

**Minutes of the BOXFORD BOARD OF SELECTMEN
BOXFORD TOWN HALL MEETING ROOM #1
May 6, 2013 7:00PM**

Present: Peter Perkins, Mary Anne Nay, Charlie Killam, Chuck Costello (7:24PM), Steve Davis

Absent: None

Others Present: Town Administrator Alan Benson, Minutes Secretary Judi Stickney, Kathryn O'Brien, Carole Davis, Benjamin Madden, Pauline Jenkins, Jane Moody, DPW Superintendent/Town Engineer John Dold, Margaret Chow-Menzer, Bob Hazelwood, Garth Tolman, Town Moderator Gerald Johnston, Julian Troake

7:02PM Meeting Called to Order

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

7:02PM ANNOUNCEMENTS:

- **Moderators Forum:** Selectman Perkins announced there will be a Moderator's Forum on Thursday, May 9, at 7PM, at Town Hall.
- **Town Meeting:** Selectwoman Nay reminded residents that Town Meeting will be held on May 14 and May 15 at 7PM, at Masconomet.
- **Arbor Day at Cole School:** Selectwoman Nay announced that some of the DPW, along with Superintendent John Dold and Selectwoman Nay attended an Arbor Day service at Cole School, where Mayer Tree Service handed out white pine tree seedlings to Cole School children.
- **Baby Sitting at Town Meeting:** Selectman Davis announced that babysitting will be provided at Masconomet during the Town Meeting.
- **Annual Town Election:** Selectman Killam announced the annual Town Election will be held on Tuesday, May 21, from 7AM-8PM, at Town Hall.
- **Retirement Party for Capt. Shawn Stickney:** Selectman Davis announced there will be a retirement party for Fire Department Capt. Shawn Stickney on June 22 at Smolak Farm. Tickets are available at the East Station, Boxford Community Store and West Village Provisions.

7:04PM MEETING WITH CANDIDATES FOR EAGLE SCOUT: The following Eagle Scout candidates met with the Board of Selectmen to share their Eagle Scout projects:

- **Ben Madden:** Madden's project was to build a training roof on the back of the West Fire Station. The training roof will allow ventilation training for firefighters so they can train on house fires, learning how to vent houses and buildings properly.

46 He spent approximately 50 hours on the project, personally, and all participants
put in about 100 hours all together. Materials were provided by the fire station.

- 48 • Alex Kent: Kent's project was to clean up the Ackerman Playground. He worked
with the playground committee and advised they were his main source of
funding. He added a gate to help prevent small children from running off. He
50 spent two days working on it, with the help of two other scouts, and exceeded
100 hours of service.
- 52 • **Cameron Hebert:** Hebert's project was to revamp the basketball court at Camp
Rotary on Stiles Pond. He also put in four in-ground benches with three pillars
54 each. It took several days to dig the holes and he put in about 125 hours
including the help of extra scouts.
- 56 • **Sravan Reddy:** Reddy constructed a boardwalk in place of a makeshift
boardwalk at Wild Cat conservation land, off Herrick Road. The old boardwalk
58 was constructed of rotting logs, planks and rotting nails. He enlisted the help of
family and scouts to complete the project in a reasonable time.
- 60 • **Naveen Reddy:** Naveen Reddy worked with BTA BOLT to do trail maintenance
and build a boardwalk for Dorman Woods off Herrick Road. He worked with BTA
62 BOLT and Ross Povenmire, as the project took place in a wetlands area. It took
around 130 hours to complete and he put in about 60 hours of work, personally.

64 Selectman Perkins advised the Board that they have an invitation to the Court of Honor
66 Ceremony, which will be held on May 19 at the Family Life Center, where there will be a
proclamation read for each Eagle Scout. He added that each Scout will be honored for a
68 particular day. Davis read one of the proclamations. Each Scout was congratulated by
the Board of Selectmen.

72 **7:24PM CONSIDERATION OF MEDICAL AND OTHER EMPLOYEE INSURANCE**

RATES FOR FY2014: After Selectman Perkins removed himself from the discussion,
74 Selectman Davis acted as Chair. Davis notified the Board of the new rates for FY2014
and the Board took the following action:

76 On a **MOTION** made by **Killam**, seconded by **Nay**, the Board of Selectmen
VOTED to approve the FY2014 health insurance rates, dental insurance rates
78 and the life insurance rates as presented, effective July 1, 2013 through June 30,
2014.

80 At the conclusion of the voting, Selectman Chairman Perkins rejoined the meeting.
82

84 **7:26PM AFSCME COUNCIL 93 BOXFORD CLERICAL/LIBRARY EMPLOYEES**
COLLECTIVE BARGAINING AGREEMENT JULY 1, 2010 THROUGH JUNE 30, 2013:

86 Benson advised the Board that this contract had been settled some time ago, and it was
ratified by the union and ratified by the Board of Selectmen. He advised that the
88 document was included in a new consolidated form and presented the Board with an
updated draft with ministerial and typographical changes. He advised the Board that the

90 union has requested that a clean draft of the existing contract be made available to
91 them. He provided a copy of the contract with the changes noted for the Board to review
92 and added that the Board just needs to sign the new copy before meeting for
93 negotiations.

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96 **7:31PM MINUTES APPROVAL:** After a correction made by Costello, the Board took
the following action:

98 On a **MOTION** made by **Costello**, seconded by **Nay**, the Board of Selectmen
VOTED to approve the Minutes of April 29, 2013, as amended. Davis abstained.

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102 **7:35PM REPORT OF THE TOWN ADMINISTRATOR:** Town Administrator Alan
Benson brought the following item to the Board's attention:

- 104 • **Roadside Trash and Recycling Collection:** Benson advised that every five
105 years the contract with the roadside trash and recycling vendor is renegotiated.
106 This year the Board of Health solicited many vendors in the area, even though
107 that service is exempt from competitive bidding. They received bids from five
108 firms in response. The Board of Health reviewed and ranked the proposals
109 received and negotiated with the top two firms. The Board of Health voted to stay
110 with the current vendor, JRM, for another 5-year contract. They were successful
111 in negotiating the current cost will stay the same over the five-year contract.

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114 **7:45PM ROUTINES:**

- 116 • **Correspondence:**
- 117 ○ **MIIA \$2.5 Million Participation Credits Approved by MIIA Board of**
118 **Directors:** Benson provided a copy of a letter from MIIA, notifying the
119 Town that the MIIA Board of Directors approved a total of \$2.5 million in
120 additional participation credits for members of the workers' compensation
121 program and property and liability program for the current fiscal year.
122 Boxford's credits amounted to \$7,088 for Property & Casualty and \$2,281
for Workers' Compensation.
 - 124 • **Appointments:** Benson advised there are two candidates for appointments, but
125 Peter Angle, who has requested to be appointed to the Zoning Board of Appeals,
126 was unable to come in tonight. Benson advised that he'll put him on the agenda
127 for the 20th. The other appointment is Benjamin Nutter for the Cummings House
128 Study Committee. The Board took the following action:
129 On a **MOTION** made by **Davis**, seconded by **Killam**, the Board of Selectmen
130 **VOTED** unanimously by roll call vote to appoint Benjamin Nutter to the
Cummings House Study Committee, with a term ending June 30, 2013.

132 After a brief discussion, the Board decided to make the appointment a 14-
133 month appointment; they rescinded the previous vote and voted again, as
134 follows:

136 On a **MOTION** made by **Costello**, seconded by **Killam**, the Board of
137 Selectmen **VOTED** unanimously by roll call vote to rescind the previous vote
138 and appoint **Benjamin Nutter** to the Cummings House Study Committee for a
term ending June 30, 2014.

- 140 • **Town Meeting Arrangements:** Benson reminded the Board and viewers where
141 parking would be at Masconomet for Town Meeting. He added that the Fire Chief
142 is adamant that there be no extra chairs in the auditorium. The gymnasium will
143 be set up and available for excess voters to sit. There will be televisions set up
144 where voters will be able to see the proceedings through BCAT TV, with an
145 additional camera showing the voters, so the moderator can see the people in
146 the gymnasium. People who need to speak will have to come to the auditorium.
There will be staff and election officials to assist voters.
- 147 • **Motion to Pass over an Article:** Davis asked for the procedure at Town Meeting
148 when there is a motion to pass over an article. Gerry Johnston, Town Moderator,
149 advised the Board that there is discussion allowed on a motion to pass over an
150 article. If there is a motion to call the question, there is no discussion. It goes
151 right to the vote. He will explain to the voters what that means, and if they want to
152 keep the discussion going; they can vote "No" on the vote to call the question.
- 153 • **Treasury Bills:**

154 On a **MOTION** made by **Killam**, seconded by **Nay**, the Board of Selectmen
155 **VOTED** unanimously to approve Payroll Warrant #PY1344, for non-school
156 payroll, in the amount of \$82,869.99.

158 After Selectmen Costello removed himself from the discussion, on a **MOTION**
159 made by **Killam**, seconded by **Davis**, the Board of Selectmen **VOTED** to
160 approve Payroll Warrant #PY1344, for school payroll, in the amount of
161 \$282,801.97. **Costello abstained.**

162 On a **MOTION** made by **Killam**, seconded by **Davis**, the Board of Selectmen
163 **VOTED** unanimously to approve Accounts Payable Warrant #1345S, in the
164 amount of \$30,573.31.

165 On a **MOTION** made by **Killam**, seconded by **Davis**, the Board of Selectmen
166 **VOTED** unanimously to approve Accounts Payable Warrant #13-45, in the
167 amount of \$219,250.40.

172 **7:58PM MEETING WITH PERMANENT BUILDING COMMITTEE AND DPW**

173 **SUPERINTENDENT/TOWN ENGINEER:** Margaret Chow-Menzer and DPW
174 Superintendent/Town Engineer John Dold met with the Board of Selectmen to discuss
175 the following:

- 176 • **Article 11: Status of Microbial Contamination Assessment at 10 Elm Street
177 and Preliminary Remediation and Restoration Cost Estimates:** Chow-
178 Menzer advised the Board that Covino Environmental Associates found mold
spores and mold in the basement that needs to be completely cleaned and

180 disinfected. More mold spores were found in the carpeting. They will need to
182 remove the carpet, cover all the book stacks and the books; encapsulate the
184 book stacks, cut the carpet around the book stacks and remove it from the
186 building. The third finding was with the ductwork and that needs to be vacuumed
188 and cleaned. The ductwork will need to be reinspected when completed. She
190 added that at a minimum the library will need to be shut down for at least four
192 weeks for the work to be done. There will be a requirement that all the
furnishings in the building will have to be removed. There has to be plans in
terms of where the furniture can be moved to and stored while the remediation is
taking place. The furniture will need to be cleaned to remove mold spores. She
noted that that is additional work and cost estimates range from \$28,000-
\$38,000, according to the estimates John Dold got. The Board had
questions/comments on the following:

- 194 ○ **Davis: Would it be possible to store the furniture in a pod on site?**
Chow-Menzer explained that pods were recommended and would be in
the parking lot for 4-6 weeks.
- 196 ○ **Davis: If the Washington Street facility was operative during this
198 period of time, and someone wanted a book from the East Library,
would that be possible?** Chow-Menzer said that books from the East
Library would not be available during the remediation.
- 200 ○ **Davis: What, if any, library services will there be during the
202 remediation?** Chow-Menzer explained that the Library Trustees will be
discussing that at their next meeting.
- 204 ○ **Perkins: When new carpet goes down, will there be edging against
the base of the stacks to seal it?** Dold advised that he has not
discussed that with the contractors. A lengthy discussion ensued as to
206 whether the carpet left under stacks could contribute to recontamination
after the remediation, and it was pointed out that Covino's report stated
208 that the carpet may be contributing to the contamination and they merely
suggested that it be removed.
- 210 ○ **Nay: The estimate for \$175,000 includes cleaning the air ducts,
212 cleaning out the cellar, removing the carpet and furniture, the
storage of the furniture, cleaning the furniture, correct?** Chow-Menzer
214 explained that there's going to be separate cost for removal of computer
work and added that they cannot move the copy machine themselves and
will have to contact the manufacturer to have that moved, at an additional
216 cost. She added that the contractor who does the work may identify other
issues that may require additional remediation. Nay noted that the cost is
218 adding up.
- 220 ○ **Killam: How long was the library closed the last time remediation
was done?** Benson couldn't remember exactly, but advised that it was
222 days, not months. Killam suggested that it was possibly a week. Benson
advised that the last remediation involved only the cellar and the duct work
and this time the carpet has to be removed, so everything has to be taken
224 out of the building and the stacks will need to be shrink-wrapped.

- 226 ○ **Perkins: When will we know what the down time will be?** Pauline
228 Jenkins, member of the Library Board of Trustees, advised that her
230 committee has not yet met to discuss it, but the thinking is that it could be
232 4-6 weeks. She added that they would like to be able to offer limited
234 services during that time. She advised that they will have a meeting on
236 Monday and it will be discussed at that time. Costello suggested that the
238 schools might be part of that equation. Jenkins said they will definitely talk
240 about that.
- 242 ○ **Killam: Once the issue has been identified, is there any criterion that
244 it has to be addressed in a certain time frame?** Chow was not aware of
246 any time frame.

248 There was a brief discussion on what would be needed to keep the current library
250 in operation, such as keeping the sump pumps working, back-up power, etc.

- 252 ● **Article 14: Renovation, Expansion and Repair of Washington Street
254 Branch:** Chow-Menzer reminded the Board that the Permanent Building
256 Committee proposed this Article as a back-up article, to provide a facility for
258 services, if it was needed. She added that, since getting the report from Covino,
260 the Permanent Building Committee does not think it will be necessary and is
262 considering passing over this article, so as not to confuse the voters with too
264 many library articles appearing on the Town Meeting Warrant. She added that he
266 committee will have more discussions this week about that and be able to advise
268 the Board on their final decision before Town Meeting.

270 Benson asked the Town Moderator, Gerry Johnston, if all the library articles would
272 be discussed simultaneously at Town Meeting. Johnston advised he could allow two
274 or more articles to be discussed together, if they are related, but not all of them.

276

8:49PM OTHER BUSINESS:

- 278 ● **Before Town Meeting:** Benson advised the Board that they will be meeting a
280 half hour before Town Meeting, as there are some articles that the Board still
282 needs to make recommendations on.
- 284 ● **Town Reports:** Benson advised that the Boxford Annual Town Report is
286 complete and copies are available at Town Hall and the library, and they can be
288 downloaded off the Town's website.

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8:54PM EXECUTIVE SESSION

292 On a **MOTION** duly made by **Perkins**, seconded by **Nay**, the Board of Selectmen
294 **VOTED** unanimously by roll call vote to go into Executive Session for the
296 purpose of discussing overall strategy on employment contract negotiations with
298 Represented and Non-represented employees: Teamster Police Patrol Officers,
300 AFSCME DPW Employees, AFSCME Clerical/Library Employees, and declared
302 that an Executive Session is necessary since an open public discussion may
304 have a detrimental effect on the negotiating, bargaining or litigating position of

270 the Board of Selectmen, and upon completion of the Executive Session to return
272 to open session and immediately adjourn without conducting any further
business.

274 The Board of Selectmen entered into Executive Session at 8:54PM.

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10:04PM Meeting Adjourned

278 On a **MOTION** made by **Killam**, seconded by **Nay**, the Board of Selectmen **VOTED**
280 unanimately by roll call vote to adjourn at 10:04PM.

282 Respectfully submitted,

284 Judith A. Stickney
Minutes Secretary

286

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

- 290 1. Agenda
- 292 2. Announcement: Moderator's Forum
- 294 3. Announcement: Town Meeting
- 296 4. Announcement: Town Election
- 298 5. Announcement: Boxford Fire Department Captain Shawn Stickney Retirement
Party
- 300 6. Letter from Boy Scout Troop 57 to Board of Selectmen, Re: Eagle Court of Honor
Ceremony, 4/22/13
- 302 7. Proclamations for each Eagle Scout (5)
- 304 8. MIIA Health Benefits Trust Monthly Contribution Rates, FY2014
- 306 9. Employment Agreement AFSCME Boxford Clerical/Library Employees, 7/1/10-
6/30/13
- 308 10. Covino Environmental Associates Final Report Limited Microbial Assessment,
5/3/13
- 310 11. E-Mail from John Dold to Susan Inman, Re: Remediation Estimate, 5/3/13
- 312 12. Town of Boxford Warrant for Annual Town Meeting, Tuesday, May 14, 2013
- 314 13. Letter from MIIA Re: \$2.5 Million Additional Participation Credits Approved by
MIIA Board of Directors, 4/26/13
14. Memo from Alan Benson to Board of Selectmen, Re: Outstanding Appointments,
5/3/13
15. E-Mail from Brian Gregory to Susan Inman, Re: Cummings House Committee,
4/25/13
16. Memo from Zoning Board of Appeals to Board of Selectmen, Re: Alternate
Member, Peter Angle, 4/29/13
17. E-Mail from Benjamin Nutter to Susan Inman, Re: Cummings House Committee,
5/2/13

18. Meeting Minutes:

316

a. April 29, 2013

19. Motion to go into Executive Session

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