

Town of Boxborough Massachusetts



OFFICIAL WARRANT

**ANNUAL TOWN MEETING – 7:00 PM
INCLUDING SPECIAL TOWN MEETING – 7:15 PM
MONDAY, MAY 12, 2025**

CONTINUATION DATES, IF NEEDED
**TUESDAY, MAY 13, 2025 – 7:00 PM
WEDNESDAY, MAY 14, 2025 – 7:00 PM
THURSDAY, MAY 15, 2025 – 7:00 PM**

Voter check-in begins at 6:30 PM

Blanchard Memorial School, Gymnasium
493 Massachusetts Ave. Boxborough

Please bring this Warrant to the Annual Town Meeting



**TOWN OF BOXBOROUGH
MAY 12, 2025
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ANNOUNCEMENTS

Annual Town Election

Tuesday, May 20, 2025

7:00 AM – 8:00 PM

Town Hall, Grange Room

29 Middle Road

Message from Treasurer's Office

To improve efficiency and reduce costs, Boxborough has updated its taxpayer invoicing schedule. While tax payments will continue to be due **quarterly**, we now issue invoices **twice a year** instead of four times.

What This Means for You:

- You will receive **two invoices per year** instead of four.
- You will receive **two return envelopes** with each invoice instead of one.
- Payment deadlines remain **quarterly** (e.g., February, May, August, November).
- This change helps reduce administrative costs and paper usage, benefiting taxpayers.

Your invoice will clearly outline all due dates and payment details to ensure a smooth transition. If you have any questions, please contact the Treasurer/Tax Collector at treasurercollector@boxborough-ma.gov. Thank you for your cooperation as we work to serve you more efficiently!

Town Hall will be collecting for the Acton Food Pantry

WWW.ACTONFOODPANTRY.ORG

Current needs

Cereal	Flour	Nuts
Spaghetti Sauce	Canned Tomatoes	Adult Depends Size S & M
Juice Boxes	Canned Fruits	Tissues
Mac & Cheese	Fruit Cups	Diapers Size 5 & 6
Kids Snacks	Jelly	

Citizens' Academy

Boxborough Citizens' Academy continues its second year in September and runs through early December. The program is designed to expose residents to the various Town departments so they can gain a better understanding of how municipal government works. Through presentations, discussions, and visits to Town departments, participants have the opportunity to hear from various directors and managers and stakeholder groups to learn about the operations of Town programs and services. It is intended as a two-way dialogue between Town staff and residents. Participants discover new opportunities for public involvement and the role they can play in Town government. Topics include Fire and Emergency Services, Town Meetings and Elections, Public Works, Police, Human Services, Town Finances, Library Services, and more. The Academy is an annual Town program, held once a week in the evenings, and enrolls approximately 25-35 residents. If you are interested in participating, please contact Rajon Hudson, Assistant Town Administrator at rudson@Boxborough-ma.gov or 978-264-1718.

Fire Station Building Project

Stay informed – visit <https://www.boxborough-ma.gov/727/Fire-Station-Building-Committee>

MBTA Communities

In 2021, the Commonwealth of Massachusetts approved a modification to MGL Chapter 40A (Zoning Act). This modification adds new provisions referred to as the MBTA Communities Zoning Law – that requires communities with access to MBTA amenities such as Commuter Rail, Rapid Transit Subway, Ferry or Bus service to provide multi-family zoning. By December 2025, the Town of Boxborough must find an appropriate region for this zoning. To follow our process, share your feedback, and help us select the appropriate zoning location, please visit <https://bit.ly/BoxboroughMBTA>.

Boxborough News: Our Town, Our News, Our Voices

Boxborough News is an independent, volunteer-run news project committed to neutral reporting of town news and information. We publish news articles, community stories, and information about local events each Friday on www.BoxboroughNews.org. We also publish a free weekly email newsletter. Subscribe at <https://www.boxboroughnews.org/subscribe>.

I-495 Route 111 Bridge Replacement

Stay informed – visit <https://www.boxborough-ma.gov/> under “Latest News” for MassDOT updates.

Littleton-Boxborough Watermain Project

Stay informed – visit <https://www.lelwd.com/boxborough-water-main/> for latest updates on the waterline project.

New to Boxborough? Welcome!

Visit <https://www.boxborough-ma.gov/DocumentCenter/View/5010/Boxborough-New-Resident-Quick-Reference-Guide-PDF> to find information about the town that you might want as a new Boxborough resident.

Boxborough Connects (MART Van)

The “Boxborough Connects” public transportation service, operated in collaboration with Montachusett Regional Transit Authority (MART), runs an itinerary along Route 111 including a dedicated stop at The Acton Food Pantry on Thursdays. The service runs Monday through Friday, from 7:30 a.m. to 6 p.m., cost is \$1 per passenger per ride. Tickets can be purchased when boarding the bus (cash only) or at Boxborough Town Hall. Ages ten and up can ride the MART alone, younger siblings can ride with an adult or with an older sibling.

Information about specific routes, stops, and times are provided on the Boxborough Connects schedule, available on the Town website at

<https://www.boxborough-ma.gov/721/Transportation-in-Boxborough---Boxborough>

TOWN OF BOXBOROUGH TOWN MEETING: A GUIDE FOR RESIDENTS

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

WELCOME TO TOWN MEETING.

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

Remember: YOU Are the Town Government.

What is Town Meeting?

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

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

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

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

When is Town Meeting?

Boxborough's Annual Town Meeting is usually held in May. The Annual Town Meeting includes the Town's annual operating budget for the fiscal year that begins on July 1st. Boxborough conducts a second "Special" Town Meeting typically during the fall to take up other business that may include current fiscal year budget expenditures and other items of interest not covered during the Annual Meeting.

What is the Warrant?

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

What about the Election?

Although it is held at a separate place and time, at Town Hall on the Tuesday in May after the Annual Town Meeting opens, the election is the part of Annual Town Meeting at which Town officials are elected. Some Town Meeting expenditures and sometimes other items require both an affirmative vote at Town Meeting as well as the passage of a ballot question. Tax and debt exclusion overrides are decided by election ballot. A debt exclusion exempts from the

Prop. 2 1/2 limits the amounts borrowed for the duration of the loan; a capital outlay exclusion exempts the amount for a specific item, while an operating override raises the tax cap permanently.

Who Participates in Town Meeting?

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

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

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

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

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

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

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

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

What Happens at Town Meeting?

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

Motion: First the Moderator asks for a motion concerning the article, and a motion is made, generally by the person who put the article on the warrant, recommending action to be taken on the article. The motion is then seconded.

Voters should listen closely to the motion as stated since the vote and debate is on the motion which may be slightly different than the article as printed in the warrant. The mover then takes the floor and makes a presentation offering background on the article and reasons that it should be passed. The Moderator then asks for the recommendations on the article which are provided by the Finance Committee and other reporting committees.

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

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

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

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

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

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

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

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

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

Selected Common Parliamentary Motions:

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

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

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

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

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

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

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

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

Selected Quotes:

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

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

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

Prepared by former Boxborough Moderator John Fallon with updates by current Boxborough Moderator Dennis

May 12, 2025

Tellers were sworn in: Kathy Luce, Heather Fleming, Mary Sullivan, Susan Bak, Christine Marlow, and Than Stuntz. John Fallon, was sworn in as Assistant Town Moderator and Teller for the overflow room, along with Teller, Sarah Murphy (overflow room was not used).

Call to Order by Elected Town Meeting Moderator, Dennis Reip at 7:19 pm. A total of 445 registered voters checked in on night 1.

On behalf of all the elected and appointed officials of the Town, Mr. Reip welcomed and thanked everyone for coming to this Annual Town Meeting.

Opening Ceremony:

Everyone stood for the Star-Spangled Banner Sung by the Blanchard Memorial Vocal Ensemble under the direction of Margie Callaghan. Yashni Umapathi and Nafi Legesse led us in the voluntary Pledge of Allegiance.

Introductions:

Moderator Reip introduced the people involved with the business of TM: Town Clerk Rebecca Harris and Town Counsel Joseph (Joe) Fair and Jonathan Eichmann from KP Law. Town Administrator Michael Johns and Chair of the Select Board Kristin Hilberg were introduced. Ms. Hilberg introduced the other members of the Select Board: Vice Chair, Priya Sundaram, Robert Stemple, David McKiernan, and Wes Fowlks.

Mr. Reip introduced the Finance Committee Chair, Antony Newton, who introduced the remaining members: Vice-Chair and Clerk, John Connor, Maria Neyland, Gary Kushner, Becky Neville, Joseph Stulpin, John Greven, and Keshava Srivastava.

Rajon Hudson, Assistant Town Administrator and Kelley Price, Administrative Assistant, and Town Finance Director, Honghoa Le are down in front running the projector, so we can all see the motions and presentations.

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

We also have numerous town department heads and staff, our chiefs of police and fire, as well as members of volunteer boards and committees on hand to speak to some of the motions as needed.

This meeting is being broadcast live and is also being recorded for on demand viewing on BXBTV by Littleton Community Television (LCTV). Thank you to Mark Crory, LCTV's Executive Director, Kirby Dolak, LCTV's Video Production Supervisor, LCTV's Video Program Coordinators, Judy Reid and Nicolas Casaletto, BXBTV Media Technicians, Rob Crory, David Astolfi, and Sophie Loree, and Diane Douglas, photographer and logistics coordinator.

Michael Johns, Town Administrator gave Kirby Dolak a lifetime achievement award and thanked him for his many years of service. Select Board Chair, Kristin Hilberg thanked him for all of his service and gave him a photograph signed by all the staff and boards and committee members.

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

In addition to the fine work of our paid staff, one reason this Town runs so well is the dedicated work of literally hundreds of volunteers who so generously contribute countless hours of their time.

Announcements

Please silence all electronic devices.

Non-voters over the age of 18 need to sit in the BACK of the hall in the area marked off to the side on the right as you are facing the stage.

TM will be tonight, and if you approve the proposed procedural motion a bit later on, will continue, if needed, to tomorrow Tuesday May 13th, Wednesday May 14th and Thursday May 15th.

Boxborough's Municipal Election is TUESDAY, May 20th, 7:00am to 8:00 pm at Town Hall. There is a contested race for two seats on the Select Board and Planning Board and Library Trustees along with unopposed candidates seeking election or re-election to the School Committee, Constable, Town Clerk and Town Moderator. Please consider the candidates and VOTE next week.

Town Meeting Process

The agenda for this meeting is the Warrant. Everything we discuss at this meeting is contained in the warrant.

This is not the public comment section of a Select Board or Planning Board meeting nor is it a public forum or public hearing.

We will not be discussing anything that is not already identified in the Warrant.

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

The Warrant includes summaries and recommendations for each article.

In addition to the Warrant, material on the tables at the back of the hall include the 2024 Town Report and Guide to Town Meeting and Planning Board report and supplementary information on the School Budget. These documents along with some of the presentations and supplementary information are available on the Town's website at www.boxborough-ma.gov.

Mr. Reip explained that his job as Moderator is to be the presiding officer of this legislature. The Boxborough Town Meeting process is guided by Town Meeting Time, a handbook of parliamentary law prepared by the Massachusetts Moderators Association.

He is here to ensure that Town Meeting is:

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

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

Civil: Everyone listens respectfully.

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

Relevant: All the discussion, motions, and amendments must be "within the four corners" of the motion on the floor, and voters must be notified in advance of the items to be discussed at Town Meeting by way of the Warrant.

Please be aware that we vote on MOTIONS which might be slightly different from the wording of the Articles printed in the warrant.

The motions will be displayed on the screen.

Starting on page 8 of the Warrant you will find the Town Meeting Guide which summarizes the process with some of the most common motions listed.

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

Four key points:

a) To be recognized and speak you need to be at one of the alternating microphones; this year we will have a “yes” microphone and a “no” microphone.

b) Speakers are limited to 3 minutes and we run a clock for all to see here up on the screen.

c) All discussion must be relevant to the Motions on the floor

d) Mr. Reip will call for a vote when no one is standing at microphone. If someone wants to end debate before that they need to come to a microphone and say “I move the question”

Sponsors of the article cannot move the question. You cannot make comments at the mic, and then immediately move the question.

Mr. Reip may call for votes to be made simply by voice, ye or nay, or a show of hands using the green cards, or if necessary, by a standing count.

All voters should have received a “bright green” card when you signed in.

When he asks for a vote by a show of hands, he will ask you to raise the card to make it easier to see your hand.

Under town by-law Mr. Reip has the ability to declare a majority or a 2/3 vote using the voice vote or show of hands vote methods. If he does so, and seven of you think he was in error, please say so immediately and we will have a standing counted vote instead.

Note: if anyone has a question about process you can stand in place and say “Point of Order” in a loud voice and direct your question to me.

Except for a point of order, you MUST be at a microphone to ask a question, make a comment, or make a motion to move the question.

We will have two microphones tonight. “yes” and “no”. Mr. Reip will be recognizing people to speak in an alternating fashion. He will refer to these as the microphone to his right (your left), and the microphone to his left (your right). Please note the beige color chairs along the aisles directly behind each microphone. These chairs are provided for people waiting in line at the microphones.

Please remember to keep the discussion CIVIL and disagree without being disagreeable.

We also refrain from applause, boos, cheer or jeers of any kind.

Boxborough has a long tradition of civility at TM.

Let’s continue with this tradition here tonight.

Consent Agendas:

In an effort to streamline Town Meeting, we will continue with the use of Consent Agendas.

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

This year, there will be 5 separate Consent Agendas as listed on page 13 of the Warrant.

I’ll explain the detailed process for acting on the Consent Agendas when we get to the first one.

Special Town Meeting

Many may be wondering about the Special Town Meeting being held as part of the Annual Town Meeting.

The Annual Town Meeting is intended to address items and proposed expenditures for the Town's FY2026 that starts on July 1, 2025 and runs through June 30, 2026.

The Special Town Meeting is intended to address immediate items of business, and proposed expenditures for the current FY2025 which started July 1, 2024 and runs through June 30, 2025.

May 12, 2025 ANNUAL TOWN MEETING ADMINISTRATIVE MOTIONS

Motion on Dates:

Kristin Hilberg, Select Board Chair, moved, and it was seconded, that any adjourned sessions of the May 12, 2025, Annual Town Meeting be held on Tuesday, May 13, Wednesday, May 14, Thursday, May 15, in the Blanchard Memorial School Gymnasium starting at 7 p.m. and further that no debate will begin on any new article after 10:30 p.m.

Discussion on the motion: none

Action on the motion: carried by a majority.

Motion on Reconsideration:

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

Discussion on the motion: none

Action on the motion: carried by a majority.

Motion on adjourning Annual Town Meeting:

Kristin Hilberg moved, and it was seconded, to adjourn the May 12, 2025 Annual Town Meeting until after the May 12, 2025 Special Town Meeting is dissolved. [Note: there is no need for this motion to call the special town meeting to order. That will be done by the moderator once the ATM is adjourned.]

Discussion on the motion: none

Action on the motion: carried by a majority.

Dennis Reip called the May 2025 Special Town Meeting to order at 7:39 pm on May 12, 2025.

He reminded everyone of the four corners concept in relation to Articles 1 and 2.

Kristin Hilberg moved, and it was seconded, that Special Town Meeting Article 2 be taken up as the first item of business of Special Town meeting, postponing action on Special Town Meeting Article 1 until action on Article 2 is complete.

Select Board Recommendation: recommends. Ms. Hilberg explained why the Select Board chose to do this in order to get more information in front of the voters on the Fire Station.

Tony Newton of the Finance Committee gave the recommendation: recommends.

Larry Grossman of the Fire Station Building Committee gave the recommendation: recommends. He explained that there have been many people working on this with consultants and engineers and there were many meetings and forums. The FSBC wants to be able talk about the many nuances of what the FSBC has been working on in order make clear to the voters all of the information that is available on the fire station and location.

Michael Johns gave the Capital Committee recommendation: recommends.

Discussion on the motion:

Brad Hampson of 49 Wheeler Dr. didn't support moving the Article out of order when we don't know if the zoning will allow it.

Al Murphy of Macintosh Ln. misunderstood what we were discussing.

Diana Lipari of 394 Littlefield Rd. said it doesn't make sense and it is unfair to change that at the last minute.

Cheryl Mahoney of Liberty Square Rd. supports moving Article 2 first because this is the chance for the professionals to provide the facts and due diligence research that has been presented. She explained that moving articles around is common and the warrant doesn't have to be followed exactly. It is common to move articles and pass over articles.

Robert Hendrie of Cobleigh Rd. said people came to vote on specific articles, and this is a bait and switch.

Kristin Hilberg of Hill Rd. reminded everyone that we will get to hear information on both articles. It is not a bait and switch because the facts don't change.

Brian Myrick of Littlefield Rd. said it seems that we came here expecting Article 1 to be discussed first and Article 2 is moot if we don't pass Article 1.

Dave McKiernan of Picnic St. explained why we need to take Article 2 first and that he had recommended this order originally. We need to decide if we want this fire station or not and the Planning Board can fix the Zoning Bylaw accordingly.

Mark Barbadoro of Old Harvard Rd. said the property hasn't been paid for or allowed on the parcel we would be voting on so it is irresponsible to vote to expend money on it.

Mary Nadwairski of Stonehedge Pl. moved the question, and it was seconded.

Motion to end debate carried by 2/3s.

Motion to take Article 2 before Article 1 out of order: failed by a majority. No votes 235, Yes votes 182.



TOWN OF BOXBOROUGH

SPECIAL TOWN MEETING

**MAY 12, 2025
7:15 PM**

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 accordance with the provisions of MGL Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA, on Monday, May 12, 2025 at 7:15 PM, to act on Articles 1 through 6 of this Special Town Meeting Warrant.

ARTICLE 1 MUNICIPAL GOVERNMENTAL ZONING ALLOWED ACROSS ALL ZONING DISTRICTS

(Two-thirds Vote Required)

Kristin Hilberg moved, and it was seconded, that Town vote to amend the Boxborough Zoning Bylaw to include Municipal Governmental zoning as follows:

1. In Zoning By-law Table of Uses 4.1.3.c, add Municipal Governmental as allowed use across all Districts, to include AR, R1, B, B1, OP, TC, and IC.
2. In Section 9.2 Terms Defined, add the following, “Municipal Governmental shall mean any structure or land used for municipal purposes by the Town of Boxborough, or any of its subdivisions, providing public services to, or for the residents of the Town.”

Summary

An apparent oversight in the Zoning By-law over the past forty years or more does not allow the construction of any municipal building in the Town of Boxborough. The Town’s Building Commissioner (also the Zoning Enforcement Officer) and Town Counsel have both confirmed that no municipal construction is allowed anywhere in Town, without a change to the current zoning. To avoid “spot zoning”, which is not in the best long-term interest of any community, the intention of this article is broad applicability of municipal use in all zoning districts.

The Select Board recommends (5-0-0). The Select Board unanimously recommends approval of this article to restore the town’s ability to build municipal facilities in town—something that was unintentionally lost during a bylaw re-codification in the early 90s. There is no record of either the Planning Board or Town Meeting discussing and/or deliberately removing municipal use as an allowed use in our Zoning Bylaws. This oversight has left the town without a zoning mechanism to construct municipal buildings anywhere in town.

This article simply restores the flexibility that originally existed in our bylaws. Most importantly, voting for this article does not bypass public involvement or oversight of future projects. Boxborough has a long history of establishing building committees who research such projects and manage extensive public outreach prior to bringing them to Town Meeting for consideration. Should a project receive an initial green light from Town Meeting to proceed, all municipal building project will continue to require a full site plan review, public hearings and Town Meeting approval, ensuring that residents have the final say in any decision.

The Finance Committee recommends (5-0-0). The Finance Committee unanimously recommends this article. This article is put forward to correct an oversight in the town Zoning By-laws.

No tax impact for FY26.

The Planning Board recommends (3-2-0).

Majority Opinion

The majority viewed the Article presented to the Planning Board as an “initiative petition” from the Select Board for administrative hearing and report by the Board according to the requirements of the law. The Board was obliged to investigate how it happened that the provision for municipal use in all zones that existed since the origin of the bylaw itself came to be changed in the period 1991/1992 and whether the alteration was intentional. Examination of the wording suggested even the possibility of a “typo” as the

cause, but further review of internal continuity of the bylaw, prevailing trends in other towns and ultimately recollections of then-members of the 1991/1992 Board were persuasive that the omission was unintended. At no time did the majority of the members understand that any other re-writing of this provision was invited, but that Town Meeting itself would decide the adequacy and acceptability of the proposed wording for the purpose of restoring what had been lost.

Minority Opinion

The Minority of the Planning Board (2 members) does not approve the adoption of the bylaw as written at this time.

The Planning Board has not had enough time to conduct the necessary review of the proposed regulation to ensure that it aligns with the current bylaws and does not conflict with other sections of the bylaw. The proposed bylaw may result in unintended consequences, putting residents and their property values at risk. The Planning Board has not obtained sufficient public input due to the rush to get this article to this Town Meeting.

The bylaw, as proposed, broadly impacts every resident in the town by allowing any kind of Municipal Use in any zoning district, so long as it is deemed to support a “public service.” The Town has changed and grown significantly from when the language allowing Municipal Uses in the Agricultural and Residential District was added to the Zoning Bylaw in the 1960’s. What was appropriate during that time may no longer fit the needs of the Town today.

We recommend that Town Meeting vote “No” on this article as proposed and allow the Board to take the necessary time to gather public input and conduct further research to define and determine what Municipal Uses are best located in which Zoning Districts. Only after that deliberate process, will the Planning Board be properly prepared to bring forth a zoning article that is unambiguous, well-defined, and better protects residents from unintended consequences.

The Planning Board’s recommendations do not constitute a formal report. A formal report will be prepared within 21 days of March 31, 2025 (the close of the public hearing).

Planning Board Report: Municipal Use Zoning Change (written April 14, 2025)

Background

In accordance with Massachusetts General Law (MGL) Chapter 40A Section 5 (the statute), the Boxborough Select Board (Select Board) initiated a proposed Zoning Bylaw amendment, referred to as Article 1 “Municipal Governmental Zoning Allowed Across All Zoning Districts” for the May 12, 2025 Special Town Meeting warrant. As required by statute, the Planning Board conducted a public hearing and delivers this report.

Article 1 was referred to the Planning Board by vote of the Select Board on February 24, 2025, sent to the Planning Board on February 27, 2025, and a public hearing was scheduled for March 17, 2025. A legal notice for this public hearing was posted on February 28 and March 7, 2025. Before holding the hearing, the Planning Board made several inquiries to Special Land Use Counsel. A report is required to be filed within 21 days following the close of that hearing, per MGL Ch. 40A, Sec. 5, and because the hearing was opened on March 17, 2025, continued to and closed March 31, 2025, this report must be submitted no later than April 21, 2025.

The need for a new firehouse has been investigated and reported on by various committees for years. However, the Select Board’s concern to initiate their Article arose when the Building Inspector informed them that in his opinion the Zoning Bylaw does not specifically list the use of a fire house in any zoning district. The Building Inspector further noted that the word “Governmental” is left out of the definition of “Education, Governmental or Religious” in the Zoning Bylaw, “therefore not allowing the fire house to be constructed anywhere in Boxborough.”

The consensus of the Select Board, Town Administrator and Town Counsel was to resolve the conflict through the inclusion of a “Municipal Governmental” use to all zoning districts, and to provide a corresponding definition for the same term.

Testimony Received

The public hearing was opened on March 17, 2025 and over 65 people attended, including members of the Planning Board. The hearing was continued on March 31, 2025 and over 55 people attended, also including members of the Planning Board. The following documents were entered into the record for review by the Planning Board:

- Article 1, as proposed by the Select Board;
- Zoning Opinion of the Building Commissioner;
- The opinion of Town Counsel on the Building Commissioner’s opinion;
- Individual Zoning Bylaws and excerpts from 1965 and 1990-1993;
- Warrant Articles and proceedings of Town Meeting, including Article 1 of 1965, Article 31 of 1991, and Article 32 of 1993;
- A legal opinion prepared by special land use counsel Adam Costa, in response to questions posed by Planning Board members and Mark Barbadoro, revised through March 17, 2025;
- Oral testimony provided by several participants throughout the hearing process;
- Written correspondence from Al Murphy, Elaine Olmstead, John Markiewicz, Les Fox, and Mark Barbadoro.

Board Decision

Following the close of the Public Hearing on March 31, the Planning Board recommended Article 1 by a vote of 3 to 2.

Majority Opinion

The Planning Board's Majority reviewed closely the Building Inspector's decision, the wording of the changes implemented by the 1991/1992 Warrant and the logical inconsistencies it created; considered that the wording might be the fault of a typographic error; inquired of a member of the 1991/1992 Planning Board as to the intent of the recodification (to clarify and make more user-friendly, only); compared other adjacent Town's Zoning Bylaws and where they provided for Municipal uses. At the conclusion the Majority determined that the omission was not intended. The hearing was well-attended and citizens spoke to both sides of the argument. At the conclusion a Majority of the members voted (1) it was their administrative duty to hear the initiative Article proposed by the Select Board and (2) it was their finding that the earlier omission was unintended, (3) the wording of the proposed Article was sufficient to restore the previous, intended locations for "municipal" or "governmental" uses to avoid inconsistencies within the Zoning Bylaw.

In the end, the Majority (1) did not think it was appropriate to commandeer the article of the Select Board which was fair on its face to be submitted to Town Meeting and (2) neither did the Majority feel that approving the article in any way obstructed the Planning Board from pursuing a further refinement of the location of municipal or governmental uses in Town. Therefore the Majority recommends both the approval of this Article by Town Meeting, and the further pursuit and development by the Planning Board of a careful identification of areas for locating municipal and governmental uses in Town.

The Majority believes failure to approve the proposed bylaw amendment may result in unintended consequences, putting residents and their property values at risk.

The Majority feels that further investigation is warranted, but adoption of Article 1 does not preclude the goals sought by the Minority.

Minority Option

The Minority of the Planning Board (2 members) does not approve the adoption of the bylaw amendment as written at this time.

The Minority believes the Planning Board has not had enough time to conduct the necessary review of the proposed bylaw amendment to ensure that it aligns with the current bylaws and does not conflict with other sections of the bylaw. The proposed bylaw amendment may result in unintended consequences, putting residents and their property values at risk. The Minority believes the Planning board has not obtained sufficient public input due to the rush to get this article to this Town Meeting.

The Minority believes the bylaw amendment, as proposed, broadly impacts every resident in the town by allowing any kind of Municipal Use in any zoning district, so long as it is deemed to support a "public service." The Town has changed and grown significantly from when the language allowing Municipal Uses in the Agricultural and Residential District was added to the Zoning Bylaw in the 1960's. What was appropriate during that time may no longer fit the needs of the Town today.

The Minority believes with only 18 days from the date the proposed bylaw amendment was referred to the Planning Board to the start of the public hearing, and just one day from the close of the public hearing to get a recommendation into the printed warrant for Town Meeting, the Planning Board has not completed a thorough review of the proposed language in the article, as is the Board's practice when reviewing any zoning article.

For example, the first paragraph of the bylaw amendment proposes to "add Municipal Government as allowed use across all districts..." The Minority believes this language is not compatible with the terminology in the Use Regulation Schedule for Principal Uses identified in Section 4.1.3 (e.g., "Y- a

permitted use,” etc.) and does not specify whether such use would be a permitted use “by right” or authorized under a Special Permit granted by a Special Permit Granting Authority.

Additionally, the Minority believes this proposed Zoning Bylaw amendment includes a new special definition (“Municipal Governmental”) that was not in prior Zoning Bylaws. When a special definition is introduced, it should be used when interpreting the Zoning Bylaw. Elsewhere in the Zoning Bylaw, the terms “governmental” and “municipal” still exist. The Minority believes this could create a potential conflict when interpreting the Zoning Bylaw.

In the opinion of the Minority, upon closer review it is evident that the proposed Zoning Bylaw amendment does not “restore what has been lost” during the recodification in the early 1990’s. A review of the Zoning Bylaw history identifies that “Municipal Use” was allowed “by right” in some, but not all, zoning districts prior to the recodification in 1991. The 1991 recodification established a table of uses, identified as Table 2233 (Utility and Public Service Uses). The term "Religious, Educational, and Municipal Use" was not included but instead introduced the category "Educational, Governmental, or Religious Use." This table allowed for Educational, Governmental, or Religious Use across all zoning districts “by right;” however, no special definitions were provided for either of these terms.

In 1993, Town Meeting voted on the insertion of the special definition of “Educational, Governmental or Religious Use” into the Zoning Bylaw, which restricted the allowed uses under Educational, Governmental or Religious Use to education or religious use only (Section 6200 Definitions). The article passed overwhelmingly in 1993 Town Meeting (Article 32) and appears to the mechanism by which “Governmental” use was removed from the uses allowed “by right”, not the result of the recodification in 1991.

The Minority believes that these are examples of the work that the Planning Board should do before recommending any zoning article.

The Minority recommends that Town Meeting vote “No” on this article as proposed and allow the Board to take the necessary time to gather public input and conduct further research to define and determine what Municipal Uses are best located in which Zoning Districts. Only after that deliberate process, will the Planning Board be properly prepared to bring forth a zoning article that is unambiguous, well-defined, and better protects residents from unintended consequences.

Respectfully submitted,

Boxborough Planning Board

For the Majority:

Mark White (Chair)
Kathleen Vorce
Richard Guzzardi

For the Minority:

Rebecca Verner (Clerk)
Cindy Markowitz

Kristin Hilberg gave the Select Board presentation on Article 1. The removal of “governmental use” is a clerical error. In 1991 the Zoning Bylaw had a use table with the category “Educational, Governmental and Religious” allowed in Ag/Res and other zones but there was no definition. In 1993, the Zoning Bylaw was updated and the definitions were updated, including “Educational, Governmental and

Religious” uses. The word “government” was in the title, but wasn’t included in the body of the definition. There was no written record of hearings or meetings to discuss this so we believe it was a clerical error. Our attorneys have said the use table and definition have to be in concert. A second attorney has said it possibly could be allowed at 502 Mass Ave as a pre-existing non-conforming structure. Many municipal uses are already in Ag/Res districts. We want to add the word “Municipal” to make it clear that it’s “Municipal Governmental.” There are many safeguards in place to make sure that various uses would not come to pass in residential areas, including Environmental Protection Standards and state protections on Conservation land. There are many opportunities to improve our Zoning Bylaws further. Delays could add costs to the building of a fire station.

Maria Neyland gave the Finance Committee presentation on Article 1. The Finance Committee unanimously recommends because it was put forth to correct an error in the Zoning Bylaws.

Rich Guzzardi gave the Planning Board majority presentation and report on Article 1. The Planning Board reviewed old town meeting minutes, the Zoning Bylaw, and held a public hearing with over 50 attendees at two sessions. The majority summarized their opinion in four key points:

- 1) There was no intent to change the Zoning Bylaw in the 1990s recodification. The change was simply from municipal to governmental. The original Zoning Bylaw through 1990 allowed for municipal uses in all districts.
- 2) The language added in 1993 mistakenly leaves out the word “governmental” and the intent of the 1993 amendment was intended to update definitions left out of the 1991 recodification. There was no discussion or debate from the minutes of Town Meeting at which that change was made to disallow governmental use. The word governmental is still in the table.
- 3) The majority surveyed over 20 other surrounding communities and with few exceptions, most towns allow municipal uses either by right or by special permit.
- 4) The Planning Board has a responsibility to respond to anyone who puts forth a legitimate article in the short term and over the long-term, a responsibility for long-term planning. The majority believes that this does not conflict with long-term planning because this article intends to correct an error. This does not prevent the Planning Board from further refining this aspect of the Zoning Bylaw in the future, and both minority and majority agree on that.

Rebecca Verner gave the Planning Board minority presentation and report on Article 1. The minority of the Planning Board does not approve of this amendment because they didn’t have enough time to research the history or get enough public input. The minority worries about unintended consequences of passing this amendment. There was not enough time when the amendment was proposed and the response was due back before the printing of the warrant.

Discussion on the motion on Article 1:

Jim Moss of Bicentennial Way firmly stands with the minority of the Planning Board members because Boxborough is very different from the way it was in the 1990s. He is concerned that the town could take municipal land; the Planning Board should go back and redo the entire bylaw to make sure it matches what our world is like today.

Cheryl Mahoney of Liberty Square Rd. said that facts matter. She is proud to live in a town that believes in facts rather than inflammatory language. Transcription errors do occur, which she knows from her experience as a paralegal for real estate attorneys. She referenced a case in Ipswich that was different and yet similar to ours.

Elaine Olmstead of Stow Rd. noted that under the current bylaws in Ag/Res there are prohibitions of certain businesses to protect our neighborhoods such as auto repair shops. Her belief is that the fire station may have similar impacts on their neighborhood.

Dick Wagman of Leonard Rd. stated that we shouldn't be stuck because of a mistake. It shouldn't be a big deal to change that. The Town Meeting is the front door; we should be proud of ourselves that we have the ability to defeat it. Let's defeat the fire station if it's proposed for the wrong place directly rather than by the back door.

Robin Lazarow of Hill Rd. is not against a new fire station but she is against Article 1. Article 1 amends the Zoning Bylaw to allow a municipal structure anywhere in town; there are no guarantees. Promises made by this Select Board may not hold with a new Select Board. The intended purpose of 72 Stow Rd. and vote at Town Meeting was for low income housing and you see how that has been manipulated. A similar thing can happen. She commented that the professionals we hired should have caught this as a threshold issue for 72 Stow Rd.

Becky Neville of Middle Rd. asked if Town Planner Alec Wade could speak on if this zoning amendment doesn't pass, what could go at 72 Stow Rd. She asked if the Housing Board could ask that it be zoned for MBTA Communities, or other some possible uses (including 118 units, bus parking lot, drug treatment facility, religious/educational uses?)

Dennis Reip asked Alec Wade, Town Planner to speak on possible uses. The Zoning Bylaw said that Educational uses could be allowed, housing could be allowed, Public Utilities could be allowed by special permit. Each proposal is submitted depending on what the owner wants to do and the Zoning Enforcement Officer renders a decision.

Becky Neville wanted clarification that state law allows a drug treatment facility anywhere.

Mr. Wade stated that he did not know the answer to that question.

Ms. Neville said she supports this article and that if this doesn't pass we can't even build at 502 Mass Ave.

Mark Barbadoro of Old Harvard Rd. said by special permit you can rebuild a lawfully existing non-conforming use; our special land use attorney agreed with this opinion. Another fact is that our conservation land will not be protected; many town owned sites listed in the OSRP are non-protected and could be used for other purposes. When the recodification took place the change from "municipal" to "governmental" was changed. Then 2 years later the Zoning Bylaw was changed purposefully (at Town Meeting) and that was when the change was made to limit what that term meant. All the town he has ever worked in allows municipal uses in different zones a little differently. We should not just go back to what we had in the 1960; the town was very different in the 1960s.

Hilary Greven of Hill Rd. wanted to hear from Town Planner or Town Counsel if Article 1 doesn't pass, where can we build a fire station and have we looked at other towns and what their Bylaws state.

Dennis Reip invited Jonathan Eichmann, Town Counsel for land use to speak on the first question. Mr. Eichmann said that there is no obvious category where you could build a fire station.

Alec Wade said towns do take different approaches. Some allow it across the board and others do not. Special permit would be the middle ground.

Brad Hampson of Wheeler Dr. said that government exists with checks and balances and that this Article gives too much power to the Select Board. The Zoning Bylaw exists to define specific uses and Article 1 defeats the fundamental purpose of the Zoning Bylaw. All municipal uses are not the same.

Gryphyn Vermin of Codman Hill Rd. noted that her road is zoned Industrial/Commercial so she's near the highway and the transfer station and construction equipment. She has lived and worked near fire stations and they are not that destructive. Her clients and herself don't have the opportunity to voice their opinions about where such things are cited, so we should consider that when voting tonight. Municipal buildings are where many of her underprivileged clients go, so opening up the community to those types of buildings is valuable.

Joan Blaustein of Stow Rd. said that this Article was rushed to the Planning Board by the Select Board and didn't get the time and attention from a planning perspective that it deserves. Her experience is at the Metropolitan Area Planning Council as an Urban Planner and attended many of the FSBC meetings. We benefit from a nearby fire station, but the current discussion of the zoning article needs to go more in depth. Some view it as a correction, but it has more wide-ranging consequences than just the immediate needs at Stow Rd. Zoning shapes all future development. We need to make sure we look at all of the potential municipal uses that might arise and there are other checks and balances, but this was rushed through.

Mary Nadwairski of Stonehedge Pl. moved the question, and it was seconded.

A point of order was brought up by Richard Hilton of Littlefield Rd. about whether the Moderator has the power to stop the vote to stop debate.

Mr. Reip said he would let the voters vote on this.

Mr. Reip made announcements: the Blanchard Band won another gold medal at MICCA (the 15th consecutives and 16th overall). The Brass Winds Ensemble won a gold medal at the MICCA Small Group competition, which is the 26th gold medal for the chamber ensembles.

A point of order was raised by William Donovan of Stow Rd. said that it was inappropriate to have a discussion about a non-voting issue during a vote.

Mr. Reip disagreed and said he was making announcements to pass the time, as is Boxborough tradition. He continued to make announcements about Fifer's Day on June 21st and Boxborough News and Steele Farm Barn and Farmhouse.

Action on the motion to stop debate carried by 2/3s (290 Yes, 131 No)

Action on the motion on Article 1 (STM): failed (did not meet the 2/3s threshold: 205 Yes, 223 No)

ARTICLE 2 72 STOW ROAD FIREHOUSE DESIGN & BID FUNDING

\$2,414,313 Bonding

(Two-thirds Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town vote to appropriate the sum of two million, four hundred fourteen thousand, three hundred thirteen dollars (\$2,414,313), to design, prepare construction drawings, pre-qualify contractors, bid the construction, and determine the lowest responsible general bid for a new firehouse at 72 Stow Road, including all related and incidental costs related thereto, and, to meet this appropriation, that the Treasurer, with the approval of the Select Board, is hereby authorized to borrow said amount pursuant to Massachusetts General Laws Chapter 44 sections 7 or 8, and any other enabling authority, and to issue notes and bonds of the Town therefor.

Summary:

Voting yes for this article will provide funding for the Town's Owner's Project Manager (OPM), architect, and consultant team to move from conceptual to complete design and bidding phase. This phase will include construction drawings, with all details to bid the project, pre-qualify bidders, bid the project, select the lowest qualified bidder & sub-bidders, and come back to the voters at a future town meeting with the full, exact price to construct and deliver a new firehouse at 72 Stow Road, including all furniture, fixtures, landscape, and demolition of abandoned building(s).

Over the past 10 months, the Fire Station Building Committee (FSBC) has worked closely with Vertex, our Owner's Project Manager, and Context Architecture to review parcels of land for their feasibility to situate a new firehouse and develop the cost estimate for this article. We reviewed parcels of land studied by the earlier Boxborough Building Committee and identified 5 parcels for further consideration for a new firehouse. These sites include 502 Massachusetts Ave (site of current firehouse), 72 Stow Rd, 700 Massachusetts Ave, 925 Massachusetts Ave, and 1320 Massachusetts Ave. In a two-phase process, the FSBC and the Town's Consultant Team assessed the properties.

During the Phase I assessment 1320 Massachusetts Ave fell out of consideration as the property owner was not willing to sell under conditions acceptable to the Town. Next, 975 Massachusetts Ave fell out of consideration due to the high cost of purchase and land preparation required, specifically blasting of ledge. Then, 700 Massachusetts Ave was not moved to Phase II of the feasibility assessment because of a Zoning Bylaw for Town Center zoning that restricts the size of a building to less than 15,000 square feet and the risk and challenge, including delays, that the Town could face in getting a variance for the proposed firehouse.

Phase II involved a more in-depth assessment of 502 Massachusetts Ave and 72 Stow Rd. Based on this assessment, the FSBC voted unanimously to recommend 72 Stow Road to the Select Board as the site of the new firehouse. This article requests the funds to work with the Town's Owner's Project Manager (OPM), architect and consultant team to move from conceptual to complete design through bidding phase. This will include construction drawings, with all details to bid the project. With the help of the OPM and architect firm, we will pre-qualify general contractors and filed subcontractors for bidding, put the project out to bid, and select the lowest responsible general bid so we can come back to the voters at a future town meeting with the full, exact price to construct and deliver a new firehouse, including, sitework, landscape, construction of temporary facilities for Fire and DPW operations if needed, and demolition of abandoned building(s), as needed.

This next step in the project involves fully designing a new firehouse at 72 Stow Road, preparing the construction specifications and drawings, pre-qualifying contractors for the bid, putting the project out to bid, and selecting the lowest responsible general bid. For this work, the cost is \$2,622,445.

In the final step, an article will come back to Town Meeting in the future to request funds for constructing the new firehouse. Although our estimates are conceptual at this time, it is anticipated that the next step

would request approximately \$31,110,726 in that final phase. Note, however, that during the design phase, the Town will work to design the most efficiently sized building to keep the costs as low as possible.

The Select Board recommends (4-0-1). The existing Boxborough fire station, built in the 1950s, has reached its end of life. It has several deficiencies, including lack of safety standards, inadequate space for equipment and crew, inadequate heating and ventilation. These deficiencies cannot all be addressed through repairs and upgrades. There is an urgent need for Boxborough to build a new fire station to replace the current one. The need for a new fire station was recognized by the town more than 10 years ago, when the process of site selection for a new fire station began. Since then, construction costs as well as borrowing cost have increased more than doubled. Recognizing the urgency for a new fire station, the current Select Board gave the site selection process a new lease of life and appointed the current FSBC in July 2024. Since convening in July, through its diligent efforts, the committee moved the site selection process through the required steps of laying out requirements, selecting an OPM and its consultants, defining a decision matrix, and setting goals and timelines for the project tasks. After considering the analyses and recommendations by the architecture and design consultants, the seven-member committee has unanimously voted to select the 72 Stow Rd location as the most optimal location for the fire station.

The Select Board recognizes that any site will have pros and cons associated with it and the 72 Stow Road site is no exception. However, the majority of the Select Board is in concurrence with the FSBC that this location is the clear winner considering all aspects, including cost of construction, available space, program/operations, future expansion, environmental impact, etc.

The next phase in the FS building project is the design phase. The new fire station will be designed such that about 65% (13,130 sq. ft of the proposed total 20,200sq. ft) of the space will be for the apparatus bay and the remaining 35% (7,070sq.ft) would accommodate the triage room, administrative offices, adequate decontamination space, emergency operations center/training room, dormitory space, showers, restrooms, etc., that meet current codes, and energy, efficiency and other standards. At its conclusion, the design phase will also yield an accurate estimate of the total square footage and cost for building the fire station. Considering the fact that construction costs will only increase in the coming years, the Select Board considers it imperative to conclude the site selection process, and allocate the required financial resources for timely launch of the design phase, which is expected to take up to 12 months to complete. A YES vote to approve \$2,622,445 is critical to ensure the town residents will be served by an adequately equipped fire station as soon as possible.

The Finance Committee recommends (6-0-0). The Finance Committee unanimously recommends this article. After months of studying multiple locations, and many opportunities to receive public comment, the Fire Station Building Committee (FSBC) narrowed their choice down to 2 sites 72 Stow Rd. and 502 Mass Ave (existing site). The FSBC spent many hours reviewing a matrix of 14 criteria, including cost, and made a final recommendation of 72 Stow Rd for the new fire station.

The choice of 72 Stow Rd provides the town with the best location for current and future programming needs of the Fire Department, the best building design without compromises and the lowest cost to the Town. The total estimated conceptual cost of the project at 72 Stow Rd is \$6 million less than at 502 Massachusetts Ave.

In addition, 72 Stow Rd is currently owned by the Affordable Housing Trust (AHT). The Town would purchase the land from the AHT for \$1.2 million, which will allow them to reinvest the funds into affordable house programs in Boxborough.

As indicated on the chart below this article will be funded through a short term, interest only BAN (Bond Anticipatory Note). The BAN will be refinanced into a long-term construction bond, coming for a vote to ATM May 2026. There will be no payment on the BAN in FY26 and so no tax impact. The impact on FY27 taxes will be \$.06 per \$1,000 of house valuation. In the event of the Fire Station not being authorized the BAN will be refinanced into a shorter-term bond with an impact on taxes of \$.09 per \$1,000 of house valuation.

Estimated Cost to Taxpayer			
	FY26	FY27	FY28
Fire Station Design 29 years	\$0	\$108,000	\$187,138
Town Value*	\$1,863,847,043	\$1,957,039,395	\$2,054,891,365
Tax per \$1,000	\$0.00	\$0.06	\$0.09
Avg house value*	\$940,472	\$987,496	\$1,036,871
Tax per average house	\$0	\$54	\$94

*estimate

The Capital Committee recommends (4-0-0). The Capital Committee unanimously recommends due to the fact that the need for a new firehouse has been on the long-term Capital Improvement Plan (CIP) for many years, the need continues to become more desperate, and costs continue to escalate higher for every year we wait.

The Fire Station Building Committee (FSBC) recommends (7-0-0). After considerable evaluation and analysis of five sites for viability, the Fire Station Building Committee (FSBC) unanimously recommends 72 Stow Road. The FSBC has put significant time and effort into the site selection. We assessed 502 Massachusetts Ave and 72 Stow Rd on 14 criteria including total project costs, how well the site can meet the operational needs of the fire department, the impact to abutters, and sustainability. Based on these criteria and all the data provided to us, we felt strongly that 72 Stow Road offered the best solution for the Town. Although the costs are high, we have learned from experience that construction costs continue to accelerate, so a project like this will only cost more in the future. Current escalation costs are approximately 4 to 5% per year (subject to change with future construction market conditions). And our assessment of the current firehouse clearly shows that we need a new firehouse now. Thus, we recommend that Town Meeting support this request for \$2,622,445 now (as printed in the warrant; changed at Town Meeting).

Mary Brolin, Chair, gave the presentation for the FSBC and introduced the members of the Fire Station Building Committee: Priya Sundaram, Maria Neyland, Mac Reid (Vice-Chair), Sara Lavado (Clerk), Larry Grossman, and Alan Ford. She also introduced Ex-Officio members Michael Johns (Town Administrator) and Chief John Kivlan (Fire Chief), as well as Steve Kirby from Vertex (Owners Project Manager) and Jeff Shaw from Context Architecture. She described the need for a new fire station because of lack of security, safety and non-compliance with national safety standards. It is difficult to move next to the fire trucks even when they are not in full gear. The committee has worked with Vertex and unanimously selected 72 Stow Rd. Many of the members were rooting for 502 Mass Ave. There were four different site plans attempted at 502 Mass Ave. In the end, 72 Stow Rd. was better at meeting the needs of the fire department and the estimated cost was \$6 million less. Two-thirds of the increased cost would be for temporary space while the building is built. Water currently

backs up in the 502 Mass Ave fire station; we can build a more sustainable building and not impact the wetlands at Stow Rd. All estimates have approached 24,000 gross square feet; current building design is down to 20,800 gross square feet which could be reduced a bit more. She showed a table with the different spaces and their sizes. She showed a map of the proposed building and the proximity of the entrance and exit to Mass Ave. Trees would be maintained behind the property and there would be plantings up front to mitigate noise to abutters. She discussed the tax impact. On the average house it would be \$54 in FY27; \$94 in FY28. We anticipate coming back to ATM next year (estimated at \$31.1 million); depending on the bonding structure, the estimated tax would be \$684-\$1,174 in FY28 and \$935-\$1,152 in FY29 (for an average household with a house value of \$900k-\$1 million). The FSBC has done significant work on this and unanimously recommends this article.

The Select Board majority presentation was given by Priya Sundaram. As above, as written in the warrant.

The Select Board minority presentation was given by Wes Fowlks. As above, as written in the warrant.

The Finance Committee presentation was given by Maria Neyland. As above, as written in the warrant.

The Capital Committee presentation was given by Michael Johns. As above, as written in the warrant.

Discussion on the motion on Article 2:

Mark Barbadoro of Old Harvard Rd. said we are voting to appropriate funds for a fire station isn't allowed. Costs rise at about 4% so we shouldn't fool around trying to get the fire station in a place we can't put it.

Hilary Greven of Hill Rd. said that even though we voted down Article 1, we still need to correct that bylaw. If we vote yes for Stow Rd., we will still change the Zoning Bylaw. She is in support of the Fire Station at Stow Rd. The FSBC took a long time to decide on this location with financial considerations and all considerations.

Diana Lipari of Littlefield Rd. was on the prior Building Committee for two years during her time on the Select Board. It's a complicated situation; she has questioned some of the FSBC's meetings and doesn't agree with their conclusions. The zoning issue was brought to the attention of the Planning Board by Mark Barbadoro who is a certified state building inspection and teaches Zoning Course for Building Inspectors for the state. She says that 502 Mass Ave. costs are under-estimated and Stow Rd. costs are over-estimated. She says the swing space costs were over-estimated and she didn't get answers to some of her questions. The fact of the matter is that we cannot vote on the Stow Rd location because of the Housing Board ownership and the Zoning Bylaw changes that need to happen, and is fiscally irresponsible.

Al Murphy of Macintosh Ln. gave the Housing Board's opinion. They met and unanimously agreed on the sale of 72 Stow Rd. to the Town for the purpose of building a fire station. The Boxborough Housing Board bought the property in 2010 using proceeds from the settlement of a lawsuit with a 40B developer. Taxpayer funds were not used to purchase the property. It is required that the funds be applied to affordable housing in town; that was the intent of this purchase but there is no obligation to do so. After consulting with experts over the years, it was determined that affordable housing at that site was not viable. In 2014, Article 10 was passed authorizing the Select Board to use the proceeds from the sale to

best use the town towards affordable housing. This will allow for expansion of subsidy programs. Voting yes on Article 2 will constitute a win for affordable housing in Boxborough. The \$1.2 million cost of the site is a good deal for the town and there's nothing wrong with that.

In 2014 the proceeds of the sale of the land was authorized at Town Meeting. This sale will allow for funding of existing and subsidies to make Boxborough's housing more affordable. If Article 2 is defeated, the Housing Board will proceed with the sale. The \$1.2 million is a good deal for the town.

Brad Hampson of Wheeler Dr. said that the fire station will disrupt the residential area. He said the costs of blasting are not considered and Mass DOT will mandate significant changes at that intersection so the costs will increase due to that. For all those reasons, I ask you to vote no.

Mary Brolin asked if Steve Kirby of Vertex Architecture could speak on those claims.

Dennis Reip allowed Steve Kirby of Vertex to speak on whether Mass DOT would require improvements to the intersection. During the conceptual investigation, the consultant found that there would be no requirement for a change to that intersection. Test pitting was done on the site and there was no evidence of ledge and so the site work design has been done to allow for the proper slope for the vehicles entering Stow Rd. Those site costs are included in the conceptual estimates.

Kathy Vorce of Liberty Square Rd. is not sure she will vote yes, but wanted to ask a question. She said that Mac Reid told her that we weren't allowed to combine Police and Fire in one Public Safety Building and wanted to clarify.

Mary Brolin clarified that last year's warrant Article to allocate the funds only asked for funds for a Fire Station. In previous town meetings, the combined police/fire stations wasn't something the town wanted.

Ms. Vorce said maybe we should reconsider a combined public safety building so that we don't have to throw more money at the design of another building.

Tom Horsky of Depot Rd. said that seniors can't afford to pay for the bond for the fire station that will be coming up. He thinks it would be nice but people on fixed incomes can't afford it.

Jim Moss of Bicentennial Way said that financially, the Stow site is the better choice to make. He stated that he just voted down Article 1, and he was originally against a new fire station. He thinks we need to do the design for the building; he would like to hear from Chief Kivlan of the Fire Department. He asked if the fire department can restrict fire sirens and loud noises and lights from the fire engines.

Dennis Reip allowed Chief Kivlan to speak on the sirens. He stated that they would have to have the ability to not turn on the sirens about 90% of the time, unless there were cars on Stow Rd. that they would need to alert.

Mark Sherman of Wheeler Dr. commends the FSBC and knows we need a new fire station. As an economist, he looks at costs and benefits. He doesn't agree that it accurately captured all of the costs. He disagrees that the impacts to abutters should be scored equally. The noise of the fire engines backing up and lights that shine all night are more significant than the temporary disruption during building to Blanchard school. Stow Rd is very scenic and stone walls will be destroyed.

Nick Gladyszak of Stow Rd. is right next to the fire station proposed location. Ultimately he has no concerns about the light pollution and thinks that the fire station will be good neighbors. It would be a cost to himself to try to sell his house during construction, and yet he would welcome the fire station. He

is not concerned about the diesel engines and that most of the traffic would be moving away from the residential area.

Nadine Reuter of Wheeler Dr. is concerned about the trucks going out onto Mass Ave. If there are no changes to the intersection at Mass Ave you need to slow the traffic down at Mass Ave to slow down the oncoming traffic. She is concerned that we voted down Article 1 so wonders how we deal with that issue.

Dennis Reip confirmed that the zoning would need to change if this article passes and it could come back in any number of ways and would need to pass with a 2/3s vote.

Erin Harrington of Kendall Rd. said we need a narrower revision of Zoning laws. This introduces risk, but there is risk of delay as well. She advocates for the central location of 72 Stow Rd. Fast response times are important; five years ago she had a pre-eclamptic seizure and this fire department responded in record time.

Brendan Connolly of Flagg Hill Rd. agrees we need a new fire station. This article is about spending \$2.4 million to design a fire station. We don't have the property and we haven't fixed the zoning. He believes it's irresponsible to do that.

Frank Pallien of Codman Hill Rd. presented an analogy with his hometown in NJ. The town he grew up in built a second fire station in a residential area in a town smaller in area than Boxborough. We need to consider response times. There were homes that were close to the fire department and with a volunteer fire department, it is likely that there would have been an impact. He thinks it would only be a positive impact to the Stow Rd. area.

Cheryl Mahoney of Liberty Square Rd. wanted to ask the fire chief for the % of call rate in the vicinity of Stow Rd.

Dennis Reip asked Chief Kivlan to address the question. In 2023 out of 1,500 calls there were 122 that went to the left down Stow Rd, so about 8% of calls. That number was 166 calls to the left, out of 1,606. As of last week it was 49 out of 465 calls, so about 10%. They included Burroughs Rd. as well.

Cheryl Mahoney asked Town Planner for the process for revising a Zoning Bylaw and the timeline. She asked if special permits would be possible.

Alec Wade, allowed by Dennis Reip, answered the question of how the Zoning Bylaw is amended. These included citizens petition, or the Planning Board can develop a warrant article.

Colman Connolly at Flagg Hill Rd. wanted to clarify that approving design is what we are voting on, and in that process the professionals will figure out the answers to all of those questions that people are bringing up about the details of the design process. We should let the professionals that we've hired do their jobs.

Robin Lazarow of Hill Rd. asked why we are being asked to spend the money when we don't own the land at Stow Rd. and we won't be voting on that at this town meeting. Those who are advocating for this vote are trying to get us to vote yes so that we will vote yes to everything else they need. She brought up the concern of a child being scared at night when they are woken up by noises in their neighborhood.

Dennis Reip clarified that the Housing Board (as part of the town) owns the land, and are interested in selling it for a fire station.

Than Stuntz of Hill Rd. said that a yes vote gives clear direction to the FSBC to change the Zoning Bylaws. Also he clarified that this has gone through several Building Committees and they shot down the 502 Mass Ave. option. This is where we've settled on time and time again.

Johanna Choo of Burroughs Rd. said we should not move the fire station farther away from Blanchard. It makes it more dangerous to move it farther away.

Cynthia Pierce of Sargent Rd. wanted to clarify about the Zoning change and whether it would be possible to zone for just one lot.

Dennis Reip stated that the Zoning Bylaw could change.

Jonathan Eichmann clarified that the zoning could be changed for that one lot.

Mary Nadwairski of Stonehedge Pl. moved the question, and it was seconded.

Action on the motion to stop debate carried by 2/3s.

Action on the motion on Article 2 (STM): failed (did not meet the 2/3s threshold: 204 Yes, 133 No)

Kristin Hilberg moved, and it was seconded, to adjourn until tomorrow night at 7 pm.

Action on the motion carried by majority. Adjourned at 10:24 pm.

Night 2: May 13, 2025. Dennis Reip called Special Town Meeting to order at 7:04 pm. A total of 144 registered voters checked in on night 2.

CONSENT AGENDA INFORMATION: Dennis Reip, Moderator

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

This year, there will be **5** Consent Agendas, with 34 Articles:

1. Special Town Meeting Consent (Articles 3 through 5) because these articles have been unanimously approved by both the Select Board and Finance Committee. These articles are indicated by ¹.
2. The Financial (Non-Capital) Consent (Articles 12 through 25) includes articles considered to be non-controversial. These articles are indicated by ². This consent includes a combination of: Routine fund management and compliance, operational and maintenance expense, employee benefits and training, Emergency and Public Safety programs, and financial and tax related measures.
3. The Capital Consent (Articles 26 through 35) includes several capital items which have all been unanimously supported by the Select Board, Capital Committee and the Finance Committee and are proposed to be funded with Free Cash. These articles are indicated by ³.
4. The Community Preservation Fund Consent (Articles 36 through 39) includes articles considered to be non-controversial approved by the Community Preservation Committee, Select Board, Finance Committee and other commissions for unanimous support. These articles are indicated by ⁴.
5. The Two-thirds Required Consent (Articles 40 through 42) includes articles that require two-thirds votes by bonding. These articles are indicated by ⁵.

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

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

SPECIAL TOWN MEETING CONSENT AGENDA¹

Kristin Hilberg, Select Board Chair, moved, and it was seconded, to approve the Special Town Meeting Consent Agenda Warrant Article four in accordance with the funding source and amount set forth in the May 12, 2025 Special Town Meeting Warrant under Article four.

ARTICLE 3 POLICE DEPARTMENT: COMMAND STAFF TRAINING ¹ **HOLD**

ARTICLE 4 COMMUNITY PRESERVATION FUND ACCOUNTING CORRECTION ¹

ARTICLE 5 ADOPT MGL CH200A SEC 9A TAILINGS ¹ **HOLD**

Discussion on the motion on Consent Agenda 1 (Article 4 – STM): none

Action on the motion on Consent Agenda 1 (Article 4 – STM): carried by a majority.

SPECIAL TOWN MEETING CONSENT AGENDA ¹

ARTICLE 3 POLICE DEPARTMENT: COMMAND STAFF TRAINING ¹ **HELD**

\$12,000 Free Cash

(Majority Vote Required)

David McKiernan moved, and it was seconded, that the Town vote to transfer from available free cash the sum of twelve thousand dollars (\$12,000) for the training of Police Department command staff.

Summary

Executive-level command staff training is designed to help today's law enforcement leaders with variety of topics, including budgeting, media relations, problem-solving, organizational change, and organizational behavior. Curriculum is often focused on the many challenges law enforcement leaders face which includes hiring and retention, building public trust and legitimacy, employee wellness, and transformational leadership. Building a strong command staff with well-rounded and highly trained individuals is vital for the short and long-term success of the Buxborough Police Department.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article. Making this one-time training available to our police department supports efforts to improve the management and leadership skills of our senior level staff. We believe it is good investment to have well trained leaders in public safety positions.

The Finance Committee recommends (5-0-0). The Finance Committee recommends the twelve thousand dollars for management level training. It is important to offer training opportunities for employees at all levels. This article is being funded by free cash, there will be no increase to taxes for this.

No tax impact for FY26.

Discussion on the motion on Article 3 (STM):

Kathy Vorce of Liberty Square Rd. wanted to know who gets this training, by rank.

Chief John Szewczyk said he would select one individual, a Lieutenant, who would get this training.

Ms. Vorce wondered if there would be redundancy so that if the chief left, this training would still be useful for Boxborough.

Chief Szewczyk answered that this training was planned for that reason, so that there would be a succession plan.

Cindy Markowitz of Meadow Ln. wondered about annual budget for training and if the Chief could give context on how this fits into the overall budget.

Chief said that about \$12,000 is in the operating budget for a variety of trainings. He is hoping to move to an online monthly training. What we are asking for is a three week course for \$12,000.

Ms. Markowitz asked if there would be a cost to fill in while that person is away.

Chief Szewczyk said there wouldn't be a backfilling necessary because he or one of the Sergeants could fill in.

Cheryl Mahoney of Liberty Square Rd. wanted to know if it's not in the budget because it was in the interest of transparency.

Chief Szewczyk clarified that he didn't want to double the operating budget line item, and at the recommendation of the Fin Com, he took it out because it was a one time thing.

Cheryl Mahoney wondered if it would help the standing of the department in the state.

Chief Szewczyk said it would not, but was more command level training including HR and recruitment and budgets. Every department should have multiple individuals who can temporarily step into a position above their rank. Administrative skills are important.

Action on the motion on Article 3 (STM): carried by a majority.

ARTICLE 4 COMMUNITY PRESERVATION FUND ACCOUNTING CORRECTION ¹ (Majority Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town vote to reduce the 2025 fiscal year MGL Chapter 44B “Schedule A-4 Community Preservation Fund Budgeted Reserve by seventy thousand nine hundred forty dollars (\$70,940), and move the deficit in the same amount to the Community Preservation Fund “Schedule A-4, Section A-4, Section 1A, Other.”

Summary:

Voting yes for this article will correct an over-appropriation of Community Preservation Funds to the Budgeted Reserves, due to an accounting error prior to the May 2024 Annual Town Meeting (ATM). There is no cost to this article and no funding is lost; it is merely a correction of an accounting error that was discovered in November of 2024. An amount of \$70,940.00 more than available funds was approved by a vote of town meeting into the Budgeted Reserve. To properly account for Community Preservation Funds, this article will reduce the Budgeted Reserve by \$70,940.00, and move the deficit in the same amount to “Schedule A-4, Section 1A Other”, in the Town and States accounting of Community Preservation Funds.

	(A) FY 2024 Actual Revenues	(B) FY 2025 Estimated Revenues
Annual Revenues and other available Funds		
Surcharge	241,806.27	246,574.00
State trust fund distribution	46,644.00	33,000.00
Other (i.e. Interest, OFS appropriated to the fund-CH44B 3-b1/2)	2,206.94	5,000.00
A. Total Annual Revenues	290,657.21	284,574.00
Fund reserves and or balances voted at City/Town meeting(s)		130,790.00
Other balances voted		0.00
Total Revenues and Available Funds	(To Recap page 2, Part IIIB, Line 4)	415,364.00
Appropriations and Reservations		
Projects, Acquisitions, Debt service and Other		189,660.00
Administrative Expenses (5% or less of 1A - Total annual revenues)		5,000.00
Reservations (10% min of 1A - for each Reserve, if not voted within Appropriations)		87,492.00
Budgeted reserve to be appropriated		204,152.00
Prior Year Deficits		0.00
Total Appropriations and Reservations	(To Recap page 4, Col g)	486,304.00
Other (unappropriated, unreserved)	(To Recap page 2, Part IIIB, Line 8)	-70,940.00
TOTAL Appropriations and Reservations and Other		415,364.00

The Select Board recommends (5-0-0). The Select Board recommends unanimously for the reasons stated in the summary. There are no associated costs to approve this article and no funding has been lost.

The Finance Committee recommends (5-0-0). The Finance Committee recommends. This article corrects a bookkeeping error.
No tax impact for FY26.

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

Discussion on the motion on Article 4 (STM): none

Action on the motion under Consent Agenda 1 (Article 4 – STM): carried by a majority.

SPECIAL TOWN MEETING

ARTICLE 5 ADOPT MGL CH200A SEC 9A TAILINGS ¹ HELD

(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town vote to accept the provisions of Massachusetts General Laws (M.G.L.) Chapter 200A Section 9A relative to the disposition of abandoned funds by the Town.

Summary:

M.G.L Chapter 200A §9A provides for an alternative procedure for the disposing of abandoned funds, known as Tailings, held in the custody of the town. A tailings procedure will include a more efficient and expedited procedure for rectifying these abandoned funds to the General Fund, after there have been several attempts to notify the check recipient in accordance with the steps laid out in M.G.L Chapter 200A §9A. Such procedures can only be enacted after town meeting's acceptance of this statute.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article. This will allow reserved funds already accounted for to become available to the town for other needs.

The Finance Committee recommends (5-0-0). The Finance Committee unanimously recommends this article. This will allow reserved funds to be available for other needs.

No tax impact for FY26.

Discussion on the motion:

Kathy Vorce of Liberty Square Rd. asked what the cumulative amount is.

Dennis Reip asked Naomi Quansah, Treasurer/Collector, who said it was about \$25,000.

Colman Connolly of Flagg Hill Rd. asked if this opens up the town to potential litigation.

Michael Johns said that the risk would be very low and all efforts would be made to notify people so that the risk of litigation would be very low.

Action on the motion on Articles 5 (STM): carried by a majority.

END OF CONSENT AGENDA¹

SPECIAL TOWN MEETING

ARTICLE 6 TAYLOR FARM ROAD PARCEL ACCEPTANCE

\$4,415 Free Cash

(Two-thirds Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town vote to transfer from free cash the sum of four thousand four hundred fifteen dollars (\$4,415.00) to acquire by purchase, gift or eminent domain, and upon such terms and conditions as the Select Board may determine in its discretion, for conservation purposes, a parcel of land located on Taylor Farm Road, comprising about 8.3 acres, identified as parcel 20-081-000 on the Town's assessor's maps, and being more particularly depicted as Parcel 1 on the Plan entitled "Silas Taylor Farm Road at Flagg Hill Road Boxborough, Massachusetts", dated and endorsed July 19, 2016, by Goldsmith, Priest, and Ringwall, Inc., recorded with Middlesex South District Registry of Deeds as Plan Number 691 of 2016, and to authorize the Select Board to enter into all agreements and take all other actions necessary or appropriate to carry out this transaction.

Summary:

The Select Board seeks to acquire a piece of land for conservation purposes. This parcel has been offered to the Town as a donation, on three separate occasions, per the terms of the Taylor Farm Road subdivision approval. The Select Board declined to accept this land on each occasion, which has resulted in an unintended tax cost to the owner of \$4,415, as calculated by the Tax Collector and Accountant. This article proposes to authorize acquisition of the land and appropriate purchase compensation sufficient to reimburse the land owner for taxes paid on the land from May 2022 to the date of closing. Approving this article is not intended to set any precedent for accepting donations of land left over from development projects. This acquisition has been reviewed and considered by the Planning Board and Conservation Commission to be in the interest of the town to protect conservation land.

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

Majority Opinion

The majority of the Select Board agrees that had this property been accepted when it was first offered in 2022 as conservation land, zero property taxes would have been collected. By purchasing the land for the amount equal to the taxes levied and collected, we rectify the situation, add to our conservation land inventory, and continue to protect our wetland resources.

Minority Opinion

This warrant article would set a dangerous precedent, suggesting that property owners deserve taxpayer compensation when their development strategies fail to yield desired results. This should concern every voter who values fiscal responsibility and fair treatment of all property owners.

While the prior Conservation Commission members did vote to accept this donation, they acknowledged that "This parcel does not have significant conservation value." The former Commission Chair further noted that the land is "otherwise effectively conserved by the presence of wetlands and buffer zones throughout." The intent of these comments were to give the options to the Select Board to be able to accept the parcel as conservation land, as municipal land or deny the offer for donation. On October 24, 2022, the Select Board unanimously (5-0-0) declined to accept this parcel, exercising sound judgment in protecting taxpayer interests. At that meeting, the developer stated he would pursue development if the donation was rejected. While landowners may offer donations, the Select Board has no obligation to accept them. Accepting gifted land removes it from the tax roll and increases other Boxborough landowner's taxes. Approving this article wrongly assumes previous boards had an obligation to accept

this land. They did not, and there is no obligation to reimburse a developer for taxes legally paid on a property they own.

The parcel itself offers minimal conservation value. It lacks any connection to existing conservation land, making it an isolated pocket unsuitable for wildlife corridors or public access. Most significantly, a substantial portion serves as the drainage basin for Taylor Farm Road – essentially functioning as infrastructure rather than natural space. This drainage function not only limits potential conservation uses but also requires ongoing maintenance, potentially creating future costs for taxpayers.

The Select Board can accept land donations through standard processes but must evaluate each based on genuine conservation value and community benefit. If voters reject this article, several reasonable options remain available to the developer: they can re-offer the donation to the Select Board through normal channels, address any tax obligations through the town's established procedures, or market the parcel to another developer or adjacent homeowners.

I understand the importance of both conservation and fiscal responsibility. This warrant article, however, asks us to compensate a developer for a parcel that a previous board thoughtfully declined. I encourage you to vote no, helping ensure our town's resources are directed toward truly beneficial conservation opportunities that serve our entire community.

The Finance Committee recommends (5-1-0).

Majority Opinion

The acceptance of this property would correct an error made by the town in 2022. While the Finance Committee recommends the acceptance of this land and the payment of paid taxes since 2022. It is not the intent to set a financial precedent.

Minority Opinion

This article demands an unnecessary taxpayer-funded payment in addition to an otherwise reasonable proposal. “Acceptance” of the parcel should not require reimbursement of taxes paid while the parcel was duly owned by the developer.

No tax impact for FY26.

Kristin Hilberg gave the majority opinion for the Select Board. She explained the history of this parcel, going back to 2022 when the Select Board was advised by the Town Administrator not to accept the donation of land. The developer thought he could build a house, but the Planning Board denied that because his subdivision plan didn't allow it. The Select Board is now trying to fix this mistake by paying back to the developer the amount he has paid in taxes and accepting the parcel as conservation land.

Wes Fowlks gave the minority opinion for the Select Board. He explained that it is the Planning Board's right to deny site plan approval and he doesn't think the town should be paying back a developer.

Maria Neyland gave the majority opinion for the Finance Committee. She explained that this would correct an error and would not set a precedent.

Joe Stulpin gave the minority opinion for the Finance Committee. He said that the town doesn't need to reimburse taxes in order to accept this parcel.

The Conservation Commission Recommends unanimously as presented by Samuel Anderson, Chair.

Discussion on the motion on Article 6:

Michelle Ryan of Hill Rd. asked what the costs would be to the town of maintaining the property.

Ed Kukkula, Director of the DPW, maintains catch basins along the road that feeds into Taylor Farm Rd. and there has been minimal maintenance of the culverts needed so far.

Rich Guzzardi of Reed Farm Rd. said that the Planning Board reviewed this; the approval was there on the plan for that parcel of land to be in conservation, and the developer moved forward on that basis. He got rejected three times by the Select Board, and there should have been coordination with the Planning Board. We should do better as a town. Last year it came forward to the Planning Board and neighbors came to meetings saying that they saw plans with conservation land behind their houses. It is an unfortunate situation and we need to commit to doing better as a town. It should not be precedent setting, but it is the situation we are in.

Rita Grossman of Depot Rd. is for this article and asked to clarify who would be owning it (Conservation Commission) and where the money would come from (Free Cash).

Carol Dionne of Burroughs Rd. said it is basically a drainage ditch for the houses up the hill.

Cheryl Mahoney of Liberty Square Rd. asked if a map is available. She asked if should we give money back to a successful developer. She doesn't understand why this would benefit town.

Kristin Hilberg said that the right thing to do is reverse his property taxes to do the right thing. The Select Board was supposed to accept the land as it was intended. On the subdivision plan the parcel was designated as conservation.

Ms. Mahoney said the money should come out of the Conservation Commission Trust.

Ms. Hilberg said that the Select Board should pay because it was their error, as wrongfully advised by an interim Town Administrator.

Ms. Mahoney said it's a drainage ditch with some upland so it will be the Town's responsibility to maintain it.

Ms. Hilberg asked Ed Kukkula to speak to that; she believes we maintain culverts regardless of ownership.

Ed Kukkula said that all culverts that drain into a ditch are checked to make sure they drain correctly. It is not the town's responsibility to go on private property, but that ditch has always been there, and it was not engineered by the developer.

Cindy Markowitz of Meadow Ln. was on the Planning Board and said that this developer was allowed to develop 11 lots when the rules usually allowed 10. She also asked if the Select Board would accept this land if it was donated.

Ms. Hilberg said it would.

Rita Grossman of Depot Rd. (President of The Boxborough Conservation Trust) said that it was ill advised that the Select Board did not accept it. It is valuable habitat and the town should have accepted it. She spoke about how it was highly valuable for conservation when the whole parcel was being looked at (22 acres), but there was no mechanism to conserve it. The drainage ditch was always there, but the parcel is more than just a ditch.

Lindsay King of Robinson Rd. said we have to focus on taxes. This seems like a small amount of \$ for a nice piece of land but it's not worth it and it was part of the cost of development.

Mary Nadwairski of Stonehedge Pl. asked if anyone can confirm that the subdivision plan has been recorded at the Registry of Deeds. You may have an opportunity to save a lot more than \$5,000 because if it's recorded the developer or neighbors could sue.

Michael Johns confirmed that it is recorded at the Registry of Deeds.

Howard Lee of Bicentennial Way said it's steep terrain that would be good to keep the trees there for erosion.

Kathy Vorce of the Planning Board clarified how the subdivision control law works. There is a requirement that some benefit is given to the town. The Planning Board helps to decide how this will work and how the plan is configured. Unfortunately, the Select Board was not well studied in this law and got advice from someone who also was not well studied. She expressed her disappointment that the Select Board did not follow through as they should have. As a member of the Planning Board, she was frustrated with the Select Board. This developer actually paid a lot more in taxes (this is only from 2022 to the present) and has been trying to fulfill his commitment to the Planning Board and deserves more from the town.

John Fallon of Paddock Ln. moved the question, and it was seconded.

Action on the motion to stop debate carried by 2/3s.

Action on the motion on Article 6 (STM): carried by 2/3s.

Kristin Hilberg moved, and it was seconded, to dissolve the May 12th Special Town Meeting at 7:47 pm.

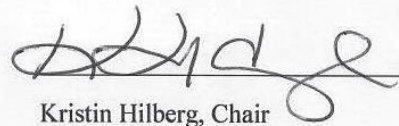
Discussion on the motion: none

Action on the motion to dissolve the Special Town Meeting carried by a majority.

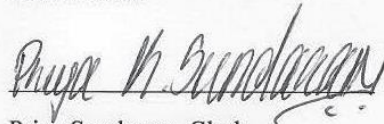
END OF SPECIAL TOWN MEETING

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

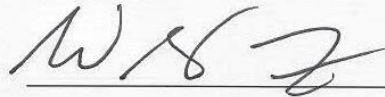
Hereof, fail not to deliver these warrants with your return of service thereon to the Town Clerk on or before April 28, 2025.



Kristin Hilberg, Chair
Select Board



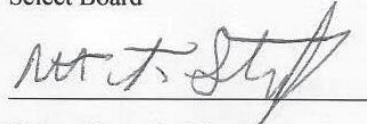
Priya Sundaram, Clerk
Select Board



Wesley Fowlks, Member
Select Board



David McKiernan, Member
Select Board



Robert Stemple, Member
Select Board

ANNUAL TOWN MEETING
MAY 12, 2025

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 are qualified to vote in accordance with the provisions of MGL Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA, on Monday, May 12, 2025 at 7:00 PM, to act on Articles 1 through 49 of this Annual Town Meeting Warrant.

You are also required to notify all such residents of Boxborough to come to their polling place at Town Hall, Second Floor, Grange Room, 29 Middle Road, Boxborough, MA, on Tuesday, May 20, 2025 at 7:00 AM for the Election of Town Officers. The polls will remain open continuously until 8:00 PM, at which time they shall be closed.

**BELOW IS A REPRESENTATION OF WHAT WILL APPEAR
ON THE TUESDAY, MAY 20, 2025 BALLOT:**

ARTICLE 1 CHOOSE TOWN OFFICERS

(Majority Vote Required)

Select Board, three-year term: 1 seat

Select Board, two-year term: 1 seat

School Committee, three-year term: 1 seat

Planning Board, three-year term: 2 seats

Library Trustees, three-year term: 2 seats

Board of Health, three-year term: 1 seat

Town Moderator, one-year term: 1 seat

Constable, three-year term: 1 seat

Town Clerk, three-year term: 1 seat

As well as other town officers as may be necessary.

ARTICLE 2 RECEIVE REPORTS

(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town vote to receive the reports of the Select Board and other town officers, agents, committees, commissions, and boards, including those published in the 2024 Annual Town Report.

The Select Board recommends (5-0-0).

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

Discussion on the motion on Article 2: none

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

1) Kristin Hilberg said the Select Board report was given in the Annual Town Report 2024.

2) Adam Klein, Chair of the Regional School Committee gave the Acton-Boxborough School Committee report.

He thanked all of the members of the ABRSC (Ben Bloomenthal, Tori Campbell, Liz Fowlks, Lakshmi Kaja, Ginny Kremer, Vikram Parikh, Andrew Schwartz, Leela Ramachandran, Yanxin Schmidt, and Rebecca Wilson). He talked about the progress on the five year strategic plan and results. There has been an increase in positive mental health among students. Math, science and technology results on tests have improved. He expressed appreciation to the communities for their support including an override in Acton and in increased assessment in Boxborough.

The district's budget guideline is to stay below a 3% increase overall, and below a 6% increase in Boxborough's assessment. They did not use strategic reserves; these guidelines are challenging to maintain, especially with the costs of contracts and retirement and health care. Since regionalization, enrollment has declined by about 6%, with a continued projected decline. Over the past decade, we have cut classroom teachers by 31. Although there is a decrease in enrollment there is an increase in high needs students including special needs and English as a Second Language. They have created in-district programs, adding 45 staff over 10 years to save spending money on outside tuition and to keep students in district. In FY26, there was a \$1.3 million gap to keep a maintenance of service budget. This is the fourth consecutive year we have had to make such cuts (over four years, we have cut about 80 FTEs, and 20 FTEs in FY26).

We cannot continue cutting. Last year we changed health insurance providers, offered insurance opt-outs and restricted use of reserves. We need a new plan, and can't continue cutting education services while the rest of town services remains level. There is a district-wide strategic plan with a consultant to build something sustainable for decades. This process brings uncertainty, and we will engage the community to shape the future of education.

The final proposed budget is \$116,791,164, a 2.1% increase. The Boxborough share of the assessment is \$16,824,370, a 5.4% increase. There have been more Boxborough students and fewer Acton students over the past three years. With the exception of last year, the annual budget increase has remained below 3% over the last 7 years.

3) Rebecca Verner gave the Planning Board report.

The Planning Board held 22 meetings from May 1, 2024 through May 1, 2025, including 19 public hearings and continuations. Hearings followed the procedural framework of Mass General Law and Boxborough's bylaws. The board acted on special permit reviews and explored updates on the Zoning Bylaw. The board granted at least six formal approvals and contributed to long-term planning and continued public engagement opportunities. There are several large development applications pending.

4) Finance Committee will deliver report before Article 5

5) Alec Wade gave a Land Use and Permitting (MBTA Communities) report.

In 2020 the state passed the bipartisan MBTA Communities Act, signed into law in January 2021. The purpose of the law is to ease the building of multifamily housing near rail lines. Before December 2025, we will need to zone an area for 15 units per acre to be in compliance (which looks a lot like Swanson Rd). We have flexibility about where to put these units, and the district can include existing buildings. We have held several meetings of a Public Advisory Group and a public mapping forum as well as a public input survey. Public Hearings will be held starting this summer. We anticipate bringing this bylaw to Fall Town Meeting in October.

ARTICLE 3 SET SALARIES & COMPENSATION OF ELECTED OFFICIALS

Raise and Appropriate
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town vote to fix the salaries and compensation of various elected officials for the fiscal year beginning July 1, 2025, as follows:

Select Board Members	\$0.00
Board of Health Members	\$0.00
Town Clerk	\$84,298
Constables	\$7.00 per copy/warrant posted
Planning Board Members	\$0.00
Boxborough Members of A-B Regional School Committee	\$0.00
Library Board of Trustees	\$0.00
Town Moderator	\$0.00

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

Majority Opinion

A majority of the Select Board recommends these compensation rates for the elected officials. The Town Clerk salary has an increase which is the same percentage as the Town's non-union personnel. The Constable rate has an increase that aligns with the inflation over the past thirty-four (34) years. (The last rate increase occurred in 1991.) According to the Town Clerk, the impact of the constables' increase to \$7.00 per copy/warrant will change the annual cost of a typical year from \$54 to \$126.

Minority Opinion

The minority of the Select Board does not support the proposed increase for Constable compensation. The current rate of \$3.00 per copy/warrant is entirely sufficient for the time commitment involved. Posting six warrants typically requires less than 30 minutes of work. This \$4.00 per warrant increase is simply not justified. While the minority is in full support of Boxborough being an "employer of choice", the argument of low wages holds no weight here. As Constables, even with their limited number of postings, already earn an hourly equivalent that exceeds many positions within our Personnel Administration Plan. This is primarily a volunteer position, and Constables already receive separate compensation when performing their other duties. Increasing this stipend by more than double would be fiscally irresponsible and would not meaningfully impact our ability to attract candidates for this elected position.

Kristin Hilberg gave the Select Board majority opinion as written in the warrant.

Wes Fowlks gave the Select Board minority opinion as written in the warrant.

The Finance Committee recommends (5-0-1). A majority of the Finance Committee recommends these compensation rates for the elected officials. Increases are aligned with inflation.

Discussion on the motion on Article 3: none

Action on the motion on Article 3: carried by a majority.

ARTICLE 4 AMEND FY2026 PERSONNEL PLAN, INCLUDING THE CLASSIFICATION AND COMPENSATION SCHEDULE

(Majority Vote Required)

Vote 1: Alan MacLean, Chair of the Personnel Board moved, and it was seconded, that the Town vote to amend certain administrative sections of the Personnel Administration Plan in the manner that is set forth in the document on file with the Town Clerk titled “Proposed Changes to Personnel Administration Plan” and also available on the Town’s website as set forth in the May 12, 2025 Annual Town Meeting Warrant.

Summary:

Vote 1: Administrative changes to the plan

a. Classification and Compensation Schedule Changes

Regular Full-Time, Reduced Hours and Part-Time Employee Schedule

- Rename Town Planner position to Director of Land Use and Permitting
- Rename Town Accountant to Finance Director
- Add Assistant Treasurer/Collector

Per Diem and Intermittent Employees Schedule

Delete the following positions and stipend

- Seasonal Maintenance & Cemetery Worker
- Laborer - Cemetery
- Assistant Animal Control Officer
- Part-time Dispatcher
- Finance Director stipend

Commentary: The renamed positions are being updated to reflect their actual job titles. The Assistant Treasurer/Collector position is being added to the schedule to match anticipated job duties for this role. The per diem and stipend positions are to be deleted from the schedule because they are longer needed or redundant with other positions in the Plan.

b. Article VI. The Pay Plan, Revision of Section 7

Salary Step Advancements

Employee step advancement occurs annually, provided the annual reviews have been completed by June 1. Employees with satisfactory performance “Proficient” or higher subject to the approval of the Department Head and Town Administrator will move to the next step level on July 1 of each year.

Subject to the limitations set forth in the above paragraph, new employees will be eligible for a step increase at the start of the next fiscal year (July 1) after they complete their initial six months of employment.

Commentary: This language is being amended to clarify the timing of when salary step increases will take effect for employees.

c. Article X. Vacations, Revisions of Section 3

Regular reduced hours and part-time employees may use vacation in the hourly equivalent of half-day increments for their approved work schedule (i.e. two (2) hours for a scheduled four (4) hour work day), subject to approval from supervisor or Department Head.

Commentary: This section is being updated to align the use of vacation time for all employee classifications.

d. Article XVI. Compensation for Positions, Revision of Section 1

The Compensation of Positions per the Schedule establishes the position categories, the wage rates, and the step advancements. Regular Full-time, Reduced Hours and Part-time Employees are eligible for step advancements subject to Article VI, Section 7.

Commentary: This language is to align with revisions already outlined above for Article VI, Section 7.

e. Article XI. Leaves of Absence, Revision of Section 1

a. Employees accrue paid sick leave time in the following manner:

- Regular full-time employees accrue the hourly equivalent of **fifteen (15) days** of paid sick leave at the start of each fiscal year to be used in case of illness, or injury, or other temporary disabilities which necessitate the employee's absence from work, except for conduct which is cause for termination of the employee's employment.
- Regular, reduced hour employees accrue the hourly equivalent of **twelve (12) days** of paid sick leave at the start of each fiscal year to be used in case of illness, or injury, or other temporary disabilities which necessitate the employee's absence from work, except for conduct which is cause for termination of the employee's employment.
- Regular, part-time employees accrue the hourly equivalent of **ten (10) days** of paid sick leave at the start of each fiscal year to be used in case of illness, or injury, or other temporary disabilities which necessitate the employee's absence from work, except for conduct which is cause for termination of the employee's employment.

In addition, an employee shall be permitted to use sick leave for the following reasons.

- i. To care for a physical or mental illness, injury or medical condition affecting the employee or the employee's child, spouse/partner, parent or parent of a spouse/partner
- ii. To attend routine medical appointments of the employee or the employee's child, spouse/partner, parent or parent of a spouse/partner.
- iii. To address the effects of domestic violence on the employee or the employee's dependent child.
- iv. Any other reason as permitted by applicable law.

New Employees shall be credited at the start of employment the hourly equivalent of one sick day for each month from the start of their employment until the start of the fiscal year (inclusive of any partial months). Regular part-time employees cannot be credited more than 10 days at the start of employment. If still employed at the start of the next fiscal year, the employee will accrue sick leave in accordance with their classification as set forth above.

Commentary: This revision changes how employees accrue sick leave, so it is credited at the start of the fiscal year instead of accrued on an ongoing basis. This provides employees more flexibility without costs to the Town because sick time is not paid out at the end of employment.

f. Article XI. Leaves of Absence, Revisions of Section 5

Personal Leave

c. Unused personal day(s) may be converted to a sick day for the following fiscal year. However, if the employee has reached the maximum amount of sick days accrued, no conversion will occur and the unused personal day(s) will be forfeited.

Commentary: This is a new employee benefit that does not create costs for the Town.

g. Article XII. Benefits (New Section)

Section 7: Medical Insurance Opt-Out Stipend –

Effective July 1, 2025, the Town will offer a maximum stipend of \$2,400 per year for employees who opt-out of receiving medical insurance through the Town subject to all of the following terms:

- i. The Town will pay the stipend to qualifying employees on the same payroll basis as if the employee had deductions being withheld for insurance had they been enrolled in such insurance. The payment schedule for the stipend will be biweekly in twenty-six (26) equal payments per fiscal year.
- ii. The employee must provide proof of current outside medical insurance coverage to qualify for the opt-out stipend.
- iii. An employee does not qualify for the opt-out stipend if the employee's spouse/partner or family member is employed by either the Town of Boxborough or the Acton-Boxborough Regional School District and the employee seeking to receive the opt-out stipend is insured by the Town of Boxborough or the Acton-Boxborough School District through the spouse/partner or family member.
- iv. Except as set forth in Section v., employees who receive this stipend may only opt back in during the annual open enrollment in the fiscal year that follows.
- v. Employee may opt back into the Town's health insurance outside of the open enrollment period through a qualifying event/hardship as defined by the Town's health insurance provider. The payment of the opt-out stipend will end when an employee opts back into the Town's health insurance.
- vi. Payment of the opt-out stipend will end for employees once they have separated employment with the Town. Separated employees will no longer receive the stipend.

Commentary: This language is being added to offer a benefit to Town Employees subject to the Personnel Plan that has been offered in other employee groups.

Vote 2: FY2026 Wage Adjustment

Vote 2: Allan MacLean, Chair of the Personnel Board moved, and it was seconded, that the Town vote to amend the Classification and Compensation Schedule of the Personnel Administration Plan in the manner that is set forth in the document on file with the Town Clerk titled "Proposed Changes to Personnel

Administration Plan” and also available on the Town’s website as set forth in the May 12, 2025 Annual Town Meeting Warrant which Schedule includes a 2.7% wage adjustment as stated in the May 12, 2025 Annual Town Meeting Warrant.

FY2026

The Personnel Board voted a **2.70%** wage adjustment effective July 1, 2025 (FY2026).

Employees on the Temporary, Per Diem and Intermittent Schedule will receive a **2.70%** wage adjustment, effective July 1, 2025.

Commentary: It is the Personnel Board’s responsibility to develop this recommendation for the Annual Wage Adjustment. The Town calculates the expected increase in salaries as a result of this wage adjustment to be \$37,300.00 for FY2026.

Vote 1:

The Personnel Board recommends (3-0-0).

Vote 2:

The Personnel Board recommends (3-0-0).

Vote 1:

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

Vote 2:

The Select Board recommends (4-0-1). The Select Board unanimously recommends this article. The proposed amendments to the Personnel Plan are a thoughtful and strategic update that benefit both the town and its employees. By aligning job titles with actual responsibilities and adding necessary positions like the Assistant Treasurer/Collector, the plan ensures that roles are clearly defined and duties are properly supported. The sick leave and vacation policies provide more flexibility for employees while maintaining fiscal responsibility, and the introduction of the medical insurance opt-out stipend offers a valuable benefit to staff. Additionally, the 2.70% wage adjustment reflects the town’s commitment to fair compensation and helps retain a skilled and dedicated workforce. These changes improve employee satisfaction and enhance operational efficiency for the town as a whole.

Vote 1:

The Finance Committee recommends (6-0-0). The Finance Committee recommends the language changes to the Personnel Plan. These changes were brought forth by the administration to streamline the plan.

Vote 2:

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

FY2026 Classification and Compensation Schedule (2.70% Wage Increase added)
Regular Full-Time, Reduced Hours and Part-Time Employees

GRADE	POSITIONS	FLSA Status	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14
16	Assistant Town Administrator	Exempt	92,348	94,657	97,023	99,449	101,935	104,484	107,096	109,773	112,517	115,330	118,213	121,169	124,198	127,303
	Police Lieutenant	Non-exempt														
15	Human Services Director	Exempt	78,596	80,561	82,575	84,639	86,755	88,924	91,147	93,426	95,761	98,155	100,609	103,124	105,702	108,345
	*Inspector Bldgs Commissioner (BICO)															
	*Finance Director															
	*Town Assessor															
	*Director of Land Use and Permitting															
	Town Treasurer/Collector															
14	Community Services Coordinator	Exempt	66,888	68,561	70,275	72,031	73,832	75,678	77,570	79,509	81,497	83,534	85,623	87,763	89,957	92,206
	Council on Aging Coordinator															
	Town Clerk/Temporary Town Clerk	Non-Exempt	32.16	32.96	33.79	34.63	35.50	36.38	37.29	38.23	39.18	40.16	41.16	42.19	43.25	44.33
	Recreation Services Coordinator															
13	Associate Town Planner	Exempt	61,732	63,275	64,857	66,478	68,140	69,844	71,590	73,380	75,214	77,095	79,022	80,998	83,022	85,098
	Youth Services Librarian	Non-exempt	29.68	30.42	31.18	31.96	32.76	33.58	34.42	35.28	36.16	37.06	37.99	38.94	39.91	40.91
	Information Services Librarian															
	Technical Services Librarian															
12	Assistant Town Accountant	Non-Exempt	27.50	28.18	28.89	29.61	30.35	31.11	31.89	32.68	33.50	34.34	35.20	36.08	36.98	37.90
	Assistant Treasurer/Collector															
	Administrative Assistant															
	Conservation Agent															
11	Animal Control Officer	Non-exempt	25.59	26.23	26.88	27.56	28.24	28.95	29.67	30.42	31.18	31.96	32.76	33.57	34.41	35.27
	Department Assistant															
10	Sr. Library Assistant	Non-exempt	23.79	24.39	25.00	25.62	26.26	26.92	27.59	28.28	28.99	29.71	30.46	31.22	32.00	32.80
	Local Transit Operator															
9	Library Assistant	Non-exempt	22.14	22.69	23.26	23.84	24.44	25.05	25.67	26.32	26.97	27.65	28.34	29.05	29.77	30.52
8	Van Dispatcher	Non-exempt	20.60	21.11	21.64	22.18	22.74	23.30	23.89	24.48	25.10	25.72	26.37	27.03	27.70	28.39

* Under three year contract

New or Revised position

FY2026 Classification & Compensation Schedule (2.70% Wage Increase added)
Temporary, Per Diem and Intermittent

SG	Hourly (All Non-exempt)	FY26 Rate
0	CIT	15.72
0	Intern (Town Hall)	15.72
1	Counselor	16.33
1	Asst. Animal Control Officer	16.33
1	Election Workers	16.33
2	Media Production Technician	16.94
2	Seasonal Conservation Officer	16.94
3	Laborer - Cemetery	15.51
3	Clerk of Elections	17.57
4	Lead Counselor	18.23
5	Van Driver	18.92
6	Seasonal Maintenance & Cemetery Worker	19.63
8	Lock Up Attendant	23.32
8	Winter Sports Director	23.32
8	Specialty Instructor Level I	23.32
9	Substitute Library Assistant	22.14
10	Specialty Instructor Level II	23.89
10	Summer Recreation Director	23.89
10	Snow Plow Operator	23.89
10	Call EMT	23.89
10	Call Firefighter	23.89
11	Firefighter/EMT	25.59
11	Animal Control Officer	25.59
11	Lead Summer Recreation Director	25.59
11	Veterans Services Officer	25.59
11	Part Time Dispatcher	25.59
13	Reserve Police Officer	29.68
14	Fire Lieutenant	32.16
15	Fire Captain	37.78
16	Deputy Fire Chief	44.40
NR	Asst. Building Inspector	32.85
NR	Call Building Inspector	38.24

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

Fee Based	Rate
Wiring Inspector	90% Permit Fees
Plumbing & Gas Inspector	90% Permit Fees
Meeting Secretaries	\$141.97/meeting

Discussion on the motion on Article 4, Vote 1: none

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

Discussion on the motion on Article 4, Vote 2:

Dick Wagman of Leonard Rd. asked for clarification about the two votes.

Alan MacLean clarified that the second vote is for a cost of living wage increase. The first vote was on language changes in the Personnel Plan.

Michael Johns also clarified that this vote is only for a portion of the staff; some are under union and other contract negotiations.

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

ARTICLE 5 TOWN OPERATING BUDGET

\$29,299,232 Raise & Appropriate

(Majority Vote Required)

Antony Newton moved, and it was seconded, that the Town vote to raise and appropriate the sum of Twenty-nine million, two hundred ninety-five thousand, one hundred thirty-two dollars (\$29,295,132), for the operations and expenses of providing public services for the Fiscal Year beginning July 1, 2025 the purposes for which funding are set forth in the Department Account Numbers 114 through 920 and any subheadings included under said account numbers as printed in Article 5 of the May 12, 2025 Annual Town Meeting Warrant under the heading FY26 Budget Summary, **with the exception of Planning Board line 175, other, which is increased by \$4,100 for a total budget of \$29,299,232.**

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

The Select Board deferred its vote and it was 5-0-0 in support of the budget in Article 5.

Operating Budget FY26

By Function

Function	FY26	FY25	% change
Administration	\$4,305,134	\$4,026,178	6.9%
Non-Salary	\$4,305,134	\$4,026,178	6.9%
Culture and Recreation	\$526,427	\$492,059	7.0%
Non-Salary	\$132,565	\$129,065	2.7%
Salary	\$393,862	\$362,994	8.5%
Education	\$17,037,947	\$16,131,943	5.6%
Non-Salary	\$17,037,947	\$16,131,943	5.6%
Health Services	\$238,226	\$278,152	-14.4%
Non-Salary	\$122,470	\$139,356	-12.1%
Salary	\$115,756	\$138,796	-16.6%
Protection	\$3,368,393	\$3,287,023	2.5%
Non-Salary	\$309,163	\$299,153	3.3%
Salary	\$3,059,230	\$2,987,870	2.4%
Public Works	\$1,431,025	\$1,430,026	0.1%
Non-Salary	\$605,797	\$625,937	-3.2%
Salary	\$825,228	\$804,089	2.6%
Town Government	\$2,387,980	\$2,369,816	0.8%
	\$1,095,591		
Non-Salary	\$1,099,691	\$1,112,877	-1.6%
Salary	\$1,292,389	\$1,256,939	2.8%
Total	\$29,295,132 \$29,299,232	\$28,015,197	4.6%

Operating Budget FY26

By Cost Center

Cost Center	Department	FY26			FY25		
		Non Salary	Salary	Total	Total	% Change	Note
114	Town Moderator	\$80		\$80	\$80	0.0%	
119	Town Constable	\$215		\$215	\$160	34.4%	
123	Town Administrator	\$73,993	\$382,134	\$456,127	\$436,008	4.6%	
131	Finance Committee	\$710	\$3,625	\$4,335	\$4,325	0.2%	
132	Reserve Fund	\$175,000		\$175,000	\$168,000	4.2%	
135	Accountant	\$58,200	\$178,772	\$236,972	\$226,235	4.7%	
141	Assessors	\$44,249	\$130,594	\$174,843	\$167,493	4.4%	
145	Treasurer	\$39,650	\$111,335	\$150,985	\$156,215	-3.3%	
151	Legal Department	\$136,500		\$136,500	\$130,000	5.0%	
152	Personnel	\$345		\$345	\$345	0.0%	
155	Information Technology	\$298,511		\$298,511	\$267,503	11.6%	1
161	Clerk	\$13,174	\$124,703	\$137,877	\$140,018	-1.5%	
171	Conservation Commission	\$1,700		\$1,700	\$1,700	0.0%	
174	Land Use and Permitting	\$15,615	\$361,226	\$376,841	\$385,887	-2.3%	
175	Planning Board	\$3,400 \$7,5000	-	\$3,400 \$7,5000	\$7,942	-57.2%	
176	Zoning Board	\$400	\$0	\$400	\$635	-37.0%	
179	Agricultural Commission	\$300		\$300	\$300	0.0%	
182	Economic Development	\$4,250		\$4,250	\$4,250	0.0%	
192	Building and Maintenance	\$209,209		\$209,209	\$251,910	-17.0%	
196	Facilities	\$18,840		\$18,840	\$19,860	-5.1%	
199	Sustainability Committee	\$1,250		\$1,250	\$950	31.6%	
210	Police	\$164,272	\$1,608,635	\$1,772,907	\$1,738,723	2.0%	

Cost Center	Department	FY26			FY25		
		Non Salary	Salary	Total	Total	% Change	Note
215	Dispatch	\$19,238	\$61,237	\$80,475	\$71,493	12.6%	2
220	Fire	\$124,043	\$1,367,939	\$1,491,982	\$1,452,480	2.7%	
292	Animal Control	\$1,610	\$21,419	\$23,029	\$24,327	-5.3%	
300	Education	\$213,577		\$213,577	\$171,669	24.4%	3
310	Regional School	\$16,824,370		\$16,824,370	\$15,960,274	5.4%	
422	Public Works Maintenance	\$226,660	\$726,920	\$953,580	\$936,921	1.8%	
423	Public Works Snow and Ice	\$114,297	\$92,293	\$206,590	\$206,590	0.0%	
424	Public Works Street Lighting	\$2,200		\$2,200	\$3,900	-43.6%	
429	Public Works Fuel	\$62,840		\$62,840	\$66,800	-5.9%	
431	Public Works Hazardous Waste	\$0		\$0	\$10,000	-	4
433	Public Works Transfer Station	\$197,500		\$197,500	\$197,500	0.0%	
490	Animal Inspector		\$1,015	\$1,015	\$1,015	0.0%	
491	Cemetery	\$2,300	\$5,000	\$7,300	\$7,300	0.0%	
511	Board of Health	\$67,937		\$67,937	\$77,131	-11.9%	
529	Community Services	\$4,500	\$45,020	\$49,520	\$61,405	-19.4%	5
541	Council On Aging	\$20,600	\$70,736	\$91,336	\$103,316	-11.6%	
543	Veterans	\$29,433		\$29,433	\$36,300	-18.9%	
610	Library	\$115,990	\$317,511	\$433,501	\$416,008	4.2%	
630	Recreation Commission	\$13,225	\$76,351	\$89,576	\$72,701	23.2%	6
691	Historical Commission	\$350		\$350	\$350	0.0%	
692	Public Celebration	\$1,500		\$1,500	\$1,500	0.0%	

Cost Center	Department	FY26			FY25		
		Non-Salary	Salary	Total	Total	% Change	Note
699	AB Cultural Council	\$1,500		\$1,500	\$1,500	0.0%	
710	Retirement Of Debt	\$860,531		\$860,531	\$1,014,132	-15.1%	7
751	Interest On Long Term Debt	\$45,154		\$45,154	\$14,360	214.4%	8
911	Retirement Assessment	\$1,497,652		\$1,497,652	\$1,325,502	13.0%	
912	Town Insurances	\$96,255		\$96,255	\$89,125	8.0%	
913	Town Insurances	\$33,696		\$33,696	\$31,200	8.0%	
914	Town Insurances	\$1,528,993		\$1,528,993	\$1,329,559	15.0%	9
915	Employee Benefits	\$7,875		\$7,875	\$7,500	5.0%	
916	Employee Benefits	\$97,750		\$97,750	\$85,000	15.0%	9
919	Employee Benefits	\$6,000		\$6,000	\$6,000	0.0%	
920	Town Insurances	\$131,228		\$131,228	\$123,800	6.0%	9
	Total			\$29,295,132 \$29,299,232	\$28,015,197	4.6%	

	Notes
1	Centralization of software
2	Will increase when regionalization payment takes full effect
3	Increasing enrollment to Voc Tech schools
4	No hazardous waste day in 2026
5	Decreased (transferred to Rec. Comm.) Admin. Support
6	Increased (transferred in) admin support
7	Reducing debt
8	Interest on BANs offset by reduced Bond cost
9	Statutory requirement

Antony Newton gave the Finance Committee Report (printed at the end of the warrant). He went over the total budget, operating budget and warrant articles and their sources of funding. He showed that education is the majority of the budget. This year the operating budget increased by 4.6% with the town amount (\$12,470,762) increasing by 3.45%, warrant articles adding \$285,739, for a total increase including school assessment of 5.6%. He talked about the approximately 13% increases in employee benefits and insurance driving some of that increase. The education budget is driving the increases but still cutting level services. The non-AB education (vocational schools) increased 24.4% (\$41,908).

The total budget including operating, ABRSD, and warrant articles is \$32,609,960. He talked about where these funds come from; the majority is from the levy (87%), which is the real estate taxes. He summarized the warrant articles and where the debt comes from including bonding, reserves, and state revenues. Removing the proposed debt from the fire station article that was voted down, the new debt from warrant articles proposed is \$1,660,000 on top of our existing debt of \$5,827,000. He summarized the amount of warrant articles proposed for Free Cash, which is \$794,526.

The estimate for the levy this year is \$28,378,076. There is a levy limit, which is \$29,100,061 under proposition 2^{1/2}. An override would raise the levy limit. In the past 10 years the levy limit has increased 47% and the levy has increased by 60%. In total, the two lines get closer together so we start to need to think about a levy limit increase. We have very little new growth other than the Enclave and some commercial development. For the levy, we have to watch our expenses, but we have mandatory increases, including education and employee benefits. Next year, we need to consider an override to give us some flexibility in spending. We have not had an override in almost 20 years.

He explained bonding and the amounts and thinking about future debt which could be over \$30 million for a new fire station. We are managing our debt well, as you can see from the decline in the graph (Debt Servicing 2025-2035).

Free Cash is at over \$2.3 million which is quite healthy and we want to maintain that cushion. We are using some of that for warrant articles. In summary, we are facing increasing a 5.6% total increase in costs and limited new growth.

Kristin Hilberg reported that the Select Board unanimously recommends as stated in the warrant.

Discussion on the motion on Article 5: none

Chad Childers of Middle Rd. called for a hold on line 174. He asked how many employees are in that line.

Alec Wade answered that there are six including a minutes taker.

Rebecca Verner of Old Harvard Rd. called for a hold on line 175. She asked why it was reduced from last year.

Alec said he submitted it as level funding.

Michael Johns doesn't recall cutting that budget. Honghoa Le, the Finance Director agreed. There appeared to be a mistake in the budgeting software that resulted in that line being reduced in error.

Rebecca Verner moved that line 175 for the Planning Board be amended from \$3,400 to \$7,500.

Select Board had no recommendation.

Finance Committee did not recommend.

Planning Board recommends.

Alec Wade said that the Planning Board used funding for legal services, for professional consultants, and for traffic studies.

Tony Newton of the Fin Com said no \$ was taken out of the account this past year and that the legal services line is different.

Alec Wade said the board sought a legal opinion and \$ was spent for STM 1. Honghoa confirmed that no money was spent out of this line item.

Rebecca Verner said that they are seeing a lot of development proposals so they anticipate needing funding for consultants such as traffic and environmental.

Cheryl Mahoney of Liberty Square Rd. wanted to clarify what the Actuals are and wanted to be cautious in spending.

Chris Dowdy of Liberty Square Rd. said that he's not seeing a reason to reduce the budget based on lack of intention to cut the budget (it looks like a transcription error based on the amount). There will likely be a need to bring in consultants.

Kristin Hilberg of Hill Rd. supports the level funding of this line item because they will need to keep the business of the town going.

Mark Barbadoro of Old Harvard Rd. said that there are statutory requirements and consultants needed that will require funding.

Erin Harrington of Kendall Rd. asked if the Planning Board is handling the Accessory Dwelling Units issue so she thinks that the Planning Board should be funded.

Cindy Markowitz of Meadow Ln. said there are many technical issues that the Planning Board faces.

Action on the amendment on Line 175 of Article 5: carried by a majority.

Point of Order from Rebecca Neville from the Fin Com: she wanted to make sure the \$ is the right breakdown. It should probably be \$7,900 for a total.

Dennis Reip said that \$7,500 is what passed for non-salary and the breakdown can be discussed later.

Cheryl Mahoney asked for a hold on 529, Community Services, and asked why support was taken out of the Community Services line?

Michael Johns said that he wanted to reduce the number of direct reports to his office. One department that he consolidated was Community Services including Recreation. Administrative support was moved into one line, which is Recreation. The line item for Community Services and COA has gone down. The support hours were taken out of Community Services; Administrative support in that office doesn't lend itself to outside of the office outreach and helping people who are in need outside of work hours. Administrative support in the office is not needed as much for what this office does.

Santosh Verma of Depot Rd. asked for a hold on 541 Council on Aging. He asked why the budget is going down when more aging population is increased.

Michael Johns said that they are not reducing services, but are creating better services due to consolidation. In the past year the COA Director was promoted to a Human Services Director and works with someone in the office to provide administrative support. They are working to make sure none of the areas of service decrease, and will monitor that closely.

Jennifer Barrett of Whitcomb Rd. wanted to know what the lines 912-916, 919 and 920 are to differentiate.

Michael Johns said 912 is workman's comp. and injured on duty coverage; 913 is unemployment; 914 is health insurance; 915 is long-term disability insurance; 116 is Medicare; 919 is flexible spending; 920 is liability insurance.

Jennifer Barrett asked for Actuals for FY24 and YTD expenditures on line 913

Honghoa Le said that line 913 Actuals were \$4,981.12 in FY24 and in FY25 it was \$14,250.67.

Jennifer Barrett asked for clarification on the Finance Committee's report on page 106 of the warrant, Slide 11, showing the levy and levy limit. She said the table shows other costs (\$397,205 and Overlay Reserve Fund (\$100,000) and that those total up as part of our levy. She asked to identify what is in "other costs" in this table.

Tony Newton said that there is amount in there for Overlay Reserve Allowance and Cherry Sheet Allowance.

Jennifer Barrett asked if there were Overlay costs in other and in Overlay Reserve.

Tony Newton said that there was a question by a member of the public about the Overlay Reserve Allowance in the last day or so and he would be investigating this.

Jennifer Barrett clarified that this is taxed money so having accuracy here is helpful. The state acknowledges this and certifies it as part of the Tax Recap and we have not come close to \$400,000 in the past few years. There is also approximately \$1 million waiting for abatement.

Mr. Newton said that the Assessor sets this and we need to look at this. What we do on this floor won't change the tax levy, but it will be correct by the time it is set.

Cindy Markowitz asked if anyone can tell us how much in real estate abatements has been given.

Mr. Newton clarified that it does not show up in the budget and the Assessor would have to answer that.

The Assessor, Kelly Szocik, did not have that number handy.

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

ARTICLE 6 INCREASED HOURS FOR THE COMMUNITY SERVICES COORDINATOR

**\$18,002 Raise & Appropriate
(Majority Vote Required)**

Robert Stemple moved, and it was seconded, that the Town vote to raise and appropriate the sum of eighteen thousand two dollars (\$18,002), to support an increase in the hours of and provide related compensation to the Community Services Coordinator.

Summary:

During the reorganization of the Human Services Department, 10 hours of administrative support were removed from Community Services and reassigned to another department. This article seeks to restore those 10 hours in a way that provides greater value by adding them to the Community Services Coordinator position.

Expanding the coordinator hours will enhance the department's ability to provide direct support to residents in need, improve service accessibility, and increase flexibility in responding to community concerns. Rather than simply restoring administrative support, this approach strengthens the department's capacity to assist residents more effectively, ensuring that those who rely on these services receive timely and personalized assistance.

The number of households seeking assistance from the Community Services Department has increased by 50% from FY24 due to the challenging economic and housing environment, particularly for low-income residents. Almost every individual coming to the Community Services Coordinator (CSC) has a myriad of issues, making the role of the CSC particularly complex. As local resources (such as Acton Boxborough United Way) and grants become scarcer, the challenges in finding help for residents become more complicated and time-consuming. The CSC oversees the outreach for all ages, including Seniors, and that Senior percentage of Boxborough residents continues to grow.

If approved, funding from this article will move to Community Services Coordinator salary account G.L. 10000-529-51-5100-0000.

The Select Board recommends (5-0-0). The Select Board recommends this article unanimously for the reasons shown above, as well as the fact that the Select Board has become aware of a growing number of residents needing assistance due to economic financial difficulties. These hours will be used by the CSC only to give residents the tools, and direct access to local agencies that can offer real personal help to our fellow residents who are going through difficult times. The coordinator has the tools and knowledge to help these people, she just needs more time, 10 hours, going from 25 hours currently to 35 hours per week, to meet with these residents so they can see that there are resources that they can benefit from.

The Finance Committee recommends (5-1-0).

Majority Opinion

A majority of the Finance Committee recommends and while we are concerned by the continual creep of additional positions and/or hours we feel the additional hours are needed to serve the residents of Town.

Minority Opinion

The minority believes that the town should pause staffing increases this year. Over the last several years the town has added staff and/or staffing hours, while the schools have been forced to make significant staff cuts. In addition, within the next few years the towns pension obligation is predicted to become the largest budget driver second only to the schools. This model is unsustainable in the long term.

Taxpayer Cost	Amount
Per \$1,000 of valuation	\$0.01
Per average house	\$9.00

If voted yes, the costs for this article will be added to the Operating Budget under cost center 529 – Community Service.

The Council on Aging recommends (6-0-0). The Council on Aging Board believes that restoring 10 hours of Community Services staff time, thereby extending coordinator's hours, will greatly enhance Boxborough's support of older members of the community, noting that more than 30 percent of the town's population is over age 60. A critical function of the Community Services coordinator's position is connecting those in need of financial and other assistance, to external sources that provide such support to older individuals, as well as to others. Restoring these hours to the town's Community Services Department – removed from the Department and reassigned elsewhere during a past departmental reorganization – will significantly increase Boxborough's ability to support and enhance the lives of our older citizens.

The Well-Being Committee recommends (5-0-0). The Well-Being Committee unanimously recommends an increase in the hours for the Community Services Coordinator (CSC). The CSC oversees support for residents of all ages in Boxborough, connecting those in need with resources at the federal, state and local level. The CSC has created and coordinated a wide variety of town programs to improve the life of Boxborough residents. The CSC has joined with regional groups to locate additional resources and make connections. Additional hours are needed because the administrative support for the CSC has been eliminated. These hours will allow the CSC to maintain current levels of support and allow for more time for training, networking and grant procurement.

Robert Stemple gave the Select Board recommendation. As printed in the warrant, above.

Becky Neville gave the majority Finance Committee recommendation. As printed in the warrant, above.

Maria Neyland gave the minority Finance Committee recommendation. As printed in the warrant, above.

Santosh Verma of the COA gave the recommendation. As printed in the warrant, above.

Mary Pavlik of the Well-Being Committee gave the recommendation. As printed in the warrant, above.

Discussion on the motion on Article 6:

Adam Klein of Whitcomb can't vote for taxing needy residents in exchange for cutting services for students who can not come vote on this article.

Kristin Hilberg of Hill Rd. advocated for serving the people of our town.

Cheryl Mahoney had the honor of working with the previous CSCs and it is a big lift. Children in this community are serviced by the coordinator. There are services that this person provides for disenfranchised families.

Mary Pavlik expressed how important this position is especially when there are federal cuts.

Chad Childers of Middle Rd. has seen the need and wants to support this Article.

Frances Spayne of Summer Rd. advocated for this Article.

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

**ARTICLE 7 DEPARTMENT OF PUBLIC WORKS (DPW): PART-TIME
STAFF ADDITION FOR TRANSFER STATION**

\$20,000 Raise & Appropriate
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town vote to raise and appropriate the sum of twenty thousand dollars (\$20,000) to hire and compensate a part-time Transfer Station Attendant (16 hours per week) for the Department of Public Works (DPW).

Summary:

The objective of hiring a part-time DPW Laborer/Transfer Station Attendant is to provide additional support to the Highway Department for ongoing and future projects as well as day-to-day operations of tasks assigned by the DPW Director.

In FY20 a decision was made to haul our own solid waste, recycling, metal by purchasing a roll-off truck. The unintended consequence was that an employee would work almost full-time performing Transfer Station duties, working two days while the Transfer Station was open and hauling full containers on the other two days. This effectively removed one employee from performing most other Highway Department functions. Performing this task continues to save money every year for the Town.

In FY23 a Building and Grounds Team Leader position was added to the DPW. The thought was that the position would be approximately 20 hours per week with the remaining time being used to perform tasks for the Highway Department. This position was needed and brought several benefits to the organization, including ensuring the safety and functionality of buildings by proactively managing maintenance, minimizing disruptions from repairs, optimizing energy usage, managing costs related to facility upkeep, and creating a more comfortable municipal environment for employees, residents and visitors, through proper facility management practices. In reality, the needs of the position have been full-time in FY24 and FY25.

If approved, funding from this article will move to Public Works Salary Employee account G.L. 10000-422-51-5120-0000.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article. While bringing Transfer Station hauling in-house has led to significant budget savings, it's also stretched the DPW team thin. They're now juggling their regular buildings and grounds work along with deferred maintenance on town buildings—without the full staff they need. By hiring a new, part-time transfer station attendant for 16 hours a week, we can shift the current attendant to full-time highway department duties, helping to restore staffing levels that were impacted when the DPW took on waste hauling and facilities management over the past several years. We see this part-time addition as a fiscally responsible move to support the team and keep our town-owned assets in good shape.

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

Majority Opinion

A majority of the Finance Committee recommends the addition of a part-time DPW worker. Since 2020, changes made to the DPW, from hauling our own waste and to creating a Building and Grounds Team Leader have saved the Town considerable money, but it has also left the DPW without much needed manpower. This position will help address the manpower needs.

Minority Opinion

The minority believes that the town should pause staffing increases this year. Over the last several years the town has added staff and/or staffing hours, while the schools have been forced to make significant staff cuts. In addition, within the next few years the towns pension obligation is predicted to become the largest budget driver second only to the schools. This model is unsustainable in the long term.

Taxpayer Cost	Amount
Per \$1,000 of valuation	\$0.01
Per average house	\$10.00

If voted yes, the costs for this article will be added to the Operating Budget under cost center 422 – DPW.

Kristin Hilberg gave the Select Board recommendation. As printed in the warrant, above.

Becky Neville gave the majority Finance Committee recommendation. As printed in the warrant, above.

Maria Neyland gave the minority Finance Committee recommendation. As printed in the warrant, above.

Discussion on the motion on Article 7:

Adam Klein stated that if we vote in all of the articles the town's budget will go up 5% while the school budget only goes up 2.1% and we have to balance the needs of town and the needs of our students.

Jennifer Bunce-Stone of Sargent Rd. said she's often at the Transfer Station making sure people aren't throwing the wrong thing in the wrong place. There is an important role to monitor what is going into the different bins. The Transfer Station is a place where the town can make money by recycling metal.

Chad Childers of Middle Rd. asked if the Sustainability Committee was working on this. He wonders if it's possible to have volunteers working on this.

Kate Davies of Guggins Ln. said that there is a working group working on waste management.

Kristin Hilberg asked if Ed Kukkula would respond to the idea of having volunteers work at the Transfer Station.

Dennis Reip asked Ed Kukkula to speak. He agrees with the resident who said it's hard to check on what people are throwing in which bins. Larry does his best to try to keep people from using the wrong dumpsters. He is just one person who goes out of his way to help people. He's also making sure people have stickers. They have thought about having a scanner to check stickers. They are looking for a part time employee because the cost to the town was \$438/trip in 2021, but he came to the decision that we should do it ourselves with a truck. The bottom line is that we are saving \$40,000-45,000 by doing our own hauling. Waste management had been increasing 5% each year. The unintended consequence was that we don't have full time staff at the DPW because Larry is spending more time hauling. DPW has also lost the Buildings and Grounds Foreman so he decided he needed more staff. There will still only be two employees at the Transfer Station.

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

ARTICLE 8 TREASURER-COLLECTOR ADDITIONAL HOURS

\$7,737 Raise & Appropriate
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town vote to raise and appropriate the sum of seven thousand seven hundred thirty-seven dollars (\$7,737), to support the increased hours of and provide related compensation for the Treasurer-Collector.

Summary:

In 2023, following the abrupt departure of the Treasurer-Collector, the Town experienced difficulty in attracting qualified applicants for the position. After multiple unsuccessful attempts to fill the role, the Town Administrator adjusted the compensation structure, maintaining the annual salary but reducing the work week from 40 to 32 hours, which successfully resulted in hiring a qualified candidate.

However, it has become evident that the responsibilities of the Treasurer-Collector cannot be effectively fulfilled within a 32-hour work week, leading to work falling behind. This article seeks to modestly increase the position's weekly hours by three (3) hours per week, to ensure that the Treasurer-Collector can meet the full requirements of the role and maintain the Town's financial operations effectively.

Approval of this article, increasing the weekly hours to 35 hours per week, will allow for a necessary adjustment to support the continued efficiency and effectiveness of the Treasurer-Collector's office.

If approved, funding from this article will move to Treasurer – Collector salary account G.L. 10000-145-51-5100-0000.

The Select Board recommends (5-0-0). The Select Board unanimously recommends approval of this article. It has become evident that the responsibilities of the Treasurer-Collector cannot be effectively fulfilled within a 32-hour work week. This article proposes a modest increase of 3 additional hours per week, bringing the position to 35 hours, to ensure the Treasurer-Collector can more adequately meet the full requirements of the role and maintain the Town's financial operations effectively.

The Finance Committee recommends (4-2-0).

Majority Opinion

A majority of the Finance Committee recommends the additional hours for the Treasurer/Collector. She routinely works in excess of 40 hours and should be compensated.

Minority Opinion

The minority believes that the town should pause staffing increases this year. Over the last several years the town has added staff and/or staffing hours, while the schools have been forced to make significant staff cuts. In addition, within the next few years the towns pension obligation is predicted to become the largest budget driver second only to the schools. This model is unsustainable in the long term.

Taxpayer Cost	Amount
Per \$1,000 of valuation	<\$0.01
Per average house	\$4.00

If voted yes, the costs for this article will be added to the Operating Budget under cost center 145 – Town Government.

Discussion on the motion on Article 8:

Adam Klein expressed that he is against yet another raise and appropriate article, raising taxes for the town budget while the school budget is being cut. He listed cuts for over 20 FTEs that have been cut from the school budget. It's unsustainable and unfair.

Christine Marlow of Depot Rd. wants to understand more about this position because her taxes go to an address in Reading. She wanted someone to explain what this position does.

Michael Johns explained what the Treasurer/ Collector's office does. These are critical functions and she works more hours than she's being paid for.

Jim Howie of Reed Farm Rd. wants to know the history of this position. He asked if it was full time before this position.

Michael Johns said there was a Treasurer/Collector who worked partly remote and wanted to do more remote hours. It is a public-facing position and he left when he wasn't allowed to be more remote. It was a 40-hour position and for over two months we couldn't get qualified applicants. The pay wasn't high enough, so he took the salary and reduced the hours, raising the hourly rate. He hoped to attract someone who wanted to only work four days per week. The Administrative Assistant wasn't willing to do more and she left. We have recently hired someone as an Administrative Assistant, but we need more hours from the person who is doing the borrowing for the town.

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

**ARTICLE 9 FUND COST ITEMS FOR FIRST YEAR OF DPW UNION
COLLECTIVE BARGAINING AGREEMENT**

\$42,000 Raise and Appropriate
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town vote to raise and appropriate the sum of forty-two thousand dollars (\$42,000) to fund the cost items of the first year of a collective bargaining agreement between the Town and United Public Service Employees Union Local 242M Unit MADIV 125 (DPW Union) covering the period of July 1, 2025 to June 30, 2028.

Summary:

Funding for cost items of the first year of the collective bargaining agreement must be approved by town meeting. This article is for the funding of the collective bargaining agreement between the Town of Boxborough and United Public Service Employees Union Local 242M Unit MADIV 125 (DPW Union), for the term July 1, 2025 – June 30, 2028. Funding for years two and three of this contract will be included in the FY 2027 and FY 2028 budget requests under Article 5.

The Select Board recommends (5-0-0).

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

If voted yes, the costs for this article will be mapped to the Operating Budget under cost center 422-DPW

Discussion on the motion on Article 9:

Adam Klein will be voting in favor, but reiterated that these increases will come at the expense of the school budget if we keep increasing at this rate.

Susan Bak of Burroughs Rd. asked for an explanation of what is in the contracts. She did that when on the Select Board.

Michael Johns explained that the three-year contract is for a 2.75% COLA increase for FY26 and in FY27-28 there are 3% COLA increases. These are the same for the other two unions as well. We were falling behind other surrounding communities so there are moderate wage adjustments. There are stipends that go towards licensing from \$200/license to \$400/license. There is also a medical insurance opt out stipend. The town saves money on health insurance and the employee benefits. There will also be a safety committee that will work with the Director to make their work environment safer.

Action on the motion on Article 9: carried by a majority.

**ARTICLE 10 FUND COST ITEMS FOR FIRST YEAR OF FIRE UNION
COLLECTIVE BARGAINING AGREEMENT**

\$76,000 Raise and Appropriate
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town vote to raise and appropriate the sum of seventy-six thousand dollars (\$76,000) to fund the cost items of the first year of a collective bargaining agreement between the Town and Boxborough Professional Firefighters, Local 4601(Fire Union) covering the period of July 1, 2025 to June 30, 2028.

Summary:

Funding for cost items of the first year of the collective bargaining agreement must be approved by town meeting. This article is for the funding of the collective bargaining agreement between the Town of Boxborough and Boxborough Professional Firefighters, Local 4601(Fire Union), for the term July 1, 2025 – June 30, 2028. Funding for years two and three of this contract will be included in the FY 2027 and FY 2028 budget requests under Article 5.

The Select Board recommends (5-0-0).

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

If voted yes, the costs for this article will be mapped to the Operating Budget under cost center 220-Fire

Discussion on the motion on Article 10:

Adam Klein is in support of this. He sought to remind residents that two years ago the School Committee negotiated raises for teachers, with a 1.75% increase in the first year, a 2.75% increase in the next year and 2.75% increase for this year. Next year they will go into contract negotiations again and if you have watched the news, you will see that teachers have been striking. They are tired, and have been asked to do more and we continue to cut their positions, so we have to be cautious with our budgeting.

Cheryl Mahoney of Liberty Square Rd. asked if the TBD \$ amount on the warrant has changed and it was pointed out that the numbers for these articles have been put up on the screen and read with the motions.

Nathaniel Stuntz of Hill Rd. asked for explanation in more detail as with the last article on contracts.

Michael Johns explained that there was a moderate 2.75% increase in year 1 and a 3% increase in years 2 and 3. There is a moderately increased wage schedule and an increased education incentive for EMT firefighters who hold Associates, Bachelors' or Masters' degrees. There is an increase to the detail rate and also an incentive for light duty for injury on the job, which is beneficial for the town.

Action on the motion on Article 10: carried by a majority.

**ARTICLE 11 FUND COST ITEMS FOR FIRST YEAR OF POLICE UNION
COLLECTIVE BARGAINING AGREEMENT**

\$60,000 Raise and Appropriate
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, that the town vote to raise and appropriate the sum of sixty thousand dollars (\$60,000) to fund the cost items of the first year of collective bargaining agreement between the Town and Massachusetts Coalition of Police, Local 200, (Police Union) covering the period of July 1, 2025 to June 30, 2028.

Summary:

Funding for cost items of the first year of the collective bargaining agreement must be approved by town meeting. This article is for the funding of the collective bargaining agreement between the Town of Boxborough and Massachusetts Coalition of Police, Local 200 (Police Union) for the term July 1, 2025 – June 30, 2028. Funding for years two and three of this contract will be included in the FY 2027 and FY 2028 budget requests under Article 5.

The Select Board recommends (5-0-0).

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

If voted yes, the costs for this article will be mapped to the Operating Budget under cost center 210 – Police.

Discussion on the motion on Article 11:

Liz Fowlks of Stow Rd. wanted to reiterate that the schools are facing the fourth year of cuts while we are raising the town budgets. She is in support of the article if that is what was negotiated but wanted to remind people about the increases that would be coming even with level funding for education.

Chad Childers of Middle Rd. asked for the breakdown and if the % increase was higher than the other staff in town.

Michael Johns said that the breakdown is the same as the other unions and includes career incentive pay and an increase in the detail rate. We cleaned up some language in the contract related to comp time and holiday language. The percentage increase is the same as the other staff.

Action on the motion on Article 11: carried by a majority.

ANNUAL TOWN MEETING FINANCIAL (NON-CAPITAL) CONSENT AGENDA²

Kristin Hilberg, Select Board Chair, moved, and it was seconded, to approve the Annual Town Meeting Financial (Non-Capital) Consent Agenda Warrant Articles thirteen, fourteen, sixteen, seventeen, nineteen, twenty through twenty-two in accordance with the funding sources and amounts set forth in the May 12, 2025 Annual Town Meeting Warrant under Articles thirteen, fourteen, sixteen, seventeen, nineteen, twenty through twenty-two through twenty-two, respectively.

- ARTICLE 12 DEPARTMENT REVOLVING FUNDS EXPENSE LIMITS ² **HOLD****
- ARTICLE 13 CLOSE COMPLETED ARTICLES TO GENERAL FUND ²**
- ARTICLE 14 CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM ²**
- ARTICLE 15 ASSESSOR CYCLICAL REVALUATION ² **HOLD****
- ARTICLE 16 CABLE SERVICES AND EQUIPMENT ²**
- ARTICLE 17 OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND ²**
- ARTICLE 18 STAFF PROFESSIONAL DEVELOPMENT ² **HOLD****
- ARTICLE 19 FIRE DEPARTMENT: RECRUIT ACADEMY TRAINING,
COVERAGE CONTINGENCY & FIRE DEPARTMENT
PHYSICALS ²**
- ARTICLE 20 FIRE DEPARTMENT: CISTERN INSPECTIONS AND REPAIRS ²**
- ARTICLE 21 EMERGENCY MANAGEMENT ²**
- ARTICLE 22 POLICE & FIRE INJURY COVERAGE TRANSFER ²**
- ARTICLE 23 PRUDENT INVESTMENT ² **HOLD****
- ARTICLE 24 MODIFIED BOXBOROUGH EMERGENCY ASSISTANCE
PROGRAM (BEAP) ² **HOLD****
- ARTICLE 25 VETERANS TAX EXEMPTION ANNUAL COST OF LIVING
INCREASE ² **HOLD****

Discussion on the motion on Financial (Non-Capital) Consent Agenda 2: none

Action on the motion on Financial (Non-Capital) Consent Agenda 2: carried by a majority.

FINANCIAL (NON-CAPITAL) CONSENT AGENDA ²

ARTICLE 12 DEPARTMENT REVOLVING FUNDS EXPENSE LIMITS ² HELD
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town vote under the provisions of G.L. c. 44 §53E½, as most recently amended, and the Town's Revolving Fund Bylaw, to set the Fiscal year 2026 spending limits for the Town's Revolving Funds as follows:

Revolving Fund	Limit
GIS Assessor Maps	\$5,000
Conservation Commission	\$20,000
Community Gardens	\$2,000
Fire Alarm System Maintenance	\$20,000
Plumbing & Gas Inspection	\$100,000
Electrical Inspection	\$150,000
Animal Control	\$2,400
Council on Aging Programs	\$25,000
Senior Van	\$32,000
Library Fines	\$10,000
Library Photocopier	\$2,500
Recreation All Programs	\$120,000
Steele Farm	\$15,000

Summary:

In 2016, the Municipal Modernization Act provided for the establishment of Revolving Funds by bylaw. In May 2017, Town Meeting approved a general bylaw, which established the various Revolving Funds for the Town, as well as specified the departmental receipts to be credited to each Fund, the departmental purposes or programs for which each Fund may be expended, and the entity authorized to expend from each Fund. Moving forward, rather than requiring to re-authorize the Revolving Funds each year, Town Meeting is required only to establish the spending limits for the various Revolving Funds. The proposed spending limits are noted in the table above.

There is a reduction in the Animal Control line this year from \$75,000 to \$2,400. Since the Town is no longer part of the Inter-Municipal Agreement (IMA) with Stow and Littleton, this expense can be significantly reduced. Moving forward, it should be used solely for kenneling fees.

The Select Board recommends (5-0-0). The Select Board unanimously recommends approval of Article 9. In accordance with state law and the Town's Revolving Fund Bylaw, this article sets the annual spending limits for each of the Town's revolving funds for Fiscal Year 2026.

The only significant change this year is a reduction in the Animal Control Revolving Fund spending limit, from \$75,000 to \$2,400. This reflects the Town's withdrawal from the Inter-Municipal Agreement with Stow and Littleton, significantly reducing expenses. Moving forward, this fund will cover only kenneling fees. Approval of this article ensures continued transparency and proper management of the Town's revolving funds.

The Finance Committee recommends (6-0-0). The Finance Committee recommends this article for the reasons stated above.

No tax impact for FY26.

Discussion on the motion on Article 12:

Kathy Vorce of Liberty Square Rd. asked about the reduction in the Animal Control line.

Michael Johns said that we don't have an IMA with other towns so the costs are reduced. We went from a full-time employee to a part-time employee. The income is reduced from what it was so the revolving fund is also reduced.

Action on the motion on Article 12: carried by a majority.

ARTICLE 13 CLOSE COMPLETED ARTICLES TO GENERAL FUND ²
\$26,839.17
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to transfer to the General Fund the unexpended balance of monies in the amount of twenty-six thousand eight hundred thirty-nine dollars and seventeen cents (\$26,839.17), as voted by past Town Meetings, and as indicated in the following table:

Article	Title	Amount	Original Source
ATM23 ART14	Fire Building Improvements	\$12,050.00	Free Cash
ATM24 ART06	Fall Town Meeting Costs	\$1.30	Raise & Appropriate
ATM24 ART20	DPW Backhoe	\$6,100.00	Free Cash
ATM24 ART27	Police Cruiser	\$32.87	Raise & Appropriate
ATM24 ART30	Library Updated Audio System	\$655.00	Free Cash
ATM24 ART32	Library Alarm System Replacement	\$8,000.00	Free Cash

Summary:

The amounts above are unexpended. Department heads have agreed that the unexpended balances should be returned to the General Fund.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article for the reasons stated above.

The Finance Committee recommends (6-0-0). The Finance Committee recommends this article for the reasons stated above.

No tax impact for FY26.

ARTICLE 14 CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM ²
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to authorize the Select Board to accept highway funds from the Commonwealth of Massachusetts, and that such funds are hereby appropriated for the purpose of providing highway improvements under the authority of Chapter 90 of the General Laws.

Summary:

This article authorizes the Town to accept and spend Chapter 90 roadway maintenance funds allocated to Buxborough by the Commonwealth of Massachusetts. These funds may be expended for a variety of construction projects, ranging from road re-paving to retaining wall and guardrail installation, and also may be expended to acquire certain equipment instrumental in maintaining Town roads and consulting for pavement management plans. The Fiscal Year 2025 funds accepted by this Town Meeting action will be used for road maintenance projects in the Town.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article in order to receive Chapter 90 state highway reimbursement funds.

The Finance Committee recommends (5-0-0). The Finance Committee recommends accepting this money from the State.

No tax impact for FY26.

Night 3: May 14, 2025

Dennis Reip called for the reconvening of the adjourned Annual Town Meeting at 7:06 pm. There were 98 registered voters in attendance on night 3.

Kristin Hilberg moved, and it was seconded, to remove Article 15 from the table.

Action on the motion: carried by a majority.

ARTICLE 15 ASSESSOR CYCLICAL REVALUATION ²

\$30,000 Raise & Appropriate

(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town vote to raise and appropriate the sum of thirty thousand dollars (\$30,000), to be spent by the Town Assessor for cyclical inspections, periodic personal and real property valuations, full valuations, interim statistical updates, and the related software and upgrades.

Summary:

The Town voted to provide the Assessor with the sum of \$120,000 at the Annual Town Meeting of 2021 (Art. 18) for similar purposes. However, after meeting with the various vendors and the Department of Revenue (DOR) the Assessor has discovered the Town is further behind in its cyclical inspection program than had been anticipated and they are unable to complete all of the required work as required by FY '24 without further funding. (Communities are required by the DOR to complete a full revaluation of all property every five years and complete an inspection of every property, including tax-exempt property, every ten years). During the discussion of the Fiscal Year 2023 budget, the Finance Committee considered a request to begin to include certain funding within the annual operating budget for annual work on the requirement, whether or not to continue to try to do the bulk of the work with one large appropriation or break the estimated amount needed every five years (\$150,000+/-) into an annual sum. This amount will allow the Assessor to demonstrate to DOR that sufficient funds are available in advance to ensure that the Town can complete all of the required work, and provide additional lead time to the staff to ensure they can undertake and complete that work.

This set us on the path of appropriating a consistent amount of money in each future year to carry out the needed work. This approach minimizes periodic spikes to the budget such as the \$120,000 appropriation at the 2021 Annual Town Meeting. It is anticipated that these future annual costs will be funded by taxation.

The Select Board recommends (5-0-0). The Select Board unanimously recommends for the reasons stated in the summary to meet the Department of Revenue (DOR) requirements for assessment.

The Finance Committee recommends (5-0-0). The Finance Committee unanimously recommends this article for the reasons stated in the summary.

Taxpayer Cost	Amount
Per \$1,000 of valuation	\$0.02
Per average house	\$15.00

Discussion on the motion on Article 15:

Jennifer Barrett said that this goes back to an Article from 2021, with \$120,000 that was authorized. There is \$30,000 in the account that has not been spent. Now there is another Article asking for \$30,000 and she wonders if we have contracts in place to get that work done.

Michael Johns asked if Kelly Szocik, the Assessor was present, but she was not. He explained that he thought the \$120,000 was budgeted for this purpose every 4-5 years, and now they break it down to \$30,000 every year.

Jennifer Barrett said that the \$120,000 was for a significant software upgrade and to do some cyclical valuations. Every property in town is supposed to be inspected at least once every 9-10 years. She checked her property record card and it had three different values in three different places and the photo is from 1990. So she knows hers has not been updated and it should have been. Generally the DOR comes and does a revaluation every 5 years and that happened 2 years ago. She knows that in 2021 we were trying to get ahead of the reval and that cost should have only been incurred once and for a town this size, \$30,000 once every 5 years is sufficient. There are lots of issues with the accounting and what money has been spent. We should encumber the money and get a contract in place.

Kristin Hilberg suggested that we table the article and Dennis Reip explained how it works.

Kristin Hilberg moved, and it was seconded, to lay Article 15 on the Table.

Motion to table Article 15 carried by 2/3s.

Night 3: May 14th

Discussion on the motion on Article 15:

Jennifer Barrett of Whitcomb Rd. summarized her concerns with a repeated article each year for three years for valuations that should have been completed under the first article expending \$120,000. The breakdown from that warrant in 2021 was for software and consulting as well as 200 personal property accounts and 1,000 residential properties for inspection and valuation. At the time the Assessor agreed to inspect another 1,000 properties on their own office time. The DOR requires valuation every 9 years and this article was in anticipation of their revaluation that is done every 5 years. It has taken three years to spend that \$120,000, and there is about \$1,000 left. Two years ago and last year the town approved articles with identical language to what is in the current warrant article for \$30,000. She doesn't agree that we need another \$30,000 when the current year's fund have not been spent. The first \$30,000 was never spent and was put back into Free Cash. There is \$30,000 sitting in an account that hasn't been spent. She would like to know the status of the valuation of the parcels and what has been done by consultants vs. the Assessor.

Dennis Reip allowed Kelly Szocik, the Town Assessor, to speak on this issue. She said about 500 parcels have been inspected to date. To avoid another \$120,000 revaluation request, we need to have inspections and cyclical done so that we're able to set the tax rate. When she arrived in 2023, DOR said that we would not get certified. It was brought to her attention how many parcels were not inspected. She worked with a contracted group to bring us up to par. If you don't have a tax rate certified, nothing can happen here at town meeting. This is not extra spending, but part of a plan already in motion.

She is not prepared to answer the question of how many are in what state. The next question was if they are working with a contractor, and the answer is yes. We have to show DOR that we are doing our part and those funds have to be in place two fiscal years prior to certification.

Jennifer Barrett asked what the breakdown of \$29,500 in this year's current budget is, and asked what it's for.

The Assessor said that commercial properties are the biggest abatement requests that come through. Patriot and Catalyst are the software and that's what the \$29,500 is being used for. You can't switch companies in the middle of certification; Patriot software that we had was obsolete so we had to do an upgrade.

Ms. Barrett said that the town didn't upgrade the software to Vision, which was the intention of that \$120,000 town meeting article. The staff has not satisfied the terms of what that article as authorized.

The Assessor said that it's not an upgrade; it's a full conversion, so that wouldn't be enough money. She didn't see anything about Vision specifically in that article.

Gary Kushner of Flagg Hill Rd. said that the Capital Plan has \$30,000 set aside for this item. He said the \$30,000 or \$60,000 couldn't have been rolled into Free Cash unless we came to Town Meeting to do that.

Michael Johns said that any money authorized at Town Meeting that's returned to Free Cash, it's practice in Boxborough to come back to Town Meeting to authorize that. It's not the law, but it's what Boxborough typically does. Three years ago, that may have been returned.

Honghoa Le said that the \$ has not been returned to Free Cash, but is still available in the warrant Article.

Steve Jefferies of Sargent Rd. is confused about whether it's in the Capital Plan or is it being funded every year or is it in Free Cash.

Tony Newton said even if it's in a Capital Plan, it still needs to be raised and appropriated every town meeting. The intent is for this to come up every year.

Mark Barbadoro of Old Harvard Rd. appreciates that we have to get our tax rates set. Over the last four years we had a lot of good information on the Assessor's field cards online and now that information has vanished. He asked if this article would this help bring that back.

Kelly Szocik said she'd have to look into that further. It would cost more. She said you can call her office if you need a property card.

Cheryl Mahoney of Liberty Square Rd. wanted to make sure that the funds from the software conversion were spent properly. If we're looking for more money to address a need, we need to make sure that money was spent properly.

Kristin Hilberg suggested that Jennifer put her concerns into an email and we can address it at a Select Board meeting or Fall Town Meeting.

Rich Guzzardi of Reed Farm Rd. asked why it is in the Non-Capital Consent Agenda if it is a Capital item.

Gary Kushner of the Capital Committee said it's not Capital, but it is in the Capital PLAN. They are recurring costs, but not actually Capital.

Christine Marlow of Depot Rd. wants clarification: \$30,000 wasn't used. She asked how much is available to the Assessor right now.

Kristin Hilberg said the funds are still in the warrant Articles and they will validate that.

Christine Marlow asked for clarification on why there is still money sitting in the Article and yet we still need another \$30,000.

The Assessor said that this is ongoing so typically when we have money, it's done. This money is spent continuously but it is not necessarily always brought down to zero. This year is an example of spending less money, whereas in FY23 she spent close to \$75,000.

Maria Neyland of the Fin Com said that part of the \$120,000 was supposed to be spent partially for a conversion. The reason that we keep putting \$30,000 into the budget, it will roll back into Free Cash. If it does that, we have to re-appropriate it. We don't want to tax people and then have it go back into Free Cash.

Susan Bak of Burroughs Rd. moved the question, and it was seconded.

Action on the motion to stop debate: carried by 2/3s.

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

The next article taken up on Night 3 was the Consent Agenda 3.

ARTICLE 16 CABLE SERVICES AND EQUIPMENT ²

\$120,251 Cable

(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to appropriate the sum of one hundred twenty thousand two hundred fifty-one dollars (\$120,251), said funds to be transferred from the PEG Access and Cable Related Fund receipts reserved for appropriation, for the purposes of providing for FY 2026 Cable Department TV Operations, services, and for the acquisition of any new equipment to improve the Town's cable television broadcast quality, and to expand meeting coverage, including all costs incidental and related thereto.

Summary:

This provides funding for Media Technicians to staff Select Board, Planning Board, and Finance Committee meetings, as well as other Town Government events such Town Meeting and information series, etc. (\$3,702). LCTV services are the majority of this appropriation (\$105,350) and include all organizational, operations, and management services for Cable broadcasting and the post-production of non-broadcast meetings. The remainder of the budget is for Video On-Demand Services (\$5,199), and any new Hardware (\$6,000) including converters, cables, video equipment, Town Meeting broadcast needs, etc.

There are also the remainder of encumbered legal funds (FY'25 \$5,440) to support the renegotiation of the cable franchise contract with Comcast.

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

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article. This funding allows us to maintain and improve the broadcasting of town government meetings, which is essential for transparency and keeping residents informed about what's happening in our community. The money pays for the technicians who record meetings, the services that process and distribute the recordings, and the equipment needed to make it all work. It's important to note that right now, this is paid for by fees from cable subscribers, not from tax dollars. However, as more people cut the cord and cancel cable service, we may need to consider how to fund this important service in the future if we want to continue broadcasting the same number of meetings or even expand our coverage. Supporting this article ensures residents can stay informed and engaged with their local government, whether they attend meetings in person or watch from home.

The Finance Committee recommends (5-0-0). The Finance Committee unanimously recommends this article on the basis that it has no direct financial impact on the voters of Boxborough due to the source of funding. These services and equipment are essential for providing citizens with live, on-demand, and archival access to the Town's meetings.

No tax impact for FY26.

ARTICLE 17 OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND ²

\$300,000 Free Cash

(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to transfer from free cash the sum of three hundred thousand dollars (\$300,000), for the Other Post-Employment Benefits Liability Trust Fund established under Article 25 of the 2010 Annual Town Meeting, and authorized by M.G.L. Chapter 32B, Section 20, in order to offset the anticipated future cost of providing post-retirement health and life insurance benefits to current and future retired Town employees.

Summary:

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

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

The Select Board recommends (5-0-0). Select Board recommends unanimously. The amount proposed in this article will continue our contribution to fund the Town's liability for retirees' healthcare benefits. The proposed amount for Fiscal Year 2026 contribution represents a reasonable balance between actuarial estimates of future liabilities and the estimated future value of the accumulating and compounding trust fund contributions. Failure to fund this OPEB obligation through regular and actuarially significant contributions may, in the future, affect the Town's Standard and Poor's AAA credit rating.

The Finance Committee recommends (5-0-0). The Finance Committee recommends. The Financial policy is that the Town will target \$300,000 per year to fund the OPEB Trust Fund. Failure to fund according to policy may damage our bond rating. This article is being funded by free cash, there will be no increase to taxes for this.

No tax impact for FY26.

ARTICLE 18 STAFF PROFESSIONAL DEVELOPMENT ² HELD
\$15,000 Free Cash
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town will vote to transfer from free cash the sum of fifteen thousand dollars (\$15,000), to support staff professional development and training, including costs of necessary materials or consultants and all other costs incidental and related thereto.

Summary:

With the goal of becoming an “Employer of Choice”, the intention of this article is to add \$15,000, to other grant and scholarship funding the Town has already received. Training grant funding in the amount of \$5,000 has been approved by Massachusetts Interlocal Insurance Agency (MIIA), in addition to scholarship funding received from the Public Sector Consortium for \$5,000 in employee training. Approval of this article will achieve the total staff professional development “Employer of Choice” goal of \$25,000.

The Select Board recommends (5-0-0). The Select Board unanimously recommends approval of this article. Investing in training and development strengthens our workforce, enhances service delivery, and supports employee retention. This appropriation reflects the Town’s commitment to fostering a skilled, professional staff to better serve the community.

The Finance Committee recommends (6-0-0). The Finance Committee recommends this article for the reasons stated above. This article is being funded by free cash, there will be no increase to taxes for this.

No tax impact for FY26.

Discussion on the motion on Article 18:

Kathy Vorce asked who would be trained on what.

Michael Johns said it would be four department heads who would go to Lincoln Land Institute who would complete a training that involves leadership and would pick a community project to work on together.

Kathy Vorce asked who would attend.

Michael Johns said it would be our Library Director, Police Chief, Land Use Director, and Assistant Town Administrator. This team of four has been accepted, and the program has a limited space. When he attended, there were about 8-9 teams from all over New England.

Kathy Vorce said it sounds worthwhile.

Action on the motion on Article 18: carried by a majority

**ARTICLE 19 FIRE DEPARTMENT: RECRUIT ACADEMY TRAINING,
COVERAGE CONTINGENCY & FIRE DEPARTMENT
PHYSICALS ²**

\$60,000 Free Cash
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to transfer from free cash the sum of sixty thousand dollars (\$60,000), for staff replacement coverage for new full-time firefighters while they attend the ten (10) week training program of the Massachusetts Firefighter Recruit Academy, and coverage for all pre-employment physicals for new full-time, per-diem, and call Fire Department members, including all costs incidental and related thereto.

Summary:

This fund would be used to cover 1) the costs related to shift coverage when new full-time firefighters to the Town of Boxborough are at the 10-week Massachusetts Full-Time Firefighter Recruit Academy and 2) all pre-employment physicals required for new full-time, per-diem, and call staff.

When a new full-time firefighter is hired, they are usually replacing a member who has retired, transferred to another department, promoted, or otherwise left employment with the Town. The Collective Bargaining Agreement requires that these new full-time firefighters must attend the Career Recruit Massachusetts Firefighting Academy Class unless they already graduated from the academy while working in another municipality. An employee attending the academy creates approximately twenty (20) shifts of twenty-four (24) hours each, that need to be covered.

This amount used to be covered within the Fire Department budget, but instead, last year we asked for this to be in an article that can carry year to year and be funded, as needed, due to the unknowns that come with potential openings and academy scheduling. There may be years where multiple personnel need to attend and there may be years where none need to attend.

The Fund would also cover the costs of pre-employment physicals for all new Fire Department employees to the Town of Boxborough (full-time, per-diem, call). The number of recruitments in a given year varies, especially at the per-diem level, depending on the number of openings created by existing members. This cost has historically been maintained in the fire operational budget, but given the variability and the need to cross fiscal years at some points, it is recommended that this amount be carried as an article.

Relevant expenditures include:

- *Overtime costs to cover all shifts while the Recruit is in the Academy as well as during the Orientation period (2 weeks) before going on shift.*
- *All pre-employment department Physicals for New Members (Full-Time, Per-Diem, Call)*
- *Initial set of department uniforms and gear for recruits*
- *All Academy Required Exam and Reading Materials*

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article. This funding ensures we can properly train new firefighters through the mandatory Massachusetts Firefighter Recruit Academy while maintaining adequate coverage for our town's safety. When new firefighters attend the 10-week academy, we need to cover approximately twenty 24-hour shifts, which creates significant staffing challenges. This article also covers necessary pre-employment physicals for all new fire department personnel. By establishing this dedicated fund that carries over from year to year, we avoid having to make reserve fund transfers, which are intended for truly unanticipated expenses rather

than predictable costs like these. This approach represents sound fiscal planning—anticipating known expenses in advance rather than dipping into emergency funds—while ensuring our fire department can maintain proper staffing levels with well-trained personnel. The amount can be replenished as needed based on actual usage, creating a more transparent and predictable budgeting process.

The Finance Committee recommends (5-0-0). The Finance Committee unanimously recommends this article. This article replenishes the fund that was approved at last year ATM. In FY 25 the town used these funds to sponsor 2 recruits to the academy.

No tax impact for FY26.

ARTICLE 20 FIRE DEPARTMENT: CISTERN INSPECTIONS AND REPAIRS ²
\$10,000 Free Cash
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to transfer from free cash the sum of ten thousand dollars (\$10,000), to provide cistern and or fire pond maintenance, including all costs incidental and related thereto.

Summary:

The Town of Boxborough has no municipal water supply, and all our fire suppression efforts are supplied by these fire ponds and cisterns. The 53 Water Sources that are distributed throughout the town need to be tested yearly to make sure they will be reliable when an emergency occurs. The ten thousand dollars will be used for repairs and maintenance of these fire ponds and cisterns as addressed as the primary concerns for repairs.

The Select Board recommends (5-0-0). The Select Board recommends unanimously. The maintenance of these cisterns is vital for reliable water supply when a fire emergency occurs.

The Finance Committee recommends (5-0-0). The Finance Committee unanimously recommends, for the reasons listed above.

No tax impact for FY26.

The Capital Committee recommends (4-0-0).

ARTICLE 21 EMERGENCY MANAGEMENT ²

\$5,000 Free Cash

(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to transfer from free cash the sum of five thousand dollars (\$5,000), to support Emergency Management, including training, acquisition of necessary equipment, and technology upgrades, and all other costs incidental and related thereto.

Summary:

This allocation will be utilized to bolster training and acquire necessary equipment, and technology upgrades by ensuring a robust and effective emergency management framework to ensure the safety and well-being of our community members and businesses.

Training and Education

Conduct specialized training sessions for emergency responders to enhance their skills in crisis management and coordination.

Provide educational resources for community members to increase awareness and preparedness for potential disasters.

Equipment and Supplies

Procure essential emergency supplies such as first aid kits, emergency lighting, and communication devices to support response efforts.

Invest in additional personal protective equipment (PPE) to ensure the safety of frontline responders during emergencies.

Community Engagement

Organize community outreach events and drills to promote emergency preparedness and resilience.

Develop informational materials and campaigns to educate residents on evacuation procedures and emergency contact information.

Improved Preparedness: Investing in training and education will equip our responders with the necessary skills and knowledge to effectively manage emergencies, minimizing the impact on our community.

Enhanced Response Capability

Acquiring essential equipment and supplies will ensure that our responders have the resources needed to respond swiftly and efficiently to emergencies, saving lives and protecting property.

Community Resilience

Engaging with the community through outreach events and educational campaigns will empower residents to take proactive measures and support each other during times of crisis.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article for the reasons stated above.

The Finance Committee recommends (5-0-0). The Finance Committee unanimously recommends for the reason listed above.

No tax impact for FY26.

ARTICLE 22 POLICE & FIRE INJURY COVERAGE TRANSFER ²

\$35,000 Free Cash

(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to transfer from free cash the sum of thirty-five thousand dollars (\$35,000), to the Injury Leave Indemnity Fund, established under Article 8 of the 2016 Special Town Meeting, and authorized by MGL Ch 41 § 111F.

Summary:

Special Town Meeting in December 2016, Section 60 of the Acts of 2016 (from the Municipal Modernization Act) was accepted, establishing the fund for this purpose. Calculations have shown that a balance of \$50,000 is an optimal amount to cover the absence of one injured employee for a year. This fund is used to offset the difference in any insurance payments received to cover the unfilled shifts caused by an employee who is absent due to on-the-job injury. In the event of an off-the-job injury, this fund could be used to offset the difference between budgeted sick leave and actual costs for an extended absence. This fund would also be used for independent medical examinations requested by the Town. If the Town passes this article, the \$35,000 will replenish the fund.

The Select Board recommends (5-0-0). The Select Board recommends unanimously for the reasons reflected in the summary. Not only does replenishing the Injury Leave Indemnity Fund uphold the intent of the 2016 Town Meeting vote, but it also allows the town to have a financial safeguard in place should an employee be injured and unable to work.

The Finance Committee recommends (5-0-0). The Finance Committee recommends. This fund was established for the purpose of funding payments to our police officers and firefighters if they are injured on duty. This fund helps with keeping the reserve fund from being utilized for this purpose. This article is being funded by free cash, there will be no increase to taxes for this.

No tax impact for FY26.

ARTICLE 23 PRUDENT INVESTMENT ² HELD

(Majority Vote Required)

Robert Stemple moved, and it was seconded, that the Town vote to accept the provisions of G.L. c. 44, §§ 54(b) to allow Town trust funds to be invested in accordance with G.L. c. 203C, the so-called "Prudent Investment Rule."

Summary:

Voting YES for this article will allow our town to invest our trust funds, including cemetery perpetual care funds, scholarship funds, and library funds, unless otherwise provided or directed by the donor of the funds under the Prudent Investment Rule. Prudent investing allows for much greater investment diversification opportunities than what is currently allowed under the MA Legal List of Investments. Where appropriate, Prudent investing allows investment managers to use diversified mutual funds, ETFs, individual stocks, bonds, alternative investments, etc. Previously, these municipal funds had to adhere to a very short and restrictive list of stock and bond investments by law. Prudent investing does not inherently mean more risk in the investment portfolio, it simply means that there are greater investment options, which allows for reduced concentration risk and an overall more balanced portfolio allocation.

The Select Board recommends (5-0-0). The Select Board unanimously recommends the passage of this Article. Prudent investing, as permitted under Massachusetts law, enables the Town Treasurer, the Town's Investment Advisor, and the Select Board to make strategic adjustments within the framework of the State's approved List of Investments. This list has recently expanded to include mutual funds, individual stocks, and bonds. By embracing this updated approach, the town can reduce concentration risk, achieve a more balanced and diversified portfolio, and ultimately enhance potential returns.

The Finance Committee recommends (6-0-0). The Finance Committee recommends passage of this Article unanimously, as the Prudent Investing Rule facilitates the construction of a well-diversified portfolio. However, the Finance Committee expects the Town to maintain its conservative long-term investment approach using well regulated, liquid, low cost, highly transparent investment vehicles. These criteria do not support investments in private equity.

No tax impact for FY26.

Discussion on the motion on Article 23:

Jennifer Barrett asked if anyone from the Library Trustees or Cemetery Trustees wants to comment on this.

Mary Brolin of Library Trustees said she would trust the town to invest these funds.

Owen Neville of Middle Rd. is on the Cemetery Commission and believes that the Bartholomew Group manages these funds and none of these funds are invested individually. Since 2021 he has not been aware of being a commissioner of any trust fund (he thought that was the Select Board). He needs to be alerted if he has further responsibilities.

Michael Johns is only aware of three funds. The OPEB and Stabilization are managed by the Treasurer so those would also fall under the prudent investment rule.

Christine Marlow of Depot Rd. asked what the process is to find an investment company.

Michael Johns said that Bartholomew Investments are used by many towns and the town plans to continue with them for the foreseeable future.

Cheryl Mahoney said that in years past the town Treasurer couldn't draw down on trust funds because the yield wasn't enough. She asked if the intention is that we would have more flexibility to see a higher yield.

Michael Johns said that is the exact intention. We would only go to the extent allowed by Mass General Law. We can invest more wisely than we have before.

Cheryl Mahoney asked if the Affordable Housing Trust falls under this also.

Michael Johns said yes.

Action on the motion on Article 23: carried by a majority

ARTICLE 24 MODIFIED BOXBOROUGH EMERGENCY ASSISTANCE PROGRAM (BEAP) ² **HELD**

\$20,000 Raise & Appropriate
(Majority Vote Required)

David McKiernan moved, and it was seconded, Town vote to raise and appropriate the sum of twenty thousand dollars (\$20,000), for the purpose of maintaining the Boxborough Emergency Assistance Program (BEAP), including all costs incidental and related thereto.

Summary:

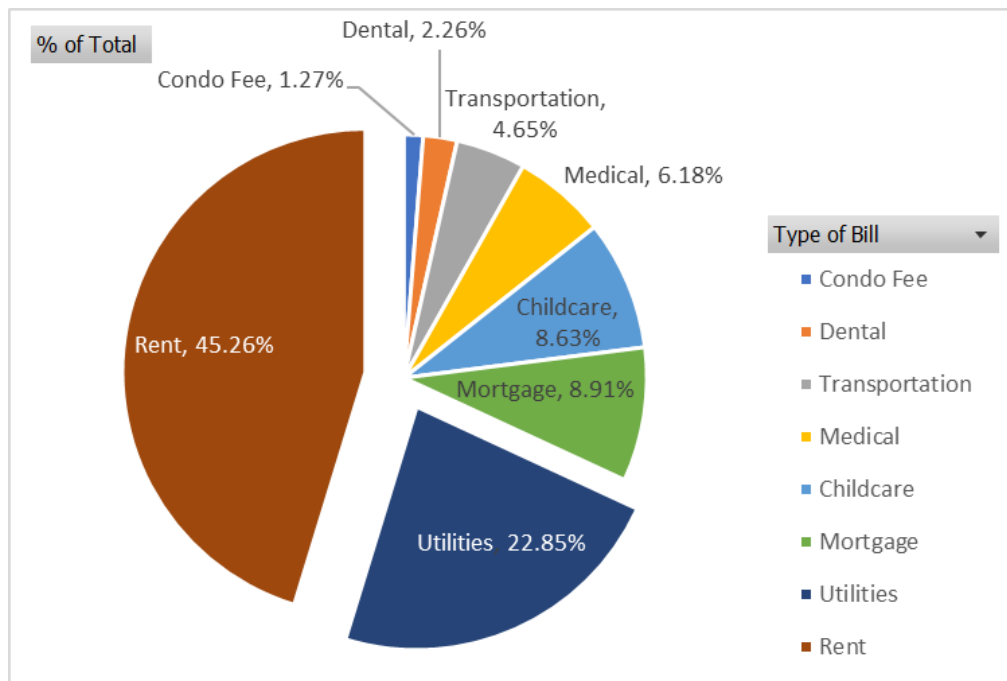
The Boxborough Emergency Assistance Program (BEAP) was created by the Well-Being Committee in collaboration with the Community Services Coordinator (CSC) in late 2022 to provide Boxborough households with short-term financial assistance for emergency needs using Federal grant funding from the American Rescue Plan Act (ARPA).

Over the years 2023 and 2024, this ARPA money has funded 82 BEAP grants of \$78,586 distributed to Boxborough residents in need. The chart below shows the percentage of each type of expense the funds were used towards. These grants were 1x per year, per family until funds were expunged. These emergency grants have prevented utility shut-offs, evictions and allowed residents to continue to work with funds given to auto repairs.

Data from the past two years show an increasing need in Boxborough to assist residents as rents continue to rise and grant money from other sources has decreased (i.e. Acton Boxborough United Way, A Friend in Need, and Saint Vincent DePaul Society of Acton).

The grant requests come through the Community Services Coordinator (CSC). They are reviewed anonymously with the CSC & two Well-Being Members. There are income and expense guidelines that are considered.

Chart: % total of each category grants used for in 2023 and 2024



The Select Board recommends (5-0-0). The Select Board unanimously recommends this article for the reason stated above.

The Finance Committee recommends (5-0-0). The Finance Committee recommends. The Boxborough Emergency Assistance Programs has helped numerous residents since its inception in 2020.

Taxpayer Cost	Amount
Per \$1,000 of valuation	\$0.10
Per average house	\$10.00

The Well-Being Committee recommends (5-0-0). The Well-Being Committee unanimously recommends the allotment of \$20,000 to create a modified Boxborough Emergency Assistance Program (BEAP). The BEAP program has provided direct support for residents in crisis and increased the visibility and connection of residents to the CSC.

Discussion on the motion on Article 24:

Mary Pavlik of the Well-being Committee advocated for this article.

Jennifer Barrett said that this is not a public purpose and more of an individual purpose and something we shouldn't add to our budget. This program has been funded through grants and other non-profits. She believes donating to non-profits is a more effective way to raise money for residents.

Mary Pavlik said that she believed Michael Johns asked Town Counsel about this.

Town Counsel Joe Fair said that using public funds for a public purpose is allowed. The town has made a policy decision that these services are a benefit to the town.

Mary Pavlik said that they could provide a presentation.

Cheryl Mahoney asked if this program was funded through ARPA.

Mary Pavlik said yes.

Cheryl Mahoney asked as we twilight ARPA funding, what the intention is for funding this into the future.

Dennis Reip asked if Wendy Trinks, Community Services Coordinator, could answer. Wendy responded that ARPA ended in December 2024.

Mary Pavlik says this is a pilot program.

Ms. Trinks said that she brought this request to the Finance Committee and asked for \$10,000 but the Fin Com said it should be more. The amount of the grants given out will be decreased.

Jennifer Barrett moved, and it was seconded, to amend this motion to change from "Raise and Appropriate" to "transfer from Free Cash."

Fin Com does not recommend the amended motion.

Select Board does not recommend the amended motion by a majority (2-3-0).

Chris Dowdy of Liberty Square Rd. is concerned about raise and appropriate for something that we want to continue via grants. Free Cash makes sense for a one year period in order to see how things go. It's a valuable program, but considering other things affecting our tax base we should be cautious.

Cheryl Mahoney asked the Fin Com about whether all Free Cash Articles pass tonight, where does that leave us.

Tony Newton of the Fin Com said that it would be within the guidelines of what we fund from various sources. This amount is not material to Free Cash and wouldn't have a large impact.

Christine Marlow of Depot Rd. asked if we can go back to the original motion.

Dennis Reip confirmed that we would go back to the main motion discussion after this passes or fails.

Dave Follett of Cobleigh Rd. said he's not comfortable with Town Meeting micromanaging Fin Com.

Cindy Markowitz of Meadow Ln. asked if this is the only Article that is asking for this type of program.

Wendy Trinks said that the CPC Boxborough Rental Assistance Program is similar.

Action on the amendment on the motion on Article 24 failed.

Cindy Markowitz wanted to see if it could go into the CPC.

John Fallon, Chair of the CPC is 90% sure that this kind of thing is not eligible. It's not in a category of open space, historic preservation or housing.

Christine Marlow asked about the earlier article that was to help our community and whether this was part of that.

Mary Pavlik said this would be part of the Community Services Coordinator's budget.

Wendy Trinks gave a presentation on the BEAP program. She showed a graph of the type of grants given over the past two years totaling \$78,000. The recipients are vetted and have to go through a process. She showed a breakdown of the age of people who got funding. Once she meets people because of this program she helps them with other projects.

Christine Marlow asked how these grants will be reduced with the reduced total.

Wendy responded that even if these grants are smaller, the people who receive them will then get more services that are available in the community.

Ron Vogel of Wheeler Dr. moved the question and it was seconded.

Action on the motion to stop debate carried by 2/3s.

Action on the motion on Article 24: carried by a majority

ARTICLE 25 VETERANS TAX EXEMPTION ANNUAL COST OF LIVING INCREASE ² HELD

(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town vote to accept the provisions of M.G.L. c. 59, § 5, Clause 22I, inserted by Chapter 178 of the Acts of 2024, entitled, An Act Honoring, Empowering, and Recognizing Our Servicemembers and Veterans, known as the "HERO Act", providing for an annual increase in property tax exemptions for veterans under the provisions of M.G.L. c. 59, § 5, Clause 22 and Clauses 22A through 22C, 22E and 22F, equal to the cost of living as determined by the Consumer Price Index for such year.

Summary:

The intended purpose of this article is to ensure the exemptions remain consistent with inflation in the same way that several other means-tested and senior tax exemptions do. Due to the annual July 1st qualification date, the earliest this can be implemented is for Fiscal Year 2026 tax bills.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article. Accepting these provisions will allow the Town to increase property tax exemptions for eligible veterans in line with the cost of living, as determined by the Consumer Price Index. This ensures that veterans' exemptions keep pace with inflation, maintaining the value of this important benefit over time. Similar adjustments already exist for other means-tested and senior tax exemptions. If approved, the earliest implementation would be for Fiscal Year 2026 tax bills. This is a meaningful step in supporting our veterans and honoring their service.

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

No tax impact for FY26.

Discussion on the motion on Article 25:

Jennifer Barrett asked if anyone has done an analysis of the impacts. She is all for helping veterans.

Dennis Reip asked James MacRae, Veterans' Services Coordinator, to speak. Mr. MacRae said it's hard to predict what the cost of living increase will be from year to year. For the most commonly utilized exemption, we have about 50 veterans receiving \$800 exemptions. The next level is for a \$2,000 exemption, which has been the same amount for 25 years, so adopting this helps to catch up.

Jennifer Barrett said that FY25 that there were 22 exemptions for a total of \$10,400. The state only reimburses about 50% of that. This clause will not increase the state reimbursement. The increase in exemptions would increase the Overlay which comes out of the tax base.

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

Kristin Hilberg moved, and it was seconded, to adjourn the May 12th 2025 Annual Town Meeting until tomorrow night at Blanchard Memorial School at 7:00 pm.

**Action on the motion carried by a majority.
(end: 10:54 pm)**

END CAPITAL CONSENT AGENDA²

Second item of Night 3:

ANNUAL TOWN MEETING CAPITAL CONSENT AGENDA³

Kristin Hilberg, Select Board Chair, moved, and it was seconded, to approve the Annual Town Meeting Capital Consent Agenda Warrant Articles twenty-eight, thirty, thirty-one, and thirty-four in accordance with the funding sources and amounts set forth in the May 12, 2025 Annual Town Meeting Warrant under Articles twenty-eight, thirty, thirty-one, and thirty-four, respectively.

ARTICLE 26 DEPARTMENT OF PUBLIC WORKS (DPW): NEW 2026 HEAVY-DUTY PICKUP TRUCK ³ **HOLD**

ARTICLE 27 FIRE DEPARTMENT: EMERGENCY RESPONSE VEHICLE ³ **HOLD**

ARTICLE 28 FIRE DEPARTMENT: PERSONAL PROTECTION EQUIPMENT (PPE) ³

ARTICLE 29 FIRE DEPARTMENT: UTILITY TERRAIN VEHICLE ³ **HOLD**

ARTICLE 30 TOWN MUSEUM: EXTERIOR DOORS ³

ARTICLE 31 TOWN MUSEUM: PAINT EXTERIOR WINDOWS ³

ARTICLE 32 TOWN MUSEUM: ROOF ³ **HOLD**

ARTICLE 33 INSTALLATION OF A SWAP SHED AT THE TRANSFER STATION ³ **HOLD**

ARTICLE 34 INFORMATION TECHNOLOGY – HARDWARE UPGRADES AND REPLACEMENTS ³

ARTICLE 35 SARGENT MEMORIAL LIBRARY: ALTERING THE INTERIOR SPACE ³ **HOLD**

Discussion on the motion on Capital Consent Agenda 3: none

Action on the motion on Capital Consent Agenda 3: carried by a majority.

CAPITAL CONSENT AGENDA

ARTICLE 26 DEPARTMENT OF PUBLIC WORKS (DPW): NEW 2026 HEAVY-DUTY PICKUP TRUCK ³ HELD

\$70,000 Free Cash
(Majority Vote Required)

Wes Fowlks moved, and it was seconded, that the Town vote to transfer from free cash the sum of seventy thousand dollars (\$70,000), to purchase and equip a new heavy-duty pickup truck, including all costs incidental and related thereto.

Summary:

The 2016 Ford F250 plow truck used by the DPW Director is 9 years old and has 158,000 miles and will be repurposed by the Building and Grounds Team Leader. The new truck will be used by the DPW Director, and be a backup plow truck. A hybrid truck was discussed, but is not available at this time.

The Select Board recommends (5-0-0). The Select Board unanimously recommends the purchase of a replacement heavy-duty truck for the DPW director. The current F-250 truck is reaching end of life. While the select board strongly supports purchasing reduced carbon vehicles, a hybrid or electric truck could not be considered since this truck will be used for plowing snow.

The Finance Committee recommends (4-0-1). The Finance Committee recommends. The truck was on the Capital Plan.

No tax impact for FY26.

The Capital Committee recommends (4-0-0).

Discussion on the motion on Article 26:

Chris Dowdy of Liberty Square Rd. asked if the F150 would have the capabilities to plow if hybrid.

Ed Kukkula said that they don't make an F250 that's hybrid. He's talked to dealers who have said they don't have the capabilities he needs in a hybrid.

Jennifer Barrett just held this to make sure she saw the motion as written so that it didn't restrict us to buying a specific year and specific vehicle.

Gryphyn Vermin asked what vehicles the town is considering. She wanted to make sure we didn't end up with a Cybertruck plowing our streets.

Ed Kukkula said he wants to get the best deal for the town if it's on the state bid list.

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

ARTICLE 27 FIRE DEPARTMENT: EMERGENCY RESPONSE VEHICLE ³
HELD

\$80,000 Free Cash
(Majority Vote Required)

Wes Fowlks moved, and it was seconded, as part of the Consent Agenda, that the Town vote to transfer from free cash the sum of eighty thousand dollars (\$80,000), to purchase and equip an Emergency Response Vehicle for the Fire Department, including all costs incidental and related thereto.

Summary:

The Boxborough Fire Department is looking to purchase and equip a new Emergency Response Vehicle. The Emergency Response Vehicle will provide officers of the department a reliable form of transportation when responding to emergencies and performing tasks around the community. This vehicle will be primarily used on nights and weekends for on-call officers to respond from their homes as there is no officer scheduled on most of these shifts. The vehicle is also used as a mobile command unit for the town during emergencies providing the ability to respond directly to emergencies and operate a command post.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article. This Emergency Response Vehicle provides essential transportation for on-call fire officers responding from their homes during nights and weekends when no officers are scheduled on shift. The vehicle also serves as a mobile command post during emergencies, allowing for coordinated operations directly at incident scenes. This investment will improve response times and enhance our emergency management capabilities, providing better protection for our community.

The Finance Committee recommends (5-0-0). The Finance Committee unanimously recommends. A dedicated Emergency Response Vehicle will provide on-scene coordination, improve firefighter safety, and increase the effectiveness of emergency operations by allowing officers to respond directly to incidents without delay. Additionally, this investment will put more personnel on the scene without hiring additional full-time firefighters or increasing the per diem budget line.

No tax impact for FY26.

The Capital Committee recommends (4-0-0). Although this capital item was not on the long-term Capital Improvement Plan (CIP) until this year, it is clear that we need to have command staff at emergency responses with all the necessary equipment and communication gear. This vehicle will provide greater public and employee safety through more responsive command leadership via access to properly equipped staff vehicles for on and off duty command staff. For these reasons, and the reasons stated by the Finance Committee and Select Board; the Capital Committee unanimously supports this article.

Discussion on the motion on Article 27:

Cindy Markowitz of Meadow Ln is concerned that we're asking for two new fire vehicles and we just recently got new police vehicles and we have to build a new station with enough bays. She asked how many staff we currently have and how many vehicles we currently have.

Dennis Reip allowed Chief John Kivlan to address the question.

Chief Kivlan said that we have 10 vehicles; there are 9 full-time fire fighters and 30 per diems. This vehicle would be parked at someone's home during nights and weekends. During nights and weekends there is often one firefighter left at the fire station. This helps get the firefighters to the scene quickly. Two vehicles are for administrative staff, rather than operational crews.

Cindy Markowitz said it's still unclear why a staff person would not have a vehicle currently.

Chief Kivlan said right now he is using his own vehicle and this will help get the command staff back to the scene. Two vehicles are dedicated for administrative staff. The 2018 Tahoe would be the vehicle that would be the rotational vehicle; new vehicle would be at the top of the list.

Cheryl Mahoney clarified the situation with the rotation of old vehicles and how the new vehicle would fit into the rotation and Chief Kivlan said she was correct.

Chris Dowdy asked if we have room at the current fire station.

Chief Kivlan said the vehicles park out back. The goal is to have any ranking officer to have a vehicle that they can be available at all times to come back and assist.

Mark Barbadoro of Old Harvard Rd. asked if the vehicles would be marked with stickers.

Chief Kivlan said we can be assured that the vehicles would be used under all policies and procedures and no personal use would occur.

Mr. Barbadoro said there are tax implications if the vehicles are used for personal use.

Gryphyn Vermin asked about the nature of the emergencies are that you would respond to with this vehicle, and asked what type of vehicle it would be.

Chief Kivlan said he was considering keeping consistent with the rest of the fleet, so a Chevy Tahoe is the likely vehicle.

Megan Connor of Mayfair Dr. moved the question, and it was seconded.

Action on the motion to stop debate: carried by 2/3s.

Action on the motion on Article 27: carried by a majority.

ARTICLE 28 FIRE DEPARTMENT: PERSONAL PROTECTION EQUIPMENT (PPE) ³

\$20,000 Free Cash
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to transfer from free cash the sum of twenty thousand dollars (\$20,000), to purchase Personal Protective Equipment (PPE) for the Fire Department, including all costs incidental and related thereto.

Summary:

The appropriation of these funds will enable the purchase of Personal Protective Equipment (PPE), also known as turnout gear, which is worn by Boxborough Firefighters, in the safety and performance of their duties. PPE has a 10-year lifespan and is unique to each firefighter. This allows for regular replacement of PPE due to new hires, gear reaching its useful or contractual life, or equipment damaged during an emergency call.

The Select Board recommends (5-0-0). The Select Board recommends unanimously for the reasons stated in the summary.

The Finance Committee recommends (5-0-0). The Finance Committee unanimously recommends. This is a yearly apportion that allows the Chief to replace outdated PPE as needed.

No tax impact for FY26.

The Capital Committee recommends (4-0-0).

ARTICLE 29 FIRE DEPARTMENT: UTILITY TERRAIN VEHICLE ³ HELD
\$80,000 Free Cash
(Majority Vote Required)

Wes Fowlks moved, and it was seconded, that the Town vote to transfer from free cash the sum of eighty thousand dollars (\$80,000) to purchase and equip a Utility Terrain Vehicle (UTV) for the Fire Department, including all costs incidental and related thereto.

Summary:

The Boxborough Fire Department is looking to buy and equip a UTV for use in the following situations: 1) Medical emergencies on trails, 2) Brush fires in hard-to-reach areas, 3) Coordination with the Police Department for responses and missing persons, 4) Assistance with transporting equipment and personnel at the scene of structure fire, and 5) Access at large scale public events. It is expected that this vehicle will greatly reduce the risk of injury to emergency personnel and citizens who are involved in these emergencies. It'll also provide faster response times to mitigate the emergency.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article. This Utility Terrain Vehicle (UTV) is a vital piece of equipment for our town's emergency response capabilities. With over 60% of Boxborough being conservation and wooded areas, our first responders frequently need to access remote locations for medical emergencies, brush fires, and search operations. Currently, we're one of the only towns in the area without this essential equipment, putting both our residents and emergency personnel at unnecessary risk. In recent years, one of our public safety officers suffered heat exhaustion while responding to an incident in our wooded areas, highlighting the physical challenges and dangers our personnel face without proper equipment. The UTV will significantly improve response times to emergencies in hard-to-reach areas, enhance our ability to transport equipment and personnel during incidents, and provide critical support during large public events. This investment directly supports the safety of both our community members and the dedicated professionals who serve them.

The Finance Committee recommends (5-0-0). The Finance Committee unanimously recommends. The Boxborough Fire Department requests funding for the purchase of a Utility Terrain Vehicle (UTV) to enhance emergency response capabilities within the town. This vehicle will provide critical support for accessing remote locations, responding to wildland fires, and assisting in emergency medical rescues. As Boxborough's population grows and outdoor recreational activities increase, the need for a specialized emergency response vehicle has become evident.

No tax impact for FY26.

The Capital Committee recommends (4-0-0).

Discussion on the motion on Article 28.

Gary Kushner of Flag Hill Rd. mentioned that we have a Capital Plan, and this wasn't on the Plan until this year. He stated his belief in the process based on the guidelines for the Capital Plan, but will still vote for this article. He also believes that there should be a trailer so that it can be used for mutual aid.

Chief Kivlan said that he would think a trailer would be useful, although it would be road ready, registered with the RMV. It is not a priority for mutual aid, but for Boxborough. We may be able to have a partnership with the DPW to move it.

Gary Kushner asked if he has a plan for the storage of this vehicle.

Chief Kivlan said that the light trailer will be moved out to the Conex box that they got with a grant and the new vehicle will go inside where that light trailer was.

Becky Neville of Middle Rd. said that time delays for emergencies on trails will be likely and we should consider the risks of having a medical event out on a trail.

Cindy Markowitz of Meadow Ln. said we have spent a lot of money already and wonders if we could defer this expense until next year or the following year.

Chief Kivlan said we have had 11 brush fires so far this year. He would not recommend deferring it. He was shocked that we don't already have one given the amount of conservation land we have.

Cindy Markowitz asked if we could rely on mutual aid.

Chief Kivlan said that mutual aid requests are usually for pre-planned events. UTVs haven't fit into mutual aid that well, especially because we're talking about needing to respond in minutes, not hours.

Cindy Markowitz asked if we have talked to Acton about use of their spaces. They are doing a pilot program to go down to two stations.

Chief Kivlan has had conversations about this with the Chief in Acton and in Littleton. Acton is going to back to three stations. He has talked to various chiefs about ways to share resources.

Ms. Markowitz asked if these vehicles were part of the Capital Plan.

Chief Kivlan came in recently and added these items, so they were not part of the Capital Plan and he admitted he could have done a better job communicating with the Capital Committee on that.

John Fallon of Paddock Ln. said that one of our proud assets is our conservation land and we shouldn't wait until we have a disaster and is surprised we haven't had a vehicle like this already.

Dave Follett of Cobleigh Rd. asked to see a photo of this vehicle. He asked if Chief has hiked the trails.

Chief Kivlan has responded to events on trails a couple of times.

Dave Follett said that a lot of trails in Boxborough wouldn't be accessible for this vehicle. He said he would vote for it, but the Chief owes him a ride.

Jim Connolly of Flagg Hill Rd. asked if the equipment is readily removable in the back.

Chief Kivlan said that there is a place for both the equipment and the patient can go. It is designed for rescue and firefighting and pointed out the illustration of the vehicle in the presentation.

Gryphyn Vermin of Codman Hill Rd. discussed how accidents can happen in rural areas, said that if you want the conservation land to be accessible, this sounds like a really good investment.

Cheryl Mahoney of Liberty Square Rd. said that it's basically an ATV on steroids so it can access a lot of trails. She recounted an event with a brush fire at Harvard Ridge with trail hoses and this was averted but this vehicle would be useful to protect conservation land.

Chris Dowdy of Liberty Square Rd. moved the question, and it was seconded.

Action on the motion to stop debate: carried by 2/3s.

Action on the motion on Article 29: carried by a majority.

ARTICLE 30 TOWN MUSEUM: EXTERIOR DOORS ³

\$7,850 Free Cash

(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to transfer from free cash the sum of seven thousand eight hundred fifty dollars (\$7,850), to replace the Town Museum rear exterior double doors, including acquisition of materials, demolition, installation and all other costs incidental and related thereto.

Summary:

Water intrusion through the double doors at the rear of the Museum has caused damage to the walls, carpeting, and subfloor. This article seeks funding to contract for the complete replacement of these doors to prevent further damage and maintain the building's integrity.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article for the reasons stated in the summary. These rear double doors are currently covered by an unsightly, plastic sheet to prevent water intrusion. The museum building is a town asset and must be maintained.

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

No tax impact for FY26.

The Capital Committee recommends (4-0-0).

The Historical Commission recommends (3-0-0).

ARTICLE 31 TOWN MUSEUM: PAINT EXTERIOR WINDOWS ³
\$6,000 Free Cash
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to transfer from free cash the sum of six thousand dollars (\$6,000), to paint the Town Museum exterior windows, including site preparation and all other costs incidental and related thereto.

Summary:

This article seeks funding to scrape, prime, restore, and repaint the wooden sashes of the windows at the museum. The existing paint is peeling, exposing the bare wood to weather conditions, which could lead to deterioration. Proper maintenance will help preserve the integrity of the wood and protect the building interior from potential damage. Approval of this article will ensure the necessary repairs are completed to maintain the Museum's historic character and structural longevity.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article for the reasons stated in the summary. Failure to maintain the wooden windows would only create more expensive window repairs or replacement in the future.

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

No tax impact for FY26.

The Capital Committee recommends (4-0-0).

The Historical Commission recommends (3-0-0).

ARTICLE 32 TOWN MUSEUM: ROOF ³ HELD

\$39,100 Free Cash

(Majority Vote Required)

David McKiernan moved, and it was seconded, that the Town vote to transfer from free cash the sum of thirty-nine thousand one hundred dollars (\$39,100), to replace the Town Museum roof, including demolition, removal, site preparation, acquisition of materials, and all other costs incidental and related thereto.

Summary:

The museum roof was partially replaced in 2003 using 20-year shingles. All the shingles have exceeded their lifespan, and are in very poor condition. This article seeks funding to replace the full roof with high-quality 30-year asphalt shingles, ensuring the integrity of the building while securing the best possible pricing. Proactively replacing the roof now will prevent future emergency repairs, minimize disruption, and protect this vital town asset for years to come.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article for the reasons stated in the summary. Having a town building with two different sets of old shingles, which has been susceptible to leaks, is a situation that needs immediate attention.

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

No tax impact for FY26.

The Capital Committee recommends (4-0-0).

The Historical Commission recommends (3-0-0).

Discussion on the motion on Article 32:

Kathy Vorce of Liberty Square Rd. asked if anyone had done an investigation on metal roofs. Pricing is competitive with asphalt.

Alan Rohwer of the Historical Commission said they had not.

Cheryl Mahoney of Liberty Square Rd. because this article doesn't identify the roofing type so when developing specs, you could research metal. She stressed that the Historical Society is also responsible for the museum and wants to remind everyone that the town uses that building for other purposes including Town Clerk records and recreation equipment.

Action on the motion on Article 32: carried by a majority.

ARTICLE 33

INSTALLATION OF A SWAP SHED AT THE TRANSFER STATION ³ HELD

\$11,000 Free Cash
(Majority Vote Required)

Priya Sundaram moved, and it was seconded, that the Town vote to transfer from free cash in the sum of eleven thousand dollars (\$11,000), for the purpose of permitting, site work, acquisition of materials, construction, and all other activities and costs necessary to install a swap shed at the Transfer Station, including all costs incidental and related thereto.

Summary:

Voting YES on this Warrant Article means that funds will be available for the construction of a swap shed at the Boxborough Transfer Station. Swap sheds are a common feature of many transfer stations; in our area, Acton, Carlisle, and Littleton all have popular swap sheds. They are a space where residents can drop off and/or take gently used items, rather than disposing of them. Volunteers usually help to keep these swap sheds open and organized.

Adding this option at the Boxborough Transfer Station will promote sustainability and help reduce the cost of waste disposal for the Town by removing items in good condition from the waste stream. Currently, due to limited storage space, all items left at the Transfer Station must be disposed of at the end of every day, no matter what condition they are in.

Sustainability Committee recommends (8-0-0). In a recent survey of Boxborough residents, 85 percent of survey respondents indicated that they would take advantage of a swap shed if one was available at the Transfer Station. Less than 4 percent of respondents said that they would not use a swap shed, while the remaining respondents felt that they needed more information to decide. A Waste Management Working Group composed of representatives from the Sustainability Committee, the Select Board, the Finance Committee, and an at-large member, will work closely with the Department of Public Works to develop an acceptable plan for the management of the swap shed, if one is constructed at the Transfer Station. Other than occasional maintenance, no additional or ongoing costs are expected in connection with the swap shed. This is a one-time investment that will provide an ongoing benefit to the Town.

The Finance Committee recommends (6-0-0). The Finance Committee recommends passage of this Article unanimously. It will support the town's sustainability efforts and enable residents to save a few dollars on common everyday items.

No tax impact for FY26.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article. As a green community, it is vital to support sustainability efforts like this to help reducing waste and promoting reuse.

The Capital Committee recommends (4-0-0). Although this capital item was not on the long-term Capital Improvement Plan (CIP) until this year, the need and desire of the community support this acquisition, and the Town has applied for and been awarded a \$6,000 grant from MassDEP, to supplement the \$11,000 being requested in this article. For these reasons, and the reasons stated by the Sustainability Committee, Finance Committee and Select Board; the Capital Committee unanimously supports this article.

Discussion on the motion on Article 33:

Kate Davies, Chair of the Sustainability Committee gave a presentation on Article 33. A lot of neighboring communities have swap sheds. This is a collaborative effort across Boxborough to reduce waste. The Town received a grant from DEP on waste reduction and this is part of that effort. It does happen informally anyway; gently used items are placed next to the bins. The swap shed would allow those items to have a long-term storage space where people come and peruse and unused items could be donated to Household Goods.

The Waste Management Working Group has been working with Ed Kukkula on this and they have looked into options for prefabricated sheds of about 8x10x12 feet. There are currently four textile bins and they may remove one of those to have space. They are proposing to develop a plan for Household Goods to hold a large item drop off event to donate so that large items aren't dealt with on a regular basis. They will develop guidelines using other towns' models and we will rely on volunteers who are coordinated by BSC. There are already about a dozen volunteers who have signed up and management will not be a burden on the DPW staff.

Becky Neville of Middle Rd. asked if we can build this without a zoning change.

Joe Fair, Town Counsel, said that because we are placing a shed in an existing non-conforming prior use that is already in municipal use it would be allowed.

Mark Barbadoro of Old Harvard Rd. doesn't think we will have a legal problem down the road and is excited about this. It might be better to get a shipping container to have more space.

Andrew Tavalacci of Old Harvard Rd. is fully in support of the swap shed. He looked at the costs of 12x16 ft shed that might fit but wouldn't include construction so we may need volunteers to help build it.

Dave Follett of Cobleigh Rd. said what we have now is very vibrant. The nice characteristic of our current situation is that it resets. In a neighboring town you have much more coming in than going out. This shed is much too small. He asked if now people wouldn't be allowed to put things by the side of the bins. Volunteers will have to tell people that their old stuff isn't worthy. It's a great concept, but it doesn't work.

Heather Fleming of Stow Rd. who is a founder of the FreeBee market, which is about redistributing food, but also crafts and books and other items. There is a high demand for people bringing stuff and not enough volunteer power or storage. This would open up a big opportunity. The stuff can still be there by the bins, but this will be a place where the more useful items can be stored and volunteers can collect and store them. We should also have a bin for deposit cans.

Gary Kushner of Flagg Hill Rd. mentioned that it should go into the Capital Plan and needs maintenance and replacement.

Kristen O'Neill of Mass Ave. wanted to ask about how the stuff is managed week to week.

Kate Davies said that there are many ideas from other towns including Acton and Arlington. They have guidelines posted on the walls and the website. They will fully develop the plan before the swap shed is implemented.

Megan Connor of Mayfair Dr. has experience installing sheds at Flerra and Liberty and suggests that the town might use an Eagle Scouts or other volunteers to install, and wants to make sure we have volunteer coordinators in place. She supports the article.

Cheryl Mahoney of Liberty Square Rd. asked if we can spend the \$6,000 before July 1 and whether we need to go out to bid.

Kate Davies said the plan is to pour the concrete pad in this fiscal year and then install the shed in the next fiscal year.

Michael Johns said we need three bids.

Cheryl Mahoney said she thinks we should wait and develop a plan. The reason we stopped the boy scouts accepting redeemable bottles was because that became a health hazard due to insects.

Gryphyn Vermin of Codman Hill Rd. said it would be good to open it up to non-residents.

Kate Davies said we may have that happen down the road, and we might look into having a swap shed pass, but it could place a burden on the DPW's staff because of needing to check stickers. We would need to discuss this further.

Mary Nadwairski of Stonehedge Pl. moved the question, and it was seconded.

Action on the motion to stop debate: carried by 2/3s.

Action on the motion on Article 33: carried by a majority.

**ARTICLE 34 INFORMATION TECHNOLOGY – HARDWARE UPGRADES
AND REPLACEMENTS ³**

\$16,000 Free Cash
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to transfer from free cash the sum of sixteen thousand dollars (\$16,000), to provide for the replacement and upgrade of information technology hardware, including acquisition of equipment, installation and all other costs incidental and related thereto.

Summary:

The Capital Plan has been updated to include the phased replacement of items reaching their end-of-life. Consistent with the Plan, this article proposes the replacement of desktops, laptops and any supporting IT equipment.

The Select Board recommends (5-0-0). This article reflects our commitment to maintaining a modern, efficient, and secure IT infrastructure across all Town departments. Upgrading and replacing outdated desktops, laptops, and other essential hardware is not just an operational need but a proactive step to keep our municipal services strong, responsive, and capable of serving the community effectively. Aligned with our updated Capital Plan, this initiative ensures the phased replacement of end-of-life equipment, keeping the Town's technology infrastructure current and fully functional.

The Finance Committee recommends (6-0-0). The Finance Committee recommends passage of this Article unanimously. An up-to-date and secure IT infrastructure is required for the town to operate effectively.

No tax impact for FY26.

The Capital Committee recommends (4-0-0).

ARTICLE 35 SARGENT MEMORIAL LIBRARY: ALTERING THE INTERIOR SPACE ³ HELD

\$50,000 Free Cash

(Majority Vote Required)

Mary Brolin moved, and it was seconded, that the Town vote to transfer from free cash the sum of fifty thousand dollars (\$50,000), to provide for the renovation of the Library's interior space, including demolition, equipping, furnishing and all other costs incidental and related thereto.

Summary:

The Library was completed in 2005, before the proliferation of digital services that are common today, such as streaming services and search engines. The building was designed with physical collections as the focus. It no longer fits the needs of our community, nor does it reflect the types of services the library provides. The reference collection is not relevant anymore, but takes up significant shelf space. At the same time, there are increasing demands for smaller meeting rooms and remote meeting spaces that we are unable to fulfill. The rearrangement will repurpose the areas that are not efficiently used, bring flexibility and mobility to the layout, and create video meeting-friendly study rooms where community members can do collaborative work, tutoring, have private meetings, etc.

The plan is to shuffle the collection, create a designated area for the teens and tweens in the main hall, and install three multi-person study pods in the current Young Adult Room. The whole project is projected to cost \$250,000. Through donations and savings, Sargent Memorial Library Foundation is able to contribute \$200,000 to the project. The Friends of the Library is contributing \$7,500 that would be used towards a new shelf in the Children's Area. We are requesting \$50,000 from the town for the remaining amount.

Library Board of Trustees recommends (6-0-0). The Library Board of Trustees recommends this article unanimously. In 2023, Peishan Bartley, our Library Director, and her staff engaged in an effort to develop a five-year Strategic Plan. This process involved significant community input and we heard the request for improved spaces that meet the needs of the community, including space for small meeting rooms and meeting spaces for virtual meetings. In 2024, Dr. Bartley worked with a design firm to redesign the interior of the library to maximize the use of the space. The original design came in at \$650,000. Dr. Bartley was able to make adjustments that brought the cost down significantly while still making necessary changes. She has also worked closely with the Friends of the Library and the Sargent Memorial Library Foundation to request funds to support this project. Thus, we are only coming to the Town for the last \$50,000 in funds needed to complete the project. This small investment will position the Library to move forward and meet the current and future needs of its patrons.

The Finance Committee recommends (6-0-0). The Finance Committee unanimously recommends this article. The proposed interior library updates, funded primarily by the Sargent Memorial Library Foundation and The Friends of the Library, will efficiently reallocate space to better serve our community's current and future needs.

No tax impact for FY26.

The Capital Committee recommends (4-0-0).

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

Discussion on the motion on Article 35:

Colman Connolly of Flagg Hill Rd. asked about the Reference Collection not being relevant anymore.

Peishan Bartley, the Library Director, stated that the reference section she's talking about is encyclopedias and thesauruses. She asked who Googles first when they have a question. She has not renewed the reference sets since she became Director 6-7 years ago and no one uses them. The Children's reference section is used. It is wasted space in the adult section.

There are people meeting with tutors and social workers, so they are looking for spaces for privacy. Dr. Bartley said that there are collections that they will adjust based on use. For example the books on CD collection more lean. They are not sunsetting their reference collection but adjusting the space use and priorities.

Gary Kushner of Flagg Hill Rd. was on the Building Committee for the Library and at first when this came up last year he was not fully in support, but knows that things change and is now in full support of this project.

Dr. Bartley clarified that this isn't actually a renovation, but a rearrangement. The Young Adult area is going to be relocated to the main hall. She's going to investigate the use of study pods to put inside the current Young Adult area. These will be two to four person pods that will allow for tutoring and meetings. There is no construction involved and a lot will be DIY. She has been in conversation with DPW.

Heather Fleming of Stow Rd. wanted to make sure that there is a lot of vocal support for this project. There was strategic planning and listening to the community to make sure the library heard what the community needs and not increasing costs. Peishan is very fiscally conservative and she wants to emphasize the importance of the meeting spaces.

Dave Follett of Cobleigh Rd. wanted to know if the reference books were going to the swap shed.

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

END CONSENT AGENDA³

ANNUAL TOWN MEETING COMMUNITY PRESERVATION FUND (CPC) CONSENT AGENDA⁴

Kristin Hilberg, Select Board Chair, moved, and it was seconded, to approve the Annual Town Meeting Community Preservation Act (CPC) Consent Agenda Warrant Articles thirty-six through thirty-nine in accordance with the funding sources and amounts set forth in the May 12, 2025 Annual Town Meeting Warrant under Articles thirty-six through thirty-nine, respectively.

ARTICLE 36 COMMUNITY PRESERVATION FUND: CPC REPORT AND ESTABLISH FY 2026 RESERVES⁴

ARTICLE 37 COMMUNITY PRESERVATION FUND – COMMUNITY HOUSING – BOXBOROUGH RENTAL ASSISTANCE PROGRAM (BRAP)⁴

**ARTICLE 38 COMMUNITY PRESERVATION FUND – HISTORIC
RESOURCES – CEMETERY RESTORATION ⁴**

**ARTICLE 39 COMMUNITY PRESERVATION FUND – OPEN SPACE
(INCLUDING RECREATION) CONSERVATION TRUST FUND ⁴**

Discussion on CPC Consent Agenda 4: none

Action on the motion under Consent Agenda 4: carried by a majority

COMMUNITY PRESERVATION FUND CONSENT AGENDA ⁴

**ARTICLE 36 COMMUNITY PRESERVATION FUND: CPC REPORT AND
ESTABLISH FY 2026 RESERVES ⁴**

(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to hear and act on the report of the Community Preservation Committee on the FY 2026 Community Preservation budget and to appropriate from the Community Preservation Fund FY 2026 estimated annual revenues:

The sum of five thousand dollars (\$5,000) to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for FY 2026;

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

Twenty-nine thousand dollars (\$29,000), for open space, including land for recreational use,
Twenty-nine thousand dollars (\$29,000), for community housing,
Twenty-nine thousand dollars (\$29,000), for historic resources purposes, all as recommended by the Community Preservation Committee.

Summary:

Each fiscal year, the legislative body, i.e., Town Meeting, must appropriate or reserve for future appropriation no less than 10% of the estimated annual revenue to be set aside or spent for each of the three categories of allowable community preservation purposes. Up to 5% may be spent on administrative expenses.

This year, the Community Preservation Committee is recommending that the following estimated amounts be set aside from estimated annual revenue:

\$ 29,000 open space, including land for recreational use

\$ 29,000 community housing purposes

\$ 29,000 historic resources

Additionally, the CPC is recommending that an amount of \$5,000 be set aside to meet the administrative expenses of the Community Preservation Committee. These expenses include legal fees, project signs, and membership in the Community Preservation Coalition.

“Estimated annual revenue” is the total of the amount to be collected in the upcoming fiscal year, i.e., FY 2026, under the local surcharge and the November state matching funds for the prior fiscal year. Amounts that are not included in a specific reserve are considered undesignated and can be used for any allowable CPC purpose.

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

The Finance Committee recommends (6-0-0). The Finance Committee recommends for all the reasons in the summary.

No tax impact for FY26.

The Select Board recommends (5-0-0). The Select Board recommends unanimously. We support the Community Preservation Committee’s request to earmark funds as noted above.

ARTICLE 37 COMMUNITY PRESERVATION FUND – COMMUNITY HOUSING – BOXBOROUGH RENTAL ASSISTANCE PROGRAM (BRAP) ⁴

\$69,000 CPA

(Housing Reserve; Undesignated CPC Funds)

(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to appropriate the sum of forty-eight thousand thirty-six dollars (\$48,036) from the Community Preservation Fund Community Housing Reserve, and the sum of twenty thousand nine hundred sixty-four dollars (\$20,964) from Undesignated Community Preservation funds for the Boxborough Rental Assistance Program (BRAP) as recommended by the Community Preservation Committee.

Summary:

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

A monthly subsidy is provided by BRAP and is paid directly to the participating household's landlord. Households may renew their participation for a total of three years, subject to annual income eligibility verification. Participating landlords have expressed appreciation for the program and a desire to help their tenants. This will be the tenth year of the BRAP. It began with a six-household pilot program in 2016, expanded to twelve households in 2017, and was expanded to fourteen households in 2023. Currently about 45% of the participants are seniors.

The monthly subsidy has been unchanged at \$250 per month since the program began despite the inflation in rents over that 10-year period. The proposal this year is to increase the subsidy to 20% of the monthly rent up to a maximum of \$500 per month. This brings Boxborough in line with other surrounding towns. The current estimate is that the average subsidy will be about \$393 per month which calculates to \$66,000 in rental support.

We expect to continue as part of the Assabet Regional Housing Collaboration that is implemented by Metro West Collaborative Development (Metro West CD). The table below includes the budget for administrative support of the BRAP. In addition, administrative funds are requested to expand the program's outreach. BRAP flyers are now available in English, Portuguese, and Spanish. The total program costs are shown below.

Total BRAP Costs

Cost Category	7/1/25 to 6/30/26
Direct Program Cost	\$66,000
Administrative Costs	\$3,000
Total	\$69,000

Current rental funds requested are \$66,000. Administrative costs are \$3,000, representing 4.5% of total.

The Community Preservation Committee recommends (7-0-0). The request for FY 2026 is \$69,000, up 57% from the \$44,000 appropriated for FY 2025. By utilizing carryover funds from past years, and \$29,000 from the FY 2026 designated Community Housing Reserve, \$48,000 of the FY 2026 request can be funded from the Community Housing Reserve, leaving \$21,000 to be funded from undesignated CPA funds. This undesignated funding is possible for FY 2026 due to a low level of other requests.

Going forward, the funds in the designated Community Housing Reserve are estimated to be about \$29,000 per year meaning that \$40,000 would need to be funded from undesignated CPA funds. This additional funding cannot be guaranteed and might be dependent on the level of other requests for CPA funds in a given year.

The Finance Committee recommends (6-0-0). The Finance Committee recommends the continued funding of the Boxborough Rental Assistance Program (BRAP). The program continues to be fully utilized.

No tax impact for FY26.

The Select Board recommends (5-0-0). The Select Board recommends unanimously. We appreciate the Community Preservation Committee's attention to the current needs of the community and willingness to support the Boxborough Rental Assistance Program.

ARTICLE 38

COMMUNITY PRESERVATION FUND – HISTORIC RESOURCES – CEMETERY RESTORATION ⁴

\$9,500 CPA

Historic Resources Reserve

(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to appropriate from the Community Preservation Fund Historic Resources Reserve the sum of nine thousand five hundred dollars (\$9,500), for Cemetery Restoration, including site preparation, materials, and all other costs incidental and related thereto as recommended by the Community Preservation Committee.

Summary:

This project will allow the Cemetery Commission to continue the process, begun seven years ago, of stabilizing and restoring the monuments and other structures in the North and South cemeteries. Age and other factors have brought this far beyond normal perpetual care. To date work on this ongoing project has proved successful in making our two cemeteries safer and more presentable while being respectful of those interred, their families and friends, and the public.

The Community Preservation Committee recommends (6-0-1). The Community Preservation Committee recommends this article for the reasons stated in the summary.

The Finance Committee recommends (5-0-1). The Finance Committee recommends for all the reasons in the summary.

No tax impact for FY26.

The Select Board recommends (5-0-0). The Select Board joins the Community Preservation Committee to unanimously recommend this article. It is important to support our Cemetery Commission and maintain our historic cemeteries. The Town has made good progress in maintaining the cemeteries to date, and this work should continue.

**ARTICLE 39 COMMUNITY PRESERVATION FUND – OPEN SPACE
(INCLUDING RECREATION) CONSERVATION TRUST FUND ⁴**

\$10,000 CPA
Open Space Reserve
(Majority Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to appropriate from the Community Preservation Fund Open Space Reserve the sum of ten thousand dollars (\$10,000), and transfer the funds to the Conservation Trust Fund for conservation purposes consistent with the Community Preservation Act as recommended by the Community Preservation Committee.

Summary:

The Conservation Trust Fund (CTF) is used to fund the acquisition, capital improvement, preservation, and management of the Town's Conservation Land. For the past 14 years, the CTF has been funded by an approval of an annual Warrant Article at Town Meeting with funding for the last 8 years provided by the Town's CPA funds. This request for CPA funds is intended to continue the annual cycle funding of the CTF and provides an immediate and dedicated source of money to pay for anticipated land management needs.

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

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

The Community Preservation Committee recommends (7-0-0). The Community Preservation Committee recommends this article for the reasons stated in the summary.

The Finance Committee recommends (6-0-0). The Finance Committee recommends for all the reasons in the summary.

No tax impact for FY26.

The Select Board recommends (5-0-0). The Select Board unanimously recommends for the reasons stated in the summary. Conservation land is an essential part of Boxborough's character and charm, and should be supported each year through the Community Preservation Fund Open Space Reserve.

The Conservation Commission recommends (6-0-0). The Conservation Commission recommends this article for the reasons stated in the summary.

END CONSENT AGENDA⁴

ANNUAL TOWN MEETING TWO-THIRDS REQUIRED CONSENT AGENDA⁵

Kristin Hilberg, Select Board Chair, moved, and it was seconded, to approve the Annual Town Meeting Two-Thirds Required Consent Agenda Warrant Articles forty-two in accordance with the funding sources and amounts set forth in the May 12, 2025 Annual Town Meeting Warrant under Articles forty-two.

**ARTICLE 40 DEPARTMENT OF PUBLIC WORKS (DPW): ROAD
MAINTENANCE ⁵ **HOLD****

**ARTICLE 41 DEPARTMENT OF PUBLIC WORKS (DPW): REFURBISH
TRUCK FRAME RAILS AND REPLACE DUMP/SPREADER
BODY ⁵ **HOLD****

ARTICLE 42 FIRE DEPARTMENT: PUMPER TRUCK REPLACEMENT ⁵

Discussion on the motion on 2/3s Required Consent Agenda 5 (Article 42): none

Action on the motion on 2/3s Required Consent Agenda 5 (Article 42): carried by 2/3s.

TWO-THIRDS REQUIRED CONSENT AGENDA ⁵

**ARTICLE 40 DEPARTMENT OF PUBLIC WORKS (DPW): ROAD
MAINTENANCE ⁵ **HELD****

\$300,000 Bonding

\$857.60 Transportation Network Company (TNC)

(Two-thirds Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town vote to appropriate the sum of three hundred thousand eight hundred fifty-seven dollars and sixty cents (\$300,857.60), for the purpose of paving, repairing, sealing and maintaining roadways in Boxborough, including all costs incidental and related thereto, and to meet this appropriation, that the sum of eight hundred fifty-seven dollars and sixty cents (\$857.60) be transferred from the Transportation Network Company Fund, and that the Treasurer, with the approval of the Select Board, is hereby authorized to borrow the sum of three hundred thousand dollars (\$300,000) pursuant to Massachusetts General Laws Chapter 44 section 7 and 8, or any other enabling authority, and to issue notes and bonds of the Town therefor.

Summary:

Approval of this article will enable the Town to continue the long-term project of bringing all our roadways up to good condition. It will continue the action, begun at the 2015 Annual Town Meeting, of supplementing the Chapter 90 roadway maintenance funding provided by the Commonwealth of Massachusetts with additional Town funding to accelerate the rate of repaving roads in town. The level of Chapter 90 funding alone in recent years has been insufficient to repave even one mile per year of the Town's approximately thirty (30) miles of roadway. With the additional funding, the Town can extend the life of the roadways with different types of maintenance, i.e. crack sealing, fog sealing, etc., before undertaking a full paving project. The Fiscal Year 2026 construction season will include a combination of maintenance and paving projects.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article for the reasons stated in the summary. It is important to maintain and monitor the driving conditions of all our roads.

The Finance Committee recommends (5-0-0). The Finance Committee recommends. This warrant article supplements the money the Town gets from the State for road maintenance.

Estimated Bond Costs to Taxpayer

	FY26	FY27	FY28
Road Repair 14 years	\$0	\$12,000	\$30,025
Town Value*	\$1,863,847,043	\$1,957,039,395	\$2,054,891,365
Tax per \$1,000	\$0.00	\$0.01	\$0.01
Avg house value*	\$940,472	\$987,496	\$1,036,871
Tax per average house	\$0	\$6	\$15

*estimate

The Capital Committee recommends (4-0-0).

Jennifer Barrett moved, and it was seconded, to change the \$300,000 Bonding to Free Cash.

Recommendations of the Select Board, Finance Committee and Capital Committee on the amendment were all against.

Discussion on the amendment on the motion on Article 40: none

Amendment on the motion on Article 40 failed by a majority.

Jennifer Barrett asked why we put money into the TNC funds to this article every year.

Tony Newton of the Finance Committee said that there is historical precedent.

Michael Johns said we get TNC funds from the state, so it makes sense that it goes back into road maintenance.

Jennifer Barrett said that the Division of Local Services at the state issued a Local Finance Opinion dated 2022 says starting with the distributions starting in June 2023, that the if the amount is \$23,000 or less, the funds may be expended without further appropriation so it falls under the Select Board's purview.

Dick Wagman of Leonard Rd. asked if we will ever catch up on this or do we have to have a bonding article for this forever.

Ed Kukkula, Director of the DPW said due to winter conditions the pavement doesn't last more than 15 years, even with maintenance. Getting more rain in the winter with climate change means the roads deteriorate faster. He described the rotation schedule and maintenance plan.

Andrew Tavalacci of Old Harvard Rd. asked where the money comes from that handles water on the roadway such as storm drains and culverts. There are areas where water is at road level.

Ed Kukkula said that money is in the same pot. It's very rare that you see additional basins go in, and it's a long process to get them approved. They maintain the ones that they have.

Mark Barbadoro of Old Harvard Rd. said we have really great roads and the DPW does a really good job.

Jennifer Barrett of Whitcomb Rd. had a question about drainage and wonders if there is a possibility to deal with drainage in a particular area of Burroughs and Hill Rd. while they are paving.

Ed Kukkula addressed the question.

Liz Fowlks of Stow Rd. moved the question, and it was seconded.

Action on the motion to stop debate carried by 2/3s.

Action on the motion on Article 40: carried by 2/3s.

ARTICLE 41

DEPARTMENT OF PUBLIC WORKS (DPW): REFURBISH TRUCK FRAME RAILS AND REPLACE DUMP/SPREADER BODY ⁵ **HELD**

\$160,000 Bonding
(Two-thirds Vote Required)

Kristin Hilberg moved, and it was seconded, that the Town appropriate the sum of one hundred sixty thousand dollars (\$160,000), to sandblast and paint the frame of a DPW dump truck and to replace the existing dump spreader body, including all costs incidental and related thereto, and to meet this appropriation, that the Treasurer, with the approval of the Select Board, is hereby authorized to borrow said amount pursuant to Massachusetts General Laws Chapter 44 section 7 and 8, or any other enabling authority, and to issue notes and bonds of the Town therefor.

Summary:

The 2009 Sterling L8000 dump Truck cab is in good shape and it has low engine miles. The truck is basically used during the winter months for treating and plowing roads. Replacing the truck with a new model is estimated to cost \$340,000. Sandblasting the frame rails and replacing the dump/spreader body will extend the truck by approximately 10 years and at about a third of the cost of replacement.

Sandblasting: Sandblasting a truck frame rail involves using a high-pressure stream of abrasive particles, typically sand or a specialized blasting media, to thoroughly clean the metal surface of the frame rail by removing rust, old paint, dirt, and other contaminants, leaving a smooth, bare metal surface ideal for applying new paint or protective coatings, ultimately extending the life of the truck frame by preventing corrosion and promoting better paint adhesion.

Benefits:

- **Improved paint/protective coating durability:** A clean, properly sandblasted surface allows for better adhesion, leading to a longer lasting treatment.
- **Corrosion prevention:** Removing rust and contaminants from the frame rail significantly reduces the risk of future corrosion.
- **Structural integrity:** By identifying and addressing potential damage during the sandblasting process, the structural integrity of the frame can be maintained.

Stainless Steel Dump/Spreader Body

Stainless Steel Option/Benefit

- **Resistance to Corrosion:** One of the most significant benefits of stainless-steel dump bodies is their resistance to corrosion. Unlike carbon steel, which can rust and weaken over time when exposed to moisture and harsh chemicals, stainless steel remains intact and robust. This resistance to corrosion makes stainless steel an excellent choice for dump bodies that are frequently exposed to calcium chloride.
- **Longevity and Durability:** Stainless steel's resistance to corrosion directly translates to increased longevity and durability. Dump bodies made from traditional materials like carbon steel or aluminum may require frequent maintenance and replacement due to rust and wear. In contrast, stainless steel dump bodies can withstand harsh environments, reducing the need for constant upkeep and replacements. This durability ensures that your equipment remains functional and reliable for longer periods, ultimately saving time and money.

- **Cost-Effectiveness:** *Although stainless steel dump bodies may have a higher initial cost compared to traditional materials, they offer significant long-term savings. The durability and resistance to corrosion of stainless steel reduce the need for frequent repairs and replacements, leading to lower maintenance costs over time.*

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article for the reasons stated in the summary. The Select Board believes that refurbishing this truck is a more cost-effective solution than replacing the truck with a new one. Having good equipment to manage the ice and snow on our roads is important to the safety of Boxborough drivers and walkers.

The Finance Committee recommends (5-0-0). The Finance Committee recommends. We applaud the Director of Public Works for repairing and refurbishing this truck instead of looking to purchase a new vehicle.

Estimated Bond Costs to Taxpayer

	FY26	FY27	FY28
Dump Truck 9 years	\$0	\$6,400	\$20,575
Town Value*	\$1,863,847,043	\$1,957,039,395	\$2,054,891,365
Tax per \$1,000	\$0.00	\$0.00	\$0.01
Avg house value*	\$940,472	\$987,496	\$1,036,871
Tax per average house	\$0	\$3	\$10

*estimate

The Capital Committee recommends (4-0-0).

Discussion on the motion on Article 41:

Jennifer Barrett asked if this truck will last the 9 years that it takes to bond these costs. She wants to make the voters aware that this is raise and appropriate spread over years.

Ed Kukkula said that it has low mileage and is in good shape and the engine hours are low.

Action on the motion on Article 41: carried by 2/3s.

ARTICLE 42 FIRE DEPARTMENT: PUMPER TRUCK REPLACEMENT ⁵

\$1,200,000 Bonding

(Two-thirds Vote Required)

Kristin Hilberg moved, and it was seconded, as part of the Consent Agenda, that the Town vote to appropriate the sum of one million two hundred thousand dollars (\$1,200,000), to purchase and equip a pumper truck, including all costs incidental and related thereto, and to meet this appropriation, that the Treasurer, with the approval of the Select Board, is hereby authorized to borrow said amount pursuant to Massachusetts General Laws Chapter 44 section 7 and 8, or any other enabling authority, and to issue notes and bonds of the Town therefor.

Summary

The Boxborough Fire Department is looking to purchase and equip a new Class A pumper (Fire Engine) to replace current Engine 63. The Fire Department is receiving quotes from multiple vendors. This new Engine will be taking over as our primary response vehicle. It will meet all current NFPA Requirements.

This Engine will be equipped with updated tools & technology to better protect the citizens and employees of Town of Boxborough.

Must we replace Engine 63 at this time?

Yes, Engine 63 will be over 20 years old at the time of delivery of the replacement and has already been having periodic repair issues, most recently, pumping issues due to pipe corrosion. This failure is a key indicator that replacement is due. This replacement is on our cyclical replacement plan. Generally, we plan for replacement after 17 years.

Does Boxborough require 3 multi-purpose fire trucks?

Yes, the fire service is built around operational plans and contingencies, which require the ability to respond to incidents in Town where one truck might be out for servicing or on a mutual aid call, when another incident might arise in Town. If we have only two primary response vehicles, we suffer a significant likelihood of being unable to properly respond to incidents if one were to be unavailable due to any of several contingencies. There is certainly the possibility of mutual aid from surrounding towns, but that option is for those unusual situations straining the capacity of any individual town to respond. We cannot build mutual aid into our normal operations strategy.

The Select Board recommends (5-0-0). The Select Board unanimously recommends this article. Replacing our 20-year-old Engine 63 is essential for maintaining reliable emergency response capabilities in our town. The current engine has already experienced significant mechanical issues, including pump failures due to pipe corrosion, which could compromise our ability to respond effectively during emergencies. Proper fire protection requires reliable equipment, and this replacement follows our established replacement cycle for fire apparatus. Having three multi-purpose fire trucks is necessary for our operational redundancy - if one truck is out for service or responding to a call, we still need adequate equipment available for other emergencies that may occur simultaneously. While mutual aid from neighboring towns is valuable, we cannot depend on it for our primary response strategy. By investing in this infrastructure now, we ensure our firefighters have the tools they need to protect our community effectively with the best possible response to incidents and emergencies.

The Finance Committee recommends (5-0-0). The Finance Committee unanimously recommends. Our current engine is 17 years old and by the time we take delivery of the new pumper truck (engine) it will be over 20 years old. We are already experiencing pumping issues corrosion in the pipe.

Pumper Truck Replacement
Estimated Bond Costs to Taxpayer

	FY26	FY27	FY28
Pumper Truck 20 years	\$0	\$0	\$90,775
Town Value*	\$1,863,847,043	\$1,957,039,395	\$2,054,891,365
Tax per \$1,000	\$0.00	\$0.00	\$0.04
Avg house value*	\$940,472	\$987,496	\$1,036,871
Tax per average house	\$0	\$0	\$46

*estimate

The Capital Committee recommends (4-0-0).

Discussion on the motion on Article 42 (as part of the Consent Agenda 5): none

Action on the motion on Article 42: carried by 2/3s.

END CONSENT AGENDA⁵

ADDITIONAL ARTICLES

ARTICLE 43 ADOPT MGL CH40 SEC 42 G-K (WATERLINE EXTENSION)
(Majority Vote Required)

David McKiernan moved, and it was seconded, that the Town vote to accept the provisions of Massachusetts General Laws Chapter 40, Sections 42G, 42H, 42I, and 42K, and further to authorize the Town, in accordance with Chapter 188 of the Acts of 2024 and all other authority appertaining, to levy special assessments on benefitted properties using any of the methods authorized by law for the whole or part of the cost of constructing a water distributing system to bring drinking water to certain Boxborough properties west of I-495 as described in an Intermunicipal Agreement between Boxborough and Littleton.

Summary:

The Littleton Water Department (LWD) is installing a new pipeline to bring clean drinking water to certain Boxborough properties located along or near Beaver Brook Road, Swanson Road, and Codman Hill Road. The new supply of clean water will resolve a number of long-standing historical issues with water quality in this western portion of town for which no viable alternative has been found. It will also eliminate the need for these properties to remove PFAS from their current wells. This project is the culmination of seven years of collaborative efforts of Littleton, Boxborough, Mass DEP and Mass DOT.

The work is being carried out in accordance with an Intermunicipal Agreement (IMA) between Boxborough and Littleton. The IMA obligates Boxborough to collect betterment assessment fees on the benefitted properties and remit such fees quarterly to Littleton. Betterment costs for each property will be

fairly apportioned in accordance with methods provided in statute. Pipeline construction should be completed in 2026.

The project is being funded by a no-interest loan to Littleton made available through the State Drinking Water Revolving Fund (SRF). Revenue raised by the betterment assessments will be remitted to the Town of Littleton on a quarterly basis per the IMA.

The cost of treated drinking water will be charged directly to the metered end-users. There will be no cost for use of firefighting water as it will be unmetered.

Town meeting must adopt sections of GL Chapter 40 to allow the Boxborough Assessor to make the assessments. The assessments will be added to the affected property real estate tax bills and there will be no property tax impact to residents and businesses east of I-495.

The Select Board recommends (5-0-0). The Select Board recommends unanimously. Approval of this article will permit Boxborough to apply property betterments needed to fund the cost of the waterline extension. This step is required to meet the terms defined by the intermunicipal agreement (IMA) with Littleton which was executed by the Select Board on June 26, 2023. Without timely approval of these GL Ch40 sections, the Boxborough Assessor and Tax Collector cannot collect the fees required under the IMA.

The Finance Committee recommends (6-0-0). The Finance Committee recommends for the reasons stated above.

No tax impact for FY26.

The Water Resources Committee recommends (7-0-0). The Littleton Water Department waterline extension will provide a much-needed clean drinking water resource to serve Boxborough residents and properties west of I-495. This article will enable funding via betterments as required by the Intermunicipal Agreement.

Discussion on the motion on Article 43: none

Cheryl Mahoney of Liberty Square Rd. wants to ask Counsel if the defeat of Article 1 limit the town's ability to construct this proposed project.

Mark Barbadoro said that this falls under public utilities in the use table so it should be fine.

Action on the motion on Article 43: carried by 2/3s.

ZONING ARTICLES

ARTICLE 44 TO AMEND SECTION 8.1.5 OF THE ZONING BYLAW REGARDING THE AQUIFER PROTECTION DISTRICT

(Two-thirds Vote Required)

Rebecca Verner moved and it was seconded to pass over Article 44.

The Board of Health and Water Resources Committee provided feedback and the intent is to come back with a revised Article in the fall.

Motion to pass over Article 44 carried by a majority.

~~to amend the Boxborough Aquifer Protection District bylaw to bring it in alignment with the Board of Health Groundwater Protection Regulations. Deletions are shown in strikethrough and changes are shown in ***bold italicized***.~~

Section 8.1.4 Special Permits

The Special Permit Granting Authority shall be the ~~Board of Appeals~~ ***Planning Board***.

Section 8.1.5 Use Regulations.

Symbols employed below shall mean the following:

Y – a permitted use

N - excluded or prohibited use

~~ZBA PB~~ – a use authorized under special permit granted by the ~~Zoning Board of Appeals~~ ***Planning Board***.

Aquifer Protection District Use Regulations

q. Disposal of sanitary waste from single family residential structures to subsurface disposal systems in quantities exceeding the limit described in this table. above or the construction of such systems, but only when the disposal rate does not exceed the rate allowed in this table. by more than 100%	ZBA PB
r. Rendering impervious of more than 20% of any lot, unless drainage retention structures such as filtered catch basins, impoundment <i>impoundment</i> areas, etc. are constructed which will ensure that the recharge rate will not be reduced by an amount more than 20% coverage would cause	ZBA PB
s. Vaulting and monitoring of storage of liquid petroleum products	ZBA PB

Section 8.1.6 Submittals

Applications for special permits shall be prepared and submitted to the ~~Board of Appeals~~ ***Planning Board*** in accordance with the provisions of Section 2.3 of this Bylaw and the design requirements in Section 8.1.7.

Section 8.1.8 Compliance with Groundwater Protection Rules and Regulations

All permitted uses proposed in the Aquifer Protection District must comply with the most recently adopted Board of Health Groundwater Protection Regulations on file with the Town Clerk and the Massachusetts Drinking Water Regulations.

~~Section 8.1.8~~ 8.1.9 Decision

Summary:

The proposed revision designates the planning board as the special permit granting authority instead of the Zoning Board of Appeals, where such permits are more closely tied to land use. Further, proposed revisions align the bylaw with existing and future Board of Health Regulations.

The Planning Board defer its vote and recommendation to Town Meeting.

The Finance Committee defer its vote and recommendation to Town Meeting.

No tax impacts.

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

Discussion on the motion on Article 44: Rebecca Verner stated that the Board of Health and Water Resources Committee provided constructive and positive feedback, which requires additional time for review. They expect to return to the Fall Town Meeting with more information and a slightly revised article.

**ARTICLE 45 AMENDMENT TO CHANGE SECTIONS 8.2 AND 9.2 OF THE
ZONING BYLAW FOR UPDATING THE FLOODPLAIN BYLAW**
(Two-thirds Vote Required)

Rebecca Verner moved, and it was seconded, that the Town vote to amend Sections 8.2 and 9.2 of the Boxborough Zoning Bylaw by striking Section 8.2 in its entirety, inserting a new Section 8.2, and inserting in Section 9.2, Terms Defined, the “Floodplain Overlay District Definitions”, all as set forth below, and further that non-substantive changes to the numbering of the Zoning Bylaw be permitted in order that it be in compliance with the numbering format of the existing Zoning Bylaw:

Section 8.2 Floodplain Overlay District (Floodplain District)

8.2.1. Purpose

The purpose of the Floodplain District is to:

- 1) Ensure public safety through reducing the threats to life and personal injury
- 2) Eliminate new hazards to emergency response officials
- 3) Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding
- 4) Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding
- 5) Eliminate costs associated with the response and cleanup of flooding conditions
- 6) Reduce damage to public and private property resulting from flooding waters

8.2.2. Use of FEMA maps and supporting studies

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within Boxborough designated as Zone A, AE, AH, AO, A99, V, or VE on the Middlesex County Flood Insurance Rate Map (FIRM) dated July 8, 2025 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated July 8, 2025. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, Conservation Commission and the Office of Land Use and Permitting.

8.2.3. Designation of community Floodplain Administrator

The Town of Boxborough hereby designates the position of Building Commissioner to be the official floodplain administrator for the Town.

8.2.4. Permits required for all proposed development in the Floodplain District

The Town of Boxborough requires a permit for all proposed construction or other development in the floodplain district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties.

8.2.5. Assurance that all necessary permits are obtained

The town's permit review process includes the requirement that the proponent obtain all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain district. The proponent must acquire all necessary permits, and must demonstrate that all necessary permits have been acquired.

8.2.6. Floodway encroachment

In Zones A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

8.2.7. Unnumbered A Zones

In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A and as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

8.2.8. Subdivision proposals

All subdivision proposals and development proposals in the floodplain district shall be reviewed to assure that:

- (a) Such proposals minimize flood damage.
- (b) Public utilities and facilities are located & constructed so as to minimize flood damage.
- (c) Adequate drainage is provided.

8.2.9. Base flood elevation data for subdivision proposals

When proposing subdivisions or other developments greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.

8.2.10. Recreational vehicles

In A, A1-30, AH, AO, AE Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

8.2.11. Watercourse alterations or relocations in riverine areas

In a riverine situation, the Flood Plain Administrator shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities, especially upstream and downstream
- Bordering States, if affected
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
- NFIP Program Specialist
Federal Emergency Management Agency, Region I

8.2.12. Requirement to submit new technical data

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to:

- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
- NFIP Program Specialist
Federal Emergency Management Agency, Region I

8.2.13. Variances to building code floodplain standards

The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files.

The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain district.

8.2.14. Variances to local Zoning Bylaws related to community compliance with the National Flood Insurance Program (NFIP)

A variance from these floodplain bylaws must meet the requirements set out by State law, and may only be granted if:

- 1) Good and sufficient cause and exceptional non-financial hardship exist;
- 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and
- 3) the variance is the minimum action necessary to afford relief.

8.2.15. Abrogation and greater restriction section

The floodplain management regulations found in this Floodplain District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.

8.2.16. Disclaimer of liability

The degree of flood protection required by this bylaw is considered reasonable but does not imply total flood protection.

8.2.17. Severability

If any section, provision or portion of this bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

8.2.18. Local Enforcement

The Floodplain District and any violations of this section 8.2 is subject to enforcement, as defined in section 2.1 Enforcement.

Section 9.2

Floodplain Overlay District Definitions

The following definitions are required for compliance with the standards set by FEMA and the NFIP, and are to be used in the interpretation of section 8.2 of this bylaw.

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

HISTORIC STRUCTURE means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

[US Code of Federal Regulations, Title 44, Part 59]

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. *New construction includes work determined to be substantial improvement.* [Referenced Standard ASCE 24-14]

RECREATIONAL VEHICLE means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

REGULATORY FLOODWAY - see FLOODWAY.

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH. [Base Code, Chapter 2, Section 202]

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building

(including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

VARIANCE means a grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

VIOLATION means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3 is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

ZONE A means an area of special flood hazard without water surface elevations determined

ZONE A1-30 and ZONE AE means area of special flood hazard with water surface elevations determined

ZONE AH means areas of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) feet, and with water surface elevations determined

ZONE AO means area of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) ft. (*Velocity flow may be evident; such flooding is characterized by ponding or sheet flow.*)

ZONE A99 means area of special flood hazard where enough progress has been made on a protective system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. (Flood elevations may not be determined.)

ZONES B, C, AND X means areas of minimal or moderate flood hazards or areas of future-conditions flood hazard. (*Zone X replaces Zones B and C on new and revised maps.*)

ZONE V means area of special flood hazards without water surface elevations determined, and with velocity, that is inundated by tidal floods (coastal high hazard area)

ZONE V1-30 and ZONE VE (*for new and revised maps*) means area of special flood hazards, with water surface elevations determined and with velocity, that is inundated by tidal floods (coastal high hazard area)

Summary:

If passed, this amendment will update the current Floodplain Bylaw to adhere to the latest guidance provided by the Massachusetts Department of Environmental Protection. It designates a dedicated floodplain administrator, and clarifies new rules regarding allowed variances to the bylaw. Additionally, a new section of terms defined for the floodplain district has been added.

The Planning Board recommends (5-0-0). The Planning Board unanimously recommends passage of this article. Regular revisions of the Floodplain Bylaw are required to remain in compliance with federal flood insurance standards. Passage of this article ensures continued access to federal flood insurance and municipal access to disaster relief funding. This article was developed based off of the state's model bylaw, to insure compliance with federal standards.

The Finance Committee defers its vote and recommendation to Town Meeting.

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

Discussion on the motion on Article 45:

The Planning Board presentation was given by Alec Wade.

In 2020 the state developed a model bylaw for floodplains and this could be incorporated at the local level. Compliance date is July of this year.

Action on the motion on Article 45: carried by 2/3s.

ARTICLE 46 TO AMEND SECTION 2.3 OF THE ZONING BYLAW REGARDING SPECIAL PERMITS

(Two-thirds Vote Required)

Rebecca Verner moved, and it was seconded, that the Town vote to amend Section 2.3 of the Boxborough Zoning Bylaw, for the purpose of clarifying that review of all Special Permits must apply the Special Permit Decision criteria identified in Section 2.3.4, in addition to any other identified criteria, with **bold** text to be inserted, as follows, and further that non-substantive changes to the numbering of the Zoning Bylaw be permitted in order that it be in compliance with the numbering format of the existing Zoning Bylaw.

Section 2.3 Special Permits

2.3.1. Special Permit Granting Authority. Either the Board of Appeals or the Planning Board shall act as the Special Permit Granting Authority. Each use requiring a special permit in this bylaw shall specify the Special Permit Granting Authority. **The requirements of this Section are applicable to any Special Permit Application required in this Bylaw other than those listed in Section 4.3, Nonconforming Uses and Structures, which follow the requirements MGL Chapter 40A Section 6.**

Summary:

The proposed amendment will require all local special permits to comply with the criteria of a special permit. This revision shall not extend to those permits related to nonconforming structures and uses. Through passage of this revision, all special permits shall be aligned with the standard criteria.

The Planning Board recommends (5-0-0). The Zoning Bylaw (Section 2.3) outlines the authority, public hearing process, application process and decision considerations for Special Permits in accordance with the Zoning Act (MGL Chapter 40A). The Zoning Bylaw (Sections 4.4 through 4.12) also identifies several Special Permits for specific uses (e.g., Special Permits for Restaurants) or in specific zoning districts (e.g., Special Permits in Town Center District), each of which may have decision criteria specific to that Special Permit. The proposed language would help to clarify that review of all Special Permits must apply the Special Permit considerations identified in Section 2.3.4 (Decision) in addition to any other identified decision criteria. The only exception would be for Non-Conforming Uses and Structures which are governed by MGL 40A Section 6.

The Finance Committee recommends (6-0-0). The Finance committee recommends for the reasons listed above.

No tax impacts.

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

Discussion on the motion on Article 46: none

Action on the motion on Article 46: carried by 2/3s.

ARTICLE 47 AMENDMENT TO CHANGE SECTIONS 4.2.2, 5.3, AND 9 OF THE ZONING BYLAW FOR ACCESSORY DWELLING UNITS

(Majority Vote Required)

Rebecca Verner moved, and it was seconded, that the Town vote to Amend sections 4.2.2, 5.3, and 9 of the Boxborough Zoning Bylaw, for the purpose of modifying the existing regulation of Accessory Dwelling Units (ADUs), by deleting the ~~strike through~~ text and inserting the **bold** text, as set forth below, and further that non-substantive changes to the numbering of the Zoning Bylaw be permitted in order that it be in compliance with the numbering format of the existing Zoning Bylaw:

In addition, by amending section 4.2.2 (a) by inserting the language "Accessory Dwellings, as defined in 760 CMR 71.03, sub section 3 b 2", by amending section 4.2.2 (i) by inserting the language "as defined in 760 CMR 71.02", and by amending section 5.3 (e) to replace the words "single family" with "Principal" and replacing the word "unit" with "as defined in 760 CMR 71.02."

~~4.2.2 Accessory Apartment or Accessory Dwelling Unit.~~

- ~~(a) The Inspector of Buildings may grant a total of permits each calendar year for accessory apartments also known as Accessory Dwelling Units (ADU).~~
- ~~(b) An additional dwelling unit may be allowed as an accessory apartment in a single family dwelling or existing accessory building located on a lot with a single family dwelling for the purpose of:
 - ~~1) providing small additional dwelling units without adding to the number of buildings in the Town or substantially altering the appearance of buildings, the neighborhood, or the Town;~~
 - ~~2) increasing the range and affordability of housing accommodations;~~
 - ~~3) encouraging a greater diversity of population, and;~~
 - ~~4) encouraging a more efficient and economic use of existing housing stock by enabling owners of single family dwellings larger than required for their present needs to share space while maintaining the single family appearance and character of buildings, the neighborhood, and the Town~~~~
- ~~(c) The Inspector of Buildings may grant a Building Permit and a Certificate of Occupancy for an accessory apartment provided that all of the following conditions are met:
 - ~~1) The accessory hall be within the building containing the principle dwelling unit, or be within a detached accessory structure in existence on or before March 8, 2007, and that conforms to the minimum setback for residential dwellings.~~
 - ~~2) No more than one accessory apartment may be located on the lot.~~
 - ~~3) The accessory apartment shall be secondary and incidental to the single family dwelling on the lot~~~~

- ~~4) The accessory apartment shall contain no more than 1300 square feet of gross floor area, but not exceed 40% of the gross floor area of the existing single family dwelling.~~
- ~~5) Any addition to the existing structure to create an accessory apartment shall not create more than a 15% increase in the gross floor area of the existing structure, as of February 17, 2023.~~
- ~~6) One of the Dwelling Units shall be occupied by or be the legal residence of the owner of the lot. The "owner" shall be one or more individuals holding legal or beneficial title to the lot and for whom the dwelling is the primary residence for voting and tax purposes.~~
- ~~7) The domestic water and wastewater disposal system shall be adequate to serve both the existing single family dwelling and the accessory apartment.~~
- ~~8) Three parking spaces shall be in existence or added to the existing driveway to accommodate the number of vehicles that serve the residents of both dwelling units. The spaces shall be composed of similar materials to the driveway.~~
- ~~9) Curb cuts for the lot shall be limited to those already in existence on or before February 17, 2023, or for new construction, shall be limited to one.~~
- ~~10) Existing properties with accessory apartments that are no longer intended to be owner occupied or the legal residence of the owner, the owner shall apply for a certificate of occupancy, and a building permit if required to convert the building back to a single family dwelling. Removal of one of the following elements shall be deemed sufficient.
 - ~~1. The removal of privacy by removing a portion of the wall or floor separating the dwelling units;~~
 - ~~2. The removal of the kitchen including plumbing fixtures.~~~~

4.2.2 By Right Accessory Dwelling Unit (ADU).

An ADU shall be allowed *by right* within a single-family dwelling or in an accessory structure. The Inspector of Buildings may grant a building permit and occupancy certificate for an ADU subject to the following regulations:

- a) The ADU shall be within the building containing the principal dwelling unit, or be within a detached accessory structure that conforms to the minimum setbacks for ~~{principal} residential dwellings.~~ **Accessory Dwellings, as defined in 760 CMR 71.03(3)b(2).**
- b) No more than one ADU may be located on a lot.
- c) The ADU shall be the lesser of ½ the gross floor area of the principal dwelling or 900 SF.
- d) Any addition to an existing single family dwelling needed to create an ADU shall aggregate to be no larger than the lesser of ½ the gross floor area of the existing principal dwelling or 900 SF.
- e) The domestic water and wastewater disposal system shall be adequate to serve both the existing single-family dwelling and the ADU.
- f) Not more than one additional parking space shall be required for an ADU that is more than ½ mile from a commuter rail station, or bus station.

- g) Curb cuts for the lot shall be limited to those already in existence.
- h) Use or “Occupancy” of an ADU and associated dwellings as a “Short Term Rental”, as these terms are defined by G.L. c. 64G, § 1 is prohibited.
- i) By right siting of an ADU is allowed only within single family residential zoning districts, **as defined in 760 CMR 71.02.**

5.3 Intensity Regulations

(e) No more than one single family dwelling may be located on a lot. **An Accessory Dwelling Unit as defined in Section 9.2 may be permitted on a lot with one single family dwelling, as defined in 760 CMR 71.02 unit** if it is in compliance with Section 4.2.2.

9.2 Terms Defined

~~Accessory Apartment or Accessory Dwelling Unit shall mean a dwelling unit that is customarily incidental and subordinate to the single family dwelling unit.~~

An Accessory Dwelling Unit (ADU) Shall Mean a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable dimensional and parking requirements, that:

- (i). maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress;
- (ii). is not larger in gross floor area than 1/2 the gross floor area of the principal dwelling or 900 square feet, whichever is smaller; and
- (iii). is subject to such additional restrictions as may be imposed herein; and
- (iv). May be attached or detached.

Summary:

The purpose of this article, is to adopt an accessory dwelling unit bylaw that complies with the state’s Affordable Homes Act. This law, passed in August of 2024, requires that Towns allow accessory dwelling units in districts that allow single family homes. Past Zoning Bylaws are overly restrictive, and do not meet the requirements of the Affordable Homes Act. The Planning Board proposes this revision, which will allow the Zoning Enforcement Officer to act on compliant laws, and reduce the risk of legal challenge from non-compliant bylaws.

The Planning Board recommends (5-0-0). The Planning Board unanimously recommends passage. This amendment will immediately bring our bylaw into compliance with Massachusetts General Law, by allowing accessory dwelling units in those districts that already allow single family homes. Through passage of this amendment, we equip our Zoning Enforcement Officer with conforming regulation, reduce the risk of legal challenge to the Town, and establish more accessible housing for both young and older adults.

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

No tax impacts.

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

Motion to amend:

Rebecca Verner moved, and it was seconded, to amend Article 47, by amending section 4.2.2 (a) by inserting the language "Accessory Dwellings, as defined in 760 CMR 71.03, sub section 3 b 2", by amending section 4.2.2 (i) by inserting the language "as defined in 760 CMR 71.02", and by amending section 5.3 (e) to replace the words "single family" with "Principal" and replacing the word "unit" with "as defined in 760 CMR 71.02."

Discussion on the amendment on Article 47: Alec Wade, Town Planner explained the Attorney General reviewed the bylaw language and these changes were made in response after public hearings.

Gary Kushner of Flagg Hill Rd. said he is not comfortable with amending Zoning Bylaws on the Town Meeting floor, as has been our practice, although this might be needed, he does not recommend doing it.

Priya Sundaram of Patch Hill Rd. agreed that we should not amend on town meeting floor.

Mark Barbadoro of Old Harvard Rd. clarified that the state requires these changes in order to approve this Article.

Dick Wagman of Leonard Rd. understands why we are amending but it's complicated to understand. Can you summarize what it actually does?

Kathy Vorce of Liberty Square Rd. said that the language brings us into compliance with the Statute. We are trying to incorporate the state's regulations into our bylaw.

Mark Barbadoro explained that one of the changes that 760 CMR requires that a detached unit have a setback and we need to be in compliance with the state regulations.

Chris Dowdy of Liberty Square Rd. summarized that the intent of this article to be compliant with state regulations and the feedback from the AG. Is there a deadline we have to meet?

Mark Barbadoro said it is unlikely that we will have changes on the legislative end, but we don't want to wait for court cases to come up. We are behind already and so we tried to move through this process as quickly as possible.

Chris Dowdy spoke in support of this article because feedback from the AG is a good reason not to make amendments on the floor.

Priya Sundaram wonders if it should be passed today, and can it wait until Fall Town Meeting.

Alec Wade says we should pass it or risk litigation.

John Fallon of Paddock Ln. said that he is one of the people who advocated for not amending Zoning Bylaws on the floor but he thinks this is an important amendment to pass because we can't enforce an illegal bylaw.

Colman Connolly of Flagg Hill Rd. wanted to clarify what the amendment says that this amendment is just updating definitions to incorporate state language and regulations.

Kathy Vorce agreed that that is the process here and that this is an elaboration on the statute on a detailed level.

Mark Barbadoro asked Alec a procedural question about whether the amendments were voted at a public hearing. The answer was yes, and it the language was vetted by land use counsel.

Joe Stulpin of Picnic St. asked when the language was submitted to the AG and when it came back and if they offered any language.

Alec Wade said it was submitted in January and the response was in March and they did not offer a second review.

Action on the amendment to Article 47: carried by majority.

Discussion on the motion on Article 47, as amended: none

Action on the motion on Article 47, as amended: carried by 2/3s.

ARTICLE 48 ZONING BYLAW AMENDMENT – 6.6.3 (c) HAZARDOUS WASTE
(Two-thirds Vote Required)

Rebecca Verner moved, and it was seconded, that the Town vote to amend Section 6.6.3 of the Boxborough Zoning Bylaw by inserting the language shown in ***bold italics***, as follows, and further that non-substantive changes to the numbering of the Zoning Bylaw be permitted in order that it be in compliance with the numbering format of the existing Zoning Bylaw.

6.6.3 (c) Hazardous Waste. No land or structure shall be used in any district as a facility for hazardous waste or disposal of hazardous waste as defined by G.L. c. 21C, § 2, or for the garaging or temporary storage of vehicles used in the transportation of hazardous waste.

Summary:

Following the zoning recodification during Special Town Meeting 2022, the Attorney General advised the Town that certain terms and language must be deleted of the bylaw. Once such deletion included section 6.6.3 (c) in its entirety. This deletion cited Mass General Law which dictates the use type may not be outlawed in industrial districts, unless adopted prior to a specific date. Without adequate information available, the attorney general was unaware that Boxborough met the date of exemption, and ultimately made their determination in error. The proposed language corrects this error, and upon approval at Town Meeting will be submitted to Attorney General with appropriate evidence.

The Planning Board recommends (5-0-0). The Planning Board unanimously recommends passage of this article to restore this provision of the Zoning Bylaw as they were prior to the recodification on November 15, 2022. The Board believes we are thus exempt, and the Town Planner will submit such evidence to the Attorney General following approval of this article. For the reasons stated in the summary, the Planning Board encourages Town meeting to approve this revision.

The Finance Committee recommends (6-0-0). Finance Committee recommends for the reasons listed above.

No tax impacts.

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

Discussion on the motion on Article 48: none

Action on the motion on Article 48: carried by 2/3s.

ARTICLE 49 ZONING BYLAW AMENDMENT – LANGUAGE CLEANUP
(Two-thirds Vote Required)

Rebecca Verner moved, and it was seconded, that the Town vote to amend Articles I through IX of the Boxborough Zoning Bylaw by approving the various corrections and non-substantive amendments as shown in a 2 page document entitled “Proposed Zoning Bylaw Corrections,” on file at the Town Clerk’s office, Town Planner’s office, and viewable on the Town of Boxborough’s Website at: www.boxborough-ma.gov, and further that non-substantive changes to the numbering of the Zoning Bylaw be permitted in order that it be in compliance with the numbering format of the existing Zoning Bylaw.

Footnote	Correct?	Change
1	No	Change to "Intensity Regulations" and apply to "Single-family dwelling"
2	Yes	
3	Yes	
4	Yes	
5	Yes	
6	Yes	
7	Yes	
8	Yes	
9	Yes	
10	Yes	
11	Yes	
12	Yes	
13	Yes	
14	Yes	
15	Yes	Revise footnote to read "Intentionally left blank"
16	Yes	Remove reference from "Single-family dwelling"
17	Yes	
18	Yes	
19	Yes	
20	Yes	
21	Yes	
22	No	Revise to read "See Section 7.2 Small Wireless Facilities Outside of the Public Right of Way"
23	Yes	
24	Yes	
25	Yes	
Dimensional		

Proposed Zoning Bylaw Corrections

To accompany Article 49 of Annual Town Meeting 2025

1	No	Insert as "Deleted at Annual Town Meeting 2022"
2	Yes	
3	Yes	
4	Yes	
5	Yes	
6	Yes	
7	Yes	
8	Yes	
9	Yes	

Page	Section	Change Description	Effect
3	2.1.1	Replace reference to section "2.4" with "2.5"	Changes reference to the correct section.
9	2.6.3	Change reference from "4.4.3" to "4.4.2 (a)"	Deletion of a reference to a section that no longer exists.
14	4.1.3a	Bed and Breakfast use Footnote 1 will be changed to refer to "Section 5.3 Intensity Regulations"	Footnote 1 refers to the correct section 5.3 instead of the incorrect Section 5.2.
14	4.1.3a	Footnote for Single Family Dwelling will be changed to Footnote 15	Refers to the correct footnote of Intensity Regulations Section 5.3e instead of Section 7.3.
31	5.1.2	Insert "Footnote 1: Deleted at Annual Town Meeting 2022."	Updates footnotes to correctly reflect the deletion of the previous Footnote 1, does not require reordering of old footnotes
31	5.1.2	Change "Floor Area Ratio" to "Maximum Floor Area Ratio"	Changes language to correctly refer to the upper bound of floor area ratio.
31	5.1.2	Remove footnote 5 from Floor Area Ratio box and create row labeled Gross Floor Area	Corrects the enforcement of floor area ratio within a district that is not subject to floor area ratio
43	6.4	Replace reference to section "6.4.3.c" with "6.5"	Redirects reference to signage, while section 6.4.3(c) does not exist
48	6.5.1	Change "this Section 6.4" to "this Section"	Removes reference to the incorrect section as it should be referring to itself.
48	6.5.3 (h)	Replace reference to section "6.3" with "6.4"	Redirects to the correct section

49	6.5.3 (i)	Remove "("	Corrects erroneous "("
50	6.5.5d	Change reference "Any sign not specifically authorized by Section 6.4" to "Any sign not specifically authorized by this section. "	Removes reference to Outdoor Lighting Bylaw and replaces it with the correct reference to section regarding Signs.
61	7.4.3 (h)	Replace reference to section "4.2.1.h" with section "4.2.1 (b)"	Corrects citation and reformats appropriately

Article 49 Supplemental – Changes in standard format

~~Deletions~~ followed by **Insertions**

2.1.1 Building Permits. No permit or license shall be granted for a use of a building, structure, or land unless the use conforms in all respects with the provisions of this Bylaw. The Inspector of Buildings shall not issue a building permit without the written approval of a site plan by the Planning Board, where applicable, or unless 30 days lapse from the date of the close of the public hearing without action by the Planning Board under Section 2.4: **5**.

2.6.3 Applicability. Design Review in accordance with this section shall be required for:

(a) new construction, exterior alteration, or expansion of buildings in the Town Center District (except for pre-existing single-family dwellings as specified in Section 4.4.3 **2(a)**) that is subject to site plan approval....

4.1.3.a RESIDENTIAL USES

DISTRICTS

	AR	R1	B	B1	OP	TC	IC
Single Family Dwelling ¹⁶	Y	Y	N	N	N	ZBA	N

FOOTNOTES

1 See Section 5.3: ~~Reduced Frontage Lots~~ **Intensity Regulations**

15 See Section 5.3: ~~Further Supplemental Intensity Regulations.~~ **Intentionally left blank.**

22 See Section 7.4: ~~Trailers~~ **2: Small Wireless Facilities Outside of the Public Right of Way**

5.1.2 Dimensional Schedule

DISTRICTS

	AR	R1	B	B1	OP	TC	IC
Maximum Floor Area Ratio	--	--	--	--	0.1	-- 5	0.1
Gross Floor Area (Sq Ft)	--	--	--	--	--	8,000 ⁵	--

Footnotes

Footnote 1: Deleted at Annual Town Meeting 2022

6.4 Outdoor Lighting.

Outdoor lighting from any source, including sign illumination (see Section ~~6.4.3.e~~ **6.5**), shall be dark sky compliant....

6.5.1 Purpose. The purposes of this Section ~~6.4~~ are to promote the public health....

6.5.3 General Requirements

(h) Sign Illumination. Any illuminated sign shall employ only white light of constant intensity and shall conform with Section ~~6.3~~ **6.4**. No sign shall be illuminated

(i) ~~Except as otherwise provided herein....~~

6.5.5 Prohibited Signs

(d) Any sign not specifically authorized by ~~Section 6.4~~ **this section**.

7.4.3 Construction Trailers

(h) Storage of a camping or travel trailer shall be permitted as specified in Section 4.2.1. ~~h~~ **(b)**.

Summary:

The purpose of the article is to correct mislabeled footnotes, make grammatical corrections, and clean up misdirecting sections that no longer correlate. Changes will include:

- *Renumbering portions of the Zoning Bylaw to correct inaccurate citations;*
- *Editing sentence structure, word choice, and paragraph formatting throughout, for clarity;*
- *Providing consistency with present State law;*
- *Eliminating redundant or unnecessary provisions; making amendments such as correcting spelling and typographical errors, and eliminating or updating outdated statutory references, and;*

The Planning Board recommends (5-0-0). The Planning Board recommends this article unanimously. The Zoning Bylaw is a “living document” which may be periodically updated and amended as voted by Town Meeting. To maintain coherent and clear language in the Zoning Bylaw, the Town must regularly “clean-up” outdated or inaccurate language or references. Through passage of this article, the Town will make the necessary corrections to ensure the accuracy of the Zoning Bylaw language and citations. The Planning Board encourages voters to support this article.

The Finance Committee recommends (6-0-0). Finance committee recommends for the reasons listed above.

No tax impacts.

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

Discussion on the motion on Article 49:

Steve Jefferies of Sargent Rd. is concerned about the unintended consequences of making changes.

Alec Wade said that the language was compiled over several years so that we wouldn’t bring small changes to the floor on many different occasions. This language was reviewed at several different public different hearings.

Cheryl Mahoney of Liberty Square Rd. asked how often we find missing words.

Alec Wade said that there are errors in every Zoning Bylaw, and once or twice a year they'll find errors.

Mark Barbadoro stated that changes and mistakes occur all the time. You find things that don't work in context after reading it many times. He brought up the STM Article 1 mistake as an example with a recodification that was 33 years ago and consequences now.

Cindy Markowitz brought up the fact that we find things all the time so we aggregated them to bring to town meeting all at once. She talked about trying to avoid having circular references and we don't want to bring up the changes one at a time.

Priya Sundaram of Patch Hill Rd. asked if when there are errors and words left off, could that lead to our building inspector making a mistake in enforcing something.

Alec Wade said that anyone can make mistakes.

Mark Barbadoro moved the question and it was seconded.

Action on the motion to stop debate: carried by 2/3s.

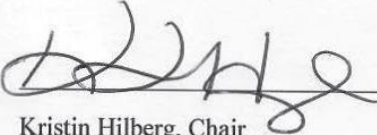
Action on the motion on Article 49: carried by 2/3s.

Kristin Hilberg moved, and it was seconded, to dissolve the Annual Town Meeting at 10:28 pm.

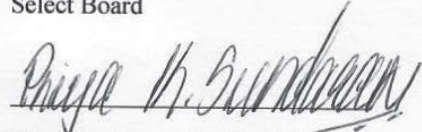
Action on the motion carried by a majority.

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

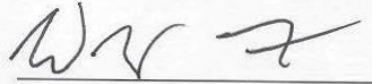
Hereof, fail not to deliver these warrants with your return of service thereon to the Town Clerk on or before April 28, 2025.



Kristin Hilberg, Chair
Select Board



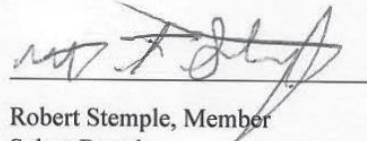
Priya Sundaram, Clerk
Select Board



Wesley Fowlks, Member
Select Board



David McKiernan, Member
Select Board



Robert Stemple, Member
Select Board

REPORT OF THE FINANCE COMMITTEE

CY2025 ANNUAL TOWN MEETING WARRANT

Boxborough's Finance Committee (FinCom) is comprised of between five and nine members (currently at 7) appointed by the Moderator for individual three-year terms. FinCom meetings are open with public participation in person and via Zoom. All meetings are broadcast live on local cable TV and are recorded. FinCom are responsible for oversight of the Town's finances and for initiating and managing the Town's budget process.

This process of formulating the budget involves extensive communication with Town Management and Departments, Town Commissions and Boards, and the Select Board. FinCom presents the Operating Budget as well as recommendations on Warrant Articles, including sources of funds to be used, at Annual Town Meeting (ATM).

Overview

FY26 is a challenging budget year because of several years of increasing costs, limitations of proposition 2 ½ and limited new commercial growth. For FY26 the Town will operate within, but very close to, the Levy Limit. This ATM will also be asked to authorize additional debt for several capital items as well as design fees for a planned new Fire Station. FinCom anticipates that a Proposition 2 ½ operating override is likely to be needed for FY27.

FY26 Budget

Operating Budget

Note that all figures presented in this report were correct at time of Warrant printing and are subject to change. Final figures will be presented at ATM.

The proposed FY26 Operating Budget of \$29,295,132 is an increase over FY25 of 4.6%.

Notable increases in the FY26 budget are: Employee Benefits increased \$13,125 (13.3%), Retirement Assessment increased \$172,150 (13.0%), Town Insurances increased \$216,488 (13.8%), Recreation Commission (Culture and Recreation) increased \$16,875 (23.2%) due to additional administrative support staff, Non ABRSD Education (vocational schools) increased \$41,908 (24.4%) due to increased enrolment, Information Technology increased \$31,008 (11.6%) due to centralization of software services.

Notable decreases are: Retirement of Debt decreased \$153,601 (-15.1%), Community Services decreased \$11,885 (-19.4%) (not including an ATM warrant article for \$18,001), Council on Ageing decreased \$11,980 (-11.6%) due to transfer of administrative support to Culture and Recreation, Building and Maintenance decreased \$42,701 (-17.0%), Town Planner decreased \$16,046 (-4.2%) due to salary adjustments and software consolidation.

Operating Budget Overview

	FY26 Proposed	FY25	Increase
Non ABRSD	\$12,470,762	\$12,054,923	3.5%
ABRSD	\$16,824,370	\$15,960,274	5.4%
Total Operating Budget	\$29,295,132	\$28,015,197	4.6%

Reserve Fund. The Operating Budget also includes a planned allocation to the Reserve Fund for unforeseen or emergency expenses. In FY26 the Reserve Fund allocation will be 0.6% of the Operating Budget (\$175,000) based on policy developed by FinCom.

Warrant and CPA Articles

Proposed warrant articles total \$5,262,068. Items in the warrant include long term and large costs that have been identified on the Capital Plan.

	R&A	Free Cash	Bond	CPA	TNC	Total
Administration		\$300,000				\$300,000
Community Services	\$20,000					\$20,000
CPA				\$88,500		\$88,500
Culture and Recreation		\$102,950				\$102,950
DPW	\$20,000	\$70,000	\$460,000		\$858	\$550,858
Health Services	\$18,002					\$18,002
Protection		\$302,000	\$3,822,445			\$4,124,445
Town Government	\$37,737	\$46,415				\$84,152
Return Closed Articles		(\$26,839)				(\$26,839)
Total	\$95,739	\$794,526	\$4,282,445	\$88,500	\$858	\$5,262,068

TNC = Transportation Network Companies Fees

Tax Rate Calculation

Property Tax is budgeted to raise \$28,188,076. This includes the Operating Budget and Warrant Articles funded through Raise and Appropriate (R&A). The estimated tax rate will be \$15.12 per \$1,000 of property valuation based on an estimated total Town valuation of \$1,863,847,043. This is within the limit of property tax increase allowed by Proposition 2 ½. The Proposition 2 ½ limit for FY26 (maximum allowable levy) is estimated at \$29,100,061.

	FY24	FY25	FY26 Model
Previous Year Levy Limit	\$25,300,653	\$26,290,419	\$27,331,698
Allowed Levy Increase (2.5%)	\$632,516	\$657,260	\$683,292
New Growth Revenue	\$357,250	\$384,019	\$200,000
Levy Limit	\$26,290,419	\$27,331,698	\$28,214,991
Excluded Debt	\$947,048	\$885,070	\$885,070
Maximum Allowable Levy	\$27,237,467	\$28,216,768	\$29,100,061
Levy Ceiling	\$41,538,919	\$44,377,311	\$46,596,176
Levy	\$24,906,736	\$26,874,899	\$28,188,076
Assessed Value	\$1,661,556,766	\$1,775,092,422	\$1,863,847,043*
Tax Rate	\$14.99	\$15.14	\$ 15.12 *
Average Value	\$844,900	\$895,688	\$940,472
Average Tax	\$12,665	\$13,561	\$14,223

*Estimates

Use of Reserves

Reserves (Free Cash) will be used to balance the budget. The planned Free Cash reserve post ATM is above the policy guideline of 5.0% of the Operating Budget.

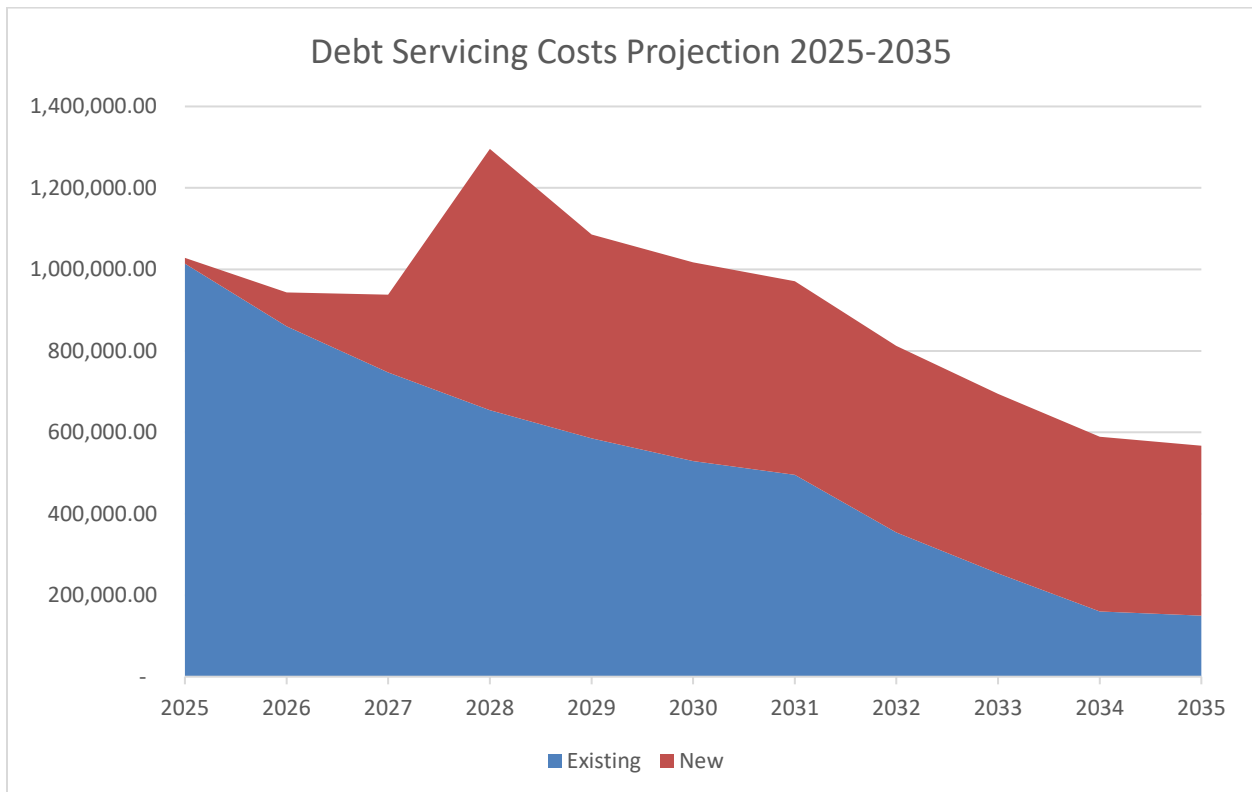
FY25	Pre ATM	Action	Proposed Post ATM	As % of Operating Budget
Reserve Fund	\$147,467	Return surplus to Free Cash. Fund FY26 at 0.6%	\$175,000	0.6%
Free Cash	\$3,218,230	\$794,526 for Warrant Articles.	\$2,423,704	8.3%

Debt

Debt servicing costs for the existing debt of \$5,827,000 are budgeted at \$905,685. New debt servicing costs for bonds authorized by this ATM will add \$641,303 in debt servicing costs by FY28.

\$4,360,000 of new debt will be authorized if all Bond funded articles are passed. Debt will be in the form of a BAN (Bond Anticipatory Note) in advance of issuance of a Bond. Typically, a Bond is not issued until a minimum amount of debt has been accrued on BANs. This debt will not be due until FY27 or FY28.

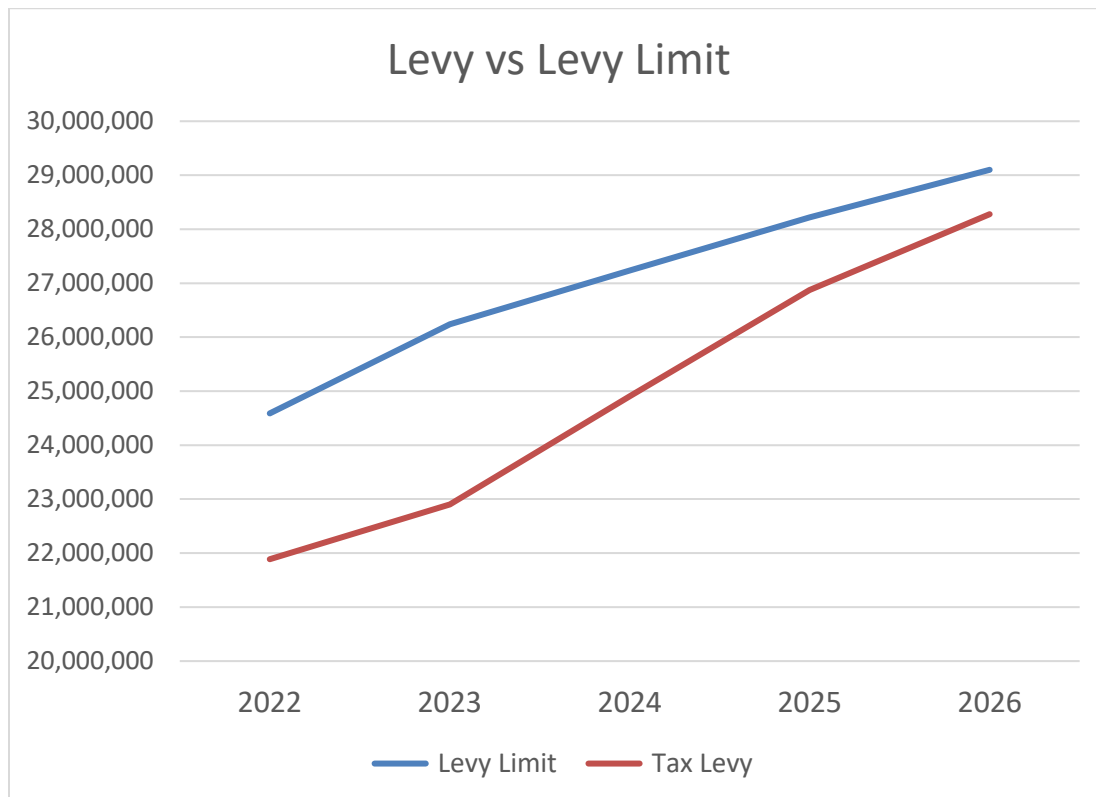
Debt servicing costs for the proposed new fire station will begin in FY28 (not included below). Costs for the new Fire Station are estimated at ~\$32M.



FY27 Operational Override

In the last 10 years FY2016-FY2026 the Tax Levy has increased an average of 5.5% each year. The Levy Limit is calculated from the previous year's Levy Limit plus 2 ½ % as well as an allowance for new growth. For Boxborough this has meant an average increase of 4.3%. Excess levy capacity has decreased and this will likely necessitate an Operational Override for FY27. The override will be designed to provide levy capacity for several future years. The last override in Boxborough was in fiscal year 2006.

Fiscal Year	Levy Limit Increase %	Levy Increase %
2017	3.6%	6.4%
2018	5.5%	2.7%
2019	3.9%	5.4%
2020	3.4%	3.0%
2021	5.6%	4.9%
2022	3.8%	5.6%
2023	6.7%	4.6%
2024	3.8%	8.8%
2025	3.6%	7.9%
2026	3.1%	5.2%
10-year Annual Increase (Avg.)	4.3%	5.5%
10-year Total Increase	47%	60%



Budget Overview

The proposed budget balances the Operating Budget and taxed Warrant Articles with Receipts in order to calculate a taxation requirement. Other sources and uses of funds are balanced. In this budget Free Cash and Debt are used to minimize taxation impact.

Overview

Outgoing	
Operating Budget Non ABRSD	\$12,470,762
ABRSD Assessment	\$16,824,370
Sub Total Operating Budget	\$29,295,132
Other Costs	\$397,205
ATM Articles	\$5,262,068
Overlay Reserve Fund	\$100,000
Total	\$35,054,405

Incoming	
Revenues	\$1,700,000
From Reserves (Free Cash)	\$794,526
Bonding	\$4,282,445
CPC Funds	\$88,500
TNC	\$858
Sub Total Other Sources	\$6,866,329
Levy (Taxation)	\$28,188,076
Total	\$35,054,405

Note: Revenues are estimated

Max Allowable Levy	\$29,100,061
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Capital Plan

The Capital Committee is comprised of the Town Administrator, 2 members of FinCom, 2 members of Select Board. A Capital Plan has been developed and will continue to be updated in collaboration with Town departments and committees.

	FY25	FY26	FY27	FY28	FY29	Five Year Total
Fire	\$1,027,000	\$1,390,000	\$160,000	\$178,000	\$25,000	\$2,780,000
Public Works	\$544,000	\$530,000	\$602,000	\$586,000	\$324,000	\$2,586,000
Recreation						
Police	\$114,000		\$125,000	\$68,500	\$122,000	\$429,500
Town Wide	\$417,000		\$2,403,000			\$2,820,000
Steele Farm			\$100,000			\$100,000
Town Hall	\$143,500	\$130,000	\$90,000	\$50,000	\$45,000	\$458,500
Library	\$90,000	\$50,000	\$53,000	\$30,000	\$0	\$223,000
Conservation	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000
Museum		\$52,950				\$52,950
Cemeteries						\$0
Planning	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$150,000
Technology	\$48,000	\$16,000	\$64,000	\$64,000	\$64,000	\$256,000
Personnel			\$15,000			\$15,000
Total	\$2,423,500	\$2,208,950	\$3,652,000	\$1,016,500	\$620,000	\$ 9,920,950

** Above figures do not include anticipated capital costs for proposed Fire Station

Financial Policies

The Finance Committee has developed a comprehensive Financial Policies document that guides the budgeting process. An abbreviated summary of the Financial Policies is below.

Budget Policy

- The Operating Budget should be developed to balance expenses, revenues, and use of Free Cash.
- Free Cash should be maintained at a minimum of 5% of the Operating Budget.
- Fees and user charges should be reviewed annually in relation to the cost of providing the service.
- New positions in the town should be added to the warrant as an article in the first year and then will be added to the Operating Budget in following years.
- Recurring expenses (non-bonded) in the town will be added to the warrant as an article in the first year and then will be added to the Operating Budget in following years.
- A Reserve Fund should be allocated at 0.6% of the total Operating Budget

Capital Planning

- Both the incremental operating costs and debt service costs for any proposed capital project must be considered before any approval is granted.
- Capital improvement items must be approved as articles at ATM or STM

Conclusion

The budget presented is balanced and takes into consideration the current financial status of the Town. Budget pressures are likely to make a proposition 2 1/2 operational override necessary for FY27. Town debt is increased as a result of this budget. Further significant increases in debt will be required for the planned new Fire Station from FY27.

Finance Committee Members

Antony Newton (Chair)

John Connor (Vice-Chair)

John Greven

Becky Neville

Maria Neyland

Keshava Srivastava

Joe Stulpin

Meeting Clerk: Gary Kushner (non-member)

Members Welcome

Members of the Finance Committee do not need backgrounds in finance or public administration. The committee represents various town constituencies and serves as the town's "fiscal conscience." Those interested in joining should contact the Town Moderator, Dennis Reip @ dreip@boxborough-ma.gov.

Additional Resources

- Levy and Levy Limit. <https://www.mass.gov/doc/levy-limits-a-primer-on-proposition-2-12-0/download>
- FinCom meetings, most recent budgets, financial dashboards. <https://www.boxborough-ma.gov/334/Finance-Committee>
- Financial Policies <https://www.boxborough-ma.gov/DocumentCenter/View/3583/Financial-Policies-PDF>

APPENDIX: KEY TERMS AND DEFINITIONS

- **Annual Town Meeting (ATM)** – A yearly gathering where residents vote on the town’s budget, warrant articles, and financial decisions.
- **Operating Budget** – The planned expenditures for the town’s general operations, including municipal departments, public services, and education.
- **Proposition 2 ½** – A Massachusetts law that limits property tax increases to 2.5% annually, plus new growth, unless overridden by a town vote.
- **Levy Limit** – The maximum amount of property tax revenue a town can collect under Proposition 2 ½.
- **Override (Operational Override)** – A voter-approved increase in property taxes beyond the levy limit to fund ongoing operational expenses.
- **Debt Exclusion** – A temporary tax increase approved by voters to pay for specific capital projects, such as building a new fire station.
- **Reserve Fund** – A contingency fund set aside for unforeseen expenses during the fiscal year, allocated at 0.6% of the operating budget.
- **Warrant Articles** – Proposals submitted for discussion and voting at the Annual Town Meeting, including budgetary and policy decisions.
- **Capital Plan** – A multi-year plan outlining major expenditures for infrastructure, equipment, and facilities, including expected funding sources.
- **Bond (Bonding)** – A long-term borrowing method used to finance large capital projects, typically repaid over multiple years.
- **Bond Anticipatory Note (BAN)** – A short-term borrowing instrument used before issuing a bond, often for initial financing of capital projects.
- **Free Cash** – The town’s available reserves, certified by the state, which can be used for funding warrant articles, emergencies, or stabilizing the budget.
- **Stabilization Fund** – A savings account for the town, used to offset budget shortfalls or fund large expenses.
- **Community Preservation Act (CPA) Funds** – Funds collected through a local property tax surcharge, used for community preservation projects such as open space, affordable housing, and historic preservation.
- **Transportation Network Companies (TNC) Fees** – Fees collected from ride-sharing services (such as Uber or Lyft) operating in the town, used for transportation-related improvements.
- **Levy Ceiling** – The absolute cap on the amount of property tax a town can levy, set at 2.5% of the town’s total assessed property value.
- **New Growth Revenue** – Additional tax revenue generated from new construction, property improvements, or business expansions within the town.
- **Excluded Debt** – Debt that is exempt from Proposition 2 ½ limitations, typically for voter-approved capital projects.
- **Fiscal Year (FY)** – The town’s financial year, running from July 1 to June 30, used for budgeting and financial reporting.
- **Debt Service** – The annual repayment of principal and interest on the town’s outstanding debt obligations.
- **Overlay Reserve Fund** – A fund set aside for property tax abatements and exemptions granted by the Board of Assessors.
- **Revenues (Receipts)** – The total income collected by the town, including property taxes, state aid, fees, and other local sources.

REPORT OF THE COMMUNITY PRESERVATION COMMITTEE

FOR 2025 ANNUAL TOWN MEETING

The Community Preservation Committee (CPC) is primarily responsible for evaluating proposals for the appropriation of the Town's Community Preservation Act (CPA) funds and for making recommendations for these appropriations at Town Meeting. CPA funds may be used to support projects or expenses in three general categories:

- Open Space and Recreation
- Community Housing
- Historic Resources

The Community Preservation Committee meets once a month with the following annual goals and objectives:

- Evaluate the needs and resources of the Town regarding Community Preservation projects and expenditures in coordination with other municipal boards, including the Conservation Commission, Historical Commission, Planning Board, Recreation Commission, Agricultural Commission, and Housing Board
- Conduct an annual Public Hearing to consider Community Preservation proposals and resources
- Update the Town's Community Preservation Plan
- Review CPA account balances and spending, and ensure that annual CPA state filing requirements are met
- Prepare a CPA budget and make project recommendations for Town Meeting approval

For FY 2026 the CPC is recommending three articles for a total of \$ 88,500 for the 2025 Annual Town Meeting.

- One in the category of Community Housing: \$69,000 for funding the Boxborough Rental Assistance Program (BRAP).
- One in the category of Open Space and Recreation: \$10,000 for funding the Conservation trust fund.
- One in the category of Historic Resources: \$9,500 for funding restoration and stabilization of monuments and other structures in the North and South cemeteries.

Over the past 10 years, the Boxborough Town Meeting has voted to fund 50 projects using CPA funds for a total of \$2.4 million. This divided 40% for Historic Preservation, 23% for Open Space, 22% for Recreation and 15% for Community Housing. The following is a list of all CPC projects funded through 2024 since the program began at the 2015 Annual Town Meeting with their status.

CPC Projects Funded by Year

Project	ATM Year	Category	Amount	Status
Steele Farm Barn Exterior Restoration	2015	Historic Resources	\$90,000	Complete
Preservation and Restoration of Historic Town Hall Exterior Front Steps	2015	Historic Resources	\$10,000	Complete
Conservation of Historic Town Records	2015	Historic Resources	\$12,000	Complete
Site Plan for Basketball and Tennis Courts at Liberty Fields	2016	Open Space and Recreation	\$5,500	Complete
Regional Housing Monitoring Services (Year 3 – Calendar Year 2016)	2016	Community Housing	\$5,465	Complete
Regional Housing Monitoring Services (Year 4 – Calendar Year 2017)	2016	Community Housing	\$6,000	Complete
Boxborough Rental Voucher Program	2016	Community Housing	\$26,280	Complete
Conservation of Historic Town Records	2016	Historic Resources	\$11,000	Complete
Rehabilitation of Grange Meeting Room	2016	Historic Resources	\$106,775	Complete
Rehabilitation of Historic Town Hall Exterior Front Steps	2016	Historic Resources	\$35,000	Complete
Conservation Trust Fund	2017	Open Space and Recreation	\$5,000	Complete
Regional Housing Monitoring Services (Year 4 – Fiscal Year 2018)	2017	Community Housing	\$3,025	Complete
Boxborough Rental Assistance Program	2017	Community Housing	\$37,650	Complete
Conservation of Historic Town Records	2017	Historic Resources	\$10,000	Complete
North Cemetery Restoration	2017	Historic Resources	\$9,025	Complete
Preservation of Steele Farmhouse	2017	Historic Resources	\$30,000	Complete
Flerra Meadows Playground Rehabilitation	2018	Open Space and Recreation	\$62,000	Complete
Boxborough Rental Assistance Program	2018	Community Housing	\$37,650	Complete
Conservation Trust Fund	2018	Open Space and Recreation	\$10,000	Complete
Veterans Monument	2018	Historic Resources	\$105,000	Complete
Preservation of Steele Farmhouse	2018	Historic Resources	\$190,000	Complete
Boxborough Rental Assistance Program	2019	Community Housing	\$37,650	Complete
Flerra Baseball Field Rehab.	2019	Open Space and Recreation	\$8,000	Complete

Flerra Playground Fence	2019	Open Space and Recreation	\$7,600	Complete
Conservation Trust Fund	2019	Open Space and Recreation	\$10,000	Complete
Sargent Memorial Library - Brick Patio Renovation and Expansion	2020	Open Space and Recreation	\$35,000	Complete
Flerra Community Garden Water Supply	2020	Open Space and Recreation	\$15,000	Complete
North Cemetery Restoration	2020	Historic Resources	\$9,500	Complete
Preservation Of Historical Records	2020	Historic Resources	\$10,000	Complete
Boxborough Rental Assistance Program	2020	Community Housing	\$38,050	Complete
Regional Housing Services	2020	Community Housing	\$12,000	Complete
Hager Land Connection	2020	Open Space and Recreation	\$54,000	On-going
Conservation Trust Fund	2020	Open Space and Recreation	\$10,000	Complete
Liberty Field Capital Improvements	2021	Open Space and Recreation	\$300,000	Complete
Boxborough Rental Assistance Program	2021	Community Housing	\$38,050	Complete
Conservation Trust Fund	2021	Open Space and Recreation	\$10,000	Complete
Boxborough Rental Assistance Program	2022	Community Housing	\$38,050	Complete
Conservation Trust Fund	2022	Open Space and Recreation	\$10,000	Complete
Cemetery Restoration	2022	Historic Resources	\$9,500	Complete
Land Acquisition Sargent Road	2022	Open Space and Recreation	\$400,000	Complete
Rental Housing Assistance Program	2023	Community Housing	\$38,050	Complete
Regional Housing Services	2023	Community Housing	\$12,000	Complete
Conservation Trust Fund	2023	Open Space and Recreation	\$10,000	Complete
Cemetery Restoration	2023	Historic Resources	\$9,500	Complete
Steele Farm Phase II Stabilization	2023	Historic Resources	\$310,000	On-going
Rental Housing Assistance Program	2024	Community Housing	\$44,000	On-going
Conservation Trust Fund	2024	Open Space and Recreation	\$10, 000	Complete

Cemetery Restoration	2024	Historic Resources	\$9,500	Complete
Fencing Flerra Gardens	2024	Open Space and Recreation	\$6,000	On-going
Reconstruction Blanchard Play Ground	2024	Open Space and Recreation	\$120,160	On-going