

**Minutes of the BOXFORD BOARD OF SELECTMEN
BOXFORD TOWN HALL MEETING ROOM #1
October 20, 2014 7:00PM**

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

Others Present: Town Administrator Alan Benson, Minutes Sec'y Judi Stickney, Kathy O'Brien, Peter Delaney, Natasha Grigg, Chief Kerry Stickney, Chris Everest, Loren Wood, Paul Jamieson, Nancy Merrill, Stephen Davis, Peter Bernardin, Randell Kennedy, Pat Morris, Laura Sapienza-Grabski, Anthony Brogna, Carole Davis, Eileen Isison,, Whitney MacDonald, Elise Everest,

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.

7:01PM ANNOUNCEMENTS

- **Flu Clinic:** Selectman Cargill announced the Boxford Board of Health is sponsoring a flu clinic at the Town Hall on October 22, 2014, 1PM-4PM.
- **Trick or Treat Hours:** Selectman Perkins announced that Trick or Treat hours in Boxford will be held on Friday, October 31, from 5PM-8PM.
- **Vote:** Selectman Costello announced that the Town Clerk is urging residents to vote in the State Election on Tuesday, November 4, at Town Hall, from 7AM-8PM.

7:03PM MEETING WITH BOXFORD BORDER TO BOSTON COMMITTEE:

Members of the Border to Boston Trail Committee met with the Board of Selectmen to provide an update on the progress of the trail. Committee member Nancy Merrill provided a brief history of the project and an update on the progress of the trail, which, when complete, will cover land all along the eastern states.

- **Specific Current Issues:** At the request of Selectwoman Nay, Merrill began a discussion of the current issues, including the following:
 - **Removal of Topsfield Portion:** Merrill explained that the trail from Pye Brook to the Topsfield town line is being removed from the project temporarily. Steve Davis, another member of the committee, explained that Topsfield has chosen not to be part of the federal project, so they could avoid the federal regulations on the majority of their trails.
 - **Consideration of Town-Funded Extension to Topsfield Trail:** Merrill explained that they would like to put discussion on this off until a later time.

- **Update on Dates for 25% Hearing and NEPA Review:** Member Anthony Brogna provided copies of a letter from MassDOT regarding a possible relocation of the trail. Davis added information on the 25% completion. Merrill added information on the trails that are currently usable, including rough trails.
- **Pye Brook Trail Head:** Merrill explained that they will be working in tandem with Topsfield to build out the rest of the trail in that area, but they are not yet ready to proceed.
- **Electrical Clearance Review Study:** Merrill advised they are still waiting for that study.
- **Pending Request to FST for an Alternate Route:** Merrill advised they voted on this tonight and approved it. She added that MassDOT has asked them to study alternate possibilities. Davis added that even if they approve an alternate, it would have to get approval from our regulatory boards.
- **Correspondence:** Selectwoman Nay announced the Board has received the following letters regarding the Border to Boston trail project:
 - **Letter from Chris Everest**
 - Response from Town Administrator
 - **Letter from Randell Kennedy**
- **Comments from the Public:** Selectwoman Nay asked for comments from the public. The following spoke:
 - **Loren Wood, 18 Kelsey Road:** Wood, a member of the Mass. Horticultural Society, provided a brief summary of the regulations of the National Historic Register, as it regards the property at 20 Kelsey Road. He suggested the role of the National Historic Register and the Department of the Interior needs to be looked into more thoroughly before building out a trail on the property.
 - **Carole Davis, 8 Kimball Road:** Davis related a story regarding her recent experience riding a bicycle on Main Street when her bicycle was hit by a car, approaching from behind. She added that the Border to Boston Trail Committee is trying to make the town safer for people who use the roads for recreation. The roads are no longer safe.
 - **Chris Everest, 20 Kelsey Road:** Selectwoman Nay reminded Everest that the Board is unable to negotiate until the design plans of the trail is 75% completed, but is willing to listen at this time. Everest provided a brief history of his experience with the proposed plans for the trail, as it relates to his property.

Nay reminded Everest that the Board was prohibited from negotiating at this time, but suggested that when or if the 75% completion of the design plans do occur, they will, in good faith, work together toward a solution.

Nay made a **MOTION**, seconded by **Perkins**, that the Boxford Board of Selectmen declare that if the Border to Boston Northern Section Trail project remains viable and if the trail alignment remains general as shown, at the

permissible time, the Board will sincerely, earnestly, and actively pursue collaborative negotiations with all affected homeowners with the explicit goal to achieve a mutually beneficial, mutually acceptable resolution to all right of way issues.

Discussion: Selectman Cargill suggested that the Board take a leadership position and contact MassDOT to find out what they can and cannot do, in an effort to alleviate some of the frustration.

To allow further discussion from the public, the **MOTION** was withdrawn by **Nay**, seconded by **Costello**, and passed unanimously. Additional speakers included:

- **Peter Bernardin, 23 Elm Street:** Bernardin, as a Land Committee member and liaison between the Board of Selectmen and the Land Committee, expressed his frustration with the process. He provided a brief history of the Land Committee's involvement with the trail issues and suggested it was too early to do anything.

There ensued a brief discussion on what steps should be taken next. Cargill suggested that MassDOT be contacted to discuss the alternatives and to get this project on the fast track. Perkins expressed his desire to work with all parties toward a resolution. Killam suggested that MassDOT be contacted to send a representative to meet with the Board at a future meeting, so they can get some answers.

- **Marc Mercier, 92A Lawrence Road:** Mercier suggested that the "eminent domain" be removed from consideration, but accepted, instead, the alternative proposed by Selectman Costello to contact MassDOT first, as Selectman Killam had earlier proposed.

Selectwoman Nay advised that the Board will contact MassDOT and have them attend a future meeting to clarify some of the issues raised at tonight's meeting. There was a brief outburst from the public and the Board moved on to the next item on the agenda.

7:54PM INTERVIEWS FOR VOLUNTEER COMMITTEE POSITIONS:

- **Al Beardsley, candidate for Fire Chief Screening Committee:** Al Beardsley provided the Board with his background and interest in being on the committee.
- **Damon Dustin, candidate for Fire Chief Screening Committee:** Dustin provided the Board with his background and interest in being on the committee.
- **Eileen Isison, candidate for Fire Chief Screening Committee:** Isison provided the Board with her background and interest in being on the committee.

Nay advised all candidates that the Board will put the appointments on hold and will make a decision at a future meeting, after interviewing additional candidates.

Chief Stickney was in attendance and advised the Board that he would like to serve on the screening committee. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Costello**, second by **Nay**, the Board of Selectmen **VOTED** unanimously by roll call vote to appoint Chief Kerry Stickney to the Fire Chief Screening Committee for a term ending June 30, 2015.

There ensued a brief discussion on whether the screening committee should consist of five or seven members, as well as other people who may be applying to be on the committee. The Board will hold off on deciding on the number of committee members until they have considered all applicants for the screening committee. They will end the interviews by October 27 and appoint the additional committee members on 11/3.

8:17PM REPORT OF THE TOWN ADMINISTRATOR:

- **Request for Board Action from Selectman Killam:** The Board reviewed the letter from Selectman Killam and Killam provided additional information on his concern regarding the library building issue. There ensued a lengthy discussion on the direction the Board should take with regards to the ongoing library and Council on Aging building issues. The Board will put this on the agenda for a future meeting to discuss further.
- **Request for Signs:** Benson provided the board with a request from the West Boxford Improvement Society to place signs and banners in town for the ghost stories event and the winter festival:
After a brief discussion, the Board took the following action:
On a **MOTION** made by **Perkins**, second by **Cargill**, the Board of Selectmen **VOTED** unanimously to approve the signs and banners as requested by the West Boxford Improvement Society, with the stipulation that the signs be removed after the events.
- **Invitation to Selectmen's Association Fall Conference:** Benson provided the Board with an invitation from the Mass. Municipal Association to attend the Fall Conference of the Mass. Selectmen's Association on Saturday, October 25.

8:34PM ROUTINES:

- **Review Correspondence:** The Board briefly reviewed the following correspondence:
 - **Mass. Town Clerks Association:** Certification of Robin Phelan as a Certified Massachusetts Municipal Clerk.
 - **Thank You:** Call to Honor race director, Jon Schwartz, thanked the town for their support of the annual Call to Honor triathlon.
 - **Thank You:** Residents of Lawrence Road thanked the DPW for the great paving job on Lawrence Road.
- **Board Openings:** The board briefly reviewed the list of committee vacancies.
- **Approval of Minutes:** The Board reviewed the minutes available and, after amendments proposed, took the following action:
On a **MOTION** made by **Cargill** second by **Perkins**, the Board of Selectmen **VOTED** unanimously to accept the minutes of October 6, 2014 as amended.
- **Treasury Bills:**
On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Warrant 15-16S, in the amount of \$7,542.08.

On a **MOTION** made by **Cargill**, second by **Costello**, the Board of Selectmen **VOTED** unanimously to approve Payroll Warrant 15-08, for non-school payroll, in the amount of \$145,094.42.

On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve Payroll Warrant 15-08 for School Payroll, in the amount of \$317,937.95, for a total payroll of \$463,032.37.

On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Warrant 15-16, in the amount of \$64,259.85.

8:38PM OTHER BUSINESS:

- **Thank You Shirts:** Benson provided the Board with shirts that were donated to the Board, as a thank you, from the Call to Honor Triathlon organizers.

8:40PM 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: considering amendments to the Executive Session minutes, and discussing overall strategy on litigation: Boxford v. Greenwood, 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.

9:03PM ADJOURN

On a **MOTION** duly made and seconded, the Board of Selectmen **VOTED** unanimously to return to open session and adjourn at 9:03PM.

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: Flu Clinic
3. Announcement: Trick or Treat Hours
4. Announcement: Vote
5. Boxford BtoB Path Committee Meeting Agenda
6. Map of Trails

7. Stormwater Critical Areas Boxford Recreational Trail Feasibility & Conceptual Design Study
8. Letter from Randell J. Kennedy to Board of Selectmen, re: Rail Trail Project, 10/19/14
9. Letter from Chris Everest to Town Administrator, Re: Boston to Border Trail, 9/16/14
10. E-Mail from Town Administrator to Chris Everest, Re: 20 Kelsey Road, 10/16/14
11. E-Mail from Al Beardsley to Town Administrator, Re: Fire Chief Screening Committee, 10/14/14
12. Letter from Damon Dustin to Town Administrator, Re: Fire Chief Screening Committee, 10/6/14
13. Letter from Eileen Isison to Town Administrator, Re: Fire Chief Screening Committee, 10/11/14
14. Statement from Selectman Killam to the Board of Selectmen, Re: Concerns for the Future Library and Senior Center Issues, 10/15/14
15. Letter from West Boxford Improvement Society to Board of Selectmen, Re: Sign Requests, 10/16/14
16. Letter from Massachusetts Municipal Association to Board of Selectmen, Re: Mass. Selectmen's Association Fall Conference, 9/26/14
17. Press Release from Mass. Town Clerks Association, Re: Robin Phelan, CMMC, 10/14/14
18. Letter from A Call to Honor Race Committee to Board of Selectmen, Re: Thank You, 9/29/14
19. Thank You Note from Steve & Jennie Bridge to DPW Superintendent, Re: Paving on Lawrence Road, 10/7/14
20. Memo from Town Administrator to Board of Selectmen, Re: Outstanding Appointments, 10/16/14
21. Meeting Minutes:
 - October 6, 2014
22. Motion to go into Executive Session