

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

September 10, 2012 7:00PM

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

Absent:

Others Present: Town Administrator Alan Benson, Minutes Secretary Judi Stickney, Town Treasurer/Tax Collector Ellen Guerin, Town Clerk Robin Phelan, Kathryn O'Brien, DPW Superintendent John Dold

7:02PM Meeting Called to Order

Chairman Perkins called the meeting to order at 7:02PM.

7:04PM ANNOUNCEMENTS:

- **Apple Festival:** Selectman Davis announced the Apple Festival will take place September 15.
- **Absentee Ballots:** The Town Clerk announced that absentee ballots will be available by September 21.
- **Voter Turnout for the Primary:** The Town Clerk announced there were approximately 800 voters who turned out for the Primary last Thursday.
- **RAD Program:** Selectwoman Nay announced that the Boxford Police Department is sponsoring a 5-class RAD Program. Call Officer DuPont at 978-887-8135, if interested.
- **COA Barbecue:** Selectwoman Nay announced the COA's final barbecue of the season will be held this Wednesday, September 12.
- **Update on EEE and West Nile Virus:** Selectman Costello announced that Warren Gould, Director of the Communications Department, sent out an announcement on the EEE and West Nile Virus issues. Costello commended him on a job well done.

7:07PM ACTION ON \$1.58 MILLION, 15-YEAR GENERAL OBLIGATION BONDS:

Town Treasurer/Tax Collector Ellen Guerin met with the Board of Selectmen to discuss the upcoming bond issue. She advised that the rate was 1.711%, and that the Town maintained its AA credit rating. Starting to fund OPEB obligations was a plus. The amount issued is \$1.58 million, which will pay for the two school items – the HVAC system and renovations to the water system; the purchase of the Colby property, the new fire truck and new dump truck. Five bids were received and Fidelity Capital Markets

46 won the bid. Guerin distributed documents to the Board for the Board's signatures. The Board had no questions.

48 On a **MOTION** made by **Costello**, seconded by **Nay**, the Board of Selectmen **VOTED** unanimously by roll call vote to sign the bonds as described and submitted by Treasurer Guerin.

50 The Board members signed and the Town Clerk certified the note.

52 Treasurer Guerin distributed several additional bond-related documents for the Board members' signatures and Town Clerk's certification.

56 Selectman Chairman Perkins thanked the Treasurer on a job well done.

58 **7:26PM MEETING WITH DEPARTMENT OF PUBLIC WORKS: DPW**

60 Superintendent John Dold met with the Board to discuss the following:

- 62 • **Stiles Pond Dam Engineering:** Dold reported that there were three bids received for the Stiles Pond work. He recommends that Weston & Sampson be awarded the bid at \$25,000. Some discussion ensued on the scope of work to be performed and the timeline for the project. Dold expects that the project won't be started until next year, due to permits required. The Town Administrator advised the Board that he will award the contract to Weston & Sampson.
- 68 • **Culvert Study Project:** Dold reported that the project has been completed and copies of the inspection reports are filed in the DPW office. The compiled list is divided into two groups – one for repairs totaling \$360,000 and one for repairs that can be completed by the DPW for \$146,000. Dold presented a list of 23 culverts that need attention soon. Costello asked Dold to look into the possibility of getting one NOI for a bundle of culvert repairs, to save on engineering fees. Dold will discuss it with the Conservation Commission. Costello advised that the Selectmen would be willing to attend the meeting to support that request.
- 74 • **Traffic Detours:** Dold advised the DPW is ready to start two culvert projects – one on Glendale Road and one on Maple Avenue. Both will involve road closures and detours. He discussed with the Police Chief and the school department and plans were developed for the road closures and detours with regards to the school bus schedules, etc. Dold provided a copy of the detour plan to the Board. Chairman Perkins suggested that Dold use the electronic sign 2-3 days ahead to notify people who use the roads. Costello added that a reverse 911 call might also be used. Dold will look into both methods of notification.

82 On a **MOTION** made by **Davis**, seconded by **Costello**, the Board of Selectmen **VOTED** unanimously to approve the road closures as presented.
- 86 • **Colby Property:** Dold reported that the DPW has mown the lawn a couple of times, but have not done anything else with the property. Davis suggested that the demolition of the house be prepared as a warrant article for the Special Town Meeting, and/or the Town could sell it for \$1.00, if someone wants to move it.

90 Davis also suggested that an article also finance the tree cutting for the parking
91 lot. Perkins agrees and also suggested that they move ahead with getting proper
92 permits to remove the oil tanks. The Town Administrator reminded the Board that
93 the Historic District Commission had requested that the house be preserved as a
94 single-family dwelling. A short discussion ensued and the Board agreed to
95 remove the dwelling or try to sell it and have it moved off the property, at the
96 buyer's expense.

97 On a **MOTION** made by **Costello**, seconded by **Killam**, the Board of
98 Selectmen **VOTED** unanimously to draft a Warrant Article for the Fall
99 Town Meeting for funds to demolish the dwelling on the Colby property
100 and simultaneously advertise for anyone interested in moving the house at
101 their expense under the rules of procurement for the State of
102 Massachusetts.

103 Chairman Perkins asked the Board to discuss the issue of the trees and the
104 parking lot. Perkins asked Dold if some of the area could be roughed out and
105 roped off to be used as soon as possible for additional parking. Dold will look into
106 what the DPW can do. Dold advised they would need to remove a few trees. He
107 will go down to the property and take a look and respond to their suggestions in
108 an e-mail to the Town Administrator. The Board agreed that a parking lot would
109 not be feasible until after the house is removed from the property. Chairman
110 Perkins will meet with Dold on Friday at 8AM to walk the property.

- 111 • **Solar Panels:** Dold reported that he is trying to set up a meeting with a solar
112 panel provider to see how the Cole School solar panel project would progress.
113 He also advised that the solar panels for the landfill will probably not take place
114 until the landfill is fully closed. Town Administrator advised that any solar panels
115 on the landfill would need to be approved by Town Meeting. DEP has advised
116 they would not object to solar panels on the landfill prior to full closure.
- 117 • **Gas Permits:** The Town Administrator advised that they have signed off on
118 about 15 gas permits, mostly for corrosion work, over the past couple of weeks.
119 Dold reported they are doing 8-9 right now. Any road cuts will be small holes to
120 access the valve covers. Costello suggested a fee be implemented for an infra-
121 red patch and/or flowable fill, and that Dold investigate whether, under certain
122 conditions, there may be additional fees involved. Benson advised that about half
123 the towns have their DPW sign off on road cuts permits and he recommends the
124 Board authorize Dold to sign off on the permits without the Board's signature.

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128 **8:27PM MEETING WITH LIBRARY ADVISORY COMMITTEE:** Chairman Perkins
129 advised the meeting with the Library Advisory Committee has been postponed until the
130 next meeting. Killam, a member of the Library Advisory Committee, reported that they
131 are trying to meet with the architect in their office in Boston to go over some of the cuts
132 they have proposed for the building. They are hoping to meet with them this week. The
Committee met with the Board of Appeals and Historic District Commission and got

134 some good feedback from them. They are also working on finding an alternative site to
136 discuss. Killam advised the Committee will know more after they meet with the architect.

138 **8:33PM REPORT OF THE TOWN ADMINISTRATOR:** Town Administrator Alan
Benson reported on the following:

- 140 • **Special Town Meeting:** Benson asked the Board to call the Special Town
Meeting.

142 On a **MOTION** made by **Costello**, seconded by **Nay**, the Board of
Selectmen **VOTED** unanimously to call a Special Town Meeting for
144 Tuesday, October 23, 2012, to be held at 7:00PM at the Masconomet
Regional School District Auditorium, 20 Endicott Road.

- 146 • **Tentative List of Warrant Articles:** Benson reviewed the tentative list of
Warrant Articles for the Special Town Meeting.

- 148 • **Surplus Property List:** Benson provided a list of surplus property for the Board's
review and suggested that the property be auctioned off online.

150 On a **MOTION** made by **Davis**, seconded by **Costello**, the Board of
Selectmen **VOTED** unanimously to accept the surplus list as submitted.

- 152 • **Appointments:** Selectman Davis read the list of board and committee vacancies
and the Board reviewed the resume and letter of interest from Carl Noblitt for the
154 Finance Committee vacancy. The Board also reviewed the letter of interest from
Dr. Chang Liu for the Agricultural Commission and took the following action:

156 **Davis** made a **MOTION**, seconded by **Nay**, to appoint Chang Liu to the
Agricultural Commission, for the commercial farmer slot, replacing Laura
158 Grabski, for a term ending June 30, 2015. The motion was **DEFEATED** by
roll call vote.

160 **Roll Call:**
162 **Killam:** No
Davis: Yes
Costello: No
164 **Nay:** Yes
Perkins: No

166 On a **MOTION** made by **Costello**, seconded by **Killam**, the Board of
168 Selectmen **VOTED** 3-2, by roll call vote, to replace the vacancy due to the
resignation of Michael Smolak who was a member of the Agricultural
170 Commission as a commercial farmer, or a similar individual of that
designation, with Dr. Liu.

172 **Roll Call:**
Killam: Yes
174 **Davis:** No
Costello: Yes
176 **Nay:** No
Perkins: Yes

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9:05PM CORRESPONDENCE

- 182 • **Violation Notice, 31 Lakeshore Road:** The Chairman advised the Board of a
184 violation notice that the Building Inspector issued to the homeowner at 31
186 Lakeshore Road. The Building Inspector will follow up and take the issue to
Superior Court, if necessary. Costello commended the Building Inspector on the
quality of the documentation.
- 188 • **Update on Spofford Pond School Projects:** The Board reviewed the report
from Steve Clifford on the progress of the projects taking place at Spofford Pond
School.
- 190 • **MassGIS Group:** The Board reviewed the letter from the Mass. State
192 Information Technology Division about a state-funded project which will provide a
GIS system. It is a mapping system which will be used by several municipal
departments statewide.
- 194 • **Towne Farm on Towne Road:** The Board was notified that the Towne Farm has
been registered with the National Register of Historic Places.
- 196 • **Richard Alm Letter:** The Board reviewed the letter from Richard Alm with his
198 suggestions for the library and Costello thanked him for his articulate comments.

200 **9:12PM MINUTES APPROVAL:** After amendments proposed by Davis and Nay, the
Board took the following action:

- 202 ○ On a **MOTION** made by **Davis**, seconded by **Nay**, the Board **VOTED** to
204 accept the Minutes of August 27, 2012, as amended.

206 **9:15PM TREASURY BILLS:**

- 208 ○ On a **MOTION** made by **Nay**, seconded by **Davis**, the Board of Selectmen
VOTED unanimously to approve accounts payable warrant #13-331, in the
amount of \$2,847.45.
- 210 ○ On a **MOTION** made by **Nay**, seconded by **Costello**, the Board of
212 Selectmen **VOTED** unanimously to approve accounts payable warrant
#13-330, in the amount of \$3,788.30.
- 214 ○ After Selectman Chairman Perkins removed himself from the meeting, on
a **MOTION** made by **Nay**, seconded by **Costello**, the Board of Selectmen
VOTED to approve payroll warrant #PY1310 for non-school payroll, in the
216 amount of \$87,942.24. Perkins abstained.
- 218 ○ After Selectman Costello removed himself from the meeting, on a
MOTION made by **Nay**, seconded by **Davis**, the Board of Selectmen
VOTED to approve payroll warrant #PY1310 for school payroll, in the
220 amount of \$263,738.67. Costello abstained.
- 222 ○ On a **MOTION** made by **Nay**, seconded by **Costello**, the Board of
Selectmen **VOTED** unanimously to approve accounts payable warrant
#13-11, in the amount of \$378,152.56.

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226 **9:17PM OTHER BUSINESS:**

- **Next Monday:** The Town Administrator will not be here for the next meeting.

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230 **9:19PM EXECUTIVE SESSION**

232 On a **MOTION** duly made by **Perkins** and seconded by **Costello**, the Board of
234 Selectmen **VOTED** unanimously by roll call vote, to go into Executive Session for the
236 purpose of discussing strategy on contract negotiations with represented and non-
238 represented employees and declared that an Executive Session is necessary since an
open public discussion may have a 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 and immediately adjourn thereafter without
conducting any further business.

240 The Board went into Executive Session at 9:19PM.

242 Respectfully submitted,

244 *Judith A. Stickney*
Minutes Secretary

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248 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:

1. Agenda
2. Announcement: Apple Festival
3. Bid Results: \$1,580,000 General Obligation Municipal Purpose Loan of 2012
Bonds
4. Moody's Investors Service: New Issue: Moody's assigns Aa1 rating to the Town
of Boxford's \$1.58i million G.O. Bonds, 8/24/12
5. Memo from John Dold to Alan Benson, Re: Stiles Pond Engineering, 9/7/12
- 256 6. Memo from John Dold to Alan Benson, Re: FW: Culvert Repairs, 9/7/12
7. DPW: In-House Culvert Repair Projects
- 258 8. Letter from Chris Everest to Alan Benson, Re: Kelsey Road Culvert Repairs,
3/1/12
- 260 9. Memo from John Dold to Alan Benson, Re: Road Closures, 9/7/12
10. Road Plan Depicting Proposed Road Closures
- 262 11. Motion to call a Special Town Meeting for Tuesday, October 23, 2012
12. Memo from Town Administrator to the Board of Selectmen, Re: Special Town
Meeting October 23, 2012, 9/7/12
- 264 13. Memo from Louise Kress, Board of Health, to Alan Benson, Re: Town Meeting
Warrant – BOH, 8/31/12
- 266 14. Town of Boxford Disposition of Surplus Property
- 268 15. List of Surplus Property

- 270 16. Memo from Kathleen Benevento, re: letter of interest and resume from Carl
Noblitt for FinCom Vacancy, 9/4/12
- 272 17. Memo from Alan Benson to Board of Selectmen, Re: Outstanding Appointments,
9/7/12
- 274 18. Copy of Letters from Building Commissioner to Mr. Saquer Darhammouda, Re:
Zoning Violations, 9/4/12
- 276 19. Spofford Pond Projects Update
- 278 20. Letter from the Commonwealth of Massachusetts Executive Office for
Administration and Finance Information Technology Division to Alan Benson, Re:
State Funded Project for GIS, 8/27/12
- 280 21. Copy of Letter from the Commonwealth of Massachusetts Massachusetts
Historical Commission to Christine Barenfeld, Re: National Register of Historic
Places, 8/24/12
- 282 22. Letter from Richard Alm to the Board of Selectmen, Re: Town Library, 8/28/12
- 284 23. Board of Selectmen Meeting Minutes
- 286 a. August 27, 2012
- b. August 27, 2012 Executive Session
24. Motion to go into Executive Session