

**Minutes of the BOXFORD BOARD OF SELECTMEN
BOXFORD TOWN HALL MEETING ROOM #1
July 14, 2014 7:00PM**

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

Others Present: Town Administrator Alan Benson, Kathy O'Brien, Chief Michael Murphy, Lt. Jim Riter, Greg Reid, Ross Povenmire, Senator Tarr, Representative Mirra, Superintendent Bernie Creeden, Elementary School Committee, and others.

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

- **Real Estate and Personal Property Tax Bills:** Selectwoman Nay announced that real estate and personal property taxes are due August 4.
- **Call to Honor Triathlon Registration:** Selectman Costello announced that registration is open for the Call to Honor Triathlon scheduled for Sunday, September 7.

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

- **Proposed Traffic Mitigation Main/Topsfield/Elm Intersection:** Chief Murphy apprised the Board of an issue regarding the intersection at Main, Topsfield and Elm Streets, reported by a resident in the area. Murphy proposed posting an informational sign that the intersection is ahead. A lengthy discussion ensued and the Board suggested other sign configurations, which the Chief will investigate further and report back to the Board.
- **Award of Vehicle Maintenance Contract:** Murphy recommended that they have awarded the vehicle maintenance contract to Trombly's in North Andover.

- **7:24PM** On a **MOTION** made by **Costello**, second by **Killam**, the Board of Selectmen **VOTED** unanimously to award the vehicle maintenance service contract to Trombly Brothers, as recommended by the Chief.
- **Recent Activity:**
 - **July 4th Road Race and Parade:** The Chief reported that, despite the weather, both the road race and parade were well attended.
 - **Traffic Enforcement Initiatives:** The Chief reported they have been issuing hefty fines recently, enforcing the speed limits.
 - **Recent Housebreak:** The Chief reported on a recent housebreak and reminded residents to lock their doors when they are away from home.

- **Water Safety:** The Chief reminded residents to be careful with water sports and to not swim alone.

7:30PM APPOINTMENTS: The Board reviewed the list of pending appointments and took no action on them. Selectwoman Nay read aloud the openings on the various boards and committees.

7:34PM FY2015 PERSONNEL COMPENSATION ACTIONS: Town Administrator Alan Benson advised the Board that they have a salary agreement with Lt. Hazelwood for FY2015 and he recommended that the Board execute the Personal Service Employment Agreement.

7:35PM On a **MOTION** made by **Costello**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to execute the Personal Service Employment Agreement with Lt. Hazelwood, in accordance with the June 17 memo.

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

- **Legal Expense Year End Report:** The Board reviewed and briefly discussed the legal expense report as provided by Benson.
- **Power Outage of June 18:** Benson provided the Board with information on the power outage which occurred on June 18 and the Town's experience with National Grid to rectify the issue. A brief discussion ensued.
- **Draft Letter to the Personnel Board:** Benson provided a draft letter for the Board's review. The Board approved the draft to be sent.
- **Gazebo Use Request:** Benson provided information to the Board from the West Boxford Improvement Society to use the gazebo on July 27 for a free concert.
On a **MOTION** made by **Killam**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve the gazebo use, as requested.
- **Sign Request:** Benson provided the Board with a request from the West Boxford Improvement Society to post a sign for a free concert July 27. After a brief discussion:
On a **MOTION** made by **Costello**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to approve the sign, as requested.
- **Nason Land Purchase:** Benson provided the Board with an update on the land purchase grant and requested that the Board sign a Limited Power of Attorney adding Jason Panos as one of their appointed attorneys, which they did, notarized by Ross Povenmire.

8:28PM ROUTINES

- **Correspondence:** The Board reviewed correspondence as follows:
 - **Request for Border to Boston Trail Meeting:** The Board acknowledged a request from the residents of 20 Kelsey Road to meet with the Board regarding the proposed Border to Boston Trail. Benson provided a draft response for the Board's approval.

- **Letter from Masconomet Re: Yearend Expenditures/Fund Transfers:**
The Board briefly reviewed the letter from Masconomet.
- **Minutes:** The Board reviewed the minutes of June 30, 2014 and took the following actions:
 - On a **MOTION** made by **Perkins**, second by **Cargill**, the Board of Selectmen **VOTED** unanimously to accept the minutes of June 30, 2014 as printed.

After an amendment proposed by Nay on the Executive Session minutes:

On a **MOTION** made by **Perkins**, second by **Cargill**, the Board of Selectmen **VOTED** 4-1 to accept the minutes of June 30, 2014 Executive Session, as amended.

- **Treasury Bills:**

On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Supplemental Warrant 15-2, in the amount of \$929,915.00.

On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Warrant 14-55S, in the amount of \$69,865.40.

On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** to approve Payroll Warrant PY15-01, for non-school payroll, in the amount of \$248,110.44.

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 PY15-01, for school payroll, in the amount of \$61,301.09. **Costello abstained.**

On a **MOTION** made by **Cargill**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Warrant 14-55, in the amount of \$41,998.63.

On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Warrant 15-2, in the amount of \$62,338.50.

8:03PM OTHER BUSINESS

- **Consideration of Action Re: Results of Site Walk at Library on Elm Street:**
Selectwoman Nay provided a brief review of the Board's site walk at the library, which took place on Friday morning, July 11. She proposed the following **MOTION**, which was seconded by **Killam**, for discussion:

I move that as a result of the information garnered at the site walk of the Boxford Library, 10 Elm Street, conducted on Friday, July 11, the Board of Selectmen determines and directs the following:

Determination: Despite mold remediation work completed in February 2014, offensive, unpleasant odors still exist in certain portions of the building that must be addressed immediately. In addition, the wood rot on several exterior portions of the building exacerbate the situation by permitting water infiltration. Efforts by the DPW to alleviate the situation through enhanced air flow and exhaust do provide symptomatic relief yet are temporary and unsustainable in the long term. This situation requires urgent attention for a longer term abatement as it could potentially create an unhealthy environment for employees and library patrons, therefore the Board of Selectmen directs the following:

- At the advice of the Chair of the Permanent Building Committee, instruct the Town Administrator and/or DPW Superintendent to contact the Mass. Executive Office of Labor and Work Force Development and request an onsite workplace investigation of the building's indoor air quality;
- To instruct the DPW Superintendent to engage the services of a designer to prepare specifications to solicit competitive bids to repair damaged and rotted sections of the exterior of the Boxford Library at 10 Elm Street, on a time and materials basis not to exceed \$60,000;
- To seek an immediate Finance Committee transfer of \$60,000 to fund the urgent repairs;
- To inform the Inspector of Buildings and HDCHC of this action and request their assistance in the implementation and permit approval of the planned urgent repairs;
- To instruct the PBC to recommend a plan for the existing Elm Street building to continue effectively functioning as the Boxford Library and present it to the Board of Selectmen by September 1, 2014.

A lengthy discussion ensued and the Board decided to ask the State to perform the air quality test and ask the Library Trustees and the Permanent Building Committee to come up with a plan for the Board to discuss.

The motion **FAILED** on a vote of 1-4.

MOTION by **Costello**, second by **Cargill**, to suggest to the Library Trustees that they consider moving the library from the East Village to the West Village. The motion **FAILED** on a vote of 1-4.

MOTION by **Killam**, second by **Cargill**, that the Permanent Building Committee, Library Trustees and the Town Administrator pursue contacting the Mass.

Executive Office of Labor and Work Force Development and request an onsite workplace investigation of the building's indoor air quality. The motion **PASSED** unanimously.

MOTION by **Perkins**, second by **Costello**, to instruct the Permanent Building Committee, John Dold, the Building Inspector, and Library Trustees, that due to the Board of Selectmen's concerns, investigate further as far as what the future plans will be for that building.

After a lengthy discussion, the motion and its second was withdrawn.

Benson will investigate contacting the Mass. Executive Office of Labor and Work Force Development and request an onsite workplace investigation of the building's indoor air quality.

- **State Budget:** Senator Tarr provided the Board with an update on the State's Budget and its impact on Boxford. He also provided a brief update on current bills before them.
- **Spofford Pond School's 50th Anniversary:** Senator Tarr and Representative Mirra met with the Board of Selectmen and the Elementary School Committee to present them with an inscribed photograph of the State House, commemorating the 50th anniversary of the Spofford Pond School.
- **Update on Stiles Pond Dam:** Benson advised the Board that he would have the progress report for the next meeting.
- **Elevator Inspection Fine:** Costello requested an update on the \$22,000 fine the Town incurred for being late with the elevator inspection at the Community Center. Benson advised that they have filed an appeal and have not yet received a date for the hearing.

9:00PM EXECUTIVE SESSION

On a **MOTION** made by **Nay**, second by **Cargill**, the Board of Selectmen **VOTED** unanimously by roll call vote to go into Executive Session for the purpose of discussing employment contract negotiations with non-represented employees: Lt. Riter, 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

Boxford Board of Selectmen

July 14, 2014

Meeting Minutes

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

1. Agenda
2. Announcement: Real Estate and Personal Property Taxes Due
3. Announcement: Call to Honor Triathlon
4. Letter from Resident to Board of Selectmen, Re: Dangerous Intersection
5. Memo from Town Administrator to Board of Selectmen, Re: Police Department Vehicle Maintenance, 7/11/14
6. Letter from Police Chief to Town Administrator, Re: Police Department Vehicle Maintenance, 7/9/14
7. 2013 Boxford Police Department Maintenance Bid
8. Disclosure of Appearance of Conflict of Interest
9. Memo from Town Administrator to Board of Selectmen, Re: Outstanding Appointments, 7/11/14
10. Letter from Board of Selectmen to Lt. Hazelwood, Re: Personal Service Employment Agreement, 6/17/14
11. FY2014 Legal Expenses Yearend Report
12. Memo from Town Administrator to Board of Selectmen, Re: Power Outage West End of Town, 7/11/14
13. Draft Letter from the Board of Selectmen to the Personnel Board, 7/14/14
14. E-Mail and Packet of Information from West Boxford Improvement Society to Board of Selectmen, Re: Gazebo Use, Sign Request, and Rental Fee Waiver, 7/10/14
15. Gazebo Use Policy and Reservation Form
16. Packet of Information and Resident Letter, Re: Border to Boston Rail Trail, 6/30/14
17. Letter from Masconomet to Board of Selectmen, Re: Fund Transfers, 6/26/14
18. Memo from Town Administrator to Board of Selectmen, Re: Library Site Walk, 7/11/14
19. Meeting Minutes:
 - June 30, 2014
 - June 30, 2014 Executive Session
20. Motion for Executive Session