

**Minutes of the BOXFORD BOARD OF SELECTMEN
TOWN HALL MEETING ROOM #1
February 11, 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, Lisa Teichner, Chris Rothman, Jane Moody, Susan Dailey, Pauline Jenkins, Julian Troake, Heidi Ellard, Margaret Chow-Menzer, Barbara Jessel, Carole Davis, Frank Quackenbush, Rick Fahrner

7:04PM Meeting Called to Order

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

7:05PM ANNOUNCEMENTS:

- **Special Town Meeting:** Selectman Chairman Perkins announced there will be a Special Town Meeting on February 26, 2013, at Masconomet, at 7PM.
- **Council on Aging Knitting Luncheon:** Selectwoman Nay announced that the Council on Aging will be holding a Knitting Luncheon on February 20. Attend the luncheon, pick up yarn and patterns to knit or crochet a baby blanket for the Community Giving Tree. Call the COA for reservations.

7:06PM MEETING WITH TRI-TOWN COUNCIL: Lisa Teichner and Chris Rothman of the Tri-Town Council, met with the Board of Selectmen to discuss the following:

- **Update on Current Tri-Town Council Programs:** Chris Rothman distributed a folder with information on the Council's programs to each Board member and both women provided input on the TTC's current programs and initiatives for all residents of Boxford, Middleton and Topsfield.
- **Request for support of Tri-Town Council FY14 Budget:** Lisa Teichner pointed out the annual report in the packet they distributed and noted that the Tri-Town Council is requesting \$27,614 for FY14. Chris Rothman provided a summary of what they use the money for and how they raise additional funds when they can.

7:29PM On a **MOTION** made by **Costello**, seconded by **Nay**, the Board of Selectman **VOTED** to recommend to the Finance Committee that they consider level-funding the Tri-Town Council at \$27,614 for FY14. **(Killam Abstained)**

44 **7:31PM** On a **MOTION** made by **Killam**, seconded by **Davis**, the Board
46 of Selectmen **VOTED** unanimously to support the Tri-Town Council in their
 efforts.

- 48 • **Discussion of Role of Tri-Town Council as Umbrella Agency for Summer Parks**
49 **Program:** Lisa Teichner advised the Board that the Tri-Town Council has not
50 discussed providing more support than they do already. She added that the Tri-
51 Town Council is very interested in hearing how the Board feels the Tri-Town Council
52 can help. Perkins suggested that he would like to see the program continue as it
53 has in the past, as it is a successful program. Nay asked if the Tri-Town Council
54 would be willing to run it. Teichner explained that they do not have the manpower to
55 do that, but they would continue to support it as much as they could. They would be
56 willing to put together a proposal as to how they might manage the program in
57 collaboration with the Town. Rothman added that they were not prepared to discuss
58 how they would manage the program, but they do feel it is a program they would
59 continue to support. Costello suggested that the parks people go to the Finance
60 Committee to see if they might be able to support the program as a new department
 within the Town.
- 61 • **Tri-Town Council's Recommendation for Boxford Action Regarding the New**
62 **Medical Marijuana Initiative:** Lisa Teichner asked the Board to consider putting
63 together a committee to take a closer look at what some of the options are, such as
64 banning dispensaries, bylaws locating them in outlay districts, several different
65 options involving public safety officials, Board of Health collaborating with Zoning,
66 Planning, possibly inviting a teenager or two to become a member of the committee,
67 which would support their philosophy of youthful involvement. Nay advised that the
68 Board is going to consider a charge to create a Medical Marijuana Task Force later
69 in tonight's meeting. Rothman suggested that the Tri-Town Council would like to be
70 part of the committee and suggested that Lisa Teichner serve on the committee.

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73 **7:56PM MEETING ON LIBRARY DESIGN WARRANT ARTICLE:** Representatives
74 from the Permanent Building Committee, the Library Advisory Committee, and the
75 Library Trustees met with the Board of Selectmen to discuss the library design warrant
76 article. Heidi Ellard provided a PowerPoint presentation on the design progress they've
77 made as a collaborated group. Ellard concluded by advising they are asking for
78 \$395,000 in the warrant article for the design and permitting and are asking the Board of
79 Selectmen if they would co-sponsor the article. Margaret Chow-Menzer added that the
80 \$395,000 is what they estimate will be the total costs for the design and permitting
81 phase of the project. They expect to have construction funding estimates ready for the
82 fall town meeting. There were questions or comments on the following:

- 83 • **Emergency Access to the Building:** Killam asked if they've met with the Fire
84 Chief regarding access to all sides of the building. Frank Quackenbush advised
85 that they have met with the Fire Chief and they are working on resolving those
86 issues. Jessel added that she met with the Fire Chief as well and pointed out on
 the drawing where they would provide access to the sides of the building and

88 added that access to the back of the building would be from Sayward Road.
Killam suggested they also speak with the Police Chief.

- 90 • **Funding Source:** Nay asked if we would be funding this by borrowing money.
Benson advised that would be correct and that is his and the Finance Director's
92 recommendation.

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8:28PM SPECIAL TOWN MEETING, TUESDAY, FEBRUARY 26, 2013:

96 On a **MOTION** made by **Costello**, seconded by **Davis**, the Board of
Selectmen **VOTED** unanimously by roll call vote to close the warrant for
98 the Special Town Meeting.

100 On a **MOTION** made by **Nay**, seconded by **Davis**, the Board of Selectmen
VOTED 4-1 to sponsor and support the 15,000 sq. ft. library at the 10 Elm
102 Street location. **Killam: NAY**

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8:37PM REPORT OF THE TOWN ADMINISTRATOR: Alan Benson, Town
106 Administrator met with the Board to review the following items:

- 108 • **Discussion on Draft Ad Hoc Committee Charge to Create Medical Marijuana
Task Force:** Benson provided a draft charge for the Medical Marijuana Task
Force for the Board to review. Nay suggested that the Task Force includes a law
110 enforcement resident, a zoning/land use person, an MD, a Board of Health
resident and a children's advocate, specifically Lisa Teichner, as she had offered
112 to be on the committee. Costello suggested that a lawyer with some zoning
experience should be included. Perkins suggested the newest member of the
114 Agricultural Commission also be included. Costello noted that would be six
people. Rick Fahrner, of the Board of Health, was in attendance and expressed
116 his desire to be appointed to the committee. He suggested that the committee be
expanded to seven members. Davis reminded the Board members that they also
118 indicated to the Tri-Town Council that they would include a high school junior or
senior from Boxford. The Board briefly discussed talking with the Police Chief to
120 see if he would agree to be on the committee.

122 On a **MOTION** made by **Nay**, seconded by **Costello**, the Board of
Selectmen **VOTED** unanimously to establish the Medical Marijuana Task
Force, a seven-member committee, as an ad hoc committee, with terms
124 ending June 30, 2013, to include a member of law enforcement, a Zoning
or Planning Board member, a member from the Agricultural Commission,
126 a member from the Board of Health, a children's advocate, an MD and a
Boxford student from Masconomet.

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130 On a **MOTION** made by **Nay**, seconded by **Killam**, the Board of
Selectmen **VOTED** unanimously by roll call vote to appoint Board of
Health member Rick Fahrner, Lisa Teichner as the children's advocate,

132 and Chief of Police Michael Murphy for the law enforcement member, to
134 the Medical Marijuana Task Force for a term ending June 30, 2013.

136 On a **MOTION** made by **Costello**, seconded by **Killam**, the Board of
138 Selectmen **VOTED** unanimously to appoint Dr. Liu of the Agricultural
Commission to the Medical Marijuana Task Force for a term ending June
30, 2013.

140 • **Other Outstanding Appointments:**

- 142 • **Cummings House Study Committee:** Selectman Davis advised the
144 Board that he has been approached by some residents regarding the
Cummings House Study Committee and who should be appointed to
serve on that committee. Davis added that he found some candidates
interested in being appointed.

146 On a **MOTION** made by **Davis**, seconded by **Costello**, the Board of
148 Selectmen **VOTED** unanimously by roll call vote to appoint Bob
Gore, Brian Gregory, Matt Juros, Louise Kress and Lynne Afrow-
Ellis to the Cummings House Study Committee.

- 150 • **Conservation Commission:** Perkins noted that the Conservation
152 Commission is also in dire need of a member to fill a vacancy. Benson
explained that there was an issue at the last meeting when Mark Mitsch, a
154 member of the Commission, was unable to hear a case due to his part-
ownership of the engineering firm presenting the Town on its Notice of
Intent for culvert work, which left the Commission without a quorum to
156 hear and vote on it. Perkins asked all board members to actively seek out
a resident to fill the vacancy with the term ending June 30, 2015.

- 158 • **Lakes Ponds and Streams Committee:** Davis reminded the Board that
160 the Land Committee needs to recommend someone to fill the opening on
the Lakes Ponds and Streams Committee.

- 162 • **Outstanding Appointments:** Costello noted that they have an opening
on the Cable Television Advisory Committee and with the contract coming
up for renewal from Comcast, it is important to get that vacancy filled.
164 Costello also noted that there are two openings on the Computer
Management Committee and urged computer techs in town to contact the
166 Board of Selectmen's office if they are interested in serving. Perkins
noted that there is also an opening for an alternate on the Zoning Board of
168 Appeals.

- 170 • **Monitoring wells on Topsfield Road in front of State Salt Shed:** Benson
advised the Board that a resident has contacted the Board regarding a concern
172 with the monitoring of the wells in the Topsfield Road area. Benson will address
that concern, as there are no safety issues involved with the monitoring of the
wells.
- 174 • **Collective Bargaining:** Benson advised the Board that the Teamsters have
demanded negotiations begin for a successor agreement. Benson added that the

- 176 Board needs to assign members to meet with represented employees for their
177 upcoming contract negotiations.
- 178 • **Teamsters:** Perkins and Nay volunteered to meet with the Teamsters.
Perkins suggested they will assign all four in a couple of weeks.
 - 180 • **Reclassification:** Benson advised that six employees have provided written
181 documentation requesting reclassification. Benson suggested that a task force
182 meet with the employees and make a recommendation to the full Board of
183 Selectmen as to whether their request is approved or denied. Davis volunteered
184 to be on the task force.
 - 185 • **Temporary Town Moderator:** Perkins suggested Robert Was be appointed as a
186 Temporary Town Moderator for the Special Town Meeting on February 26. He
187 has agreed to do it and the Town Moderator will meet with him to go over some
188 of the things he'll need to know for the Town Meeting. Benson advised he has
189 verified procedures with Town Counsel. The Town Clerk will open the meeting
190 and the Town will appoint the Temporary Town Moderator, as nominated.
 - 191 • **Elections:** Benson advised the Board that the Mass. House has passed a
192 regulation that allows municipalities to hold their annual elections on the same
193 day as either the state primary or general election to save some money. Costello
194 suggested the Town hold its annual election on June 25, after Town Meeting.
195 Benson will work with the Town Clerk to arrange the election.

198 **9:18PM ROUTINES AND CORRESPONDENCE:** The Board reviewed the following:

- 199 • **Minutes Approval:**
 - 200 ○ After an amendment proposed by Costello, on a **MOTION** made by **Davis**,
201 seconded by Costello, the Board **VOTED** to accept the Minutes of
202 February 4, 2013 as amended.
- 203 • **Treasury Bills:**
 - 204 ○ On a **MOTION** made by **Davis**, seconded by **Nay**, the Board of Selectmen
205 **VOTED** unanimously to approve for payment warrant PY1332, dated
206 February 13, 2013, for non-school payroll, in the amount of \$67,464.72.
 - 207 ○ After Selectman Costello removed himself from the meeting, on a
208 **MOTION** made by **Perkins**, seconded by **Nay**, the Board of Selectmen
209 **VOTED** to approve payment of warrant PY1332, dated February 13, 2013,
210 for school payroll, in the amount of \$289,234.39. **Costello** abstained.
 - 211 ○ On a **MOTION** made by **Davis**, seconded by **Nay**, the Board of Selectmen
212 **VOTED** unanimously to approve refund warrant #13-339, dated February
213 11, 2013, in the amount of \$4,257.07.
 - 214 ○ On a **MOTION** made by **Davis**, seconded by **Nay**, the Board of Selectmen
215 **VOTED** unanimously to approve accounts payable warrant #13-33, dated
216 February 11, 2013, in the amount of \$205,588.93.

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220 **9:24PM** On a **MOTION** made by **Costello**, seconded by **Nay**, the Board of
221 Selectmen **VOTED** unanimously to adjourn at 9:24PM.

222 Respectfully submitted,

224 *Judith A. Stickney*
226 Minutes Secretary

228 Documents either distributed to the Board of Selectmen before the meeting in a packet,
or at the meeting:

- 230 1. Agenda
- 232 2. Announcement: Special Town Meeting February 26, 2013
- 234 3. Packet of Information Regarding the Summer Park Program
- 236 4. Community Update from Kopelman and Paige Re: Medical Marijuana Update,
February 4, 2013
- 238 5. Letter from Board of Health Chair Louise Kress to the Board of Selectmen Re:
Medical Marijuana Law, January 17, 2013
- 240 6. E-Mail from Kim Bitto to Alan Benson Re: Question on the Town's stand on the
Medical Marijuana Law, November 19, 2012
- 242 7. Memo From Alan Benson to Board of Selectmen, Finance Committee and
Capital Budget Committee Re: Library Design Budget, February 7, 2013
- 244 8. Warrant for Special Town Meeting, February 26, 2013
- 246 9. Draft of Charge to the Medical Marijuana Task Force
- 248 10. Letter from Joseph Pugia to the Board of Selectmen Re: Well Monitoring,
February 4, 2013
- 250 11. Letter from Teamsters Local Union No. 25 to Alan Benson Re: Collective
Bargaining, February 4, 2013
- 252 12. Memo from Alan Benson to Board of Selectmen Re: Outstanding Appointments,
February 7, 2013
13. Board of Selectmen Meeting Minutes
 - a. February 4, 2013
14. Packet of Information on the Tri-Town Council