Please bring this Warrant
to the Special Town Meeting

Monday, December 12, 2016, 7 PM
Blanchard Memorial School Gymnasium

TOWN OF BOXBOROUGH
SPECIAL TOWN MEETING
DECEMBER 12, 2016
LIST OF ARTICLES

1. **LAND PURCHASE FOR CONSERVATION PURPOSES**
2. **GENERAL BYLAW AMENDMENT – AMEND DOG LICENSING BYLAW**
3. **PAYMENT OF PRIOR FISCAL YEAR BILLS**
4. **AMEND PERSONNEL ADMINISTRATION PLAN**
5. **AMEND FY2017 BUDGET – POLICE DEPARTMENT AND EMPLOYEE BENEFITS**
6. **REPAIRS TO FLERRA FIELD PLAYGROUND**
7. **PILOT AGREEMENT FOR SOLAR PHOTOVOLTAIC FACILITY**
8. **ACCEPT PROVISIONS OF SECTION 60 OF THE ACTS OF 2016 TO ESTABLISH AN INJURED ON DUTY (IOD) FUND FOR POLICE AND FIRE**
9. **MUNICIPAL FACILITIES SPACE NEEDS CONSULTANT**

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

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Boxborough, who shall be qualified to vote in accord with the provisions of M.G.L. Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Monday, December 12, 2016 at 7:00 p.m. to act on Articles 1 through 9 of this Special Town Meeting Warrant.

ARTICLE 1 LAND PURCHASE FOR CONSERVATION PURPOSES

(Two-thirds vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum for the total cost of the purchase not to exceed $510,000 to be expended by the Conservation Commission of Boxborough, in accordance with the authority granted to it under Massachusetts General Laws, Chapter 40, Section 8C, by and on behalf of the Town, for the acquisition of that certain tract of land totaling 15.67 acres, more or less, located at 311 Whitcomb Road in Boxborough, identified as 08-001-000 on the Boxborough Assessor's Maps, being a portion of that land described in a deed recorded with the Middlesex South Registry of Deeds in Book 11391 at Page 514, including costs incidental and related thereto, for conservation and passive recreation purposes, said land to be held in the care, custody, management and control of the Conservation Commission of Boxborough thereafter, and to authorize the Treasurer with the approval of the Selectmen to borrow said sum under the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8C, and/or any other enabling authority; and to issue bonds and notes of the Town therefor; provided that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and further to authorize the Conservation Commission or its designees to apply for, accept and expend on behalf of the Town of Boxborough such other funds as may be provided to pay for all or a portion of the costs of acquiring these properties, including but not limited to grants and/or reimbursement from the Commonwealth of Massachusetts under the Local Acquisitions for Natural Diversity (LAND) grant program (Massachusetts General Laws Chapter 132A, Section 11), which grants and/or funds shall be used to repay all or a portion of the borrowed funds, provided, however, that said acquisition is conditional upon the Town of Boxborough receiving a LAND grant for said acquisition in the amount of 56% of the total cost of the purchase; and to authorize the Conservation Commission and Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxborough to effect said acquisition; or take any other action relative thereto.

Summary

The Conservation Commission proposes to purchase 15.67 acres of land (Elizabeth Brook Knoll) on the western side of Boxborough bordering Harvard on West Whitcomb Rd., next to the Cisco property. This is a collaborative effort with the Boxborough Conservation Trust (BCTrust), the Town of Harvard and the Harvard Conservation Trust. The Town of Harvard and the Harvard Conservation Trust are similarly pursuing an abutting 50 acre parcel in Harvard known as Horse Meadows Knoll on Sherry Road. Together, these two acquisitions will net approximately 64 acres of prime upland habitat, aquifer recharge area and public hiking trails. Boxborough and Harvard have each submitted LAND grant applications for their respective parcels. The LAND grant is expected to cover more than half of the total cost of the proposed purchase for Boxborough.

Purchasing Elizabeth Brook Knoll as Conservation Land directly aligns a number of the goals and objectives identified in Boxborough 2030 and Boxborough's Open Space and Recreation Plan (OSRP) 2015-2022 as follows:

Boxborough 2030 Goal 1.3 and OSRP Goal No. 1: To protect and/or acquire additional lands for conservation, water resource protection, wildlife habitat, agricultural land preservation, recreation, trails, and wildlife corridors.

OSRP Goal No. 2: To protect the town's heritage and character through the preservation of scenic areas, roadways, and landscape features, both natural and historical.

OSRP Goal No.7: To coordinate open space planning efforts with neighboring communities to create a regional open space and trail network.

The added value of this purchase includes:

DISCOUNTED PRICE: The Seller's interest in conservation has resulted in an agreed price that is below the appraised value. In addition to the attractive price, more than half of the total purchase cost is expected to be covered by the LAND grant and a contribution by the BCT.

Appraised Value	$625,000
Estimated Total Cost (includes purchase price, survey, title, and contingency)	$510,000
LAND Grant Award (56% match of total cost)	- $285,600
Contribution from BCT(paid deposit)	-$27,000
Net Cost to Town(maximum not to exceed)	**$197,400**

PROTECTION OF WATER RESOURCES: The property's mixed deciduous-coniferous upland forest captures, conserves, and filters rainwater runoff prior to recharging a major surficial aquifer, thereby reducing the threat of pollution not only to the aquifer itself, but also to area wetlands and nearby Elizabeth Brook and Beaver Brook in the SuAsCo and Merrimack River watersheds. About 25% of the northern portion of the property is in a Zone 2 well-head protection area, and about 30% of the southern border of the property is an interim well head protection zone.

PROTECTION OF PRIORITY HABITAT: The entire Boxborough parcel, and abutting Harvard parcel, is identified by NHESP as a "Priority Habitat" for rare and endangered species, and connect with other Priority Habitat parcels under conservation restrictions (abutting CISCO properties).

PASSIVE RECREATION: Provides opportunity for prime hiking trails in an invasive-free mature forest setting with nearly 200 feet of vertical rise.

LINKAGE: Provides trail and hiking opportunity in Boxborough into Harvard.

EQUITY: Creates prime hiking trails in walking distance to multi-family housing on Boxborough's west side.

REMOVAL OF DEVELOPMENT THREATS: Preserves natural habitat and water resources.

The Conservation Commission recommends (6-0).

Purchasing Elizabeth Brook Knoll as Conservation Land will contribute toward the Town's goals and objectives for protecting and/or acquiring additional lands for conservation, water resource protection, wildlife habitat, recreation, trails, and wildlife corridors. The combination of the negotiated purchase price, available LAND Grant funding, and BCT contribution, also provides the Town with the immediate opportunity to purchase valuable conservation land at a relatively low price.

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

The Board of Selectmen supports the acquisition of this parcel and will provide further commentary at Town Meeting.

The Finance Committee does not recommend (5-0).

The Finance Committee recognizes and appreciates the efforts of the Boxborough Conservation Trust, the Conservation Commission and others in bringing this opportunity to the Town in such an expeditious manner. This is a joint venture with the Town of Harvard, who are planning to purchase an adjoining lot, so providing a greater contiguous area of conserved land across the town border. The land will provide access to conservation land hiking trails to the west of Interstate 495 which are lacking at this time. However, the Finance Committee considers several other factors to be of importance in support of their recommendation.

In addition to the costs associated with the purchase of the property, the Town will lose the tax income from a lot that is currently assessed at $709,800. This, along with the actual cost of purchase, will add to the property tax rate by an amount that will depend on the funding mechanism, but which will be at least $0.04.

In 2014, the Town adopted the Community Preservation Act, with a surcharge of 1% on property tax that is supplemented by a variable state match, which was 29% of the FY15 tax surcharge. One of the main purposes of these funds is for open space and recreation, including the purchase of land for conservation. The Finance Committee is both surprised and concerned that this proposed purchase has not been reviewed or considered by the Town's Community Preservation Committee for potential funding with CPA monies, since the state match effectively represents a further discount on the purchase price.

There are currently several large capital projects being considered within the Town, some of which are likely to require the purchase of land in the immediate or near future. These include improvements for the Fire Department, the DPW facilities and the Police Department. The Recreation Commission is considering how best to provide new recreational facilities for the Town, identified as a priority in their plan, and which may also require purchase of land. The Regional School District is well advanced in the development of a comprehensive capital plan, which will require the Town to make a significant financial commitment. These should all be priorities for the Town. For conservation and open space, the priorities are listed in Table 29 of the Open Space and Recreation Plan – 2015-2022, which identifies land that is currently privately owned but which would be a priority for the Town to purchase, were it to become available. This table lists 26 parcels comprising a total of 61 lots identified by an Assessor ID number. These parcels were identified as the priorities by the Conservation Commission, Planning Board, Board of Health and Agriculture Commission amongst others. The parcel at 311 Whitcomb Road is not one of those priority parcels. As such, the Finance Committee believes that at this time, with significant capital expenditure ahead, the Town should focus its resources on its obligatory needs (the "must-haves") rather than discretionary items (the "nice-to-haves") and so does not recommend this article.

ARTICLE 2 GENERAL BYLAW AMENDMENT – AMEND DOG LICENSING BYLAW

(Majority vote required)

To see if the Town will vote to amend the Dog Licensing Bylaw by adding the ***bold, italicized*** language and deleting the strikethrough language as follows:

Section 1. All dogs six months or older in the Town of Boxborough shall be licensed by the Town Clerk annually beginning January 1st and not later than ~~March 10~~ ***April 1*** of each calendar year. Upon receipt of payment of the licensing fee, the Town Clerk shall issue a license and a tag. The tag, along with current rabies tag, shall be worn by the dog on a collar or harness when the dog is off its owner***s*** or keeper's property. The License Period shall be January 1 to December 31 of each calendar year.

Section 2. Fees for dog licenses are:

Spayed/Neutered	$10.00
Intact	$15.00
Up to 4 dogs	$25.00
Kennel 5 - 10 dogs	$50.00
Kennel 11+ dogs	$75.00

Section 3. Any person who is the owner or keeper of a dog in the Town of Boxborough and who fails to license said dog by ~~the March 10 deadline~~ ***April 1*** in any year, shall be subject to a penalty of ~~fifty dollars ($50.00)~~ ***twenty-five dollars ($25.00)*** per dog to be payable to the Town Clerk upon demand by the Animal Control Officer – Dogs and Cats, in addition to the license fee. Any penalties collected pursuant to this section shall be deposited into the Dog License Fees Revolving Fund~~ and may be paid to the Animal Control Officer – Dogs and Cats as compensation~~.

Section 4. Any person who by ~~March 20~~ ***May 1*** fails to license a dog which is owned or kept in the Town of Boxborough shall be subject to a penalty of ~~seventy-five dollars ($75.00)~~ ***fifty dollars ($50.00)*** per dog to be payable to the Town upon demand by the Animal Control Officer – Dogs and Cats, in addition to the license fee. Any penalties collected pursuant to this section shall be deposited into the Dog License Fees Revolving Fund~~ and may be paid to the Animal Control Officer – Dogs and Cats as compensation~~.

Section 5. Any person who by ~~March 30~~***June 1*** fails to license a dog which is owned or kept in the Town of Boxborough shall receive a demand from the Animal Control Officer – Dogs and Cats by certified and regular mail for immediate payment of the license fee, one hundred dollars ($100.00) fine per dog and the cost of the postage. Any penalties collected pursuant to this section shall be deposited into the Dog License Fees Revolving Fund~~ and may be paid to the Animal Control Officer – Dogs and Cats as compensation~~. Those who continue to fail to comply with the provisions of this bylaw will have their names turned over to the Boxborough Police for enforcement and possible court action.

Summary

The proposed amendment provides for a more reasonable schedule of deadlines; the April 1 licensing deadline would enable dog owners to participate in annual rabies clinics offered in area communities by the Nashoba Associated Boards of Health. It is proposed to extend the late fee deadlines in order to provide for more sufficient time between the dates. The late fee structure would be reduced to provide for a less onerous incentive for owners to license their dogs. The final proposed change would eliminate payment of late fees to the Dog Officer – Dogs and Cats. When the bylaw was initially adopted, penalties were paid to the Dog Officer to help compensate the position for being underpaid. The position is now fairly compensated; additionally, it is the Town Clerk's office that collects the fines and responds to citizens' concerns.

The Board of Selectmen recommends unanimously (5–0).

The Selectmen are in support of the proposed amendment to the Dog Licensing Bylaw as outlined in the summary. Additionally, as the Animal Control Officer serves as a fully compensated town employee providing regional animal control services to three towns, it is appropriate for all fines and fees be collected by the Town Clerk.

The Finance Committee recommends unanimously (7-0).

The Finance Committee believes the recommended changes to the fine structure in the dog licensing bylaw are reasonable and appropriate, as recommended by the Board of Selectmen, and for the reasons the Board has stated. There should be no significant financial impact on the Town should the amendment pass.

ARTICLE 3 PAYMENT OF PRIOR FISCAL YEAR BILLS

(Nine-tenths vote required)

To see if the Town will vote to transfer from Free Cash the sum of Five Hundred Forty-eight Dollars ($548) more or less, for the purpose of paying prior fiscal year bills: 1) $148 to United Site Services and 2) $400 to Meenmore Condominium Trust c/o Evergreen Management, Inc., or take any other action relative thereto.

Summary

This is a housekeeping article. Funding of a prior year's bill must be approved by Town Meeting.

United Site Services provided portapotties at Flerra Fields and Steele Farm for activities sponsored by the Recreation Commission and had not previously submitted two bills, totaling $148, for payment. There were sufficient funds available to cover both bills when the expenses were incurred, and the bills could have been timely paid had they been submitted promptly. The bills, for FY 2014 and 2015 respectively, were finally submitted to the Town in August 2016.

In May 2016, Meenmore Condominium Trust paid in advance for the use of Town Hall meeting rooms. In September, the Town was notified that the rooms would not be needed for various dates during the period October 2016 – May 2017. The payment of $400 provides a refund of the payment in advance for those unused dates.

The Board of Selectmen recommends unanimously (5–0).

As noted in the summary, this is a housekeeping item, which must be approved by Town Meeting.

The Finance Committee recommends unanimously (7-0).

This article is a result of one vendor reconciling its books after year end close. A second expense is a reimbursement for an advance deposit by a group using town facilities.

ARTICLE 4 AMEND PERSONNEL ADMINISTRATION PLAN

(Majority vote required)

To see if the Town will vote to amend the Personnel Administration Plan, Article VII Hours of Work and Overtime sections 4 and 5 by adding the bold, italicized highlighted language and deleting the highlighted strikethrough language as follows:

Section 4

a. A non-exempt employee, ***EXCLUDING a Per Diem FF/EMT,*** shall be paid at one and one-half (1.5) ***times*** his/her regular rate for work***:***

1. in excess of forty (40) hours ***worked***, ~~or in the case of a Per Diem Firefighter/EMT, fifty (50) hours~~ in one (1) week, ~~and/~~or
2. in excess of eight (8) hours in one (1) day, ~~or in the case of a Per Diem Firefighter/EMT, in excess of his/her shift hours,~~ when required in an emergency or safety threatening situation, ~~and/~~or
3. all work performed on Saturday and Sunday when NOT part of the regularly scheduled workweek.

b. A Per Diem Firefighter/EMT shall be paid at one and one-half (1.5) ***times*** his/her regular rate for work***:***

1. in excess of fifty (50) hours ***worked*** in one (1) week, ~~and/~~or
2. in excess of his/her shift hours, when required in an emergency or safety threatening situation, ~~and/~~or
3. all work performed on Saturday and Sunday when NOT part of the regularly scheduled workweek.

c. An emergency shall be defined as "a situation or occurrence of a serious nature, developing suddenly and unexpectedly, and demanding immediate action."

d. An emergency is deemed to occur when so declared by the Employee's Department Head or governing board, or a designee of the aforementioned individual/board.

Incidental overtime, such as incurred helping a citizen who asked for service late in the day, should be compensated with an equal amount of time arriving late or leaving early another day during the same week.

All overtime must be pre-approved by the Department Head or designee.

Overtime shall be equitably distributed among personnel in each department who ordinarily perform such related work in the normal course of their work week. Employees who are offered overtime work and refuse will be credited with having had their turn.

Section 5

In lieu of the overtime compensation provided in Section 4, a regular full-time employee may receive paid time off at the rate of 1.5 times each ***overtime*** hour ~~worked in excess of forty hours during any pay week,~~ provided that:

a. The employee secured the approval thereof of the employee's Department Head.

b. In the event that an employee gives the Department Head notice, at least four weeks in advance, of the time that the employee wishes to take, the Department Head shall approve such request, unless at the Department Head's sole discretion, an emergency exists. In the event said notice shall be given less than four weeks in advance, the Department Head may deny such request so long as the Department Head's decision is not unreasonable.

No employee may take more than five days off in lieu of compensation during any fiscal year.

Or take any other action relative thereto.

Summary

The amendment to Article VII, section 4 and 5 of the Town's Personnel Plan is a housekeeping item, which is intended to clarify an ambiguity that was created in 2009 when language concerning Per Diem Firefighters/EMTs was added. Because Per Diem Firefighters/EMTs work shifts of varying hours (generally 10/14 hours) and not eight hours in a day, it had been recommended to and was approved by Town Meeting in 2009 to amend the second item in section 4. The modifying clause, "when required in an emergency or safety threatening situation" was meant to apply to **all** non-exempt employees. However, the manner in which the voted amendment was transcribed into the Personnel Plan provided for an ambiguous interpretation. Separating Section 4 into parts a. and b. as proposed above will provide for clarity. Parts c. and d. are being proposed to define the term "emergency" as well as to state whose responsibility it is to so declare.

The proposed revision to section 5 will provide for consistency between the payment of overtime compensation described in section 4 with paid time off in lieu of such payment further described in section 5.

The Board of Selectmen recommends (4-0-1).

[Selectman Stemple recused himself from the discussion and abstained from voting because he also serves as a Per Diem Firefighter/EMT].

The Selectmen support the proposed amendment to the Personnel Plan because it clarifies language that could be ambiguously interpreted.

The Finance Committee defers its recommendation to Town Meeting.

The Finance Committee was unable to schedule a meeting to discuss this late addition to the warrant prior to the warrant going to press.

ARTICLE 5 AMEND FY2017 BUDGET – POLICE DEPARTMENT AND EMPLOYEE BENEFITS
(Majority vote required)

To see if the Town will vote to transfer from Free Cash the sum of Nine Thousand Dollars ($9,000), more or less, for the purpose of funding the expenses and employee benefits associated with the hiring of a full-time police officer; or take any other action relative thereto.

Line Item	Account Name	Appropriated at ATM 5/9/16	Proposed Increase/Decrease	Total FY 17 Allocation
210	Total Salaries – Police	$1,063,333	<$4,517>	$1,058,816
210	Total Other – Police	$144,740	$4,517	$149,257
210	Total Police	1,208,073	0	1,208,073
915	Total Other – Employee Benefits	$677,800	$9,000	$686,800
Net amount required to transfer from free cash			**$9,000**	

Or take any other action relative thereto.

The Board of Selectmen recommends unanimously (5-0).
The Selectmen support this article for the reasons noted in the Finance Committee's recommendation below.

The Finance Committee recommends (5-0).
The Finance Committee believes this article will significantly reduce the police overtime budget, alleviate staff fatigue, and decrease the likelihood of future Reserve Fund Transfers (RFT's) pertaining to overtime. Over the past three years, the overtime budget has been on average 42% over budget. This is due to staff shortages and major investigations, which resulted in forced overtime. In order to more effectively manage the overtime budget and staffing, the Finance Committee recommends you vote in favor of this article.

ARTICLE 6 REPAIRS TO FLERRA FIELD PLAYGROUND

(Majority vote required)

To see if the Town will vote to transfer from Free Cash the sum of Ten Thousand Dollars ($10,000) more or less, for the purpose of replacing two slides, installing wood chips and placing a sign at Flerra Field playground, or take any other action relative thereto.

Summary

The playground equipment at the Flerra Field playground has been in the state of disrepair. On October 12, the playground was inspected by the Town's insurer in accordance with U.S. Consumer Product Safety Commission and American Society for Testing and Materials. The inspector noted several areas of concern and among the actions recommended were: 1) the replacement of two cracked sliding boards that could quickly splinter causing more serious safety hazards, 2) the installation of an additional six inches of wood chips (engineered wood fiber) to ensure appropriate impact attenuation and 3) the posting of a sign listing rules and age appropriateness of the playground (2 yrs to 12 yrs).

This article would provide the funding necessary to remedy the existing hazards and bring the playground into compliance.

The Recreation Commission recommends unanimously.

The Recreation Commission unanimously supports this warrant article to bring the structure and surrounding area of the playground up to proper safety code. As an asset to the community and the only play structure owned by the Town, it is imperative that we maintain it for the youth and families of our community.

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

The playground equipment at Flerra Field was donated to the Town approximately 16 years ago by a group of parents known as the Boxborough Family Network. It is the only playground in town under the care, custody and control of the Town. (There is a small playground located at the Blanchard School). Over the years, the equipment at Flerra Field has seen heavy use and as a result requires some critical maintenance. The Board of Selectmen supports the maintenance of the playground equipment to ensure the safety and wellbeing of the children in the community who use the playground.

The Finance Committee recommends (5-0).

The play structures at the Flerra Field playground are in desperate need of repair, imposing safety hazards for the users of the structure. This warrant article will not only fix the damaged parts of the play structure; it will also bring the playground into accordance with standard safety regulations as established by the U.S. Consumer Product Safety Commission.

ARTICLE 7 PILOT AGREEMENT FOR SOLAR PHOTOVOLTAIC FACILITY

(Majority vote required)

To see if the Town will vote to authorize the Board of Selectmen: (i) to enter into an agreement for "payments in lieu of taxes" pursuant to M.G.L. c. 59, s. 38H(b), or any other enabling authority, for personal property taxes attributable to a solar photovoltaic energy facility to be installed on certain property located in the Town of Boxborough and shown on Assessor's Map 13 as Lot 021, for a term of years and on such terms and conditions as the Board of Selectmen deems in the best interests of the Town, and (ii) to take all actions necessary or appropriate to administer and implement such agreement; or take any other action relative thereto.

Summary

This article will enable the Board of Selectmen to enter into a payment in lieu of taxes (PILOT) agreement with the developer of a solar photovoltaic facility – a carport – at 1300 Massachusetts Avenue. The agreement will provide both the company and the Town with tax stability over the term of the agreement.

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

The Finance Committee recommends unanimously (7-0).

The Finance Committee believes this article is a great opportunity to generate revenue for the Town. By authorizing the Board of Selectmen to enter into a PILOT (payment in lieu of taxes) agreement with the developer of the solar facility at 1300 Mass Ave, the Town will be creating an additional stream of revenue that was not previously available. In addition, approval of this article will also set a precedent for future like developments, further giving the Town an opportunity to expand revenue streams. As a result, FinCom supports this article.

ARTICLE 8 ACCEPT PROVISIONS OF SECTION 60 OF THE ACTS OF 2016 TO ESTABLISH AN INJURED ON DUTY (IOD) FUND FOR POLICE AND FIRE

(Majority vote required)

To see if the Town will vote to accept Section 60 of the Acts of 2016, An Act Modernizing Municipal Finance and Government, or take any other action relative thereto.

Summary

Acceptance of this section, which amends Section 111F of Chapter 41 of Massachusetts General Laws would allow the Town to establish, appropriate money to and expend from a special injury leave indemnity fund for payment of police officer and firefighter injury leave compensation or medical bills, as well as provide for replacement staff for those injured employees. Previously, insurance proceeds were not available to be expended; therefore, if the departmental budget was insufficient to meet the additional costs attributable to injured on duty leave, a transfer from the reserve fund was required.

The Board of Selectmen recommends (4-0-1).

[Selectman Stemple recused himself from the discussion and abstained from voting because he also serves as a Per Diem Firefighter/EMT].

When Police Officers or Firefighters are injured on duty the Town is obligated to continue their salaries and pay certain medical expenses until they return to active duty. In addition, their shifts must be covered through the use of regular personnel at overtime rates, or through per diem firefighters or special police officers. The net result is an unexpected and potentially significant increase in the salary budget(s), typically necessitating a Reserve Fund transfer to supplement the salary budgets. The Town's indemnity insurance coverage can often provide substantial reimbursement for salary and medical expenses, but in the past, insurance proceeds had to be deposited to the General Fund before being appropriated to salaries or expenses. This normally could not take place before the next Town Meeting. By adopting this section of the General Laws, the town will have immediate access to insurance proceeds, streamlining and simplifying operations, and reducing reliance on the reserve fund.

The Finance Committee recommends unanimously (7-0).

The Finance Committee believes that the change to MGL is a benefit to Boxborough though we believe it doesn't go far enough. This article allows the Town to create a fund that will cover the police and fire departments when personnel are out for extended periods of time. In the past the departments' budgets were hit for double charges to cover the injured personnel and for temporary replacements. The Town is now able to create a fund that rolls over from year to year. This fund will allow the Town to cover unforeseen expenses due to injury to firefighters or police personnel. Monies can be appropriated to and insurance proceeds can be deposited into the fund; over time unused funds no longer deemed to meet the purpose of the fund or required for expenses in the foreseeable future may be released to the general fund.

ARTICLE 9 MUNICIPAL FACILITIES SPACE NEEDS CONSULTANT

(Majority vote required)

To see if the Town will vote to transfer from Free Cash the sum of Fifteen Thousand Dollars ($15,000), more or less, and further to transfer the unexpended balance of monies in Article 21A of the 2015 Annual Town Meeting in the amount of Seven Thousand Six Hundred Forty-eight Dollars and Ninety Cents ($7,648.90), more or less, for the purpose of procuring the services of a consultant to assist in adapting the previous analysis and to advise the Boxborough Building Committee (BBC) on space needs and site/building options, or take any other action relative thereto.

The Board of Selectmen recommends (5-0).

The Board of Selectmen has approved a charter for the Boxborough Building Committee (BBC); members have been appointed. The BBC will examine the facilities needs for the Police, Fire and Public Works departments. Funds from this article will be used to hire consultants to help the committee gather and analyze information, and advise on the possibilities for use of existing facilities. The requirements for any potential land acquisition will be quantified.

Although a great deal has been accomplished through study of the needs for Police and Fire, much remains to be done to develop a comprehensive plan that will enjoy broad community support. The goal of the BBC is to bring a recommendation to annual town meeting in May 2017 on a plan to move forward balancing and prioritizing the needs of all three departments. The BBC will need to move quickly. The Selectmen ask you to support this Article to provide them the expert help and consultation they need.

The Boxborough Building Committee (BBC) recommends unanimously (7-0).

The Finance Committee defers its recommendation to Town Meeting.

The Finance Committee was unable to schedule a meeting to discuss this late addition to the warrant prior to the warrant going to press.

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

Hereof, fail not deliver these warrants with your return of service thereon to the Town Clerk on or before November 28, 2016.

Leslie R. Fox, Chairman
Board of Selectmen

11/7/16

Susan M. Bak, Clerk
Board of Selectmen

Vincent M. Amoroso
Board of Selectmen

Richard M. Barrett
Board of Selectmen

Robert T. Stemple
Board of Selectmen