

**Minutes of the BOXFORD BOARD OF SELECTMEN
POLICE STATION MEETING ROOM
May 14, 2012 7:00PM**

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Present: Chairman Perkins, Mary Anne Nay, Chuck Costello, Preston Galarneau

Absent: Stephen Davis

Others Present: Town Administrator Alan Benson, Minutes Secretary Judi Stickney, DPW Superintendent John Dold, Lance Cluster

7:05PM Meeting Called to Order

Chairman Perkins called the meeting to order at 7:05PM.

7:06PM ANNOUNCEMENTS:

- **Xfinity/Comcast Channel Lineup Changes:** Selectman Galarneau announced a channel lineup change from Xfinity/Comcast.
- **Annual Town Election Ballot:** Selectwoman Nay announced that the town election is tomorrow and read the names on the ballot.
- **Diabetes Self-Management Program:** Selectman Costello announced that there will be a free Diabetes Self-Management workshop at the Boxford Council on Aging.
- **Medications Disposal:** Selectman Chairman Perkins announced that old or outdated medications can be dropped off at the police station at any time.
- **Large Metal Item Pick-Up Day:** Selectman Galarneau announced that 5/14 and 5/15 are large metal item pick up days in Boxford.
- **12 Meadowood Owner Will Donate Easement to Town:** Selectman Galarneau announced that the owner of 12 Meadowood will be donating the easement to the Town, at a savings of \$1300.

7:12PM MEETING WITH THE DEPARTMENT OF PUBLIC WORKS: John Dold, DPW Superintendent, met with the Board of Selectmen to review the following:

- **DOT Approval to Commence Route 133 Phase I Design:** Dold announced that the DOT has approved funding for the paving of Route 133, from the center of West Boxford Village to the North Andover town line, at an approximate cost of \$3.5 million. The town is responsible for the cost of engineering, but can use Chapter 90 funds for engineering.
- **Paving for May and June 2012:** Dold advised the Board that the following paving projects will commence this spring, at a cost of approximately \$138,700:
 - Glendale at Main Street: Intersection and 500 feet of road
 - Mulberry Road: 900 foot section
 - Route 97: From Route 95 overpass to the Topsfield line
 - Ipswich Road and Main Street: Crack sealing work

- 46 • **Upcoming Paving Projects for FY13 and FY14:** Dold advised the Board that
the town receives approximately \$484,000 each year in Chapter 90 funds and
48 local funding for roads. The following projects will be completed in FY13:
 - 48 ○ Ipswich Road: From Spofford Road to Valley Road
 - Mill Road
 - 50 ○ Crack SealingThe following projects will be completed in FY14:
 - 52 ○ Main Street: From Middleton Road to 245 Main Street
 - Maple Avenue
 - 54 ○ Crack Sealing
- 56 • **Consideration to Establish a Sustainability Committee:** Dold reported that
the Energy Management Team has been meeting regularly, resulting in energy
58 savings to the town. He doesn't feel they need to meet monthly any longer.
Everyone is on track and knows what needs to be done to decrease energy
60 costs. He would like to continue to track energy information and costs and
maintain the software. He requested the Board to consider establishing a
62 Sustainability Committee to look at upcoming projects, such as solar fields, etc.
The Board discussed the possibility of establishing the committee. Galarneau
64 suggested looking into other municipalities that have these committees, and
establishing a scope for the committee. The Town Administrator will look into
drafting a charge and the Board will look at this again at a future meeting.
- 66 • **Request to Clear Trail on Dana Road:** Dold reported that he made a site visit
with Nancy Merrill recently. There are six dead trees that need to be taken down.
68 The problem is access and a tree company with a high-lift bucket is needed to
get to the trees, which may have to have access to private property to get to
70 them. There was a question as to why this area was more important than other
areas in town that may need tree work done. Dold suggested that these trees
72 may be a hazard to private homes in the area. Selectman Chairman Perkins
suggested that Dold get more information on the project and the easement
74 involved and return at a later meeting.
- **Approval of Gas Permits:**
 - 76 ○ **7:55PM MOTION** by **Costello**, seconded by **Nay**, to approve National
Grid permit # NG-04-2012-2, 294 Ipswich Road and to approve National
78 Grid permit # NG-04-2012-3, 17 Hollow Tree Road. The motion passed
unanimously.
- 80 • **Update on New Secretary:** Dold reported she is very efficient; she knows who
to go to to resolve issues, etc. The paperwork he needs to deal with has gone
82 down considerably since she started.
- 84 • **Crosswalks Painting:** Selectwoman Nay requested that the crosswalks in front
of the library on Elm Street need to be repainted, along with signage for
86 pedestrian crossing guard. Dold advised they are scheduled to be repainted.

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8:05PM REPORT OF THE TOWN ADMINISTRATOR: Alan Benson, Town

Administrator met with the Board to review the following items:

- **Update on Legal Expenses Through March:** Benson reviewed the legal expenses for the year through March. April is expected to be expensive with the Nissenbaum case and MassDOT.
- **Request to License Davis Hayfield:** Benson reported that BTA BOLT determined that the chicken coop would not be allowed on the conservation property, however, growing crops would be allowed, as long as there is an exit strategy and the field is returned to a hayfield. The request to license the property has been modified to exclude the chickens. Perkins expressed his opinion that the Board not set a precedent by licensing the property for use. Costello agreed. Nay suggested that, if the Board approves the use of the field for growing crops, that they should also suggest that the licensee give back to the community by contributing to a food pantry, or some other benefit to the town. Galarneau expressed concern that the residents voted to keep the field a hayfield, but he might consider allowing some of the field to be planted. Perkins suggested that the requestor submit a plan for the Board to review at a later meeting.
- **Requests to Use Gazebo and Waive Fee:**
 - **July 11, Town Library:** The library would like to have a story hour at the gazebo, with the rental fee waived.
 - **June 16, Spofford Pond 6th Grade Band:** The Hussey family would like to use the gazebo for a barbecue for Spofford Pond School's 6th Grade Band.

The Board discussed the requests and Nay suggested that the request from a parent of a student of the Spofford band would be a private party and they should pay the rental fee for the gazebo, as well as the security deposit.

8:24PM MOTION by **Costello**, seconded by **Galarneau**, to approve the rental of the gazebo and waiving the fee for the town library to use the gazebo on July 11. The motion passed unanimously.

8:28PM MOTION by **Nay**, seconded by **Galarneau**, to approve the rental of the gazebo to the Hussey family for a barbecue for the Spofford 6th Grade Band on June 16 and not to waive the \$50 fee. The motion was defeated by a vote of 3-1 (**Nay: Aye**).

8:29PM MOTION by **Galarneau**, seconded by **Costello**, to approve the use of the gazebo for the Hussey family for a barbecue for the Spofford 6th Grade Band on June 16, waiving the rental fee. The motion passed by a vote of 3-1 (**Nay: No**).

ROUTINES AND CORRESPONDENCE: The Board reviewed the following:

- **FY12 Appointment Schedule:** Selectman Costello read the current committee vacancies.

- 134 • **Minutes Approval:**
- 136 ○ **8:35PM** On a **MOTION** made by **Costello**, seconded by **Nay**, the Board **VOTED** unanimously to accept the minutes of April 23, 2012, as amended.
- 138 ○ **8:35PM** On a **MOTION** made by **Nay**, seconded by , the Board **VOTED** unanimously to accept the minutes of April 30, 2012, as amended.
- 140 ○ **8:36PM** On a **MOTION** made by **Nay**, seconded by **Costello**, the Board **VOTED** unanimously to accept the minutes of May 8, 2012, as written.
- 142 • **Treasury Bills:**
- 144 ○ **8:37PM** On a **MOTION** made by **Nay**, seconded by **Costello**, the Board **VOTED** unanimously to approve payroll warrant #PY1245, for non-school payroll, in the amount of \$69,242.46.
- 146 ○ **8:37PM** After Selectman **Costello** removed himself from the meeting, on a **MOTION** made by **Nay**, seconded by **Galarneau**, the Board **VOTED** unanimously to approve school payroll, in the amount of \$319,614.81. **Costello** abstained.
- 148 ○ **8:38PM** On a **MOTION** made by **Nay**, seconded by **Costello**, the Board **VOTED** unanimously to approve accounts payable warrant 12-46, in the amount of \$116,852.58.
- 150 ○ **8:38PM** On a **MOTION** made by **Nay**, seconded by **Costello**, the Board **VOTED** unanimously to approve accounts payable warrant #12-326, in the amount of \$2,962.78.
- 152 ○ **8:39PM** On a **MOTION** made by **Nay**, seconded by **Costello**, the Board **VOTED** unanimously to approve accounts payable warrant #12-325, in the amount of \$4,398.51.
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160 **OTHER BUSINESS:**

162 **8:41PM Thank You to the Democratic Town Committee:** Selectwoman Nay expressed her gratitude to the Democratic Town Committee for sponsoring the food drive last week.

164 **8:41PM Earth Day Update:** Perkins asked if there was any information on the success of Boxford's Earth Day. Benson will have information available for the Board at the next meeting.

166 **8:42PM Groundbreaking Ceremony:** Costello reported that he and Perkins attended the groundbreaking ceremony that was held for the new Essex North Shore Agricultural and Technical School District.

170 **8:46PM Ferncroft Symposium on Zero Food Waste:** Costello reported he was notified by the Ferncroft Country Club that they are developing a Zero Food Waste policy to ensure leftover food is reused as compost, etc., rather than being thrown out at a landfill.

174 **8:46PM EXECUTIVE SESSION**

176 On a **MOTION** duly made by **Perkins** and seconded by **Costello**, the Board of Selectman **VOTED** unanimously by roll call vote, to go into Executive Session for the purpose of discussing strategy on litigation, Nissenbaum v. Boxford, and overall

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180 strategy on employment contract negotiations with represented and non-represented
181 employees and declared that an Executive Session is necessary since an open public
182 discussion may have a detrimental effect on the negotiating, bargaining or litigating
183 position of the Board of Selectmen, and upon completion of the Executive Session to
184 return to open session and immediately adjourn without conducting any further
185 business.

186 Respectfully Submitted,

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188 The Board went into Executive Session at 8:47PM.

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190 *Judith A. Stickney*

191 Minutes Secretary

192 Per the New Open Meeting Law, the list of the documents that were either distributed to
193 the Board of Selectmen before the meeting in a packet, or at the meeting:

- 194 1. Agenda
- 195 2. Announcement: Xfinity Channel Lineup Changes
- 196 3. Announcement: Diabetes Self-Management Workshop
- 197 4. Announcement: Large Metal Item Pick-Up Day
- 198 5. Official Ballot for May 15, 2012
- 199 6. Letter: From MassDOT Re: Funding Approval for Project 606721
- 200 7. Memo: From John Dold to Alan Benson Re: Sustainability Committee
- 201 8. E-Mail: From Charles Provenzano to Town Administrator Re: Dead Trees
- 202 9. DPW Permit #NG-042012-3: National Grid, 17 Hollow Tree Road
- 203 10. DPW Permit #NG-042012-2: National Grid, 294 Ipswich Road
- 204 11. FY12 Legal Expenses for Year
- 205 12. Memo: From Alan Benson to Board of Selectmen Re: Davis Hayfield
- 206 13. Gazebo Rental Agreement: Karen Hussey, 6/16/12
- 207 14. Gazebo Rental Agreement: Josh Kennedy, Children's Librarian, 7/11/12
- 208 15. Letter: From Arbor Day Foundation to Town of Boxford Re: Tree City USA
Designation
- 209 16. Letter: From MIIA to Town of Boxford Re: \$3 Million Additional Participation
Credits Approved by MIIA Board of Directors
- 210 17. Letter: From Town Of Lunenburg Board of Selectmen to Town Of Boxford Board
211 of Selectmen Re: Lunenburg Zoning Board of Appeals v. Housing Appeals
212 Committee, et al SJC No. 11102 (Appeals Court No. 2011-P-0670) Request for
213 Amicus Briefs
- 214 18. Outstanding Appointments and Committee Vacancies
- 215 19. Board of Selectmen Meeting Minutes:
 - 216 a. April 23, 2012
 - 217 b. April 30, 2012
 - 218 c. April 30, 2012 Executive Session
 - 219 d. May 8, 2012
- 220 20. Motion to go into Executive Session
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