

**ANNUAL TOWN MEETING  
MAY 14, 2002**

Voters of the Town of Boxford met at the Masconomet Regional High School on Tuesday, May 14, 2002. Moderator Gerald R. Johnston called the Town Meeting to order at 7:45 p.m. The Articles of the Warrant were disposed of accordingly. Moderator Johnston presented Citizen Awards to Karen L. Sheridan and Charles E. Killam for many years of volunteer services to the Town of Boxford.

**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.*

**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) **A 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 \$20,000 for Fiscal Year 2003 from said account for the operation and maintenance of the Town Recycling Center;
- 2) **A 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; to expend funds not to exceed \$10,000 for Fiscal Year 2003 from said account for the costs to the Town for printing supplies, equipment and reimbursable advertising;
- 3) **A 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 2003 from said account for ongoing supplies and maintenance of the copy machines, and purchase of other library supplies;

**Conservation Revolving Fund** under the direction of the Conservation Commission and used for the deposit of receipts collected through fees, including fees collected from applications related to the Town of Boxford Wetlands Protection Bylaw, by direction of the Conservation Commission and further to allow the Conservation Commission, with the written approval of the Selectmen, to expend fees not to exceed \$50,000 for fiscal year 2003 from said account for management of land under Conservation Commission control, and for other Conservation Commission expenses approved by a majority of the Commission;

4) **A 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 2003 from said account for the purchase and maintenance of equipment related to highway safety;

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 revolving accounts as listed in Article 2 of the Warrant and 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.*

**ARTICLE 3.** To see if the Town will vote to adopt the **Classification Plan and Compensation Plan** for FY 2003, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on page 11 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 2003, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on Page 11 of the Warrant.*

**ARTICLE 4.** To see if the Town will vote to rescind the action taken on Article 3 of the Annual Meeting on May 12, 1992 and thereby terminate, effective July 1, 2002, the **Roadside Solid Waste and Recycling Enterprise Fund** created pursuant to M.G.L. Chapter 44 § 27B or to 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 a majority voice vote, to rescind the action taken on Article 3 of the Annual Town Meeting on May 12, 1992 and thereby terminate, effective July 1, 2002, the **Roadside Collection Solid Waste and Recycling Enterprise Fund** created pursuant to M.G.L. Chapter 44 § 53F½.

**ARTICLE 5.** To see if the Town will vote to set the annual curbside solid waste collection fee at \$2.00 per 32-gallon bag or container (each use); or take any other action thereon.

Sponsored by the Board of Health  
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 \$2.00 per 32-gallon bag or container (each use).*

**ARTICLE 6.** 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 2003, 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: \$ 20,564,463.

The proposed budget is printed on pages 12 & 13 of this warrant

*Upon a motion made and duly seconded, it was **VOTED**, by unanimous voice vote, to raise the sum of \$20,542,466 and transfer \$21,997 from the "Receipts Reserved for Appropriation - Septic Loan Program" for a total appropriation of \$20,564,463 for the use of several departments for fiscal year 2003, 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.*

**ARTICLE 7.** To act upon the list of proposed Capital Purchases for FY 2003 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 the Fiscal Year 2003, 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: \$ 723,337.

Finance Committee recommends adoption of this article  
Capital Budgeting Committee recommendations are printed on capital budget  
The proposed Capital Budget is printed on page 14 of this warrant

Upon a motion made and duly seconded, it was **VOTED**, by unanimous voice vote, to transfer from free cash the sum of \$718,337 to fund the list of proposed capital purchases as shown on Page 14 of the warrant (with the exception that the DPW Cab & Chassis be reduced to read \$75,000 and the totals to be adjusted accordingly), for the use of several departments for the Fiscal Year 2003, and authorize expenditure of these funds under the direction of the appropriate listed department.

**ARTICLE 8.** To see if the Town will vote to appropriate \$50,000 in debt acquisition and legal fees, \$3,410,000 in land purchase expense, for a total appropriation of \$3,460,000. to enable the Town of Boxford to acquire for Open Space and Conservation purposes, and to accept the deed (own of fee simple interest or less, a parcel of land known as the Sawyer-Richardson property consisting of 135 acres, more or less, described as portions of parcels 39-1-1; 36-1-2; 40-1-16; 40-1-36; and 40-1-37.1 in the records of the Boxford Assessors, further shown as Lot 4, Plan of Land entitled, "Plan of Land in Boxford, MA, Prepared for Habitech Development, prepared by Thomas E. Neve Associates, Inc., dated March 22, 2002 on file with the Town together with all flowage rights and easements and subject to all well rights and covenants; that said land be conveyed to the Town of Boxford under the provisions of Massachusetts General Laws, Chapter 44B and Massachusetts General Laws, Chapter 40 § 8C, they may hereafter be amended; said land to be managed and controlled by the Boxford Conservation Commission; and that the treasurer, with the approval of the Selectmen, be authorized to issue debt to fund said purchase as follows: \$210,000 to be authorized under Article #37 of the Boxford Annual Town Meeting held May 14, 1997; \$3,250,000 be authorized for the Community Preservation Program for open space land acquisition, pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority; 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 (Chapter 132A, § 11) and/or any other state or federal programs including those in aid of conservation land acquisition and to receive and accept such grants or reimbursements for this purpose, and/or any others in any way connected with the scope of this Article, and that the Town and Conservation Commission and Board of Selectmen be authorized to grant a perpetual conservation restriction to be held by the Massachusetts Department of Environmental Management 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; or take any other action thereon.

Sponsored by the Community Preservation Committee, Board of  
Selectmen, and Land Committee  
Finance Committee recommends adoption of this article  
Capital Budgeting Committee Recommendation: "B" High Priority

Article #8: The total purchase price for these 135 acres is \$4.75 million, of which the Town of Boxford's share is \$3.41 million (the Commonwealth of Massachusetts and private donations fund the rest). In addition, of the Town's share, we are approved to be reimbursed \$250,000 through a Self-Help Grant.

Upon a motion made and duly seconded, it was **VOTED**, by a greater than 2/3 voice vote, to appropriate \$50,000 in debt acquisition and legal costs, \$3,410,000 in land purchase expense, for a total appropriation of \$3,460,000. to enable the Town of Boxford to acquire for Open Space and Conservation purposes, and to accept the deed to the town of fee simple interest or less, a parcel of land known as the **Sawyer-Richardson Property** consisting of 135 acres, more or less, described as portions of parcels 39-1-1; 36-1-2; 40-2-16; 40-1-36; and 40-1-37.1 in the records of the Boxford Assessors, further shown as Lot 4, on a plan of land entitled, "Plan of Land in Boxford, MA, Prepared for Habitech Development, LLC" prepared by Thomas E. Neve Associates, Inc., dated March 22, 2002 on file with the Town Clerk, together with all flowage rights and easements and subject to all well rights and easements; that said land be conveyed to the Town of Boxford under the provisions of Massachusetts General Laws, Chapter 44B and Massachusetts General Laws, Chapter 40 § 8C, as they may hereafter be amended; said land to be managed and controlled by the Boxford Conservation Commission; and that the treasurer, with the approval of the Selectmen, be authorized to issue debt to fund said purchase as follows: \$210,000 to be authorized under Article #37 of the Boxford Annual Town Meeting held May 14, 1997; \$3,250,000 be authorized under the Community Preservation Program for open space land acquisition, pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority; 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 (Chapter 132A, § 11) and/or any other state or federal programs including those in aid of conservation land acquisition and to receive and accept such grants or reimbursements for this purpose, and/or any others in any way connected with the scope of this Article, and that the Town and Conservation Commission and Board of Selectmen be authorized to grant a perpetual conservation restriction to be held by the Massachusetts Department of Environmental Management 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.

**ARTICLE 9.** To see if the Town will vote to **rescind** the action taken under Article F55 of the Annual Town Meeting, May 9, 2000, which authorized the purchase of 6± acres known as the **Hebb Land** from the Conservation Land Purchase serial bond; or take any other action thereon.

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

Upon a motion made and seconded, it was **VOTED**, by unanimous voice vote, to **rescind** the action taken under Article F55 of the Annual Town Meeting, May 9, 2000, which authorized the purchase of 6± acres known as the **Hebb Land** from the Conservation Land Purchase serial bond.

**ARTICLE 10.** To see if the Town will vote to authorize the Board of Selectmen and the Boxford Town Forest Committee to grant a conservation restriction, on such terms and conditions as they shall determine, to BTA/BOLT, Inc. on the Boxford Town Forest as described in the records of the Boxford Assessors as map 2, block 2, parcel 11 and map 5, block 2, parcel 4, said assessors' map and proposed conservation restriction on file with the Town Clerk, and further to authorize the Board of Selectmen to petition the General Court to authorize the granting of this conservation restriction; or take any other action thereon.

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

*Upon a motion made and seconded, it was VOTED, by unanimous voice vote, to authorize the Board of Selectmen and the Boxford Town Forest Committee to grant a conservation restriction, on such terms and conditions as they shall determine, to BTA/BOLT, Inc. on the Boxford Town Forest as described in the records of the Boxford Assessors as map 2, block 2, parcel 11 and map 5, block 2, parcel 4, said assessors' map and proposed conservation restriction on file with the Town Clerk, and further to authorize the Board of Selectmen to petition the General Court to authorize the granting of this conservation restriction.*

**ARTICLE 11.** 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 2003, with each item to be considered a separate appropriation:

Appropriations:

from FY 2002 Open Space Reserve for Sawyer-Richardson Open Space Bond Expense

~~\$30,000.00~~

from FY 2003 estimated revenues for Sawyer-Richardson Open Space Bond Expense

~~\$7,500.00~~

from FY 2003 estimated revenues for Committee Administrative Expenses

~~\$15,000.00~~

Reserves:

from FY 2003 estimated revenues for Historic Resources Reserve

~~\$60,000.00~~

from FY 2003 estimated revenues for Community Housing Reserve

~~\$0,000.00~~

take any other action thereon.

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

*Upon a motion made and 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 2003, with each item to be considered a separate appropriation:*

Appropriations:

*From FY 2002 Open Space Reserve for Sawyer-Richardson Open Space Bond Expense  
\$30,000.00*

*From FY 2003 estimated revenues for Sawyer-Richardson Open Space Bond Expense  
\$67,500.00*

*From FY 2003 estimated revenues for Committee Administrative Expenses  
\$15,000.00*

Reserves:

*From FY 2003 estimated revenues for Historic Resources Reserve  
\$60,000.00*

*From FY 2003 estimated revenues for Community Housing Reserve  
\$60,000.00*

**ARTICLE 12.** To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$3,000 to fund the municipal share of the **Local Cultural Council's Matching Incentive Program** application for a matching grant from the Massachusetts Cultural Arts Council; said funds to be spent under the direction of the Boxford Cultural Arts Council; or take any other action thereon.

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

*Upon a motion made and seconded, it was VOTED, by unanimous voice vote, to transfer from free cash the sum of \$3,000 to fund the municipal share of the Local Cultural Council's Matching Incentive Program application for a matching grant from the Massachusetts Cultural Arts Council, said funds to be spent under the direction of the Boxford Cultural Arts Council.*

**ARTICLE 13.** To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$2,000 for the purpose of participation in the **Help for Abused Women and their Children (HAWC)** program, said funds to be spent under the direction of the Board of Selectmen; or take any other action thereon.

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

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

**ARTICLE 14.** To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$24,665 for fiscal year 2003 for the support of the **Tri-Town Council on Youth and Family Services, Inc.**, said funds to be spent under the direction of the Board of Selectmen; or take any other action thereon.

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

Upon a motion made and seconded, it was **VOTED**, by unanimous voice vote, to transfer from free cash the sum of \$24,665 for fiscal year 2003 for the support of the **Tri-Town Council on Youth and Family Services, Inc.**, said funds to be spent under the direction of the Board of Selectmen.

**ARTICLE 15.** To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$100,000 to partially fund the expected legal costs, expert fees, environmental studies, environmental remediation and any other expenses related to the defense of the town in the pending lawsuit, **Jeffrey A. Walker and Pamela A. Walker v. Town of Boxford and Full Circle Construction, Essex Superior Court, C.A. No. 01-1687A**, said funds to be spent under the direction of the Board of Selectmen; or take any other action thereon.

Sponsored by Board of Selectmen

Finance Committee recommends adoption of this article

Upon a motion made and seconded, it was **VOTED**, by unanimous voice vote, to transfer from free cash the sum of \$100,000 to partially fund the expected legal costs, expert fees, environmental studies, environmental remediation and any other expenses related to the defense of the town in the pending lawsuit, **Jeffrey A. Walker and Pamela A. Walker v. Town of Boxford and Full Circle Construction, Essex Superior Court, C.A. No. 01-1687A**, said funds to be spent under the direction of the Board of Selectmen.

**ARTICLE 16.** To see if the Town will vote to **accept the following roads** described below, as public ways, including any appurtenant easements and to authorize the Board of Selectmen to acquire any necessary easements by gift; said plans on file with the Town Clerk:

**Ashland Road** in its entirety, from Station 0+00 to Station 18+17 as shown on a plan entitled, "Subdivision As Built, Village Estates Subdivision, Hickory Lane and Ashland Road", Boxford MA, prepared for Hill & Associates, dated October 1999, by Apple Associates, Inc. and recorded in Essex South Registry of Deeds in Plan Book 290, Plan 65;

**Hickory Lane** in its entirety, from Station 0+00 to Station 29+35 as shown on a plan entitled, "Subdivision As Built, Village Estates Subdivision, Hickory Lane and Ashland Road", Boxford MA, prepared for Hill & Associates, dated October 1999, by Apple Associates, Inc. and recorded in Essex South Registry of Deeds in Plan Book 290, Plan 65;

**Joseph Smith Lane** from Station 0+00 to Station 8+43.79 as shown on a plan entitled, "Subdivision As Built, Joseph Smith Lane", Boxford MA, prepared for Town of Boxford, dated January 8, 2002, by Hancock Survey Associates and recorded in Essex South Registry of Deeds in Plan Book 248, Plan 22;

**Walker Lane** in its entirety, from Station 0+00 to Station 6+71.35 as shown on a plan entitled, "Subdivision As Built, Walker Lane", Boxford MA, prepared for Walker Development Corp., dated November 19, 1997, by Thomas E. Neve Associates and recorded in Essex South Registry of Deeds in Plan Book 324, Plan 21;



**Andrews Farm Road** in its entirety, from Station 0+00 to Station 18+54.51 as shown on a plan entitled, "Subdivision As Built, Plan of Andrews Farm Subdivision", Boxford MA, prepared for 94 Lockwood Lane Realty Trust, dated April 24, 1995, by Hancock Survey, Inc. and recorded in Essex South Registry of Deeds in Plan Book 307, Plan 20;

**Upton Lane** in its entirety, from Station 0+00 to Station 5+24.93 as shown on a plan entitled, "Subdivision As Built, Plan of Andrews Farm Subdivision", Boxford MA, prepared for 94 Lockwood Lane Realty Trust, dated April 24, 1995, by Hancock Survey, Inc. and recorded in Essex South Registry of Deeds in Plan Book 307, Plan 20;

**Gina Way** in its entirety, from Station 0+00 to Station 11+58.27 as shown on a plan entitled, "Subdivision As Built, Wolcott Island Estates at Boxford", Boxford MA, prepared for B.B.M.M. Realty Trust, dated November 6, 1996, by Hancock Survey Associates and recorded in Essex South Registry of Deeds in Plan Book 308, Plan 65;

or take any other action thereon.

Sponsored by Planning Board

*Upon a motion made and seconded, it was VOTED, by unanimous voice vote, to accept the roads described and listed in Article 16 of the warrant, as public ways, including any appurtenant easements and to authorize the Board of Selectmen to acquire any necessary easements by gift; said plans on file with the Town Clerk.*

**AN AMENDMENT TO ARTICLE 16** was introduced as follows:

**To see if the Town will vote to accept the roads described and listed in Article 16 of the warrant, as public ways as written, deleting the Paragraphs starting with Ashland Road, Hickory Lane and Andrews Farm Road, including any appurtenant easements and to authorize the Board of Selectmen to acquire any necessary easements by gift; said plans on file with the Town Clerk.**

*Upon a motion made and seconded, it was VOTED, by a majority voice vote, to accept the roads described and listed in Article 16 of the warrant, as public ways as written, deleting the Paragraphs starting with Ashland Road, Hickory Lane and Andrews Farm Road, including any appurtenant easements and to authorize the Board of Selectmen to acquire any necessary easements by gift; said plans on file with the Town Clerk.*

**ARTICLE 17.** To see if the Town will vote to amend its bylaws, as codified in the Code of the Town of Boxford, Chapter 150, Smoking, Section 3., "Violations and Penalties", subsection A, which currently reads:

Violations of this section shall be non-criminal in nature, and violators shall be subject to the following fines:

- (1) First Offense: \$25
- (2) Second Offense: \$50
- (3) Third and Subsequent Offense: \$100.

be amended to read:

Violators of this section shall be subject to the following fines:

- (1) First Offense: \$25
- (2) Second Offense: \$50
- (3) Third and Subsequent Offense: \$100.;

take any other action thereon.

Sponsored by the Board of Selectmen

Upon a motion made and seconded, it was **VOTED**, by a majority voice vote, to amend the Town bylaws, as codified in the Code of the Town of Boxford, Chapter 150, Smoking, Section 3, "Violations and Penalties", subsection A, which currently reads:

Violations of this section shall be non-criminal in nature, and violators shall be subject to the following fines:

- (1) First Offense: \$25
- (2) Second Offense: \$50
- (3) Third and Subsequent Offense: \$100.;

to be amended to read:

A. Violators of this section shall be subject to the following fines:

- (1) First Offense: \$25
- (2) Second Offense: \$50
- (3) Third and Subsequent Offense: \$100.;

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E. At this time, we anticipate that Article 18 will be offered as a "contingent appropriation." means that although the appropriation and building project could be approved at the Annual Meeting, that appropriation would be fully contingent upon successful passage of the related 2 1/2% debt exclusion ballot question. Should the ballot question fail at the May 21, 2002 Town Election, the appropriation would be rendered null and void, and the building project be defeated.

.....

CLE 18. To see if the Town will vote to authorize, appropriate and raise by borrowing or use, the sum of \$4,270,000 for constructing, originally equipping and furnishing a New Hall on town owned land off Spofford Road, including site improvements, additional facilities and other costs incidental and related to the project, its design, permitting and construction; or take any other action thereon.

"170."

Sponsored by the Board of Selectmen  
Finance Committee recommends adoption of this article  
Capital Budgeting Committee Recommendation: "A" Essential

*Upon a motion made and seconded, it was VOTED, by a greater than 2/3 voice vote, that that the sum of \$4,270,000 be hereby appropriated, to be expended at the direction of the Selectmen for constructing, originally equipping and furnishing a New Town Hall on town owned land off Spofford Road, including site improvements, additional parking facilities and other costs incidental and related to the project, its design, permitting and ultimate construction, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is hereby authorized to borrow said sum under and pursuant to Chapter 44, Section 7, Clause (3) of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefore, provided, however, that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts necessary to repay any bonds or notes issued hereunder from the limitations imposed by Chapter 59, Section 21C of the General Laws, also known as Proposition 2 1/2.*

**ARTICLE 19.** To see if the Town will vote to appropriate the sum of \$105,413.96 for highway maintenance and construction in accordance with Chapter 53 of the Acts of 1999, as authorized by a contract with the Commonwealth of Massachusetts and executed by the Town on March 24, 2002, funds to be expended under the direction of the Board of Selectmen; or take any other action thereon.

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

*Upon a motion made and seconded, it was VOTED, by unanimous voice vote, to appropriate the sum of \$105,413.96 for highway maintenance and construction in accordance with Chapter 53 of the Acts of 1999, as authorized by a contract with the Commonwealth of Massachusetts and executed by the Town on March 24, 2002, funds to be expended under the direction of the Board of Selectmen.*

**ARTICLE 20.** To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$10,000 to replenish the Town Unemployment Fund, said funds to be spent under the direction of the Board of Selectmen; or take any other action thereon.

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

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

ARTICLE 21. To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$175,000 to fund the Reserve Fund, said funds to be spent under the direction of the Finance Committee; or take any other action thereon.

Sponsored by the Finance Committee

*Upon a motion made and seconded, it was VOTED, by unanimous voice vote, to transfer from free cash the sum of \$175,000 to fund the Reserve Fund, said funds to be spent under the direction of the Finance Committee.*

ARTICLE 22. To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$75,000 to fund the Stabilization 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 seconded, it was VOTED, by unanimous voice vote, to transfer from free cash the sum of \$75,000 to fund the Stabilization Fund.*

ARTICLE 23. To see if the Town will vote to authorize the Selectmen to petition the Massachusetts Legislature to change the Town boundary line between the Towns of Boxford and North Andover in the vicinity of Bradford Street, and to authorize the Selectmen to define the exact location of the new town boundary line. The proposed boundary line being generally as shown on plan entitled, "Conceptual Plan: Town Boundary Relocation Between the Towns of North Andover and Boxford, Massachusetts" dated February 26, 2002, scale 1"=100', prepared by Huntress Associates, Inc., a copy of which is on file in the office of the Town Clerk, and to authorize the Board of Selectmen to approve amendments to the proposed boundary line which are within the scope of the general public objectives of this petition; or take any other action thereon.

Sponsored by Initiative Petition  
Finance Committee recommends adoption of this article

*Upon a motion made and seconded, it was VOTED, by a majority voice vote, to authorize the Selectmen to petition the Massachusetts Legislature to change the Town boundary line between the Towns of Boxford and North Andover in the vicinity of Bradford Street, and to authorize the Selectmen to define the exact location of the new town boundary line. The proposed boundary line being generally as shown on the plan entitled, "Conceptual Plan: Town Boundary Relocation Between the Towns of North Andover and Boxford, Massachusetts" dated February 26, 2002, scale 1"=100', prepared by Huntress Associates, Inc., a copy of which is on file in the office of the Town Clerk, and to authorize the Board of Selectmen to approve amendments to the proposed boundary line which are within the scope of the general public objectives of this petition.*

AN AMENDMENT TO ARTICLE 23 was introduced to pass over this Article.

*Upon a motion made and seconded, it was VOTED, by a majority voice vote, to deny passing over this Article.*

ARTICLE 24. To transact any other business that may legally come before said meeting.

*Upon a motion made and seconded, it was VOTED, by unanimous voice vote, to dissolve this Town Meeting at 11:13 p.m.*

Registered voters attending the meeting were 440. Town Clerk Patricia Shields appointed counters and checkers for the meeting.

A true record.

ATTEST:



Patricia Shields  
Town Clerk

**BORROW:**

Article 8 (To purchase Sawyer-Richardson Property)	\$3,460,000.00
Article 18 (To build a New Town Hall - Proposition 2-1/2 Override)	4,270,000.00

**TOTAL TO BE BORROWED**

**\$ 7,730,000.00**

**APPROPRIATION:**

Article 6 General Budget	\$ 20,542,466.00
Article 19 (Highway Maintenance - Chapter 53 of The Acts of 1999)	<u>105,413.96</u>

**TOTAL TO BE APPROPRIATED**

**\$20,647,879.96**

**TRANSFER:**

Article 6 (from Receipts Reserved for Appropriation – Septic Loan Program	\$ 21,997.00
Article 7 (from Free Cash for capital purchases for FY2003)	718,337.00
Article 12 (from Free Cash for Cultural Council's Matching Incentive Program)	
	3,000.00
Article 13 (From Free Cash to HAWC)	2,000.00
Article 14 (From Free Cash to Tri-Town Council)	24,665.00
Article 15 (from Free Cash to partially fund legal costs, Expert fees, environmental studies and Environmental remediation and any other Expenses related to the defense of the town in a pending lawsuit)	100,000.00
Article 20 (from Free Cash to replenish the Town Unemployment Fund)	10,000.00
Article 21 (From Free Cash to The Reserve Fund)	175,000.00
Article 22 (From Free Cash to The Stabilization Fund)	75,000.00

**TOTAL TO BE TRANSFERRED**

**\$ 1,129,999.00**

**SPECIAL TOWN MEETING  
OCTOBER 22, 2002**

Voters of the Town of Boxford met at the Masconomet High School on Tuesday, October 22, 2002. Moderator Gerald R. Johnston called the Special Town Meeting to order at 7:38 p.m. The Articles of the Warrant were disposed of accordingly.

Jerry briefly interrupted the Special Town Meeting to make a special announcement for Town Clerk, Patricia Shields and her husband, Sam. The glad tidings were the birth of their third grandchild "Sophie Katherine Shields" born at 6:04 p.m. (Texas time), weighing in at 8 lbs 7 ounces and 21-1/2 inches long.

**ARTICLE A1.** To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to supplement the current Police salary budget voted under Article #6 of the May 14, 2002 Annual Town Meeting, in order to fund a portion of the FY 2002 and FY 2003 portions of the "*Collective Bargaining Agreement between the Town of Boxford and the Boxford Police Reserve Association*"; or take any other action thereon.

Estimate: \$6,000

Sponsored by the Board of Selectmen

Finance Committee to make recommendation at Town Meeting

*Upon a motion made and duly seconded, it was VOTED, by unanimous voice vote to pass over this article.*

**ARTICLE A2.** . To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$11,854 to fund the salary of Library Assistant I (15 hours per week at \$10.23 per hour total \$6,751.80) and Circulation Desk Attendant (15 hours per week at \$7.73 per hour \$5,101.80). Funds are necessary to staff the Boxford Town Libraries; said funds to be expended under the direction of the Board of Library Trustees; or take any other action thereon.

Sponsored by the Boxford Library Trustees

Finance Committee does not recommend adoption of this article

Selectmen do not recommend adoption of this article

*Upon a motion made and duly seconded, it was VOTED, by a hand count of 107 in favor, 93 opposed, that the sum of \$11,854 be raised and appropriated to fund the salary of Library Assistant I (15 hours per week at \$10.23 per hour total \$6,751.80) and Circulation Desk Attendant (15 hours per week at \$7.73 per hour \$5,101.80). Funds are necessary to staff the Boxford Town Libraries; said funds to be expended under the direction of the Board of Library Trustees; or take any other action thereon.*

**ARTICLE A3.** To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of **\$10,000** to purchase aerial photography of the town and associated software from Pictometry International Corporation through the Merrimack Valley Planning Commission, and associated computer expenses, said funds to be expended under the direction of the Board of Selectmen; or take any other action thereon.

Sponsored by the Board of Selectmen

Finance Committee does not recommend adoption of this article.

Capital Budgeting Committee does not recommend adoption of this Article.

*Upon a motion made and duly seconded, it was VOTED, by a show of hands, to defeat this Article.*

**ARTICLE A4.** To see if the Town will vote to transfer the sum of **\$3,000** from the unspent portion of funds appropriated under Article 12 of the May 12, 2002 Annual Town Meeting, originally appropriated to fund the Town's share of the now defunct State's Local Cultural Councils' Matching Incentive Program, to now fund the Boxford Cultural Arts Council directly, without state match; said funds to be spent under the direction of the Boxford Cultural Arts Council; or take any other action thereon.

Sponsored by the Board of Selectmen

Finance Committee recommends adoption of this article.

*Upon a motion made and duly seconded, it was VOTED, by majority voice vote, to transfer the sum of \$3,000 from the unspent portion of funds appropriated under Article 12 of the May 12, 2002 Annual Town Meeting, originally appropriated to fund the Town's share of the now defunct State's Local Cultural Councils' Matching Incentive Program, to now fund the Boxford Cultural Arts Council directly, without state match; said funds to be spent under the direction of the Boxford Cultural Arts Council.*

**ARTICLE A5.** To see if the Town will vote to amend its bylaws, as codified in the Code of the Town of Boxford, Chapter 23, §23-6 Employee Benefits, (B) Vacation leave, as shown and as printed on pages 8 and 9 of this warrant, or take any other action thereon.

Sponsored by the Personnel Board

*Upon a motion made and duly seconded, it was VOTED, by unanimous voice vote, to amend the Town bylaws, as codified in the Code of the Town of Boxford, Chapter 23, §23-6 Employee Benefits, (B) Vacation leave, as shown and as printed on pages 8 and 9 of this warrant.*

**ARTICLE A6.** To see if the Town will vote to appropriate the sum of **\$210,827.93** for highway maintenance and construction in accordance with Chapter 246 of the Acts of 2002, as authorized by contract with the Commonwealth of Massachusetts and executed by the Town on October 2, 2002, funds to be expended under the direction of the Board of Selectmen; or take any other action thereon.

Sponsored by the Board of Selectmen

Finance Committee recommends adoption of this article



*Upon a motion made and duly seconded, it was VOTED, by unanimous voice vote, to appropriate the sum of \$210,827.93 for highway maintenance and construction in accordance with Chapter 246 of the Acts of 2002, as authorized by a contract with the Commonwealth of Massachusetts and executed by the Town on October 2, 2002, funds to be expended under the direction of the Board of Selectmen.*

**ARTICLE B7.** To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$16,000 to fund the development of final design documents, development of construction plans and specifications, and to solicit bids for the construction of storm water drainage and road reconstruction repairs for a portion of Spofford Road, said funds to be expended under the direction of the Board of Selectmen; or take any other action thereon.

Sponsored by the Board of Selectmen  
Finance Committee recommends adoption of this Article  
Capital Budget Committee 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 \$16,000 to fund the development of final design documents, development of construction plans and specifications, and to solicit bids for the construction of storm water drainage and road reconstruction repairs for a portion of Spofford Road, said funds to be expended under the direction of the Board of Selectmen.*

**ARTICLE B8.** To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of \$850 and authorize the Selectmen to expend said funds to purchase or take by eminent domain drainage easements at 50 Spofford Road, generally as shown as Easement #1 and Easement #2 on a easement plan entitled: "Easement Plan, 50 Spofford Road, Boxford MA," dated July 29, 2002, said plan and proposed easement on file with the Town Clerk; 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 \$850 and authorize the Selectmen to expend said funds to purchase or take by eminent domain drainage easements at 50 Spofford Road, generally as shown as Easement #1 and Easement #2 on a easement plan entitled: "Easement Plan, 50 Spofford Road, Boxford MA," dated July 29, 2002, said plan and proposed easement on file with the Town Clerk.*

**ARTICLE B9.** To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$4,078; and authorize the Selectmen to expend said funds to purchase or take by eminent domain a drainage easement at 82 Spofford Road, generally shown as "Proposed 20' Wide Drain Easement" on an easement plan entitled: "Easement Plan, 82 Spofford Road, Boxford MA," dated June 24, 2002, said plan and proposed easement on file with the Town Clerk; 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 \$4,078; and authorize the Selectmen to expend said funds to purchase or take by eminent domain a drainage easement at 82 Spofford Road, generally shown as "Proposed 20' Wide Drain Easement" on an easement plan entitled: "Easement Plan, 82 Spofford Road, Boxford MA," dated June 24, 2002, said plan and proposed easement on file with the Town Clerk.

**ARTICLE C10.** To see if the Town will vote to transfer the sum of \$190,000 from the unspent portion of funds appropriated under Article #8 of the October 24, 2000 Special Town Meeting, originally appropriated for the remodeling and construction of the Police/Communications Building, to now fund, pursuant to Massachusetts General Laws, Chapter 21E, the clean-up and remediation of asbestos containing materials uncovered during the ongoing construction of the new Town Hall Building project, said funds to be expended under the direction of the Board of Selectmen; or take any other action thereon.

Sponsored by the Board of Selectmen  
Finance Committee recommends adoption of this article  
Capital Budgeting Committee recommends adoption of this Article.

Upon a motion made and duly seconded, it was **VOTED**, by majority voice vote, to transfer the sum of \$190,000 from the unspent portion of funds appropriated under Article #8 of the October 24, 2000 Special Town Meeting, originally appropriated for the remodeling and construction of the Police/Communications Building, to now fund, pursuant to Massachusetts General Laws, Chapter 21E, the clean-up and remediation of asbestos containing materials uncovered during the ongoing construction of the new Town Hall Building project, said funds to be expended under the direction of the Board of Selectmen.

**ARTICLE C11.** To see if the Town will vote to transfer the sum of \$166,000 from the unspent portion of funds appropriated under Article #26 of the October 27, 1998 Special Town Meeting, originally appropriated for the closure of the Boxford landfill, to now fund, pursuant to Massachusetts General Laws, Chapter 21E, the clean-up and remediation of asbestos containing materials uncovered during the ongoing construction of the new Town Hall Building project, said funds to be expended under the direction of the Board of Selectmen; or take any other action thereon.

Sponsored by the Board of Selectmen  
Finance Committee recommends adoption of this article  
Capital Budgeting Committee recommends adoption of this Article.

Upon a motion made and duly seconded, it was **VOTED**, by majority voice vote, to transfer the sum of \$166,000 from the unspent portion of funds appropriated under Article #26 of the October 27, 1998 Special Town Meeting, originally appropriated for the closure of the Boxford landfill, to now fund, pursuant to Massachusetts General Laws, Chapter 21E, the clean-up and remediation of asbestos containing materials uncovered during the ongoing construction of the new Town Hall Building project, said funds to be expended under the direction of the Board of Selectmen.

**ARTICLE C12.** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund, pursuant to Massachusetts General Laws, Chapter 21E, the clean-up and remediation of asbestos containing materials uncovered during the ongoing construction of the new Town Hall Building project, 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

**ESTIMATE: Range: \$200,000 to \$600,000**

Finance Committee recommends adoption of this Article

Capital Budgeting Committee recommends adoption of this Article

*Upon a motion made and duly seconded, it was VOTED, by majority voice vote, to transfer from free cash the sum of \$375,000 to fund, pursuant to Massachusetts General Laws, Chapter 21E, the clean-up and remediation of asbestos containing materials uncovered during the ongoing construction of the new Town Hall Building project, said funds to be expended under the direction of the Board of Selectmen.*

**ARTICLE D13.** To see if the Town will vote to appropriate \$10,000 in debt acquisition and legal costs and \$1,800,000 in land purchase expense, for a total appropriation of \$1,810,000 and to authorize the Board of Selectmen on behalf of the Town of Boxford to acquire for Agricultural and Open Space and Conservation purposes, and to accept the deed to the town of a fee simple interest or less, of a parcel of unimproved land known as the **Anvil Farm Property** consisting of twenty-eight (28) acres, more or less, being land situated on Main Street, Boxford, Essex County, Massachusetts, shown as Map 5, Block 1, Lot 11 in the records of the Boxford Assessors, further described in a deed recorded in the Essex South Registry of Deeds in Book 5968 Page 269, on file with the Town Clerk, together with all flowage rights and easements and subject to all well rights and easements; **said appropriation contingent upon the Treasurer's receipt in a gift fund created for such purpose, of privately raised, donated funds in the amount of one million five hundred thousand dollars (\$1,500,000.) or more, prior to the purchase of said property, to be expended to fund said purchase of said property under the direction of the Board of Selectmen; that said land be conveyed to the Town of Boxford, to be managed and controlled by the Boxford Board of Selectmen, and that the treasurer, with the approval of the Selectmen, be authorized to issue debt up to three hundred and ten thousand dollars (\$310,000) to fund said purchase pursuant to Massachusetts General Laws, Chapter 44 § 7(3), or any other enabling authority; and to authorize 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 under the Agricultural Preservation Act (Chapter 132A, § 11A) and/or any other state or federal programs including those in aid of conservation and agricultural land acquisition and to receive and accept such grants or reimbursements for this purpose, and/or any others in any way connected with the scope of this Article, and that the Town through the Board of Selectmen be authorized to (1) grant an agricultural easement, an agricultural preservation restriction and/or a conservation restriction encumbering said property to be held by the seller or any other entity so designated by the Board of Selectmen, or (2) to accept the deed for said property subject to an agricultural easement, an agricultural preservation restriction and/or a conservation restriction encumbering said property to be held by the seller, or any other entity so designated by the Board of Selectmen, 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; or take any other action thereon.**

Sponsored by the Board of Selectmen, and Land Committee

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

**ARTICLE D14.** To see if the Town will vote to authorize, the Board of Selectmen to accept on behalf of the town, by gift, the deed of a parcel of land consisting of 0.81 acres, currently utilized as fire pond for general municipal purposes, located on Chandler Road as shown on Map 18, Block 1, Lot 31.1 in records of the Boxford Assessors; 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 authorize the Board of Selectmen to accept on behalf of the town, by gift, the deed of a parcel of land consisting of 0.81 acres, currently utilized as a fire pond for general municipal purposes, located on Chandler Road as shown on Map 18, Block 1, Lot 31.1 in records of the Boxford Assessors.*

**ARTICLE D15.** To see if the Town will vote to transfer and authorize the Selectmen to expend the sum of \$15,889 from funds previously appropriated under the appropriation for design funds of the Boxford Town Hall, Article 17 of the October 24, 2000 Special Town Meeting, to purchase or take by eminent domain a conservation restriction easement as required to complete the town's Police Headquarters and Town Hall Well public water supply protective radius; said conservation restriction easement consisting of 12,711 square feet encumbering the property located at 303 Ipswich Road, generally as shown as "Proposed Easement" on an easement plan titled: "Easement Plan, 303 Ipswich Road, Boxford MA," dated July 8, 2002, said plan and proposed conservation restriction easement on file with the Town Clerk; 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 Selectmen to expend the sum of \$15,889 from funds previously appropriated under the appropriation for design funds of the Boxford Town Hall, Article 17 of the October 24, 2000 Special Town Meeting, to purchase or take by eminent domain a conservation restriction easement as required to complete the town's Police Headquarters and Town Hall Well public water supply protective radius; said conservation restriction easement consisting of 12,711 square feet encumbering the property located at 303 Ipswich Road, generally as shown as "Proposed Easement" on an easement plan entitled: "Easement Plan, 303 Ipswich Road, Boxford MA," dated July 8, 2002, said plan and proposed conservation restriction easement on file with the Town Clerk.*

**ARTICLE E16.** To see if the Town will vote pursuant to Chapter 184 § 51 of the Acts of 2002 to just on behalf of the Town of Boxford, several factors of Massachusetts General Laws Chapter § 5(41C) related to property exempt from assessment of local taxes as follows: 1) reduce the requisite age for eligibility to any age sixty five (65) years or more; 2) increase both of the amounts

contained in the first sentence of the clause by one hundred (100%) per cent, 3) increase the amounts contained in sub clause (B) wherever they appear in said sub clause from \$13,000 to \$20,000 and from \$15,000 to \$30,000; and, 4) increase the amounts contained in sub clause (C) wherever they appear in said sub clause from \$28,000 to \$40,000 and from \$30,000 to \$55,000; or take any other action thereon.

EXPLANATION: This summer the Legislature passed a statute permitting towns the ability, by local vote at town meeting, to both increase the amount of real estate tax abatements available to seniors and ease the eligibility requirements. The above article, 1) reduces the age of eligibility from 70 to 65; 2) increases the amount of the abatement from \$500 per year to \$1,000 per year; 3) increases the maximum income eligibility for the abatement for a single person from \$13,000 to \$20,000 and a married couple from \$15,000 to \$30,000; and 4) increases the maximum adjusted assets eligibility (does not include value of domicile) for the abatement for a single person from \$28,000 to \$40,000 and a married couple from \$30,000 to \$55,000 .

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, pursuant to Chapter 184 § 51 of the Acts of 2002, to adjust on behalf of the Town of Boxford, several factors of Massachusetts General Laws Chapter 59 § 5(41C) related to property exempt from assessment of local taxes as follows: 1) reduce the requisite age for eligibility to any age sixty five (65) years or more; 2) increase both of the amounts contained in the first sentence of the clause by one hundred (100%) per cent, 3) increase the amounts contained in sub clause (B) wherever they appear in said sub clause from \$13,000 to \$20,000 and from \$15,000 to \$30,000; and, 4) increase the amounts contained in sub clause (C) wherever they appear in said sub clause from \$28,000 to \$40,000 and from \$30,000 to \$55,000 effective for Fiscal Year 2003.*

ARTICLE E17. To see if the Town will vote to instruct its representative to the General Court to file a home rule petition. The General Court may make clerical or editorial changes of form only to the bill, unless the Boxford Board of Selectmen approves amendments to the bill before enactment by the General Court. The Boxford Board of Selectmen is hereby authorized to approve amendments, which shall be within the scope of the general public objectives of this petition:

Notwithstanding the terms of any general or special law to the contrary, the Town of Boxford is hereby authorized to exempt from local taxation, real property in the amount equal to twenty percent (20%) of taxable valuation of a person who has reached his or her sixty-fifth birthday prior to the year for which an exemption is sought and occupied by said person as his domicile, or of a person who owns the same jointly with his or her spouse, either of whom has reached his or her sixty-fifth birthday prior to the fiscal year for which an exemption is sought and occupied by them as their domicile; provided; (A) that such person has so owned and occupied such real property or other real property in the Town of Boxford as his domicile for ten years, and (B) that such person had, in the preceding year gross receipts from all sources of less than fifty-five thousand dollars, provided, however, that in computing the gross receipts of an applicant under

this clause ordinary business expenses and losses may be deducted, but not personal or family expenses; and provided, further, that there shall be deducted from the total amount received by the applicant under the federal social security or railroad retirement and from any annuity, pension, or retirement plan established for employees of the United States government, the government of the commonwealth, or the government of any city, town, county, or special district, included in such gross receipts, an amount equivalent to the minimum payment then payable under said federal social security law, as determined by the commissioner of revenue, to a retired worker sixty-five years of age or over, if the applicant is unmarried, or to a retired worker and spouse, both of whom are seventy years of age or over, if the applicant is married.

This act will take effect upon its passage."

*Sponsored by Initiative Petition*

*Finance Committee does not recommend adoption of this Article*

*Board of Selectmen does not recommend adoption of this Article*

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

**ARTICLE E18. Home Rule Petition.** *Shall the Town of Boxford permit a real estate tax exemption for legal residents who have resided in Boxford in their own homes for a minimum of twenty-five (25) years, with at least one residing owner having reached the age of sixty-five (65). Upon qualification of those requirements, the land and building assessments shall be frozen until such time as the home is sold and/or placed into an estate. Upon approval of this petition, the exemption for qualified homeowners will be based upon the assessment in effect at the above time period and will be used to calculate the real estate taxes for Fiscal Year 2003 and beyond.*

*A motion was made to see if the town would vote to instruct our representative to the General Court to file a home rule petition. The General court may make clerical or editorial changes of form only to the bill, unless the Boxford Board of Selectmen approves amendments to the bill before enactment by the General Court. The Boxford Board of Selectmen is hereby authorized to approve amendments, which shall be within the scope of the general public objectives of this petition:*

*"To allow the Town of Boxford to issue a real estate tax exemption for legal residents who have resided in Boxford in their own homes for a minimum of twenty-five (25) years, with at least one residing owner having reached the age of sixty-five (65), and that the gross receipts of the owner(s) during the preceding year, shall be less than fifty-five thousand dollars which shall include all income received from Federal, State, or Private Annuity, Pension, or Retirement Plans.*

*Upon approval of this petition and upon meeting the 25-year residence and 65-year minimum age requirements, the total tax bill shall be frozen until such time as the home is sold and/or placed into an estate. For the homeowners, who have already exceeded both requirements, the frozen tax bill will revert back the latest of the two dates, to a maximum of 10 years."*

*Sponsored by Initiative Petition*

AN AMENDMENT TO ARTICLE E18 was introduced as follows:

After the words "such time as the home is sold and/or placed into an estate." Insert a new sentence which will read "At that time, all the deferred taxes, with interest compounded at 5% annually, will be due and collected."

In the last sentence in the Article, the words "in effect at the above time period" will be changed to "in effect at the time of passage of this Article."

*Upon a motion made and duly seconded, it was VOTED, by majority voice vote, to defeat the Amendment.*

Upon a motion made and duly seconded, it was VOTED, by a hand count of 156 for and 62 against, to pass over this Article.

ARTICLE 19. To transact any other business that may legally come before said meeting.

*Upon a motion made and duly seconded, it was VOTED by unanimous voice vote to dissolve this Special Town Meeting at 10:43 p.m.*

Registered voters attending the meeting were 229. Counters and checkers for the meeting were appointed by Town Clerk Patricia Shields.

A true record.

ATTEST:



Patricia Shields  
Town Clerk

RAISE AND APPROPRIATE:

Article A2

\$ 11,854.00

TOTAL TO BE RAISED AND APPROPRIATED

\$ 11,854.00

APPROPRIATION:

Article A6

\$ 210,827.93

TOTAL TO BE APPROPRIATED

\$ 210,827.93

**TRANSFER:**

Article A4 (from Free Cash to fund Boxford Cultural Arts Council)	\$ 3,000.00
Article B7 (from Free Cash to fund repairs/construction to Spofford Road)	16,000.00
Article B8 (from Free Cash to purchase drainage easements at 50 Spofford Road)	850.00
Article B9 (from Free Cash to purchase drainage easements at 82 Spofford Road)	4,078.00
Article C10 (from Other Available funds for remodeling and construction of the Police Communications Building)	190,000.00
Article C11 (from Other Available funds to fund the cleanup and remediation of asbestos containing materials)	166,000.00
Article C12 (from Free Cash to fund the cleanup and remediation of asbestos containing materials)	375,000.00
Article D15 (from Free Cash to purchase a conservation restriction easement at 303 Ipswich Road)	15,889.00

**TOTAL TO BE TRANSFERRED**

**\$ 770,817.00**