Town of Boxborough
Massachusetts

<u>Annual Town Meeting</u>

Monday, June 15th 2020, 7:00 PM

Voter check-in begins at 6:15 PM
Meeting will begin promptly at 7:00 PM

Blanchard Memorial School Gymnasium
493 Massachusetts Avenue, Boxborough

Please bring this Warrant to the Annual Town Meeting

Working Draft_04/13/2020

Dear Boxborough Voters,

We hope that this mailing finds you well.

Over the last six months, the Select Board and the Finance Committee have worked to create the clean, fiscally responsible town budget and articles put forth in this warrant. We thank the Town Administrator, town officials, and department heads for their thoughtful collaboration.

On March 30th, 2020, the Select Board voted on and signed this warrant. The current public health crisis and subsequent economic decline developed rapidly as we finalized the town warrant. In the last two weeks of March, the Select Board and Finance Committee worked together to remove any articles we felt could wait until next year's Annual Town Meeting, or even a potential Special Town Meeting this fall. Town warrants are subject to strict deadlines, however, and in the short timeframe between the start of the public health crisis and the March 30th meeting, we were not able to comprehensively review and modify the budget.

We are acutely aware of the economic hardship the public health crisis has provoked. Over the next eight weeks, we will work together, alongside the Town Administrator and department heads, to review each line item in the budget. If we identify articles or line items that can be refined, we will present these changes at the June 15th Annual Town Meeting. ~~Please note, if the current public health crisis persists, the Town Moderator may reschedule the May 11th meeting.~~

Thank you for your understanding as our town confronts unprecedented challenges.

Working Draft 4/13/2020

Maria E. Neyland, Chair
Boxborough Select Board

Gary Kushner, Chair
Boxborough Finance Committee

ANNOUNCEMENTS

Annual Town Election
Tuesday, June 2nd 2020, 7:00 AM – 8:00 PM
Boxborough Town Hall
29 Middle Road

Large Print Warrants
are available at Boxborough Town Hall
and Sargent Memorial Library

Please remember to bring items for the AB Food Pantry

WWW.ACTONFOODPANTRY.ORG

Especially needed are:

- Hot and Cold Cereals
- Hearty Soups
- Dried Beans
- Toilet Paper
- Detergents
- Shampoos

Another way to support those in need in our community is to donate to the Acton/Boxborough United Way COVID-19 Impact Fund at: www.abuw.org

Working Draft_04/13/2020

TOWN OF BOXBOROUGH
JUNE 15, 2020
LIST OF ARTICLES

ANNUAL TOWN MEETING

1. CHOOSE TOWN OFFICERS.....
2. RECEIVE REPORTS .....
3. SET SALARIES AND COMPENSATION OF ELECTED OFFICIALS.....
4. AMEND FY2021 PERSONNEL PLAN, INCLUDING THE CLASSIFICATION AND COMPENSATION SCHEDULE .....
5. TOWN OPERATING BUDGET.....
6.

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CONSENT AGENDA

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

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

- The **Financial Consent** (Article #17 through #26, inclusive) includes appropriation articles considered to be non-controversial, all funded with Free Cash.
- The **Capital Consent** (Article #27 through #31, inclusive) includes several of the larger capital items which have been supported by both the Finance Committee and Select Board.
- The **Authorizations Consent** (Article #32 through #37 inclusive) this year includes appropriations from Receipts Reserved Accounts, closing out of completed articles and two state acceptances.
- The **Community Preservation Fund Consent** (Article #38 through #41) includes the annual CPC report and setting of FY20 reserves as well as three CPA funding articles considered to be non-controversial.

The articles to be taken up on the Consent Agenda are indicated by asterisks (*).

THE CONSENT AGENDAS WILL BE TAKEN UP AFTER CONSIDERATION OF ARTICLE XX.

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

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

Working Draft 04/13/2020

TOWN OF BOXBOROUGH
ANNUAL TOWN MEETING
JUNE 15, 2020

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

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Boxborough, who shall be qualified to vote in accord with the provisions of MGL Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Monday, June 15, 2020 at 7:00 p.m. to act on Articles 2 through 47 of this Annual Town Meeting Warrant.

You are also required to notify all such residents of Boxborough to come to their polling place at Boxborough Town Hall, 29 Middle Road, Boxborough, on Tuesday the 2nd day of June, 2020 at 7 a.m. for the Election of Town Officers. The polls will be open continuously until 8:00 p.m. when they shall be closed.

Working Draft 04/13/2020

BELOW IS A REPRESENTATION OF WHAT WILL APPEAR ON THE TUESDAY JUNE 2, 2020 BALLOT:

ARTICLE ADM-1 CHOOSE TOWN OFFICERS
(Majority vote required)

Moderator, for a one-year term

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

Board of Health member, for a three-year term

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

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

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

As well as other Town Officers as may be necessary.

The Finance Committee recommends unanimously (5-0).

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ARTICLE ADM-2 RECEIVE REPORTS
(Majority vote required)

To see if the Town will vote to receive the reports of the Select Board and other Town Officers, Agents and Committees, including those published in the 2019 Annual Town Report, or take any other action relative thereto.

The Select Board recommends unanimously (5-0).

The Finance Committee recommends unanimously (5-0).

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ARTICLE ADM-3 SET SALARIES AND COMPENSATION OF ELECTED OFFICIALS
(Majority vote required)

To see if the Town will vote to fix the salaries and compensation of various elected officials for the fiscal year beginning July 1, 2020 as follows:

Select Board Members	$400.00 each member/year
Board of Health Members	$200.00 each member/year
Town Clerk	$51,498.00/year
Constables	$3.00 each copy/warrant posted
Planning Board Members	$200.00 each member/year
Boxborough Members of A-B Regional School Committee	$400.00 each member/year
Library Board of Trustees	$200.00 each member/year
Town Moderator	$100.00/year

or take any other action relative thereto.

Summary:
The amounts for Board of Health and Planning Board members were increased to $200 per member to align with equitable service expectations. A stipend for Library Board of Trustees and Moderator were added in recognition of the additional elected positions. Elected members may choose not to accept these stipends and instead choose to volunteer their time in service to the town.

The Select Board recommends unanimously (5-0).
The Select Board recommends the Salaries and Compensation of elected officer as listed above.

The Finance Committee recommends unanimously (5-0).
The FinCom supports the salary structure and compensation as outlined in the warrant.

Working Draft 04/13/20

ARTICLE ADM-4 AMEND FY2021 PERSONNEL PLAN, INCLUDING THE CLASSIFICATION AND COMPENSATION SCHEDULE

(Majority vote required)

To see if the Town will vote to amend the Personnel Administration Plan including the Classification and Compensation Schedule as indicated below, or take any other action relative thereto.

Classification and Compensation Schedule

All positions are classified into groups and classes doing substantially similar work and having substantially equal responsibilities, and are then set forth in the Classification and Compensation Schedule, which is incorporated into the Personnel Plan. It is proposed to add the following positions:

Regular Full-time, Reduced and Part-time Employees Schedule

Position:	Information Services Librarian	Grade 13
	Administrative Assistant	Grade 12

Temporary, Per Diem and Intermittent Employees

Position:	Finance Director	$6,000 Stipend

The Personnel Board received a revised compensation plan proposal as a result of a Compensation and Classification and Benefits Study provided by GovHR. The results provide for reclassification of some positions to different grades in the plan and a placement in the 75%ile of the comparable towns studied. After transitioning all current employees to the closest pay step on the new plan, the Personnel Board voted to provide a 2.6% wage adjustment. At the April 13 joint meeting of the Select Board and Finance Committee, both the Select Board and Finance Committee voted to support the recommendation of the Personnel Board to delay the 2.6% wage adjustment to January 1, 2021.

Additionally, on the *Temporary, Per Diem and Intermittent Employees* Schedule apply a 2.6% wage adjustment, generally, with the following exceptions: increase rates for the positions of Counselor, Election Workers, Assistant Animal Control Officer (Dogs & Cats), and Laborer-Cemetery to $13.50, and increase the rate of Clerk of Elections to $14.85.

Summary:

Tables included for reference

The Personnel Board recommends unanimously (4-0).

The Select Board recommends unanimously (5-0).

The Select Board and Personnel Board held a joint public hearing on March 2, 2020 in the Morse-Hilberg room at Town Hall on the proposed changes to the Personnel Plan. The new plan moves the schedule from the 50th percentile to the 75th percentile as compared to other comparable communities. The Classification and Compensation Schedule provides a 2.6% wage adjustment, 2.5% Steps and the expansion of the schedule from 9 Steps to 14 Steps.

The new plan also adds two new positions to the schedule: An Administrative Assistant and a Technical Services Librarian.

The per diem schedule includes stipends for technology liaison ($7,500) and a finance director ($6,000).

The Select Board supports the changes to the schedule to ensure that the Town continues to retain and attract highly qualified employees.

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The Finance Committee recommends unanimously (5-0).
The chair of the Finance Committee, chair of the Select Board, and the chair of the Personnel Board met to figure out a formula for pay increases for employees covered by the Personnel Plan and based on the compensation study. The Finance Committee endorses the adoption of the recently completed Classification and Compensation Study. We have recommended that the Town plan to perform a repeat of this study every 5 to 7 years and to be contained in the Capital plan for reference.

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Classification and Compensation Schedule (GovHR Conversion)

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Classification and Compensation Schedule (with 2.6% Wage Increase for Jan 1)

Working Draft_04/13/2020

Classification & Compensation Schedule (Per Diem)

Working Draft_04/13/2020

Contracts & Other Wage Rates for Reference

Working Draft_04/13/2020

ARTICLE BUDG TOWN OPERATING BUDGET
$ $$$$ Raise & Appropriate
(Majority vote required)

To see what sums of money the Town will raise and appropriate, transfer from available funds, and/or borrow for the operations and expenses of the Town for the Fiscal Year beginning July 1, 2020, or take any other action relative thereto.

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

The Finance Committee recommends unanimously (5-0).
Raise and appropriate via Finance Committee report.

The Select Board recommends unanimously (5-0).
For the reasons stated above the Select Board recommends unanimously.

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Budget p1 Add extra blanks through p10

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ARTICLE CPA-1 COMMUNITY PRESERVATION FUND – CPC REPORT AND ESTABLISH FY21 RESERVES

(Majority vote required)

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY 2021 Community Preservation budget and to appropriate from the Community Preservation Fund FY 2021 estimated annual revenues a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for FY 2021; and further, to reserve for appropriation from said estimated annual revenue a sum of money for open space, including land for recreational use, community housing, and historic resources purposes, and for a FY 2021 Budgeted Reserve; all as recommended by the Community Preservation Committee, or take any other action relative thereto.

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:

$23,000	*open space, including land for recreation use*
$23,000	*community housing purposes*
$23,000	*historic resources*
$149,000	*FY 21 budgeted reserve*

Additionally, the CPC is recommending that an amount of $5,000 be set aside to meet the administrative expenses of the Community Preservation Committee. These expenses include legal fees, project signs, and membership in the Community Preservation Coalition.

"Estimated annual revenue" is the total of the amount to be collected in the upcoming fiscal year, i.e. FY 2021, under the local surcharge and the November state matching funds for the prior fiscal year.

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

The Select Board recommends unanimously (5-0).

The Finance Committee recommends unanimously (5-0).

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ARTICLE CPA-2 COMMUNITY PRESERVATION FUND – OPEN SPACE (INCLUDING RECREATION) – SARGENT MEMORIAL LIBRARY - BRICK PATIO RENOVATION AND EXPANSION

$35,000 CPA (Open Space/Budgeted Reserve)
(Majority vote required)

To see if the Town will vote to appropriate from the Community Preservation Fund Open Space Reserve the sum of Ten Thousand Dollars ($10,000), more or less, and the sum of Twenty-Five Thousand Dollars ($25,000), more or less, from the Community Preservation FY21 budgeted reserve to renovate and expand the brick patio at the Sargent Memorial Library as recommended by the Community Preservation Committee, or take any other action relative thereto.

Summary:
The Sargent Memorial Library (Library) proposes to repair and expand the existing brick patio located at the south side of the building, improving the accessibility of the space, and creating a safe, welcoming, and usable open area for Boxborough residents and visitors of all ages and abilities.

The improvements and expansion will:

1. *Maximize usable space by reshaping the brick patio area and the plant beds.*
2. *Reuse existing bricks supplementing with new bricks for the expanded brick surface area.*
3. *Improve accessibility to the area for wheelchairs and other mobility aids by relaying a gravel base to level the area, creating a graded ramp from the two emergency exits that lead from the library to the patio, and resetting existing granite at the entrance from the walkway that leads from the front of the library to the patio.*
4. *Apply polymeric sand between the bricks to improve endurance and prevent weed growth.*
5. *Redesign the landscape using a mix of new and existing plants for aesthetics and shade.*
6. *Transplant trees and shrubs that are failing in current locations due to soil and water conditions, and put in plants that are low maintenance and can thrive in the given environment.*

The Library proposes funding the project with a combined use of CPA funds, Friends of the Library money including a donation of $15,000 from Middlesex Savings Bank, and State Aid reserve savings.

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

The Sargent Memorial Library Board of Trustees recommends unanimously (6-0).
It's been more than ten years since we developed the outside patio area and we've learned about sustainable practices to keep the space well-maintained and useable. Through this project, we seek to implement some of the aspirations and objectives in Boxborough's 2030 Plan. Overall, the Sargent Memorial Library is an outstanding resource for residents of all ages. Events at the library help us enhance a close-knit sense of community for all generations. By improving the outdoor space, we create more accessible and welcoming open space for all ages and build a sense of community through outdoor activities.

The Select Board recommends unanimously (5-0).
The BSB agrees with the Library Trustees and unanimously recommends the Library move forward with revamping and updating the patio for use by town residents which it has not been able to do in recent years. This is being accomplished by a generous donation from Middlesex Saving Bank in the amount of $15,000 out of the total $35,000.

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The Finance Committee recommends unanimously (5-0).
Committee fully supports the renovation and expansion of the outdoor space at the library and believes this project falls under the CPA Open Space with funding split between CPA ($35,000), donation from Middlesex Savings Band to Friends of the Library ($15,000) and the remainder from the Library's State Aid Reserve.

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ARTICLE CPA-3 COMMUNITY PRESERVATION FUND – HISTORIC RESOURCES – NORTH CEMETERY RESTORATION

$9,500 CPA (Historic)
(Majority vote required)

To see if the Town will vote to appropriate from the Community Preservation Fund Historic Resources Reserve the sum of Nine Thousand Five Hundred Dollars ($9,500), more or less, for restorations at the North Cemetery as recommended by the Community Preservation Committee, or take any other action relative thereto.

Summary:
This project will allow the Cemetery Commission to continue the process, begun two years ago, of stabilizing and restoring the monuments and other structures in the cemetery. Age and other factors have brought this far beyond normal perpetual care.

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

The Cemetery Commission recommends unanimously (3-0).

The Select Board recommends unanimously (5-0).
The purpose of this article Is to continue the preservation efforts of structures within the cemetery that have significantly degraded, ensuring that the cemetery is maintained in a way that is respectful to all.

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

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ARTICLE CPA-4 COMMUNITY PRESERVATION FUND – HISTORIC RESOURCES – PRESERVATON OF HISTORICAL RECORDS

$10,000 CPA (Historic)
(Majority vote required)

To see if the Town will vote to appropriate from the Community Preservation Fund Historic Resources Reserve the sum of Ten Thousand Dollars ($10,000), more or less, for preservation of the Town Clerk's Historical Records as recommended by the Community Preservation Committee, or take any other action relative thereto.

Summary:
One of the obligations of towns within the Commonwealth is the preservation of public records. This is an ongoing process that we have been addressing in order of the age and the condition of the records. The process includes de-acidification, mending and reinforcement of paper as necessary, resewing and rebinding. Before rebinding, each page is photographed and made into a CD.

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

The Select Board recommends unanimously (5-0).
Periodically, the Town seeks to ensure the preservation of historic records, as required, under MGL Chapter 66, section 9. The Town previously used CPA funds (FY2016, FY2017 and FY2018) to repair the oldest records. The funds from this article will continue in the effort to replace bindings, covers and individual pages where in some case the writing has become illegible. The initiative continues to ensure that vital information is preserved for future generations.

The Finance Committee recommends unanimously (5-0).
The Finance Committee recommends unanimously (5-0). Finance Committee supports the expenditure of $10,000 to fund additional work to preserve historic public town records under MGL 66:9.

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ARTICLE CPA-5 COMMUNITY PRESERVATION FUND – OPEN SPACE (INCLUDING RECREATION) – HAGER LAND CONNECTION

$54,000 CPA (Budgeted Reserve)
(Majority vote required)

To see if the Town will vote to appropriate from the Community Preservation FY21 budgeted reserve the sum of Fifty-Four Thousand Dollars ($54,000), more or less, for the recreational purpose of connecting the Hager Land Trails via a bridge to the Blanchard property as recommended by the Community Preservation Committee, or take any other action relative thereto.

Summary:
This article requests partial funding for a new bridge connecting the Blanchard Memorial Elementary School to the trails on the Hager Land.

There has been a bridge at this location for 40 years. It has been repaired or replaced numerous times since it was first installed as an Eagle Scout project. Unfortunately, because of the beaver population in the adjacent wetland, the water levels frequently rise over the existing bridge. These conditions lead to rot, uneven surfaces covered in slippery algae, and portions of the bridge that are underwater for the majority of the year.

The location of the bridge allows for immediate access to the pond for student projects, bird watchers, and nature lovers. It also provides a direct connection to the trail system on the adjacent Hager Land which links Depot Road, Emanuel Drive and Joseph Road neighborhoods to the school. The bridge is also used as a second egress point in the event of an emergency requiring the evacuation of the school. The current bridge is too dilapidated to be used for these purposes.

The replacement bridge will be ADA compliant and will be made of high-strength fiber reinforced polymer (FRP) components, with an expected life of 50 years. The bridge is designed to ensure that it is above the high-water mark at all times of the year. The plan is to construct a completely accessible loop trail from the Garabedian Bridge through the school yard across the new bridge and back toward the library.

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

The Select Board recommends unanimously (5-0).
For the reasons stated above the select board unanimously supports this article. The new bridge will provide a long-lasting solution which will provide students, residents and visitors reliable access to trails and wildlife that are currently unavailable. And this article is consistent with the Boxborough 2030's Goal 4.1 to Ensure conservation and recreation attractions are well maintained, safe and easy to access.

The Finance Committee does not recommend (1-3-1).
<u>Majority Opinion</u>
The majority of the Finance Committee does not support this article. Although we agree a bridge renovation is necessary, our reservations are based on the late submission of a related article last year that we supported which has become larger in scope and budget and we feel there is risk for cost overruns and unplanned additional expenses if this project were to be approved.

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Minority Opinion

The reasoning for cost escalations seemed fair and with the bridge the entire stretch can be used for walks in summer and fall.

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ARTICLE CPA-6 COMMUNITY PRESERVATION FUND – OPEN SPACE (INCLUDING RECREATION) – LIBERTY FIELD CAPITAL IMPROVEMENTS

$250,000 CPA (Fund Balance)
~~$1,232,000 Bond~~
~~(Two-thirds vote required)~~ (Majority vote required)

To see if the Town will vote ~~to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of One Million Four Hundred Eighty-Two Thousand Dollars ($1,482,000), more or less, and further, to meet this appropriation,~~ to transfer from the Community Preservation fund balance the sum of Two Hundred Fifty Thousand Dollars ($250,000), more or less, for improvements at Liberty Fields, or take any other action relative thereto.

Summary:
The Recreation Commission (Commission) proposes to make capital improvements to the existing space at Liberty Field creating an all-encompassing recreational space in town that will be desirable to all ages in the community. The proposed updates/improvements include the following:

- *Rehabilitating the existing baseball field, including a complete overhaul of the outfield and infield*
- *Adding two tennis courts*
- *Adding one basketball court*
- *Adding an adult fitness area*
- *Creating a walking/running paved path around the perimeter*
- *Improving drainage for the soccer fields*
- *Adding a covered pavilion with seating*
- *Adding a playground area for all ages*

The Boxborough Open Space and Recreation Survey was completed in 2013 and found that Boxborough residents were most interested in having a pool, tennis courts and basketball courts in town. The Commission looked at the three recreational spaces in town (Flerra Field, Fifer's Field and Liberty Field) and determined that Liberty Field was the only one that had the space and no restrictions to accommodate tennis and basketball courts.

In 2016, the Commission sought and was approved for CPA funding to survey the land at Liberty Field which included: design an initial layout, develop a construction document and determine cost estimates to enable the Commission to come back to a future Town Meeting to seek funding for the construction of basketball and tennis courts.

In working with Places and Associates, Inc. on the design, the Commission realized the full potential of Liberty and other aspects (listed above) that could be included or rehabilitated in addition to the creation of the tennis and basketball courts, making it a desirable recreation spot in town for all residents, children and adults of all ages.

The recreation space in Boxborough in town is lacking and is limited to soccer and baseball fields. There are currently no basketball or tennis courts in Boxborough, so residents must travel to neighboring towns to use courts. Besides trails, there are no designated running or walking areas in town and running/walking on roads or trails is undesirable to some. The Commission is hoping to create a safe, designated area that can be used for running, walking, children learning to ride bikes, etc.

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The Commission believes that this project addresses the following objectives identified in the Boxborough 2030 Plan:

- *Strategy 3.4.4. Coordinate with the Community Preservation Committee and identify opportunities to use CPA funding for local historic preservation, open space, recreation, and housing production projects.*
- *Goal 4.1 ensure conservation and recreation attractions are well maintained, safe and easy to access.*
- *Goal 4.3. Enhance the quality and variety of recreation programs and facilities to meet current and future demand among all age groups and levels of ability.*
- *Strategy 4.3.1 enhance quality and variety of recreational programs and facilities to meet current and future demands among all age groups and levels of ability.*

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

The Recreation Commission recommends unanimously (5-0).

The Select Board recommends (5-0).

~~**Majority Opinion**~~

The ~~Majority of the~~ Select Board supports the renovation of the Liberty Fields, which will provide amenities for all the members of our community to use. This will include tennis courts, a basketball court, and the repairing of the baseball field which current poses a danger to users. In addition, there would be a 1/3 of mile fully accessible paved walking with adult fitness work out areas and direct access to conservation lands.

~~**Minority Opinion**~~

~~The minority does not recommend this article.~~

~~While the project provides for upgrades to Liberty Fields including tennis courts, a basketball court, gazebo and adult fitness station, given the more critical needs of the Town, the timing simply doesn't work. The minority believes that the Town needs to take the long view on its priorities. That view includes a new Fire Station and eventually a new Police Station. At present, there are no projections for the cost of those facilities and the impact on taxes.~~

~~With respect to taxes, this article would add somewhere between $50-$53 per average single family household for the next 20-30 years. That $50-53 is in addition to the FY2021 operating budget where the estimated tax rate increases from $16.72 per thousand to $17.72 per thousand. By way of example, if your home is valued at $500,000, your property taxes increase by $500 plus the $50-$53 for this article.~~

The Finance Committee recommends unanimously (5-0).

The Finance Committee fully supports the renovation of the Liberty Fields to provide a space the town can be proud of and usages for all age groups in towns from youth to seniors. This work would provide immeasurable improvements supporting soccer, baseball, tennis and basketball as well as a 1/3-mile paved walking path and workout area. Funding is supported and recommended by using CPA Open Space and Recreation ($250,000) and by bonding the remaining ($1,232,000) over 20 years taking advantage of low financing rates. The estimated cost per household would be ($48 at the highest and dropping over time). We commend the Recreation Committee for their outstanding work on this potential opportunity to improve recreational space for the entire town.

ARTICLE CPA-7 COMMUNITY PRESERVATION FUND – COMMUNITY HOUSING – BOXBOROUGH RENTAL ASSISTANCE PROGRAM (BRAP)

$38,050 CPA (Housing/Budgeted Reserve)
(Majority vote required)

To see if the Town will vote to appropriate from the Community Preservation Fund Community Housing Reserve the sum of Thirteen Thousand Dollars ($13,000), more or less, and the sum of Twenty-Five Thousand and Fifty Dollars ($25,050), more or less, from the Community Preservation FY21 budgeted reserve for the Boxborough Rental Assistance Program (BRAP) as recommended by the Community Preservation Committee, or take any other action relative thereto.

Summary:
The Boxborough Rental Assistance Program (BRAP) provides rental assistance to income-eligible households who are renting qualifying housing units in Boxborough. It provides greater housing stability and housing opportunities to cost-burdened renters and 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 currently exist with much the same goals, such as the Federal Section-8 or Massachusetts Rental Voucher Programs, they are oversubscribed and have long waiting lists. The BRAP is being used as a model to explore in other local towns including Littleton and Lincoln.

A subsidy of $250/month is provided by the program 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. The financial assistance has allowed participating households to maintain stable housing while redirecting resources to pay for medical care, safety repairs on vehicles, and educational items for school-aged children. Participating landlords have expressed appreciation for the program and a desire to help their tenants.

This will be the fifth year of the BRAP. It began with a six-household pilot program in 2016 and was expanded to 12 households in 2017. To date, a total of 21 households have benefited from the program; 9 households have graduated, i.e., left the program early, primarily for improved/more affordable housing. In the past year, the BHB reviewed and clarified application materials, streamlined the application process, and expanded its outreach for applicants. BRAP flyers are now available in English, Portuguese, and Spanish. Lauren Abraham, Community Services Coordinator, remains in contact with the households that are being assisted and reports to the BHB as appropriate.

We expect to continue as part of a regional services collaborative effort that will be implemented by Metro West CD. The table below shows the budget for administrative support of the BRAP. Eligibility determination will be performed through Metro West CD, as in previous years. In addition, additional administrative funds are requested to expand the program's outreach. These funds will primarily be used for direct mailings to Boxborough renters, as well as for additional translations. The direct costs of the rental assistance are based upon assisting 12 households at $250.00 per month for one year. The total program costs are shown below.

Total BRAP Costs

Cost Category	7/1/20 to 6/30/21
Direct Program Cost	$36,000
Administrative Costs	$2,050
Total	$38,050

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

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

The Well-Being Committee recommends.

The Housing Board recommends.

The Select Board recommends unanimously (5-0).

The Finance Committee recommends unanimously (5-0).
The Boxborough Rental Assistance Program (BRAP) was able to assist households during FY20 by issuing rental assistance to those who met strict eligibility requirements. The BRAP intends on continuing this level of support during FY21 and their request of $38,050 will allow this to proceed. In addition, 94.6% of these funds ($36,000) are expended on the actual rental assistance, with only 5.4% being spent on administrative costs ($2,050). Funding will come from housing reserve and FY21 revenues.

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ARTICLE CPA-8 COMMUNITY PRESERVATION FUND – COMMUNITY HOUSING – REGIONAL HOUSING SERVICES

$12,000 CPA (Housing)
(Majority vote required)

To see if the Town will vote to appropriate from the Community Preservation Fund Community Housing Reserve the sum of Twelve Thousand Dollars ($12,000), more or less, and to transfer to the Affordable Housing Trust for Regional Housing Services, all as recommended by the Community Preservation Committee, or take any other action relative thereto.

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

The consortium helps Boxborough monitor affordable units, generate new affordable units, assess affordable ownership units, and resolve compliance violations. The services include assistance with refinancing, resales, and assessments and also include special projects that are needed by specific towns. The services provided by Metro West CD reduce the time that Town staff spends on routine matters.

CPA funding for RHS flows from the CPA to the Boxborough Affordable Housing Trust (BAHT), which disperses funds to the regional consortium. Funds so deposited into the BAHT carry over from fiscal year to fiscal year, so that any unused RHS funds can be used in subsequent years. Because sufficient RHS funds had accumulated in the BAHT, no additional funds were requested in the 2018 and 2019 ATMs. However, several resales occurred last year, necessitating the request this year.

For Fiscal Year 2021, we request a funding amount of $12,000. This amount is approximately equal to the RHS expenditures of the past year. The RHS cost is fundamentally unpredictable; it only takes several resales for it to skyrocket. It is our intention to ask for RHS funding each year that will reset RHS funding to $12,000.

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

The Housing Board recommends.

The Select Board recommends unanimously (5-0).

The Finance Committee recommends unanimously (5-0).
Finance Committee supports the expenditure of CPA funds as this multi-town service manages the monitoring and sale of affordable housing to qualified buyers.

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ARTICLE CPA-9 COMMUNITY PRESERVATION FUND – OPEN SPACE (INCLUDING RECREATION) – FLERRA COMMUNITY GARDEN WATER SUPPLY

$15,000 CPA (Open Space)
(Majority vote required)

To see if the Town will vote to appropriate from the Community Preservation Fund Open Space Reserve the sum of Fifteen Thousand Dollars ($15,000), more or less, for the replacement of the water supply at the Flerra Community Garden as recommended by the Community Preservation Committee, or take any other action relative thereto.

Summary:
This project will provide reliable on-site water for the use of the gardeners at the Flerra Meadows community garden. Added benefits include the ability to back up the ball field irrigation well and as a monitoring site available to the Water Resources Committee.

The Community Preservation Committee recommends (6-0).

The Agricultural Commission recommends unanimously (5-0).

The Select Board recommends unanimously (5-0).

The Finance Committee recommends (4-0-1).
Finance Committee fully supports the funding of $15,000 under CPA Open Space designation. The installation will provide a reliable source of water to Flerra gardeners who in the last several years have needed to bring water in from home due to the continued failure of the hand pump installed previously.

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ARTICLE CPA-10 COMMUNITY PRESERVATION FUND – OPEN SPACE (INCLUDING RECREATION) – CONSERVATION TRUST FUND

$10,000 CPA (Open Space)
(Majority vote required)

To see if the Town will vote to appropriate from the Community Preservation Fund Open Space Reserve the sum of Ten Thousand Dollars ($10,000), more or less, and to transfer the funds to the Conservation Trust fund for Community Preservation purposes as recommended by the Community Preservation Committee, or take any other action relative thereto.

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 9 years the CTF has been funded by an approval of an annual Warrant Article at Town Meeting with funding for the last 3 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 (6-0).

The Conservation Commission recommends unanimously (6-0).

The Select Board recommends (3-2).
Majority Opinion
The Select Board supports the Conservation Commission in its request. The Conservation Trust Fund enables the Commission to carry out a variety of prudent activities including land value assessment, engineering and other services in support of potential land acquisition that might otherwise not happen due to the time constraints of the opportunity.

Minority Opinion
The minority believes the purpose of this fund is for the Conservation Commission to cover expenses for the Town's Conservation Land. For a number of years this was funded at $5,000 a year, 3 years ago it was raised to $10,000. The balance in the fund is currently $30,000, the minority feels the annual contribution should revert back to $5,000 a year.

The Finance Committee does not recommend (2-3).
Majority Opinion
The majority believes that this fund was set up to cover expenses that arose when land became available and funds were required prior to either Special or Annual Town meeting. The original agreement was to fund this at a level of $5,000 per year. There was never a discussion regarding a minimum fund amount. Three members of the Finance Committee believe that the Town should stay with the original agreement to the funding of $5,000 per year.

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Minority Opinion

In the past, Town Meeting and the CPC has approved funding of an annual request from the Conservation Trust Fund (CTF) for $5,000 in support of potential land purchases and the required services that go along with it (environmental testing, design, legal support, etc.). This year's request from CTF is for $10,000 which matches the requests for the last 3 years. This increase is to replenish and maintain the CTF to a level that is consistent with past years. The current fund is at $31,575.68.

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ARTICLE 141-1 ASSESSOR: COMMERCIAL APPRAISAL CONSULTING AND LEGAL FEES
$ 150,000 Free Cash
(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow, or otherwise provide the sum of One Hundred Fifty Thousand Dollars ($150,000), more or less, to defend the Town against commercial abatement requests via the provision of such services as property appraisal consultants and counsel to assist the Town in the defense of commercial property values and to pay interest as part of any decision rendered by the Appellate Tax Board (ATB) , or take any other action relative thereto.

Summary:
This article requests funds to defend against commercial abatements that could significantly harm the town's revenues. These funds will be used to contract professional appraisal services, legal expenses, and if necessary, payment of any interest owed by the town to property owners. Please note that any interest which the Appellate Tax Board directs the Town to pay property owners as part of any judgement cannot be paid out of the Overlay Reserve and must be raised via alternative means. The revenues at risk are substantial. We need to have adequate resources to defend our commercial tax stream.

Background:
The Town's Office Park Zone has remained substantively unchanged since it was first established by Town Meeting in 1984. Boxborough had subsequently benefited from significant growth in high-tech companies in the 1980s and 1990s, most notably as the home of Cisco's East Coast Headquarters. The Great Recession and the ongoing trend of locating industry and tech sectors in urban areas has strained the community and left many office park areas underutilized. There is currently a 40-50% vacancy rate in the Office Park Zoning District. When viewed in tandem with a 20-40% vacancy rate in retail centers, infrastructure constraints, and a growing residential population, the Town needs to reenvision its relationship with its commercial and retail sectors.

Unlike peer communities such as Harvard (4.5%), Bolton (6.8%) or Stow (8.4%), Boxborough's residential tax payers have benefited from having Commercial, Industrial and Personal Property (CIP) take up a much larger percentage of the overall tax burden (21.6% in Fiscal Year 2019). The Town's CIP as a portion of our overall tax revenue has been declining over recent years however from a high of 25.0% in Fiscal Year 2014 to 20.6% in Fiscal Year 2020. With the current list of prospective abatements applications from underutilized commercial rental properties, the Town can expect the CIP figure to drop even lower. When the value of commercial property decreases, the operating costs of the community shift to the residents. While Boxborough has benefited since the early 1980s from having a proportionally large commercial office rental presence which has helped reduce the tax burden on residents, this advantage is at risk as vacancy rates are high and property owners refrain from reinvesting in their properties. As the chart below outlines, since Fiscal Year 2014, residential assessed values in Boxborough have increased by 33% while total CIP assessed values went up by only 3.4%.

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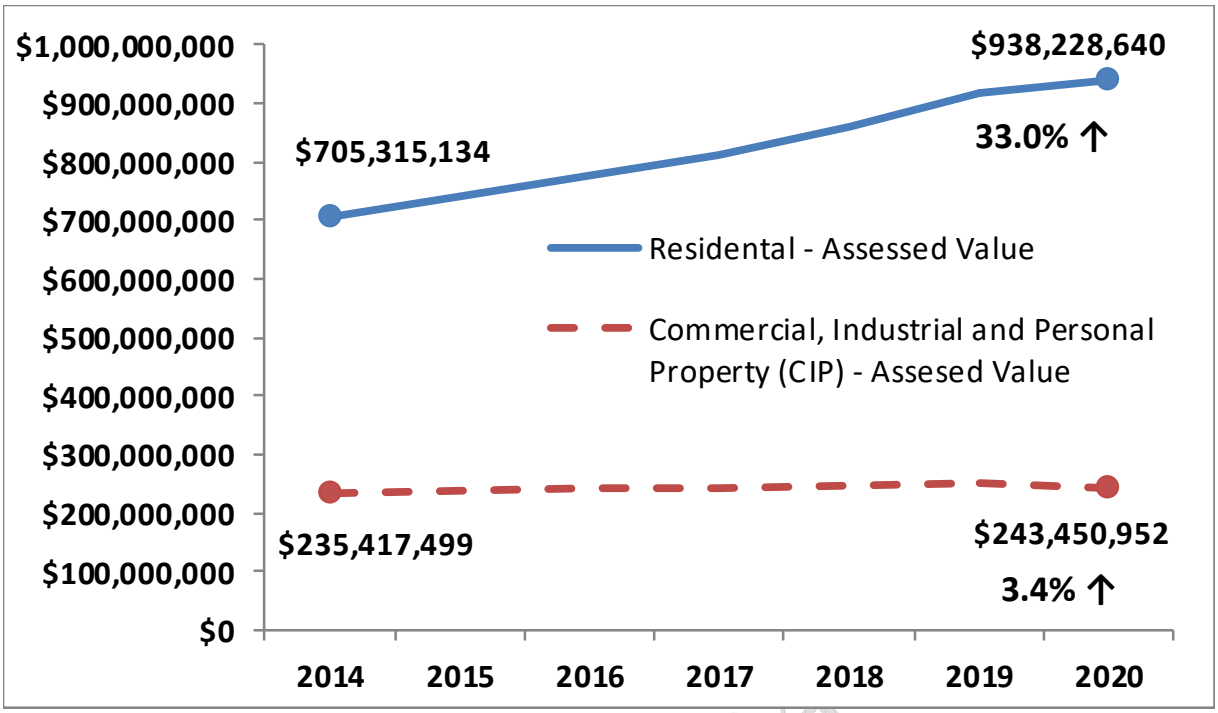

In an effort to address these concerns, Town Meeting, in December 2019, committed $25,000 for an economic development study and community engagement effort to be overseen by the University of Massachusetts Amherst's Center for Economic Development, Department of Landscape Architecture and Regional Planning (LARP). Phase 2 of the study is currently underway with the objective of providing the Town with a report providing a detailed comparative analysis of four different scenarios, including their relative strengths, weaknesses, opportunities and threats. The objective will be for the Town to adopt and implement an economic development strategy to appropriately position Boxborough to reduce its office vacancy rate, ensure an appropriate balanced tax base, and maintain a high quality of life for current and future residents, including adding more local options for work, shopping and entertainment, consistent with the goals of the 2030 Master Plan.

The Select Board recommends unanimously (5-0).

Vacancy rates in Boxborough's commercial districts have been running higher than average in the MetroWest region. Our current zoning in these districts inhibits owners from seeking new uses and new tenants for their properties to maintain income. As a result, a number of property owners have recently applied for abatements to their taxes, arguing that the town's assessed values are too high for the present market conditions. The total of requested abatements is significant. If granted, we could annually lose several hundred thousand dollars in tax revenues.

To mitigate the impact of commercial abatements, the town will endeavor to negotiate settlements with property owners to arrive at fair assessments and tax liabilities. When necessary, the town will oppose excessive abatement requests through legal action at the Appellate Tax Board. This will incur legal expenses. Where the Appellate Tax Board rules unfavorably for the town, we will be required by law to return over-payments to owners plus interest. These interest payments cannot be taken from our Overlay Surplus Fund.

The Town Assessor believes our commercial assessments are fair. But where challenged, we may need objective, independent appraisals to establish commercial valuations favorable to the town.

To protect our revenue stream, the town needs to make accurate and convincing arguments to negotiate fair settlements with property owners, and when necessary oppose requested abatements at the Appellate Tax Board.

The Finance Committee recommends unanimously (5-0).
This is for hiring consultants when requests for reducing taxes (abatements). This article covers the consultant and legal fees as a way to track costs for the appraisals and if necessary go to the appellate court. It also covers interest on any abatements awarded. The overlay account cannot be used to cover past interest rebates.

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ARTICLE 220-A FIRE: ADDITION TO STAFF, INCLUDING BENEFITS – SAFER GRANT
(Majority vote required)

To see if the Town will vote to support the hiring of Full-Time Firefighters, or take any other action relative thereto.

Summary:
The current group staffing model for the Fire Department is 1 Full-Time Firefighter and 1 Per Diem Firefighter on duty 24/7. When a call for service comes in, 100% of the resources are engaged and unavailable for the duration of the incident. When a second call comes in during this period, there are no resources available to respond immediately to a possibly life-threatening situation.

The addition of 4 Full-Time Firefighters will aid in increasing the coverage of on-duty personnel to handle fire, medical, and other emergencies. The 4 additional Firefighters will increase coverage to 2 Full-Time members per group, which means there will be 3 staff members on duty at all times. The current staffing model of 1 Full-Time and 1 Per Diem member was implemented in 1988 and has not been changed in over 32 years. During this timeframe, the population has increased 150% and the number of calls annually has increased 250%. This addition in staff will enable the town to maintain coverage at the station when the Ambulance is dispatched out of town. Additionally, it is a step closer to meeting National Fire Protection Association (NFPA) and Occupational Safety and Health Administration (OSHA) required standards for Fire Safety.

The Federal Emergency Management Agency (FEMA) offers a reimbursement grant to municipalities for just this type of staffing change. The SAFER Grant (Staffing for Adequate Fire & Emergency Response) offers 75% reimbursement in the first 2 years for salary and benefits for 4 firefighters and 35% in the third year. This cost to the town equates to adding 1 firefighter each year over the course of 4 years, but with the benefit of being fully staffed from the beginning of the program.

If the SAFER Grant is awarded, the Town will hire 4 Full-Time Firefighters during the Recruitment Period. If the SAFER Grant is not awarded, the Town will hire 1 Full-Time Firefighter/EMT in FY21.

These additional positions will be funded with reallocations within the budget to maintain a net zero cost in the first year.

The Select Board recommends (3-1-1).
Majority Opinion
The majority of the Select Board recommends this article because if the town is awarded the SAFER Grant from the Federal Government, the town will receive significant financial compensation from the Federal Government. This would enable the town will be able to better respond to multiple calls at the same time, additionally the town would be able to more quickly respond to structural fires and be able to safely enter the buildings faster than waiting for mutual aid, due to safety standards which designate that there need to be 2 people outside of a burning structure while 2 people are inside.

However, in the unfortunate event the town is not awarded the Federal Grant, we believe the town is still desperately in need of additional full-time staff.

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Minority Opinion

The minority does not recommend. The minority believes that the Town should evaluate staffing needs on an annual basis, rather than add 4 fire fighters all at one time.

Excluding the Fire Chief and Captain, this grant would increase the number of Fire Fighters from 4 to 8. That would mean 2 full time fire fighters plus one per diem fire fighter to cover each 24-hour shift. While the Town would receive reimbursement in years one through three, by year four, the total cost to the Town, after reimbursement through the SAFER Grant, is **$743,305.94.** The tax impact on the average single-family home by year four would be $52.01.

Services provided	Calendar Yr. 2017	Calendar Yr. 2018	Calendar Yr. 2019
Alarm Box Maintenance	360	195	221
Alarm Investigation	153	139	115
Detail/Fire Watch	14	8	10
Fire – Brush	4	6	12
Fire – Vehicle	12	8	11
Fire Chimney	2	0	0
Fire – Other	4	3	4
Fire Structure	2	3	6
Hazardous Materials Incident	2	3	1
Inspection	325	232	243
Investigation – Carbon Monoxide	15	11	12
Investigation – Natural Gas	2	2	4
Investigation – Odor	10	7	4
Investigation – Other	17	45	32
Medical Assist	114	153	120
Medical Emergency	236	379	428
Motor Vehicle Accident	71	55	57
Mutual Aid – Ambulance	83	73	77
Mutual Aid – Fire Apparatus	23	12	13
Outside Smoke Investigation	4	0	1
Public Education – SAFE/CPR	140	135	128
Public Education – Car Seat Install	98	102	51
Special Service – Suspicious Item	0	0	0
Special Service – Other Assistance	36	20	10
Special Service – Water Problem	8	7	6
Special Station Coverage	29	8	15
Training	38	37	36
Water Rescue	0	0	0
Total	1802	1643	1617

The Finance Committee recommends this article (4-1).

Majority Opinion

The Finance committee discussed the Fire department needs and requirements to provide the proper level of support to the Town. The original Town direction was for no new hires this year. The Fire Chief

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escalated his concerns to the Select Board and to the FinCom. The Town is having difficulty bringing in per diems on a regular basis. This issue is leaving the Town at risk of not having support in town when the ambulance is out of town on a call. We believe that now is the right time to lower the risk to the Town with the help of the Federal government in its Safer program. We do understand and want to make sure that the Town understands that there will be a big increase in the Fire department salary budget line in year 4 and we want to make sure the Town has all the facts and details to properly decide on the direction of manning the fire station and supporting calls. The guidance in the past is to hire 1 new employee per year in a department. The Safer grant is a way to allow the Town to hire 4 employees and provide funding in the first 3 years to offset the expense. We believe that the Town will need to compare risk versus expense and provide guidance as the legislative body of our community.

Minority Opinion

The minority would prefer to hire two EMT/FF full time over the next two years versus 4 in year 1.

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ARTICLE 220-6 FIRE: ADDITION TO STAFF, INCLUDING BENEFITS
(Majority vote required)

To see if the Town will vote to support the hiring of 1 Full-Time Firefighter, or take any other action relative thereto.

Summary:
*If Article **220-A** is approved, this article will be passed over.*

The cost to the Town for 1 Full-Time Firefighter is equivalent in FY21 as in Year 1 of the SAFER Grant period. The Fire Chief, through evaluation of the Fire Department, has determined that there is sufficient need for increased staff to cover shifts adequately. One additional Firefighter will help to alleviate the burden of filling shifts with excess overtime and reliance on Per Diem coverage.

This additional position will be funded with reallocations within the budget to maintain a net zero cost.

The Select Board recommends (4-0-1).
The Select Board recommends this article as it allows the fire department to be better staffed with full-time which is easier and more consistent from a planning and shift coverage aspect. The majority of the ~~planning board~~ Select Board believes the town needs significantly more full-time resources for the fire department which is addressed in the other article, to better ensure the safety and continuity of services to the residents and visitors. For this article the Select Board is unanimous in its support to add 1 full time firefighter.

The Finance Committee does not recommend (1-4).
Majority Opinion
The majority of the FinCom believes that in the current environment of growth of the Town and age of the constituents of the Town that 2 full time members of the department should be on staff each 24-hour shift. This article provides one additional EMT/firefighter only if the Town votes down the SAFER grant. Assuming that the Town is willing to turn down 4 firefighters in year 1 for no increase cost to the Town then why hire 1 full time fire fighter? The decision essentially removes us from moving forward with the SAFER grant in future years as an odd number of EMT/FF at a higher cost to the Town.

Minority Opinion
The minority of the FinCom supports the potential inclusion of a new article for the addition of a new FTE firefighter in the event the SAFER Grant article does not pass believing that the inability to fill per diem positions and the lack of adequate staff and coverage that the addition of one additional fire fighter is better than none.

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ARTICLE 156-2 CABLE SERVICES AND EQUIPMENT
$ 81,700 Cable
(Majority vote required)

To see if the Town will vote to appropriate the sum of Eighty-One Thousand Seven Hundred Dollars ($81,700), more or less, said funds to be transferred from the PEG Access and Cable Related Fund receipts reserved for appropriation account, for the purpose of providing for FY 2021 cable TV operations and for the acquisition of new equipment to improve the quality of the Town's cable television broadcast quality and expand meeting coverage, or take any other action relative thereto.

Summary:
This provides funding for Videographers to staff both Select Board and Planning Board meetings, as well as other events such as Fifer's Day, Town Meeting information series, etc. (increased to $6,500). LCTV services are the majority of this appropriation ($66,000) and include all organizational and management services for Cable broadcasting. The remainder of the budget is for OnDemand Service ($3,200), IT services related to connectivity and new hardware including cables, video equipment, etc.

The funds for this article are appropriated from Cable Franchise fees paid to the Town from Comcast and Verizon subscribers.

The Select Board recommends unanimously (5-0).
The bulk of this appropriation will fund the sixth year of cable recording and broadcast services from Littleton Community Television. It also includes funds for contract videographers to expand meeting coverage, and annual renewal of video on-demand service. The source of funds is cable subscription fees that, under law, must be appropriated each year by vote of town meeting. This appropriation will not affect taxes.

The Finance Committee recommends unanimously (5-0).
Funding provided using the cable franchise fees paid by each subscriber.

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ARTICLE 145-1 TREASURER: BORROWING COSTS
$ 60,000 Free Cash
(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow, or otherwise provide the sum of Sixty Thousand Dollars ($60,000), more or less, for the purpose of paying the cost of issuance for borrowing authorized by vote of Town Meeting 2018, Town Meeting 2019 and Town Meeting 2020, or take any other action relative thereto.

Summary:
In May 2018, Town Meeting authorized borrowing in the amount of Seven Hundred Thirty-Four Thousand Nine Hundred Dollars ($734,900). In May 2019, Town Meeting authorized borrowing in the amount of Eight Hundred Thousand Dollars ($800,000). The town issues short-term notes on authorized debt until the total authorized reaches a reasonable amount to deem long-term bonding necessary. These amounts, coupled with any borrowing proposed at this Town Meeting will be bundled in a long-term bond issuance at favorable interest rates. Department Heads work with Financial Advisors to determine the best timing to use short term and long term borrowing to maximize savings and minimize costs.

The Select Board recommends unanimously (5-0).

The Finance Committee recommends unanimously (3-0).
For paying the costs of 2018, 2019 and 2020 authorized borrowing.

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ARTICLE 122-1 WATER RESOURCES COMMITTEE: LAND APPRAISAL FOR WATER SOURCE
$ 20,000 Free Cash
(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow, or otherwise provide the sum of Twenty Thousand Dollars ($20,000), more or less, to hire an appraiser to provide an appraisal of real property to establish a fair market value of said property and affiliated legal expenses, or take any other action relative thereto.

Summary:
There are approximately 2,000 residents of Boxborough who reside west of Route 495 and are currently served by private wells. In some cases, they reside in single family residences, while others reside in condominiums or multi-family rental units. Many of the private wells in this area have been affected by elevated levels of salt in their drinking water. The Town has reestablished the Water Resources Committee (WRC) and charged it with investigating various options for the Town to consider for the establishment of a public drinking water source for this area. The WRC has accordingly been evaluating potential locations for a public water supply well or wells in the western part of Boxborough. The WRC is close to identifying a suitable site and is requesting funding for an appraisal of the to be identified parcels to establish the fair market value for the property. With this information in hand, the Town would then seek to purchase the land either via negotiations with the owner or eminent domain, and return to a future Town Meeting to fund the purchase of the parcel with the objective of developing a public well or wells.

The Select Board recommends unanimously (5-0).
This article would fund professional land appraisals to support the town's effort to acquire suitable land for a new public water supply source, whether it is developed now or in the future. This is in line with several key elements of the Boxborough 2030 Master Plan.

Some existing water supplies in the western part of town are experiencing problems. Since 2018 the Boxborough Water Resources Committee (WRC) has been in discussions with the Massachusetts Department of Environmental Protection (DEP) over their concerns around water quality issues in the western part of town. One historical issue is increasing levels of salt in drinking water. The other is proximity of septic system effluent. About 1000 residents and 2000 commercial occupants live or work in this area encompassing about 18 water supply wells. These wells are privately owned but regulated as public water supplies under DEP rules.

Concerted action will be required to address the problem equitably for all stakeholders. The WRC and Town Administrator have had productive discussions with the Littleton Water Department around potential solutions. These all hinge on obtaining a new high-volume source of drinking water situated along the Beaver Brook aquifer. The town explored this area with test wells in a previous study in 2006. The findings were favorable for development of a new source that could meet the immediate needs.

Previous studies conducted by the town found no other source of water suitable for a municipal supply. Test wells showed that other promising sources were not viable, and other potential sources have been lost to development.

In order to plan for development of a new water source, it would be best for the town to acquire land to support new wells for a public water supply. To the extent possible, the cost of a new western water system would be borne by consumers in the service area – the rate payers—and not the town as a whole.

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The land appraisal would be the first of many steps needed to ensure the western part of Boxborough can continue to enjoy good water at sustainable costs.

The Finance Committee recommends unanimously (3-0).
The finance committee discussed the issue of the water requirements for the Northwest section of the Town. It is our understanding that the proposed plan is best for the Town.

The Water Resources Committee recommends unanimously (5-0).
The Water Resources Committee recommends unanimously for the reasons summarized in the Select Board's recommendation.

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ARTICLE 220-4 FEASIBILITY STUDY FOR PUBLIC SAFETY BUILDING: 70/72 STOW ROAD
$ 100,000 Free Cash
(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of One Hundred Thousand Dollars ($100,000), more or less, for the purpose of hiring a consultant to develop a feasibility study to determine if property located at 70/72 Stow Road could be developed for a combined fire/police public safety facility, or take any other action relative thereto.

Summary:
On January 9, 2020, the Boxborough Building Committee voted to unanimously (6-0) to recommend to the Select Board that the new public safety facility be developed on the town property on 70/72 Stow Road, currently in the custody of the Housing Board. The Building Committee has worked diligently over the past few years to identify a suitable location for a public safety facility. With the selection of the 70/72 Stow Road parcel, the Building Committee has disbanded and is in the process of forming a new committee with a specific focus on the development of the Stow Road property for a public safety and potentially other town facilities.

To determine whether the 70/72 Stow Road property is a sound location for the proposed uses, the Town is proposing to hire an architectural firm to undertake a feasibility study of the site. Specific tasks to be included in the Request for Qualifications (RFQ) include the following:

1. *A programming update from the previous 2014 public safety building study.*
2. *Site investigations including utility review, site review in relation to available parking, traffic circulation existing zoning and general site constraints.*
3. *Permitting review to determine what permits will be required.*
4. *Use of existing studies include documents associated with the purchase of 70/72 Stow Road and the 2014 public safety building study.*
5. *Conceptual design which will include development of two preliminary designs that can be used to prepare a cost estimate and a rendering of what the public safety building might look like.*
6. *A 3-diemensinal architectural model based on the preferred conceptual floor plans and elevations.*
7. *Wetlands delineation.*
8. *Subsurface and geotechnical investigation.*
9. *Traffic analysis based upon the specific proposed uses of the site.*
10. *Review of potential other uses of the site for other municipal facility needs such as a community center.*

The funding from this article will be combined with an earlier Town Meeting appropriation to fund the RFQ. With this information in hand, the newly constituted Building Committee will have the information in hand to request funding to repay the Housing Board for the 70/72 Stow Road parcel, architectural and construction services in the fall/winter of 2020.

The Select Board recommends unanimously (5-0).
The Building Committee has previously described the many deficiencies and issues with our existing Police and Fire stations. Approval of this article will enable us to take a significant step to address our needs for adequate facilities for our public safety departments.

The appropriation of this article will supplement remaining available funds of the Building Committee to conduct a feasibility study and conceptual design for construction of public safety facilities on the town

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property at 72 Stow Road. Total area of the site is about 13.5 acres. The public safety facilities will include the Fire Department, Police Department, Dispatch, and employee as well as public parking. All told, less than 3 acres should be sufficient for public safety, leaving ample room for other town uses in future.

After evaluating several potential sites along Mass Ave, the Building Committee concluded none were suitable for public safety facilities. The committee voted unanimously to recommend to the Select Board development on the Stow Road parcel which is currently held in custody by the Housing Board. With a specific site now determined, the Select Board approved a new charge for the Building Committee with membership expanded to represent broad community interests.

Detailed program requirements for a public safety facility were determined and documented in a previous space needs analysis completed by HKT Architects in 2015. This new feasibility study will begin with the program requirements generated previously and validate them. The Stow Road parcel will be evaluated to determine the optimum site utilization and develop conceptual designs. A site master plan will be developed for placement of a public safety facility that allows for additional municipal uses in the future. Vehicle movements, parking management and overall site aesthetics will be key elements of the plan. Geotechnical evaluations will be carried out. The plan will address placement of wells, septic system and fire suppression cisterns.

The preliminary design will be used to prepare a high-confidence cost estimate for construction of a public safety facility on the Stow Road site. The study will generate conceptual illustrations and elevations and site layout to elicit community feedback at public meetings of the Building Committee and other venues.

The feasibility study, conceptual design and final report should be complete before the end of calendar 2020. Following that, the next and final phase would be for the town to contract for architectural and engineering services and construction for a public safety facility. We hope to be prepared for voters to make this decision at a fall or winter town meeting in 2020.

The Finance Committee recommends unanimously (3-0).
The future plans for the public safety building are progressing with an identified site. The next steps are feasibility study, site study and finding an architectural agency. An OPM (owners project manager) is highly recommended if not required for a project of this magnitude for the Town. A number of us have learned through the AB school building project of the strength and accuracy provided by an OPM. We believe that this is the right timing in the project timeframe.

Building Committee recommendation.
The new building committee had not been fully appointed before printing of the Warrant. A recommendation will be provided at Town Meeting.

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ARTICLE ADM-5 TRANSFER TO OPEB TRUST FUND
$ 100,000 Free Cash
(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of One Hundred Thousand Dollars ($100,000), more or less, for the Other Post-Employment Benefits Liability Trust Fund established under Article 25 of the 2010 Annual Town Meeting, and authorized by MGL 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, or take any other action relative thereto.

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. To-date, the Town has authorized the transfer of $700,000 to the Fund with current balance of approximately $860,000.

The Select Board recommends unanimously (5-0).
For the reasons stated above the Select board recommend unanimously.

The Finance Committee recommends unanimously (5-0).
Finance Committee recommends this article. This will continue the Town's annual transfer into the OPEB (Other Post-Employment Benefits) trust fund to offset anticipated expenses related to providing post-retirement health and life insurance to retired Town employees.

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ARTICLE ADM-7 CLOSE COMPLETED ARTICLES TO GENERAL FUND/CAPITAL PROJECTS FUND
$ 49,865.10
(Majority vote required)

To see if the Town will vote to transfer the unexpended balance of monies, as voted by past Town Meetings, and as indicated in the table below:

Article	Title	Amount	Original Source
ATM17, Art23	Old DPW Garage Roof	$ 15,196.04	Free Cash
ATM17, Art29B	Town Facilities Access Control	$ 60,000.00	Free Cash
ATM18, Art20	OPEB Actuarial Study	$ 4,750.00	Free Cash
ATM18, Art24	Police eTicketing	$ 23.45	Free Cash
ATM18, Art25	Police Speed Awareness Trailer	$ 430.16	Free Cash
ATM19, Art8	Compensation & Benefits Study	$ 250.00	Free Cash
ATM19, Art13	Voting Machine & Poll Pads	$ 60.00	Free Cash
ATM19, Art16	Police Fire Suppression Engineering	$ 15,000.00	Free Cash
ATM19, Art20	Police Garage Doors	$ 58.00	Free Cash
ATM19, Art 24	DPW Cirus Salt Spreaders (2)	$ 7,800.00	Free Cash
	Total to be transferred to the General Fund	**$ 103,567.65**	
ATM16, Art27	Police Building & Grounds	$ 414.14	Borrowed
ATM18, Art33	DPW Hotbox & Tractor	$ 5,883.31	Borrowed
	Total to be transferred to the Receipts Reserved for Appropriation for Capital Projects Account	**$ 6,297.45**	
	Grand Total of Transfers	**$ 109,865.10**	

Or take any action relative thereto.

Summary:
The amounts above are unexpended. Department heads and committees have agreed that the unexpended balances should be returned to the original funding source. Unexpended balances in articles that had been approved for borrowing will be transferred to the Receipts Reserved for Appropriation for Capital Projects Account and will be held to offset a future appropriation requiring borrowing for a term of 20 years or more. Town Meeting will be required to authorize future expenditure from the Account.

The Select Board recommends unanimously (5-0).
This is a regular practice used to release unexpended prior years' appropriations so funds are available for future appropriations by vote of town meeting.

The Finance Committee recommends unanimously (5-0).
This article closes out unused funds from Town approved warrant articles that are closed or not to be used.

Working Draft_04/13/2020

ARTICLE ADM-8 DEPARTMENTAL REVOLVING FUNDS EXPENSE LIMITS
(Majority vote required)

To see if the Town will vote pursuant to the provisions of G.L. c. 44 §53E½, as most recently amended, and the Town's Revolving Fund Bylaw to set the FY 2021 spending limits for the Town's revolving funds as follows:

GIS Assessor Maps	$ 5,000
Conservation Commission	$ 20,000
Community Gardens	$ 2,000
Fire Alarm System Maintenance	$ 10,000
Plumbing & Gas Inspection	$100,000
Electrical Inspection	$150,000
Animal Control	$ 75,000
Council on Aging Programs	$ 25,000
Senior Van	$ 32,000
Library Fines	$ 10,000
Library Photocopier	$ 2,500
Field Permitting	$ 10,000
Recreation Programs	$ 15,000
Steele Farm	$ 10,000

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

The Select Board recommends unanimously (5-0).
These revolving fund spending limits were set up for the purpose of carrying out the departments' normal function and defraying the routine, predictable expanses associated therein.

The Finance Committee recommends unanimously (5-0).
Finance Committee recommends this article. The revolving fund spending limits must be approved on an annual basis by Town Meeting.

Working Draft – 04/13/2020

ARTICLE ADM-9 CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM
$ 573.20 TNC (Transportation Network Company)[+]
(Majority vote required)

To see if the Town will 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, and any other applicable laws; and further to see if the Town will vote to transfer from available funds the sum of Five Hundred Seventy-Three Dollars and Twenty Cents ($573.20), more or less, for the purpose of paving roadways in Boxborough, or take any other action relative thereto.

Summary:
This article authorizes the Town to accept and spend Chapter 90 roadway maintenance funds allocated to Boxborough by the Commonwealth of Massachusetts. These funds may be expended for a variety of construction projects, ranging from road re-paving to retaining wall and guardrail installation, and also may be expended to acquire certain equipment instrumental in maintaining town roads. The FY 2021 funds accepted by this Town Meeting action will be used almost exclusively for repaving projects in the Town.

The minor amount of $573.20 from TNC[+] is included with this article since a specific town meeting appropriation for road-related work is required by statute in order to expend the funds.

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

The Select Board recommends unanimously (5-0).
This authorization is required every year in order to receive Ch 90 state highway reimbursement funds. This is an annual vote that helps maintain and repave our town roads.

The Finance Committee recommends unanimously (5-0).
The Finance Committee recommends this article which allows the Town to accept and spend funds provided by the State for necessary paving projects in the Town.

Working Draft 04/13/2020

ARTICLE 210-3 POLICE DEPARTMENT: VEHICLE RADAR UNIT REPLACEMENT
$ 21,100 Free Cash
(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Twenty-One Thousand One Hundred Dollars ($21,100), more or less, to provide for the replacement of vehicle radar units, or take any other action relative thereto.

Summary:
The Police Department's radar units range from 10 to 15 years old. This is far beyond their expected lifespan of 7 to 9 years. The devices are becoming difficult to service and will eventually not pass their annual certifications. This equipment was historically replaced with Massachusetts Community Oriented Policing Services (COPS) grant funding. This program has re-directed their focus and no longer provide funds for this type of equipment. These funds will replace five vehicle mounted units and two battery operated, hand held units.

The Select Board recommends unanimously (5-0).
For the reasons listed above the Select Board recommends unanimously recommends.

The Finance Committee recommends unanimously (5-0).
The Finance Committee fully supports the request to replace five in vehicle and two handheld radar units that have exceeded their recommended useful life. The current units have become difficult to service and will eventually not pass their annual certifications.

Working Draft_04/13/2020

ARTICLE 220-2 FIRE DEPARTMENT: GAS METERS
$ 22,500 Free Cash
(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Twenty-Two Thousand Five Hundred Dollars ($22,500), more or less, to provide for the acquisition of gas meters, or take any other action relative thereto.

Summary:
The Fire Department uses a variety of technology to keep the Firefighters and residents safe.

One piece of technology the department uses on a daily basis is a Carbon Monoxide monitor attached to every medical aid bag. This monitor goes into every situation and sends an alarm if the area is unsafe for the Firefighters to enter, alerting them to reassess the scene and evacuate residents and personnel as needed.

Secondly a set of second backup monitors that test for elevated oxygen, carbon monoxide, combustible gases and hydrogen cyanide will replace outdated equipment that is no longer supported for calibration and repairs.

Last, a piece of equipment for the Ambulance and a second as backup on the first due engine is a Pulse CO-Oximeter which tests a person's oxygen saturation levels, a potentially life-saving device for residents and firefighters alike.

The Select Board recommends (4-0-1).
The Select Board recommends this article as it will help to ensure the safety of our firefighters/EMTs in addition to improving the level of care they are able to provide to residents.

The Finance Committee recommends unanimously (5-0).
The existing gas meters are at the end of their useful life and the Chief is planning on adding a gas meter to each of the first response vehicles.

Working Draft_04/13/2020

ARTICLE 422-4 DEPARTMENT OF PUBLIC WORKS (DPW): FUEL TANK MONITORING SYSTEM
$ 20,000 Free Cash
(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Twenty Thousand Dollars ($20,000), more or less, to provide for the replacement of a fuel leak detection monitoring system, or take any other action relative thereto.

Summary:
The Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (MassDEP) requires all Underground Storage Tank Systems (UST's) have overfill prevention and leak detection equipment. The town has 2 UST's and the current leak detection system is 15 years old. The alarm is hard-wired into the unoccupied DPW building and is unmonitored, therefore it does not meet MassDEP requirements.

A new tank level monitoring system will include security controls, improved accuracy in fuel level reading, web-enabled remote connectivity to monitor performance & alerts, and compliance with EPA and MassDEP regulations.

The Select Board recommends unanimously (5-0).
The BSB recommends this article to ensure we have accurate readings of our town's fuel storage tanks to make that our tanks are not leaking along with a warning system to let us know that our tanks are low and need refilling to make sure our vehicles can continue operating to service our needs and protection.

The Finance Committee recommends unanimously (5-0).
This monitoring system measures the amount of fuel and measures any potential leaks. It is made of plastic with aluminum probes, has limited risk of degradation with longevity of ~15 years (could go up to 25 years) and can be accessed using an app on the phone.

Working Draft_04/13/2020

~~ARTICLE 610-1 LIBRARY: PATRON COMPUTERS~~
~~$ 7,500 Free Cash~~
~~(Majority vote required)~~

~~To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Seven Thousand Five Hundred Dollars ($7,500), more or less, to provide for the replacement of computers and technology equipment for the Sargent Memorial Library, or take any other action relative thereto.~~

~~Summary:~~
~~The Sargent Memorial Library contains many resources available to the residents of Boxborough. Computers and their relevant software and technology are essential to a smooth-running operation. This article will replace the PCs at the Circulation Desk (used for checking out materials), Catalog Kiosks (for searching the online library catalogs), and eight PCs for public use at the library. Additionally, the Library has one laptop for use in the meeting room for presentations, etc. The total replacement cost of these 15 units is $15,000, however the state provides funds to the library each year (approximately $8,000) and the FY21 funds will be earmarked for this project.~~

~~The Select Board recommends unanimously (5-0).~~
~~The BSB agrees with the Library Trustees and recommends the replacement and updating of the library's computers that the residents use, as the current computers are not under warranty and the software on them is being updated continuously to allow our residents as well as their children to research and view topics from around the world, and provide a source for our family's day to day today activity should they need to communicate electronically.~~

~~The Finance Committee recommends unanimously (5-0).~~
~~The PC's are reaching their useful end of life of 15 PC's with the library funds covering half.~~

~~The Library Board of Trustees recommends unanimously (6-0).~~
~~Computers are essential for library patrons to access the full range of library materials, from conducting a search for materials to reserving and checking out materials. Additionally, we have many databases available to patrons in and out of the library itself. Thus, computers have become an integral part of the library's services. Fourteen of our PCs and one laptop are up for replacement at this time. Fortunately, we have funds from a state grant, so we only need to request funds for half of the replacement costs. This investment is definitely worth the cost to provide necessary services to Library patrons.~~

Working Draft 04/13/2020

ARTICLE 156-1 INFORMATION TECHNOLOGY: HARDWARE/SOFTWARE UPGRADES
$ 65,000 Free Cash
(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Sixty-Five Thousand Dollars ($65,000), more or less, to provide for the replacement of information technology equipment and services, or take any other action relative thereto.

Summary:
This article continues the technology improvements initiated at Annual Town Meeting 2016. Our technology consultant has helped to develop a roadmap of our technology infrastructure and cyclical replacement plan.

Last year, a majority of the PCs and laptops running Windows 2007 were replaced, there are still a few remaining that will need to be replaced as this platform is now unsupported. Generally, PCs and laptops are on a 5-year replacement cycle. Desktops, laptops and printers account for $25,000 of this article.

Likewise, the servers that run the town's data infrastructure also need to be cyclically replaced. In this article, $30,000 is for one (of our current five) servers, network updates and uninterruptable power supplies.

The remaining $10,000 of this proposal includes backup cloud storage for our servers.

The Select Board recommends unanimously (5-0).
The Select Board recommends this article as it is important to ensure the technology infrastructure of the town is maintained. These upgrades and replacements are necessary to reduce the vulnerability of town's network due to operating systems no longer providing patches for security vulnerabilities.

The Finance Committee recommends unanimously (5-0).
Finance Committee supports the annual refresh of a portion of the town's IT inventory. This year's request includes the replacement of a percentage of the town's PC fleet, a server and other IT hardware. The FinCom is recommending that going forward that there be a line item in the budget for annual IT updates.

Working Draft_04/13/2020

ARTICLE 210-1 POLICE DEPARTMENT: MARKED CRUISER
$ 55,000 Free Cash
(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow, or otherwise provide the sum of Fifty-Five Thousand Dollars ($55,000), more or less, to provide for the acquisition of a marked cruiser for the Police Department, or take any other action relative thereto.

Summary:
The Capital Plan included two police vehicles scheduled for replacement in FY21. One vehicle in the budget each year replaces one marked patrol unit. Occasionally, a second vehicle comes due in a fiscal year; this year is an additional marked patrol unit. The oldest currently marked patrol units will be removed to reserve unit status and the oldest units in the fleet will be turned in for savings on the purchase amount.

The Select Board recommends unanimously (5-0).
For the reasons listed above the Select Board recommends unanimously recommends.

The Finance Committee recommends unanimously (5-0).
The Finance Committee supports the replacement of a second vehicle as a 2011 Chevy Tahoe will have anticipated mileage of 180k in the fall. This is the second consecutive year of a car in the warrant along with the cruiser in the operating budget. We expect that there will not be a cruiser in the warrant for the next 2 to 3 years.

Working Draft_04/13/2020

ARTICLE 210-2 PUBLIC SAFETY: RECORDS MANAGEMENT SYSTEM UPGRADE
$ 104,000 Free Cash
(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow, or otherwise provide the sum of One Hundred Four Thousand Dollars ($104,000), more or less, to provide for the upgrade of the records management system for the Police, Fire, and Dispatch Departments, or take any other action relative thereto.

Summary:
The current records management system that services the Police, Fire and Dispatch Departments is 21 years old. Replacement or enhancement of this system was delayed in order to allow our new Fire Chief to participate in the evaluation process.

This public safety software is highly customized for our individual needs and there are limited vendors that offer us options for its full replacement. A similar product was discovered and explored, however the system only met two-thirds of our needs. Additionally, the full replacement cost was over 250% of the current proposal.

The result of our strategic assessment was; it is in our best interest to keep the existing platform and to focus on third party options to supplement our systems. This upgrade will purchase add-on software equipment to enhance public safety reporting, tracking and responding features.

In addition to the enhancements we will begin the process of creating an IT response plan for cyber threats and attacks along with advanced disaster planning for continuity of government operations.

The Select Board recommends unanimously (5-0).
For the reasons listed above, the Select Board unanimously recommends.

The Finance Committee recommends unanimously (5-0).
Finance Committee supports the understanding that a new platform was considered at a cost exceeding 200k but that all three departments recommend the continued use of our existing platform and with this request, purchase add on software to enhance public safety reporting, tracking and responding.

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ARTICLE 220-3 FIRE DEPARTMENT: PERSONAL PROTECTIVE EQUIPMENT
$ 40,000 Free Cash
(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Forty Thousand Dollars ($40,000), more or less, to provide for the acquisition of personal protective equipment for the Fire Department, or take any other action relative thereto.

Summary:
The Fire Department is continuously hiring Per Diem and Call Firefighters to aid in emergency response situations. One of the most critical pieces of equipment the Town needs to provide is Personal Protective gear for each individual member of the department. Protective equipment has a life expectancy of 5-10 years and must be replaced strategically. Although some equipment may be "handed down" when a Firefighter leaves the department, equipment is sized differently for different sized people and must be purchased as needed. This article provides for structural gear that meets National Fire Protection Agency (NFPA) guidelines as well as Wildland gear specially designed for brush fires.

The Select Board recommends unanimously (4-0-1).
The Select Board recommends this article. Previously the town had budgeted every several years a large sum to replace all the personal protective equipment (PPE) at once. However, with the high turnover of Per Diem and Call Firefighters switching to an annual model allows the town to accommodate staff who may not fit the available PPEs. Additionally, by switching to an annual budget cycle it makes it easier and more transparent in the budget.

The Finance Committee recommends unanimously (5-0).
The fire department protective gear was previously purchased in a large order. The Chief reviewed the state of the equipment and with our new fire fighters in place we have discussed and recommended a new purchase model. Rather than purchase a large number of sets of boots, coats and pants all at the same time, it makes more financial sense to purchase the equipment on a yearly basis. The FinCom is recommending that we approve this article and then add the additional personal protective equipment to the operating budget in future years. The budget this year will cover 4 sets, but the future purchases will vary depending on need.

Working Draft_04/13/2020

ARTICLE 422-1 DEPARTMENT OF PUBLIC WORKS (DPW): DUMP TRUCK
$ 215,000 Bond
(Two-thirds vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Two Hundred Fifteen Thousand Dollars ($215,000), more or less, to provide for the replacement of a 6-wheel dump truck, or take any other action relative thereto.

Summary:
This truck will replace a 2005 Sterling 6-Wheel Dump Truck with dump/spreader body and replace it with a 6-Wheel Cab and Chassis that includes a dump body, spreader body, plow and other necessary equipment to perform year-round tasks. The current truck is rusted through and has been welded numerous times but is in constant need of repair. The expected life of a truck for this type of use is 15 years.

The Select Board recommends unanimously (5-0).
The BSB strongly recommends this article as we are in need to replace a DPW truck to allow our DPW personnel to continue efficiently perform their functions, which they can't do if we don't provide them with the tools needed to maintain and improve our roads, which we use daily and provide a means for our public safety employees to help us.

The Finance Committee recommends unanimously (5-0).
This article replaces one of the existing large dump trucks (2005) used for plowing. The truck is reaching its end of life.

Working Draft_04/13/2020

ARTICLE 422-3 DEPARTMENT OF PUBLIC WORKS (DPW): INFIELD GROOMER
$ 19,000 Free Cash
(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Nineteen Thousand Dollars ($19,000), more or less, to provide for the acquisition of an infield groomer, or take any other action relative thereto.

Summary:
At Annual Town Meeting 2019, the Town approved funding to recondition the little league baseball diamond at Flerra Field. This Town Meeting is considering additional work on the diamond at Liberty Field. Twice each year, the Department of Public Works (DPW) rents the best available machine to prepare the infield dirt at these fields for the spring and fall seasons, but it has been determined that this is not the best long-term solution, once the improvements are completed. The diamonds really need to be groomed on a regular basis with the correct equipment. The Acton-Boxborough Youth Baseball organization has pledged to contribute funds to this purchase as well as repair and upkeep of these fields in Boxborough.

The Select Board recommends unanimously (5-0).
The BSB recommends that we acquire this piece of equipment as it will allow the DPW to maintain the baseball fields around town that our youth use as part of the AB youth baseball league, who also contribute to the town to maintain these fields.

The Finance Committee recommends unanimously (5-0).
The Town voted to fund the rebuilding of the Flerra baseball infield and is considering the upgrade of Liberty fields. Weekly upkeep and maintenance of these facilities are required to provide safe and playable surfaces for our youth and protect our investments.

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ARTICLE 422-5 DEPARTMENT OF PUBLIC WORKS (DPW): ROAD PAVING

~~$ 300,000 Bond~~
~~$ 573.20 TNC (Transportation Network Company)[+]~~
~~(Two-thirds vote required)~~

~~To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow or otherwise provide the sum of Three Hundred Thousand Five Hundred Seventy-Three Dollars and Twenty Cents ($300,573.20), more or less, for the purpose of paving roadways in Boxborough, or take any other action relative thereto.~~

~~***Summary:***~~
~~*Approval of this article will enable the town to continue the long-term project of bringing all our roadways up to good condition. It will continue the action, begun at the 2015 Annual Town Meeting, of supplementing the Chapter 90 roadway maintenance funding provided by the Commonwealth of Massachusetts with additional Town funding to accelerate the rate of repaving roads in Town. The level of Chapter 90 funding alone in recent years has been insufficient to repave even one mile per year of the Town's approximately 30 miles of roadway. In FY20 major reclaiming of several roads were completed including Hill Road, Emanuel Drive, Fifer's Lane, Joseph Road and Inches Brook. The priorities for the coming year include Sargent Road and Littlefield Road. The minor amount of $573.20 from TNC[+] is included with this article since a specific town meeting appropriation for road-related work is required by statute in order to expend the funds.*~~

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

~~**The Select Board recommends unanimously (5-0).**~~
~~Since 2015 we have supplemented State Chapter 90 funding with $300,000 annually of town appropriations to ensure our roadways are maintained in acceptable condition. We would fall behind relying only on Chapter 90 funding. These large sums are used to contract complete road replacement projects: grinding, new catch basins, curbing, and new asphalt. The DPW carries out local small-scale patching as needed.~~

~~**The Finance Committee recommends unanimously (5-0).**~~
~~The Town started financing additional road paving a number of years ago above the funds provided by the state. This effort was to accelerate the repairs to our roads.~~

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ARTICLE 541-1 COUNCIL ON AGING: SENIOR TAX WORK-OFF PROXY WORKER
(Majority vote required)

To see if the Town will vote to accept updates to MGL c.59 §5K administered by the Senior Tax Work-off Program, or take any other action relative thereto.

Summary:
Since the adoption of the Senior Tax Work-off program, there has been an update to the Massachusetts General Law that governs the policy. The law allows for "an approved representative, for persons physically unable, to provide such services to the city or town" to perform the work as proxy for the person over the age of 60 receiving the tax bill reduction. This adjustment was put into place when the Town adopted the Veteran Tax Work-off Program in 2013 but was not part of the law the last time the Senior Tax Work-off Program was updated at Town Meeting in 2011.

The Select Board recommends unanimously (5-0).
Pursuant to Massachusetts General Law Chapter 59, Section 5K, the Town established a Senior Tax Work-off Program at Annual Town Meeting on May 14, 2001, amended at ATM May 15, 2003 and amended a second time on May 10, 2011.

The Select Board recommends a change to allow an "approved representative" to participate in the Senior Tax Work-off program on behalf of an eligible senior, if the eligible senior is physically unable to perform the work. This change would bring the program in alignment with the Veterans Tax Work-off Program.

The term "approved representative" is not defined in Massachusetts General Law. The Board further recommends that the designation of an approved representative is subject to the discretion of the Town Administrator or their designee and also subject to any relevant Federal and State laws.

The Finance Committee recommends unanimously (3-0).
The FinCom supports this article, it supports the update in Massachusetts General Law.

The Council on Aging recommends unanimously (4-0).

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ARTICLE 199-1 ADOPT STRETCH ENERGY BUILDING CODE
(Majority vote required)

To see if the Town will vote to adopt the Massachusetts Stretch Energy Code that establishes energy conservation performance standards for new home and large commercial building construction.

Summary:
Massachusetts gives communities two options for their local building energy code – a Base Energy Code and an optional Stretch Energy Code. Both codes were recently updated in 2017.

The Stretch Energy Code raises the energy conservation building standards beyond the minimum set out in the Base Energy Code.

A key feature of the updated Stretch Energy Code is that it is performance based. Builders do not have to install specific energy efficiency measures (e.g. windows, wall insulation, roof insulation, furnace, etc.), rather they have the flexibility to choose which energy efficiency measures to install and how to design the home in order to meet an overall performance rating.

The updated Stretch Code applies to new homes and new commercial buildings over 100,000 square feet. Additions, renovations, and repairs to residential or commercial buildings are not applicable to the updated Stretch Code, only the Base Energy Code is applicable.

There are also typically significant annual energy bill savings that more than tip the balance to give homeowners a net savings every year.

As of November 14, 2019, 278 municipalities have adopted the Stretch Energy Code and that number continues to go up. Most builders in the area are familiar with the requirements of the Stretch Energy Code.

The Select Board recommends unanimously (5-0).

The Finance Committee recommends unanimously (3-0).
The FinCom supports this article as we have been led to believe that a majority of the recommendations are already being incorporated into new designs.

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

Working Draft_04/13/2020

ARTICLE PET-1 SUBMITTED BY PETITION: AMEND ZONING BYLAW – LIFE SCIENCES & FOOTNOTE

(Two-thirds vote required)

To see if the Town will vote to amend the Boxborough Zoning Bylaw by adding a definition for Life sciences and to change a footnote in the Use Regulations as follows:

Add to Definitions:

> **Life Sciences**. Advanced and applied sciences that expand the understanding of human physiology and have the potential to lead to medical advances or therapeutic applications including, but not limited to, agricultural biotechnology, biogenetics, bioinformatics, biomedical engineering, biopharmaceuticals, biotechnology, chemical synthesis, chemistry technology, diagnostics, genomics, image analysis, marine biology, marine technology, medical devices, nanotechnology, natural product pharmaceuticals, proteomics, regenerative medicine, RNA interference, stem cell research and veterinary science. (M.G.L., Chapter 130 of the Acts of 2008). Facilities that utilize animal testing of products are not included in this definition.

Under Article IV USE REGULATION – 4003(4) BUSINESS/INDUSTRIAL USES, change footnote 3 on page 18 to read as follows:

> 3. Provided that hazardous materials are not a primary part of the business ***and provided that use of animals in research, development, testing, or for any other purpose is not any part of the business.***

Summary:

These revisions to the zoning bylaw would prohibit the use of animals in research and testing facilities in order to protect the town's environment and ground water from hazardous chemicals and infectious disease agents.

*In order to clarify that the prohibition applies only within the town of Boxborough, the word business in the footnote, will be changed to **facility**. And, the phrase for any other purpose will be changed to **training**.*

In order to ensure that the revised footnote 3 applies to all zones in which Research & Development activities are allowed, the numeral 3 superscript should be added to the Business (B) and Business-1 (B1) columns in the Research & Development Line of the 4003(4) Business/Industrial Uses table on page 17 of the zoning bylaw.

The proposed revisions to the zoning bylaw would protect Boxborough from those hazards harmful to the air and water which are inherent to life science facilities using animals in research development and testing.

These revisions are consistent with existing zoning bylaws regarding hazardous materials and is specific to these laboratories.

Life Science Businesses that do their animal testing/research elsewhere would be allowed; Life Science Businesses that do no animal testing/research would be allowed; and all other businesses would be allowed.

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These facilities pose more problems and expenses than other kinds of businesses which could also bring in tax revenue without additional expenses for the town.

Boxborough does not have the necessary infrastructure to handle ***operations, emergencies and accidental*** *releases of hazardous substances from these facilities.*

The Planning Board defers its recommendation.
The Planning Board is generally supportive of this article; however, the board would like to see revisions to the language that clarify the intention of the petition and help it to fit smoothly within the framework of the Zoning Bylaw. Additionally, the Planning Board would like to have input from the Fire Department and Board of Health prior making a recommendation. For these reasons, the Planning Board is choosing to defer their recommendation to Annual Town Meeting.

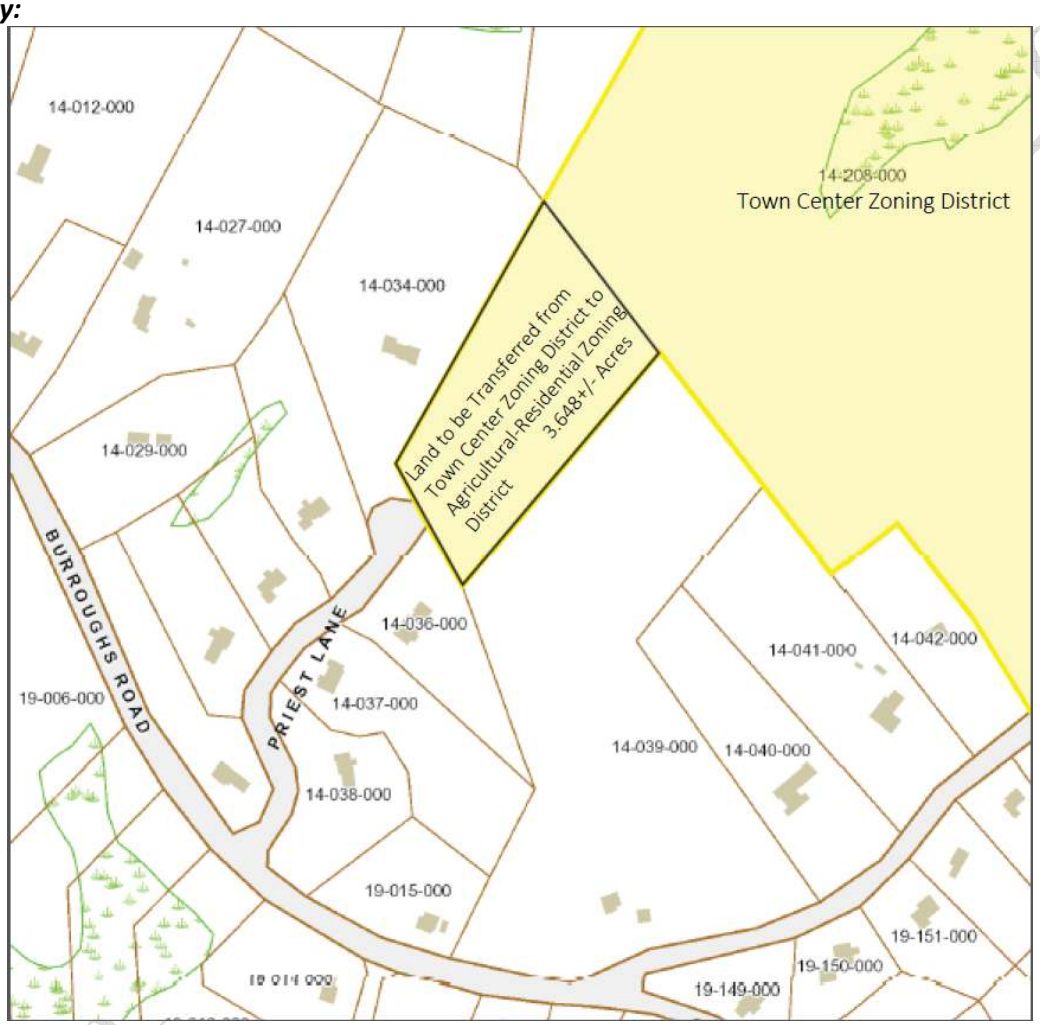
The Finance Committee does not recommend (0-5).
The Finance Committee does not recommend as the article is currently worded. The definitions for Life Science appear nowhere in the use tables and there is no reference to Life Science in the Research and Development definition. Footnote 3 is only applicable to Office Park and Industrial/Commercial zoning, but not Business or Business1. The FinCom met with the citizen who submitted the article. We pointed out the issues and asked that they delay a year and work with the Planning Board to fix the issues.

Working Draft_04/13/202

ARTICLE 175-1 ZONING BYLAW AMENDMENT: AMEND ZONING MAP APPENDIX B
(Two-thirds vote required)

To see if the Town will vote to amend the Zoning Map, as such map is provided for in Section 3002 of the Boxborough Zoning Bylaw, to adjust the boundaries of zoning districts in the manner set forth below and displayed in the following images of the Zoning Map, Appendix B.

Summary:



These changes to the zoning bylaw would adjust the zoning for a segment of the property located at (700 Massachusetts Avenue, 014-208-000) from the Town Center Zoning District to the Agricultural-Residential Zoning District. Per the Settlement Agreement dated January 25, 2019 between Boxborough Town Center, LLC and the Town of Boxborough, the parties included Condition 12, as stated below:

"The Town and developers will work to implement a zoning change from the Town Center Zoning District to the Agriculture-Residential Zoning District in the area of the subject property nearest to Priest Lane in order to allow for the construction of two (2) single-family dwellings. If the zoning change is approved by Town Meeting, the developers shall only construct two (2) single-family dwellings in this rezoned area"
The lots will be for two new single-family homes to be accessed via Priest Lane. There will be no connecting road or access between the two new residential lots per Condition 5 of the Settlement Agreement:

"No type of access (emergency or otherwise) would be built to Priest Lane for the 50 units of senior housing"

The Planning Board recommends unanimously (4-0).
The Planning Board recommends a Yes vote in accordance with the condition of the January 25, 2019 Settlement Agreement between Boxborough Town Center, LLC and the Town of Boxborough.

The Finance Committee recommends unanimously (3-0).
The Town Center settlement agreement required this rezoning. It will allow for two additional houses and additional real estate taxes.

The Select Board endorses this article (4-0-1).

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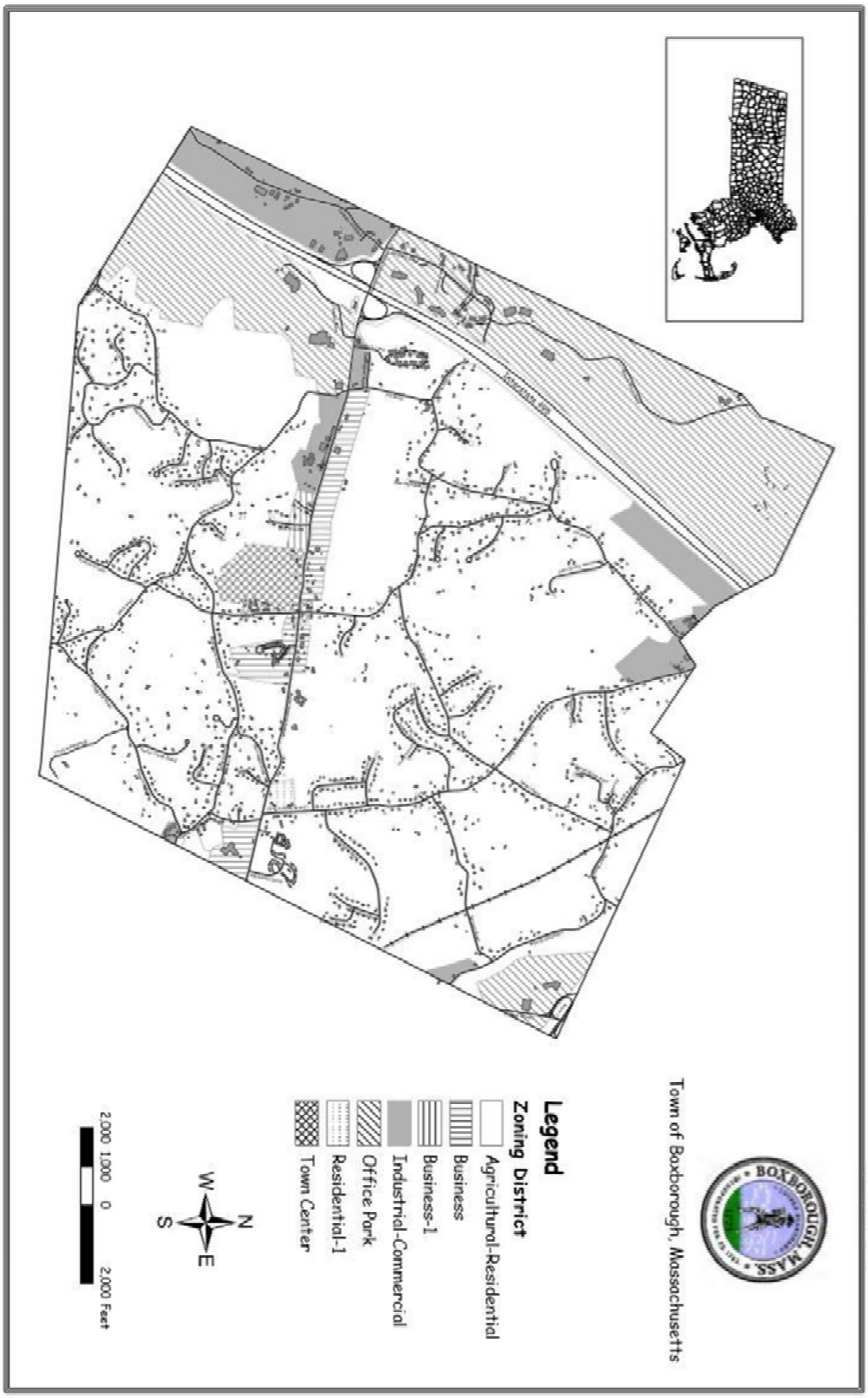
Appendix B


APPENDIX B
BOXBOROUGH, MASS.
Town of Boxborough, Massachusetts
Legend
Zoning District
Agricultural-Residential
Business
Business-1
Industrial-Commercial
Office Park
Residential-1
Town Center
N
E
S
W
2,000 1,000 0 2,000 Feet

ARTICLE 175-2A ZONING BYLAW AMENDMENT: AMEND ZONING BYLAWS 2100, AND 4000 (TABLE 4003(4))

(Two-thirds vote required)

To see if the Town will vote to amend Boxborough Zoning Bylaw Section 2100 Definitions and Section 4000 Use Regulations, Table 4003(4), by adding the following language in bold italics and deleting the language indicated by strikethroughs, and further that non-substantive changes to the numbering of the Zoning Bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take an action relative thereto.

2100 Definitions

21XX Specialty Food Shop shall mean a retail establishment such as a café or bakery that prepares and/or sells food items, the majority of which are freshly prepared or baked on-site, and that a portion of those items prepared and/or sold shall be sourced locally from Massachusetts based farms or food provisioners. Food items so prepared and/or sold may be packaged for takeout or such establishment may include seating for on-site consumption. Food items may not be sold directly to persons remaining in their vehicles, and drive-through windows are prohibited.

4000 Use Regulations

4003(4) BUSINESS/INDUSTRIAL DISTRICTS

USES	AR	R1	B	B1	OP	TC	IC
Convalescent, nursing, or rest home	SP	SP	Y	Y	SP	Y	SP
Assisted Living Facility	N	N	Y	Y	SP	N	SP
Day care center	Y	Y	Y	Y	Y	Y	Y
Animal Shelter	N	N	N	N	N	N	SP[13]
Hospital, sanatorium, funeral home	N	N	Y	Y	SP	N	SP
Sports or athletic facility or full-sized public golf course	N	N	Y	Y	SP	N	SP
Club	N	N	Y	Y	SP	N	SP
Professional or business office	N	N	Y	Y	Y	Y	Y
Kennel	N	N	SP	SP	SP	SP	SP
Veterinary	N	N	Y	Y	Y	Y	SP
Research & Development	N	N	Y	Y	Y[3]	N	SP[3]
Bank	N	N	Y	Y	Y	Y[4]	Y
Hotel, motel, inn	N	N	Y	Y	Y	N	SP
Conference center	N	N	N	N	Y	N	SP
Restaurant	N	N	SP[5]	SP[5]	SP	SP[5]	SP
Fast-food restaurant	N	N	N	N	N	N	N
Service shops (salon, barber, dry cleaner)	N	N	Y	Y	SP	Y[6]	SP
Craft shop or art studio	N	N	Y	Y	SP	Y[7]	SP
Printing shop/Copy Shop/ Word Processing center	N	N	Y[12]	Y[12]	Y[12]	N	Y[12]
Retail stores containing more than 25,000 square feet gross floor area	N	N	N	N	N	N	N
Retail stores containing less than	N	N	Y	Y	N[18]	Y[8]	N[18]

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25,000 square feet gross floor area							
Adult Use	N	N	N	N	N	N	SP
Automobile service station	N	N	N	N	SP	N	SP
Repair garage, auto detailing garage or like facility	N	N	SP	SP	SP	N	SP
Self-storage facility	N	N	N	N	N	N	Y
Car Sales	N	N	SP	SP	SP	N	SP
Repair shop	N	N	Y	Y	SP	N	SP
Warehouse	N	N	N	N	N	N	Y[9]
Specialty Food Shop containing less than or equal to 3,000 feet of gross floor area	***N***	***N***	***Y***	***Y***	***Y***	***Y***	***N***
Specialty Food Shop containing more than 3,000 feet of gross floor area	***N***	***N***	***SP***	***SP***	***Y***	***SP***	***N***
Wholesale operations	N	N	Y[9]	Y[9]	SP[9]	N	Y[9]
Light Manufacturing	N	SP[10]	Y[11,12]	Y[11,12]	Y[12]	N	Y[12]
Manufacturing	N	N	N	Y[11,12]	N	N	Y[12]
Building Trade	N	N	SP	SP	N	N	Y
Landscaping Services	N	N	Y	Y	N	N	Y
Landscaping Contractors	N	N	SP	SP	N	N	Y
Registered Marijuana Dispensary	N	N	N	N	N	N	SP

Summary:
These changes to the zoning bylaw would define "Specialty Food Shop" and add "Specialty Food Shop" to the Business/Industrial Uses table. Through community outreach including the Boxborough 2030 Master Plan and the Economic Development Study conducted by the University of Massachusetts, it was demonstrated that businesses such as a cafe or bakery are sought by Boxborough residents. In order to attract this desired use, the zoning bylaw needs to be amended to allow this type of business. Specialty food shops containing less than or equal to 3,000 feet of gross floor area would be allowed in the Business, Business-1, Office Park, and Town Center Zoning Districts, while Specialty Food Shops containing more than 3,000 feet of gross floor area would be allowed in the Office Park Zoning District, and by special permit in the Business, Business-1, and Town Center Zoning Districts. Specialty food shops of any size would not be allowed in the Agricultural-Residential, Residential-1, or Industrial-Commercial Zoning Districts.

The Planning Board recommends unanimously (4-0).
The Planning Board believes that the addition of Specialty Food Shops to our definitions and use table will encourage the type of retail/eating establishment that many citizens have expressed a desire for, but which our current zoning does not allow. Care has been taken to define such a use to encourage locally-sourced products and to encourage the desired type of facility and location, while avoiding larger "fast food"-type facilities that citizens have indicated they do not wish to encourage in town.

The Finance Committee recommends unanimously (3-0).
The Finance Committee recommends the addition of Café/Bakery/Specialty Food shop definition to the zoning bylaw and use table. It will give landlords of our strip malls another use to hopefully fill vacant store fronts.

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ARTICLE 175-2B ZONING BYLAW AMENDMENT: AMEND ZONING BYLAWS 6003, 6006
(Two-thirds vote required)

To see if the Town will vote to amend Boxborough Zoning Bylaw Section 6003 Common Parking Areas and Section 6006 Off Street Parking Requirements, and by adding the following language in bold italics and deleting the language indicated by strikethroughs, and further that non-substantive changes to the numbering of the Zoning Bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take an action relative thereto.

6003 Common Parking Areas
Common parking areas may be permitted for the purpose of serving two or more principal uses on the same or separate lots provided that:

(1) The combined amount of parking is not less than the sum of the requirement for each use separately***, except where it can be demonstrated that the parking need for the uses occurs at different times***; and
(2) That it is evident that such common facility will remain available for the several buildings or uses; and
(3) That the several buildings or uses are so closely related, such as in a shopping center or an industrial park, that it is unlikely that any one or more principal uses will change in kind or extent so as to substantially increase the parking requirement of the common facility; and
(4) That where any use does not directly abut a common parking facility, such use shall not be located at a distance greater than six hundred (600) feet away from the common parking facility.
(5) The number of spaces required ~~to be paved~~ in a common parking facility may be reduced by the Planning Board on site plan review where it is ***reasonably demonstrated that the hours of day of peak parking need of the individual users are sufficiently different such that a lower total will adequately serve the parking needs of the use.*** ~~sufficiently demonstrated by competent evidence that the hours or days of peak parking need of the individual users are so different that a lower total will adequately provide for the parking requirements of all users served by the facility; provided that no reduction shall relieve any or all users from satisfying the parking requirement for their use in the event that the common facility becomes no longer available to them.~~

6006 Parking Schedule
The following parking ratios shall apply to uses or to types of uses similar to those listed below. In every case, these shall be the minimum requirements:

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OFF-STREET PARKING REQUIREMENTS

Use	Minimum Off-Street Parking Ratios
Residential uses, including single family, two family, and multi-family	Two spaces per dwelling
Home Occupations	In addition to the spaces required for the dwelling, number of any spaces necessary to accommodate the proposed use
Hotel, Motel, Inn	One space per guest room, plus one space per employee, plus a number of spaces as required elsewhere herein for restaurants, assembly halls, and similar functions if provided on the premises
Animal Shelter	Two spaces plus one space per employee
Manufacturing, Wholesale Operations, Public Utility Buildings other than Business Offices, Warehouses and similar uses not normally visited by the general public	One space per employee, plus one space for each vehicle used in the operation
Assembly area without fixed seats, including sports fields, field house and similar uses	One space per 50 square feet of assembly or spectator area
Assembly area with fixed seats including auditoriums, places of worship, and similar uses including funeral parlors	One space per four seats
Bowling alleys	Four spaces per lane
Banks, Libraries, and Post Office	One space per ~~100 square~~ ***250*** feet of ***gross floor*** area devoted to public use, plus one space per employee
Business and Professional Offices, Office Buildings, Governmental Uses, Philanthropic Uses, Repair Shops, Research and Development Facilities, Light Manufacturing and Office of a Wholesale Operation including sales space	One space per 250 ~~square~~ feet of gross floor area
Clubs, Lodges and Association Buildings	One space per two memberships
Convalescent, Nursing or Rest Home, Hospital or Sanitarium	One space per three beds plus one space per employee, plus one space per two visiting staff members
Assisted Living Facility	Two spaces per unit plus additional spaces as required for additional uses, i.e., nursing home, community center, health services.
Medical and Dental Offices and Clinics	Four spaces per doctor, dentist and allied professional person
Veterinary	Three spaces per doctor plus one space per employee on the largest shift
Kennel	Two spaces plus one space per employee
Restaurants, Lounges and Function Rooms of Hotels or Clubs	One space per two seats, based on the legal seating capacity of the facility
Retail Stores or Service Shops, Printing Shop/Copy Center/ Word Processing Center	One space per ~~150~~ ***250*** feet of gross floor area ***of sales space*** with a minimum of four spaces per establishment

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Craft Shop or Art Studio	One space per ~~150~~ ***250*** feet of gross floor area of the sales space
Bed and Breakfast	Two spaces, plus one additional space for each rooming unit
Day Care Center	One space per two employees
Recreational Use	One space per three seats of rated capacity or one space per four persons normally expected on the premises at the time of maximum use, plus such additional spaces for the number of employee vehicles which can be reasonably expected at any one time on the premises
Educational Use	One space for each staff person plus one space for each five persons of rated capacity of the largest auditorium
Conference Center	One space per two seats in the largest assembly area, plus such additional spaces for the number of employee vehicles which can be reasonably expected at any one time on the premises

Summary:
These changes to the zoning bylaw would clarify the common parking area regulations and change the parking schedule to correspond appropriately with the various types of uses. The parking schedule lists various types of uses with minimum off-street parking ratios. The parking schedule changes would revise the minimum off-street parking ratios to help property owners utilize their existing properties, while providing adequate parking for different types of businesses. Through outreach with the business community and research into how comparable municipalities regulate parking, it was clear that the amount of parking required for the several types of businesses was overly conservative. These changes seek to better reflect the amount of parking needed for the various types of uses described in the parking schedule.

The reason for revising the common parking area regulations is to allow common parking facilities when it can be reasonably demonstrated that the parking need for the uses occurs at different times. This change seeks to match the intent of the existing language to allow the possibility of parking for the purpose of serving more than one principal use.

The Planning Board recommends unanimously (4-0).
The Planning Board believes that the modest proposed changes to the Common Parking Area language and Parking Schedule will allow for more efficient utilization of existing parking areas and will allow the Planning Board greater flexibility when reviewing plans for proposed parking during Site Plan Review.

The Finance Committee recommends unanimously (3-0).
Changing the number of parking spaces required based on a reduced square footage will give additional opportunities for landlords to rent store fronts especially in our strip malls.

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ARTICLE 175-3 ZONING BYLAW AMENDMENT: AMEND ZONING BYLAWS 6204 AND 6300
(Two-thirds vote required)

To see if the Town will vote to amend Boxborough Zoning Bylaw Section 6204 Lighting and Section 6300 Signs, and by adding the following language in bold italics and deleting the language indicated by strikethroughs and further that non-substantive changes to the numbering of the Zoning Bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take an action relative thereto.

6204 ***Outdoor*** Lighting
Outdoor lighting from any source, including sign illumination, ***shall be dark sky compliant with a*** ~~shall be~~ continuous white light installed in such manner or shielded so as to cast no direct beam on a public way, pedestrian way, or on adjacent property or cause a glare or reflection that may constitute a traffic hazard or a nuisance. Uplighting of landscaping, the operation of search lights for advertising purposes, and the use of building floodlighting (except for floodlighting used on public safety buildings) are prohibited.

1. To prevent unnecessary sky glow and other glare, particularly ***but not limited to*** that interfering with astronomical research, all outdoor lighting fixtures shall be shielded from above so ~~that~~ ***as to prevent direct glare from the light source from interfering with the vision of motorists or pedestrians passing in the street or streets abutting the premises and as to prevent direct glare from the light source from lighting neighboring properties, particularly residences, and so that,***
    a. all illumination is restricted to an area 15 degrees below the horizontal, and
    b. except for streetlights, direct rays from the light source are confined to the property boundaries.
2. High pressure sodium lamps shall not be used.
3. Customary holiday lighting and lamps of low luminosity and low intensity serving primarily as markers or as low-level illumination for entrances and exits or similar use need not be shielded. Requirements for shielding, filtering and type of light need not be met for emergency lighting required by a public agency in the performance of its duties.
4. Outdoor lighting shall be of substantially minimum intensity needed at the particular time; parking area lighting, in particular, shall be reduced or eliminated outside business hours. Materials, such as blacktop, which reflect a relatively small fraction of incident light, shall be the surface preferred for lighted areas.
5. The mounting height of lighting fixtures shall not exceed 30 feet above the ground plane.
6. ***All artificial lights used to illuminate tennis or paddle tennis courts, swimming and wading pools and other non-residential privately-owned facilities or public recreation areas shall be extinguished by 11:00 p.m.***

6205 Exemption
Any lighting fixture in existence prior to June 8, 1976, shall be exempt from these conditions.

6206 Outdoor Lighting Regulations for Special Permit – Developments and redevelopments requiring a Special Permit or an amendment thereof, shall comply with the standards for outdoor lighting unless otherwise permitted by the Special Permit Granting Authority.

6207 Lighting Table and Figures

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TABLE 1.- LIGHTING DEFINITIONS (See Figures 1 through 5)

Term /Abbreviation	*Definition*
Candela	*The base unit of luminous intensity in the International System of Units (SI); that is, luminous power per unit solid angle emitted by a point light source in a particular direction. A common wax candle emits light with a luminous intensity of roughly one candela.*
Canopy	*An opaque ceiling over installed lighting*
Cutoff (CO)	*A luminary light distribution, specified by the IESNA, where the intensity in candela per 1000 lamp lumens does not numerically exceed 25 (2.5%) at a vertical angle of 90 degrees above nadir, and 100 (10%) at a vertical angle of 80 degrees above nadir. Nadir is the point directly vertically below the luminaire. A full cutoff (FCO) luminaire is also a cutoff luminaire.*
Dark Sky	*As defined by the International Dark Sky Association (IDA) shall mean certified outdoor lighting fixtures that minimize glare while reducing light trespass and skyglow. IDA approved fixtures are required to be fully shielded and to minimize the amount of blue light in the nighttime environment.*
Direct Light	*Light emitted directly from the lamp, from the reflector or reflector diffuser, or through the refractor or diffuser lens of a luminaire.*
Foot Candle (FC)	*Unit of illuminance; One lumen per square foot.*
Full Cutoff (FCO)	*A luminaire light distribution, specified by the IESNA, where zero candela intensity occurs at an angle of 90 degrees above nadir, and at all greater angles from nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10%) at a vertical angle of 80 degrees above nadir. Nadir is the point directly vertically below the luminaire. An FCO luminaire is fully shielded.*
Fully Shielded	*Constructed in such a manner that no light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected above a horizontal plane passing through the lowest direct-light-emitting part of the luminaire (Figure 1). Building canopies, overhangs, roof eaves and similar types of construction shall not be considered as the means for providing the fully shielded light cut-off characteristic. This shall be achieved by the luminaire itself (Figure 5).*
Glare	*The sensation of visual discomfort or loss in visual performance and visibility produced by luminance within the visual field that is sufficiently greater than the luminance to which the eyes are adapted.*
IDA	*International Dark Sky Association*
IESNA / IES	*Illuminating Engineering Society of North America. A professional association of lighting engineers and lighting manufacturers generally recognized as the definitive source for illumination recommendations in the United States. An IES photometric file is defined by IESNA standards.*
Indirect Light	*Direct light that has been reflected off the surface of any permanently constructed object other than the source luminaire.*
Illuminance	*The luminous flux incident per unit area, expressed in foot candle (one lumen per square foot). Horizontal or vertical illuminance is that measured with a photometer cell mounted horizontally or vertically.*
Lamp	*The light source component of a luminaire that produces the actual light.*

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Light-Emitting Diode (LED)	***Any luminaire composed on an array of LEDs, typically a bank of 30, 60 or 90, used as a light source.***
Light Trespass	***Direct or indirect light produced by an artificial light source and which shines outside the boundaries of the lot containing the luminaire.***
Luminaire	***A complete outdoor lighting unit or fixture including a lamp or lamps, together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply, but not including a pole on which the luminaire may be mounted.***
Luminous Flux	***Energy per unit time that is radiated from a source over visible wavelengths. More specifically, it is energy radiated over wavelengths sensitive to the human eye, from about 330 nanometers to 780 nanometers. Luminous flux is a weighted average of the Radiant Flux in the visible spectrum. Luminous flux or luminous power is the measure of the perceived power of light. It differs from radiant flux, the measure of the total power of electromagnetic radiation, in that luminous flux is adjusted to reflect the varying sensitivity of the human eye to different wavelengths of light.***
Nadir	***The point directly vertically below the luminaire.***
Outdoor Lighting	***The night-time illumination of an outside area or object by a luminaire located outdoors. Luminaires under a canopy are considered outdoor lights and are regulated by this Bylaw.***
Outdoor Sales Area	***A static display of goods for sale at night, such as automobile sales lots, landscaping and nursery businesses, outdoor construction materials sales lots, and outdoor activity areas such as miniature golf, family fun centers, and permanent swap meets. An outdoor sales area location is not covered by canopies or other structures.***
Radiant Flux	***The measure of the total power of electromagnetic radiation.***
Shielded	***Luminaire employing a shield to prevent glare. The luminaire shall have a generally downward distribution of light and must have a top shield to minimize upward light.***
Street Lights	***Luminaires installed within a street and intended primarily for the illumination of the street.***
Up-lighting	***Direct light illumination distributed above a 90-degree horizontal plane through the lowest direct light emitting part of the luminaire.***

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FIGURES

FIGURE 1A

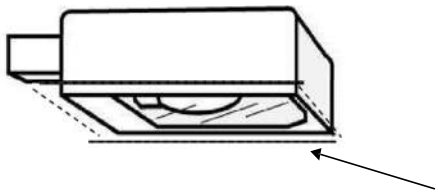
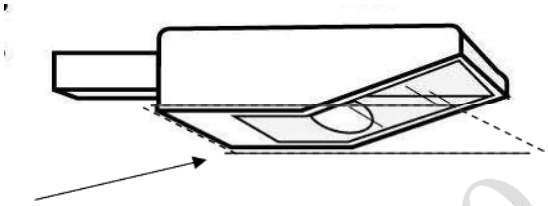


FIGURE 1B

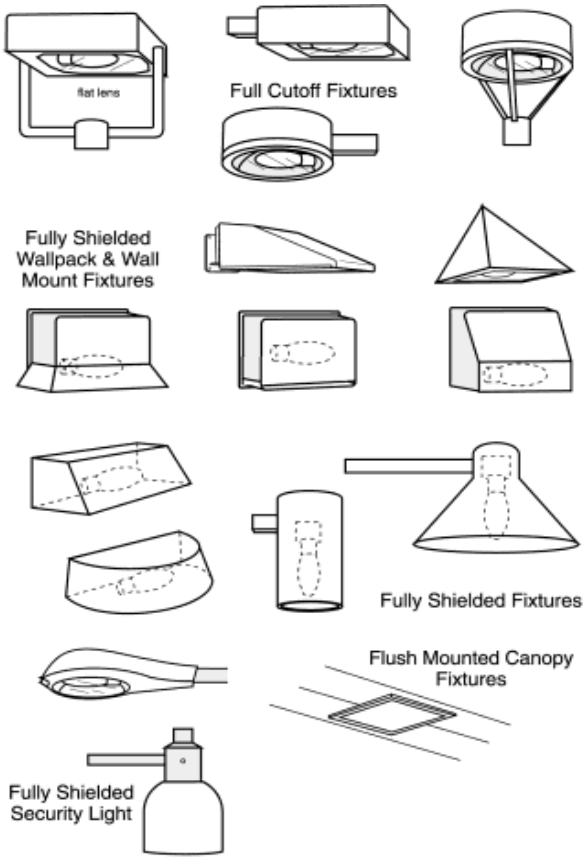


Horizontal plane

Figure 1A. Fully Shielded. No light emitted above a horizontal plane through the lowest direct-light-emitting part of luminaire.

Figure 1B. Not Fully Shielded. Light is emitted above a horizontal plane through the lowest direct-light-emitting part of luminaire.

Examples of FULLY SHIELDED LUMINAIRES



Examples of LUMINAIRES that are NOT FULLY SHIELDED

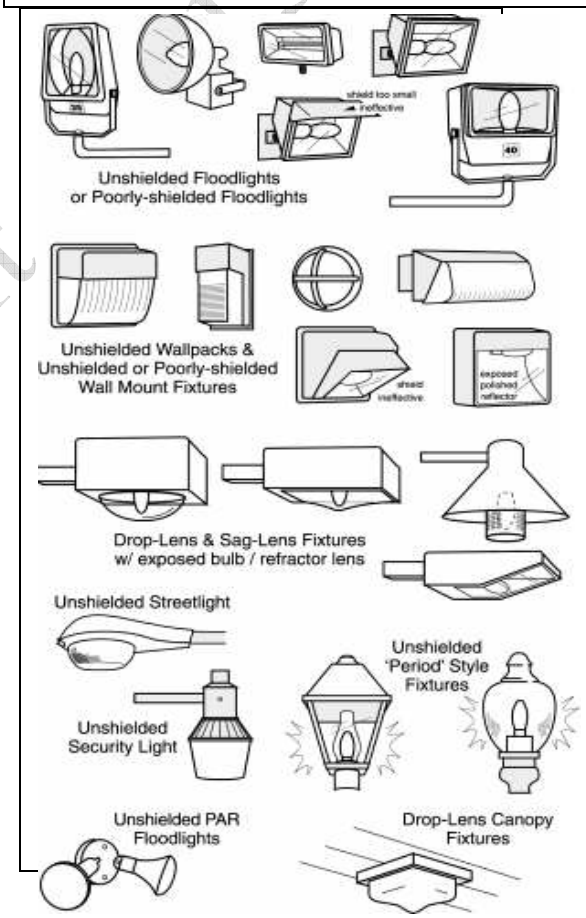


FIGURE 2

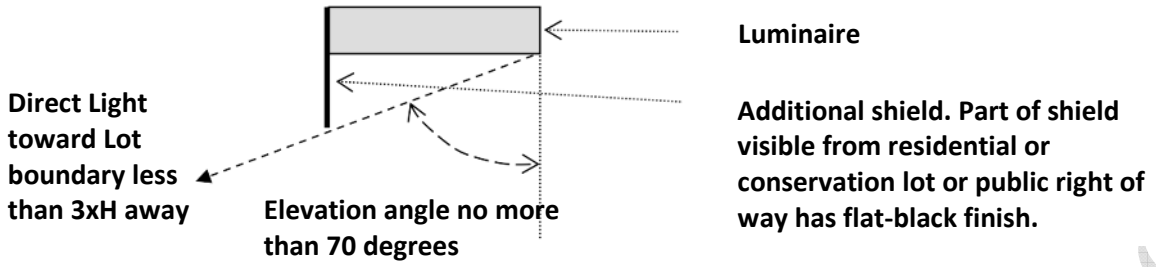


Figure 2. Any outdoor luminaire whose distance from the lot boundary is less than three times its height shall be shielded so that all direct light cast in the direction of residential or conservation lots and public rights-of-way is cut-off at an angle no more than 70 degrees measured from a vertical line directly below the luminaire.

FIGURE 3

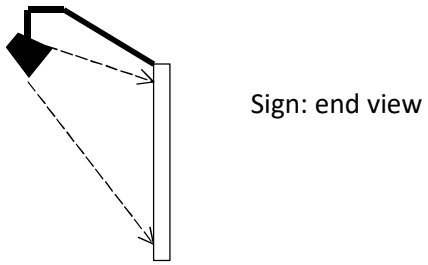


Figure 3: Lighting for externally illuminated signs shall be projected downward from above. The luminaire shall be shielded.

FIGURE 4

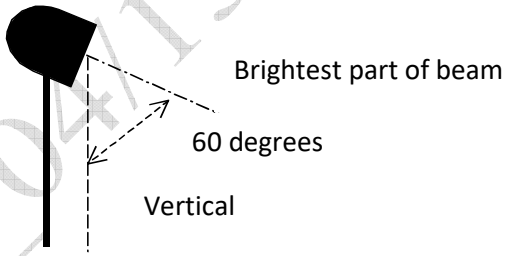


Figure 4: Illumination for outdoor recreational facilities shall be shielded luminaires and shall be mounted at sufficient height and aimed so that the brightest part of the beam is elevated no more than 60 degrees above a point directly vertically below the luminaire

FIGURE 5

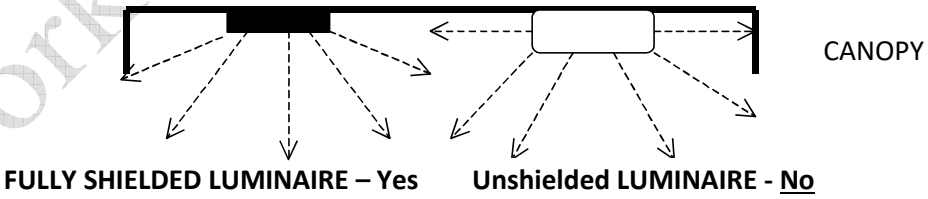


Figure 5: Building canopies, overhangs, roof eaves and similar types of construction shall not be considered as the means for providing the light cutoff. The cutoff characteristics shall be achieved by the luminaire itself.

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Table 2. Shielding Requirements

Luminaires whose lamp wattage exceeds the values in Column A of this table shall be shielded. Luminaires whose lamp wattage exceeds the values in Column B of this table shall be fully shielded.

Lamp type	A – SHIELDED	B – FULLY SHIELDED
Incandescent, Halogen	60 watts	120 watts
High Pressure Sodium, Metal Halide, Mercury Vapor, other High Intensity Discharge (HID)	35 watts	35 watts
Fluorescent, Low Pressure Sodium	13 watts	20 watts
LED30 (<3000K)	-	70 watts
LED60 (<3000K)	-	135 watts
LED90 (<3000K)	-	205 watts

6300 Signs

6303 General Requirements

(1) All signs shall be maintained by the owner in a clean, safe, and sanitary condition. The Inspector of Buildings may order removal of any signs that are not maintained or erected in accordance with the provisions of this section.

(2) Any sign which shall have been abandoned for a period of sixty (60) days, or which advertises a product or identifies a business or activity which has not been sold or conducted on the premises for sixty (60) days shall be removed within thirty (30) days of notification to take such action from the Inspector of Buildings.

(3) Sign Illumination. Any illuminated sign shall employ only white light of constant intensity and shall conform with Section 6200 of this Bylaw. No sign shall be illuminated for more than 30 minutes ***before opening or*** after the closing of any store or business. Internally lit signs are discouraged in Industrial-Commercial, Business, ***Business-1*** and Office Park Districts and are prohibited in the Agricultural-Residential, ***Residential-1*** and the Town Center District.

(4) Except as otherwise provided herein, illumination for any sign shall be provided through a stationary external light source, with the light projected downward from above. In no case shall the illumination of a sign cause blinding or otherwise obstruct the safe vision of any traffic participant anywhere. Sign illumination through an external source shall always be white or off-white.

(5) Should an internally lit sign be deemed permissible in the Industrial-Commercial, Business, Buisiness-1 and Office Park Districts, the following types of signs with internal or quasi-internal illumination shall comply with all applicable standards of the previous section as well as the lighting controls below. The word "opaque" as used in the following Sub-Sections shall mean that the opaque object shall appear black when the sign is lit at night.

Internal or Quasi-Internal Sign Types:

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a. Opaque individual letter signs or symbols, backlit with a white and concealed light source, thereby creating an effect by which the letters or symbols are silhouetted against a wall illuminated by said light source.

b. Signs featuring individual letters or symbols which are cut out from an opaque facing and back-lit with a white and concealed light source, thereby creating an effect by which the facing, from which the letters or symbols are cut out, is silhouetted against a wall illuminated by said light source.

c. Back-lit awning signs with the light source internal or concealed from public view.

d. Individual letter signs with translucent letter faces, internally illuminated with a soft-glow light source; or signs with an opaque sign face with cutout translucent letter surfaces which are internally illuminated with a soft-glow light source.

For the above-identified sign types, the following controls shall apply:

e. Such internally lit signage shall not be illuminated longer than 30 minutes before opening of after closing of the store or business.

f. The display area of an illuminated sign shall not exceed an average illuminance of 50 foot-candles measured directly on the surface of the sign.

g. Where possible, the light fixtures used for sign illumination should be classified as "energy efficient," as defined by the power utility company serving the lot.

6304 Prohibited Signs

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

Summary:

These changes to the zoning bylaw would bring context and clarity by adding lighting definitions, figures, and tables to both support specific references in the Boxborough Zoning Bylaw and Design Review Board Guidelines and correspond with revised outdoor lighting regulations. The outdoor lighting regulations have been revised to address sky glow, glare, and artificial lighting in greater detail in order to minimize unnecessary light pollution. Developments and redevelopments requiring a Special Permit or an amendment thereof would need to comply with the revised outdoor lighting regulations, unless otherwise permitted by the Special Permit Granting Authority. These changes also provide regulations for internally lit signs in the Industrial-Commercial, Business, Business-1, and Office Park Zoning Districts. Internally lit signs are prohibited in the Agricultural-Residential, Residential-1 and Town Center Zoning District.

These proposed revisions apply only to future projects and replacements of existing fixtures. It is not anticipated that enforcement of the proposed bylaw amendments will be greater than what is required currently under the existing bylaw.

The Planning Board recommends unanimously (4-0).

The Planning Board Recommends a Yes vote on these amendments.

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Our current lighting zoning bylaw (Section 6204) limits light pollution by prohibiting outdoor lighting from adversely impacting public ways, pedestrian ways, neighboring properties or causing glare or reflection that would constitute a traffic hazard or cause a nuisance. The current bylaw also limits outdoor lighting from adding unnecessary sky glow and glare.

The proposed supplementary language provides additional clarity and examples (figures and definitions) for new developments, expansions or replacements of outdoor lighting fixtures to minimize outdoor light pollution, light trespass, unnecessary sky glow, and other glare in order to preserve and enhance the natural, scenic and aesthetic character and historical environment, and to preserve the night sky as a natural resource to enhance nighttime enjoyment of property. The proposed additions reflect common practice throughout the industry and similar bylaws are in place in our surrounding communities (e.g., Acton, Harvard, Stow, Wellesley)

The proposed supplementary language to Section 6303, General Requirements for Signs, provides additional clarity *only in the event that an internally lit sign is permitte*d in the Industrial-Commercial, Business, Business-1 and Office Park zoning districts. The current bylaw identifies that internally lit signs are *discouraged* in these areas, and prohibited in the Agricultural-Residential, Residential-1 and Town Center zoning districts. There is no change proposed to this language. Neighboring communities have similar limitations for internally lit signs and, with the exception of Acton, directly abutting communities prohibit internally lit signs entirely. The proposed language will provide clarity for the Zoning Board of Appeals, which is the reviewing entity for signage, should an internally lit sign be deemed permissible at a particular location.

The Finance Committee does not recommend (0-3).
The changes to the Lighting Bylaw (6204-6207) and the Sign Bylaw (6300) are confusing and will make it more difficult for businesses to comply with our bylaws. To enforce our bylaws would be an unknown expense which the Finance Committee is not comfortable with. Some businesses would be out of compliance for signage if this bylaw change was adopted.

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ARTICLE 175-4 GENERAL BYLAW: CONSTRUCTION AND POST-CONSTRUCTION STORMWATER BYLAW

(Majority vote required)

To see if the Town will vote to adopt a new general bylaw entitled "Construction and Post-Construction Stormwater" to read as follows:

CONSTRUCTION AND POST-CONSTRUCTION STORMWATER BYLAW

SECTION 1. PURPOSE

The purpose of this Bylaw is to establish minimum stormwater management requirements and procedures in order to minimize damage to public and private property and infrastructure; safeguard the public health, safety, environment and general welfare; protect aquatic resources and wildlife habitat; protect the quality and health of water resources; conserve groundwater supplies; and, foster climate change resiliency.

This Bylaw seeks to meet that purpose through the following objectives:

1. establish the Town of Boxborough as the legal authority to ensure compliance with the provisions of this Bylaw and its accompanying Rules and Regulations through a reviewal process, inspections, monitoring, and enforcement;
2. establish administrative procedures for: the submission, review, and approval or disapproval of Stormwater Management Permits; the inspection of approved active projects; and post construction monitoring;
3. establish decision-making processes surrounding new development and redevelopment that protect watershed integrity and preserves and/or restores the health of local water resources such as lakes, ponds, streams, rivers, wetlands, and groundwater; and
4. ensure compliance with requirements of the United States Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4) and other applicable state and federal mandates.

SECTION 2. DEFINITIONS

For the purposes of this Bylaw, the following shall mean:

AGRICULTURAL USE: The normal maintenance or improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40, and its implementing regulations.

APPLICANT: Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth of Massachusetts or the federal government to the extent permitted by law requesting a soil erosion and sediment control permit for proposed land-disturbance activity.

BEST MANAGEMENT PRACTICE (BMP): An activity, procedure, restraint, or structural improvement that helps reduce the quantity or improve the quality of stormwater runoff.

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CERTIFICATE OF COMPLETION: Document issued by the Town of Boxborough Select Board or Reviewing Agent upon receipt of a final inspection report and acknowledgement that all conditions of the Stormwater Management Permit have been satisfactorily completed.

CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC): A certified specialist in soil erosion and sediment control. This certification program, sponsored by the Soil and Water Conservation Society in cooperation with the American Society of Agronomy, provides the public with evidence of professional qualifications.

ENFORCEMENT ORDER: A written order issued by the Select Board or Reviewing Agent to enforce the provisions of this Bylaw.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM: The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Boxborough, MA.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT: A permit issued by the EPA or jointly with the Commonwealth of Massachusetts that authorizes the discharge of stormwater to waters of the Unites States.

NEW DEVELOPMENT: Any construction, land alteration, or addition of impervious surfaces on previously undeveloped sites resulting in a total disturbance of land equal to or greater than 1 acre (or activities that are part of a larger common plan of development disturbing greater than 1 acre) that does not meet the definition of Redevelopment.

OWNER: A person with a legal or equitable interest in property.

PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth of Massachusetts or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

PROFESSIONAL ENGINEER (P.E.): A registered Professional Engineer within the Commonwealth of Massachusetts in good standing.

REDEVELOPMENT: Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface or increase the impervious area on previously developed sites. Any construction, land alteration, or improvement of impervious surfaces resulting in total disturbance of land equal to or greater than 1 acre (or activities that are part of a larger common plan of redevelopment disturbing greater than 1 acre) that does not meet the definition of New Development.

REVIEWING AGENT: Person designated by the Select Board as responsible for enforcing this Bylaw.

SELECT BOARD: Town of Boxborough Select Board.

STORMWATER: Stormwater runoff, snow melt runoff, and surface water runoff and drainage.

STORMWATER MANAGEMENT PERMIT: The written approval granted by the Select Board to undertake a construction activity pursuant to a Stormwater Management Permit Application. A valid Stormwater Management Permit must be signed by a majority of the Select Board participating at a duly noted public hearing, and such permit must be recorded at the Worcester Registry of Deeds, prior to the start of any work.

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WATERS OF THE COMMONWEALTH: All waters within the jurisdiction of the Commonwealth of Massachusetts, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, groundwaters, and vernal pools.

WETLAND RESOURCE AREAS: Areas specified in the Massachusetts Wetlands Protection Act Regulations, 310 CMR 10.00, as amended, and in the Town of Boxborough Wetland Bylaw, as amended.

SECTION 3. APPLICABILITY

No person may undertake a construction activity, including clearing, grading, or excavation that results in a land disturbance to an area equal to or greater than one (1) acre of land or will disturb less than one acres of land but is part of a larger common plan of development or sale that will ultimately disturb an area equal to or greater than one (1) acre of land within the Town of Boxborough without first obtaining a Stormwater Management Permit issued by the Select Board or Reviewing Agent.

SECTION 4. AUTHORITY

This Bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, pursuant to the Regulations of the federal Clean Water Act found at 40 CFR 122.34, and as authorized by the residents of the Town of Boxborough at the spring 2020 Town Meeting and as amended.

SECTION 5. RESPONSIBILITY FOR ADMINISTRATION

The Select Board shall be the permit granting authority for this Bylaw. Any powers granted to or duties imposed upon the Select Board may be delegated in writing by the Select Board to any Town employee, board, commission, committee or agent, hereby known as the "Reviewing Agent."

The Select Board shall not have jurisdiction over stormwater issues within areas where the Conservation Commission has jurisdiction under the Wetlands Protection Act and/or any local regulations.

The Select Board or its Reviewing Agent shall take any of the following actions as a result of an application for a Stormwater Management Permit as specifically defined within the Stormwater Management Rules and Regulations promulgated as a result of this Bylaw: Approval, Approval with Conditions, or Disapproval.

SECTION 6. REGULATIONS

The Select Board may adopt, and periodically amend, the Stormwater Management Rules and Regulations relating to the terms, conditions, definitions, enforcement, fees (including application, inspection, and/or consultant fees), procedures and administration of this Bylaw by majority vote of the Select Board, after conducting a one (1) advertised public hearing to receive comments on any proposed revisions. The hearings shall be duly advertised in a paper of general circulation in the Town of Boxborough no less than fourteen (14) days prior to the date of the public hearing.

SECTION 7. EXEMPTIONS

The following activities are exempt from requirements under this bylaw:

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1. normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04, as amended;
2. maintenance of existing landscaping, gardens, or lawn areas associated with a single- family dwelling;
3. the construction of fencing that will not substantially alter existing terrain or drainage patterns;
4. normal maintenance and improvements of the Town of Boxborough publicly owned roadways and associated drainage infrastructure;
5. emergency repairs to any stormwater management system or feature that poses a threat to public health or safety, or as deemed necessary by a Town department or board; and
6. projects that are wholly subject to jurisdiction under the Wetlands Protection Act and/or the Boxborough Wetlands Protection Bylaw and demonstrate compliance with the Massachusetts Stormwater Management Policy as reflected in an Order of Conditions issued by the Conservation Commission.

SECTION 8. ENFORCEMENT

The Select Board, or an authorized agent of the Select Board, shall enforce this Bylaw, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

Civil Relief. If a person violates the provisions of this Bylaw, permit, notices, or order issued thereunder, the Select Board may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

1. Orders. The Select Board may issue a written order to enforce the provisions of this Bylaw, which may include requirements to:
2. cease and desist from construction or land disturbing activity until there is compliance with this Bylaw and the Stormwater Management Permit;
3. repair, maintain, or replace the stormwater management system or portions thereof in accordance with the operation and maintenance plan;
4. maintain, install, or perform additional erosion and sediment control measures;
5. perform monitoring, analyses, and reporting;
6. remediate adverse impact resulting directly or indirectly from malfunction of the stormwater management system or erosion and sediment control system;
7. cease and desist from unlawful discharges, practices, or operations; and/or,
8. remediate contamination in connection therewith.
9. If the Select Board determines that abatement or remediation of adverse impacts is required, the Enforcement Order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Boxborough may, at its option, undertake such work, and the property owner shall reimburse the Town's expense.

Within thirty (30) days after completing all measures necessary to abate the violation, the violator and the property owner shall be notified of the costs incurred by the Town of Boxborough, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Select Board within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within

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thirty (30) days following a decision of the Select Board affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in G.L. Ch. 59, § 57, after the thirty-first day at which the costs first become due.

Criminal Penalty. Any person who violates any provision of this Bylaw, order, or permit issued thereunder, shall be punished by a fine of not more than $300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the Town may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch. 40, section 21D, in which case the Select Board or its Reviewing Agent shall be the Authorized Enforcing Agent. The penalty for the 1st violation shall be $100. The penalty for the 2nd violation shall be $200. The penalty for the 3rd and subsequent violations shall be $300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

Entry to Perform Duties under this Bylaw. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Select Board or its Reviewing Agent, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this bylaw and regulations and may make or cause to be made such examinations, surveys, or sampling as the Select Board or Reviewing Agent deems reasonably necessary.

Appeals. A decision of the Select Board or its Reviewing Agent shall be final. Further relief of a decision by the Select Board or its Reviewing Agent made under this Bylaw shall be appealed to the Superior Court, in accordance with M.G.L. Ch 249 §4.

Remedies Not Exclusive. The remedies listed in this bylaw are not exclusive of any other remedies available under any applicable federal, state, or local law.

SECTION 9. WAIVERS AND PROVISIONS FOR RELIEF

The Select Board may waive strict compliance with any requirement of this Bylaw promulgated hereunder, where:

1. such action is allowed by federal, state and local statutes and/or regulations;
2. it is in the public interest;
3. a public safety issue exists; and/or
4. it is consistent with the purpose and intent of this Bylaw.

Any applicant may submit a written request to be granted such a waiver. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of this Bylaw does not further the purposes or objectives of this Bylaw. The Select Board may require documentation to be submitted and stamped by a qualified P.E. registered in Massachusetts or a Certified Professional in Erosion and Sediment Control (CPESC).

SECTION 10. SURETY

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The Select Board may require the permittee to post before the start of land disturbance or construction activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by Town counsel, and be in an amount deemed sufficient by the Select Board to ensure that the work will be completed in accordance with the permit. If the project is phased, the Select Board may release part of the bond as each phase is completed in compliance with the Stormwater Management Permit but the bond may not be fully released until the Select Board has received the final inspection report as required by the Stormwater Management Rules and Regulations and issued a Certificate of Completion.

SECTION 11. SEVERABILITY

If any provision, paragraph, sentence, or clause of this Bylaw shall be held invalid for any reason, all other provisions shall continue in full force and effect.

Summary:
This bylaw would establish legal authority and enforcement regarding illicit discharge detection and elimination, as well as erosion and sediment controls for construction and post-construction. Boxborough needs to adopt this bylaw to comply with the Environment Protection Agency's 2016 Massachusetts Small MS4 General Permit.

The Select Board recommends unanimously (5-0).
This bylaw is required under the terms of our MS-4 permit, which is now in effect. This is an unfunded mandate; we must comply or face fines. Our existing Stormwater Bylaw is a necessary component of our MS4 responsibilities but is insufficient. It addresses only prevention of illicit discharges into stormwater systems. The Construction and Post-Construction Stormwater Bylaw targets management of runoff from construction activities. It will only affect large scale commercial or residential subdivision developments. Single family home construction will not be impacted. Despite the coercive nature of MS4 compliance, this bylaw will help protect the environment. The Select Board supports it.

The Finance Committee recommends unanimously (5-0).
The FinCom supports this article as it is an unfunded mandate that is required by law.

The Planning Board recommends (3-1).
The Planning Board recognizes that this bylaw is necessary to ensure compliance with the Environmental Protection Agency's (EPA) National Pollution Discharge Elimination System (NPDES) General Permit requirements for stormwater discharges from small municipal separate storm sewer systems (MS4). This proposed General Bylaw will enhance local oversight in the continued effort to protect the towns wetlands, waterways and other natural resources during construction and after construction of projects that disturb one acre of land or more. While the Planning Board recognizes this is an unfunded federal mandate, having the town take a greater role in the review and enforcement of stormwater discharges during and after construction promotes the desire to maintain our local water resources in the cleanest possible manner, and benefits the health and well-being of all citizens in town.

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ARTICLE 152-1 CHANGE THE ELECTED POSITION OF TOWN CLERK TO APPOINTED
(Majority vote required)

To see if the Town will vote to have its elected Town Clerk become an appointed Town Clerk; the appointment of a new Town Clerk would take place on April 30, 2022, two months before the end of the elected term of the current Town Clerk; or to take any other action relative thereto.

Summary:
The position of Town Clerk plays a vital role in Town operations, and as an elected position, it is left without the kind of oversight and accountability all other Town department heads receive. Changing the position of Town Clerk from an elected to an appointed position will enable the Town to set qualifications and standards for the appointment; it will also provide the kind of oversight needed to maintain the excellent quality of service the Town has had for many years. The change requires a two-part legal process: a vote at Annual Town Meeting and ballot approval at the Annual Town Election ~~in May~~.

As the current Town Clerk intends to retire at the end of her latest three-year term, on June 30, 2022, the Boxborough Personnel Board has taken the opportunity to hold open hearings to discuss the advisability of changing the position from an elected to an appointed position. The impetus for considering the change stems from the increasingly complicated role of Town Clerk. Massachusetts and Federal regulations affecting the job have become more detailed and legally demanding, increasing the Town's liability for decisions made in the Town Clerk's office.

The responsibilities of Town Clerk include overseeing elections, voter registration, creating and keeping vital records, managing the census, implementing Open Meeting and Conflict of Interest laws, issuing marriage and dog licenses, swearing in of Town officials and volunteers, maintaining data bases, recording minutes for Town meetings, and managing the Town website.

If the Town Clerk were to be appointed, the Town Administrator would lead a candidate search, just as the TA does for appointing all other department heads. Candidates would receive a specific job description regarding responsibilities, priorities, and expectations; the job description would also identify the skills, education, certifications, and experience the Town Clerk must have. The Boxborough Select Board would make the final selection. After a six-month probation, the Clerk could be removed only for cause.

The Personnel Board recommends (3-1).
Majority Opinion
The majority on the Personnel Board recommends. The advantages in appointing a Town Clerk include improvement in finding an experienced and qualified employee who is prepared to handle increasingly complicated and legally sensitive tasks. In addition, the Boxborough Select Board and Town Administrator can more effectively evaluate and oversee the performance of an appointed (rather than elected) Town Clerk.

Minority Opinion
The minority view of the Personnel Board is that Boxborough has been well served for decades by elected Town Clerks whose loyalty and skills have kept pace with all the demands of the job. In comparison to out-of-town applicants, residents who choose to run for the Town Clerk's position are more apt to understand Boxborough's values, create close relationships with fellow townspeople, and cultivate a strong motivation to run again in three years. Appointed clerks are less likely to have a personal interest in Boxborough, and they are more apt to leave for other jobs or expect a higher salary as incentive to remain.

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In March of 2019, the Massachusetts Town Clerk Association reported that in towns with less than 10,000 residents, 83 percent elected their town clerks. A rush to join the 17 percent with an appointed town clerk is not apt to serve our Town well. Selection and evaluation of Boxborough's Town Clerk should remain the responsibility of the Town's voters.

The Select Board recommends (5-0).
The position of Town Clerk plays a vital role in elections, voter registration, the creation and registration of vital records, annual and decennial census, Open Meeting and Conflict of Interest laws as well as public records access. The position, like so many others in Town, is too important to be left without oversight and accountability.

The Select Board wants to ensure that the position continues to be filled by a qualified individual. Changing the position from elected to appointed will enable the Board to maintain oversight and to set qualification standards that allow the Town to maintain a high quality of service to which Town residents are accustomed.

This is a two-step process. The first step is a majority vote at Town Meeting, followed by a ballot question at the annual Town Election in May.

The Finance Committee recommends unanimously (5-0).
The Finance Committee recommends the town moves to an appointed Town Clerk when the current town clerk's term is up. The Open Meeting Law has become much more cumbersome over the last several years and the town has had many records request and Open Meeting Law complaints filed against it. Every time we get a request or a complaint we are spending legal dollars. If we move to an appointed town clerk experience and education will be listed in the job description. If we maintain an elected town clerk no experience is necessary and anybody who can get 30 signatures could run. We can't deem someone unqualified if they choose to run. If we move to an appointed town clerk, Boxborough residents can still apply. The Finance Committee thinks it would be fiscally prudent to move to an appointed Town Clerk.

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ARTICLE 541-2 LEASE OF U.C.C. FELLOWSHIP HALL FOR COMMUNITY CENTER
$ 14,425 Raise & Appropriate
(Majority vote required)

To see if the Town will vote to authorize the Board of Selectmen to enter into a successor agreement with the United Church of Christ, Congregational, Boxborough, MA, for a term of three years, commencing July 1, 2020, for the lease of the Fellowship Hall, to be used as a community center, and further to see if the Town will vote to transfer from available funds or otherwise provide the sum of Fourteen Thousand Four Hundred Twenty-Five Dollars ($14,425), more or less, for the purpose of funding the first year of the renewed lease for the period July 1, 2020 through June 30, 2021; and further that the FY 2021 budget for Department 196, Total Other – Facilities/Leases be increased by the sum of Fourteen Thousand Four Hundred Twenty-Five Dollars ($14,425), more or less; and further, authorize the Select Board to enter into future successor agreements with the United Church of Christ, Congregational, Boxborough, MA if the Board deems that action in the best interest of the Town, or take any other action relative thereto.

Summary:
This article will provide funding for a successor lease for the use of the UCC's Fellowship Hall to serve as a community center for the town. The Boxborough Community Center is centrally located across from the Town Hall. The town has been very fortunate to have this space available to use for a number of senior activities since 2012 including senior luncheons, Mahjong, painting, fitness classes and line dancing. Additionally, the space has well-served the town as overflow meeting space when Morse/Hilberg and the Grange meeting rooms are occupied.

The Council on Aging recommends unanimously (4-0).

The Board of Selectmen recommends (5-0).
The town has been leasing space in the UCC Community Center since 2012. This has proven to be a very beneficial arrangement that should be continued with a renewal of the lease. The Community Center has provided much needed space primarily to support Council on Aging activities. It has also been used for meetings of boards and committees, the Agricultural Fair and the Employee Appreciation event.

The Finance Committee recommends unanimously (5-0).
The Finance Committee recommends this article. Raise and appropriate.

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

Hereof, fail not deliver these warrants with your return of service thereon to the Town Clerk on or before ~~April 24~~May 22, 2020.

_____
Maria E. Neyland, Chair
Select Board

_____
Wesley I. Fowlks, Clerk
Select Board

_____
Susan M. Bak
Select Board

_____
Leslie R. Fox
Select Board

_____
Robert T. Stemple
Select Board

Working Draft 04/13/2020

Report of the Finance Committee

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Report of Community Preservation Committee

CPA Summary - FY 2015 Actual through FY2021 Estimate

Total CPA Revenue	$ 1,226,998.43
Total CPA State Match and Interest	$ 197,952.44
Total CPA Funds Received/Anticipated	**$ 1,424,950.87**
FY2016 Appropriations (less returned unused funds)	$ 113,233.21
FY2017 Appropriations (less returned unused funds)	$ 190,331.58
FY2018 Appropriations (less returned unused funds)	$ 90,866.10
FY2019 Appropriations (less returned unused funds)	$ 403,690.52
FY2020 Appropriations (less returned unused funds)	$ 68,250.00
FY2021 Appropriations	$ 438,550.00
Total CPA Funds Appropriated/Spent	**$ 1,304,921.41**
Total CPA Ending Balance	**$ 120,029.46**

Total CPA Ending Balance	**$ 120,029.46**
General Fund Balance	$ 86,423.96
Open Space/Recreation Reserve	$ 3,600.00
Affordable Housing Reserve	$ 3,153.50
Historic Preservation Reserve	$ 26,852.00

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~~Acton-Boxborough Regional School District~~
~~FY2021 Superintendent's Budget Message~~

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TOWN OF BOXBOROUGH
TOWN MEETING: A GUIDE FOR RESIDENTS

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Notes

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Town of Boxborough
29 Middle Road
Boxborough, MA 01719

PRSRT-STD
U.S. Postage
Paid
Acton, MA Permit
No. 26

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Registered Voter(s)
Boxborough, MA 01719

Please bring this Warrant to Town Meeting,

along with an item to support the AB Food Pantry

VISIT THE BOXBOROUGH WEB AT www.boxborough-ma.gov