

**Minutes of the BOXFORD BOARD OF SELECTMEN  
TOWN HALL MEETING ROOM #1**

**July 2, 2012 7:00PM**

*Present: Chairman Perkins, Mary Anne Nay, Steve Davis, Charlie Killam*

*Absent: Chuck Costello*

*Others Present: Town Administrator Alan Benson, Minutes Secretary Judi Stickney, Kathryn O'Brien, Marty Jessel, Joe Hill, Bill Brown, Peter Delaney, Howie Emmons*

**7:04PM Meeting Called to Order**

Chairman Perkins called the meeting to order at 7:04PM.

**7:04PM ANNOUNCEMENTS:**

- **July 4 Parade:** Selectman Davis announced the July 4<sup>th</sup> parade will begin at 10AM, lining up at Boy Scout Park at 9:45AM.

**7:05PM APPOINTMENTS:** The Board reviewed the list of reappointments and voted unanimously by roll call vote to appoint the following:

- Animal Control Officer Alternate: Reed Wilson, 1 year term ending June 30, 2013
- Electrical Inspector: Douglas Small, 1 year term ending June 30, 2013
- Electrical Inspector Alternate: Peter Murphy, 1 year term ending June 30, 2013
- Inspector of Buildings Alternate: Robert Aldenberg, 1 year term ending June 30, 2013
- Plumbing/Gas Inspector: Richard Danforth, 1 year term ending June 30, 2013
- Town Accountant/Director of Municipal Finance: Kathleen Benevento, 3 year term ending June 30, 2015
- Plumbing/Gas Inspector Alternate: Stephen Galinsky, 1 year term ending June 30, 2013
- Plumbing/Gas Inspector Alternate: Ray Abbott, 1 year term ending June 30, 2013
- Boxford Housing Partnership Committee: Joseph C. Hill, 1 year term ending June 30, 2013
- Boxford Housing Partnership Committee: Gridley Lossee, Jr., 1 year term ending June 30, 2013
- Boxford Housing Partnership Committee: Joseph Callahan, 1 year term ending June 30, 2013
- Boxford I95 Salt Study Task Force: Barbara Jessel, 1 year term ending June 30, 2013
- Boxford I95 Salt Study Task Force: John Antczak, 1 year term ending June 30, 2013

- 46 • Cable Television Advisory Committee: James Barnes, 1 year term ending June 30, 2013
- 48 • Haynes Land Advisory Committee: Howie Emmons, 1 year term ending June 30, 2013
- 50 • Haynes Land Advisory Committee: Joseph Callahan, 1 year term ending June 30, 2013
- 52 • Haynes Land Advisory Committee: William Brown, 1 year term ending June 30, 2013
- 54 • Permanent Building Committee: Frank Quackenbush, 1 year term ending June 30, 2013
- 56 • Permanent Building Committee: Margaret Chow-Menzer, 1 year term ending June 30, 2013

58 Before moving along to the Police Department appointments, the Town Administrator  
60 advised the Board that the Police Chief sent a letter to the Board recommending that  
62 two officers be promoted to permanent full-time positions, without term ending, and he  
64 endorses the Chief's recommendation and urged the Board to make the appointments.  
Chairman Perkins commended the two officers for their service to the town and for  
providing the degree of service which warrants the permanent appointment. The Board  
voted unanimously by roll call vote to appoint the following to the Police Department:

- 66 • Boxford Police Department Permanent Full Time Officer: David Barker, without  
term ending
- 68 • Boxford Police Department Permanent Full Time Officer: Matthew Dupont,  
without term ending
- 70 • Boxford Police Department Reserve Police Officer: Paul E. Polonsky, 1 year term  
ending June 30, 2013
- 72 • Boxford Police Department Reserve Police Officer: Attilio Paglia, 1 year term  
ending June 30, 2013
- 74 • Boxford Police Department Reserve Police Officer: Scott Bucuzzo, 1 year term  
ending June 30, 2013
- 76 • Boxford Police Department Reserve Police Officer: Peter Cheverie, 1 year term  
ending June 30, 2013
- 78 • Boxford Police Department Reserve Police Officer: Tyler Dechene, 1 year term  
ending June 30, 2013
- 80 • Boxford Police Department Reserve Police Officer: Michelle Nowak, 1 year term  
ending June 30, 2013
- 82 • Boxford Police Department Reserve Police Officer: Garry Abraham, 1 year term  
ending June 30, 2013
- 84 • Boxford Police Department Reserve Police Officer: Brian Hertel, 1 year term  
ending June 30, 2013
- 86 • Boxford Police Department Reserve Police Officer: Brooke Dechene, 1 year term  
ending June 30, 2013
- 88 • Boxford Police Department Reserve Police Officer: Kurtis Anderson, 1 year term  
ending June 30, 2013

- 90 • Boxford Police Department Reserve Police Officer: Michael Ferraro, 1 year term ending June 30, 2013
- 92 • Boxford Police Department Reserve Police Officer: Eric Renda, Jr., 1 year term ending June 30, 2013

94 The Board continued with the remaining reappointments, voting unanimously by roll call vote to appoint the following:

- 96 • Recreation Committee: Bernard Belle, 3 year term ending June 30, 2015
- Registrar of Voters: Sandra Rossi, 1 year term ending June 30, 2013
- 98 • Special Officer: Helen Phillips, 1 year term ending June 30, 2013
- Veteran's Agent: Ed Mitchell, 3 year term ending June 30, 2015
- 100 • Weigher of Commodities: Thomas Nentwig, 1 year term ending June 30, 2013
- Weigher of Commodities: Brian Williams, 1 year term ending June 30, 2013

104 **7:18PM REPORT OF THE TOWN ADMINISTRATOR**

- 106 • **Town Counsel for Haynes Land Committee:** The estimate for Kopelman and Paige for the Haynes Land Committee is \$2700. Marty Jessel, Bill Brown, Peter Delaney and Howie Emmons appeared before the Board to explain the necessity of counsel at the ConCom meetings.
  - 108 ○ **7:30PM** On a **MOTION** made by **Nay** , seconded by **Davis**, the Board of Selectmen **VOTED** unanimously to accept the Town Counsel's recommendation for a total of 15 hours at a rate of \$180.00 per hour, for a total cost not to exceed \$2,700. 00, for counsel relating to Haynes Field and Conservation Commission.
- 114 • **Determination of Useful Life of Capital Items:** Benson advised the Board that they need to certify the useful life of the new pumper-tanker and heavy duty dump truck, which was approved for purchase at the Annual Town Meeting. The department heads provided the useful life information for the Board, as requested by the Treasurer/Collector of Taxes.
  - 116 ○ **7:33PM** On a **MOTION** made by **Davis**, seconded by **Nay**, the Board **VOTED** unanimously to certify the Fire Department Pumper Tanker for a useful life of 20 years and the Department of Public Works Heavy Duty Truck for a useful life of 12 years.
- 124 • **Announcement of Grant Received:** Benson advised the Board that the Director of Public Health was awarded a grant from the Vaccine Reimbursement Program at UMass. Center for Health Care Financing. It was an insurance reimbursement for last year's flu clinic, in the amount was \$832.35.
- 126 • **Update on State Aid FY2013:** Benson advised the Board that the State budget was voted last Thursday, providing an increase in revenues to municipalities, which gives Boxford \$58,000 more and Masco got \$114,000 more than was originally anticipated. Chapter 70 Road Aid was also approved.

- 132 • **Match for Community Preservation Act:** Benson advised the Board that CPA  
134 match funds, collected in the form of fees at the Registry of Deeds, have  
increased. Boxford has received well over 3.5 million dollars from the fund to  
136 date. Another change in the CPA law includes that CPA funds may now be used  
on recreational property that was not originally purchased with CPA funds.
- 138 • **Update on Motion for Contempt of Court: Nissenbaum v. Boxford et al.:**  
Benson advised the Board that he has given an interview to the Tri-Town  
140 regarding the court case and provided the Board with a brief update on the case  
pending in court regarding Ingaldsby Farm and the neighbor, Nissenbaum.  
142 Benson advised that the very basic concept is that in February 2011 the plaintiff  
was able to obtain a declaratory judgment that if the farm wanted to take  
144 advantage of Chapter 40A, §3, allowing them to operate a farm in a residential  
district, they had to show to the Town that they were eligible in one of two ways –  
146 either look at four months of sales – May, June, July and August – and determine  
that twenty-five percent of sales were items grown on the farm. Or, they had to  
148 determine what their primary crop is – they said their primary crop is pumpkins –  
and they had to show that their farm-grown sales in September and October  
150 accounted for at least 25% of their sales. The Building Inspector, with the  
assistance of the Finance Director, determined that they not only met, but well  
152 exceeded the requirement. The plaintiff feels the documentation is not accurate  
and not submitted in time to open for the spring season 2011. The plaintiffs are  
154 now suing the Prices and the Town of Boxford. Town Counsel contends that the  
documentation presented was adequate to allow them to open. We are waiting  
156 for the Court to issue a decision.

158 **9:46PM ROUTINES AND CORRESPONDENCE:** The Board reviewed the following  
items of correspondence:

- 160 • **Letter from Masconomet:** Benson advised the Board that the Masco School  
Committee voted to appropriate \$42,000 from their Excess and Deficiency Fund  
162 to purchase supplies and equipment for a mobile device pilot program.
- 164 • **Towne Farm:** Benson advised the Board that Towne Farm has been voted to be  
included for review as a historic place, which means that there's a good chance it  
166 will be approved.
- 168 • **Trust Fund Commissioners:** Benson advised the Board of grants which were  
awarded to seniors at Masconomet's graduation by the Commissioners of Trust  
170 Funds.
- 172 • **Masconomet Scholarship Foundation:** The Board reviewed a letter from the  
Masconomet Scholarship Foundation, informing them that Grace Mirabito was  
174 awarded a \$100 scholarship from the Town of Boxford.
- 176 • **Boxford Village Garden Club:** The Chairman advised the Board that the  
Garden Club is encouraging the use of natural turf and using an organic  
maintenance plan, rather than a chemical one on the Haynes property, if the  
fields are completed.

- 178 • **MassDOT Bridge Cleaning:** The Chairman made the Board aware of a letter  
180 from MassDOT, informing the Town that MassDOT will be involved with cleaning  
and painting of four bridges along a section of Route 95, including Barehill Road  
and Route 97. The work is expected to be completed within 365 days.
- 182 • **2<sup>nd</sup> Congregational Church Request for Signs:** The Board of Trustees from  
the 2<sup>nd</sup> Congregational Church requested to erect signs for a benefit that will be  
held for Lazarus House:
  - 184 ○ **8:10PM** On a **MOTION** made by **Nay**, seconded by **Davis**, the Board  
**VOTED** unanimously to approve the signs as requested.
- 186 • **Minutes Approval:**
  - 188 ○ On a **MOTION** made by **Davis**, seconded by **Nay**, the Board **VOTED**  
unanimously to accept the Minutes of June 18, 2012, as amended.
  - 190 ○ On a **MOTION** made by **Killam**, seconded by **Davis**, the Board **VOTED**  
unanimously to accept the Minutes of June 18, 2012, Executive Session.
- 192 • **Treasury Bills:**
  - 194 ○ On a **MOTION** made by **Nay**, seconded by **Davis**, the Board of Selectmen  
**VOTED** unanimously to approve accounts payable warrant #12-53, in the  
amount of \$102,912.68.
  - 196 ○ On a **MOTION** made by **Nay**, seconded by **Killam**, the Board of  
Selectmen **VOTED** unanimously to approve accounts payable warrant 13-  
1, in the amount of \$1,143,071.32, for employee insurances and  
198 retirements.
  - 200 ○ On a **MOTION** made by **Nay**, seconded by **Davis**, the Board of Selectmen  
**VOTED** unanimously to approve payroll warrant #PY1252, in the amount  
of \$81,982.43, for non-school payroll.
- 202 • **COA Barbecue:** Nay commended the Board on the great job they did flipping  
burgers for the COA barbecue. There were 260 people that attended.  
204

206 **8:19PM EXECUTIVE SESSION**

208 On a **MOTION** duly made by **Perkins** and seconded by **Nay**, the Board of Selectmen  
**VOTED** unanimously by roll call vote, to go into Executive Session for the purpose of  
discussing strategy on employment contract negotiations with non-represented  
210 employees, Town Administrator, Director of Municipal Finance, DPW Superintendent,  
Inspector of Buildings, Director of Communications, Animal Control Officer, Full Time  
212 Police Patrol Officers - Teamsters, and declared that an Executive Session is necessary  
since an open public discussion may have a detrimental effect on the negotiating,  
214 bargaining or litigating position of the Board of Selectmen, and upon completion of the  
Executive Session to return to open session and immediately adjourn thereafter without  
216 conducting any further business.

218 The Board went into Executive Session at 8:20PM.

220

222 Respectfully submitted,

224 *Judith A. Stickney*  
Minutes Secretary

226

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

- 230 1. Agenda
- 232 2. Announcement: 4<sup>th</sup> of July Parade
- 234 3. Appointment Schedule – FY2013
- 236 4. Letters from the following regarding appointments:
  - 238 a. Robert Camacho, Inspector of Buildings
  - 240 b. Michael Murphy, Police Chief
  - 242 c. Benard Belle, Recreation Committee
  - 244 d. Randolph Johnson, Agricultural Commission
- 246 5. E-Mail from Mark Reich Re: Town Counsel Representation for Haynes Land  
Committee
- 248 6. Memo from Treasurer/Collector of Taxes Re: Useful Lives of Fire Truck and  
DPW Truck
- 250 7. Letter from UMass Center for Health Care Financing Re: Reimbursement Check  
for Seasonal Flu Vaccine
- 252 8. Memo from Senator Bruce Tarr Re: FY State Budget
- 254 9. Letter from Masconomet Re: Excess and Deficiency Fund Appropriations
10. Letter from Massachusetts Historical Commission Re: Towne Farm
11. Letter from Masconomet Regional Scholarship Foundation Re: Trust Fund  
Commission Scholarship Awards
12. Letter from Masconomet Regional Scholarship Foundation Re: Town of Boxford  
Scholarship Award
13. Letter from Boxford Village Garden Club Re: Proposed Haynes Ball Fields
14. Letter from MassDOT Re: Bridge Cleaning
15. Board of Selectmen Meeting Minutes
  - a. June 18, 2012
  - b. June 18, 2012 Executive Session
16. Motion to go into Executive Session