

**Minutes of the BOXFORD BOARD OF SELECTMEN  
BOXFORD TOWN HALL MEETING ROOM #1  
June 3, 2013 7:00PM**

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

*Absent: None*

*Others Present: Town Administrator Alan Benson, Minutes Secretary Judi Stickney, Kathryn O'Brien, Jeff Kruck, Peter Delaney, Bob Gore, Steve Merriam, Angela Steadman, Eileen Nestervich, Katherine Klein, Natasha Grigg, David Santomenna*

**7:00PM Meeting Called to Order**

Chairman Peter Perkins called the meeting to order at 7:00PM.

**7:01PM ANNOUNCEMENTS:**

- **Boxford Park Program:** Selectman Killam announced registration forms are available online for the Boxford Park Program.
- **BTA-BOLT Dog Show:** Selectman Davis announced BTA-BOLT is having a dog show on Saturday June 8, 2013, behind the East Fire Station.
- **Capt. Shawn Stickney Retirement Party:** Selectman Davis announced there will be a retirement party for Capt. Shawn Stickney on Saturday, June 22, at Smolak's Farm.
- **Boxford 2013 Rain Barrel Program:** Selectman Costello announced the barrels for Rain Barrel Program must be purchased by June 5 and can be picked up at the DPW on Thursday, June 13.
- **Special U.S. Senate Election:** Selectwoman Nay announced there will be a special U.S. Senate Election on June 25 and urged all voters to vote.

**7:05PM JOINT MEETING WITH PLANNING BOARD:** Members of the Planning Board met with the Board of Selectmen to interview a candidate for appointment to the Planning Board. Jeff Kruck provided some background information and his interest in the Planning Board and the Board of Selectmen asked him a few questions.

**7:11PM** On a **MOTION** made by Planning Board Chair **Bob Gore**, seconded by Selectman **Steve Davis**, the Planning Board and Board of Selectmen **VOTED** unanimously by roll call vote to appoint Jeff Kruck to the Planning Board for a term ending June 30, 2014.

**7:12PM REORGANIZATION OF BOARD OF SELECTMEN:**

46 On a **MOTION** made by **Perkins**, seconded by **Killam**, the Board of Selectmen  
48 **VOTED** unanimously by roll call vote to appoint Steve Davis as Chairman of the  
Board of Selectmen.

50 On a **MOTION** made by **Killam**, seconded by **Davis**, the Board of Selectmen  
52 **VOTED** unanimously by roll call vote to appoint Chuck Costello as Clerk for the  
Board of Selectmen.

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**7:15PM EXECUTION OF DOCUMENTS – NASON PROPERTY:**

56 Town Counsel Katherine Klein, of Koppelman and Paige, met with the Board of  
58 Selectmen to execute the documents for the Town to assign its right of first refusal to  
Essex County Greenbelt and to execute the P&S agreement to purchase land from  
60 Greenbelt prior to May 1, 2014. Peter Delaney and Natasha Grigg of the Land  
Committee and David Santomena of Essex County Greenbelt were also in attendance.  
62 Klein explained the process of the purchase and transfer. There was a lengthy  
discussion on access to the property and parking. Grigg advised that DPW  
64 Superintendent/Town Engineer John Dold will be needed to engineer the parking area,  
as he did for Cargill Field.

66 **7:37PM** On a **MOTION** made by **Costello**, seconded by **Nay**, the Board of  
Selectmen **VOTED** unanimously by roll call vote, declaring that a public hearing  
68 having been duly called and held pursuant to law, that the Board of Selectmen,  
assigns to Essex County Greenbelt Association, Inc., of 82 Eastern Avenue,  
Essex, Massachusetts, the Town's right of first refusal pursuant to G.L. c. 61A,  
70 Section 14, relative to property on Washington Street and Lake Shore Road,  
Boxford, said property being subject of a Purchase and Sale Agreement, dated  
72 February 25, 2013 by and between James H. Nason, Trustee and Green &  
Company Building and Development Corp., said assignment subject to and  
74 conditional upon entry into a purchase and sale agreement between the Town  
and Essex County Greenbelt Association, Inc. providing for repurchase of said  
76 property by the Town, and, to effectuate this motion, the Board votes, to  
effectuate said assignment and acquisition of the property, to execute an  
78 Assignment of First Refusal Option, Notice of Assignment of First Refusal Option  
and a Purchase and Sale Agreement.

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82 The Board of Selectmen signed the following documents, which were notarized by  
Town Counsel:

- 84 • Notice of Assignment of First Refusal Option
- Assignment of First Refusal Option
- 86 • Purchase and Sale Agreement

88 **7:48PM** On a **MOTION** made by **Nay**, seconded by **Costello**, the Board of  
Selectmen **VOTED** unanimously to appoint Ross Povenmire as the contact

90 person and project manager for grant funding for the LAND grant program for the  
91 purposes of the grant.

92 **7:49PM EXECUTION OF DOCUMENTS – BORDER TO BOSTON LICENSE**

94 **AGREEMENT:** Selectman Chairman and Border to Boston committee member Steve  
95 Davis explained the license agreement with Massachusetts Electric Company for the  
96 Board, while the Board reviewed the license agreement. There was a brief discussion  
and the Board took the following action:

98 On a **MOTION** made by **Killam**, seconded by **Costello**, the Board of Selectmen  
99 **VOTED** to approve the license agreement as presented.

102 **7:54PM APPOINTMENTS:**

- 104 • **David Peterson, Zoning Board of Appeals Alternate Member:** The Board  
105 briefly discussed the applicant and Perkins advised he spoke with the Chair of  
106 the Zoning Board who told him they will be discussing this applicant further at an  
upcoming meeting. The Board of Selectmen will take action on this at a later  
meeting.
- 108 • **Resignation of Heather Fraser-Fecteau, Elementary School Committee:**  
109 On a **MOTION** made by **Costello**, seconded by **Nay**, the Board of Selectmen  
110 **VOTED** unanimously to accept the resignation of Heather Fraser-Fecteau  
111 from the Elementary School Committee and declared the position vacant and  
112 encouraged any interested candidates to contact either the Office of the  
113 Selectmen or the Office of the Superintendent of Schools; it being the  
114 intention of the Board of Selectmen to meet jointly with the Elementary School  
115 Committee on Monday, June 17, 2013 to fill the vacancy until the next annual  
116 town election.
- 118 • **FY2014 Appointment Schedule:** Benson advised the Board will need to review  
119 and act upon the reappointment list of various town official positions and  
120 volunteer committee members over the next few meetings. The Board briefly  
121 reviewed the list and had a discussion on reappointing Town Officials. They  
122 decided they would not reappoint Town Officials with employment  
123 agreements/contracts until they had a binding contract with them and will take  
124 action on the other reappointments when it is known whether they want to be  
reappointed. The Town Administrator will provide an updated list at each meeting  
for the Board to act on.  
126 On a **MOTION** made by **Perkins**, seconded by **Costello**, the Board of  
127 Selectmen **VOTED** unanimously to hold off on all appointments until they  
128 hear from the Finance Committee with their recommendations.

130 **8:10PM REPORT OF THE TOWN ADMINISTRATOR:** Town Administrator Alan  
131 Benson brought the following items to the Board's attention:

- **Memorial Day Overages:** Benson advised that the American Legion expended \$775 more than they were budgeted for and need a FinCom Reserve transfer for the overage. The Board agreed to the transfer, but requested that the American Legion discuss potential overages with them before booking the speaker, rather than after.

**8:12PM** On a **MOTION** made by **Costello**, seconded by **Killam**, the Board of Selectmen **VOTED** unanimously to support a Finance Committee Reserve Transfer as requested.

- **Letter from Zoning Board of Appeals Re: Minutes:** The Board reviewed the draft response and approved it without further discussion.

- **Request for Signs:** The Board reviewed a request from BTA-BOLT to display signs advertising their dog show for June 8.

**8:16PM** On a **MOTION** made by **Nay**, seconded by **Costello**, the Board of Selectmen **VOTED** unanimously to approve the signs as requested.

#### **8:17PM ROUTINES:**

- **Minutes:** After amendments from Davis, the Board took the following actions:  
On a **MOTION** made by **Killam**, seconded by **Nay**, the Board of Selectmen **VOTED** unanimously to approve the minutes of May 14, 2013, as amended.

On a **MOTION** made by **Costello**, seconded by **Davis**, the Board of Selectmen **VOTED** unanimously to approve the minutes of May 20, 2013, as amended.

On a **MOTION** made by **Costello**, seconded by **Killam**, the Board of Selectmen **VOTED** unanimously to approve the minutes of May 20, 2013, Executive Session, as amended.

- **Treasury Bills:**

On a **MOTION** made by **Killam**, seconded by **Costello**, the Board of Selectmen **VOTED** unanimously to approve Payroll Warrant #PY1348, for non-school payroll, in the amount of \$72,969.95.

After Selectmen Costello removed himself from the discussion, on a **MOTION** made by **Killam**, seconded by **Perkins**, the Board of Selectmen **VOTED** to approve Payroll Warrant #PY1348, for school payroll, in the amount of \$319,041.23. **Costello abstained.**

On a **MOTION** made by **Killam**, seconded by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable School Vendor Warrant #1349S, in the amount of \$141,686.23.

178 On a **MOTION** made by **Killam**, seconded by **Perkins**, the Board of  
180 Selectmen **VOTED** unanimously to approve Accounts Payable Warrant #13-  
49, in the amount of \$480,435.30.

182 *Note: The Minutes Secretary was not present when the meeting adjourned.*

184 Respectfully submitted,

186 Judith A. Stickney  
188 Minutes Secretary

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

- 192 1. Agenda
2. Announcement: Boxford Park Program
- 194 3. Announcement: Boxford 2013 Rain Barrel Program
4. Announcement: Special U.S. Senate Election
- 196 5. Memo from Ross Povenmire to Alan Benson, Re: New Planning Board Member,  
5/23/13
- 198 6. Motion for assignment of first refusal option
7. Notice of Assignment of First Refusal Option
- 200 8. Assignment of First Refusal Option
9. Purchase and Sale Agreement, Town of Boxford & Essex County Greenbelt,  
202 6/3/13
10. Draft Letter from Board of Selectmen to Executive Office of Energy and  
204 Environmental Affairs, Re: LAND Grant Application, 6/4/13
11. License Agreement, Massachusetts Electric Company & Town of Boxford
- 206 12. Memo from Zoning Board of Appeals to Board of Selectmen, Re: Alternate  
Member, David Peterson, 5/28/13
- 208 13. E-Mail from Town Clerk to Town Administrator, Re: Resignation of Heather  
Fraser-Fecteau from the Elementary School Committee, 5/28/13
- 210 14. Appointment Schedule – FY2014
15. Memo from Town Administrator to Board of Selectmen, Re: Memorial Day  
212 Parade, 5/30/13
16. Letter from Board of Selectmen to William Cargill, Jr., Re: Zoning Board of  
214 Appeals Meeting Minutes, 5/30/13
17. E-Mail from BTA-BOLT to Board of Selectmen, Re: Request for Signs, 5/29/13
- 216 18. Letter from the Department of Telecommunications and Cable to Board of  
Selectmen, Re: Public and Evidentiary Hearing Regarding Comcast Cable  
218 Communications, LLC, 5/14/13
19. Meeting Minutes:  
220 a. May 14, 2013  
b. May 20, 2013

222           c. May 20, 2013 Executive Session  
20.Motion to go into Executive Session

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