

**TOWN OF BOXBOROUGH  
SPECIAL TOWN MEETING MINUTES  
DECEMBER 4, 2017**

**LIST OF ARTICLES**

1. ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT BUILDING PROJECT: FEASIBILITY STUDY, PRELIMINARY DESIGN AND OWNER'S PROJECT MANAGER FUNDS
2. AMEND FY2018 BUDGET
  - A. BOARD OF SELECTMEN (DEPT. 122)
  - B. COUNCIL ON AGING (DEPT. 541)
3. LAND PURCHASE FOR MUNICIPAL FACILITY
4. PAYMENT-IN-LIEU-OF-TAXES (PILOT) AGREEMENT FOR SOLAR PHOTOVOLTAIC FACILITY
5. AMEND PERSONNEL ADMINISTRATION PLAN CLASSIFICATION AND COMPENSATION SCHEDULE
6. REPLACE TOWN-WIDE PHONE SYSTEM (INCLUDING LIBRARY)

**CONSENT AGENDA**

7. AMEND BORROWING AUTHORIZATION UNDER ATM 2017 ARTICLE #32B TO INCLUDE POLICE COMMUNICATIONS EQUIPMENT\*\*
8. PAYMENT OF PRIOR FISCAL YEAR BILL\*\*
9. GENERAL BYLAW AMENDMENT – AMEND ANNUAL TOWN MEETING BYLAW\*\*
10. ROAD LAYOUT ALTERATION - EMANUEL DRIVE\*\*
11. TRANSFER FROM FREE CASH TO RECEIPTS RESERVED FOR APPROPRIATION FOR CAPITAL PROJECTS ACCOUNT\*\*

**LEGEND**

\*\* CONSENT AGENDA

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, December 4, 2017 at 7:00 p.m. to act on Articles 1 through 11 of this Special Town Meeting Warrant.

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**CONSENT AGENDA**

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 the Consent Agenda.

All of the articles to be taken up on the Consent Agenda are indicated by a double asterisk (\*\*).

**THE CONSENT AGENDA WILL BE TAKEN UP AFTER CONSIDERATION OF ARTICLE 6.**

At the call of the Consent Agenda, 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.

Please carefully review the list of articles proposed for each Consent Item. Summaries are included under many of the articles printed in this warrant.

John Fallon, Town Moderator, thanked people for their contributions to the Food Pantry. He called the Special Town Meeting to order at 7:10pm. There were 245 registered voters in attendance. He made some introductions of staff members and others, and went over the process used for participating in this town meeting.

Susan Bak, chair of the BOS, 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.

**Action on the motion on reconsideration: Motion carried by majority vote.**

## **ARTICLE 1 ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT BUILDING PROJECT: FEASIBILITY STUDY, PRELIMINARY DESIGN AND OWNER'S PROJECT MANAGER FUNDS**

(Majority vote required)

Mary Brolin, Chair of the ABRSD Building Committee, moved that the Town hereby approves the appropriation of \$1,300,000 from Certified Excess and Deficiency funds of the Acton-Boxborough Regional School District for the purpose of paying the costs of a feasibility study and schematic design relating to the C. T. Douglas Elementary School Statement of Interest, including the payment of all costs incidental or related thereto (the "Study"), and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the District's School Building Committee; that the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that the District may receive from the MSBA for the Study shall be as set forth in the Feasibility Study Agreement that may be executed between the District and MSBA.

### **Summary**

On February 15, 2017, the Acton-Boxborough Regional School District was approved by the Massachusetts School Building Authority (MSBA) for invitation into the "Eligibility Period" for a possible elementary school building project. The proposed plan is to build a twin elementary school to replace the Douglas and Gates elementary schools, which are 50+ years old and have never been renovated. Space in the new twin school will also be built for the district preschool, which is currently located in the district 60 year old Administration Building.

The preferred location of the new twin school would be on the Gates property with Conant as a possible alternative site. It will be built next to the existing school which will continue operating during construction. If it is built on the Gates site, Douglas and Gates will be torn down to make room for parking and playgrounds. The Douglas and Gates property will be treated as a single campus with a walkway between them.

The warrant article at the December 4, 2017 Special Town Meeting is to ask voters to approve funds to conduct a Feasibility Study for the new school. The cost for the study will be \$1.3 million. The state MSBA will reimburse 45.3%, or \$590,000. If the Town Meetings approve the design funds, the remaining \$710,000 will be paid through the use of the school district reserve fund. The warrant article requests the appropriation of the full \$1.3 million, but MSBA will provide reimbursement throughout the process. The result will be a use of \$710,000 from school district reserves. This will not increase current taxes or assessments to the two towns.

### **Background**

The district underwent a two-year Master Planning process which identified capital needs for all eight schools. Five of the schools have been renovated or built new in the last 15-20 years. Gates, Conant, and Douglas are still housed in the original facilities. These three buildings were determined to be the schools most in need of repair and the most overcrowded. The district submitted a request to the MSBA, and was one of only 17 districts in the state approved for reimbursement out of 87 that applied. The MSBA agreed that the schools are significantly overcrowded and that the facilities must be updated.

While enrollment for the district has decreased by 400 students from the peak in 2010, enrollment has started to increase again at the lower grades, and it is expected to continue to increase in the next few years. Examples of overcrowding include three special education programs sharing a temporary modular classroom which can only be accessed through the cafeteria and student services (English language learning, occupational therapy,

physical therapy, reading support, etc.) being provided in hallways and former storage areas or closets. The needs of our students have changed in ways that require more space. We have 280 English learners, 10% of our students are economically disadvantaged, and we have added in-district special education programs to serve our most vulnerable students.

The feasibility study is expected to last 18 months. The result will be a design for the twin school and a solid cost estimate to bring to the two communities for approval. Current broad cost estimates for the complete project are between \$100 million and \$120 million. The state reimbursement is estimated at 40% - 45%. The state would pay \$40 million - \$54 million. Based on our Regional Agreement, the Town of Acton would be responsible for \$45 million - \$60 million and the Town of Boxborough would be responsible for \$10 million - \$12 million. Without approval, the two towns would be left to fully fund repairs and renovations over the next several years.

**The Acton-Boxborough School Committee recommends unanimously.**

The Acton-Boxborough Regional School Committee (the "District") unanimously approved to appropriate the amount of \$1,300,000 for the purpose of paying the costs of a feasibility study and schematic design relating to the C. T. Douglas Elementary School Statement of Interest, including all costs incidental or related thereto (the "Study"), said amount to be expended at the direction of the District's School Building Committee. To meet this appropriation, the District is authorized to utilize Certified Excess and Deficiency funds pursuant to Massachusetts General Laws and the Agreement for a Regional School District for the Towns of Acton and Boxborough, Massachusetts (Revised July 1, 2014). The District acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District; provided further that the amount of the use of Excess and Deficiency Funds pursuant to this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the District and MSBA.

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

The Acton-Boxborough Regional School District has engaged in a comprehensive capital study and master planning process. The study identified capital needs across the District, with the greatest needs at the Douglas, Gates and Conant elementary schools. The District was proactive in seeking and getting support from the Massachusetts School Building Authority (MSBA), and was 1 of only 17 districts in the state approved for reimbursement out of 87 that applied. The MSBA agreed that the schools are significantly overcrowded and that the facilities must be updated. In February 2017, the Acton-Boxborough Regional School District was approved by the Massachusetts School Building Authority (MSBA) Board of Directors for invitation into the "Eligibility Period" for an elementary school building project involving the Douglas School.

The \$1.3 million requested in this article will be used for a feasibility study that requires a comprehensive review of building new versus renovations/additions and confirmation of the new alternative(s) for the identified preferred option. Included in the Feasibility Study will be: detailed site survey(s); assessment of wetlands and boundaries and other civil engineering aspects such as site suitability and buildability; traffic study; architectural fees for a schematic design of the new school and site that will provide a detailed cost estimate to use for the final project agreement with the Towns and MSBA for reimbursement; and an Owner's Project Manager who will represent the District throughout the process. MSBA will reimburse 45.3% of the cost at \$590,000, leaving the District responsible for the remaining \$710,000, which will be paid for from the District's Reserve Fund.

We recognize the need for this project and support the work the Acton-Boxborough Regional School District has done to date and the partnership with MSBA, as well as the use of reserves to cover this cost. We believe this project will benefit Boxborough as we are a partner in the Region and some of our children will likely attend school at the new building. We also recognize that Boxborough has benefitted from capital work done at Blanchard since regionalization and will continue to benefit as new capital work is done over the years, all while paying only our proportional share of about 15%.

**The Finance Committee recommends (5-0).**

The AB regional elementary schools of Douglas, Conant and Gates are in need of major repairs. The AB regional school committee, along with the MSBA (Massachusetts School Building Authority), is supporting the replacement of the Douglas School with a twin school. This article approves the feasibility study at a proposed cost of \$1.3M of which the MSBA will fund \$590,000 and the AB region will fund \$710,000. There is **NO** cost to the Town for the feasibility study in this article. The feasibility study will deliver to Boxborough and Acton the best location for the school and schematics for the new school. The Town should then expect a warrant article within two years for the full cost of the project which will be funded by the MSBA (~40-45%), the Town of Acton and the Town of Boxborough.

**Discussion:** Ms. Brolin made a slide presentation, including a video tour of the Douglas School, to support the motion, pointing out the lack of handicap-accessible facilities and over-crowded conditions. The school was built in the 60's with only minor renovations since then. More classrooms and special education spaces are needed. Student population estimates show increasing elementary school enrollments over the next several years, so over-crowded conditions will worsen if no action is taken. The money will fund an Owner's Property Manager, cover the cost of architectural fees for preliminary designs, and a feasibility study including a detailed site analysis. Unused funds will be rolled into the building project. A twin school for two preK-6 elementary schools is the preferred option at the current Douglas-Gates campus. MSBA cover 40-45% of the cost.

Without a positive vote, likely we would lose MSBA matching funds for many years and would have to make major renovations to address deficiencies and fund 100% of the cost. Improvements in current capital plan for Blanchard, high school and junior high would have to be put off to a later date.

Gary Kushner presented the Finance Committee recommendation.

Maria Neyland presented the Board of Selectmen recommendation.

**Discussion:**

Fred Waugh, Hill Rd., asked where the E & D money comes from. At the end of the school year, any excess of income over expenses gets deposited into the E & D fund. Used for one-time projects

Bob Meinhold, Emanuel Dr., asked about the softball fields at Douglas. He was concerned about losing the softball fields. Interim Superintendent responded that there would be opportunities for public to be updated and to provide feedback. The intent is to at least maintain existing fields. Mr. Meinhold asked about what happens during construction to the softball fields-concerned that girls sports will be impacted. May have to be creative over use of fields during construction.

Kathleen Gegner, Paddock Ln., asked about sustainable building. The Interim Super said sustainability (LEDE cert) would be a major factor in design.

Tom Horsky, Depot Rd., asked about the \$10-12 million—did FinCom calculate how it will affect the tax burden. Gary said the FinCom had no projection yet—it will be bonded over 30 years. Mary Brolin said that the School Committee estimated the impact as \$355/year for the average homeowner.

Andrew Gruskay, Daniel's Way, asked if Conant would be on the horizon next. Yes, said Mary. Statement of interest has already been filed for Conant.

**Action on Article 1, December 4, 2017: Carried by majority vote.**

## ARTICLE 2 AMEND FY2018 BUDGET

(Majority vote required)

Susan Bak, Chair of the Board of Selectmen, moved to transfer from Free Cash the sum of Twenty-Three Thousand Thirty Dollars (\$23,030), for the purpose of amending the operating budget for the fiscal year beginning July 1, 2017 as printed in the December 4, 2017 Special Town Meeting warrant under Article 2.

Article	Line Item	Account Name	Appropriated at ATM 5/8/17	Proposed Increase	Total FY 18 Allocation
2A	122	Total Other – Selectmen	\$3,265	\$10,000	\$13,265
2B	541	Total Salary– COA	\$50,802	\$8,530	\$59,332
		Total Other - COA	\$5,675	\$4,500	\$10,175
		Total COA	\$56,477	\$13,030	\$69,507
Total amount required to transfer from free cash			\$23,030		

### 2A. BOARD OF SELECTMEN (DEPT. 122)

#### Summary

The proposed increase of \$10,000 in the Board of Selectmen's budget would provide funding for advertising and procuring the services of a consultant to assist in the recruitment of a new Town Administrator (TA) to succeed the current TA, who will be retiring in July 2018.

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

The Board of Selectmen recommends hiring a professional recruiting consultant with experience in municipal government to help the town recruit the best viable candidates for the Town Administrator position. The Board can choose among several service options including the development of professional qualifications, recommended compensation package, advertising and recruitment, screening of resumes, referral of qualified applicants to the Town interview committee, reference and background checks, and referral of finalists to the BoS.

#### The Finance Committee recommends (5-0).

With the upcoming retirement of Boxborough's Town Administrator, it is imperative for the Town to secure services of a professional consultant to aid in the recruitment of a replacement. This is a similar service other communities procure to support Town Administrator searches. As such, the Finance Committee voted 5-0 in support of this article.

### 2B. COUNCIL ON AGING (DEPT. 541)

Frank Powers, chair of the Council on Aging, presented a slide show in favor of Article 2B.

This article has two parts: 1) Increase the Council on Aging FY18 budget line item "Salary" by \$8,530 to \$59,332; and 2) Increase the Council on Aging FY18 budget line item "Total Other Expenses" by \$4,500 to \$10,175, for a total budget increase of \$13,030. These budget supplements are required in order to compensate for a shortfall in reimbursable expenses, to maintain level services.

We operate the COA van in conjunction with the Montachusett Regional Transit Authority (MART) which since inception has been reimbursing a portion of the town's cost using "Cherry Sheet" credits from our mandatory MBTA assessment. Previously the increased amounts requested in this article were "off budget", being charged

to the COA Van Revolving Fund which was then reimbursed. However, MART has recently changed its policy on allowable reimbursable expenses, resulting in an FY18 shortfall of \$13,030.

In order to maintain our existing level of COA van services, the town is forced to make up the difference through an increase in budget appropriations.

1. Previously, five of the COA Coordinator's thirty-five hours per week had been charged to the Van Revolving Fund and reimbursed to Boxborough. MART will no longer reimburse five hours of COA Coordinator salary expense. The COA salary is not being increased – this article will make up for the non-reimbursable portion.
2. Similarly, our van uses a shared dispatch service through Cross-Town Connect serving multiple towns. Due to change in its policy, MART will no longer reimburse dispatch at 100%.

The common thread is that MART is now limiting the amount of reimbursement for what they deem an indirect expense of van operations to no more than one-third of the direct expense of the operation. MART considers the COA Coordinator salary and the shared dispatch service to be indirect expenses.

The town does not agree with MART's position but despite our efforts, have been unable to prevail. We will continue to review the matter for the future.

**The Council on Aging (CoA) recommends unanimously.**

The CoA supports this article for the following reasons:

1. This article is the result of an accounting change by Montachusett Area Regional Transit Authority, a change that is outside the control of the town of Boxborough. Details concerning the specific allocations of what are referred to as direct costs and indirect costs related to the senior/disabled citizen van service are covered in the description of this article. The bottom line is that 5 hours of the COA Coordinator's time, previously paid from our transportation assessment, are now required to be paid directly by the town.
2. Approval of this article will NOT result in an increase in hours for the COA Coordinator. This additional funding will enable the COA Coordinator to maintain her current 35 hour per week work schedule.
3. Approval of this article will NOT increase the salary for the COA Coordinator. Her hourly rate will stay exactly the same as it is now.
4. Failure of this article will have serious detrimental effects on services to Boxborough seniors. The COA Coordinator hours would have to be substantially cut in order to meet the funding constraints imposed if this article is not approved.
5. The town is conducting an evaluation of the situation to determine if we can make alternative arrangements to avoid this accounting limitation in the future.

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

The Selectmen recommend this article to compensate for the decrease in MART support for van funding so that we may maintain the valuable transportation services provided by the COA van for our seniors and disabled residents.

**The Finance Committee recommends (5-0).**

Due to Montachusett Regional Transit Authority (MART) limiting reimbursements to the Town for what they consider indirect expenses of the van operation, these increases are necessary for both housekeeping purposes and to ensure there are no disruptions in service. As such, the Finance Committee voted 5-0 in support of this article.

**Action on Article 2: Motion carried unanimously.**

## ARTICLE 3 LAND PURCHASE FOR MUNICIPAL FACILITY

(Majority vote required)

Les Fox, BOS member, moved to pass over Article 3, Land Purchase for Municipal Facility.

Mr. Fox made a short presentation on why it was moved to pass over. The purpose of the article was to purchase land for a new fire station, as recommended by the Boxborough Building Committee at ATM 2017. The plan was to build a new fire station, and have the DPW move to the old Fire Station site, while the DPW was being renovated. Several parcels along Rte. 111 were looked at and a consultant asked to provide feasibility studies on three parcels. The Committee focused on a parcel across from Sara's Way/ Hughes Lane. Knew the parcel had some issues-but parcel abutted town land (Picnic Trust/Steele Farm) which was favorable. Stream, slope, ledge were all issues committee was aware of. They asked for a detailed assessment of that property. Closer analysis showed that site prep costs would be very high due to ledge. The Committee will come back to future town meeting.

## Summary

This article seeks approval for funds to acquire a parcel of land on Mass. Avenue suitable for a municipal building, in line with the strategy presented at the May 2017 annual town meeting. Due to the sensitive nature of the acquisition process, a full description of the site could not be printed in the Warrant but will be available at or before town meeting.

**The Boxborough Building Committee recommends unanimously (6-0).**

Since ATM, the Boxborough Building Committee has further investigated three candidate sites, all located on Mass. Avenue. A preliminary evaluation of each site has been conducted by Places Associates, the town's consulting engineers. The committee has identified one of these sites that it recommends the town acquire, pending completion of further ongoing site development cost estimates and obtaining a satisfactory report under MGL Ch 21E.

The selected site is the most attractive among the several that have been considered. The acquisition cost is low and the site, comprising more than 5 acres, can accommodate a new municipal building with room for parking, well, fire suppression, and septic system. A detailed report and description of the site will be presented at town meeting.

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

The Selectmen recommend, subject to satisfactory site evaluation and MGL 21E report.

**The Finance Committee recommends unanimously (6-0).**

For the reasons stated in the warrant by the Boxborough Building Committee, the Finance Committee recommends.

### Action on the motion to pass over Article 3: Motion carried unanimously.

**ARTICLE 4****PAYMENT-IN-LIEU-OF-TAXES (PILOT) AGREEMENT FOR SOLAR PHOTOVOLTAIC FACILITY**

(Majority vote required)

Bob Stemple, BOS member, moved to authorize the Board of Selectmen: (i) to enter into an agreement for "payments in lieu of taxes" pursuant to M.G.L. c. 59, s. 38H(b), or any other enabling authority, for personal and real property taxes attributable to a solar photovoltaic energy facility to be installed on certain property located in the Town of Boxborough, as shown on Assessor's Map 12, Lot 030 and Map 17, Lots 005, 009, 010, 024, 025, and any parcels appurtenant thereto, for a term of years and on such terms and conditions as the Board of Selectmen deems in the best interests of the Town, and (ii) to take all actions necessary or appropriate to administer and implement such agreement.

**Summary**

The former Cisco property (1414 Mass Ave. and environs) has been sold to Lincoln Properties. They will be leasing approximately 25 acres toward the rear of the parcel to Green Street Solar, who is seeking to install a solar array and will sell all the energy generated (5 MW) to Littleton Electric Light Department (LELD). Green Street Solar has executed a letter of intent with LELD. In order to take advantage of solar renewable energy credits (SRECS), the project must be substantially complete by March 31. Green Street Solar is seeking to enter into a Payment-in-Lieu-of-Taxes (PILOT) agreement with the Town. This article merely provides the authorization for the Board of Selectmen to negotiate such an agreement.

Although the Dept. of Revenue holds that such property is taxable because it is generating energy for re-sale, the Appellate Tax Board has upheld two appeals by solar developers that claimed they were exempt from taxation. In addition, there is a bill moving through the state legislature that will require PILOT agreements for solar projects. The purpose of entering into a PILOT is to provide the town with a sure and certain stream of revenue for the term of the agreement, which could not be challenged either on the basis of the property's taxability (the owner could not claim an exemption from taxation), or on the basis of the value (the owner could not seek an abatement). The basis for taxation would be established in the PILOT agreement.

The benefit of a PILOT to the Town is a definite source of revenue without the possibility of appeal or lawsuit, while the benefit to Green Street Solar is surety of expenses through the life of the project which can aid in obtaining financing.

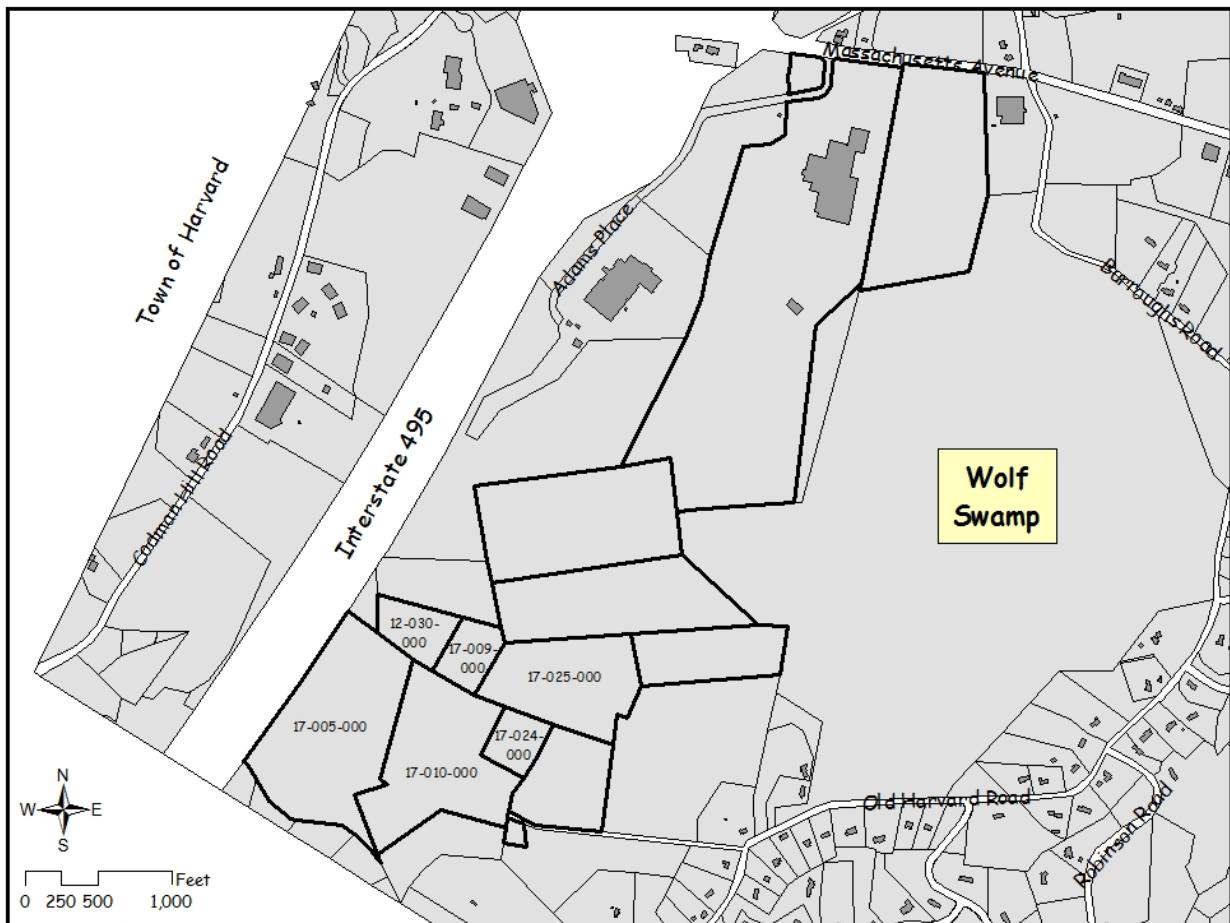
**The Board of Selectmen recommends unanimously (5-0).**

This article will authorize the Board of Selectmen to enter into negotiations for a payment-in-lieu-of-taxes agreement with Green Street Solar, which as noted in the summary above, would provide for a sure and certain stream of revenue for the term of the agreement, which could not be challenged either on the basis of the property's taxability (the owner could not claim an exemption from taxation), or on the basis of the value (the owner could not seek an abatement).

**The Finance Committee recommends (5-0).**

There is no cost to the town and it may provide a financial benefit.

**PROPOSED PARCELS TO BE INCLUDED IN PAYMENT-IN-LIEU-OF TAXES (PILOT) AGREEMENT**



**Action on Article 4: Motion carried by majority vote.**

**ARTICLE 5 AMEND PERSONNEL ADMINISTRATION PLAN CLASSIFICATION AND COMPENSATION SCHEDULE**  
(Majority vote required)

Sheila Bauer, Personnel Board member, moved to amend the Personnel Administration Plan's Classification and Compensation Schedule to add the positions of Assistant Town Administrator and Human Resources Manager to Grade 15 on the Schedule of Regular Full-time, Reduced and Part-time Employees.

**Summary**

This article proposes to add the positions of Assistant Town Administrator and Human Resources Manager to the Classification and Compensation Schedule. The intent is not to increase the Town's head count by two; at most the increase **may** be one. The positions are proposed to be added only to provide a mechanism that will enable the new Town Administrator to have some flexibility in hiring a position that he/she deems necessary for the operation of the town that will best serve the needs of the town.

The Personnel Board has reviewed draft job descriptions that define the substance of the positions and has rated them at Grade 15 on the Classification and Compensation Schedule.

A joint public hearing was held by the Board of Selectmen and Personnel Board on October 16, 2017. No public comment was provided.

**The Personnel Board recommends unanimously (5-0).**

All positions are classified into groups and classes doing substantially similar work and having substantially equal responsibilities, and are then set forth in the Classification and Compensation Schedule, which is incorporated in the Personnel Plan. It is proposed to add two positions – that of Assistant Town Administrator and Human Resources Manager to Grade 15 in the schedule of Regular Full-time, Reduced and Part-time Employees. Based on the recommendation of the Town Government Study Committee, it was determined that the Town may have need for one of these positions in 2018, given the reporting changes that will commence after the new Town Administrator is in place. It is not the intention that both positions be filled, rather that the Town have flexibility to hire for the position where the greatest need is identified. The Personnel Board evaluated the job descriptions and based upon a number of factors, including required education, capabilities, job characteristics and responsibility, determined that both positions should be classified as grade 15.

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

The Board of Selectmen and Personnel Board held a joint public hearing on October 16, 2017 at Town Hall on the proposed changes to the Classification and Compensation Schedule. The proposed changes add two positions to the schedule to provide the new Town Administrator some flexibility in re-structuring Town Hall. The Board is not seeking an additional head count at this time. We are simply asking that both positions be placed on the schedule in the event the new Town Administrator finds the need for one of those positions.

**The Finance Committee recommends (4-1).**

There is no financial impact to the town. It will take a vote of another town meeting to fund the positions.

**Action on Article 5: Motion carried by majority vote.**

**ARTICLE 6 REPLACE TOWN-WIDE PHONE SYSTEM (INCLUDING LIBRARY)**  
(Majority vote required)

Mr. Fox moved to appropriate the sum of Ninety-Three Thousand Five Hundred Dollars, by transferring the sum of Ninety Thousand Seven Hundred Dollars (\$90,700) from free cash and the sum of Two Thousand Eight

Hundred Dollars (\$2,800) from the PEG Access and Cable Related Fund receipts reserved for appropriation account, for the purpose of replacing the phone system for all town facilities.

### **Summary**

The Library phone system is original to the new building (2004), is past end-of-life and is no longer under warranty. The components for the phone system in the remainder of the town were purchased in 2012-2013 and installed in 2013. Many of the components purchased were refurbished, and are not supported by Cisco. The software system that supports the phones will be end-of-life as of February 2018. Without support or security updates/patches, the system is vulnerable. Additionally, the current system is not user-friendly. In order to make even the simplest modifications (add/delete user), we need to utilize the services of a consultant. The new proposed town-wide phone system will serve all town facilities, including the library. The associated network upgrades will also be the first step in bringing the library onto the Town's wide area network.

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

The Selectmen recommend this article to improve the maintainability and availability of our phone service through deployment of an integrated town-wide phone system. As a bonus, the necessary network improvement will at the same time extend BXB TV broadcast coverage to the library and support the installation of the Library's access and control system that was approved at the May 2017 ATM.

The ad-hoc IT Steering Group [1] has been reviewing the town's phone systems for several years. The town currently has two independent phone systems: one for the Sargent Library and one for the rest of town [2]. Due to the age of both systems and the increasing difficulties of supporting them, the Steering Group had planned to recommend deployment of a new town-wide system beginning with the Library in FY19. The Steering Group recently learned of new support issues for the town system, making replacement more urgent. The Steering Group has therefore recommended requesting the necessary funds at this Special Town Meeting rather than waiting until May 2018. A new Library phone system and related network upgrades are reflected in the current capital plan. The appropriation of \$93,500 requested in this article includes all hardware, software, licenses and installation and configuration services. Both Town and Library phones are so-called Internet Protocol (IP) phone systems from Cisco Systems. Currently they are separate systems, based on different generations of desktop phones and network switches and software. Besides both being end-of life, they are incompatible and cannot be merged. The older Library phone system has been unsupported by Cisco for many years and remains alive on borrowed time. In August 2017, Cisco declared the newer town system will soon go end-of-life, and will not be supported beyond February 2018, putting the town at increased risk. The current systems have required support by third-party specialists that have become increasingly difficult to find.

The Steering Group reviewed and evaluated a new integrated replacement system for town and Library recommended by our information technology consultant. It will be much simpler to maintain and configure. With the new system, simple but essential tasks such as adding or removing users can be done by town staff via an intuitive desktop application. Further, a single town-wide system will provide improved services and redundancy for increased availability.

To deploy the new phone system, the Library will be incorporated into our wide-area network so that phone services inter-operate across the town. This requires installation and configuration of a network switch at the library. The cost of doing this is included in the funds requested in this article. A portion of the appropriation for network enhancements will come from the off-budget PEG Access and Cable Related funds. Putting the Library on the town network will have the added benefit of providing support for the access control system approved at the May 2017 annual town meeting, as well as finally enabling live BXB TV cable coverage of meetings and events at the Sargent Library.

[1] The IT steering group is comprised of the Town Administrator, a Selectman, the Police and Fire Chiefs, the DPW Director, Library Director, and the town's information technology consultant.

[2] The Blanchard School has a separate phone system owned and managed by the Acton-Boxborough Regional School District.

### **The Finance Committee recommends unanimously (6-0).**

The current phone system is outdated, difficult to manage and maintain, and is past its end of life. Prior expenditures for the phone system were insufficient as a long-term solution. While an increasing proportion of town business is now conducted via email, telephone communication remains a necessity. A new phone system is an important modernization of the town's communication infrastructure. Ongoing maintenance costs are expected to be similar to currently budgeted phone systems maintenance costs.

**Discussion:**

Nancy Fillmore, Burroughs Rd., felt we recently updated the phones. Mr. Fox said the phones at the library have never been updated. This is an opportunity to bring all the departments into the same network. And Cisco will not support the system in place at Town Hall starting in February 2018. Town doesn't have a choice in that.

Owen Neville, Middle Rd., asked about life-span of system like this. Mr. Fox said 12-15 years.

John Markiewicz, Patch Hill Rd., asked about the track record of the system to be purchased. ShoreTel is the company and has a good reputation with other towns. Who will maintain? Mr. Fox said that town needs an employee in charge of IT, but system appears to be so simple, current employees should be able to handle.

A resident of Depot Rd. asked about the purchase of the Cisco system and why it was done. Warren Ryder spoke to the question. System was purchased 8 years ago and some of the equipment was used. System dependent on software, so town had to buy SmartNet to protect the network. Would have to pay to upgrade software and really needs professional management.

Becky Neville, Middle Rd, asked if we will have a service contract on phone system. Will system be able to grow with new Fire, DPW and Police? Mr. Fox responded that it would.

Christine Marlow, Depot Rd., asked if security is built in? The Police Chief said there's a firewall and spyware for our computers. Phone system will have parallel system.

**Action on Article 6: Motion carried by majority vote.**

**CONSENT AGENDA**

Susan Bak moved to approve the consent agenda, articles 7 through 11, as printed in the December 4, 2017 Special Town Meeting warrant under articles 7 through 11 inclusive, to be appropriated as printed in the "Town of Boxborough Special Town Meeting December 4, 2017 Motions" handout.

**Action on Articles 7-11, inclusive: Motion carried unanimously.**

At 8:28pm, Owen Neville made a motion to dissolve Special Town Meeting. Motion carried.

**ARTICLE 7 AMEND BORROWING AUTHORIZATION UNDER ATM 2017 ARTICLE #32B TO INCLUDE POLICE COMMUNICATIONS EQUIPMENT\*\***

(Two-thirds vote required)

As part of the Consent Agenda, it was moved to amend the vote taken on May 9, 2017 under Annual Town Meeting article # 32B, which appropriated the sum of One Hundred Thousand Dollars (\$100,000) for the purpose of providing for the continuation of an integrated communications network for the Fire Department, by expanding the purpose of the appropriation to include an antenna replacement, simulcast addition and FCC licenses for the Police Department, 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 sum under the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8, and/or any other enabling authority; and to issue bonds and notes of the Town therefor; provided that any

premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

## **Summary**

This article seeks to amend the May 2017 Town Meeting vote under Article 32B to expand the purpose of the borrowing authorization to include improvements to radio communications for the Police Department. There is sufficient borrowing authorization under the May 2017 article and no need for an additional appropriation.

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

In May 2014, the Town appropriated \$415,194 to upgrade existing radio towers on Swanson Road and at the Hager site with new radio transmitters/repeaters and to install a new transmitter/repeater unit at Middle Road. The upgrades solved most problems associated with communications by the Police Department; however, the Police Radio Network has recently experienced catastrophic interference from another licensed network in Maine, which has caused unexpected outages and garbled communications. At one point, the Police Department lost contact with an officer for over 30 minutes.

Working with their vendor and FCC coordinator, the department has been allocated a new set of frequencies from which to operate. However, in order to prevent broadcast spill over to other licensed locations, the FCC coordinator has called for an antenna replacement on one of the transmitter sites. This antenna replacement will further reduce the coverage area as the Middle Road antenna was installed with a 45' height by-law restriction. To overcome this obstacle and provide adequate coverage, the department will need to simultaneously transmit from the main site as well as the backup site.

In May 2017 under article 32B, Annual Town Meeting authorized borrowing in the amount of \$100,000 for the Fire Dept. to deploy simulcast radio equipment to improve coverage and provide failsafe redundancy. The reallocation of a portion of the borrowing authorization would enable the Police Department to utilize equipment purchased and installed by the Fire Dept. in their continuation of their integrated communications network using simulcast transmitters. The Fire Chief is confident that the Fire Department project will be completed under the amount authorized in May, leaving surplus borrowing authority available to meet the cost of the Police Department's request. The project includes licensing to utilize existing simulcast equipment, purchase and installation of a new antenna at the Swanson Road site, and engineering and testing of the radio system.

For the safety of residents and first responders, the Board of Selectmen unanimously supports this article.

### **The Finance Committee recommends (5-0).**

For the reasons stated in the warrant, the Finance Committee recommends.

## **ARTICLE 8 PAYMENT OF PRIOR FISCAL YEAR BILL\*\***

(Nine-tenths vote required)

As part of the Consent Agenda, it was moved to transfer from Free Cash the sum of Two Hundred Eighty-Six Dollars (\$286) for the purpose of providing reimbursement to a DPW Worker for training.

## Summary

In April 2015, one of the DPW workers took an approved course on Hoisting, which provides training on proper and safe use of hydraulic equipment. Such training is important for employee safety and is required by policy. The employee paid for the course out-of-pocket but due to an oversight, was not reimbursed for his registration fee, despite sufficient departmental funds being available at the time. This situation came to the attention of the DPW Director and Town Accountant in May, 2017. The total amount of the reimbursement is \$286.00.

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

The employee was never reimbursed. He should be made whole for the registration fee.

**The Finance Committee recommends (5-0).**

The Finance Committee recommends to pay the bill. The Town is required to pay the bills when they are received. In this case, the bill came in after the close of the FY16 books.

## ARTICLE 9 GENERAL BYLAW AMENDMENT – AMEND ANNUAL TOWN MEETING BYLAW\*\*

(Majority vote required)

As part of the Consent Agenda, it was moved to amend the Annual Town Meeting Bylaw by adding the ***bold, italicized*** language and deleting the strikethrough language as follows:

The Annual Town Meeting for the election of town officers shall take place on the ~~third~~ Tuesday ***following the third Monday*** in May of each year and that the Annual Meeting for the transaction of other business shall take place on the second Monday in May of each year.

## Summary

When the bylaw was amended just over a year ago to change the day of the municipal election from Monday to Tuesday, it had never been considered that the election might immediately follow the first night of town meeting. Such would be the case in 2018, if the date for the annual election is not moved. Moving the election to the Tuesday following the third Monday will remedy this issue in 2018 and moving forward.

The Board of Selectmen held a public hearing on the proposed amendment on October 16, 2017. No public comment was provided.

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

If we leave the bylaw as is, municipal elections could occur the day after the start of ATM. Under the current bylaw, this would occur once every seven years. To circumvent this problem, the bylaw change provides that municipal elections occur on the Tuesday following the third Monday.

## **The Finance Committee recommends (5-0).**

There are no foreseen financial impacts.

## May 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7	8	9	10	11	12
13	14 SECOND MONDAY  ANNUAL TOWN MEETING BEGINS	15 THIRD TUESDAY  MUNICIPAL ELECTION PER CURRENT BYLAW	16	17	18	19
20	21 THIRD MONDAY	22 TUESDAY FOLLOWING THE THIRD MONDAY  MUNICIPAL ELECTION PER PROPOSED BYLAW	23	24	25	26
27	28	29	30	31		

(Majority vote required)

As part of the Consent Agenda, it was moved to alter and extend the layout of Emanuel Drive, a public way in the Town, as ordered by the Board of Selectmen and depicted on a plan entitled "Emanuel Woods, Definitive Subdivision of land in Boxborough, Mass. owned by Boxborough Conservation Trust, Inc." dated September 2013, prepared by David E. Ross Associates, Inc., and recorded with the Middlesex South District Registry of Deeds as Plan No.8 of 2014, a copy of which has been placed on file with the Town Clerk; and further to authorize the Board of Selectmen to acquire, by purchase, gift or eminent domain, the fee or lesser interests in said extended layout for all purposes for which public ways are used in the Town of Boxborough, together with easements for drainage, access, and utility purposes incidental to such use as shown on said plan.

## Summary

In December of 2013 the Planning Board issued a decision for the Emanuel Woods Definitive Subdivision Plan & Stone Wall Permit which approved the construction of four house lots and one remaining undeveloped lot with subsequent waivers to allow the construction of a cul-de-sac, a private roadway meeting the private common driveway standards, and the removal of approximately 55 feet of stone wall. This decision required the construction of a cul-de-sac right-of-way at the end of Emanuel Drive which fully complies with the Rules & Regulations Governing the Subdivision of Land to accommodate the turning movements of the Town's emergency vehicles and plow trucks.

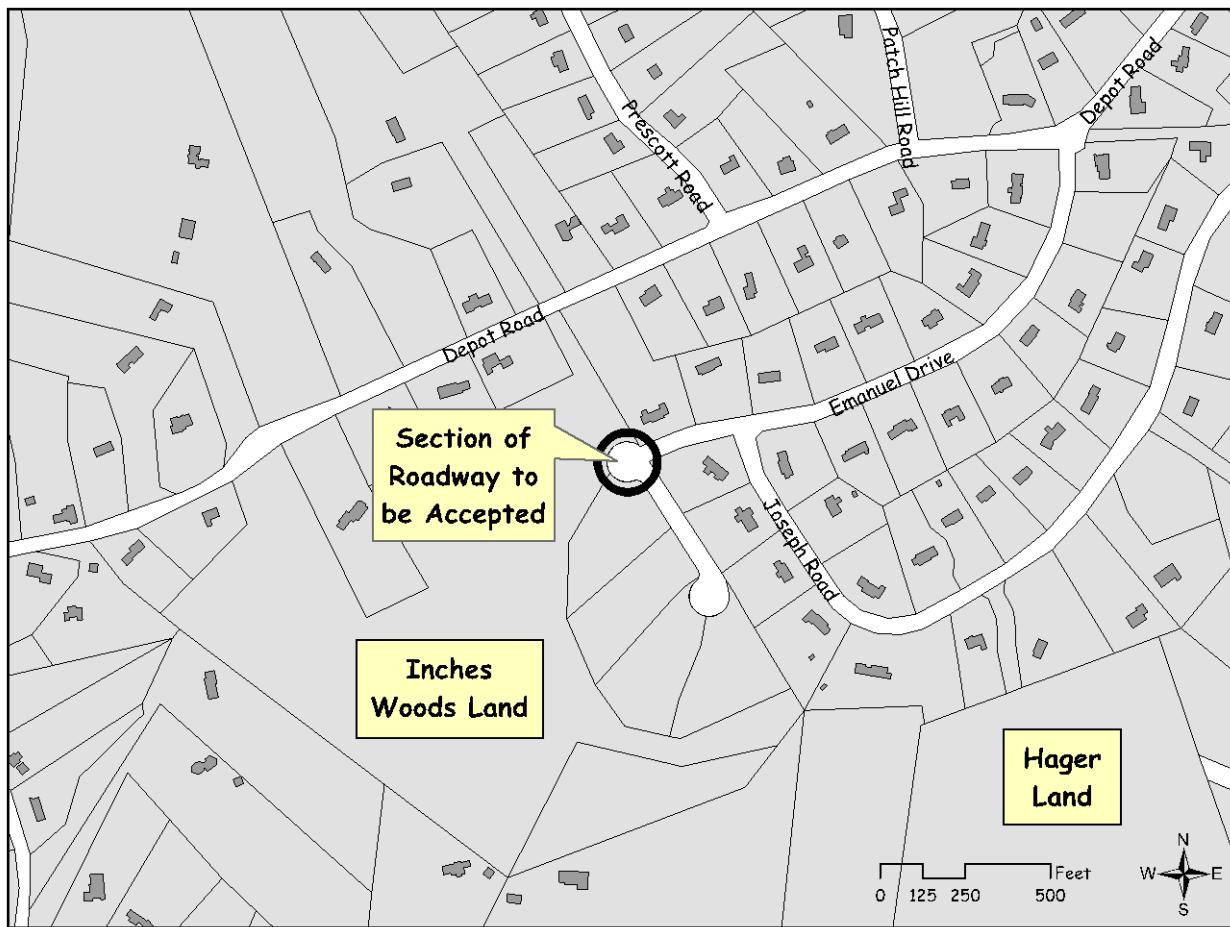
This newly constructed cul-de-sac was designed to be part of an extension of the public way for Emanuel Drive. Off of that cul-de-sac to the southeast is a private road right-of-way extension (Emanuel Drive Extension) which serves the four developable house lots. The developer has constructed the cul-de-sac at the end of Emanuel Drive in conformance with the requirements set forth in the Emanuel Woods Definitive Subdivision Plan & Stone Wall Permit decision and is now seeking the Town to formally accept the cul-de-sac as a public way.

Petitioning the Town for acceptance of the cul-de-sac as part of an extension of Emanuel Drive was a requirement of the Definitive Subdivision Plan decision prior to a full release of the Performance Guarantee for the project. It should be noted here the Definitive Subdivision Plan decision specifically indicates the Emanuel Drive Extension private roadway shall remain a private way now and in the future with no obligation placed upon the Town in terms of maintenance, repairs, and plowing.

### **The Finance Committee recommends (5-0).**

There are no foreseen financial impacts.

Mr. Fallon read the Planning Board recommendation on Article 10.



**ARTICLE 11****TRANSFER FROM FREE CASH TO RECEIPTS RESERVED FOR APPROPRIATION FOR CAPITAL PROJECTS ACCOUNT\*\***

(Majority vote required)

As part of the Consent Agenda, it was moved to transfer the sum of Ninety-Five Thousand One Hundred Sixty-Five Dollars and Seventy-Six Cents (\$95,165.76) from Free Cash to Receipts Reserved for Appropriation for Capital Projects Account.

**Summary**

It came to the Town's attention that bond premium proceeds in the amount of \$95,165.76 had been incorrectly reported as "Miscellaneous Revenue" in FY 2017. Pursuant to Massachusetts General Law Chapter 44 §20, as revised by the Municipal Modernization Act, which went into effect last year, the bond premium should have been reserved for appropriation for future capital projects for which the Town can borrow for the same or longer period than the original project. This article will remedy the error.

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

Funds from the bond premium proceeds were incorrectly reported as "Miscellaneous Revenue" in FY 2017. Ultimately, those funds ended up in Free Cash. This article transfers the funds from Free Cash to the Receipts Reserved for Appropriation for Capital Projects Account to be used for a future project.

**The Finance Committee recommends unanimously (6-0).**

The Finance Committee unanimously recommends that the town transfer from free cash to receipts reserved for appropriation for capital projects due to new regulations by the Department of Revenue.

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

Hereof, fail not deliver these warrants with your return of service thereon to the Town Clerk on or before November 17, 2017.

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Susan M. Bak, Chair  
Board of Selectmen

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Robert T. Stemple, Clerk  
Board of Selectmen

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Richard M. Barrett  
Board of Selectmen

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Leslie R. Fox  
Board of Selectmen

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Maria E. Neyland  
Board of Selectmen