

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 8th day of March 1999.

QUESTION 1

Shall the Town pay one-half of the premium costs payable by the surviving spouse of an employee or retired employee for group general, or blanket hospital, surgical, medical, dental or other health insurance?

BOXBOROUGH BOARD OF SELECTMEN

Donald R. Wheeler

Mark R. White

Anne K. Canfield

Sandra W. Pitcher

Thomas A. Steele

Posted: March 17, 1999

By: David L. Birt, Constable

(Warrant must be posted at least seven days before April 13, 1999)

WARRANT AND PROCEEDINGS OF THE ANNUAL TOWN MEETING HELD ON MAY 10, 11, 13, 19 AND 20, 1999

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 G.L. Chapter 51, Section 1, to meet at the Blanchard Memorial School, Massachusetts Avenue, Boxborough, MA on Monday, May 10th, 1999 at 7:30 p.m. to act on Articles 2 through 46 of this Annual Town Meeting Warrant.

You are also required to notify all such residents of Boxborough to come to their polling place at Boxborough Town Hall, 29 Middle Road, Boxborough, on Monday the 17th day of May, 1999 at 7:00 a.m. for the Election of Town Officers pursuant to Article 1 and Question 1. The polls will be open continuously until 8:00 p.m. when they shall be closed.

ARTICLE 1 CHOOSE TOWN OFFICERS

(Majority vote required)

One Moderator for one year;

One Town Clerk for one year;

Two Selectmen Members for three years;

One Selectman Member for a one year unexpired term;

One Member of the Board of Health for three years;

One Member of the Local and of the Regional School Committee for three years;

Two Members of the Planning Board for three years;

One Member of the Planning Board for a two year unexpired term;

Two Library Trustees for three years;

As well as other Town Officers as may be necessary and to vote on the following question.

MODERATOR, One Year		SCHOOL COMMITTEE, Three Years	
Reginald C. Brown	170	Local and Regional	
Others	4	Rebecca R. Neville	164
Blanks	24	Michael O'Leary	1
TOWN CLERK, One Year		LIBRARY TRUSTEES, Three Years	
Virginia B. Richardson	186	Janet J. Glidden	173
Jacqueline Mayer	1	Margaret Ong Tsao	23
Blanks	11	Others	1
SELECTMEN, Three Years		PLANNING BOARD, Three Years	
Leslie R. Fox	163	Anthony W. D'Agostino	136
Timmi W. Rudolph	151	Karen B. Metheny	144
Anne Canfield	1	Others	1
Richard Klatt	1	Blanks	115
Others	1		
Blanks	81		
SELECTMAN, One Year (Unexpired Term)		PLANNING BOARD, One Year (Unexpired Term)	
Rita Gibes Grossman	156	Jennie L. Rawski	156
Linda Kroll	1	Blanks	42
Anne Canfield	1		
Other	1		
Blanks	30		
BOARD OF HEALTH, Three Years		BOARD OF HEALTH, Three Years	
Marie C. Cannon	164	Marie C. Cannon	164
Blanks	34	Blanks	

The first session of the Annual Town Meeting was called at 7:40 p.m. by Moderator, Reginald C. Brown with 306 voters in attendance. There was a moment of silent prayer for those who passed away during the past year.

Mr. Brown made a motion that we adjourn the Annual Town Meeting and act on the articles of the Special Town Meeting. This motion carried.

WARRANT AND PROCEEDINGS OF

SPECIAL TOWN MEETING

HELD ON MAY 10, 1999

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 G.L. Chapter 51, Section 1, to meet at the Blanchard Memorial School, Massachusetts Avenue, Boxborough, MA on Monday, May 10th, 1999 at 7:30p.m. to act on Articles 1 through 2 of this Special Town Meeting Warrant.

The Special Town Meeting was called at 7:50 p.m. by Moderator, Reginald C. Brown.

ARTICLE 1 BLANCHARD MEMORIAL SCHOOL BUDGET SUPPLEMENT

(Majority vote required)

To see if the Town will vote to appropriate the sum of Ninety Two Thousand, Four Hundred Eighty Four (\$92,484.00) Dollars, more or less, for the purposes of funding the deficits in Pupil Transportation and Special Needs Contracted Services for the FY99 Blanchard School Budget, and to determine whether the monies will be raised by taxation, transferred from available funds or otherwise, or to take any action relative thereto.

Boxborough School Committee Recommends.

By tradition and Finance Committee directive, the Blanchard School budget contains no contingency funds. Thus, when unanticipated Special Education placements or other large unbudgeted items occur, \$92,484 request is a result of two items: \$53,311 for unanticipated Special Education placements. The monies will be raised by taxation, transferred from available funds or otherwise, or to take any action relative thereto.

The Finance Committee Does Not Recommend.

In its current form, the article seeks to supplement the FY 99 Blanchard School budget by slightly more than \$92,000 in order to cover obligated overruns in the SPED Contracted Services and Transportation accounts. In the Blanchard School Budget Summary, dated March 31, 1999 surpluses in the amount of \$33,040 are projected in various salary accounts. As always, the Finance Committee recommends paying the Town's obligations. In this case, we recommend that the town meeting supplement the FY 99 Contracted Services account. The balance of any shortfall in the Transportation account should be paid by reallocating projected surpluses as well as tighter management of other budget line items. The Finance Committee stands ready to provide assistance from the Reserve Fund if, near the end of the Fiscal Year, the Blanchard management team is unable to cover any residual deficits.

ACTION ON ARTICLE 1, May 10, 1999. Mr. Fallon made a motion to appropriate the sum of Eighty Seven Thousand, Four Hundred Fifty Five Dollars (\$87,455.00) to be transferred from free cash for the purposes of funding the deficits in Pupil Transportation and Special Needs Contracted Services for the FY99 Blanchard School Budget. Mr. Gorman made a motion to amend this amount to read Fifty Five Thousand Dollars (\$55,000.00)—a decrease of \$32,455. This motion carried. Mr. Fallon's motion, as amended, carried unanimously.

ARTICLE 2 OVERLAY SURPLUS TRANSFER

(Majority vote required)

To see if the Town will vote to transfer from the Overlay Surplus account to the General Fund, a sum of One Hundred and Sixty Nine Thousand and Sixty Seven (\$169,067) Dollars, more or less, for the purpose of defraying the cost to taxpayers of an unfunded tax liability which would otherwise be paid through next years tax levy.

Board of Selectmen Recommends.

In preparation of the State input for tax rate setting and approval for FY99, a mistake was made and not found by the reviewers either in Town or at the State, which resulted in a Tax Rate which does not fully fund the Appropriations authorized at the Town Meetings. With the advice of the State Department of Revenue, this article is being submitted to the Special Town Meeting to authorize the transfer of surplus funds from the Assessor's "Overlay Surplus" account to fund the FY99 appropriations. If this article fails, the DOR has authorized Boxborough to add the required funds to the FY00 tax calculations.

Finance Committee Recommends.

The Town expenses figures submitted to the Department of Revenue when FY99 tax rates were set did not include the \$169,067 voted by the Town for Special Articles at the May 1998 Annual Town Meeting. Neither the Town nor the state Department of Revenue caught the error. We must now vote this article to cover these expenses, which were voted a year ago.

ACTION ON ARTICLE 2, May 10, 1999. On Mr. Wheeler's motion, the Town did vote, unanimously, to transfer from the Overlay Surplus account to the General Fund, a sum of One Hundred and Sixty Nine Thousand and Sixty Seven (\$169,067) Dollars for the purpose of defraying the cost to taxpayers of an unfunded tax liability which would otherwise be paid through next years tax levy.

This meeting was adjourned at 8:15 p.m.

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

Hereof, fail not to deliver these warrants with your return of service thereon to the Town Clerk on or before April 23, 1999.

BOXBOROUGH BOARD OF SELECTMEN

Donald R. Wheeler, Chairman
Mark R. White, Clerk
Anne K. Canfield
Sandra W. Pitcher
Thomas A. Steele

Posted: April 22, 1999, by David L. Birt, Constable

The Annual Town Meeting reconvened at 8:17 p.m.

Mr. Brown made a procedural motion that all matters to come before this Annual Town Meeting requiring a two-thirds vote by statute, a count need not be taken unless the vote so declared by the moderator is immediately questioned by seven or more registered voters. This motion carried.

Mr. Wheeler made a motion that Tuesday, May 11th, Thursday, May 13th, Wednesday, May 19th, and Thursday, May 20th will be the schedule for this Town Meeting. This motion carried.

ARTICLE 2 HEAR AND ACCEPT REPORTS

(Majority vote required)

To hear the reports of the Selectmen and other Town Officers, Agents and Committees, or take any other action relative thereto.

The Board of Selectmen Recommends.

The Finance Committee Recommends.

This article provides for the acceptance of the Annual Town Report and any other reports which Town Boards and Committees may need to offer as well as acceptance, if any, of reports of committees chosen at previous Town Meetings.

ACTION ON ARTICLE 2, May 10, 1999.

Many thanks were given to the Town Report Committee. The members were Elaine Garabedian, Virginia Soderling, Shirley Warren and Selina Shaw. On Mr. Wheeler's motion, the Town did vote, unanimously, to hear the reports of the Selectmen and other Town Officers, Agents and Committees.

ARTICLE 3 SET SALARIES AND COMPENSATION OF OFFICERS

(Majority vote required)

To see if the Town will vote to fix the salaries and compensation of various officials for the year beginning July 1, 1999 as follows:

Selectmen	\$400.00 each member/year
Board of Health	\$166.67 each member/year
Tax Collector	\$36,860.00 year
Town Clerk	\$24,096.00 year
Moderator	\$25.00 each meeting
Constables	\$3.00 each copy/warrant posted
Planning Board Members	\$109.00 each member/year

Or take any other action relative thereto.

The Board of Selectmen Recommends.

This article establishes the salaries for all elected members of Town Government. The changes to the salaries of the Tax Collector and the Town Clerk are consistent with recommendations in the Personnel Plan (Schedule B) for all non-union staff.

The Finance Committee Recommends.

ACTION ON ARTICLE 3, May 10, 1999. On Mr. Wheeler's motion, the Town did vote, unanimously, to fix the salaries and compensation of various officials for the year beginning July 1, 1999 as printed in the warrant article.

ARTICLE 4 AMENDMENTS TO THE PERSONNEL PLAN

(Majority vote required)

To see if the Town will vote to amend the Town of Boxborough Personnel Administration Plan as follows:

By inserting:

General housekeeping changes:
Changing all occurrences of "he" or "she" and "him" or "her" with "employee." Replace all occurrences of "his" and/or "hers" with "employee's."
Correct typographical, grammatical, and spelling errors.

Article II Section 2:

Remove "Section 3" designation leaving "c. Those covered by Collective Bargaining Agreements." and

Add: "d. Those employees under contract with the Board of Selectmen."

Article III Section 5:

Add at the end of the sentence the following:

," including unpaid leaves of absence under The Family and Medical Leave Act and Military Service. Service accumulation will restart after the completion of the unpaid leave."

Article V Section 5:

Remove the last word, "abolished."

Article VI Section 8:

Remove the section.

Article VIII Section 2:

is replaced with the following:

Each department must maintain descriptions of appropriate courses for employees in that department, related to the employees' job descriptions.

A regular, full-time employee is entitled to reimbursement of up to \$500.00 per year for educational advancement in the employee's field, above and beyond the minimum educational requirement, as noted in the job description for the position.

In order to receive reimbursement:

1. The institution providing instruction must be accredited.
2. The employee's Department Head must pre-approve the course for that employee prior to enrollment.

3. The employee must complete the course with a 2.75 or better grade on a 4.0 scale.

Article VIII Section 3 is amended in the second to last sentence to replace "35" with "40."

Article VIII Section 3 last sentence, is replaced with the following:

Longevity pay will be paid in the last paycheck before December 25th, and the last paycheck before June 30th.

And by:

Amending Classifications of Positions Schedule A by:

Add the position of Director of Winter Programs
 Eliminate the position of Director of Indoor Soccer
 Eliminate the position of Director of Basketball
 Amend the position of Building Inspector to become Building Inspector/Code Enforcement Officer
 Amending Compensation of Positions Schedule B as printed in the following pages
 of Schedule B by:
 Amend Compensation of Animal Inspector
 Amend Compensation of Animal Control Officer
 Amend Compensation of Dog Officer
 Amend Compensation of Field Driver
 Amend Compensation of Registrar Chairperson
 Amend Compensation of Registrar Member
 Amend Compensation of Cemetery Superintendent
 Amend Compensation of Administrative Assistant
 Eliminate the Compensation of Code Enforcement Agent
 Amend Schedule B, after completion of any Union Contract or contract with an individual, to remove positions covered by said contract from the Schedule. Any new Contract will incorporate the compensation schedules within the contract for the duration of the contract;

Adjust steps for an across the Board 3.0 percentage increase for non-contractual employees; or take any other action relative thereto.

<u>POSITION TITLE</u>	<u>PAYMENT SCHEDULE</u>
Administrative Assistant	F/W Hourly
Secretary I	F/W Hourly
Secretary II	F/W Hourly
Secretary III	F/W Hourly
Library Director	F/W Hourly
DPW Worker	F/W Hourly

REGULAR PART-TIME SCHEDULE

<u>POSITION TITLE</u>	<u>PAYMENT SCHEDULE</u>
Secretary I	F/W Hourly
Secretary II	F/W Hourly
Secretary III	F/W Hourly
Clerk	F/W Hourly
Library Assistant	F/W Hourly
Custodian	F/W Hourly

PERSONNEL ADMINISTRATION PLAN

CLASSIFICATION OF POSITIONS FY 2000

SCHEDULE A

REGULAR FULL-TIME SCHEDULE

<u>POSITION TITLE</u>	<u>PAYMENT SCHEDULE</u>
Town Administrator	Annual
Assessor	Annual
Planner	Annual
Accountant	Annual
Secretary I	F/W Hourly
Secretary II	F/W Hourly
Secretary III	F/W Hourly
Building Inspector	Annual
Police Chief	Annual
Fire Chief	Annual
Firefighter/EMT	F/W Hourly
DPW Director/Engineer	Annual
DPW Director	Annual
DPW Foreman	F/W Hourly
DPW Worker	F/W Hourly
Custodian	F/W Hourly
Treasurer	Annual

PERSONNEL ADMINISTRATION PLAN (Schedule A cont.)

<u>POSITION TITLE</u>	<u>PAYMENT SCHEDULE</u>
Fire Lieutenant/EMT	F/W Hourly
Call Firefighter/EMT	F/W Hourly
Call Firefighter	F/W Hourly
Special Police Officer	F/W Hourly
<u>INTERMITTENT SCHEDULE</u>	
<u>POSITION TITLE</u>	<u>PAYMENT SCHEDULE</u>
Cemetery Superintendent	Annual
Cemetery Laborer	F/W Hourly
Registrar Chairperson	F/W Hourly
Clerk of Elections	F/W Hourly
Election Worker	F/W Hourly
Registrar Member	F/W Hourly
Deputy Fire Chief	F/W Hourly
Fire Captain	F/W Hourly
Call Firefighter/EMT	F/W Hourly
Fire Lieutenant	F/W Hourly
Call Firefighter	F/W Hourly
Special Police Officer	F/W Hourly
Lock-Up Attendant	F/W Hourly
Seasonal Maintenance Worker	F/W Hourly
Snow Plower	F/W Hourly
Recycling Attendant	F/W Hourly
Seasonal Conservation Worker	F/W Hourly
Assistant Inspector/Buildings	F/W Hourly
Wiring Inspector	Fees
Gas Inspector	Fees
Plumbing Inspector	Fees
Animal Inspector	Annual
Animal Control Officer	Annual
Dog Officer	Per Call
Assistant Dog Officer	Annual
Fence Viewer	Per Call
Field Driver	F/W Hourly
Library Page	F/W Hourly
Jr. Library Page	F/W Hourly
Director of Gymnastics	F/W Hourly
Director of Basketball	F/W Hourly

PERSONNEL ADMINISTRATION PLAN (Schedule A cont.)

<u>POSITION TITLE</u>	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>	<u>Step F</u>
<u>REGULAR FULL-TIME SCHEDULE</u>						
Town Administrator	56,650.00	58,632.75	60,684.90	62,808.86	65,007.18	67,282.43
Assessor*	42,564.57	44,053.78	45,595.65	47,192.28	48,843.68	50,553.00
Planner*	36,800.48	38,088.53	39,421.86	40,801.54	42,229.66	43,707.28
Accountant*	35,470.30	36,712.02	37,996.90	39,326.02	40,702.53	42,127.50
Secretary I*	9.40	9.72	10.06	0.00	10.77	11.15
Secretary II*	10.34	10.70	11.08	11.46	11.87	12.28
Secretary III*	12.22	12.65	13.09	13.55	14.02	14.51
Building Inspector*	36,800.48	38,088.53	39,421.86	40,801.54	42,229.66	43,707.28
Police Chief*	44,338.14	45,889.49	47,495.60	49,158.58	50,878.44	52,659.38
Fire Chief*	13.25	13.71	14.19	14.68	15.20	15.72
Firefighter/EMT*	45,668.28	47,266.17	48,920.47	50,633.34	52,404.79	54,239.16
DPW Director/Engineer	41,624.22	43,484.62	45,006.57	46,581.68	48,212.11	49,890.52
DPW Director	15.52	16.07	16.62	17.22	17.82	18.45
DPW Foreman	12.33	12.75	13.20	13.67	14.15	14.65
DPW Worker	10.50	10.87	11.27	11.68	12.10	12.54
Custodian*	36,533.91	37,812.60	39,136.04	40,505.80	41,923.50	43,390.83
Treasurer						
<u>REGULAR REDUCED HOURS SCHEDULE</u>						
Administrative Assistant	18.00	18.63	19.28	19.96	20.66	21.38
Secretary I*	9.40	9.72	10.06	10.41	10.77	11.15
Secretary II*	10.34	10.70	11.08	11.46	11.87	12.28
Secretary III*	12.22	12.65	13.09	13.55	14.02	14.51
Library Director	15.52	16.07	16.62	17.22	17.82	18.45
DPW Worker	12.33	12.75	13.20	13.67	14.15	14.47
<u>REGULAR PART-TIME SCHEDULE</u>						
Secretary I*	9.40	9.72	10.06	10.41	10.77	11.15
Secretary II*	10.34	10.70	11.08	11.46	11.87	12.28
Secretary III*	12.22	12.65	13.09	13.55	14.02	14.51
Clerk*	7.92	8.31	8.73	9.16	9.62	10.11

PERSONNEL ADMINISTRATION PLAN (Schedule B cont.)

POSITION TITLE	Step A	Step B	Step C	Step D	Step E	Step F
Library Assistant	8.68	8.98	9.30	9.62	9.91	10.30
Custodian	10.50	10.87	11.27	11.68	12.10	12.54
Transfer Station Operator I	12.33	12.75	13.20	13.66	14.15	14.65
COA Coordinator*	10.65	11.02	11.41	11.80	12.23	12.65
PER DIEM SCHEDULE						
Fire Lieutenant/EMT	12.53					
Call Firefighter/EMT	11.39					
Call Firefighter/EMT	11.39					
Special Police Officer	11.39					
INTERMITTENT SCHEDULE						
Cemetery Superintendent*	5,985.00	annual				
Cemetery Laborer	7.50					
Registrar Chairperson*	663.91	annual				
Clerk of Elections	8.16					
Election Worker	7.43					
Registrar Member (plus .31 a head)*	199.20	annual				
Deputy Fire Chief	13.78					
Fire Captain	13.15					
Fire Lieutenant	12.53					
Call Firefighter/EMT	11.39					
Call Firefighter	11.39					
Special Police Officer	11.39					
Lock-Up Attendant	10.30					
Seasonal Maintenance Worker	9.30					
Snow Plow	15.23					
Recycling Attendant	9.30					
Seasonal Conservation Worker	9.02					
Assistant Inspector/Buildings	16.30					
Wiring Inspector	fees					
Gas Inspector	fees					
Plumbing Inspector	fees					
Animal Inspector	700.00	annual				
Animal Control Officer	25.00	per call				
Dog Officer	7,800.00	annual				
Assistant Dog Officer	200.00	annual/per call				
Fence Viewer*	32.23					
Field Driver	35.00					
Library Page *	6.79					
Jr. Library Page*	5.38					
Director of Gymnastics	12.77					

Director of Basketball 12.77
 Director of Summer 13.28
 Playground
 Director of Indoor Soccer 12.77
 Instructor of Summer 9.67
 Playground
 Recreation Aide 7.10
 Recreation Jr. Aide 6.78
 *No change made by Personnel Board

The Board of Selectmen Recommends.

This article was prepared by the Personnel Board and presented at a Public Hearing on April, 26, 1999. The changes reflect needs to maintain the Towns Personnel Administration Plan consistent with changes in Laws and Town Government structure. Recommendations on changes in salaries are a reflection of reviews of salaries in comparable towns within the State.

The Finance Committee Recommends.

These changes correct certain errors in the Personnel Plan as well as clarify several ambiguities. The calculation of employee longevity and allocation of educational benefits have also been updated.

ACTION ON ARTICLE 4, May 10, 1999. On Mr. White's motion, the Town did vote to amend the Town of Boxborough Personnel Administration Plan and amend the Classifications of Positions Schedule A as printed in the warrant and amend the Compensation of Positions Schedule B as printed in the warrant except for the wages in Schedule B for the following positions which should instead read as follows:

Firefighter/EMT* 12.86 13.31 13.78 14.26 14.76 15.27
 COA Coordinator* 10.34 10.70 11.08 11.46 11.87 12.28

ARTICLE 5 TOWN OPERATING BUDGET

(Majority vote required)

To see what sums of money the Town will appropriate and raise by taxation or otherwise for the operations and expenses of the Town for the Fiscal Year Beginning July 1, 1999 or take any other action relative thereto.

FY-2000 Budget Worksheet

Line	Appropriated FY-98	Appropriated FY-99	Recommended FY-00	1 yr. \$ chg.	1 yr. % chg.	2-yr. % chg.
General Government						
Moderator & Fin. Com.						
1 Moderator	120	120	125	5	4.2%	4.2%
2 Finance Committee	245	255	285	30	11.8%	16.3%
3 Reserve Fund	90,000	90,000	120,000	30,000	33.3%	33.3%
Selectmen	Subtotal	90,365	90,375	120,410	30,035	33.2%
4 Salaries	54,327	122,990	2,000	-120,990	-98.4%	-96.3%
5 Expenses	5,800	6,400	800	-5,600	-87.5%	-86.2%
6 Clerical Wages	115,230	144,048	0	-144,048	-100.0%	-100.0%
7 Legal Services	45,000	55,000	50,000	-5,000	-9.1%	11.1%
8 Legal Expenses	3,000	4,000	4,000	0	0.0%	33.3%
9 Town Hall Wages	24,770	25,418	140,773	115,355	453.8%	468.3%
10 Town Hall Expenses	35,685	36,770	52,357	15,587	42.4%	46.7%
Financial Group	Subtotal	283,812	394,626	249,930	-144,696	-36.7%
						-11.9%
Town Accountant						
11 Salaries & Wages	41,350	42,378	45,242	2,864	6.8%	9.4%
12 Expenses	3,157	3,157	3,780	623	19.7%	19.7%
Town Treasurer						
13 Salaries & Wages	35,284	35,471	40,506	5,035	14.2%	14.8%
14 Expenses	12,628	14,000	17,620	3,620	25.9%	39.5%
Tax Collector						
15 Salaries & Wages	33,432	35,104	45,242	10,138	28.9%	35.3%
16 Expenses	14,385	14,385	14,385	0	0.0%	0.0%
Assessor						
17 Salaries & Wages	49,320	50,803	70,271	19,468	38.3%	42.5%
18 Expenses	7,050	6,400	7,200	800	12.5%	2.1%
Town Clerk						
19 Salaries & Wages	21,855	22,948	31,870	8,922	38.9%	45.8%
20 Expenses	1,325	1,190	2,480	1,290	108.4%	87.2%
Elections & Registration	Subtotal	23,180	24,138	34,350	10,212	42.3%
21 Salaries & Wages	2,736	3,129	3,256	127	4.1%	19.0%
22 Expenses	3,325	6,259	6,049	-210	-3.4%	81.9%
Planning Board	Subtotal	6,061	9,388	9,305	-83	-0.9%
23 Salaries & Wages	43,436	44,753	55,411	10,658	23.8%	27.6%
24 Expenses	6,220	6,579	6,159	-420	-6.4%	-1.0%
Planning Board Subtotal	49,656	51,332	61,570	10,238	19.9%	24.0%

FY-2000 Budget Worksheet

Line	Appropriated FY-98	Appropriated FY-99	Recommended FY-00	1 yr. \$ chg.	1 yr. % chg.	2-yr. % chg.
Protection of Persons & Property						
Police Department						
34 Salaries & Wages	315,823	318,923	434,550	115,627	36.3%	37.6%
35 Expenses	108,720	117,380	148,539	31,159	26.5%	36.6%
Fire Department						
36 Salaries & Wages	321,509	356,708	371,556	14,848	4.2%	15.6%
37 Expenses	68,990	71,986	73,687	1,701	2.4%	6.8%
Inspectors						
38 Build. Insp. Salary & Wages	39,018	41,394	45,505	4,111	9.9%	16.6%
39 Build. Insp. Expenses	2,555	3,157	2,825	-332	-10.5%	10.6%
40 Asst. Build. Insp. Wages	3,500	3,500	500	-3,000	-85.7%	-85.7%
41 Code Enforcement Wages	0	2,000	0	-2,000	-100.0%	0.0%
Other	Subtotal	45,073	50,051	48,830	-1,221	-2.4%
42 Dog Officer Salary & Wages	3,435	5,300	8,000	2,700	50.9%	132.9%
43 Dog Officer Expenses	740	955	1,235	280	29.3%	66.9%
44 Street Lighting	2,350	2,350	2,400	50	2.1%	2.1%
45 Emer Mgmt / Civil Defense	0	500	500	0	0.0%	0.0%
TOTAL-Protection						
	866,640	924,153	1,089,297	165,144	17.9%	25.7%

FY-2000 Budget Worksheet			
Line	Approved FY-98	Approved FY-99	Recommended FY-00
	\$ chg.	% chg.	1 yr. \$ chg.
Health and Public Works			
Board of Health			
46 Salaries & Wages	1,450	1,450	8,882
47 Expenses	2,500	4,200	2,515
48 Landfill Monitoring	5,000	7,000	-1,685
49 Environmental Services	8,895	8,895	0
50 Mental Health Services	5,600	5,600	0
51 Animal Inspector	629	645	700
52 Animal Control Officer			55
53 Nursing Services	2,191	2,191	0
54 Family Services	3,000	3,000	4,000
Subtotal	29,265	32,981	43,083
Public Works			
Highway Department			
55 Salaries & Wages	160,000	165,494	172,149
56 Expenses	71,745	72,370	73,471
57 Snow & Sanding	52,773	52,773	54,154
58 Hazardous Waste	5,225	0	3,995
Subtotal	289,743	290,637	303,769
Waste Disposal & Recycling			
59 Recycling	31,478	21,505	21,369
60 Transfer Stn-Sal. & Wages	10,718	11,467	-136
61 Transfer Station-Expenses	148,651	145,280	158,400
Subtotal	190,847	178,252	192,003
TOTAL-Health/Public Works	509,855	501,870	538,855
Education			
62a Blanchard Sal & Wages	1,541,485	1,719,661	
62b Blanchard Expenses	354,935	383,133	
62c Special Ed. - Salaries	272,147	283,439	
62d Special Ed. - Expenses	147,644	227,563	
Subtotal	2,316,211	2,613,796	2,988,426
TOTAL-Education	4,837,418	5,220,112	5,798,621
Recom-mended	1 yr. \$ chg.	1 yr. % chg.	2-yr. % chg.
Capital Planning			
65 Stabilization Fund			
Other			
Miscellaneous			
66 Library Sal. & Wages	45,666	47,254	58,418
67 Library Expenses	25,942	26,470	31,332
68 Recreation Com.	11,739	18,900	19,073
69 Pub. Celebrations Com.	800	800	1,140
70 A/B Cultural Council	0	0	340
71 Historical Commission	600	100	1,000
72 Cemetery Sal. & Wages	5,687	5,834	6,975
73 Cemetery Expenses	1,000	1,370	1,650
74 Veterans Agent	250	250	250
75 Town Constables	200	200	200
Subtotal	10,000	10,000	10,000
Employee Benefits			
77 County Retirement	137,896	156,010	172,495
78 Medical, Life & LTD Ins.	452,720	475,356	490,000
79 FICA	4,851	5,094	5,906
80 Other Benefit Insurance	41,100	41,600	34,388
81 Deferred Compensation	6,000	6,350	6,350
Subtotal	642,567	684,410	714,233
Liability Insurance			
82 Liability Insurance	77,600	74,900	76,408
Maturing Debt & Interest			
83 A/B Region - Capital	22,500	25,000	54,930
84 RJ Grey - Construction			29,930
85 Blanchard, 1988-FY99	54,813	51,613	19,216
86 Blanchard Septic, 93-FY99	13,780	13,260	0
87 Blanchard Module, 93-FY99	55,120	53,040	0
88 Blanchard Design, 94-FY00	19,129	18,277	-51,613
89 Blanchard Module, 94-FY00	62,247	62,349	-13,260
90 Blanchard Arch, 95-FY00	97,863	88,400	-53,040
91 Blanchard Constr., 95-FY17	576,457	689,588	-100.0%
Recom-mended	1 yr. \$ chg.	1 yr. % chg.	2-yr. % chg.
Line			

FY-2000 Budget Worksheet

Line	Approved FY-98	Approved FY-99	Recommended FY-00	1 yr. \$ chg.	1 yr. % chg.	2-yr. % chg.
Anticipation of Reimbursement						
94	Town Hall, 88-FY99	164,438	154,838	0	-154,838	-100.0%
95	Transfer Station, 94-FY01	40,610	39,117	37,628	-1,489	-3.8%
96	Police Comm Sys, 95-FY01	10,796	10,399	9,999	-400	-3.8%
97	Flagg Hill		70,000	343,000	273,000	0.0%
	Subtotal	1,209,233	1,363,576	1,383,022	19,446	1.4%
						14.4%
GRAND TOTAL						
		8,935,016	9,691,587	10,567,121	875,534	9.0%
						18.3%
Summary by category:						
	Education	4,837,418	5,220,112	5,798,621	578,509	11.1%
	Debt Service	1,218,083	1,370,426	1,389,647	19,221	1.4%
	Protection	866,640	924,153	1,089,297	165,144	17.9%
	General Government	680,969	804,538	773,378	-31,160	-3.9%
	Employee Benefits	642,567	684,410	714,233	29,823	4.4%
	Health & Public Works	509,855	501,870	538,855	36,985	7.4%
	Capital Planning			56,044	56,044	100.0%
	Other			20,968	11.3%	15.4%
	TOTAL	179,484	186,078	207,046	20,968	11.3%
						15.4%
		8,935,016	9,691,587	10,567,121	875,534	9.0%
						18.3%
Summary of Mandated Expenses:						
	A-B Regional High School	2,428,103	2,460,970	2,696,868	235,898	9.6%
	Minuteman Voc. Tech.	93,104	145,346	113,327	-32,019	-22.0%
	County Retirement	137,896	156,010	172,495	16,485	10.6%
	Debt Service	1,209,233	1,363,576	1,383,022	19,446	1.4%
	Total - Mandated Expenses	3,868,336	4,125,902	4,365,712	239,810	5.8%
	Other Expenses	5,066,680	5,565,685	6,201,409	635,724	11.4%
	TOTAL	8,935,016	9,691,587	10,567,121	875,534	9.0%
						18.3%
Percentage of total:						
	Mandated	43%	43%	41%		
	Discretionary	57%	57%	59%		
		100%	100%	100%		

BLANCHARD MEMORIAL SCHOOL
FY 00
BUDGET
ACCOUNTS SUMMARY

		EXPI. 98	APPROP. 99	REQ. 00	\$ DIFF '00	% DIFF.
ACCT						
	CATEGORY					
	147,656	157,283	181,034	1,650,681	1,854,011	203,330
2200	Supt/Prin.					
2250	Tech. Admin.	41,410	50,437	54,831	4,394	8.71%
2300	Teaching	1,474,081	1,650,681	1,854,011	203,330	12.32%
2400	Textbooks	15,688	16,497	28,446	11,949	72.43%
2500	Media	15,142	17,850	28,205	10,355	58.01%
2700	Testing	1,559	1,208	0	-1,208	-100.0%
3200	Health Service	30,793	28,002	30,277	2,275	8.12%
3300	Transportation	188,980	186,995	275,465	88,470	47.31%
3400	Food Services	7,561	9,014	9,283	269	2.98%
4130	Utilities	77,560	87,085	82,220	-4,865	-5.59%
4220	Maintenance	112,595	127,413	133,058	5,645	4.43%
4400	Technology	19,230	13,380	17,193	3,813	28.50%
	Civic Activities	0	0	1,800	1,800	N/A
	Capital Exp.	11,069	11,551	12,751	1,200	10.39%
	Equipment	0	0	19,380	19,380	N/A
7400	SPED Tuition	19,728	91,963	57,000	-34,963	-38.02%
9400	Collaborative	68,077	79,165	137,204	58,039	73.31%
	TOTALS	2,313,607	2,613,796	3,033,426	419,630	16.05%

The Finance Committee Recommends.

ACTION ON ARTICLE 5, May 10, 1999. Mr. Ray made a motion to increase the FY00 Blanchard budget (Line Item 62) in the amount of \$45,000.00 to a total of \$3,033,426.00. This motion carried.

On Ms. Kroll's motion, the Town did vote, unanimously, to raise and appropriate by taxation or otherwise \$10,521,564.00 for the operations and expenses of the Town for the fiscal year beginning July 1, 1999, for the purposes set forth in Line Items 1 through 99 as printed in Article 5 of the warrant in the column headed, "Recommended FY 00", except for:

Line 10 Town Hall Expenses, \$52,357, is increased \$2,750 to \$55,107
Line 11 Accountant Salary & Wages, \$45,242, is decreased \$1,350 to \$43,892
Line 20 Town Clerk Expenses, \$2,480, is increased \$600 to \$3,080
Line 26 Board of Appeals Expenses, \$250, is increased \$250 to \$500
Line 62 Blanchard Memorial School \$2,988,426, is increased \$45,000 to \$3,033,426
Line 65 Stabilization fund, \$56,044, is decreased \$56,044 to \$0
Line 66 Library Salaries & Wages, \$58,418, is increased \$57 to \$58,475
Line 97 Flagg Hill Debt, \$343,000, is decreased \$36,820 to \$306,180

for a total change, a decrease of \$45,557,

and to meet this appropriation, that \$9,163,603.03 be raised by taxation, including estimated Cherry Sheet Aid of \$1,248,860.00, and that \$109,100.97 be transferred from other available funds as follows:

to Line 36, Fire Department Salary & Wages from the Overlay Surplus	100,000.00
to Line 27, Conservation Commission Salaries & Wages from the Wetlands Protection Fund	2,000.00
to Line 28, Conservation Commission Expenses from the Wetlands Protection Fund	1,387.50
to Line 42, Dog Officer Salary & Wages from County Dog Tax Refunds	2,283.00
to Line 56, Highway Dept. Expenses from the Interest on the Peter Whitcomb Fund from Interest on the A.W. Wetherbee Library Fund from Library Fines	747.00 6.49 886.50

The Board of Selectmen Recommends.

(Majority vote required)

ACTION ON ARTICLE 6, May 10, 1999. This article was voted on the consent agenda. On Mr. Wheeler's motion, the Town did vote, unanimously, to rescind the balance of the amount authorized under article 11, ATM of May 1994, said amount being Twenty Five Thousand Dollars (\$25,000.00).

ARTICLE 7 CAPITAL IMPROVEMENTS - FIRE RESCUE PUMPER

(Majority vote required)

To see if the Town will vote to raise and appropriate, or appropriate from available funds, or authorize debt in the amount of Two Hundred and Sixty Five Thousand Dollars (\$265,000), more or less, for the purpose of acquiring a rescue/pumper to replace Engine 62 for the Fire Department; and to authorize the Board of Selectmen to choose a method for disposal of Engine 62; or take any other action relative thereto.

The Board of Selectmen Recommends.

Our Engine 62 has been in service since 1984. It is aging and deteriorating very rapidly from rust. It has now become a hazard to Firefighters riding as the rust is compromising the cab, roll bars and the body. Pump testing is due this year and failure would be very costly to repair. The need to retire this engine is now.

The Engine is an integral part of our Firefighting effort. It is the heart of the operation at a structure fire, receiving and delivering water to the scene and to our attack Engine. It is the second due Engine to a structure fire which carries six (6) personnel to the scene and is a key player to the ISO rating process. It has the ability to act as a source pumper able to deliver water at a rate of 1500 gallons per minute. The Engine also acts as a Rescue vehicle that responds to all motor vehicle accidents. It carries all rescue equipment along with the "Jaws of Life." This vehicle responds to all mutual aid calls for station coverage or response to the scene of a fire. The vehicle is designed to handle our needs for a rural firefighting operation.

ARTICLE 6 STEELE FARM FUNDING AUTHORITY BALANCE CLOSING

(Majority vote required)

To see if the Town will vote to rescind the balance of the amount authorized under article 11, ATM of May 1994, said amount being Twenty Five Thousand Dollars (\$25,000.00). The Steele Farm land was purchased through this authorization or take any other action relative thereto.

The Board of Selectmen Recommends.

This article is part of a goal by the Board of Selectmen this year to review and close out prior Town Meeting authorizations which have been completed. The old article had authorized borrowing above what was required to purchase the property. This article will remove the potential borrowing authorization from our Treasurer's records.

The Finance Committee Recommends.

The Steele Farm land has already been bonded for \$25,000 less than the Town authorized. This article rescinds the right to bond this unneeded \$25,000.

The Finance Committee Recommends.

The current Engine 62 is a 1985 vehicle, which has considerable body and structure corrosion, rendering many of the storage areas practically unusable. The plumbing system is unreliable, and the roll cage in the vehicle cab appears sufficiently degraded that its performance in an accident is doubtful. This vehicle, due to its unique characteristics, is the town's first responding unit, and therefore requires the utmost in reliability. The proposed rescue pumper would be of all aluminum body construction with stainless steel plumbing. The expected life of the new vehicle would be well beyond 20 years. Various bonding and lease-purchase methods for paying the \$265,000 cost have been evaluated, and the most advantageous of these will be selected when the funding becomes available in July of 1999.

ACTION ON ARTICLE 7, May 10, 1999. On Ms. Canfield's motion, the Town did vote, unanimously, to appropriate the amount of Two Hundred and Sixty Five Thousand Dollars (\$265,000) for the purpose of acquiring a rescue/pumper to replace Engine 62 for the Fire Department; and to meet this appropriation, the Treasurer with the approval of the Board of Selectmen, is authorized to borrow Two Hundred and Sixty Five Thousand Dollars (\$265,000.00) pursuant to MGL Chapter 44, Section 7, Clause 9 or any other enabling authority, and to authorize the Board of Selectmen to choose a method for disposal of Engine 62.

A motion was made by Mr. Fallon to take Articles 10, 11 and 12 out of order. This motion carried.

ARTICLE 10 ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT AGREEMENT CORRECTION

(Majority vote required - Secret Ballot)

To see if the Town will vote to amend the Regional Agreement by eliminating Section 13 (And Exhibit A), effective the date that the Town of Acton gifts the Blanchard Auditorium to the Regional School District; or take any other action relative thereto.

Boxborough Members of the Acton-Boxborough School Committee Recommend.

As the Acton-Boxborough Building Committee proceeded along the design phase of the expansion and renovation project for R. J. Grey Junior High, it became ever more clear that the existing situation where the Region owned the Junior High but the Town of Acton owned the Blanchard Auditorium (gym) was inefficient and untenable. While the current design makes it theoretically possible to build the rest of the project without touching the Blanchard Auditorium, the result would not be an acceptable or desirable outcome. In addition, the fact that the new regional construction would actually connect to the Blanchard (Acton) space raises major zoning and permit issues. Thus, on April 7, the Town of Acton voted to gift the Blanchard Auditorium and the surrounding land to the Region. As a result of this gift, Article 13 of the Regional Agreement which authorizes the lease of the Blanchard Auditorium, is no longer needed.

Note: The acceptance of the Blanchard Auditorium gifts by the Region will not increase the cost of the expansion project or the Region operating expenses. (The Region already pays 100% of the Blanchard Auditorium operating cost.) Theoretically, it could increase future Region renovation costs.

Finance Committee defers its recommendation pending the receipt of further information.

ACTION ON ARTICLE 10, May 10, 1999. Mr. Fallon made a motion to postpone indefinitely discussion on Article 10. This motion carried.

ARTICLE 11 ACTON-BOXBOROUGH REGIONAL SCHOOLS CAPITAL IMPROVEMENT PROJECTS (Health & Safety, Maintenance)

(2/3 vote required)

To see if the Town will vote to approve the amount of One Hundred and Thirty Seven Thousand and Eighty-six (\$137,086) Dollars debt authorized by vote of the Acton-Boxborough Regional School District School Committee on March 4, 1999 for the purpose of remodeling and making extraordinary repairs to the regional high school and the regional high school and for the purchase of equipment, including any architects' fees and other costs incidental thereto; or take any other action relative thereto.

Boxborough Members of the Acton-Boxborough School Committee Recommend.

This article will fund health, safety and maintenance projects required at the Senior High School. These include replacement of doors and hardware, replacement of exhaust fans, upgrade of selected electrical circuits and minor repairs to the Field House. (All Junior High projects will be subsumed under the R. J. Grey expansion and renovation project.)

Finance Committee Recommends.

This article will help maintain the regional high school as a healthy and safe environment.

ACTION ON ARTICLE 11, May 10, 1999. On Ms. Levine's motion, the Town did vote, unanimously, to approve the amount of One Hundred and Thirty Seven Thousand and Eighty-six (\$137,086) Dollars debt authorized by vote of the Acton-Boxborough Regional School District School Committee on March 4, 1999 for the purpose of remodeling and making extraordinary repairs to the regional high school and for the purchase of equipment, including any architects' fees and other costs incidental thereto.

ARTICLE 12 A/B REGIONAL SCHOOLS CAPITAL IMPROVEMENT PROJECTS (Technology)

(2/3 vote required)

To see if the Town will vote to approve the amount of One Hundred and Twenty Five Thousand (\$125,000) Dollars debt authorized by vote of the Acton-Boxborough Regional School District Committee on March 29, 1999 for the development, design, purchase and installation of computer hardware and software and other costs incidental thereto, or take any other action relative thereto.

Boxborough Members of the Acton-Boxborough School Committee Recommend.

The bulk of the PC's at the Acton-Boxborough Regional High School are seven year old 486 machines. This article will fund the replacement of 50 such machines, including all of those in the PC Computer Lab, with high level Pentium machines. It will also pay for upgrades in operating software, network operating software and instructional software.

Finance Committee defers its Recommendation pending the receipt of further information.

ACTION ON ARTICLE 12, May 10, 1999. As Acton did not approve this article, Ms. Levine made a motion to pass over this article. This motion carried.

This session of the Town Meeting adjourned at 10:31 p.m. and was reconvened on Tuesday, May 11th at 7:30 p.m. with 246 voters in attendance.

ARTICLE 8 BLANCHARD MEMORIAL SCHOOL CONSTRUCTION DESIGN

(2/3 vote required)

To see if the Town will vote to appropriate a sum not to exceed Seven Hundred and Thirty Thousand (\$730,000) Dollars for the cost of the following architectural services: Design development, construction documents and public bidding, in connection with the construction and equipping of a new elementary school or for the reconstruction of and addition to and the equipping of the Blanchard Memorial School, including costs incidental and related thereto, and further to determine whether this sum will be raised by taxation, transferred from available funds, or borrowed under the provisions of General Laws Chapter 44, Section 7, Clauses 21 and 22, or any other enabling authority, and to further authorize the Boxborough School Committee to enter into contracts for the design of the project, or take any other action in relation thereto.

Boxborough School Committee Recommends.

In the 1999 to 2000 school year, Blanchard's enrollment is projected to reach 715 students, 15 students above its designed capacity. Enrollment is projected to grow to between 860 to 930 students over the next ten years. The Space Study Committee has examined a number of options and it, and the Boxborough School Committee, recommends that design funds be appropriated for further development of option #2, a new school on the Hager property.

The Finance Committee Recommends.

The proposed article provides detailed design studies and construction documents for a separate school building on the Hager site, the capacity of the facility being varied from 250 students to 365 students. While some additional cost is incurred by designing essentially two permutations of the school, the data thus gained will allow the town to make a more intelligent choice between the so-called Options 2a and 2b, whose net costs to the town differ by approximately \$1 Million. The Finance Committee is willing to invest the additional design monies (approximately \$50K-\$60K) because the needs of other town capital projects must be balanced against the school. The \$1 Million saved by building Option 2b would, for example, purchase two fire trucks plus a police/fire dispatch center plus additional public works vehicles. We acknowledge the need for additional school facilities, but wish to make the most effective funding choices for the town as a whole.

ACTION ON ARTICLE 8, May 11, 1999. Owen Neville made a motion to amend by reducing the funds to \$670,000.00 and to have the design proposal for a total population of 365 students. This motion did not carry. On Ms. Markiewicz's motion, the Town did vote, by an uncounted two-thirds vote, to appropriate the sum of Seven Hundred and Thirty Thousand (\$730,000) Dollars debt for the cost of the following architectural services: design development, construction documents and public bidding, in connection with the construction and equipping of a new elementary school on the Hager Site, including costs incidental and related thereto, that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen, is authorized to borrow \$730,000.00 pursuant to MGL Chapter 44, Section 7, Clause 21 or any other enabling authority, and to further authorize the Boxborough School Committee to enter into contracts for the design of the project and to further direct the School Committee to use the design development funds for the development of no fewer than two alternative design proposals.

ARTICLE 9 BLANCHARD MEMORIAL SCHOOL CAPITAL EXPENDITURE FOR EQUIPMENT

(2/3 vote required)

To see if the Town will vote to appropriate the sum of Twenty Five Thousand (\$25,000.00) dollars more or less, for the purposes of purchasing computers, printers, software, memory upgrades, and computer furniture for the Blanchard Memorial School, and to determine whether the monies will be raised by taxation, transferred from available funds, or borrowed under the provisions of Chapter 44 of the General Laws or otherwise, or take any action relative thereto.

Boxborough School Committee Recommends.

Year 4 of the Blanchard technology plan was budgeted at \$65,000 and was intended to install computer clusters in grades 3 and 4. As a result of a need to reclaim a classroom, the computer lab will be eliminated in the fall 1999. Recognizing the fiscal constraints of the Town, the Blanchard School will redistribute the computers in the lab to classroom use, thus reducing FY00 technology plan cost by \$40,000. The trade-off in this decision is limited access to technology in grades 1, 2 and 3.

The Finance Committee Recommends.

This article will support the fourth year of the Blanchard Technology Plan.

ACTION ON ARTICLE 9, May 11, 1999. On Ms. Madden's motion, the Town did vote to raise and appropriate the sum of Twenty Five Thousand (\$25,000.00) Dollars for the purposes of purchasing computers, printers, software, memory upgrades, and computer furniture for the Blanchard Memorial School.

ARTICLE 13 ELDERLY TAX RELIEF - INCREASE IN EXEMPTIONS

(Majority vote required)

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

The Board of Selectmen Recommends.

An increase in property tax exemptions up to 100% of the amount currently granted by the Town's Assessor's Office would provide greater relief for qualified individuals. This article would affect clauses: 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A, and 41C of Section 5, Chapter 59 of the MGL, which provide relief for qualifying seniors, surviving spouses, disabled veterans, and the blind. A number of communities currently grant property tax exemptions up to twice the amount that was locally accepted. All exemptions are presently charged against the Overlay Account with certain exemption amounts being reimbursed by the State.

The Finance Committee Recommends.

The law cited in this article allows tax exemptions in several different types of situations and provides State reimbursement to the Town for the amounts exempted. However, time and inflation have made the allowed maximum exempted amounts unreasonably small. This Article enables the Town to exempt larger amounts, although without state reimbursement for the excess above the State-defined levels. Assuming no change in the numbers of these exemptions claimed by Town residents, the Assessor

estimates the financial impact on the Town at about \$5,500. A number of other Massachusetts Towns have passed Articles similar to this.

ACTION ON ARTICLE 13, May 11, 1999. On Ms. Pitcher's motion, the Town did vote, unanimously, to accept Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988, providing for an increase up to 100% in certain property tax exemptions for qualifying senior citizens, disabled veterans, and other individuals.

ARTICLE 14 ELDERLY TAX RELIEF - PROPERTY TAX DEFERRAL

(Majority vote required)

To see if the Town will vote to accept an increase in the maximum amount of annual gross receipts from \$20,000 to \$40,000 in order for qualifying senior citizens to defer a portion of or all their property taxes as defined in MGL, Chapter 59, Section 5, Clause 41A; or take any other action relative thereto.

The Board of Selectmen Recommends.

This article seeks to provide tax relief for low-income senior citizens by increasing the limit on gross receipts from \$20,000 to \$40,000 in order to qualify for tax deferral of property taxes.

The Finance Committee Recommends.

To qualify for a Property Tax Deferral today, a taxpayer must have no more than \$20,000 of annual income. Due to inflation, that limit has become unreasonably restrictive. The proposed new limit of \$40,000 is reasonable and fair. The financial impact on the Town is expected to be negligible.

ACTION ON ARTICLE 14, May 11, 1999. On Ms. Pitcher's motion, the Town did vote, unanimously, to accept an increase in the maximum amount of annual gross receipts from \$20,000 to \$40,000 in order for qualifying senior citizens to defer a portion of or all their property taxes as defined in MGL, Chapter 59, Section 5, Clause 41A.

ARTICLE 15 ASSESSMENT OF NEW CONSTRUCTION

(Majority vote required)

To see if the Town will vote to accept Section 40 of Chapter 653 of the Acts of 1989, or take any other action relative thereto.

The Board of Selectmen Recommends.

This local option amends G.L. Chapter 59 Section 2A and allows new construction or other physical additions to real property occurring by June 30th to be valued and assessed for the fiscal year beginning on July 1. The purpose of this legislation is to reduce the delay that now occurs between construction and taxation of new buildings and other improvements to real estate.

The Finance Committee Recommends.

In the past, new construction was added to the tax rolls on the next January 1st after construction was complete. This article allows it to be added at the next January 1st or July 1st, whichever comes first. Thus, new construction completed during the first half of a calendar year will now be taxed for the second half of that year. The financial impact on the Town this year will be to increase collections by about \$70,000 to \$100,000.

ACTION ON ARTICLE 15, May 11, 1999. On Mr. Wheeler's motion, the Town did vote, unanimously, to accept Section 40 of Chapter 653 of the Acts of 1989.

ARTICLE 16 WETLANDS BY-LAW AMENDMENTS

(Majority vote required)

To see if the Town will vote to amend the Wetlands By-Law as follows:

1) By inserting in the Table of Contents, Section 2, the following and renumbering accordingly:

- 2.10 Rare Species
- 2.11 River
- 2.12 Riverfront Area
- 2.15 Vernal

2) By amending Section 1.0 PURPOSE by inserting in the first line after the word "wetlands", the words "water resources, and adjoining land areas", and inserting after the word "deemed", the words "by the Conservation Commission" and inserting after the word "wildlife" the words "wildlife habitat, rare species habitat", so that the paragraph now reads as follows:

1.0 PURPOSE

The purpose of this By-Law is to preserve and protect the wetlands, water resources, and adjoining land areas, in the Town of Boxborough by regulating and controlling activities deemed by the Conservation Commission to have a significant or cumulative effect upon the functions and characteristics of such wetlands, including but not limited to the following: the public or private water supply, the ground water supply, flood control, erosion control, storm damage prevention, prevention of pollution, protection of land containing wildlife, wildlife habitat, rare species habitat, recreation and aesthetics. These functions and characteristics are herein referred to collectively as "the interests of this By-Law."

- 3) By amending Section 2.0 Definitions as follows:
 - by inserting in Section 2.1 Alter: after the word "To" the words "change, modify", and to add after the word "wetland" the words "or within 200 feet of any river or vernal pool;" and by inserting in g) after the word "life" the words "including cutting of trees" and by adding the following new paragraphs:

- i) incremental activities which have, or may have, a cumulative adverse impact on the resource areas protected by this by-law.
- j) any activities, changes, or work which may cause or tend to contribute to pollution of any body of water or groundwater including such activities as application of fertilizer so that subsection 2.1 Alter now reads:
 - 2.1 Alter: To change, modify, engage in any one or more of the following activities deemed to have a significant effect upon the functions and characteristics of any wetland or within 100 feet of any wetland or within 200 feet of any river or vernal pool:
 - a) removing, excavating or dredging of soil, sand, gravel or aggregate materials of any kind;
 - b) filling with any material;
 - c) dumping or discharging anything which may degrade water quality;

d) changing drainage characteristics, flushing characteristics, sedimentation patterns, flow patterns or flood retention characteristics;

e) draining, or otherwise disturbing, the water level or water table;

f) driving of pilings, erection of buildings or structures of any kind;

g) destroying plant life including cutting of trees, which may have a significant effect upon the Interests of this by-law;

h) changing the water temperature, biochemical oxygen demand or other physical or chemical characteristics of the water;

i) incremental activities which have, or may have, a cumulative adverse impact on the resource areas protected by this by-law;

j) any activities, changes, or work which may cause or tend to contribute to pollution of any body of water or groundwater including such activities as application of fertilizer.

3) By amending Subsection 2.2 Buffer Zone: by inserting in the first line after the word "within" the words "two hundred feet [200'] of rivers and vernal pools and land within one hundred feet [100'] of all other wetlands." and deleting the words "horizontally landward from the perimeter or outer border of any wetland." so that it now reads:

2.2 Buffer Zone: Land within two hundred feet [200'] of rivers and vernal pools and land within one hundred feet [100'] of all other wetlands.

4) By amending subsection 2.4 by deleting the word "trees" in the 3rd line and adding at the end after the word "thereof" the following: "[Cutting of cord wood and/or logging are not considered agricultural use for this by-law.]" so that it now reads:

2.4 Land in Agricultural Use: Land primarily used in the raising of animals, the raising of plants for human food or animal feed, the production of flowers, sod, nursery and greenhouse products, or ornamental plants and shrubs, or any combination thereof. [Cutting of cord wood and/or logging are not considered agricultural use for this by-law.]

5) By amending Subsection 2.5, Paragraph b) by deleting in the first line, the word "construction".

6) By amending Subsection 2.7, 2nd line, by changing the word "as" to the word "that".

7) By adding the following new subsections 2.10 Rare Species, 2.11 River, 2.12 Riverfront Area and by renumbering existing sections 2.10 and 2.11 to 2.13 and 2.15 respectively, which read as follows:

2.10 Rare Species: Shall include without limitation, all vertebrate and invertebrate animal and plant species listed as endangered, threatened, or of special concern by the Mass. Division of Fisheries and Wildlife.

2.11 River: A natural flowing body of water that empties to any pond, or other river which flows throughout the year and is shown on the National Geodetic Survey Map.

b) Normal maintenance of land in agricultural use. [Normal maintenance is defined in section 2.5.]

2.12 Riverfront Area: That area of land situated between a river's mean annual high-water line and a parallel line located two hundred feet away, measured outward horizontally from the river's mean annual high-water line.

8) By adding subsection 2.14 Vernal Pools as follows:

2.14 Vernal Pool: Confined basin depressions which hold water in most years for 2 continuous months in Spring or Summer, and do not support adult fish populations and provide breeding habitat for mole salamanders, wood frogs, other amphibians and invertebrates which can only successfully breed in ponds not colonized by fish. To qualify as a vernal pool, it must be either certified by the MNHESP or by other credible evidence presented to the commission.

9) By amending subsection 2.15 as follows: by inserting after the word "pond" the words "vernal pool" and after the word "lake" the words "or area where wetland vegetation is 50% or more or where there exists an aerobic soil down to two feet [2'] below the surface", and after "1974" the words "In the following definitions, the words "significant portion of the vegetative community" shall mean 50% or more." so that it now reads as follows:

2.15 Wetland: Any marsh, wet meadow, bog, or swamp, or any brook, stream, creek, river, pond, vernal pool, lake or area where wetland vegetation is 50% or more or where there exists an aerobic soil down to two feet [2'] below the surface in the Town of Boxborough, or any land under said waters, whether or not said wetlands are shown on a series of twelve maps numbered 1 through 12 inclusive prepared by the Planning Board of the Town of Boxborough collectively entitled "W-District Map" and dated May 4, 1974. In the following definitions, the words "significant portion of the vegetative community" shall mean 50% or more. Without limiting the generality of the foregoing, the wetlands are further defined as follows:

10) By amending Section 3.0 JURISDICTION, by inserting in subsection 3.1 after the words "buffer zone", "or river front area" and by adding to the end of the paragraph the words "This also applies to harvesting of forest products. Application of fertilizer to land in a buffer zone is considered an alteration." so that it now reads as follows:

3.1 No person shall remove, fill, dredge or alter any wetland, buffer zone or river front area in the Town of Boxborough without first filing written notice of his intention to do so with the Conservation Commission in accord with the provisions set forth in this By-Law and without receiving and complying with the Order of Conditions of said Commission and provided that all appeal periods shall have elapsed, unless the Commission shall have determined that this By-Law does not apply to the activity proposed. This also applies to harvesting of forest products. Application of fertilizer to land in a buffer zone is considered an alteration.

11) By amending Subsection 3.2 a) by inserting after the word "Boxborough." "Advance notice, oral or written, must be given to the Commission prior to commencement of work or within 24 hours after commencement," and amending b) by deleting after the word "use." the remainder of the paragraph and inserting the following: "[Normal maintenance is defined in section 2.5.]" so that it now reads:

a) Emergency projects necessary for the protection of the health or safety of the residents of Boxborough which are to be performed or which are ordered to be performed by a board, committee or commission of the Town and certified by the Conservation Commission of the Town of Boxborough. Advance notice, oral or written, must be given to the Commission prior to commencement of work or within 24 hours after commencement. No emergency project may continue beyond the time or exceed the scope needed to abate the emergency.

12) By amending subsection 3.4, 5th line from the bottom, by changing the word "certified" to the words "first class".

13) By amending subsection 4.1, 9th line, by changing "1" = 40" to "1" = 20".

14) By amending subsection 8.1 by changing the number "\$200" to the number "\$300" and by inserting after the word "day" the words "or portion thereof", and by adding after the word "continue" the words "or unauthorized fill or other alteration remains in place", and after the word "offense" the words "and each provision of the By-Law shall constitute a separate offense", so that it now reads:

8.1 Any person who violates any provision of this By-Law or of any Order of Conditions issued thereunder shall be punished by a fine of not more than \$300. Each day or portion thereof during which a violation continues or unauthorized fill or other alteration remains in place shall constitute a separate offense, and each provision of the By-Law shall constitute a separate offense.

or take any other action relative thereto.

The Boxborough Conservation Commission Recommends.

The Conservation Commission recommends this article for the following reasons:

- 1) The changes proposed will bring the Town Wetlands By-Law in line with changes that have been made in Chapter 131 Section 40 of the State Wetlands Law that we administer.
- 2) The changes proposed will allow the Commission to better protect the water and other natural resources of the Town.

Finance Committee Does Not Recommend.

This article will increase the amount of land that comes under the definition of wetlands and makes both commercial and residential development more difficult in town.

ACTION ON ARTICLE 16, May 11, 1999. On Ms. Golden's motion, the Town did vote, unanimously, to pass over this article.

ARTICLE 17 MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF STOW, MASSACHUSETTS; THE TOWN OF BOXBOROUGH, MASSACHUSETTS; STOW CONSERVATION TRUST; BOXBOROUGH CONSERVATION TRUST; AND SUDSBURY VALLEY TRUSTEES

(Majority vote required)

To see if the Town will vote to authorize the Board of Selectmen and the Conservation Commission to enter into a Memorandum of Agreement to read as follows:

RE: Conservation Restriction Exchange and Management Plan for Property Known as Flagg Hill

We, the Board of Selectmen and the Conservation Commission of the Town of Stow, Massachusetts, the Board of Selectmen and the Conservation Commission of the Town of Boxborough, Massachusetts, Stow Conservation Trust, Boxborough Conservation Trust, and Sudbury Valley Trustees agree as follows with regards to an exchange of conservation restriction, of one town to the other, on land at Flagg Hill, and a management plan for said land.

All parties agree that particular land known as "Flagg Hill" in both towns either was or is being purchased for conservation purposes. This land consists of Parcel B, Lots 3 through 9, as shown on "Plan of Land in Boxborough, MA" prepared for Joseph V. Stuart and dated December 8, 1997 (see attached) which totals approximately 45 acres, and including all or a portion of the following parcels in Stow: the Sureau property, Stow Property Map Sheet R-18, parcels 27 and 27A and R-18, parcel 10; the Woodhead property, Stow Property Map Sheet R-19, parcel 8; the Pious Society of Missionaries, St. Charles Borromeo, Inc. property, Stow Property Map Sheet R-19, parcel 11 and R-20, parcel 6; the Boyer property, Stow Property Map Sheet R-19, parcels 10, 10-2, 10-3, 10-4, and 10-5; the Habitech, Inc. property, Stow Property Map Sheet R-19, parcel 1 all of which total approximately 241 acres. All parties also agree that an exchange of conservation restrictions, one town to the other, will afford the land an additional level of protection that it will remain as conservation land in perpetuity.

Therefore, the Board of Selectmen and the Conservation Commission for the Town of Boxborough agree to support a Board of Selectmen and the Conservation Commission for the Town of Boxborough agree to support a grant of conservation restrictions to the other, and to draft warrant articles for Spring 1999 Town Meetings in both towns, which will allow both towns to grant this interest to the other.

All parties agree that a cooperative management plan for the land at Flagg Hill is in the best interest of both towns and agree to work together to draft a plan that includes participation from the two towns and three trusts. Representatives from the Stow Conservation Commission, Boxborough Conservation Commission, Stow Conservation Trust, Boxborough Conservation Trust, and Sudbury Valley Trustees will serve on a "Management Plan Task Force" for the land at Flagg Hill and will develop a joint management plan for this property that spans the Boxborough/Stow town line.

All parties agree that the purpose of this Memorandum is to facilitate efficient and effective cooperation between the parties in obtaining the permission of Spring 1999 Town Meeting to grant conservation restrictions to the other, and to develop a responsible management plan for the land at Flagg Hill, and will work to the best of our abilities to be successful in this regard.

Conservation Commission Recommends.

The approval of this article will more completely protect from development approximately 285 acres of conservation land spanning both Boxborough and Stow, and the intergovernmental cooperation it displays will enhance both towns' prospects for a Self-Help Grant award from the Commonwealth of Massachusetts.

Finance Committee Recommends.

This memorandum relates only to that portion of the Flagg Hill land purchase that has been designated as conservation land. This agreement with Stow increases the possibility that both Boxborough and Stow will qualify for state grants to help defray the cost of these conservation parcel purchases as it demonstrates to the state a willingness to address conservation issues from a "regional" perspective.

ACTION ON ARTICLE 17, May 11, 1999. On Ms. Golden's motion, the Town did vote, unanimously, to authorize the Board of Selectmen and the Conservation Commission to enter into a Memorandum of agreement as printed in the warrant under Article 17.

ARTICLE 18 CAPITAL IMPROVEMENTS – FACILITIES

(Majority vote required)

To see if the Town will vote to raise and appropriate, or appropriate from available funds, or authorize debt a sum of money for the replacement or improvement of Town municipal facilities as listed below:

A. Two Bay Addition on the Highway Building	\$ 95,000
B. Repoint and reconstruct Town Hall Chimney	\$ 9,000
C. Scrape/stain/paint old Town Hall	\$ 10,000
D. Scrape/stain/paint new Town Hall	\$ 10,000
TOTAL	<u>\$124,000</u>

or take any action relative thereto.

The Board of Selectmen Recommends.

A. Two Bay Addition for Highway Garage: The addition of the two additional bays is necessary to house four pickup trucks which currently have to be left outside. With this addition all public works equipment will be garaged. For maintenance and security purposes this is a wise action.

B. Chimney Repairs: This money will be used to perform much needed repairs to crumbling masonry chimneys on the roof of Town Hall.

C. Paint Old Town Hall: This money will be used to prepare and paint the exterior of the Old Town Hall for which maintenance is long overdue.

D. Paint New Town Hall: This money will be used to prepare and paint the exterior of the New Town Hall and is part of ongoing maintenance of Town buildings.

The Finance Committee Recommends.

A. Two Bay Addition for Highway Garage: This request is part of the Long Range Capital Needs Plan, and is on the list for capital improvements for Fiscal Year 2000. Currently, Highway Department equipment is being stored outside. This expensive equipment needs to be weather-proofed in order to get the maximum use and life from our investment. Additionally, the current septic system lies in the wetlands area and needs to be moved. This article serves to solve both issues at the same time.

B - D. Repairing Town Hall Chimneys and Painting/Staining Town Hall: This work needs to be done to protect and prolong the building's structure and useful life.

ACTION ON ARTICLE 18, May 11, 1999. On Mr. White's motion, the Town did vote, unanimously, to raise and appropriate funds totaling One Hundred and Twenty Four Thousand (\$124,000) Dollars for the replacement or improvement of Town municipal facilities as listed in the warrant.

ARTICLE 19 CAPITAL IMPROVEMENTS - LIBRARY

(Majority vote required)

To see if the Town will vote to raise and appropriate, or appropriate from available funds, or authorize debt, in the sum of Two Thousand Dollars (\$2,000) to allow the Albert J. Sargent Library acquisition of library supplies and furnishings, or take any other action relative thereto.

The Library Board of Trustees Recommends.

The Albert J. Sargent Library needs these furnishings and supplies in order to maximize the use of space at the Library. Better use of space will in turn help us to serve our patrons better.

The Finance Committee Recommends.

This article will allow the library staff to use space more efficiently and better serve its expanding patron base.

ACTION ON ARTICLE 19, May 11, 1999. On Mr. Ross's motion, the Town did vote, unanimously, to raise and appropriate the sum of Two Thousand Dollars (\$2,000.00) to allow the Albert J. Sargent Library acquisition of library supplies and furnishings.

ARTICLE 20 EXPAND THE TOWN CENTER DISTRICT

(2/3 vote required)

To see if the Town will vote to amend the Boxborough Zoning By-Law and Zoning Map as follows:

1. Rezone the Agricultural-Residential portion of Parcel 131.1, Assessor's Map 6, Group 4 to Town Center except for a strip of land 150 feet deep and parallel to Burroughs Road.
2. Amend FN2 in the Dimensional Schedule to read as follows: From lot line. Minimum setbacks from Stow Road and Burroughs Road are 50 feet. Minimum setbacks from Massachusetts Avenue (Route 111) are 75 feet. Where the lot line in the Town Center District abuts the Agricultural-Residential District, the minimum building setback for a residential building shall be 40 feet; and the minimum building setback for a nonresidential building shall be 75 feet. Parking shall not be allowed in the front yard, and all parking shall be screened from ways and adjacent properties by vegetative buffers.

or take any other action in relation thereto.

The Planning Board Recommends.

This proposal expands the Town Center District. In addition, the article includes increased setbacks for nonresidential buildings.

Finance Committee Recommends.

This article will increase the amount of land available for commercial or mixed use in the Town Center District by taking approximately 12 acres out of Agricultural-Residential use, while also protecting abutters' views by increasing nonresidential setback distances.

ACTION ON ARTICLE 20, May 11, 1999. Mr. Scarlet read the "Report of the Planning Board," as follows:

ARTICLE 20: Expand Town Center District

In accordance with MGL Chapter 40A Section 5, the Planning Board conducted a public hearing on March 23, 1999 to review Article 20.

The rezoning proposal contained in the warrant was revised to address citizen concerns raised at the public hearing. The rezoning proposal submitted for the Town Meeting Warrant includes all of parcel 131.1 except for a 150 wide strip of land parallel to Burroughs Road. The 150 foot-wide strip would remain Agricultural-Residential, thereby preventing commercial access off of Burroughs Road.

The Town Center zoning expansion will increase the amount of land available for a mixed-use development by approximately 12 acres. The Board has reviewed a conceptual plan showing a mix of retail, office, public facilities, and housing in the Town Center. This rezoning, though not tied to the plan, would enable such a plan to be developed.

Therefore, the Planning Board unanimously recommends approval of Article 20.

THE BOXBOROUGH PLANNING BOARD

Richard Scarlet, Chairman
Bruce Taylor, Clerk
Anthony D'Agostino, Member
John Markiewicz, Member
Jennie L. Rawski, Member

This article would increase the Town Center by about 20 acres to the approximately 60 acres currently in it. Cathy Biron was concerned about the residents in the houses abutting this property. The owner of the property has said that he will put comprehensive housing in this area if not rezoned. Mr. Apgar made a motion to move the question. This motion did not carry. Mr. Bunyard is in favor of this change. He stated that the only way to protect the land was to purchase it ourselves, but we can't buy it all. Mr. Scarlet stated that we have reasonable control over the development and many restrictions. Charlene Golden made a motion to postpone further discussion on Article 20 to Thursday, May 13th. Mr. Parker made a motion to move the question. This motion carried. Article 20 carried by a vote of 90 in favor; 20 opposed.

Approved by the Attorney General on August 9, 1999.

The second session of this meeting adjourned at 11:50 p.m. and the third session reconvened on Thursday, May 13th with 167 voters in attendance.

Ms. Metheny made a motion to reconsider Article 20. Mr. Neville stated that we had a full hour and one-half of discussion on Tuesday. Ms. Metheny's motion did not carry.

ARTICLE 21 TOWN CENTER ZONING - PETITION SUBMISSION

(2/3 vote required)

To see if the Town will vote to amend its zoning bylaw and in connection therewith to amend its Zoning Map on file in the office of the Town Clerk, to extend the "Agricultural Residential" zone from the existing corner of the zone (as voted at ATM 1998) at Stow Road, northerly along Stow Road, two hundred (200') feet, turning there easterly at approximately a right angle to Stow Road and running for a distance of three hundred (300') feet, then turning again southerly and running at a distance of approximately three hundred (300') feet from the sideline of Stow Road to the rear corner of the existing Agricultural Residential zone, or to take any action relative thereto.

Finance Committee defers its Recommendation pending the receipt of further information.

ACTION ON ARTICLE 21, May 13, 1999. Mr. Scarlet read the "Report of the Planning Board," as follows:

ARTICLE 21: Petition Article Rezone Land on Stow Road

In accordance with MGL Chapter 40A Section 5, the Planning Board conducted a public hearing on April 20, 1999 to review Article 21.

The Planning Board concurs with Town Counsel that the article is too vague as written. The Board also objects to including the additional 50 foot strip of land that is not owned by the petitioner in the rezoning proposal. The Planning Board would not object to a proposal that only includes the petitioner's land.

Therefore, the Planning Board recommends disapproval of Article 21.

THE BOXBOROUGH PLANNING BOARD

Richard Scarlet, Chairman
Bruce Taylor, Clerk
Anthony D'Agostino, Member
John Markiewicz, Member
Jennie L. Rawski, Member

On Ms. Lyons's motion, the Town did vote, unanimously, to amend the Zoning Bylaw and Zoning Map by extending the Agricultural-Residential zone on the easterly side of Stow Road to include Lot 166.2B on Map 6, Group 4 and thereby rescinding the action regarding Lot 166.2B of ATM 1998 Article 18.

Approved by the Attorney General on August 9, 1999.

ARTICLE 22 MULTI-FAMILY SENIOR HOUSING IN AR & R1

(2/3 vote required)

To see if the Town will vote to amend Section 2231 of the Zoning By-Law, Use Regulation Schedule, by adding the following entry under Section 2231 Residential Uses:

	AR	R1	B	B1	OP	TC	IC
Multi Family Dwelling reserved exclusively for elderly occupancy	SP	N	N	N	N	Y ¹	N

and add a new Section 5390A and renumber existing Sections 5390A through D to 5390B through E respectively:

5390A. Special Permits for Multi-Family Dwelling Reserved Exclusively for Elderly Occupancy.

The Planning Board shall be the Special Permit Granting Authority for multi-family dwellings reserved exclusively for elderly occupancy. In making its determination with respect to a special permit for a multi-family dwelling reserved for elderly occupancy, the Special Permit Granting Authority shall find that the proposal meets the following criteria:

- Occupancy is deed restricted to persons 55 years of age or older or to a person 55 years of age or older and their spouse and/or live in aid.
- There are no more than two units per building.
- The maximum number of units allowed shall be limited to the number of duplexes that could be created in a subdivision on the site in full conformance with all zoning, subdivision and other applicable state and local regulations, and without the proposal of extraordinary engineering measures. Where the maximum number is in doubt or dispute, the determination of the Planning Board shall be conclusive for all purposes.
- The proposed site contains a minimum of 10 acres.
- The minimum upland area is 5 acres.

- The maximum density is 2 units/60,000 square feet.
- Traffic generation is similar or less than what would be generated if the land were developed into single-family dwellings.
- The architectural style of the units is similar in character and appearance to other dwellings in the neighborhood.
- Adequate landscaped buffers are provided around the development.

Or take any other action in relation thereto.

The Planning Board Recommends.

The current By-Law only allows multi-family senior housing in the Town Center District. This article allows multi-family senior housing in the AR District by special permit from the Planning Board.

Finance Committee Recommends.

This article will support residential development that will not impact the local school population.

ACTION ON ARTICLE 22, May 13, 1999. Mr. Scarlet read the "Report of the Planning Board," as follows:

ARTICLE 22: Multi-family Senior Housing in the AR District

In accordance with MGL Chapter 40A Section 5, the Planning Board conducted a public hearing on March 23, 1999 to review Article 22.

The current By-law only allows multi-family senior housing in the Town Center District. This article allows multi-family senior housing in the AR District by special permit from the Planning Board. Senior housing would be permitted in duplex units at the same density requirements as single-family dwellings. Demographic information shows that there is a need for such housing in Boxborough. This amendment allows for an alternative type of development in the AR District that does not impact the local school population.

Therefore, the Planning Board unanimously recommends approval of Article 22.

THE BOXBOROUGH PLANNING BOARD:

Richard Scarlet, Chairman

Bruce Taylor, Clerk

Anthony D'Agostino, Member

John Markiewicz, Member

Jennie L. Rawski, Member

Mr. Scarlet made a motion to amend his motion by:

Change entry in 2231 from Multi-Family to Two Family

Change 5390A from Multi-Family to Two Family in first sentence

Change 5390A from Multi-Family to Two Family in third sentence

Change 5390A, 3rd bullet, first sentence from "duplexes" to "houses"

Change 5390A, 3rd bullet, first sentence from "units" to "buildings"

Mr. Neville made a motion to move the question. This motion carried. Mr. Scarlet's motion carried. Mr. Taylor stated that there are about 24 parcels of land in town that have ten or more acres. Mr. Scarlet

stated that this development would be viewed as a subdivision and would also have to have a special permit. Banks wouldn't give a mortgage if there were persons under 55 in the family.

On Mr. Scarlet's motion, as amended, the Town did vote to amend Section 2231 of the Zoning Bylaw Regulation Schedule by adding the following entry under Section 2231 Residential Uses. The vote on this motion was 105 in favor; 43 opposed. This section, as amended, reads as follows:

Section 2231 RESIDENTIAL USES:

	AR	R1	B	B1	OP	TC	IC
--	----	----	---	----	----	----	----

Two Family Dwelling reserved exclusively for elderly occupancy	SP	N	N	N	Y ¹	N
--	----	---	---	---	----------------	---

and add a new Section 5390A and renumber existing Sections 5390A through D to 5390B through E respectively:

5390A. Special Permits for Two Family Dwelling Reserved Exclusively for Elderly Occupancy. The Planning Board shall be the Special Permit Granting Authority for multi-family dwellings reserved exclusively for elderly occupancy. In making its determination with respect to a special permit for a two-family dwelling reserved for elderly occupancy, the Special Permit Granting Authority shall find that the proposal meets the following criteria:

- Occupancy is deed restricted to persons 55 years of age or older or to a person 55 years of age or older and their spouse and/or live in aid.
- There are no more than two units per building.
- The maximum number of buildings allowed shall be limited to the number of houses that could be created in a subdivision on the site in full conformance with all zoning, subdivision and other applicable state and local regulations, and without the proposal of extraordinary engineering measures. Where the maximum number is in doubt or dispute, the determination of the Planning Board shall be conclusive for all purposes.
- The proposed site contains a minimum of 10 acres.
- The minimum upland area is 5 acres.
- The maximum density is 2 units/60,000 square feet.
- Traffic generation is similar or less than what would be generated if the land were developed into single-family dwellings.
- The architectural style of the units is similar in character and appearance to other dwellings in the neighborhood.
- Adequate landscaped buffers are provided around the development.

Approved by the Attorney General on August 9, 1999.

ARTICLE 23 MEMBERSHIP ON COUNCIL ON AGING

(Majority vote required)

To see if the Town will vote to reduce the membership on the Council on Aging from seven (7) to five (5) members by amending the Council on Aging Bylaw by deleting the reference to "seven (7)" and inserting in its place "five (5)" before the remainder of the second paragraph which reads: "members who shall serve without pay, to be appointed by the Selectmen as follows:" or take any other action relative thereto.

The Board of Selectmen supports the Recommendation from the Council on Aging based upon their difficulty in obtaining a quorum.

The Finance Committee does not Recommend.

This article will reduce the opportunities available to volunteers to contribute to a growing section of the population.

ACTION ON ARTICLE 23, May 10, 1999. This article carried, unanimously, on the motion by Mr. Wheeler on the consent calendar.

Approved by the Attorney General on August 9, 1999.

ARTICLE 24 EXPAND THE BUSINESS DISTRICT
(2/3 vote required)

To see if the Town will vote to amend the Boxborough Zoning By-Law and the Zoning Map as follows:

Extend Business District #12 to include the entire Parcel 373 and 120 on Assessor Map 6, Group 4.

Or take any other action in relation thereto.

The Planning Board Recommends.

This rezoning would extend the existing business district so that it corresponds with property boundaries instead of being a uniform distance from Massachusetts Avenue.

The Finance Committee Recommends.

This article will take approximately 25 acres out of Agricultural-Residential use, while increasing the business use acreage available in Town.

ACTION ON ARTICLE 24, May 13, 1999. Mr. Taylor read the Report of the Planning Board as follows:

ARTICLE 24: Expand the Business District

In accordance with MGL Chapter 40A Section 5, the Planning Board conducted a public hearing on March 23, 1999 to review Article 24.

This proposal extends the existing Business District 12 by approximately 20 acres so that the district boundary corresponds with property lines instead of being a uniform distance from Massachusetts Avenue. It is the opinion of the Planning Board that the Zoning By-Law does not allow access to residential land through the business district. Both parcels 120 and 373 would require access through the business district to get to the residentially zoned portion of the property. This proposal would rezone the residential portions of two parcels so that the entire parcel 120 and 373 would be in the Business - 1 District. This amendment will allow for additional business development in the town on a road suited for business development (Route 111).

ARTICLE 25 CLOSE OUT OLD ARTICLES	
(Majority vote required)	
To see if the Town will vote to transfer the unexpended balance of monies in the amount of Fifty-Six Thousand and Forty-Three Dollars and Sixty Cents (\$ 56,043.60) voted by past town meetings, to the Stabilization Fund. Articles to be reduced or closed are:	
Article 2/98(STM)	MCAD Case
Article 3/98(STM)	FY 98 Legal Exp
Article 4/98(STM)	HVAC System/S.M. Lby
Article 11/98(ATM)	Insp. Of Bldgs Vehicle
Article 12/98(ATM)	Computer For Police Cruiser
Article 22/98(ATM)	4 Wheel Drive Truck/Highway
Article 3/97(STM)	FY96 Unpaid Bill, Police Dept
Article 6/97(STM)	New Septic System, Fire Dept
Article 14/97(ATM)	Electrical Inspection Fees (FY97)
Article 15/97(ATM)	Plumbing/Gas Inspection Fees
Article 19/97(ATM)	Computer & Printer/Fire Dept
Article 3/197(ATM)	Purchase/Install HVAC Library
Article 34/97(ATM)	Police Department Radios
Article 36/97(ATM)	Highway Dept/Remove Fuel Tanks
Article 3/96(STM)	Electrical Inspection Fees (FY97)
Article 5/96(STM)	Breathalyzer/Police Dept
Article 7/96(STM)	Certification of Fire Ponds
Article 12/96(ATM)	Firefighters Locator Devices
Article 8/95(STM)	Expert Witness & Test(ATB)
Article 5/95(STM)	Collection & Disposal Haz Waste
Article 29/95(ATM)	1 st Year Int/Debt Service on Borrow
Article 20/94(ATM)	Exhaust system/ Fire Dept
Article 10/93(ATM)	Mower & Trailer/ Town
Article 14/92(ATM)	Highway Dept/Recycling
Article 1/96(STM)	Electrical Inspection Fees

or take any action relative thereto.

Therefore, the Planning Board recommends approval of Article 24.

THE BOXBOROUGH PLANNING BOARD:

Richard Scarlet, Chairman

Bruce Taylor, Clerk

Anthony D'Agostino, Member

John Markiewicz, Member

Jennie L. Rawski, Member

Ms. Lyons urged us to vote this article down, as it is wrong to rezone someone's land if the persons involved do not want it to be rezoned. Mr. Brown stated that it was rezoned from Agricultural/Residential to Business and that the Marcus's would like to see it zoned back to Agricultural/Residential. Mr. Taylor's motion to amend the Boxborough Zoning Bylaw and the Zoning Map to extend the Business district as printed in the warrant under Article 24 did not carry.

ARTICLE 25 CLOSE OUT OLD ARTICLES

(Majority vote required)

To see if the Town will vote to transfer the unexpended balance of monies in the amount of Fifty-Six Thousand and Forty-Three Dollars and Sixty Cents (\$ 56,043.60) voted by past town meetings, to the Stabilization Fund. Articles to be reduced or closed are:

Article 2/98(STM)	\$13,211.57
Article 3/98(STM)	\$ 303.49
Article 4/98(STM)	\$ 5,500.00
Article 11/98(ATM)	\$ 300.00
Article 12/98(ATM)	\$ 115.40
Article 22/98(ATM)	\$ 982.60
Article 3/97(STM)	\$ 25.00
Article 6/97(STM)	\$ 7,537.60
Article 14/97(ATM)	\$ 1,102.00
Article 15/97(ATM)	\$ 64.70
Article 19/97(ATM)	\$.59
Article 3/197(ATM)	\$ 41.00
Article 34/97(ATM)	\$ 105.69
Article 36/97(ATM)	\$ 6,858.20
Article 3/96(STM)	\$ 4,055.50
Article 5/96(STM)	\$ 137.81
Article 7/96(STM)	\$ 1,400.00
Article 12/96(ATM)	\$ 30.00
Article 8/95(STM)	\$ 5,000.00
Article 5/95(STM)	\$ 192.50
Article 29/95(ATM)	\$ 1,198.39
Article 20/94(ATM)	\$ 980.34
Article 10/93(ATM)	\$ 2,355.00
Article 14/92(ATM)	\$ 1622.50
Article 1/96(STM)	\$ 2051.50

Board of Selectmen Recommends.

This article is part of a goal by the Board of Selectmen this year to review and close out prior Town Meeting authorizations which have been completed. The Board of Selectmen supports the Finance Committee in the recommendation to place this money into the Stabilization Fund where it will require a 2/3 vote to expend it.

Finance Committee Recommends.

These funds remain from projects which have been completed. They should be transferred to the Stabilization Fund to help improve our bond rating and to help provide funds for future capital projects.

ACTION ON ARTICLE 25, May 10, 1999. This article carried, unanimously, on the motion of Mr. Wheeler on the consent calendar.

ARTICLE 26 ASSISTED LIVING FACILITIES IN BUSINESS DISTRICT

(2/3 vote required)

To see if the Town will vote to amend the Boxborough Zoning By-Law to allow Assisted Living Facilities as follows:

1. Add a new definition for Assisted Living Facilities in alphabetical order to Section 6200:

Assisted Living Facility shall mean a facility that is designed and operated to provide its elderly residents with a broad range of services to meet primarily the needs of residents of the facility, including independent or assisted living in single or multi-unit dwellings and some or all of the following: a nursing home; skilled nursing; medical and other health services; personal care and other services. A nursing home by itself shall not be considered an "Assisted Living Facility."

2. Amend Section 2230 Use Schedule by adding the following entry under Section 2234:

Assisted Living Facility	AR	R1	B	B1	OP	TC	IC
	N	N	Y	Y	SP	N	SP

3. Amend Section 3160 Parking Schedule by adding the following entry:

Assisted Living Facility - two spaces per unit plus additional spaces as required for additional uses, i.e., nursing home, community center, health services.

Or take any action in relation thereto.

The Planning Board Recommends.

The proposed article adds Assisted Living Facilities to the Use Schedule; allows such facilities in the Business Districts by right and in the Office Park and Industrial Commercial District by Special Permit; and sets up parking requirements for Assisted Living Facilities. The current Zoning By-Law does not allow assisted living facilities.

The Finance Committee defers its Recommendation pending receipt of further information.

ACTION ON ARTICLE 26, May 13, 1999. Mr. Taylor read the "Report of the Planning Board" as follows:

In accordance with MGL Chapter 40A Section 5, the Planning Board conducted a public hearing on March 23, 1999 to review Article 26.

The current Zoning By-Law does not allow assisted living facilities. The proposed article defines Assisted Living; adds Assisted Living Facilities to the Use Schedule and Parking Schedule; and allows such facilities in the Business Districts by right, and in the Office Park and Industrial Commercial District by Special Permit. Assisted living facilities would be required to meet all dimensional requirements of the district in which they are located. In addition Assisted Living Facilities would require review under the Site Plan Approval By-law.

Therefore, the Planning Board unanimously recommends approval of Article 26.

THE BOXBOROUGH PLANNING BOARD:

Richard Scarlet, Chairman
Bruce Taylor, Clerk

Anthony D'Agostino, Member
John Markiewicz, Member
Jennie L. Rawski, Member

This would not be in the Town Center. Ms. Steiner remarked that they were very expensive and that the residents of the Town would not necessarily get in. On Mr. Taylor's motion, the Town did vote to amend the Boxborough Zoning Bylaw to allow Assisted Living Facilities as printed in the warrant under Article 26. This motion carried by an uncounted two-thirds vote.

Approved by the Attorney General on August 9, 1999.

ARTICLE 27 UPDATE LIGHTING BY-LAW

(2/3 vote required)

To see if the Town will vote to amend Section 3340 of the Zoning By-Law as follows:

1. Add to the end of Section 3340 the following sentence:

Uplighting of landscaping, the operation of search lights for advertising purposes, and the use of building floodlighting (except for floodlighting used on public safety buildings) are prohibited, so that the entire section reads:

3340. Lighting. Outdoor lighting from any source, including sign illumination, shall be continuous white light installed in such manner or shielded so as to cast no direct beam on a public way, pedestrian way, or on adjacent property or cause a glare or reflection that may constitute a traffic hazard or a nuisance. Uplighting of landscaping, the operation of search lights for advertising purposes, and the use of building floodlighting (except for floodlighting used on public safety buildings) are prohibited.

2. Replace Section 3341 letter a. which currently reads: "a. the edge of the shield is below the source, and" with the following:

- a. all illumination is restricted to an area 15 degrees below the horizontal, and
3. Amend Section 3342, which currently reads: "3342. All lighting by mercury vapor or source of appreciable radiation in the ultraviolet shall be filtered so that the radiation transmitted shall not exceed 10 percent at any wavelength shorter than 0.44 micrometers. Low pressure sodium vapor lamps are acceptable. Other types of sodium vapor or metal halide lamps shall not be used."

to read as follows:

3342. High pressure sodium lamps shall not be used.

4. Add a new 3345 to read as follows:

3345. The mounting height of lighting fixtures shall not exceed 30 feet above the ground plane.

The Planning Board Recommends.

The lighting by-law was adopted in 1976. The proposed amendment would update the By-law with current lighting standards and practices.

The Finance Committee Recommends.

This article will bring our lighting By-Law in conformity with current lighting standards and practices.

ACTION ON ARTICLE 27, May 13, 1999. Mr. Taylor read the "Report of the Planning Board" as follows:

In accordance with MGL Chapter 40A Section 5, the Planning Board conducted a public hearing on March 23, 1999 to review Article 27.

The original lighting bylaw was adopted in 1976 to discourage light pollution and to protect dark skies for aesthetic and scientific research purposes. The Planning Board has worked with the director of the Harvard Ridge Observatory to update the bylaw in accordance with current lighting standards and practices.

Therefore, the Planning Board unanimously recommends approval of Article 27.

THE BOXBOROUGH PLANNING BOARD

Richard Scarlet, Chairman

Bruce Taylor, Clerk

Anthony D'Agostino, Member

John Markiewicz, Member

Jennie L. Rawski, Member

John Markiewicz, Member

Jennie L. Rawski, Member

Mr. Taylor stated that we have to update the Bylaw as the types of lighting mentioned in our Bylaws isn't available now. The Harvard Observatory instructed the Planning Board as to the type of lighting that we should use. On Mr. Taylor's motion, the Town did vote to amend Section 3340 of the Zoning Bylaw as printed in the warrant under Article 27. This motion carried by an uncounted two-thirds vote.

Approved by the Attorney General on August 9, 1999.

ARTICLE 28 SETBACKS FOR GARAGES CLARIFIED

(2/3 vote required)

To see if the Town will vote to amend Section 2245 of the Zoning By-Law as follows:

2245. No accessory building shall be located within the required front yard area. No accessory building shall be located in any side area nearer to the side lot line than 10 feet, or in a rear area nearer to the rear lot line than 10 feet, or nearer to another principal or accessory building than 10 feet. For the purpose of this By-Law, a garage attached to a dwelling shall be considered an accessory building provided that there is no occupiable or living space above any part of the garage footprint.

The Finance Committee Recommends.

This article will clarify the intent of Section 2245 of the zoning By-Law.

ACTION ON ARTICLE 28, May 13, 1999. Mr. Scarlet read the "Report of the Planning Board," as follows:

In accordance with MGL Chapter 40A Section 5, the Planning Board conducted a public hearing on March 23, 1999 to review Article 28.

This article would clarify that if a garage is proposed to be constructed 10 feet from a lot line, the entire area above the garage footprint can not be used for living space.

Therefore, the Planning Board unanimously recommends approval of Article 28.

THE BOXBOROUGH PLANNING BOARD

Richard Scarlet, Chairman

Bruce Taylor, Clerk

Anthony D'Agostino, Member

John Markiewicz, Member

Jennie L. Rawski, Member

John Markiewicz, Member

Jennie L. Rawski, Member

Mr. Schricker stated that the occupiable space should be 30' from the side lot line. When Ms. Cannon asked if you could get a variance for an old house, Mr. Scarlet stated that it would be difficult. Mr. Parker made a motion to move the question. This motion carried. Mr. Scarlet made a motion that the Town amend Section 2245 of the Zoning Bylaw as follows:

2245. No accessory building shall be located within the required front yard area. No accessory building shall be located in any side setback area nearer to the rear lot line than 10 feet, or nearer to another principal or accessory building than 10 feet. For the purpose of this Bylaw, a garage attached to a dwelling shall be considered an accessory building provided that there is no occupiable or living space that does not conform to the minimum setback for residential dwellings. This motion carried by an uncounted two-thirds vote.

On May 19th, Mr. Scarlet made a motion that we reconsider Article 28 as it was brought to the Board's attention that the existing bylaw language has been left out of the article as passed. The Board would like to reconsider the article only to add the existing bylaw language that was left out. This motion carried. Mr. Scarlet made a motion to add the words "nearer to the side lot line than 10 feet, or in a rear area" between the words "side setback area" and "nearer to the rear lot line" in the second sentence of the article and to delete the word "setback" from the second sentence between the "side" and "area."

The wording as amended is as follows:

2245: No accessory building shall be located within the required front yard area. No accessory building shall be located in any side area nearer to the side lot line than 10 feet, or in a rear area nearer to the rear lot line than 10 feet, or nearer to another principal or accessory building than 10 feet. For the purpose of this By-Law, a garage attached to a dwelling shall be considered an accessory building provided that there is no occupiable or living space that does not conform to the minimum setback for residential dwellings above any part of the garage footprint.

This article carried by an uncounted two-thirds vote.

Approved by the Attorney General on August 9, 1999.

ARTICLE 29 TOWN MEETING FACILITIES BYLAW
(Majority vote required)

To see if the Town will vote to amend its' General Bylaws by adding the following Bylaw:

The warrant for an annual meeting or special town meeting may specify that the meeting is to be held in a suitable auditorium or other facility in any town contiguous to the Town of Boxborough, or if no such suitable location is available, at any other location determined by the Board of Selectmen to be expedient; or take any other action relative thereto.

The Board of Selectmen Recommends.

This article will allow the town to more easily arrange a convenient facility that has the necessary capacity to host Town Meeting without having to reconvene the meeting at a new location voted on during the existing meeting.

The Finance Committee Recommends.

This change in the Bylaws would allow the option to hold Town Meeting outside Boxborough if necessary.

ACTION ON ARTICLE 29, May 13, 1999. On Mr. Wheeler's motion, the Town did vote to amend the Town's General Bylaws by adding the following Bylaw as printed in the warrant under Article 29.

Approved by the Attorney General on August 9, 1999.

ARTICLE 30 PLUMBING AND GAS INSPECTION REVOLVING FUND
(Majority vote required)

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44 sec. 53E1/2 to reauthorize a revolving fund for purposes of receiving fees and paying the Plumbing/Gas Inspector for inspections conducted by him up to Fifteen Thousand (\$15,000) dollars; and further to provide that the monies remaining in the fund at the end of fiscal year 1999 be carried over into fiscal year 2000 to pay for inspections for permits not yet completed; or take any other action relative thereto.

The Board of Selectmen Recommends.

This article will help streamline the process of Town meeting. Counting of votes will be decided on uniform basis and provides for the counting of votes if need be upon the request of seven voters.

The Finance Committee Does Not Recommend.

While the Finance Committee is sensitive to the desire for streamlining town meeting, we believe that the proposed bylaw places an undue burden for concerted action on the part of voters in the sometimes turbulent wake of a hand or voice vote. In the tradeoff between efficiency and voters' rights, we prefer to err on the side of the voter.

ACTION ON ARTICLE 30, May 10, 1999. Article 30 carried under the motion of Mr. Wheeler on the consent calendar.

ARTICLE 31 ELECTRICAL INSPECTION REVOLVING FUND

(Majority vote required)

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44 sec. 53E1/2 to reauthorize a revolving fund for purposes of receiving fees and paying the Electrical Inspector for inspections conducted by him up to Twenty Five Thousand (\$25,000) dollars; and further to provide that the monies

remaining in the fund at the end of fiscal year 1999 be carried over into fiscal year 2000 to pay for inspections for permits not yet completed; or take any other action relative thereto.

The Board of Selectmen Recommends.

The Finance Committee Recommends.

This article is required to reauthorize the revolving fund to pay inspectors from fees collected for that purpose. It is funded at the same level as last year and has no financial impact on the Town.

ACTION ON ARTICLE 31, May 10, 1999. Article 31 carried under the motion of Mr. Wheeler on the consent calendar.

ARTICLE 32 2/3 VOTE COUNT BYLAW
(Majority vote required)

To see if the Town will vote to amend its' General Bylaws by adding the following Bylaw:

On Town Meeting matters requiring a two thirds vote by statute a count need not be taken unless the vote so declared by the Moderator is immediately questioned by seven or more registered voters as provided in General Laws, Chapter 39, Section 15 (or as otherwise provided in these bylaws) or take any other action relative thereto.

The Board of Selectmen Recommends.

This article will help streamline the process of Town meeting. Counting of votes will be decided on uniform basis and provides for the counting of votes if need be upon the request of seven voters.

The Finance Committee Does Not Recommend.

While the Finance Committee is sensitive to the desire for streamlining town meeting, we believe that the proposed bylaw places an undue burden for concerted action on the part of voters in the sometimes turbulent wake of a hand or voice vote. In the tradeoff between efficiency and voters' rights, we prefer to err on the side of the voter.

ACTION ON ARTICLE 32, May 13, 1999. Mr. Wheeler made a motion to amend the Town's General

Bylaws by adding the following Bylaw as printed in the warrant under Article 32.

On Town Meeting matters requiring a two thirds vote by statute a count need not be taken unless the vote so declared by the Moderator is immediately questioned by seven or more registered voters as provided in General Laws, Chapter 39, Section 15 (or as otherwise provided in these bylaws).

The tellers for this article were Richard Stewart, Joanne Stewart, Michael Vorce and Laura Lyons. This article failed by a count of 42 in favor, 48 opposed.

This third session of the Town Meeting adjourned at 10:45 p.m. and reconvened on May Wednesday, May 19 at 7:30 p.m. with 105 in attendance.

Ms. Metheny made a motion to reconsider Article 20. Mr. Neville stated that we have had a complete discussion on this article and that this was the second time that this motion has been brought up for reconsideration. Ms. Metheny's motion did not carry.

ARTICLE 33 CAPITAL IMPROVEMENTS - POLICE EQUIPMENT

(Majority vote required)

To see if the Town will vote to raise and appropriate, or appropriate from available funds, or authorize debt a sum of money for the replacement or improvement of equipment and contracts as listed below:

A. Two personal computers/printers for Police	\$ 4,600
B. Three portable radios for the Police	\$ 2,100
C. Lockers for the Police	\$ 1,600
D. Two Pistols for the Police	\$ 1,000
TOTAL	<u>\$ 9,300</u>

or take any other action relative thereto.

The Board of Selectmen Recommends.

A. Two Police Computers: This money will be used to purchase two new desktop computers, monitors and a shared printer for the police station. The current equipment is over 5 years old and is unable to run some of the programs necessary for efficient daily operation of the Police Department. The existing equipment will be used elsewhere in the department and Town Hall.

B. Three Police Radios: This money will be used to purchase three portable radios. Each member of the department should have their own radio in case of emergency. Presently there are not enough radios for all full-time officers.

C. Police Lockers: Board of Selectmen recommends. This money will be used to purchase storage lockers for the police department personnel. Officers should be able to secure their personal belongings as well as department issued weapons and equipment, presently this is impossible as the current school-style lockers are simply too small.

D. Police Guns: Board of Selectmen recommends. This money will be used to purchase two new pistols for the two newly hired officers.

The Finance Committee Recommends.

The proposed personal computers will provide the Chief and his assistant the capability to use both up-to-date office software and specialized police department management applications. The old Chief's computer will be reassigned to less arduous duty in the booking area and the assistant's computer will be recycled to the Council on Aging, for which purpose it is well suited. The portable radios and pistols are required to outfit the new officers, bringing the station to full manning. The eight new lockers will be assigned to full-time officers and the best of the current lockers will be retained for part-time officers.

ACTION ON ARTICLE 33, May 19, 1999. On Mr. White's motion, the Town did vote, unanimously, to raise and appropriate the sum of Nine Thousand and Three Hundred Dollars (\$9,300.00) for the replacement or improvement of equipment and contracts as printed in the warrant under Article 33.

ARTICLE 34 HOME OCCUPATION AMENDMENTS

(2/3 vote required)

To see if the Town will vote to amend Section 2241 of the Zoning By-Law as follows:

2241. Home Occupation. A home occupation conducted by a resident occupant and employing no other than resident occupants on the premises within a dwelling unit, or within an accessory building that contains no more than 800 square feet, or building in existence as of May 10, 1999, is permitted provided that no display of goods is visible from any street, and no more than an average of 8 round trips are generated by the home occupation.

or take any action in relation thereto.

The Planning Board Recommends.

The proposed article limits the size of an accessory building that can be used for a home occupation to 800 square feet. Currently, there is no size limit for an accessory building used for a home occupation. Existing buildings would be exempt from the size limitation.

The Finance Committee defers its Recommendation pending receipt of further information.

ACTION ON ARTICLE 34, May 19, 1999. Mr. Scarlet read the "Report of the Planning Board," as follows:

ARTICLE 34: Home Occupation Amendments

In accordance with MGL Chapter 40A Section 5, the Planning Board conducted a public hearing on March 23, 1999 to review Article 34.

ARTICLE 34: Home Occupation Amendments

This article was amended to address concerns raised at the public hearing. Currently there is no size restriction for home occupations. The proposed article would restrict the size of an accessory building used for a home occupation to 800 square feet. This provision would only restrict home occupations conducted within newly constructed accessory buildings. The proposal would not affect agricultural uses since they are exempt from zoning provisions. Existing home occupations would not be subject to this restriction.

Therefore, the Planning Board recommends approval of Article 34.

THE BOXBOROUGH PLANNING BOARD

Richard Scarlet, Chairman

Bruce Taylor, Clerk
Anthony D'Agostino, Member

John Markiewicz, Member

Jennie L. Rawski, Member

The Finance Committee does not recommend this article. The vote of the Planning Board was not unanimous. It was stated that it would be very difficult to get a Special Permit under this zoning change. An individual would not be able to use his garage, or his house, for his business if it contained more than 800'. It was felt that this amendment needed more work. Mr. Scarlet's motion to amend Section 2241 of the Zoning Bylaw as printed in the warrant under Article 34 with the addition of the words "within and accessory" inserted between the words "or" and "building in existence" and the words "per day" inserted between the word "8 round trips" and "are generated" failed to carry by a roughly even vote.

ARTICLE 35 SIGN BY-LAW AMENDMENTS

(2/3 vote required)

To see if the Town will vote to amend Section 3200 of the Zoning By-Law as follows:

1. Delete "off premises signs" from Section 3243.

2. Replace Section 3250 which currently reads: "Exemptions. The following signs shall not require a sign permit," with the following: "Exemptions. The following signs are exempt from the provisions of the Sign By-law."

3. Add a new Section 3290. Off Premises Signs as follows:

3290. Except as provided for below, off premises signs shall not be permitted. Any application for an off-premises sign shall be accompanied by written permission from the owner of the property where the sign is proposed to be erected. Off premises sign shall not be illuminated.

3291. Open house or yard sale signs provided that such signs are no greater than four (4) square feet in area and are placed for a maximum of three (3) days at any one time.

3292. Temporary Seasonal Signs. (Christmas Tree Sales, Fruit Picking or similar seasonal activity.) One temporary seasonal sign may be allowed per establishment at any one time. Such sign shall be placed so as not to obstruct sight lines along the public way, and shall not exceed twenty (20) square feet in area nor ten (10) feet in height above mean sea level elevation of the undisturbed ground directly beneath it.

3293. Special Event Signs. A sign permit may be issued for a special event provided that such sign does not exceed sixteen (16) square feet in area nor eight (8) feet in height above mean sea level elevation of the undisturbed ground beneath it; there are no more than three (3) signs per event, such sign(s) are erected for no more than a total of three (3) days; and no more than 12 times per year for any one establishment.

4. Amend Section 3275 by adding the following at the end of the paragraph:

A portion of the area for a freestanding sign may include changeable letters or numbers provided that such area does not contain any moving or flashing parts, and the letter or number style is approved by the Board of Appeals. Additional freestanding signs of not more than two (2) square feet may be permitted for directions to shipping, receiving or public entrances.

5. Amend Section 3286 by adding the following at the end of the paragraph:

A portion of the area for a freestanding sign may include changeable letters or numbers provided that such area does not contain any moving or flashing parts, and the letter or number style is approved by the Board of Appeals. Additional freestanding signs of not more than two (2) square feet may be permitted for directions to shipping, receiving or public entrances.

Or take any other action relation thereto.

The Planning Board Recommends.

The proposed by-law changes, clarifies or amend existing provisions and adds new provisions for off-premises signs. Clarifications or amendments include allowing a portion of a freestanding sign to have changeable numbers or letters and allowing freestanding directional signs. The new provisions allow off-premises signs for yard sales/open houses, seasonal activities, and special events.

The Finance Committee does not Recommend.

This amendment is too restrictive.

ACTION ON ARTICLE 35, May 19, 1999. Mr. Scarlet read the "Report of the Planning Board," as follows:

In accordance with MGL Chapter 40A Section 5, the Planning Board conducted a public hearing on March 23, 1999 to review Article 35.

This article was amended to address concerns raised at the public hearing. The proposed article adds new provisions for off-premises signs and clarifies existing sections. The new provision allows off-premises signs for yard sales/open houses, seasonal activities, and special events. Off-premises signs would require a sign permit from the Inspector of Buildings. Clarifications include allowing a portion of a freestanding sign to have changeable numbers or letters; and allowing freestanding directional signs. The Board of Appeals will continue to be the special permit granting authority for on premises freestanding signs.

Therefore, the Planning Board unanimously recommends approval of Article 35.

THE BOSTON PLANNING BOARD:

Richard Scarlet, Chairman

Bruce Taylor, Clerk

Anthony D'Agostino, Member

John Markiewicz, Member

Jennie L. Rawski, Member

The Finance Committee now recommends this article. Mr. Follett made a motion to amend by deleting Sections 3292 and 3293. Mr. Stewart made a motion to move the question. This motion carried. Mr. Follett's motion did not carry. Mr. Stewart made a motion to move the question. This motion carried. The tellers for this session were Richard Stewart, Michael Vorce, Karen Metheny and Susan Spencer. Mr. Scarlet's motion to amend Section 3200 of the Zoning Bylaw as printed in the warrant under Article 35 failed by a vote of 56 in favor; 32 opposed.

ARTICLE 36 OPEN SPACE RESIDENTIAL ZONING

(2/3 vote required)

To see if the Town will vote to amend the Boxborough Zoning Bylaw by adopting a new Section 4900 Open Space Residential Development to read as follows:

4900. Open Space Residential Development

4910. Purpose. The purpose of this Section 4900 Open Space Residential Development, is to encourage the preservation of open land for its scenic beauty and to enhance agricultural, open space, forestry, and passive recreational use; to preserve historical and archeological resources; to protect the natural environment; to protect the value of real property; to promote more sensitive siting of buildings and better overall site planning; to perpetuate the appearance of Boxborough's traditional New England landscape; and to facilitate the construction and maintenance of streets, utilities and public services in a more economical and efficient manner.

4920. Applicability. Any tract of land containing 10 acres or more in the Agricultural-Residential district, may be subdivided under this Section 4900, Open Space Residential Development, pursuant to the issuance of a special permit. Such special permit shall be acted upon in accordance with the following provisions.

4930. Procedures. Applicants for Open Space Residential Development shall file with the Planning Board eight (8) copies of the following. The required submittals shall be in addition to any other requirements of the Subdivision Control Law or any other provisions of this Zoning By-Law.

4931. A Development Plan conforming to the requirements for a preliminary subdivision plan under the Subdivision Regulations of the Planning Board. Such plan shall also indicate proposed topography, and the results of deep soil test pits and percolation tests in accordance with the rules and regulations of the Planning Board governing subdivision control. The Planning Board shall refer data on waste water disposal to the Board of Health for their review and recommendation.

4932. Any additional information required by the Planning Board to make the determinations and assessments cited in Sections 4940 and 4950 below:

4940. The maximum number of lots allowed shall be limited to the number of single family house lots that could be created in a subdivision on the site in full conformance with all zoning, subdivision, and other applicable state and local regulations, and without the proposal of extraordinary engineering measures. Where the maximum number is in doubt or dispute, the determination of the Planning Board shall be conclusive for all purposes.

4950. Modification of Lot Requirements. The Planning Board may authorize modification of lot size, shape and other dimensional requirements for lots within an Open Space Residential Development, subject to the following limitations:

4951. Lots having reduced area or frontage must have frontage on a street created by a subdivision which is the subject of the application under this section.

4952. Each lot shall contain not less than 30,000 square feet including at least 10,000 square feet of upland lot area and have frontage of not less than 75 feet. Setbacks for principal buildings shall be as follows:

front yard 20 feet
side yard 15 feet
rear yard 20 feet

Accessory structures shall be set back 10 feet from lot lines and shall not be allowed within the front yard.

4953. A minimum of 30% of the Open Space Development tract shall be set aside as common open space. Such minimum common open space shall consist of contiguous land exclusive of any area within the lots and exclusive of any wetlands as defined by M.G.L. Ch 40s. 131. Such open space may be separated by the road(s) constructed within the Open Space Residential Development. At a minimum, a fifty (50) foot open space buffer shall be created around the perimeter of the development.

4954. Any land proposed to be designated as common open space shall be left substantially in its natural state or in a restored state if it has previously been disturbed. The applicant shall by appropriate legal instrument, enforceable by the Town of Boxborough, and recorded in the Registry of Deeds, provide for the permanent protection and maintenance of the common open space within the development. The applicant shall convey such common land to an association trust or corporation of all the owners of the lots within the development. The homeowner's association shall be responsible for the permanent ownership and maintenance of all common open space. A homeowner's association covenant shall

provide that in the event that the association fails to maintain or pay taxes on the open land, the Town may place a lien on all lots within the development. Such agreements shall be subject to the Planning Board and Town Counsel's approval.

4960. Decision. The Planning Board may approve, approve with conditions, or deny an application for an Open Space Residential Development in accordance with Section 5300 of the Zoning By-Law (governing special permits). In order to issue a special permit for an Open Space Residential Development, the Planning Board must find that:

4961. The proposed development conforms with the purpose and intent of the Open Space Residential Development Bylaw;

4962. The proposed buildings are designed in harmony with the natural features of the site. The site plan, to the extent possible, preserves the topography, views, vistas, wildlife habitat, significant trees or stands of trees, wetlands, brooks, water bodies historic or archeological sites, trails and cart paths located on the site;

4963. The overall design and site plan of the Open Space Residential Development is superior to that of a conventional subdivision and warrants special consideration for modification of existing standards;

4964. The Open Space Residential Development is adequately buffered from neighboring houses;

4965. The Open Space is of a size, shape and dimension suitable for passive recreation, conservation or agricultural purposes for use of the homeowner's association; and

4966. The plan complies with applicable Subdivision Rules and Regulations.

Or take any other action in relation thereto.

The Finance Committee Recommends.

This article provides for an alternative development of Agricultural-Residential land in order to preserve larger areas of open space in Town.

ACTION ON ARTICLE 36, May 19, 1999. Mr. Taylor read the "Report of the Planning Board," as follows:

In accordance with MGL Chapter 40A Section 5, the Planning Board conducted a public hearing on March 23, 1999 to review Article 36.

The proposed article would allow single-family development on smaller lot sizes than conventional zoning in exchange for the permanent preservation of open space. The Planning Board has proposed this type of development in the past, however, the proposal did not receive the 2/3rds approval required for passage. Since the last proposal, the town has increased the minimum lot size requirement in the AR District from 40,000 square feet to 60,000 square feet. The minimum lot size for an OSRD has been increased from 20,000 square feet to 30,000 square feet. The Planning Board has added criteria so that an OSRD cannot be developed into more lots than can be developed under a conventional subdivision. In addition, provisions for screening and buffering have been added to the By-law.

There have been several recent development proposals where this bylaw could have been used to protect unique open space areas. At recent town meetings the town has spent a significant amount of money for the preservation of open space. This bylaw would provide another tool to protect open space.

Therefore, the Planning Board unanimously recommends approval of Article 36.

THE BOXBOROUGH PLANNING BOARD:

Richard Scarlet, Chairman

Anthony D'Agostino, Member

Bruce Taylor, Clerk

John Markiewicz, Member

Jennie L. Rawski, Member

The Town would like to find a way to preserve open space; 30% of the development would remain as open space and the 30% cannot include wetlands. The Town would have to be convinced that this type of development is the best for that piece of land. The open space need not be open to the public; it would also be less expensive for the developer as he does not have to build as much roadway. Mr. Hanover made a motion to move the question. This motion carried. Mr. Taylor's motion to amend the Boxborough Zoning Bylaw by adopting a new Section 4900 Open Space Residential Development to read as printed in the warrant under Article 36 failed to carry by roughly a tie vote.

Richard Stewart made a motion to take up more articles after 10:30 p.m. This motion did not carry.

ARTICLE 37 FENCES AND STRUCTURES

(2/3 vote required)

To see if the town will vote to amend the Boxborough Zoning By-Law definition of structures as follows: Structure shall mean anything constructed or erected, the use of which requires fixed location on or under the ground. Structure shall not include landscape features such as 'fences no greater than six feet in height,' bird baths, driveways, detached stiles, open terraces, ornamental pools, outdoor fireplaces, planting boxes, shelters for household pets, tool houses having not more than 125 square feet of floor area, sculpture, residential lamp posts, mailboxes, and dry hydrants; and fences no greater than six feet in height set back from the property boundary an adequate distance to allow all maintenance of the fence by the owner on the owner's property as determined by the Building Inspector.

Town Counsel stated that "Stonewalls are listed as structures in the bylaw. 'Structure' is in the definition section. Kathy's motion does not fit in that section." Mr. Follett made a motion to move the question. That motion carried. Ms. Vorce's motion to amend did not carry. Mr. Fallon made a motion to move the question. This motion carried. Mr. Taylor's motion, as read, carried by an uncounted two-thirds vote.

Approved by the Attorney General on August 9, 1999.

This session of the Town Meeting adjourned at 11 p.m. and reconvened on Thursday, May 20th at 7:30 p.m. with 80 voters in attendance.

The Planning Board Recommends.
The proposed article would define fences over six feet in height as structures and as such they would be required to meet one-half the setback requirement. Fences six feet in height or shorter could be erected on the lot line, and no building permit would be required to erect a fence.

The Finance Committee does not Recommend.

Fences in town do not need to be regulated to this degree.

ACTION ON ARTICLE 37, May 19, 1999. Mr. Taylor read the "Report of the Planning Board," as follows:

In accordance with MGL Chapter 40A Section 5, the Planning Board conducted a public hearing on March 23, 1999 to review Article 37.

The Board of Appeals and the Inspector of Buildings requested that the Planning Board define fences in the Zoning By-Law because of different interpretations of whether a fence is a structure. The proposed article defines fences over six feet in height as structures; and as such, they must meet one-half the setback requirement and a building permit is required. Fences six feet and under would not require a building permit and there would be no set back requirements for such fences.

Therefore, the Planning Board unanimously recommends approval of Article 37.

THE BOXBOROUGH PLANNING BOARD

Richard Scarlet, Chairman

Anthony D'Agostino, Member

Bruce Taylor, Clerk

John Markiewicz, Member

Jennie L. Rawski, Member

The Finance Committee now recommends passage of this article. Mr. Taylor made a motion that the town vote to amend the Boxborough Zoning Bylaw definition of structures as printed in the warrant under Article 37. Ms. Vorce made a motion to amend this article by taking out "fences no greater than six feet in height," before "bird baths" and move that to the end, substituting a " " after "dry hydrants" and adding as underlined, so that it reads:

"Structure shall mean anything constructed or erected, the use of which requires fixed location on or under the ground. Structure shall not include landscape features such as 'fences no greater than six feet in height,' bird baths, driveways, detached stiles, open terraces, ornamental pools, outdoor fireplaces, planting boxes, shelters for household pets, tool houses having not more than 125 square feet of floor area, sculpture, residential lamp posts, mailboxes, and dry hydrants; and fences no greater than six feet in height set back from the property boundary an adequate distance to allow all maintenance of the fence by the owner on the owner's property as determined by the Building Inspector.

Town Counsel stated that "Stonewalls are listed as structures in the bylaw. 'Structure' is in the definition section. Kathy's motion does not fit in that section." Mr. Follett made a motion to move the question. That motion carried. Ms. Vorce's motion to amend did not carry. Mr. Fallon made a motion to move the question. This motion carried. Mr. Taylor's motion, as read, carried by an uncounted two-thirds vote.

Approved by the Attorney General on August 9, 1999.

This session of the Town Meeting adjourned at 11 p.m. and reconvened on Thursday, May 20th at 7:30 p.m. with 80 voters in attendance.

ARTICLE 38 EARTH REMOVAL BY-LAW AMENDMENTS

(Majority vote required)

To see if the Town will vote to amend Section III of the Earth Removal By-law as follows:

a) Add a new C: The Inspector of Buildings may permit the removal of up to 200 cubic yards of earth from a site when such earth removal is necessary in connection with the construction of a building, driveway or roadway, provided that no loam is removed from the Town of Boxborough. Reletter existing C. to D. and revise the first sentence as follows:

D. Without a public hearing, the Board may issue permits for the removal of more than 200 cubic yards of earth for the following purposes provided the activities are not in violation of any other By-law of the Town.

Or take any other action in relation thereto.

The Planning Board Recommends.

This amendment would allow approximately 10 truck loads of earth material to be removed from a building site without requiring an earth removal permit from the Planning Board.

The Finance Committee Recommends.

This article will clarify the intent of the original by-law and bring the Zoning Bylaw in line with current practice.

ACTION ON ARTICLE 38, May 20, 1999. Mr. Scarlet read the "Report of the Planning Board," as follows:

Although not required by law, the Planning Board conducted a public hearing on March 23, 1999 to review Article 38.

This amendment would allow approximately ten truckloads of earth material to be removed from a building site without requiring an earth removal permit from the Planning Board. This is a typical amount of earth removed for the construction of a single-family dwelling.

Therefore, the Planning Board unanimously recommends approval of Article 38.

THE BOXBOROUGH PLANNING BOARD

Richard Scarlet, Chairman

Bruce Taylor, Clerk

Anthony D'Agostino, Member

John Markiewicz, Member

Jennie L. Rawski, Member

On Mr. Scarlet's motion, the Town did vote, unanimously, to amend Section III of the Earth Removal General By-law as printed in the warrant under Article 38.

Approved by the Attorney General on August 9, 1999.

ARTICLE 39 PATCH HILL ROAD PARCELS A & 2B

(Majority vote required)

To see if the Town will vote to accept a gift for conservation purposes pursuant to M.G.L. ch. 40, s. 8C, of certain parcels of land situated in Boxborough, Middlesex County, Massachusetts, being Lot 2B and Parcel A on a plan entitled: "Plan of land in Boxborough, Mass. (Middlesex County)," prepared for Sudbury Valley Inc. by Michael R. Mische P.L.S. at a scale of 1" = 40' dated January 1994, and recorded in Middlesex South District Registry of Deeds in Book 24297, Page 465. Lot 2B contains 2.314 acres of land, more or less, according to said plan; and Parcel A contains 4,386 square feet of land more or less.

or take any other action in relation thereto.

The Finance Committee Recommends.
This land will provide access from Depot Road to a large tract of Town owned land.

ACTION ON ARTICLE 39, May 20, 1999. This is consistent with the Town's plan for open space and conservation. On Ms. Rawski's motion, the Town did vote, unanimously, to accept a gift for conservation purposes as printed in the warrant under Article 39.

ARTICLE 40 PIERCE LANE

(Majority vote required)

To see if the Town will vote to accept the laying out and establishment as a Town Way, a way known as Pierce Lane, together with the right to install, maintain, replace and repair all drainage structures constructed in the way and in appurtenant drainage easements and to discharge surface and subsurface drain water in the appurtenant drainage easements, with the boundaries and measurements of the way shown on the plans entitled: "Definitive Subdivision Plan of Land in Boxborough, Mass.," Developer: Habitech, Inc., Engineer: Bill Boston Survey, Inc. P.O. Box 384, West Groton, MA 01472, Date: November 1994, as revised 1-24-96, recorded with Middlesex South District Registry of Deeds as Plan No. 242 of 1996, in Book 26171, Page 498, and to which plan reference may be had for a more particular description of said Pierce Lane; and "As Built Plan and Profile in Boxborough, Mass. for Habitech, Inc." prepared by Bill Boston Survey, Inc., dated October 23, 1997.

And to authorize the Selectmen to acquire for highway purposes the fee or any lesser interests as well as easements for drainage or otherwise in any of the lands that may be necessary for such Town Way,

Or take any other action in relation thereto.

The Finance Committee Recommends.

The Town has already accepted a portion of Pierce Lane. This article provides for the Town to assume responsibility for all of this road.

ACTION ON ARTICLE 40. May 10, 1999. This article carried by a unanimous vote on Mr. Wheeler's motion under the consent calendar.

ARTICLE 41 OLD HARVARD ROAD - LAND GIFT

(Majority vote required)

To see if the Town will vote to accept a gift for conservation purposes pursuant to M.G.L. ch. 40, s. 8C, of certain parcels of land situated in Boxborough, Middlesex County, Massachusetts, being Lot 4 on a plan entitled: "Plan of land in Boxborough, Mass. (Middlesex County)," prepared for Sudbury Valley Trustees Inc. by Stanski and McNary, Inc. at a scale of 1" = 60' dated 12/23/98. Lot 4 contains 22.07 acres of land, more or less, according to said plan.

or take any other action in relation thereto.

The Finance Committee Recommends.

This parcel abuts the large Wolf Swamp Conservation Area.

ACTION ON ARTICLE 41, May 20, 1999. Ms. Rawski read the "Report of the Planning Board," as follows:

The Planning Board recommends that this land be accepted as a gift for conservation purposes. The parcel abuts the Wolf Swamp conservation land. The land from which this parcel was created was originally under Chapter 61. The town transferred its right of first refusal to Sudbury Valley Trustees, a non-profit conservation organization. The land was subdivided into three house lots: one lot containing the existing house; and two additional lots with reduced frontage on Old Harvard Road. Sudbury Valley agreed to preserve 22 acres of the total parcel as open space. This article would convey the 22 acres of land not included in the house lots to the town for conservation purposes in accordance with the agreement between the Conservation Commission and Sudbury Valley Trustees.

The acquisition of this land is consistent with the goal of providing contiguous open space specified in the 1997 Open Space and Recreation Plan.

THE BOXBOROUGH PLANNING BOARD

Richard Scarlet, Chairman
Bruce Taylor, Clerk
Anthony D'Agostino, Member
John Markiewicz, Member
Jennie L. Rawski, Member

On Ms. Rawski's motion, the Town did vote, unanimously, to accept a gift for conservation purposes the land referred to as Old Harvard Road as printed in the warrant under Article 41.

ARTICLE 42 DECK HOUSE LOT 10A

(Majority vote required)

To see if the Town will vote to accept a gift for conservation purposes pursuant to M.G.L. ch. 40, s. 8C, of a certain parcel of land situated in Boxborough, Middlesex County, Massachusetts, being Lot 10A on a plan entitled: "Plan of Land in Boxborough, Mass. (Middlesex County)" for Deck House, Inc. by Stanski and McNary dated February 3, 1988, Scale: 1"=40', and recorded in Middlesex South District Registry of Deeds in Book 19222, Page 21. Lot 10A contains 42,545 square feet of land, more or less, according to said plan,

or take any other action in relation thereto.

The Finance Committee Recommends.

This article is the least expensive method of acquiring this land.

ACTION ON ARTICLE 42, May 20, 1999.

Ms. Rawski read the "Report of the Planning Board," as follows:

The Planning Board recommends that this land be accepted as a gift for conservation purposes. The developer of Deck House agreed to offer this lot to the Town when they were going through the approval process for the Deck House (Stonehedge) subdivision. This offer fulfills the developers legal obligation to give the land to the Town.

The acquisition of this land is consistent with the goal of acquiring additional land for open space in neighborhoods specified in the 1997 Open Space and Recreation Plan.

THE BOXBOROUGH PLANNING BOARD

Richard Scarlet, Chairman
Bruce Taylor, Clerk
Anthony D'Agostino, Member
John Markiewicz, Member
Jennie L. Rawski, Member

On Ms. Rawski's motion, the Town did vote, unanimously, to accept a gift for conservation purposes the land referred to as Deck House Lot 10A as printed in the warrant under Article 42.

ARTICLE 43 CAPITAL IMPROVEMENTS - SNOW PLOWS

(Majority vote required)

To see if the Town will vote to raise and appropriate, or appropriate from available funds, or authorize debt in the amount of Ten Thousand Dollars (\$10,000), more or less, for the purpose of acquiring two new snow plows for the big trucks for the Highway Department.

The Board of Selectmen Recommends.

Two of the Town's four snow plows are rusting and beyond repair. They are 10 feet wide and should be replaced with 11 foot wide blades which are more durable and efficient. The current blades are 25 years old.

The Finance Committee Recommends.

The snow plows currently in use on the big trucks are twenty five years old and worn out; they need to be upgraded. As always, we commend Warren Morse on his frugality and his ability to get the most life out of the equipment under his care.

ACTION ON ARTICLE 43, May 20, 1999. On Mr. White's motion, the Town did vote, unanimously, to raise and appropriate the amount of Ten Thousand Dollars (\$10,000) for the purpose of acquiring two new snow plows for the big trucks for the Highway Department.

ARTICLE 44 CABLE TELEVISION CONTRACT NEGOTIATION EXPENSES

(Majority vote required)

To see if the Town will vote to raise and appropriate, or appropriate from available funds, or authorize debt in the amount of Five Thousand Dollars (\$5,000), more or less, for the purpose of acquiring consulting services and related supplies to start our cable license renewal process.

The Board of Selectmen Recommends.

This money will be used to hire technical and legal assistance for the Boxborough Cable Advisory Committee as it negotiates for renewal of our Cable Contract. This funding will also be used to print and distribute a cable need assessment survey to be sent residents of the Town.

The Finance Committee Recommends.

The Town's cable contract is up for re-negotiating in two years. These funds will cover consulting, legal and mailing expenses to help the Town maximize the service, value and benefits it gets from the next cable contract it signs.

ACTION ON ARTICLE 44, May 20, 1999. On Mr. White's motion, the Town did vote to raise and appropriate the amount of Five Thousand Dollars (\$5,000) for the purpose of acquiring consulting services and related supplies to start our cable license renewal process.

ARTICLE 45 GEOGRAPHIC INFORMATION SYSTEM CONSULTANT
(Majority vote required)

To see if the Town will vote to raise and appropriate, or appropriate from available funds, or authorize debt in the amount of Five Thousand Dollars (\$5,000), more or less, for the purpose of acquiring consulting services to start the process of evaluating the needs of the Town for a GIS system.

The Finance Committee Does Not Recommend.

While the Finance Committee agrees with the need for town investment in GIS capability, we see neither a coherent plan nor a town employee/official who has unambiguous responsibility for investigating this need. The Finance Committee suggests that the Board of Selectmen identify an individual or group with responsibility for planning investments of personnel and money in GIS systems. We would be happy to support consulting or other resources for such an individual or group in a likely Fall Town Meeting.

ACTION ON ARTICLE 45, May 20, 1999. The Finance Committee does not recommend this article as they feel that it was too vague when presented. Mr. Bunyard stated that a GIS system is necessary; we should look at ways to regionalize. Ms. Cannon said that a Town resident has already volunteered to head a committee to find the needs of the different departments. Part of the funds will be used for a committee to develop a database on the computer. Mr. Scarlet stated that there were some programs available through the State. Ms. Cannon stated that if we have a volunteer that we should pay for them to go to seminars; they will do the leg work, but it will cost money to get all the information together. Mr. Stewart made a motion to move the question. This motion carried unanimously. On Mr. Wheeler's motion, the Town did vote to raise and appropriate the amount of Five Thousand Dollars (\$5,000.00) for the purpose of acquiring consulting services to start the process of evaluating the needs of the Town for a GIS system.

ARTICLE 46 YEAR TWO THOUSAND (Y2K) REMEDIATION

(Majority vote required)

To see if the Town will vote to raise and appropriate, or appropriate from available funds, or authorize debt in the amount of Ten Thousand Dollars (\$10,000), more or less, for the purpose of acquiring equipment that fails to perform as necessary because of year 2000 operating problems.

The Board of Selectmen Recommends.

Our municipal computer systems and devices dependent on date-sensitive embedded computer chips that are non-compliant and might fail in the Year 2000. The Town has been involved in a Y2K audit to try to determine all the devices and computers that might fail and how to address the failure. In spite of this effort, some items may need to be replaced and this contingency amount would be able to provide for those items on an efficient and speedy basis. Some items affected might be emergency equipment. It is a recommended article and action by the Massachusetts Division of Local Services. This special fund can be closed out once the purposes for which it was created have been accomplished.

The Finance Committee Does Not Recommend.
After questioning town employees with responsibility for health, safety, communications, and computer resources, we can find no compelling issues or rationale for specific expenditures of this type. Should unexpected problems occur with specific equipment, that are not covered by provider service contracts or warranties, the Finance Committee will entertain reserve fund transfers to cover such remediation expenses.

ACTION ON ARTICLE 46, May 20, 1999. Mr. Wheeler made a motion to pass over this article. The Finance Committee will work with the Selectmen at a later date. Mr. Wheeler's motion to pass over this article, carried unanimously.

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

Hereof, fail not and deliver these Warrants with your return of service thereon to the Town Clerk on or before April 23, 1999.

BOARD OF SELECTMEN

Donald R. Wheeler, Chairman

Mark R. White, Clerk

Anne K. Canfield

Sandra W. Pitcher

Thomas A. Steele

Posted: April 22, 1999, by David L. Birt, Constable

**WARRANT AND PROCEEDINGS
OF THE SPECIAL STATE PRIMARY ELECTION
FOR REPRESENTATIVE IN GENERAL COURT
HELD ON SEPTEMBER 28, 1999**

Middlesex, SS.

To either of the Constables of the Town of BOXBOROUGH

GREETING:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Elections to vote at

WARD 1 PRECINCT 1
BOXBOROUGH TOWN HALL

on TUESDAY, THE TWENTY-EIGHTH DAY OF SEPTEMBER, 1999 from 7:00 a.m. to 8:00 p.m. for the following purpose: