

# **Town of Boxborough Massachusetts**



## **Annual Town Meeting Monday, May 8, 2023 7:00 PM**

### **Including Special Town Meeting Monday, May 8, 2023 7:15 PM**

Blanchard Memorial School, Gymnasium  
493 Massachusetts Ave. Boxborough

**Warrant and Proceedings**

## ***ANNOUNCEMENTS***

### **Annual Town Election**

Tuesday, May 16th, 2023  
7:00 AM – 8:00 PM  
Town Hall, Grange Room

### **Town Hall Will Be Collecting for The Acton Food Pantry**

Especially needed are:

- Canned vegetables
- Cereal
- Dried fruit
- Nuts
- Baby wipes
- Canned fruit
- Canned meat
- Baking mixes
- Spaghetti sauce

### **Possible change in Town Meeting flow of days**

In the past, if annual town meeting continued for multiple nights it has skipped Wednesday. This year town leadership has discussed the possibility of going consecutive nights without skipping any nights for the following reasons:

1. It will keep the process moving without interruption
2. It will allow us to complete town meeting one day sooner
3. A limited opinion poll indicated that people-favored this approach citing points 1 and 2.
4. We feel it will be helpful for the children at Blanchard by tying up the school for one less day

The final decision will be in your hands as an administrative rule making vote on Monday at town meeting.

### **Citizens' Academy**

Boxborough Citizens' Academy begins its first year in September and runs through early December. The program is designed to expose residents to the various Town departments so they can gain a better understanding of how municipal government works. Through presentations, discussions, and visits to Town departments, participants have the opportunity to hear from various Directors and Managers and learn about the operations of Town programs and services.

It is intended as a two-way dialogue between Town staff and residents. Participants discover new opportunities for public involvement and the role they can play in Town government.

Topics include Fire and Emergency Services, Town Meetings and Elections, Public Works, Police, Human Services, Town Finances, Library Services, and more.

The Academy will be an annual town program, held once a week in the evenings, and enrolls approximately 25-35 residents. If you are interested in participating, please contact Rajon Hudson, Assistant Town Administrator at [rhudson@Boxborough-ma.gov](mailto:rhudson@Boxborough-ma.gov) or 978-264-1718.

## **TOWN OF BOXBOROUGH TOWN MEETING: A GUIDE FOR RESIDENTS**

*On behalf of all the elected and appointed officials of the Town of Boxborough:*

**WELCOME TO TOWN MEETING.**

*This is your chance to make your voice heard and make your vote count.*

***Remember: YOU Are the Town Government.***

### **What is Town Meeting?**

Town Meeting is the foundation of Town Government, the purest form of direct democracy and fiscal responsibility. While the elected officials and appointed department heads supervise the day-to-day running of the town and schools, their authority extends only to managing employees and administering the expenditures that have already been voted by Town Meeting.

Boxborough has an Open Town Meeting form of government where each resident has the right to be heard in a respectful and civil fashion and each registered voter has the right to have their vote count. Open Town Meeting government is the best insurer of liberty by giving the primary power to the citizens. Attendance at Boxborough's Town Meetings runs around 150 to 200 voters out of approximately 4,000. Meanwhile, 200 legislators in the State House and Senate represent 7 million Massachusetts residents.

During a typical Town Meeting, voters approve the town's annual and supplemental budgets for schools and general government, vote on additional capital expenditures for equipment or buildings, authorize changes to zoning, land, or other town bylaws, approve compensation for employees and elected officials, acquire roads or parcels of land, and more.

Most of the money the town spends is generated from the local property tax. (Some comes from state aid or special funds.) Each spending decision made by Town Meeting has a direct effect on each voter's tax bill and on the quality of service the town provides for schools, highways, police and fire protection, conservation, recreation, library, etc. Town Meeting is the official convening of a legally constituted legislative body with power to make laws, levy taxes, and authorize expenditures.

### **What is the Warrant?**

The warrant is the agenda for Town Meeting. Town Meeting does not come to an end until all the agenda items on the warrant articles have been decided: approved, defeated or no action deliberately taken. Only those articles of business that have been included in the warrant may be legally acted upon at Town Meeting. Warrants can vary in length, and the amount of debate on a given article can vary widely. No one can predict how many nights it will take to complete the business of any given Town Meeting, so this is a form of government that requires dedication by the citizens to see it to completion.

### **What about the Election?**

Although it is held at a separate place and time, at Town Hall on the Tuesday in May after the Annual Town Meeting opens, the election is the part of Annual Town Meeting at which Town officials are elected. Some Town Meeting expenditures and sometimes other items require both an affirmative vote at Town Meeting as well as the passage of a ballot question. Tax and debt exclusion overrides are decided by election ballot. A debt exclusion exempts from the Prop. 2<sup>1/2</sup> limits the amounts borrowed for the duration of the loan; a capital outlay exclusion exempts the amount for a specific item, while an operating override raises the tax cap permanently.

### **Who Participates in Town Meeting?**

**Voters:** Every registered voter in town is a legislator, with full power to participate in budgeting, allocation of funds and law-making. At Town Meeting the job of the voter is to listen, to ask questions, to offer arguments for or against a question, and to vote to decide each article on the warrant. Anyone who is not a registered voter of the Town of Boxborough is welcome to attend Town Meeting, but may not vote, and can address Town Meeting only with permission. Non-registered voters sit in their own section of the hall.

**Moderator:** The elected official who presides over Town Meeting and is responsible for its conduct consistent with bylaws and the parliamentary procedures defined in Town Meeting Time. [Town Meeting Time is a handbook of parliamentary law that is published by the Massachusetts Moderators Association and used by the vast preponderance of Massachusetts town meetings.] The Moderator has broad authority to accept parliamentary motions, regulate debate, and rule speakers in or out of order.

**Town Clerk:** The Town Clerk is the elected official responsible for maintaining town records, conducting elections, and recording the votes and actions taken at Town Meeting.

**Town Counsel:** A representative from KP | LAW, the firm providing legal services to the town, attends town meeting to offer advice as to the legality of proposed actions the town may be considering.

**Finance Committee:** This branch of town government is a standing committee appointed by the Moderator. They have authority to consider all municipal questions and make reports or recommendations to Town Meeting. The Finance Committee reviews every line item in each department's budget, and submits the total budget. They recommend for or against each article on the warrant, based on their calculation of its impact on the tax rate, the town's financial position, and the spending priorities of the town. Their report is included with the Annual Town Meeting warrant. Each member of the Committee can speak and vote independently as a citizen.

**Boxborough Select Board:** Members of the Select Board have an important role before Town Meeting occurs. They prepare the warrant, obtain legal opinions where needed, make recommendations on specific articles, collect recommendations from other boards and committees, and cause the warrant to be mailed. At Town Meeting itself, their role is the same as other boards and committees. They will often make the main motion under an article, offer information, particularly through their appointed standing or ad hoc committees, or answer questions. Each member of the board can speak and vote independently as a citizen.

**Boards and Committees:** These elected and appointed boards have jurisdiction over various areas including schools, planning, zoning, conservation, recreation, library, and elder affairs. Their representatives will often offer the main motion on an article, give special presentations, or supply information on articles being considered. Each member of a board or committee can speak and vote independently as a citizen.

**Petitioners:** Any ten voters have the right to petition the Select Board to put an article on the Annual Town Meeting warrant. This number increases to one hundred for a scheduled Special Town Meeting and to two hundred to petition the Board to call a Special Town Meeting. These petitioners will often offer the main motion on their article, give a presentation if desired, or supply information on the article. An article submitted by petition has the same status as other articles on the warrant. To insure the best possible outcome, petitioners should contact the Town Administrator, Town Moderator, and other impacted Town officials as far in advance of Town Meeting as possible to discuss article language and process.

### **What Happens at Town Meeting?**

Articles are usually considered in the order in which they appear on the warrant. An article may be taken out of order by majority vote. Each article is taken up in a similar way.

**Motion:** First the Moderator asks for a motion concerning the article, and a motion is made, generally by the person who put the article on the warrant, recommending action to be taken with regard to the article. The motion is then seconded. Voters should listen closely to the motion as stated since the vote and debate is on the motion which may be slightly different than the article as printed in the warrant. The mover then takes the floor and makes a presentation offering background on the article and reasons that it should be passed. The Moderator then asks for the recommendations on the article which are provided by the Finance Committee and other reporting committees.

**Debate:** Following the recommendations, debate is open. Voters must be recognized by the Moderator and clearly state their name and address before speaking. In most cases speakers are recognized using “alternating microphones” which may be labeled “yes” and “no”. Any registered voter may speak to an article, ask questions, voice comments or criticism, or offer information. With one exception, all speakers must be at microphones and cannot be interrupted by others. Remarks must be limited to the content of the article and be civil and respectful to others at the meeting. The mover remains available to answer questions but can also participate on the same basis as any other voter. Non-voters can speak with the permission of the Moderator and/or meeting members. Technically all comments are directed to the Town Meeting through the Moderator but this is observed more in the breach than reality in Boxborough. The only exception to interrupting a speaker or being recognized by the Moderator from the floor is for a voter to stand and raise a “point of order”.

Open and full debate is the hallmark of the New England Town Meeting. Most Massachusetts town meetings have formal or informal restrictions on how long and how often voters can speak on any article. Boxborough’s limitations are 10 minutes for a presenter and 3 minutes for a speaker. Brevity is a virtue and voters are encouraged to add new points to the debate rather than repeat what others have said. New speakers and new points of view are always encouraged. [Sometimes being over-long or repetitious can actually hurt a speaker’s case.] When no more debate is offered, or debate is ended by “Moving the Previous Question”, a vote is taken.

**Voting:** Most articles are decided by a simple majority. Some votes carry higher requirements, for example zoning bylaw changes need a two-thirds majority. Decisions can be made by a voice vote, a show of hands, or having voters stand while they are counted by tellers. Very infrequently, votes are taken by paper ballot. The Moderator declares the outcome of a voice and/or show of hands vote. If seven (7) people question the outcome, then a count by tellers will be made.

**Amendments:** Amendments can be offered to any article being debated. To offer an amendment, a voter needs to give the text to the Town Clerk in writing on a special form before the amendment is made. The Moderator will then recognize the mover of the amendment, and the amendment will be debated and voted up or down before returning to debate on the article as a whole. “Amendments to amendments” are generally not allowed except for the personnel plan, the operating budget article, or to clarify the amendment. Further information regarding amendments may be found on the *Town of Boxborough Amendment Work Sheet*.

**Consent Agenda:** Articles on the Consent Agenda are exceptions to the general process of Town Meeting. In every Town Meeting warrant the Select Board, in consultation with Town Counsel, the Moderator and the Finance Committee, identify those articles they feel should generate no controversy and can be properly voted without debate. These articles are put on the Consent Agenda to allow motions under these articles to be acted upon as one unit and to be passed without debate.

At the call of the Consent Agenda, the Moderator will read out the numbers of the articles, one by one. If one or more voters object to any particular article being included in the Consent Agenda, they say “Hold” in a loud voice when the number is called. The article will then be removed automatically from the Consent Agenda and restored to its original place in the warrant, to be debated and voted upon in the usual manner. After the calling of the individual items in the Consent Agenda, the Moderator will ask for a motion that the voters pass all items remaining AS A UNIT on one vote. Use of the Consent Agenda process makes the Town Meeting more efficient by speeding up the handling of non-controversial items.

**Operating Budget:** The operating budget for the Town is somewhat different from other articles. This article is moved and presented by the Finance Committee and the Finance Committee may speak to individual line items. During debate, the elected or appointed officials or staff responsible for the various line items may also speak to their department's budget. One note concerning the school budgets: while detail information may be presented in the warrant, by state law only the bottom line of the regional school assessment is voted by Town Meeting.

**Quorum:** There is no quorum required for any session of Town Meeting. So long as the Town Clerk is present, the Moderator can call a session to order at her/his discretion no matter how few voters are present, and the actions taken will be perfectly legal.

**Reconsideration:** Unless the Town Meeting votes to set rules otherwise, an article may be reconsidered on any night of the Town Meeting in which it was originally voted. The Town can vote to amend or defeat an article that has already passed, or re-vote and pass an article that was previously defeated. Each Town Meeting has the right to set its own rules on reconsideration for that meeting.

### **Selected Common Parliamentary Motions:**

***I move that this meeting be dissolved:*** This motion, if passed, ends the Town Meeting. It is in order only when all articles on the warrant have been disposed of in some way. It cannot be debated or amended and takes a simple majority.

***I move to lay on the table:*** This motion, if passed, ends debate on the motion on the floor without any action. It cannot be debated or amended and takes a two-thirds majority to pass. If it passes, and Town Meeting ends without the motion being taken back off the table, the article is effectively defeated.

***I move to take Article off the table:*** This motion, if passed, brings an article back before Town Meeting for debate on the motion and action. It cannot be debated or amended and takes only a simple majority to pass.

***I move the previous question:*** This motion, if passed, ends debate and forces an immediate vote on the article/amendment being debated. It cannot be debated or amended and takes a two-thirds majority to pass. If it fails, debate continues on the original item on the floor. Since this is a highly privileged motion, and a two-thirds vote is a high threshold, the Moderator will usually accept this motion unless it is extremely clear that both sides of an argument have not been heard.

***I move that debate on the pending motion be limited to \_ minutes or \_ minutes per speaker:*** This motion, if passed, sets the clock ticking on a debate. It cannot be debated or amended and takes a two-thirds majority to pass. It can be undone by a motion to “**extend debate**” which is not debatable or amendable and also takes a two-thirds vote. [Note: this is a motion that has seldom, if ever, been used in Boxborough during the last 25 years.]

***I move that the pending motion be amended by....:*** This motion, if passed, changes the content of the motion being debated. Once the motion to amend is made and seconded, debate ceases on the main motion until the motion to amend is voted up or down. The motion to amend can be debated, and takes a majority vote to pass no matter what vote is needed to pass the original motion.

***I move reconsideration of Article :*** This motion, if passed, nullifies a previous vote of Town Meeting and brings a previously passed or defeated article back to the floor for debate a second time. This article can be debated, and cannot be amended. Unless the Town Meeting votes to set rules otherwise, in Boxborough it is always in order and takes a simple majority to pass. If the reconsideration article passes, it is as if the earlier debate and vote never took place.

***Point of order:*** This is the one time that a speaker at a microphone can be interrupted from the floor. This is not really a motion at all but a question or comment, and thus cannot be debated or voted. The Moderator will immediately stop discussion, listen to the point of order and rule on it. Points of order could relate to the right of the speaker to the floor, the germaneness of the speaker's comments to the article under consideration, proper procedure, conduct of a speaker, or an error on the part of the Moderator.

**Selected Quotes:**

**“It has been said that democracy is the worst form of government except for all those other forms that have been tried from time to time.”** Sir Winston Churchill, Speech in House of Commons 1947.

**“We were all friends and neighbors before this meeting; after this meeting we will still be neighbors; hopefully we will still be friends.”** Reginald C. (Reg) Brown, Boxborough Town Moderator 1977 to 2005.

**“Civility at Town Meeting is not optional.”** Various and sundry Town Moderators in Massachusetts.

*Prepared by former Boxborough Moderator John Fallon with assistance from a great many people*



**TOWN OF BOXBOROUGH  
MAY 8, 2023  
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## CONSENT AGENDA

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

This year, there will be **5** Consent Agendas:

1. Special Town Meeting Consent (Articles #1 through #5) because these articles have been unanimously approved by both the Select Board and Finance Committee. These articles are indicated with (\*)
2. The Financial (Non-Capital) Consent (Articles #10 through #17, inclusive) includes articles considered to be non-controversial. This consent includes a combination of staffing hours proposals, standard authorizations, annual transfers and reoccurring programs. These articles are indicated with (\*\*)
3. The Capital Consent (Articles #18 through #34, inclusive) includes several capital items which have been supported by both the Finance Committee and Select Board and are proposed to be funded with Free Cash, Raise & Appropriate, Bonding. These articles are indicated with (\*\*\*)
4. Community Preservation Fund Consent (Articles #35 through #39) includes articles considered to be non-controversial approved by the Community Preservation Committee, Select Board, Finance Committee, and other boards/committees for unanimous/majority support. These articles are indicated with (\*\*\*\*)
5. Consent (Non-Financial) (Articles #40 through #41, inclusive) includes articles considered to be non-controversial that have minimal financial impact to taxpayers. These articles are indicated with (\*\*\*\*\*)

At the call of each 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 the calling of the individual items in the Consent Agenda, the Moderator will ask that all items remaining be passed AS A UNIT by the voters.

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



**TOWN OF BOXBOROUGH**  
**SPECIAL TOWN MEETING**  
**MAY 8, 2023**

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 MGL Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Monday, May 8, 2023 at 7:15 PM to act on Articles 1 through 5 of this Special Town Meeting Warrant.

**SPECIAL TOWN MEETING**

**CONSENT**  
**AGENDA 1 (\*)**

ARTICLE 1      Sargent Road Bond Anticipation Note Repayment .....17

ARTICLE 2      Water Line Extension Consultant Fees and Services .....18

ARTICLE 3      Information Technology Email & Network Files Cloud Migration .....20

ARTICLE 4      Payment of Prior Fiscal Year Bills.....23

ARTICLE 5      Fire Chief Assessment Center .....24

**MAY 8, 2023**

Counters/Tellers were sworn in by Town Clerk, Rebecca Harris: John Fallon, Peishan Bartley, Kathy Luce, Jennifer Campbell, Tessa McKinley and Anne Canfield

**Moderator Reip made introductory remarks.**

He explained the basic Town Meeting process and thanked the Town Hall staff for putting the warrant together.

**Moderator Dennis Reip called the May 8, 2023 Annual Town Meeting of the Town of Boxborough to order at 7:04 pm. There were 224 registered voters total in attendance on night 1.**

**Opening Ceremony:**

Audience members stood for the Star-Spangled Banner sung by the Blanchard Memorial Vocal Ensemble under the direction of Margie Callaghan and accompanied by Felicia Wei on piano.

Jane Johansen led us in the voluntary Pledge of Allegiance.

Moderator Reip called for a Moment of Silence for those who died during the last year from the town of Boxborough and most notably, Jeanne Kangas, whose spirit of active participation in local government lives on with us here tonight.

**Introductions:**

Dennis Reip introduced Town Counsel Joseph (Joe) Fair from KP Law and Town Clerk Rebecca Harris and Town Administrator Michael Johns.

Moderator Reip called on the Select Board. Chair of the Select Board, Diana Lipari, Les Fox, Clerk, John Markiewicz, and Wes Fowlks introduced themselves.

Moderator Reip called on the Finance Committee. Chair of the Finance Committee, Maria Neyland, Priya Sundaram, Keshava Srivastava, Antony Newton, Becky Neville and Clerk, Gary Kushner introduced themselves.

Rajon Hudson, Assistant Town Administrator and Kelley Price, Administrative Assistant, and Town Accountant Kelli Pontbriand are running the projector.

The front row of chairs are members of the School Committee, Planning Board and Personnel Board.

Moderator Reip mentioned that numerous town department heads and staff, our Chiefs of Police and Fire, as well as members of volunteer boards and committees on hand to speak to some of the motions as needed.

This meeting is being broadcast live and is also being recorded for on demand viewing on BXBTV by Littleton Community Television (LCTV). Moderator Reip thanked Kirby Dolak, LCTV's Video Production Supervisor, Judy Reid LCTV's Video Program Coordinator, Rob Crory and David Astolfi as the BXBTV Media Technicians, and Diane Douglas photographer and logistics coordinator.

On behalf of the Town, Moderator Reip extended thanks to the Blanchard School's principal Dana Labb for being our gracious host and Blanchard School's Dan Ralls and his staff and to Ed Kukkula and our DPW staff for preparing the gym for tonight's Town Meeting.

In addition to the fine work of our paid staff, one reason this Town runs well is the dedicated work of literally

hundreds of volunteers who so generously contribute countless hours of their time.

### **Announcements**

Moderator Reip pointed out where non-voters over the age of 18 need to sit, in the back of the hall in the area marked off to the side on the right facing the stage.

Refreshments at the back of the hall are being provided by the Boxborough Conservation Trust. They would appreciate a donation in return.

TM will be tonight, and if you approve the proposed procedural motion a bit later on, will continue, if needed, to tomorrow May 9<sup>th</sup>, Wednesday May 10<sup>th</sup> and Thursday May 11<sup>th</sup>. If additional nights are needed, they will be next week, Wednesday, May 17, and Thursday, May 18.

Boxborough's Municipal Election is TUESDAY, May 16<sup>th</sup>, 7:00am to 8:00 pm at Town Hall. There are contested races for seats on the SB, PB and SC. Please consider the candidates and VOTE next week.

### **Town Meeting Process**

The agenda for this meeting is the Warrant. Everything we discuss at this meeting is contained in the warrant. This is not the public comment section of a Select Board or Planning Board meeting nor is it a public forum or public hearing. We will not be discussing anything that is not already identified in the Warrant.

The Boxborough Town Meeting is the "legislature" for the Town. We collectively approve Town expenses, vote on capital purchases, approve by-laws, determine land use and other matters that may be included in the Warrant. The Warrant includes summaries and recommendations for each article.

In addition to the Warrant, material on the tables at the back of the hall include the 2022 Town Report and Guide to Town Meeting. These documents along with some of the presentations and supplementary information are available on the Town's website at [www.boxborough-ma.gov](http://www.boxborough-ma.gov).

Moderator Reip explained his job as Moderator is to be the presiding officer of this legislature. The Boxborough Town Meeting process is guided by Town Meeting Time, a handbook of parliamentary law prepared by the Massachusetts Moderators Association. You can obtain this at the library or buy one through the Massachusetts Moderators Association.

His job as Moderator is to make sure that Town Meeting is:

**Fair:** There is a set of rules and everyone follows them

**Open:** Everyone who wishes to speak has the opportunity to do so

**Civil:** Everyone listens respectfully.

One part of being civil is that there is no applause or booing during discussion of articles.

**Relevant:** All the discussion, motions, and amendments must be "within the four corners" of the motion on the floor.

He made voters aware that we vote on MOTIONS which might be slightly different from the wording of the Articles printed in the warrant. The motions will be displayed on the screen.

Starting on page 3 of the Warrant is the Town Meeting Guide for Residents which summarizes the process with some of the most common motions listed.

Voters were also given a 1-page handout on "Boxborough Town Meeting Process" as you walked in.

Moderator Reip explained the process for speaking at alternating microphones, the 3 minute time limit, and need for relevance to the Motions on the floor. He also explained the process for moving the question, and voice votes or show of hands using green cards. If necessary, a standing count will be used. For questions about process, you can say “point of order”, otherwise microphones are required for speaking. He encouraged the voters to maintain the long tradition of civility that has been part of Town Meeting in Boxborough.

### **Consent Agendas:**

In an effort to streamline Town Meeting, we will continue with the use of Consent Agendas. The Consent Agendas are intended to speed the passage of articles that have already been discussed at previous open meetings, and have the unanimous recommendation of both the Select Board and Finance Committee. This consent process allows for motions under these articles to be acted upon as one unit and to be passed without debate.

This year, there will be 5 separate Consent Agendas as listed on page 10 of the Warrant. The process for consent agendas will be explained when we get to the first one.

### **Special Town Meeting**

The Special Town Meeting being held as part of the Annual Town Meeting is intended to address immediate items of business, and proposed expenditures for the current FY2023 which started July 1, 2022 and runs through June 30, 2023. The Annual Town Meeting addresses items and proposed expenditures for the Town’s FY2024 that starts on July 1, 2023 and runs through June 30, 2024.

### **Preliminary Motions**

**Motion: Dates: Diana Lipari Select Board Chair moved** *that any adjourned sessions of the May 8, 2023 Annual Town Meeting be held on Tuesday May 9th, Wednesday May 10th, Thursday May 11th, Wednesday May 17th and Thursday May 18th starting at 7 p.m. and further that no debate will begin on any new article after 10:30 p.m.*

Seconded by Les Fox.

**Discussion on the motion.** Owen Neville from Middle Rd. thinks this is a good idea but maybe with one year’s notice. The tradition of Monday, Tuesday, Thursday has been going since at least the 1970s since he’s been voting.

Peishan Bartley of Burroughs Rd. agreed with the previous speaker. There is an event planned for this Wednesday, so wanted to make sure we keep that in mind, as it was scheduled last fall, and it would be hard to change.

Mary Nadwairski of Stonehedge Pl. mentioned that there is an AB school concert scheduled for Wednesday May 11<sup>th</sup> at the new Groton Hill facility so many people may have tickets.

**Motion failed by a majority.**

**New motion from the Select Board Chair Diana Lipari moved** *that any adjourned sessions of the May 8, 2023 Annual Town Meeting be held on Tuesday, May 9<sup>th</sup>, Thursday, May 11<sup>th</sup>, and if needed the following Wednesday, May 17 and Thursday, May 18 at this location staring at 7 p.m. and further that no debate will begin on any new article after 10:30 pm.*

**New motion seconded and passed by a majority vote.**

**Motion on Reconsideration: Diana Lipari Select Board Chair** *moved that once final action has been taken on an Article, and the next order of business has been taken up, or the session of the Annual Town Meeting has been adjourned, the Article may not again be considered at that Annual Town Meeting unless the Moderator determines in his discretion that reconsideration would be in the best interest of the voters.*

**Motion seconded and passed by majority vote.**

**Motion: to adjourn the Annual Town Meeting until the Special Town Meeting:**

Diana Lipari Select Board Chair *moved to adjourn the May 8, 2023 Annual Town Meeting until after the May 8, 2023 Special Town Meeting is dissolved.*

**Motion seconded and passed by majority vote.**

### **Special Town Meeting**

Moderator Reip called the May 8, 2023 Special Town Meeting of the Town of Boxborough to order at 7:19 pm.

**Special Town Meeting Articles 1 through 5** have been identified as Consent agenda articles and have “\*” (asterisk) in the warrant. As described, these are articles were unanimously recommended by the BSB and Fin Com and have been identified in advance as items that would likely pass without debate and are intended to be acted upon as a unit.

Moderator Reip went through the articles one by one by name and asked that if one or more voters object to including any particular article in the consent agenda and wish to debate it to say “hold” in a loud voice when he read the title of that article. That article will be removed from the consent agenda.

ARTICLE 1	Sargent Road Bond Anticipation Note Repayment	
ARTICLE 2	Water Line Extension Consultant Fees and Services	
ARTICLE 3	Information Technology Email & Network Files Cloud Migration	
ARTICLE 4	Payment of Prior Fiscal Year Bills	
ARTICLE 5	Fire Chief Assessment Center	<b>HOLD</b>

**Main Motion: Diana Lipari Select Board Chair** *moved to approve the Special Town Meeting Consent Agenda Warrant Articles 1 through 4 in accordance with the funding sources and amounts set forth in the May 8, 2023 Special Town Meeting warrant under articles 1 through 4 respectively. Motion was seconded*

**Moderator Reip called for a voice vote on consent agenda articles 1-4, and heard at least one “nay” vote.**

**Because of the 9/10s rule, Moderator Reip called for a revote by show of hands vote for consent agenda articles 1-4. Consent agenda articles 1,2,3,4 passed unanimously, as declared by the Moderator.**



**ARTICLE 1                      SARGENT ROAD BOND ANTICIPATION NOTE REPAYMENT (\*)**

\$225,000 Free Cash

(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Two Hundred Twenty-Five Thousand Dollars (\$225,000) to repay the Bond Anticipation Note (BAN) for the Sargent Road Purchase.

***Summary:***

*At the May 2022 ATM, the Town voted to purchase the property at Sargent Road and took out a bond. At this point, the Town is at a good free cash position and it makes fiduciary sense to pay off the bond. This has no negative impact on the taxpayer.*

**The Select Board recommends (4-0-0).** For the reasons written in the summary, the Select Board unanimously recommends this change as it makes fiscal sense.

**The Finance Committee recommends (5-0-0).** Finance Committee recommends. At the May 2022 ATM the town voted to fund the purchase of the property through a combination of CPA funds and Bonding in the amount of \$625,000. At that time the BCT had applied for a \$400,000 grant and it has since been awarded. By paying the balance of \$225,000 with Free cash the town will save money by avoiding debt service and bonding cost.

**Funding is from free cash so there is no tax implication.**

**Discussion on the Motion on Article 1.**

**Action on the motion on Article 1: motion carried unanimously under the consent agenda.**

**ARTICLE 2                    WATER LINE EXTENSION CONSULTANT FEES AND SERVICES (TO FUND INVESTIGATION OF OBTAINING LITTLETON WATER) (\*)**

\$50,000 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Fifty Thousand Dollars (\$50,000) for use by the Select Board and Water Resources Committee to investigate and procure water service from the Town of Littleton or others to serve the portion of Boxborough west of I-495 impacted by water quality issues, which investigation may include design and engineering studies, appraisal, legal and consultancy services incidental and related thereto.

***Summary:***

*Department of Environmental Protection (DEP) is requiring public water systems for residential and commercial properties along Swanson Road and Codman Hill Road to upgrade their water treatment systems to address several water quality issues in this part of town. These include PFAS contamination exceeding regulatory levels, high sodium chloride, and protection of well heads. The Littleton Water Department plans to extend their system into this area to provide treated clean drinking water. Connection to the LWD system will provide users with an economical and robust solution. An initial Intermunicipal Agreement (IMA) executed by the Select Boards of Boxborough and Littleton delineates Boxborough rights and obligations for equitable access to treated water. The capital cost of the extended LWD system will be borne by the new rate payers through a combination of betterment and connection fees, and consumption fees (i.e., water bills). Special Legislation will be required at some point to supplement a final IMA. This article will provide funds necessary to support the legal costs of further developing the IMA, developing language and filing for the Special Legislation, obtaining expert advice on quantifying Boxborough's water needs for the service area, and costs for other as yet unknown expenses related to ensuring the town's interests are protected and all affected are treated fairly.*

**The Select Board recommends (4-0-0).** Extension of the Littleton Water Department's service to the properties west of I-495 will address long-standing concerns with water quality in this area. Salt contamination has been a growing issue for a number of years. Some systems require upgrades to their wastewater treatment systems with discharges to nearby wells. Recently significant PFAS contamination has been found in 10 of the 11 Public Water Systems (PWS) where levels exceed the state standard. There is no choice - DEP requires PWS's to comply with drinking water standards. Connection to LWD water service will be the most cost-effective solution for the affected properties. The Select Board has received more than 50 letters of support from both affected residents and PWS.

The vast majority of implementation costs will be supported by the rate paying new customers of LWD, but the town will need to ensure its interests are protected in technical and legal matters in Special Legislation and expansion of the IMA. Funds from this article will cover these ancillary legal and technical expenses related to providing clean water to western Boxborough.

**The Finance Committee recommends (5-0-0).** Boxborough Residents and Businesses on Swanson Road and Codman Hill have a major drinking water problem. The water is contaminated with PFAS and sodium chloride. This affects 1100 residents, which is 20% of the population of Boxborough. Littleton Electric Light and Water Departments (LEWLD) purchased land on Taylor Road from Amazon which has a very productive water well. LEWLD plans to install a water line from the well to the Whitcomb Treatment Plant. They will treat the water and bring a 4.5-mile water line back to Boxborough. The Drinking Water State Resources Fund (SRF) with preferences for PFAS will provide a \$19 million interest free loan with a 20% loan forgiveness. LEWLD has submitted an application to the state. The application and funds must be approved by June 30, 2023. It will be up to the condominium associations and businesses to connect to LEWLD. The condominium associations and businesses who choose to connect to the LEWLD water supply will have to pay betterment fees and water

charges. LEWLD will also set up Fire Hydrants for which there will be no charge for the water. This warrant article requests funding for consultants to understand in detail all the issues and betterment fees. The Finance committee fully supports this article. **Funding is from free cash so there is no tax implication.**

**Discussion on the Motion on Article 2.**

**Action on the motion on Article 2: motion carried unanimously as part of the consent agenda.**

**ARTICLE 3                      INFORMATION TECHNOLOGY EMAIL & NETWORK FILES CLOUD  
MIGRATION (\*)**

\$43,800 Raise & Appropriate  
\$25,000 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town raise and appropriate the sum of Forty-Three Thousand Eight Hundred Dollars (\$43,800) and transfer from free cash the sum of Twenty-Five Thousand Dollars (\$25,000), for the purpose of migrating existing mailboxes and archived mailboxes to Gmail and for migration of files stored on the 3 Network File Storage Drives to the cloud and providing training and change management.

***Summary:***

*There are a few things that are necessitating the migration of email and network file storage from on-premise to the cloud:*

- *Our insurance company MIA is requiring we have endpoint protection and two-factor authentication (2FA) in order to maintain our cyber insurance.*
- *Our current on-premise Microsoft Exchange 2019 email exchange server has an announced end of life date of Jan 9, 2024. What this means is that at this date, Microsoft will no longer provide updates for us to apply and we will be vulnerable to any exploits developed after that date.*
- *We are currently paying our Information Technology vendor \$145 per hour to do updates and maintain the Exchange server.*

*We did reach out to both Google and Microsoft for quotes with the summaries provided below:*

<b><i>Vendor</i></b>	<b><i>One Time (Migration Services)</i></b>	<b><i>Annual Recurring</i></b>
<i>Microsoft Office 365</i>	<i>\$ 14,530</i>	<i>\$ 38,360</i>
<i>Google Workspace</i>	<i>\$ 12,000</i>	<i>\$ 43,800</i>
<i>Town's IT Vendor</i>	<i>\$ 3,000</i>	

<i>Hardware</i>	<i>\$10,000 Annual Recurring</i>
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*Additionally, the sum of \$10,000 dollars will be used for the annual computer/laptop refresh as well as any other hardware/devices which may age out before the end of the fiscal year or face incompatibility issues as a result of the migration to the cloud for email & or file storage.*

*After both quotes were received, we reviewed all that was included in the licenses. And after careful review, while Google Workspace is a slightly higher cost, there was significantly more functionality provided by Google's cloud offering than Microsoft Office 365's.*

*Both cloud provider's services come with two-factor authentication. Additionally, one of the key features that both services compared had eDiscovery, which is a tool that would allow Records Access Officers in the Town to perform searches of emails in response to records requests instead of having to pay our IT consultant services to perform, saving the Town money.*

*One other concern was how users would handle the transition to Google services from Microsoft. However, in discussing this, all Microsoft Office products have an equivalent Google Workspace product, and in the equivalent Google product work can be done in Microsoft file format (.xlsx, .doc, .ppt). Additionally, we have*

*licenses for Microsoft Office for the desktops which can continue to open and work on these documents in the way that users are used to. The only change would be when a user is remote or at a different computer and would be accessing the documents in the cloud.*

*Google was chosen because there were more benefits to Google Workspace such as the following:*

- Endpoint management, which is a requirement of MIIA for insurance. If we had chosen Microsoft, we would have had to purchase an additional product.*
- An easier and more granular Administration and Security console to enable staff within Town to monitor security.*
- Provided training and change management.*
- Provided ongoing support for any issues that arise with Google Workspace, this would have been an additional cost with Microsoft, and required a higher cost per user plan.*
- Google Cloud Search (internal) which provides a means for users within the organization to search all documents and files that they have access to and quickly be able to find it based on content within the document.*
- CJIS compliance which is necessary due to requirements in the Police Department, and simplifies the licensing.*
- We are exploring an intermunicipal agreement with AB Schools for first-level triage and support for IT services in an effort to reduce our costs with our current IT vendor. The school district uses Google Workspace and if the Town and School District are able to come to an agreement this would benefit both as there would be no difference in cloud providers.*

*For these reasons the Town believes that Google Workspace provides more value in simplification of administration in addition to workflow efficiencies, which justifies the additional annual cost of Google Workspace that the simplification of work, as well as additional tools, will provide benefits beyond that.*

*An added benefit of choosing Google Workspace is that it supports our Boxborough 2030 goals for sustainability.*

- Google is the cleanest cloud in the industry.*
- Google data centers are twice as energy efficient than the industry average.*
- Google has eliminated all legacy emissions since 1998 and matched 100% of electricity use with renewable energy since 2017, including the electricity that powers your workloads.*
- By 2030, Google is aiming to run on 24/7 carbon-free energy at all of their data centers, around the clock.*

*Some other benefits of moving to the cloud are:*

- Improving quality and efficiency of remote work as most users will no longer need the VPN*
- Providing an internal chat among employees which will reduce the number of emails sent.*
- Improve integration with our Town website for the calendar as well as document sharing.*
- Providing significantly more workflow and process improvements. By integrating into a suite of collaboration that is local and in the cloud, employees will realize workflow efficiencies.*
- More secure than on-premise and security updates are handled by Google which employs many engineers dedicated to security.*
- Better email spam filtering, and not needing an additional product.*
- More consistent and easier budgeting for licenses (no longer need to have an on-premise server for email, network storage drives etc.)*
- All staff and volunteer email addresses will remain @boxborough-ma.gov.*

**The Select Board recommends (4-0-0).** For the reasons written in the summary, the Select Board unanimously recommends this article.

**The Finance Committee recommends (5-0-0).** A member of the Finance Committee was on the subcommittee to review the quotes from both Microsoft and Google. As indicated the quote for MS was slightly lower, but the non-tangibles (training, schedule, eDiscovery, etc.) equated to the Google quote being a better option for Boxborough. It should be noted that going forward the Operating budget will include around \$43,000 in yearly license renewals plus an inflation factor. this article includes both the conversion from our present physical servers to the Cloud plus some additional hardware required to replace aging systems. **Tax impact to the average home is \$22.70 or \$0.03 per \$1,000.**

**Discussion on the Motion on Article 3.**

**Action on the motion on Article 3: motion carried unanimously as part of the consent agenda.**

**ARTICLE 4                      PAYMENT OF PRIOR FISCAL YEAR BILLS (\*)**

\$4,981.18 Free Cash  
(Nine-tenths vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Four Thousand Nine Hundred Eighty-One Dollars and Eighteen Cents (\$4,981.18) to provide payment of certain late bills from prior fiscal years for the following invoices in the following amounts:

Vendor	Department	Amount
Places Associates, Inc	Planning Board	\$1,423.75
Law Office of Justin M. Hanrahan	Police	\$295.00
Comcast Business	Police Department	\$42.00
W.B. Mason	DPW	\$4.24
Amazon	Town Hall	\$218.99
Ridge Hill Realty	Animal Control	\$1,000.00
ESRI	Land Use & Permit	\$1,500.00
Comcast	Town Hall	\$497.20

And to meet said appropriation by a transfer of said sum from certified free cash, or take any other action relative thereto.

**The Select Board recommends (4-0-0).** The Select Board unanimously recommends this necessary article in order to approve past due payments.

**The Finance Committee recommends (5-0-0). Funding is from free cash so there is no tax implication.**

**Discussion on the Motion on Article 4.**

**Action on the motion on Article 4: motion carried unanimously as part of the consent agenda.**

**ARTICLE 5                      FIRE CHIEF ASSESSMENT CENTER (\*) – moved out of consent agenda**  
\$6,000 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Six Thousand Dollars (\$6,000) for the purpose of funding consulting services for a Fire Chief Assessment Center.

***Summary:***

*The Boxborough Fire Chief has given notice of his intention to retire at the end of Fiscal Year 2023. A professional Assessment Center with help inform the decision of hiring the most qualified final applicant to manage the Town’s Fire Department, Emergency Medical Services and Emergency Management. This has no negative impact on the taxpayer.*

**The Select Board recommends (4-0-0).** For the reasons written in the summary, the Select Board unanimously recommends this article and graciously thanks the Fire Chief for his many years of dedicated service.

**The Finance Committee recommends (5-0-0). This article is funded through free cash, there is no tax impact.**

**Discussion on the Motion on Article 5.**

Becky Neville of Middle Rd. asked why it’s necessary to have a Fire Chief assessment center when we didn’t do that for the Police Chief.

Town Administrator, Michael Johns explained that there are no internal candidates for Fire Chief, whereas with the Police Chief, there was an interim chief who was performing well, so it was not deemed necessary to bring in outside recruiters or assessment personnel.

Jim Moss of Bicentennial Way asked someone to define the “center”.

Town Administrator, Michael Johns explained that the “center” part of it is itself a process of bringing outside entities in (such as outside Fire Chiefs from other towns) to assess the candidate pool.

Brenda Sydney of 81 Liberty Square Rd. is confused about the center term.

Mr. Johns explained that the outside consultants would be brought in for one day to provide input, and their assessment of skills would be completed in one day. The range of prices tends to be from \$3k-\$11k.

**Action on the motion on Article 5: motion carried by a majority.**

**Motion: Diana Lipari Select Board Chair moved to dissolve the May 8, 2023 Boxborough Special Town Meeting at 7:30pm.**

**Moved and seconded. Vote to dissolve the Special Town Meeting passed by a majority.**

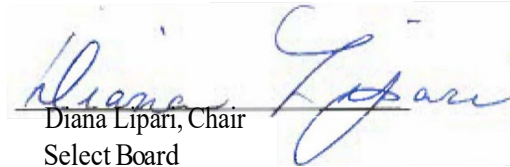
**Continue with ATM.**

**END CONSENT AGENDA 1 (\*)**

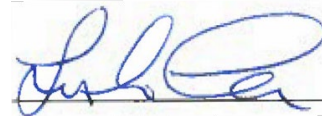


You are required to serve this Annual Town Meeting Warrant by posting copies thereof, attested by you, at the Town Hall, at the Sargent Library, at the Police Station, at the Fire Station, and at the Blanchard Memorial School, fourteen days at least, before the time appointed for such meeting.


Hereof, fail not to deliver these warrants with your return of service thereon to the Town Clerk on or before April 24, 2023.




Diana Lipari, Chair  
Select Board



Leslie Fox, Clerk  
Select Board



Wesley Fowlks,  
Member Select Board



John Markiewicz,  
Member Select Board



# **TOWN OF BOXBOROUGH**

## **ANNUAL TOWN MEETING**

### **MAY 8, 2023**

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 MGL Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Monday, May 8, 2023 at 7:00 PM to act on Articles 1 through 47 of this Annual Town Meeting Warrant.

You are also required to notify all such residents of Boxborough to come to their polling place at Town Hall, Second Floor, Grange Meeting Room, 29 Middle Road, Boxborough, MA, on Tuesday the 16th day of May at 7:00 AM for the Election of Town Officers. The polls will be open continuously until 8:00 PM when they shall be closed.

**BELOW IS A REPRESENTATION OF WHAT WILL APPEAR  
ON THE TUESDAY, MAY 16, 2023 BALLOT:**

**ARTICLE 1 CHOOSE TOWN OFFICERS**

(Majority vote required)

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

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

**Select Board** member, for a one-year term

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

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

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

**Acton-Boxborough Regional School Committee** members, **Two seats**, each for a three-year term

As well as other Town Officers as may be necessary.

Office	Term (yrs)	Name	Votes
Moderator	1	Dennis Reip <i>Write-in:</i> Blank	<b>721</b> 6 167
Select Board	3	John Markiewicz Kristin Hilberg Priya Sundaram <i>Write-in:</i> Blank	440 <b>520</b> <b>604</b> 2 222
Select Board	1	Keith Lyons David McKiernan <i>Write-in:</i> Blank	315 <b>529</b> 0 50
School Committee	3	Richard Barrett Chadwin Childers Lakshmi Kaja Vikram Parikh <i>Write-in:</i> Blank	157 270 <b>658</b> <b>336</b> 0 365
Planning Board	3	Mark Barbadoro Cindy Markowitz Richard Guzzardi <i>Write-in:</i> Blank	379 <b>537</b> <b>507</b> 3 358
Library Trustees	3	Nancy Settle-Murphy Jessica Levesque <i>Write-in:</i> Blank	<b>679</b> <b>598</b> 3 503
Board of Health	3	Marie Cannon <i>Write-in:</i> Blank	<b>728</b> 3 163

Total Registered Voters: 4,036

Ballots Cast: 894

Turnout: 22.2%

## **ARTICLE 2                      RECEIVE REPORTS**

(Majority vote required)

Diana Lipari moved and it was seconded that the Town receive the reports of the Select Board and other Town Officers, Agents and Committees, including those published in the 2022 Annual Town Report.

**The Select Board recommends (4-0-0).**

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

**Action on the motion on Article 2: motion carried by a majority.**

- 1) Select Board did not deliver a report in person at Town Meeting.
- 2) AB School Committee delivered a report:

School Committee Vice Chair for Boxborough, Tessa McKinley gave the Acton-Boxborough Regional School Committee report and was joined by other members of the ABRSD Committee, Superintendent, Peter Light, Dave Verdolino, Andrew Shen and new members of the SC from Acton. She thanked the SC members who are retiring this year.

She elaborated on the Multitiered System of Success (MTSS), which ensures that all students are able to receive the level of support they need. There are 49 different languages spoken at AB, and the economically challenged student population has grown. The ABRSD is now collaborating with the mental health Cartwheel Care program. The Boardwalk School campus with Triple-net zero emissions was finished on time and \$3 million under budget, with great thanks to the committee that oversaw that project.

Budget: declining revenues, increases to health insurance costs, and other challenges. Acton's cost was increased by 3%. Thanks to the teachers for settling on a three-year contract. The final budget is just under \$106 million, with a 2.91% increase over last year, and total assessment at nearly \$86 million. Reduction in staff over the last 2 years by over 30 positions. The first year of Boardwalk debt will be borne in this year. Rolling three-year average of students enrolled in the district is what sets the Boxborough %. Boxborough's assessment is a little under \$14 million, with an increase of 5.15% over last year.

- 3) Planning Board delivered a report:

Cindy Markowitz, Clerk, gave the Planning Board report. The Planning Board is also: Mark Barbadoro, Chair, Rebecca Verner, Mark White, Kathy Vorce, and Janet Keating-Connolly, Associate Member. Some highlights: at Fall Town Meeting, four zoning bylaws were introduced and all passed. Twenty public meetings were held over the past year. The Board approved a Special Permit modification at 400 Beaver Brook Rd for a new Research and Development Building, including a new restaurant at 500 Beaver Brook. They reviewed the 60 Codman Hill Rd application for a new larger building: the permit application was ultimately withdrawn, but got approval from the Zoning Board of Appeals to use and modify the existing building.

The Board reviewed several new development applications that were deemed not in the town's best interest and not compatible with the Zoning Bylaws, Rules and Regulations nor with the Master Plan. Comments were submitted to the MA Environmental Policy Act (MEPA) Office on 1414 Mass Ave. which proposes 578,000 square feet of research and light manufacturing space along with 1,157 new parking spaces and 35 loading docks on 208 acres of land. The Board anticipates that permit applications will be coming before the Board soon, and hopes to work with the developer towards a less impactful plan. The Board is working with the Planner on the MBTA Communities next steps, and the guidelines were modified to require zoning for a minimum of 118 multi-family units (Zoned for, but not development of) by 2025. The Board participated in update of the Open Space and Recreation Plan (OSRP), including attendance at the Community Engagement Forum this past April. Also reviewed the Road acceptances before this meeting, and have worked with

numerous other committees, including CPC, DRB, EDC, MAGIC, MAPC.

Planning Board is bringing a modification of Zoning Bylaw amendment and General Bylaw Article 47, Tree Protection Bylaw tonight. She thanked and welcomed Town Planner, Alec Wade and thanked Mary Nadwairski, Assistant, as well as the rest of the Town Hall staff. The public is encouraged to attend the Planning Board meetings, which are generally held twice a month on Monday evenings and rebroadcast on BXB-TV on demand.

4) Finance Committee will deliver report before Article 5

### ARTICLE 3 SET SALARIES AND COMPENSATION OF ELECTED OFFICIALS

Raise and Appropriate  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town vote to fix the salaries and compensation of various elected officials for the fiscal year beginning July 1, 2023 as follows:

Select Board Members	\$400 each member/year
Board of Health Members	\$200.00 each member/year
Town Clerk	\$75,900
Constables	\$3.00 each copy/warrant posted
Planning Board Members	\$400.00 each member/year
Boxborough Members of A-B Regional School Committee	\$400.00 each member/year
Library Board of Trustees	\$200.00 each member/year
Town Moderator	\$100.00/year

Seconded.

#### **Summary:**

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

#### **The Select Board recommends (4-1-0).**

**Majority opinion:** The majority of the Select Board feels that stipends should be available to those who choose to take them.

**Minority opinion:** The minority of the Select Board believes that the salaries and compensations for the majority of elected positions should be removed from this article. The minority's belief of why the salaries and compensations should be removed is that while it is important to show gratitude to elected officials, at the rate the compensation is currently set it is mostly symbolic. Additionally, the compensation gets reported in a W-2 and is taxed at a Federal and State level, so it is creating a recursive tax (taxing local residents to give income to elected officials who then pay Federal and State tax on the income earned from the Town).

The minority believes that there are other more impactful ways to show appreciation to elected officials that keep the taxed money within the Town. Already the Select Board has foregone a stipend in previous years to provide an employee morale and events, and more money in this fund would provide for the ability to do more regular events and or provide SWAG items and or longevity awards to employees and volunteers.

The minority will be making a motion on Town Meeting floor to amend the motion proposed by Article 3 to only provide salaries and compensation for the Town Clerk and Constables. The Town Clerk is a full time staff position and the compensation is for full time work. The Constable is required by Massachusetts General Law and cannot be removed.

Wes Fowlks gave the minority opinion, given that they are just token amounts and then are taxed. **Mr. Fowlks moved to amend the motion to the following: Striking and/or removing the rows for: Select Board, Board of Health, Planning Board Members, Boxborough Members of A-B Regional School Committee, Library Board of Trustees and Moderator and their relevant salaries. Leaving only the Constables and Town Clerk.**

Select Board Members	\$400 each member/year
----------------------	------------------------

Board of Health Members	<del>\$200.00 each member/year</del>
Town Clerk	\$75,900
Constables	\$3.00 each copy/warrant posted
Planning Board Members	<del>\$400.00 each member/year</del>
Boxborough Members of A-B Regional School Committee	<del>\$400.00 each member/year</del>
Library Board of Trustees	<del>\$200.00 each member/year</del>
Town Moderator	<del>\$100.00/year</del>

**The Finance Committee recommends the original motion (5-0-0).**

**The amended motion was seconded. Discussion on the amended Motion on Article 3.** The select board recommends.

**Finance Committee does not recommend the amended motion.**

Adam Klein of Whitcomb Rd. has not received his funds for the past two years due to changes in Town Hall personnel, and it has taken more time to chase down the funds so he is for the removal of the funds.

Brenda Sydney of 81 Liberty Square Rd. wants to know why the Finance Committee isn't for eliminating an expense.

Gary Kushner of Flagg Hill Rd. explained the history of having salaries that was voted several years ago at Town Meeting.

Molly Wong of Stonehedge Pl. noted that Library Trustees have not taken their salaries.

Maria Neyland explained that the Select Board donated their salaries to Town Hall appreciation events.

Cheryl Mahoney of Liberty Square Rd. asked Counsel if there are any statutory requirements.

Joe Fair said no.

**Action on the amendment carried by majority.**

**Action on the motion on Article 3 as amended carried by majority.**

**ARTICLE 4                      AMEND FY2024 PERSONNEL PLAN, INCLUDING THE CLASSIFICATION  
AND COMPENSATION SCHEDULE**

(Majority vote required)

Lee Slade moved and it was seconded that the Town vote to amend certain sections of the Personnel Administration Plan including the Classification and Compensation Schedule in the manner that is set forth in the document on file with the Town Clerk titled “Proposed Changes to Personnel Administration Plan – May 8, 2023” and also available on the Town’s website as set forth in the 2023 Annual Town Meeting Warrant.

**Vote 1:** I move that the Town amend certain administrative sections of the Personnel Administration Plan in the manner that is set forth in the document on file with the Town Clerk titled “Proposed Changes to Personnel Administration Plan – May 8, 2023” and also available on the Town’s website as set forth in the May 8, 2023 Annual Town Meeting Warrant.

***Summary:***

***Vote 1: Administrative changes to the plan***

***a. FY2023 Classification & Compensation Schedule***

*Associate Planner - Proposed Grade 13*

*Per Diem and Intermittent Employees & Stipends*

*Proposed changes to positions*

<i>Hourly (All Non-Exempt)</i>	<i>FY2024 Rate</i>	<i>Proposed Grade Reference</i>
<i>Part-Time Dispatcher</i>	<i>\$24.19</i>	<i>Grade 11</i>
<i><del>Special Reserve</del> Police Officer</i>	<i>\$27.94</i>	<i>Grade 13</i>

***b. Article III, Definitions***

*Proposed Additions*

***Promotion:*** *When an employee advances to a position that is classified at a higher salary grade, or in certain circumstances, an acknowledgment of significant greater responsibilities within the same grade/position.*

***Reclassification:*** *The assignment of an existing position to a new grade and/or step when substantive, measurable changes occur in responsibilities. This change is based on an evaluation of expansion on the duties, responsibilities, scope, impact, and/or qualifications of the position.*

*Article VI, The Pay Plan, Section 2*

*Strikeout the following*

***~~a. When an employee is promoted to a position in a higher class, the employee's salary shall be increased to the minimum rate for the higher class. In the case of overlapping ranges, the promoted employee shall be increased to the step immediately above the employee's present salary.~~***

***~~b. When an employee is promoted, or the position they hold is reclassified to a position in a higher grade, the employee's salary shall be increased to the~~***



~~minimum rate for the higher grade. In the case of overlapping ranges, the promoted or reclassified employee shall be increased to the step immediately above the employee's current salary step.~~

Replace stricken language above with the paragraph below.

*When an employee is promoted to a position in a higher class or the position they hold is reclassified to a position in a higher grade, the employee's salary shall be increased to the first step that provides them with an increase in pay of no less than 4% above their base pay prior to the promotion or reclassification. If the department head recommends a higher step increase, they must do so in writing as warranted by the employee's qualifications and performance, subject to the approval of the Town Administrator.*

~~e-~~ Article X: Vacations, Sections 2 and 3.

Strike out and add language in **bold** as indicated.

*Section 2. Regular reduced-hours **and regular part-time** employees shall be entitled to vacation according to Section 1 except that the resulting days shall be multiplied by the average number of hours worked each week and then divided by forty (40).*

*Section 3. **Regular part-time, p** Per diem, and intermittent employees do not accrue vacation time.*

~~d-~~ Article XI: Leaves of Absence

*Add new Section 1.h to the Article*

*Section 1 SICK LEAVE*

***h. Sick Leave Bank***

*There is hereby created a Sick Leave Bank (the "Bank") to provide offsetting pay for a limited time to those participating Town employees (the "Participants") who have exhausted their personal accrued leave time, separate from other sick leave benefits (short-term and/or long-term disability), in all of its forms, and suffer from a disabling injury or illness. Such benefits are intended to augment an employee's sick leave benefit in cases involving catastrophic or long-term illness or accident not covered by Workers' Compensation or Injured on Duty (IOD) Leave. The Bank is a voluntary, participative arrangement entered into by Town employees seeking to provide some measure of relief to ill or disabled peers and does not represent an obligation upon the Town to create time upon the records of the Bank for use by Participants beyond the time contributed by Participants or as otherwise established within this policy.*

*Administration of the Bank: The records of time contributed to and drawn from said Bank shall be maintained by the Treasurer/Collector's Office, which is charged with maintaining and tracking time. Approvals and disapprovals of membership and withdrawals shall be administered by the Town Administrator subject to any appeal process established herein provided, however, if the Town Administrator shall become a Participant in the Bank, the Chair of the Select Board shall act in the stead of the Town Administrator with respect to any decision required to be made with respect to the Town Administrator's participation in the Bank.*

*Eligibility for the Bank: All employees eligible to receive and accrue sick leave are eligible to apply to*

*enroll in and participate in the Bank after completion of their six-month probationary period and the attainment of one week of sick time (pro-rated for part-time service). Any such employee represented by a bargaining unit is only eligible to apply to and enroll in the Bank if the entity bargaining on their behalf has negotiated for the inclusion of this policy within their Collective Bargaining Agreement.*

*Initial Membership Application: Applications for enrollment in the Bank shall be on a form to be designed by the Town Administrator and will only be accepted for consideration during the so-called "Open Enrollment" period established annually for employees to enroll in and/or change their enrollments in the Town's various insurance programs. However, upon creation of the Bank, there shall be a period of thirty (30) days thereafter in which employees may apply to become a Participant in the Bank.*

*Initial Membership Deposit: Applications for enrollment shall provide authorization for the Town to withdraw an initial deposit of at least two (2) days of sick leave from the accrued sick leave time of the applicant for transfer to the Bank and may authorize up to four (4) days of sick leave time to be transferred to the Bank.*

*Annual Membership Deposit: Annually, during the Open Enrollment Period, Participants must provide authorization for the Town to withdraw an additional deposit of one (1) day of sick leave from the Participant's accrued sick leave time for transfer to the Bank and may authorize up to four (4) days of sick leave time to be transferred to the Bank.*

*Opt-Out Provision: Any Participant may remove himself or herself from the Bank at any time; however, once removed, the employee may not withdraw any sick leave contributed to the Bank at the time they initially joined or that they contributed to the Bank as part of any subsequent contribution.*

*Loss of Deposits: Deposits of sick leave time become the sole property of the Bank and are not returned to the Participant for their sole use, except in accordance with the application for a withdrawal as outlined below.*

*Application for Withdrawals: A Participant, or their designee, may apply to withdraw time from the Bank upon a form to be designated by the Town Administrator. Said form shall require a certification from a medical or mental health professional licensed by the Commonwealth of Massachusetts as to the disabling injury or illness, an indication as to how long the condition may persist, and a certificate of the Town Officer maintaining the Bank of any and all time the applicant has remaining of their personal accrued leave time, in all forms, which must be fewer than eighty (80) hours of total leave time at the time of application.*

*Maximum Withdrawal and Use Thereof: No Participant may be granted more than an initial grant of twenty (20) days of leave from the Bank in any twelve-month calendar year period. Any such grant of leave may not be drawn against until all other available leave time on the books of the Participant has been fully exhausted.*

*Continuing Accruals of Sick Leave: Under no circumstances may a Participant, while using time derived from the Bank, accrue any type of leave.*

*Refunds for Monies Recovered: Any Participant who subsequently receives any form of reimbursement for any Town-offered Disability or Workers' Compensation Policy covering any illness or disability originally covered by a withdrawal of time from the Bank shall pay to the Town the value of the duplicate coverage and the Treasurer shall give credit to the Bank for the number of days for which the Town was*

*reimbursed.*

*Appeals: Should an application for withdrawal be denied, the Participant may submit an appeal in writing to the Town Administrator. The Town Administrator will then convene a three-member ad-hoc panel which shall be established within three (3) business days to decide the matter. The ad-hoc panel will consist of an appointee from the Town Administrator, the Participant shall appoint one member to the panel who is knowledgeable of the facts of the situation and will serve as an advocate of the Participant, and the Chair of the Personnel Board, or designee, who will serve as the ad-hoc chair. The panel shall decide the matter within five (5) business days of appointment of the third panel member.*

*Extraordinary Circumstances: In extraordinary circumstances of illness or disability during a period of time in which an employee was not eligible to apply for membership in the Bank, the Town Administrator may make a one-time call for contributions of sick leave time in any amount for a specific employee who shall be identified in the call for voluntary contributions. Any employee granted time under these provisions shall not be eligible to accrue leave time during any such period of time and any voluntary contribution made in excess of that needed to meet the needs of the employee shall be transferred to the permanent records of the Bank.*

#### **Seconded. Lee Slade gave the presentation on Vote 1.**

Personnel Board is made up of five members, some of whom are very new and include: Sheila Bauer, Allan MacLean, Cheryl Mahoney. He thanked Bill Litant for his service on the Personnel Board. He outlined the priorities of the board and explained the changes to the plan and the impacts on the Town in terms of budget. The importance of these changes to long-term maintenance of

#### **Discussion on the Motion on Article 4, Vote 1.**

Bob Stemple of Kendall Rd. asked the distinction between regular part-time and a per-diem employee because it looks like a regular part-time employee would get benefits.

Rajon Hudson clarified that regular part-time employee that normally works a regular amount of time each week, under 20 hours. Per diem covers shifts and works different amounts each week and could be seasonal.

Bob Stemple noted that as a past per-diem employee could work over 20-30 hours per week, and wouldn't be allowed to earn vacation time.

Rajon Hudson said that a per diem who worked seasonally don't work a regular set of hours. The per-diems are not a regular set of hours and the hours are subject to fluidity so harder to track and accrue.

Brenda Sydney of 81 Liberty Square Rd. doesn't understand why the per diem employees would be excluded.

Michael Johns noted that the personnel plan was worked on over the past year, and this plan has been well-vetted and debated and voted on. If there are recommendations that come forward in terms of changing the per-diem vacation time. There is a predictability to the regular employees; this was a benefit we wanted to give to our employees. There has not been an opportunity to meet with the per diem employees and that is probably something that needs to have some dialogue.

Lee Slade said it was a good question, and they will plan to discuss it in the future.

Chad Childers of Middle Rd. wanted to clarify that the proposed change is just to add vacation time to part-time employees.

Barbara Salzmänn of Cobleigh Rd. asked that per-diem employees be looked at for the future.

Christine Marlow of Depot Rd. asked if per-diems work for other towns. It was confirmed that they are allowed to work for other towns.

**Action on the motion on Article 4, Vote 1: motion carried by a majority.**

**Vote 2:** Lee Slade moved that the Town amend the Classification and Compensation Schedule of the Personnel Administration Plan in the manner that is set forth in the document on file with the Town Clerk titled “Proposed Changes to Personnel Administration Plan – May 8, 2023” and also available on the Town’s website as set forth in the May 8, 2023 Annual Town Meeting Warrant which Schedule includes a 2.9% wage adjustment as stated in the May 8, 2023 Annual Town Meeting Warrant.

***Vote 2: Classification and Compensation Schedule – Wage Increase***

**FY2024**

*The Personnel Board voted a 2.9% wage adjustment based on a fiscal 3-year average of the CPI-U (Consumer Price Index – Urban) effective July 1, 2023 (FY2024). **The total increase in salaries is \$23,000.***

*Employees on the Temporary, Per Diem and Intermittent Schedule will receive a 2.9% wage adjustment, effective July 1, 2023*

**FY2024 Classification and Compensation Schedule (2.9% Wage Increase added)**  
**Regular Full-Time, Reduced Hours and Part-Time Employees**

GRADE	POSITIONS	FLSA	Step 1	Step	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14
16	Assistant Town Administrator Police Lieutenant	Exempt	87,301	89,484	91,721	94,014	96,364	98,773	101,243	103,774	106,368	109,027	111,753	114,547	117,411	120,346
15	COA & Community Services Director *Inspector Bldgs Commissioner(BICO) **Town Accountant *Town Assessor *Town Planner Town Treasurer/Collector	Exempt	74,300	76,158	78,062	80,013	82,014	84,064	86,166	88,320	90,528	92,791	95,111	97,488	99,926	102,424
14	Community Services Coordinator Council on Aging Coordinator Town Clerk/Temporary Town Clerk DPW Foreman	Exempt Non-Exempt	63,233 30.29	64,814 31.05	66,434 31.83	68,095 32.62	69,797 33.44	71,542 34.27	73,331 35.13	75,164 36.01	77,043 36.91	78,969 37.83	80,943 38.78	82,967 39.75	85,041 40.74	87,167 41.76
13	Associate Town Planner Youth Services Librarian Information Services Librarian Technical Services Librarian	Exempt Non-Exempt	58,358 27.94	59,817 28.64	61,313 29.36	62,845 30.09	64,416 30.84	66,027 31.62	67,678 32.41	69,370 33.22	71,104 34.05	72,881 34.90	74,703 35.77	76,571 36.66	78,485 37.58	80,447 38.52
12	Administrative Assistant Conservation Agent DPW Worker Skilled Fleet Maintenance Mechanic	Non-Exempt	25.99	26.64	27.31	27.99	28.69	29.41	30.14	30.90	31.67	32.46	33.27	34.11	34.96	35.83
11	Animal Control Officer Department Assistant	Non-Exempt	24.19	24.79	25.41	26.05	26.70	27.37	28.05	28.75	29.47	30.21	30.97	31.74	32.53	33.35
10	Bldgs/Grnds Maint Worker DPW Worker Semi Skilled Sr. Library Assistant Transfer Station Operator	Non-Exempt	22.49	23.05	23.63	24.22	24.83	25.45	26.08	26.74	27.40	28.09	28.79	29.51	30.25	31.00
9	Library Assistant	Non-Exempt	20.93	21.45	21.99	22.54	23.10	23.68	24.27	24.88	25.50	26.14	26.79	27.46	28.15	28.85
8	Van Dispatcher	Non-Exempt	19.47	19.96	20.46	20.97	21.49	22.03	22.58	23.15	23.72	24.32	24.93	25.55	26.19	26.84

\* Under three-year contract

\*\*Under two- year contract

Positions that have been graded for FY2024

Strikethroughs indicate positions that have moved to Union Contracts

FY2024 Classification & Compensation Schedule (2.9% Wage Increase added) Temporary, Per Diem and  
Intermittent

SG	Hourly (All Non-exempt)	FY24 Rate
0	CIT	14.86
0	Intern (Town Hall)	14.86
1	Counselor	15.44
1	Asst. Animal Control Officer	15.44
1	Election Workers	15.44
2	Media Production Technician	16.01
2	Seasonal Conservation Officer	16.01
3	Laborer - Cemetery	14.66
3	Clerk of Elections	16.61
4	Lead Counselor	17.24
5	Van Driver	17.88
6	Seasonal Maintenance & Cemetery Worker	18.55
8	Lock Up Attendant	22.04
8	Winter Sports Director	22.04
8	Specialty Instructor Level I	22.04
9	Substitute Librarian	20.93
10	Special Police Officer	22.49
10	Specialty Instructor Level II	22.59
10	Summer Recreation Director	22.59
10	Snow Plow Operator	26.01
11	Firefighter/EMT	24.19
11	Animal Control Officer	24.19
11	Lead Summer Recreation Director	24.19
11	Veterans Services Officer	24.19
11	Part Time Dispatcher	24.19
11	Deputy Fire Chief	26.21
13	Reserve Police Officer	27.94
14	Fire Lieutenant	29.44
15	Fire Captain	33.91
NR	Asst. Building Inspector	30.18
NR	Call Building Inspector	35.13

Stipends (Annual)	Rate
Field Driver	\$45
Registrar Member	\$275
Registrar Chairperson	\$925
Cemetery Superintendent	\$5,000
Animal Inspector	\$1,015
Technology Liaison	\$7,500
Finance Director	\$6,000

Fee Based	Rate
Wiring Inspector	90% Permit Fees
Plumbing & Gas Inspector	90% Permit Fees
Meeting Secretaries	\$134.21/meeting

Regraded positions

Revised 2/8/2023

**The Personnel Board recommends (3-0) for Vote 1.**

**The Personnel Board recommends (3-0) for Vote 2.**

**The Finance Committee recommends (5-0-0) for Vote 1.** The Finance Committee recommends. The changes to the Part-time dispatcher and Reserve Police Officer will hopefully make it easier to find and retain employees, thereby cutting down on the amount of overtime incurred by the departments. The language changes around

promotion/reclassification, vacation for part-time employees, and a sick bank will reward and help retain our employees.

**The Finance Committee recommends (5-0-0) for Vote 2.** The Finance Committee recommends. We feel that the 2.9% COLA is reasonable given inflation. The increase was again arrived at using a 3-year average.

**The Select Board recommends (4-0-0) for Vote 1.** For the reasons written in the summary, the Select Board unanimously recommends this article and supports the efforts of the Planning Board to clarify various aspects of the Personnel Plan and to add a provision for a much needed “Sick Leave Bank” which will bring welcome changes for our employees.

**The Select Board recommends (4-0-0) for Vote 2.** For the reasons written in the summary, the Select Board unanimously recommends this article and supports the 2.9% COLA increase.

#### **Discussion on the Motion on Article 4, Vote 2.**

Brenda Sydney of Liberty Square Rd. asked about a performance pool?

Mr. Johns said don't have a performance pool, per se. Mr. Johns noted that we are discussing the Cost of Living Increase (COLA). In addition, employees are also eligible for a step raise which is based on performance. Contract employees are not eligible for this COLA.

**Action on the motion on Article 4, Vote 2: motion carried by a majority.**

## **ARTICLE 5            TOWN OPERATING BUDGET**

**\$25,892,289 Raise & Appropriate**

**(Majority vote required)**

Maria Neyland moved and it was seconded that the Town raise and appropriate the sum of Twenty-Five Million, Eight Hundred Ninety-Two Thousand, Two Hundred Eighty-Nine Dollars (\$25,892,289) for the operations and expenses of the Town during the fiscal year beginning July 1, 2023, for the purposes for which funding are set forth in the Department Account Numbers 114 through 915 and any subheadings included under said account numbers as printed in Article 5 of the May 8, 2023 Annual Town Meeting Warrant under the heading FY 24 Submitted Budget.

Except for:

**Department 156, Total Salaries--Technology**, which has been **reduced** by **\$7,500** to **\$0.00**

**Department 210, Total Salaries-- Police** which has been **reduced** by **\$9,897** to **\$1,478,007**

**Department 210, Total Other--Police**, which has been **increased** by **\$4,000** to **\$133,683**

**Department 215, Total Salaries--Dispatch**, which has been **increased** by **\$12,000** to **\$424,033**

**Department 300, Total Other—Education**, which has been **decreased** by **\$27,149** to **\$304,641**

**Making the new total to be raised \$25,863,743.**

*For more information refer to the Finance Committee Report at the end of this Warrant.*

Maria Neyland, Chair, gave the Finance Committee Report. The Fin Com are volunteers appointed by the Moderator, and they represent all of the town. Even though Michael Johns came late to the process, it was smooth and collaborative. She also thanked the department heads and staff and Dennis Reip.

She noted changes in the budget so that recurring capital items would be standalone warrant articles. She cited challenges of payments from year to year with supply chain issues. Utilities changed to consolidate the expense in one line. Free Cash is higher than it has ever been. We were reimbursed for COVID relief, which went back into free cash. Next year will be more typical, and not as much will go into free cash this year. Town govt budget is up 4.9% over last year. We have continued to pay down debt. With the use of free cash this year, it will go back down to 5% of our budget. Stabilization fund is well within the guidelines. Reserve Fund this year was changed to a percentage of the budget as opposed to a set amount.

On behalf of the Finance Committee, Ms. Neyland took a moment to recognize a few people: Chief Paul Fillebrown, it has been a pleasure to serve with you. Les Fox, 24 years of service to the Town – too many committees to list. Work on the DPW building, years of work on Public Safety Committee and most recently your efforts on the Water Resources Committee to secure clean drinking water for the western part of town were admirable and many have looked to you as a mentor; you will be missed.

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

**The Select Board recommends (4-0-0).**

### **Discussion on the Motion on Article 5.**

Moderator Reip proceeded to read items line by line unless there was a hold.

Becky Neville asked for a hold on 114 because the Moderator's salary was eliminated. Warrant articles may change the budget, so we don't need to go in and change the budget. It will get changed by the accountant after Town Meeting.

Cheryl Mahoney of Liberty Square Rd. asked a procedural question about whether we need to raise and appropriate. Maria Neyland didn't think we needed to change the budget.

Kelli Pontbriand said that because that Article 3 was one of the few that actually set the amount, we need to keep the



hold and decrease the budget.

Becky Neville moved that we decrease the Moderator's stipend to zero. Fin Com and Select Board recommended.

**Action on the motion on the hold on line 114: motion carried by a majority.**

Line 123 was held. No salary line item for the Select Board so does not need to be held.

Line 175 was held. The salary for Planning Board was reduced by \$2000 to reflect the vote of Article 3.

**Action on the motion on the hold on line 175: motion carried by a majority.**

Line 300 was held. The salaries in line item 300 were reduced by \$1,600 to reflect the vote of Article 3.

Line item 431 was held. Janet Keating-Connolly of Flagg Hill Rd. asked if the line item was for Hazardous Waste. We haven't had one in two years. We are having one this year.

Line 511 was held. The salaries in line item 511 was reduced by \$600 for Board of Health members to reflect the vote of Article 3.

**Action on the motion on the hold on line 511: motion carried by a majority.**

**Amendment to the original motion to decrease department 114 total salary by \$100, department 175 total salary by \$2,000, department 300 total salary by \$1,600 and department 511 total salary by \$600**

**Action on the amendment on Article 5: motion carried by a majority.**

**Action on the amended motion on Article 5 (for a total of \$25,859,443): motion carried by a majority.**

**FY2024 Budget Summary  
Town of Boxborough**

	FY24 Submitted Budget	FY23 Budget	FY24 VS FY23	FY24 VS FY23	FY23 YTD 12/31	FY22 Budget	FY22 Actual
114 Total Salary		100	-100	-100.0%	0	0	0
114 Total Other	80	80	0	0.0%	0	75	57
114 <u>Total Moderator</u>	80	180	-100	-55.6%	0	75	57
119 Total Salary	0	0	0		0	0	0
119 Total Other	160	160	0	0.0%	37	120	74
119 <u>Total Town Constable</u>	160	160	0	0.0%	37	120	74
123 Total Salary	344,593	302,870	41,723	13.8%	152,720	215,020	201,620
123 Total Other	63,509	46,770	16,739	35.8%	25,519	38,210	33,855
123 <u>Total Executive Office</u>	408,102	349,640	58,462	16.7%	178,239	253,230	235,475
131 Total Salary	0	0	0		0	0	0
131 Total Other	700	385	315	81.8%	184	375	255
131 <u>Total Town Finance Comm</u>	700	385	315	81.8%	184	375	255
135 Total Salary	97,583	97,583	0	0.0%	39,559	75,230	68,059
135 Total Other	45,900	43,600	2,300	5.3%	48,377	73,120	70,417
135 <u>Total Accountant</u>	143,483	141,183	2,300	1.6%	87,936	148,350	138,476
141 Total Salary	120,800	112,775	8,025	7.1%	51,982	88,940	91,231
141 Total Other	32,445	21,220	11,225	52.9%	9,338	19,758	16,540
141 <u>Total Assessor</u>	153,245	133,995	19,250	14.4%	61,320	108,698	107,771
145 Total Salary	119,888	114,792	5,096	4.4%	49,791	86,310	80,249
145 Total Other	29,200	28,700	500	1.7%	16,995	120,940	116,818
145 <u>Total Treasurer/Collector</u>	149,088	143,492	5,596	3.9%	66,786	207,250	197,067
151 Total Salary	0	0	0		0	0	0
151 Total Other	130,000	78,400	51,600	65.8%	61,017	78,400	127,288
151 <u>Total Legal</u>	130,000	78,400	51,600	65.8%	61,017	78,400	127,288
152 Total Salary	0	0	0		0	0	0
152 Total Other	345	345	0	0.0%	225	345	225
152 <u>Total Personnel Board</u>	345	345	0	0.0%	225	345	225
156 Total Salary	0	7,500	-7,500	-100.0%	0	7,500	7,500
156 Total Other	216,000	251,775	-35,775	-14.2%	94,708	230,420	196,969
156 <u>Total Technology</u>	216,000	259,275	-43,275	-16.7%	94,708	237,920	204,469
161 Total Salary	114,262	107,837	6,425	6.0%	47,289	67,335	62,386
161 Total Other	14,052	11,024	3,028	27.5%	5,381	9,440	11,515
161 <u>Total Town Clerk</u>	128,314	118,861	9,453	8.0%	52,670	76,775	73,901
171 Total Salary	0	0	0		0	0	0
171 Total Other	1,700	1,600	100	6.3%	686	1,600	919
171 <u>Total Conservation Comm</u>	1,700	1,600	100	6.3%	686	1,600	919

	FY24 Submitted Budget	FY23 Budget	FY24 VS FY23	FY24 VS FY23	FY23 YTD 12/31	FY22 Budget	FY22 Actual
174 Total Salary	290,793	284,046	6,747	2.4%	119,859	144,220	135,945
174 Total Other	21,200	17,000	4,200	24.7%	15,443	17,850	10,916
174 <u>Total Land Use &amp; Permitting</u>	311,993	301,046	10,947	3.6%	135,302	162,070	146,860
175 Total Salary	3,913	5,913	-2,000	-33.8%	4,608	5,075	2,464
175 Total Other	7,942	5,425	2,517	46.4%	7,630	5,425	196
175 <u>Total Planning Board</u>	11,855	11,338	517	4.6%	12,238	10,500	2,660
176 Total Salary	1,304	1,304	0	0.0%	0	1,280	0
176 Total Other	635	635	0	0.0%	0	635	0
176 <u>Total ZBA</u>	1,939	1,939	0	0.0%	0	1,915	0
179 Total Salary	0	0			0	0	0
179 Total Other	300	200	100	50.0%	0	100	100
179 <u>Total Aq Comm</u>	300	200	100	50.0%	0	100	100
182 Total Salary	0	0	0		0	0	0
182 Total Other	4,250	3,750	500	13.3%	1,000	3,500	0
182 <u>Total Economic Development</u>	4,250	3,750	500	13.3%	1,000	3,500	0
192 Total Salary	0	0	0	0.0%	0	0	0
192 Total Other	241,100	219,814	21,286	9.7%	83,518	260,859	216,309
192 <u>Total Building &amp; Grounds</u>	241,100	219,814	21,286	9.7%	83,518	260,859	216,309
196 Total Salary	0	0	0		0	0	0
196 Total Other	17,200	15,015	2,185	14.6%	7,806	15,015	15,012
196 <u>Total Facilities</u>	17,200	15,015	2,185	14.6%	7,806	15,015	15,012
199 Total Salary	0	0	0		0	0	0
199 Total Other	950	950	0	0.0%	0	1,250	1,247
199 <u>Total Sustainability Comm</u>	950	950	0	0.0%	0	1,250	1,247
Total Salaries - Town Govern	1,093,136	1,034,720	58,416	5.6%	465,808	690,910	649,454
Total Other - Town Governm	827,668	746,848	80,820	10.8%	377,864	877,437	818,713
Total Town Government	1,920,804	1,781,568	139,236	7.8%	843,672	1,568,347	1,468,166
210 Total Salary	1,478,007	1,466,013	11,994	0.8%	701,730	1,369,105	1,348,312
210 Total Other	133,683	176,845	-43,162	-24.4%	40,881	113,115	94,297
210 <u>Total Police</u>	1,611,690	1,642,858	-31,168	-1.9%	742,611	1,482,220	1,442,609
215 Total Salary	424,033	405,072	18,961	4.7%	164,604	389,970	327,301
215 Total Other	61,300	57,468	3,832	6.7%	32,482	60,285	47,878
215 <u>Total Dispatch</u>	485,333	462,540	22,793	4.9%	197,086	450,255	375,179
220 Total Salary	1,208,112	1,180,839	27,273	2.3%	521,815	1,034,810	989,251
220 Total Other	126,983	126,520	463	0.4%	48,974	129,920	118,220
220 <u>Total Fire</u>	1,335,095	1,307,359	27,736	2.1%	570,789	1,164,730	1,107,471

	FY24 Submitted Budget	FY23 Budget	FY24 VS FY23	FY24 VS FY23	FY23 YTD 12/31	FY22 Budget	FY22 Actual
292 Total Salary	18,706	18,061	645	3.6%	8,085	17,290	16,705
292 Total Other	5,197	5,495	-298	-5.4%	1,189	5,495	3,536
292 <u>Total ACQ</u>	23,903	23,556	347	1.5%	9,273	22,785	20,241
Total Salaries - Protection	3,128,858	3,069,985	58,873	1.9%	1,396,234	2,811,175	2,681,569
Total Other - Protection	327,163	366,328	-39,165	-10.7%	123,525	308,815	263,931
Total Protection	3,456,021	3,436,313	19,708	0.6%	1,519,759	3,119,990	2,945,500
300 Total Salary	0	1,600	-1,600	-100.0%	0	1,600	1,600
300 Total Other	304,641	294,378	10,263	3.5%	0	282,818	295,222
300 <u>Total Education</u>	304,641	295,978	8,663	2.9%	0	284,418	296,822
310 Total Salary	0	0	0	0.0%	0	0	0
310 Total Other	13,944,299	13,257,674	686,625	5.2%	0	12,676,080	12,123,120
310 <u>Total ABRSD</u>	13,944,299	13,257,674	686,625	5.2%	0	12,676,080	12,123,120
Total Salaries - Education	0	1,600	(1,600)	(1)		1,600	1,600
Total Other - Education	14,248,940	13,552,052	696,888	5.1%		12,958,898	12,418,342
Total Education	14,248,940	13,553,652	695,288	5.1%		12,960,498	12,419,942
422 Total Salary	688,856	650,063	38,793	6.0%	304,792	626,455	612,629
422 Total Other	227,640	223,430	4,210	1.9%	101,584	167,045	184,464
422 <u>Total DPW</u>	916,496	873,493	43,003	4.9%	406,376	793,500	797,093
423 Total Salary	92,293	66,880	25,413	38.0%	5,426	66,880	54,871
423 Total Other	114,297	139,710	-25,413	-18.2%	20,547	139,710	98,782
423 <u>Total Snow &amp; Ice</u>	206,590	206,590	0	0.0%	25,973	206,590	153,653
424 Total Salary	0	0	0		0	0	0
424 Total Other	3,900	3,000	900	30.0%	403	2,500	2,393
424 <u>Total Street Lighting</u>	3,900	3,000	900	30.0%	403	2,500	2,393
425 Total Salary	0	0	0		0	0	0
425 Total Other	64,700	61,280	3,420	5.6%	19,176	0	0
425 <u>Total Hager Well</u>	64,700	61,280	3,420	5.6%	19,176	0	0
431 Total Salary	0	0	0		0	0	0
431 Total Other	0	10,000	-10,000	-100.0%	0	0	0
431 <u>Total Hazardous Waste</u>	0	10,000	-10,000	-100.0%	0	0	0
433 Total Salary	0	0	0		0	0	0
433 Total Other	158,950	123,700	35,250	28.5%	47,384	129,700	84,644
433 <u>Total Transfer Station</u>	158,950	123,700	35,250	28.5%	47,384	129,700	84,644
490 Total Salary	1,015	1,015	0	0.0%	234	1,060	1,015
490 Total Other	0	0	0	0.0%	0	0	0
490 <u>Total Animal Inspector</u>	1,015	1,015	0	0.0%	234	1,060	1,015

	FY24 Submitted Budget	FY23 Budget	FY24 VS FY23	FY24 VS FY23	FY23 YTD 12/31	FY22 Budget	FY22 Actual
491 Total Salary	5,000	5,000	0	0.0%	2,500	5,000	5,000
491 Total Other	2,300	500	1,800	360.0%	442	500	491
491 <u>Total Cemetery</u>	7,300	5,500	1,800	32.7%	2,942	5,500	5,491
Total Salaries - Public Works	787,164	722,958	64,206	8.9%	312,952	699,395	673,514
Total Other - Public Works	571,787	561,620	10,167	1.8%	189,536	439,455	370,774
Total Public Works	1,358,951	1,284,578	74,373	5.8%	502,488	1,138,850	1,044,289
511 Total Salary	0	600	-600	-100.0%	0	600	400
511 Total Other	69,103	52,679	16,424	31.2%	12,537	47,255	48,506
511 <u>Total BoH</u>	69,103	53,279	15,824	29.7%	12,537	47,855	48,906
529 Total Salary	53,950	52,095	1,855	3.6%	17,466	36,400	25,724
529 Total Other	8,415	8,005	410	5.1%	3,579	7,650	6,868
529 <u>Total Community Services</u>	62,365	60,100	2,265	3.8%	21,045	44,050	32,592
541 Total Salary	78,767	74,486	4,281	5.7%	33,607	48,245	48,244
541 Total Other	10,950	9,240	1,710	18.5%	2,874	8,790	7,529
541 <u>Total CQA</u>	89,717	83,726	5,991	7.2%	36,481	57,035	55,773
543 Total Salary	0	0	0		0	0	0
543 Total Other	35,875	34,999	876	2.5%	9,792	33,965	17,769
543 <u>Total Veterans</u>	35,875	34,999	876	2.5%	9,792	33,965	17,769
Total Salaries - Health Service	132,717	127,181	5,536	4.4%	51,073	85,245	74,368
Total Other - Health Services	124,343	104,923	19,420	18.5%	28,782	97,660	80,672
Total Health Services	257,060	232,104	24,956	10.8%	79,855	182,905	155,040
610 Total Salary	288,632	276,462	12,170	4.4%	126,559	263,735	262,996
610 Total Other	109,275	108,500	775	0.7%	64,031	111,550	104,260
610 <u>Total Library</u>	397,907	384,962	12,945	3.4%	190,590	375,285	367,257
630 Total Salary	54,983	52,298	2,685	5.1%	42,131	43,300	32,425
630 Total Other	13,225	11,900	1,325	11.1%	6,358	6,200	4,923
630 <u>Total Rec Comm</u>	68,208	64,198	4,010	6.2%	48,489	49,500	37,348
691 Total Salary	0	0	0		0	0	0
691 Total Other	350	350	0	0.0%	0	350	147
691 <u>Total Hist Comm</u>	350	350	0	0.0%	0	350	147
692 Total Salary	0	0	0		0	0	0
692 Total Other	1,500	1,500	0	0.0%	286	1,500	570
692 <u>Total Public Celebrations</u>	1,500	1,500	0	0.0%	286	1,500	570
699 Total Salary	0	0	0		0	0	0
699 Total Other	1,500	1,400	100	7.1%	0	1,400	0
699 <u>Total AB Cultural Council</u>	1,500	1,400	100	7.1%	0	1,400	0



	FY24 Submitted Budget	FY23 Budget	FY24 VS FY23	FY24 VS FY23	FY23 YTD 12/31	FY22 Budget	FY22 Actual
Total Salaries - Culture & Rec	343,615	328,760	14,855	4.5%	168,690	307,035	295,421
Total Other - Culture & Rec	125,850	123,650	2,200	1.8%	70,675	121,000	109,900
Total Culture & Rec	469,465	452,410	17,055	3.8%	239,365	428,035	405,322
710 Total Salary	0	0	0		0	0	0
710 Total Other	1,334,132	1,294,632	39,500	3.1%	612,763	1,094,495	1,094,492
710 <u>Total Retirement of LT Debt</u>	1,334,132	1,294,632	39,500	3.1%	612,763	1,094,495	1,094,492
911 Total Salary	0	0			0	0	0
911 Total Other	1,245,470	1,218,757	26,713	2.2%	1,218,757	1,444,435	1,144,434
911 <u>Total County Retirement Ass</u>	1,245,470	1,218,757	26,713	2.2%	1,218,757	1,444,435	1,144,434
912 Total Salary	0	0	0		0	0	0
912 Total Other	230,000	223,333	6,667	3.0%	189,242	201,385	197,635
912 <u>Total Other Insurance</u>	230,000	223,333	6,667	3.0%	189,242	201,385	197,635
915 Total Salary	0	0	0		0	0	0
915 Total Other	1,183,600	1,047,073	136,527	13.0%	525,365	967,460	866,085
915 <u>Total Employee Benefits</u>	1,183,600	1,047,073	136,527	13.0%	525,365	967,460	866,085
			0				
Total Salaries - Administrative	0	0			0	0	0
Total Other - Administration	3,993,202	3,783,795	209,407	5.5%	2,546,127	3,707,775	3,302,646
Total Administration	3,993,202	3,783,795	209,407	5.5%	2,546,127	3,707,775	3,302,646
132 Total Salary	0	0	0		0	0	0
132 Total Other	155,000	150,000	5,000	3.3%	0	64,773	135,227
132 <u>Total Reserve Fund</u>	155,000	150,000	5,000	3.3%	0	64,773	135,227
Total Salaries - Town Government	1,093,136	1,034,720	58,416	5.6%	465,808	690,910	649,454
Total Salaries - Protection	3,128,858	3,069,985	58,873	1.9%	1,396,234	2,811,175	2,681,569
Total Salaries - Public Works	787,164	722,958	64,206	8.9%	312,952	699,395	673,514
Total Salaries - Health Services	132,717	127,181	5,536	4.4%	51,073	85,245	74,368
Total Salaries - Culture & Rec	343,615	328,760	14,855	4.5%	168,690	307,035	295,421
Total Salaries	5,485,490	5,283,604	201,886	3.8%	2,394,757	4,593,760	4,374,326
Total Other - Town Government	827,668	746,848	80,820	10.8%	377,864	877,437	818,713
Total Other - Protection	327,163	366,328	-39,165	-10.7%	123,525	308,815	263,931
Total Other - Public Works	571,787	561,620	10,167	1.8%	189,536	439,455	370,774
Total Other - Health Services	124,343	104,923	19,420	18.5%	28,782	97,660	80,672
Total Other - Culture & Rec	125,850	123,650	2,200	1.8%	70,675	121,000	109,900
Total Town Other	1,976,811	1,903,369	73,442	3.9%	790,381	1,844,367	1,643,990

	FY24 Submitted Budget	FY23 Budget	FY24 VS FY23	FY24 VS FY23	FY23 YTD 12/31	FY22 Budget	FY22 Actual
Total Town Government	1,920,804	1,781,568	139,236	7.8%	843,672	1,568,347	1,468,166
Total Protection	3,456,021	3,436,313	19,708	0.6%	1,519,759	3,119,990	2,945,500
Total Public Works	1,358,951	1,284,578	74,373	5.8%	502,488	1,138,850	1,044,289
Total Health Services	257,060	232,104	24,956	10.8%	79,855	182,905	155,040
Total Culture & Rec	469,465	452,410	17,055	3.8%	239,365	428,035	405,322
Total Town Expenses	7,462,301	7,186,973	275,328	3.8%	3,185,138	6,438,127	6,018,316
Total Other - Education	14,248,940	13,553,652	695,288	5.1%	0	12,960,498	12,419,942
Total Other - Administration	3,993,202	3,783,795	209,407	5.5%	2,546,127	3,707,775	3,302,646
Total Reserve Fund	155,000	150,000	5,000	3.3%	0	200,000	135,227
Total Other Costs	18,397,142	17,487,447	909,695	5.2%	2,546,127	16,668,273	15,722,588
TOTAL	25,859,443	24,674,420	1,185,023	4.8%	5,731,266	23,106,400	21,740,903

**ARTICLE 6                      ESTABLISHMENT OF A FALL TOWN MEETING—AMENDMENT OF  
GENERAL BYLAWS**

\$5,900 Raise and Appropriate  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town amend the Boxborough General Bylaws by adding ARTICLE 1 § 2 FALL TOWN MEETING, and by adding the following language in bold italics and further that non-substantive changes to the numbering of the General Bylaw be permitted in order that it be in compliance with the numbering format of the General Bylaw; and further that the Town raise and appropriate the sum of Five Thousand Nine Hundred Dollars (\$5,900) for the costs associated with and incidental to the holding of the Fall Town Meeting.

***ARTICLE 1 § 2 FALL TOWN MEETING***

***The fall Town Meeting shall be held in October or November on a date to be determined each year and act upon matters of planning, zoning, subdivision control, acceptance of land or roads, building codes, grant applications, and the adoption, amendment, or repeal of bylaws as well as to consider and act upon such other business, including matters involving an appropriation of Town funds, as may properly come before the meeting.***

***Summary:***

*The proposed General Bylaw will establish a Fall town meeting to be held in addition to annual town meeting. This meeting is established for a limited scope of articles, focused on planning and zoning matters. This will alleviate the burden of time on participants at Annual Town Meeting, and provide a spotlighted meeting to focus on the growth and development of the Town. The appropriation is a best estimate for a cost of such a meeting.*

**The Select Board recommends (4-0-0).** Municipal government has become more and more complicated with many issues unanticipated prior to the Annual Town Meeting. In the last few years, the Town has been required to hold at least one additional Town Meeting to handle these issues. The Select Board believes that it is better to budget and appropriately plan for another regular Town meeting in the Fall.

**The Finance Committee recommends (4-1-0). Tax impact to the average home is \$3.06 or \$0.004 per 1,000. The Planning Board does not recommend (3-2-0).**

**Majority Opinion (given by Kathleen Vorce):** The majority of the Planning Board feels that there is a long-standing tradition of hearing Planning Articles at the Annual Town Meeting, as well as a higher likelihood of attendance and interest in planning issues.

Rather than incur the added expense and effort of a Fall Town Meeting we would ask the Select Board to consider moving Planning articles, as is their prerogative, to be heard as the first item on the second day of Town Meeting, rather than the last items on the agenda.

The hope is that hearing Planning Articles when there is the best attendance gives the largest number of voters the opportunity to weigh in without the need for additional meetings.

**Minority Opinion (given by Mark Barbadoro):** A minority of the Planning Board supports this article which calls for a regular Fall Town Meeting with a primary focus on planning, zoning, and other land use-related articles. The goal is to have as many people in attendance as possible to vote on these articles and allow voters sufficient time to fully understand, discuss and debate such articles, which often impact the entire town.

Attendance falls off significantly as Annual Town Meeting (ATM) progresses over multiple nights. A review of the attendance at Annual Town Meeting as provided by the prior Town



Moderator and TownClerk over the last 32 years indicates that on average, attendance from the first night of ATM drops by approximately 32% by the second night, and drops by another 37% by the third night.

Having a separate Fall Town Meeting allows voters to focus on land use issues, many of which require a two-thirds vote. It allows voters more time to absorb intricacies of zoning bylaw amendments and other proposals while not having to also focus on budget items and the many other warrant articles normally presented at the Spring ATM.

Additionally, while the Planning Board can, and often does, request that their sponsored articles be considered earlier in the Spring ATM agenda, there is no guarantee that such a schedule is able to be accommodated since there are many important articles for consideration each year, each competing for the largest audience.

### **Discussion on the Motion on Article 6.**

Owen Neville of Middle Rd. opposes the Article. We should save the money, and he thinks it's likely that time will be filled up, if we have an extra meeting. He urges defeat.

Molly Wong of Stonehedge Pl. wonders about a comparison of Special Town Meetings vs. Annual Town Meeting second days attendance. Adding another meeting goes against the idea of culture change that is trying to shift away from town meetings in general, which are hard for people to get to, but if people show up, maybe it's worth having.

Mr. Reip said there were approximately 150 at the Fall Town Meeting that he presided over.

Michael Toups of Pine Hill Rd. asked if this article as written would not prevent Zoning Articles from coming up at regular Town Meeting.

Ms. Lipari expressed that it wouldn't mean the articles are not allowed at regular annual town meetings. It was the feeling that we usually need to have a Special Town meeting, and plan it on the fly.

Mr. Toups thought that if we have a meeting in the Fall would not have a big enough attendance.

Ms. Lipari doesn't think it would preclude a good attendance based on recent observations.

Christine Marlow of Depot Rd. is concerned about the busy time of year that is the fall. When are you proposing this for? She thinks we're better off doing it in the spring.

Ms. Lipari said it would be October – November, likely the second week of November.

Jim Comolli of Sargent Rd. asked about budget items for the Fall. What happens to the items in the fall if they are budgetary items.

Maria Neyland said it would be the goal of the Fin Com not to add to the budget at a Fall Town Meeting.

Wes Fowlks of Stow Rd. said that a lot of things have come up and it adds flexibility and to accommodate things that come up including staff loss and making counter offers.

John Markiewicz of Patch Hill Rd. said that there are decisions that can't wait. An example may be bringing water to the western part of this town; we are working on the IMA, and there are components that may require the town to take a vote. There are many examples like this where we may need to go to Town Meeting in order to get state funding.

Jim Moss of Bicentennial Way says he doesn't remember a year that we didn't have a second town meeting. We can always change it, so he thinks we should try it.

Mark White of Sara's Way voted against this article from the Planning Board; he is aiming for the best attendance for zoning articles. We aren't voting on a Fall Town Meeting or not; we are talking about moving Planning Articles from the Annual to the Fall. We are not precluded from having Zoning articles from ATM, so the question is would you rather come to this meeting and vote planning articles or would you rather do it primarily in the fall?

Andrew Tavalacci of Old Harvard Rd. believes that we need a Fall Town Meeting for the express purposes of discussing planning articles because the town is in growing pains and developers are moving in, so waiting for once a year to address those issues is not a smart business move.

John Neyland of Picnic St. mentioned that it is a noble idea to try to focus on those articles because articles keep getting added. Whether we do it now or in the Fall, it will get diluted, so we need to tweak the idea so that the articles are moved to an earlier time in the span of the meeting.

Mary Brolin of Guggins Ln. mentioned that it is good to plan ahead and have the Fall Town Meeting in the budget, but it doesn't preclude having zoning articles in the spring. We can cancel if we don't need the Fall Town Meeting.

Mary Nadwairski of Stonehedge Pl. moved the question.

**Action on moving the question: motion carried by a two-thirds majority as declared by the Moderator.**

Vote was taken on the motion on Article 6 but the Moderator asked to have a revote to count the cards.

Someone asked for the Article to be put on the screen. Robin Lazarow of Hill Rd. asked about whether the zoning articles would not be allowed to be heard at ATM, but Moderator Reip said debate had already ended.

Moderator Reip asked for a revote and declared that the article passed by majority.

**Action on the motion on Article 6: motion carried by majority.**

**ARTICLE 7                      FUND COST ITEMS OF THE FIRST TWO YEARS OF  
COLLECTIVE BARGAINING AGREEMENTS**

\$27,516 Raise and Appropriate  
\$16,818 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town appropriate the sum of Forty Four Thousand Three Hundred and Thirty Four Dollars (\$44,334) to fund the cost items of the first two years of the collective bargaining agreement between the Town and the Boxborough Professional Firefighters Union Local 4601, covering the period of July 1, 2022 to June 30, 2025, and to meet this appropriation, transfer from free cash the amount of Sixteen Thousand Eight Hundred and Eighteen Dollars (\$16,818) to fund the FY23 costs, and raise and appropriate the amount of Twenty Seven Thousand Five Hundred and Sixteen Dollars (\$27,516) to fund the FY24 costs and further, to authorize the Town Accountant to allocate the funds appropriated under this article to the applicable lines in the FY 23 and FY 24 Fire Department budgets, as necessary.

***Summary:***

*Funding for the first two years of collective bargaining agreements must be approved by Town Meeting. This article is for the funding of the three-year collective bargaining agreements between the Town and the union Boxborough Professional Firefighters, Local 4601. At the time of the printing of the warrant the contract had not been settled. If it is settled before Town Meeting, it will then be presented.*

**The Select Board recommends unanimously.**

**The Finance Committee recommends unanimously at their May 2<sup>nd</sup> meeting.**

**Discussion on the Motion on Article 7.**

Susan Bak of Burroughs Rd. asked what the COLAs are for the three fiscal years?

Mr. Johns replied that the COLA is 2.25% and 3% for the next two fiscal years.

Ms. Bak asked for fiscal year 24 what is the cost per thousand?

Gary Kushner of Fin Com said it would be \$0.01 on the thousand or \$8.72 for the average priced house.

**Action on the motion on Article 7: motion carried by a majority.**

## **ARTICLE 8 FIRE DEPARTMENT ADDITION TO STAFF, INCLUDING BENEFITS**

\$49,695 Raise & Appropriate

(Majority vote required)

Diana Lipari moved and it was seconded that the Town raise and appropriate the sum of Forty-Nine Thousand, Six Hundred and Ninety-Five Dollars (\$49,695) to for an additional Full-Time Firefighter/EMT in the Fire Department.

### ***Summary:***

*The current group staffing model for the Fire Department is one Full-Time EMT/Firefighter and one Per Diem EMT/Firefighter on duty 24/7. Starting in Fiscal Year 2021, a four-year plan was started to increase this level of staffing to two Full-Time EMT/Firefighter and one Per Diem EMT/Firefighter on duty 24/7. On a two-person shift, when a call for service comes in, 100% of the resources are engaged and unavailable for the duration of the incident. When a second call comes in during this period, there are no resources available to respond immediately to a possibly life-threatening situation.*

*In Fiscal Year 2021, 2022, and 2023, the Town made the first steps toward additional staffing by adding one Full- Time EMT/Firefighter to a shift Rotation each year. This brought these shifts to a total of three EMT/Firefighters. Only one of the four shift rotations are still staffed with only two EMT/Firefighters.*

*This original staffing model was implemented in 1988 and has not been changed in over 32 years. During this timeframe, the population has increased 150% and the number of calls annually has increased 250%. This addition in staff will enable the town to maintain coverage at the station when the Ambulance is dispatched out of town. Additionally, it is a step closer to meeting National Fire Protection Association (NFPA) and Occupational Safety and Health Administration (OSHA) required standards for Fire Safety.*

### **The Select Board recommends (3-1-0).**

**Majority Opinion:** The majority of the Select Board recommends this article for the reasons stated in the summary.

**Minority Opinion:** The minority of the Select Board does not recommend. After the Town failed to be awarded the SAFER grant, the Town has hired a FT EMT/Firefighter in each of the last three years. This year, no SAFER grant was sought, but the Town has been asked to hire a fourth FT EMT/Firefighter bringing the total number to 8 FT EMT/Firefighters. The budget for the Fire Department has continued to rise significantly due in large part to the increasing salary line item. The hiring of a full-time employee also necessitates significant health and insurance benefits as well as the continually rising salaries. While the minority understands that it makes staffing of shifts easier, the minority also must note that several towns (e.g., Bolton, Carlisle and Harvard) operate almost entirely with On Call firefighters and only one or two full-time firefighters and other Towns (e.g., Sterling and Stow) operate with mostly On Call and only 5 or 6 FT/EMT/Firefighters. As such, the minority does not recommend this Article.

### **The Finance Committee recommends (4-1-0).**

**Majority Opinion:** The majority of the Finance Committee believes that the Town of Boxborough has worked towards a full time EMT/FF staff of 8. Through the last 3 years we have applied for SAFER grant to aid the Town in this process. Over the last three years Boxborough was denied. In the 4th year we will not apply for the grant, but will plan to add the 4th and final new EMT/FF in January if ATM approves the hiring. This is a safety issue as it allows the chief to have personnel in a building or other area and backup outside the dangerous area.

**Minority Opinion:** The minority of the Finance Committee believes that when this plan was put in place 3 years ago it included the hope that the SAFER grant help to offset the cost of added staff for the first 4 years. The town has never won the grant and has had to bear the cost of adding 3 fulltime EMT/FF over the last 3 years. In addition, the increase of full-time staff should have at a minimum flat lined the OT, PT and Per diem budget line items over the last 3 years; this has not happened and in fact those line items have increased due to more earned time and training for the new employees. Tax impact to the average home is \$25.75 or \$0.03 per 1,000.

**Discussion on the Motion on Article 8.**

Owen Neville of Middle Rd. noted that three of the shifts have two people together, but leaves the fourth shift person all by themselves with only rotating on call people. It needs to be at least two people of our own staff on each of the four shifts to get some stability.

**Action on the motion on Article 8: motion carried by majority.**

**ARTICLE 9                      DEPARTMENT OF PUBLIC WORKS (DPW): ROAD MAINTENANCE**  
\$ 300,000 Bond  
\$355.80 TNC (Transportation Network  
Company) (Two-thirds vote required)

Diana Lipari moved and it was seconded that the Town appropriate the sum of Three Hundred Thousand Three Hundred Fifty-Five Dollars and Eighty Cents (\$300,355.80) for the purpose of maintaining roads in Boxborough, including all costs incidental and related thereto; that to meet this appropriation, the sum of Three Hundred Fifty-Five Dollars and Eighty Cents (\$355.80) be transferred from the Transportation Network Company Fund, and that the Treasurer with the approval of the Select Board is hereby authorized to borrow the sum of Three Hundred Thousand Dollars (\$300,000) pursuant to Massachusetts General Laws Chapter 44 section 7 and 8, or any other enabling authority, and to issue notes and bonds of the Town therefor.

***Summary:***

*Approval of this article will enable the town to continue the long-term project of bringing all our roadways up to good condition. It will continue the action, begun at the 2015 Annual Town Meeting, of supplementing the Chapter 90 roadway maintenance funding provided by the Commonwealth of Massachusetts with additional Town funding to accelerate the rate of repaving roads in Town. The level of Chapter 90 funding alone in recent years has been insufficient to repave even one mile per year of the Town's approximately 30 miles of roadway. In Fiscal Year 2021, a consultant was hired to provide a comprehensive roadway assessment study of conditions throughout Boxborough. By studying all the roads and determining the various degrees of degradation, we can manage the repair and maintenance more fully by different types of sealing before undertaking a full paving project. The proposed projects for the Fiscal Year 2021 and Fiscal Year 2022 road construction seasons include a combination of sealing and paving projects. The minor amount of \$355.80 from TNC<sup>+</sup> is included with this article since a specific Town Meeting appropriation for road-related work is required by statute in order to expend the funds.*

*<sup>+</sup>TNC – Transportation Network Company - The Transportation Network Company Division ("TNC Division") of the Department of Public Utilities collected assessments from all Transportation Network Companies ("TNCs") operating in the Commonwealth in 2017. The collected assessments were credited to the Commonwealth Transportation Infrastructure Fund ("Fund") pursuant to St. 2016, c. 187, §8(c)(i). One half (½) of the amount received has been distributed proportionately to each city and town based on the number of TNC rides that originated in that city or town. The funds received by each city or town are special revenue and must be used "to address the impact of transportation network services on municipal roads..." St.2016,c.187, §8(c)(i).*

**The Select Board recommends (4-0-0).** The Select Board unanimously recommends this article for the reasons stated in the summary. It is important to maintain and monitor the driving conditions of all our roads.

**The Finance Committee recommends (5-0-0).** The Finance Committee recommends. This is a program started many years ago and it supplements the Chapter 90 funds. **Tax impact to the average home is \$155.47 or \$0.20 per 1,000.**

**Discussion on the Motion on Article 9.**

**Action on the motion on Article 9: motion carried by two-thirds majority vote as declared by the moderator.**

**FINANCIAL (NON-CAPITAL) CONSENT**

## CONSENT AGENDA 2 (\*\*)

**Main Motion: Diana Lipari Select Board Chair**, moved to approve the Financial (non-capital) Consent Agenda Warrant, **Articles 10 through 14, 16 and 17** in accordance with the funding sources and amounts set forth in the May 8, 2023 Annual Town Meeting warrant under **Articles 10 through 14, 16 and 17**, respectively. The motion was seconded.

[NOTE: This motion requires a majority vote.]

ARTICLE 10	Town Hall – Addition to Staff, Part-Time .....	56
ARTICLE 11	Transfer to Other Post-Employment Benefits (OPEB) Trust .....	57
ARTICLE 12	Assessor Cyclical/Revaluation .....	58
ARTICLE 13	MS4 Permitting (Year 6) Office of Land Use and Permitting .....	59
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**ARTICLE 10                    TOWN HALL – ADDITION TO STAFF, PART-TIME (\*\*)**  
\$27,700 Raise & Appropriate  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town raise and appropriate the sum of Twenty-Seven Thousand Seven Hundred Dollars (\$27,700) for a part-time (19.5 hours) Department Assistant for the Accounting Office.

***Summary:***

*The objective of hiring a Department Assistant is to provide additional administrative support to the Town Accountant for ongoing and future projects as well as day-to-day management of tasks assigned by the Accountant. The new Part-Time Department Assistant will be responsible for providing additional support for accounts payable, tracking expenditures, and maintaining documentation for all journal entries.*

**The Select Board recommends (4-0-0).** The Select Board unanimously recommends this article for the reasons stated in the Summary. Improving services to residents through changes in staffing at Town Hall is a priority for the Select Board.

**The Finance Committee recommends (5-0-0).** Finance committee recommends for the reasons listed above. **Tax impact to the average home is \$14.36 or \$0.02 per 1,000.**

**Discussion on the Motion on Article 10.**

**Action on the motion on Article 10: motion carried by a majority as part of the consent agenda.**



**ARTICLE 11                      TRANSFER TO OTHER POST-EMPLOYMENT BENEFITS (OPEB)  
TRUST FUND (\*\*)**

\$300,000 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Three Hundred Thousand Dollars (\$300,000) to the Other Post-Employment Benefits Liability Trust Fund established under Article 25 of the 2010 Annual Town Meeting, and authorized by Massachusetts General Law Chapter 32B, Section 20, in order to offset the anticipated future cost of providing post-retirement health and life insurance benefits to current and future retired Town employees.

***Summary:***

*This article proposes to continue the annual transfers that the Town has made to the OPEB Trust Fund, in order to offset the anticipated future cost of providing post-retirement health and life insurance benefits to current and future retired Town employees.*

*In the recent OPEB audit, the Town's actuary recommended funding at \$300,000 to stay on schedule.*

**The Select Board recommends (4-0-0).** The amount proposed in this article will continue the effort started in 2012 to make a small but actuarially significant contribution to fund the Town's liability for retirees' healthcare benefits. The proposed amount of our Fiscal Year 2024 contribution represents a reasonable balance between actuarial estimates of future liabilities and the estimated future value of the accumulating and compounding trust fund contributions. Failure to fund this OPEB obligation through regular and actuarially significant contributions may, in the future, affect the Town's Standard and Poor's AAA credit rating.

**The Finance Committee recommends (5-0-0).** The Finance Committee recommends and supports using free cash. The latest actuary report indicates that Boxborough needs to fund OPEB at a higher rate than we have in the last two years. **Funding is from free cash so there is no tax implication.**

**Discussion on the Motion on Article 11.**

**Action on the motion on Article 11: motion carried by a majority as part of the consent agenda.**

**ARTICLE 12                    ASSESSOR CYCLICAL/REVALUATION (\*\*)**  
\$30,000 Raise and Appropriate  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town raise and appropriate the sum of Thirty Thousand Dollars (\$30,000) to be spent by the Town Assessor for cyclical inspections, periodic personal and real property valuations, full valuations, interim statistical updates and the related software and upgrades.

**Summary:**  
*The Town voted to provide the Assessor with the sum of \$120,000 at Annual Town Meeting of 2021 (Art. 18) for similar purposes. However, after meeting with the various vendors and the Department of Revenue (DOR) the Assessor has discovered the Town is further behind in its cyclical inspection program than had been anticipated and they are unable to complete all of the required work as required by FY '24 without further funding. (Communities are required by the DOR to complete a full revaluation of all property every five years and complete an inspection of every property, including tax exempt property, every ten years). During the discussion of the FY '23 budget the Finance Committee considered a request to begin to include certain funding within the annual operating budget for annual work on the requirement, whether or not to continue to try to do the bulk of the work with one large appropriation or break the estimated amount needed every five years (\$150,000+/-) into an annual sum. This amount will allow the Assessor to demonstrate to DOR that sufficient funds are in hand well enough in advance to ensure that the Town can complete all of the required work, and provide additional lead time to the staff to ensure they can, in fact, undertake and complete that work.*

*This set us on the path of appropriating a consistent amount of money in each future year to carry out the needed work. This approach minimizes periodic spike to the budget such as the \$120k appropriation at the 2021 Annual Town Meeting. It is anticipated that these future annual costs will be funded from taxation.*

**The Select Board recommends (4-0-0).** The Select Board unanimously recommends for the reasons stated in the Summary in order to meet the DOR requirements for assessment.

**The Finance Committee recommends (5-0-0).** For the reasons listed above Finance Committee recommends. This item is expected to be a recurring expense and will be added to the Capital Plan. **Tax impact to the average home is \$15.55 or \$0.02 per 1,000.**

**Discussion on the Motion on Article 12.**

**Action on the motion on Article 12: motion carried by a majority as part of the consent agenda.**

**ARTICLE 13                      MS4 PERMITTING (YEAR 6) OFFICE OF LAND USE AND PERMITTING (\*\*)**  
\$30,000 Raise and Appropriate  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town raise and appropriate the sum of Thirty Thousand Dollars (\$30,000) for the purpose of implementing the necessary plans, programs, and tasks to ensure that the Town of Boxborough is compliant with the Massachusetts Small MS4 General Permit.

***Summary:***

*This funding is required for the Town's continued compliance with our Municipal Small System Stormwater (MS4) Permit. The funding requested will include the following items, to be completed by our consultant Comprehensive Environmental Incorporated:*

- *Training for IDDE and SWPP Good Housekeeping*
- *BMP Inspections including all permittee-owned stormwater treatment structures*
- *Updating the SWMP Plan and IDDE Plan*
- *Preparation of Annual Reporting*
- *Catch Basin Optimization Plan Updates*
- *General Consulting*

*Filing and operating under the MS4 Permit is federally mandated. This article will fund the necessary activities required for compliance under our permit.*

**The Select Board recommends (4-0-0).** The Select Board unanimously recommends for the reasons stated in the Summary. This article is necessary to be in compliance with MS4 requirements.

**The Finance Committee recommends (5-0-0).** The Finance Committee recommends. This is an unfunded mandate. **Tax impact to the average home is \$15.55 or \$0.02 per 1,000.**

**Discussion on the Motion on Article 13.**

**Action on the motion on Article 13: motion carried by a majority as part of the consent agenda.**

## **ARTICLE 14                    CABLE SERVICES AND EQUIPMENT (\*\*)**

\$119,899 Cable Fund

(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer the sum of One Hundred Nineteen Thousand Eight Hundred Ninety-Nine Dollars (\$119,899) from the PEG Access and Cable Related Fund receipts reserved for appropriation account, for the purposes of providing for FY2024 Cable TV Operations and for the acquisition of new equipment, including all costs incidental and related thereto, to improve the Town's cable television broadcast quality and to expand meeting coverage.

### ***Summary:***

*This provides funding for Media Technicians to staff Select Board, Planning Board, and Finance Committee meetings, as well as other Town Government events such Town Meeting and information series, etc. (\$3,500). LCTV services are the majority of this appropriation (\$97,600) and include all organizational, operations, and management services for Cable broadcasting. The remainder of the budget is for On-Demand Service (\$5,799), and any new Hardware (\$6,000) including converters, cables, video equipment, etc. An additional (\$2,346) for legal fees is added this year to existing encumbered legal funds (\$4,654) to support the renegotiation of the cable franchise contract with Comcast.*

*The funds for this article are appropriated from Cable Franchise fees paid to the Town from Comcast and Verizon subscribers. Any funds remaining unspent at the end of the year are returned to the Cable fund for re- appropriation in a subsequent year.*

**The Select Board recommends (4-0-0).** The Select Board recommends this article, as it believes broadcasting and recording of meetings provides an important democratic civic service to residents.

**The Finance Committee recommends (5-0-0).** Cable provides a great service to the town, transparency to the residents and coverage of town events. **Funding for this is from Cable Funds, there is no tax impact.**

### **Discussion on the Motion on Article 14.**

**Action on the motion on Article 14: motion carried by a majority as part of the consent agenda.**

**ARTICLE 15            DEPARTMENTAL REVOLVING FUNDS EXPENSE LIMITS (\*\*)**  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town, pursuant to the provisions of G.L. c. 44 §53E½, as most recently amended, and the Town’s Revolving Fund Bylaw, to set the FY 2024 spending limits for the Town’s revolving funds as printed in the May 8, 2023 Annual Town Meeting Warrant; and, further, to amend the chart set forth in Article 1, §5 of the Town Bylaws by renaming the Recreation Programs revolving fund the “Recreation All Programs” fund, deleting the row labeled “Field Permitting” and, by closing out any monies remaining in said account to the Recreation All Programs revolving fund.

GIS Assessor Maps	\$5,000
Conservation Commission	\$20,000
Community Gardens	\$2,000
Fire Alarm System Maintenance	\$20,000
Plumbing & Gas Inspection	\$100,000
Electrical Inspection	\$150,000
Animal Control	\$75,000
Council on Aging Programs	\$25,000
Senior Van	\$32,000
Library Fines	\$10,000
Library Photocopier	\$2,500
Recreation All Programs	\$35,000
Steele Farm	\$10,000

***Summary:***

*In 2016, the Municipal Modernization Act provided for the establishment of Revolving Funds by bylaw. In May 2017, Town Meeting approved a general bylaw, which established the various revolving funds for the Town, as well as specified the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend from each fund. Moving forward, instead of having to re-authorize the revolving funds each year, Town Meeting is required only to establish the spending limits for the various Revolving Funds. The proposed spending limits are noted in the table above. Also, this year, the Field Permitting and Recreation funds are combined into one.*

**The Select Board recommends (4-0-0).** These revolving fund spending limits were set up for the purpose of carrying out the Departments’ normal function and defraying the routine, predictable expenses associated therein.

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

**Discussion on the Motion on Article 15: None.**

**Action on the motion on Article 15: motion carried by a majority vote.**

**ARTICLE 16                      CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM (\*\*)**  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town authorize the Select Board to accept Highway funds from the Commonwealth of Massachusetts and that such funds are hereby appropriated for the purpose of providing highway improvements under the authority of Chapter 90 of the General Laws, and any other applicable laws.

***Summary:***

*This article authorizes the Town to accept and spend Chapter 90 roadway maintenance funds allocated to Boxborough by the Commonwealth of Massachusetts. These funds may be expended for a variety of construction projects, ranging from road re-paving to retaining wall and guardrail installation, and also may be expended to acquire certain equipment instrumental in maintaining town roads and consulting for pavement management plans. The FY 2024 funds accepted by this Town Meeting action will be used for road maintenance projects in the Town.*

**The Select Board recommends (4-0-0).** This authorization is required every year in order to receive Chapter 90 state highway reimbursement funds.

**The Finance Committee recommends (5-0-0).** The Finance Committee recommends. **There is no tax implication.**

**Discussion on the Motion on Article 16.**

**Action on the motion on Article 16: motion carried by a majority as part of the consent agenda.**

**ARTICLE 17                      POLICE/FIRE INJURY COVERAGE TRANSFER (\*\*)**

\$50,000 Free Cash

(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Fifty Thousand Dollars (\$50,000) to the Injury Leave Indemnity Fund, established under Article 8 of the 2016 December Special Town Meeting, and authorized by MGL Ch 41 § 111F.

***Summary:***

*In Special Town Meeting in December 2016, Section 60 of the Acts of 2016 (from the Municipal Modernization Act) was accepted, establishing the fund for this purpose. At present, the fund has been depleted. Calculations have shown that a balance of \$50,000 is an optimal amount to cover the absence of one injured employee for a year. This fund is used to offset the difference in any insurance payments received to cover the unfilled shifts caused by an employee who is absent due to on-the-job injury. In the event of an off the job injury, this fund could be used to offset the difference between budgeted sick leave and actual costs for an extended absence. This fund would also be used for independent medical examinations requested by the Town.*

**The Select Board recommends (4-0-0).** The Select Board recommends for the reasons stated in the Summary. We feel it is important for the town to ensure funding is in place in the unfortunate instances where an employee is injured so that we can continue to operate fully-staffed.

**The Finance Committee recommends (5-0-0). Funding is from free cash so there is no tax implication.**

**Discussion on the Motion on Article 17.**

**Action on the motion on Article 17: motion carried by a majority as part of the consent agenda.**

**END CONSENT AGENDA 2 (\*\*)**

## CAPITAL CONSENT

### CONSENT AGENDA 3 (\*\*\*)

**Main Motion: Diana Lipari Select Board Chair**, moved to approve the Capital Consent Agenda Warrant, **Articles 18 through 24 and 27 through 34** in accordance with the funding sources and amounts set forth in the May 8, 2023 Annual Town Meeting warrant under **Articles 18 through 24 and 27 through 34**, respectively. The motion was seconded.

[NOTE: This motion requires a majority vote.]

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**ARTICLE 18                      UPGRADE AND REDESIGN OF THE TOWN’S WEBSITE (\*\*\*)**  
\$14,000 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Fourteen Thousand Dollars (\$14,000) for the purpose of redesigning and making content upgrades to the Town website, including all incidental and related costs.

***Summary:***

*This article will fund the premium redesign, implementation and services with our current website host, CivicPlus, for improvements to the accessibility of information, functionality, convenience and transparency.*

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary. Continued improvements are necessary to make the website compliant and accessible.

**The Finance Committee recommends (5-0-0).** Finance committee recommends. The current website is not working for the residents of the Town. The plan is to redesign the website to make it easier for searches. This will enable the citizens of Boxborough to obtain/find documents quicker and easier than in the recent past. **Funding is from free cash so there is no tax implication.**

**Discussion on the Motion on Article 18.**

**Action on the motion on Article 18: motion carried by a majority as part of the consent agenda.**

**ARTICLE 19                      SURVEY OF RECREATION COMMISSION PROPERTY – SUMMER ROAD  
(\*\*\*)**

\$13,727 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Thirteen Thousand, Seven Hundred Twenty-Seven Dollars (\$13,727) for a land survey, wetlands flagging, project design and permitting for land located at 144 Summer Road, including all incidental and related costs.

***Summary:***

*The Recreation Commission is grateful for the land gifted to the town by a Boxborough resident in hopes to build a softball field in this location. This warrant article will enable the Recreation Commission to learn about the feasibility of such a field and the associated costs to build one and survey the land for its use. This article aligns well with the open space and recreational interests in the 2030 Master Plan for the Town of Boxborough.*

**Recreation Commission recommends (6-0-0).**

**Finance Committee recommends (5-0-0).** The Finance Committee recommends. The Town approved the acquisition of the Summer Road property for the purpose of recreation (softball and potentially other purposes). There is a need to perform a survey of the property to determine the actual boundary lines.

**Funding is from free cash so there is no tax implication.**

**Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary and in order to fulfill the need for a softball field for resident use.

**Discussion on the Motion on Article 19.**

**Action on the motion on Article 19: motion carried by a majority as part of the consent agenda.**

**ARTICLE 20                      DEPARTMENT OF PUBLIC WORKS (DPW) – BACKHOE (\*\*\*)**  
\$150,000 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of One Hundred Fifty Thousand Dollars (\$150,000) to purchase and equip a backhoe to replace the 2006 backhoe for the Department of Public Works, including all incidental and related costs.

***Summary:***

*This new backhoe will replace a 2006 John Deere Backhoe with all the necessary attachments to perform year- round tasks. The expected life of a backhoe for this type of use is approximately 10-15 years.*

*The backhoe provides the DPW with many functions that include replacing drainage pipes and structures within the road, digging graves, compacting the open-top dumpsters at the Transfer Station for transport to the disposal facility, and plowing when needed.*

*Within the last two years, besides all the routine maintenance, the mechanic has installed a new piston for the back extender loader arm, numerous hydraulic hoses, rusted steps and battery box, and has made multiple welds on the jaw bucket just to keep it operating. It should be replaced. The backhoe was brought to CC Fillmore in order to make repairs to the connection between cab and extender arm due to excessive back and forth movement of the arm even after the arm was stopped by the operator. Rust has now completely rotted the bottom right side of the cab and because of this the back wheel fender cannot be attached to the machine. Continuing to make these types of repairs is fiscally not a reasonable solution to keep a seventeen (17) year old machine operational.*

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

**The Finance Committee recommends (5-0-0).** The current backhoe is at the end of its life. The backhoe is one of the work-horses of the department. **Funding is from free cash so there is no tax implication.**

**Discussion on the Motion on Article 20.**

**Action on the motion on Article 20: motion carried by a majority as part of the consent agenda.**

**ARTICLE 21                      DEPARTMENT OF PUBLIC WORKS (DPW): UNDERGROUND FUEL  
TANK REMOVAL AND INSTALLATION OF NEW ABOVE-GROUND  
TANKS (\*\*\*)**

\$280,000 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Two Hundred Eighty Thousand Dollars (\$280,000) to provide for the removal of two underground fuel storage tanks and for the purchase and installation of two new above ground double-walled fuel tanks for the Department of Public Works with everything necessary and required to pump fuel, with such costs to include site preparation, demolition and all other incidental and related costs.

***Summary:***

*Due to the age of the tanks (36 years) and issues with obtaining insurance for the storage tanks it has become necessary to replace both under tanks. There are also contingencies that can't be seen until the work is completed such as contaminated soil that would have to be dealt with. It is estimated the removal and installation will take about four weeks. During the installation period fuel will be purchased through an outside vendor.*

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

**The Finance Committee recommends (5-0-0).** The Finance Committee recommends for all the reasons outlined in the summary. **Funding is from free cash, there is no tax implication.**

**Discussion on the Motion on Article 21.**

**Action on the motion on Article 21: motion carried by a majority as part of the consent agenda.**

**ARTICLE 22                      DEPARTMENT OF PUBLIC WORKS (DPW) - LEAF VACUUM (\*\*\*)**

\$12,000 Free Cash

(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Twelve Thousand Dollars (\$12,000) to purchase and equip a new leaf vacuum for the Department of Public Works.

***Summary:***

*Every year the DPW continues to move large volumes of leaves with backpack blowers over extended areas and as the leaves pile up it becomes very difficult and time consuming to continue to move them to the back of the properties or to wooded areas. In addition, the leaves are usually blown in the same area every year and it becomes even more difficult to remove them. A lot of the leaves are blown into conservation and/or wet areas because there is no other place to put them. The DPW has been asked by the Cemetery Commission if they could stop blowing the leaves over the wall in the back of the South Cemetery but unfortunately there is no other place to put them without attempting to move them over even a greater distance. A leaf vacuum would improve these situations and also make removing the leaves around the Town buildings more manageable. Using a leaf vacuum will drastically cut down on the amount of time spent moving leaves around.*

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

**The Finance Committee recommends (5-0-0).** The Finance Committee recommends for all the reasons outlined in the summary. **Funding is from free cash; there is no tax implication.**

**Discussion on the Motion on Article 22.**

**Action on the motion on Article 22: motion carried by a majority as part of the consent agenda.**

**ARTICLE 23                      DEPARTMENT OF PUBLIC WORKS (DPW): HAGER WELL  
PERMANENT CHLORINE SYSTEM (\*\*\*)**

\$20,000 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Twenty Thousand Dollars (\$20,000) to purchase and install a new permanent chlorine system at the Hager Well, including all incidental and related costs.

***Summary:***

*For a number of years, the water testing at Hager Well was generating numerous coliform hits. Although this was not serious it is an indication of water contamination and possibly other issues if the water is not treated. Most of the issues were found at the school during the summer months because the water was not being circulated enough when school was not in session. Due to the numerous coliform hits MassDEP required the Town to install a chlorine drip system for the clear well. This system was a temporary fix to get up and running quickly. MassDEP has indicated that a permanent system needs to be installed.*

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

**The Finance Committee recommends (5-0-0).** The Finance Committee recommends. This should be a permanent fix to an ongoing problem at the Hager Well. The Acton-Boxborough Regional School District will be charged for approximately 75-80% of the cost and that money will go back into the general fund. **Funding is from free cash so there is no tax implication.**

**Discussion on the Motion on Article 23.**

**Action on the motion on Article 23: motion carried by a majority as part of the consent agenda.**

**ARTICLE 24                      DEPARTMENT OF PUBLIC WORKS (DPW) - TREE HEALTH SURVEY (\*\*\*)**  
\$3,000 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Three Thousand Dollars (\$3,000) for the costs of a tree health survey on all Town roads.

***Summary:***

*In April 2021 the DPW had a Tree Assessment and Windshield Survey completed to assess the trees within the Town's Right-of-Way. The purpose of the Tree Health Survey was to identify where imminent tree risks may currently exist that aren't always noticeable. The survey was conducted for administration and work planning purposes. It allows the DPW to address the Tree Risks in areas with the most trees that need to be assessed on High, Medium, Low and Dead Stress Levels. The survey assisted the DPW in taking a targeted and prioritized approach to correcting these conditions and mitigating potential tree risk situations.*

*The report showed a high number of trees that needed to be addressed, but through the utilization of a Tree Health Survey, the trees posing a risk potential will systematically be reduced. In Buxborough, the risk trees are a lot less due to LELD annual management of tree risks which uses the same company to assess their tree work.*

*Municipalities are responsible for the maintenance of all trees and that are within the limits of any public road or grounds. By surveying the risks, it reduces the liability to the Town by showing that it is being proactive rather than reactive. The best way for a community to reduce risk and liability is to develop a written, systematic procedure for locating and evaluating, and removing the hazards.*

*It is recommended that the survey be conducted annually but the professional who conducted the survey has said every 2-3 years would work well and will become part of the operating budget in FY25.*

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

**The Finance Committee recommends (5-0-0).** The Finance Committee recommends. We applaud the DPW in being proactive and possibly reducing our liability of trees in the Town's right-of-way. **Funding is from free cash so there is no tax implication.**

**Discussion on the Motion on Article 24.**

**Action on the motion on Article 24: motion carried by a majority as part of the consent agenda.**

**ARTICLE 25                      POLICE DEPARTMENT - BULLETPROOF VESTS (\*\*\*)**  
\$25,000 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Twenty-Five Thousand Dollars (\$25,000) for the purchase and equipping of bulletproof vests for the Boxborough Police Department.

***Summary:***

*Current vests five-year life use will soon be expiring and replacement is necessary. The vests are made to specifications for each officer and all members of the department will be properly outfitted. All vests are rated for five years by the NIJ (National Institute of Justice).*

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary. Safety of our employees is of the utmost importance.

**The Finance Committee recommends (5-0-0).** The Finance Committee recommends. It is important to keep our officers safe. Our employees are our most valuable asset. **Funding is from free cash so there is no tax implication.**

**Discussion on the Motion on Article 25.**

**Chief Szewczyk gave the presentation. No further discussion.**

**Action on the motion on Article 25: motion carried by a majority vote.**



**ARTICLE 26                      POLICE DEPARTMENT: STORAGE FOR BODY CAMERAS DIGITAL IMAGES  
(\*\*\*)**

\$7,425 Raise and Appropriate  
(Majority vote required)

Diana Lipari moved and it was seconded that Town raise and appropriate the sum of Seven Thousand, Four Hundred and Twenty-Five Dollars (\$7,425) for the purpose of providing digital or otherwise appropriate storage for body camera recordings and data for the Boxborough Police Department, including all incidental and related costs.

***Summary:***

*The town received a conditional grant for \$22,908 on November 14, 2022 for the purchase of Body Worn Cameras. The grant covers the cost of the cameras but does not include the cost of storage which is needed for video review, records retention, etc. This is a reoccurring expense and will become part of the operating budget starting in FY25.*

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

**The Finance Committee recommends (5-0-0).** This is for storage of digital images and videos downloaded.  
**Tax impact to the average home is \$3.85 or \$0.01 per 1,000.**

**Discussion on the Motion on Article 26.**

**Chief Szewczyk gave the presentation.**

Cheryl Mahoney of Liberty Square Rd. asked how much storage capacity do you get from this storage?

Chief Szewczyk responded that it is a Motorola Watchguard service that stores it off site. Eventually it should be in the operating budget.

Brenda Sydney Liberty Square Rd. is a cloud expert and would like a better understanding of who in your department is going to be responsible for the monitoring.

Chief Szewczyk is going to be responsible and will oversee other officers who will be responsible.

**Action on the motion on Article 26: motion carried by a majority vote.**

**ARTICLE 27                      POLICE DEPARTMENT: POLICE VEHICLE (MARKED CRUISER) (\*\*\*)**  
\$ 66,200 Raise and Appropriate  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town raise and appropriate the sum of Sixty-Six Thousand Two Hundred Dollars (\$66,200) for the purchase and equipping of a Hybrid Ford Marked Cruiser, or equivalent, for the Police Department.

***Summary:***

*It is vital to continually update the patrol fleet to ensure calls for service and proactive activity continues in a timely and professional manner. Officers spend a considerable amount time each shift in a marked police vehicle patrolling and working on reports/investigations. Providing a safe, clean, reliable vehicle is paramount to the residents and visitors we serve and to our employees. The oldest two patrol vehicles are from 2017, both have over 12,000 hours of use and neither are hybrid. The estimated cost of a vehicle plus outfitting the vehicle (radio, communications, lighting, storage, etc.) is \$66,200. The savings is estimated at five extra miles per gallon with the hybrid vs. the non-hybrid. Other benefits include a cleaner engine, better for the environment, higher resale/trade in, reduced fuel dependence, and reduced greenhouse gas emissions.*

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary, however it also felt that the purchase of a cruiser is a large and expensive capital item that should be more transparent to the voters. As such, the Select Board recommended that this purchase be voted on separately versus as a line item in the Police Department budget.

**The Finance Committee recommends (5-0-0).** The Finance Committee recommends. The Finance Committee felt this should have been included in the budget, but the Select Board thought differently. At Capital Saturday the wear and tear on the engine of the cruisers was well explained. Since patrol vehicles run the entire length of a shift, the two 2017 cars have about 13,000 hours of running time. To calculate the equivalent number of miles Chief Szewczyk beliefs you need to multiply running hours x about 30. That would give the cruisers we are looking at trading in the equivalent of 390,000 miles. These vehicles have served the Town well but it is time for a new cruiser. The Cruiser will be funded by raising and appropriating taxes. **Tax impact to the average home is \$34.31 or \$0.04 per 1,000.**

**Discussion on the Motion on Article 27.**

**Action on the motion on Article 27: motion carried by a majority vote under the consent agenda.**

**ARTICLE 28                      REPLACEMENT OF FIRE DEPARTMENT COMMAND VEHICLE (\*\*\*)**

\$80,000 Free Cash

(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Eighty Thousand Dollars (\$80,000) for the purchase and equipping of a Fire Command Vehicle, including all incidental and related costs.

***Summary:***

*The Boxborough Fire Department is looking to purchase and equip a new Command Vehicle to replace Car 2 that is nearly 10 years old with 85,000 miles on it. Due to lack of available garage space, the vehicle has become less reliable with visible signs of rust and other front end issues. The Command Vehicle will provide Officers of the department a reliable form of transportation when responding to emergencies and performing tasks around the community. This vehicle is primarily used on nights and weekends for on call officers to respond from their homes as there is no officer scheduled on most of these shifts. The vehicle is also used as a mobile command unit for the town during emergencies providing the ability to respond directly to emergencies and operate a command post. This vehicle also serves as the reserve car when the Fire Chief's vehicle is out of service for repairs.*

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

**The Finance Committee recommends (5-0-0).** This article is to replace the Fire department command vehicle. This vehicle is used by the Chief in the normal operations of the department. This vehicle is sized to carry the equipment required to perform onsite operations. There is currently not a hybrid vehicle in this class that is approved for this specific duty. **Funding is from free cash so there is no tax implication.**

**Discussion on the Motion on Article 28.**

**Action on the motion on Article 28: motion carried by a majority vote under the consent agenda.**

**ARTICLE 29                      REPLACEMENT OF PERSONAL PROTECTIVE EQUIPMENT (PPE) (\*\*\*)**  
\$25,000 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Twenty-Five Thousand Dollars (\$25,000) for the purchase of Fire Personal Protective Equipment.

***Summary:***

*The Boxborough Fire Department is looking for approval to purchase five sets of structural gear (helmets, coats, pants, boots, and gloves), as well as five sets of wildland gear, designed for brush fires. This would be used for new firefighters, replacement of damaged gear for existing firefighters, or to replace end of life gear that is beyond its NFPA useful life. This balance is intended to roll to future periods if it is not needed in the current fiscal year and the intent is to seek Town Meeting approval for future replacements on an as needed basis.*

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

**The Finance Committee recommends (5-0-0).** In the past we purchased a complete set of gear for the entire department, but have found that with new hirings the sizes do not always match. We are moving to a process of procuring 2 to 3 sets of PPE each year when required. By purchasing through the warrant article we can keep the funds to the following fiscal year if not fully utilized. **Funding is from free cash so there is no tax implication.**

**Discussion on the Motion on Article 29.**

**Action on the motion on Article 29: motion carried by a majority vote under the consent agenda.**

**ARTICLE 30                      SARGENT MEMORIAL LIBRARY – UPDATE AUDIO SYSTEM (\*\*\*)**  
\$9,500 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Nine Thousand and Five Hundred Dollars (\$9,500) to provide for the purchase and installation of a new wireless microphone, digital signal processor, and software upgrade for the Sargent Memorial Library, including all incidental and related costs.

***Summary:***

*The audio system in the Library Meeting Room has reached its end of life and is no longer supported. The sound quality is suffering, and not all microphones are operating properly. To continue to offer the meeting room in its full capacity for meetings and events, the existing wireless microphones, digital signal processor (DSP) and programming needs to be updated and replaced.*

**Board of Library Trustees recommends (5-0-1).** Board of Library Trustees unanimously recommends this warrant article to ensure that the audio system in the Library Meeting Room, which is used frequently, functions well to meet the needs of the community.

**Finance Committee recommends (5-0-0).** For the reasons listed above the Finance Committee recommends. **Funding is from free cash so there is no tax implication.**

**The Select Board does not comment on articles proposed by other elected boards.**

**Discussion on the Motion on Article 30.**

**Action on the motion on Article 30: motion carried by a majority vote under the consent agenda.**

**ARTICLE 31                    SARGENT MEMORIAL LIBRARY – REPLACE ROOF (\*\*\*)**  
\$175,000 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of One Hundred and Seventy-Five Thousand Dollars (\$175,000) to provide for the repair and replacement of the existing roof at the Sargent Memorial Library, including all incidental and related costs.

***Summary:***

*The Library roof, constructed in 2004, is on the long-term capital plan for FY24 to be replaced and has reached the end of its 20-years lifespan. This past December, we had two punctures on the flat, rubber roof that led to leaks in the ceiling that required repairing. The outer wall between the shingle and the roof is starting to deteriorate. Replacing the roof now before further deterioration and damages would diminish the need for emergency repairs, and continue to maintain the integrity of the rest of the building.*

**Board of Library Trustees recommends (5-0-1).** Board of Library Trustees unanimously recommends this warrant article. This was a planned capital expense for FY 24 and the existing roof is at the end of its lifespan. Replacing the roof now will prevent us from repeated repairs, and will protect the building and the assets within the building

**Finance Committee recommends (5-0-0).** Finance Committee recommends. The Library is one of the towns largest assets and it is incumbent on the town to keep it well maintained. **Funding is from free cash so there is no tax implication.**

**The Select Board does not comment on articles proposed by other elected boards.**

**Discussion on the Motion on Article 31.**

**Action on the motion on Article 31: motion carried by a majority vote under the consent agenda.**

**ARTICLE 32                      SARGENT MEMORIAL LIBRARY – REPLACE FIRE ALARM SYSTEM (\*\*\*)**  
\$17,500 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Seventeen Thousand and Five Hundred Dollars (\$17,500) for the replacement of the existing fire alarm system at the Sargent Memorial Library, including all incidental and related costs.

***Summary:***

*The Library's fire alarm system is on the Library's long-term capital plan to be replaced in FY24 and has reached its end of life. The software is no longer being supported and the hardware has been discontinued. The system tied to the existing radio master box, including the control panel, pull stations, smoke detectors, and sprinkler monitors need to be replaced so that it can continue to function properly and monitor the safety of the Library. The current system has had a couple of malfunctions that required patched fixes costing thousands of dollars each time. A complete replacement would prevent future miscellaneous fixes that could end up costing the town more.*

**Board of Library Trustees recommends (4-0-2).** The Board of Library Trustees unanimously recommends this warrant article. This was a planned capital expense for FY 24 and the existing alarm system is at the end of its lifespan. By replacing the alarm system, we will ensure the safety of the building and better protect patrons, the building and the contents of the building.

**Finance Committee recommends (5-0-0).** For the reasons listed above the Finance Committee recommends. **Funding is from free cash so there is no tax implication.**

**The Select Board does not comment on articles proposed by other elected boards.**

**Discussion on the Motion on Article 32.**

**Action on the motion on Article 32: motion carried by a majority vote under the consent agenda.**

**ARTICLE 33                      EVALUATION OF FUTURE USES OF THE BOXBOROUGH MUSEUM,  
STEELE FARM HOUSE, AND STEELE FARM BARN (\*\*\*)**

\$15,000 Free Cash  
(Majority Vote Required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Fifteen Thousand Dollars (\$15,000) to fund a study to evaluate the conversion of the 1784 Levi Wetherbee (Steele) farm house and/or the barn at Steele Farm for use as museums, and of the current Boxborough museum for use as Town offices.

***Summary:***

If article 43 is passed, the exterior of the 1784 Levi Wetherbee (Steele) farm house will be stabilized for the foreseeable future and serious discussions can start about its future use. One idea that has been developed is to use that building, and the barn on the Steele Farm property, as the Boxborough museum and to convert the current museum into town offices. Before going further with this idea, it is necessary to hire experts to determine if such a proposal is feasible and what would need to be done and what would it cost to convert the three buildings. Once this work has been done the results would be reported and future plans discussed at a future town meeting.

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

**The Finance Committee recommends (5-0-0).** Finance Committee supports the evaluation of Steele Farm House and the barn for use as the museum, and the current museum to be used for town offices. **Funding is from free cash so there is no tax implication.**

**The Steele Farm Advisory Committee recommends (3-0-1).**

**Discussion on the Motion on Article 33.**

**Action on the motion on Article 33: motion carried by a majority vote under the consent agenda.**



**ARTICLE 34                      REPLACEMENT OF FIRE DEPARTMENT TENDER 65 (TANKER)  
GRANT FUNDED (\*\*\*)**

\$8,000 Free Cash  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town transfer from free cash the sum of Eight Thousand Dollars (\$8,000) to match a potential grant through FEMA AFG program (Federal Emergency Management Agency Assistance to Firefighters Grant) for the purchase and equipping of a Tender with additional carrying capacity for water, including all incidental and related costs.

***Summary:***

*This requested Tender is to replace the 1984 Hose Wagon. The Hose Wagon has serviced the Town for 39 years and has been out of service for almost the past two years at this point. This Tender will carry 2,000 gallons of water and be designed to utilize more modern firefighting techniques for a community like Boxborough that has no current municipal water supply. In addition to being more functional, it will be able to serve as a backup when Tender 67 is out of service or committed to another incident.*

Total Purchase Price of Apparatus	560,000	
Total Amount Funded by FEMA, if grant awarded	532,000	95%
Required FEMA Match by Town of Boxborough	28,000	5%

**Funding Sources of Required Match**

Funds allocated in Article 16, 2022 Annual Town Meeting	20,000
Requested funds from 2023 Town Meeting	<u>8,000</u>
	28,000

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

**The Finance Committee recommends (5-0-0).** Finance committee recommends. The Town of Boxborough is applying for a grant to replace the hose wagon with a tender. the Town approved funds at the FY23 ATM for the purpose of the grant. the grant was not approved, but we have better information on the grant process. The feedback is that we have a better, but not guaranteed chance this year. either way there are additional funds required to implement the grant. **Funding is from free cash so there is no tax implication.**

**Discussion on the Motion on Article 34.**

**Action on the motion on Article 34: motion carried by a majority vote under the consent agenda.**

**END CONSENT AGENDA 3 (\*\*\*)**

## COMMUNITY PRESERVATION FUND CONSENT

Main Motion: Diana Lipari Select Board Chair moved to approve the Community Preservation Fund Consent Agenda Warrant, **Articles 36 through 39**, in accordance with the funding sources and amounts set forth in the May 8, 2023 Annual Town Meeting warrant under **Articles 36 through 39, respectively**. The motion was seconded

[NOTE: This motion requires a majority vote.]

### CONSENT AGENDA 4 (\*\*\*\*)

ARTICLE 35	Community Preservation Fund – CPC Report and Establish FY24 .....	83
ARTICLE 36	Community Preservation Fund – Open Space (Including Recreation) Conservation Trust Fund. ....	84
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ARTICLE 38	Community Preservation Fund – Community Housing – Boxborough Rental Assistance Program (BRAP) .....	87
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**ARTICLE 35                      COMMUNITY PRESERVATION FUND – CPC REPORT AND ESTABLISH  
FY24 RESERVES (\*\*\*\*)**

(Majority vote required)

Ron Vogel, Chair of the CPC, moved and it was seconded that the Town hear and act on the report of the Community Preservation Committee on the FY 2024 Community Preservation budget and appropriate from the Community Preservation Fund FY 2024 estimated annual revenues as printed in the May 8, 2023 Annual Town Meeting warrant as follows:

The sum of Five Thousand Dollars (\$5,000) to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for FY 2024;

and further, to reserve for appropriation from said estimated annual revenue:

Thirty-One Thousand Dollars (\$31,000) for open space, including land for recreation use

Thirty-One Thousand Dollars (\$31,000) for community housing purposes

Thirty-One Thousand Dollars (\$31,000) for historic resources

Two Hundred Eight Thousand Five Hundred Dollars (\$208,500) for a FY 2024 budgeted reserve

all as recommended by the Community Preservation Commission.

***Summary:***

*Each fiscal year, the legislative body, i.e., Town Meeting, must appropriate or reserve for future appropriation no less than 10% of the estimated annual revenue to be set aside or spent for each of the three categories of allowable community preservation purposes. Up to 5% may be spent on administrative expenses. This year, the Community Preservation Committee is recommending that the following estimated amounts be set aside from estimated annual revenue:*

*\$31,000 open space, including land for recreation use*

*\$31,000 community housing purposes*

*\$31,000 historic resources*

*\$208,500 FY 24 budgeted reserve*

*Additionally, the CPC is recommending that an amount of \$5,000 be set aside to meet the administrative expenses of the Community Preservation Committee. These expenses include legal fees, project signs, and membership in the Community Preservation Coalition. “Estimated annual revenue” is the total of the amount to be collected in the upcoming fiscal year, i.e., FY 2024, under the local surcharge and the November state matching funds for the prior fiscal year.*

**The Community Preservation Committee recommends**

**(6-0-0). The Finance Committee recommends (5-0-0).**

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

**Discussion on the Motion on Article 35.**

**Action on the motion on Article 35: motion carried by a majority.**

**ARTICLE 36 COMMUNITY PRESERVATION FUND – OPEN SPACE (INCLUDING RECREATION) CONSERVATION TRUST FUND (\*\*\*\*)**

\$10,000 CPA

(Open Space Reserve)

(Majority vote required)

Diana Lipari moved and it was seconded that the Town appropriate from the Community Preservation Fund Open Space Reserve the sum of Ten Thousand Dollars (\$10,000) and transfer the funds to the Conservation Trust Fund for Community Preservation purposes, as recommended by the Community Preservation Committee.

***Summary:***

*The Conservation Trust Fund (CTF) is used to fund the acquisition, capital improvement, preservation, and management of the Town's Conservation Land. For the past 12 years the CTF has been funded by an approval of an annual Warrant Article at Town Meeting with funding for the last 6 years provided by the Town's CPA funds. This request for CPA funds is intended to continue the annual cycle funding of the CTF and provides an immediate and dedicated source of money to pay for anticipated land management needs.*

*Approving CPA funds for the CTF is consistent with Boxborough2030 and the Town's Open Space and Recreation Plan:*

- *Action 1.3.1.5. Include a line item in the Town Meeting Warrant each year for the Town's Conservation Trust Fund, to provide funding for land acquisition.*

**The Community Preservation Committee recommends unanimously (7-0-0).**

**The Finance Committee recommends (5-0-0).** The Finance committee recommends. CPC Open Space Trust Fund – The Conservation Commission has used this fund to deal with the expense of maintaining and evaluation of conservation land, and it also serves as a resource which can be used to help with possible land acquisitions. It could also contribute to the due diligence (environmental testing, design, legal support, etc.) expenses of evaluating the suitability of such land. This year's request of \$10,000 which matches previous years request will replenish and maintain the CTF to a level that is consistent with the past years.

**The Conservation Commission recommends (5-0-2).**

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

**Discussion on the Motion on Article 36.**

**Action on the motion on Article 36: motion carried by a majority vote as part of the consent agenda.**

**ARTICLE 37                      COMMUNITY PRESERVATION FUND – COMMUNITY  
HOUSING – REGIONAL HOUSING SERVICES (RHS) (\*\*\*\*)**

\$12,000 CPA  
(Budgeted Reserve)  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town appropriate from the Community Preservation FY 24 Budgeted Reserve the sum of Twelve Thousand Dollars (\$12,000) as a grant to the Boxborough Affordable Housing Trust for Regional Housing Services (RHS), as recommended by the Community Preservation Committee.

***Summary:***

*Boxborough is part of a Regional Housing Services (RHS) collaboration that provides services related to the monitoring and maintenance of affordable housing. This organization is named the **Assabet Regional Housing Consortium (ARHC)**. The Town of Hudson serves as the lead entity in the consortium, which is defined by an Intermunicipal Agreement between Boxborough, Berlin, Bolton, Devens, Harvard, Hudson, Lancaster, Littleton, and Stow. The services are provided by Metro West Collaborative Development, Inc. (Metro West CD) of Watertown, MA.*

*The consortium helps Boxborough monitor affordable units, generate new affordable units, assess affordable ownership units, and resolve compliance violations. The services include assistance with refinancing, resales, and assessments. They also include special projects that are needed by specific towns. For example, the consortium helped prepare Boxborough's Housing Production Plan. The consortium also sponsors and plans regional events to help residents with housing. The services provided by Metro West CD reduce the time that Town staff spends on routine matters.*

*The funding for RHS is presently aligned with the Fiscal Year of the Town of Boxborough. The relationship with Metro West CD is defined by a three-year contract. The present three-year contract, the third contract, began on July 1, 2020, and will end on June 30, 2023. Metro West CD bills Boxborough, through the lead-entity Hudson, for services on an hourly basis. We expect that a fourth three-year contract that starts on July 1, 2023, will be established.*

*CPA funding for RHS flows from the CPA to a sub-account of the Boxborough Affordable Housing Trust (BAHT), which disperses funds to the regional consortium ARHC. Funds so deposited into the BAHT carry over from fiscal year to fiscal year, so that any unused RHS funds can be used in subsequent years.*

*The expenditures for monitoring assistance depend upon whether resales or other activities have occurred and are thus unpredictable. Funding for RHS was not requested in the 2019, 2021, and 2022 Annual Town Meetings (ATMs) because balances in the RHS sub-account of the BAHT appeared sufficient. The current policy is to maintain a balance of \$12,000 in the BAHT sub-account for RHS. Because we expect that several resales will occur in the near future, we believe that the RHS sub-account needs an infusion of funds. For Fiscal Year 2024, we presently request a funding amount of \$12,000 for this first year of an anticipated fourth three-year contract.*

**The Community Preservation Committee recommends unanimously (6-0-0).**

**The Finance Committee recommends (5-0-0).** The Finance Committee recommends. Boxborough is part of Regional Housing Services collaboration that provides services related to the monitoring and maintenance of affordable housing. A sum of \$12,000 is requested to pay to the RHS so we can get into our fourth three-year contract with them. This would allow Boxborough to continue availing services from the RHS.

**The Housing Board recommends (6-0-1).**

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

**Discussion on the Motion on Article 37.**

**Action on the motion on Article 37: motion carried by a majority vote as part of the consent agenda.**

**ARTICLE 38                      COMMUNITY PRESERVATION FUND – COMMUNITY HOUSING –  
BOXBOROUGH RENTAL ASSISTANCE PROGRAM (BRAP) (\*\*\*\*)**

\$37,285 CPA (Housing Reserve)  
\$ 765 CPA (Budgeted Reserve)  
(Majority vote required)

Diana Lipari moved and it was seconded that the Town appropriate from the Community Preservation Fund Community Housing Reserve the sum of Thirty-Seven Thousand Two Hundred and Eighty-Five Dollars (\$37,285) and to appropriate from the Community Preservation FY 24 Budgeted Reserve the sum of Seven Hundred and Sixty-Five Dollars (\$765) to the Boxborough Rental Assistance Program (“BRAP”), as recommended by the Community Preservation Committee.

***Summary:***

*The Boxborough Rental Assistance Program (BRAP) provides rental assistance to income-eligible households who are renting qualifying housing units in Boxborough. The program provides housing stability and housing opportunities to cost-burdened renters. It targets households that have low incomes and assists seniors, disabled adults, and families with minor children. It helps households attain self-sufficiency. Although State and Federal programs with similar goals, such as the Federal Section-8 or Massachusetts Rental Voucher Programs, currently exist, they are oversubscribed and have long waiting lists. The BRAP has been used as a model for similar programs in other Massachusetts towns.*

*A subsidy of \$250/month is provided by BRAP and is paid directly to the participating household’s landlord. Households may renew their participation for a total of three years, subject to annual income eligibility verification. However, this limit of the participation period has been temporarily extended in the past year because of the COVID-19 pandemic. Participating landlords have expressed appreciation for the program and a desire to help their tenants. This will be the eighth year of the BRAP. It began with a six-household pilot program in 2016, was expanded to twelve households in 2017, and has continued at this level through 2022.*

*We expect to continue as part of the Assabet Regional Housing Collaboration that is implemented by Metro West Collaborative Development (Metro West CD). The table below includes the budget for administrative support of the BRAP. Eligibility determination will be performed through Metro West CD, as in previous years. In addition, administrative funds are requested to expand the program’s outreach. BRAP flyers are now available in English, Portuguese, and Spanish. The direct costs of the rental assistance are based upon assisting twelve households at \$250.00 per month for one year. The total program costs are shown below.*

**Total BRAP Costs**

<b>Cost Category</b>	<b>7/1/23 to 6/30/24</b>
Direct Program Cost	\$36,000
Administrative Costs	\$2,050
Total	\$38,050

*The total funds requested are \$38,050. Of this amount, \$2,050, or 5.4%, represents administrative costs.*

**The Community Preservation Committee recommends (6-0-0).**

**The Finance Committee recommends (5-0-0).** The Boxborough Rental Assistance Program (BRAP) was able to assist households during FY23 by issuing rental assistance to those who met strict eligibility requirements (with coordination from the Town’s Community Services Coordinator, who assists recipient families to improve their financial situation, so they can eventually support themselves without BRAP

assistance). The BRAP intends on continuing this level of support during FY24 and their request of \$37,285 from CPA Housing Reserve and \$765 from CPA Budgeted Reserve will allow this to proceed.

**The Housing Board recommends (6-0-1).**

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary. The Boxborough Rental Assistance Program (BRAP) has been a very successful program that has given much needed help to many members of the Boxborough Community. We applaud the work of the town's Community Services Coordinator who has been so instrumental in the administration of this program.

**Discussion on the Motion on Article 38.**

**Action on the motion on Article 38: motion carried by a majority vote as part of the consent agenda.**



**ARTICLE 39                      COMMUNITY PRESERVATION FUND – HISTORIC RESOURCES –  
CEMETERY RESTORATION (\*\*\*\*)**

\$9,500 CPA  
(Historic Resources Reserve)  
(Majority vote required)

Diana Lipari moved and seconded that the Town appropriate from the Community Preservation Fund Historic Resources Reserve the sum of Nine Thousand Five Hundred Dollars (\$9,500) for Cemetery Restoration, as recommended by the Community Preservation Committee.

***Summary:***

*This project will allow the Cemetery Commission to continue the process, begun five years ago, of stabilizing and restoring the monuments and other structures in the North and South cemeteries. Age and other factors have brought this far beyond normal perpetual care.*

**The Community Preservation Committee recommends (7-0-0).**

**The Finance Committee recommends (4-0-1).** Finance Committee fully supports the continued renovation and repair of North and South Cemetery as a historic town site and supports that this work be covered under CPA Historic funding.

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

**The Cemetery Commission recommends (3-0-0).**

**The Historical Commission recommends (4-0-0).**

**Discussion on the Motion on Article 39.**

**Action on the motion on Article 39: motion carried by a majority vote as part of the consent agenda.**

**END CONSENT AGENDA 4 (\*\*\*\*)**

**NON-FINANCIAL CONSENT**

**Main Motion: Diana Lipari Select Board Chair moved and it was seconded** to approve the Non-Financial Consent Agenda Warrant, Articles 40 through 41, in accordance with the funding sources and amounts set forth in the May 8, 2023 Annual Town Meeting warrant under Articles 40 through 41, respectively.

[NOTE: This motion requires a majority vote.]

**CONSENT AGENDA 5 (\*\*\*\*\*)**

ARTICLE 40    Authorize Select Board to Renegotiate Lane – Cell Tower Lease ..... 91

ARTICLE 41    Green Community Renewable Energy Trust Fund Surcharge ..... 92

**ARTICLE 40                      AUTHORIZE SELECT BOARD TO RENEGOTIATE LANE – CELL TOWER  
LEASE (\*\*\*\*\*)**

(Majority vote required)

Diana Lipari moved and it was seconded that the Town authorize the Select Board to lease and re-lease for a term of years, which may exceed three years, upon such terms and conditions and for such consideration as the Select Board may determine, a portion or portions of the Town property at 427 Massachusetts Avenue known as the Hager Site, and identified as Boxborough Assessors' Map 15, Lot 001, to one or more tenants for telecommunications purposes, including the constructing, installing, operating, maintaining and repairing of one or more telecommunications facilities to provide personal wireless services, including a telecommunications tower, antennae, an equipment pad or shelter, cables, transmission and utility wires, poles, conduits, pipes, accessories and related equipment and improvements, and providing access thereto, and further to authorize the Select Board to enter into all agreements and execute any and all documents and/or instruments as may be necessary or convenient on behalf of the Town to carry out the intent of this article.

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary.

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

**Discussion on the Motion on Article 40.**

**Action on the motion on Article 40: motion carried by a majority vote as part of the consent agenda.**

## ARTICLE 41

## GREEN COMMUNITY RENEWABLE ENERGY TRUST FUND SURCHARGE

(\*\*\*\*\*)

(Majority vote required)

Diana Lipari moved and it was seconded that the Town contribute a renewable energy surcharge of \$0.0005 (or 1/20th of one cent) per kilowatt-hour, to the Massachusetts Clean Energy Center (MassCEC), in order to become eligible for a “Green Community” designation and thus gain access to the clean-energy funding and resources associated with this Massachusetts Department of Energy Resources (DOER) program.

### **Summary:**

**Voting YES** on this Warrant Article means that Boxborough can apply for a “Green Community” designation through DOER. The benefits of becoming a Green Community include gaining access to grants for clean, affordable energy projects; cutting municipal energy costs; reducing greenhouse gas emissions; promoting energy-efficient building construction; and fostering renewable energy and clean-energy technologies. If approved as a Green Community, Boxborough will receive a one-time designation grant of approximately

\$130,000; after that the Town can apply for competitive grants of up to \$200,000 per year for upgrades to municipal buildings, vehicle fleets, and general energy-reduction projects. Participation in this program will enable Boxborough to invest in energy and cost-saving measures without having to allocate funds for those projects through the Town budgeting process. It is estimated the surcharge will cost the average Boxborough household 42 cents per month, or \$5.04 per year.

**Voting NO** means that Boxborough will not be eligible to receive any of these grants or related savings. Of the 351 cities and towns in Massachusetts, 290 already benefit from Green Communities funding. For example, since the program began in 2010, Acton has received over \$1.6 million to fund energy conservation measures in buildings, purchase or lease electric vehicles, and support other clean-energy initiatives.

### **Additional information:**

The renewable energy surcharge of \$0.0005 per kilowatt-hour will apply to every electric meter in Boxborough. This means that in addition to households, municipal buildings, commercial businesses, and all other metered sites will also contribute to MassCEC’s Renewable Energy Trust Fund (RET) based on their electric usage. All investor-owned utility customers (for example, National Grid and Eversource) automatically pay a renewable energy surcharge to the RET based on this rate. Boxborough has the choice to opt-in to this program because it is serviced by Littleton Electric Light Department (LELD), a municipal utility.

**The Sustainability Committee recommends (7-0-0).** The Town will accrue many benefits if Boxborough becomes a Green Community. With grants, we can reduce our carbon footprint, reduce greenhouses gasses, increase cost savings, and mitigate the effects of climate change. Thank you for your support on a matter that affects us all.

**The Finance Committee recommends (5-0-0).** Finance Committee fully supports a monthly average surcharge of Forty-Two Cents (\$0.42), or Five Dollars and Four Cents (\$5.04) per year, for an average residential customer that will go towards our town becoming a part of the Green Communities. This would allow our town to immediately receive a one-time grant of \$130,000. After the first grant, our town can apply for grants up to \$200,000 per year for upgrades to municipal building, vehicle fleets and general energy-reduction projects.

**The Select Board recommends (4-0-0).** This is an important first step towards achieving “Green Community” status for our town. The Select Board congratulates the Sustainability Committee who has worked tirelessly to bring the town closer to meeting our sustainability goals.

**Discussion on the Motion on Article 41.**

**Action on the motion on Article 41: motion carried by a majority vote as part of consent agenda.**

**END CONSENT AGENDA 5 (\*\*\*\*\*)**

## ADDITIONAL ARTICLES

### ARTICLE 42      ACCEPTANCE OF JOYCE LANE, LORING AVENUE AND MACLEOD WAY AS PUBLIC WAYS

(Majority vote required)

Diana Lipari moved and it was seconded that the Town accept Joyce Lane, Loring Avenue and MacLeod Way as public town ways in the locations ordered by the Select Board and placed on file with the Town Clerk as required by law, and further to authorize the Select Board to acquire, by gift, purchase, or eminent domain, upon such terms and conditions as the Select Board may determine, rights in the land within said layouts and abutting lands sufficient to provide for the use and maintenance of said ways for all purposes for which public ways are used in the Town of Boxborough.

#### ***Summary:***

*In 2005, the Town first heard application for road acceptance of these three private ways; collectively comprising the roads of Boxborough Meadows, a chapter 40B Affordable housing development. Due to a list of outstanding issues, the road could not be accepted. 18 years later, and after multiple applications since, the Homeowners Association has completed their application and is again seeking acceptance. A majority vote in favor of this article will authorize the Town to take ownership of the roadway, as well as sole responsibility for its care and maintenance; an estimated cost of at least \$175,000 in the near to immediate future.*

**The Planning Board defers its vote until Town Meeting, whether to recommend the acceptance of the roadways.** The Board is sympathetic to the Boxborough Meadows Homeowners' Association's situation, however, would like to get a more specific total cost to the Town prior to making its recommendation. The road is over 20 years old and will need resurfacing soon. Street lights are damaged or incomplete. The condition of the drainage is unknown. The road is owned by the developer, not the Homeowners Association. There is almost \$3,000 in back taxes owed on the road and it is unclear whether we will get compensated prior to acceptance. The developer has not offered the road to the town and taking by eminent domain may be required. It is unclear whether the developer must be compensated for the land at fair market value. The drainage runs through private property. It is unclear whether the town will have the easements and authority to repair or replace the drainage in the event of a failure. The town's DPW director and the consulting engineer have recommended not to accept the road. When the Comprehensive Permit was issued and the Performance Guaranty released, the town entered into a settlement with the developer. The terms of the settlement are unknown so the Planning Board has no way of knowing if all of the terms under the settlement agreement were met.

**Mark White of the Planning Board gave the presentation: the Planning Board recommends.** He gave the history of the roads in our first 40B housing; the roads were incomplete and there was a lawsuit and the roadways were never finished. This was an oddity since the roads were as never finished so now the roads have deteriorated and they were not constructed to code and have deficiencies. When the Town takes over the roadways, the town has to fix the deficiencies. So, if we accept these roads, we have to fork over the money to repave. Will cost approximately \$175,000 in today's money, but we should do it soon because cost will only increase. The Town was given a \$1 million payout from the developer, so in a way we have gotten \$, so we need to get this squared away and so we hope you can vote for this and put that behind us.

**The Finance Committee recommends (5-0-0).** The Finance Committee recommends. Unfortunately, the road acceptances for this now 20-year-old development was never brought to completion (Boxborough's first 40B). During this time the developer was allowed to walk away and recover their performance bond of \$83,000. The time has come for the Town to show leadership and do the right thing and accept and repair the roads.

**The Housing Board recommends (4-0-3).**

The Housing Board recommends (4 Yes - 0 No – 2 Recused – 1 Absent). The Housing Board agrees fully with the acceptance of the several roads at and within the Boxborough Meadows complex. The unanticipated private upkeep of the roadways has been a secondary tax burden on all Boxborough-Meadows residents; it is particularly so for affordable-unit owners. The Housing Board is concerned that these valued residents may be forced to move out and that Boxborough's status on the Subsidized Housing Inventory may be diminished. All indications are that it was the original intent of the Town to accept the roads, but that there was an apparent administrative lapse in its formal fulfillment.

**The Select Board did not make a recommendation.**

**Discussion on the Motion on Article 42.**

**Action on the motion on Article 42: motion carried by a majority.**

**ARTICLE 43                      COMMUNITY PRESERVATION FUND – HISTORIC  
RESOURCES – PRESERVATION OF STEELE FARM HOUSE**

\$85,736 CPA (Historic Resources Reserve)

\$224,264 (Budgeted Reserve/general fund balances)

Total \$310,000 (Majority vote required)

Ron Vogel moved that the Town appropriate from the Community Preservation Fund Historic Resources Reserves the sum of Eighty-Five Thousand Seven Hundred Thirty-six Dollars (\$85,736), appropriate from the Community Preservation FY 24 Budgeted Reserve the sum of One Hundred Ninety Thousand Seven Hundred Thirty-Five Dollars (\$190,735) and appropriate from the Community Preservation general fund balances the sum of Thirty-Three Thousand Five Hundred Twenty-Nine Dollars (\$33,529) for the Preservation of the Steele Farm House as recommended by the Community Preservation Committee.

***Summary:***

*The Steele Farm Advisory Committee (SFAC) is seeking funds for Phase II of the preservation of the Levi Wetherbee/Steele farmhouse located at 484 Middle Road. The original farmhouse was constructed in 1784 by Levi Wetherbee, one of Boxborough's founders. It was expanded when a second story was added in the early 1800's. Connected to its massive, central chimney on the first floor is a large fireplace, used for cooking, and two smaller fireplaces, used for heat. On the second floor there are three more fireplaces. To heat the house and cook all year over a fireplace, more than 20 cords of wood were needed.*

*The Town bought the property and the farmhouse in 1994. The generations of farm families that lived there did little to modernize the interior. As a result, many of the interior features have not been changed and are historically relevant. But after buying the house, the Town has spent very little in the way of resources to maintain and repair the house. In 2016, it became apparent that part of the stone foundation was in danger of collapsing and that major work was needed to preserve the farmhouse for the future.*

*In 2017 the Town hired the CBI architectural firm to do a thorough study of the Steele Farmhouse and to make recommendations for its care and upkeep. The CBI report stated that the entire foundation needed major stabilization work and replacement of structural components like sills and joists. It also stated that drainage was a major problem since the basement was very wet which caused structural items to rot.*

*The May 2018 Annual Town Meeting voted Community Preservation Funds for Phase I of the preservation program. The work in Phase I concentrated on repairing and stabilizing the stone foundation and repairing and replacing major structural items. Work was also done on the chimney foundation and installing a drainage system and a fire alarm system.*

*The 2017 CBI architectural report also noted that the outside envelope of this 238-year-old farmhouse was in great need of repair. The roof was over 40 years old, many of the clapboard were cracked or rotten and the windows needed major work.*

*With Phase I now complete it is time to repair and weatherproof the external envelope of the farmhouse. The roof is leaking and needs to be replaced. Major work needs to be done on the decaying clapboard siding and on the deteriorating windows. By following the advice of the 2017 CBI architectural report the Town will save money in the long run. This historic farmhouse will be preserved from the outside elements for many decades.*

*Maintaining the 1784 Levi Wetherbee/Steele farmhouse is important to Boxborough. The Town's 2030 Master Plan recommends that Boxborough "maintain its rural character and celebrate its heritage" and that "preservation of the ecological, agricultural, historic and scenic resources that contribute to the community's rural heritage is of critical importance to the community". Strategy 1.1.3 is to "Promote the town's natural,*



*recreational, and historical assets”. The Steele Farm property is key to this aspiration and strategy. The farmhouse is the gateway to Steele Farm and its preservation is critical to maintaining the farm’s identity. The farmhouse is on the US Department of the Interior’s National Register of Historic Places. It is one of the few remaining farmhouses in the area with its surrounding land intact. With the farmhouse, the Steele property epitomizes the historic rural character of the town and its people. Without the farmhouse, this meaning is lost and the property is merely a scenic open space.*

**The Community Preservation Committee recommends (6-0).**

**The Finance Committee does not recommend (2-3-0).**

**Majority opinion:** The majority of the Finance Committee does not support the utilization of \$310,000 from CPA funds for preservation of Steele farm. The majority of the members do agree with the general need to preserve the Steele Farm House; however, they feel that evaluation of the Steele Farm for use as museum needs to be completed first. Once the results of the evaluation are available, it is then appropriate to get CPA funding based on the type of work that needs to be done and the amount it would require to get it done.

**Minority opinion:** A minority of the Finance committee feels that the Steele Farm house needs to be preserved and this is the last step in ensuring the house is weather tight and will be preserved. We do agree that going forward the Steele Farm Advisory needs to have plans in place for future use of the property before any more funds are spent renovating the farm house.

**The Select Board recommends (4-0-0).** The Select Board recommends unanimously for the reasons stated in the Summary. The Steele Farmhouse is an important historical resource for the town. Delaying remediation and stabilization may cause its ultimate destruction from weather and other environmental conditions before any further evaluation of its use could be adequately assessed.

**The Steele Farm Advisory Committee recommends (5-0-0).**

Chris Hydak, Clerk, gave the presentation for the Steele Farm Advisory Committee. It is a 239-year-old building, and the building is stable and is an amazing place, and it is only the exterior that needs to be improved so that it will be weather-tight for the next 40 years (roof, siding, windows, chimney, etc.). There are gaps in the siding and windows are in disrepair. He argued that we need to preserve our history, and funds are available. It’s on the National Register of Historic places.

**The Historical Commission recommends (4-0-0).** Owen Neville gave the majority recommendation and agreed with the SFAC. Minority felt that the Ag Com had no business recommending one way or another.

**The Agricultural Commission recommends (3-1-0).**

### **Discussion on the Motion on Article 43.**

Robin Lazarow of Hill Rd. gave a statement about the importance and history of Steele Farm and shared Jeanne Steele Kangas’ words from her 2015 journal. Jeanne expressed how important it is to preserve a part of our history, just as we restore historical relics like the Liberty Bell. CPA \$ is available for this specific purpose and the Steele Farm barn helps to make Boxborough what it is today.

John Markiewicz of Patch Hill Rd. said the longer we wait the more it’s going to cost. There are a lot of smart people with smart ideas, and maybe we could put Land Use and Planning to that location so we would have extra room in Town Hall. He thinks we can find a use and Jeanne would want us to say yes.

Bruce Hager of Hill Rd. was Chair of the SFAC when they did the first scope of work that prevented the collapse of the chimney. It is hard to understand why the majority of the Fin Com wants to wait and be fiscally irresponsible. Spending the \$ is way past due now.

John Fallon of Paddock Ln. said there are two simple choices. You value history or you don't. This is the only farmhouse left that is totally unique and irreplaceable. Choice number 2 is just take a bulldozer and get rid of it. The building needs a lot of maintenance and it will rot. If you don't spend this money it is the equivalent of taking a bulldozer to the building.

Joe Fair, Town Counsel, said that the total dollar amount doesn't change, but the portions should be allocated differently. The two accounts need to be separated. **The revised motion was read and seconded by Ron Vogel (as written above).**

Arden Veley of Depot Rd. said that Red Hawk Architectural Studios was hired to do an assessment in 2016. In 29 years the only thing done in terms of maintenance was exterior painting by the prisoners from Shirley, and back in 2016 Red Hawk told us what was needed.

Cheryl Mahoney of Liberty Square Rd. and the Historical Society and the Steele Farm Capital Campaign expressed the importance of preserving this last farmhouse. We have lost so many private Colonial farm properties, and it is so vital to protect this house. It will otherwise be bulldozed by neglect. If you want to stay in line with the surrounding communities of Stow, Concord, Littleton, we need to preserve this property that many people come from far away to see.

Rita Grossman of Depot Rd. gave some history about passing the CPA with Jeanne Kangas almost 10 years ago. The Town needed money for conservation, for housing, and for preserving houses. The Town acquired it in 1994, and she is horrified and embarrassed that we let it get this bad; it's on the National Historic Register. There was always something that pre-empted it and now it's a bigger mess than it would have been if we had spent the money and we can discuss more detailed plans in the future of the interior, but we must fix the envelope. She talked to Jeanne a few days before she died, and Jeanne expressed how important the interior of the house was, and she felt strongly about being able to show school children what the interior was like when it was in use.

Richard Hilton of Littlefield Rd. of the Historical Society reminded us that May is national preservation month. It is essential to know what we'll use it for, but there is nothing like walking into a place like this. It is one of if not the jewel of the Town that farming built. There is a lot of interesting detail inside, so we need to preserve this place so that we can experience what life was like in those days. We cannot replicate any of this anywhere else.

Hoff Stuart of Burroughs Rd. noted that lead paint gets really expensive to remove. What are the total costs long-term?

Chris Hydak of the SFAC and Depot Rd. doesn't have an estimate of the long-term costs, because a lot of it depends on the securing of the exterior. In terms of the inside, we could move forward based on the warrant article that was approved earlier tonight.

Jennifer Campbell moved the question and it was seconded.

**Action on moving the question: passes by a two-thirds majority as declared by the moderator.**

**Action on the motion on Article 43: motion carried by a majority vote.**

**ARTICLE 44                      REPLACEMENT OF FIRE DEPARTMENT TENDER 65 (TANKER)  
WITHOUT GRANT**

\$560,000 – Bonding  
(Two-Thirds vote required)

**Diana Lipari moved to pass over Article 44. It was seconded.**

**The Finance Committee supports passing over this Article.**

TA Michael Johns noted that in the consent agenda the Town voted on an \$8,000 towards this tanker; we are now in the technical assistance portion of the grant process with a FEMA grant which will fund 95% of this. We are at the final stage of getting the grant (farther than we have gotten in the past). Mr. Johns would like to see if FEMA funds this, and it would ultimately only be \$28,000 needed towards this piece of equipment. The Fire Department is supportive of this recommendation. If we don't get the grant we can take this up at a future town meeting.

**Finance Committee, although surprised, after a quick discussion, supports passing over the Article.**

**The Select Board recommends.**

Town Administrator Michael Johns asked Chief Fillebrown if we wait until next Town Meeting, and we get the grant, will we still be able to move forward? We want to make sure we can apply those funds, without authorizing the full amount at this Town Meeting.

Michael Johns, Joe Fair, and Chief Fillebrown had a discussion about the process of being able to accept the grant.

**Vote to pass over Article 44: motion passes by majority vote.**

Original motion printed in the warrant was that the Town appropriate the sum of Five Hundred Sixty Thousand Dollars (\$560,000) for the purchase and equipping of a Tender with additional carrying capacity for water for the Boxborough Fire Department, including all costs incidental and related thereto; that to meet this appropriation, the Treasurer with the approval of the Select Board is hereby authorized to borrow said sum pursuant to Massachusetts General Laws Chapter 44 section 7 and 8, or any other enabling authority, and to issue notes and bonds of the Town thereof.

***Summary:***

*The Boxborough Fire Department applied for this grant to replace a piece of Fire apparatus that is 39 years old and currently out of service. The grant was not awarded in 2022, however, the department submitted a new application in January 2023. The current apparatus is slated to be replaced in FY24 per the capital plan. If the grant is not awarded, this article would fund the full purchase of the apparatus. All allocated funds for grant matches would be returned to free cash if the grants are not awarded and this article moves forward.*

**The Select Board recommendation.** At the time of printing, the warrant the status of the grant was unknown. The Select Board defers its recommendation until Town Meeting.

**The Finance Committee recommends (5-0-0).** The Boxborough Fire department is currently existing with one tender (tanker) and a hose truck. The hose truck is past its useful life. Carrying hose only helps when there is a cistern in the general area. For example, there is no cistern on Flagg Hill Road. The Chief recommendation is to go with a second tender (tanker). This tender would replace the hose truck and would be an additional source of water when fighting fires in Town, on 495 or in surrounding towns that do not have water systems. **Tax impact to the average home is \$43.53 or \$0.06 per 1,000.**

**Moderator Reip asked the Select Board about adjourning the meeting.**

**Diana Lipari moved and it was seconded that Town Meeting NOT adjourn and that the meeting is continued (past the time which had been agreed upon earlier in the meeting).**

**The Select Board unanimously recommends continuing discussion on all articles.**

**Finance Committee does not recommend.**

Anne Canfield of Stow Rd. said we should adjourn because we are tired, we've lost much of the audience, and the articles are important.

Mark White of Sara's Way said he agreed with Anne.

Mark Barbadoro of Old Harvard Rd. said we should adjourn because Planning Board articles always come at the end, and would prefer that they come earlier.

Rita Grossman of Depot Rd. agreed that we should continue tomorrow night (and offered to make more cookies).

**Action on the motion to continue failed by a majority vote.**

**Mark White moved and it was seconded that the May 8<sup>th</sup> 2023 Annual Town Meeting be adjourned at 10:35 pm until it will resume on May 9<sup>th</sup> at 7:00 pm in the same location.**

**Select Board recommended.**

**Fin Com recommended.**

**Motion carried by majority vote.**

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## **Night Two:**

**Moderator Reip called for the reconvening of Town Meeting at 7:03 pm. On May 9, 2023.**

Diana Lipari presented Fire Chief Paul Fillebrown a proclamation from the MA State Senate congratulating Chief Fillebrown for his years of service to Boxborough upon his retirement.

Michael Johns gave Chief Fillebrown recognition and recounted many stories from residents about the wonderful service provided by the Chief, including showing up on calls himself. He is wrapping up 38 years of service in firefighting.

Diana Lipari presented Les Fox with an official citation from the MA State Senate in recognition for his decades of service to the Town of Boxborough.

Mr. Fox received a standing ovation from the audience.

Michael Johns recognized Les Fox and how incredible his involvement as a volunteer is, especially with his engagement as a volunteer, especially in attempting to bring clean water to Boxborough. He recounted that during his first 180 days on the job in Boxborough, there were 9 days when he did not either speak with or meet with Les Fox (7 of those days, he was away on vacation and didn't speak to him for 4 of those days). He is the most active volunteer that Mr. Johns has ever seen in Boxborough, and knows that he will remain active on several committees. He thanked Mr. Fox for making it a wonderful town.

**ARTICLE 45                    THE COST OF INVESTIGATION INTO THE BOXBOROUGH  
POLICE DEPARTMENT AND THE CHIEF OF POLICE**

\$20,000 Free Cash  
(Majority vote required)

**ARTICLE SUBMITTED BY PETITION**

**TWO OPTIONS FOR PETITIONERS TO CONSIDER:**

**Option A**

~~I move that the Town request the Select Board and/or the Town Administrator, or their designee, to provide the Town with a forensic accounting, by an independent firm, of all costs and expenses, payments and accruals, as printed in the May 8, 2023 Annual Town Meeting Warrant, with respect to investigations associated with the Boxborough Police Department and the Chief(s) of Police, both temporary and permanent and to publicly publish the results thereof and further that the Town transfer from free cash the sum of Twenty Thousand Dollars (\$20,000) for this purpose.~~

**Option B**

William Sutcliffe moved and it was seconded that the Town request the Select Board and/or the Town Administrator, or their designee, to provide the Town with a forensic accounting, by an independent firm, of all costs and expenses, payments and accruals with respect to investigations associated with the Boxborough Police Department and the Chief(s) of Police, both temporary and permanent and to publicly publish the results thereof.

This shall include the following documents including, but not limited to:

- Incurred and accrued salaries, expenses and over time for both the temporary and permanent Chief(s) of Police.
- Incurred and accrued salaries, expenses and over time for the Boxborough Police Department, as it relates to investigations of the police department.
- Incurred and accrued salaries, expenses and overtime for the former Interim Town Administrator starting November 17, 2022 through the present.
- Incurred or accrued legal expenses as related to discussions, conversations, research, review of correspondence with respect to the Chief(s) of Police, both temporary and permanent and investigations of the Boxborough Police Department
- Incurred and accrued expenses from any and all law firms including KP Law, for work undertaken by any Private Investigator(s).
- Other expenses such as sign-on bonuses, payouts at the end of contracts, payments for mileage for travel to and from the home(s) of the temporary Chief(s) of Police to the Boxborough Police department.
- Incurred and accrued expenses associated with getting the temporary Chief of Police from Connecticut certified in Massachusetts.
- Any other incurred or accrued expenses associated with the investigation(s) into the Boxborough Police Department and the Chief of Police.
- And **that the Town transfer** from Free Cash the sum of \$20,000 for said purpose.

**The Finance Committee recommends (5-0-0).** The Finance Committee recommends. There has been a lack transparency with funding of investigation(s). A forensic accounting will let the citizens of Boxborough know how much and how money has been spent on investigations and salaries. **Funding is from free cash so there is no tax implication.**

**The Select Board does not recommend (1-3-0).**

**Majority opinion:** The majority of the Select Board does not recommend this article for the following reasons: (1) there is questionable value and utility in some of the requested items, e.g., there was no cost associated with “getting the temporary Chief of Police from Connecticut certified in Massachusetts”; (2) release of records by the Select Board and any additional public records requests would adequately provide the information described in this Article when the Select Board is able to reveal that information; it is the intention of this Board to be as transparent as possible when we are able to do so; (3) although it is tempting to think this Article costs the taxpayers nothing, the use of “free cash” simply delays taxation on a future item/article for this same amount. The majority of the Select Board questions the soundness of the financial reasoning underlying this Article.

**Minority opinion:** A minority of the Select Board believes the proposed investigation is not a good use of town money and administrative resources, but also recognizes that many residents want more information on matters related to investigation of the police department and its chief(s). This is an itch that must be scratched. It is in this spirit the minority supports the article. The minority also believes (and has stated) that such an investigation should be carried out within a framework of what is possible and legal to reveal, and to structure it in such a way that the facts reported can be accepted by all parties. Such a framework should be established at the outset so that the investigation can be carried out efficiently with minimal cost to the town, in both expense and labor.

#### **Discussion on the Motion on Article 45.**

**William Sutcliffe of Stow Rd. gave the presentation.** He outlined why this article is needed, including the history of paying three Chiefs at one time, and why the Town should vote for this article to provide transparency and make sure this kind of thing does not happen again with so little accountability or information provided to the taxpayers.

Select Board asked and the Moderator granted that the Select Board give a presentation in support of the Majority opinion and it was granted to TA Michael Johns, who outlined the total costs regarding the investigation, legal costs, salaries, and other expenses. The legal expenses totaled a little over \$63,000, the public records requests related to the investigation totaled a little over \$19,200 and the investigation itself was over \$14,700. Because Chief Ryder was on IOD, his salary was paid by Cabot Risk, and his final pay was \$135,000. The two interim Chiefs pay were \$62,642 and \$52,800. He presented a comparison of \$ amounts voted at ATM and amounts ultimately paid out. He calculated that the amount spent over and above what was budgeted at Town Meeting was a little over \$9,700. There was a period when the insurance company may not have been covering his IOD because there was some confusion about whether he had gone off IOD, but we are working to recoup all of that because it was confirmed that he was on IOD the entire time.

**Les Fox gave the Select Board minority recommendation to vote for the article.**

**Moderator Reip clarified what kind of discussion should take place surrounding this article.**

Mark White of Sara’s Way appreciated that Michael Johns made the effort to pull these records together. This information has been asked for years, and we just saw it three days ago. The legal bills are interesting reading, and it is a big job trying to analyze the legal costs going forward. This article is not a big ask, so it will likely cost a lot less than \$20,000 given what Mr. Johns has pulled together. It is a good investment for the Town, for the Select Board. It is confusing for the Town to interpret because there are a variety of numbers presented.

Wes Fowlks of Stow Rd. stated that a lot of the information cannot be presented when an investigation is ongoing, so maybe this should be pulled until we have more time to analyze it. He questioned why the Fin Com would be for

spending money when they know we weren't able to release information as Select Board members.

Chris Dowdy of Liberty Square Rd. says it makes sense to take time to digest this information, and come back in the Fall and revisit it if we find that we don't have enough information.

Anne Canfield of Stow Rd. asked why Mr. Fowlks referenced the investigation, and why is he referencing that it is not complete?

Wes Fowlks said the investigation was an Administrative Investigation, which concluded with the separation agreement with Chief Ryder. You are not supposed to discuss union negotiations and it is the same with an investigation. He clarified that the Administrative Investigation has concluded, which is the investigation that is being discussed here. Some of the legal bills were only received a few days ago.

Amy Osenar of Burroughs Rd. is against the article because she thinks it is fiscally irresponsible. The select board has provided financial documents to be transparent online, and we should offer proactive support to our elected officials. She believes that the investigation was necessary to uphold the trust of the community and she continued to recount some of the allegations that were investigated.

Moderator Reip tried to make sure the speaker stayed within the four corners of the article.

Jeff Glidden of Sargent Rd. thanked Michael Johns for the disclosure of the information, but let's put it behind us and move forward. He encouraged everyone to vote against it and we can reconsider if necessary once we go through all of the documents.

Jim Howie of Reed Farm Rd. said it has been a contentious issue for the town, and a lot of people have put forth effort to resolve it. He sees no value in determining how much \$ was spent.

Becky Neville of Middle Rd. appreciates the report, but needs clarity on a lot of the accounting. She asked about IOD payments – she was under the impression that IOD only paid for about \$1,200/pay period: Michael Johns answered that it was only partial payments to Chief Ryder and Bieleki's payments were not included there.

Larry White of Sara's Way asked if there are any further or ongoing investigations?

Diana Lipari stated that there are not any investigations ongoing as far as the Select Board is concerned.

Larry White said that it makes no sense that this information has not been available until now. He feels that there is a culture that violates the rights of people that has led to numerous lawsuits and staff departures. There needs to be a change in culture or training for public servants. Maybe if we do a forensic accounting, we would get to the truth because I don't feel that we are getting answers.

Hugh Fortmiller of Sargent Rd. thinks that the article is divisive and is concerned that the Town needs to heal and trust one another. If we don't trust our new Town Administrator's figures and explanation, then vote yes, but that is a blow to the trust we need. We need to laugh with each other, and look each other in the eye without feeling anger or lack of friendship, and feels this article only encourages the separation.

Tony Newton of Summer Rd. is disturbed that the numbers only came out tonight, and they are hard to interpret. These numbers don't even add up. The fact that the Finance Committee is voting unanimously should tell you something.

**Sue Reuther of Reed Farm Rd. moved the question and it was seconded.**

**Action on the motion to end debate: motion carried by two-thirds majority vote as declared by the Moderator.**

**Action on the motion on Article 45: motion did not carry by a counted standing vote of 89 (no) to 73 (yes).**



**ARTICLE 46                      ZONING BYLAW AMENDMENT: ACCESSORY APARTMENT -  
PLANNING BOARD**

(Two-thirds vote required)

Kathy Vorce of the Planning Board moved and it was seconded that the Town amend the Boxborough Zoning Bylaw Section 4.2.2 Accessory Apartment to add the language in bold and delete the language indicated by strikethroughs, all as printed in the May 8, 2023 Annual Town Meeting Warrant, and further that non-substantive changes to the numbering of the Zoning Bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw and in accordance with a further amendment that section ~~6~~ 7) read “The domestic water and **sewer system** shall be adequate to serve both the existing single-family dwelling and the accessory apartment **according to the “Boxborough Board of Health Regulations Regarding Accessory Apartments” as amended.**

**Cindy Markowitz, Clerk of the Planning Board stated in the Planning Board report that the Planning Board held hearings that were duly advertised.**

**4.2.2    Accessory Apartment or Accessory Dwelling Unit.**

- a) The Inspector of Buildings may grant a total of ~~five~~ **ten** permits each calendar year for accessory apartments **also known as Accessory Dwelling Units (ADU).**
- b) An additional dwelling unit may be allowed as an accessory apartment in a single-family dwelling or existing accessory building located on a lot with a single-family dwelling for the purpose of:
  - 1) providing small additional dwelling units without adding to the number of buildings in the Town or substantially altering the appearance of buildings, the neighborhood, or the Town;
  - 2) increasing the range **and affordability** of housing accommodations;
  - 3) encouraging a greater diversity of population, and;
  - 4) encouraging a more efficient and economic use of existing housing stock by enabling owners of single-family dwellings larger than required for their present needs to share space while maintaining the single-family appearance and character of buildings, the neighborhood, and the Town
- c) The Inspector of Buildings may grant a ~~b~~**B**uilding ~~p~~**P**ermit and a Certificate of Occupancy for an accessory apartment provided that all of the following conditions are met:
  - 1) The accessory apartment ~~is attached to or within a single-family dwelling~~ **shall be within the building containing the principle dwelling unit, or is be within a detached accessory building structure** in existence on or before March 8, 2007, **and that conforms to the minimum setback for residential dwellings.**
  - 2) No more than one accessory apartment may be located on the lot.
  - 3) The accessory apartment shall be ~~a use~~ secondary and incidental to the single-family dwelling on the lot ~~and shall contain no more than 600 square feet of habitable space.~~
  - 4) **The accessory apartment shall contain no more than 1300 square feet of gross floor area, but not exceed 40% of the gross floor area of the existing single family dwelling.**
  - 5) **Any addition to the existing structure to create an accessory apartment shall not create more than a 15% increase in the gross floor area of the existing structure, as of February 17, 2023.**

- 4) The accessory apartment shall contain no more than 3 4 rooms, excluding hallways, bathrooms, and closets.
- 56) ~~The single family dwelling and the accessory apartment shall be occupied by either the owner of the lot, the owner's family members, or in home care providers for the owner or their family members~~ **One of the Dwelling Units shall be occupied by or be the legal residence of the owner of the lot.** The "owner" shall be one or more individuals holding legal or beneficial title to the lot and for whom the dwelling is the primary residence for voting and tax purposes.
- 67) **The private domestic water and on-site sewage wastewater disposal sewer system shall be adequate to serve both the existing single-family dwelling and the accessory apartment according to the "Boxborough Board of Health Regulations Regarding Accessory Apartments" as amended.**
- 7) ~~Any entrance required by the inclusion of an accessory apartment shall be clearly secondary to the main entrance of the primary dwelling unit.~~
- 8) ~~Any modification to the existing entrances on the front facade of the single family dwelling shall result in the appearance of a single main entrance.~~
- 98) ~~Two off street parking spaces shall be provided for the accessory apartment.~~ **Three parking spaces shall be in existence or added to the existing driveway to accommodate the number of vehicles that serve the residents of both dwelling units. The spaces shall be composed of similar materials to the driveway.**
- 109) ~~Curb cuts for the lot shall be limited to those already in existence on or before March 8, 2007~~ **February 17, 2023**, or for new construction, shall be limited to one.
- 11) ~~The number of occupants in the accessory apartment shall be limited to three people.~~
- 10) Existing properties with accessory apartments that are no longer intended to be owner occupied or the legal residence of the owner, the owner shall apply for a certificate of occupancy, and a building permit if required to convert the building back to a single family dwelling. Removal of one of the following elements shall be deemed sufficient.

1. The removal of privacy by removing a portion of the wall or floor separating the dwelling units;

2. The removal of the kitchen including plumbing fixtures.

## ARTICLE 9. DEFINITIONS

### 9.2 Terms Defined

**Accessory Apartment or Accessory Dwelling Unit shall mean a dwelling unit that is customarily incidental and subordinate to the single-family dwelling unit.**

**Dwelling shall mean any building used, intended or designed to be used, exclusively for human habitation, that contains one or more dwelling units but excluding boarding and lodging houses, hotels, motels, and mobile homes or house trailers.**

**Dwelling Unit shall mean one room or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a monthly, or longer basis, and physically separated from any other**

*Summary:*

*This Zoning Bylaw Amendment will remove barriers preventing and deterring single-family home owners from constructing and renting accessory apartments. In summary, the warrant article as written will affect the following changes:*

- *Updating the title and inserting the term Accessory Dwelling Unit(ADU).*
- *Increasing the number of Accessory Apartments which can be constructed each year, from 5 to 10 per year.*
- *Declaring the intent to provide affordable housing options.*
- *Providing basic language updates and affirm residential setbacks.*
- *Increasing the maximum size of a unit to allow for greater variations, while still retaining character and appearance.*
- *Eliminating restrictions on number of rooms and who is allowed to live in the unit.*
- *Removing contradictory language that controlled the appearance of entry ways.*
- *Reducing parking requirements to meet typical needs of an ADU.*
- *Removing limitations on the number of occupants.*
- *Creating a decommissioning policy when the owner will no longer live on site.*

*Accessory Apartments, also known as Accessory Dwelling Units, provide affordable housing options, without the need for deed restrictions or rent control. Similarly, the use of Accessory Apartments has been known to generate a moderate source of revenue, used by property owners to offset their tax burden. This use is particularly beneficial to older residents who wish to age in place, as this method provides revenue and a housing option for live in care-givers. By accepting the changes above, the Town will make Accessory Apartments a more feasible option for the majority of single-family home owners.*

*A 2/3 majority vote in favor of this Article will change the existing zoning bylaw to incorporate the changes as described above.*

**The Planning Board recommends (5-0-0).**

**The Finance Committee (5-0-0).** The Finance Committee recommends. This zoning change expands upon the Accessory Dwelling Unit already in the bylaw with the goal of making it possible for residents to change a portion of their existing home or a detached accessory structure into an additional unit set forth in the guidelines. It may give residents the ability to age in place and/or derive income from their home.

**The Select Board does not comment on articles proposed by other elected boards.**

**Discussion on the Motion on Article 46.**

**Kathy Vorce gave the presentation.** For nearly 20 years, the Zoning Bylaw has included an “Accessory Apartment” bylaw. These are often referred to as in-law suites or guest accommodations, and are often small and unnoticeable. Despite previous revision, the Building Inspector reports little to no application of this type for many years. This bylaw amendment seeks to eliminate restrictions to encourage greater access to Accessory Apartments by eliminating the restrictions on the types of occupants, increases the overall size to a 40% limitation of the existing dwelling or 1300 gross floor-area upper limit; eliminates entrance design details; calls out parking in terms that address the overall adequacy of parking sitewide; makes specific provision for “owner occupancy” as necessary requirement, and provides for de-commissioning of the Accessory Apartment upon change in ownership of the permit-holding owner.

Owen Neville of Middle Rd. thanked the Planning Board for bringing this forward. It is not perfect, but is a good step forward for the Town.

Mark Barbadoro of Old Harvard Rd. asked about the amendment to the motion. He further explained that the Board

of Health terms that they use that are defined in Title 5 relative to Septic systems.

Michael Toups of Pine Hill Rd. is trying to understand Section 10. Would demolition be required before new owners moved in?

Kathy Vorce clarified that there would need to be some alteration of the unit so that it would be knitted back to one unit, and the new owner would have to pursue the permit on their own.

Michael Toups asked if the same thing would happen in an inheritance?

Kathy Vorce believe yes. In the case of a senior needing to no longer owner occupy a facility, for example. They could rent the house, but could not have two tenants. The goal is not to proliferate apartments: that would invite investors into town to chop up rental units. The issue of owner occupancy is important, and we want to make sure it's only one owner.

Michael Toups said this is moving in the right direction, though we may want to consider changing that section in the future.

Mark Barbadoro of Old Harvard Rd. said that existing properties that have been maintained as independent units, and you need to rent it out, you still need to make a modification. He explained the intent.

Gary Kushner of Flagg Hill Rd. asked if the accessory units count as affordable housing.

Kathy Vorce said the Planning Board hasn't approached the Housing Board on that. Her understanding is that affordable housing has to be committed in perpetuity. So there would need to be restrictions on rent increases, etc. Affordable housing has to be committed to be that, and that is not the concept behind this bylaw.

Al Murphy of Hill Rd. said he does not believe that they will qualify as affordable housing because there is no requirement in the bylaw for income requirement. They would probably increase the amount of housing in town, which is economically a good thing.

Marie Cannon of Littlefield Rd. and Board of Health clarified that there are requirements that have to be met per Title 5, and the key one that relates to this is that you would need to meet Board of Health requirements for septic. For example, if you have an older septic tank without two compartments, you would need to switch that. If you have a modern, larger house, you may have that already so that's something to keep in mind. She clarified that you may need to have a deed restriction, and that the Board of Health will need to be involved.

Johanna Choo of Burroughs Rd. wanted to know if creating the accessory apartment would change your tax rate.

Kathy Vorce said it may, but that would be a question for the Assessor.

Johanna Choo noted that it might have tax implications if there are more school-aged children as a result of these changes.

Mark White of Sara's way noted that when this Zoning Article was originally introduced it was a fear that there would be a glut of people moving in, but that didn't happen so we needed to change the rules a bit. It is a big dissuader to have to change your septic, but the people who can do it, will be able to afford it. If it is "no longer intended to be owner occupied" as it says in Section 10, then it could become a rental and that's what this covers and aims to avoid. No one is likely to remove the kitchen, but you may be able to cut a hole in the wall to make it connected.

**Mary Nadwairski of Stonehedge Pl. moved the question and it was seconded.**

**Motion to end debate carried by two-thirds majority vote as declared by the Moderator.**

**Action on the motion on Article 46: motion carried by two-thirds majority vote, as declared by the Moderator.**

**ARTICLE 47                    GENERAL BYLAW AMENDMENT: TREE PROTECTION BYLAW**  
(Majority vote required)

Rebecca Verner moved and it was seconded that the Town amend the Boxborough General Bylaws by inserting a new ARTICLE 9, § 5 TREE PROTECTION AND PRESERVATION BYLAW, all as printed in the May 8, 2023 Annual Meeting Warrant and further that non-substantive changes to the numbering of the General Bylaw be permitted in order that it be in compliance with the numbering format of the General Bylaw.

**ARTICLE 9 § 5: Tree Protection & Preservation Bylaw**

**Section 1            Purpose**

The Town of Boxborough finds that mature Trees have aesthetic appeal, improve air quality, provide glare and heat protection, reduce noise, aid in the stabilization of soil, provide natural flood and drainage control, create habitats for wildlife, enhance property values, contribute to the distinct rural character of neighborhoods and provide natural privacy to neighbors.

The intent of the Tree Protection & Preservation Bylaw (Tree Bylaw) is to encourage the preservation and protection of Trees on public and private property during significant demolition and/or development activity. The preservation and protection of certain Trees on public or private property, the requirement to replant Trees to replace those removed, and the collection of financial contributions to support the Town's Tree planting and maintenance efforts are public purposes that protect the public health, welfare, environment and aesthetics of the Town.

**Section 2            Responsibility for Administration**

- (1) Trees Located on Private Land. The Planning Board shall be the permit granting authority for this bylaw Section 0000 Disturbance of Land Greater than Three (3) Acres. Any powers granted to or duties imposed upon the Planning Board may be delegated in writing by the Planning Board to any Town employee, board, commission, committee or town agent, or third-party agent hereby known as the Reviewing Agent. The duties or responsibilities of the Planning Board shall include, but not be limited to, the following as may be further specified in this bylaw:
  - (a) Granting or denying and attaching reasonable conditions to all permits required under this bylaw.
- (2) Public Shade Trees. The Tree Warden shall be the Reviewing Agent for the Tree Protection & Preservation Bylaw Section 0000 Public Shade Trees. The duties or responsibilities of the Tree Warden shall conform to General Law Chapter 87 and shall include, but not be limited to, the following as may be further specified in this bylaw:
  - (1) Management of all Trees within public rights-of-way and adjacent to public buildings and commons; care and control of Trees on Town property, and on Town land owned by other departments such as Schools, Recreation and Conservation;
  - (2) Expending funds appropriated for tree assessments and/or surveys, buying, planting and maintaining Trees on Town land under the jurisdiction of the Tree Warden;
  - (3) Work to seek grants or other assistance concerning the preservation and maintenance of Trees in Town;
  - (4) Development of Tree inventory, manuals and other data to carry out the purposes and intent of this bylaw for approval and promulgation by the

- Planning Board;  
(5) Enforcement of Bylaw Section 0000 Public Shade Trees;

### **Section 3 Tree Protection & Preservation Bylaw Definitions**

- 3.1 Caliper shall mean diameter of a Tree trunk (in inches). For Trees up to and including four (4) inches in diameter, the Caliper is measured six (6) inches above the existing grade at the base of the Tree. For Trees larger than four (4) inches in diameter, the Caliper is measured twelve (12) inches above the existing grade at the base of the Tree.
- 3.2 Certified Arborist shall mean professional arborist possessing current certification issued by the International Society of Arboriculture (I.S.A.) and/or the Massachusetts Arborist Association (M.A.A.).
- 3.3 Critical Root Zone (CRZ) – The minimum area beneath the canopy of a Tree which must be left undisturbed in order to preserve a sufficient root mass to give a Tree a reasonable chance of survival. The CRZ is represented by a concentric circle centering on the Tree’s trunk and extending outward towards the Tree’s drip-line. The minimum area of the CRZ shall be dependent on the required minimum radius of the CRZ; the required minimum radius of the CRZ shall be determined by multiplying a Tree’s DBH (in inches by eighteen (18) inches, with the resulting product constituting the minimum radius of the CRZ.  
Example: A Tree with a DBH of twenty (20) inches shall have a CRZ with a minimum radius of three hundred sixty (360) inches or thirty (30) feet (20” x 18” = 360” or 30’).
- 3.4 Diameter at Breast Height (DBH) shall mean the diameter (in inches) of a Tree trunk four and one-half (4.5) feet above the existing grade at the base of the Tree. If a Tree has multiple trunks, the aggregate diameters of the multiple trunks shall be used.
- 3.5 Disturbance of Land Action to alter the existing vegetation and/or underlying soil of a site, such as clearing, grading, site preparation (e.g., excavating, cutting, and filling), soil compaction, and movement and stockpiling of top soils.
- 3.6 Drip Line – The area surrounding the Tree from the trunk to the outermost branches. This area is distinguished from, and not to be confused with Critical Root Zone.
- 3.7 Invasive Species shall mean any plant listed on the most recent version of the Massachusetts Prohibited Plant List as published by the Massachusetts Department of Agriculture.
- 3.8 Protected Tree with a Disturbance of Land greater than three (3) acres, Protected Tree shall mean any existing Tree or Tree that was removed within twelve (12) months prior to the submittal of an application for Tree protection & mitigation to the Planning Board, on private land, with a DBH of six (6) inches or greater (or any multiple trunk Tree with a DBH of fifteen (15) inches or greater), provided that the Tree is not hazardous. Invasive Species (as defined herein) shall not be considered Protected Trees.
- 3.9 Public Shade Tree shall mean any Tree within the public right-of-way except

for state highways that has any portion of the stem actively growing in to the public right-of-way.

- 3.10 Replacement Inch shall mean the unit used when determining mandated replanting,
- 3.11 Reviewing Agent shall mean any agent delegated by this Bylaw in writing to administer and implement the Tree Bylaw.
- 3.12 Significant Tree shall mean any tree of six (6) inch DBH or greater.
- 3.13 Tree – Any self-supporting, woody perennial plant usually having a single trunk with a DBH of three (3) inches or more which normally attains a mature height of six (6) feet or greater.
- 3.14 Tree Preservation Fund shall mean an account established pursuant to (M.G.L. 44 § 53E½) for the deposit of contributions in lieu of Tree replanting as required by this Tree Bylaw. Funds deposited in this account shall be used solely for the purpose of buying, planting and maintaining Trees in the Town.
- 3.15 Tree Protection & Mitigation Plan shall mean a plan submitted to the Reviewing Agent for approval prior to the commencement of demolition and/or construction on a property on which a Protected Tree is located.
- 3.16 Tree Removal shall mean mechanical demolition of a living Tree, or any act (a) that has caused or will cause a Tree to die within the previous 12 months or (b) is likely to cause significant decline or death as determined by the Reviewing Agent based on arboricultural practices recommended by the International Society of Arboriculture (I.S.A.).
- 3.17 Tree Save Area shall mean the area surrounding all Protected Trees which includes at a minimum the (CRZ) and Drip Line of all Protected Trees. The Tree Save Area must be enclosed within a fence and remain undisturbed so as to prevent damage to the Tree.

#### **Section 4      Public Shade Trees.**

- (1) A Public Shade Tree may not be cut, pruned, removed or damaged (trunk, limbs or roots) by any person of the Town until and unless the Tree Warden issues a written permit pursuant to this section.
- (2) Procedures. Any person seeking to prune or remove a Public Shade Tree shall submit an application to the Tree Warden in accordance with any application requirements issued by the Tree Warden. The Planning Board shall hold a public hearing on applications for removal which the Tree Warden will attend and make a recommendation upon. Said hearing attendance shall be at the expense of the applicant, in accordance with the provisions outlined within General Law Chapter 87. The permit issued by the Tree Warden may specify schedules, terms, and conditions, including requiring the planting of replacement Trees.
- (3) Planting of Trees on Public Land. Any person seeking to plant a Tree on public land under the jurisdiction of the Tree Warden must obtain written permission from the Tree Warden. Such a permission may specify schedules, terms, and conditions as deemed appropriate by the Tree Warden.

#### **Section 5      Disturbance of Land Greater Than Three (3) Acres on Public or Private Land**



- (1) No construction, Disturbance of Land, or improvement of impervious surfaces resulting in total Disturbance of Land greater than three (3) acres shall commence prior to issuance of a Permit for Tree Removal and Mitigation by the Planning Board.

- (2) Procedures. When a total Disturbance of Land greater than three (3) acre is planned, the owner of the property shall submit to the Planning Board a site plan drawn and stamped by a registered

land surveyor showing all existing Trees on the property of six (6) inch DBH or greater (or any multiple trunk Tree with a DBH of fifteen (15) inches or greater), provided that the Tree is not hazardous as deemed by a Certified Arborist. Invasive Species (as defined herein) shall not be considered Protected Trees.

- (a) If any Protected Trees will be removed or damaged in connection with a Disturbance of Land greater than three (3) acres, the owner of the property shall submit an Application for Tree Protection & Mitigation to the Planning Board. Additionally, if any Protected Trees were removed during the twelve (12) months preceding the application, a Tree Removal and Mitigation Proposal regarding the Protected Trees already removed shall be submitted to the Planning Board. The proposal shall satisfy the mitigation requirements set forth below and any rules, regulations or manuals promulgated by the Planning Board.

- (c) Such construction or demolition shall require public notice to abutters and shall include all persons owning land within three hundred (300) feet of any part of the applicant's land at least fourteen (14) days before said hearing. The Planning Board shall rule within twenty (20) days of the public hearing.

- (d) Tree Protection. Each Protected Tree to be retained on property planned for demolition and/or construction activity shall be protected by the establishment of a fenced-off Tree Save Area. The Tree Save Area shall be delineated within the submitted Tree Protection & Mitigation Plan, shall be installed prior to any issuance of applicable permits, demolition or site work, and shall remain in place until work is completed on the property. The applicant shall submit written documentation, prepared, stamped, dated and signed by a Certified Arborist, to the Planning Board confirming that the required Tree Save Area has been installed as identified in the Tree Protection & Mitigation Plan before work on the property commences.

- (e) Failure to protect Trees not removed. Trees left on site must be protected. If not done so as required by this bylaw, the Town shall hire a Certified Arborist at the expense of the owner/builder, who may impose the following:

- 1) Certified Arborist may undertake Tree protection measures and bill for any labor and material charges incurred.
- 2) Certified Arborist may require replacement plantings larger than three inches in diameter to replace Trees damaged during construction.
- 3) Certified Arborist hourly charges will be billed to the owner/builder to ensure that Trees left on the site will survive and remain healthy.
- 4) Certified Arborist may impose fines as per the fine schedule in Section 0000 Tree Preservation Bylaw Fine Schedule of this bylaw.

- (f) Tree Mitigation. A Protected Tree shall not be removed unless at least one of the following provisions is satisfied.

- 1) Replanting of Trees: such replanting shall be on the basis of one inch of Caliper of new Tree(s) for each Replacement Inch of DBH of Tree(s) removed except that, to encourage the planting of native, large shade species, for each replanted Tree listed in the Recommended Large Shade Trees list of Boxborough Tree Management Manual replanting shall be on the basis of ½ inch of Caliper of new Tree(s) for each Replacement Inch of DBH of Tree(s) removed and each replanted Tree must have a minimum Caliper of three (3) inches. The replanting shall occur prior to the issuance of a Final Certificate of Occupancy, either on applicant's land or on land abutting applicant's land with express written approval of the owner of such abutting land;
  - 2) Contribution into the Boxborough Tree Preservation Fund, provided such fund is reauthorized to the extent required by law, or otherwise to the surplus revenue of the Town; such contribution shall be \$100 per Replacement Inch of Protected Tree or Public Shade Tree removed not already mitigated per item 1) Replanting of Trees above. Tree Fund contributions shall be received by the Town prior to the issuance of all applicable permits.
  - 3) All evergreens planted as replacement Trees must be a minimum of six (6) feet in height and must include, without limitation, native species of pine, hemlock, spruce and fir. Low-growing or dwarf species of evergreens shall not be accepted as replacement Trees.
- (3) **Exemption: The Planning Board may waive the requirements of section 5 by a majority vote for the Disturbance of Land on public property, or land owned by the Town of Boxborough, which is conveyed to a developer for the purpose of creating affordable housing.**

#### Section 6 Maintenance of Protected and Replanted Trees:

- (1) Protected Trees: Each Protected Tree retained shall be maintained in good health for a period of no less than twenty-four (24) months from the date of Final Inspection, or issuance of a Certificate of Occupancy if applicable. Should such Tree die or significantly decline in the opinion of the Town appointed Certified Arborist within this twenty-four (24) month period, the owner of the property shall be required to provide mitigation consistent with the requirements for the removal of a Protected Tree as contained herein within nine (9) months from said determination.
- (2) Replanted Trees: All new Trees planted to mitigate the removal of Protected Tree(s) shall be maintained in good health for a period of no less than twenty-four (24) months from the date of planting. Should such Tree die within this twenty-four (24) month period, the owner of the property shall be responsible for replacing the Tree with a Tree equal to or greater than the size of the original Replanted Tree at installation; such replacement Tree shall be planted within nine (9) months of the death or serious decline of the original Replanted Tree.

#### Section 7 Tree Protection & Mitigation Plan Review:

- (1) Tree Protection & Mitigation Plan Submittal: Prior to the issuance of a permit in connection with one or more of the circumstances set forth in this Tree Bylaw on property on which a Protected Tree is located or was located within twelve (12) months prior to application, the owner of the property shall submit a Tree Protection &

Mitigation Plan to the Planning Board along with the applicable application and fee.

- (a) The Town Planner shall set an application fee. Such a fee shall be at least \$5 per DBH inch of Protected Tree to be removed.
- (b) Tree Protection & Mitigation Plan Requirements: The submitted Tree Protection & Mitigation Plan shall be a to-scale survey or site plan, along with accompanying documentation, containing information prepared, stamped, dated and signed by an individual(s) appropriately licensed and authorized by the State of Massachusetts to attest to and certify such information, unless a specific certification is referenced herein.
- (c) Boundaries of the subject property, including all property lines, easements, and right-of- ways of public and private ways;
- (d) The location of all existing buildings, driveways, retaining walls and other site improvements, with an indication of those features to be retained or removed/demolished;
- (e) The location of all planned buildings, driveways, retaining walls and other improvements;
- (f) The location, height, DBH, and species of all existing Protected Trees and all Protected Trees that were removed within twelve (12) months prior to the submittal of an application for Tree protection & mitigation to the Planning Board, with an indication of those Protected Trees to be removed and those to be retained, if applicable;
- (g) The Critical Root Zone (CRZ), Drip Line and location of the Tree Save Area shall be shown for all Protected Trees to be retained;
- (h) The location, Caliper, species, and planting schedule of Trees to be replanted to mitigate the removal of a Protected Tree(s), if applicable;
- (i) The landscape shall be preserved in its natural state insofar as practical by minimizing removal of Significant Trees. Every effort shall be made through the design, layout, and construction of any project to save as many Significant Trees as possible;
- (j) Clearing of other vegetation and alteration of topography shall be replicated with native vegetation planted in disturbed areas as needed to enhance or restore wildlife habitat, if any;
- (k) A maintenance plan prepared, stamped, dated and signed by a Certified Arborist for all Protected Trees which are proposed to have encroachment within the CRZ and/or Drip Line, if applicable;
- (l) The amount to be contributed to the Tree Fund to mitigate the removal of a Protected Tree(s), if applicable; and
- (m) Such other information as is required by the Planning Board pursuant to applicable regulations.
- (n) Tree Fund Contribution; In lieu of replanting, if applicable, the owner of the property shall submit any required contribution to the Tree Fund as mitigation for the removal of a Protected Tree.

- (o) The Planning Board retains the ability to visit subject properties as needed.
- (2) Re-Submittal: If demolition or construction has not commenced within twelve (12) months of the date that a Tree Protection & Mitigation Plan was submitted for a property, or if removal of a previously unidentified Protected Tree is necessary during the course of construction, an amended Tree Protection & Mitigation Plan shall be submitted identifying any changes from the previous plan and associated mitigation measures.

## **Section 8 Enforcement**

- (1) Any person violating this bylaw is subject to the penalties and legal enforcement action by the Town.
- (2) Each instance in which a Public Shade Tree or a Protected Tree is removed without a Tree permit shall constitute an offense under this bylaw. When Public Shade Trees or Protected Trees have been removed, fines as outlined in Section 0000 Tree Preservation Bylaw Fine Schedule of this bylaw shall be required.
- (3) If mitigation and the payment of fines are completed in due time as determined by the designated reviewing agent, the project will be approved to continue. If not completed, then each day beyond the determined and agreed upon completion date shall constitute a new and separate offense.

## **Section 9 Town of Boxborough Tree Fund**

There is hereby established a Town of Boxborough Tree Preservation Fund (“Tree Fund”) pursuant to M.G.L. 44 § 53E½. Any contributions collected per Section 0000 Protected Trees of this Tree Protection Bylaw shall be deposited in the Tree Fund, and shall be used solely for the purpose of tree assessments and/or surveys, buying, planting and maintaining Trees within the Town.

## **Section 10 Exemptions**

- (1) The requirements of this Tree Bylaw shall not apply to the following exemptions:
  - (a) Those areas of property under the jurisdiction of the Conservation Commission;
  - (b) Those areas of property under the care, custody, management and control of the Agricultural Commission;
  - (c) Emergency projects necessary for public safety, health and welfare, as determined by the designated Reviewing Agent;
  - (d) Trees severely damaged as the direct result of a natural disaster;
  - (e) Trees that are hazardous as determined and confirmed in writing by a Certified Arborist, and;
  - (f) Trees currently infected by a disease or insect infestation of a permanent nature, as determined and confirmed in writing by a Certified Arborist.
  - (g) Trees identified by the Commonwealth that pose a risk of disease or insect infestation.
  - (h) Tree removals required for agricultural uses pursuant under MGL chapter 40A Section 3.

## **Section 10 Tree Preservation Bylaw Fine Schedule**

<b>Fine Schedule</b>	<b>Fine Allowed (Per Caliper Inch Removed)</b>	<b>Enforcement Agency</b>
1 <sup>st</sup> Offense	\$100	Building Commissioner
2 <sup>nd</sup> Offense	\$200	Building Commissioner

3 <sup>rd</sup> & Each Subsequent Offense	\$300	Building Commissioner
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## Section 11      **Boxborough Tree Management Manual**

The Boxborough Tree Management Manual will be used as the standard for Tree planting, maintenance and protection in the Town.

### **Summary:**

*This proposed General Bylaw will bring local regulation for the preservation and protection of Public Shade and Town Trees as well as for existing trees located within a disturbance of land greater than one (1) acre. This tree protection bylaw would bring context and clarity by adding tree protection definitions, tables, and approval processes and protocols to support specific references in the Boxborough General Bylaw.*

*This bylaw provides clear regulation for users regarding the maintenance, procedures and planting of trees located on public land by designating a reviewing agent and process regarding the pruning, removal or planting of a public shade or town tree.*

*Further, this tree protection bylaw creates new regulation introducing a review process of a project that meets the standards of Boxborough's criteria triggering a Stormwater Management Permit Application. Under this proposed bylaw, when an area of disturbed land greater than one (1) acre is proposed, a Tree Removal Permit Application must be submitted to the Planning Board for review and approval.*

*Such application shall provide mitigation efforts to offset the impacts caused by the loss of significant tree removals by either replanting trees or by contributions made to a proposed Boxborough Tree Preservation Fund.*

*This bylaw aids in offsetting the carbon storage loss, reduction of air quality, glare, heat and noise protection, and loss of wildlife habitat caused by the removal of large areas of mature forested lands.*

**The Planning Board recommends unanimously (5-0).** The Planning Board understands that mature trees provide many important benefits to our community including carbon sequestration, improved air quality, glare and heat protection, noise reduction, soil stabilization, natural flood and drainage control, supporting habitats for wildlife, enhancing property values, contributing to the distinct rural character of neighborhoods and providing natural privacy to neighbors.

The Planning Board brings forth this proposed Tree Protection & Preservation Bylaw to encourage the preservation and protection of trees on public and private property during significant demolition and/or development activity.

This bylaw will provide preservation and protection of certain trees on public or private property where there currently is no protection in place, requires the replanting of trees to replace those removed, and it further establishes a tree preservation fund to collect financial contributions that will help offset taxpayer dollars spent to support the Town's tree planting and annual maintenance efforts.

This general bylaw has been supported by Boxborough's Tree Warden and Sustainability Committee and addresses the concerns that were raised by the Finance Committee, Agricultural Commissions and residents of the Town. Further the proposed bylaw incorporates many of concepts gleaned from several neighboring communities.

The bylaw represents a significant effort to strike a balance between inevitable development of the Town and the protection of our important natural resources, as well as the preservation of our rural

character as we go forward and confront the ways in which our community must adapt to a changing future.

**The Finance Committee recommends (4-1-0).**

**Majority opinion:** Majority of the Finance Committee recommends. We feel that the Planning Board was responsive to comments to the draft language. The change to 3 acres of clearing make it much less likely to be overreach into residential property thereby not being a huge financial burden to most Ag/Res landowners.

**Minority opinion:** Minority of the Finance Committee does not recommend. We are concerned that the bylaw will negatively impact large landowners and businesses trying to develop in Town. It may also increase the cost of adding recreation fields (think Liberty Fields) or Town buildings if land needs to be cleared.

**The Economic Development Committee does not recommend (4-1).**

**Majority Opinion:** The majority of the EDC cannot support this article at this time as there has not been an economic impact assessment completed, nor has there been a public hearing to obtain input from property owners. Because this bylaw will impose additional regulatory requirements and costs on commercial land owners who develop their properties as currently allowed, the EDC believes this bylaw should not be approved without a full understanding of the impact.

**Minority Opinion:** A minority of the Economic Development Committee does recommend passage. The minority feels that Protection of Boxborough's trees is a larger issue than simply good or bad for businesses. The minority simply felt that, in some cases, trees are better for Boxborough than buildings.

**The Select Board does not comment on articles proposed by other elected boards.**

**Discussion on the Motion on Article 47.**

**Rebecca Verner gave the presentation.** She went through the reasons for protecting forests, including the benefits of mature trees for climate and carbon sequestration as well as water protection, wildlife habitat loss, stormwater drainage, etc. This bylaw is consistent with the 2021 MVP study which underscores hazards that we will face due to climate change. It is consistent with the 2030 Master Plan: preserving the rural character and open spaces and the OSRP: open space protection on developable land. It was listed as a high priority on the OSRP.

This bylaw gives a process by which developers are required to carefully consider development and large developers can afford these expenses and the proposals are large in scale. The areas that might be impacted were shown on a map: if over 3 acres, they were included. This doesn't include lands that are in agricultural uses, which are exempt under this bylaw.

If a developer is going to disturb trees on properties of over 3 acres there are mitigation options 1) non-native trees can be replanted at twice the rate, or 2) native trees at a smaller rate, or 3) a donation into a tree health fund.

She made an example of how to calculate how to deal with this on an example acre. The mitigation options were demonstrated. There is a cost, but it is true that a profit will be seen from logging in most cases. Sustainability Committee, Agricultural Commission gave feedback. The Tree Warden seeks \$ for many aspects of tree health and this would be a great benefit. This year at ATM, \$10,000 was spent; this fund could be used to offset those costs. They discussed how changes were incorporated, including changes to size and Agricultural uses.

No cost to implement the bylaw, but there is revenue generated by the fund. May benefit the town to do wider assessments of trees throughout town.

**Mark Barbadoro moved and it was seconded to amend Article 47 to add the following subsection to “Section 5 Disturbance of Land Greater Than Three (3) Acres on Public or Private Land” after subsection (2) (f) 3):**

**“(4) Exemption: The Planning Board may waive the requirements of section 5 by a majority vote for the Disturbance of Land on public property, or land owned by the Town of Boxborough, which is conveyed to a developer for the purpose of creating affordable housing.”**

**Finance Committee recommends.**

**Planning Board recommends.**

**No opinion from the EDC.**

**Discussion on the amendment.**

Al Murphy of Hill Rd. regrets that the Housing Board was not consulted. The developers who are going to develop affordable housing are not flush with money. He supports this amendment.

Andrew Tavalacci of Old Harvard Rd. noted that this amendment and this article should stand because the reason developers clear land is because it's easier and cost effective.

Cheryl Mahoney of Liberty Square Rd. says that the amendment and the article are premature, especially because the article and the amendment need to be worked on further.

Rich Guzzardi of Reed Farm Rd. clarified that this amendment only applies to Town owned land and town-owned land that is conveyed to a developer. He is concerned that it doesn't go far enough because affordable housing is concerned with all land.

Greg Turner of Middle Rd. spoke regarding the DEP requirement which is for stormwater management, it should be more like 2 acres.

Rebecca Verner and Mark Barbadoro noted that it was originally at the scale of 1 acre but after feedback it was bumped up to allow that personal property wouldn't be impacted.

**Action on the amendment carried by a majority.**

John Neyland of Picnic Rd. and of the EDC and Ag Com commended the amount of work that Rebecca has done to come up with this bylaw. I think we need it, but we're only at the start of developing this. The calculations example that she gave: 30-70 trees per acre with an average of 1 acre. Even if buying 1-inch sized trees, you have to buy \$30,000-70,000 so the numbers are wrong in the presentation. There was no requirement for public hearings and although many discussions were had at Planning Board meetings, and members of the planning board admitted that they had not read the bylaw and these were held at 11 pm.

Larry White of Sara's Way says some of these numbers are false. The idea that you will make so much money from cutting trees is off; \$3-5,000 per acre is not accurate. This will drive up the cost of housing, and it is also a way to stop development. Developers also don't want to cut every tree, and they plant trees. His concern is that it is a needless attempt to dominate property rights with needless rules, expense, and it is far too complex.

Owen Neville of Middle Rd. of Ag Com clarified that shade tree laws in MA already exists (Ch. 87 of MGL, as well

as Ch. 40A Section 3), and that his recommendation was not included in the bylaw. If someone is in the Ag/Res district, then you are in a gray area; for example he is in Ag/Res but has less than 5 acres. He moved to offer an **amendment for Section 1(h) – remove “required” and “pursuant under MGL chapter 40A Section 3.”** and substitute New wording: **(h) Tree removals for agricultural uses.**

Seconded.

### **Fin Com Recommends.**

Cindy Markowitz of Meadow Ln. says that the term Agricultural Uses would need to be defined. When referencing the MGL it was clearly defined.

Mark Barbadoro clarified that the agricultural uses (40A section 3) was lowered to two acres if you produce \$1,000/acre. He does not think that the change makes sense because it is likely to include hypothetical agricultural uses that are not defined.

Cheryl Mahoney wants to reiterate that we are not ready for this article, and why not hold a public forum?

Kathie Becker of Burroughs Rd., member of the Ag Com talked about the types of uses of agriculture in town, with over 50 products grown in town. There are a lot of agricultural uses that are not under the 40A categories.

Susan Cooney of Stow Rd. talked about a microburst knocking out trees.

Moderator Reip noted that the comment was not on the topic of the amendment.

### **Action on the amendment: failed by a majority vote 75 No and 58 Yes.**

Francie Nolde of Sargent Rd. and of the Sustainability Committee thanked the Town for voting for the Green Communities article, which is linked to this article. She noted all of the benefits of trees, and how this bylaw will prevent clear-cutting, as happened on Stow Rd. Neighbors' property was damaged by the loss of trees.

Carol Dionne of Burroughs Rd. wondered about Section 5 (2), so wanted to know how the \$ amount was arrived at (\$100 does not give you much of a tree), and how to do we prorate this as time goes on.

Rebecca Verner said the \$100 came from neighboring towns' bylaws, and this comment is right about inflation.

Trina Toups of Pine Hill Rd. wonders if there was any thought given to working with preserving existing trees rather than putting in new trees? What is the status of trees in Boxborough – in terms of age, but maybe we need to think about the future health of old trees. She wonders how would this article address keeping corridors and mature trees.

Rebecca Verner said the primary goal is to preserve mature forests so that would be looked at with developers.

Than Stuntz of Hill Rd. – if a three acre plot is clear-cut, then you could cut almost all of it? The answer was yes. He does not recommend this bylaw. Is logging an agricultural activity? (yes). It seems to be an internally inconsistent bylaw; wants to keep trees, but allows logging.

Liz Markiewicz of Patch Hill Rd. also on the Conservation Commission. She went on a walk-through of the 1414 Mass Ave. and was struck by the fact that we are able to protect wetlands because of the wetlands bylaw. There is absolutely no protection for trees of any type, and the plan for this is vast, and over time, we have come to realize how important mature trees and upland are to water quality and sequestration.

Steven Jeffreys of Sargent Rd. asked who does the accounting of the trees?



Rebecca Verner said the work would be done by a licensed surveyor who has to stamp the document. Engineered drawings are part of the submission to the Planning Board anyway.

Mr. Jeffreys asked if the Planning Board would check to make sure this is accurate?

Ms. Verner said she wouldn't think the Planning Board would have to check a professionally-licensed person's work.

Mr. Jeffreys asked why trees in rights of way are included? Do I have to get permission to take down a tree on the edge of the road?

Ms. Verner clarified that the portion he referred to was already in the shade tree bylaw; the Tree Warden recommended that that section be included in this bylaw.

Diana Lipari of Littlefield Rd. said that nothing is ever perfect and understand the complaints about the details, but that shouldn't mean that we leave our town without any protection for our trees. Carbon net zero is a very important part of sustainability. What are trees do for us, we can't replace. We can always fix it later; she urged that we vote for this tonight.

Joan Blaustein of Stow Rd. spoke in favor because the costs of the benefits that trees provide, we are not able to calculate. We are preventing flooding and lack of water resources that we will have to pay for down the road if we don't try to protect what we have.

Rita Grossman of Depot Rd. noted that she owns more than 3 acres has issues with this bylaw, but would like to move forward with this bylaw. Harvard Forest in 2017 called for preservation of 70% of New England's forested land to deal with a strategy for climate change and yes, it will cause a problem for development. It is worth causing problems in some cases, even if it is a hassle, but in the end, we are healthier for it.

Barbara Salzmann of Cobleigh Rd. noted that we needed a tree bylaw when she started seeing the clearcutting at the Enclave, and knew then that we needed this bylaw. We don't have time to table this; we need to pass it tonight.

Rich Guzzardi of Reed Farm Rd. asked if the Planning Board as delegating agent able to deny the application?

Ms. Verner noted that it would be a matter of getting a mitigation plan in place.

Mr. Guzzardi asked if the disturbed land acreage would need to be surveyed or would it need to be all of the acreage?

Ms. Verner said it would be mandated to include a limit of work only in the limited area.

Mr. Guzzardi noted that the language doesn't make it clear – "on the property" makes it seem like the whole property needs to be surveyed. Also questioned about subdivided properties – if approval granted for a subdivision, would a landowner be able to clear two acres within a parcel?

Ms. Verner clarified that it was the limit of work.

Mr. Guzzardi asked if they got approval, and then changed their subdivision plan, what would be allowed?

Ms. Verner clarified that it was parcel by parcel; cutting would be allowed if it's not consecutive; but if it's one lot then it is all connected and cumulative.

Mr. Guzzardi said that he is not opposed to having a tree bylaw, but is opposed to this particular bylaw. There is no provision in this bylaw that would prevent the clearing, because this is more of a tree tax. He would rather have trees than the money. It would be better to have something that focuses on protecting the abutters and setbacks and the land that is forested. I want this addressed in the fall, but don't think you should vote for this article.

Ms. Verner said every abutter would be contacted as part of the process.

Mark Nadwairski of Stonehedge Pl. moved the question, and it was seconded.

**Action on the motion to end debate carried by two-thirds majority as declared by the Moderator.**

**Action on the amended motion on Article 47: motion carried by majority vote.**

**Diana Lipari moved to dissolve the May 8, 2023 Annual Town Meeting at 9:37 pm. This motion was seconded and carried by majority vote.**

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

Hereof, fail not to deliver these warrants with your return of service thereon to the Town Clerk on or before April 24, 2023.

A handwritten signature in blue ink, appearing to read "Diana Lipari", written over a horizontal line.

Diana Lipari, Chair  
Select Board

A handwritten signature in blue ink, appearing to read "Leslie Fox", written over a horizontal line.

Leslie Fox, Clerk  
Select Board

A handwritten signature in blue ink, appearing to read "Wesley Fowlks", written over a horizontal line.

Wesley Fowlks, Member  
Select Board

A handwritten signature in blue ink, appearing to read "John Markiewicz", written over a horizontal line.

John Markiewicz, Member  
Select Board

# Finance Committee Report

## Finance Committee

Boxborough's Finance Committee (FinCom) is comprised of up to nine members (currently at 6) appointed by the Moderator for individual three-year terms. FinCom is tasked by Town bylaw to consider "all matters of business included within the articles of any warrant for Town Meetings" and "shall after due consideration report thereon in print its recommendation as to each article." FinCom is responsible for initiating and managing the Town's budget process.

## Budget Process

The process of formulating the budget for a fiscal year beginning on July 1 typically begins the previous December and culminates in the presentation of the Finance Committee recommendation for the operating budget at the Annual Town Meeting (ATM) in May. The Finance Committee seeks to communicate to voters the key financial and operating issues within town government to develop informed debate at town meetings and in other forums.

## Town Finances

The overall financial position of the Town remains strong. Boxborough has continued to maintain a AAA bond rating due to high reserves and other favorable budgetary, debt, OPEB (Other Post-Employment Benefits) planning and financial management metrics as measured by Standard & Poor's. The FinCom continue to work with the Select Board and Town management on issues that may impact future financial status.

Free Cash held by the Town is currently \$2,731,384. This is above the policy minimum of 5% and will allow the use of some Free Cash to balance the FY24 Budget.

The Reserve Fund was established at \$150,000 for FY23. The following allocations from the Reserve Fund were authorized by FinCom during FY23: \$37,500 Town Administrator contract requirements; \$6,950 Audit expense; \$23,952 legal expenses; \$2,500 DPW. Remaining Reserve Fund of \$79,098 will be returned to Free Cash.

The Stabilization Fund of \$1,400,000 is above the policy recommendation of a minimum of 5% of Operating Budget. The Stabilization is a strategic reserve and will continue to be maintained at this level

The OPEB fund is currently at \$977,287 vs. our OPEB liability of \$4,787,288. This is below the recommended level based on GASB (Governmental Accounting Standards Board) guidelines. The FY24 budget includes an accelerated payment of \$300,000 towards meeting OPEB funding requirements. It should be noted that only 10% of towns, including Boxborough, are meeting their OPEB requirement at 10% funding or above. Boxborough is at 17%.

## 2024 Budget

### Operating Budget

Note that all figures presented in this report were correct at time of Warrant printing and are subject to change. Final figures will be presented at Town Meeting.

The proposed FY24 Operating Budget of \$25,868,289 is an increase over FY23 of 5.9%.

	FY24 Proposed	FY23 Final	Inc.
Operating Budget	\$25,868,289	\$24,674,420	4.8%
Warrant Articles (R&A)	\$260,720		

Total	\$26,129,009	\$24,674,420	5.9%
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### Operating Budget Drivers

The main components of the Operating Budget are Education (55%), Town Government (29%), Debt Servicing (5%), Retirement Funding (5%) and Employee Benefits (5%).

The Education assessment will grow by 5% in FY24. The major part of the Education budget is developed through the Acton Boxborough School District (ABRSD) with smaller components from the 3 vocational schools attended by Boxborough students. Boxborough's share of the ABRSD budget will increase in FY24 based on the formula negotiated in the regional school agreement. Boxborough students also have the option of attending any vocational school of their choice and primarily Minuteman, Assabet or Nashoba if space exists. However, Minuteman, Nashoba and Assabet have limitations on admission of new students. The new twin school (Gates/Douglas) is now open and operating as expected. Construction is projected to complete by August 2023 except for some of the photovoltaic installation.

Retirement Funding will grow by 9.7% in FY24. The budget is driven by an assessment from the county retirement fund.

Employee Benefits will grow by 7.7% in FY24. Main drivers are employee health insurance from the Town's current provider which will increase 13.9%. Alternatives will be evaluated for future years.

Debt Servicing will grow by 3.0% in FY24. This includes debt principal repayment of \$975,000 of bonds initiated 2006-2020 and interest payments totaling \$359,912.

The Operating Budget also includes a planned allocation to the Reserve Fund for unforeseen or emergency expenses. In FY24 the Reserve Fund allocation will be 0.6% of the Operating Budget (\$155,000) based on policy developed by FinCom.

### Warrant and CPA Articles

Proposed warrant articles total \$3,131,047, including Community Preservation Act (CPA) funded items. Funding for Warrant Articles will be from Free Cash (\$1,510,723), Debt Financing (\$860,000) and taxation (\$260,720).

Items in the warrant include long term and large costs that have been identified on the Capital Plan.

Dept.	From CPA funds	From Tax	From Bond	From Free Cash	From Other	Total
Public Works			\$300,000	\$465,000	\$155	\$765,155
Fire		\$49,695	\$560,000	\$113,000		\$722,695
Select Board		\$73,800		\$619,000		\$692,800
CPC	\$379,550					\$379,550
Library				\$202,000		\$202,000
Other					\$119,899	\$119,899
Police		\$73,625		\$25,000		\$98,625
Police & Fire				\$50,000		\$50,000
Planning		\$35,900		\$2,996		\$38,896
Accounting		\$27,700				\$27,700
Citizen Petition				\$20,000		\$20,000
Recreation				\$13,727		\$13,727
<b>Total</b>	<b>\$379,550</b>	<b>\$260,720</b>	<b>\$860,000</b>	<b>\$1,510,723</b>	<b>\$120,054</b>	<b>\$3,131,047</b>

## Revenues

In addition to Property Tax, funds are available from Local Receipts and State Aid, CPA funds and other minor sources. In addition, funds may be available from Free Cash or Reserves in order to balance the budget.

Receipts	FY24 Estimate	FY23
State Aid	\$352,933	\$346,673
Local Receipts	\$1,653,500	\$1,575,000
CPA Funds	\$379,550	\$712,550
From Free Cash	\$1,510,723	\$1,114,346
Other Funds	\$120,054	\$115,767
<b>Total Receipts</b>	<b>\$4,016,760</b>	<b>\$3,864,335</b>

## Tax Rate Calculation

Property Tax is budgeted to raise \$24,122,576. This will generate a tax rate of \$16.35 based on a total Town valuation of \$1,475,569,221. This is within the limit of property tax increase allowed by Proposition 2 ½. The Proposition 2 ½ limit for FY24 is \$27,870,585.

	FY24 Proposed	FY23	Increase %
Total Appropriations	\$28,139,336	\$26,765,170	5.1%
Total Receipts	\$4,016,760	\$3,864,335	3.9%
Amount to be raised	\$24,122,576	\$22,900,835	5.3%

Town Valuation <sup>1</sup>	\$1,475,569,221	\$1,475,569,221
Tax Rate	\$16.35	\$15.52
Levy Limit <sup>2</sup>	\$27,870,585	\$26,389,069
Avg Single-Family Home Valuation <sup>1</sup>	\$764,691	\$764,691
Avg Single-Family Tax Bill	\$12,501	\$11,868

1. 2024 to be revised
2. For information only

## Use of Reserves

Reserves (Free Cash) will be used to balance the budget. Adequate reserves will be maintained for FY24 requirements.

FY24	Pre ATM	Action	Proposed Post ATM	As % of Operating Budget
Reserve Fund	\$79,098	Return surplus to Free Cash. Fund FY24 at 0.6%	\$155,000	0.6%
Stabilization Fund	\$1,400,000	No change	\$1,400,000	5.4%
Free Cash	\$2,731,384	Use for Warrant Articles. Add surplus Reserve Fund	\$1,299,759*	5.0%

\*Includes remaining Reserve Fund

## Use of Debt

\$860,000 of new debt will be assumed as the result of this budget. Debt will be in the form of a BAN (Bond Anticipatory Note) in advance of issuance of a Bond. Typically, a Bond is not issued until a minimum amount of debt has been accrued on BANs.

## Budget Overview

The proposed budget balances the Operating Budget and taxed Warrant Articles with Receipts in order to calculate a taxation requirement. Other sources and uses of funds are balanced. In this budget Free Cash and Debt are used to minimize taxation impact.

<b>FY24</b>		<b>Outgoing</b>		<b>Incoming</b>
From Taxes	Operating Budget 2024	\$25,868,289	Taxation	\$24,122,576
	Warrant Articles (Taxed)	\$260,720	Local Receipts	\$1,653,500
			State Aid	\$352,933
		<b>\$26,129,009</b>		<b>\$26,129,009</b>
From Other Sources	Warrant Articles (Free Cash)	\$1,510,723	From Reserves (Free Cash)	\$1,510,723
	Warrant Articles (Debt)	\$860,000	Debt	\$860,000
	Community Preservation Fund	\$379,550	CPA Funds	\$379,550
	Warrant Articles Other Funds	\$120,054	Other Funds	\$120,054
		<b>\$2,870,327</b>		<b>\$2,870,327</b>
<b>Total</b>		<b>\$28,999,336</b>		<b>\$28,999,336</b>

## Capital Plan

A multi-year Capital plan has been developed. This plan outlines potential future capital expenditures for equipment and infrastructure improvements in the near-term (5 years). The plan will be reviewed and updated annually in conjunction with the Town's debt schedule, and to guide Town Meeting in planning and decision making.

	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>	<b>FY2028</b>	<b>5 Years total</b>
Cemeteries	\$10,000	\$0	\$0	\$0	\$0	\$10,000
Conservation	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000
Fire	\$420,000	\$750,000	\$1,215,000	\$200,000	\$678,000	\$3,263,000
Historical Museum	\$44,000	\$0	\$0	\$0	\$0	\$44,000
Library	\$40,000	\$115,000	\$0	\$18,000	\$15,000	\$188,000
Personnel	\$0	\$0	\$0	\$15,000	\$0	\$15,000
Planning	\$0	\$0	\$0	\$0	\$0	\$0
Police	\$117,000	\$65,500	\$85,000	\$146,000	\$116,000	\$529,500
Public Works	\$495,500	\$666,000	\$373,000	\$525,000	\$350,000	\$2,409,500

Recreation	\$0	\$0	\$10,000	\$800,000	\$0	\$810,000
Steele Farm	\$320,000	\$0	\$0	\$0	\$0	\$320,000
Town Hall	\$170,000	\$0	\$0	\$50,000	\$10,000	\$230,000
Town Hall -Town Clerk	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000
Town Wide	\$94,000	\$64,000	\$64,000	\$64,000	\$64,000	\$350,000
<b>Total</b>	<b>\$1,730,500</b>	<b>\$1,680,500</b>	<b>\$1,767,000</b>	<b>\$1,838,000</b>	<b>\$1,253,000</b>	<b>\$8,269,000</b>

## Financial Policies

The Finance Committee has developed a comprehensive Financial Policies document that guides the budgeting process. An abbreviated summary of the Financial Policies is below.

### Budget Policy

- The Operating Budget should be developed in order to balance expenses, revenues, and use of Free Cash.
- Free Cash should be maintained at a minimum of 5% of the Operating Budget.
- Fees and user charges should be reviewed annually in relation to the cost of providing the service.
- New positions in the town should be added to the warrant as an article in the first year and then will be added to the Operating Budget in following years.
- Recurring expenses (non-bonded) in the town will be added to the warrant as an article in the first year and then will be added to the Operating Budget in following years.
- A Reserve Fund should be allocated at 0.6% of the total Operating Budget

### Capital Planning

- Both the incremental operating costs and debt service costs for any proposed capital project must be considered before any approval is granted.
- The warrant will include a 5-year rolling Capital Plan for projected capital needs.

The Capital Plan shows the projected item and the year in which the item is planned to be purchased. This forecast will change on an annual basis and will not reflect all the unplanned projects that arise on future warrant articles.

### Debt Management

- Debt service should not exceed 10% of revenues.

## Conclusions

The budget presented is balanced and takes into consideration the current financial status of the Town as well as potential future needs. The Town is in good financial condition.

The Finance Committee has developed, and will continue to review, policies to help guide future budgeting and long-term planning activities.

It is the objective of the Finance Committee to provide transparent financial information to the Town to allow informed decision making.



## Appendix

Definitions and issues that must be considered when approving a budget.

- Levy Limit – The maximum the tax levy can be in any given year, based upon the previous year's limit plus certain allowable increases. This value is generally a good deal less than 2.5% of the Town's full and fair cash value.
- Maximum Allowable Levy – The sum of the Levy Limit for any given year plus the amount of debt service that has been excluded from the provisions of Proposition 2 1/2 by prior Town Meeting and election/ballot actions.
- Levy Ceiling – The maximum value that the Levy Limit can be, equal to 2.5% of the Town's total full and fair cash value of all real and personal property in the community.
- General Levy Limit Override – Proposition 2 1/2 allows a community to assess taxes in excess of the automatic annual 2.5% increase by authorizing a general override for a specific dollar amount in excess of the normal limits. When passed, the Levy Limit for an override is calculated by adding the amount of the override to the normally increased Levy Limit. The override amount becomes a permanent increase in the Levy Limit of the Town.
- Debt Exclusion – Proposition 2 1/2 allows communities to exempt certain debt service costs from the normal Levy Limit constraints, adding the amount of such debt service costs to the normally calculated Levy Limit for the life of the debt. Debt exclusion does not become a permanent increase to the Town's Levy Limit.
- Capital Outlay Exclusion – This exclusion from the provisions of Proposition 2 1/2 allows communities to add the costs of approved capital projects to the normally calculated Levy Limit. Such capital outlay exclusion does not become a permanent addition to the Town's Levy Limit.
- Abatements – Taxpayers, including owners of commercial properties, can and do request a review of their property taxes. When it is found that the value of the property is recorded higher than evaluation calculations merit, then the correction is made financially which results in an abatement back to the taxpayer. The overlay account in the Town budget covers these unknown, but not unexpected abatements.

## **Finance Committee**

Maria Neyland, Chair

Priya Sundaram, Vice Chair

Gary Kushner, Clerk

Keshava Srivastava

Antony Newton

Becky Neville

### **New Members Welcome**

Members of the Finance Committee need not have backgrounds in finance or public administration; the committee is representative of the various town constituencies and serves as the "fiscal conscience" of the town. Prospective members should indicate their interest to the Town Moderator, Dennis Reip.

# Community Preservation Committee Report

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

- Open Space and Recreation
- Community Housing
- Historic Resources

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

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

For this year the CPC is recommending five articles for a total of \$379,550.

- Two were in the category of Community Housing: \$38,050 for funding the Boxborough Rental Assistance Program (BRAP) and \$12,000 for Regional Housing services.
- One was in the category of Open Space and Recreation: \$10,000 for putting money into the Conservation trust fund.
- Two were in the category of Historic Resources: \$9,500 for funding restoration and stabilization of monuments and other structures in the North and South cemeteries, and \$310,000 for Preservation of the Steele Farm House.

The CPA Budget to provide for these projects follows.

This worksheet shows the beginning balances in all categories, all the revenue for each category and the expenditures for each area. It then shows the balances left in each category and the grand total for the next ATM.

ATM 2023 (FY 2024) Community Preservation Financial Worksheet					
	General Fund	Open Space and Rec	Community Housing	Historic Resources	Total
Remaining at end of FY2023	\$81,076	\$1,600	\$1,033	\$65,082	<b>\$148,791</b>
CPA 1% surcharge on levy (FY2023)	\$152,572	\$23,005	\$23,005	\$23,005	\$221,587
State match	\$55,968	\$7,995	\$7,995	\$7,995	\$79,953
Returned to fund			\$5,252		\$5,252
New total for FY2024	<b>\$289,616</b>	<b>\$32,600</b>	<b>\$37,285</b>	<b>\$96,082</b>	<b>\$455,583</b>
Reserved for appropriation: FY 2024	\$208,540	\$31,000	\$31,000	\$31,000	
FY 2024 Appropriations	Allocation to/from the 3 Specific Reserves				
	General Fund	Open Space and Rec	Community Housing	Historic Resources	Total
Available Balance	<b>\$289,616</b>	<b>\$32,600</b>	<b>\$37,285</b>	<b>\$96,082</b>	<b>\$455,583</b>
Requested Appropriations:					
Administrative Expenses	\$5,000				\$5,000
Rental Housing Assistance Program			\$38,050		\$38,050
Regional Housing Services (RHS)			\$12,000		\$12,000
Conservation Trust Fund		\$10,000			\$10,000
Cemetery Restoration				\$9,500	\$9,500
Steele Farm Phase II Stabilization				\$310,000	\$310,000
<b>Total Requested</b>	<b>\$5,000</b>	<b>\$10,000</b>	<b>\$50,050</b>	<b>\$319,500</b>	<b>\$384,550</b>
Request Breakdown:					
Amount from Specific Reserve	<b>\$0</b>	<b>\$10,000</b>	<b>\$37,285</b>	<b>\$95,236</b>	<b>\$142,521</b>
Amount from General Fund	\$5,000	\$0	\$12,765	\$224,264	<b>\$242,029</b>
<b>Remaining at end of FY 2024</b>	<b>\$47,587</b>	<b>\$22,600</b>	<b>\$0</b>	<b>\$846</b>	<b>\$71,033</b>
	General Fund	Open Space and Rec	Community Housing	Historic Resources	

The following is a list of all projects funded since the program began for the 2015 Annual Town Meeting.

#### CPC Projects Funded by Year

Project	ATM Year	Category	Amount	Status
Steele Farm Barn Exterior Restoration	2015	Historic Resources	\$90,000	Complete
Preservation and Restoration of Historic Town Hall Exterior Front Steps	2015	Historic Resources	\$10,000	Complete
Conservation of Historic Town Records	2015	Historic Resources	\$12,000	Complete
Site Plan for Basketball and Tennis Courts at Liberty Fields	2016	Open Space and Recreation	\$5,500	Complete
Regional Housing Monitoring Services (Year 3 – Calendar Year 2016)	2016	Community Housing	\$5,465	Complete
Regional Housing Monitoring Services (Year 4 – Calendar Year 2017)	2016	Community Housing	\$6,000	Complete
Boxborough Rental Voucher Program	2016	Community Housing	\$26,280	Complete
Conservation of Historic Town Records	2016	Historic Resources	\$11,000	Complete

Rehabilitation of Grange Meeting Room	2016	Historic Resources	\$106,775	Complete
Rehabilitation of Historic Town Hall Exterior Front Steps	2016	Historic Resources	\$35,000	Complete
Conservation Trust Fund	2017	Open Space and Recreation	\$5,000	Complete
Regional Housing Monitoring Services (Year 4 – Fiscal Year 2018)	2017	Community Housing	\$3,025	Complete
Boxborough Rental Assistance Program	2017	Community Housing	\$37,650	Complete
Conservation of Historic Town Records	2017	Historic Resources	\$10,000	Complete
North Cemetery Restoration	2017	Historic Resources	\$9,025	Complete
Preservation of Steele Farmhouse	2017	Historic Resources	\$30,000	Complete
Flerra Meadows Playground Rehabilitation	2018	Open Space and Recreation	\$62,000	Complete
Boxborough Rental Assistance Program	2018	Community Housing	\$37,650	Complete
Conservation Trust Fund	2018	Open Space and Recreation	\$10,000	Complete
Veterans Monument	2018	Historic Resources	\$105,000	Complete
Preservation of Steele Farmhouse	2018	Historic Resources	\$190,000	Complete
Boxborough Rental Assistance Program	2019	Community Housing	\$37,650	Complete
Flerra Baseball Field Rehab.	2019	Open Space and Recreation	\$8,000	Complete
Flerra Playground Fence	2019	Open Space and Recreation	\$7,600	Complete
Conservation Trust Fund	2019	Open Space and Recreation	\$10,000	Complete
Sargent Memorial Library - Brick Patio Renovation and Expansion	2020	Open Space and Recreation	\$35,000	On-going
Flerra Community Garden Water Supply	2020	Open Space and Recreation	\$15,000	Complete
North Cemetery Restoration	2020	Historic Resources	\$9,500	Complete
Preservation Of Historical Records	2020	Historic Resources	\$10,000	On-going
Boxborough Rental Assistance Program	2020	Community Housing	\$38,050	On-going
Regional Housing Services	2020	Community Housing	\$12,000	On-going
Hager Land Connection	2020	Open Space and Recreation	\$54,000	On-going
Conservation Trust Fund	2020	Open Space and Recreation	\$10,000	Complete
Liberty Field Capital Improvements	2021	Open Space and Recreation	\$300,000	On-going
Boxborough Rental Assistance Program	2021	Community Housing	\$38,050	On-going
Conservation Trust Fund	2021	Open Space and Recreation	\$10,000	On-going
Boxborough Rental Assistance Program	2022	Community Housing	\$38,050	On-going
Conservation Trust Fund	2022	Open Space and Recreation	\$10,000	On-going
Cemetery Restoration	2022	Historic Resources	\$9,500	On-going
Land Acquisition Sargent Road	2022	Open Space and Recreation	\$400,000	New

**Town of Boxborough**

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