

**ANNUAL TOWN MEETING
MAY 10, 2005**

Voters of the Town of **Boxford** met at the **Masconomet High School** on Tuesday, May 10, 2005. Before calling the meeting to order Jerry Johnston presented his "**Moderator Award**" to an outstanding citizen. **Nancy Merrill** was this year's honoree.

Moderator Johnston called the Annual Town Meeting to order at 8:07 p.m. **The articles of the Warrant were disposed of accordingly.**

ARTICLE 1. To receive and place on file the reports of the Town Officers and Committees without ratification of any action taken or authorization of any action proposed; or take any other action thereon.

*Upon motion made and duly seconded, it was **VOTED, by unanimous voice vote, to place on file the reports of the Town Officers and Committees** without ratification of any action taken or authorization of any action proposed.*

ARTICLE 2. To see if the Town will authorize the establishment of the following **revolving accounts** as authorized by Chapter 44, § 53E^{1/2} of the Massachusetts General Laws, contingent upon an annual report to the Town on the total receipts and expenditures of each account for each fiscal year:

- 1) **Recycling Revolving Account** under the direction of the Board of Health and used for the deposit of receipts and fees collected on recyclable materials; said recyclable materials to be determined by a joint vote of the Board of Health and Recycling Committee and to be in compliance with all state health regulations; and, further, to allow the Board of Health, or the Recycling Committee, with the approval of the Board of Health, to expend funds not to exceed **\$25,000** for Fiscal Year 2006 from said account for the operation and maintenance of the Town Recycling Center;
- 2) **Printing Revolving Account** under the direction of the Board of Selectmen and used for the deposit of receipts and fees collected on the sale of printed official documents as required by law by several of the elected and appointed committees, commissions, and boards as well as legal advertisements which are reimbursed to the Town; and further to allow the Board of Selectmen to expend funds not to exceed **\$10,000** for Fiscal Year 2006 from said account for the costs to the Town for printing supplies, equipment and reimbursable advertising;
- 3) **Library Photocopy Machine Revolving Account** under the direction of the Board of Library Trustees and used for the deposit of receipts collected through public use of the photocopy machines at both the Boxford Village and West Boxford libraries; and further to allow the Board of Library Trustees to expend fees not to

exceed **\$5,000** for fiscal year 2006 from said account for ongoing supplies and maintenance of the copy machines, and purchase of other library supplies;

4) **Conservation Revolving Fund** under the direction of the Conservation Commission and used for the deposit of receipts collected through fees, including fees collected from applications related to the Town of Boxford Wetlands Protection Bylaw, by direction of the Conservation Commission and further to allow the Conservation Commission, with the written approval of the Selectmen, to expend fees not to exceed **\$50,000** for fiscal year 2006 from said account for management of land under Conservation Commission control, and for other Conservation Commission expenses approved by a majority of the Commission;

5) **Highway Safety Revolving Account** under the direction of the Board Selectmen and used for the deposit of receipts collected through fines assessed against commercial motor vehicles by the Commercial Vehicle Enforcement Unit; and further to allow the Board of Selectmen to expend fees not to exceed **\$10,000** for fiscal year 2006 from said account for the purchase and maintenance of equipment related to highway safety; or take any other action thereon.

Sponsored by the Board of Selectmen
Finance Committee recommends adoption of this article

Upon a motion made and duly seconded, it was VOTED, by unanimous voice vote, to authorize the establishment of the revolving accounts as listed in Article 2 of the warrant as authorized by chapter 44, sec 53E1/2 of the Massachusetts General Laws, contingent upon an annual report to the Town on the total receipts and expenditures of each account for each fiscal year.

ARTICLE 3. To see if the Town will vote to adopt the **Classification Plan and Compensation Plan** for FY 2006, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on page 19 of this warrant; or take any other action thereon.

Sponsored by the Personnel Board
Finance Committee recommends adoption of this article

Upon a motion made and duly seconded, it was VOTED, by unanimous voice vote, to adopt the Classification Plan and Compensation Plan for FY 2006, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on page 19 of this warrant.

ARTICLE 4. To act on the proposed budget and see what sums of money the Town will vote to raise and appropriate, or transfer from available funds, for the use of several departments for fiscal year 2006, to wit: General Government, Finance, Public Safety, Education, Town Maintenance, Health & Human Services, Culture & Recreation, Insurance & Pensions, and all other necessary proper expenses during

said fiscal year; and authorize expenditure of these funds under the direction of the appropriate listed department; or take any other action thereon.

Sponsored by the Finance Committee

Estimate: \$ 22,593,845

Finance Committee recommends adoption of this article

The proposed budget is printed on pages 20 and 21 of this warrant.

NOTE: At this time, we anticipate that **Article 5, 6 and 7** will be offered as a "contingent appropriations." This means that although the appropriation could be approved at the Annual Town Meeting, that appropriation would be fully contingent upon successful passage of the related Proposition 2 1/2 ballot question. Should the override question fail, the appropriation would be rendered null and void, and in the case of **Article 6**, the Masconomet Regional School District budget would be rejected (the district budget must be accepted by at least two of the three member communities).

An amendment to Article 4 was introduced to amend Town Clerk Budget All-Other from \$31,075 to \$31,784 and adjust the total of General Government from \$845,749 to \$850,876. An increase of \$709.00 from FY 2005.

*Upon a motion made and duly seconded, the amendment was **DEFEATED** by unanimous voice vote.*

*Upon motion made and duly seconded the it was **VOTED, unanimous voice vote, to raise the sum of \$22,580,274 and transfer \$13,571 from the "Receipts Reserved for Appropriation-Septic Loan Fund" for a total appropriation of \$22,593,845 for the use of several departments for fiscal year 2006, to wit: General Government, Finance, Public Safety, Education, Town Maintenance, Health & Human Services, Culture & Recreation, Insurance & Pensions, and all other necessary proper expenses during said fiscal year as printed on pages 20 and 21 of the warrant; and authorize expenditure of these funds under the direction of the appropriate listed department.***

ARTICLE 5. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$163,200** for the purposes of additionally funding the Fiscal Year 2006 Elementary School Budget for the fiscal year beginning July 1, 2005, provided that the amount authorized herein shall be contingent upon the vote at the Town election to assess additional real estate and personal property taxes in accordance with the provisions of **Proposition 2 1/2**, so called; or take any other action thereon.

**Sponsored by the Elementary School Committee
Finance Committee recommends adoption of this article**

*Upon a motion made and duly seconded, it was **VOTED by majority voice vote, to raise and appropriate** the sum of **\$163,200** for the purposes of additionally funding the Fiscal Year 2006 Elementary School Budget for the fiscal year beginning July 1, 2005, provided that the amount authorized herein shall be contingent upon the vote at the Town election to assess additional real estate and personal property taxes in accordance with **the provisions of Proposition 2 ½, so called.***

ARTICLE 6. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$220,000** for the purposes of additionally funding the Fiscal Year 2006 Masconomet Regional School District Assessment, thereby completing the funding required to meet the total assessment and approve the district certified budget, provided that the amount authorized herein shall be contingent upon the vote at the Town election to assess additional real estate and personal property taxes in accordance with the **provisions of Proposition 2 ½, so called;** or take any other action thereon.

**Sponsored by the Masconomet Regional School Committee
Finance Committee recommends adoption of this article**

*Upon a motion made and duly seconded, it was **VOTED by majority voice vote to raise and appropriate** the sum of **\$220,000** for the purposes of additionally funding the Fiscal Year 2006 Masconomet Regional School District Assessment, thereby completing the funding required to meet the total assessment and approve the district certified budget, provided that the amount authorized herein shall be contingent upon the vote at the Town election to assess additional real estate and personal property taxes in accordance with **the provisions of Proposition 2 ½, so called.***

ARTICLE 7. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$63,000** for the purposes of additionally funding the Fiscal Year 2006 department budgets as follows: **Board of Health, \$12,600; Department of Public Works--All Other, \$18,800; Town Clerk-All Other, \$6,000; Computer Management Committee, \$14,400; Building Inspector, \$11,200,** for the fiscal year beginning July 1, 2005, provided that the amount authorized herein shall be contingent upon the vote at the Town Election to assess additional real estate and personal property taxes in accordance with the **provisions of Proposition 2 ½, so called;** or take any other action thereon.

**Sponsored by the Board of Selectmen
Finance Committee recommends adoption of this article**

*Upon a motion made and duly seconded, it was **VOTED by majority voice vote to raise and appropriate** the sum of **\$63,000** for the purposes of additionally funding the Fiscal Year 2006 department budgets as follows: **Board of Health, \$12,600; Department of Public Works-All Other, \$18,800; Town Clerk-All Other, \$6,000; Computer Management Committee, \$14,400; Building Inspector, \$11,200,** for the fiscal year beginning July 1, 2005, provided that the amount authorized herein shall be contingent upon the vote at the Town election to assess additional real estate and personal property taxes in accordance with the **provisions of Proposition 2 ½**, so called.*

ARTICLE 8. To see if the Town of Boxford will approve the establishment of a stabilization fund by the Masconomet Regional School District, beginning July 1, 2005, under **M.G.L. Chapter 71, Section 16G ½**, or to take any other action thereon.

Sponsored by the Masconomet Regional School District Committee

**Finance Committee recommends adoption of this article
Capital Budgeting recommends adoption of this article**

*Upon a motion made and seconded, it was **VOTED to approve the establishment of a stabilization fund** by the Masconomet Regional School District, beginning July 1, 2005, under **M.G.L. Chapter 71, Section 16G ½**.*

ARTICLE 9. To act on the list of proposed capital purchases for FY 2006 and see what sums of money the Town will vote to raise and appropriate, or transfer from available funds, for the use of several departments for fiscal year 2006, and authorize expenditure of these funds under the direction of the appropriate listed department; or take any other action thereon.

Sponsored by the Board of Selectmen

Estimate: \$ 263,100.

Finance Committee recommends adoption of this article

Capital Budget Committee Recommendation: "A" Essential

The proposed capital budget is printed on page 22 of this warrant.

*Upon a motion made and duly seconded, it was **VOTED my unanimous voice vote, to transfer from Free Cash** the sum of \$252,400 and transfer the sum of \$10,700 from the **Overlay Released by the Assessors** for a total appropriation of **\$263,100** to fund the list of capital purchases as shown on page 22 of the warrant, for the use of several departments for fiscal year*

2006, and authorize expenditure of these funds under the direction of the Board of Selectmen.

ARTICLE 10. To see if the Town will vote to set the **annual curbside solid waste collection fee** at **\$2.00** per 32-gallon bag or container (each use); or take any other action thereon

Sponsored by the Board of Health

*Upon a motion made and duly seconded, it was **VOTED by unanimous voice vote** to set the **annual curbside solid waste collection fee** at **\$2.00** per 32-gallon bag or container (each use).*

ARTICLE 11. To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of **\$52,000** to fund an existing retirement bonus benefit equal to 50% of accumulated, but unused sick days available to employees with more than twenty-five years consecutive service with the Town of Boxford, said funds to be expended under the direction of the Board of Selectmen; or take any other action thereon.

Sponsored by the Board of Selectmen

Finance Committee recommends adoption of this article

*Upon a motion made and duly seconded, it was **VOTED unanimous voice vote**, to **transfer from Free Cash** the sum of **\$32,000** and transfer from **Overlay Released by the Assessors** the sum of **\$20,000** for a total appropriation of **\$52,000** to fund an existing retirement bonus benefit equal to 50% of accumulated, but unused sick days available to employees with more than twenty-five years consecutive service with the Town of Boxford, said funds to be expended under the direction of the Board of Selectmen.*

ARTICLE 12. To see if the town will vote to raise and appropriate, or transfer from available funds the sum of **\$35,000** to fund a **feasibility study**, site analysis, environmental review and other expenses as necessary to consider a **new Department of Public Works Office and Garage** on town owned land off Spofford Road, said funds to be expended under the direction of the Board of Selectmen; or take any other action thereon.

Sponsored by the Board of Selectmen

Finance Committee recommends adoption of this article

Capital Budget Committee Recommendation: "A" Essential

*Upon a motion made and duly seconded, it was **VOTED by majority voice vote**, to transfer from **Overlay Released by the Assessors** the*

*sum of \$35,000 to fund a **feasibility study**, site analysis, environmental review and other expenses as necessary to consider a **new Department of Public Works Office and Garage** on town owned land off Spofford Road, said funds to be expended under the direction of the Board of Selectmen.*

ARTICLE 13. To see if the town will vote to raise and appropriate, or transfer from available funds the sum of **\$3,000** to partially fund the **Boxford Cultural Arts Council**, said funds to be expended under the direction of the Boxford Cultural Arts Council; or take any other action thereon.

Sponsored by the Board of Selectmen
Finance Committee recommends adoption of this article

*Upon a motion made and duly seconded, it was **VOTED by unanimous voice vote**, to **transfer from Free Cash** the sum of **\$3,000** to partially fund the **Boxford Cultural Arts Council**, said funds to be expended under the direction of the Boxford Cultural Arts Council.*

ARTICLE 14. To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of **\$2,000** for the purpose of participation in the **Help for Abused Women and their Children (HAWC) program**, said funds to be expended under the direction of the Board of Selectmen; or take any other action thereon.

Sponsored by the Board of Selectmen
Finance Committee recommends adoption of this article

*Upon a motion made and duly seconded, it was **VOTED by unanimous voice vote**, to **transfer from Free Cash** the sum of **\$2,000** for the purpose of participation in the **Help for Abused Women and their Children (HAWC) program**, said funds to be expended under the direction of the Board of Selectmen.*

ARTICLE 15. To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of **\$25,769** for fiscal year 2006 for the **support of the Tri-Town Council on Youth and Family Services, Inc.**, said funds to be expended under the direction of the Board of Selectmen; or take any other action thereon.

Sponsored by Board of Selectmen
Finance Committee recommends adoption of this article

*Upon a motion made and duly seconded, it was **VOTED by majority voice vote**, to **transfer from Free Cash** the sum of **\$25,769** for fiscal year 2006 for the **support of the Tri-Town Council on Youth and Family Services, Inc.**, said funds to be expended under the direction of the Board of Selectmen.*

ARTICLE 16. To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of **\$175,000** to fund the **Reserve Fund**, said funds to be expended under the direction of the Finance Committee; or take any other action thereon.

Sponsored by the Finance Committee
Finance Committee recommends adoption of this article.

*Upon a motion made and duly seconded, it was **VOTED by unanimous voice vote, to transfer from Free Cash** the sum of \$100,000, and transfer from the **Overlay Released by the Assessors** the sum of \$75,000, for a total appropriation of **\$175,000** to fund the **Reserve Fund**, said funds to be expended under the direction of the Finance Committee.*

ARTICLE 17. To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of **\$10,000** to replenish the **Town Unemployment Fund**, said funds to be expended under the direction of the Board of Selectmen; or take any other action thereon.

Sponsored by the Board of Selectmen
Finance Committee recommends adoption of this article

*Upon a motion made and duly seconded, it was **VOTED by unanimous voice vote to transfer from Free Cash** the sum of **\$10,000** to replenish the **Town Unemployment Fund**, said funds to be expended under the direction of the Board of Selectmen.*

ARTICLE 18. To see if the Town will vote to appropriate or reserve from the **Community Preservation Fund** annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, debt service, community preservation projects and other expenses in fiscal year 2006, with each item to be considered a separate appropriation:

Appropriations:

From FY 2006 estimated revenues for Sawyer-Richardson	
Open Space Bond expenses	\$263,356
From FY 2006 estimated revenues for Committee	
Administrative Expenses	<u>42,000</u>
	\$305,356

Reserves:

From FY 2006 estimated revenues for Historic	
Resources Reserve	84,000
From FY 2006 estimated revenues for Community	
Housing Reserve	<u>84,000</u>
	\$168,000

**Sponsored by the Community Preservation Committee
Finance Committee recommends adoption of this article**

*Upon a motion made and duly seconded, it was **VOTED by unanimous voice vote to appropriate and reserve from the Community Preservation Fund** annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, debt service, community preservation projects and other expenses in fiscal year 2006, with each item to be considered a separate appropriation:*

Appropriations:

From FY 2006 estimated revenues for Sawyer-Richardson Open Space Bond expense	\$263,356
From FY 2006 estimated revenues for Committee Administrative Expenses	\$42,000

Reserves:

From FY 2006 estimated revenues for Historic Resources Reserve	\$ 84,000
From FY 2006 estimated revenues for Community Housing Reserve	<u>\$ 84,000</u>
	\$473,356

ARTICLE 19. To see if the Town will vote to appropriate **\$35,000** from the Historic Resources Reserve of the Community Preservation Fund **to fund the Council on Aging's project for the rehabilitation of the air conditioning, ventilation and electrical systems at the historic Boxford Community Center;** said funds to be expended under the direction of the Community Preservation Committee; or take any other action thereon.

**Sponsored by the Community Preservation Committee
Finance Committee recommends adoption of this article
Capital Budget Committee Recommendation: "C" Low Priority**

*Upon a motion made and duly seconded, it was **VOTED by unanimous voice vote to appropriate \$35,000** from the Historic Resources Reserve of the Community Preservation Fund **to fund the Council on Aging's project for the rehabilitation of the air conditioning, ventilation and electrical systems at the historic Boxford Community Center;** said funds to be expended under the direction of the Community Preservation Committee.*

ARTICLE 20. To see if the Town will vote to appropriate \$102,300 from the Undesignated Community Preservation Fund balance to fund the Recreation Committee's creation of two new public tennis courts in place of the old at the Police Station, and the creation of a new ball field in place of the old at Spofford Pond School, including the installation of an irrigation system to preserve said field and Johnson Field; said funds to be expended under the direction of the Community Preservation Committee; or take any other action thereon.

**Sponsored by the Community Preservation Committee
Finance Committee recommends adoption of this article
Capital Budgeting Committee Recommendation: "B" High Priority**

Upon a motion made and duly seconded, it was VOTED by majority voice vote, to appropriate \$102,300 from the Undesignated Community Preservation Fund balance to fund the Recreation Committee's creation of two new public tennis courts in place of the old at the Police Station, and the creation of a new ball field in place of the old at Spofford Pond School, including the installation of an irrigation system to preserve said field and Johnson Field; said funds to be expended under the direction of the Community Preservation Committee.

ARTICLE 21. To see if the Town will vote to appropriate \$40,000 from the Historic Resources Reserve of the Community Preservation Fund and \$84,000 from the FY 2006 estimated revenues for Historic Resources Reserve for a total appropriation of \$124,000 to fund the Board of Library Trustees' project for the rehabilitation of the moisture damaged basement and foundation of the historic Gardner A. Morse School (now the West Village Library); said funds to be expended under the direction of the Community Preservation Committee; or take any other action thereon

**Sponsored by the Community Preservation Committee
Finance Committee recommends adoption of this article
Capital Budgeting Committee Recommendation: "A" Essential**

Upon a motion made and duly seconded, it was VOTED by majority voice vote to pass over Article 21.

Upon a motion made and duly seconded it was VOTED by majority voice vote to adjourn Annual Town Meeting at 10:37 p.m. and to a time and place certain, namely, Wednesday, May 11, 2005 at 7:30 p.m. at the Masconomet Regional High School Auditorium, 20 Endicott Road, Boxford, MA.

Voters present for first night 240. Counter and checkers appointed by Town Clerk, Patricia Shields.

Second night of Boxford's Annual Town Meeting was called to order by Moderator, Jerry Johnston, at 7:32 p.m.

ARTICLE 22. To see if the Town will authorize the Selectmen to grant a conservation restriction to BTA/BOLT, Inc. on a 4.35 acre town owned parcel known as "Round Top Parcel", identified on the records of the Boxford Assessors as Map 25, Block 2, Lot 10, further described as Lot 21 as shown on a plan entitled, "Plan of Land Belonging to Harlan P. Kelsey, Inc., Situated in Boxford, MA", dated February 11, 1955, recorded with the Registry of Deeds, Plan Book 86, Plan 51, and authorize the Selectmen to enter into any and all agreements and execute any and all documents necessary to affect said grant, or take any other action thereon.

Sponsored by the Historical Commission

An amendment to the motion to PASSOVER (Article 22) was made and duly seconded, it was VOTED by majority voice vote to DEFEAT this motion.

Upon a motion made and duly seconded it was VOTED by hand count (169 YES and 45 NO) a greater than 2/3 vote to authorize the Selectmen to grant a conservation restriction to BTA/BOLT, Inc. on a 4.35 acre town owned parcel known as "Round Top Parcel", identified on the records of the Boxford Assessors as Map 25, Block 2, Lot 10, further described as Lot 21 as shown on a plan entitled, "Plan of Land Belonging to Harlan P. Kelsey, Inc., Situated in Boxford, MA", dated February 11, 1955, recorded with the Registry of Deeds, Plan Book 86, Plan 51, and authorize the Selectmen to enter into any and all agreements and execute any and all documents necessary to affect said grant.

ARTICLE 23. To see if the Town will vote to accept the following roads described below, **as public ways**, including any appurtenant easements and to authorize the Board of Selectmen to acquire any necessary easements by gift; said plans on file with the Town Clerk:

Bayns Hill Road in its entirety, from Station 0+00 to Station 14+21.15 as shown on a plan entitled, "Definitive Plan Bayns Hill Subdivision in Boxford, Massachusetts", prepared for Mackinnon Real Estate Trust, dated September 20, 1995, by Hancock Survey Associates, Inc. and recorded in Essex South Registry of Deeds; or take any other action thereon.

Sponsored by the Planning Board

Upon a motion made and duly seconded, it was VOTED by majority voice vote to PASSOVER Article 23.

ARTICLE 24. To see if the Town will vote to amend the Zoning Bylaw by adding a new section:

§ 196-29. Driveways.

A. Driveways for detached single-family houses – shall comply with the following:

1. Layouts and configurations shall avoid excessive curves and slopes to provide optimal safety.
2. To the extent possible, the driveway shall be aligned at ninety degrees (90°) to the public way.
3. All driveway locations, layouts, proposed slopes, drainage and associated improvements, shall be shown on a plan, stamped by a professional engineer, submitted with the subdivision plans or ANR plans, and shall be reviewed and approved by the Boxford Planning Board, Fire and Police Chiefs, and the Superintendent of the Department of Public Works (DPW).
4. The driveway layout plan shall be submitted to and approved by the Building Inspector.

B. Individual driveways shall meet the following standards:

1. All driveways shall have a finished width no less than nine feet (9').
2. Maximum slopes (measured along the centerline) – 12% at any point; except the first 25' in from the public way shall have a maximum slope of 3%; slopes over 12% shall require a special permit from the Zoning Board of Appeals. The Planning Board shall require paving on any slopes over 8%.
3. The rate of post-development runoff shall not exceed the rate of pre-development runoff.
4. The DPW Superintendent and Fire Chief may impose other conditions at their discretion to ensure safe access to the public way and to prevent any damage or dangerous situation(s) because of drainage, icing, etc. onto public roads.

C. Shared Driveway Standards – shall conform to all the regulations pertaining as set forth in Subsections B(1) through (4), hereof and § 196-13B (11)(m), plus the following:

1. The shared driveway shall not enter the roadway at a point separated by less than one hundred feet (100') from any other driveway or intersection, centerline to centerline.
2. The shared driveway shall have a finished width no less than twelve feet (12') plus a one foot (1') shoulder on either side.

or take any other action thereon

Sponsored by the Planning Board and Fire Chief

Upon motion made and duly seconded, it was VOTED by majority voice vote to defeat the amendment to modify Article #24, as follows to remove section C1 and remove the designation C2.

Upon motion made and duly seconded, it was VOTES by majority voice vote to Pass Over Article #24.

ARTICLE 25. To see if the Town will vote to amend §196-24 (D) (2) (a) **Minimum width of lot** of the Zoning Bylaw to now read (new language shown in bold):

“Each lot for residential use in an R-A Residence-Agricultural District shall contain a minimum diameter area of 200 feet within which any dwelling shall be built, **which dwelling shall conform** to all setback and other provisions of this by-law. The diameter area of 200 feet shall be designated on any plans for the lot **and need not conform to the said setback provisions:** or to take any other action thereon.

Sponsored by the Planning Board

*Upon a motion made and duly seconded it was VOTED by unanimous voice vote to amend §196-24 (D) (2) (a) **Minimum width of lot** of the Zoning Bylaw to now read:*

“Each lot for residential use in an R-A Residence-Agricultural District shall contain a minimum diameter area of 200 feet within which any dwelling shall be built, **which dwelling shall conform** to all setback and other provisions of this by-law. The diameter area of 200 feet shall be designated on any plans for the lot **and need not conform to the said setback provisions.**

ARTICLE 26. To see if the Town will vote to amend the Zoning Bylaws §196-13 C “Accessory Apartments in Residence Districts” and change the language in paragraph (3) Apartment Size and add a new paragraph (9) as shown below (new language shown in bold and deleted language shown with strikethrough):

(3) Apartment size. The ~~maximum floor size~~ **gross floor area** for an accessory apartment shall not exceed the lesser of

(a) 1,000 square feet; or

(b) 25% of ~~the habitable area~~ **gross floor area** of the **sum total of the two dwelling units, principal dwelling** as determined at the time of the special permit request. ~~“Habitable area” is defined as finished, heated living space.~~ **“Gross floor area” shall be defined as the sum of the horizontal areas of floors of a building measured from the exterior face of exterior walls. This includes courts, decks or porches when covered by a roof, or finished portions of basements and excludes garages.**

(9) Under no circumstances shall the accessory apartment be detached from the main dwelling unit.

Sponsored by the Zoning Board of Appeal

*Upon a motion made and duly seconded it was **VOTED by unanimous voice vote** to amend the Zoning Bylaws §196-13 C "Accessory Apartments in Residence Districts" and change the language in paragraph (3) Apartment Size and add a new paragraph (9) to now read:*

(3) Apartment size. The gross floor area for an accessory apartment shall not exceed the lesser of

(a) 1,000 square feet; or

(b) 25% of gross floor area of the sum total of the two dwelling units, as determined at the time of the special permit request. "Gross floor area" shall be defined as the sum of the horizontal areas of floors of a building measured from the exterior face of exterior walls. This includes courts, decks or porches when covered by a roof, or finished portions of basements and excludes garages.

(9) Under no circumstances shall the accessory apartment be detached from the main dwelling unit.

ARTICLE 27. To see if the Town will vote to amend the Zoning Bylaws § 196-6 "**Change Extension or Alteration**" to be re-titled and to now read as follows (new language shown in bold and deleted language shown with strikethrough):

~~196-6 Change, extension or alteration.~~ **Alteration, Reconstruction, Extension or Change.**

~~A. If the Inspect of Buildings finds that the proposed change may have an adverse effect upon an abutter, he may require a special permit.~~

A. Alteration, Reconstruction, Extension or Structural Change to a nonconforming single-family dwelling shall be permitted so long as the alteration, reconstruction, extension or structural changes does not increase the nonconforming nature of the dwelling or result in an increase in footprint, height, or square footage may be permitted on special permit from the Board of Appeals in accordance with the provisions of Article X if the Board of Appeals finds that such extension, alteration or change will not be substantially more detrimental to the neighborhood than the existing nonconforming use.

B. If an alteration, reconstruction (including a voluntary demolition), extension or structural change to a nonconforming single-family dwelling results in an increase in the

nonconformity or an increase in footprint, height or square footage, said alteration, reconstruction, extension or structural change may be permitted on special permit from the Board of Appeals in accordance with the provisions of Article X if the Board of Appeals finds that such extension, alteration or change will not be substantially more detrimental to the neighborhood than the existing nonconforming use.

B.C. Other nonconforming structures or uses may be extended, altered or changed in use on special permit from the Board of Appeals in accordance with the provisions of Article X if the Board of Appeals finds that such extension, alteration or change will not be substantially more detrimental to the neighborhood than the existing nonconforming use.

C.D. Once changed to a conforming use; no structure or use shall be permitted to revert to nonconformity.

Sponsored by the Zoning Board of Appeals

Upon a motion made and duly seconded it was VOTED by unanimous voice vote to PASSOVER (Article 27)

ARTICLE 28. To see if the Town will vote to amend its Bylaws by adding the following section:

Formation and Adoption of An Agricultural Commission

Section 1 Legislative Purpose and Intent

The purpose and intent of this By-law is to state with emphasis the right to farm exists in the Town of Boxford and accorded to all citizens of the Commonwealth under Article 97, of the Massachusetts Constitution, and all state statutes and regulations there under including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9, Chapter 111, Section 125A and Chapter 128 Section 1A. We the citizens of Boxford restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution, ("*Home Rule Amendment*").

The primary intent of this By-law is to form and enable an Agricultural Commission to inform, facilitate, and represent the citizens of Boxford on farming issues. The Boxford Formation and Adoption of An Agricultural Commission does not relax requirements of Town regulations concerning recreational farming. The By-law enables the Town of Boxford to improve communication with its citizens and the Massachusetts Department of Agricultural Resources.

This General By-law encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands

within the Town of Boxford by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This By-law shall apply to all zoning districts within the Town.

Section 2 Definitions

The word "farm" shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial or recreational agriculture, or accessory thereto.

The words "farming" or "agriculture" or their derivatives shall include, but not be limited to the following:

- farming in all its branches and the cultivation and tillage of the soil;
- dairying;
- production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodity;
- growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- keeping, raising, and training of horses as a commercial or recreational enterprise; for pleasure, therapy, and 4-H projects;
- keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), and other domesticated animals for food, recreation, 4-H projects or other agricultural purposes, including bees;

"Farming" shall encompass activities including, but not limited to, the following:

- operation and transportation of slow-moving farm equipment over roads within the Town;
- control of pests, including, but not limited to, insects, weeds, predators and disease organism of plants and animals;
- application of manures, fertilizers and pesticides; composting for producing soil amendments
- conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the agricultural output or services of the farm;
- processing and packaging of the agricultural output of the farm and the operation of a farmer's market or farm stand including signage thereto;
- maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, training, or sale of the agricultural products; and
- on-farm relocation of earth and the clearing of ground for farming operations

***** *The content of the above lists are some of the legal options for commercial farming at the time this By-law was written. Refer to the laws stated in Section 1 for specific details. It should also be***

noted that farmers in the Town of Boxford are stewards of the land and are courteous to their neighbors. This section is NOT allowing recreational farmers the ability to utilize commercial options without following Town and State procedures. Nor does it relax or supersede neighborhood restrictions or covenants. ”

Section 3 Right To Farm Declaration

The Right to Farm is hereby recognized to exist within the Town of Boxford. *The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that what ever impact may be caused to others through the **normal practice** of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this By-law are intended to apply to recreational and commercial agricultural and farming operations and the activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this Formation and Adoption of an Agricultural Commission shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.*

*****“This declaration does not change existing regulation for recreational farming or commercial activities, but declares that there are degrees of activities that are normal in farming and the public should be aware.”**

Section 4 Disclosure Notification

A real estate broker or agent, landowner, or seller of land in Boxford shall provide a copy of the Disclosure Notice below to prospective purchasers or lessees prior to the signing of any contract for sale, lease or transfer of the premise to inform potential buyers, lessees and transferees that Boxford is a farming community. The Agricultural Commission established herein shall provide and distribute copies of the Disclosure Notice below to area real estate broker’s offices and otherwise assist with facilitating the distribution said Notice within the Town of Boxford.

“It is the policy of this community to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within **a town where farming activities may occur.** Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by recreational and commercial agricultural operations

including the ability to access water services for such property under certain circumstances.”

“Buyers or occupants should also note that the Town of Boxford owns extensive parcels of land that may be used for recreational and agricultural purposes. In addition, an extensive trail network on public and private lands exists and connects to most of these Town owned parcels.”

“The Town of Boxford is supportive of farming, dedicated to the preservation of open space, and ardent in preserving its rural charm for future generations.”

This disclosure notification shall be provided via the Town to landowners each fiscal year published in the annual report and on the Town website.

***** *“The disclosure notifies the public, that Boxford is a farming community. It does not encourage offensive behavior, but informs the buyer that there are degrees of agricultural activities that may occur.”***

Section 5 Resolution of Disputes

Any person who seeks to complain about the operation of a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Board of Selectmen, the Zoning Enforcement Officer, or Conservation Commission, or all other Town Commissions and Boards, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Board of Selectmen, Zoning Enforcement Officer, Conservation Commission, or all other Town Commissions and Boards may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within an agreed upon time frame.

The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon time frame.

Farmers seeking assistance, guidance, facilitation, or suggestions on farming issues, may also approach the Agricultural Commission or its agent, which shall review and facilitate whatever processes the Agricultural Commission determines with respect to guidance or suggestions. Issues of grievance, require the Agricultural Commission to notify related Town authorities or all Town authorities of pending concern, depending on the nature of the grievance.

***** "This section seeks to address all citizen complaints or comments in regards to farming, without removal of the existing processes, but rather offering assistance to resolution."**

Section 6 Formation of Commission

The Commission shall consist of five members appointed by the Board of Selectmen. The Commission will consist of **three commercial agricultural enterprise operators** (landowners or lessee) or individuals from related professions and industries, with the primary goal of representation from the commercial farmer. The two remaining positions must be representative of Boxford's recreational farming community. **The Commission must represent diversity of farming within the Town of Boxford.** The initial terms for Commission members shall be staggered: two members for a term of three years, two members for a term of two years and one member for a term of one year. Successive terms will be three year, appointments. An additional five non- voting members shall be selected by the Commission for a term of one year to act as: advisors; representation of citizen concerns; representation of Town boards; representation of town farming not present in the appointed board; representation from clubs or other community activities.

****** "This section seeks representation of diversity of farming and inclusion of community within the Agricultural Commission."***

Section 7 Further Functions of Commission

Said Commission once appointed shall develop a work plan to guide its activities. Such activities include, but are not limited to the following: **shall serve as facilitators for encouraging the pursuit of agriculture in the Town of Boxford; shall determine Commission's meeting schedule; shall promote agricultural-based enterprises; shall act as facilitators, advocates, informers, and/or negotiators on farming issues; shall work for preservation of prime agricultural lands; and shall pursue all initiatives appropriated to creating a sustainable agricultural community, while working with all Town Commissions and Boards to achieve these goals.**

The Agricultural Commission will utilize a section of the Town of Boxford website to provide the citizens of Boxford meeting schedules, resources, agricultural news, promotion of local agricultural products, upcoming agricultural events, and other information pertaining to farming activities in the Town of Boxford and the Commonwealth of Massachusetts.

The appointed Agricultural Commission reserves the right to recommend further members of the Agricultural Commission in the intent to: be representative of diversity and scale of agriculture within the Town of Boxford; encourage next generation farmers; preserve, revitalize, and sustain Boxford's agricultural community; inform the community on the benefits of agriculture; resolve conflicts involving

agriculture; and encourage the preservation of Boxford's rural heritage.

Section 8 Severability Clause

If any part of this By-law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this By-law. The Town of Boxford hereby declares the provisions of this By-law to be severable.

or take any other action thereon.”

***** Note: A brief description or comment on the major content of the indicated sections and not part of the Boxford Agricultural Bylaw.**

Sponsored by Initiative Petition

Historical Commission recommends adoption of this article

An amendment to the motion (as printed in Hand Out) was duly seconded and VOTED by majority hand count to replace Article 28 from warrant.

Replacement Article 28 as follows to form an Agricultural Commission.

ARTICLE 28. To see if the Town will vote to form an Agricultural Commission

Section 1 - Legislative Purpose and Intent

The purpose and intent of this article is to approve the formation of an Agricultural Commission to represent citizens of the Town of Boxford with respect to issues concerning commercial and recreational farming; inform, facilitate, and represent citizens of the Town of Boxford on farming issues; preserve and protect farmland; work with other town boards and commissions; assist or facilitate resolution of farm related problems or conflicts; assist with natural resource management; and establish communication with the Massachusetts Department of Agricultural Resources.

Approval of an Agricultural Commission does not alter requirements of Town, State or Federal statutes, regulations or by-laws.

Section 2 - Definitions The words "farming" or "agriculture" or their derivatives shall include, but not be limited to, the following:

- farming in all its branches and the cultivation and tillage of the soil; production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodity;
- growing and harvesting of forest products upon forest land and any other forestry or lumbering operations;

- keeping, raising, and training of horses as a commercial or recreational enterprise; for pleasure, therapy, and 4-H projects; and
- keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), and other domesticated animals for food, dairying, recreation, 4-H projects or other agricultural purposes, including bees.

Section 3 - Formation of Commission

The Commission shall consist of five members appointed by the Board of Selectmen. The Commission will consist of three commercial agricultural enterprise operators (landowner or lessee) or individuals from related professions and industries, with the primary goal of promoting commercial agriculture. The two remaining positions must be representative of Boxford's recreational farming community. The Commission must represent diversity of farming within the Town of Boxford. The initial terms for Commission members shall be staggered: two members for a term of three years, two members for a term of two years and one member for a term of one year. Successive terms will be three year, appointments. In addition, up to five non-voting associate members shall be selected by the Commission for a term of one year to represent town boards and farming interests.

Section 4 - Resolution of Disputes

Any person aggrieved by an activity being conducted on a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Board of Selectmen, Zoning Enforcement Officer, Conservation Commission, or any other Town commission or board, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies the aggrieved may have. The Board of Selectmen, Zoning Enforcement Officer, Conservation Commission, or any other Town commission or board may forward a copy of the grievance to the Agricultural Commission, which shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within an agreed upon timeframe.

The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Agricultural Commission, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon timeframe.

Farmers seeking assistance, guidance, facilitation, or suggestions concerning farming issues, may also approach the Agricultural Commission, which shall review and facilitate whatever processes the Agricultural Commission determines with respect to guidance or suggestions. Issues of grievance, require the Agricultural Commission to notify appropriate Town authorities, depending on the nature of the grievance.

Section 5 - Further Functions of Commission

The Commission, once appointed, shall develop a work plan and by-laws to guide its activities. Such activities include, but are not limited to, the following: determine Commission's meeting schedule; promote agricultural-based enterprises; establish a notification by-law that the Town of Boxford is supportive of farming, dedicated to the preservation of open space and ardent in preserving its rural charm, to be voted on at town meeting; pursue appropriate initiatives to create a sustainable agricultural community; work for the preservation of prime agricultural lands; serve as facilitators for encouraging the pursuit of agriculture in the Town of Boxford; advocate, and/or negotiate farming issues; work with all Town Commissions and Boards to achieve its goals.

The Agricultural Commission will utilize the Town of Boxford website to provide the citizens of Boxford the meeting schedules, resources, agricultural news, promotion of local agricultural products, upcoming agricultural events, and other information pertaining to farming activities in the Town of Boxford and the Commonwealth of Massachusetts.

The appointed Agricultural Commission reserves the right to recommend further members of the Agricultural Commission with the intent to be representative of the diversity and scale of agriculture within the Town of Boxford.

Or take any other action thereon.

Upon a motion made and duly seconded it was VOTED by majority voice vote to amend Section 3 of replacement Article #28 as follows:

The commission will consist of two commercial agricultural.....

The one position must be representative of Boxford's recreational farming....

The two remaining positions shall be appointed at-large.

Upon a motion made and duly seconded **it was VOTED by majority hand count to accept the formation of an Agricultural Commission.** Article #28 to read as follows:

ARTICLE 28. To see if the Town will vote to form an Agricultural Commission

Section 1 - Legislative Purpose and Intent

The purpose and intent of this article is to approve the formation of an Agricultural Commission to represent citizens of the Town of Boxford with respect to issues concerning commercial and recreational farming; inform, facilitate, and represent citizens of the Town of Boxford on farming issues; preserve and protect farmland; work with other town boards and commissions; assist or facilitate resolution of farm related problems or conflicts; assist with natural resource management; and

establish communication with the Massachusetts Department of Agricultural Resources.

Approval of an Agricultural Commission does not alter requirements of Town, State or Federal statutes, regulations or by-laws.

Section 2 - Definitions The words "farming" or "agriculture" or their derivatives shall include, but not be limited to, the following:

- farming in all its branches and the cultivation and tillage of the soil;
- production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodity;
- growing and harvesting of forest products upon forest land and any other forestry or lumbering operations;
- keeping, raising, and training of horses as a commercial or recreational enterprise; for pleasure, therapy, and 4-H projects; and
- keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), and other domesticated animals for food, dairying, recreation, 4-H projects or other agricultural purposes, including bees.

Section 3 - Formation of Commission

The Commission shall consist of five members appointed by the Board of Selectmen. The Commission will consist of **two commercial agricultural** enterprise operators (landowner or lessee) or individuals from related professions and industries, with the primary goal of promoting commercial agriculture. The **one** remaining positions must be representative of Boxford's **recreational farming community** and the **two remaining positions shall be appointed at-large**. The Commission must represent diversity of farming within the Town of Boxford. The initial terms for Commission members shall be staggered: two members for a term of three years, two members for a term of two years and one member for a term of one year. Successive terms will be three year, appointments. In addition, up to five non-voting associate members shall be selected by the Commission for a term of one year to represent town boards and farming interests.

Section 4 - Resolution of Dispute

Any person aggrieved by an activity being conducted on a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Board of Selectmen, Zoning Enforcement Officer, Conservation Commission, or any other Town commission or board, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies the aggrieved may have. The Board of Selectmen, Zoning Enforcement Officer, Conservation Commission, or any other Town commission or board may forward a copy of the grievance to the Agricultural Commission, which shall review and facilitate the resolution of the

grievance, and report its recommendations to the referring Town authority within an agreed upon timeframe.

The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Agricultural Commission, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon timeframe.

Farmers seeking assistance, guidance, facilitation, or suggestions concerning farming issues, may also approach the Agricultural Commission, which shall review and facilitate whatever processes the Agricultural Commission determines with respect to guidance or suggestions. Issues of grievance, require the Agricultural Commission to notify appropriate Town authorities, depending on the nature of the grievance.

Section 5 - Further Functions of Commission

The Commission, once appointed, shall develop a work plan and by-laws to guide its activities. Such activities include, but are not limited to, the following: determine Commission's meeting schedule; promote agricultural-based enterprises; establish a notification by-law that the Town of Boxford is supportive of farming, dedicated to the preservation of open space and ardent in preserving its rural charm, to be voted on at town meeting; pursue appropriate initiatives to create a sustainable agricultural community; work for the preservation of prime agricultural lands; serve as facilitators for encouraging the pursuit of agriculture in the Town of Boxford; advocate, and/or negotiate farming issues; work with all Town Commissions and Boards to achieve its goals.

The Agricultural Commission will utilize the Town of Boxford website to provide the citizens of Boxford the meeting schedules, resources, agricultural news, promotion of local agricultural products, upcoming agricultural events, and other information pertaining to farming activities in the Town of Boxford and the Commonwealth of Massachusetts.

The appointed Agricultural Commission reserves the right to recommend further members of the Agricultural Commission with the intent to be representative of the diversity and scale of agriculture within the Town of Boxford.

Or take any other action thereon.

ARTICLE 29. To transact any other business that may legally come before said meeting.

*Upon a motion made and duly seconded it was **VOTED by unanimous voice vote to dissolve Boxford's Annual Town Meeting and adjourn.***

The count of registered voters attending second night of Boxford's Annual Town Meeting were 198. Counters and checkers for Annual Town Meeting were appointed by Town Clerk, Patricia Shields.

A True record.

ATTEST:


Patricia Shields, Town Clerk

RAISE AND APPROPRIATE:

Article # 4: Town Budget FY 2006	\$ 22,580,274
Article # 5: Proposition 2 1/2 (Elementary School)	163,200
Article #6: Proposition 2 1/2 (Masconomet High School)	220,000
Article #7: Proposition 2 1/2 (Town Departments)	<u>63,000</u>

TOTAL TO BE RAISED/APPROPRIATED \$23,026,474

APPROPRIATE:

Article #19: CPF (to fund Council on Aging Project)	\$ 35,000
Article # 20: CPF (to fund Recreation Committee's Project)	<u>102,300</u>

TOTAL TO BE APPROPRIATED \$ 137,300

TRANSFERS:

Article #4: From the "Receipts Reserved for Appropriation Septic Loan Fund	\$ 13,571
Article #9: From Free Cash	252,400
Article #9: From Overlay Released by Assessors	10,700
Article #11: From Free Cash	32,000
Article #11: From Overlay Released by Assessors	20,000
Article #12: From Overlay Released by Assessors	35,000
Article #13: From Free Cash (Boxford Cultural Council)	3,000
Article #14: From Free Cash (HAWC)	2,000
Article #15: From Free Cash (Tri-Town Council)	25,769
Article #16: From Free Cash	100,000
Article #16: From Overlay Released by Assessors	75,000
Article #17: From Free Cash (Town Unemployment Fund)	<u>10,000</u>

TOTAL TO BE TRANSFERRED \$579,440

**SPECIAL TOWN MEETING
MAY 10, 2005**

Voters of the Town of Boxford met at the Masconomet High School on Tuesday, May 10, 2005. Moderator Gerald R. Johnston called the Special Town Meeting to order at 7:25 p.m. The Articles of the warrant were disposed of accordingly.

ARTICLE 1. To see if the Town will vote to transfer from available funds, the sum of **\$3,725 to fund the Town's share of a grant received to replace the Fire Department's air tank refill equipment**, said funds to be expended under the direction of the Board of Selectmen; or take any other action thereon.

Sponsored by the Board of Selectmen
Finance Committee recommends adoption of this article

*Upon a motion made and duly seconded, it was **VOTED** by unanimous voice vote **transfer from Free Cash, the sum of \$3,725 to fund the Town's share of a grant received to replace the Fire Department's air tank refill equipment, said funds to be expended under the direction of the Board of Selectmen.***

ARTICLE 2. To see if the Town will vote to transfer from available funds the sum of **\$50,000.00** to supplement and replenish the Fiscal Year 2005 Finance Committee Reserve Fund, said funds to be expended under the direction of the Finance Committee; or take any other action thereon.

Sponsored by the Finance Committee
Finance Committee recommends adoption of this article

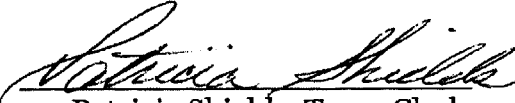
*Upon motion made and duly seconded, it was **VOTED** by majority voice vote to **transfer from the Overlay Released by the Assessors the sum of \$41,300.00** to supplement and replenish the Fiscal Year 2005 Finance Committee Reserve Fund, said funds to be expended under the direction of the Finance Committee.*

ARTICLE 3. To transact any other business that may legally come before said meeting.

*Upon motion made and duly seconded, it was **VOTED** by majority voice vote to **dissolve this Special Town Meeting at 7:25 p.m***

A True record:

ATTEST:


Patricia Shields, Town Clerk

TRANSFERS:

Article # 1: (from Free Cash to fund the Town's share of a grant for Fire Dept. air tank refill equipment)	\$3,725
Article # 2: (from Overlay Released by Assessor to replenish FY 2005 Finance Committee Reserve Fund)	\$41,300
TOTAL TO BE TRANSFERRED:	\$45,025