

WARRANT FOR THE ANNUAL TOWN MEETING
May 1, 2023
THE COMMONWEALTH OF MASSACHUSETTS

WORCESTER: SS

BOYLSTON

To either of the Constables of the Town of Boylston in the County of Worcester within The Commonwealth aforesaid:

GREETING:

In the name of The Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Boylston aforesaid, qualified to vote in elections and Town affairs, to meet at the following places and times for the following purposes:

1. ANNUAL TOWN MEETING – May 1, 2023

on the **First (1st) Monday, of May AD, 2023 at seven o'clock (7:00) P.M., at the Tahanto Regional High School Auditorium or another location on the grounds thereof, 1001 Main Street, Boylston MA**, to take any action relative to the business of the Town as set forth in Articles one (1) through twenty-nine (29) of this Warrant; and at its adjournment, which shall be upon completion of Town Meeting action upon all articles listed on the Warrant.

2. ELECTION AND BALLOT – MAY 8, 2023

on **Monday, the ninth (9th) of May AD, 2023**, to vote by ballot at the Town's annual election, at the Boylston Town Hall, at the Hillside Municipal Complex located at 221 Main Street within the Town of Boylston, **with polls opening at twelve o'clock (12:00) noon and closing at eight o'clock (8:00) P.M.** on the following:

***ARTICLE 29.** To vote by official ballot for the necessary Town Officers, namely:

One Selectman for three (3) years; One Town Clerk for three (3) years; One Assessor for three (3) years; One Board of Health Member for (3) years; One Planning Board Member for five (5) years; One Municipal Light Board Member for three (3) years; Two Library Trustees for three (3) years; One Library Trustee to fill open seat for (2) year unexpired term; One Cemetery Commissioner for three (3) years; One Cemetery Commissioner to fill open seat for (1) year unexpired term; Two Parks and Recreation Commissioners for three (3) years.

Voters of the Town of Boylston, Massachusetts, met in the auditorium of Tahanto Regional Middle High School according to legal notice on May 8th, 2023. With 374 registered voters (9.03% turnout), the required quorum was met.

Kimberly Rozak, Moderator, called the meeting to order at 8:03 p.m. Ms. Rozak stated that she had been informed by the Clerk that the Calling of the Meeting and the Officer's Return of Service were in order as required.

She made a MOTION to waive the reading of the Warrant in its entirety and a second from the audience was made. VOTE on the MOTION. MOTION passed unanimously.

Ms. Rozak stated that as tradition controls Town Meeting, she would like to begin with the Pledge of Allegiance. After the Pledge was said, she introduced herself, April Steward (Town Administrator), Seth Ridinger (Chair of the Board of Selectmen), James Underwood (Vice-Chair of the Board of Selectmen), Matthew Mecum (Clerk of the Board of Selectmen), Stephen Madaus (Town Counsel), and Dawn Porter (Town Clerk). Ms. Rozak then set the bounds of the hall.

The Moderator informed attendees that the Town has traditionally entered into a consent calendar to group Articles 1-10 together. She asked for and received a MOTION to enter into a consent calendar. The MOTION was seconded. VOTE was taken and MOTION passed with no opposition.

***ARTICLE 1.** To see if the Town will vote to authorize the Board of Selectmen to choose all necessary Town officers; or act in any other way thereon.

Sponsor: Board of Selectmen

***ARTICLE 2.** To hear and act upon the reports of Town officials and committees; or act in any other way thereon.

Sponsor: Board of Selectmen

***ARTICLE 3.** To see if the Town will vote to authorize the Board of Selectmen to employ Counsel where, in their judgment, it may be necessary; or act in any other way thereon.

Sponsor: Board of Selectmen

***ARTICLE 4.** To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of revenue of the financial fiscal year beginning July 1, 2023 and ending June 30, 2024, and to issue a note or notes therefor and to renew any note or notes as may be given for a period of less than one (1) year in accordance with Chapter 44 of the General Laws; or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

***ARTICLE 5.** To see if the Town will vote to authorize the Trustees of the Public Library to appoint such officers and employees as may be necessary for the fiscal year beginning July 1, 2023, and to fix the compensation therefor, consistent with the Personnel Plan; or act in any other way thereon.

Sponsor: Library Trustees

***ARTICLE 6.** To see if the Town will vote to authorize the Board of Cemetery Commissioners to appoint such officers and employees as may be necessary for the fiscal year beginning July 1, 2023, including the appointment of a Cemetery Superintendent, and to fix the compensation therefor, consistent with the Personnel Plan; or act in any other way thereon.

Sponsor: Board of Cemetery Commissioners

***ARTICLE 7.** To see if the Town will vote to authorize the Planning Board to appoint such officers and employees as may be necessary for the fiscal year beginning July 1, 2023, and to fix the compensation therefor, consistent with the Personnel Plan; or act in any other way thereon.

Sponsor: Planning Board

***ARTICLE 8.** To see if the Town will vote to appropriate the money received from the Commonwealth of Massachusetts as a Library grant-in-aid for the purpose of purchasing books and other items at the discretion of the Library Trustees; or act in any other way thereon.

Sponsor: Library Trustees

Finance Committee comments: Finance Committee recommends approval.

***ARTICLE 9.** To see if the Town will vote the income from sales of electricity to private consumers, or for electricity supplied to municipal buildings or for municipal power, and from jobbing during the current fiscal year, be appropriated for the Municipal Light Plant, the whole to be expensed by the Manager of the Municipal

Light Plant, under the direction and control of the Municipal Light Board, for the expense of the Plant for said fiscal year, as defined in Section 57 of Chapter 164 of the General Laws; and for the purchase, sale, installation and servicing of merchandise and equipment in accordance with the provisions of Chapter 235 of the Acts of 1937; and for any out of state travel expense in accordance with the provisions of Section 5 of Chapter 40 of the General Laws, and if said sum and income shall exceed said expense for the fiscal year, such excess shall be transferred to the Construction Fund of said Plant and appropriated and used for such additions thereto as may thereafter be authorized by the Municipal Light Board; and fix the compensation of the Municipal Light Board members for the year beginning July 1, 2023, as provided by Section 4A of Chapter 41 of the General Laws, as follows: Chairman - \$1,000.00 and two (2) members - \$1,000.00 each, a total of \$3,000.00, and such compensation to be paid from the operating account of the Municipal Light Plant; or act in any other way thereon.

Sponsor: Municipal Light Board

Finance Committee comments: Finance Committee recommends approval.

***ARTICLE 10.** To see if the Town will vote to accept any highway funds from State or Federal agencies, to authorize the Board of Selectmen to enter into agreements with MassDOT – Highway Division, so-called, and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow from time to time during the fiscal year beginning July 1, 2023, in anticipation of reimbursement of said highway assistance, in conformity with the provisions of Section 6A of Chapter 44 of the General Laws, for maintenance, repair, construction of Town roads and programs consistent with Chapter 90 funds, to be expended by the Highway Department; or act in any other way thereon.

Sponsor: Highway Superintendent

Finance Committee comments: Finance Committee recommends approval.

Ms. Rozak asked for a MOTION to approve Articles 1-10. A MOTION was made and seconded. The Finance Committee recommends approval of all ten Articles. VOTE was taken and passed unanimously.

The Moderator then took a moment to ask all guests to move into the front row only, to ensure accuracy when counting votes.

Ms. Rozak asked the Town to move on to Article 11, concerning compensation for Town Officers.

ARTICLE 11. To see if the Town will vote to fix the compensation for the following Town Officers: three (3) Selectmen, Town Clerk, Moderator, three (3) Assessors, three (3) School Committee members, three (3) Board of Health members, three (3) Cemetery Commissioners, five (5) Planning Board members, all in accordance with the recommendations of the Finance Committee, and to instruct the Selectmen or other boards to fix a given compensation for the persons hired or appointed by such boards;

Selectmen, Chair	\$1,781	2 members each at	\$1,483.14
Town Clerk	\$46,805		
Town Moderator	\$0		
Assessors, Chair	\$1,844	2 members each at	\$1,230.64
Board of Health, Chair	\$362	2 members each at	\$241.89
Cemetery Commission, Chair	\$277	2 members each at	\$210.06
Planning Board, Chair	\$457	4 members each at	\$73.20
Planning Board, Vice-Chair	\$72		
Planning Board Clerk	\$74		

Or act in any way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

A MOTION was made by James Underwood that the Town approve changes in the compensation of Town Officers as printed in the Warrant. The MOTION was seconded and, with no discussion, a VOTE was taken. The MOTION passed unanimously.

ARTICLE 12. To see if the Town will vote to amend the Town's Personnel Plan and By-laws by replacing Schedules A, B and C with the following: or act in any other way thereon.: (proposed changes are in **bold**)

Section 15: Classification Schedule Amended May 2023 - Effective July 1, 2023

<u>Classification</u>	<u>Position Status</u>	<u>Grade</u>
Library Page	Hourly	1
Election Worker	Hourly	1
Town Meeting Checker	Hourly	1
Election Clerk	Hourly	1
Election Warden	Hourly	1
Clerical	Special Temp	1
Library Housekeeper	Special Part Time	1
Council on Aging Van Driver	Reg. Part Time	1
Council on Aging Van Scheduler	Reg. Part Time	2
Asst. Laborer	Special Hourly	2
Library Asst./Sr. Technician	Reg. Part Time	3
Laborer/Custodian	Reg. Full Time	3
On Call Emergency Medical Technician	Hourly	3
On Call Firefighter	Hourly	3
Deputy Chief	Hourly	3 + \$500
Senior Library Assistant	Reg. Part Time	4
Asst. Town Clerk	Special Part Time	5
Police Service Aide	Hourly	5
Asst. Inspector/Electrician	Hourly	5
Assessor's Clerk	Reg. Part Time	5
Children's Librarian	Reg. Part Time	5
P&R Program Coordinator	Reg. Full Time	5
Equipment Operator/Laborer I	Reg. Full Time	6
Assistant Treasurer/Collector	Reg. Part Time	6
Assistant Library Director	Reg. Part Time	7
Admin Asst. to Board of Assessors	Reg. Part Time	7
Admin Asst. to Highway Superintendent	Reg. Part Time	7
Admin Asst. to Chief of Police	Reg. Part Time	7
Admin Asst. to Planning Board	Reg. Part Time	7
Admin Asst. to Board of Selectmen	Reg. Part Time	7
Equipment Operator/Mechanic I	Reg. Full Time	7
Equipment Operator/Laborer II	Reg. Full Time	8
Working Foreman	Reg. Full Time	8
COA Co-ord./Community Outreach	Reg. Part Time	8
Admin Asst. to Health & Conservation	Reg. Part Time	8
Human Resources Administrator	Reg. Part Time	8
Town Treasurer/Collector	Reg. Full Time	9
Foreman	Reg. Full Time	9
Building Inspector	Salaried	10
Library Director	Salaried	11
Highway/Cemetery Superintendent	Salaried	12 + \$845
Facilities Technician	Reg. Full Time	13
Town Planner	Reg. Part Time	14
Town Accountant	Reg. Part Time	14
Fire Chief	Salaried	Contract

Police Chief
Town Administrator

Salaried
Salaried

Contract
Contract

Schedule B: Salary Compensation Schedule

<u>Grade</u>	<u>Min</u>	<u>Mid</u>	<u>Max</u>
1	\$14.32	\$15.71	\$18.04
2	\$14.53	\$17.20	\$19.82
3	\$15.75	\$18.59	\$21.40
4	\$16.95	\$20.00	\$23.02
5	\$18.34	\$21.58	\$24.80
6	\$19.83	\$23.33	\$26.83
7	\$21.45	\$25.20	\$28.94
8	\$23.12	\$27.20	\$31.26
9	\$25.02	\$29.38	\$33.72
10	\$27.01	\$31.73	\$36.48
11	\$29.22	\$34.30	\$39.38
12	\$31.48	\$36.98	\$42.50
13	\$33.99	\$39.95	\$45.91
14	\$36.68	\$43.00	\$49.55
15	\$39.67	\$46.59	\$53.51
16	\$42.82	\$50.31	\$57.79
17	\$46.23	\$54.35	\$62.46
18	\$49.84	\$58.64	\$67.41

Schedule C: Salary Compensation Schedule-

<u>Job Title</u>	<u>Annual Salary</u>
Chairman, Registrar of Voters	\$904.95
Director of Veteran's Services	\$262.04
Electrical Inspector	\$20,043.58
Assistant Electrical Inspector	\$1,379.17
Plumbing Inspector	\$14,778.34
Assistant Plumbing Inspector	\$1,227.46
Gas Inspector	\$7,296.87
Assistant Gas Inspector	\$624.87
Registrar of Voters	\$351.16
Health Agent	\$50,391.69
Dog Officer	\$2,834.72
Animal Inspector	\$1,807.77
Nurse	\$16,480.00
Vital Stat Clerk	\$206.00
Tree Warden	\$1,529.82

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

A MOTION was made by Matt Mecum that the Town amend the Town's Personnel Plan and By-Laws as printed in the Warrant. The MOTION was seconded. There was no discussion. A VOTE was taken and the MOTION passed unanimously.

ARTICLE 13. To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$58,850 for the purpose of continued repairs at the Hillside Town Buildings; or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

A MOTION was made by Seth Ridinger to transfer from available funds in the Treasury a sum not to exceed \$458,850 for the purpose of continued repairs at the Hillside Town Buildings. A second was made and a VOTE was taken. MOTION passed unanimously.

ARTICLE 14. To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$150,000 for the purpose of procuring a new pickup truck for the Highway Department; or act in any other way thereon.

Sponsor: Highway Department

Finance Committee comments: Finance Committee recommends approval.

A MOTION was made by Highway Superintendent Steve Mero that the Town transfer \$150,000 from Free Cash to procure a new truck with hydraulic sander and plow for the Highway Department. The MOTION was seconded and a VOTE was taken. MOTION passed unanimously.

ARTICLE 15. To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$36,025 for the purpose of completing Phase II of the PARC grant requirements for the Harrington Park project, so called; or act in any other way thereon.

Sponsor: Highway Department

Finance Committee comments: Finance Committee recommends approval.

A MOTION was made by Eric Hoffses, Chair of the Parks and Recreation Commission, that the Town transfer and appropriate \$36,025 from Free Cash for the purpose of completing Phase II of the PARC grant requirements for the Harrington Park Project. A second was made and a VOTE was taken. MOTION passed unanimously.

ARTICLE 16. To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$65,000 for the purpose of procuring a new police cruiser for the Police Department; or act in any other way thereon.

Sponsor: Police Department

Finance Committee comments: Finance Committee recommends approval.

A MOTION was made by James Underwood that the Town transfer and appropriate \$65,000 from Free Cash to purchase a new police cruiser for the Police Department. A second was made and a VOTE was taken. The MOTION passed unanimously.

ARTICLE 17. To see if the Town will transfer the balance of the amount initially borrowed to pay costs of the new Highway Department building project, which amount is no longer needed to complete that project, to pay additional costs of the Town Library project, so-called; or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

A MOTION was made by Matt Mecum that the Town transfer \$86,915.79, the remaining balance of funds borrowed to pay for the new Highway Department building project and is no longer needed to complete the project, to pay additional costs of the Town Library renovation project. A second was made and a VOTE was taken. MOTION passed unanimously.

ARTICLE 18. To see if the Town will vote to transfer from Ambulance Receipts Reserved and appropriate a sum not to exceed \$9,575 for the purpose of funding the Town's 5% matching portion of the FEMA Assistance to Firefighters Grant for the purchase of new self-contained breathing apparatus for the Fire Department; or act in any other way thereon.

Sponsor: Fire Department

Finance Committee comments: Finance Committee recommends approval.

A MOTION was made by Fire Chief Joseph Flanagan that the Town transfer from the Ambulance Receipts Reserved and appropriate \$9,575 to pay the Town's 5% matching portion of the FEMA Assistance to Firefighters Grant for the purchase of new self-contained breathing apparatus for the Fire Department. A second was made and a VOTE was taken. MOTION passed unanimously.

ARTICLE 19. To see if the Town will vote to transfer from Ambulance Receipts Reserved and appropriate a sum not to exceed \$9,000 for the purpose of purchasing a replacement pulse oximeter, stretcher batteries, and to fund preventative maintenance on the stretchers in both ambulances.; or act in any other way thereon.

Sponsor: Fire Department

Finance Committee comments: Finance Committee recommends approval.

A MOTION was made by Joseph Flanagan that the Town transfer from Ambulance Receipts Reserved and appropriate \$9,000 for the purchase of a replacement pulse oximeter, stretcher batteries, and to fund preventative maintenance on the stretchers in both ambulances. A second was made and a VOTE was taken. MOTION passed unanimously.

ARTICLE 20. To see if the Town will vote to:

- (1) Transfer from available funds in the Treasury a sum not to exceed \$300,000 for the purpose of paying the down payment for a new fire engine for the Fire Department; and
- (2) Authorize, under General Laws Chapter 44, Section 21C and, upon the recommendation of the Board of Selectmen, a lease purchase financing agreement for the acquisition of a new fire engine, which qualifies as equipment that may be acquired through the issuance of debt under G.L. c. 44, the term of such agreement not to exceed 10 years, the useful life of the fire engine as determined by the Board of Selectmen, and the Board of Selectmen shall be authorized to enter into such agreement on behalf of the Town, subject to approval of an appropriation for the first year payment as set for the in the Town Budget, as shown in the Fiscal Year 2024 Report of the Finance Committee; or act in any other way thereon.

Sponsor: Fire Department

Finance Committee comments: Finance Committee recommends approval.

A MOTION was made by Joseph Flanagan that the Town:

- (1) Transfer \$300,000 from Free Cash for the down payment for a new fire engine for the Fire Department, and
- (2) Authorize the lease purchase financing agreement for the acquisition of a new fire engine and authorize the Board of Selectmen to enter into such agreement on behalf of the Town, subject to approval of an appropriation for the first-year payment as set forth in the Town Budget, as shown in the Fiscal Year 2024 Budget Report of the Finance Committee.

A second was made and a VOTE was taken. MOTION passed unanimously.

ARTICLE 21. To see if the Town will vote to accept the following streets as public ways as laid out heretofore by the Board of Selectmen and according to the boundaries and measurements shown on plans on file at the office of the Town Clerk, and to authorize the Board of Selectmen to acquire on behalf of the Town by purchase, gift, or taking by eminent domain an easement for public street purposes in said ways and to acquire any other necessary easements, including drainage easements as shown on the plans, sufficient to use said ways for all purposes for which public ways are used in the Town of Boylston; or act in any other way thereon.

- Longley Hill Road, plans entitled “Street Acceptance Plan Longley Hill Road Boylston, MA”, dated April 12, 2023, prepared by HST Group
- Pine Street, plans entitled “Street Acceptance Plan Boylston Massachusetts, Prepared for Pine Street Boylston Realty LLC 603 Cross Street Boylston, MA 01505”, prepared by Tauper Land Survey Inc.
- Compass Pointe Circle, plans entitled “Steet Layout Plan Compass Circle and Cheryl’s Way Boylston, Massachusetts Sheet 1 and 2” prepared by New England Engineering
- Cheryl’s Way, plans entitled “Steet Layout Plan Compass Circle and Cheryl’s Way Boylston, Massachusetts Sheet 1 and 2” prepared by New England Engineering

Sponsor: Board of Selectmen

Planning Board Recommendation: To be made at Town Meeting

Mark Johnson, Planning Board Chair, made a MOTION to accept Pine Street and pass over Longley Hill Road, Compass Pointe Circle, and Cheryl’s Way. Chip Burkhardt, Chair of the Conservation Commission, stated that the Conservation Commission also recommends acceptance of Pine Street and the passing over of Longley Hill Road, Compass Pointe Circle, and Cheryl’s Way.

Peter Williamson of 37A Compass Circle took the floor. He expressed disappointment that Compass Pointe and Cheryl’s Way are not being accepted. Peter went on to say that he and his wife, Ellen, have lived in town for over six years without their road being approved. Compass Pointe includes an over 55 community, made up mostly of senior citizens. This community consists of duplexes located on single lots, garnering a lucrative property tax for the Town. Over 55 communities add no burden to the school system and are a win-win for the Town. Peter is very disappointed that the Town has not worked with the builder to get these streets accepted and hopes that friends and neighbors will vote to approve Compass Circle and Cheryl’s Way.

Steve Soucy, 6 Morningdale Avenue, spoke. He expressed concern that Town Meeting is being asked to vote to accept these streets without knowing more about their statuses. He questioned whether utilities have been installed, roads paved, drainage put in, etc., per Municipal Light and Highway Department regulations. If the Town is taking over ownership of these roads we should know if the infrastructure has been installed correctly. The builder needs to be held responsible for completion of all work; the Town shouldn’t incur the potentially sizable costs of accepting unfinished roads. Steve also said that he feels that the question of each individual street’s acceptance should be under separate articles.

Moderator Kim Rozak clarified that the MOTION is only for Pine Street. Per recommendation of the Planning Board and the Conservation Commission, Town Meeting is passing over the other three streets mentioned in the Warrant.

Deborah Frank, 45A Compass Circle, assured voters that, to her knowledge, most everything required to accept the streets has been completed. The only item outstanding is the staking of lot lines. Taxes have been increased substantially since she moved in, and she wants the streets to be approved. Deborah would like to see the streets approved contingent upon the lot line stakes being placed. She would like an explanation as to why the streets have not been accepted.

Mark Johnson, Planning Board Chair, encouraged attendance at Planning Board Meetings for those who want to learn more about the streets in question. He then spoke to Deborah's question. He said that the Town works closely with Graves Engineering to ensure that grading, utilities, and drainage are put in correctly. He said that Pine Street is the only road that has met all the requirements of the Town.

Mark continued by stating that Longley Hill has a lengthy list of many outstanding issues. The Planning Board and the Conservation Commission are working with the builder to resolve these issues.

Compass Pointe also has outstanding issues; the Town is working with Graves Engineering to resolve these. Mark noted that the Town won't accept roads with outstanding bond issues, which Compass Pointe has.

Chip Burkhardt, Chair of the Conservation Commission, stated that the developer of Compass Pointe still needs to address several issues. The Planning Board and Conservation Commission held a special meeting just this evening to receive last minute submittals and get as much information as possible from the developer. As of the meeting at 6:15 p.m., there were still no as built plans submitted by the developer and there were still open permits. Chip said that he has been on the Conservation Commission for 18 years and Compass Pointe has been in front of the Commission for all 18 years. There are still several outstanding issues that the developer must resolve. The Town is working with Graves Engineering to get the streets to meet the minimum requirements set by the Town. The developer must complete the checklist of items provided to him by the Planning Board and the Conservation Commission before Compass Pointe and Cheryl's Way can be accepted by the Town.

Ted Shoemaker, 144 Mile Hill Road, expressed a procedural concern. With a lot of work still outstanding on these roads, he feels uncomfortable being asked to vote on an Article where only one of the four items are being recommended for approval. He would like to see each street put in separate articles in the future.

Moderator Kim Rozak said that a MOTION was made to advance one street and pass over the other three. She said that it is lawful and appropriate to have a MOTION that doesn't match the Warrant. She said she is not inclined to change the MOTION that is on the floor.

Kim requested a VOTE on the MOTION. She called for a VOTE to accept Pine Street as a public way and to pass over Longley Hill, Compass Pointe, and Cheryl's Way. She noted that a 2/3 vote is required. With very slight opposition, the MOTION passed with more than 2/3 in favor.

ARTICLE 22. To see if the Town will vote, pursuant to the provisions of G.L. c.40, §5B, to create a new special purpose stabilization fund, to be known as the Opioid Settlement Stabilization Fund, which may be expended for all of the purposes allowed by law, including those outlined in applicable opioid-litigation settlement documents, a document prepared by the Substance Abuse Bureau of the Commonwealth's Office of Health and Human Services Department, found at <https://www.mass.gov/doc/massachusetts-abatement-terms/> download entitled "Abatement Strategies", and consistent with any state guidelines or regulations further clarifying allowable uses of opioid litigation settlement funds; and further, to adopt the last paragraph of said §5B and dedicate to such fund, without further appropriation, 100% of the opioid litigation settlement funds received by the Town; and further, to transfer from available funds a sum of money equal to that received

or to be received by the Town from opioid litigation settlements resulting from the Town's participation in the national Opioid Multi-District Litigation into said Opioid Settlement Stabilization Fund; or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Finance Committee recommends approval.

MOTION was made by James Underwood as written in the Warrant.

A second was made. A VOTE was taken and the Article passed unanimously.

ARTICLE 23. To see if the Town will vote to approve the Town Clerk's proposed schedule of fees for the licensing of dogs and kennels in accordance with the provisions of G.L. Chapter 140, Section 139, accept the provision in paragraph c therein, which reads "No fee shall be charged for a license for a dog owned by a person aged 70 years or over in a city or town that accepts this provision," and amend Section 11, sub-section 11.8 of the General Bylaws in accordance therewith; or act in any other way thereon.

Sponsor: Town Clerk's Office

A MOTION was made by Dawn Porter, Town Clerk, to approve the Town Clerk's proposed schedule of fees for the licensing of dogs and kennels in accordance with the provisions of G.L. Chapter 140, Section 139, accept the provision in paragraph c therein, which reads "No fee shall be charged for a license for a dog owned by a person aged 70 years or over in a city or town that accepts this provision," and amend Section 11, sub-section 11.8 of the General Bylaws in accordance therewith.

Dawn clarified that by passing this Article the Town would not charge a dog license fee to residents 70 years of age and older. She also stated that standard dog licensing fees would be increased by \$5.00.

The MOTION was seconded and a VOTE was taken. MOTION passed unanimously.

ARTICLE 24. To see if the Town will vote to make the office of the Town Clerk an appointed position, to be appointed by the Board of Selectmen, and to revise Article II, "Legal Affairs", Section 2, "Appointments" of the General Bylaws by inserting a new sub-section 2.4, after sub-section 2.3 therein, to read:

2.4 The Board of Selectmen shall appoint a qualified person to serve as Town Clerk for a term not to exceed three (3) years. The Board Selectmen shall appoint a successor upon a vacancy in the office of the Town Clerk.

Provided, however, that approval of the change of the office of the Town Clerk to an appointed position shall be subject to that acceptance by the voters of the Town at an Annual Town Election, in accordance with G.L. Chapter 41, Section 1B; or act in any other way thereon.

Sponsor: Board of Registrars

A MOTION was made by Bonnie Johnson, Chair of the Board of Registrars, that the Town vote to make the office of the Town Clerk an appointed position, to be appointed by the Board of Selectmen, and to revise Article II, "Legal Affairs", Section 2, "Appointments" of the General Bylaws by inserting a new sub-section 2.4, after sub-section 2.3 therein, to read:

2.4 The Board of Selectmen shall appoint a qualified person to serve as Town Clerk for a term not to exceed three (3) years. The Board Selectmen shall appoint a successor upon a vacancy in the office of the Town Clerk.

Provided, however, that approval of the change of the office of the Town Clerk to an appointed position shall be subject to acceptance by the voters of the Town at an Annual Town Election, in accordance with G.L. Chapter 41, Section 1B. The MOTION was seconded.

Jennifer Warren-Dymont of 889 Main Street spoke to the Article. Jennifer is currently the Town Administrator in West Boylston and, prior to that, the Assistant Town Manager in Oxford. She wholeheartedly supports the adoption of this Article. Jennifer stated that we do not require other Town Officials, like Police, Fire, and Town Hall Staff, to go through the elections process. Electing a Town Clerk is a ridiculous holdout from the past. The duties of the Town Clerk are largely statutory. Requirements of the job have changed, increased, and become more complex. It is an ever-evolving position, and extensive professional development is required. The ballot box is not the way to determine who our Town Clerk is. Jennifer asked how many towns in the state still have elected Town Clerks and asked Boylston's sitting Town Clerk for her opinion on the Article.

Town Clerk Dawn Porter responded to Jennifer. She said that this is a question that is being asked all over the state. Several towns have the same article on their warrants this spring. Dawn made it clear that her connection to the Article is very tangential. The Board of Registrars is sponsoring the Article and, if approved at Town Meeting, the Article will become a ballot question at the 2024 Annual Town Election. If approved at Election, the Town Clerk wouldn't actually be appointed until 2026 after the next elected term ends. Still, for ethical reasons, Dawn said that she will attempt to speak only to the requirements of the position.

Dawn confirmed everything that Jennifer said. The job is becoming more and more complex, especially with the addition of mail-in voting and the increased number of public records requests and other complicated matters. She also said that she is personally an advocate for oversight of the office. Voters absolutely have the right to weigh in on this issue and will be given their chance to do so at Town Election next year. However, Dawn feels that most residents don't have a full idea of all that the Town Clerk does, and most residents don't stop by the office to check up on whether the Town Clerk is performing the job. If the Town Clerk is appointed, it allows the Town Administrator and other people who are on-site to provide some oversight to ensure that all duties are being satisfactorily performed. Elected Town Clerks are only required to fulfill statutory duties; they can refuse to do things asked of them by the Town. Elected Town Clerks can also set their own hours; where an appointed Town Clerk may be required to begin work at 8 a.m., an elected Town Clerk doesn't necessarily have to follow those hours. Boylston is growing. The nature of the Town Clerk's Office is changing. Local oversight should be welcomed.

Electing a Town Clerk also limits the pool of candidates with related experience. Despite growth, Boylston is still a fairly small town and our pool of candidates may be small due to the town's size. Dawn agrees that having a Town Clerk from Boylston would, if all things are equal, be preferable. However, if there are no qualified candidates from within Boylston, appointing a Town Clerk would allow the Town to look outside of Boylston for someone who has suitable skills and experience.

Lisa Johnson, 4 Underwood Avenue, spoke. Lisa stated that she is the Interim Town Clerk in Leicester and has also served as Interim Town Clerk in Spencer. She said that both towns are larger than Boylston, but both have elected, rather than appointed, Town Clerks. Although Lisa would like to continue working in Leicester, she is supportive of the position remaining elected.

Lisa went on to say that in May 1999 Town Meeting was asked to vote on this same question. The Town voted yes. At Town Election, however, 58% of the Town voted no. All Town Clerks report to residents and work with Town Officials. Lisa would like to know why the Town is putting off having the question on Town Election Ballot until next year. Lisa stated that while the job is complex, there are mentoring and continuing education courses available. Every election cycle, the State Elections Division makes changes.

Elected Town Clerks may not know what to do when they first come into the job, but they can learn. Lisa said she believes the position should remain elected.

Chair of the Board of Registrars, Bonnie Johnson, spoke to Lisa's question. She said that this is a two-year process; putting the Article in front of Town Meeting now, and then as a question on the following year's election ballot. Bonnie agreed with the West Boylston Town Administrator, saying that the job is very technical, and that the Town relies on the Town Clerk for an incredible number of things.

Bonnie went on to say that we have a great Town Clerk in Dawn Porter. None of this is about Dawn. In the last 40 years, there have been four or five different Town Clerks. The position is becoming more and more technical, and the pool of qualified candidates is becoming smaller and smaller. With most boards and committees, like the School Committee and the Board of Selectmen, there is a rotation of membership so you can learn as you go. There is only one Town Clerk. The Town Clerk is put on the spot and gets one shot to get it right.

Next Monday, you will be given the opportunity to vote at the ballot box and Dawn Porter's name will be on the ballot. If Dawn gets elected, she will be Town Clerk for the next three years. If the Town supports appointment, it will be in the following year, 2026, that a Town Clerk will be first appointed. If Dawn retires, or if the position opens up for any other reason, the Board of Registrars, the Town Administrator, and Human Resources will come up with candidates to present to the Board of Selectmen. I encourage Town Meeting to vote yes to move the Town Clerk position from elected to appointed.

A VOTE was taken. MOTION passed with slight dissent.

Moderator Kim Rozak said that this issue will come up not next week, but a year from now, and you will get to make your decision then.

ARTICLE 25. To see what sum of money the Town will vote to appropriate, transfer from available funds in the Treasury, or borrow for the purchase of a parcel of land containing approximately 30.08 acres, more particularly shown on Assessors Map 23 as Parcel 25, containing 30.08 acres +/-, located on the west side of School Street and further described in a deed recorded in the Worcester Registry of Deeds in Book 60034, Page 136; or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Will make recommendation at Town Meeting

Seth Ridinger made a MOTION that the Town vote to:

- (1) Appropriate \$1,050,000 for the purchase of a parcel of land containing approximately 30.08 acres, more particularly shown on Assessors Map 23 as Parcel 25, located on the west side of School Street and further described in a deed recorded in the Worcester Registry of Deeds in Book 60034, Page 136, including all ancillary costs and fees related thereto, said property to be purchased for conservation and passive recreation purposes pursuant to the provisions of MGL Chapter 40, Section 8C, as it may hereafter be amended, and other general laws relating to conservation, to be held and managed under the care, custody and control of the Conservation Commission;
- (2) To meet said appropriation the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount pursuant to MGL Chapter 44, sections 7, and 8C, or any other enabling authority available to the Town, and to issue bonds or notes therefore, and further, that the Board of Selectmen is authorized to apply for, accept and expend any private, federal, or state aid, grants or donations that are or may become available for these purposes, provided, however, that the total amount authorized to be borrowed by this vote shall be reduced to the extent of any private, federal or state grants or donations are received for such purposes; and further,

- (3) To authorize the Conservation Commission to seek reimbursement of funds expended for such purposes under the LAND program, MGL Chapter 132A, section 11; and
- (4) To authorize Board of Selectmen and the Conservation Commission to enter into all agreements and to execute any and all instruments as may be necessary on behalf of the Town to affect said purchase and the purposes herein.

Chair of the Finance Committee, Eric Brose, said that the Finance Committee does not recommend approval, but notes that the vote of the Committee was split three to three.

Seth Ridinger stated that this Article is about 30 acres of land, commonly known as the Bud Lane property. He continued to say that while the timing is not ideal, the Board of Selectmen feels that this is an opportunity that should be presented to the Town. The price that is being negotiated is \$1,000,000, with up to an additional \$50,000 in closing costs. The Town plans to apply for a land grant through the State, and Seth is cautiously optimistic that, along with private donations, this could defray up to 50% of the purchase price. If the Town is unsuccessful in obtaining a land grant, based on the average \$460,000 sales price of a Boylston home, the tax impact would be between \$55 and \$65.

The Moderator opened the floor up for discussion but, as it appears that several residents would like to speak, she asked that comments be kept brief.

Bob Richard of 632 Main Street thanked the Board for the second look at the property. He noted that once an opportunity like this is gone, it is gone forever. Explosive growth in this area is apparent and this is an opportunity to preserve the rural character of the town. While this is not the greatest time to ask people to pay more in taxes it will be well worth it in five, ten, or twenty years. For the cost of pizza from Boylston House, we will be preserving a wildlife corridor for all to enjoy. He asked that the Town vote yes on this Article.

Chris White of 38 Warren Street noted that this same property was on the Town Meeting Warrant last year at the lower price of \$980,000. It was originally purchased for \$250,000 by Sewall Street LLC four years ago. The property contains a lot of ledge and will be very expensive to develop. The price is ridiculous and with the approximately 15% tax increase we can already expect from this year's budget, we shouldn't add more in taxes. He has bought enough pizzas with land purchases over the years, and we don't need to add another \$55 or so to our taxes. Please vote no on this Article.

Brian Mahoney, 182 School Street, said that once land is developed, it's gone. If the town wants to look like Shrewsbury or Auburn we should go ahead and allow this land to be developed. If we want to keep the rural feel of the town, we don't want to allow this development to happen.

Bonnie Johnson, 5 Pine Street, said that she is surrounded by development so she does have an understanding of the situation. She used to be on the Parks and Recreation Commission however, and \$1,000,000 spent on the Manor Park would affect every kid in the town. She urged voters to look at the Manor and said that is where we want to put our money. It is already in disarray, needing new tennis courts and improved drainage. \$1,000,000 would go a long way. Bonnie would like to see the money put into something that benefits the whole town.

Jim Benson of 363 Mile Hill Road said that the purchase of this land should be viewed as a luxury item. There are a lot of things that need to be done in town, especially to support the schools. Over the last six months Jim's property taxes have increased over \$1,000. He feels that money would be better spent on the schools - on the staff members and on our children's futures.

Ann Wynne of 76 Sewall Street said she wants to see Boylston keep space to walk, take dogs, and run around. She would like to see Boylston retain its small town atmosphere. If this land is developed, the town will be taxing an already overburdened school system. The development of the land will further strain the schools, the Fire and the Police Departments. There is ledge where Federal Express was built and look at it now; someone will buy this land and develop it if the Town doesn't buy it. Please vote yes and keep this land for conservation.

Cathy Blumenthal of 70 Sewall Street said the land is developable and, if this contractor doesn't develop it, someone else will. There are already housing developments at both ends of Sewall Street. Where will all the cars and trucks go with a potential three developments being put in? Cathy won't want to drive on Route 140 or Sewall Street once these projects are developed. We can't handle the traffic we have now.

Moderator Kim Rozak explained that because the Finance Committee does not recommend approval of this Article, the Town will be conducting a physical ballot vote. She provided voters with instructions on how to separate their green paper ballots to be collected for counting. She also explained that the VOTE requires a 2/3 majority to pass.

Seth Ridinger requested to speak one more time. He said that this opportunity will never be presented again to the community. This area is already densely developed. Clear cutting and building a bunch of houses will increase the drain on the town's infrastructure, road maintenance, public safety, and schools. If we believe in preserving the rural character of the town, and we want to keep some of what makes Boylston special, he urged the town to vote yes.

A paper VOTE and count took place. VOTE passes by more than a 2/3 majority. 291 yes, 68 no.

ARTICLE 26. To see if the Town will vote to amend the Zoning Map, established by Section 3.01, paragraph 18 of the Zoning Bylaws, so as to place the entirety of the parcel shown on Assessors Map 23 as Parcel 25, containing 30.08 acres +/-, located on the west side of School Street and further described in a deed recorded in the Worcester Registry of Deeds in Book 60034, Page 136, which is currently located in the Rural Residential (RR) Zoning District, into the Residential (R) Zoning District. Said Parcel is shown as Lot C on a plan on file and available for public inspection at the office of the Town Clerk.

Sponsor: Property Owner's Petition

Planning Board Recommendation: To be made at Town Meeting

Patrick Healy of 25 Sewall Street, a professional engineer for Thompson Liston Associates, working for 85 Sewall Street, LLC, made a MOTION that the Town vote to amend the Zoning Map, established by Section 3.01, paragraph 18 of the Zoning Bylaws, so as to place the entirety of the parcel shown on Assessors Map 23 as Parcel 25, containing 30.08 acres +/-, located on the west side of School Street and further described in a deed recorded in the Worcester Registry of Deeds, Book 60034, Page 136, which is currently located in the Rural Residential (RR) Zoning District, into the Residential (R) Zoning District. Said Parcel is shown as Lot C on a plan on file and available for public inspection at the office of the Town Clerk. A second was made.

Mark Johnson, Planning Board Chair, said the Planning Board chooses not to offer any guidance or recommendations on this MOTION.

Patrick Healy made a brief presentation petitioning to re-zone the land. Patrick stated that, yes, this is in fact the same parcel of land that the Town just voted to purchase, but the petition to re-zone from Rural Residential to Residential stands. Patrick noted that per Boylston's Table of Uses, Residential Zoning is more inclusive than Rural Residential. Re-zoning opens up different opportunities for the Town. In this particular proposal, up to 60 units of over 55 housing could be built. The town has a need for transitional housing for those moving from single-family housing to assisted living. Making this zoning change would allow the Town to build this type of development in the future if desired. The benefits of using this property towards the development of

this type of over 55 senior housing are that the land is located on the public water system, buffers along the ponds and wetlands would be maintained, School Street is a collector street, there would be an open tract of land for walking trails, senior housing wouldn't add students to the school system, and the development would leave a small footprint. Re-zoning to Residential from Rural Residential provides the Town with opportunities like this one. Leaving the land zoned as Rural Residential does not allow for this type of development.

To clear up any confusion about the relationship between Articles 25 and 26, Selectman Matt Mecum clarified that Article 26 was placed on the Warrant by the current landowner, not the Town.

Gerry Quam, 3 Smallwood Circle, asked for a MOTION to pass over the Article.

Selectman James Underwood said that the Article should not be passed over as there is no Purchase and Sale Agreement for the property yet.

Moderator Kim Rozak confirmed that the Article will not be passed over. She stated that there is already a MOTION and a second to the MOTION. The Town will hear from residents on the MOTION that is on the floor.

Mark Johnson, 85 Mile Hill Road spoke; not as a Planning Board Member, but as a resident. Mark said there's no Purchase and Sale Agreement; the Town hasn't purchased the land yet. Re-zoning could potentially make the land more valuable, potentially increasing the sales price. Voting to re-zone the parcel as Residential could potentially cause negotiations to fall apart as the result of the parcel's value increasing. The Town should keep the purchase price down, vote this Article down, and leave the land zoned as Rural Residential.

Bill Filsinger, 372 Central Street, Chair of the Zoning Board of Appeals for the last 18 years, spoke to the Article saying that his first thought was that this is spot zoning. Spot zoning, unless there is a very good reason for it, is illegal in Massachusetts. Bill said that he did a little research and would like to read an excerpt from land court where a group of plaintiffs sued the Town of Swampscott. Part of the judge's ruling in the case reads as follows, "Spot zoning is impermissible because it violates the uniformity principle and occurs where there is a singling out of one lot for different treatment from that accorded to similar surrounding land indiscriminable from its character all for the economic benefit of the owner of the lot". Spot zoning is illegal, this is spot zoning, and Bill urged a "no" vote for this Article.

Richard Baker, 250 School Street, an Associate Planning Board Member, spoke as a private citizen. Richard began by saying that he had come prepared with notes from the same land court excerpt that Bill just read. Not only is this spot zoning, but nothing in the Article requires the developer to build what he is proposing; he will build whatever creates the most profit. Rural Residential is the largest zoning district in town. The owner is asking for a zoning change for his individual parcel. Why his land and not everyone else's? The parcel should stay Rural Residential. Changing the zoning of the land is a terrible, arbitrary idea; not justified by rational land-use planning. Richard disagrees with Mr. Healy: Boylston does need housing options for our seniors, but it is not clear that this re-zoning proposal will provide that. Richard is voting no on this Article and urges the Town to do the same.

Steve Soucy, 6 Morningdale Avenue, noted that the Town just voted to buy this land for conservation purposes. He urges the Town to vote no and keep the land Rural Residential, forcing the Town to keep it for conservation.

Matt Mecum stated that the grants the Town will be applying for, and even the donations that may be secured through private philanthropists, will require that the land be used as conservation.

Bob Richard, 632 Main Street, urged voters not to rush into anything. If re-zoning is desired, it can be considered after the land purchase. He also stated that he finds it disingenuous at best that a town member

would represent a firm professionally and try to make a zoning change immediately after the Town voted for the land purchase.

Patrick Healy spoke to Bob's comment saying that he doesn't believe it is disingenuous for a community member to represent a landowner. Patrick is in the land development business, just as anyone who surveys land, presents plans to boards like the Planning Board or Board of Selectmen. It is his job to assist private landowners with maintaining their private property rights.

Kim called for a vote. Patrick's MOTION is on the floor. Kim called for a second and the MOTION was seconded. Kim went on to clarify that the MOTION is for re-zoning. A yes vote approves the re-zoning; a no vote does not approve the re-zoning.

VOTE was taken and defeated by more than a 2/3 margin. There was very little dissent.

ARTICLE 27. To see if the Town will vote to amend the vote unanimously adopted under Article 28 at the 2022 Annual Town Meeting, which read:

To transfer the care, custody and control of a parcel of land located southeasterly of Main Street, adjacent to land of Worcester County Horticultural Society and shown as Parcel 3 on Assessors Plan 48, and as further described in the printed Warrant, from the Tax Title Custodian to the Board of Selectmen for purposes of disposal by sale, for no less than a minimum sales price of \$10,000 and provided that said property shall be subject to a conservation restriction, such that it shall not be built upon.

By inserting the following text at the end thereof:

“, provided, however, the construction of not more than two temporary shelters for hikers, each having a footprint no greater than 10 feet x 10 feet and a height no greater than 15 feet, without utilities and not for permanent occupancy, shall be permitted.”

Or act in any other way thereon.

Sponsor: Citizen's Petition

Penelope Gambino, 2 Clearview Avenue, made a MOTION to see if the Town will vote to amend the vote unanimously adopted under Article 28 at the 2022 Annual Town Meeting, which read:

To transfer the care, custody and control of a parcel of land located southeasterly of Main Street, adjacent to land of Worcester County Horticultural Society and shown as Parcel 3 on Assessors Plan 48, and as further described in the printed Warrant, from the Tax Title Custodian to the Board of Selectmen for purposes of disposal by sale, for no less than a minimum sales price of \$10,000 and provided that said property shall be subject to a conservation restriction, such that it shall not be built upon.

By inserting the following text at the end thereof:

“, provided, however, the construction of not more than two temporary shelters for hikers, each having a footprint no greater than 10 feet x 10 feet and a height no greater than 15 feet, without utilities and not for permanent occupancy, shall be permitted.”

Or act in any other way thereon.

The MOTION was seconded. Penelope requested that Attorney Patricia Gates, representing New England Botanical Gardens at Town Hill, be allowed to speak. Moderator Kim Rozak granted the request in order to allow for better understanding of the MOTION.

Attorney Gates began by saying that last year a parcel was sold to Tower Hill along with a couple of conditions – that the land be used for conservation and not built upon. Tower Hill, whose mission is conservation, now owns the land; conservation of the land is not the issue. The issue is the exclusive language “not to be built on”. Tower Hill will not be putting any buildings per se on the land; they want to put up safety shelters/rest stops for hikers. This type of shelter can be seen in any state park and is used when walkers need to shelter from a storm or take a short rest. The purpose of the MOTION is not to eliminate the language, but to allow for a narrow exception, the installation of up to two rest stops/shelters. Photos of the rest stop/shelters were provided in the Town Meeting Materials. They are very basic structures and have a very small footprint.

Robert Richard, 632 Main Street, said he is an avid hiker and he loves Tower Hill, but he doesn’t see the need for permanent structures that could be targeted for vandalism and loitering by people with ill intent. He feels that the distance of the trail is too short to necessitate such structures.

Attorney Gates responded by saying that the trail length is almost four miles. These structures are considered temporary and could be removed if it seems that they are being used by malcontents.

VOTE was taken and passed unanimously.

ARTICLE 28. To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, or otherwise provide the sum of \$21,685,033 (Twenty-One Million, Six Hundred Eighty-Five Thousand, Thirty-Three Dollars and zero cents), or any other amount as may be necessary, to defray and pay all Town debts and charges and appropriate the same as the Town sees fit for the fiscal year beginning on July 1, 2023, and to fix the compensation and salaries of all Town Officers, as shown in whole or in part by the Town Budget, so-called, shown in the Fiscal Year 2024 Report of the Finance Committee, for the purpose of operating and maintaining the various departments of the Town; or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee comments: Will make recommendation at Town Meeting.

Eric Brose, 18 Diamond Hill Avenue, Chair of the Finance Committee made a MOTION that the Town appropriate the sum of:

TWENTY-ONE MILLION, SIX HUNDRED EIGHTY-FIVE THOUSAND, THIRTY-THREE DOLLARS AND ZERO CENTS, which sum includes an appropriation for the Regional School budget in the amounts listed under the column “Finance Committee Recommended FY 2024 Budget” for Account No. 5510 and Account No. 5651, as shown in the proposed FY 2024 budget in the report of the Finance Committee to pay all Town debts and charges and to fix the compensation and salaries of all Town offices, all as shown in the Town Budget, so called, under the column “Proposed FY 2024 Budget” in the Report of the Finance Committee;

AND TO MEET THIS APPROPRIATION:

1. The sum of \$ 95,000 shall be transferred from the Ambulance Receipts Reserved for Appropriation and applied to the Fire Department budget;
2. The sum of \$ 1,028,660 shall be transferred from available Free Cash to fund Capital School Improvements at Boylston Elementary School;
3. The sum of \$ 250,000 shall be transferred from available Free Cash to reduce the tax rate; and
4. The balance to be raised from the tax levy.

thereby approving the Town Budget for Fiscal Year 2024.

The MOTION was seconded.

Eric introduced the Finance Committee: Dave Butler, Karen McGahie, Howard Drobner, Greg Cusimano, and Stephanie Miczek, and then explained the summary sheet prepared by the Finance Committee and included in Town Meeting Materials.

Eric continued by saying that the School Committee will make a motion to amend the budget to a higher figure than what is presented here. This number may not include the entire \$270,000. They may ask for a slightly lower figure by filling the gap with non-recurring funds (essentially savings), but it will still cost the Town the amount shown.

The Finance Committee's recommended budget meets all of the primary needs of the schools. We need to be concerned for not only the schools, but for fixed income homeowners as well. There will most likely be a Proposition 2 ½ Override next year. The positions that will be added this year through the use of savings will be most at risk next year.

Lori-Anne Hart, 194 Central Street, spoke on behalf of the School Committee. Lori said that she has a motion whose purpose is not to seek more money on the town floor, but to ensure that the relevant Massachusetts Code of Regulations, 603 CMR 41.05, governing regional school districts is followed. The regulation states: "The budget as adopted by the regional school committee and the member's assessment as certified by the treasurer of the regional school district shall be placed before each local appropriating authority for its consideration".

Therefore, I move to AMEND the MOTION of the Finance Committee under Article 28, to increase the amount of the appropriation by \$106,880 to reflect the intended FY2024 budget voted on by the Berlin-Boylston Regional School Committee on April 4th, 2023, in lieu of the Finance Committee recommended budget, such that the AMENDED MOTION reads as follows:

Megan Grill, School Committee Member, 27 Compass Circle, continued the MOTION by amending the \$21,955,800 School-Committee recommended FY2024 budget as printed in the Warrant, by asking that the Town appropriate the sum of \$21,791,913 which sum includes an appropriation for the Berlin-Boylston Regional School District budget in the amounts listed under the column "School Committee Recommended FY2024 Budget" for Account 5510 and Account 5651 as follows: Change Account 5510 Elementary Education from \$4,871,688 to \$4,721,688. Change Account 5651 Regular Assessment from \$6,329,720 to \$6,315,833. The balance of the MOTION shall not change.

Jessica Degliaberti, School Committee Member, 1 Scar Hill Road, seconded the MOTION.

David Butler, Finance Committee Member, 247 Green Street, said the Finance Committee does not recommend approval. Moderator Kim Rozak opened the floor for discussion regarding whether there should be an amendment.

Jessica Moore Degliaberti spoke as a private resident. She stated that she takes this issue very personally. While growing up in Boylston, Jessica remembers arguing for school funding. This issue remains personal to Jessica now that she has a 4th grader and a kindergartner. Next fall 60 kindergartners are registered, resulting in 20 students per teacher. This Article will add an Educational Aid to each Kindergarten Classroom and an additional BCBA. Our current Behavioral Health Analyst is stretched between three schools and we need to ensure that all children receive help. The Article will also add a Vice Principal for the Middle School. There is currently no separate feeling of a middle school at Tahanto. We lose a lot of kids to other schools in the 9th grade; this would help to make the Tahanto community more cohesive. Jessica doesn't take budget increases lightly, but feels an increase is warranted in this case.

David Butler, said that he is disappointed that for the first time in his 30+ years on the Finance Committee the School Committee and Finance Committee are not presenting a unified budget. Dave said he wasn't disputing positions, but more so wanted to talk about budget mechanisms and overall budget impact. The recommended budget would increase by 15.7% and the School Committee's amendment would increase it by 18% - three

times the inflation rate. The Finance Committee has a duty to be fiscally responsible to all residents of the town. The School Committee shares the same responsibility.

At a group meeting in March, the School Committee presented two budgets to the Berlin and Boylston Finance Committees and Select Boards. One was a level services budget that you see here and one was a below level services budget including layoffs. Both the Finance Committees and the Boards of Selectmen felt it was important to avoid layoffs, so the level services budget was adopted. After that meeting the School Committee, rather than being appreciative of the town's reach to meet the higher budget amount, proceeded to add five full-time positions. The last minute 5-position add cannot be supported.

The School Committee's budget that is being presented relies heavily on one-time funds, comparable to tapping into your savings. Starting FY2025 this budget will put us several hundred thousand dollars in the red at Boylston Elementary School alone, necessitating a Proposition 2 ½ Override, which is not easy to pass. The Finance Committee recommends a 5.9% tax increase, almost 2% above where we'd like to be. The School Committee is recommending a 6.75% tax increase, which will only work for one year due to the use of reserve funds. We need to consider all townspeople, including seniors and those on fixed incomes. If voting yes to the amended school budget, don't complain about your tax bills next year.

Megan Grill stated that although the School Committee did vote to add five positions, they also voted to add more school choice slots and use \$160,000 of school choice and circuit breaker reserve funds to help fund these positions. Adding these positions is not something the School Committee took lightly.

Matthew Grill (Megan's husband), 27 Compass Circle, stated that while he and Megan never agree on anything, they do actually agree on this. The Town just voted to spend \$1,000,000 to keep the rural feel of the town by purchasing a parcel of land. How can we question spending \$100,000 on our children? UNESCO publishes global data used to inform global public policy. In first world countries, the student-teacher ratio is 14 to 1. In developing countries, the ratio is 20 to 1. Boylston is approaching being a developing country without adding these roles to kindergarten. 20 to 1 student-teacher ratios are too high. Matthew asked that the Town vote yes on this Article.

Gerry Quam, 3 Smallwood Circle, pointed out that the Town just voted, with no discussion, to spend \$150,000 on a truck for the Highway Department. He has seen other trucks and equipment purchased for similar prices throughout the years with no hesitation. Gerry said that it boggles his mind that we are arguing over \$100,000 for the education of our children. In closing, Gerry said show me a growing, vibrant town, with growing property values, and I will show you a well-supported school system. Gerry urged Town Meeting to support this Article.

Jennifer Warren-Dymont, 889 Main Street, doesn't doubt the need for these positions. She did, however, point out that reliance on one-time money is a slippery slope. Overrides are difficult to pass and moving forward with this amended budget will set us off in the red at the beginning of the next fiscal year. She believes the Finance Committee when they say we will be facing an override next year or in the very near future. We need to look at an overall comprehensive view of the budget; the whole town is starving, not just the schools.

Arielle Strzelewicz, 400 Linden Street, was previously a teacher and has an extensive background in education. A 20 to 1 student-teacher ratio would be crushing for kindergartners. It just isn't enough adults for all the students. At 20 to 1, a teacher can't take care of your children. An additional BCBA, who is someone who works with children who face higher difficulties, is also needed. Our children are still reeling from the effects of the pandemic and need support. Arielle urged voters to try to remember the last time they were alone with five, ten, or even twenty children. She said the answer for most people would be never. Arielle encouraged Town Meeting to vote for this budget amendment.

Jessica Degliaberti spoke again and acknowledged that rising taxes will be difficult for some people. She noted that some tax payers can qualify for exemptions, and tax work off programs are available in both Berlin and Boylston.

Moderator Kim Rozak said that the next VOTE is whether to amend the Finance Committee's MAIN MOTION with the MOTION made by Lori-Anne Hart of the School Committee.

A VOTE was taken and the MOTION to AMEND the MAIN MOTION passed.

Kim called for a VOTE on the School Committee's AMENDED MOTION. She instructed voters on how to tear their yellow ballot slips for voting. A second was made.

A paper ballot VOTE and count took place. The Article passed; 241 yes, 88 no.

Moderator Kim Rozak asked for a MOTION to adjourn. A MOTION was made and seconded.

The meeting adjourned at 10:23 p.m.

Respectfully Submitted,

Dawn A. Porter
Boylston Town Clerk