

Boxford Annual Town Meeting June 26, 2021

Minutes

Boxford's Annual Town Meeting was called to order by Moderator Gerald Johnston at 10:08am on Saturday, June 26, 2021 at Roberts Field, Masconomet Regional School, 20 Endicott Road, with 298 voters in attendance. The articles were acted upon as follows.

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

Sponsored and Supported by the Select Board

It was moved 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 article passed by unanimous voice vote.

ARTICLE 2. To see if the Town, in accordance with M.G.L. Chapter 150E, section 7, **will vote to approve the following collective bargaining agreements**, on file with the Town Clerk, recently negotiated and ratified by the Select Board between the Town and the following Unions for the period July 1, 2020 to June 30, 2023:

- **Teamsters Local 25 International Brotherhood of Teamsters Boxford Police Patrol Officers**
- **Boxford Police Reserve Association**
- **American Federation of State, County and Municipal Employees, AFL-CIO Council #93, Local 939, Boxford Town Hall/Library Clerical Employees**
- **Communication Dispatchers and Police Secretarial Employees Association;**

And to **transfer from Free Cash to fund the cost items for the first year, FY2021 retroactive**, of said collective bargaining agreements, by supplementing the FY 2021 budget appropriations adopted by the vote taken under Article #2 of the September 12, 2020 Annual Town Meeting and **increasing the Salary Reserve line item by \$30,000**; subsequent funding for year two cost items of the agreements included in the proposed FY2022 general operating budget in Article #6 below; or take any other action thereon.

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

It was moved and duly seconded in accordance with M.G.L. Chapter 150E, section 7, **to approve the following collective bargaining agreements**, on file with the Town Clerk, recently negotiated and ratified by the Select Board between the Town and the following Unions for the period July 1, 2020 to June 30, 2023:

- **Teamsters Local 25 International Brotherhood of Teamsters Boxford Police Patrol Officers**

- **Boxford Police Reserve Association**
- **American Federation of State, County and Municipal Employees, AFL-CIO Council #93, Local 939, Boxford Town Hall/Library Clerical Employees**
- **Communication Dispatchers and Police Secretarial Employees Association;**

And to **transfer from Free Cash to fund the cost items for the first year, FY2021 retroactive**, of said collective bargaining agreements, by supplementing the FY 2021 budget appropriations adopted by the vote taken under Article #2 of the September 12, 2020 Annual Town Meeting and **increasing the Salary Reserve line item by \$30,000**; subsequent funding for year two cost items of the agreements included in the proposed FY2022 general operating budget in Article #6 below. This motion passed by unanimous voice vote.

ARTICLE 3. To see if the Town will vote to adopt the **Classification Plan and Compensation Plan** for FY 2022, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on pages 21 through 24 of this warrant; funding for estimated costs of said plan included in the proposed general operating budget of Town in Article #6; or take any other action thereon.

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

It was moved and duly seconded to adopt the **Classification Plan and Compensation Plan** for FY 2022, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on pages 21 through 24 of this warrant; funding for estimated costs of said plan included in the proposed general operating budget of Town in Article #6. This article passed by unanimous voice vote.

ARTICLE 4. To see if the town will vote to amend its Personnel Bylaw, pursuant to M.G.L. c. 4 § 7(18), **by inserting “Juneteenth Independence Day” in the list of enumerated holidays** in Town Code § 23-6 Employee Benefits, C. Holidays between “Memorial Day” and “Independence Day”, or to take any other action thereon.

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

It was moved and duly seconded to amend the Personnel Bylaw, pursuant to M.G.L. c. 4 § 7(18), **by inserting “Juneteenth Independence Day” in the list of enumerated holidays** in Town Code § 23-6 Employee Benefits, C. Holidays between “Memorial Day” and “Independence Day”. This article passed by a greater than two-thirds voice vote.

ARTICLE 5. To see if the Town will vote to raise and appropriate or transfer from available funds to supplement the FY 2021 budget appropriations adopted by the vote taken under Article #2 of the September 12, 2020 Annual Town Meeting and **increase the Salary Reserve line item by \$40,000**; or take any other action thereon.

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

It was moved and duly seconded to transfer from Free Cash to supplement the FY 2021 budget appropriations adopted by the vote taken under Article #2 of the September 12, 2020 Annual Town Meeting and **increase the Salary Reserve line item by \$40,000.**

This article passed by a greater than two-thirds voice vote.

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 2022, 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: **\$36,282,737**

The proposed budget is printed on pages 19 and 20 of this warrant.

Select Board recommends adoption of this article

It was moved and duly seconded to raise and appropriate **\$36,280,091 and transfer from the “Fund Balance Reserved for Debt Service” \$2,646, for a total appropriation of \$36,282,737** for the use of several departments for Fiscal Year 2022, 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.

An amendment was offered and duly seconded to increase the Police Department budget by \$50,559 to fully fund an additional officer. This amendment passed by a vote of 191 yes, 92 no.

An amendment was offered and duly seconded to reinstate \$40,372 to level fund the Fire Department. This amendment passed by a majority show of hands.

It was moved and duly seconded to raise and appropriate **\$36,371,022 and transfer from the “Fund Balance Reserved for Debt Service” \$2,646, for a total appropriation of \$36,373,668** for the use of several departments for Fiscal Year 2022, 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 majority voice vote.

ARTICLE 7. To act on the list of proposed equipment and capital purchases for FY 2022 and see what sums of money the Town will vote to transfer from Free Cash, for the use of several departments for fiscal year 2022, and authorize expenditure of these funds for such purposes under the direction of the appropriate listed department and authorize the Select Board to dispose of any equipment declared surplus if replaced; or take any other action thereon.

Sponsored and supported by the Select Board
Estimate: **\$422,168**
Finance Committee recommends adoption of this article
Permanent Building Committee recommendations as noted
The proposed capital budget is printed on page 18 of this warrant.

It was moved and duly seconded to to **approve the list of proposed equipment and capital purchases** for FY 2022 as shown on page 18 of this warrant and transfer from Free Cash the sum of **\$422,168** for the use of several departments for fiscal year 2022, and authorize expenditure of these funds for such purposes under the direction of the appropriate listed department and authorize the Select Board to dispose of any equipment declared surplus if replaced. This motion passed by majority voice vote.

ARTICLE 8. To see if the Town will vote to appropriate the sum of **\$465,000 to acquire for general municipal purposes, by purchase or eminent domain, the improved 3.5-acre parcel located at 27 Main Street**, including all structures thereon, including the payment of all costs incidental or related thereto; further to authorize the use of such funds to demolish and remove the existing structure(s) on the property; said property also described in the records of the Office of Assessors as Map 32, Block 01, Parcel 22; and to meet this appropriation, authorize the Treasurer with the approval of the Select Board to borrow under and pursuant to Massachusetts General Laws Chapter 44, Section 7, 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; and to authorize the Chief Procurement Officer and the Select Board to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town to effectuate the acquisition of said land; provided further that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount received prior to the issuance of any bonds or notes under the authority of this vote; or take any other action thereon.

Sponsored by the Select Board
Select Board to make recommendation at Town Meeting
Finance Committee to make recommendation at Town Meeting

It was moved and duly seconded to borrow and appropriate the sum of **\$465,000 to authorize the Select Board to acquire for general municipal purposes including, but not limited to, school purposes, by purchase or eminent domain, the improved 3.5-acre parcel located at 27 Main Street, as described in and in accordance with article #8 of this warrant. This motion passed by a greater than two-thirds show of hands.**

ARTICLE 9. To see if the Town will **vote to appropriate \$5,300,000** to be expended, under the direction of Permanent Building Committee **to pay costs of the Boxford Community/Senior Center construction project, known as the “Center at 10 Elm” to be located at 10 Elm Street**, including the payment of all costs incidental or related thereto (the “Project”); and to meet this appropriation to: (1) transfer **\$550,000 from Center at 10 Elm Gift Fund**; and (2) transfer

\$604,566 from the Undesignated Community Preservation Fund Balance and (3) authorize the Treasurer with the approval of the Select Board to **borrow (a) \$1,000,000 under and pursuant to Massachusetts General Laws Chapter 44B**, or pursuant to any other enabling authority, for the rehabilitation of historic resources, for the historic renovation of the Cummings House portion of the Project, and (b) **\$3,145,434 under and pursuant to Massachusetts General Laws Chapter 44, Section 7**, 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; 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 Chief Procurement Officer 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 to effectuate the construction of said Project, and authorize the Select Board to issue, execute and record a preservation restriction on said premises or portion thereof; provided further that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount received prior to the issuance of any bonds or notes under the authority of this vote; or take any other action thereon.

- Sponsored and supported by Permanent Building Committee
- Community Preservation Committee recommends adoption of this article
- Select Board recommends adoption of this article
- Finance Committee recommends adoption of this article
- Historic Districts Commission/Historical Commission recommends adoption of this article
- Council on Aging recommends adoption of this article

It was moved and duly seconded to **appropriate \$5,300,000** to be expended, under the direction of Permanent Building Committee to **pay costs of the Boxford Community/Senior Center construction project, known as the “Center at 10 Elm” to be located at 10 Elm Street**, including the payment of all costs incidental or related thereto (the “Project”); and to meet this appropriation to: (1) transfer **\$436,800 from Center at 10 Elm Gift Fund**; and (2) transfer **\$604,566 from the Undesignated Community Preservation Fund Balance** and (3) authorize the Treasurer with the approval of the Select Board to **borrow (a) \$1,000,000 under and pursuant to Massachusetts General Laws Chapter 44B**, or pursuant to any other enabling authority, for the rehabilitation of historic resources, for the historic renovation of the Cummings House portion of the Project, and (b) **\$3,258,634 under and pursuant to Massachusetts General Laws Chapter 44, Section 7**, or pursuant to any other enabling authority; **as described in and in accordance with Article #9 of this warrant**; 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. This motion passed by a greater than two-thirds show of hands.

ARTICLE 10. To see if the Town will vote to appropriate \$150,000 to be expended, under the direction of Permanent Building Committee to pay costs for the **Additional Alternate – Emergency Generator for the Boxford Community/Senior Center construction project, known as the “Center at 10 Elm” to be located at 10 Elm Street**, including the payment of all costs incidental or related thereto (the “Project”); and to meet this appropriation, authorize the Treasurer with the approval of the Select Board to borrow under and pursuant to Massachusetts General Laws Chapter 44, Section 7, 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; provided however that no funds shall be borrowed or expended hereunder unless and until the Town shall have voted to approve Article #9 in this warrant and further 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 Chief Procurement Officer 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 to effectuate the construction of said Project; provided further that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount received prior to the issuance of any bonds or notes under the authority of this vote; or take any other action thereon.

Sponsored and supported by Permanent Building Committee
Select Board recommends adoption of this article
Finance Committee recommends adoption of this article

It was moved and duly seconded to pass over this article. This motion passed by majority voice vote.

ARTICLE 11. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to acquire for **general municipal purposes, including, but not limited to, public water supply purposes, by gift, purchase or eminent domain, a Zone I Easement for Public Water Supply Purposes** as shown on a plan entitled, “Easement Plan #10 and #14 Elm Street Boxford, MA”, prepared by Donohoe Survey, Inc., dated April 1, 2021, on file with the Town Clerk, and authorize the Select Board to accept said easement; and further to authorize the Select Board to execute all agreements and instruments necessary to effectuate the purposes of this article; or take any other action thereon.

Sponsored and supported by the Select Board
Finance Committee recommends adoption of this article

It was moved and duly seconded to **acquire for general municipal purposes, including, but not limited to, public water supply purposes, by gift, purchase or eminent domain, a Zone I Easement for Public Water Supply Purposes** as shown on a plan entitled, “Easement Plan #10 and #14 Elm Street Boxford, MA”, prepared by Donohoe Survey, Inc., dated April 1, 2021, on file with the Town Clerk, and authorize the Select Board to accept said easement; and further to authorize the

Select Board to execute all agreements and instruments necessary to effectuate the purposes of this article. This motion passed by unanimous voice vote.

ARTICLE 12. To see if the Town will vote **to appropriate the sum of \$510,000** to be expended, under the direction of Select Board **to pay costs of construction of a replacement culvert on Willow Road**, including the payment of all costs incidental or related thereto (the “Project”); and to meet this appropriation, authorize the Treasurer with the approval of the Select Board to borrow under and pursuant to Massachusetts General Laws Chapter 44, Section 7, 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; and to authorize the Chief Procurement Officer and the Select Board to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town to effectuate the construction of said Project; provided further that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount received prior to the issuance of any bonds or notes under the authority of this vote; or take any other action thereon.

Sponsored and supported by Select Board
Finance Committee recommends adoption of this article

It was moved and duly seconded move **to borrow and appropriate the sum of \$510,000** to be expended, under the direction of Select Board **to pay costs of construction of a replacement culvert on Willow Road, as described in and in accordance with Article #12 of this warrant. This motion passed by unanimous voice vote.**

ARTICLE 13. To see if the Town will vote **to appropriate \$660,000.00** to be expended, under the direction of Select Board **to purchase and equip a replacement fire truck pumper tanker vehicle**, including the payment of all costs incidental or related thereto (the “Project”); and to meet this appropriation, authorize the Treasurer with the approval of the Select Board to borrow under and pursuant to Massachusetts General Laws Chapter 44, Section 7, 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; and to authorize the Chief Procurement Officer and the Select Board to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town to effectuate the execution of said Project; provided further that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount received prior to the issuance of any bonds or notes under the authority of this vote; or take any other action thereon.

Sponsored and supported by Select Board
Finance Committee recommends adoption of this article

It was moved and duly seconded to borrow and **appropriate \$660,000.00** to be expended, under the direction of Select Board to **purchase and equip a replacement fire truck pumper tanker vehicle**, including the payment of all costs incidental or related thereto, **as described in and in accordance with Article #13 of this warrant. This motion passed by unanimous voice vote.**

ARTICLE 14. To see if the Town will vote to **appropriate \$336,000** to be expended under the direction of the Elementary School Committee, to engage consulting, Licensed Site Professional and engineering services **to supplement the funding for Harry Lee Cole School & Spofford Pond School Site Renovation Projects design, as authorized by the vote taken under Article #6 of the September 12, 2020 Annual Town Meeting to fund costs associated with testing, study, report preparation and establishment of health and safety measures related to the discovery of arsenic, and any other contaminants, in the soils in certain locations at the Harry Lee Cole School and undertake other services as necessary**, including any incidental or related expenses, and to meet this appropriation, authorize the Treasurer with the approval of the Select Board to borrow under and pursuant to Massachusetts General Laws Chapter 44, Section 7, 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; and to authorize the Chief Procurement Officer and the Elementary School Committee to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town to effectuate the execution of said Project; provided further that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount received prior to the issuance of any bonds or notes under the authority of this vote; or take any other action thereon.

Sponsored and supported by the Elementary School Committee and Select Board
Finance Committee to make recommendation at Town Meeting

It was moved and duly seconded move to borrow and **appropriate \$336,000** to be expended under the direction of the Elementary School Committee, to engage consulting, Licensed Site Professional and engineering services **to supplement the funding for Harry Lee Cole School & Spofford Pond School Site Renovation Projects design, as authorized by the vote taken under Article #6 of the September 12, 2020 Annual Town Meeting to fund costs associated with testing, study, report preparation and establishment of health and safety measures related to the discovery of arsenic, and any other contaminants, in the soils in certain locations at the Harry Lee Cole School and undertake other services as necessary**, including any incidental or related expenses, and to meet this appropriation **as described in and in accordance with Article #14 of this warrant.**

This motion passed by unanimous voice vote.

ARTICLE 15. To see if the Town will vote to set the **annual curbside solid waste collection fee at \$3.00 for each 32-gallon bag** or container (each use); or take any other action thereon.

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

Select Board recommends adoption of this article

It was moved and duly seconded to set the **annual curbside solid waste collection fee at \$3.00 for each 32-gallon bag** or container (each use). This motion passed by unanimous voice vote.

ARTICLE 16. 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 2022, with each item to be considered a separate appropriation:

Appropriations:

From FY 2022 estimated annual revenues for Sawyer-Richardson Open Space Bond	\$154,400
From FY 2022 estimated annual revenues for Lincoln Hall Renovation Bond expense	\$43,663
From FY 2022 estimated annual revenues for Haynes Land Purchase Bond expense	\$124,750
From FY 2022 estimated annual revenues for Aaron Wood Renovation Bond expense	\$14,826
From FY 2022 estimated annual revenues for Boxford Commons Bond expense	\$143,500
From FY 2022 estimated annual revenues for Committee Administrative expenses	\$56,061

Reserves:

From FY 2022 estimated annual revenues for Historic Resources Reserve	\$53,634
From FY 2022 estimated annual revenues for Community Housing Reserve	\$112,122
From FY 2022 estimated annual revenues for Budgeted Reserve	\$415,000

or take any other action thereon.

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

It was moved and duly seconded 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 2022, to be spent under the direction of the Community Preservation Committee, as described in and in accordance with Article #16 of this warrant. This motion passed by unanimous voice vote.

ARTICLE 17. To see if the Town will vote to appropriate **\$28,000 from the Community Preservation Committee Historic Fund balance to fund the preparation of construction plans and drawings showing the historic rehabilitation of the Little Red School House, 26 Middleton Road;** said funds to be expended under the direction of 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
Select Board recommends adoption of this article

It was moved and duly seconded I move to appropriate **\$28,000 from the Community Preservation Committee Historic Fund balance to fund the preparation of construction plans**

and drawings showing the historic rehabilitation of the Little Red School House, 26 Middleton Road; said funds to be expended under the direction of the Permanent Building Committee. This motion passed by unanimous voice vote.

ARTICLE 18. To see if the Town will vote to appropriate **\$25,000** from the Undesignated Community Preservation Fund balance **to be deposited into the Conservation Fund established pursuant to the Conservation Commission Act, M.G.L. Ch. 40 s. 8C, for use by the Conservation Commission on projects that satisfy eligibility requirements of both M.G.L. Ch. 40 s. 8C and the Community Preservation Act, M.G.L. Ch. 44B;** any expenditure of these deposited funds to be authorized by the Conservation Commission in consultation with the Community Preservation Committee; or take any other action thereon.

Sponsored and Supported by the Community Preservation Committee
Finance Committee recommends adoption of this article
Select Board recommends adoption of this article

It was moved and duly seconded to appropriate **\$25,000** from the Undesignated Community Preservation Fund balance **to be deposited into the Conservation Fund established pursuant to the Conservation Commission Act, M.G.L. Ch. 40 s. 8C, for use by the Conservation Commission on projects that satisfy eligibility requirements of both M.G.L. Ch. 40 s. 8C and the Community Preservation Act, M.G.L. Ch. 44B;** any expenditure of these deposited funds to be authorized by the Conservation Commission in consultation with the Community Preservation Committee. This motion passed by unanimous voice vote.

ARTICLE 19. To see if the Town will vote **to raise and appropriate, or transfer from available funds the sum of \$25,000 to fund the Conservation Fund;** or take any other action thereon.

Sponsored and Supported by Conservation Commission
Select Board recommends adoption of this article
Finance Committee recommends adoption of this article

It was moved and duly seconded to **transfer from Free Cash the sum of \$25,000 to fund the Conservation Fund. This motion passed by unanimous voice vote.**

ARTICLE 20. To see if the Town will vote to **transfer \$32,115 from the Library Stabilization Fund for the purpose of purchasing furniture and equipment for the newly renovated Library space** at the Library/Town Hall, 7A Spofford Road including the payment of all costs incidental or related thereto, said funds to be expended under the direction of the Library Trustees, or take any other action thereon.

Sponsored by the Board of Library Trustees
Finance Committee recommends adoption of this article
Select Board recommends adoption of this article

It was moved and duly seconded to **transfer \$32,115 from the Library Stabilization Fund for the purpose of purchasing furniture and equipment for the newly renovated Library space** at the

Library/Town Hall, 7A Spofford Road including the payment of all costs incidental or related thereto, said funds to be expended under the direction of the Library Trustees. This motion passed by unanimous voice vote.

ARTICLE 21: To see if the Town will vote to amend its Senior Work-Off Program regulations, adopted pursuant to M.G.L. Chapter 59, section 5K as amended, to allow an approved representative, for persons physically unable, to provide senior property tax work-off abatement services to the Town, or to take any other action thereon.

Sponsored by the Board of Assessors
Finance Committee recommends adoption of this article
Select Board recommends adoption of this article
Council on Aging recommends adoption of this article

It was moved and duly seconded to amend the Senior Work-Off Program regulations, adopted pursuant to M.G.L. Chapter 59, section 5K as amended, to allow an approved representative, for persons physically unable, to provide senior property tax work-off abatement services to the Town. This motion passed by unanimous voice vote.

ARTICLE 22. To see if the Town will vote to amend the Masconomet Regional School District Agreement by adopting Amendments 9 and 10 as follows:

1. By striking Subsection “B” of Section I, which currently reads:

~~B. — Interim Committee~~

~~Within 30 days after the passage of this Amendment (*refers to 8th Amendment*) to the Masconomet Regional School District Agreement by the member towns, an interim Committee will be established which will consist of the four elected members from the Town of Topsfield, the four elected members from the Town of Boxford plus one member from the Town of Boxford appointed by the selectmen of the Town of Boxford and the remaining interim Committee members from Boxford, said appointed member to serve until the next annual election; the three elected members from the Town of Middleton plus one member from the Town of Middleton appointed by the Selectmen of the Town of Middleton and the remaining interim Committee members from Middleton, said appointed member to serve until the next annual election.~~

and re-lettering the remaining subsections to reflect the deletion of Subsection “B”.

2. In Subsection “D” of Section IV, “Apportionment of Capital Costs,” by striking “Essex County Agricultural School” and replacing it with “Essex Northshore Agricultural and Technical School” and by striking the sentence: “This amendment shall first take effect with the apportionment for the year 1962.”

3. In Subsection “F” of Section IV, “Fiscal Year and Times of Payments of Apportioned

Costs,” by striking the following:

~~“Provided, however, that for the fiscal period beginning January 1, 1973, and ending June 30, 1974, the dates on or before which the respective percentages of the costs of the District for said period apportioned to each member town shall be paid shall be as follows:~~

April 1, 1973	17%
June 1, 1973	16%
September 1, 1973	17%
December 1, 1973	16%
March 1, 1974	17%
June 1, 1974	17%

~~This section shall be effective only to the extent that Chapter 849 of the Acts of 1969 as amended shall be in effect.”~~

4. By striking Subsection “A” of Section V, “Budget,” which currently reads:

~~A. — Initial Budget~~

~~Within sixty days after the original Committee is organized, it shall prepare a reasonably detailed operating and maintenance budget covering expenses, if any, for the balance of the then calendar year. Copies of such proposed budget shall be submitted to the Chairman of the Finance or Advisory Committee of each member town, or if there is no Finance or Advisory Committee in a member town, to the Chairman of the Select Board of such town, for its consideration. A budget shall be adopted not earlier than fourteen days but within thirty days after the proposed budget has been so submitted. The amount of the said budget shall be apportioned between the member towns according to the provisions in section N hereof. The treasurer shall certify to each member town its respective share of said budget. The sums thus certified shall be payable forthwith by each member town to the Committee but only from funds which may be or may have been appropriated by each member town for such purpose, if any.~~

and re-lettering the remaining subsections to reflect the deletion of Subsection “A”.

5. By striking Subsection “C” of Section I, which currently reads:

~~C. — Elected Members~~

~~In order to comply with the proportional representation requirements mandated by the United States Constitution (also known as “one man, one vote”), the total number of representatives to the Committee from each of the Towns of Boxford and Topsfield shall be reduced by one. To accomplish this reduction, one position on the Committee held by a representative of the Town of Topsfield with a term expiring in 2012 shall be abolished upon the expiration of such representative’s~~

~~term in 2012. In addition, one of the two positions on the Committee held by the representatives of the Town of Boxford with a term expiring in 2012, shall be abolished upon the expiration of such representative's term. The Chairman of the Committee shall determine by lot the particular position to be eliminated.~~

and replacing it with the following:

“B. Election of Committee Members

“Members of the Committee from each member town shall be elected by voters in such member town at such member town’s annual town election to serve three-year terms on a staggered basis. Thus every third year, two persons shall be elected by the voters in Middleton and two persons shall be elected by the voters in Boxford to serve on the Committee, and otherwise one person shall be elected from each member town every year.

“It is the intent of this agreement, pursuant to G.L. c. 71, § 14E, that Committee members be elected by voters in member towns with each member town’s representation apportioned according to population. Accordingly, the Committee will review its apportionment as soon as practicable after each federal census and will recommend such amendments to this agreement as may be necessary to ensure that such apportionment continues to reflect the relative population of the member towns as accurately as possible.”

or take any other action thereon.

Sponsored and Supported by the Masconomet Regional School District Committee
Finance Committee recommends adoption of this article
Select Board recommends adoption of this article

It was moved and duly seconded to adopt the proposed amendments #9 and #10 to the Regional School District Agreement as described in and in accordance with Article #22 of this warrant. This motion passed by unanimous voice vote.

ARTICLE 23. To see if the Town will vote to amend the Masconomet Regional School District Agreement by adopting Amendment 11, as follows:

By striking Subsection “E” of Section IV, “Apportionment of Operating Costs,” which currently reads:

~~E. Apportionment of Operating Costs~~

~~Operating costs for the first calendar year next following the establishment of the regional school district and for every calendar year thereafter shall be apportioned to the member towns on the basis of their respective pupil enrollments in the regional school. Each member town's share for each calendar~~

~~year shall be determined by computing the ratio which that town's pupil enrollment in the regional district school on October 1 of the year in which apportionment is determined bears to the total pupil enrollment from all the member towns in the regional district school on the same date. In the event that enrollment in the regional district school has not been accomplished by October 1 of any year, operating costs shall be apportioned on the basis of enrollment in grades 7 through 12 of pupils residing in each member town and receiving education at such town's expense on October 1 of that year.~~

And replacing it with the following:

“E. Apportionment of Operating Costs

“1. Operating costs for fiscal years 2021 through 2022 will be apportioned to member towns using the method outlined in G.L. c. 70 § 6. Operating assessments for each member town shall equal the sum of (i) such member town's required local contribution to the regional school district as determined by the Commissioner of Elementary and Secondary Education, and (ii) the product of (a) that portion of the regional school district's net school spending, as defined by G.L. c. 70, § 2, which exceeds the total required local contribution for all member towns, multiplied by (b) the ratio which such member town's pupil enrollment in the regional school district on October 1 of the year in which apportionment is determined bears to the total pupil enrollment from all member towns on the same date.

“2. For Fiscal Year 2023, operating costs will be apportioned to member towns using the method outlined in G.L. c. 70, § 6. Operating assessments for each member town shall equal the sum of (i) such member town's required local contribution to the regional school district as determined by the Commissioner of Elementary and Secondary Education, and (ii) the product of (a) that portion of the regional school district's net school spending, as defined by G.L. c. 70, § 2, which exceeds the total required local contribution for all member towns, multiplied by (b) the ratio which such member town's October 1 pupil enrollment in the regional school district for the two (2) preceding fiscal years bears to the total pupil enrollment from all member towns during the same period.

“3. For Fiscal Year 2024, operating costs will be apportioned to member towns using the method outlined in G.L. c. 70, § 6. Operating assessments for each member town shall equal the sum of (i) such member town's required local contribution to the regional school district as determined by the Commissioner of Elementary and Secondary Education, and (ii) the product of (a) that portion of the regional school district's net school spending, as defined by G.L. c. 70, § 2, which exceeds the three (3) preceding fiscal years bears to the total pupil enrollment from all member towns during the same period.

“4. For Fiscal Year 2025, operating costs will be apportioned to member towns using the method outlined in G.L. c. 70, § 6. Operating assessments for each member town shall equal the sum of (i) such member town’s required local contribution to the regional school district as determined by the Commissioner of Elementary and Secondary Education, and (ii) the product of (a) that portion of the regional school district’s net school spending, as defined by G.L. c. 70, § 2, which exceeds the total required local contribution for all member towns, multiplied by (b) the ratio which such member town’s October 1 pupil enrollment in the regional school district for the four (4) preceding fiscal years bears to the total pupil enrollment from all member towns during the same period.

“5. Beginning in Fiscal Year 2026, operating costs will be apportioned to member towns using the method outlined in G.L. c. 70, § 6. Operating assessments for each member town shall equal the sum of (i) such member town’s required local contribution to the regional school district as determined by the Commissioner of Elementary and Secondary Education, and (ii) the product of (a) that portion of the regional school district’s net school spending, as defined by G.L. c. 70, § 2, which exceeds the total required local contribution for all member towns, multiplied by (b) the ratio which such member town’s October 1 pupil enrollment in the regional school district for the five (5) preceding fiscal years bears to the total pupil enrollment from all member towns during the same period.”

or take any other action thereon.

Sponsored and Supported by the Masconomet Regional School District Committee
Finance Committee recommends adoption of this article
Select Board recommends adoption of this article

It was moved and duly seconded to adopt the proposed amendment #11 to the Regional School District Agreement as described in and in accordance with Article #23 of this warrant. This article passed by a majority show of hands.

ARTICLE 24. To see if the Town will vote to amend the Masconomet Regional School District Agreement by adopting Amendment 12, as follows:

By striking the second sentence of Subsection “F” of Section IV, “Fiscal Year and Times of Payments of Apportioned Costs,” which currently reads:

~~Except as otherwise provided in subsection V(A), the annual share of each member town shall be paid in four (4) equal installments quarterly due on or before the following dates each year:~~

~~September 1—25%
December 1—50%
March 1—75%~~

~~June 1~~ ——— ~~100%~~

and replacing it with the following:

“Except as otherwise provided in subsection V (A), the annual share of each member town shall be paid in four (4) equal installments quarterly due on or before the following dates each year:

August 15
November 15
February 15
May 15”

or take any action thereon.

Sponsored and Supported by the Masconomet Regional School District Committee
Finance Committee recommends adoption of this article
Select Board recommends adoption of this article

It was moved and duly seconded to adopt the proposed amendment #12 to the Regional School District Agreement as described in and in accordance with Article #24 of this warrant. This motion passed by a majority show of hands.

ARTICLE 25. To see if the Town, pursuant to M.G.L. Chapter 30B, Section 12, will allow up to a five (5) year contract for the procurement of transportation and food service services for the Elementary School Department, or take any other action thereon.

Sponsored and Supported by the Elementary School Committee
Finance Committee recommends adoption of this article
Select Board recommends adoption of this article

It was moved and duly seconded that the Town, pursuant to M.G.L. Chapter 30B, Section 12, allow up to a five (5) year contract for the procurement of transportation and food service services for the Elementary School Department. This motion passed by unanimous voice vote.

ARTICLE 26. To see if the Town will vote to authorize the Town **to transfer the care, custody, management and control** of “Parcel X-6-T” and “Parcel X-TE-11” located on a parcel of land in the Town of Boxford, commonly known as “**Baldpate Pasture**”, and any other land and/or permanent and temporary easement areas as may be shown on a plan of land entitled “Massachusetts Department of Transportation Highway Division Plan and Profile of Border to Boston Trail in the Towns of Boxford & Georgetown,” revised through February 9, 2021, prepared by Stantec, a copy of which is on file with the Town Clerk, as said plan may be amended, **for recreational trail purposes**, including, without limitation, for the construction, installation, inspection, improvement, maintenance, repair, replacement and/or relocation of a rail trail, rights of way, access ways, sidewalks, ramps, drainage, utilities, slope, grading, landscaping, and for any and all other uses and purposes incidental or related thereto; from the Select Board, or such other board or commission that may have custody thereof, to the Select Board for the purpose of

dedication to recreational trail purposes; and, further, to raise and appropriate, transfer from available funds, and/or borrow a sum of money to fund the foregoing project and any costs incidental or related thereto, including, without limitation, the cost of any land/easement acquisitions; and, further, to authorize the Select Board to enter into all agreements and execute any and all instruments as may be necessary or convenient to effectuate the foregoing purposes; or take any other action thereon.

Sponsored and supported by the Border to Boston Trail Committee
Finance Committee recommends adoption of this article
Select Board recommends adoption of this article

It was moved and duly seconded to authorize the Town to **transfer the care, custody, management and control** of “Parcel X-6-T” and “Parcel X-TE-11” located on a parcel of land in the Town of Boxford, commonly known as “**Baldpate Pasture**”, to the Select Board for the purpose of dedication to recreational trail purposes; and, to authorize the Select Board to enter into all agreements and execute any and all instruments as may be necessary or convenient to effectuate the foregoing purposes as **described in and in accordance with Article #26 of this warrant**. This article passed by unanimous voice vote.

ARTICLE 27. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$49,100 to fund an existing retirement bonus benefit equal to 50% of accumulated, but unused sick leave in accordance with the provisions of Town Code, Chapter 23 Personnel, §23-6 Employee Benefits. D. Paragraph 2**, said funds to be expended under the direction of the Select Board, or take any other action thereon.

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

It was moved and duly seconded to transfer from Free Cash the sum of **\$49,100 to fund an existing retirement bonus benefit equal to 50% of accumulated, but unused sick leave in accordance with the provisions of Town Code, Chapter 23 Personnel, §23-6 Employee Benefits. D. Paragraph 2**, said funds to be expended under the direction of the Select Board. This motion passed by unanimous voice vote.

ARTICLE 28: To see if the Town will vote to amend Chapter §196-13 B (11) *Subject to the grant of a special permit by the Board of Appeals as provided in Article X below, the following:*

(a) Maintenance of commercial dog kennels, provided that no such structure or operations are involved which are not in keeping with the residential character of the Town, all structures and operations are substantially screened from view with evergreen trees, shrubs, similar vegetation, fences, or other means and no offensive noise, odors, unsightliness, or unsafe condition is produced.

TO:

(a) Maintenance of personal kennel, as defined under MGL Ch. 136A, S.2 provided that no such

structure or operations are involved which are not in keeping with the residential character of the Town, all structures and operations are substantially screened from view with evergreen trees, shrubs, similar vegetation, fences, or other means and no offensive noise, odors, unsightliness, or unsafe condition is produced.

or to take any other action thereon.

Sponsored by Planning Board

It was moved and duly seconded to refer this issue to the Planning Board for further study. This motion passed by unanimous voice vote.

ARTICLE 29. To transact any other business to legally come before this meeting.

It was moved and duly seconded to dissolve this Annual Town Meeting.
This motion passed by unanimous voice vote.

A true record,

Robin Phelan, Town Clerk

