

**Minutes of the BOXFORD BOARD OF SELECTMEN
TOWN HALL, MEETING ROOM #1
December 12, 2011 7:30PM**

Present: Chairman Perkins, Chuck Costello, Stephen Davis, Mary Anne Nay

Absent: Preston Galarneau

Others Present: Alan Benson, Town Administrator; Kathryn O'Brien, Tri-Town Transcript; Heidi Ellard, Library Trustees; Nanci Milone Hill, Library Director; Kathy Benevento, Director of Finance; David Benson, Board of Assessors; Kristin Hanlon, Director of Assessment; Robin Phelan, Town Clerk; Heather Fecteau, Elementary School Committee; Pam Messenger, Elementary School Committee; Richard Shaw, Council on Aging; Anna Barbieri

Meeting Called to Order:

Selectmen Chairman Perkins called the meeting to order at 7:33PM.

Announcements:

- **Reminder: Walk Against Traffic:** Selectwoman Nay reminded all walkers and joggers to walk against the traffic, when walking on Boxford's roadways.
- **Council on Aging Holiday Luncheon:** Selectwoman Nay announced that the Council on Aging is holding their annual holiday luncheon on Wednesday, December 14 at the Family Life Center of the First Church. Call the Council on Aging for reservations.
- **Remember Our Firefighters and Police Officers:** Selectwoman Nay reminded residents to put a red light in their window to honor our firefighters and a blue light to honor our police officers, when decorating for the holidays.
- **Special Election:** Selectman Costello announced that the Town will hold a Special Election on Tuesday, December 13, from 7AM-8PM, at Spofford Pond School, to vote on funding two projects at the Spofford Pond School.
- **Update on Police Chief Search:** Town Administrator Alan Benson announced that all three final candidates for the Chief's position will be at Town Hall

42 tomorrow, December 13, undergoing further assessments and evaluations,
44 conducted by former police chiefs from area municipalities. On Thursday,
46 December 15, all candidates will be available for a public meet-and-greet at 6PM,
at the Town Hall, and will meet with the Selectmen at 7PM for televised
interviews.

48 • **Update on ZBA Appeal:** The Town has two roles -- one as applicant and one as
regulator. The role as applicant has turned into the role of plaintiff and has filed
50 an appeal, which was filed last month with the Town Clerk. After conducting
interviews with four firms, the ZBA has chosen a firm to serve as Special Town
52 Counsel, to represent them, and has met with the firm at least once. The firm will
file an answer to the complaint of the applicant/plaintiff and that will occur toward
54 the end of December/early January. Following will be the filing of motions
sometime toward mid-January. As documents are filed, Benson will post them on
56 the Town's website to keep the public informed.

58 On December 14, the Historic District Commission will meet to make their
determination on the library application, as presented.

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62 • **Deer Hunting Season:** Selectman Davis reminded all residents that deer
hunting season is ongoing until the end of the month.

64 • **Grand Illumination:** Selectman Davis announced that the Grand Illumination,
sponsored by the Historical Society, will take place on Sunday, December 18,
66 with caroling through the Village, concluding at the Holyoke French House with
cider and cookies.

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70 • **Monday Selectmen's Meeting:** On December 19, the Selectmen will be meeting
upstairs, at Town Hall, at 7PM, to complete paperwork. There will not be a
regularly scheduled Selectmen's meeting, but there will be a short ceremony and
72 proclamation for the outgoing police chief, Gordon Russell, which will be
televised.

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76 • **Colby Property Update:** Benson reported that the Board will be signing a deed
acceptance for the Colby property Monday evening, and the Town will own it by
December 22.

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80 **Tax Classification Hearing:** Kristin Hanlon, Director of Assessment, and David
Benson, Board of Assessors, met with the Board to discuss the valuations of the town.
82 Mr. Benson reported that the valuations have been submitted and approved by the
Department of Revenue. Average valuations decreased from last year. The average last
84 year was \$573,875.00. Valuations decreased about 1%, to \$569,282.00. New growth
increased \$13M this year, compared to about \$7M last year, due to the Weathered
86 Walls subdivision as well as an increase in home additions and other improvements.
The tax classification remains at 96% residential. Shifting the tax rate to commercial
88 would pose a huge burden on homeowners. The Board of Assessors is recommending
establishing a single tax rate for all properties in Boxford.

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- **MOTION by Costello**, seconded by **Nay**, to set one tax rate for the Town of
92 Boxford and for each class of property to maintain 100% of its full values' tax
share. The motion passed unanimously.

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96 **Meeting with Director of Finance:**

Kathy Benevento, Director of Finance, met with the Board to discuss FY13 revenue
98 projections and budget guidelines. She reported that the Finance Committee met last
week to establish budget guidelines to be given to all the schools and town
100 departments. While the town has over \$700K in excess levy capacity, they have
requested that taxes not be increased more than 2 1/2%. As a result, working with
102 committees and departments, she has tried to keep it level. Masconomet's budget
guideline was set at 3.2%, due to the increase in students from Boxford. Benevento
104 stressed that these are preliminary numbers and they may change.

106 Benevento also reported that property assessments are online through a link on the
town's home page. New values will be put up around the first of the year, when new tax
108 bills are mailed out. She will also update the Finance page as budget talks progress.

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Discussion of Creation of COA Senior Center Study Committee: Richard Shaw,
112 Vice-Chairman of the Council on Aging, appeared before the Board to request that the
Board of Selectmen consider creating an independent committee to study the needs of
114 the Council on Aging in order to make a recommendation for providing a Senior Center,
based on the services provided to the Town's seniors. A charge for the Senior Center
116 Study Committee was provided by the Council on Aging for the Board's review.

118 Selectman Chairman Perkins advised Mr. Shaw that the Board will review the charge
and will reconsider the request at a later meeting in January 2012.

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122 **Discussion of Change in Polling Location:** Pam Messenger, Chairman of the
Elementary School Committee and Heather Fecteau, member of the Elementary School
124 Committee; appeared before the Board to request that the Town consider changing the
polling location from the Spofford Pond School.

126

Lengthy discussion ensued about the various ways school is disrupted by holding
128 elections at the school, as well as possible solutions to those disruptions. The
discussion also included the benefits of keeping the elections at the school, including
130 parking. Robin Phelan, Town Clerk, presented an outline of various alternative
locations, with her preference being Town Hall.

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• **MOTION** by **Costello**, second by **Davis**, to schedule elections for calendar year
134 2012 to be held at the Boxford Town Hall. The motion passed 3-1, by roll call
vote.

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- **Davis: Yes**
- **Costello: Yes**
- **Nay: Nay**
- **Perkins: Yes**

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Interview for Candidates for Various Volunteer Committees:

142 • **Anna Barbieri:** Candidate for the Boxford Cultural Council, Anna Barbieri,
appeared before the Board to express her interest in volunteering on the Cultural
144 Council. She lives at 395C Ipswich Road. She's been a resident since 1980. She
has a long history in theatre and cultural events.

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• **MOTION** by **Costello**, seconded by **Nay**, to appoint Anna Barbieri to
148 the Boxford Cultural Council, for a term ending June 30, 2012. The
motion passed unanimously, by roll call vote.

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152 **Finance Committee Representative to Land Committee:** The Finance Committee
has recommended the appointment of FinCom member Peter Bernardin as the Finance
154 Committee Rep to the Land Committee.

- **MOTION** by **Costello**, seconded by **Davis**, to appoint Peter Bernardin as the Finance Committee Rep to the Land Committee for a term ending 6/30/2014. The motion passed unanimously, by roll call vote.

Agricultural Commission Appointment: Selectman Chairman Perkins reported that the Board has received two applicants for the one open position on the Agricultural Commission. The Board will act on that appointment after the first of the year.

Correspondence:

- **MTF Report:** Alan Benson, Town Administrator, advised the Board of a report released by the Mass. Taxpayers Foundation consisting of an in-depth review of FY2010 and FY2011, indicating that this period has been the worst financial period for municipalities. Boxford weathered the storm a little better than many and has maintained reserves. There is concern about communities that were heavily hit and how they will survive in the future. The second part of the report indicates that there will be an extremely slow recovery period.
- **Massachusetts' Open Checkbook Project:** Benson reported that the State Treasurer's office has been working on the Open Checkbook Project where all vendor payment information will be available to the public on the State's web site.

Approval of Minutes:

- **MOTION** by **Davis**, seconded by **Costello**, to approve the Minutes of December 5, 2011, as printed. Approved unanimously.
- **MOTION** by **Davis**, seconded by **Costello**, to approve the Executive Session Minutes of November 14, 2011, as printed. Approved unanimously.
- **MOTION** by **Davis**, seconded by **Costello**, to approve the Executive Session Minutes of November 28, as printed. Approved unanimously.
- **MOTION** by **Costello**, seconded by **Nay**, to approve the Executive Session Minutes of December 5, 2011, as printed. Approved unanimously.

Treasury Warrants:

188 • **MOTION** by **Nay**, seconded by **Costello**, to approve accounts payroll warrant
190 #PY1223, for non-school payroll, in the amount of \$86,643.92. The motion
passed unanimously.

192 • Selectman Costello removed himself from the meeting. **MOTION** by **Nay**,
seconded by **Davis**, to approve school payroll, in the amount of \$312,624.67.
The motion passed 3-1, with Costello abstaining.

194 • **MOTION** by **Nay**, seconded by **Costello**, to approve payment of accounts
196 payable warrant 12-24, in the amount of \$218,397.78. The motion passed
unanimously.

198 **Other Business:**

200 • **Code of Conduct Follow-Up:** Selectwoman Nay asked Town Administrator
Benson if there was any update on the Code of Conduct with Town Counsel.
Benson reported "it's on the list."

202 • **Conflict of Interest Report:** Selectman Davis reported that he has gotten a
written complaint from Charlie Killam of a possible conflict of interest with him
204 with his wife being on the Library Trustees. He has contacted Town Counsel who
will answer the complaint with a written opinion to Mr. Killam and the Ethics
206 Commission.

208 **Executive Session at 9:39PM:**

210 Upon a **MOTION** duly made by **Chairman Perkins** and seconded by **Davis**, the Board
of Selectmen voted by unanimous roll call vote to go into Executive Session for the
212 purpose of discussing overall strategy on litigation with Selectmen vs. ZBA and declare
that an Executive Session is necessary since an open public discussion may have a
214 detrimental effect on the negotiating, bargaining or litigating position of the Board of
Selectmen, and upon completion of the Executive Session to return to open session
216 and immediately adjourn without conducting any further business.

218 Respectfully Submitted,

220
222 *Judith A. Stickney*
Minutes Secretary

Boxford Board of Selectmen
December 12, 2011

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