

TOWN OF BOXFORD
ANNUAL TOWN MEETING MINUTES MAY 8, 2007

Voters of the Town of Boxford met at the Masconomet Regional District High School on Tuesday, May 8, 2007.

Moderator Gerald Johnston awarded to Barbara Ross the “Good Citizen Award” for her years of service to the Town of Boxford as election officer and counter for many Town Meetings.

Annual Town Meeting was called to order @ 8:35pm.

The articles of the warrant were deposed of as follows:

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 a motion made and duly seconded, it was **VOTED** by unanimous voice vote 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.*

ARTICLE 2. To see if the Town will authorize the establishment of the following **revolving accounts** as authorized by Chapter 44, § 53E½ 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 2008 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 2008 from said account for the costs to the Town for printing supplies, equipment and reimbursable advertising;

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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 2008 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 **\$65,000** for fiscal year 2008 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 2008 from said account for the purchase and maintenance of equipment related to highway safety;

6) **Council on Aging Transportation Revolving Account** under the direction of the Council on Aging and used for the deposit of receipts collected through fees collected from users of the Council's transportation equipment; and further to allow the Board of Selectmen to expend fees not to exceed **\$10,000** for fiscal year 2008 from said account for the maintenance of the Council's transportation equipment and other related expenses including driver compensation as may be approved by a majority of the Council on Aging;

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, § 53E½ 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.*

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ARTICLE 3. To see if the Town will vote to adopt the **Classification Plan and Compensation Plan** for FY 2008, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on page 17 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 2008, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on page 17 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 2008, 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: **\$24,921,413**
Finance Committee recommends adoption of this article
The proposed budget is printed on pages 18 and 19 of this warrant.

*Upon a motion made and duly seconded, it was **VOTED** by majority voice vote to raise the sum of **\$24,907,842** and transfer **\$13,571** from the "Receipts Reserved for Appropriation Septic Loan Program," for a total appropriation of **\$24,921,413** for the use of several departments for fiscal year 2008, to wit: for fiscal year 2008, 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.*

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ARTICLE 5. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$57,966 for the purpose of additionally funding the Fiscal Year 2008 North Shore Vocational Regional School District Assessment**, thereby completing the funding required to meet the total assessment and approve the district certified budget, for the fiscal year beginning July 1, 2007, provided that the amount authorized herein shall be contingent upon the vote at a 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 **\$57,966 for the purpose of additionally funding the Fiscal Year 2008 North Shore Vocational Regional School District Assessment**, thereby completing the funding required to meet the total assessment and approve the district certified budget, for the fiscal year beginning July 1, 2007, provided that the amount authorized herein shall be contingent upon the vote at a 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 **\$68,228 for the purpose of additionally funding the Fiscal Year 2008 Masconomet Regional School District Assessment**, thereby completing the funding required to meet the total assessment and approve the district certified budget, for the fiscal year beginning July 1, 2007, provided that the amount authorized herein shall be contingent upon the vote at a 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 District Committee
Finance Committee recommends adoption of this article

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*Upon a motion made and duly seconded, it was **VOTED** by majority voice_vote to raise and appropriate the sum of \$68,228 for the purpose of additionally funding the Fiscal Year 2008 Masconomet Regional School District Assessment, thereby completing the funding required to meet the total assessment and approve the district certified budget, for the fiscal year beginning July 1, 2007, provided that the amount authorized herein shall be contingent upon the vote at a 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 **\$275,732 for the purpose of additionally funding the Fiscal Year 2008 Elementary School Budget** for the fiscal year beginning July 1, 2007, provided that the amount authorized herein shall be contingent upon the vote at a 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 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 \$275,732 for the purpose of additionally funding the Fiscal Year 2008 Elementary School Budget for the fiscal year beginning July 1, 2007, provided that the amount authorized herein shall be contingent upon the vote at a Town election to assess additional real estate and personal property taxes in accordance with the provisions of Proposition 2 ½, so called.*

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ARTICLE 8. To act on the list of proposed capital purchases for FY 2008 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 2008, 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: **\$426,023.00**
Finance Committee recommends adoption of this article
Capital Budgeting Committee Recommendations as noted

The proposed capital budget is printed on page 20 of this warrant.

Amendment to Article # 8 was VOTED by majority voice vote to add the sum of \$6,938 to Free Cash for a total of \$326,023.

Upon a motion made and duly seconded, it was VOTED by majority voice vote to transfer \$326,023 from Free Cash, and transfer \$100,000 from the Overlay Released by the Assessors, for a total appropriation of \$426,023 to fund the list of proposed capital purchases for FY 2008 as shown on page 20 of this warrant, for the use of several departments for fiscal year 2008, and authorize expenditure of these funds under the direction of the appropriate listed department.

ARTICLE 9. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$25,000 to continue feasibility studies for the possible future construction of a new Department of Public Works Office and Garage on town owned property 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 and the DPW Building Committee
Finance Committee recommends adoption of this article
Capital Budgeting Committee to make recommendation at Town Meeting

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*Upon a motion made and duly seconded, it was **VOTED** by majority show of hands to transfer from **Free Cash** the sum of **\$25,000** to continue feasibility studies for the possible future construction of a new **Department of Public Works Office and Garage** on town owned property off **Spofford Road**, said funds to be expended 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 **\$2.50** per 32-gallon bag or container (each use); or take any other action thereon

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

*Upon a motion made and duly seconded, it was **VOTED** by unanimous voice vote to set the **annual curbside solid waste collection fee** at **\$2.50** 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 **\$30,000** to add to the **Unemployment Compensation Fund**, 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 **\$30,000** to add to the **Unemployment Compensation Fund**.*

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ARTICLE 12. To see if the Town will vote to delete paragraphs F, G & H from the Boxford Town Code Chapter 192 Wetlands Protection Bylaw, § 192-4, Application for permits and requests for determination of applicability, (said paragraphs regulate third party consultant review of certain applications) and in compliance with a recent change in State Law, insert the following new chapter:

“Conservation Commission Consulting Fee Bylaw

In accordance with the provisions of M.G.L. Ch. 44, section 53G, the Commission is authorized to promulgate regulations to require an applicant or other person subject to the Commission’s jurisdiction to pay reasonable fees for employment of outside consultants deemed necessary by the Commission to implement the authority conferred upon the Commission under Section 8C of Chapter 40 and Section 40 of Chapter 131 of the Massachusetts General Laws, or the Town’s local wetlands bylaw, and to deposit such fees into a special account for expenditure by the Commission to cover such consulting fees without further appropriation.”

or take any other action thereon.

Sponsored by the Conservation Commission

An amendment to Article #12 was VOTED and passed to add the following words after the last word appropriation above “ and to return unused fees to the applicant.”

Upon a motion made and duly seconded, it was VOTED by majority voice vote to delete paragraphs F, G & H from the Boxford Town Code Chapter 192 Wetlands Protection Bylaw, § 192-4, Application for permits and requests for determination of applicability, (said paragraphs regulate third party consultant review of certain applications) and in compliance with a recent change in State Law, insert the following new chapter:

“Conservation Commission Consulting Fee Bylaw

In accordance with the provisions of M.G.L. Ch. 44, section 53G, the Commission is authorized to promulgate regulations to require an applicant or other person subject to the Commission’s jurisdiction to pay reasonable fees for employment of outside consultants deemed necessary by the Commission to implement the authority conferred upon the Commission

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under Section 8C of Chapter 40 and Section 40 of Chapter 131 of the Massachusetts General Laws, and Section 310 of the Code of Massachusetts Regulations, and the Town's local wetlands bylaw, and to deposit such fees into a special account for expenditure by the Commission to cover such consulting fees without further appropriation and to return unused fees to the applicant."

or take any other action thereon.

Sponsored by the Conservation Commission

Upon a motion made and duly seconded, it was PASSED to adjourn Annual Town Meeting until time certain, namely 7:30 pm Wednesday, May 9, 2007 at the Masconomet Regional School Auditorium, 20 Endicott Road, Boxford, MA. Meeting adjourned @ 10:44pm, total voters for first night 437.

*Night #2 of Annual Town Meeting was called to order by Jerry Johnston, Town Moderator at 7:32pm.
The articles were disposed of as follows:*

ARTICLE 13. To see if the Town will vote to amend §196-13 R-A Residential-Agricultural District of the Zoning Bylaw and add the following new section to read:

"D. Accessory Affordable Housing Program

(1) Introduction. The purpose of this bylaw is to satisfy an immediate need for affordable rental property in the Town of Boxford that meets the guidelines of the Department of Housing and Community Development's ("DHCD") Local Initiative Program for so-called "Local Action Units," pursuant to state regulations: 760 CMR 45.03. This bylaw also provides a means of renting of accessory apartments that are no longer used for family members, as defined in Chapter 196-13C of this Zoning Bylaw. For a proposed unit to be eligible for consideration under this Accessory Affordable Housing Program, it must be a single unit, accessory to an owner-occupied single family dwelling, and comply with the following requirements.

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(2) Special Permit. A special permit from the Board of Appeals shall be required for an accessory affordable apartment and the applicant shall show to the satisfaction of the Board of Appeals that the applicant has complied with or will comply with the requirements set forth in (3), below.

(3) Eligibility of Accessory Affordable Apartments.

- a. The accessory affordable apartment must be part of the primary residence structure of the property owner and the primary living area of the residence may not be rented. The accessory affordable apartment must conform to the Boxford Code Chapter 196-13C, "Accessory apartments in residence districts," items (2) through (7). All parking for the accessory apartment must be on site and off street.
- b. In keeping with the rural character of Boxford and the original intent of the accessory apartments, only single-bedroom accessory affordable apartments may be rented to a maximum of 2 people.
- c. The owner must demonstrate that all the documentation is on file with the Town to show that the accessory affordable apartment meets the requirements of Chapter 196-13C, items (2) through (7).
- d. The owner(s) shall cooperate with all requirements for Local Action Units pursuant to state regulation.
- e. A condition of granting a special permit by the Board of Appeals shall be the execution by the owner(s) of a written regulatory agreement and declaration of restrictive covenants, in form approved by Boxford Town Counsel, with the Town detailing the terms and conditions stated herein. Said regulatory agreement and declaration of restrictive covenants shall further provide that for as long as the special permit remains in effect, the property shall be subject to the terms, conditions and restrictive covenants contained therein.
- f. Said regulatory agreement with the Town shall provide that upon receipt by the owner(s) of a special permit from the Board of Appeals, the owner(s) shall execute and record in the Essex South District Registry of Deeds or file with the Registry District of the Land Court forthwith said regulatory agreement and declaration of covenants.
- g. The special permit issued under this Chapter 196-13D and all associated liabilities shall be binding on all the executors, administrators, heirs, successors and assigns of the permittee unless and until the special permit is either revoked, lapses or is otherwise ruled invalid.
- h. The owner(s) shall agree that if the owner(s) receives a special permit, the accessory affordable apartment may be rented only to a person 18 years of age or older selected from a list of eligible households that the local regulatory authority has generated, whose combined annual income is 80% or less than the Lawrence Metropolitan Statistical Area median income and whose assets do not exceed the amount set forth pursuant to DHCD's Local Initiative Program Guidelines. Accessory affordable apartments permitted under this Chapter 196-13D shall be rented on an open and fair basis.

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- i. The owner(s) further agree that the rent (including utilities and any services) shall not exceed 30% of 80% of area median income for a household of two, or such lesser amount as may be required by 760 CMR 45.03.
- j. The owner(s) shall require the tenant to sign an agreement, in form approved by Boxford Town Counsel, outlining the income restrictions for continued tenancy and limits to the number of occupants.”

or take any other action thereon.

Sponsored by the Planning Board

Amendment to Article #13 was VOTED by a greater than 2/3 voice vote to change the wording in section 196-13d (3) (b) from “maximum of 2 people” to read “maximum of 2 adults.”

Second Amendment to Article #13 was VOTED by majority voice vote to grammatically correct Section 196-13RA Zoning By Laws as follows:

- 3a) Add a comma after property owner in second line and before and.*
- 3b) Replace “may be rented to a maximum” with may be rented and maximum occupancy shall be 2 adults.*
- 3e) Fifth line in (e) insert comma after the word (that).*
- 3f) First line in (f) insert comma after (that).*
- 3h) Second line in (h) a person add (or persons).*

Upon a motion made and duly seconded, it was VOTED by a greater than 2/3 hand count of 208 Yes to 64 No to amend §196-13 R-A Residential-Agricultural District of the Zoning Bylaw and add the new section: “D. Accessory Affordable Housing Program” as printed in the handout distributed to all voters at this meeting.

“D. Accessory Affordable Housing Program

(1) Introduction. The purpose of this bylaw is to satisfy an immediate need for affordable rental property in the Town of Boxford that meets the guidelines of the Department of Housing and Community Development’s (“DHCD”) Local Initiative Program for so-called “Local Action Units,” pursuant to state regulations: 760 CMR 45.03. This bylaw also provides a means of

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renting of accessory apartments that are no longer used for family members, as defined in Chapter 196-13C of this Zoning Bylaw. For a proposed unit to be eligible for consideration

under this Accessory Affordable Housing Program, it must be a single unit, accessory to an owner-occupied single family dwelling, and comply with the following requirements.

(2) Special Permit. A special permit from the Board of Appeals shall be required for an accessory affordable apartment and the applicant shall show to the satisfaction of the Board of Appeals that the applicant has complied with or will comply with the requirements set forth in (3), below.

(3) Eligibility of Accessory Affordable Apartments.

*a. The accessory affordable apartment must be part of the primary residence structure of the **property owner**, and the primary living area of the residence may not be rented. The accessory affordable apartment must conform to the Boxford Code Chapter 196-13C, "Accessory apartments in residence districts," items (2) through (7). All parking for the accessory apartment must be on site and off street.*

*b. In keeping with the rural character of Boxford and the original intent of the accessory apartments, only single-bedroom accessory affordable apartments may be **rented, and maximum occupancy shall be of 2 adults.***

c. The owner must demonstrate that all the documentation is on file with the Town to show that the accessory affordable apartment meets the requirements of Chapter 196-13C, items (2) through (7).

d. The owner(s) shall cooperate with all requirements for Local Action Units pursuant to state regulation.

*e. A condition of granting a special permit by the Board of Appeals shall be the execution by the owner(s) of a written regulatory agreement and declaration of restrictive covenants, in form approved by Boxford Town Counsel, with the Town detailing the terms and conditions stated herein. Said regulatory agreement and declaration of restrictive covenants shall further provide **that**, for as long as the special permit remains in effect, the property shall be subject to the terms, conditions and restrictive covenants contained therein.*

*f. Said regulatory agreement with the Town shall provide **that**, upon receipt by the owner(s) of a special permit from the Board of Appeals, the owner(s) shall execute and record in the Essex South District Registry of Deeds or file with the Registry District of the Land Court forthwith said regulatory agreement and declaration of covenants.*

g. The special permit issued under this Chapter 196-13D and all associated liabilities shall be binding on all the executors, administrators, heirs, successors and assigns of the permittee unless and until the special permit is either revoked, lapses or is otherwise ruled invalid.

*h. The owner(s) shall agree that if the owner(s) receives a special permit, the accessory affordable apartment may be rented only to a person **or persons** 18 years of age or older selected from a list of eligible households that the local regulatory authority has generated, whose combined annual income is 80% or less than the Lawrence Metropolitan Statistical Area median income and whose assets do not exceed the amount set forth pursuant to DHCD's Local Initiative Program Guidelines. Accessory affordable apartments permitted under this Chapter 196-13D shall be rented on an open and fair basis.*

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- i. The owner(s) further agree that the rent (including utilities and any services) shall not exceed 30% of 80% of area median income for a household of two, or such lesser amount as may be required by 760 CMR 45.03.*
- j. The owner(s) shall require the tenant to sign an agreement, in form approved by Boxford Town Counsel, outlining the income restrictions for continued tenancy and limits to the number of occupants.”*

ARTICLE 14. To see if the Town will vote to amend its Zoning Bylaw and add the following new section to read:

“§196-29. Driveways

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

1. Layouts and configurations shall avoid excessive curves, switchbacks, and slopes to provide optimal safety.
2. To the extent possible, the driveway apron shall be aligned at ninety degrees (90°) to the road and have curved flare radii of six feet (6') between the road and drive.
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.
4. No person or persons shall cut or destroy any tree on the Town right-of-way (along side the road, normally 15 feet from the pavement – contact the Planning Board to confirm) without first obtaining the approval of the Boxford Planning Board and the Boxford Tree Warden. No person or persons shall remove, alter, or destroy any stone wall on or bordering the Town right-of-way without first obtaining the approval of the Boxford Planning Board in accordance with the Scenic Road Act (MGL Ch. 40 §15C).

B. Single driveways shall meet the following standards.

1. All single driveways shall have a finished width no less than nine feet (9').
2. The first twenty five feet (25') in from the paved portion of the public way shall have a maximum slope of three percent (3%); the maximum driveway slope along the centerline shall be twelve percent (12%); any slopes over eight percent (8%) shall be paved. The slope grade will allow rapid emergency access during normal weather conditions. On tight turns, no physical barrier shall be located on the inside of the curve that might impede long fire truck access in emergency situations.
3. The rate of post-development runoff shall not exceed the rate of pre-development runoff.

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4. The Fire and Police Chiefs and DPW Superintendent may advise the Planning Board to 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.
5. Sight distance shall meet current Mass. Highway Department standards to the best extent possible.
6. During construction, no debris shall be left on the road or shoulder; nor shall drainage structures, culverts, or ditches be blocked or impeded at any time. During construction and after completion, water runoff from the new driveway shall not be allowed to enter onto the public traveled way at any time.
7. All driveways longer than five hundred feet (500') shall have a turn-around location within twenty five feet (25') of the dwelling for large vehicle turnaround. The Fire Chief may also require sprinklers in any dwelling at the end of a driveway longer than one thousand feet (1,000').
8. If the Wetland Protection Act applies, the proposed driveway shall meet all additional conditions imposed by the Conservation Commission.

C. Shared Driveways shall conform to all the regulations as set forth in Subsection B and §196-13B (11)(m) of the Zoning Bylaw, plus the following:

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

or 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 **PASS OVER Article 14.***

ARTICLE 15. 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 2008, with each item to be considered a separate appropriation:

Appropriations:

From FY 2008 estimated revenues for Sawyer-Richardson Open Space Bond expense	\$256,556
From FY 2008 estimated revenues for Committee Administrative Expenses	\$ 49,000

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Reserves:

From FY 2008 estimated revenues for Historic Resources Reserve	\$98,000
From FY 2008 estimated revenues for Community Housing Reserve	\$ 98,000
From FY 2008 estimated revenues for Budgeted Reserve	\$450,000

or take any other action thereon.

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 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 2008, with each item to be considered a separate appropriation:*

Appropriations:

From FY 2008 estimated revenues for Sawyer-Richardson Open Space Bond expense	\$256,556
From FY 2008 estimated revenues for Committee Administrative Expenses	\$ 49,000

Reserves:

From FY 2008 estimated revenues for Historic Resources Reserve	\$ 98,000
From FY 2008 estimated revenues for Community Housing Reserve	\$ 98,000
From FY 2008 estimated revenues for Budgeted Reserve (new)	\$450,000

ARTICLE 16. To see if the Town will vote to appropriate **\$11,500** from the Historic Resources Reserve of the Community Preservation Fund **to fund Phase II of the Boxford Town Clerk's Document Restoration and Preservation Project for preservation of historic town records;** said funds to be expended under the direction of the Community Preservation Committee; or take any other action thereon.

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

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*Upon a motion made and duly seconded, it was **VOTED** by unanimous voice vote to appropriate \$11,500 from the **Historic Resources Reserve of the Community Preservation Fund to fund Phase II of the Boxford Town Clerk's Document Restoration and Preservation Project for preservation of historic town records; said funds to be expended under the direction of the Community Preservation.***

ARTICLE 17. To see if the Town will vote to appropriate \$14,000 from the Undesignated Community Preservation Fund balance to fund the Recreation Committee's Boxford Segment of Borders to Boston/North Recreational Trail Phase II: Engineering, Feasibility and Conceptual Design Study on the former Newburyport Branch Railroad and existing National Grid electrical utility right of way in Boxford, MA; said funds to be expended under the direction of the Community Preservation Committee; or take any other action thereon.

Sponsored by the Recreation Committee and

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 \$14,000 from the Undesignated Community Preservation Fund balance to fund the Recreation Committee's Boxford Segment of Borders to Boston/North Recreational Trail Phase II: Engineering, Feasibility and Conceptual Design Study on the former Newburyport Branch Railroad and existing National Grid electrical utility right of way in Boxford, MA; said funds to be expended under the direction of the Community Preservation Committee.*

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ARTICLE 18. To see if the town will vote to **authorize the Selectmen to lease a portion of town owned property located off Washington Street**, as shown on a plan of land entitled, "Plan of Land in Boxford, Mass, prepared for the Town of Boxford, June 30, 2000," and on file with the Town Clerk and also as described in the deed recorded in the Essex South District Registry of Deeds in Book 5347, Page 168; **said lease of land to be for a term not to exceed 99 years and for the purpose of developing, constructing, maintaining and operating up to four (4) units of affordable community housing on said land; and further to authorize the development and construction of a new regulation size little league baseball field on a portion of said land to be owned and maintained by the Town**, to authorize the Selectmen to negotiate and enter into any lease and execute any agreement as they may deem in the best interest of the project; to appropriate the sum of \$340,000 from the Community Preservation Fund's Community Housing Reserve for the creation of affordable community housing as described above, and the sum of \$353,000 from the Community Preservation Fund's Undesignated balance for the creation of land for recreation use as described above, for a **total appropriation of \$693,000 to be expended under the direction of the Board of Selectmen and the Community Preservation Committee for any purposes associated with the project described** herein, including but not limited to 1) the design and construction of a water supply to serve both the community housing and the adjacent baseball field and associated recreational facilities, 2) the design and construction of a fire tank sufficient to meet the fire protection requirements for the development of the community housing, 3) the design and construction of the regulation size little league baseball field and associated recreational facilities, 4) any engineering, professional surveying, architectural, and legal costs associated with the project or as needed to obtain necessary permits, licenses and approvals and defend challenges, and 5) a monetary grant, in an amount to be determined by the Board of Selectmen, to the selected developer of the community housing for use solely for the development of this community housing project, said grant to be administered by the Board of Selectmen in accordance with the terms and conditions of a grant agreement entered into by the Board of Selectmen and the selected developer, or take any other action thereon.

Sponsored by the Housing Partnership Committee, the Recreation Committee and the Community Preservation Committee

Finance Committee recommends adoption of this article

Capital Budgeting Committee Recommendation: "A" Essential

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Amendment to Article 18 was to read as follows:

*Community Preservation Funds Community Housing Reserve for the creation of affordable community housing from \$340,000 to \$0; changing the total appropriation proposed in the Article from \$693,000 to \$353,000; and that the total Community Preservation Funds approved herein for the property, also known as the Morse Field Park, be solely and exclusively expended for improvement of recreational facilities. Upon a motion made and duly seconded, **amendment to Article 18 was DEFEATED by a hand count of 154 YES and 199 NO.***

*Upon a motion made and duly seconded, it was **VOTED** by hand count of (121 YES and 238 NO) **not to authorize the Selectmen to lease a portion of town owned property located off Washington Street, as shown on a plan of land entitled, "Plan of Land in Boxford, Mass, prepared for the Town of Boxford, June 30, 2000," and on file with the Town Clerk and also as described in the deed recorded in the Essex South District Registry of Deeds in Book 5347, Page 168; said lease of land to be for a term not to exceed 99 years and for the purpose of developing, constructing, maintaining and operating up to four (4) units of affordable community housing on said land; and further to authorize the development and construction of a new regulation size little league baseball field on a portion of said land to be owned and maintained by the Town, to authorize the Selectmen to negotiate and enter into any lease and execute any agreement as they may deem in the best interest of the project; to appropriate the sum of \$340,000 from the Community Preservation Fund's Community Housing Reserve for the creation of affordable community housing as described above, and the sum of \$353,000 from the Community Preservation Fund's Undesignated balance for the creation of land for recreation use as described above, for a total appropriation of \$693,000 to be expended under the direction of the Board of Selectmen and the Community Preservation Committee for any purposes associated with the project described herein, including but not limited to 1) the design and construction of a water supply to serve both the community housing and the adjacent baseball field and associated recreational facilities, 2) the design and construction of a fire tank sufficient to meet the fire***

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protection requirements for the development of the community housing, 3) the design and construction of the regulation size little league baseball field and associated recreational facilities, 4) any engineering, professional surveying, architectural, and legal costs associated with the project or as needed to obtain necessary permits, licenses and approvals and defend challenges, and 5) a monetary grant, in an amount to be determined by the Board of Selectmen, to the selected developer of the community housing for use solely for the development of this community housing project, said grant to be administered by the Board of Selectman in accordance with the terms and conditions of a grant agreement entered into by the Board of Selectmen and the selected developer.

ARTICLE 19. To see if the Town will vote to transfer the care, custody, maintenance and control of a portion of the town owned land located off Washington Street, as described below, originally conveyed to the Town by deed, currently held by the Town for school purposes, to the Board of Selectmen for general municipal purposes and purposes of lease; said land as shown on a plan of land entitled, "Plan of Land in Boxford, Mass, prepared for the Town of Boxford, June 30, 2000", and on file with the Town Clerk and also as described in the deed recorded in the Essex South District Registry of Deeds in Book 5347, Page 168; or take any other action thereon.

Sponsored by the Board of Selectmen

*Upon a motion made and duly seconded, it was **VOTED** by unanimous voice vote to **PASSOVER** Article 19.*

ARTICLE 20. To see if the Town will vote to appropriate \$35,000 from the Undesignated Community Preservation Fund balance **to complete the funding of the Recreation Committee's creation of two new public tennis courts in place of the old ones at the Police Station;** said funds to be expended under the direction of the Community Preservation Committee; or take any other action thereon.

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Sponsored by the Recreation Committee and 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 \$35,000 from the **Undesignated Community Preservation Fund** balance to complete the funding of the **Recreation Committee's** creation of two new public tennis courts in place of the old ones at the **Police Station**; said funds to be expended under the direction of the **Community Preservation Committee**.*

ARTICLE 21: To see if the Town will vote to appropriate \$25,000 in legal and acquisition costs, and \$725,000 in land purchase expense, for a total appropriation of **\$750,000 to enable the Town of Boxford to acquire for Open Space and Conservation purposes, and to authorize the Board of Selectmen to accept the deed to the town of fee simple interest or less, of two parcels of land on Main Street, Boxford, Essex County, Massachusetts, being a portion of the property known as the Cargill property**, the first parcel consisting of 7.5± acres of open land identified as Map 26, Lot 2, Parcel 6 in the records of the Boxford Assessors; and the second parcel consisting of 7.0± acres of open space identified as Map 26, Lot 2, Parcel 26 in the records of the Boxford Assessors, on file with the Town Clerk together with all flowage rights and easements and subject to all well rights and easements; said land to be managed by the Boxford Conservation Commission; and that to fund said purchase, **to transfer \$750,000 from the Undesignated Community Preservation Fund balance; the Town's intention is to fund the remaining \$50,000 needed for the purchase through expenditure of private donations received therefore;** and to authorize the Conservation Commission and the Board of Selectmen to submit on behalf of the town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, or the United States, under the Self-Help Act (M.G.L. Chapter 132A § 11) and/or any other state or federal programs including those in aid of conservation land acquisition; and/or any others in any way connected with the scope of this Article; said gifts or grants to be deposited in the Undesignated Community Preservation Fund balance; and that the Board of Selectmen be authorized to grant a perpetual conservation restriction in said parcels of land meeting the requirements of M.G.L. Chapter 44B, § 12 and M.G.L. Chapter 184, §§ 31-33, as may be deemed appropriate, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to

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affect said purchase, said funds to be expended by the Conservation Commission and the Community Preservation Committee; or take any other action thereon.

Sponsored by the Land Committee and the Community Preservation Committee

Finance Committee does not recommend approval of this Article.

Capital Budgeting Committee Recommendation: "D" Does Not Recommend

Amendment to Article 21 was to read as follows: amend the phrase "said gifts or grants to be deposited in the undesignated Community Preservation Fund balance" to say "said gifts or grants to be deposited in the General Fund unless a separate depository is legally required."

*Upon a motion made and duly seconded, it was **DEFEATED** by majority voice vote **not to amend Article 2.***

*Upon a motion made and duly seconded, it was **VOTED** by majority hand count of **195 YES** to **109 NO** to appropriate **\$25,000** in legal and acquisition costs, and **\$725,000** in land purchase expense, for a total appropriation of **\$750,000** to enable the Town of Boxford to acquire for Open Space and Conservation purposes, and to authorize the Board of Selectmen to accept the deed to the town of fee simple interest or less, of two parcels of land on Main Street, Boxford, Essex County, Massachusetts, being a portion of the property known as the Cargill property, the first parcel consisting of 7.5± acres of open land identified as Map **32**, Lot 2, Parcel 6 in the records of the Boxford Assessors; and the second parcel consisting of 7.0± acres of open space identified as Map **32**, Lot 2, Parcel 26 in the records of the Boxford Assessors, on file with the Town Clerk together with all flowage rights and easements and subject to all well rights and easements; said land to be managed by the Boxford Conservation Commission; and that to fund said purchase, to transfer **\$750,000** from the Undesignated Community Preservation Fund balance; the*

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Town's intention is to fund the remaining \$50,000 needed for the purchase through expenditure of private donations received therefore; and to authorize the Conservation Commission and the Board of Selectmen to submit on behalf of the town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, or the United States, under the Self-Help Act (M.G.L. Chapter 132A § 11) and/or any other

state or federal programs including those in aid of conservation land acquisition; and/or any others in any way connected with the scope of this Article; said gifts or grants to be deposited in the Undesignated Community Preservation Fund balance; and that the Board of Selectmen be authorized to grant a perpetual conservation restriction in said parcels of land meeting the requirements of M.G.L. Chapter 44B, § 12 and M.G.L. Chapter 184, §§ 31-33, as may be deemed appropriate, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to affect said purchase, said funds to be expended by the Conservation Commission and the Community Preservation Committee.

ARTICLE 22. To see if the Town will vote to establish the interest rate to be charged for deferred property taxes for qualifying seniors under M.G.L. Chapter 59, Section 5, Clause 41A, for fiscal years beginning after July 1, 2007, which rate shall be the daily interest rate offered as of June 30 of the preceding fiscal year by the Massachusetts Municipal Depository Trust for municipal deposits, as determined and confirmed by the Town Treasurer each fiscal year, or 8%, whichever is less; or take any other action thereon.

Sponsored by the Board of Assessors

*Upon a motion made and duly seconded, it was **VOTED** by unanimous voice vote to establish the interest rate to be charged for **deferred property taxes for qualifying seniors under M.G.L. Chapter 59, Section 5, Clause 41A**, for fiscal years beginning **on or** after July 1, 2007, which rate shall be the daily interest rate offered as of June 30*

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of the preceding fiscal year by the Massachusetts Municipal Depository Trust for municipal deposits, as determined and confirmed by the Town Treasurer each fiscal year, or 8%, whichever is less.

ARTICLE 23. To see if the Town will vote to amend its bylaws, Boxford Town Code Chapter 19 Officers and Employees, Article IX Moderator, § 19-22 Election; term, by deleting: “A Moderator shall be elected from the town for a term of office of one year” and replacing it with “A Moderator shall be elected from the town for a term of office of three years”; or take any other action thereon. Sponsored by the Board of Selectmen

*Upon a motion made and duly seconded, it was **VOTED** by majority voice vote to amend the town bylaws, **Boxford Town Code Chapter 19 Officers and Employees, Article IX Moderator, § 19-22 Election; term**, by deleting: “A Moderator shall be elected from the town for a term of office of one year” and replacing it with “A Moderator shall be elected from the town for a term of office of three years”.*

ARTICLE 24. To see if the Town will vote to amend its Bylaws and add the following new section in Boxford Town Code, Chapter 11 Departments, Article II. Fire Department to read:

“§ 11-5.1 Mutual Aid

The Fire Department is authorized to go to aid another city, town, fire district or area under federal jurisdiction in this commonwealth or in any adjoining state in extinguishing fires therein, or rendering any other emergency aid or performing any detail as ordered by the Chief of the fire department, and while in the performance of their duties in extending such aid the members of Town Fire Department shall have the same immunities and privileges as if performing the same within the Town of Boxford.”

or take any other action thereon.

Sponsored by the Board of Selectmen

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*Upon a motion made and duly seconded it was **VOTED** by unanimous voice vote to amend the Town Bylaws and add the following new section in Boxford Town Code, Chapter 11 Departments, Article II. Fire Department to read:*

“§ 11-5.1 Mutual Aid

The Fire Department is authorized to go to aid another city, town, fire district or area under federal jurisdiction in this commonwealth or in any adjoining state in extinguishing fires therein, or rendering any other emergency aid or performing any detail as ordered by the Chief of the fire department, and while in the performance of their duties in extending such aid the members of Town Fire Department shall have the same immunities and privileges as if performing the same within the Town of Boxford.”

ARTICLE 25. To transact any other business that may legally come before said meeting.

*Upon a motion made and duly seconded, it was **VOTED to DISSOLVE Annual Town Meeting 2007** by a unanimous voice vote at 12:07 pm.*

*Second night of Annual Town Meeting was attended by **396 registered voters**. Checkers and counters were appointed by Patricia Shields Boxford's Town Clerk.*

A True Record:


Town Clerk, Patricia Shields

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RAISE AND APPROPRIATE:

Article #4 Town Budget FY 2008	\$24,907,842.00
Override Questions:	
Article #5 North Shore Vocational School	\$ 57,966.00
Article #6 Masconomet High District School	\$ 68,228.00
Article #7 Elementary School	\$ <u>275,732.00</u>
Total Raise & Appropriate	\$ 25,309,768.00

TRANSFERS FROM FREE CASH:

Article # 8 Capital Purchases	\$ 326,023.00
Article # 9 Study DPW Office/Garage	\$ 25,000.00
Article # 11 Unemployment Compensation Fund	\$ <u>30,000.00</u>
Total Free Cash	\$ 381,023.00

REVOLVING ACCOUNTS:

Article # 2 Recycling, Printing, Library Photocopy, Conservation, Highway Safety & Council on Aging	\$ 125,000.00
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OFFSET RECEIPTS:

Article #4	Receipts Reserve for Appropriation/Septic Loan	
	Program	\$ 13,571.00
Article #8	Capital Purchases	<u>\$ 100,000.00</u>
	Overlay Released by Assessors	
		113,571.00

COMMUNITY PRESERVATION FUNDS:

Article #15	Appropriations:	\$ 305,556.00
	Reserves:	\$ 646,000.00
	Total CPF	\$ 951,556.00
Article # 16	Town Clerks Project	\$ 11,500.00
Article # 17	Recreation Trails II	\$ 14,000.00
Article # 20	New Tennis Courts	\$ 35,000.00
Article #21	Cargill Property	<u>\$ 750,000.00</u>
	Total	\$ 810,500.00