

ANNUAL TOWN MEETING
May 9, 2017

A quorum being present, The Town of Boxford Annual Town Meeting was called to order at 7:16pm by Town Moderator, Jerry Johnston, with 198 voters in attendance.

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.

Sponsored and Supported by the Board of Selectmen

It was moved by Charles J. Costello, of 42 Rowley Road, Chairman of the Board of Selectmen, and duly seconded, 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. This motion passed by unanimous voice vote.

ARTICLE 2. To see if the Town will authorize the establishment of the following revolving accounts as authorized by Chapter 44, § 53E½ of the Massachusetts General Laws, contingent upon an annual report to the Town on the total receipts and expenditures of each account for each Fiscal Year:

1) **Recycling Revolving Account** under the direction of the Board of Health and used for the deposit of receipts and fees collected on recyclable materials; said recyclable materials to be determined by a joint vote of the Board of Health and Recycling Committee and to be in compliance with all state health regulations; and, further, to allow the Board of Health, or the Recycling Committee, with the approval of the Board of Health, to expend funds not to exceed **\$35,000** for Fiscal Year 2018 from said account for the operation and maintenance of the Town Recycling Center;

2) **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 **\$20,000** for Fiscal Year 2018 from said account for management of land under Conservation Commission control, and for other Conservation Commission expenses approved by a majority of the Commission;

3) **Tick Control Product Revolving Account** under the direction of the Board of Health and used for the deposit of receipts collected for tick control products; and further to allow the Board of Health to expend fees not to exceed **\$10,000** for Fiscal Year 2018 from said account for the purchase of tick control products and associated expenses;

or take any other action thereon.

Sponsored and Supported by the Board of Selectmen

Finance Committee recommends adoption of this article

It was moved by Charles J. Costello, and duly seconded, to authorize the establishment of the following revolving accounts as listed in Article #2 of this warrant, as authorized by Chapter 44, § 53E½ of the Massachusetts General Laws, contingent upon an annual report to the Town on the total receipts and expenditures of each account for each Fiscal Year. This motion passed by unanimous voice vote.

ARTICLE 3. To see if the Town, in accordance with M.G.L. Chapter 150E, section 7, will **vote to approve the following collective bargaining agreements** recently negotiated and ratified by the Board of Selectmen, between the:

- Town and Boxford Police Reserve Association for the period July 1, 2016 to June 30, 2019;
- Town and American Federation of State County and Municipal Employees, AFL-CIO Council #93, Local 939, Boxford Public Works Employees for the period July 1, 2016 to June 30, 2019;
- Town and American Federation of State County and Municipal Employees, AFL-CIO Council #93, Local 939, Boxford Clerical/Library Employees, for the period July 1, 2016 to June 30, 2019;

Said collective bargaining agreements on file with the Town Clerk; funding for the cost items for the first year and second year of said agreements included in the general operating budget of the Town in Article #5 below; or take any other action thereon.

Sponsored and Supported by the Board of Selectmen
Finance Committee to make recommendation at Town Meeting

It was moved by Charles Costello, and duly seconded, in accordance with M.G.L. Chapter 150E, section 7, to approve the following collective bargaining agreements recently negotiated and ratified by the Board of Selectmen, between the:

- Town and Boxford Police Reserve Association for the period July 1, 2016 to June 30, 2019;
- Town and American Federation of State County and Municipal Employees, AFL-CIO Council #93, Local 939, Boxford Public Works Employees for the period July 1, 2016 to June 30, 2019;

Said collective bargaining agreements on file with the Town Clerk; funding for the cost items for the first year and second year of said agreements included in the general operating budget of the Town in Article #5 of this warrant. This motion passed by unanimous voice vote.

ARTICLE 4. To see if the Town will vote to adopt the **Classification Plan and Compensation Plan** for FY 2018, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on pages 13 through 15 of this warrant; funding for estimated costs of said plan included in the general operating budget of Town in Article #5 below; or take any other action thereon.

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

It was moved by Timothy M. Feeney, of 21 Haymeadow Road, Chairman of the Personnel Board, and duly seconded, to adopt the Classification Plan and Compensation Plan for FY 2018, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on pages 13 through 15 of this warrant; funding for estimated costs of said plan included in the general operating budget of Town in Article #5 of this warrant. This motion passed by unanimous voice vote.

ARTICLE 5. 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 2018, to wit: General Government, Financial Administration, Public Safety, Education, Public Works, Health & Human Services, Culture & Recreation, Employee Benefits, Debt Service, 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 and Supported by the Finance Committee

Estimate: **\$32,550,631**

The proposed budget is printed on pages 16 and 17 of this warrant.

Board of Selectmen recommends adoption of this article

It was moved by Finance Chair Michael E. White of 26 Highland Road, and duly seconded, to raise and appropriate \$32,544,691 and to transfer \$5,940 from "Receipts Reserved for Appropriation-Septic Loan Program", for a total appropriation of \$32,550,631, for the use of several departments for Fiscal Year 2018, to wit: General Government, Financial Administration, Public Safety, Education, Public Works, Health & Human Services, Culture & Recreation, Employee Benefits, Debt Service, and all other necessary proper expenses during said fiscal year; and authorize expenditure of these funds under the direction of the appropriate listed department. This motion passed by unanimous voice vote.

ARTICLE 6. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$197,318 for the purposes of additionally funding the Fiscal Year 2018 Elementary School Budget**, provided that the appropriation authorized herein shall be contingent upon the vote at the Town Election to assess additional real estate and personal property taxes in accordance with the provisions of Proposition 2 ½, so called; or take any other action thereon.

Sponsored and Supported by the Elementary School Committee

Finance Committee recommends adoption of this article

Board of Selectmen recommends adoption of this article

It was moved by David Rivers of 146 Spofford Road, Chairman of the Boxford School Committee, and duly seconded, to raise and appropriate the sum of \$197,318 for the purposes of additionally funding the Fiscal Year 2018 Elementary School Budget, provided that the appropriation authorized herein shall be contingent upon the vote at the Town Election to assess additional real estate and personal property taxes in accordance with the provisions of Proposition 2 ½, so called. This motion passed by majority voice vote.

ARTICLE 7. To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended, in addition to the \$225,000 previously appropriated for this purpose under Article 14 of the Warrant at the 2016 Annual Town Meeting, under the direction of Permanent Building Committee to pay costs of a partial roof replacement and partial window replacement project at Spofford Pond School, 31 Spofford Road, including the payment of all costs incidental or related thereto (the "Project"); which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the Permanent Building Committee; and to meet this appropriation, to transfer a sum of money from Free Cash and further to authorize the Treasurer with the approval of the Board of Selectmen to borrow a sum of money pursuant to Chapter 44 of the General Laws, as amended, or pursuant to any other enabling authority and to issue bonds or notes of the Town therefor and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with Chapter 44, section 20 of the General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount. The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (i) thirty-nine and eighty-four hundredths percent (39.84%) of eligible, approved project costs, as determined by the MSBA, or (ii) the total maximum grant amount determined by the MSBA; provided however that no funds shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts required to pay for any bonds or notes issued pursuant to this vote from the limitations of Chapter 59, Section 21C of the General Laws, also known as Proposition 2½; and to authorize the Elementary School Committee and the Permanent Building Committee to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to affect the construction of said project; further that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town and the MSBA; or take any other action thereon.

Sponsored and Supported by the Elementary School Committee
Estimated Cost: \$5,000,000
Funded last year: \$225,000;
This Request: Free Cash: \$500,000; Debt: \$4,275,000;
Post-expenditure expected MSBA reimbursement: \$1,635,000
Finance Committee recommends adoption of this article
Board of Selectmen recommends adoption of this article
Permanent Building Committee recommends adoption of this article

It was moved by David Rivers, and duly seconded, that the Town appropriate, \$4,756,379 to be expended under the direction of Permanent Building Committee, in addition to the \$225,000 previously appropriated for this purpose under Article 14 of the Warrant at the

2016 Annual Town Meeting, for a total appropriation of \$4,981,379, to pay costs of a partial roof replacement and partial window replacement project at Spofford Pond School, 33 Spofford Road (also known as 31 Spofford Road), including the payment of all costs incidental or related thereto (the "Project"); which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the Permanent Building Committee; and to meet this appropriation, \$500,000 shall be transferred from Free Cash and the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$4,256,379 pursuant to Chapter 44 of the General Laws, as amended, or pursuant to any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with Chapter 44, section 20 of the General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount. The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (i) thirty-nine and eighty-four hundredths percent (39.84%) of eligible, approved project costs, as determined by the MSBA, and (ii) the total maximum grant amount determined by the MSBA; provided however that no funds shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts required to pay for any bonds or notes issued pursuant to this vote from the limitations of Chapter 59, Section 21C of the General Laws, also known as Proposition 2½; that the Elementary School Committee and the Permanent Building Committee are authorized to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to affect the construction of said project; and, further, that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town and the MSBA. This motion passed by a greater than two-thirds voice vote.

ARTICLE 8. To see if the Town will vote to accept the amendment to General Laws, Chapter 59, Section 5K, as amended by Chapter 218 of the Acts of 2016, and to **increase the maximum amount of the deduction that eligible seniors may take to their property tax bill from the current limit of \$1,000 to the limit of \$1,500**, or take any other action thereon.

Sponsored and supported by the Board of Selectmen
Council on Aging recommends adoption of this article
Finance Committee recommends adoption of this article

It was moved by Selectman Peter Perkins of 385 Main Street, and duly seconded to accept the amendment to General Laws, Chapter 59, Section 5K, as amended by Chapter 218 of the Acts of 2016, and to increase the maximum amount of the deduction that eligible seniors may take to their property tax bill from the current limit of \$1,000 to the limit of \$1,500. This motion passed by majority voice vote.

ARTICLE 9. To act on the list of proposed capital purchases for FY 2018 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 2018, and authorize expenditure of these funds under the direction of the appropriate listed department and authorize the Board of Selectmen to dispose of any equipment declared surplus if replaced; or take any other action thereon.

Sponsored and supported by the Board of Selectmen (Numbers 1-16)

Sponsored and supported by the Masconomet District School Committee
(Number 17)

Sponsored and supported by the Elementary School Committee (Number 18)

Estimate: **\$824,800**

Finance Committee recommends adoption of this article

Permanent Building Committee Recommendations as noted

The proposed capital budget is printed on page 12 of this warrant.

It was moved by Peter Perkins, and duly seconded, to transfer from Free Cash the sum of \$824,800 to fund the list of proposed capital purchases for FY 2018 as shown on page 12 of this warrant, for the use of several departments for fiscal year 2018, and authorize expenditure of these funds under the direction of the appropriate listed department and authorize the Board of Selectmen to dispose of any equipment declared surplus if replaced. This article passed by majority voice vote.

ARTICLE 10. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$25,500 to supplement current consulting and other professional services assisting in preparing and evaluating a proof of concept and conceptual street elevation drawings, and long range financial plan and impacts, of a Non-School Municipal Facilities Efficiency Master Plan**, said funds to be expended under the direction of the Planning Board, or take any other action thereon

Sponsored and supported by the Planning Board and Board of Selectmen

Finance Committee recommends adoption of this article

It was moved by Selectman Alfred Vaz, Jr., of 45 Dana Road, and duly seconded, to transfer from Free Cash the sum of \$25,500 to supplement current consulting and other professional services assisting in preparing and evaluating a proof of concept and conceptual street elevation drawings, and long range financial plan and impacts, of a Non-School Municipal Facilities Efficiency Master Plan, said funds to be expended under the direction of the Planning Board. This article passed by majority voice vote.

ARTICLE 11. To see if the Town will vote transfer from Free Cash \$100,000 and appropriate \$100,000 from the Community Preservation Committee Historic Resources Fund for a total sum of \$200,000 for design, partial demolition, and initial preservation construction on the historic Cummings House and adjacent barn, 10 Elm Street; and other necessary project expenses; subject to a requirement that the Community Preservation Committee vote affirmatively to approve expenditure of CPA funds upon its review of the analysis and proposed design plans, and further subject to a condition that CPA Historic Funds be expended after all other sources of funding have been expended; said funds

to be expended under the direction of the Community Preservation Committee and the Permanent Building Committee, or take any other action thereon.

Sponsored and supported by the Board of Selectmen
Finance Committee does not recommend adoption of this article
Permanent Building Committee recommends adoption of this article
Historic Districts/Historical Commission recommends adoption of this article
Community Preservation Committee recommends adoption of this article
Board of Library Trustees recommends adoption of this article
Planning Board recommends adoption of this article

It was moved by Alfred Vaz, Jr., and duly seconded, to transfer from Free Cash \$100,000 and appropriate \$100,000 from the Community Preservation Committee Historic Resources Fund for a total sum of \$200,000 for design, partial demolition, and initial preservation construction on the historic Cummings House and adjacent barn, 10 Elm Street; and other necessary project expenses; subject to a requirement that the Community Preservation Committee vote affirmatively to approve expenditure of CPA funds upon its review of the analysis and proposed design plans, and further subject to a condition that CPA Historic Funds be expended after all other sources of funding have been expended; said funds to be expended under the direction of the Community Preservation Committee and the Permanent Building Committee.

Stuart Saginor moved to pass over this article.

It was voted by a majority show of hands to pass over this article.

ARTICLE 12. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$19,336 to fund an existing retirement bonus benefit equal to 50% of accumulated, but unused sick days available to two retiring employees with more than twenty-five years consecutive service with the Town of Boxford**, said funds to be expended under the direction of the Board of Selectmen, or take any other action thereon.

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

It was moved by Selectman William R. Cargill, Jr., of 6 Main Street, and duly seconded, transfer from Free Cash the sum of \$19,336 to fund an existing retirement bonus benefit equal to 50% of accumulated, but unused sick days available to two retiring employees with more than twenty-five years consecutive service with the Town of Boxford, said funds to be expended under the direction of the Board of Selectmen. This article passed by unanimous voice vote.

ARTICLE 13. To see if the Town will vote to set the **annual curbside solid waste collection fee at \$2.50 for each 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
Board of Selectmen recommends adoption of this article

It was moved by Board of Health member Richard F. Taylor of 172 Washington Street, and duly seconded, to set the annual curbside solid waste collection fee at \$2.50 for each 32-gallon bag or container (each use). This article passed by unanimous voice vote.

ARTICLE 14. To see if the Town will vote to authorize the Board of Selectmen to grant to Verizon New England, Inc. a **permanent utility easement for Verizon's utility access to the Boxford Police Station on a portion of the Town-owned land off Spofford Road** upon such terms and conditions deemed by the Board of Selectmen to be in the best interest of the Town; a draft sketch on file with the Town Clerk entitled "Exhibit A - Verizon New England, Inc. - Showing Easement at 285 Ipswich Road, Boxford, Massachusetts - March 19, 2017"; and authorize the Board of Selectmen to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to affect the grant of said utility easement; or take any other action thereon.

Sponsored and supported by the Board of Selectmen

It was moved by Charles J. Costello to authorize the Board of Selectmen to grant to Verizon New England, Inc. a permanent utility easement for Verizon's utility access to the Boxford Police Station on a portion of the Town-owned land off Spofford Road upon such terms and conditions deemed by the Board of Selectmen to be in the best interest of the Town; a draft sketch on file with the Town Clerk entitled "Exhibit A - Verizon New England, Inc. - Showing Easement at 285 Ipswich Road, Boxford, Massachusetts - March 19, 2017"; and authorize the Board of Selectmen to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to affect the grant of said utility easement.

It was moved by David Rivers, of 146 Spofford Road, and duly seconded, to amend this motion to read as follows: to authorize the Board of Selectmen to grant to Verizon New England, Inc. a fifty year easement for Verizon's utility access to the Boxford Police Station on a portion of the Town-owned land off **Spofford** Road upon such terms and conditions deemed by the Board of Selectmen to be in the best interest of the Town; a draft sketch on file with the Town Clerk entitled "Exhibit A - Verizon New England, Inc. - Showing Easement at 285 Ipswich Road, Boxford, Massachusetts - March 19, 2017"; and authorize the Board of Selectmen to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to affect the grant of said utility easement. This amendment passed by a majority show of hands. The article as amended passed by a majority voice vote.

ARTICLE 15. To see if the Town will vote to **appropriate or reserve from the Community Preservation Fund annual revenues** in the amounts recommended by the Community Preservation Committee for committee administrative expenses, debt service, community preservation projects and other expenses in Fiscal Year 2018, with each item to be considered a separate appropriation:

Appropriations:

From FY 2018 estimated annual revenues for Sawyer-Richardson Open Space Bond expense	\$179,920
From FY 2018 estimated annual revenues for Lincoln Hall Historic Renovation Bond expense	\$ 49,525
From FY 2018 estimated annual revenues for Haynes Land Purchase Bond expense	\$141,500
From FY 2018 estimated annual revenues for Aaron Wood Renovation Bond expense	\$ 14,786
From FY 2018 estimated annual revenues for Boxford Commons Bond expense	\$ 11,842
From FY 2018 estimated annual revenues for Committee Administrative Expenses	\$ 43,646

Reserves:

From FY 2018 estimated annual revenues for Historic Resources Reserve	\$ 23,981
From FY 2018 estimated annual revenues for Community Housing Reserve	\$ 87,292
From FY 2018 estimated annual revenues for Budgeted Reserve	\$310,000

or take any other action thereon.

Sponsored and supported by the Community Preservation Committee
 Finance Committee recommends adoption of this article
 Board of Selectmen recommends adoption of this article

It was moved by Chairman of the Community Preservation Committee Peter J. Delaney of 63 Middleton Road 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 2018, with each item to be considered a separate appropriation:

Appropriations:

From FY 2018 estimated annual revenues for Sawyer-Richardson Open Space Bond expense	\$179,920
From FY 2018 estimated annual revenues for Lincoln Hall Historic Renovation Bond expense	\$ 49,525
From FY 2018 estimated annual revenues for Haynes Land Purchase Bond expense	\$141,500
From FY 2018 estimated annual revenues for Aaron Wood Renovation Bond expense	\$ 14,786
From FY 2018 estimated annual revenues for Boxford Commons Bond expense	\$ 11,842
From FY 2018 estimated annual revenues for Committee Administrative Expenses	\$ 43,646

Reserves:

From FY 2018 estimated annual revenues for Historic Resources Reserve	\$ 23,981
From FY 2018 estimated annual revenues for Community Housing Reserve	\$ 87,292
From FY 2018 estimated annual revenues for Budgeted Reserve	\$310,000

This motion passed by unanimous voice vote.

ARTICLE 16. To see if the Town will vote to appropriate **\$1,581 from the Community Preservation Fund Undesignated Fund** to fund the installation of four signs, two at the Boxford Town Forest, and one each at Boxford Woods and Baldpate Woods, said funds to be expended under the direction of the Community Preservation Committee; or take any other action thereon.

Sponsored and supported by the Community Preservation Committee

It was moved by Peter J. Delaney, and duly seconded, to appropriate \$1,581 from the Community Preservation Fund Undesignated Fund to fund the installation of four signs, two at the Boxford Town Forest, and one each at Boxford Woods and Baldpate Woods, said funds to be expended under the direction of the Community Preservation Committee. This article passed by unanimous voice vote.

ARTICLE 17. To see if the Town will vote to appropriate \$5,800 to fund a hydrological assessment of Holmes Pond to help preserve open space and restore a recreational resource, and to fund said appropriation, that \$4,800 be transferred from the Community Preservation Fund Undesignated Fund, and \$1,000 be transferred from a gift fund established for said purpose, said funds to be expended under the direction of the Community Preservation Committee; or take any other action thereon.

Sponsored and supported by the Community Preservation Committee

It was moved by Peter J. Delaney, and duly seconded, to appropriate \$5,800 to fund a hydrological assessment of Holmes Pond to help preserve open space and restore a recreational resource, and to fund said appropriation, that \$4,800 be transferred from the Community Preservation Fund Undesignated Fund, and \$1,000 be transferred from a gift fund established for said purpose, said funds to be expended under the direction of the Community Preservation Committee. This article passed by majority voice vote.

ARTICLE 18. To see if the Town will vote to appropriate \$48,000 to fund the rehabilitation and restoration of the Ackerman Playground at Boy Scout Park on Cahoon Road in Boxford, and to fund said appropriation, that \$45,000 be transferred from the Community Preservation Fund Undesignated Fund, and \$3,000 be transferred from a gift fund established for said purpose, said funds to be expended under the direction of the Community Preservation Committee and the Permanent Building Committee; or take any other action thereon.

Sponsored and supported by the Community Preservation Committee
Finance Committee recommends adoption of this article
Permanent Building Committee recommends adoption of this article
Board of Selectmen recommends adoption of this article

It was moved by Peter J. Delaney to appropriate \$48,000 to fund the rehabilitation and restoration of the Ackerman Playground at Boy Scout Park on Cahoon Road in Boxford, and to fund said appropriation, that \$45,000 be transferred from the Community Preservation Fund Undesignated Fund, and \$3,000 be transferred from a gift fund established for said purpose, said funds to be expended under the direction of the Community Preservation Committee and the Permanent Building Committee. This motion passed by unanimous voice vote.

ARTICLE 19. To see if the Town will vote pursuant to the provisions of G.L. c44, §53E½, as most recently amended, to amend its General Bylaws by inserting a new bylaw in Chapter 30 of its Town Code, establishing various revolving funds, as follows:

Chapter 30. Revolving Funds §30-1 Revolving Funds

Pursuant to G.L. c44, §53E½, the following revolving funds listed below are hereby established. Expenditures from each revolving fund set forth herein shall be subject to the limitation established annually by Town Meeting or any increase therein as may be authorized by the Board of Selectmen and Finance Committee in accordance with G.L. c44, §53E½.

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 from said account for the operation and maintenance of the Town Recycling Center.

B) **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 from said account for management of land under Conservation Commission control, and for other Conservation Commission expenses approved by a majority of the Commission.

C) **Tick Control Product Revolving Account** under the direction of the Board of Health and used for the deposit of receipts collected for tick control products; and further to allow the Board of Health to expend fees from said account for the purchase of tick control products and associated expenses.
or take any other action thereon

Sponsored and supported by the Board of Selectmen

It was moved by William R. Cargill, Jr., and duly seconded, pursuant to the provisions of G.L. c44, §53E½, as most recently amended, to amend the Town General Bylaws by inserting a new bylaw in Chapter 30 of its Town Code, establishing various revolving funds, as printed in Article #19 of this warrant. This article passed by unanimous voice vote.

ARTICLE 20. To see if the Town will vote to accept the provisions of G.L. c40, §13E to **create a Special Education Revolving Fund**, consistent with the vote of the Elementary School Committee, for future payments of unanticipated or unbudgeted special education costs, out of district tuition or transportation, provided however, that the monies in such fund shall be expended only with the approval of the Elementary School Committee and Board of Selectmen; and further to **transfer up to \$145,000** from the FY 2017 Elementary Schools budget as appropriated under Article 7 of the May 10, 2016 Annual Town Meeting into said revolving fund, or take any other action thereon.

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

It was moved by School Committee Chair David Rivers to accept the provisions of G.L. c40, §13E to create a Special Education Revolving Fund, consistent with the vote of the Elementary School Committee, for future payments of unanticipated or unbudgeted special education costs, out of district tuition or transportation, provided however, that the monies in such fund shall be expended only with the approval of the Elementary School Committee and Board of Selectmen; and further to **transfer up to \$145,000** from the FY 2017 Elementary Schools budget as appropriated under Article 7 of the May 10, 2016 Annual Town Meeting into said revolving fund. This article passed by unanimous voice vote.

ARTICLE 21. To see if the Town will vote to accept the provisions of G.L. c.32B, §20 to **create an Other Post Employment Benefits Fund** for the current and future liabilities of the Town for group health insurance benefits for retirees and their dependents, which fund may be expended by a 2/3 vote of Town Meeting and designate a trustee or trustees, and further, to direct that such trustee or trustees adopt and file a declaration of trust and take all other actions as required by said section, or take any other action thereon.

Sponsored and supported by the Board of Selectmen

It was moved by Selectwoman Mary Anne Nay of 2 Woodhill Lane to accept the provisions of G.L. c.32B, §20 to create an Other Post Employment Benefits Fund for the current and future liabilities of the Town for group health insurance benefits for retirees and their dependents, which fund may be expended by a 2/3 vote of Town Meeting and designate a trustee or trustees, and further, to direct that such trustee or trustees adopt and file a declaration of trust and take all other actions as required by said section. This article passed by a greater than two-thirds majority vote.

ARTICLE 22. To see if the Town will vote to amend its Zoning Bylaw by adding a new Section ____, **TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS**, that would provide as follows, and further to amend the Table of Contents to add Section ____, "Temporary Moratorium on Recreational Marijuana Establishments."

Section ____ . PURPOSE

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L.c94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016; Chapter 351 of the Acts of 2016) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses on April 1, 2018. Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a "Recreational Marijuana Establishment"), as defined in G.L.c94G, §1, is not specifically addressed in the Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission may provide guidance to the Town on certain aspects of local regulation of Recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and to address such issues, as well as to address the potential impact of the State regulations

on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Recreational Marijuana Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments, so as to allow the Town sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

Section _____ DEFINITION

“Recreational Marijuana Establishment” shall mean a “marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.”

Section _____. TEMPORARY MORATORIUM

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishments, and other uses related to recreational marijuana. The moratorium shall be in effect through November 30, 2018 or until such time as the Town adopts Zoning Bylaw amendments that regulate Recreational Marijuana Establishments, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these issues.

or take any action thereon.

Sponsored and supported by Board of Selectmen
Planning Board to make recommendation at Town Meeting

It was moved by Mary Anne Nay to amend the Town Zoning Bylaw by adding a new Section ____, **TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS**, and further to amend the Table of Contents to add Section ____, “Temporary Moratorium on Recreational Marijuana Establishments,” as printed in article 22 of this warrant. This article passed by a greater than two-thirds voice vote.

ARTICLE 23. To see if the Town, in accordance with Article LXXXIX of then Massachusetts Constitution, will vote to amend **Chapter 36: Town Meeting and Elections, § 36-1 Annual and Special Town Meeting dates; defeated articles**, and insert the following language listed below into the Town Bylaws, or take any other action thereon.

C. Any warrant article approved at Town Meeting concerning town commitments or expenditures at or exceeding Two Hundred and Fifty Thousand dollars, in cash or asset, with the exception of municipal payrolls, town insurance payments and governmental payments mandated by statute, shall also be approved by ballot at the next general or special election.

Sponsored by Initiative Petition

It was moved by Laura Grabski of 2 Brookview Road, and duly seconded, to amend **Chapter 36: Town Meeting and Elections, § 36-1 Annual and Special Town Meeting dates;**

defeated articles, and insert the following language listed below into the Town Bylaws, or take any other action thereon.

C. Any warrant article approved at Town Meeting concerning town commitments or expenditures at or exceeding Five Hundred Thousand dollars, in cash or asset, with the exception of municipal payrolls, town insurance payments and governmental payments mandated by statute, shall also be approved by ballot at the next general or special election.

Stuart Saginor moved to pass over this article. This motion passed by majority voice vote.

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

It was moved by Charles J. Costello to dissolve this meeting. This motion passed by unanimous voice vote.

Town Meeting concluded at 9:36pm.

A true record.

Respectfully submitted,
Robin Phelan, Town Clerk