

**Minutes of the BOXFORD BOARD OF SELECTMEN
TOWN HALL MEETING ROOM #1
March 11, 2013 7:00PM**

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

Absent: None (Charlie Killam left the meeting at 9:14PM)

Others Present: Town Administrator Alan Benson, Minutes Secretary Judi Stickney, Finance Director Kathleen Benevento, Town Clerk Robin Phelan, Attorney Dan Kulak, Jan Silva, Robyn Holt, Jim Breslin, Kathryn O'Brien, Dick Taylor, Samantha Mercier, Margaret Costello, Bob Hazelwood, Ross Povenmire, Chuck Adam, Jen Leidner

7:07PM Meeting Called to Order

Chairman Perkins called the meeting to order at 7:07PM.

7:07PM Executive Session

On a **MOTION** duly made by **Perkins**, seconded by **Davis**, the Board of Selectmen **VOTED** unanimously by roll-call vote to go into Executive Session for the purpose of discussing AFSCME Town Hall Clerical/Library Staff Grievance and upon completion of the Executive Session to return to open session and continue with the business of the Board.

7:35PM On a **MOTION** made by **Costello**, seconded by **Nay**, the Board of Selectmen **VOTED** unanimously by roll-call vote, to adjourn Executive Session and return to open session.

7:35PM Meeting Reopened

Chairman Perkins reopened the meeting.

7:38PM MEETING WITH TOWN CLERK: Robin Phelan, Town Clerk, met with the Board to discuss the following:

- **Elections in Town Hall:** The Town Clerk advised the Board that there have been four elections in Town Hall since the Board approved the move from Spofford School to Town Hall on a temporary trial basis. She feels the Presidential Election went very smoothly and asked the Board to support keeping the elections at Town Hall permanently.

44 **7:41PM** On a **MOTION** made by **Costello**, seconded by **Davis**, the Board of
46 Selectmen **VOTED** unanimously to hold all elections for precincts 1, 2, and 3
 at Town Hall permanently.

- 48 • **Minor positions exempted from Ethics Test:** Phelan explained that there are
50 certain employees and vendors who are exempt from the state-required conflict
 of interests test and she asked the Board to take a formal vote to make the
 positions exempt.

52 **7:44PM** On a **MOTION** made by **Davis**, seconded by **Nay**, the Board of
54 Selectmen **VOTED** unanimously to exempt the following positions from the
 distribution of summaries and online training requirements of the
 Massachusetts Conflict of Interest Law:

- 56 - Library volunteers who perform service on a short term or occasional
 basis (such as reading to children or shelving books)
- 58 - School volunteers who perform services on a short term or occasional
 basis (such as a field trip chaperone)
- 60 - Earth Day volunteers
- 62 - Council on Aging volunteers who perform services on a short term or
 occasional basis (such as flipping burgers at a barbecue)
- 64 - Poll workers
- 66 - Snow plow operators
- Participants in the senior tax abatement program
- Student interns
- Any vendor or contractor who provides one day or less of service.

- 68 • **Report on Department Activities:** Phelan explained there has been a change in
70 the state's dog licensing law that went into effect November 2012. She asked the
72 Board to consider updating the town's bylaws to reflect the state's changes and
 to address the possibility of increasing fees. Benson advised the Board that they
 will need to decide what the cost differential will be for a spayed/neutered and
 intact dog and, secondly, the Board will need to decide what the kennel licensing
 fee will be.

74 **7:52PM** On a **MOTION** made by **Davis**, seconded by **Nay**, the Board of
76 Selectmen **VOTED** unanimously to set the dog licensing fees at \$20 and \$25.

78 **7:53PM** On a **MOTION** made by **Davis**, seconded by **Costello**, the Board of
80 Selectmen **VOTED** unanimously to set a kennel fee of \$125 for five or more
 dogs.

82 **7:53PM** On a **MOTION** made by **Davis**, seconded by **Costello**, the Board of
84 Selectmen **VOTED** unanimously to adopt the State's fine structure for
 unlicensed and unvaccinated dogs.

- 86 • **Birth Rate:** Phelan reported that the 2012 birth rate in Boxford was 26 children.
88 She noted that this is the lowest since 1966, when the population was 1200.

90 **7:57PM MEETING WITH THE PERSONNEL BOARD:** Neil Olansky and Nancy Galarneau met with the Board of Selectmen to review the following:

- 92 • **Non-Union Salary Plan**
- 92 • **Proposed New Evaluation Tool**

94 Olansky explained the information that was provided to the Board and asked if there were any questions from the Board. The Board had questions/comments on the following:

- 96 • **Explanation of last few columns:** Costello asked what the numbers were for min. mid and max. Olansky explained that the final number is what the pay rate will be after the adjustments.
- 98 • **Reviews Process:** Nay asked if we will refer to the job descriptions when we do the department head evaluations. Olansky explained we will need to look at the job descriptions when we do the reviews.
- 100 • **Evaluations Forms:** Costello asked if the evaluation forms will work for all employees or will they have to use them in conjunction with the job-specific evaluation forms they use now. Olansky explained that they did not want to make the forms too specific, but they could take a look at how they will work with the current forms. He did recommend that they not get too specific.
- 102 • **Catching up over three years:** Davis expressed concern of catching up over three years, rather than implementing increases as soon as possible, so they're not continually playing catch-up. Olansky advised the Board they have the option to make increases as they see fit.

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114 **8:20PM MEETING WITH THE DIRECTOR OF FINANCE:** Kathleen Benevento met with the Board to discuss the following:

- 116 • **Review of FY14 Budget and Recommended Cuts:** Benevento advised some line items were level-funded and the overall increase is 2.14%. She reviewed the Adjustments to Revenue, Net Growth in Revenue available to Town/Schools Excluded Debt, school budgets and the Essex Regional Retirement Assessment. She also reviewed the list of increases to the Town Budget. The Board had questions/comments on the following:
 - 122 ○ **Increases to Town Budget:** Costello asked if the numbers in the original requests column reflected the proposed decreases. Benevento advised that the figures in the original requests column reflect the original budget proposal.
 - 124 ○ **Fire Department Deputy Chief:** Costello initiated a discussion on the Deputy Chief position. The Board decided they needed to schedule the Fire Chief at an upcoming meeting to discuss the Deputy position.
 - 126 ○ **Fire Department Lieutenant Stipend:** Perkins noted that the figure reflects a stipend for a call position, but advised that the Chief wants to appoint the two full-time firefighters as lieutenants and his concern is that the firefighters will want to be paid at a lieutenant's rate, rather than a stipend. They will discuss with the Fire Chief.

- 134 ○ **Fire Department Uniforms:** Benevento explained the Chief is requesting
an increase in the uniforms allowance so the members can all have a
136 standard form of dress for formal events, parades, funerals, etc. The
Board will discuss with the Fire Chief.
- 138 ○ **BOH Repair and Maintenance Landfill:** Dick Taylor was in attendance
and explained that the \$3,000 proposed for the DPW budget is something
140 that the Board of Health has had in their budget, but should be in the DPW
budget, as it is the DPW that performs all the maintenance tasks.

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143 **9:06PM DISCUSSION ON LIBRARY AND/OR COA BUILDING OPTIONS:** Benson
144 advised the Board that the Town has not made any significant repairs to the 10 Elm
Street building, anticipating a new library would be built. John Dold has been working
146 with the Permanent Building Committee to see what can be done to make the
necessary repairs to the building. They are also considering a temporary move to 188
148 Washington Street to determine if that might be more economical than putting any
money into 10 Elm Street.

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151 Davis suggested that having a trailer or two at the East or West location might be a
152 cheaper way out. Killam suggested that there are a lot of options, but he doesn't feel
there is a crisis and that the Town has time to take a look at what can be done. Nay
154 feels the Elm Street location repairs need to be addressed. Perkins advised the Board
will need to see what John Dold and the Permanent Building Committee come back
156 with.

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159 Dick Taylor, Council on Aging Chair, asked if this would be addressed, in the form of a
warrant article, at the Annual Town Meeting. There was a lengthy discussion on who
160 would sponsor such an article and what it would entail. Perkins advised that they are
awaiting information from John Dold and the Permanent Building Committee and they
162 will have some answers by March 25, so they will know what direction they are going in
for Town Meeting.

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166 **9:14PM Selectmen Killam left the meeting.**

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169 **9:26PM MEETING WITH COLE SCHOOL PLAYGROUND COMMITTEE:** Samantha
170 Mercier, Margaret Costello, Jennifer Leidner met with the Board of Selectmen to review
the information they provided to the Board regarding the needs of the Cole School
172 playground. They provided a photo presentation for the Board showing the current
playground equipment and structures. Mercier advised they have requested quotes
174 from 3 vendors for site work, equipment and installation. They would like to have an
article on the May Town Meeting Warrant to fund the project.

- 176 • **Removing Asphalt:** Costello asked if they were proposing to remove asphalt,
178 concerned about emergency vehicle access. They are not proposing the remove
the asphalt.
- 180 • **Open Windows/Air Conditioners:** Costello noted that the open windows and
protruding air conditioners are a danger to playing/running children.
- 182 • **School Budget:** Nay asked why this wouldn't be in the school budget. Mercier
184 explained it's not in the budget, because they haven't had to spend any money
on the playground in the 24 years since it's been there. She added that it meets
186 the requirements of the Community Preservation Committee's fund. They looked
at grants and didn't qualify for any. They have talked to the PTO and have
discussed having some kind of maintenance fund set up through them.
- 188 • **Funding:** Perkins asked that they provide another quote and that they work on
more funding options, before asking the Town to fund the entire cost.
- 190 • **Additional Funding Sources:** Costello suggested approaching the BAA for
some of the funding, adding that if they got funding from additional sources, he
192 would support a warrant article.

194 **9:51PM REPORT OF THE TOWN ADMINISTRATOR:** Alan Benson, Town
Administrator met with the Board to review the following items:

- 196 • **Common Victuallers License:** Benson advised there is a Common Victualler's
License they need to approve and sign.
198 On a **MOTION** made by **Costello**, seconded by **Davis**, the Board of
Selectmen **VOTED** unanimously to approve the Common Victualler's
200 License for the West Boxford General Store.
- 202 • **CRW Road Race:** Benson advised the Board they have a request to approve the
CRW road race for May 19, 2013.
204 On a **MOTION** made by **Nay**, seconded by **Costello**, the Board of
Selectmen **VOTED** unanimously to approve the CRW Road Race on May
19, 2013.
- 206 • **Appointment of Laura Grabski to the Agricultural Commission:** Benson
advised the Board that they appointed Laura Grabski to the Agricultural
208 Commission on February 11, but, after reviewing the video of the meeting, he
noted that the motion for her appointment was incomplete and the minutes of the
210 meeting, which they had already approved, reflect a term ending June 30, 2013.
Grabski said her appointment should have been for a 3-year term, so the Board
212 needs to reappoint her to a 3-year term.
On a **MOTION** made by **Costello**, seconded by **Davis**, the Board of
214 Selectmen **VOTED** unanimously to take no action until there is a full
board.
- 216 • **Outstanding Appointments:** Benson asked the Board if anyone was successful
in finding candidates to fill the vacancy on the Conservation Commission. No one
218 had anyone. They will attempt to find someone this week. Benson reviewed a
few of the openings that are in need of appointments.

220 ○ **Medical Marijuana Task Force:** Nay advised that they do have a student
222 who needs to be appointed to the Task Force.

222 On a **MOTION** made by **Nay**, seconded by **Costello**, the Board of
224 Selectmen **VOTED** unanimously by roll call vote to appoint
226 Elizabeth Tyler to the Medical Marijuana Task Force for a term
ending June 30, 2013.

228 **9:59PM ROUTINES AND CORRESPONDENCE:** The Board reviewed the following:

230 • **Thank you from the State Department:** Benson noted that the Board received
232 a copy of a thank you note sent to John Dold from the United States Department
of State on the Pakistani visit.

232 • **Minutes:**

234 On a **MOTION** made by **Nay**, seconded by **Davis**, the Board of Selectmen
VOTED to accept the Minutes of February 25, 2013, as submitted.
Costello abstained.

236 After corrections submitted by Davis, on a **MOTION** made by **Davis**,
238 seconded by **Nay**, the Board of Selectmen **VOTED** to accept the minutes
of February 25, 2013 Executive Session, as amended. **Costello**
240 **abstained.**

242 • **Treasury Bills:**

242 On a **MOTION** made by **Davis**, seconded by **Costello**, the Board of
244 Selectmen **VOTED** unanimously to approve accounts payable warrant
#13-37, dated 3/11/13, in the amount of \$133,306.74.

246 On a **MOTION** made by **Costello**, seconded by **Nay**, the Board of
248 Selectmen **VOTED** unanimously to approve accounts payable warrant
#13-37S, dated 3/11/13, in the amount of \$105,885.61.

250 On a **MOTION** made by **Davis**, seconded by **Costello**, the Board of
252 Selectmen **VOTED** unanimously to approve payroll warrant #PY1336, for
non-school payroll, dated 3/13/13, in the amount of \$83,411.87.

254 After Selectmen Costello removed himself from the meeting, on a
256 **MOTION** made by **Davis**, seconded by **Nay**, the Board of Selectmen
VOTED to approve payroll warrant #PY1336, dated 3/13/13, for school
258 payroll, in the amount of \$280,198.19. **Costello abstained.**

260 **10:06PM Executive Session**

260 On a **MOTION** duly made by **Perkins**, seconded by **Nay**, the Board of Selectmen
262 **VOTED** unanimously by roll call vote to go into Executive Session for the purpose of
discussing overall strategy on litigation: 31 Lake Shore Road, and declared that an
264 Executive Session is necessary since an open public discussion may have a

266 detrimental effect on the negotiating, bargaining or litigating position of the Board of
267 Selectmen, and upon completion of the Executive Session to return to open session
268 and immediately adjourn without conducting any further business.

269 The Board of Selectmen entered into Executive Session at 10:07PM

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271 **10:18PM Meeting Adjourned**

272 On a **MOTION** made by **Davis**, seconded by **Nay**, the Board of Selectmen **VOTED**
273 unanimously by roll call vote to adjourn at 10:18PM

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275 Respectfully submitted,

276
277 *Judith A. Stickney*
278 Minutes Secretary

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

- 282 1. Agenda
- 283 2. Town of Boxford Compensation and Classification Study
- 284 3. Town of Boxford Compensation Plan – Non-Union
- 285 4. Town of Boxford Non-Union Benefit-Eligible Compensation Plan
- 286 5. User Guide Performance Evaluation System
- 287 6. Annual Performance Review Evaluation Form 2
- 288 7. Revenue/Expense Estimate
- 289 8. Increases in Town Budget
- 290 9. Proposed Budget FY14
- 291 10. Masconomet Regional School District FY14 Assessment Worksheet
- 292 11. Boxford Elementary Schools Proposed Budget
- 293 12. Boxford Elementary Schools Proposed FY14 Budget Cumulative Summary
- 294 13. Boxford Elementary Schools Proposed FY14 Budget Cumulative Summary
- 295 14. Boxford Elementary Schools Proposed Budget Narrative: Pre-K-Grade 6
296 Projected Enrollment
- 297 15. Essex North Shore Agricultural and Technical School District Preliminary
298 Community Assessments Debt Service Interest Payment Only FY14
- 299 16. Draft Annual Town Meeting Article List
- 300 17. E-Mail from Heidi Ellard to Alan Benson Re: Meeting Summary, 3/7/13
- 301 18. Application for Boxford Community Preservation Act Funding: Cole School
302 Playground Committee
- 303 19. Application for Permit: Common Victualler's License: West Boxford General
304 Store LLC, DBA West Village Provisions
- 305 20. E-Mail from Susan Inman to Kerry Stickney, John Dold, Michael Murphy Re:
306 CRW Even May 19, 2013, 1/28/2013

- 310 21. Memo from Alan Benson to Board of Selectmen Re: Outstanding Appointments,
3/8/13
- 312 22. Letter from US Department of State to John Dold, Re: Pakistan Professional
Partnership Program, 1/31/13
- 314 23. Board of Selectmen Meeting Minutes
- 316 a. February 25, 2013
- b. February 25, 2013 Executive Session
- 318 24. Memo from Robin Phelan to Board of Selectmen, Re: Changes in Massachusetts
dog licensing law
- 320 25. Memo from Robin Phelan to Board of Selectmen, Re: Elections, 3/11/13
- 322 26. Motion to exempt certain positions from the distribution of summaries and online
training requirements of the Mass. Conflict of Interest Law
- 324 27. Motion to go into Executive Session