STABILIZATION FUND**
10. TRANSFER TO OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND**
11. ACCEPTANCE OF MGL CH 59, S 21, "ADDITIONAL COMPENSATION FOR ASSESSORS FOR COURSES OF STUDY"
12. RESCIND UNUSED BORROWING AUTHORITY**
13. DEPARTMENTAL REVOLVING FUNDS RE-AUTHORIZATION**
14. ESTABLISH REVOLVING FUND FOR GENERAL COUNCIL ON AGING PROGRAMS**
15. ESTABLISH REVOLVING FUND FOR LIBRARY PHOTOCOPYING MACHINE FEES**
16. TOWN MUSEUM BASEMENT RE-PAINTING**
17. CONSERVATION TRUST FUND**
18. POLICE DEPARTMENT - PROMOTION OF SERGEANT TO NEW POSITION OF LIEUTENANT
19. DPW – REPLACE TWO PART-TIME WORKERS WITH ONE FULL-TIME WORKER
20. CAPITAL EQUIPMENT AND INFRASTRUCTURE
 - A. Town Hall – Renovation of Foyer into Grange Meeting Room
 - B. Fire Department - Pumper Truck (to Replace Engine #64)
 - C. Fire Department – Turnout Gear (Personal Protective Equipment)

- D. DPW - ¾ Ton Pickup Truck (Replacement)
- E. DPW - Road Paving
- F. DPW - New Vibratory Asphalt Roller
- G. DPW - Chipper

21. **STUDIES AND INITIATIVES**

- A. Public Safety Building Programmatic Review and Schematic Design
- B. Police Department Accreditation

- 22. **ZONING BYLAW AMENDMENT – AMEND SECTION 2101 ACCESSORY STRUCTURE**
- 23. **ZONING BYLAW AMENDMENT – AMEND SECTION 2152 MIXED-USE**
- 24. **ZONING BYLAW AMENDMENT – AMEND SECTION 4001 GENERAL**
- 25. **ZONING BYLAW AMENDMENT – AMEND SECTION 6006 PARKING SCHEDULE**
- 26. **ZONING BYLAW AMENDMENT – AMEND SECTION 4003(1) RESIDENTIAL USES**
- 27. **ZONING BYLAW AMENDMENT – AMEND SECTION 6300 SIGNS**
- 28. **ZONING BYLAW AMENDMENT – AMEND SECTION 2190 WIRELESS COMMUNICATION FACILITY AND SECTION 7400 WIRELESS COMMUNICATION FACILITIES**
- 29. **SUBMITTED BY PETITION - RESTORING AND MAINTAINING CONSTITUTIONAL GOVERNANCE RESOLUTION OF BOXBOROUGH, MASSACHUSETTS##**
- 30. **ACCEPTANCE OF CODMAN HILL ROAD SIDEWALK EASEMENT****
- 31. **ACCEPTANCE OF MGL CH 59, S 5C ½ - PERSONAL REAL ESTATE EXEMPTIONS****
- 32. **CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM****

LEGEND

- ## SUBMITTED BY PETITION**
- ** CONSENT AGENDA**

Moderator John Fallon called the meeting to order at 7:05pm. There were 154 registered voters in attendance. He made some announcements and reminded voters that the hours for the annual town election would be from noon to 8pm on May 18. The Vocal Ensemble led by Margie Callahan sang the Star-Spangled Banner and a student led the meeting in the Pledge of Allegiance. Town employees in attendance were introduced. He explained how town meeting would be conducted.

Vince Amoroso, Chair of the Board of Selectmen, moved that any adjourned sessions of Annual Town Meeting be held on Tuesday, May 12th; Thursday, May 14th; Wednesday, May 20th and Thursday, May 21st; and, further, that no debate will begin on any new article after 10:30 p.m.

Dick Wagman, Leonard Road, asked how long town meeting would go –would hate to come back for a second night for one article. Mr. Fallon explained how the 10:30 deadline could be waived.

Action on the motion: Motion carried unanimously.

Mr. Amoroso moved that on annual and special 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.

Action on the motion: Motion carried unanimously.

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

Owen Neville, Middle Rd., spoke against the motion because of the town's long-standing tradition of allowing reconsideration at any time. He did not like the added powers given to the Moderator.

Jim Moss, Flagg Hill, spoke in favor of the motion. He pointed to the Flagg Hill land issue that was voted by a large crowd of people that had come specifically to vote on the issue.

Mr. Wagman said the motion was helpful for people who couldn't spare the time to stay for the whole meeting. K.C. Donovan, Flagg Hill Rd., spoke in favor of the motion.

Action on the motion: Motion carried by majority vote.

Mr. Amoroso moved to adjourn the Annual Town Meeting until the conclusion of the Special Town Meeting.

Action on the motion: Motion carried unanimously.

BOXBOROUGH SPECIAL TOWN MEETING

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

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Boxborough, who shall be qualified to vote in accord with the provisions of M.G.L. Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Monday, May 11, 2015 at 7:00 p.m. to act on Articles 1 through 4 of this Special Town Meeting Warrant.

ARTICLE 1 SNOW AND ICE DEFICIT

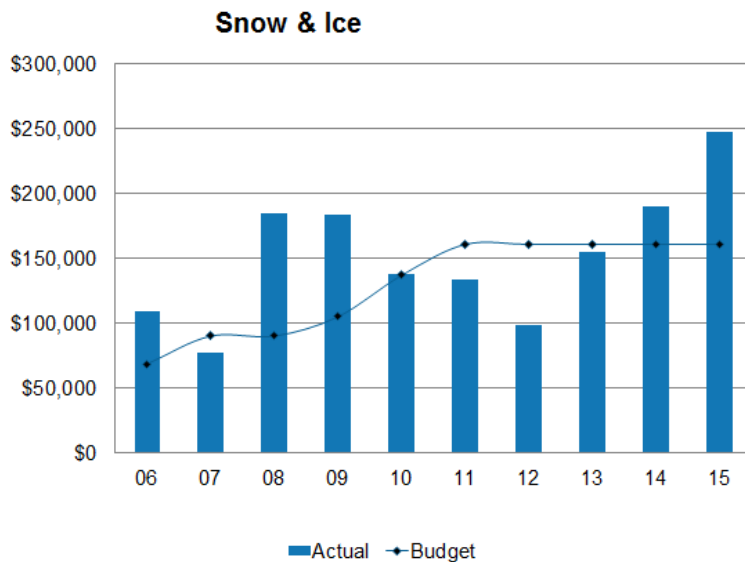
(Majority vote required)

Jim Gorman, member of the Board of Selectmen, moved to transfer from Free Cash the sum of **Seventy-Five Thousand Dollars (\$75,000)** to fund the Snow and Ice Deficit for the year ending June 30, 2015.

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

The Finance Committee recommends (6-0).

This article proposes to cover the current \$75,000 deficit in the snow and ice budget for fiscal year 2015 (July 1, 2014 through June 30, 2015) due to the multiple severe storms we experienced this past winter. The Finance Committee is comfortable funding the deficit from Free Cash, since the alternative of taking it from the Reserve Fund would substantially deplete this fund and limit the Town's ability to respond to contingencies for the balance of the fiscal year. For additional background, the chart below shows the Town's historical actual versus budgeted spend.



Action on Article 1: Motion carried unanimously.

ARTICLE 2 FUND COST ITEMS OF FIRST YEAR OF COLLECTIVE BARGAINING AGREEMENT - MASSACHUSETTS COALITION OF POLICE, LOCAL 200, POLICE

(Majority vote required)

Les Fox, member of the Board of Selectmen, moved to transfer from Free Cash the sum of **Thirty Thousand Seven Hundred Eighteen Dollars (\$30,718)** to fund the first year of the collective bargaining agreement between the Town and the Massachusetts Coalition of Police, Local 200, Police, for the year commencing July 1, 2015.

Mr. Amoroso explained the process was different this year with a negotiating team that included town administrator and town counsel, and that a member of the FinCom was included in all executive sessions.

Mr. Fox presented highlights of the terms of the agreement.

Summary

This article is for the funding of the first year of the collective bargaining agreement with the Massachusetts Coalition of Police, Local 200, Police, for the term July 1, 2015 – June 30, 2018. Funding for years two and three will be included in the FY 2017 and FY 2018 budget requests under Article 5.

The Finance Committee unanimously supported (6-0).

The purpose of this article is to obtain taxpayer approval to fund cost items contained in the collective bargaining agreement between the Town and the Police Patrol Officers Union (Massachusetts Coalition of Police, Local 200) under the provisions of Massachusetts General Law, Chapter 150E, Section 7. The current three year contract expires on June 30, 2015. When a tentative agreement is reached with the union, the Town will bring a funding request for the financial elements of the agreement to the first available Town Meeting for approval. If the funding is approved, the Town is obligated to fund the remaining years of the contract. If the funding request is rejected by Town Meeting, the parties must return to the bargaining table for further negotiations. At the time of the printing of the warrant, the Town had not yet reached an agreement with the union.

Phil Kicelemos, Picnic Street, said that it was a lot of money for a small town and the level of crime.

Action on Article 2: Motion carried by majority vote.

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

(Majority vote required)

Bob Stemple, member of the Board of Selectmen, moved to transfer from Free Cash the sum of **Twenty-Three Thousand Four Hundred Fifty-Nine Dollars (\$23,459)** to fund the cost items of the first year of the collective bargaining agreement between the Town and the Massachusetts Coalition of Police, Local 200A, Dispatch, for the year commencing July 1, 2015.

Mr. Stemple made a brief presentation on the highlights of the agreement.

Summary

Funding for cost items of the first year of collective bargaining agreements must be approved by town meeting. This article is for the funding of the collective bargaining agreement with the Massachusetts Coalition of Police, Local 200A, Dispatch, for the term July 1, 2015 – June 30, 2018. Funding for years two and three will be included in the FY 2017 and FY 2018 budget requests under Article 5.

The Board of Selectmen recommends (5-0).

Negotiations were still ongoing at printing of the warrant with the expectation that they would conclude prior to Town Meeting in May 2015. If that is the case, the Selectmen will summarize the agreement details and present their recommendation at that time.

The Finance Committee recommends (6-0).

Mr. Wagman asked about local 200 and 200A. Police officers and Dispatch have different unions. Mr. Kicelemos talked about the number of fires in town and the Moderator told him to bring his point up under Article 4.

Action on Article 3: Motion carried unanimously.

ARTICLE 4 FUND COST ITEMS OF FIRST YEAR OF COLLECTIVE BARGAINING AGREEMENT - BOXBOROUGH PROFESSIONAL FIREFIGHTERS, LOCAL 4601

(Majority vote required)

Mr. Gorman moved to transfer from Free Cash the sum of **Thirty-one Thousand Twenty Dollars (\$31,020)** to fund the cost items of the first year of the collective bargaining agreement between the Town and the Boxborough Professional Firefighters, Local 4601, for the year commencing July 1, 2015.

Summary

Funding for cost items of the first year of collective bargaining agreements must be approved by town meeting. This article is for the funding of the collective bargaining agreement with the Boxborough Professional Firefighters, Local 4601, for the term July 1, 2015 – June 30, 2018. Funding for years two and three will be included in the FY 2017 and FY 2018 budget requests under Article 5.

Mr. Gorman made a brief presentation outlining the highlights of the agreement. The work schedule would change to 24-hour shifts, which is more in line with other area towns.

The Board of Selectmen recommends (5-0).

The Finance Committee recommends unanimously (6-0).

The purpose of this article is to obtain taxpayer approval to fund cost items contained in the collective bargaining agreement between the Town and the Firefighters Union (Boxborough Professional Firefighters Union) under the provisions of Massachusetts General Law, Chapter 150E, Section 7. The current three year contract expires on June 30, 2015. When a tentative agreement is reached with the union, the Town will bring a funding request for the financial elements of the agreement to the first available Town Meeting for approval. If the funding is approved, the Town is obligated to fund the remaining years of the contract. If the funding request is rejected by Town Meeting, the parties must return to the bargaining table for further negotiations. At the time of the printing of the warrant, the Town had not yet reached an agreement with the union.

Gary Kushner, Flagg Hill Rd., asked a question about the staffing schedule and the fifth firefighter that would be added, which was answered by Mr. Gorman. He asked what if the staffing schedule doesn't work out? Mr. Gorman said that there's a circuit breaker to change the system if it doesn't work out.

Dave Follett, Cobleigh Rd., asked about Firefighters and EMT's. All Firefighters are EMTs. A resident of Depot Rd. asked why the motion amount was different from the handout.

Action on Article 4: Motion carried unanimously.

Mr. Amoroso moved to dissolve the Special Town Meeting.
Motion carried unanimously.

BOXBOROUGH ANNUAL TOWN MEETING

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

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Boxborough, who shall be qualified to vote in accord with the provisions of M.G.L. Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Monday, May 11, 2015 at 7:00 p.m. to act on Articles 2 through 32 of this Annual Town Meeting Warrant.

You are also required to notify all such residents of Boxborough to come to their polling place at Boxborough Town Hall, 29 Middle Road, Boxborough, on Monday the 18th day of May, 2015 at 12:00 p.m. for the Election of Town Officers. The polls will be open continuously until 8:00 p.m. when they shall be closed.

CONSENT AGENDAS

In an effort to streamline Town Meeting and make it more inviting to voters, the Board of Selectmen will again use the Consent Agenda. This will speed the passage of articles which the Selectmen feel, after consulting with Town Counsel, the Moderator and the Finance Committee, should generate no controversy and can be properly voted without debate. The purpose of the Consent Agenda is to allow motions under these articles to be acted upon as one unit and to be passed without debate. The selectmen have voted unanimously (5 – 0) to recommend all those articles on each of the Consent Agendas.

This year, there will be two Consent Agendas. The **Fiscal Consent** (Article #9 through #17, inclusive) includes reauthorization of revolving funds, transfers and some appropriation articles considered to be non-controversial. The **Non-monetary Consent** (Article #30 through #32 inclusive) will be taken up as usual at the end of Town Meeting. All of the articles to be taken up on the Consent Agendas are indicated by a double asterisk (**).

THE CONSENT AGENDAS WILL BE TAKEN UP AFTER CONSIDERATION OF ARTICLES 8 AND 29, RESPECTIVELY.

At the call of each of the Consent Agendas, the Moderator will announce the number of each Article. If one or more voters object to including any particular Article in the Consent Agenda, they should say the word “Hold” in a loud voice when the number is called. The Article will then be removed from the Consent Agenda and restored to its original place in the Warrant. We will then debate and vote on it in the usual manner. After calling the individual items in the Consent Agenda, the Moderator will ask that all items remaining be passed AS A UNIT by the voters.

COMMUNITY PRESERVATION FUND (Article 8)

At Annual Town Meeting in May 2014, Boxborough’s voters took the first step to accept Sections 3 to 7, inclusive of Chapter 44B of the General Laws, known as the Massachusetts Community Preservation Act. The voters also supported the adoption of a general bylaw to establish the Community Preservation Committee (CPC) to be comprised of nine members representing the Conservation Commission, Historical Commission, Recreation Commission, Housing Board, Agricultural Commission, Finance Committee, Planning Board and two at-large members designated by the Board of Selectmen. At the ballot in November 2014, the voters ratified the action taken at Town Meeting in May and approved the adoption of the Community Preservation Act.

The Community Preservation Fund is a special revenue fund subject to appropriation. The CPC is tasked with receiving applications and making recommendations to Town Meeting before any monies can be expended from the fund for the particular community preservation purposes established by statute: open space (including recreational uses), historic resources, and community housing (low and moderate income housing for individuals and families, including low or moderate income senior housing). Each fiscal year, the legislative body, i.e., Town Meeting, must appropriate or reserve for future appropriation no less than 10 percent of the estimated annual revenue to be set aside or spent for each of the three categories of allowable community preservation purposes. Up to 5% may be spent on administration. “Estimated annual revenue” is the total of the amount to be collected in the upcoming fiscal year, i.e. FY 2016, under the local surcharge and the November 15th state matching funds for the prior fiscal year.

FY2015 is the first year for which the surcharge has been collected for the Community Preservation Fund. Because of the timing of the Town’s acceptance of the CPA, the Town was not able to appropriate the required FY 2015 set asides prior to the setting of the FY 2015 tax rate. Therefore, a one-time action is required at this Town Meeting to provide for the mandatory set asides.

For this year’s Town Meeting, the CPC has recommended the following appropriations:

- 1) 10% set-asides from FY 2015 estimated annual revenue for each of open space, historic resources, and community housing
- 2) 10% set asides each from FY 2016 estimated annual revenue for open space, historic resources and community housing, and a sum for administrative purposes (not to exceed 5% of the estimated annual revenue)
- 3) Three historic resources projects, which will exceed 10% of the required set aside/expenditure

COMPILATION ARTICLES

CAPITAL EQUIPMENT and INFRASTRUCTURE & STUDIES and INITIATIVES

In an additional effort to streamline Town Meeting, we have compiled the majority of appropriations into two articles: Article 20, *Capital Equipment and Infrastructure* and Article 21, *Studies and Initiatives*. Each of these articles is comprised of several components (A - G) and (A - B) respectively, which may be moved as a group, or individually within each article. Any component of the article may be amended. Recommendations have been included for each component of the articles.

ARTICLE 1 CHOOSE TOWN OFFICERS

(Majority vote required)

One Moderator for a one-year term

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

One Board of Health member for a three-year term

Two Library Trustees, each for a three-year term

One Planning Board member for a three-year term

One Planning Board member to complete a one-year unexpired term

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

One Constable for a three-year term

ACTION ON ARTICLE 1, May 18, 2015: Specimen Ballots and Cards of Instruction were posted as required by law. The Ballot Box was examined and found to be empty and in order. The polls were opened at noon and closed at 8:00pm, since there were no contested offices. Out of 3,410 registered voters, there were 104 ballots cast, including 2 absentees. The results of the election are as follows:

Office	Term (Years)	Name	Address	Votes
Moderator	1	JOHN G. FALLON* Blanks	118 Russet Ln.	93 11
Selectman	3	VOTE FOR TWO: VINCENT AMOROSO* ROBERT STEMPLE* Blanks	351 Liberty Square Rd. 53 Kendall Rd.	79 84 45
School Committee	3	BRIGID BIEBER* Blanks	151 Emanuel Dr.	89 15
Planning Board	1	OWEN NEVILLE* Blanks	317 Middle Rd.	97 7
Planning Board	3	HONGBING TANG Blanks	1171 Hill Rd.	82 22
Library Trustees	3	VOTE FOR TWO: MARY BROLIN* JENNIFER CAMPBELL* Blanks	153 Guggins Ln. 34 Patch Hill Rd.	91 84 33
Constable	3	OWEN NEVILLE* Blanks	317 Middle Rd.	96 8
Board of Health	3	PAMELA L. FOLLETT* Blanks	120 Cobleigh Rd.	92 12

ARTICLE 2 RECEIVE REPORTS

(Majority vote required)

Mr. Amoroso moved to receive the reports of the Selectmen and other Town Officers, Agents and Committees as published in the 2014 Annual Town Report, and further, to hear and receive the reports as presented at Annual Town Meeting.

Action on Article 2: Motion carried unanimously.

The Acton-Boxborough Regional School Committee and Library Board of Trustees made presentations.

Brigid Bieber, vice-chair of the Regional School Committee, made the presentation on the school district budget. She introduced the members of the committee. She highlighted some of the achievements of the students and staff over the past year. She spoke of the district's mission and its importance in driving budget priorities. She reviewed the budget history over the past 5 years and the negative impact on reserves. Declining enrollment has not necessarily translated into a lower budget because of a dramatic increase of high-needs children. FY16 operation budget is 4.3% higher than FY15, more than half of which due to salary increases.

She went through the process of how Boxborough's assessment is calculated. The assessment is \$10,594,577 which is +5% vs FY15. She pointed out that the assessment was passed at the ATM in Acton. Mary Brolin, chair of the Regional Financial Study Group, explained what the committee was intended to accomplish and what the group has studied.

Ms. Brolin, also Chair of the Library Board of Trustees, reported on the activity in the library over the past year. She pointed out that 4 out of 5 Boxborough residents have a library card and spoke of the resources to residents available through the library. She spoke of the planning for the 10th Anniversary activities that are coming up. She spoke of the need for longer hours.

ARTICLE 3 SET SALARIES AND COMPENSATION OF ELECTED OFFICIALS

(Majority vote required)

Mr. Amoroso moved to fix the salaries and compensation of various elected officials for the fiscal year beginning July 1, 2015 as follows:

Selectmen	\$400.00 each member/year
Board of Health	\$166.67 each member/year
Town Clerk	\$45,005.48/year
Constables	\$3.00 each copy/warrant posted
Planning Board Members	\$109.00 each member/year

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

The Finance Committee recommends (6-0).

This includes an annual increase to the Town Clerk of \$1,747 (+4.01%). All other salaries to elected officials remain the same. Note that, effective May 19, 2015, the Tax Collector position will change from an elected position to an appointed position as voted at the Special Town Meeting dated January 7, 2013 and ratified at the 2013 annual municipal election.

Action on Article 3: Motion carried unanimously.

ARTICLE 4 AMEND FY 2016 PERSONNEL PLAN & CLASSIFICATION AND COMPENSATION SCHEDULE

(Majority vote required)

Anne Canfield, chair of the Personnel Board, moved to amend the Personnel Administration Plan to reflect administrative changes as summarized in the Annual Town Meeting warrant under Article 4, to become effective July 1, 2015 and for which the complete text of the proposed revisions is on file in the Town Clerk's office and is also available on the Town's website; further, by amending the Classification and Compensation Schedule, formerly known as Schedules A & B, by providing for a wage adjustment of 1.5% over FY 2015, and by adding the position of Police Lieutenant to Grade 15.

The Personnel Board recommends (5-0*).

While many amendments to the Plan are housekeeping changes, amendments to hiring practices, vacations, and sick leave reflect the Personnel Board's efforts to attract and retain outstanding non-union town employees.

Housekeeping amendments include administrative adjustments in response to the expanded regionalization of the school district and unification of the Classification and Compensation Schedule into a single schedule.

To occasionally attract a highly experienced candidate to work for the Town, an amendment to hiring practices allows department heads to offer a higher-than-minimum pay step (with the recommendation of the Personnel Board and approval of the Board of Selectmen).

When DPW employees begin overtime work on snow and ice removal, we recommend that they continue to work at the overtime rate until their work is completed. Without this change, DPW employees have been working through the night, only to find their pay switching to a regular rate as they continue to work through the morning shift.

To improve non-union employees' job satisfaction and performance, the Personnel Board recommends that employees receive a modest increase in vacation with pay, while limiting to two weeks the accrued vacation time an employee may carry into the next fiscal year. (Under special circumstances, department heads may allow a carryover of more than two weeks.) ***The Personnel Board's internal vote regarding vacation changes was 4-1.**

To describe the reasons an employee is permitted to take paid sick leave, a number of amendments reflect the terms of the Massachusetts Paid Sick Leave Law passed in November 2014. Amendments regarding unpaid leaves of absence follow the provisions of the Family and Medical Leave Act.

This article proposes to add the position of Police Lieutenant at Grade 15 to the FY 2016 Classification and Compensation Plan. The article does **not** authorize or provide funding for the position, but provides for the classification and compensation of such a position in the event that: 1) Town Meeting votes to approve Article 18, "Police Department - Promotion of Sergeant to New Position of Lieutenant", and 2) the position is filled.

To bring hourly wages into compliance with new state minimum wage provisions, an amendment adjusts the pay scale of five non-union positions. Additionally, wages and salaries reflect a wage adjustment of 1.5%.

The Board of Selectmen recommends (4-1)

The Board of Selectmen and Personnel Board held a public hearing on March 16, 2015 at Town Hall on the proposed changes to the Personnel Plan, which includes a 1.5% wage adjustment for all employees (including per diem and intermittent) and a 2.5% Step increase for all eligible employees for FY 2016.

The Board of Selectmen also supports the change in language in the Personnel Plan that provides for wages paid to DPW employees for snow and ice removal at the rate of time and a half the employee's regular rate of pay, in excess of their normal 8 hour work day until the continuous work period ends. The continuous work period includes a rest period of not more than (4) hours. This ensures that DPW employees, who work around the clock to clear our roads during extended period of snow and ice storms, receive appropriate compensation for their efforts.

The Board of Selectmen recommends and supports these changes for the reasons mentioned in the summary above.

Action on Article 4: Motion carried unanimously.

**FY 2016
CLASSIFICATION AND COMPENSATION SCHEDULE**

REGULAR FULL-TIME, REDUCED AND PART-TIME EMPLOYEES										
GRADE	POSITIONS	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
16	No Positions	71,798.85	73,593.82	75,433.67	77,319.51	79,252.50	81,233.81	83,264.66	85,346.27	87,479.93
15	Inspector of Buildings	65,275.59	66,907.48	68,580.16	70,294.67	72,052.03	73,853.33	75,699.67	77,592.16	79,531.96
	Information Systems Coordinator									
	<i>Police Lieutenant</i>									
	Town Accountant									
	Town Assessor									
	Town Planner									
	Town Treasurer									
14	Tax Collector	56,091.18	57,493.46	58,930.80	60,404.07	61,914.17	63,462.03	65,048.58	66,674.79	68,341.66
	Town Clerk (Elected)									
13	Council on Aging Coordinator	25.84	26.48	27.14	27.82	28.52	29.23	29.96	30.71	31.48
	(DPW) Foreman									
12	Conservation Agent	22.66	23.23	23.81	24.40	25.01	25.64	26.28	26.94	27.61
	Youth Services Librarian									
11	Department Assistant	20.04	20.54	21.05	21.58	22.12	22.67	23.24	23.82	24.42
	DPW Worker									
	IT Support Technician									
	Technical Services Librarian									
10	Bldgs/Gnds Main Worker	19.40	19.89	20.39	20.89	21.42	21.95	22.50	23.06	23.64
	DPW Semi-Skilled									
	Senior Library Assistant									
	Transfer Station Operator									
9	Library Assistant	17.64	18.08	18.53	18.99	19.47	19.95	20.45	20.96	21.49
8	Van Dispatcher	16.03	16.43	16.84	17.26	17.70	18.14	18.59	19.06	19.53

PER DIEM AND INTERMITTENT EMPLOYEES

Hourly		
CIT	9.00	eff 1/1/16, \$10**
Intern (Town Hall)	9.00	eff 1/1/16, \$10**
Junior Library Page	9.00	eff 1/1/16, \$10**
Library Page	9.25	eff 1/1/16, \$10.25**
Counselor	10.00	eff 1/1/16, \$10.50**
Election Workers	10.48	
Asst. Animal Control Officer - Dogs &	10.93	4 hr min call
Laborer - Cemetery	11.26	
Clerk of Elections	12.12	
Media Production Technician	12.69	
Seasonal Conservation Officer	12.81	
Lead Counselor	13.01	
Van Driver	13.97	
Seasonal Maintenance Worker	14.26	
Lock Up Attendant	15.37	
Part Time Dispatcher	17.33	
Fire Department Chaplain	17.63	
Firefighter/EMT	17.64	
Special Police Officer	17.64	
Substitute Librarian	17.64	
Gym Director	19.05	
Winter Recreation Director	19.05	
Fire Lieutenant	19.40	
Summer Recreation Director	19.53	
Animal Ctl Officer	20.04	
Fire Captain	20.04	
Veterans Services Officer	20.04	
Snow Plow Operator	22.49	
Deputy Fire Chief	22.66	
Cemetery Superintendent	22.66	
Asst. Building Inspector	26.85	
Call Building Inspector	31.26	
Call Fire Chief	43.54	
Stipends (Annual)		
Fence Viewer	40.00	
Field Driver	45.00	
Registrar Member	270.12	
Registrar Chairperson	900.34	
Animal Inspector	987.74	
Fees-based		
Wiring Inspector	\$50,000 cap/yr	
Plumbing & Gas Inspector	\$15,000 cap/yr	
Fee max is 1% of FY 15 levy (or \$162670)		
** Massachusetts minimum wage increases on January 1, 2016		

**FOR INFORMATIONAL PURPOSES
PERSONAL CONTRACTS, CBA'S AND ELECTED OFFICIALS**

				FY 2016			
Personal Contracts							
Position	Contract Expiry Date			FY 2015	FY 2016		
DPW Director	Contract expires 6/30/17			\$ 82,812.00	\$ 82,812.00		
Fire Chief	Contract expires 8/31/18			\$ 93,378.00	\$ 97,113.00		
Library Director	Contract expires 6/30/16			\$ 76,583.00	\$ 80,000.00		
Police Chief	Contract expires 6/30/17			\$ 115,000.00	\$ 117,750.00		
Town Administrator	Contract expires 9/30/16			\$ 105,000.00	\$ 108,500.00		
Positions Governed by CBA's (still in negotiations at time of going to press)							
Position							
Police Sergeant (Steps 1-3)	TBD	TBD	TBD				
Police Officer (Steps A1/A2-F)	TBD	TBD	TBD	TBD	TBD	TBD	TBD
Fire Lieutenant (Step A)	TBD						
Firefighter/EMT (Steps A-F)	TBD	TBD	TBD	TBD	TBD	TBD	
Dispatch Supervisor (Steps A-F)	TBD	TBD	TBD	TBD	TBD	TBD	
Dispatcher (Steps A-F)	TBD	TBD	TBD	TBD	TBD	TBD	
Elected Officials							
Position	FY 2015			FY2016			
Selectman	\$ 400.00	annually		\$ 400.00	annually		
Board of Health Member	\$ 166.67	annually		\$ 166.67	annually		
Planning Board Member	\$ 109.00	annually		\$ 109.00	annually		
Library Trustee	\$ -	annually		\$ -	annually		
Moderator	\$ -	per meeting		\$ -	annually		
Constable	\$ 3.00	/warrant posted/location		\$ 3.00	/warrant posted/location		
Town Clerk	\$ 43,258.91	(Grade 14-7)		\$ 45,005.48	(Grade 14-8)		

ARTICLE 5 TOWN OPERATING BUDGET
(Majority vote required)

Dilip Subramanyam, chair of the Finance Committee, moved that the Town appropriate the sum of

\$18,863,824

for the operations and expenses of the Town during the fiscal year beginning July 1, 2015, the purposes for which funding are set forth in the Department Account Numbers 100 through 945, and any subheadings included under said account numbers, as printed in Article 5 of the Annual Town Meeting warrant, under the heading FY16 Budget, and to meet this appropriation that an amount of \$ 474,000 be transferred from Free Cash and that the balance be raised by taxation.

The Finance Committee recommends.

Mr. Subramanyam introduced the members of the FinCom and gave a presentation on the town's finances. He outlined their goal to present a balanced budget to the town. He reviewed some population trends and noted the downward trend in the student population. Despite the goal to keep the tax rate level, FY16 represents a slight increase. He outlined the drivers behind the budget increase: education, debt service and salaries.

	Department Totals	FY16 Budget	FY15 Budget	\$ Change FY15 v 16	% Change FY15 v 16	FY14 Budget
100	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
100	Total Other	\$ 11,700	\$ -	\$ 11,700	2.6%	\$ 11,340
100	Total General Gov't	\$ 11,700	\$ -	\$ 11,700	2.6%	\$ 11,340
114	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
114	Total Other	\$ 50	\$ 50	\$ -	0.0%	\$ 50
114	Total Moderator	\$ 50	\$ 50	\$ -	0.0%	\$ 50
119	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
119	Total Other	\$ 175	\$ 175	\$ -	0.0%	\$ 175
119	Total Town Constable	\$ 175	\$ 175	\$ -	0.0%	\$ 175
122	Total Salary	\$ 2,000	\$ 2,000	\$ -	0.0%	\$ 2,000
122	Total Other	\$ 2,119	\$ 2,136	\$ (17)	-0.8%	\$ 2,149
122	Total Selectmen	\$ 4,119	\$ 4,136	\$ (17)	-0.4%	\$ 4,149
123	Total Salary	\$ 108,750	\$ 105,000	\$ 3,750	3.6%	\$ 101,500
123	Total Other	\$ 2,875	\$ 2,825	\$ 50	1.8%	\$ 2,825
123	Total Town Administrator	\$ 111,625	\$ 107,825	\$ 3,800	3.5%	\$ 104,325
131	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
131	Total Other	\$ 480	\$ 455	\$ 25	5.5%	\$ 450
131	Total Town Finance Comm	\$ 480	\$ 455	\$ 25	5.5%	\$ 450
135	Total Salary	\$ 66,908	\$ 64,311	\$ 2,597	4.0%	\$ 70,810
135	Total Other	\$ 36,708	\$ 26,968	\$ 9,740	36.1%	\$ 26,666
135	Total Accountant	\$ 103,616	\$ 91,279	\$ 12,337	13.5%	\$ 97,476
141	Total Salary	\$ 66,908	\$ 64,311	\$ 2,597	4.0%	\$ 39,700
141	Total Other	\$ 17,964	\$ 13,113	\$ 4,851	37.0%	\$ 9,023
141	Total Assessor	\$ 84,872	\$ 77,424	\$ 7,448	9.6%	\$ 48,723
145	Total Salary	\$ 67,908	\$ 65,311	\$ 2,597	4.0%	\$ 71,810
145	Total Other	\$ 8,350	\$ 8,350	\$ -	0.0%	\$ 12,495
145	Total Treasurer	\$ 76,258	\$ 73,661	\$ 2,597	3.5%	\$ 84,305
146	Total Salary	\$ 67,676	\$ 65,087	\$ 2,589	4.0%	\$ 62,574
146	Total Other	\$ 11,381	\$ 20,118	\$ (8,737)	-43.4%	\$ 17,076
146	Total Collector	\$ 79,057	\$ 85,205	\$ (6,148)	-7.2%	\$ 79,650
151	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
151	Total Other	\$ 53,500	\$ 53,500	\$ -	0.0%	\$ 64,000
151	Total Legal	\$ 53,500	\$ 53,500	\$ -	0.0%	\$ 64,000
100 - Total Other - General Government: Increase of 3% over STM14, Article 1 Community Center lease						
131 - Total Other - Finance Committee: Additional conference attendee						
135 - Total Other - Accountant: Integrated financial software package including tax collection module						
141 - Total Other - Assessor: Revaluation year, increased consulting costs						
146 - Total Other - Collector: Software expense re-allocated to Accountant						

		FY16	FY15	\$ Change	% Change	FY14
	Department Totals	Budget	Budget	FY15 v 16	FY15 v 16	Budget
152	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
152	Total Other	\$ 320	\$ 260	\$ 60	23.1%	\$ 260
152	Total Personnel Board	\$ 320	\$ 260	\$ 60	23.1%	\$ 260
156	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
156	Total Other	\$ 75,319	\$ 27,994	\$ 47,325	169.1%	\$ -
156	Total Technology	\$ 75,319	\$ 27,994	\$ 47,325	169.1%	\$ -
161	Total Salary	\$ 46,006	\$ 44,259	\$ 1,747	3.9%	\$ 42,562
161	Total Other	\$ 2,120	\$ 2,178	\$ (58)	-2.7%	\$ 2,320
161	Total Town Clerk	\$ 48,126	\$ 46,437	\$ 1,689	3.6%	\$ 44,882
162	Total Salary	\$ 4,028	\$ 4,762	\$ (734)	-15.4%	\$ 2,601
162	Total Other	\$ 5,632	\$ 6,070	\$ (438)	-7.2%	\$ 4,355
162	Total Elect. & Registr.	\$ 9,660	\$ 10,832	\$ (1,172)	-10.8%	\$ 6,956
171	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
171	Total Other	\$ 2,150	\$ 2,150	\$ -	0.0%	\$ 2,150
171	Total Conservation Comm	\$ 2,150	\$ 2,150	\$ -	0.0%	\$ 2,150
175	Total Salary	\$ 67,453	\$ 64,856	\$ 2,597	4.0%	\$ 71,355
175	Total Other	\$ 7,330	\$ 5,775	\$ 1,555	26.9%	\$ 8,900
175	Total Planning Board	\$ 74,783	\$ 70,631	\$ 4,152	5.9%	\$ 80,255
176	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
176	Total Other	\$ 210	\$ 335	\$ (125)	-37.3%	\$ 335
176	Total ZBA	\$ 210	\$ 335	\$ (125)	-37.3%	\$ 335
179	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
179	Total Other	\$ 100	\$ 200	\$ (100)	-50.0%	\$ 200
179	Total Ag Comm	\$ 100	\$ 200	\$ (100)	-50.0%	\$ 200
192	Total Salary	\$ 172,420	\$ 168,116	\$ 4,304	2.6%	\$ 176,450
192	Total Other	\$ 43,723	\$ 45,355	\$ (1,632)	-3.6%	\$ 58,582
192	Total Town Hall	\$ 216,143	\$ 213,471	\$ 2,672	1.3%	\$ 235,032
199	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
199	Total Other	\$ 150	\$ 1,000	\$ (850)	-85.0%	\$ 200
199	Total Energy Comm	\$ 150	\$ 1,000	\$ (850)	-85.0%	\$ 200
	Total Salaries - Town Government	\$ 670,057	\$ 648,013	\$ 22,044	3.4%	\$ 641,362
	Total Other - Town Government	\$ 282,356	\$ 219,007	\$ 63,349	28.9%	\$ 223,551
	Total Town Government	\$ 952,413	\$ 867,020	\$ 85,393	9.8%	\$ 864,913
	152 - Total Other - Personnel Board: Additional conference attendee					
	156 - Total Other - Technology: IT consulting services, support and server warranties					
	156 - Total Other - Technology: Previously, a portion of the expenditure was paid "off-budget" through the use of cable funds, which are no longer available to the same extent. BoS will propose to amend this line item.					
	162 - Total Salary - Elections & Registrar: Only 2 elections in FY16					
	162 - Total Other - Elections & Registrar: Only 2 elections in FY16					
	175 - Total Other - Planning Board: MapGeo contract under-budgeted in FY15					
	176 - Total Other - Zoning Board of Appeals: Reduced dues					
	179 - Total Other - Agricultural Commission: Reduced travel & conferences					
	199 - Total Other - Energy Commission: FY15 included recycling bins @ athletic fields					

		FY16	FY15	\$ Change	% Change	FY14
	Department Totals	Budget	Budget	FY15 v 16	FY15 v 16	Budget
210	Total Salary	\$ 987,409	\$ 1,008,200	\$ (20,791)	-2.1%	\$ 952,389
210	Total Other	\$ 100,940	\$ 137,290	\$ (36,350)	-26.5%	\$ 140,799
210	Total Police	\$ 1,088,349	\$ 1,145,490	\$ (57,141)	-5.0%	\$ 1,093,188
215	Total Salary	\$ 256,725	\$ 250,302	\$ 6,423	2.6%	\$ 249,037
215	Total Other	\$ 36,220	\$ 36,020	\$ 200	0.6%	\$ 36,910
215	Total Dispatch	\$ 292,945	\$ 286,322	\$ 6,623	2.3%	\$ 285,947
220	Total Salary	\$ 774,301	\$ 765,214	\$ 9,087	1.2%	\$ 739,496
220	Total Other	\$ 106,880	\$ 103,498	\$ 3,382	3.3%	\$ 105,703
220	Total Fire	\$ 881,181	\$ 868,712	\$ 12,469	1.4%	\$ 845,199
241	Total Salary	\$ 69,863	\$ 68,393	\$ 1,470	2.1%	\$ 65,427
241	Total Other	\$ 9,775	\$ 2,250	\$ 7,525	334.4%	\$ 2,442
241	Total Building Insp	\$ 79,638	\$ 70,643	\$ 8,995	12.7%	\$ 67,869
291	Total Salary	\$ 2,746	\$ 2,705	\$ 41	1.5%	\$ 2,682
291	Total Other	\$ 450	\$ 400	\$ 50	12.5%	\$ 400
291	Total ACO	\$ 3,196	\$ 3,105	\$ 91	2.9%	\$ 3,082
292	Total Salary	\$ 11,507	\$ 11,292	\$ 215	1.9%	\$ 11,007
292	Total Other	\$ 2,850	\$ 1,625	\$ 1,225	75.4%	\$ 1,625
292	Total ACO Dog & Cat	\$ 14,357	\$ 12,917	\$ 1,440	11.1%	\$ 12,632
299	Total Salary	\$ 45	\$ 45	\$ -	0.0%	\$ 45
299	Total Other	\$ 25	\$ 50	\$ (25)	-50.0%	\$ 50
299	Total Field Driver	\$ 70	\$ 95	\$ (25)	-26.3%	\$ 95
	Total Salaries - Protection	\$ 2,102,596	\$ 2,106,151	\$ (3,555)	-0.2%	\$ 2,020,083
	Total Other - Protection	\$ 257,140	\$ 281,133	\$ (23,993)	-8.5%	\$ 287,929
	Total Protection	\$ 2,359,736	\$ 2,387,284	\$ (27,548)	-1.2%	\$ 2,308,012
	210 - Total Salaries - Police: BoS will propose amendment to provide for additional coverage to maintain staffing of two officers per shift (Increase to \$1,011,041)					
	210 - Total Other - Police: Removed new vehicle from budget (one year)					
	241 - Total Other - Building Inspector: Increased consulting costs related to Jefferson @ Beaverbrook					
	291 - Total Other - Animal Control: New wireless phone plan					
	292 - Total Other - Animal Control Dogs & Cats: Increased reporting of mileage					
	299 - Total Other - Field Driver: Reduced mileage					

		FY16	FY15		\$ Change	% Change	FY14
	Department Totals	Budget	Budget		FY15 v 16	FY15 v 16	Budget
310	Total Salary	\$ -	\$ -		\$ -	0.0%	\$ -
310	Total Other	\$ 165,340	\$ 147,254		\$ 18,086	12.3%	\$ 177,558
310	Total Minuteman	\$ 165,340	\$ 147,254		\$ 18,086	12.3%	\$ 177,558
320	Total Salary	\$ -	\$ -		\$ -	0.0%	\$ -
320	Total Other	\$ 11,120,240	\$ 10,594,577		\$ 525,663	5.0%	\$ 11,366,956
320	Total ABRSD	\$ 11,120,240	\$ 10,594,577		\$ 525,663	5.0%	\$ 11,366,956
	Total Salaries - Education	\$ -	\$ -		\$ -	0.0%	\$ -
	Total Other - Education	\$ 11,285,580	\$ 10,741,831		\$ 543,749	5.1%	\$ 11,544,514
	Total Education	\$ 11,285,580	\$ 10,741,831		\$ 543,749	5.1%	\$ 11,544,514
	310 - Total Other - Minuteman: Assessment includes Special Education costs per changes in Assessment calculation						

		FY16	FY15		\$ Change	% Change	FY14
	Department Totals	Budget	Budget		FY15 v 16	FY15 v 16	Budget
422	Total Salary	\$ 511,658	\$ 505,987		\$ 5,671	1.1%	\$ 489,932
422	Total Other	\$ 89,500	\$ 87,590		\$ 1,910	2.2%	\$ 85,040
422	Total DPW	\$ 601,158	\$ 593,577		\$ 7,581	1.3%	\$ 574,972
423	Total Salary	\$ 54,276	\$ 53,121		\$ 1,155	2.2%	\$ 51,336
423	Total Other	\$ 106,610	\$ 107,765		\$ (1,155)	-1.1%	\$ 109,550
423	Total Snow & Ice	\$ 160,886	\$ 160,886		\$ -	0.0%	\$ 160,886
424	Total Salary	\$ -	\$ -		\$ -	0.0%	\$ -
424	Total Other	\$ 3,000	\$ 3,000		\$ -	0.0%	\$ 3,000
424	Total Street Lighting	\$ 3,000	\$ 3,000		\$ -	0.0%	\$ 3,000
425	Total Salary	\$ -	\$ -		\$ -	0.0%	\$ -
425	Total Other	\$ 22,400	\$ 22,400		\$ -	0.0%	\$ 27,120
425	Total Hager Well	\$ 22,400	\$ 22,400		\$ -	0.0%	\$ 27,120
429	Total Salary	\$ -	\$ -		\$ -	0.0%	\$ -
429	Total Other	\$ 72,075	\$ 97,250		\$ (25,175)	-25.9%	\$ 97,250
429	Total Fuel	\$ 72,075	\$ 97,250		\$ (25,175)	-25.9%	\$ 97,250
431	Total Salary	\$ -	\$ -		\$ -	0.0%	\$ -
431	Total Other	\$ -	\$ 10,000		\$ (10,000)	-100.0%	\$ -
431	Total Hazardous Waste	\$ -	\$ 10,000		\$ (10,000)	-100.0%	\$ -
433	Total Salary	\$ -	\$ -		\$ -	0.0%	\$ -
433	Total Other	\$ 130,100	\$ 140,850		\$ (10,750)	-7.6%	\$ 142,000
433	Total Transfer Station	\$ 130,100	\$ 140,850		\$ (10,750)	-7.6%	\$ 142,000
491	Total Salary	\$ 8,953	\$ 8,821		\$ 132	1.5%	\$ 8,733
491	Total Other	\$ 1,000	\$ 1,000		\$ -	0.0%	\$ 1,000
491	Total Cemetery	\$ 9,953	\$ 9,821		\$ 132	1.3%	\$ 9,733
	Total Salaries - Public Works	\$ 574,887	\$ 567,929		\$ 6,958	1.2%	\$ 550,001
	Total Other - Public Works	\$ 424,685	\$ 469,855		\$ (45,170)	-9.6%	\$ 464,960
	Total Public Works	\$ 999,572	\$ 1,037,784		\$ (38,212)	-3.7%	\$ 1,014,961
	429 - Total Other - Fuel: Reduced per gallon price estimates						
	431 - Total Other - Hazardous Waste: Held every other year; next collection planned to be held in FY17						
	433 - Total Other - Transfer Station: Reduced trucking and tipping costs to match historical use						

		FY16	FY15		\$ Change	% Change	FY14
	Department Totals	Budget	Budget		FY15 v 16	FY15 v 16	Budget
505	Total Salary	\$ 988	\$ 988	\$ -	0.0%		\$ 988
505	Total Other	\$ 98	\$ 100	\$ (2)	-2.0%		\$ 100
505	Total Animal Inspector	\$ 1,086	\$ 1,088	\$ (2)	-0.2%		\$ 1,088
511	Total Salary	\$ 500	\$ 500	\$ -	0.0%		\$ 501
511	Total Other	\$ 39,290	\$ 36,390	\$ 2,900	8.0%		\$ 37,178
511	Total BoH	\$ 39,790	\$ 36,890	\$ 2,900	7.9%		\$ 37,679
529	Total Salary	\$ 24,320	\$ -	\$ 24,320	New Position		
529	Total Other	\$ 680	\$ -	\$ 680	New Position		
529	Total Community Services	\$ 25,000	\$ -	\$ 25,000	New Position		
541	Total Salary	\$ 47,908	\$ 46,051	\$ 1,857	4.0%		\$ 43,981
541	Total Other	\$ 5,100	\$ 4,700	\$ 400	8.5%		\$ 3,050
541	Total COA	\$ 53,008	\$ 50,751	\$ 2,257	4.4%		\$ 47,031
543	Total Salary	\$ 4,008	\$ 1,027	\$ 2,981	290.3%		\$ 670
543	Total Other	\$ 355	\$ 355	\$ -	0.0%		\$ 355
543	Total Veterans	\$ 4,363	\$ 1,382	\$ 2,981	215.7%		\$ 1,025
	Total Salaries - Health Services	\$ 77,724	\$ 48,566	\$ 29,158	60.0%		\$ 46,140
	Total Other - Health Services	\$ 45,523	\$ 41,545	\$ 3,978	9.6%		\$ 40,683
	Total Health Services	\$ 123,247	\$ 90,111	\$ 33,136	36.8%		\$ 86,823
	511 - Total Other - Board of Health: Landfill Monitoring Testing services increased due to positive testing in FY15						
	529 - Total Salary - Community Services: Successful Pilot program approved ATM14, Article 32; increased hours to 16/week						
	541 - Total Other - Council on Aging: Increase in Newsletter printing costs						
	543 - Total Salary - Veterans: Additional office hours as proposed in ATM14, Article 21						

	Department Totals	FY16 Budget	FY15 Budget	\$ Change FY15 v 16	% Change FY15 v 16	FY14 Budget
610	Total Salary	\$ 222,677	\$ 214,309	\$ 8,368	3.9%	\$ 206,521
610	Total Other	\$ 126,555	\$ 119,012	\$ 7,543	6.3%	\$ 116,435
610	Total Library	\$ 349,232	\$ 333,321	\$ 15,911	4.8%	\$ 322,956
630	Total Salary	\$ 26,722	\$ 26,471	\$ 251	0.9%	\$ 25,954
630	Total Other	\$ 9,800	\$ 9,400	\$ 400	4.3%	\$ 9,600
630	Total Rec Comm	\$ 36,522	\$ 35,871	\$ 651	1.8%	\$ 35,554
670	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
670	Total Other	\$ 1,500	\$ 1,000	\$ 500	50.0%	\$ 500
670	Total Steele Farm	\$ 1,500	\$ 1,000	\$ 500	50.0%	\$ 500
691	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
691	Total Other	\$ 4,045	\$ 3,174	\$ 871	27.4%	\$ 3,169
691	Total Hist Comm	\$ 4,045	\$ 3,174	\$ 871	27.4%	\$ 3,169
692	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
692	Total Other	\$ 965	\$ 965	\$ -	0.0%	\$ 965
692	Total Public Celebr	\$ 965	\$ 965	\$ -	0.0%	\$ 965
699	Total Salary	\$ -	\$ -	\$ -	0.0%	\$ -
699	Total Other	\$ 1,500	\$ 1,500	\$ -	0.0%	\$ 1,500
699	Total AB Cultural Council	\$ 1,500	\$ 1,500	\$ -	0.0%	\$ 1,500
	Total Salaries - Culture & Rec	\$ 249,399	\$ 240,780	\$ 8,619	3.6%	\$ 232,475
	Total Other - Culture & Rec	\$ 144,365	\$ 135,051	\$ 9,314	6.9%	\$ 132,169
	Total Culture & Rec	\$ 393,764	\$ 375,831	\$ 17,933	4.8%	\$ 364,644
	610 - Total Salary - Library: Board of Trustees will propose an amendment to increase salaries related to extending hours of operation by 4 per week (Increase to \$234,065)					
	610 - Total Other - Library: Board of Trustees will propose an amendment to increase materials exp. consistent with mandate that materials cost must be a fixed % (19 - 19.5) of Library's total op budget (Increase to \$129,329)					
	670 - Total Other - Steele Farm: Increased electricity and maintenance costs					
	691 - Total Other - Historical Commission: Increased heating; building usage increased for town record storage and housing of Public Safety communications hardware					

		FY16	FY15		\$ Change	% Change	FY14
	Department Totals	Budget	Budget		FY15 v 16	FY15 v 16	Budget
710	Total Salary	\$ -	\$ -		\$ -	0.0%	\$ -
710	Total Other	\$ 985,000	\$ 740,000		\$ 245,000	33.1%	\$ 745,000
710	Total Retirement of LT Debt	\$ 985,000	\$ 740,000		\$ 245,000	33.1%	\$ 745,000
751	Total Salary	\$ -	\$ -		\$ -	0.0%	\$ -
751	Total Other	\$ 188,438	\$ 162,897		\$ 25,541	15.7%	\$ 440,673
751	Total Debt Interest	\$ 188,438	\$ 162,897		\$ 25,541	15.7%	\$ 440,673
830	Total Salary	\$ -	\$ -		\$ -	0.0%	\$ -
830	Total Other	\$ 629,903	\$ 612,822		\$ 17,081	2.8%	\$ 592,504
830	Total County Retirement Assmt	\$ 629,903	\$ 612,822		\$ 17,081	2.8%	\$ 592,504
912	Total Salary	\$ -	\$ -		\$ -	0.0%	\$ -
912	Total Other	\$ 62,600	\$ 60,279		\$ 2,321	3.9%	\$ 68,302
912	Total Other Insurance	\$ 62,600	\$ 60,279		\$ 2,321	3.9%	\$ 68,302
915	Total Salary	\$ -	\$ -		\$ -	0.0%	\$ -
915	Total Other	\$ 617,180	\$ 583,303		\$ 33,877	5.8%	\$ 1,322,710
915	Total Employee Benefits	\$ 617,180	\$ 583,303		\$ 33,877	5.8%	\$ 1,322,710
945	Total Salary	\$ -	\$ -		\$ -	0.0%	\$ -
945	Total Other	\$ 81,391	\$ 78,640		\$ 2,751	3.5%	\$ 90,000
945	Total Liability Insurance	\$ 81,391	\$ 78,640		\$ 2,751	3.5%	\$ 90,000
	Total Salaries - Administration	\$ -	\$ -		\$ -	0.0%	\$ -
	Total Other - Administration	\$ 2,564,512	\$ 2,237,941		\$ 326,571	14.6%	\$ 3,259,189
	Total Administration	\$ 2,564,512	\$ 2,237,941		\$ 326,571	14.6%	\$ 3,259,189
132	Total Salary	\$ -	\$ -		\$ -	0.0%	\$ -
132	Total Other	\$ 185,000	\$ 185,000		\$ -	0.0%	\$ 185,000
132	Total Reserve Fund	\$ 185,000	\$ 185,000		\$ -	0.0%	\$ 185,000
	710 - Total Other - Long Term Debt: New Borrowing comprised of approved articles from FY2013-2015						
	751 - Total Other - Debt Interest: New Borrowing comprised of approved articles from FY2013-2015						
	915 - Total Other - Employee Benefits: Increase in health insurance premiums						

	FY16	FY15	\$ Change	% Change	FY14
Department Totals	Budget	Budget	FY15 v 16	FY15 v 16	Budget
Total Salaries - Town Government	\$ 670,057	\$ 648,013	\$ 22,044	3.4%	\$ 641,362
Total Salaries - Protection	\$ 2,102,596	\$ 2,106,151	\$ (3,555)	-0.2%	\$ 2,020,083
Total Salaries - Public Works	\$ 574,887	\$ 567,929	\$ 6,958	1.2%	\$ 550,001
Total Salaries - Health Services	\$ 77,724	\$ 48,566	\$ 29,158	60.0%	\$ 46,140
Total Salaries - Culture & Rec	\$ 249,399	\$ 240,780	\$ 8,619	3.6%	\$ 232,475
Total Salaries	\$ 3,674,663	\$ 3,611,439	\$ 63,224	1.8%	\$ 3,490,061
Total Other - Town Government	\$ 282,356	\$ 219,007	\$ 63,349	28.9%	\$ 223,551
Total Other - Protection	\$ 257,140	\$ 281,133	\$ (23,993)	-8.5%	\$ 287,929
Total Other - Public Works	\$ 424,685	\$ 469,855	\$ (45,170)	-9.6%	\$ 464,960
Total Other - Health Services	\$ 45,523	\$ 41,545	\$ 3,978	9.6%	\$ 40,683
Total Other - Culture & Rec	\$ 144,365	\$ 135,051	\$ 9,314	6.9%	\$ 132,169
Total Town Other	\$ 1,154,069	\$ 1,146,591	\$ 7,478	0.7%	\$ 1,149,292
Total Town Government	\$ 952,413	\$ 867,020	\$ 85,393	9.8%	\$ 864,913
Total Protection	\$ 2,359,736	\$ 2,387,284	\$ (27,548)	-1.2%	\$ 2,308,012
Total Public Works	\$ 999,572	\$ 1,037,784	\$ (38,212)	-3.7%	\$ 1,014,961
Total Health Services	\$ 123,247	\$ 90,111	\$ 33,136	36.8%	\$ 86,823
Total Culture & Rec	\$ 393,764	\$ 375,831	\$ 17,933	4.8%	\$ 364,644
Total Town Expenses	\$ 4,828,732	\$ 4,758,030	\$ 70,702	1.5%	\$ 4,639,353
Total Other - Education	\$ 11,285,580	\$ 10,741,831	\$ 543,749	5.1%	\$ 11,544,514
Total Other - Administration	\$ 2,564,512	\$ 2,237,941	\$ 326,571	14.6%	\$ 3,259,189
Total Reserve Fund	\$ 185,000	\$ 185,000	\$ -	0.0%	\$ 185,000
Total Other Costs	\$ 14,035,092	\$ 13,164,772	\$ 870,320	6.6%	\$ 14,988,703
Total Expenses	\$ 18,863,824	\$ 17,922,802	\$ 941,022	5.3%	\$ 19,628,056

Line Item 156: Mr. Fox moved that the Town increase Department 156, Total Other – Technology, to Ninety-Five Thousand Three Hundred Nineteen Dollars (\$95,319), and to meet this appropriation, that an additional amount of Twenty Thousand Dollars (\$20,000) be transferred from Free Cash.

Mr. Fox spoke to the motion. In the past IT support costs were funded by cable funds—not covered by the budget. Available cable funds are diminishing and it is the opinion of town counsel that using cable funds for this purpose is not best practices. The BOS said that the budgeted amount is short of what is needed. Would use \$20,000 from cable fund, but need an additional \$20k. Need to fund technology from within the budget, not from the cable fund. He outlined what was included in the Technology budget—support and regular maintenance, monitoring, on-call services.

Neal Hesler said that the FinCom does not recommend the motion.

Mr. Kicelemos asked where the money goes and why the big increase. Mr. Fox said that the money goes to an IT contractor and that the increase is due to paying for IT through the budget vs off-budget.

Mr. Kushner asked how much was spent on after-hours repairs—and how the number for the contingency needs was calculated. Mr. Fox said that it's in the warrant--\$16,000. It's hard to anticipate the needs for emergency IT services. The Town Administrator said \$57K was spent in FY14 on contracted support services.

Michael Touns, Pine Hill Rd., asked about off-budget funds—they don't require a vote of town meeting? Mr. Fox said that that was correct—spending such funds is at the discretion of the BOS. Towns negotiate licensing agreements with the cable companies and this is where the funds come from. Mr. Touns expressed concern that these monies are really a tax on users that is passed on by the cable company.

Action on the motion to amend line item 156: Motion carried by majority vote.

Line Item 210: Mr. Fox moved that the Town increase Department 210, Total Salaries – Police, to One Million Eleven Thousand Eight Hundred Twenty-four Dollars (\$1,011,824), and to meet this appropriation, that an additional amount of Twenty-four Thousand Four Hundred Fifteen Dollars (\$24,415) be transferred from Free Cash.

He spoke about the full man staffing model for shifts around the clock, with two officers on duty at all times. The model provided for increased safety of town and officers and reduced the need for “ordering in”. Police Chief Warren Ryder was recognized and spoke to the rationale behind the shift coverage recommendation.

The Fincom was against the motion: 5-1. Mr. Ham discussed the FinCom rationale for opposing the increase. The minority opinion thought the shift schedule was reasonable and did increase safety.

Becky Neville, Middle Rd., asked if this schedule would be in effect at all times.

Loretta Crowley, Massachusetts Ave., was in favor of the motion.

Casey Cornett, Picnic St., asked about the term “order in”. Chief Ryder explained that when staff doesn't voluntarily take overtime, chief can order someone to take the shift. Other communities can't be responsible for Boxborough. Each community takes care of itself first.

Mr. Kushner asked about 10 officers going to 12. Did that help with shift coverage? The answer was yes. Frank Powers, Stonehedge Place, pointed out the small amount of money we're talking about. For some kinds of calls it is mandated to have 2 officers. He was in favor of the motion.

Lorraine Carvalho, Massachusetts Ave., asked about the salary. Are we in line with other towns? Chief Ryder said a study was done in 2013 and salaries are in line. He said he didn't have the individual salary ranges available. The moderator explained that the contracts had not been negotiated in time for the warrant.

Ms. Canfield said that Personnel Board only looked at non-union personnel in the compensation study. She spoke in favor of the motion.

Action on motion to amend line item 210: Motion carried by majority vote.

Mr. Follett asked about lines 291 and 292—Animal Control Officers. He found there were 60 calls in 2014. He thought the salary was expensive on a per call basis. He also questioned the expenses.

Line 320--Rosemary Sedgwick didn't understand a couple of items in the yellow handout. She asked about the debt service. She thought it very high. Brigid Bieber said that it was previous debt for junior high, senior high and other debt.

Mr. Kicelemos was unhappy about the size of the increase in the regional assessment.

Line 431: Mr. Wagman asked why there were 2 years in between hazardous waste days? He thought it seemed like a bad idea to wait that long. Selectman Amoroso was in agreement. Costs a lot and is more economical to do it every other year. Mr. Wagman asked if it could be regionalized? Mr. Amoroso agreed to look into it.

Mr. Wagman moved that line item 431 be increased to \$10,000, and that the money come from Free Cash.

The FinCom spoke against the motion.

Mr. Cornett wanted to know how many households take advantage of hazardous waste day. Tim Garmon, DPW Director, was recognized. He said when they did it annually, the town didn't meet the quota and it cost the town money, which is why it was changed to every other year.

Mr. Stemple asked about the quota. A resident of Depot Road asked about the cost.

Mr. Garmon said the cost is to hire professionals dressed in special gear to come and set up for the day. The cost is \$7,300 for the day, no matter how many people come.

Mr. Kushner asked why do we budget \$10,000 if its \$7300.

Alex Kerin, Prescott Rd., asked for more data.

Jeanne Kangas said to support the FinCom and vote no.

Mr. Wagman said that people don't like paying and won't go to Devens. He urged Town Meeting to protect the forests, and have it yearly.

The Town Administrator said that Lexington will accept other towns' hazardous waste.

Action on the motion to amend line item 431: Motion was defeated.

Line Item 610: Mary Brolin, chair of the Library Board of Trustees, moved that the Town increase Department 610, Total Salaries - Library to Two Hundred Thirty-four Thousand Sixty-five Dollars (\$234,065), and further that the Town increase Department 610, Total Other - Library to One Hundred Twenty-nine Thousand Three Hundred Twenty-nine Dollars (\$129,329), and to meet these appropriations that an additional amount of Fourteen Thousand One Hundred Sixty-two Dollars (\$14,162) be transferred from Free Cash.

Ms. Brolin said that opening 4 additional evening hours per week. Residents have complained about the difficulty of getting to the library while it's open.

Fincom supports 6-2. They recognize that the limited hours are difficult for residents. Mr. Rosamond presented the minority report. He said the increase is not warranted.

Mr. Kushner wanted to know why it wasn't a warrant article. Mary Brolin said it was the FinCom's preference to do it as an amendment to Article 5. He asked if there would be a benefit increase—the answer was no.

Walter VanRoggen, Patch Hill Rd., asked how many patrons come Monday and Wednesday evenings. Maureen said that parents arrive after work with their children at 6pm and are turned away.

Jennifer Campbell, Library Board member, said the library is very busy on the evenings they are open.

Mr. Donovan said that his son goes to Acton because our library is not open enough.

Action on the motion to amend line item 610: Motion carried by majority vote.

Mr. Subramanyam moved that the Town appropriate the amended sum of

~~\$18,863,824~~ \$18,922,401

for the operations and expenses of the Town during the fiscal year beginning July 1, 2015, the purposes for which funding are set forth in the Department Account Numbers 100 through 945, and any subheadings included under said account numbers, as printed in Article 5 of the Annual Town Meeting warrant, under the heading FY16 Budget, and to meet this appropriation that an amount of **\$532,577** be transferred from Free Cash and that the balance be raised by taxation.

Action on Article 5, as amended: Motion carried unanimously.

ARTICLE 6 AMENDMENTS TO THE REGIONAL SCHOOL DISTRICT AGREEMENT OF THE MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT

(Majority vote required)

Cheryl Mahoney, member of the Minuteman Regional Vocational School Committee, moved to pass over Article 6, "Amendments to the Regional School District Agreement of The Minuteman Regional Vocational School District".

The current agreement needs to be amended. All member towns must vote in favor in order to amend. However, significant concerns with the proposed amendment have been raised and Wayland has already defeated it. The Minutemen School Committee said they will work with the towns

The BOS and FinCom were in favor of the motion.

Action on Article 6: Motion to pass over carried unanimously.

The Board of Selectmen unanimously does not recommend (5-0).

These Proposed Amendments were submitted by the Minuteman Regional Vocational School District's School Committee. The motivation was the need to obtain the unanimous consent of the member towns in order to undertake the vital and long overdue capital campaign necessary to bring the existing, antiquated school structure into compliance with building codes. However, there have been strong and continuing objections by some of the larger member towns to the way in which the current Regional Agreement allocates votes and assesses costs. Those members have been unwilling to agree to undertake a new capital program unless changes are made to the Regional Agreement to address their concerns, and the School Committee has done so with these Proposed Amendments.

The District has obtained approval from the Massachusetts School Building Authority (MSBA) to finance 40% of the costs of the new construction. However, that commitment was first made by MSBA several years ago, and MSBA has informed the District that it will expire on June 30, 2016. Before that date, the member towns must vote to accept bonding for their respective shares of the new capital spending, or MSBA's funding will disappear. The Proposed Amendments will only become effective if passed unanimously by the sixteen member towns of The Minuteman Regional School District. They were first proposed in 2014 and appeared on the 2014 Town Warrants of all sixteen member towns. At those Town Meetings, ten towns passed them, one town rejected them, and five, including Boxborough, voted to pass them over. They are being presented again this year by the School Committee in a second effort to gain the necessary unanimous consent. Based on numerous conversations with our counterparts from the other member towns, we do not expect that the Proposed Amendments as currently drafted will pass unanimously. We recommend that Boxborough voters reject the Proposed Amendments for the following reasons:

Compared to the current MRSD Agreement, the Proposed Amended Regional Agreement would disadvantage Boxborough in many important respects.

- 1) **Voting:** It would change the current system, in which each of the sixteen member towns has an equal vote, and employ weighted voting for most School Committee actions, based on the four (4) year rolling average enrollment. **This would reduce our voting power from 1/16, or 6.25%, to 4.04%.**
- 2) **Borrowing:** It would change the current system, whereby a single community, voting at Town Meeting, has the power to block new borrowing. Instead, new borrowing could be authorized by a two-thirds (2/3) vote of all members, without regard for the weight of the vote. Dissenting members could avoid liability for the new debt **only** by a) disapproving of the debt by majority vote at a Town Meeting called for the purpose, **and** b) moving to withdraw from the region by a two-thirds (2/3) vote at a Town Meeting called for the purpose **within sixty (60) days** of the vote that approved the new debt. **This proposal would eliminate our ability to veto authorization for new borrowing, and make it extremely difficult to avoid liability for the new debt.**

- 3) **Withdrawal:** It would change the method for withdrawal. Now, a community may seek to withdraw at any time by a majority vote at its annual or special town meeting. Each of the other member towns must then vote on the request at a special town meeting called for the purpose, but in no case later than their next annual town meeting. In order to become effective, all member towns and the Commissioner of Elementary and Secondary Education must approve. The process can be completed within one year from the date the community votes to withdraw. The new method permits withdrawal only as of July 1 of a given fiscal year. The community seeking to withdraw must obtain a two-thirds (2/3) vote at Town Meeting no less than three (3) years before the desired July 1 withdrawal date. Withdrawal will only be allowed by approval of a majority of the remaining members and the Commissioner of Elementary and Secondary Education. We believe the Commissioner is unlikely to approve withdrawal absent a compelling reason to do so. *(See the related discussion in our Recommendation with respect to Article 7.)*

The proposed change from unanimous approval to majority approval by the other member towns is a benefit that, in our judgment, is more than outweighed by the requirement that a withdrawal motion pass Town Meeting by a two-thirds (2/3) vote no less than 3 years before the desired July 1 withdrawal date.

4) **Assessment:**

- a) **Operating Costs:** It would change the method of calculating our assessment of annual operating costs from the most recent year's enrollment share to a 4 year rolling average enrollment share. **At a time of declining enrollment, this would increase our assessment by counting students who are no longer enrolled.**
- b) **Capital Costs:** It would change the method of calculating our assessment of capital costs from the most recent year's enrollment share to a 4 year rolling average enrollment share. In addition, it would consider certain factors used in calculating Chapter 70 state aid. **In other words, it would add a wealth based formula to increase our assessment.**

- 5) **Total Cost:** The proposed changes would decrease the assessments of seven towns and increase those of the remaining nine.

The result is that Boxborough would suffer by far the largest per capita increase of any member town:

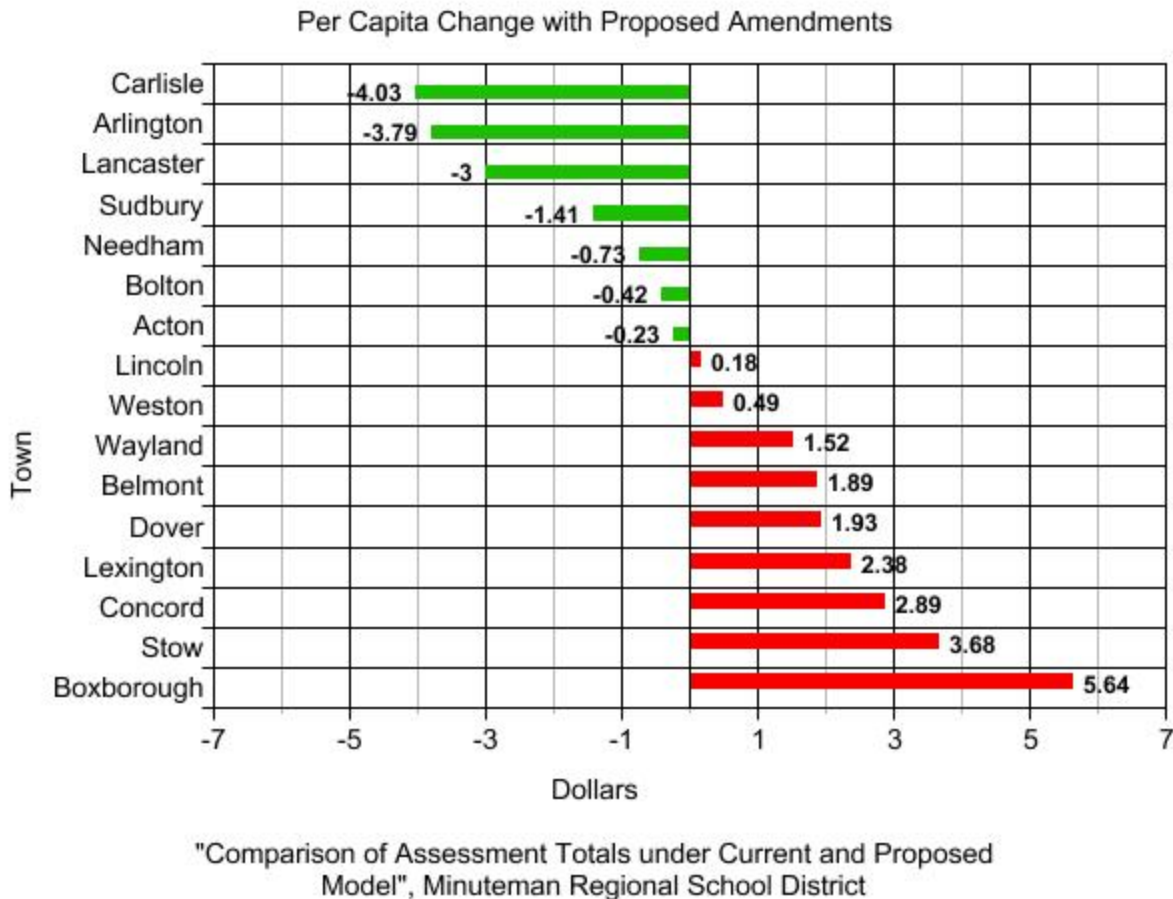
Per Capita Change If Proposed Amendments Take Effect

TOWN	Change ¹	Enrollment ²	Population ³	Per Capita Increase
Carlisle	(\$19,545)	12	4,852	(\$4.03)
Arlington	(\$162,561)	153	42,844	(\$3.79)
Lancaster	(\$24,159)	26	8,055	(\$3.00)
Sudbury	(\$24,859)	19	17,659	(\$1.41)
Needham	(\$21,209)	34	28,886	(\$0.73)
Bolton	(\$2,071)	11	4,897	(\$0.42)
Acton	(\$4,988)	25	21,924	(\$0.23)
Lincoln	\$1,168	5	6,362	\$0.18
Weston	\$5,545	4	11,261	\$0.49
Wayland	\$19,695	7.5	12,994	\$1.52
Belmont	\$44,003	30	23,291	\$1.89
Dover	\$10,782	1	5,589	\$1.93
Lexington	\$74,765	47	31,394	\$2.38
Concord	\$50,969	7	17,669	\$2.89
Stow	\$24,271	22	6,590	\$3.68
Boxborough	\$28,194	4	4,996	\$5.64

¹ "Comparison of Assessment Totals under Current and Proposed Model", Minuteman Regional School District

² Minuteman Regional School District, New Assessment Model, Capital Assessments

³ 2010 US Census



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

Since 2009, Minuteman has been engaged in a building renovation process with the Massachusetts School Building Authority (MSBA) to address the failing school infrastructure; the building has not had any major capital improvements since it was constructed in the early 1970s. The School Committee is evaluating 3 project options: (1) renovation of the existing 305,808 square foot building, (2) renovation/addition to the existing building that would produce a 284,512 square foot building, and (3) new construction that would include demolition of the existing building and result in a 240,000 square foot building. Total project cost estimates range from \$145 million to \$177 million with the net cost after state reimbursement estimated between \$87 million and \$106 million.

Boxborough's share of the District's costs would depend on several factors, including the type of participation the Town elects under the proposed Regional Agreement membership as well as recent changes in DESE regulations which will allow the District to begin charging capital fees for non-member towns.

After reviewing the proposed changes in the current Regional Agreement, including major changes in moderating approval provisions and providing town-enrollment weighted voting for the School Committee, the FinCom believes the proposed Amendment is unfair and biased in favor of the larger communities such as Arlington, Lexington, and Belmont. Note that these proposed changes will require approval by all members and the

Commissioner of the DESE (Department of Elementary and Secondary Education). The direct financial impact of the proposed changes would be felt immediately as the complex cost formulas will shift capital costs from the member towns with larger enrollments to towns like Boxborough with lower enrollments. Boxborough and the other member towns are currently subsidizing the losses associated with the non-member towns, and the proposed agreement exacerbates the problem.

Of the total Minutemen FY 16 budget of \$19,831,003, the 16 member towns will be assessed \$11,538,952, or 58%. Boxborough's share of this amount assessed is \$165,340, divided as follows: operating costs (\$111,825), debt and capital (\$14,118) and other fees associated with the transportation, post graduate and middle school programs (\$39,397). This equates to a cost per student (excluding fees) of \$31,486. The Town's FY2016 Minuteman assessment would increase under the proposed revised Regional Agreement by \$11,376, or 6.9%, to \$176,716. Furthermore, Boxborough's assessments on a per student basis would increase substantially as a result of the substantial capital project under consideration.

ARTICLE 7 WITHDRAWAL FROM MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT

(Majority vote required)

Mr. Amoroso moved to pass over article 7, *Withdrawal from Minuteman Regional Vocational School District*.

The BOS and FinCom were in favor of the motion to pass over.

Action on Article 7: Motion to pass over carried unanimously.

The Board of Selectmen rationale for withdrawal:

Boxborough has been a member of the Minuteman High School Regional School District for many years. Unfortunately, the time has come to recognize that the interests of Boxborough and its students are no longer best served by remaining a member of the Region. Our enrollment has recently declined from 16 students to 4 students, or some 1/2% of total enrollment. We have little influence on the Region, which is understandable: it is not reasonable to expect that the Region would operate in a manner that optimizes Boxborough's experience when a town like Arlington provides 38% of member towns' enrollment.

It is time to trade our meaningless voice for a meaningful choice.

Withdrawing from the Region will better serve our students. Because we are a member town, our students must attend Minuteman unless it does not offer the program they would like to pursue. As a non-member, our students would be able to apply to other fine schools that are as close or closer, such as Nashoba Valley Technical School in Westford, or Assabet Valley Regional Technical High School in Marlborough. Of course, they would still be able to apply to Minuteman on the same basis as students from other non-member towns, who currently account for nearly half its enrollment. This would be a meaningful choice.

Moreover, withdrawing from the Region will also be better financially. For many years we have paid more to educate our students at Minuteman than non-member towns. We have raised this issue with the Region many times, and have been rebuffed many times with the explanation that it is necessary to charge non-members less in order to keep enrollment at suitable levels. This disparity would only be worse if we adopt the proposed amendments, which would impose on Boxborough the largest per capita increase of any member. (See the related discussion in our Recommendation with respect to Article 6.) Withdrawing would end the discriminatory pricing Boxborough has experienced for years.

How likely is it that Boxborough will be allowed to withdraw? We will need the approval of all member towns and the Commissioner of Elementary and Secondary Education. This is likely to happen only if there is a compelling reason. A compelling reason now exists because a majority of the other members and the

Commissioner wish to amend the existing agreement. This is because they need to obtain the consent of those towns that would benefit from amending the agreement to undertaking the vital and long overdue capital campaign necessary to bring the existing school structure into compliance with building codes.

Boxborough will never have a greater voice in the Region than it does under the current agreement, which allows us to veto any changes. Boxborough will never be able to make a more compelling case for being allowed to withdraw than it can at this Town Meeting by voting against the Proposed Amendments and in favor of withdrawal. If we do so, we can then proceed with "Plan B" as described above, which would simultaneously allow those members that wish to withdraw to do so, amend the Agreement to satisfy the needs of the larger towns, and permit the remaining members to approve the capital spending program before the June 30, 2016 deadline.

The Finance Committee recommends (6-0).

Sixteen member towns formed the Minuteman Technical and Vocational Regional School District by Regional Agreement in 1970. Total student enrollment at Minuteman for school year 2015 (as of October 1, 2014) is 745, of which 414, or 56%, came from the 16 member-towns and 331 from the non-member towns. These totals include post-graduate and part-time students. Boxborough's enrollment has declined steadily in recent years, from a peak of 16 students in 2010. Boxborough's current total enrollment is 5, of which 4 are regular education students and 1 is a postgraduate student. The tables below show the respective 11-year history of enrollments and the comparative enrollments of member-towns. Noteworthy is that the trend of total non-member town enrollment has increased over this time period from a low of 33% in 2005 to a high of 45% in 2011 and 2012. The non-member share of enrollment is 44% in the current year.

Minuteman Total Student Enrollment
(measured at 10/1)

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Boxborough	14	14	12	12	13	14	16	8	6	5	5
Member Towns	522	520	479	455	438	430	445	430	409	440	414
Non member Towns	270	254	245	245	260	250	309	355	340	356	331
Total	792	774	724	700	698	680	754	785	749	796	745

Our recommendation to withdraw is based on several factors. First, the Town's enrollment has declined steadily over the past five years. Second, the District is proposing a large scale project which would require incurring significant debt, especially in relation to our enrollment trends. Third, if the Town withdraws from Minuteman, Boxborough can continue to provide vocational education option to its students as required by law by paying out-of-district tuition at Minuteman (\$18,467 per student) or possibly other nearby vocational schools, including Nashoba Valley (\$15,668) or Assabet Valley (\$16,587). While out of district tuition costs are lower under these scenarios, the costs do not include special education surcharges or transportation. We note that in the event that Boxborough is permitted to withdraw from the Minuteman, the process would likely take 1-4 years from time of approval which gives time for all Boxborough students currently enrolled time to complete their studies and graduate.

ARTICLE 8 COMMUNITY PRESERVATION FUND

(Majority vote required)

Owen Neville, chair of the Community Preservation Committee, moved that the Town vote to reserve 10% of FY2015 Community Preservation Fund estimated annual revenues for each of the three purposes of the Community Preservation Act:

\$16,000 for open space, including land for recreational use,
\$16,000 for historic resources and
\$16,000 for community housing;

to appropriate from the Community Preservation Fund FY2016 estimated annual revenue the sum of **\$8,000** to meet the administrative expenses of the Community Preservation Committee for FY2016;

to reserve for appropriation from said FY2016 estimated annual revenue:

\$20,000 for open space, including land for recreational use,
\$20,000 for historic resources and
\$20,000 for community housing purposes, and
\$10,000 for a FY16 Budgeted Reserve;

and further, to appropriate from FY2016 Community Preservation Fund estimated annual revenue sums of money for preservation and rehabilitation of historic resources as follows:

\$12,000	Conservation of Historic Town records	Town Clerk
\$10,000	Preservation and restoration of historic Town Hall exterior steps	Inspector of Buildings
\$90,000	Restoration of Steele Farm barn exterior	Steele Farm Advisory Committee

Summary

The first project is for the first phase of a three-year plan to preserve historic records of the Town. One of the obligations of towns within the Commonwealth is the preservation of public records. Under MGL 66:9 “every person having custody of any public record books of the Commonwealth...shall cause fair and legible copies to be seasonably made of any books which are worn, mutilated or are becoming illegible, and cause them to be repaired, rebound or renovated.”

The process will include deacidification, mending and reinforcement of paper as necessary, resewing and rebinding. Each page will be photographed before rebinding and made into a CD for web access. The records to be conserved in Phase One are the Town Records for 1835 - 1866, 1866 - 1896, 1896 - 1918, 1918 - 1933 and 1932 - 1947.

The second project involves the preservation and restoration of the front steps of the Town Hall. The Town Hall steps had been a mass of concrete that had begun to crack and spall. Red bricks were mortared to the concrete structure as a way of refacing the steps. Over time, water has made its way between and under the bricks, causing the mortar joints to fail and the bricks to come loose. The tripping hazard is particularly concerning on the steps, where someone going down could easily fall forward.

The bricks will be removed and the concrete will be prepared for a new surface. That surface may need to be determined based on the condition of the concrete but likely will be a veneer slate or stone product. Signage to

fulfill the 1989 ruling by the Massachusetts Architectural Access Board will be installed. Thus, this project will make the historic Town Hall more functional for its intended use, and bring the steps into accord with applicable access codes.

The third project being recommended by the Community Preservation Committee is for the restoration of the exterior of the Steele Farm barn. The funding will provide for the replacement of the barn's windows, doors, siding and trim with products of similar materials and appearance, and priming and painting of the exterior structure.

The Community Preservation Committee recommends.

Mr. Neville described the work of Community Preservation Committee since it was created last year. He explained how the CPA worked and described the 10% set asides for the three categories: open space, historic preservation and housing.

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

The Community Preservation Act (CPA) is a financial tool that provides matching funds from the state to help Boxborough preserve our history and open space, build or restore outdoor recreational facilities, and create affordable housing. This article was passed by Annual Town Meeting in May 2014 and voters supported the ballot question in November 2014.

The Community Preservation Committee (CPC) was formed in January 2015, two months after the ballot question passed. Two of the three projects listed in this article and recommended by the CPC, were deferred at last year's annual Town Meeting in anticipation of CPA funds. The third project, the preservation and restoration of Town Hall steps, was included this year, because it remedies a safety issue which requires immediate attention.

The Finance Committee recommends (6-0).

The Town approved the Community Preservation Act (CPA) in May 2014. Pursuant to the CPA, the Town levies a surcharge of 1.0% on Boxborough real estate bills. These local CPA revenues will be matched the state from a dedicated fund. As the state matching percentage on Boxborough's FY '15 surcharge has not yet been announced, we have assumed a 20% match for illustration purposes. The chart below provides a simple estimated funds flow in the CPA for FY15-FY16.

CPA Revenues and Expenditures		
	FY 15	FY 16
Revenues		
Town Revenues *	\$160,000	\$160,000
State Match #	<u>32,000</u>	<u>32,000</u>
Total Revenues	192,000	192,000
Cumulative Revenues	192,000	384,000
Expenditures		
Housing	--	--
Historic Resources	--	112,000
Open Space/Recreation	--	--
<u>Administration Costs</u>	--	<u>8,000</u>
Total Appropriations	--	120,000
Cumulative Appropriations	--	120,000
CPA Fund Balance	\$192,000	\$264,000

* estimated 1% surcharge

assumes 20% state match

The Town Clerk recommends.

Preserving historic records is an obligation of all towns and cities in the Commonwealth. Over time, paper records deteriorate and steps must be taken to conserve and restore them. The conservation process includes de-acidification, mending and reinforcement of paper as necessary, re-sewing and rebinding. In 2007, six volumes of records were conserved according to this process. This article would begin the next phase of our record preservation program.

The Steele Farm Advisory Committee recommends unanimously.

In addition to badly needing repainting, the exterior of the Steele Farm barn displays much wood rot in the siding, windows and doors. The proposed renovations will leave the structure's exterior in condition to require only routine maintenance for some years to come. Replacement of all siding, rather than just rotted elements, will significantly reduce the cost of lead paint removal. Deferring this work will only increase the future cost.

Mr. Moss asked how much money was anticipated? Mr. Neville said \$160K in FY15; \$164K in FY16, adding anticipated state matching of \$28K would total \$192K. He said that the Committee could always recommend to spend less than recommendation but not more.

Town Hall steps: Mr. Wagman asked since we don't use the front door, what is the point of upgrading the steps? Mr. Neville said the steps are a main egress from the Town hall and it is a safety issue.

Becky Neville asked if the money has to be spent this year? Mr. Neville said that the projects are ready to go.

Steele Farm Barn: Mr. Kushner asked about the house. Mr. Neville said the house didn't come before the CPC.

Action on Article 8: Motion carried unanimously.

CONSENT AGENDA Articles 9-17

Mr. Amoroso moved to approve the fiscal consent agenda, articles 9 through 17, as printed in the Annual Town Meeting warrant under articles 9 through 17 inclusive, to be appropriated as printed in the "May 2015 Motions" handout.

Action on Articles 9 through 17 inclusive: Motion carried unanimously.

ARTICLE 9 TRANSFER TO STABILIZATION FUND**

(Two-thirds vote required)

Mr. Amoroso moved, as part of the Consent Agenda, to transfer from free cash the sum of **One Hundred Thousand Dollars (\$100,000)**, said sum to be transferred to the Stabilization Fund.

The Finance Committee recommends (6-0)

The town has a comprehensive Capital Plan that allows a predictable estimate of future capital requirements across all areas of the Town and School. Capital needs can be paid for by one or more of the following - free cash, stabilization fund, or borrowing. The current balance of the stabilization fund is \$1.3 million. Capital funding requests for next year and cumulatively for the next three years are currently projected at \$979K and \$2.1 million, respectively. The Finance Committee believes it is prudent to continue to reserve funds to support these upcoming capital requirements. A healthy stabilization fund protects the Town and is a strong factor in the Town's bond rating. Expenditures from the stabilization fund require a higher level of scrutiny (2/3rds vote of ATM) to utilize

these funds, which is appropriate for large expenditures. This item would add \$0.102 per \$1,000 of valuation, or \$54.18 for an average priced house if not funded from available funds.

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

This article continues our recent practice of making regular contributions to the Town's Stabilization Fund. A healthy balance in the Stabilization Fund (currently ~ 5% of yearly expenditures) is one of the attributes considered by bonding agencies in setting our bond rating and determining the cost to the Town of borrowing money.

Motion carried unanimously as part of the Consent Agenda.

ARTICLE 10 TRANSFER TO OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND**

(Majority vote required)

Mr. Amoroso moved, as part of the Consent Agenda, to transfer from free cash the sum of **One Hundred Thousand Dollars (\$100,000)** said sum to be transferred to the Other Post-Employment Benefits Liability Trust Fund established under Article 25 of the 2010 Annual Town Meeting, and authorized by M.G.L. Chapter 32B, Section 20, in order to offset the anticipated future cost of providing post-retirement health and life insurance benefits to current and future retired Town employees.

Summary

On May 11, 2010, Town Meeting authorized the establishment of an OPEB Trust Fund to provide a mechanism for housing the monies to fund the actuarial liability for retiree benefits. A transfer of seventy-five thousand dollars was initially authorized by Town Meeting in 2012 to begin funding that liability. For the past two years, we have continued that funding by transferring one hundred thousand dollars to the OPEB Trust Fund. This transfer would enable the town to continue to fund the liability.

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

As explained in the summary, the amount proposed in this article will continue the effort started in 2012 to make a small contribution to fund our liabilities for retirees' healthcare benefits. The town's FY 2016 unfunded liability, as reported in the June 30, 2011 actuarial study, amounts to \$12,355,208 and the proposed amount is a small percentage of our total obligations. An update to the 2011 study is currently in progress. Not funding this obligation might, in the future, affect our Standard and Poor's AAA credit rating.

The Finance Committee recommends (6-0).

The Town established an OPEB ("Other Post-Employment Benefits") Trust Fund in 2010 and the current balance is ~ \$275,000. In addition to pension benefits, the Town provides retired employees with health care and life insurance benefits; costs are accounted for on a pay-as-you-go basis. While the accounting standards under GASB 45 do not require pre-funding of these liabilities, the Finance Committee believes that it is prudent to set aside reserves to begin addressing the issue. Bonding authorities also look favorably upon putting aside funds to fund the OPEB liability. Our last actuarial study was completed in fiscal 2011 and provided the Town with a detailed analysis of the unfunded liability for other post-employment benefits for active and retired employees, which totaled \$12.3 million at the end of FY 2016. The amount we propose to set aside is slightly under 1% of that amount, or \$100,000. This item would add \$0.1020 per \$1,000 of valuation, or \$54.18 for an average priced house if not funded from available funds.

Motion carried unanimously as part of the Consent Agenda.

ARTICLE 11 ACCEPTANCE OF MGL CH 59, S 21, “ADDITIONAL COMPENSATION FOR ASSESSORS FOR COURSES OF STUDY”**

(Majority vote required)

Mr. Amoroso moved, as part of the Consent Agenda, to accept Chapter 59, Section 21A of the general laws, “Additional Compensation for Assessors for Courses of Study”, and further, to transfer the sum of **One Thousand Dollars (\$1,000)** from free cash for the purpose of paying the certification stipend to Boxborough's Assessor in FY 2016.

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

Massachusetts General Laws Chapter 59, Section 21A allows cities and towns to grant annual stipends to Assessors who have completed the necessary courses of study and are certified by the Association of Massachusetts Assessors. The Town previously voted similar annual stipends for the Treasurer, Tax Collector and Town Clerk. The Board of Selectmen supports the on-going education of all Town employees and therefore recommends a stipend in the amount of \$1,000 for the Assessor position.

The Finance Committee recommends (6-0).

The Finance Committee believes that increasing the education, capabilities and professionalism of town staff is an important goal. Similar stipends have been approved for the Treasurer, Collector and Town Clerk in order to encourage further education. This item would add \$0.0010 per \$1,000 of valuation, or \$0.54 for an average priced house if not funded from available funds.

Motion carried unanimously as part of the Consent Agenda.

ARTICLE 12 RESCIND UNUSED BORROWING AUTHORITY**

(Majority vote required)

Mr. Amoroso moved, as part of the Consent Agenda, to rescind the unused borrowing authority in the amount of **Fifty Thousand Dollars (\$50,000)** granted under Article 32 of the May 2000 Annual Town Meeting (Blanchard Memorial School Potable/Wastewater Improvements).

Summary

The borrowing authorization enabled the Town to construct a replacement wastewater disposal system and a new potable water source for the Blanchard Memorial School, Library and public safety facilities. The wastewater disposal system services the Library as well as the school. The existence of unused borrowing authority on the Town's books represents a potential liability, which may in extreme cases adversely affect our bond rating.

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

The Town previously authorized borrowing for the school water/sewer project. Not all of the funds authorized were needed. This article rescinds the borrowing authorization of unused funds for this project.

The Finance Committee recommends (6-0).

Approval of this article will remove the Town's ability to borrow for this item since it is no longer necessary.

Motion carried unanimously as part of the Consent Agenda.

ARTICLE 13 DEPARTMENTAL REVOLVING FUNDS RE-AUTHORIZATION**

(Majority vote required)

Mr. Amoroso moved, as part of the Consent Agenda, to reauthorize departmental revolving accounts previously established by vote of the Town under Massachusetts General Laws, Chapter 44, Section 53E ½, as printed in the Annual Town Meeting warrant under Article 13 and further, to increase the cap on the Fire Alarm System Maintenance Revolving Fund from \$4,100 to \$10,000.

Revolving Fund	Authority to Spend Funds	Revenue Source	Use of Funds	FY 16 Spending Limit	Disposition for FY 16 Fund Balance
Electrical Inspection	Building Inspector	Electrical inspection fees	To pay Electrical Inspector for inspections conducted by him	\$50,000	Carryover to FY 2017 to pay for inspections for permits not yet completed
Plumbing & Gas Inspection	Building Inspector	Plumbing/gas inspection fees	To pay the Plumbing/Gas Inspector for inspections conducted by him	\$15,000	Carryover to FY 2017 to pay for inspections for permits not yet completed
Library Fines	Library Director	Library fees, fines & penalties	To defray costs of library material acquisitions/ services	\$7,500	Carryover to FY 2017 to pay for expenses not yet completed
Dog License Fees	Town Clerk	Dog licensing fees & penalties	To defray expenses related to licensing, damage to livestock and fowl, and penalties paid to the Animal Control Officer – Dogs & Cats	\$4,000	Carryover to FY 2017 to pay for expenses not yet completed
Steele Farm	Steele Farm Advisory Committee, by majority vote	Sale of trees & other wood, farm products & leasing and rental fees	To defray related expenses of the Steele Farm	\$10,000	Carryover to FY 2017 to pay for expenses not yet completed
Conservation Commission	Conservation Commission within the administrative procedures established by the Board of Selectmen, and by majority vote of the Commission	Fees associated with the regulation of the local Wetland Bylaw	To defray expenses directly attributable to local Wetland Bylaw regulatory activities (excluding legal expenses)	\$20,000	Carryover to FY 2017 to pay for expenses not yet completed
Senior Van	Town Administrator	Fares and reimbursement from Montachusett	To defray expenses associated with the operations of the senior van	\$32,000	Carryover to FY 2017 to pay for expenses not yet completed

Revolving Fund	Authority to Spend Funds	Revenue Source	Use of Funds	FY 16 Spending Limit	Disposition for FY 16 Fund Balance
		Regional Transit Authority (MART)			
Fire Alarm System Maintenance	Fire Chief	Annual fire alarm service fees	To defray expenses related to the operation & maintenance of the fire alarm monitoring systems	\$4,100 \$10,000	Carryover to FY 2017 to pay for expenses not yet completed
COMMUNITY GARDENS	Agricultural Commission, by majority vote	Rental of plots	Management & care of Community Gardens	\$2,000	Carryover to FY 2017 to pay for expenses not yet completed
GIS Assessor Maps	Town Administrator	Fees collected from the Planning Board for applications to modify existing parcel boundaries and/or the creation of new parcels and copying fees	To defray expenses associated with the updating of the GIS Assessor maps and related expenses	\$5,000	Carryover to FY 2017 to pay for expenses not yet completed
FIELD PERMITTING FEES	Town Administrator	Field permitting fees	Management and care of fields and permit administration	\$10,000	Carryover to FY 2017 to pay for expenses not yet completed
RECREATION PROGRAM FEES	Town Administrator	RECREATION PROGRAM FEES	To pay expenses attributable to general programs sponsored by the Recreation Committee	\$5,000	Carryover to FY 2017 to pay for expenses not yet completed
ANIMAL CONTROL	Police Chief	ANIMAL CONTROL SERVICES PERFORMED BY THE ANIMAL CONTROL OFFICER – DOGS AND CATS, PURSUANT TO INTER-MUNICIPAL AGREEMENT(S)	To pay a portion of the wages, benefits and expenses directly attributable to the provision of animal control services	\$60,000	Carryover to FY 2017 to pay for expenses not yet completed

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

The fire alarm system maintenance revolving fund collects modest fees from businesses in Town that have radio boxes relaying fire alarms to receiver units in both the Police and Fire Stations. The monies collected in the revolving fund are used for routine and extraordinary maintenance of the receiver units in the police and fire stations. The revolving fund monies are allowed to accumulate to the designated cap, currently \$4,100, and then go to the general fund should the net of the monies collected and spent on maintenance exceed the cap. Recently, some major repairs have been required on the receiving stations, indicating the prudence of increasing the revolving fund cap to \$10,000. There is no direct budgetary impact of increasing the cap, it simply allows more money to be accumulated in the fund for maintenance and repairs before rolling any excess to the general fund.

Aside from the increased cap for the fire alarm system maintenance revolving fund, this article simply renews the authority of the named departments to collect fees and disburse funds up to the indicated limit. These revolving funds were set up for the purpose of carrying out the departments' normal functions and defraying the routine, predictable expenses associated therewith.

The Finance Committee recommends (6-0).

Motion carried unanimously as part of the Consent Agenda.

ARTICLE 14 ESTABLISH REVOLVING FUND FOR GENERAL COUNCIL ON AGING PROGRAMS**

(Majority vote required)

Mr. Amoroso moved, as part of the Consent Agenda, to authorize a revolving fund, pursuant to the provisions of MGL c. 44, § 53E1/2, for purposes of receiving fees for general programs sponsored by the Council on Aging and paying expenses directly attributable to those programs up to **Fifteen Thousand Dollars (\$15,000)**, to be under the direction of the CoA Coordinator, in consultation with the Council on Aging, who shall approve all such expenditures; and further to provide that the balance remaining in the fund at the end of fiscal year 2016 be carried over into fiscal year 2017 to pay for expenses not yet completed.

The Council on Aging recommends unanimously.

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

The Council on Aging (CoA) operates or sponsors a number of programs for seniors where participants pay fees. A proper mechanism had not been established in the past to handle the fees and expenses for CoA programs. Following best practice and the normal custom, the Town Accountant recommends that a revolving fund should be set up for CoA programs. This article will establish such a revolving fund with a cap of \$15,000. There is no cost to the town for this article.

The Finance Committee recommends (6-0).

Motion carried unanimously as part of the Consent Agenda.

ARTICLE 15 ESTABLISH REVOLVING FUND FOR LIBRARY PHOTOCOPYING MACHINE FEES**

(Majority vote required)

Mr. Amoroso moved, as part of the Consent Agenda, that the Town vote pursuant to the provisions of MGL c. 44, § 53E1/2 to authorize a revolving fund for purposes of receiving fees for the use of the copier at the Sargent Memorial Library and paying expenses directly attributable to the use of the copier, e.g. copier supplies, maintenance, up to One Thousand Five Hundred Dollars (\$1,500), to be under the direction of the Library Director who shall approve all such expenditure; and further to provide that the monies remaining in the fund at the end of fiscal year 2016 be carried over into fiscal year 2017 to pay for expenses not yet completed; or take any other action relative thereto.

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

The Finance Committee recommends (6-0).

Motion carried unanimously as part of the Consent Agenda.

ARTICLE 16 TOWN MUSEUM BASEMENT RE-PAINTING**

(Majority vote required)

Mr. Amoroso moved, as part of the Consent Agenda, to transfer from free cash the sum of **Five Thousand Dollars (\$5,000)** for the purpose of preparing and painting the lower level of the museum.

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

This action of repainting the Museum basement represents the last step in a long process started several years ago, aimed at rendering the basement of the Town Museum useful for the storage of both Museum artifacts and Town records. Residents will remember that the Museum (formerly Library) had been plagued by moisture and standing water issues in the basement, precipitated by poor drainage on the lot, and exacerbated by the failure of

the basement furnace several years ago. In the past year the DPW has greatly improved the drainage on the lot, essentially eliminating the ingress of water to the basement. The basement furnace has been replaced, with the result of maintaining the relative humidity at a level suitable for both artifact and records storage. The remaining element to be completed is cleaning, stripping and repainting the moisture damaged walls and floors of the basement. With this article, the basement will finally be rendered suitable for relieving the acute shortage of storage space in town for historical artifacts and essential municipal records.

The Finance Committee recommends (6-0).

This item would add \$0.0051 per \$1,000 of valuation, or \$2.71 for an average priced house if not funded from available funds.

Motion carried unanimously as part of the Consent Agenda.

ARTICLE 17 CONSERVATION TRUST FUND**

(Majority vote required)

Mr. Amoroso moved, as part of the Consent Agenda, that the Town vote to transfer from Free Cash the sum of Five Thousand Dollars (\$5,000) to the Town's Conservation Trust Fund.

Summary

The appropriation is intended to fund anticipated capital needs related to conservation of land in Boxborough.

Justification and Need

1. *The Conservation Trust Fund was established under the Conservation Commission Act in 1957 and is intended to provide funds for the following purposes:*
 - *Purchase of Land*
 - *Capital Improvement of Land*
 - *Expenses related to land purchase such as appraisals, title searches etc.*
 - *Improvement of conservation land.*
 - *Monitoring of Conservation restrictions.*
 - *Cost of preparing open space plans and maps.*
2. *The Conservation Trust Fund currently has an unencumbered funds balance of approximately \$26,000. Previous discussions with the Finance Committee concluded that an estimated working balance of \$30,000 is considered to be adequate for meeting anticipated expenses.*
3. *The Conservation Trust Fund has incurred the following expenses/encumbrances in FY 2015:*
 - *Approximately \$13,000 for Preparation of an updated Town Open Space and Recreation Plan (OSRP). The OSRP will serve as a guidance document for Town Boards and Commissions, and is a prerequisite for Town eligibility to apply for State grants targeting land acquisition for conservation or recreational purposes and other land management activity.*
4. *The Conservation Trust Fund has the following upcoming anticipated expenses:*
 - *Review of Land Acquisition Opportunities – There are a number of parcels (both in and out of Chapter) that may be offered to the Town. Typical due diligence for review of acquisition opportunities (before bringing a potential acquisition to Town Meeting) incurs costs on the order of \$10,000 for appraisals, title searches, and engineering and/or environmental review.*

- *Control of Invasive Plants on Conservation Land – Implementation of invasive control plans will involve the cost of contracted labor and equipment that is beyond routine operations and maintenance.*
- *Improve the Monitoring of Conservation Restrictions – Preparation and recording of baseline documentation will involve the cost of contracted consultant services.*

Background Information

1. *From 1990 to 1999 Town Meeting appropriated an average of \$5,000/year to the Conservation Trust Fund.*
2. *There was one appropriation of \$15,000 to “replenish” the fund in 2000.*
3. *The last 4 year’s (2011, 2012, 2013 and 2014) ATM approved an appropriation of \$5,000 each year.*
4. *Routine operations and maintenance are funded separately at approximately \$1,000 per year.*
5. *Other sources of funds available to the Conservation Commission such as state and town filing fees are limited to covering expenses associated with reviewing and protecting wetland resource areas and land with wetlands interests. The Conservation Trust Fund may be directed toward broader range Conservation land interests independent of wetland resource protection.*

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

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

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

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

The Conservation Commission recommends (6 – 0).

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

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

The Finance Committee recommends (5-1).

The majority approves the article. The Conservation Commission has established an effective model for funding required projects as they arise, utilizing a revolving fund that periodically requires replenishment. Appropriate expenditures have depleted the Conservation Trust Fund to a level that merits funding as requested. If approved, the article will be paid out of free cash.

The minority view did not approve this article and feels that there are ample monies in Special Funds and Trust accounts over which the Commission has control to fund any studies that the Commission wants to conduct.

This item would add \$0.0051 per \$1,000 of valuation, or \$2.71 for an average priced house if not funded from available funds.

Motion carried unanimously as part of the Consent Agenda.

ARTICLE 18 POLICE DEPARTMENT – PROMOTION OF SERGEANT TO NEW POSITION OF LIEUTENANT

(Majority vote required)

Mr. Fox moved to transfer from free cash the sum of **Fourteen Thousand Four Hundred Sixty Dollars (\$14,460)** said sum to be added to the amounts appropriated pursuant to Article 5 of the 2015 Annual Town Meeting for the purpose of promoting a Sergeant into the newly created position of Lieutenant; and further that the following adjustments be made to the FY 2016 budget:

Department 210, Total Salary – Police: Increase by the sum of **Eleven Thousand Two Hundred Sixty Dollars (\$11,260)**

Department 210, Total Other- Police: Increase by the sum of **Three Thousand Two Hundred Dollars (\$3,200)**

Chief Ryder was recognized and provided the rationale for the motion. He said that current command structure has some issues. Three sergeants, who are members of the Police Union, are sometimes at odds with the Chief. The lieutenant will cover the evening without union issues. Also provides a clear second-in-command and an incentive in terms of career development. He noted that many similar sized communities have this command structure.

The Board of Selectmen recommends 4-1

This article would implement a new administrative structure for the Police Department as recommended by the Chief of Police. This would be accomplished through creation of a new position of lieutenant to be filled by promoting one of the existing three sergeants, together with realignment of certain operational responsibilities. No new hiring is required. The lieutenant position would be non-union; two sergeants would remain within the union. The new structure will clarify and rationalize the chain-of-command structure. Realignment of responsibilities of the senior staff officers will improve administration of the various aspects of departmental operations, including Dispatch and the services of the regional Animal Control Officer. It will strengthen departmental morale by providing an additional internal path for career development and advancement.

Other key benefits of the proposed structure:

- Increased schedule coverage. Like the chief, the non-union lieutenant will be on a 5/2 schedule and can cover voids in the schedule thus helping to control overtime costs.
- Addresses the problem of divided loyalty by providing a definite second in command aligned with departmental management (Police Chief) and town administration (Selectmen). Under the current structure, typically a sergeant is designated as the acting chief when the chief is away. This can result in confusion and inconsistency in departmental leadership. Under the new proposed model there would never be a time when both the chief and the lieutenant are absent at the same time.
- Prepares for anticipated growth. New housing developments currently underway or in review before the Planning Board will likely result in about 400 additional units of housing within 3-6 years. Consequently the police department may need additional patrol officers in response to increased population. The proposed staffing structure will better position the Police Department for future growth.

At the renewal of his employment contract last year, the Selectmen asked the chief to address succession planning for eventual transition to a new Chief of Police. The proposed restructuring thoughtfully responds to the Board's request, while providing significant benefits to departmental command structure, operations and management. At a net cost of \$14,460, a majority of the Board of Selectmen recommend this article as a wise investment in the future of the Police Department.

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

This item would add \$0.0148 per \$1,000 of valuation, or \$7.83 for an average priced house if not funded from available funds.

Mr. Ham presented the majority view that a change in command structure was not warranted. A small town calls for a small police department. The current structure has worked well for many years.

Mr. Donovan asked if the chief viewed it as a succession plan. The Chief said not primarily. He pointed out that four days on and two days off is the current schedule. Seventeen times during the year, officers only work four days of the typical work week. Mr. Donovan was in favor of the motion.

Mr. Kushner asked if the sergeant would be back-filled. The Chief said no. He asked why sergeants are in the union. The Chief said that it's a traditional law enforcement set-up. Having a position such as lieutenant that is not in the union provides a lot of flexibility.

Mark White, Sara's Way, spoke in support of the motion. He thought the chief has done a great job with our police department and he should be able to run his department the way he thinks best. He pointed out that the amount of money is relatively small.

Michael Touns, Pine Hill Rd., asked about how the classification of the position would work. The Personnel Board placed the difference between sergeant and lieutenant at 15%. What step would the new lieutenant come in at? Ms. Canfield, chair of the Personnel Board, said that the Board reviewed the job description provided by the chief. When placing the position on the compensation plan, two Personnel Board members looked at how similar jobs are classified elsewhere and came up with the recommended placement.

Mr. Kicelemos asked how many officers were on the force? The answer was ten. He asked about appointing a new sergeant. The chief said he was planning to promote from within.

A resident asked about overtime. The chief said there will always be a need for overtime, but this will help.

John Rosamond, Middle Rd., asked for the minority BOS opinion. Susan Bak, BOS member, said that she thought it was a "nice to have" item and not needed at this time.

Ms. Canfield asked people to look at page 17 of the warrant and said that there were levels within grade 15.

Action on Article 18: Motion carried by majority vote.

Mr. Amoroso moved to adjourn the meeting to 7pm May 12. Motion carried by majority vote.

ARTICLE 19 DPW – REPLACE TWO PART-TIME WORKERS WITH ONE FULL-TIME WORKER

(Majority vote required)

Mr. Gorman moved to transfer from free cash the sum of **Thirty-One Thousand Six Hundred Sixty-two Dollars (\$31,662)**, said sum to be added to the amounts appropriated pursuant to Article 5 of the 2015 Annual Town Meeting for the purpose of funding the wage differential and benefits associated with replacing two part-time DPW workers with one full-time DPW worker; and further that the following adjustments be made to the FY 2016 budget:

Department 422, Total Salary – DPW: **Increase** by the sum of **Nine Thousand Six Hundred and Twenty-nine Dollars (\$9,629)**,

Department 423, Total Salary – Snow and Ice: **Increase** by the sum of **Six Thousand Four Hundred and Sixty-three Dollars (\$6,463)**

Department 915, Total Other - Employee Benefits: **Increase** by the sum of **Fifteen Thousand Five Hundred and Seventy Dollars (\$15,570)**.

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

The DPW has for many years carried two part time positions, each scheduled for 16 hours per week or 32 hours per pay period. It has been difficult to fill these positions, due to the relatively small number of qualified individuals who would wish to take a 16-hour per week job. This article creates an additional full-time, 40-hour per week position to replace the two part time positions and provide an additional 8 hours per week in the bargain (i.e., 40 hours versus 32 hours). The added cost of approximately \$32,000 is due very nearly half and half to the additional hours provided by the full time employee and the associated health insurance benefits. The reliable addition of another full time employee will allow the DPW greater flexibility in deploying crews to projects such as a road or tree work, which require several individuals on the crew for greatest productivity.

The Finance Committee recommends (6-0).

This item would add \$0.0323 per \$1,000 of valuation, or \$17.16 for an average priced house if not funded from available funds.

Action on Article 19: Motion carried unanimously.

ARTICLE 20 CAPITAL EQUIPMENT AND INFRASTRUCTURE

(Two-thirds vote required if transferred from Stabilization Fund or Borrowed)

From the May 2015 Motions Handout:

A.	Town Hall - Renovation of Foyer into Grange Meeting Room	\$ 35,000
B.	Fire Department - Pumper Truck (to Replace Engine #64)	650,000
C.	Fire Department - Turnout Gear (Personal Protective Equipment)	111,000
D.	DPW - $\frac{3}{4}$ Ton Pickup Truck (Replacement)	40,000
E.	DPW - Road Paving	300,000
F.	DPW - New Vibratory Asphalt Roller	40,000
G.	DPW - Chipper	60,000
	Total	\$1,236,000

A: Renovation of Foyer into Grange Meeting Room

(majority vote required)

Ms. Bak moved to appropriate the sum of Thirty-five Thousand Dollars (\$35,000) for the purpose of renovating the foyer into the Grange Meeting Room of Town Hall, said sum to be appropriated as printed in the “May 2015 Motions” handout:

One Thousand Six Hundred Eighty Dollars and Eleven Cents (\$1,680.11) from the unexpended bond proceeds approved under Article 13 of the 2008 Annual Town Meeting, Capital Equipment Acquisition – Fire and Public Works Departments;

One Thousand Five Hundred Thirty-seven Dollars (\$1,537) from the unexpended bond proceeds authorized under Article 9 of the 2013 Annual Town Meeting, Capital Improvements – Town Hall Replacement Windows (Original Section);

Three Hundred Thirteen Dollars (\$313) from the unexpended balance of Article 21 of the 2011 Annual Town Meeting, Blanchard Memorial School – Fire Safety Engineering Consultant;

Nine Thousand Two Hundred Thirteen Dollars and Ninety-nine Cents (\$9,213.99) from the unexpended balance of Article 24 of the 2012 Annual Town Meeting, Capital Improvements – Repair and Replace Blanchard Memorial School’s Exterior Mortar and Masonry

Ten Thousand Eight Hundred Sixty-one Dollars (\$10,861) from the unexpended balance of Article 14 of the 2013 Annual Town Meeting, Capital Equipment Acquisition – Replacement of Air-Paks – Fire Department;

Two Thousand Eighty-one Dollars and Eight Cents (\$2,081.08) from the unexpended balance of Article 2 of the 2014 Special Town Meeting (within the Annual), Fund First Two Years of Collective Bargaining Agreement – Massachusetts Coalition of Police, Local 200, Police;

Fifty Cents (\$0.50) from the unexpended balance under Article 22B of the 2014 Annual Town Meeting, Capital Equipment and Infrastructure – Town Hall Carpet Replacement; and

Nine Thousand Three Hundred Thirteen Dollars and Thirty-two cents (\$9,313.32) from Free Cash.

The Board of Selectmen recommends (4-1).

The intent of this project is to create space for an office, a storage area and a lobby or reception area at the east end of the Grange Meeting Room currently occupied by the stage. The Grange Meeting Room is used by a variety of boards, committees, commissions and other groups for meetings and functions on a regular basis.

The removal of the stage will improve access and egress into Grange Meeting Room, while expanding and improving access to the existing office, and creating much needed additional storage space. The new configuration will improve the safety and efficiency for voters so that the queue will not extend down the stairs, which unfortunately happens during Presidential primaries and major general elections.

The additional storage space from this project will provide much needed space for voting equipment, bulk copier paper and other items that need to be secure and cannot be stored in the vault due to space constraints.

Advancing this project is critical to the continuing series of actions designed to increase the efficiency of Town Hall space. This is a sensible and straightforward project that improves functionality to a one hundred year old building and is the first step to adapting the building to the demands of the 21st century.

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

This item would add \$0.0357 per \$1,000 of valuation, or \$18.96 for an average priced house if not funded from available funds.

The Building Inspector, David Lindberg, described the scope of the project.

Becky Neville asked why the floor of the Grange Hall hasn't been done. She pointed out that the money was voted for that purpose years ago. She would only support the motion if the Grange Hall floor was included. Mr. Moss called attention to the fact that the building is historic. He recognized that the stage is wasted space but wanted to tread lightly.

Ms. Kangas asked whether the replacement of the floor was included. Mr. Lindberg said the floor was not included. Ms. Kangas urged that the town wait a year and see if it could be funded by CPA.

Mr. Fox said the funds for the floor have already been appropriated and that the floor would be done along with the rest of the project.

Francie Nolde, Sargent Rd., asked about the design. Did we really need more space for a meeting room? Mr. Lindberg said that structural walls dictated the size of the two offices. She supported project.

Mr. Powers asked for the Community Preservation Committee to respond.

Mr. Neville, chair of the CPC, said there's no guarantee that a particular project would be approved.

Mr. Toups asked if there would be a second phase. Ms. Bak said that there would be additional upgrades of the Grange after the stage comes down--better technology that would improve broadcast quality, for example. Cable

funds could be used for that. He asked where all the stuff would go. Mr. Fox said the museum basement is being renovated for that purpose.

Ms. Kangas wanted to do it cost effectively. She urged Town Meeting to wait a year and get CPA funding and state reimbursement.

Mr. Wagman said that it seemed like a pretty good plan. He questioned whether CPA funding had been explored.

Ms. Bak said that the project was rejected by CPC--they wanted a space needs assessment before funding, which didn't seem worth it.

Rita Grossman, CPC member, said she wanted to see a more comprehensive plan. She thought that the project should look at kitchen and data room and addresses the whole space.

Mr. Kushner said that the project was not in the capital plan and saw no need to rush. He wanted to know dimensions of offices and foyer.

Hugh Fortmiller, Sargent Rd., asked if there is the possibility for a storage loft. Mr. Lindberg said no, the ceiling isn't high enough. He asked about the space on the right --was it office or storage? If storage, wouldn't it be prudent to have access from the Grange for storage of extra chairs? He wondered if the single door coming off the hallway would be changed--shouldn't it be double door. Mr. Lindberg said the existing opening off the hallway is about as wide as it can be--there is very little room to widen the door.

Mary Nadwairski, Stonehedge Place, moved the question. Motion to vote now carried by 2/3, as declared by the moderator.

Action on Article 20, Item A: Motion failed.

Motion on items B-G of Capital Equipment and Infrastructure (Two-thirds vote required)

Ms. Bak moved that the sum of One Million Two Hundred One Thousand Dollars (\$1,201,000) be and hereby is appropriated for the purpose of paying costs of: acquiring a pumper truck to replace Engine #64 and turnout gear for the Fire Department; acquiring a replacement $\frac{3}{4}$ ton pick-up truck, a new vibratory asphalt roller and a chipper for the DPW; and paving town roads, 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 or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

B. Fire Department - Pumper Truck (to Replace Engine #64)

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

This article proposes to replace Engine 64, which was purchased new in 1994, with a new multi-purpose pumper truck. Two questions must be answered to justify this large purchase: 1) Must we replace Engine 64 at this time? And 2) Does Boxborough require 3 multi-purpose fire trucks? The answer to the first question is an emphatic Yes, since Engine 64 suffers numerous defects due to design and age-related deterioration. It has a two person cab, related to an earlier era where it was permissible for firefighters to ride on the vehicle exterior to the incident. Current regulations require all firefighters to ride inside the vehicle cab when underway, so Engine 64 is useful only for those situations when only two persons are available to respond to an incident. The engine body, pump works and plumbing are constructed of plain carbon steel and suffer serious problems from corrosion. We have spent nearly the original purchase price on repairs to Engine 64, and the rate of repairs is not getting smaller. There is no doubt that Engine 64 must be replaced, and soon. As to the question of whether Boxborough needs three multi-purpose fire trucks, the answer is again yes. The fire service is built around operational plans and contingencies, which require the ability to respond to incidents in Town where one truck might be out for servicing or on a mutual aid call, when another incident might arise in Town. If we have only two primary response vehicles, we suffer a significant likelihood of being unable to properly respond to incidents if one were to be unavailable due to any of several contingencies. There is certainly the possibility of mutual aid from surrounding towns, but that option is for those unusual situations straining the capacity of any individual town to respond. We cannot build mutual aid into our

normal operations strategy. The proposed vehicle will be constructed of all-welded Aluminum body work, stainless steel plumbing, and a plastic tank, promising a useful life of 30 years or more, with minimal high level maintenance.

The Finance Committee recommends (6-0).

This item would add \$0.6633 per \$1,000 of valuation, or \$352.19 for an average priced house if not funded through borrowing.

C. Fire Department - Personal Protective Equipment

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

Current turnout gear for per diem and call firefighters will see their tenth birthday during FY 2016 (January 2016). National Fire Protection Association (NFPA) recommendations include that turnout gear should be retired and replaced after ten years. While NFPA recommendations do not have the force of law in Massachusetts as they do in many states, there are at least two compelling reasons for replacing the turnout gear at this time in accordance with the NFPA recommendations:

- Safety of Boxborough Firefighters – while the current turnout gear represents a range of apparent condition, from not half bad to pretty shabby, it has generally suffered degradation in protection to a greater or lesser degree and represents increased risk to the firefighter, who may be called upon to enter a situation representing the upper limit of the nominal turnout gear protection performance.
- Training at the Fire Academy – the Massachusetts Fire Training Council has adopted the NFPA recommendation in force, and will not allow firefighters to attend training in turnout gear that is more than ten years old. We send firefighters to the Academy on a routine basis and would suffer serious disruption in training schedules if we do not replace the turnout gear.

The Finance Committee recommends (6-0).

This item would add \$0.1429 per \$1,000 of valuation, or \$75.86 for an average priced house if not funded through borrowing.

D. DPW - ¾ Ton Pickup Truck (Replacement)

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

This article proposes to replace a 2005 Ford F350 ¾ ton pickup truck employed by the DPW for plowing, building and grounds maintenance, and assistance with the full range of DPW crew tasks. The truck suffers severe body corrosion damage and other significant maintenance issues as would be expected in a vehicle of ten years age and a relatively harsh service life. The ongoing maintenance of the front end and body has become an excessive burden to the DPW maintenance account.

The Finance Committee recommends (6-0).

This item would add \$0.0408 per \$1,000 of valuation, or \$21.67 for an average priced house if not funded through borrowing.

E. DPW - Road Paving

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

As most residents are aware, many roads in Boxborough are in deplorable condition. The Town receives between \$200,000 and \$300,000 annually from the Commonwealth under the Chapter 90 program, which monies are to be spent on repair and upkeep of roadways. Boxborough contains approximately 30 miles of roadways, and the average cost of repaving runs is approximately \$300,000 per mile. If we rely on Chapter 90 money alone to resurface roads in Town, it will take approximately

30 years to cycle through all the roads, which timespan exceeds the typical life of a roadway by a wide margin. The DPW has in effect been forced into a policy of triaging roads, in which the average condition of Boxborough's roadways continues to deteriorate. This article proposes to augment Chapter 90 funds to the extent that on average we could resurface approximately 2 miles per year, instead of the 1 mile per year at steady state enabled by Chapter 90 funds. This level of overall repaving should allow to Town to catch up with the deteriorating road condition in concert with sealing and spot repairs of the worst roads in Town. We anticipate that this will be an ongoing request until such time that the general condition of roadways improves, or Chapter 90 funding allocations increase, to the point that we may be able to diminish the Town's investment in repaving.

The Finance Committee recommends (6-0).

This item would add \$0.3061 per \$1,000 of valuation, or \$162.55 for an average priced house if not funded through borrowing.

F. DPW – New Vibratory Asphalt Roller

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

Purchase of this roller will allow the DPW to undertake moderate scale road repairs with Town personnel, augmenting the Chapter 90 repaving conducted by outside contractors, for those jobs where perhaps a short stretch must be repaired over a culvert, frost heave or other localized road damage. The Town purchased a "hot box" to support such small scale road repairs with state funds last year, and the combination of hot box and roller will allow the DPW to respond to road condition issues before they grow into serious problems.

The Finance Committee recommends (6-0).

This item would add \$0.0408 per \$1,000 of valuation, or \$21.67 for an average priced house if not funded through borrowing.

G. DPW - Chipper

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

This article proposes to replace the current chipper, which is over 20 years old, to support scheduled tree work necessary to maintain safe rights of way throughout Town, as well as the not infrequent emergency tree work to clean up after storms, accidents or other mishaps.

The Finance Committee recommends (6-0).

This item would add \$0.0612 per \$1,000 of valuation, or \$32.51 for an average priced house if not funded through borrowing.

B. Pumper truck discussion:

Jim Goodwin, Littlefield Rd., asked whether it was on capital plan. The answer was yes.

Mr. Kushner asked about whether the new truck would fit in the existing bays. Fire Chief Randolph White was recognized and said no, they would have to modify one of the bays, which is included in cost.

Jessica Eichelberg, Hill Rd., wanted to know how much was the fire truck and how much the extension? The Chief said the truck was \$575,000, the bump-out \$7500. The rest was for the equipment for the truck.

Kathy Vorce, Liberty Square Rd., questioned why the article was moved this way. Mr. Fallon said it was a compilation article to make it more efficient.

Mr. Moss wondered about corrosion issues with aluminum. The Chief said they were also looking at stainless steel.

Murdo Dowds, Picnic St., asked why was the truck longer? The Chief said that state regulations now govern wheel base specifications, which makes the trucks longer.

Mr. van Roggen asked about life span of the new truck. The Chief said 20-23 years. After that maintenance is an issue. He also said there may be trade-in value or possible sale for parts of the old truck.

Becky Neville questioned the \$50K in equipment. Chief White said it was for new radios, hoses, etc.

Mr. Fortmiller wanted to know what the debt service would do to the tax rate. Mr. Hesler, FinCom member, explained how the borrowing would work and the impact.

Mike Duhigg, Stow Rd., asked about what happens if there is an unexpended balance in the warrant article. It was explained that unexpended balances go back to town as free cash.

C. Protective Gear

Mr. Kushner asked whether it was in capital plan.

D. Pick-up Truck—no discussion

E. Road paving. Mr. Wagman thought there should be more money for paving. He thought it would take a long time to get to all the roads. Mr. Gorman pointed out that the new equipment would allow for the town to do more repairs on the existing roads which would extend their lives.

Mr. Kushner spoke in favor of the project and would like it included in the capital plan.

Mr. van Roggen wondered if anyone had looked into better construction so roads would last longer.

F. Asphalt Roller—no discussion

G. Chipper—no discussion

Action on Article 20, Items B-G inclusive: Motion carried by 2/3, as declared by the moderator.

ARTICLE 21 STUDIES AND INITIATIVES

(Majority vote required)

A.	Public Safety Building Programmatic Review and Schematic Design	\$69,500
B.	Police Department Accreditation	14,000
	Total	\$83,500

MOTION #1

A. Public Safety Building Programmatic Review and Schematic Design

Mr. Gorman moved to transfer from free cash the sum of Sixty-nine Thousand Five Hundred Dollars (\$69,500) for the purpose of providing for a programmatic review and schematic design for a public safety building.

RECOMMENDATIONS

A. Public Safety Building Programmatic Review and Schematic Design

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

Under Article 23D of the May 2014 Annual Town Meeting, the Town appropriated \$25,000 for the purpose of conducting a Public Safety Space Needs Assessment to determine the program needs of the Police and Fire Departments, and investigate tradeoffs in conceptual design for a building or buildings required to meet the assessed program needs. After a thorough advertising and selection process, the Town selected HKT Architects, Inc. of Somerville, MA to conduct this study in concert with a committee of 15 Town officials and residents, including the Police and Fire Chiefs. This study evaluated the Police

and Fire facility needs in detail and formulated seven (7) distinct building concepts, including renovation, addition, new build and combination solutions to the Police and Fire space needs problem. The results of this study indicated that an ideal solution to the public safety space needs problem would cost in the vicinity of \$24 Million to \$26 Million. The committee of Town residents and officials believe that this total cost greatly exceeds that which the Town Meeting is likely to approve, and proposes herewith to extend the present study to an assessment of what the Town could build to best fit the Police and Fire Department space needs, subject to a TBD lower bound total cost and TBD upper bound total cost. This article funds the desired extension of the public safety space needs study, and we believe that it is essential to properly plan for construction that is necessary to replace or augment the current public safety buildings. The Police and Fire Stations suffer numerous deficiencies in their ability to support police and fire operations, as well as serious structural and mechanical deficiencies with respect to current building codes. The recently completed study highlights the areas needing improvement and provides a foundation of analysis upon which to build public safety building concepts more in line with what the Town is able to afford. The outcome of this study will be conceptual building projects meeting the lower bound and upper bound cost constraints provided to the team, so that a future Town Meeting will possess the information necessary to make an informed decision concerning new public safety construction.

The Finance Committee does not recommend (6-0)

This item would add \$0.0709 per \$1,000 of valuation, or \$37.66 for an average priced house if not funded from available funds.

Jeff Scott, FinCom member, moved to amend Article 21, Part A, Studies and Initiatives, by:

(1) Modifying the Article 21 summary paragraph:

- a. striking the stated cost in Part A of \$69,500, and substituting in its place “up to \$30,000”, and,
- b. Revising the total article request, striking the words “Eighty-Three Thousand Five Hundred Dollars (\$83,500) and substituting in its place “up to Forty-four Thousand Dollars (\$44,000),” and

(2) Modifying Paragraph A, Public Safety Building Programmatic Review and Schematic Design.

Beginning with the sentence, “ The committee of Town residents and officials believe that this total cost greatly exceeds that which the Town Meeting is likely to approve” – insert a period, strike the remainder of the paragraph, and substitute in its place the following:

“We propose that the Town extend the public safety facilities investigation, utilizing retained facility design experts and involving extensive public involvement through open Town forums,

First, by establishing prioritized requirements, required to direct subsequent design efforts. These will include absolute ‘must haves’ – legal and safety requirements, additional desirable features, and will consider available alternatives and in context with other Town needs;

Second, by establishing rough cost frameworks for identified requirements and options; and,

Third, generation of recommended alternatives that can be presented to a subsequent Town Meeting for consideration and selection for more detailed architectural investigation.

Mr. Gorman spoke against the amendment. He said that the proposed designs were not over-the-top. The next phase would look at ideal requirements and then pare back to what is necessary. He wondered where the FinCom came up with the alternate proposal of \$30,000. Mr. Scott said that to come up with a prioritized set of requirements could be done without architect involvement.

Maria Neyland, member of Space Needs Advisory Group (SNAG), questioned the FinCom number. She said she knows what she's going to get for \$69.5K. What do we get for \$30K? If we don't get real drawings that we can act upon, we will push off the project another year—costs increase 3% every year.

Ted Kail, Fincom member, said that programmatic review could be completed for \$30K, but not the schematics. He thought the square footage estimates from the consultant for the building were too high.

Ms. Neyland said SNAG was sent off to come back to the town with a way forward. They have done this. Saving \$30K now will cost us in the long range.

Andrew Gruskay, Daniels Way, asked what land was to be used. Mr. Amoroso said that he had hoped that the town would acquire the parcel adjacent to the police. He said that part of the proposed project would look into location options.

Rosemary Sedgwick, Hill Rd., said that it was hard to have faith in a process that yielded such a high cost estimate. Mr. Gorman said that the town should trust in the process that the SNAG committee went through the required statutory process in putting together the requirements to be quoted.

Mark White, Sara's Way, also thought the cost estimate was very high. He was in favor of the FinCom amendment. He asked town counsel if there's anything to prevent the town from buying a building and retrofitting it—would prevailing wage law apply? Town Counsel John Giorgio responded that it would. Design and build contracts can be done but it won't exempt the project from prevailing wage.

John Markiewicz, Patch Hill Rd., spoke in favor of the amendment. He feels we don't know what we really require. What are we going to do with the facilities during renovations? Have those costs been factored in? He supports moving more slowly. Mr. Gorman said that the requirements are based on current codes. Relocation, design and other soft costs were factored into the estimate. He asked how the high and low bounds of estimates work. Mr. Amoroso requested town counsel answer the questions.

Mr. Giorgio said that the design of a public building is regulated by state statute, which requires a town to engage in certain phases when initiating a building project: design, schematic design, design development etc. Finance Committee amendment does not meet the requirements because it does not use the right terminology. He recommended the amendment be restricted to lowering the amount requested in the BOS motion. He reminded Town Meeting that negotiation is an executive function—town meeting appropriates the money.

There was some discussion on whether to amend the FinCom motion or to vote it down and have the FinCom make a second motion. The FinCom advocated the second approach.

Becky Neville moved the question on the amendment. Motion to vote now carried by 2/3, as declared by the moderator.

Action on the amended motion: Motion failed.

Mr. Scott moved to appropriate from Free Cash the sum of \$30K to continue the study phase including preliminary cost estimates.

Mr. Wagman asked how the BOS was going to keep us from spending \$25 million, yet keep the process moving. Mr. Amoroso said we all agree that \$25 million is too much. The approach is to meet our needs at the least possible cost. He suggested that voting the \$69.5 would actually save money in the long run.

Walker Royce, Barteau Ln., sees the effort at compromise but doesn't trust the process that led to such a high cost estimate. What assurances are there that residents will be involved? Mr. Amoroso said that all the meetings were open to the public. He is hopeful that more residents will be involved going forward.

Marie Cannon, Littlefield Rd., asked if the BOS knows what they could get done for \$30k. Mr. Gorman said they didn't know. She said that obviously the \$69.5K is a well-thought out estimate for a certain product. She spoke against the motion.

Jeff Scott said that the FinCom participated in SNAG to the extent they could. He said the \$30K is meant to define the "must haves" before going forward with design.

Brigid Bieber, Emanuel Dr., asked about the BOS moving forward, won't the Advisory Group still be involved? Mr. Gorman said that it would. She pointed out many of the town boards and professionals are represented on this advisory group. She spoke against the amendment.

Ms. Neville moved the question, which carried by 2/3, as declared by the moderator.

Action on the second motion to amend: Motion was defeated Yes: 46 No: 57

Ms. Neyland moved to vote now on the original motion. The motion to vote now carried by 2/3, as declared by the moderator.

Action on Article 21, Item A: Motion carried by majority vote.

MOTION #2

B. Police Department Accreditation

Mr. Fox moved to transfer from free cash the sum of Fourteen Dollars (\$14,000) for the purpose of providing for the accreditation of the Police Department.

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

This article will fund a one-time expense of \$14,000 for the Police Department to acquire the necessary training, tools and processes to become accredited through the Massachusetts Police Accreditation Commission. This will help ensure that Boxborough's law enforcement services are being delivered effectively, efficiently, and safely, while reducing risk to the officers and town.

The Police Chief has created or implemented more than 50 policies and procedures to safely and effectively guide the officers in their interactions with the public. These policies and procedures are under continuous review to ensure they correctly reflect ongoing changes to statutes, court findings and recognized best practices in law enforcement. The Police Chief wishes to use the formal, objective accreditation process to ensure that the officers have been provided with the most appropriate procedures and tools to guide them in their duties and interactions with the public. A combination of expert external review and on-going self-initiated evaluation will help ensure the Boxborough Police department meets and maintains standards that have been established for the profession, by the profession. The accreditation process will ensure that the department has a comprehensive and appropriate system of written directives and policies in place. Further, it will establish a quantitative method for the chief to verify on-going adherence to the standards it sets for itself. In the business world, external consultants are often used to review operations and advise on best practices. The Town's auditor annually reviews our financial and business practices to identify areas for improvement. Police Department accreditation is in the same spirit. The accreditation process will help ensure that the Police Department delivers law enforcement services according to a set of best practices and procedures that minimize risk to the town. The Selectmen recommend this prudent investment.

The Finance Committee recommends (5-1).

This item would add \$0.0143 per \$1,000 of valuation, or \$7.59 for an average priced house if not funded from available funds.

Amy Burke, FinCom member, said accreditation is "nice to have" not essential. She spoke against supporting the motion.

Action on Article 21, Item B: Motion carried by majority vote.

ARTICLE 22 ZONING BYLAW AMENDMENT – AMEND SECTION 2101 ACCESSORY STRUCTURE

(Two-thirds vote required)

John Markiewicz, member of the Planning Board, moved to amend Boxborough Zoning Bylaw Section 2101 Accessory Structure, to add the language in bold italics and to delete the language indicated by strikethroughs, as printed in the 2015 Annual Town Meeting warrant under Article 22.

2101 Accessory ~~Structure~~ Building shall mean a detached building or structure, subordinate to the principal building or use and located on the same lot therewith, the use of which is customarily incidental to such principal building or use.

The Planning Board recommends (3-0).

In the Zoning Bylaw there is currently no definition for “Accessory Building”, however, Section 5007 addresses Accessory Buildings as follows:

5007 Location of Accessory Buildings

No accessory buildings shall be located within the required front yard area. No accessory building shall be located in any side area nearer to the side lot line than ten (10) feet, or in a rear area nearer to the rear lot line than 10 feet, or nearer to another principal or accessory building than ten (10) feet. For the purpose of this Bylaw, a garage attached to a dwelling shall be considered an accessory building, provided that there is no occupiable or living space, that does not conform to the minimum setback for residential dwellings, above any part of the garage footprint.

This amendment would allow all constructions on a property to be grouped into one of three of the following definitions:

- Building, Principal (defined by Section 2116)
- Accessory Building (defined by Section 2101)
- Structure (defined by Section 2181)

The difference between a “Building” and a “Structure” would remain the same based upon their current definitions in the Zoning Bylaw (Section 2112 Building and Section 2181 Structure).

The Finance Committee has no recommendation since this article has no financial impact.

Action on Article 22: Motion carried unanimously.

ARTICLE 23 ZONING BYLAW AMENDMENT – AMEND SECTION 2152 MIXED-USE

(Two-thirds vote required)

Nancy Fillmore, member of the Planning Board, moved to amend Boxborough Zoning Bylaw Section 2152 Mixed-use, to add the language in bold italics and to delete the language indicated by strikethroughs, as printed in the 2015 Annual Town Meeting warrant under Article 23.

2152 Mixed-use shall mean any combination of two or more ***permitted*** of the following principal uses: ~~retail, office, dwelling.~~

The Planning Board recommends (3-0).

The current definition in the Zoning Bylaw is inconsistent with Section 4003 Use Regulation Schedule because in each zoning district there are permitted uses which can be located on the same property where at least one of the uses is not a retail, office, or dwelling use. Below are some examples of combinations of uses that are permitted in the same zoning district, but where at least one, if not both, of the uses is not a retail, office, or dwelling use:

- Manufacturing and Light Manufacturing
- Manufacturing and Landscape Contractors

- Manufacturing and Warehouse Use
- Day Care Center and Retail Store or Office Use
- Funeral Home and Retail Store or Office Use
- Sports/Athletic Facility and Retail Store or Office Use
- Repair Shop and Retail Store or Office Use
- Hotel and Retail Store or Office Use
- Bank and Day Care Center

This amendment would clarify that if a use is permitted in a zoning district, it can be located on a property with other permitted uses and would meet the definition of mixed-use.

The Finance Committee has no recommendation since this article has no financial impact.

Action on Article 23: Motion carried unanimously.

ARTICLE 24 ZONING BYLAW AMENDMENT – AMEND SECTION 4001 GENERAL

(Two-thirds vote required)

Ms. Fillmore moved to amend Boxborough Zoning Bylaw Section 4001 General under Section 4000 Use Regulations, to add the language in bold italics and to delete the language indicated by strikethroughs, as printed in the 2015 Annual Town Meeting warrant under Article 24.

4001 General

No structure shall be erected or used or land used except as set forth in Section 4003, “Use Regulation Schedule”, or in Section 4100, “Accessory Buildings and Uses”, unless exempted by Section 4100, or by statute. Where a use is not specifically mentioned in Section 4003, that use shall be prohibited.

Symbols employed below shall mean the following:

Y - a permitted use.

N - an excluded or prohibited use.

SP - a use authorized under special permit as provided under Section ~~9250~~**9200**.

The Planning Board recommends (3-0)

This is simply an administrative amendment to the Town’s Zoning Bylaw as there is no Section 9250 in the Bylaw. Section 9200 regarding Special Permits is the correct section that should be referenced.

The Finance Committee has no recommendation since this article has no financial impact.

Action on Article 24: Motion carried unanimously.

ARTICLE 25 ZONING BYLAW AMENDMENT – AMEND SECTION 6006 PARKING SCHEDULE

(Two-thirds vote required)

Hongbing Tang, member of the Planning Board, moved to amend Boxborough Zoning Bylaw Section 6006 Parking Schedule, to add the language in bold italics and to delete the language indicated by strikethroughs, as printed in the 2015 Annual Town Meeting warrant under Article 25.

6006 Parking Schedule

OFF-STREET PARKING REQUIREMENTS

Assembly area with fixed seats including auditoriums, churches places of worship , and	One space per four seats
--	--------------------------

similar uses including funeral parlors	
--	--

The Planning Board recommends (3-0).

This proposed amendment would change the word “churches” to “places of worship” in Section 6006 of the Boxborough Zoning Bylaw and clarify that all places of worship, including churches, synagogues, mosques, temples, etc., are held to the same off-street parking requirements. Additionally, it will make this section of the Zoning Bylaw consistent with existing zoning enforcement practices.

The Finance Committee has no recommendation since this article has no financial impact.

Action on Article 25: Motion carried unanimously.

ARTICLE 26 ZONING BYLAW AMENDMENT – AMEND SECTION 4003(1) RESIDENTIAL USES

(Two-thirds vote required)

Owen Neville, chair of the Planning Board, moved to amend Boxborough Zoning Bylaw Section 4003(1) Residential Uses, to add the language in bold italics and to delete the language indicated by strikethroughs, as printed in the 2015 Annual Town Meeting warrant under Article 26.

4003(1) RESIDENTIAL USES

	DISTRICTS						
	AR	R1	B	B1	OP	TC	IC
Bed and Breakfast	N <i>SP¹</i>	N <i>SP¹</i>	N	N	N	SP ¹	N

¹ See Section 5004

5004 Supplementary Intensity Regulations

- (1) For bed and breakfast in **AR, R1, and** TC district, not to exceed 4 guest rooms per acre, and to be designed as a single-family structure.

Explanation

Currently under the Town of Boxborough’s Zoning Bylaw, a Bed and Breakfast use is only permitted in the Town Center Zoning District with a Special Permit. This proposed amendment would permit Bed and Breakfast uses in the Agricultural-Residential (AR) and Residential-1 (R1) Zoning Districts by Special Permit as well.

The Planning Board recommends (3-0).

Under the existing Zoning Bylaw, Bed and Breakfast uses are only permitted in the Town Center Zoning District with a Special Permit. The Town Center Zoning District only covers a very small portion of the entire town and is likely not the only appropriate location for this particular type of use. In many communities Bed and Breakfasts are found within residential neighborhoods as they are often an additional or accessory use to the primary use of the property as some form of residence (single-family, two-family, etc.). Additionally, the structures in which Bed and Breakfast uses often operate have typically been, or are being, used for residential purposes. Allowing this use only through a Special Permit would still provide the Town with a control mechanism to regulate specific circumstances of the use in each particular instance to account for the interests of abutters and the community as a whole. The Planning Board feels that allowing this use by Special Permit in the AR and R1 Zoning Districts would provide a positive opportunity for residents in town and enhance the character of the community.

The Finance Committee has no recommendation since this article has no financial impact.

Jessica Eichelburg, Hill Rd., wondered how it would work and what the control mechanisms were. What if you live next door to someone who wanted to convert their house to a bed and breakfast? The Town Planner Adam

Duchesneau was recognized and spoke about the special permit process and the opportunities for abutters to be heard. She wondered if signage would be involved. He said that signage is already regulated. She asked if getting a bed and breakfast designation exempts you from certain zoning requirements. Mr. Duchesneau said that it did not.

Marie Cannon, chair of the Board of Health, said she was unaware of the new bylaw. She said there's a whole protocol involved with Title V, etc. Adam said that the BOH would be part of the Special Permit process.

Mr. van Roggen asked if the bylaw would allow people to rent out rooms through airbnb, for example. Mr. Duchesneau said that currently renting out rooms in a residential district is prohibited. With this amendment, it would be allowed by special permit.

Becky Neville moved the question. Motion to vote now carried unanimously.

Action on Article 26: Motion carried unanimously.

Mr. Amoroso moved to extend Town Meeting past 10:30 and continue to the end. Motion carried unanimously.

ARTICLE 27 ZONING BYLAW AMENDMENT – AMEND SECTION 6300 SIGNS

(Two-thirds vote required)

Mr. Neville moved to amend Boxborough Zoning Bylaw Section 6300 Signs, to add the language in bold italics and to delete the language indicated by strikethroughs, as printed in the 2015 Annual Town Meeting warrant under Article 27.

6300 Signs

6301 Purpose

The purposes of this section of the Zoning Bylaw are to promote the public health, safety, and welfare of users of Boxborough's streets, roads, and highways; to prevent visual distractions and obstructions from signs which can create traffic hazards; to enhance the visual quality of signage; to provide for adequate identification of the occupants and/or use of the premises; and to limit indiscriminate advertising.

6302 Administration

No sign shall be erected, displayed, altered, or enlarged until an application has been filed and a permit for such an action has been issued. All applications for signs shall include a scale drawing specifying dimensions, materials, illumination, letter sizes, colors, support systems and location on land or buildings, with all relevant measurements. Whenever a sign is proposed for a residential subdivision or on a building requiring site plan approval, the sign location, size, and illumination shall be approved by the Planning Board prior to the issuance of a sign permit by the Inspector of Buildings. Unless otherwise specified, sign permits shall be issued by the Inspector of Buildings if it is determined that the sign complies with all applicable sections of this Bylaw and the State Building Code, Article 14.

6303 General Requirements

Signs shall be consistent with or complement the building's construction materials. The use of materials such as wood or stone is encouraged. Sign lettering should complement the style and period of the building and should be compatible with the architectural style of the buildings. Signs should not obscure important architectural features or details such as transoms, windows, sills, moldings, and cornices. Traditional block and curvilinear styles which are easy to read are preferred. Signs on adjacent storefronts shall be coordinated in height, proportion, and

design. Colors shall complement the facade color of the building. Generally signs should not contain more than three **(3)** colors except when an illustration is used. Fluorescent colors are prohibited.

- (1) All signs shall be maintained by the owner in a clean, safe, and sanitary condition. The Inspector of Buildings may order removal of any signs that are not maintained or erected in accordance with the provisions of this section.
- (2) Any sign which shall have been abandoned for a period of sixty **(60)** days, or which advertises a product or identifies a business or activity which has not been sold or conducted on the premises for sixty **(60)** days shall be removed within thirty **(30)** days of notification to take such action from the Inspector of Buildings.
- (3) Sign Illumination. Any illuminated sign shall employ only white light of constant intensity and shall conform with Section 6200 of this Bylaw. ~~No sign shall be illuminated for more than 30 minutes after the closing of any store or business.~~ Internally lit signs are discouraged in Industrial-Commercial, Business and Office Park Districts and are prohibited in the Agricultural-Residential and the Town Center District.

6304 Prohibited Signs

- (1) No sign shall be erected that creates a traffic hazard or obstructs sight lines or distracts from signs regulating traffic.
- (2) No sign shall contain any moving, flashing or animated lights, or visible moving parts excepting portions of signs that may indicate the time of day, or the outdoor temperature for information of the general public.
- (3) Trailer type signs, roof signs, off-premises signs, and billboards are strictly prohibited.
- (4) Any sign not specifically covered in Section 6300.**

6305 Exemptions

The following signs shall not require a sign permit.

- (1) Signs erected or posted and maintained for public safety and welfare or pursuant to any governmental function, law, Bylaw, or other regulation.
- (2) A bulletin board or similar sign not exceeding twenty **(20)** square feet in display area **per side**, in connection with any ~~church~~ **place of worship**, museum, library, school, or similar public or semi-public structure.
- (3) Signs relating to trespassing and hunting, not exceeding two **(2)** square feet in area **per side**.
- (4) Temporary non-illuminated political signs.
- (5) Temporary, **non-commercial event** signs in connection with any ~~event sponsored or hosted by a church~~ **place of worship, school, museum, library, charitable organization, the town, or similar public or semi-public institution, or town event provided the sign is removed within seven (7) days following the completion of the event.**
- (6) The provisions of this Bylaw shall not apply to any accessory sign lawfully in existence at the time of adoption of this Bylaw (March 20, 1967) or the adoption of any amendments.
- (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 **(2)** 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.
- (8) Off-site and on-site temporary signs associated with a yard sale, garage sale, estate sale, etc. provided they are six (6) square feet or less per side, are posted no more than five (5) days in advance of the event, and shall be removed within twenty four (24) hours following the completion of the event.**
- (9) Off-site temporary signs associated with a real estate open house provided they are six (6) square feet or less per side, are posted no more than five (5) days in advance of the event, and shall be removed within twenty four (24) hours following the completion of the event.**
- (810) Temporary signs associated with tradesmen business, provided the following:**
- (a) The sign may indicate only the name of the business and contact information such as address, phone, email and/or web address;
 - (b) The sign shall be **six (6)** square feet or less **per side**;
 - (c) 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;
 - (d) Only one double-faced sign per tradesmen may be located on a property;
 - (e) The sign is located on the same property on which the tradesmen is currently conducting business;
 - (f) The property owner shall ensure that the sign is removed within seven (7) days following the completion of the work.
- (911) Temporary signs associated with a retail business, provided the following:**
- (a) The sign may indicate only the name of the business, the special event or sale of a product and price;
 - (b) The sign shall be **six (6)** square feet or less **per side**;
 - (c) 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;
 - (d) Only one double-faced sign per business may be located on a property, ~~with no more than a total of four signs on any one property;~~
 - (e) The sign is located on the same property on which the business is conducted;
 - (f) The sign is displayed only when the business is open to the general public;
 - (g) The sign is not illuminated or inflatable and does not have any moving parts.
 - (h) The sign ~~may be~~ displayed **during the first six (6) months after the new business initially opens, but subsequent to that time** not more than **ten (10)** days a month.

6306 Signs Permitted in Residential Districts shall include:

- (1) One sign displaying the street number and/or name of the occupant of the premises and/or pertaining to a permitted home occupation or accessory use, provided that such sign is no greater than one square foot in area **per side**.
- (2) One temporary sign pertaining to the lease or sale of the premises; such sign to be no greater than six **(6)** square feet in area **per side**, and shall be removed within seven **(7)** days of the lease or sale thereof.
- (3) One bulletin or announcement board, identification sign, or entrance marker pertaining to a permitted use on the premises other than a dwelling or accessory use thereto or pertaining to a use permitted by the Board of Appeals, provided that such sign shall not exceed ten **(10)** square feet in area **per side**.

- (4) One non-illuminated subdivision identification sign per street entrance provided that the sign shall not exceed ten **(10)** square feet in area **per side**.
- (5) Historical markers erected or placed by a bonafide historical association or a governmental agency.

6307 *Signs Permitted in Business Districts, Office Park Districts, and Industrial-Commercial Districts* shall include:

- (1) One wall sign per street frontage for each business or industrial establishment within. The aggregate of all such wall signs shall not exceed ten percent of the surface area of the wall to which said sign or signs is (are) attached and no wall sign shall extend above or beyond its wall.
- (2) One directory of establishments occupying a building at each public entrance thereto, not exceeding one square foot per establishment.
- (3) Temporary freestanding or ground signs may be erected on the premises to identify any building under construction, its owner, architect, builders, or others associated with it, provided that such sign shall not exceed thirty-two **(32)** square feet in area **per side** and ten **(10)** feet in height. Such sign shall be removed within seven **(7)** days of issuance of an occupancy permit.
- (4) A temporary freestanding pole or ground sign not exceeding thirty-two **(32)** square feet **per side** advertising the sale, lease or rental of the premises; however such sign shall be removed within seven **(7)** days of the sale, lease or rental thereof.
- (5) One freestanding, ground sign or signs affixed to poles or other ground supports may be permitted on special permit by the Board of Appeals. Such sign shall not be placed so as to obstruct sight lines along the public way, and shall not exceed thirty-two **(32)** square feet in area **per side** nor ten **(10)** feet in height above mean sea level elevation of the undisturbed ground directly beneath it. If necessary, a sign may be placed at the discretion of the Board of Appeals to afford visibility, providing it does not obstruct sight distances, traffic flow or roadway maintenance.

(6) *Historical markers erected or placed by a bonafide historical association or a governmental agency.*

6308 *Signs Permitted in the Town Center District*

Any new sign or alterations to existing signs shall require Design Review in accordance with Section 8100. Signs in the Town Center District should be oriented to the pedestrian. Buildings' facades shall not be cluttered with signs and signs shall not overpower the facades to which they are attached.

- (1) One projecting or wall sign per street frontage for each business establishment. The aggregate of all such signs shall not exceed one and a half **(1.5)** square feet of total sign area per linear foot of storefront or ~~10~~ **ten** percent of the wall area to which they are attached, whichever is less. No wall sign shall extend above or beyond its wall, and projecting signs shall have a minimum clearance of eight **(8)** feet from the bottom of the sign.
- (2) One sign displaying the street number and/or name of the occupant of the premises provided that such sign is no greater than one (1) square foot in area.
- (3) One directory of establishments occupying a building at each public entrance thereto, not exceeding one (1) square foot per establishment.
- (4) Temporary freestanding or ground signs may be erected on the premises to identify any building under construction, its owner, architect, builders, or others associated with it, provided that such sign shall not exceed twenty (20) square feet in area **per side** and ten (10) feet in height. Such sign shall be removed within seven **(7)** days of issuance of an occupancy permit.
- (5) A temporary freestanding pole or ground sign not exceeding twenty (20) square feet **per side** advertising the sale, lease or rental of the premises; however such sign shall be removed within seven **(7)** days of the sale, lease or rental thereof.

(6) One freestanding, ground sign or signs affixed to poles or other ground supports may be permitted on special permit by the Board of Appeals. Such sign shall not be placed so as to obstruct sight lines along the public way, and shall not exceed twenty (20) square feet in area *per side* nor ten (10) feet in height above mean sea level elevation of the undisturbed ground directly beneath it. If necessary, a sign may be placed at the discretion of the Board of Appeals to afford visibility, providing it does not obstruct sight distances, traffic flow or roadway maintenance.

(7) *Historical markers erected or placed by a bonafide historical association or a governmental agency.*

(78) Materials such as wood or stone shall be used. Plastic signs and internally lit signs are not appropriate in the Town Center and are expressly prohibited.

The Planning Board recommends (3-0)

The proposed amendment makes a number of adjustments to Section 6300 Signs, some of which are administrative and others which are more substantive. Throughout this section, all numerical values were updated to include both a word and number for clarification. Removing the provision limiting the illumination of business signs to only 30 minutes after closing will make the Zoning Bylaw slightly more business friendly while still maintaining the spirit of the bylaw. Lighting for signage is already regulated by Section 6204 Lighting which restricts the angle of illumination to 15 degrees below the horizontal or lower. Additionally, many signs require Special Permit approval and further limitations can be placed on the lighting of these signs by the Board of Appeals.

The wording “per side” was added in a number of places to clarify what the Planning Board feels is the intent of the bylaw and how this section is being currently enforced. In all cases, unless specified otherwise, the permitted square footage for a particular sign applies to each side of a proposed sign. Also, to eliminate any confusion or misinterpretation as to which types of signs are not permitted, language was added under Section 6304 Prohibited Signs to specify that any sign not discussed in Section 6300 is simply not allowed. Another amendment clarifies the applicability of temporary signs and added the public school system as an entity which is allowed to have temporary signage regarding events. The public school system has posted temporary signs in the community for a number of years and this change simply makes them conforming to the bylaw. The timeline for removal of seven (7) days after the event ensures the signage will truly be temporary in nature and gives the Building Inspector standing to remove the signage when necessary.

The Planning Board is also supportive of the two provisions which address yard/garage/tag/estate/etc. sales and real estate open house signs. The bylaw does not speak to these type of signs currently and these amendments help clarify their allowance and how they are regulated. To encourage and aid new businesses in town, the Planning Board supports the provision which allows a business to erect a temporary sign for the first six (6) months of operation. This will provide another means for a business to make people aware of its existence and help them to establish a presence in the community. Subsequent to the first six (6) months, the temporary sign would need to comply with the existing ten (10) days per month limitation. Provisions for historical markers have also been added to allow these types of signs to be erected by a bonafide historical association in all zoning districts in town. Currently, historical markers are not permitted in the Business, Office Park, Industrial-Commercial, or Town Center Zoning Districts, and there are historical structures located in these districts or may be in the future. The Planning Board is supportive of this change as historical structures in town should be identified and acknowledged appropriately.

The Finance Committee has no recommendation since this article has no financial impact.

Ms. Eichelburg asked whether there could be a bed and breakfast with a sign illuminated all night. Mr. Neville said the special permit would address that.

Becky Neville asked about signs at the corner of Middle and Stow Roads. Mr. Toups had a question about 11d—could multiple businesses on a site each have a sign. Yes—one per business.

Ms. Canfield asked about illumination—why allow it all night? She thought it detracted from the rural character.

Ms. Nolde agreed.

Kathy Becker, Burroughs Road, a former member of the Zoning Board of Appeals, and said that the more that's allowed in one area, the more that will be allowed everywhere.

Ms. Canfield moved to amend the motion by eliminating the strikeout in section 6303 item 3.

Mr. Wagman asked why this section was amended. Mr. Neville said that this was seen as being friendly to business. He didn't recall if anyone asked for it.

Mark White asked if it applied to the church? Mr. Neville said that it applies to stores and businesses.

Katie Neville, Middle Road, moved to vote on the amendment. Motion to vote now carried by 2/3, as declared by the moderator.

Motion to amend Article 27 by eliminating the strikeout of section 6303 item 3 carried by majority vote.

Action on Article 27: Motion, as amended, carried unanimously.

**ARTICLE 28 ZONING BYLAW AMENDMENT – AMEND SECTION 2190 WIRELESS
COMMUNICATION FACILITY AND SECTION 7400 WIRELESS
COMMUNICATION FACILITIES**

(Two-thirds vote required)

Mr. Neville moved to withdraw Article 28, **“Zoning Bylaw Amendment – Amend Section 2190 Wireless Communication Facility and Section 7400 Wireless Communication Facilities”** from the 2015 Annual Town Meeting warrant.

Mr. Neville provided the rationale for withdrawing the motion. At the public hearing feedback from residents that they were concerned about the scope. The Planning Board voted at their last meeting to withdraw the motion.

Action on Article 28: Motion to withdraw Article 28 carried unanimously.

2190 Wireless Communication Facility shall mean a facility for the reception and transmission of ~~personal~~ wireless communication signals including towers, antennas, panels, and appurtenant structures designed to facilitate the following types of services; ***including, but not limited to:*** cellular telephone services, personal communication systems, ~~and~~ enhanced specialized mobile radio service, ***and other commercial or governmental systems.***

7400 Wireless Communication Facilities

7401 Purpose

The purposes of this Bylaw are as follows:

- (1) to minimize adverse impacts of wireless communication facilities on residential neighborhoods and the community;
- (2) to encourage the shared use of facilities to reduce the need for new facilities; and
- (3) to limit the overall number and height of facilities to what is necessary to serve the public.

7402 Applicability

This Section shall apply to reception and transmission facilities for ~~the purpose of personal~~ wireless communication ~~services~~ ***systems operated by a public utility, commercial entity, or other public or private entity.*** This Bylaw shall not apply to towers or antennas installed for use by a federally licensed amateur radio operator.

7403 General Requirements

Wireless Communication Facilities shall be allowed only in the Wireless Communication Facilities Overlay District only upon issuance of a special permit in accordance with the provisions of MGL Chapter 40A, § 9, this Bylaw and any rules and regulations adopted hereunder. **Wireless Communication Facilities erected by a local, state, or federal government entity for the purposes of public safety shall be permitted in any zoning district upon issuance of a special permit.** The Board of Appeals shall be the Special Permit Granting Authority for Wireless Communication Facilities.

- (1) Wireless Communication Facilities should be concealed within existing structures where possible.
- (2) Lattice style towers and similar facilities requiring more than one leg or guy wires for support are prohibited.
- (3) All structures associated with wireless communication facilities shall be removed within one year of cessation of use.
- (4) The tower height shall not exceed 100 feet measured from the base of the tower to the highest point of the tower including anything on it.
- (5) All towers shall be set back from lot lines a minimum of the height of the tower except where the tower abuts the right of way of Route I-495 and Route 2 where the setbacks shall be the minimum permitted by the Commonwealth of Massachusetts. All towers shall be setback a minimum of 500 feet from any school building.
- (6) No tower shall be located within 1500 feet of another such tower.
- (7) Any utilities servicing a tower shall be located underground.
- (8) Lighting of wireless communication facilities shall be limited to low level security lighting installed at or near ground level, except for lighting required by the Federal Aviation Administration (FAA).
- (9) Fencing shall be provided to control unauthorized access to the tower. All equipment areas shall be landscaped and screened from public view.
- (10) The facility shall contain one sign no greater than one square foot that provides the phone number where the operator in charge can be reached on a 24-hour basis.

7404 Criteria

A special permit for a wireless communication facility shall not be issued unless the Special Permit Granting Authority finds the following:

- (1) Existing or approved facilities cannot accommodate the applicant's proposal.
- (2) The facility has been designed to accommodate the maximum number of providers but in no case less than three (3).
- (3) The applicant has agreed to allow other service providers to co-locate on the tower, now, or at any time in the future.
- (4) The tower has been designed, using the best available technology, to blend into the surrounding environment through the use of color, camouflaging techniques, or other architectural treatments.
- (5) The facility has been designed to minimize adverse visual impacts on the abutters and the community as demonstrated by illustrations and by a balloon test performed in accordance with any requirements adopted by the Board of Appeals.
- (6) The facility is sited in such a manner that it is screened, to the maximum extent possible, from public view.

- (7) A qualified engineer has certified that the facility is designed to meet all health and safety standards of applicable state and federal law.

7405 Conditions

Before approving any special permit under this Section, the Special Permit Granting Authority may impose conditions, safeguards, and limitations to assure that the proposal is in harmony with the general purpose and intent of this Bylaw.

7406 Bonding

Prior to the issuance of a building permit the Special Permit Granting Authority may require a performance guarantee to ensure compliance with the plan and conditions set forth in their decision.

The Planning Board recommends (3-0).

This amendment broadens the definition for a Wireless Communication Facility to ensure it includes all types of wireless communication systems and their equipment. Section 7402 Applicability, has also been broadened to ensure it also includes all types of wireless communication systems and their equipment. The proposed amendment to Section 7403 General Requirements, would allow Wireless Communication Facilities to be erected by local, state, or federal government entities for the purposes of public safety outside of the Wireless Communication Facilities Overlay District, and with a Special Permit from the Board of Appeals. With these amendments to the definition of Wireless Communication Facility, the Planning Board feels confident that all types of Wireless Communication Facilities are now covered by the definition and can be regulated appropriately by the Zoning Bylaw. Additionally, the amendments to Section 7400 regarding Wireless Communication Facilities would address the regulatory issues that have arisen with the implementation planning for the enhancement of the Police and Fire Department communication system. The most appropriate locations for the relay towers for their communication system may need to be located outside of the Wireless Communication Facilities Overlay District and these amendments would allow this to occur, but still give the Town, more specifically the Board of Appeals, the authority to regulate these facilities. This will ensure the concerns of abutters regarding these facilities, which would be installed for public safety purposes, could still be addressed.

The Finance Committee has no recommendation since this article has no financial impact.

ARTICLE 29 SUBMITTED BY PETITION - RESTORING AND MAINTAINING CONSTITUTIONAL GOVERNANCE RESOLUTION OF BOXBOROUGH, MASSACHUSETTS

Loretta Crowley, petitioner, moved Article 29 as printed in the handout:

WHEREAS, the Town of Boxborough, Massachusetts is not a “battlefield” subject to the “laws of war;” and

WHEREAS, Federal Judge Katherine Forrest has ruled Section 1021(b)(2) of the 2012 NDAA, H.R.1540 unconstitutional; and

WHEREAS, the use of the words "any person" changes the original intent; and

WHEREAS, the term "belligerent act" is a broad and undefinable term; and

WHEREAS, the U.S. Supreme Court has ruled that neither Congress nor the President can

Constitutionally authorize the detention and/or disposition of "any person" in the United States, or citizen

of the United States “under the law of war” ~~who is not serving “in the land or naval forces, or in the Militia, when in actual service, in time of War or public danger;”~~ and

WHEREAS, for the purposes of this resolution, the terms “arrest,” “capture,” “detention under the law of war,” “disposition under the law of war,” and “law of war” are used in the same sense and shall have the same meaning, as such terms have in the 2012 NDAA, Section 1021(c); and therefore

BE IT RESOLVED, that notwithstanding any treaty, federal, state, or local law or authority, enacted or claimed, including, but not limited to, an authorization for use of military force, national defense authorization act, or any

similar law or authority enacted or claimed by Congress or the Office of the President directed at "any person" in the Town of Boxborough, ~~who is not serving "in the land or naval forces, or in the Militia, when in actual service, in time of War or public danger,"~~ it is unconstitutional, and therefore unlawful for any person to:

- a. arrest or capture "any person" in Boxborough, or citizen of Boxborough, within the United States, with the intent of "detention under the law of war," or
- b. actually subject "any person" in Boxborough, to "disposition under the law of war," or
- c. subject "any person" to targeted killing in Boxborough, or citizen of Boxborough, within the United States; and be it further

RESOLVED, that the Town of Boxborough requests the Massachusetts State Legislature recognize the duty of the Commonwealth of Massachusetts to interpose itself between unconstitutional usurpations by the federal government or its agents, either foreign and/or domestic, and the inhabitants of this Commonwealth, as well as the duty to defend the unalienable natural rights of the people, all of which is consistent with our oaths to defend the Constitution of the United States and the Constitution of the Commonwealth of Massachusetts against all enemies, foreign and domestic; and be it further

RESOLVED, that the Town of Boxborough, requests our Congressional delegation commence immediately with renewed efforts to repeal the unconstitutional sections of the NDAA, towit, sections 1021(b)(2) and 1021(c)(1) and 1022(a)(3) and 1022(a)(4) , any other section or provision which will have the same, or substantially the same effect, on "any person" in the United States ~~not serving "in the land or naval forces, or in the Militia, when in actual service, in time of War or public danger,"~~ and be it finally

RESOLVED, that the Town of Boxborough requests our Congressional delegation to introduce, support, and secure the passage of legislation which clearly states that Congress not only does not authorize, but in fact prohibits the use of military force, military detention, military trial, extraordinary rendition, or any other power of the "law of war" against "any person" in the United States ~~not serving "in the land or naval forces, or in the Militia, when in actual service, in time of War or public danger."~~

Recognizing our duty to defend the Constitutions of the United States and the Commonwealth of Massachusetts, as well as recognizing the duty of the people to protect our unalienable natural rights to "life, liberty, and the pursuit of happiness" as articulated in the Declaration of Independence, we, the Town **Meeting** of the Town of Boxborough, Massachusetts, do hereby adopt this Resolution.

Summary (provided by Petitioner)

The National Defense Authorization Act (NDAA) is used to fund our Military. Until 2012, it referred to Military operations and matters, mainly, outside of our nation. Why were sections 1021 & 1022 added to the NDAA, if we already had The Patriot Act and the Authorization for Use of Military Force in place? What makes it different?

Extensive legal analysis of these sections have been done. The conclusion is, the 2012 NDAA has legalese that is dangerously vague, which authorizes the indefinite military detention, without charge or trial, of any person, including an American citizen. This brings the "Laws of War" to U.S. soil and infringes our Constitution of the United States, as well as our Massachusetts Constitution.

Other documents associated with these new provisions are E.O. 13567, 13492, 13493, a Signing Statement, and PPD-14.

In the law suit (Hedges v. Obama), Judge Katherine Forrest Ruled in favor of Hedges, giving an Opinion and Order, inviting Congress to Amend Section 1021(b)(2). After Government Appeal of the Preliminary Injunction, a Permanent Injunction was Ruled against Section 1021(b)(2), unprecedented, yet telling. Further appeal, favored the Administration, forcing continuous attempts to remedy this overreach.

Over 75 States, Cities, and Towns have introduced legislation and/or resolutions, passed legislation and/or resolutions or nullified these provisions.

The Domestic application of the 2012 NDAA Sections 1021 & 1022 are a "dangerous development," as quoted in the Injunction.

For more info visit ACLU.org on NDAA.

A “No” Vote would enable this developing, dangerous practice to continue, allowing constitutionally relaxed changes to occur quicker than we can keep-up with.

A “Yes” Vote would honor constitutional rights, we share, discouraging the unconstitutional, Standing Armies and the Liabilities that accompany them. A Yes Vote would, also, discourage the Militarization of Policing organizations both foreign and/or domestic, within our homeland and town borders. Militarization creates emotional reactions that need to be avoided. Keeping level-headed authority figures, is the desired objective.

Ms. Crowley made a presentation in support of her motion.

The Board of Selectmen unanimously does NOT recommend (5-0).

The Board of Selectmen recommends a "no" vote on Petition Article 29 because it is unnecessary, unconstitutional, and would undermine the principles of Federalism on which our government is based.

1) It is unnecessary because the danger it complains of does not exist. It is a remedy in search of a wrong. The Petition claims that the National Defense Authorization Act of 2012 ("NDAA") "authorizes the indefinite military detention, without charge or trial, of any person, including an American citizen". It bases this on an injunction issued by a lone Federal judge. However, the Appeals Court first stayed the injunction, saying: "*On its face, the statute does not affect the existing rights of United States citizens or other individuals arrested in the United States.*" Then, after a full hearing, the Appeals Court voted unanimously to overturn the injunction, ruling that the law: "*simply says nothing about the government's authority to detain citizens.*" The United States Supreme Court allowed that ruling to stand.

2) The Petition is unconstitutional because it violates the Supremacy Clause of the United States Constitution. It would have Boxborough ask the Massachusetts legislature to "interpose itself" between the Federal government and Massachusetts residents and asserts that states, cities, and towns have the right to "nullify" Federal laws they oppose.

The doctrines of "**interposition**" and "**nullification**" invoked by the Petition have a long history. They were used before the Civil War by supporters of states' rights to argue that the states, not the Federal government, determine the extent of Federal power. That argument was effectively settled by the Union victory in the Civil War.

Interposition and **nullification** were again used by Southern states in the 1950's in an attempt to perpetuate racial segregation. When the Supreme Court in *Brown v. Board of Education* ordered Little Rock, Arkansas to integrate its public schools, the state legislature interposed itself between the Federal government and Arkansans by amending the state constitution so as to nullify Federal law requiring desegregation.

Dr. Martin Luther King, Jr. spoke out against the doctrines at the Lincoln Memorial in 1963 when he said:

*"I have a dream that one day down in Alabama with its vicious racists, with its governor having his lips dripping with the words of **interposition** and **nullification**, one day right there in Alabama little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers."*

And, in 1958, the Supreme Court in *Cooper v. Aaron* rejected the doctrines of **interposition** and **nullification** as unconstitutional. That remains the law of the land today.

3) Finally, the Petition would undermine the principles of Federalism on which our government is based by encouraging other states, cities, and towns to pick and choose which Federal laws they will obey. The unconstitutional and spurious doctrines of **interposition** and **nullification** are once again being used to disobey Federal laws. Thirteen states have tried to nullify the Patient Protection and Affordable Care Act, or

"Obamacare". Eight states have tried to nullify Federal firearms regulations. Earlier this year the Chief Justice of the Alabama Supreme Court ordered probate judges and state employees to disobey a Federal court order by refusing to issue licenses for same-sex marriages. And there is an organized campaign to nullify Roe v. Wade and take away a woman's right to choose.

Boxborough should not lend its support to an unnecessary and unconstitutional action that would encourage other states, cities, and towns to disobey the law.

The Finance Committee has no recommendation since this article has no financial impact.

Action on Article 29: Motion failed.

CONSENT AGENDA Articles 30-32

Mr. Amoroso moved to approve the consent agenda, articles 30 through 32, inclusive, as printed in the Annual Town Meeting warrant under articles 30 through 32 inclusive, except for Article 31, insert the words "up to" between "exemptions" and "100".

Action on Articles 30 through 32 inclusive: Motion carried unanimously.

ARTICLE 30 ACCEPTANCE OF CODMAN HILL ROAD SIDEWALK EASEMENT**

(Majority vote required)

Mr. Amoroso moved, as part of the Consent Agenda, that the Town vote to accept the perpetual, non-exclusive right and easement in gross over, under and upon the certain strip of land in Boxborough, Middlesex County, Massachusetts, shown as "Proposed Sidewalk Easement" on a plan entitled "'CRAFTSMAN VILLAGE AT ELIZABETH BROOK' SIDEWALK EASEMENT, # 55, # 57, # 59, & # 61 CODMAN HILL ROAD, BOXBOROUGH, MASS. OWNED BY: CRAFTSMAN VILLAGE BOXBOROUGH CONDOMINIUM" dated Mar. 31, 2015, prepared by Lothian Survey, LLC, 239 Stevens Street, Marlborough, MA 01752, which plan is recorded herewith (the "Easement Premises"). The Easement Premises are located on property of Craftsman Village Boxborough, LLC ("Grantor") off Codman Hill Road, Boxborough, Massachusetts (the "Property").

Included in this grant is the perpetual, non-exclusive right and easement in gross for the Town of Boxborough, Massachusetts ("Grantee") to use the Easement Premises in common with Grantor and others from time to time entitled to use same for all purposes for which sidewalks are now or hereafter may be used in the Town of Boxborough, Massachusetts, including without limitation inspecting, installing, constructing, repairing, removing, replacing, clearing, operating, maintaining and using a public sidewalk, together with the perpetual right and easement to enter upon said Easement Premises with any and all material and equipment necessary from time to time for all purposes stated herein and uses incidental thereto. Grantee shall have the right hereunder to permit members of the public to use the Easement Premises.

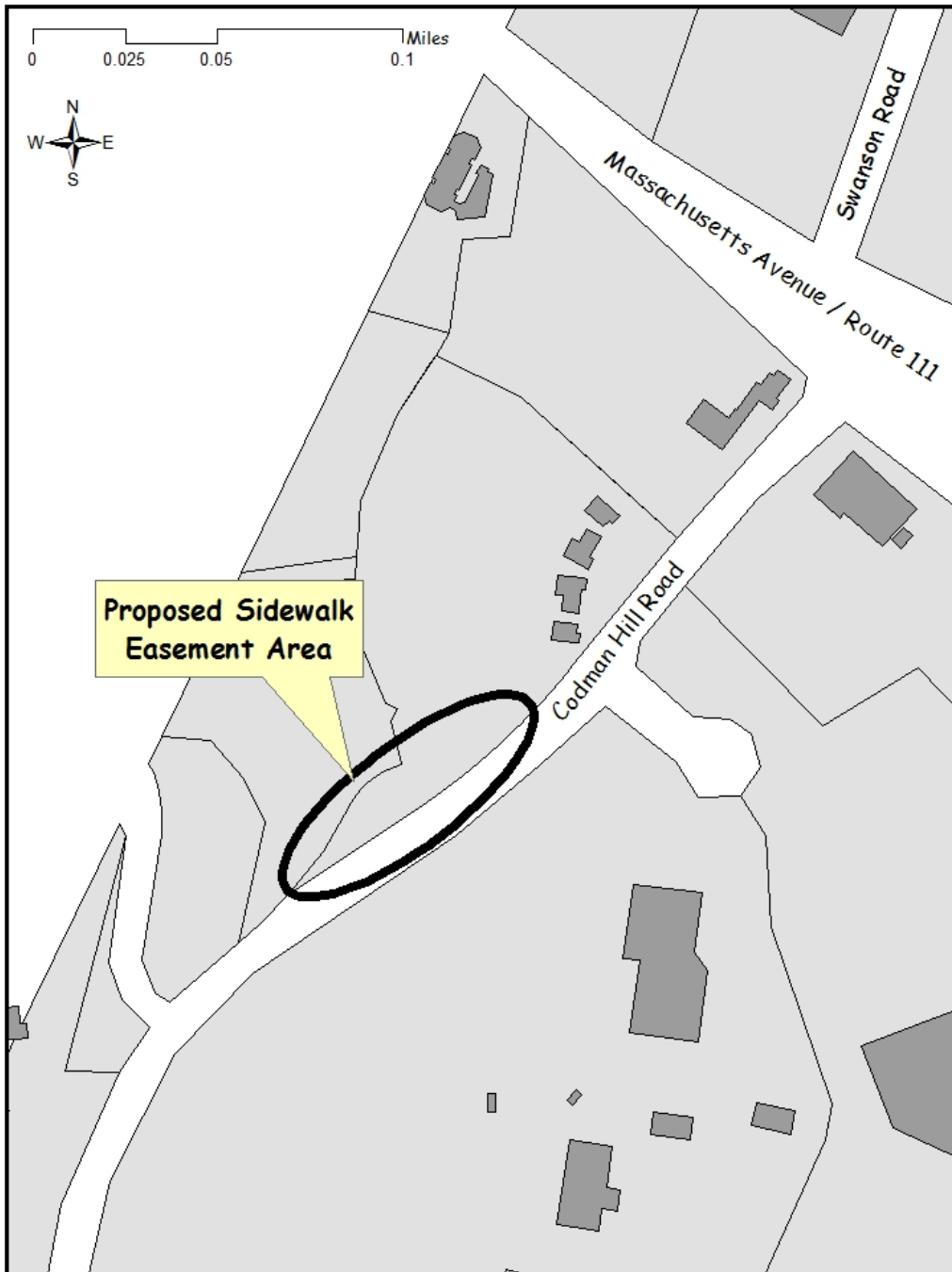
Explanation

As part of the Craftsman Village 40B Comprehensive Permit Development located at 55-61 Codman Hill Road, Post-Construction Condition # 6 required the Applicant to provide an executed easement to the benefit of the Town for the sidewalk that is located outside of the Codman Hill Road right-of-way. This article is seeking Town Meeting to accept this easement to permit public access on the sidewalk/pathway that has been created on private property.

The Finance Committee recommends (6-0).

Action on Article 30: Motion carried unanimously as part of the Consent Agenda.

CODMAN HILL ROAD SIDEWALK EASEMENT



**ARTICLE 31 ACCEPTANCE OF MGL CH 59, S 5C ½ - PERSONAL REAL ESTATE
EXEMPTIONS****

(Majority vote required)

Mr. Amoroso moved, as part of the Consent Agenda, that the vote to accept the provisions of G.L. c.59, §5C1/2, inserted by Section 14 of Chapter 62 of the Acts of 2014, for the purpose of increasing the real estate tax exemptions by up to 100 percent to all persons who qualify for property tax exemptions under Clauses 17, 17C, 17C1/2, 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C or 43 of G.L. c. 59, §5; or take any other action relative thereto.

Summary

The 2014 legislation makes it possible for the Town to accept Section 5C 1/2 once and thereby set the percentage at which to grant certain real estate tax relief for the elderly, disabled and veterans who qualify for certain additional property tax exemptions which would otherwise need to be voted annually if the legislation were not accepted by the Town.

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

Anyone with questions or who might wish to take advantage of these tax exemptions should contact the Town Assessor, Ruth Anderson, at 978-264-1720 or by e-mail to: randerson@boxborough-ma.gov.

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

This is a personal property tax exemption for qualifying senior citizens, disabled veterans and other individuals. Historically, Boxborough has historically voted each year to grant 100% of the allowed personal exemption amount. The State Legislature recently passed legislation under MGL Chapter 59, Section 5C ½ which allows the exemption percentage voted at the beginning of the fiscal year to apply until the Town votes to change the percentage. In other words, unless the Town decides to change the percentage of the exemption, the new law no longer requires that the Town vote this exemption every year.

The Finance Committee recommends (6-0).

Action on Article 31: Motion carried unanimously as part of the Consent Agenda.

ARTICLE 32 CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM**

(Majority vote required)

Mr. Amoroso moved, as part of the Consent Agenda, that the vote to authorize the Board of Selectmen to accept Highway funds from the Commonwealth of Massachusetts and that such funds are hereby appropriated for the purpose of providing highway improvements under the authority of Chapter 90 of the General Laws, and any other applicable laws; or take any other action relative thereto.

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

This article authorizes the Town to spend Chapter 90 roadway maintenance funds allocated to Boxborough by the Commonwealth of Massachusetts.

The Finance Committee recommends (6-0).

Action on Article 32: Motion carried unanimously as part of the Consent Agenda.

Mr. Neville moved to dissolve Annual Town Meeting at 10:55pm. Motion carried.