

Town of Boxborough Massachusetts



Fall Town Meeting Warrant and Proceedings Monday, November 6th 2023, 7:00 PM

Voter check-in begins at 6:30 PM

Meeting will begin promptly at 7:00 PM

Blanchard Memorial School, Gymnasium
493 Massachusetts Ave. Boxborough

Draft Minutes November 7, 2023

TOWN OF BOXBOROUGH
TOWN MEETING: A GUIDE FOR RESIDENTS
 Was included in the front of the warrant



TOWN OF BOXBOROUGH
NOVEMBER 6, 2023
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**TOWN OF BOXBOROUGH
FALL TOWN MEETING
NOVEMBER 6, 2023**

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

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Boxborough, who shall be qualified to vote in accord with the provisions of MGL Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Monday, November 6, 2023 at 7:00 PM to act on Articles 1 through 15 of this Fall Town Meeting Warrant.

Fall Town Meeting, Monday, November 6, 2023

Counters/Tellers were sworn in by Town Clerk, Rebecca Harris: Anne McNeece, Mary Sullivan, Susan Bak, Barbara Birt, Anne Canfield, and Joan Meyer

Moderator Dennis Reip called the November 6, 2023 Special (Fall) Town Meeting of the Town of Boxborough to order at 7:00 pm. There were 114 registered voters total in attendance.

Moderator Reip made introductory remarks.

Introductions:

Dennis Reip introduced Town Counsel Joseph (Joe) Fair from KP Law and Town Clerk Rebecca Harris and Town Administrator Michael Johns.

Moderator Reip called on the Select Board. Chair of the Select Board, Kristin Hilberg, Priya Sundaram, Clerk, David McKiernan, and Wes Fowlks introduced themselves.

Moderator Reip called on the Finance Committee. Chair of the Finance Committee, Maria Neyland, Antony Newton, Vice Chair, Keshava Srivastava, Becky Neville, John Connor, Robert Stemple, and Clerk, Gary Kushner introduced themselves.

Rajon Hudson, Assistant Town Administrator and Kelley Price, Administrative Assistant are running the projector. Also in attendance is Kelli Pontbriand, Town Accountant.

Moderator Reip mentioned that numerous town department heads and staff, our Chiefs of Police and Fire, as well as members of volunteer boards and committees on hand to speak to some of the motions as needed.

This meeting is being broadcast live and is also being recorded for on demand viewing on BXBTv by Littleton Community Television (LCTV). Moderator Reip thanked Kirby Dolak, LCTV's Video Production Supervisor, Judy Reid LCTV's Video Program Coordinator, Rob Croy and David Astolfi as the BXBTv Media Technicians, and Diane Douglas photographer and logistics coordinator.

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

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

Announcements

Moderator Reip pointed out where non-voters over the age of 18 need to sit, in the back of the hall in the area marked off to the side on the right facing the stage.

Refreshments at the back of the hall are being provided by the Boxborough Conservation Trust.

Town Meeting Process

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

This is not the public comment section of a Select Board or Planning Board meeting nor is it a public forum or public hearing. We will not be discussing anything that is not already identified in the Warrant.

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

In addition to the Warrant, material on the tables at the back of the hall include the 2022 Town Report and Guide to Town Meeting. These documents along with some of the presentations and supplementary information are available on the Town's website at www.boxborough-ma.gov.

Moderator Reip explained his job as Moderator is to be the presiding officer of this legislature. The Boxborough Town Meeting process is guided by Town Meeting Time, a handbook of parliamentary law prepared by the Massachusetts Moderators Association. You can obtain this at the library or buy one through the Massachusetts Moderators Association.

His job as Moderator is to make sure that Town Meeting is:

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

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

Civil: Everyone listens respectfully.

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

Relevant: All the discussion, motions, and amendments must be "within the four corners" of the motion on the floor.

He made voters aware that we vote on MOTIONS which might be slightly different from the wording of the Articles printed in the warrant. The motions will be displayed on the screen.

Starting on page 2 of the Warrant is the Town Meeting Guide for Residents which summarizes the process with some of the most common motions listed.

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

Moderator Reip explained the process for speaking at alternating microphones, the 3 minute time limit, and need for relevance to the Motions on the floor. He also explained the process for moving the question, and voice votes or show of hands using green cards. If necessary, a standing count will be used. For questions about process, you can say "point of order", otherwise microphones are required for speaking. He encouraged the voters to maintain the long tradition of civility that has been part of Town Meeting in Boxborough.

Preliminary Motion:

Kristin Hilberg, Select Board Chair moved and it was seconded that any adjourned sessions of the November 6, 2023 Fall Town Meeting be held on Tuesday November 7, 2023 in the Blanchard Memorial School Gymnasium starting at 7 p.m. and further that no debate will begin on any new article after 10:30 p.m.

Motion carried unanimously.

Motion on Reconsideration:

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

Motion carried by majority.

Consent Agenda:

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

This year, there will be 1 Consent Agenda with 9 Articles:

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

FALL TOWN MEETING CONSENT AGENDA (*)

Main Motion: Kristin Hilberg moved and it was seconded to approve the Fall Town Meeting Consent Agenda Warrant Articles one and three through nine in accordance with the funding sources and amounts set forth in the November 6, 2023 Fall Town Meeting warrant under articles one and three through nine respectively.

- ARTICLE 1 Payment Of Prior Fiscal Years Bills (*)
- ARTICLE 2 Enter into Regional Emergency Communication Center (RECC) Agreement with Nashoba Valley Regional Dispatch District (NVRDD) (*) **HOLD**
- ARTICLE 3 Amend FY24 Personnel Plan, the Classification & Compensation Schedule (*)
- ARTICLE 4 Sargent Road Bond Anticipation Note (BAN) Payment of Interest (*)
- ARTICLE 5 Retired Town Employee Deductions: Reimbursement of Interest Charged to Employee Upon Retirement (*)
- ARTICLE 6 Fiscal Year 2024 Inter-Departmental Operating Budget Transfer (*)
- ARTICLE 7 Water Resources Committee: Consultant to Initiate Development of Town-Wide Water_Resource Plan (*)
- ARTICLE 8 Non-Binding Resolution – Changing the State Flag and Seal (*)
- ARTICLE 9 Funding for a Local Transit Operator Position (*)

Mr. Reip explained that Article 1 requires a 9/10s majority; if consent agenda is not unanimous, we may have to go back to Article 1.

Discussion: none, with the exception of Article 2.

Action on the motion: Consent Articles one and three through nine passed unanimously.

ARTICLE 1 PAYMENT OF PRIOR FISCAL YEAR(S) BILLS (*)

\$ 65,535.71 Free Cash

(Nine-tenths vote required)

Ms. Hilberg moved and it was seconded, as part of the Consent Agenda, that the Town vote to transfer from free cash the sum of Sixty-Five Thousand Five Hundred Thirty-Five Dollars and Seventy-One Cents (\$65,535.71), to provide payment of certain late bills from prior fiscal year(s) for the following invoices in the following amounts:

Department	Vendor	Date	Amount	Reason
Accounting	Minuteman Regional High School	4/13/23	\$32,092.27	Unpaid by Town Accountant
Accounting	Assabet Valley Regional Technical High School	FY23	\$17,234.00	Unpaid by Town Accountant
Collector's Office	Kelley & Ryan Associates, Inc	3/7/23	\$117.94	Unpaid due to vacancy in Treasurer/Tax Collector's Office
Executive Office	Guardian Technologies	3/24/23 4/23/23	\$1,993.76	Vendor didn't submit invoices to Administrative Assistant
Fire	L.W. Bills Company	6/8/23	\$638.21	Unpaid due to transition in Fire Department
Police	Amazon Business	10/30/22- 5/25/23	\$1,939.53	Unpaid due to transition in Police Department Support
Police	Axon Enterprise Inc.	6/1/22	\$11,520.00	Unpaid due to transition in Police Department

The Select Board recommends (4-0-0). The Select Board unanimously recommends this necessary article in order to approve past-due payments. Most of these late bills are attributable to high personnel turnover across the Town in almost all departments. Recruiting and retention efforts have significantly decreased employee turnover and increased morale. Additionally, generic department email addresses have been created for each department, so that when employees do retire or leave; invoices will still reach accounts payable without delay.

The Finance Committee recommends (6-0-0). The Finance Committee unanimously recommends. While the town must pay its past due bills the Finance committee is concerned by the number of unpaid and past due bills that have had to come before ATM over the last 2 years. We hope that procedures will be put in place to avoid this number of past-due bills in the future.

Discussion on the Motion on Article 1. None.

Action on the motion on Article 1: motion carried unanimously under the consent agenda.

ARTICLE 2 ENTER INTO REGIONAL EMERGENCY COMMUNICATION CENTER (RECC) AGREEMENT WITH NASHOBA VALLEY REGIONAL DISPATCH DISTRICT (NVRDD) (*)

No funding required
(Majority vote required)

This article was held outside of the Consent Agenda.

Priya Sundaram moved and it was seconded that the Town vote to join regional dispatch at the established Regional Emergency Communication Center (RECC) at Nashoba Valley Regional Dispatch District (NVRDD), located in the Devens Regional Enterprise Zone, 10.3 miles North of Boxborough, including the Towns of Berlin, Bolton, Harvard, Lancaster, and Lunenburg.

Summary:

While the Select Board has the full authority to enter into contracts and Intermunicipal Agreements (IMA's) on behalf of the Town; the Board realizes this decision has come before the Town previously, and feels the voters would appreciate the opportunity to be part of the dialogue regarding the regionalization of emergency dispatch operations.

This article to join the Regional Emergency Communication Center at Nashoba Valley will contribute to a safer, more efficient, and resilient succession plan for Boxborough's future. By joining regional dispatch, the Town taps into a vast network of resources, expertise, technology, and highly trained, dedicated professional dispatchers with multiple staffed communication stations and supervisors at all times. Boxborough will have access to state-of-the-art technology, highly trained personnel, and a redundant system that ensures uninterrupted communication during even the most challenging situations.

Regionalization brings cost savings, so instead of bearing the full financial burden of maintaining a local dispatch center, we realize at least 66% savings per year, and even more in the first 5 years. Additionally, all costs in capital equipment, infrastructure, connectivity, engineering and communication gear required to join regional dispatch with NVRDD will be borne by the State, meaning there is no capital cost to Boxborough, other than \$5,000 per year that each member town in NVRDD invests toward a capital reserve fund. Each town in NVRDD, including Boxborough, if voters at town meeting decide to join, have equal voting and deciding power in all matters of administration, finance and operations, regardless of population, proximity, budget size or any other factor. Each town in the district is currently charged an all-inclusive annual assessment of \$204,000 per year, which covers all salaries, benefits, expenses and overhead. This annual expense would fall well within the already budgeted FY24 Dispatch budget of \$473,333 salary & expense (plus estimated benefits of \$124,800); resulting in an annual savings of 66% per year.

It is anticipated that if town meeting votes to pursue joining regional dispatch, that Boxborough could possibly be accepted into the district as soon as 3/1/2024, pending a vote of acceptance by the member towns currently in NVRDD. It is important to note that there is language in the Boxborough Dispatch Union contract that provides certain employee protections if the Town regionalizes dispatch. Those protections include payouts for employees who remain with the Town through transition, who have been employed by the Town for eight months or more. The final payout is \$750 per year of service in Boxborough, up to a maximum of \$10,000. Additionally, all Boxborough dispatch employees are guaranteed an interview if they apply for a position they are qualified for at NVRDD; with additional hiring preference; although final hiring decisions cannot be guaranteed.

The Select Board recommends (4-0-0). The Select Board unanimously recommends this article for the reasons stated in the Summary.

The Finance Committee recommends (6-0-0). The Finance Committee recommends. This collaboration with Nashoba Valley Regional Dispatch District will save the Town considerable money and offer stability with staffing, which has been a challenge.

The Finance Committee gave a rough estimate of annual savings if we go with Regional Dispatch: \$260/household approximately.

Discussion on the Motion on Article 2.

Mark White from Sara's Way wondered what average household dollar figure that was based on.

Becky Neville said the average savings per household was based on a \$500,000 net value household.

Mr. White asked how much we would be paying for dispatch in this case.

Ms. Neville deferred to Select Board for more information, who deferred to TA Michael Johns.

Town Administrator Michael Johns said we are paying about \$600,000/year in local dispatch including equipment, capital, wages, benefits, retirement. The cost would be \$204,000 for regional dispatch plus \$5,000 so it would be a total of \$209,000 per year.

Mr. White wanted to know what the downside is.

Mr. Johns said he explored it thoroughly and they haven't found downsides in terms of cost or familiarity with the territory. They do have a preference for hiring dispatchers from each of their resident towns. They will also do ride-alongs in our ambulances and vehicles. It will still be our cruisers and fire trucks and ambulances unless it's an ALS call, which is how it is now.

Mr. White can't believe that there aren't any downsides. We've had problems staffing the current local dispatch, but a long time we voted to have local dispatch even though expensive. How do we circle back and see how it's going?

Mr. Johns said we can look back 6 months in this interim period in a provisional capacity. If we go beyond this provisional capacity, each member town has to vote to bring us in. Now a 911 call goes to Nashoba and they triage the call. If someone needs to be talked through what is happening, they do that and then call Boxborough and the vehicles are dispatched. There will be a faster process once we join the Regional Dispatch: the call will be made and simultaneously the vehicles will be dispatched. We should definitely reassess our services. We would be the sixth town in the district, and they're all comparable communities. Each has an equal voice in terms of operations, finances (board is made up of Police Chief and Fire Chief of every community).

Jim Moss of Bicentennial Way said to be wary of someone tells you that you can get something better for less, I question how that can be possible. What are we missing? I'm also willing to give this a shot but want to be reassured that we will have the ability to get out of the regional center.

Mr. Johns said it is not a binding contract. You can't get out immediately, but you can get out and asked Anne Camaro permission to speak. The Moderator granted her permission.

Anne Camaro, the Executive Director of Nashoba Regional Dispatch said that the contract has a three year initial term but can leave with 120 days notice.

John Neyland of Picnic Rd. asked if any of the dispatchers are housed in our police station.

Mr. Johns said all dispatchers are housed at Devens, about 10 miles away.

John Markiewicz of Patch Hill Rd. moved the question.

Action on the motion to move the question passed by two-thirds as declared by the Moderator.

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

ARTICLE 3 AMEND FY24 PERSONNEL PLAN, THE CLASSIFICATION & COMPENSATION SCHEDULE (*)
(Majority vote required)

Ms. Hilberg moved and it was seconded, as part of the Consent Agenda, that Town vote to amend the Classification and Compensation Schedule of the Personnel Administration Plan by amending the Police Lieutenant position and adding positions to the Classification and Compensation schedule as follows:

1. Police Lieutenant – Amend to non-exempt classification for FLSA status.
2. Assistant Town Accountant – Add to the schedule at Grade 12
3. Local Transit Operator – Add to the schedule at Grade 10

Summary:

The Classification and Compensation plan applies to all non-union employees. Positions are classified into groups and classes doing substantially similar work and having substantially equal responsibilities, and are then set forth in the Classification and Compensation Schedule, which is incorporated into the Personnel Plan.

The Police Lieutenant position was created in 2015 as an exempt position. With the modest size of Boxborough’s police force, the Lieutenant is required to provide a fair number of policing activities in addition to administrative activities. Given that reality and with support from the Police Chief and advice of Town Counsel, the Personnel Board recommends that this position be recategorized as non-exempt. Resolution of this issue became urgent when the position was recently filled by promotion.

The Assistant Town Accountant position is a new position to provide accounting support capacity to the Town Accountant.

The Local Transit Operator is a new position to support a new transportation service within the Town. This service was initiated by the Town Planner after receiving a grant from the Montachusett Regional Transit Authority (MART) for the service, which provides a needed mobility option for citizens in addition to the transportation services provided by the Council on Aging. This position will be required to kick off the additional grant-funded transportation service in Town.

**FY2024 Classification and Compensation Schedule
Regular Full-Time, Reduced Hours and Part-Time Employees**

GRADE	POSITIONS	FLSA status	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14
16	Assistant Town Administrator	Exempt	87,301	89,484	91,721	94,014	96,364	98,773	101,243	103,774	106,368	109,027	111,753	114,547	117,411	120,346
	Police Lieutenant	Non-Exempt														
15	COA & Community Services Director															
	*Inspector of Bldgs Commissioner (BICO)															
	**Town Accountant	Exempt	74,300	76,158	78,062	80,013	82,014	84,064	86,166	88,320	90,528	92,791	95,111	97,488	99,926	102,424
	*Town Assessor															
	*Town Planner															
	Town Treasurer/Collector															
14	Community Services Coordinator	Exempt	63,233	64,814	66,434	68,095	69,797	71,542	73,331	75,164	77,043	78,969	80,943	82,967	85,041	87,167
	Council on Aging Coordinator	Non-Exempt	30.29	31.05	31.83	32.62	33.44	34.27	35.13	36.01	36.91	37.83	38.78	39.75	40.74	41.76
	Town Clerk/Temporary Town Clerk															
13	Associate Town Planner	Exempt	58,358	59,817	61,313	62,845	64,416	66,027	67,678	69,370	71,104	72,881	74,703	76,571	78,485	80,447
	Youth Services Librarian	Non-exempt	27.94	28.64	29.36	30.09	30.84	31.62	32.41	33.22	34.05	34.90	35.77	36.66	37.58	38.52
	Information Services Librarian															
	Technical Services Librarian															
12	Assistant Town Accountant	Exempt	25.99	26.64	27.31	27.99	28.69	29.41	30.14	30.90	31.67	32.46	33.27	34.11	34.96	35.83
	Administrative Assistant	Non-Exempt														
	Conservation Agent															
11	Animal Control Officer	Non-exempt	24.19	24.79	25.41	26.05	26.70	27.37	28.05	28.75	29.47	30.21	30.97	31.74	32.53	33.35
	Department Assistant															
10	Sr. Library Assistant	Non-exempt	22.49	23.05	23.63	24.22	24.83	25.45	26.08	26.74	27.40	28.09	28.79	29.51	30.25	31.00
	Local Transit Operator															
9	Library Assistant	Non-exempt	20.93	21.45	21.99	22.54	23.10	23.68	24.27	24.88	25.50	26.14	26.79	27.46	28.15	28.85
8	Van Dispatcher	Non-exempt	19.47	19.96	20.46	20.97	21.49	22.03	22.58	23.15	23.72	24.32	24.93	25.55	26.19	26.84

* Position is under three-year contract

**Position is under two-year contract

The Personnel Board recommends (4-0-0). The Personnel Board unanimously recommends this article for the reasons stated in the Summary.

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

The Select Board recommends (4-0-0). The Select Board supports the proposed amendment to the Classification and Compensation Schedule as recommended by the Personnel Board.

Discussion on the Motion on Article 3.

Action on the motion on Article 3: motion carried unanimously under the consent agenda.

ARTICLE 4 SARGENT ROAD BOND ANTICIPATION NOTE (BAN) PAYMENT OF INTEREST (*)

\$11,000 Free Cash

(Majority vote required)

Ms. Hilberg moved and it was seconded, as part of the Consent Agenda, that the Town vote to transfer from free cash the sum of Eleven Thousand Dollars (\$11,000), for the purpose of paying the Bond Anticipation Note (BAN) interest for the Sargent Road Purchase.

Summary:

At the 2022 ATM, the Town voted to purchase the property at Sargent Road and took out a bond. The \$11,000 will cover the budget shortage for BAN interest from the 2023 Special Town Meeting Article 1.

The Select Board recommends (4-0-0). The Select Board unanimously recommends this article for the reasons stated in the Summary.

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

Discussion on the Motion on Article 4.

Action on the motion on Article 4: motion carried unanimously under the consent agenda.

ARTICLE 5 RETIRED TOWN EMPLOYEE DEDUCTIONS: REIMBURSEMENT OF INTEREST CHARGED TO EMPLOYEE UPON RETIREMENT (*)

\$3,740.73 Free Cash
(Majority vote required)

Ms. Hilberg moved and it was seconded, as part of the Consent Agenda, that the Town vote to transfer from free cash the sum of Three Thousand Seven Hundred Forty Dollars and Seventy-Three Cents (\$3,740.73), for the purpose of correcting an error from twenty years ago when pension deductions were not properly deducted upon the start of a new employee.

Summary:

This article will correct an error that was discovered in 2022, when the employee retired, and the county retirement office data showed that deductions were not withheld or paid for the first six months of the individual's employment with the Town. To get the full retirement benefit for the years, the employee had worked for the Town, they were required to pay \$6,709.56 (\$2,968.83 in principal that should have been withheld, and \$3,740.73 in interest that accrued over the subsequent years).

The intent of this article is to pay the interest only, as it accrued due to the Town's error of not deducting or paying retirement withholdings for the first six months.

The Select Board recommends (4-0-0). The Select Board unanimously recommends this article for the reasons stated in the Summary.

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

Discussion on the Motion on Article 5.

Action on the motion on Article 5: motion carried unanimously under the consent agenda.

ARTICLE 6 FISCAL YEAR 2024 INTER-DEPARTMENTAL OPERATING BUDGET TRANSFER (*)

\$2,500 Transfer DPW to Police

(Majority vote required)

Ms. Hilberg moved and it was seconded, as part of the Consent Agenda, that the Town vote to transfer the sum of Two Thousand Five Hundred Dollars (\$2,500), within the Fiscal Year 2024 Operating Budget as follows.

a) Line item 210 Total Police Other: increase of Two Thousand Five Hundred Dollars (\$2,500).

b) Line item 422 Total DPW Other: decrease of Two Thousand Five Hundred Dollars (\$2,500).

Summary:

Department	Amount	Reason
Police	\$2,500	Police budget for building supplies was omitted in the budget process
DPW	(\$2,500)	DPW budget was left with a \$2,500 surplus

When the Buildings & Grounds division within DPW was initially formed, all facilities and supply lines were moved to DPW. Subsequently, building supply funds (such as for paper products, soap, and daily consumables) were moved back to individual department building budgets. In this process, police supply funds were accidentally left in the DPW budget.

The Select Board recommends (4-0-0). The Select Board recommends unanimously for the reason stated in the Summary.

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

Discussion on the Motion on Article 6.

Action on the motion on Article 6: motion carried unanimously under the consent agenda.

ARTICLE 7 WATER RESOURCES COMMITTEE: CONSULTANT TO INITIATE DEVELOPMENT OF TOWN-WIDE WATER RESOURCE PLAN (*)

\$30,000 Reallocate funds appropriated from *Articles 17 and 18 of the 2019 ATM*
(Majority vote required)

Ms. Hilberg moved and it was seconded, as part of the Consent Agenda, that the Town vote to transfer funds appropriated from prior articles 17 and 18 of the 2019 Annual Town Meeting in the sum of Thirty Thousand Dollars (\$30,000), for the purpose of hiring a consultant to conduct studies to assist the Water Resources Committee to begin development of a town-wide water resource plan.

Summary:

The proposed article will be funded from appropriations for Articles 17 and 18 of the 2019 Annual Town Meeting, which will be closed upon approval of this proposed article. No new funding, appropriation or borrowing is required for this article.

This article will combine funds appropriated in two prior articles, to hire a consultant to assist the Water Resources Committee (WRC) to begin developing a town-wide water resource plan by delivering a report recommending a long-range action plan. The scope of this new article is within the language and intent of the 2019 articles, and will provide for better financial tracking, transparency, and accountability.

A new Water Resources Committee was formed in 2018 with Select Board approval of a charge that outlined many issues that the committee wished to address over time. The WRC has learned that we need expert help to address the work described in our charge. We have prepared a Request for Proposal (RFP) to find and hire that help. This article will explicitly enable the solicitation of expert consultation via the RFP process. The Planning Board, Board of Health, Select Board, Conservation Commission, Sustainability Committee and others will be asked for input to the request of proposal. The RFP requires the respondent to address several topics, including:

- *What should Boxborough do to meet future, long-term water supply needs for everyone in the Town?*
- *Identify the town's strategic needs for protecting and enhancing existing water supplies, aquifers, and other surface water and groundwater resources.*
- *Determine the best means for ensuring safe and reliable water supplies, using a planning horizon of 100 years, and considering cost, feasibility, and available alternatives.*

The consultant's report delivered under this article will be the first phase in developing a water resource plan for the entire town. It is expected that the report will recommend additional work that will need to be carried out in subsequent phases. Funding for such additional phases may be provided by grants received and approval of other articles at future town meetings.

The Water Resources Committee (7-0-0). The Water Resources Committee recommends for the reasons outlined in the Summary. This article will support the development of a long-range town-wide plan with available funds.

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

The Select Board recommends (4-0-0). The Select Board unanimously recommends this article for the reasons stated in the Summary.

Discussion on the Motion on Article 7.

Action on the motion on Article 7: motion carried unanimously under the consent agenda.

ARTICLE 8 NON-BINDING RESOLUTION – CHANGING THE STATE FLAG AND SEAL (*)

(Majority vote required)

Ms. Hilberg moved and it was seconded, as part of the Consent Agenda, that Town vote to support the resolution in support of changing the Massachusetts State Flag & Seal of Massachusetts as printed in the November 6, 2023 Fall Town Meeting Warrant.

Whereas Native Americans have long suffered the many abuses of racism, the appropriation of their symbols for public schools and sports teams, the loss of their ancestral lands and the encroachment of their cultural lifeways;

Whereas the 400th anniversary of the landing of the Colonists at Plymouth Plantation, which gave rise to the long chain of genocidal wars and deliberate government policies of cultural destruction against Native Nations of this continent, occurred in the year 2020, affording every citizen of the Commonwealth a chance to reflect upon this history and come to an appreciation of the need for better relations between the descendants of the Colonial immigrants and the Native Nations of the Commonwealth;

Whereas the land area now known as the Town of Boxborough shares a rich Native history with modern tribal nations such as the Nipmuc and the Pennacook, who inhabited this area long before the first colonial settlers arrived, in 1680;

Now, therefore, **BE IT RESOLVED** that the Town of Boxborough hereby adopts this resolution in support of the work of the Special Commission on the Official Seal and Motto of the Commonwealth, established by a Resolve of the General Court in 2021 and appointed by the Governor to recommend changes to the current flag and seal of Massachusetts, and **in support of a new flag and seal for the Commonwealth** that may better reflect our aspirations for harmonious and respectful relations between all people who now call Massachusetts home. The town clerk shall forward a copy of this resolution to Sen. Nick Collins and Rep. Antonio Cabral, co-chairs of the Joint Committee on State Administration, and Sen. Jamie Eldridge and Rep. Danillo Sena, with the request that they continue their strong support for the work of the aforementioned Special Commission and advocate for a new flag and seal for the Commonwealth.

Summary:

The Need for Change

The Massachusetts State Flag and Seal have remained controversial symbols that many view as perpetuating white supremacy and the historical oppression of Native Americans.

Historical Context

The Massachusetts flag and seal have undergone several changes since their original designs. Paul Revere's 1775 design featured an Anglo-American man, while the 1780 version reverted to featuring a Native American man.

The current design includes a Colonial broadsword suspended above the Native American figure, viewed by many as a symbol of violence and historical oppression.

Colonial Legacy and Native Oppression

Massachusetts' early history includes the forced removal, internment, and enslavement of Native peoples.

The historical motto and visual elements of the flag and seal do not reflect the state's grim history with Native Americans, including the epidemics that wiped out native populations, and the wars that led to their subjugation and enslavement.

The Case for Inclusion and Representation

Massachusetts, a name derived from a Native American tribe, needs symbols that reflect its diverse history and the contributions of Native Americans.

The original charter for Massachusetts Bay allows for the changing of the state seal, offering legal precedent for this necessary update.

Take a closer look at the symbols in the current state flag and seal.

Illustrator Edmund Garrett used a Frankenstein approach to designing the “ideal Native American” image for the Massachusetts flag and seal. His design was formally adopted by the legislature on June 14, 1898.

The sword is modelled on Myles Standish’s broadsword, borrowed from the Pilgrim Hall in Plymouth. Standish was the military commander for Plymouth Colony, known for killing Native Americans.

“The bow is an accurate representation of one taken from an Indian shot and killed in Sudbury in 1665.”
-Edmund Garrett

The face came from a photograph of Thomas Little Shell, a Chippewa chief from Montana. Garrett called him “a fine specimen of an Indian” .

Garrett patterned the belt after the red flannel belt of Metacomet (King Philip), housed in the Peabody Museum in Boston. Metacomet was a leader in the first Native war of resistance against English colonization. His severed head was impaled on a pike and displayed in Plymouth for more than 20 years as a war trophy.

Proportions for the body were taken from a Native skeleton dug up in Winthrop.

The downward pointed arrow indicates a ‘pacified’ Native American.

The Latin motto begins: “ By the sword we seek peace...”



(Diagram from: <https://changethemassflag.com/history/>)

The Select Board recommends (4-0-0). The Select Board recommends unanimously for the reasons stated in the Summary.

The Finance Committee recommends (5-0-1). The majority of the Finance Committee recommends with one-member abstaining.

Discussion on the Motion on Article 8

Action on the motion on Article 8: motion carried unanimously under the consent agenda.

ARTICLE 9 FUNDING FOR A LOCAL TRANSIT OPERATOR POSITION (*)

\$7,200 Free Cash

(Majority vote required)

Ms. Hilberg moved and it was seconded, as part of the Consent Agenda, that Town vote to transfer from free cash the sum of Seven Thousand Two Hundred Dollars (\$7,200), to fund the first month of a fully reimbursable Local Transit Operator line item.

Summary:

The Montachusett Regional Transit Authority has been awarded a federal grant, allowing them to provide routed and pick-up service in the Town of Boxborough. The Town will hire its own bus driver, while still receiving complete reimbursement for the cost of said employee. Doing so will allow greater control over personnel, the greatest possibility of a local hire, and the Town to have the greatest control over the established route to best serve Boxborough residents and employees of resident businesses. The established bus route will connect Boxborough residents with the South Acton Train Station, shopping centers in Acton and Boxborough, health care services, and educational and government services. Additional trips can be arranged by schedule, and additional routes and stops are anticipated in future phases. While all costs will be covered by the Regional Transit Authority, seed money is needed to establish the line item and process the first month's expenses until reimbursement 30 days later.

The Select Board recommends (4-0-0). The Select Board recommends unanimously for the reasons stated in the Summary.

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

Discussion on the Motion on Article 9.

Action on the motion on Article 9: motion carried unanimously under the consent agenda.

TOWN OF BOXBOROUGH 2023 FALL TOWN MEETING

NON-CONSENT ARTICLES

- ARTICLE 10 ~~Zoning Bylaw Amendment – Commercial Dump~~
- ARTICLE 11 ~~Comprehensive Boxborough Traffic Study~~
- ARTICLE 12 Replacement of Fire Department Tender 65 (Tanker)
- ARTICLE 13 Full-Time Onsite Finance Director/Town Accountant & Part-Time Onsite Assistant Town Accountant
- ARTICLE 14 ~~Full-Time Onsite Finance Director/Town Accountant~~
- ARTICLE 15 Establishment of a K-9 Unit

NON-CONSENT ARTICLES

ARTICLE 10 ZONING BYLAW AMENDMENT - COMMERCIAL DUMP

(Two-thirds vote required)

To see if the Town will vote to amend Boxborough Zoning Bylaw Section 4.1.3.b, EXTENSIVE USES, and Section 9.2, Terms Defined, by adding the following language in bold italics, and further that non-substantive changes to the numbering of the Zoning Bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw.

	AR	R1	B	B1	OP	TC	IC
Commercial Earth Removal	N	N	N	N	N	N	Y2
<i>Commercial Dump</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>PB</i>
Conservation area, public park	Y	Y	Y	Y	Y	Y	Y

9.2 Terms Defined

Commercial Dump shall mean a sanitary landfill, a refuse transfer station, a refuse incinerator rated at more than one ton of refuse per hour, a resource recovery facility, a refuse composting plant, a dumping ground for refuse or any other works for treating, storing, or disposing of refuse.

Summary:

Following the zoning recodification during Special Town Meeting 2022, the Attorney General advised the Town that certain terms and language must be deleted of the bylaw. Once such deletion included the term Commercial Dump, within the bylaw. This deletion cited Mass General Law which dictates the use type may not be outlawed in industrial districts. The same section of Mass General Law does speculate that the use type may be subject to approval with reasonable conditions. As such, the Planning Board offers this revision to the Zoning Bylaw, which would allow the use only by special permit and only within the Industrial Commercial District.

The Planning Board defers recommendation. The Planning Board will defer its recommendation to Fall Town Meeting. The Planning Board Public Hearing on this article will be held on October 23rd, 2023

after the deadline for publication of this warrant. A copy of the Board's vote and written recommendation will be made available at Town Meeting and a verbal recommendation will be given on the floor.

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

The Select Board does not comment on articles proposed by other elected boards.

Mark White, Chair of the Planning Board moved and it was seconded to pass over this article.

Discussion on the Motion to pass over.

Mr. White explained that at the last Fall Town Meeting (2022) we voted to recodify the Zoning Bylaws, and the Attorney General's office let us know that a section of the Zoning Bylaw that expressly prohibits commercial dumps in any area of town was not allowed and we were required to modify that section, as you see printed in the Warrant. Last week our attorney confirmed that we qualify for an exemption because the section regarding commercial dumps was enacted in 1981, so was grandfathered in. There should be no need for us to make changes, so we voted unanimously to vote to pass over this Article while we attempt to get the AG's office to rescind their decision.

Finance Committee recommended passing over.

Action on the motion on Article 10: motion to pass over the Article carried unanimously.

ARTICLE 11 COMPREHENSIVE BOXBOROUGH TRAFFIC STUDY

\$20,000 Free Cash

(Majority vote required)

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of Twenty Thousand Dollars (\$20,000), more or less towards phase one of a comprehensive traffic study, focused primarily along Route 111, spanning the neighboring streets, considering the impacts of future growth, and making comprehensive recommendations on how best to address traffic and public safety, or take any other action relative thereto.

Summary:

To adequately assess the impacts of new growth, the Planning Board proposes this study to establish a baseline existing condition, review projected new traffic impacts, and recommended improvements to ensure safer streets in Boxborough. The baseline analysis will include a reasonable traffic count, conducted along Massachusetts Avenue and several surrounding neighborhoods. Further, the selected consultant will account for traffic anticipated by recently approved projects, some of which have been disputed for accuracy by the Planning Board. A projection will be prepared for future growth, and the selected consultant will make recommendations on the ways to improve the studied ways for public health and safety.

This \$20,000 article is the first step in a cumulative study, which will cost an additional \$60,000. The Planning Board requests \$20,000 of free cash to commence data collection in Fiscal Year 2024; and anticipates requesting the additional \$60,000, or a smaller sum, at Annual Town Meeting 2024. The Town Planner will investigate and evaluate several grant programs, with the hope of offsetting future costs by grant award prior to Annual Town Meeting.

The Planning Board recommends (5-0-0). The Planning Board will submit a verbal report on their recommendation on Town Meeting Floor.

The Finance Committee recommends (0-6-0). The Finance Committee does NOT recommend. The Finance Committee believes that the entire \$80,000 belongs on the Annual Town Meeting warrant and not split apart over two Town meetings.

The Select Board does not comment on articles proposed by other elected boards.

Mark White, Chair of the Planning Board moved to pass over this article. The Planning Board agrees that there is a need for a traffic study, but it has been determined that the cost is going to be much higher than \$20,000. The Planning Board voted to pass over this Article tonight. This proposal will be brought back at May ATM.

Finance Committee voted to pass over.

Action on the motion on Article 11: motion to pass over the Article carried unanimously.

ARTICLE 12 REPLACEMENT OF FIRE DEPARTMENT TENDER 65 (TANKER)

\$532,000 Bonding

(Two-thirds vote required)

Wes Fowlks moved and it was seconded that the Town appropriate the sum of Five Hundred Thirty-Two Thousand Dollars (\$532,000), for the purchasing and equipping of a Tender with additional carrying capacity for water for the Boxborough Fire Department, including all costs incidental and related thereto; that to meet this appropriation, the Treasurer with the approval of the Select Board is hereby authorized to borrow said sum pursuant to Massachusetts General Laws Chapter 44 section 7 and 8, or any other enabling authority, and to issue notes and bonds of the Town thereof.

Summary:

The Boxborough Fire Department applied for a FEMA grant to replace a piece of Fire apparatus that is 39 years old and frequently out of service. The grant was not awarded in 2022 and is pending, but looking unlikely for 2023. The current apparatus is slated to be replaced in FY24 per the capital plan. Action on this same article was indefinitely postponed at the 2023 Annual Town Meeting to see if the Fire Department was able to secure the grant. If the grant is not awarded by the time of Special Town Meeting, this article would fund the full purchase of the apparatus. All allocated funds for grant matches total of \$28,000 at the past two annual town meetings through free cash would be used for this purchase, as well, bringing the total cost of the purchase to \$560,000.

The Select Board recommends (4-0-0). The Select Board unanimously recommends this article for the reasons stated in the Summary, and it is important that the Fire Department is provided with safe equipment.

The Finance Committee recommends (6-0-0). The Finance Committee recommends approval of this article unanimously. This article will save the Town money by purchasing this firetruck before a large year-end price increase. The actual purchase of this equipment will not affect taxpayers until the fiscal year 2025. This piece of equipment, as stated above, is to replace the aged hose wagon 65. Replacing the old hose wagon with an additional tender/tanker increases the effectiveness of the fire department in protecting citizens' families and homes. This article will only be necessary should the FEMA grant not provide the full amount of the \$532,000.

Discussion on the Motion on Article 12.

Jim Moss of Bicentennial Way asked Interim Chief Gray how many gallons the new truck would carry, how many axles, and what weight expected and went on to discuss weight restrictions and how many feet of hose in a back and forth discussion.

Interim Chief Shawn Gray said that it would be 2,000-2,500 gallons, 1-2 axles, and about 1,000 feet of hose, LDH on top, and the load would be based on the restrictions in the station.

Jim Moss asked if it would fit in the current station?

Chief Gray said yes it would.

Mr. Moss said he searched for water trucks online; reasonable trucks are more like \$350,000 for a Peterbilt. There are a lot of examples of trucks that are available that are a lot cheaper. He would like to suggest that you might want to go back and check for cheaper trucks.

Francie Nolde of Sargent Rd. asked why we didn't get the FEMA grant yet.

Chief Gray said that we are at the end stage of this grant, and the money that they are expending for vehicles will probably be spent out before they get to vehicles. This is the furthest we've made it in the running for a truck. We have another new truck and that will be considered next time we apply for the grant, figuring we will be less competitive with an average truck age that is now higher.

Action on the motion on Article 12: motion carried by two-thirds majority as declared by the Moderator.

ARTICLE 13 FULL-TIME ONSITE FINANCE DIRECTOR/TOWN ACCOUNTANT & PART-TIME ONSITE ASSISTANT TOWN ACCOUNTANT

\$70,500 Free Cash
(Majority vote required)

Kristin Hilberg moved and it was seconded that Town vote to transfer from free cash the sum of Seventy Thousand Five Hundred Dollars (\$70,500), for the funding of the recruitment, hiring and retention of a full-time onsite Finance Director/Town Accountant, and a part-time onsite Assistant Town Accountant.

Summary:

This article is intended to enable the Town to recruit and retain two dedicated Boxborough employees; appropriately educated, experienced, qualified and credentialed in municipal accounting. Current research in the municipal finance market reveals that in order to be competitive in recruiting a pool of desirable candidates, that a fully benefited contract for a Finance Director/Town Accountant should be salaried between \$135,000 - \$150,000 per year, and the Finance Department should be able to be staffed with an Assistant Accountant for 19.5 hours per week at an approximate salary of \$30,500 per year.

It is anticipated there will be \$50,000 remaining in the Accountant salary line going into the third quarter of FY24 (including a \$10,000 severance per contract). To fund the Finance Director and Assistant Accountant positions for the third and fourth quarters of FY24, \$90,500 will be needed for salary (half year), \$15,000 in benefits (half year), and \$15,000 for executive recruitment; resulting in a total FY24 cost of \$120,500 minus the remaining \$50,000 = \$70,500 funding request.

The Select Board recommends (4-0-0). The Select Board unanimously recommends this article for the reasons stated in the Summary.

The Finance Committee recommends (6-0-0). The Finance Committee unanimously recommends and stated that it is imperative that we have a full-time certified accountant in house as well as a part-time accountant this year.

Moderator Reip had a point of order before calling for a motion on Article 13. He explained that Article 13 and 14 are similar. The intent of the Select Board is to pass a motion on one, or the other, but not both. If the motion on Article 13 carries, we can expect a motion to pass-over Article 14. If the motion on Article 13 fails, we can expect a motion to act on Article 14 as the next order of business.

Casey Cornett of Picnic St. why is it now imperative? What has changed.

Ms. Neyland, Chair of the Finance Committee said we get the information we need, but not in a timely manner. We have had a 20-hour a week accountant for the past year-and-a-half to two years working remotely and before that we had a full-time accountant. For example we still don't have end of month Budget vs. Actuals for September, and it's November. In order for us to be transparent for budgeting and for the tax payer to have an in house full time accountant.

Mr. Cornett asked what the cost savings with the elimination of the part-time accountant?

Ms. Neyland said that this is for two people, a full time and part time accountant, so no savings; this is an increase. The Select Board or Town Administrator may want to speak to that.

Mr. Cornett said why do we need 1.5 people? We used to have one full time person doing the work.

Mr. Johns said one of the factors is the complexity of municipal finance. His understanding of when we had a full-time accountant, she had been asking for assistance in the office. That may have been part of the reason that she left and works now in a different town as a Finance Director. The town may not have been ready to do that at the time. The town is best served by a full-time accountant, in house. They may find that they will need an assistant, due to the complexity of town finances.

Ms. Hilberg clarified that we have the accountant plus another part-time person working on the warrant. The complexity is much more than it was 10 years ago.

Mr. Fowlks said that we advertised and we went through several full-time accountants; we couldn't find one. We pieced together a part-time accountant with part-time assistant. It is impossible to take a vacation without an assistant, dealing with weekly warrants. We are coming to the town first in order to advertise a stable position within this fiscal year. We are in a stronger position to secure an experienced candidate if we offer the option of an assistant, so we are coming now to be able to offer that opportunity.

Mr. Cornett said he'd be more comfortable with a full-time accountant with the ability to hire a part-time person. There was a discussion to clarify the number of people working and who has left.

Mr. Fowlks said the current part-time person can't continue to help, as she is mainly working for the Police Department

Robin Lazarow of Hill Rd. asked for clarity about how many people will be doing the job?

Ms. Hilberg said one-and-a-half people, and explained that the current part-time assistant is going to be moving on to work in the police department full-time.

Mr. White asked if Article 13 is preferred? And asked how they will fit into Town Hall.

The answer from the Fin Com and Select Board is Article 13 is preferred.

Mr. Johns said we will fit them into Town Hall. There's also an Associate Planner that we've had advertised for a year and a half.

Ms. Hilberg stated that we prefer Article 13 because it's very stressful if we can't backfill positions and don't have a back-up option. We need to build a bench.

Ms. Neyland said with this option, Article 13, we can hire a full-time person this fiscal year and an assistant. The other option allows us to only hire the full-time person this year.

Jennifer Campbell of Patch Hill Rd. supports this article. We were never supposed to have a permanent solution in Kelli, off-site and part-time. She was on the Select Board at the time, and appreciates the work that Kelli has done, but it was not supposed to be a permanent solution. This article has the part-time assistant with it will help us recruit the best person for the job.

Cindy Markowitz of Meadow Ln. approves of this article. The budget is built with excel spreadsheets. Have there been improvements in software?

Mr. Johns said we are looking at bringing transparency and budgeting software to ATM in May. It is cobbled together spreadsheets and it works but it's error prone. Software that's designed for accounting would be much more efficient.

Ms. Markowitz still supports this article but hopes to see improvements and transparency from Town Hall.

Discussion on the Motion on Article 13.

Action on the motion on Article 13: motion carried by a majority as declared by the Moderator.

ARTICLE 14 FULL-TIME ONSITE FINANCE DIRECTOR/TOWN ACCOUNTANT

\$55,000 Free Cash
(Majority vote required)

To see if the Town vote to transfer from free cash the sum of Fifty-Five Thousand Dollars (\$55,000), for the funding of the recruitment, hiring and retention of a full-time, onsite Finance Director/Town Accountant.

Summary:

This article is intended to enable the Town to recruit and retain a dedicated Boxborough employee; appropriately educated, experienced, qualified and credentialed in municipal accounting and municipal finance department management. Current research in the municipal finance market reveals that in order to be competitive in recruiting a pool of desirable candidates, that a fully benefited contract should be salaried between \$135,000 - \$150,000 per year, and the Finance Department should be resourced with highly qualified, cross-trained employees who can provide support, backup and redundancy for succession planning and retention of qualified staff.

It is anticipated there will be \$50,000 remaining in the Accountant salary line going into the third quarter of FY24 (including a \$10,000 severance per contract). To fund the Finance Director position for the third and fourth quarters of FY24, \$75,000 will be needed for salary (half year), \$15,000 in benefits (half year), and \$15,000 for executive recruitment; resulting in a total FY24 cost of \$105,000 minus the remaining \$50,000 = \$55,000 funding request.

The Select Board recommends (3-1-0).

Majority Opinion: The majority of the Select Board recommends this article for the reasons stated in the Summary.

Minority Opinion: The dissenting member of the Select Board voted not to recommend a Full-time Accountant/Finance Director without provision for an assistant. The member fully recognizes the critical need for this role but believes that the absence of a designated Assistant Accountant will severely impact the recruitment and retention of qualified candidates, ultimately compromising the effectiveness and longevity of the position.

I strongly advocate for support of the alternative Warrant Article which prudently includes the provision for an Assistant Accountant, ensuring a balanced and sustainable approach to our town's financial management. This comprehensive approach is crucial for attracting and retaining top talent and allows for a more equitable distribution of responsibilities, enhancing the overall functionality and success of our finance department.

The Finance Committee recommends (6-0-0). The Finance Committee believes a full-time, in-person, certified Accountant is necessary for the provision of timely accurate information and should be accessible to all. We realize this will increase the budget going forward.

Kristin Hilberg moved to pass over Article 14.
Select Board and Finance Committee recommends unanimously.

Discussion on the Motion on Article 14.

Action on the motion on Article 14: motion to pass over article carried by a majority as declared by the Moderator.

ARTICLE 15 ESTABLISHMENT OF A K-9 UNIT

\$26,300 Free Cash

(Majority vote required)

Dave McKiernan moved and it was seconded that the Town vote to transfer from free cash the sum of Twenty-Six Thousand, Three Hundred Dollars (\$26,300), for the purpose of the establishment of a K-9 Unit, including, but not limited to, payroll expenses, purchase of a K-9 and any related equipment, the costs associated with the care and feeding of the K-9, and any other costs incidental and related to the establishment of a K-9 Unit.

Summary:

The fund would be used to cover the costs related to the establishment of a K-9 Unit for the Town of Boxborough. A K-9 would serve multiple purposes including improving community relations with town citizens, seniors, employees, and youth, while also providing much-needed search and rescue operations in a timely manner for lost or missing individuals on the numerous town trails and open space areas.

Relevant expenditures would include:

- *K-9*
- *Training of K-9*
- *Wages/Overtime associated with the cost of the training, daily maintenance, upkeep, and shift coverage*
- *Transportation costs/Outfitting of vehicle*
- *Food*
- *Veterinarian*
- *Medicine/Vaccinations*
- *Departmental equipment, supplies, and gear*
- *Shelter*
- *Other relevant expenditures pertaining to the proper care and safety of the K-9 and police personnel*

We are anticipating numerous donations, along with fundraising efforts for this program. Any unused funds will be returned to free cash.

The Select Board recommends (4-0-0). The Select Board unanimously recommends this article for the reasons stated in the Summary.

The Finance Committee recommends (5-0-1). A majority of the Finance Committee recommends, for all the reasons stated above. We are also pleased that the Police Department is securing pledges to offset the cost of the program.

Discussion on the Motion on Article 15.

Diane Ford of Old Harvard Rd. states that there has been high turnover in the Police Department. What happens with the dog if the person responsible for it leaves?

Chief Szewczyk answered that that would be worked out. There has been a pledge of a canine that is worth \$18,000. It would belong to the Department, but the dog would be trained by the individual, and the dog would go with that person. The officer would have to give a commitment to the department to stay. It is a retention tool.

Ms. Ford asked if it was a verbal or written commitment to stay.

Chief Szewczyk asked to give his presentation. The Select Board asked to him to give his presentation.

This would be a cross-trained dog that would not be a bite-dog or apprehension dog. This dog would be a scent dog and for community service. Community outreach is imperative, improves interactions and engage the community. That is number one. The second benefit is that of a scent dog; we have a lot of open space and wooded areas. We have 1-3 calls per month for missing persons so it is vitally important to have a scent dog available much more quickly that we currently have.

We secured a donation of a canine of a Labrador from Foxbend Labradors in NH with basic obedience training, microchipping, vaccinated. They give one dog per litter, with a donation worth \$18,000. All veterinary services and teeth cleaning has been pledged by local businesses. On average for other town in the area, \$7,000-10,000/year usually comes in in donations. Showed a photo of the mom who is expecting in December, so the dog would arrive around March.

The handler needs to be compensated for 1 hour per day to compensate an officer in overtime (approximately \$21,780 per year, but could be less if comp time). The dog would get additional training for scent training, etc. which is free from the MPTC and the State Police. We also put in for equipment and food at a cost of approximately \$6,000 annually.

Have a current vehicle 2017 Ford Explorer, and can outfit it for about \$6,000. Any unused funds would be returned to free cash. We have a great opportunity to improve search and rescue and community relations.

Ms. Ford is concerned that there is no concrete assurance that we will retain this officer and the dog.

Chief Szewczyk said that to be fair to the canine, we can't separate the dog from the officer. It's incumbent on the Chief to select an officer that will stay with the department.

Ms. Markowitz of Meadow Ln. asked if the town pays anything to bring in canine from another town?

Chief Szewczyk said no.

Ms. Markowitz said that the one time she has experienced hat it is a concerning ongoing cost to the town. There are higher priorities in the town.

Francie Nolde asked about other towns. She was not aware of so many calls about missing people. She asked if we have we looked at arrangements with other towns to have a dog come when needed. She wondered if that annual cost is going to increase?

Chief Szewczyk wants a much higher chance of a dog available. We absolutely do have a need and we sometimes have to wait. That cost is worst case and is not going to happen most likely and will not increase.

Ms. Nolde says that people are found in most cases without a dog.

Chief Szewczyk said it is about community service and community relations. One of his first calls here was a missing child case. When it happens it's vitally important. We can defray the costs and it's well worth the dollars spent. It's also a retention tool to keep an officer here.

Heather Fleming of Stow Rd. said that before coming she was not convinced that it was needed. But she was struck by what the Chief said at the end is that this is about morale in the department; this would be a relatively cheap way to do it. She supports the article.

Chief Szewczyk said that this department is not the place for a lot of action for young officers. Recruitment is very challenging and this is absolutely a way to keep a younger officer.

Robin Lazarow said that she does not support it and doesn't see the need to have this for the community. There could be other resources for seniors for comfort dogs. She doesn't agree that this will improve the relations for everyone.

Joan Blaustein of Stow Rd. said that the search component is separate from community relations. Not everyone loves dogs. She would want more one on one community relations connections with officers.

Mr. White said that community relations is when police are here. He hasn't seen police at Town Meeting. He doesn't see how it's going to pay for itself. He doesn't see how it will help with recruitment, because this will only help with one officer.

Megan Connor of Mayfair Dr. has experienced having a child missing in the woods, she sees that having a quick response time would be so beneficial. Even though she is afraid of dogs, she sees a great benefit to this in terms of community relations. She reference Canine Zane in Acton who she has seen at many events and sees the benefits of that.

Mr. Moss would prefer a cat. He attempted to also move the question, but that was disallowed by the Moderator since he commented on the article.

Kathy Vorce of Liberty Square Rd. is not in favor of the article. She wants to request the minority opinion on the Fin Com.

Mr. Stemple of the Fin Com didn't want to spend the \$18,000 at FTM, but would have preferred to bring it to ATM. Now that he knows the fact that the \$18,000 is donated, he would vote yes on the article.

Rita Grossman of Depot Rd. said that there are grants from the state that are available, so it sounds like with fundraising capacity this could cost very little and when it's your child that's lost or a member of the family that has mental health issues who is lost, it could really make a difference. The police department is often called to domestic drama situations as well, and could the dog be used in those situations? And could the dog be used for drug detection?

Chief Szewczyk said that the dog wouldn't necessarily be available to stop an altercation, but could be there after a situation is over. We could send a dog for additional training, but that's not my first inclination. As far as fundraising, we've been active in getting pledges, but he can't fundraise for payroll.

Ms. Grossman was talking more about domestic situations with mental health situations as a calming influence.

Chief Szewczyk said 100% yes.

Ms. Grossman is leaning in favor.

Meagan McKiernan of 242 Old Harvard Rd. is very excited about this opportunity. It's an opportunity to engage with an officer who is the handler. She has a daughter in high school who often has experienced animals coming in for kids for mental health concerns, and sees the benefits in schools and for all people in the community.

Ms. Campbell moved the question.

Motion to stop debate passed by two-thirds majority as declared by the Moderator.

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

Kristin Hilberg moved and it was seconded to dissolve the November 6, 2023 Boxborough Fall Town Meeting at 8:37 pm. Motion carried unanimously.

Respectfully submitted,

Rebecca Harris, Town Clerk