

**Minutes of the BOXFORD BOARD OF SELECTMEN
BOXFORD TOWN HALL MEETING ROOM #1
February 11, 2015 7:00PM**

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

Others Present: Town Administrator Alan Benson, Minutes Sec'y Judi Stickney, Lt. Aghoian, Chief Stickney, Ted Riter

7:01PM MEETING CALLED TO ORDER/PLEDGE OF ALLEGIANCE

7:03 PM ANNOUNCEMENTS

- **Trash Collection/Recycling:** Selectman Cargill announced that trash collection and recycling will be delayed one day due to the President's Day holiday on Monday, February 16. Monday pick up will be on Tuesday and Tuesday pick up will be on Wednesday.
- **Annual Town Meeting and Election:** Selectman Perkins announced that the annual Town Meeting will take place on Tuesday, May 12 and the annual town election will take place on Tuesday, May 19. He read aloud all positions which will appear on the ballot.
- **Burning Permits Available/Winter Reminders:** Selectman Costello announced that brush burning season is January 15-May 1. Burning permits are available online at a cost of \$20 for the season. Costello added information on clearing vents on houses and extra attention to driving in snow and the proper use of snow blowers. Selectman Perkins added that walkways should be cleared in the event of an emergency.
- **Thank You to DPW and Fire Department:** Selectman Perkins publicly thanked the DPW for the great job they've done on the roads during these past few storms, as well as the Fire Department for their additional coverage over the storm periods.

7:05 PM MEETING WITH CANDIDATE FOR PERSONNEL BOARD

- **Marsha Blythe-Brown, Candidate:** Town Administrator Alan Benson advised the Board that he recently spoke with Ms. Blythe-Brown and she is an active member of the group opposing the erection of the cell tower and she felt that it went against the spirit of the requirement that the Personnel Board not serve on any other boards/committees. She is interested, but is not coming forward at this time.

7:11 PM DISCUSSION ON FIRE CHIEF CANDIDATES

- **Update on continued interest of four remaining finalists:** Benson advised the Board that Captain Fuller has withdrawn. Lt. Geiger, Lt. Leary and Deputy Chief Mitchell are all still interested.
- **Discussion on Options Regarding Fire Chief Selection:** The Board discussed the options for filling the fire chief position, with each member stating their opinion on who they feel should be contacted to engage in negotiations with the Town Administrator. Perkins spoke in favor of Deputy Chief Mitchell. Killam agreed and made a motion:

Killam made a **MOTION** that the Board of Selectmen appoint Deputy Chief Mitchell as the next Boxford Fire Chief.

There ensued a brief discussion on parliamentary procedure, as some board members wanted an opportunity to express their opinions, before a motion was made. The Chair agreed to allow the members to express their opinions, first, and the motion did not receive a second at this time.

Discussion continued and Cargill asked the Chair's permission to read a letter the Board received from former Deputy Chief Riter, in favor of promoting from within. Cargill read aloud the letter and advised that he is in favor of appointing Lt. Leary.

Costello advised that he feels neither in-house candidate has the experience needed. And he has concerns about Deputy Chief Mitchell. He added that he may abstain from voting tonight.

Selectwoman Nay expressed her opinion that Deputy Chief Mitchell has the experience she is looking for in a fire chief.

MOTION: **Killam** made a **MOTION**, seconded by **Perkins**, that the Board of Selectmen identify Fred Mitchell as the fire chief candidate and authorize the Town Administrator to enter into negotiations with Deputy Chief Mitchell.

DISCUSSION: There ensued a lengthy discussion on the Board's choice of Mitchell, with Chief Stickney contributing to the discussion.

VOTE: The motion was defeated on a 3-2 roll call vote:

Cargill: No

Killam: Yes

Costello: No

Perkins: No

Nay: Yes

MOTION: Perkins made a **MOTION**, seconded by **Cargill**, to authorize the Town Administrator to enter into negotiations with Lt. Geiger to serve as Boxford's Fire Chief, and that Chief Stickney work with the candidate until June 30, 2015 on a mentoring program.

DISCUSSION: There ensued a lengthy discussion on the qualifications, or lack thereof, of Lt. Geiger, to serve as Fire Chief.

VOTE: The motion carried on a 3-2 roll call vote.

Cargill: Yes

Killam: No

Costello: Yes

Perkins: Yes

Nay: No

8:07 PM REPORT OF THE TOWN ADMINISTRATOR Alan J. Benson, Town Administrator, present

- **Update on Library Move to Town Hall:** Benson advised that the move has been slightly delayed due to the snow. He added that they have had the meeting with the Board of Library Commissioners who took no action on decertifying the library and tabled that until March.
- **Letter to Federal Highway Administration:** Benson provided a copy of the letter he sent to the Federal Highway Administration regarding request for documents on the BtoB trail.
- **Draft Letter to Secretary of Transportation:** Benson provided a copy of the letter he drafted to the new Secretary of Transportation regarding the Board's meeting with Right-Of Way representatives. After a brief discussion on proposed changes to the letter, the Board approved the letter to be sent.
On a **MOTION** made by **Killam**, second by **Costello**, the Board of Selectmen **VOTED 4-1 (NO: Cargill)** to approve the letter to be sent, as amended.
- **Police Chief Personnel Services Contract:** Benson provided a copy of the contract for the Board to view, as he explained the new language in the contract.
On a **MOTION** made by **Costello**, second by **Cargill**, the Board of Selectmen **VOTED** unanimously to execute and issue the Police Chief Personnel Services Contract as amended.
- **Teamsters Boxford Police Officers Collective Bargaining Agreement:** Benson provided a copy of the police officers contract for the Board to review, as he explained the highlights.
On a **MOTION** made by **Cargill**, second by **Costello**, the Board of Selectmen **VOTED** unanimously to execute and issue the Teamsters Boxford Police Officers Collective Bargaining Agreement, as drafted.

- **Report of Inspector of Buildings:** Benson advised the Board that the Building Inspector has requested to meet with the Board to discuss adding one new fee for inspections of sprinkler systems. Benson also provided a copy of the Building Inspector's reports as follows:
 - **Month of December 2014**
 - **Annual Report for 2014**
- **Common Victualler License: West Village Provisions:** Benson provided a copy of the Common Victualler's License for the Board's approval:

On a **MOTION** made by **Cargill**, second by **Costello**, the Board of Selectmen **VOTED** unanimously to approve the Common Victualler's License for West Village Provisions, expiring December 31, 2015, 561 Main Street, West Boxford.
- **Any Other Business**
 - **Meeting Schedule:** Benson advised the Board that they will not be meeting next Monday, due to the holiday. They will be meeting the following Monday to discuss the solar fields.
 - **Vacation:** Benson advised the Board he will be on vacation next week, but his Administrative Assistant will be available to the Board.

8:38 PM ROUTINES

- **Review Correspondence:**
 - **Request for Flocking Fundraising Event:** Benson provided the Board with an e-mail from the Spofford Pond 6th Grade Fundraising Committee, requesting permission to hold a spring "Flocking" event. The Board didn't feel their approval was needed for the event.
 - **Representative Jim Lyons:** Representative Lyons has requested to meet with the Board, along with Representative Mirra, to discuss the budget. Benson suggested they be scheduled for March.
 - **Copy of Letter to ZBA from Residents:** The Board briefly reviewed a copy of a letter from residents concerned about the proposed cell tower on Mortimer Road.
 - **Masconomet Budget Proposal:** Benson advised the Board that the public hearing on the Masconomet budget was scheduled for tonight and the Finance Committee was attending. He added that a significant increase is proposed for FY16.
- **Appointments:** The Board briefly reviewed the list of board and committee openings.
- **Approval of Minutes:** The Board briefly reviewed the available minutes and took the following actions:

On a **MOTION** made by **Cargill**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to approve the minutes of January 12, 2015, as submitted.

On a **MOTION** made by **Nay**, second by **Cargill**, the Board of Selectmen **VOTED** unanimously to approve the minutes of February 3, 2015, as amended.

On a **MOTION** made by **Cargill**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to approve the Executive Session minutes of February 3, 2015, as amended.

- **Treasury Bills:**

On a **MOTION** made by **Cargill**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Warrant #15-32, in the amount of \$164,229.34.

On a **MOTION** made by **Cargill**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Warrant #15-32S, in the amount of \$28,460.85.

After Selectmen Perkins removed himself from the meeting, on a **MOTION** made by **Cargill**, second by **Costello**, the Board of Selectmen **VOTED** unanimously to approve Payroll Warrant #15-16, for non-school payroll, in the amount of \$213,633.60. **Perkins abstained.**

On a **MOTION** made by **Cargill**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to approve Payroll Warrant #15-16, for school payroll, in the amount of \$308,690.18, for a total payroll of \$522,323.78.

8:49 PM EXECUTIVE SESSION

On a **MOTION** duly made and seconded, the Board of Selectmen **VOTED** unanimously by roll call vote to go into Executive Session for the purpose of discussing strategy on employment contract negotiations with represented and non-represented employees: Fire Chief, 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.

9:15PM 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 at 9:15PM.

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: February 9
2. Announcement: Trash Disposal and Recycling Information
3. Announcement: Annual Town Meeting and Town Elections
4. Announcement: Burning Season
5. Announcement: Winter Message
6. Letter from Bankson C. Riter, Jr. to the Board of Selectmen, Re: Boxford Fire Chief Selection, 2/10/15
7. E-Mail from Personnel Board to Town Administrator, Re: Personnel Board opening, 1/15/15
8. Letter from Captain Daniel Fuller, MPA to Town Administrator, Re: Withdrawal from Fire Chief Consideration, 2/4/15
9. Letter from Board of Selectmen to Board of Library Commissioners, Re: Thank You, 2/5/15
10. Draft letter to Mass. Department of Transportation from the Board of Selectmen, Re: Boston to Border Trail, 2/9/15
11. Draft letter from Town Administrator to Federal Highway Administration, Re: Right of Way Compliance, 2/10/15
12. Town Of Boxford Employment Contract, Chief of Police
13. Collective Bargaining Agreement Between Teamsters Local 25 International Brotherhood of Teamsters Boxford Police Patrol Officers and The Town of Boxford, July 1, 2013-June 30, 2016
14. Memo from Inspector of Buildings to Board of Selectmen, Re: Inspectional Services Report for December 2014, 12/31/14
15. Memo from Inspector of Buildings to Board of Selectmen, Re: Inspectional Services Report for 2014, 1/5/15
16. Common Victualler's License: West Boxford General Store, 561 Main Street
17. E-Mail from Spofford Pond 6th Grade Fundraising Committee to Board of Selectmen, re: Spring Fundraiser, 2/3/15
18. Letter from Representative Jim Lyons to Board of Selectmen, Re: Request to be on agenda, 12/29/14
19. Copy of Letter from Resident to Boxford Zoning Board of Appeals, Re: Cell Tower, 2/2/15
20. Memo from Town Administrator to Board of Selectmen, Re: Outstanding Appointments, 2/6/15
21. Meeting Minutes:
 - January 12, 2015 Executive Session

Final, approved as submitted: 2/23/15

- February 3, 2015
 - February 3, 2015 Executive Session
22. Motion to go into Executive Session