

**Minutes of the BOXFORD BOARD OF SELECTMEN  
BOXFORD TOWN HALL MEETING ROOM #1  
April 13, 2015 7:00PM**

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

*Others Present: Town Administrator Alan Benson, Dan Volchuk, and others*

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

**7:01PM ANNOUNCEMENTS**

- **Welcome Baby Girl Geiger:** Selectwoman Nay announced that Lt. Geiger and his wife had a baby girl over the weekend.
- **Candidates Forum:** Selectwoman Nay announced there will be a Candidates Forum on Monday, May 4, at 11:30AM, at the Council on Aging.
- **Moderator's Forum:** Selectman Perkins announced there will be a Moderator's Forum on Tuesday, May 5, at 7PM, at Town Hall.
- **Candidates Night:** Selectman Perkins announced there will be a Candidates Night on Thursday May 7, at 7:30PM, at Town Hall.
- **Burning Permits:** Selectman Costello announced that brush burning season runs through May 1. Permits are available online for \$20.
- **Town Meeting:** Selectwoman Nay announced that the Annual Town Meeting will take place on May 12, 2015, at Masconomet Regional High School.

**7:04PM DISCUSSION ON ANNUAL MAY 12, 2015 TOWN MEETING**

**WARRANT:**

- **Review Article for Phase I Facilities Master Plan Study -- \$10,000:** Town Administrator Alan Benson advised the Board that the Planning Board has not yet had a regular meeting to fully discuss the creation of a Facilities Master Plan. He added that they will be meeting this week. Benson advised the Board that they will be attending a couple of Selectmen's meetings to report on their discussions and information they learn from the consultants. Benson added that he added a draft Article 11 to the Town Meeting Warrant, as a placeholder for the study.  
On a **MOTION** made by **Costello**, second by **Cargill**, the Board of Selectmen **VOTED** unanimously to include the Article as written, and insert "under the direction of the Planning Board." and "Sponsored and Supported by the Planning Board and the Board of Selectmen".
- **Review of Article 5 and Article 6:** Selectwoman Nay requested that the Board revoke on Article 5 and Article 6, as separate articles. The minutes indicated that

the articles were voted on together and she thought they had voted separately on the articles.

On a **MOTION** made by **Costello**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to support Article 6, the Elementary School override of \$195,871.

On a **MOTION** made by **Costello**, second by **Killam**, the Board of Selectmen **VOTED 3-2** to support Article 5, the Masconomet override for \$406,258. **Abstain: Cargill, No: Perkins**

- **Request by Masconomet Regional School Committee Representatives to Address the Board:** Dan Volchuk, Anderson Drive, member of the Masconomet School Committee, met with the Board to discuss Masconomet's override issue. He provided information to the Board on the data he collected on the General Government budget vs. Masconomet's budget. He noted that the General Government's budget has increased 4.13%, and Masconomet's budget increase is 3.5%, with the rest going on an override. He added historical data over the past several years to support his conclusion that there is inequity in the way the schools are funded, compared to General Government. A lengthy discussion ensued.

After the discussion, Selectman Cargill advised he abstained from voting on the Masconomet override because he wants the voters to discuss and decide at Town Meeting. He added that if these overrides continue at 8 ½%, it would be unsustainable growth year after year.

- **Final Review of the Town Meeting Warrant:** Town Administrator Alan Benson reviewed the updated draft of the Town Meeting Warrant with the Board.  
On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to close the warrant for the annual Town Meeting to be held on May 12, 2015 at the Masconomet Regional District High School Auditorium, 20 Endicott Road, at 7PM.  
Benson provided a copy of the Town Meeting Warrant for the Board members to sign.

**7:49PM PERSONNEL EVALUATION REPORTS:** The Board of Selectmen provided reports of their personnel evaluations, as follows:

- **Michael J. Murphy, Chief of Police:** Selectman Chuck Costello provided a report on his meeting with Police Chief Michael Murphy, reviewing the evaluation and setting objectives. Costello summarized by reporting that the Chief received a 78.1% overall score, explaining that it was well within the better-than-acceptable range.

On a **MOTION** made by **Costello**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to ratify the Performance Evaluation and proposed job objectives as proposed by Police Chief Michael J. Murphy.

- **Warren Gould, Director of Communications:** Selectman Bill Cargill provided a report on his meeting with the Communications Director, reviewing the evaluation and setting objectives. He summarized by reporting that the Communications Director received a 76.29% overall score.

On a **MOTION** made by **Cargill**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to ratify the Performance Evaluation and proposed job objectives as presented for Director of Communications, Warren E. Gould.

#### **8:00PM REPORT OF THE TOWN ADMINISTRATOR**

- **Update on Town Counsel Expense Year-to-Date:** Benson advised they are well below benchmarks on legal expenses, primarily because litigation cases have concluded or been withdrawn. He reviewed some of the general legal services costs with the Board.
- **Update on Nissenbaum vs. ZBA Claim for Legal Fees:** Benson advised that the Plaintiff has filed two petitions: one to the Court of Appeals to reconsider their decision, and, secondly, through the Supreme Judicial Court for further appellate review on the decision that the appeal was frivolous.
- **Election Signs:** Benson advised the Board that election signs are going up. He spoke with the Police Chief and he will be the arbiter on any issues with signs on town property.

#### **8:23PM ROUTINES:** The Board reviewed the following routine agenda items:

- **Outstanding Appointments:** The Board briefly reviewed the outstanding appointments.
- **Signature Folder:** Benson provided the Board with a Common Victualler's license that was approved at a previous meeting for them to sign.
- **Approval of Minutes:** The Board briefly reviewed the available minutes and took the following action:
  - On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve the minutes of April 6 2015, as written.
- **Treasury Bills:**
  - On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Warrant #15-41S, in the amount of \$1,873.50

On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Warrant #15-41, in the amount of \$56,500.16

**8:25PM OTHER BUSINESS:**

- **Update on Fire Chief:** Benson advised the Board that he received an update from Town Counsel today on the current fire chief negotiations and he requested that the Board go into a brief Executive Session so that he can update them on the ongoing negotiations.

**8:26PM EXECUTIVE SESSION**

On a **MOTION** duly made by **Nay** and seconded by **Cargill**, the Board of Selectmen **VOTED** unanimously by roll call vote to enter into Executive Session for the purpose of discussing overall 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.

**ADJOURN**

On a **MOTION** duly made by **Costello**, and seconded by **Cargill**, the Board of Selectmen **VOTED** unanimously 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: April 13, 2015
2. Announcement: Candidates Forum
3. Announcement: Moderator's Forum
4. Announcement: Candidate's Night
5. Announcement: Burning Season
6. Draft Warrant Article for Consulting Services
7. Copy of Letter and Proposal from The Cecil Group to the Planning Agent, Re: Comprehensive Municipal Facilities Planning, 4/6/15
8. Warrant for Annual Town Meeting
9. Motion to close the warrant
10. Performance Evaluation: Michael J. Murphy, Police Chief

11. Performance Evaluation: Warren E. Gould, Director of Communications
12. Town of Boxford FY2015 Legal Expense for Year
13. Commonwealth of Massachusetts Appeals Court: No. 2013-P-1172, Motion of Town of Boxford and Robert F. Camacho for Determination of Attorney's Fees and Costs Pursuant to Order Entered on March 18, 2015
14. E-Mail from Town Counsel to Town Administrator, Re: Status of Nissenbaum Appeal, 4/10/15
15. Memo from Town Administrator to Board of Selectmen, Re: Outstanding Appointments, 4/10/15
16. Meeting Minutes:
  - April 6, 2015