

**Minutes of the BOXFORD BOARD OF SELECTMEN
BOXFORD TOWN HALL MEETING ROOM #1
June 30, 2014 7:00PM**

Present: Mary Anne Nay, Chuck Costello, Peter Perkins, Charlie Killam, Bill Cargill

Others Present: Town Administrator Alan Benson, Minutes Sec'y Stickney, Marty Jessel, Kathy O'Brien, Joe Callahan, Peter Delaney, Paula Fitzsimmons, Mark Houston, Nolan Houston, John Schwartz, Jim Feekas

7:00PM Meeting Called to Order/Pledge of Allegiance

With a quorum present, Selectwoman Nay called the meeting to order and requested all in attendance to recite the Pledge of Allegiance.

7:02PM ANNOUNCEMENTS

- **4th of July Activities:** Selectman Perkins announced the details of Boxford's 4th of July parade, and the Jennifer Tinney Road Race.

7:05PM MEETING WITH THE HAYNES LAND ADVISORY COMMITTEE: The Board of Selectmen met with Joe Callahan, Marty Jessel and Peter Delaney of the Haynes Land Advisory Committee to discuss the following:

- **Status of ConsCom Lawsuit:** Joe Callahan asked the Board for their direction on what steps to take next, in light of the pending lawsuit. He added that members of the BAA were also in attendance to discuss any future plans for the Haynes Land and ball fields. Town Administrator Benson provided a brief update on the pending lawsuit.
- **Status of ZBA Appeal:** Benson provided a brief update on the ZBA appeal and Selectwoman Nay advised it looks as though the town is in a "wait and see" mode.
- **Project Options and Next Steps:** Callahan advised his committee is discouraged by the outcome and delays. Killam added that the project is currently in limbo and the town must wait for the outcome of the lawsuits before taking any further steps. All selectmen agreed.
- **BAA Input:** John Schwartz of the BAA advised that nothing has changed from their perspective, as far as the need for additional ball fields. He added that there are many families who support the fields who will be disappointed. He asked about the following:
 - **What is the timeframe for the ZBA Appeal?** Benson advised that the first notable date will be November 7. After suitable time for discovery, there will be an opportunity for both sides to bring closure motions within a few months.

- **Selectwoman Nay had asked if there were alternatives or other options.** Schwartz advised that no one has presented a Plan B for the site.

Selectwoman Nay advised they will be meeting in Executive Session at a future meeting to discuss the lawsuits and they will invite the Haynes Land Committee to those sessions.

7:23PM PUBLIC HEARING – EXPANSION OF ONE CABIN – CAMP ROTARY:

ZONING CODE §196-18(B): Dick Boldi, Camp Manager of Camp Rotary, met with the Board of Selectmen to discuss the following:

- **Variance for Addition of a Handicapped bathroom with Shower:** Boldi provided the Board with information and plans for a Special Permit for a Variance to allow for the addition of 8 feet on to the end of one of the boy's cabins to accommodate the addition of a handicapped bathroom with shower, to bring the boy's unit into compliance for handicapped accessibility. Boldi asked if the Town could waive any filing fees for the tax-exempt 501(c) 3 organization. After a brief discussion, the Board provided the following comments the plans are appropriate for the intended purpose.

7:32PM On a **MOTION** made by **Costello**, second by **Killam**, the Board of Selectmen **VOTED** unanimously to waive the fees, as has been customary in the past.

7:33PM REQUEST TO CONSTRUCT SOCCER WALL: Nolan Houston, Life Scout from Troop 51, met with the Board of Selectmen to discuss his Eagle Scout project, construction of a soccer wall, at Chadwick Field. Houston provided photos and drawings for the Board to view while he described the proposed project. There were questions or comments as follows:

- **Use of Pressure-Treated Boards:** Perkins expressed concern about using pressure-treated boards, as they will splinter over time and be a hazard to children. He suggested a composition material.
- **Sono Tubes in Concrete:** Costello suggested that the sono tubes that will be sunk into concrete be set with an instrument, so they will line up.

Benson advised that there may be regulatory board meetings to attend, if the Building Inspector declares this as a structure. It will need ZBA approval and Planning Board approval. He added that it is in the Zone 1 section of the landfill, so it will also need DEP approval and Board of Health approval. Benson advised Houston on how to proceed.

7:45PM APPOINTMENTS: Benson provided information on the various appointments the Board can act on and the Board took the following actions:

On a **MOTION** made by **Costello**, second by **Perkins**, the Board of Selectmen **VOTED** 4-1 by roll call vote (**NO: Killam**) to appoint John J. Dold as the Public Works Superintendent/Town Engineer and Tree Warden for a 3-year term ending June 30, 2017.

On a **MOTION** made by **Costello**, and duly seconded, the Board of Selectmen **VOTED** unanimously by roll call vote, to appoint the following:

- **Joyce Ricklefs (at large)**, Capital Budgeting Committee, 3-year term, ending June 30, 2017
- **Barbara Shade**, Community Preservation Act Committee, 1-year term, ending June 30, 2015
- **Geoffrey E. Buswick**, Finance Committee, 3-year term, ending June 30, 2017
- **Peter Bernardin**, Finance Committee, 3-year term, ending June 30, 2017
- **William Brown**, Haynes Land Advisory Committee, 1-year term, ending June 30, 2015
- **Frank Quackenbush**, Permanent Building Committee, 1-year term, ending June 30, 2015
- **Margaret Chow-Menzer**, Permanent Building Committee, 1-year term, ending June 30, 2015
- **Robert Hazelwood**, Permanent Building Committee, 1-year term, ending June 30, 2015
- **Marc Aronson**, Sustainability Committee, 1-year term, ending June 30, 2015
- **Lauren Laplante Rottman**, Sustainability Committee, 1-year term, ending June 30, 2015

7:50PM PERSONNEL EVALUATION REPORTS: The Board reviewed the evaluation report and objectives of John Dold, DPW Superintendent/Town Engineer. There was a brief discussion on objectives vs. tasks, presented by Costello. After discussion, the Board took the following action:

On a **MOTION** made by **Costello**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to accept the evaluation of John J. Dold, as submitted.

On a **MOTION** made by **Perkins**, second by **Costello**, the Board of Selectmen **VOTED** 4-1 (**NO: Killam**) to accept the objectives as set forth for the rest of 2014.

7:59PM FY2015 PERSONNEL COMPENSATION ACTIONS: The Board reviewed the proposed FY2015 personnel compensation contracts and took the following action:

- **DPW Superintendent/Town Engineer:**
On a **MOTION** made by **Costello**, second by **Cargill**, the Board of Selectmen **VOTED** 4-1 (**NO: Killam**) to approve the contract as presented, a 3-year contract.
- **Animal Control Officer:** After a brief discussion and explanation by Benson, the Board took the following action:
On a **MOTION** made by **Costello**, second by **Killam**, the Board of Selectmen **VOTED** unanimously to approve the proposed rates as presented.

8:04PM REPORT OF THE TOWN ADMINISTRATOR: Town Administrator Alan Benson reviewed the following items with the Board:

- **Monthly Report from the Inspector of Buildings:** The Board briefly reviewed the Building Inspector's monthly report.
- **Legal Expense Report as of May 2014:** The Board reviewed and briefly discussed the legal expense report as provided by Benson.
- **Draft Letter to Personnel Board:** Benson provided the Board with a draft letter to the Personnel Board regarding the proposed merit bonuses. After a lengthy discussion and suggested edits, the Board approved the letter, as amended.
- **Request for Duck Crossing Sign:** Benson provided the Board with a request from several students of Spofford Pond School to post two "Duck Crossing" signs in front of the school. After a brief discussion:
 - On a **MOTION** made by **Killam**, second by **Costello**, the Board of Selectmen **VOTED** unanimously to approve the signs, as requested.
- **Extension of P&S Agreement for Nason Land:** Benson provided the Board with information and an extension to the Purchase and Sale Agreement between the Town of Boxford and Essex County Greenbelt Association, Inc. regarding the purchase of the Nason Land. After discussion, the Board took the following action:
 - On a **MOTION** made by **Costello**, second by **Cargill**, the Board of Selectmen **VOTED** unanimously to approve and sign the P&S Agreement extension.
- **Update on Stiles Pond Dam Report:** Selectman Perkins asked Benson to provide an update on the Stiles Pond Dam for an upcoming meeting.

8:28PM ROUTINES

- **Correspondence:** The Board reviewed correspondence as follows:
 - **Masconomet Scholarship Foundation:** The Board acknowledged a thank you letter from the Masconomet Scholarship Foundation and notification of award to recipient, Micaela Marie Teed.
 - **Letter from Resident:** The Board briefly reviewed a letter from Richard Alm regarding Town Meeting and subsequent ballot questions.
- **Minutes:** The Board reviewed the minutes of June 16, 2014 and, after an amendment proposed by Costello, took the following action:
 - On a **MOTION** made by **Perkins**, second by **Cargill**, the Board of Selectmen **VOTED** unanimously to accept the minutes of June 16, 2014 as amended.
- **Treasury Bills:**
 - On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Refund Warrant 14-359, in the amount of \$2,569.36.

 - On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Refund Warrant 14-360, in the amount of \$4,012.01.

After Selectmen Costello removed himself from the meeting, on a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** to approve Payroll Warrant PY1427, for school payroll, in the amount of \$127,163.64. **Costello abstained.**

On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** to approve Payroll Warrant PY1427, for non-school payroll, in the amount of \$159,699.74.

On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Warrant 14-53, in the amount of \$250,126.43.

8:36PM EXECUTIVE SESSION

On a **MOTION** made by **Nay**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously by roll call vote to go into Executive Session for the purpose of: discussing overall strategy on litigation: Boxford v. MassDOT, Nissenbaum v. ZBA, Boxford v. Darhammouda, Enes v. Cons Com (Haynes), Enes v. ZBA (Haynes) and discussing employment contract negotiations with non-represented employees: Fire Chief; Police Lieutenant; and declared that an Executive Session is necessary since an open public discussion may have a detrimental effect on the negotiating, bargaining or litigating position of the Board of Selectmen, and upon completion of the Executive Session to return to open session and immediately adjourn without conducting any further business.

ADJOURN

On a **MOTION** duly made and seconded, the Board of Selectmen **VOTED** unanimously by roll call vote to return to open session and adjourn.

Respectfully submitted,

Judith A. Stickney
Minutes Secretary

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

1. Agenda
2. Announcement: 4th of July Activities
3. Packet of Information Re: Camp Rotary Special Permit Application
4. Packet of Information Re: BAA Soccer Wall Proposal
5. DPW Director Performance Evaluation
6. Fire Department Pay Rates
7. Employment Agreement: Superintendent of Public Works/Town Engineer
8. Letter from the Board of Selectmen to the Animal Control Officer, Re: FY2015 Salary, 6/17/14

9. Memo from Inspector of Buildings to Board of Selectmen, Re: Monthly Inspectional Services Report for May 2014, 6/2/14
10. Town of Boxford FY2014 Legal Expenses for Year: Monthly Report to Date
11. Employment Agreement: Treasurer/Collector of Taxes
12. Draft Letter to Personnel Board, Re: Merit Bonuses and Ratings, 6/30/14
13. Appointment Schedule FY2015
14. Packet of Letters from Spofford Pond School Students, Re: Duck Crossing Signs Request, 6/4/14
15. Second Extension to Purchase and Sale Agreement By and Between Town of Boxford and Essex County Greenbelt Association, Inc., 6/30/14
16. Letter from Masconomet Regional Scholarship Foundation to Town Administrator, Re: Scholarship Recipient, 6/17/14
17. Letter from Resident to Board of Selectmen, Re: Town Meeting and Ballot Questions, 5/22/14
18. Meeting Minutes:
 - June 16, 2014
19. Motion for Executive Session