

**Minutes of the BOXFORD BOARD OF SELECTMEN
TOWN HALL MEETING ROOM #1
February 4, 2013 7:00PM**

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

Absent: None

Others Present: Town Administrator Alan Benson, Minutes Secretary Judi Stickney, Kathryn O'Brien, Representative Jim Lyons, Representative Lenny Mirra, DPW Superintendent/Town Engineer John Dold, Holly Langer, Judy Gore, Bob Gore, Peter Delaney, Natasha Grigg, Beverly Ingalls, Georgia Cameron

7:04PM Meeting Called to Order

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

7:04PM ANNOUNCEMENTS:

- **Special Town Meeting:** Selectman Chairman Perkins announced there will be a Special Town Meeting on February 26, 2013, at Masconomet, at 7PM.

7:06PM MEETING WITH STATE REPRESENTATIVES: Selectman Chairman Perkins introduced Representative Lyons and Representative Mirra and invited them to speak. Rep. Lyons presented the Board members with background information on State spending, receipts, and other budgetary figures as they pertain to Boxford, including brief discussions on the Governor's 9C cuts for FY 2013 and expected State Aid for FY 2014. Rep. Lyons concluded by advising the Board they are working on increasing local aid and making it a fixed figure, so local communities can rely on their revenue stream each year. Costello asked that they also work on getting the State to finalize their budget before May, when we have our Town Meeting.

Killam provided photos for the Representatives showing salt on the roads near Route 95, when there is not supposed to be any salt on those roads, indicating that DOT is mismanaging their department. He also notified the Reps that the manager at the Scotland Road depot is overloading the trucks and, according to Killam, he should be fired. This led to a brief discussion on corruption in government and Rep. Lyons agreed that they need to expose these issues to the public.

Chairman Perkins invited them to return to the Board of Selectmen's meeting at least twice a year to keep up-to-date.

46 **7:47PM MEETING WITH DEPARTMENT OF PUBLIC WORKS:** John Dold, DPW
Superintendent, met with the Board to discuss the following:

- 48 • **Update on Route 133 Project:** Dold provided the Board with background on the
project, which has been in the works for about 4 years. Bayside Engineering
50 started their survey work in November 2012. The baseline survey is done.
They've been paid for one invoice through the end of December for \$29,000. It's
52 a \$400,000+ design contract. They should have the design done within two years
and it will be submitted to MassDOT at that time to get on the Transportation
54 Improvement Projects (TIP) schedule and, hopefully, we will get the grant money
from the State to complete the approximately \$3.8M project.
- 56 • **Update on Floor Drain Projects at Fire Stations:** Weston and Sampson
Engineers are working on the 3,000 gallon tight tank designs at both stations.
58 They are in the process of getting the wetland permit for West Station. At the
East Station there was concern when Enpro took samples out back they found
60 arsenic higher than the standards for hazardous waste levels. They took 8-10
more soil borings behind East Station. Those came out below the state level, so
62 they don't have to remove hazardous materials. Weston and Sampson will be
filing that report with the State. They hope to have bids before the final warrant is
64 completed for May Town Meeting.
- **Update on Storage Shed at Community Center:** Dold presented an application
66 with a site plan drawing that he prepared for the Zoning Board of Appeals and he
has been told the drawing needs to be to scale. He needs to hire a surveyor to
68 do that at an additional cost of \$2300.

8:16PM On a **MOTION** made by **Costello**, seconded by **Nay**, the Board
70 of Selectmen **VOTED** unanimously to request that the Finance Committee
make a reserve fund transfer of \$2300 to get the project on track.

- 72
- **Update on Culvert 585 Main Street:** The pipe from the small pond to the left of
74 the fire station to the larger pond across the street is in very tough shape. The
actual Notice of Intent for the floor drains also includes this pipe replacement.
76 This Thursday they will be going to the ConCom for their approval.
- **Update on Culvert Project Main Street at Glendale Road:** This is not the
78 FEMA project. This is a culvert that needs to be replaced. It is on the culvert list
that needs to be redone. The engineer will be at the ConCom meeting Thursday.
80 Dold's estimate is \$200,000 based on putting a liner inside it. There will be no
bids before Town Meeting, so he's hoping the Board will agree to go to Town
82 Meeting with a construction estimate so they will be able to complete the project
in the fall.
- 84 • **Review of Capital Projects for FY2014:**
- 86 ○ **Replace ½ Ton Pick-Up:** It has 190,000 miles and it's getting more
expensive to maintain. Vendor Quote: \$28,660.
 - 88 ○ **Replace Brush Cutter Attachment to Tractor:** New brush cutter will
replace the original brush cutter that came with the John Deere tractor in
2006. Vendor Quote: \$11,492

- 90 ○ **Replace Fire Alarm System at Police Station:** The current fire system
92 was installed in 2000. Siemans does not manufacture new replacement
parts. Vendor Quote: \$19,950 (\$21,945 with contingency)
- 94 ○ **Replace Generator at 585 Main Street Fire Station:** The generator has
not been working since last summer and it cannot be repaired because of
96 its age and unavailability of parts. Vendor Quote: \$21,054 (including
\$1914 contingency)
- 98 ○ **Replace 12' High Nylon Netting Fence at Chadwick Field:** The fence
was destroyed during Hurricane Sandy. Vendor Quote: \$12,848. He
expects that the insurance company will reimburse a portion.
- 100 ○ **Replace Three Office Windows at 585 Main Street Fire Station:** The
windows do not close properly and do not form an air tight seal. Quote:
102 \$6,710.
- 104 ○ **Replace Four Exterior Doors at 6 Middleton Road Fire Station:** Doors
and frames are rotted. Vendor Quote: \$8470.
- 106 ○ **Replace Concrete Stairs and Repaint DPW Office Trailer:** The office
trailer needs more permanent access stairs. The exterior and interior need
108 to be painted and other minor repairs. Reseal roof with roof asphalt project
to stop leaks. Quote: \$4950
- 110 ○ **Replace Storage Shed at Cargill Field:** Replace old 8x12 shed on
Cargill baseball field. Irrigation clock and electrical panel to be
112 disconnected and reinstalled in new shed. Vendor Quote: \$7400 (includes
10% contingency)
- 114 ● **First Review of DPW FY2014 Budget:** Town Administrator Benson briefly
reviewed the budget with the Board, deferring to Dold on the following increases:
 - 116 ○ **Street Signs Up \$500:** Dold will use Chapter 90 funding to replace street
signs when roads are repaired/rebuilt.
 - 118 ○ **Road Resurfacing Up \$5,000:** To dispose of materials on culvert repairs.
 - 120 ○ **Tree Department Up \$20,000:** Benson advised that Dold is running into
problems with keeping trees clear when needed and needs more money
122 to increase the number of days needed to do the tree cutting as proposed,
to get back on track with tree maintenance.

124 **8:00PM MEETING WITH LAND COMMITTEE:** Peter Delaney of the Land Committee
advised the Board that they have received a P&S from the Nasons relative to a 61A
126 obligation. The various boards and committees have looked at the P&S and have
recommended rejecting the P&S as it is not a valid P&S under the 61A criteria. The
128 Merrimack Valley Planning Committee has said that that area of West Boxford is an
area of concern that needs to be protected. Delaney added that various committees and
130 entities agree that the area is interesting and needs to be protected. It abuts other
protected land.
132

134 Holly Langer addressed the Board to advise that Greenbelt has talked with the Nasons
and said if the Town exercises its right, they would be happy to work with the Town
136 regarding state grants, etc.

138 Natasha Grigg advised that she has spoken to the Trust for Public Lands who are very
interested in the land, but can't move until a decision has been made.

140 Benson advised that the Board will be responding to the attorney with a rejection notice
of the offer, pointing out that it is not a valid offer, therefore stopping the clock on the
142 P&S. He presented a response letter for their review and advised that they need to take
a vote on it.

144 **9:15PM** On a **MOTION** made by **Costello**, seconded by **Nay**, the Board of
Selectmen **VOTED** unanimously to authorize the Chair to send the letter dated
146 February 4, 2013, as drafted.

148 Holly Langer asked that the letter the Board just signed be explained for the audience.
Benson explained the criteria of Chapter 61A sales for the benefit of the
150 listening/viewing audience, noting that offer, as written, had several contingencies,
which makes it a non-bona fide offer. Costello said he would prefer that the frontage of
152 the land be subdivided into house lots and the remainder backland be preserved as
open space. Costello further suggested that the Land Committee contact Mass. Wildlife
154 to determine if they could provide funding.

156 Beverly Ingalls expressed her concern and desire that the property be preserved.

158

9:25PM REPORT OF THE TOWN ADMINISTRATOR: Alan Benson, Town
160 Administrator met with the Board to review the following items:

- 162 • **Georgia Cameron, Candidate for Recycling Committee:** Benson introduced
Georgia Cameron to the Board, as a candidate to be appointed to the Recycling
164 Committee. Cameron reviewed her interest and credentials with the Board and
the Board took the following action:

166 **9:27PM** On a **MOTION** made by **Davis**, seconded by **Killam**, the Board
of Selectman **VOTED** unanimously by roll call vote, to appoint Georgia
Cameron to the Recycling Committee for a term ending June 30, 2014.

- 168 • **Laura Grabski, Reappointment to Agricultural Commission:** Chairman
Perkins reminded the Board that they have a continuing request from Laura
170 Grabski to be reappointed to the Agricultural Commission.

172 **9:29PM** On a **MOTION** made by **Killam**, seconded by **Costello**, the
Board of Selectman **VOTED** by roll call vote, to reappoint Laura Grabski to
the Agricultural Commission for a term ending June 30, 2013. (**Davis**
174 **Abstained**)

176 During the discussion, after the motion was made, the Board discussed
178 Grabski's performance to date on the Agricultural Commission, as she has
continued to regularly attend the meetings.

180 After the discussion and vote, Costello questioned whether the vote was
182 legal, as Killam made the motion. Benson advised it's a new action and
legal.

- 184 • **Appointments:** Perkins asked Benson to review some of the boards that need
members. Benson noted the following:
 - 186 ○ **Cable TV Committee:** Benson advised the Board they are about to go
into negotiations with Comcast to renew their contract for 10 years and
they need a full committee to complete those negotiations.
 - 188 ○ **Conservation Commission:** Benson continued with the Conservation
Commission, noting that they need one more member and are currently
190 discussing the Haynes Land.
 - 192 ○ **Cummings House Advisory Committee:** Benson advised that
committee is a newly created committee and needs 5 members to get
started.
 - 194 ○ **Historic District Commission:** They are in need of two alternates and
one regular member.
 - 196 ○ **Zoning Board of Appeals:** Benson advised they need an alternate
member.
- 198 • **Draft 2 of the Special Town Meeting Warrant:** Benson provided a copy of the
200 second draft and advised that there will be a dollar amount assigned to the article
by next week.

202 **9:40PM** On a **MOTION** made by **Davis**, seconded by **Costello**, the
Board of Selectmen **VOTED 4-1** to close the Warrant for the Special Town
204 Meeting. (**Killam: No**)

206 **7:36PM ROUTINES AND CORRESPONDENCE:** The Board reviewed the following:

- 208 • **Draft Letter to the President:** Benson provided a draft of a letter he composed
in support of continuation of the federal tax exempt status of municipal bonds. A
210 copy will also go to the Senators and Congressmen. The Board approved the
draft to be sent.
- 212 • **Letter from Minasian & Becker Re: Verizon Wireless Tower:** Benson advised
the company is asking the Town to talk to MassDOT in support of them using
the existing tower on Topsfield Road. Benson will send the request out to their
214 representatives to discuss with DOT.
- 216 • **Next Meeting:** The next meeting will be 2/11. There will be no meeting the
following Monday, due to President's Day, but there will be one on 2/25, the night
before the Special Town Meeting.
- 218 • **Minutes Approval:**
 - 220 ○ On a **MOTION** made by **Davis**, seconded by **Nay**, the Board **VOTED** to
accept the Minutes of January 28, 2013 as printed.

- 222 ○ After amendments/corrections proposed by Costello and Nay, on a
 MOTION made by **Davis**, seconded by **Killam**, the Board **VOTED** to
 accept the Minutes of January 28, 2013 Executive Session, as amended.
- 224 • **Refinancing for Affordable Unit:** Benson advised the Board that the original
 consent was misplaced and the replacement needs the Board members'
226 signatures for approval.
- 228 • **Library Director Update:** Benson advised that the initial screening committee
 has 12 applications and they will be conducting telephone interviews and will be
 conducting face-to-face interviews after that. Davis advised they are meeting
230 tonight to consider applicants.
- 232 • **Library Building Update:** Benson advised that the OPM for library project
 received 11 firms bid on the project and are being evaluated by the Permanent
 Building Committee / Library Committee.
- 234 • **Treasury Bills:**
- 236 ○ On a **MOTION** made by **Nay**, seconded by **Costello**, the Board of
 Selectmen **VOTED** unanimously to approve accounts payable warrant 13-
238 32, in the amount of \$843,007.65. Nay noted that it was inclusive of the
 closeout of the library grant.
- 240 ○ After Selectman Chairman Perkins removed himself from the meeting, on
 a **MOTION** made by **Nay**, seconded by **Costello**, the Board of Selectmen
242 **VOTED** to approve Payroll warrant PY1331, for non-school payroll, in the
 amount of \$79,209.95. **Perkins** abstained.
- 244 ○ On a **MOTION** made by **Nay**, seconded by **Costello**, the Board of
 Selectmen **VOTED** unanimously to approve accounts payable warrant
 #13-32S, in the amount of \$297.22.
- 246 ○ On a **MOTION** made by **Nay**, seconded by **Costello**, the Board of
248 Selectmen **VOTED** unanimously to approve accounts payable warrant
 #13-32S, in the amount of \$33,038.27.

250

252 **9:57PM** On a **MOTION** made by **Costello**, seconded by **Killam**, the Board of
254 Selectmen **VOTED** unanimously to adjourn at 9:57PM.

256 Respectfully submitted,

258 *Judith A. Stickney*
260 Minutes Secretary

262 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:

- 264 1. Agenda
 2. E-Mail from Senator Bruce Tarr to Municipal and School Officials, Re: Governor
 Patrick's FY14 Local Aid Budget Proposal, 1/24/13

- 266 3. Massachusetts Department of Revenue Division of Local Services, FY2014 Local
Aid Estimates
- 268 4. Division of Local Services FY2014 Local Aid Estimates Masconomet
- 270 5. E-Mail from John Dold to Alan Benson, Re: FW: Culvert Main and Glendale,
1/15/13
- 272 6. Packet of Capital Project Requests from Department of Public Works/Facilities
Maintenance:
- 274 a. ½ Ton Pick-Up Truck
 - b. New Brush Cutter for Tractor
 - 276 c. Fire Alarm System at Police Station
 - d. West Boxford Fire Station Emergency Generator
 - e. Replace Fence on Soccer Field
 - 278 f. Replace 3 Office Windows at West Fire
 - g. New Concrete Stairs and Paint DPW Office Trailer
 - 280 h. Replace 4 Exterior Access Doors at East Fire Station
 - i. New Shed at Cargill Field
- 282 7. Boxford DPW Budget Spreadsheet FY2010-Proposed FY2014
- 284 8. Proposed Draft Letter to Attorney Amy Conroy From the Board of Selectmen, Re:
G.L. c. 61A Notice of Intent to Sell Land – Washington Street and Lake Shore
Road, Boxford, MA, 2/4/13
- 286 9. Letter from The O'Connor Law Firm to Boxford Planning Board, Re: G.L. c. 61A,
Notice of Intent to Sell Land shown as a portion of Parcel 1, and Parcel 2 on Plan
288 recorded with the Essex South District Registry of Deeds in Plan Book 341, Plan
97, Washington Street and Lake Shore Road, Boxford, Massachusetts, 1/11/13
- 290 10. Memo from Ross Povenmire to Alan Benson Re: Planning Board
Recommendation to the Board of Selectmen re: Nason Property, 1/17/13
- 292 11. Letter from the Conservation Commission to Board of Selectmen, Re:
Conservation Commission Recommendation Regarding Nason Property Ch. 61A
294 Notice, 1/23/13
- 296 12. Second Draft Warrant for Special Town Meeting, February 26, 2013
- 298 13. Document: Tax Exempt Bonds: Their Importance to the National Economy and to
State and Local Governments, September 2012
- 300 14. Draft Letter to the President of the United States from the Board of Selectmen,
Re: Support for the Continuation of the Federal Tax Exempt Status of Municipal
Bonds, 2/4/13
- 302 15. Letter from Minasian & Becker to Board of Selectmen, Re: Verizon Wireless,
1/22/13
- 304 16. Memo from Alan Benson to Board of Selectmen, Re: Outstanding Appointments,
2/1/13
- 306 17. E-Mail from Karen Sheridan to Alan Benson, Susan Inman, Re: Recycling
Committee Recommendation for new member, 1/31/13
- 308 18. Board of Selectmen Meeting Minutes
- a. January 28, 2013
 - b. January 28, 2013 Executive Session

- 310 19. Packet of Charts and Spreadsheets from State Representative Jim Lyons and
312 State Representative Len Mirra, Re: State Budgets, Spending and Local Aid