

**Minutes of the BOXFORD BOARD OF SELECTMEN  
BOXFORD TOWN HALL MEETING ROOM #1  
April 27, 2015 7:00PM**

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

*Others Present: Town Administrator Alan Benson, Chief Michael Murphy, Lt. Jim Riter, Chief Kerry Stickney, Deputy Chief Mike Madden, Lt. Brian Geiger, Lt. Tammy Aghoian, Lt. Jack Leary, Lt. Mark Bissell, Captain Rich Hertel, Lt. Mike Soltys, Capt. Peter Holland, Firefighter Wendy Madden, Firefighter Ben Madden, Firefighter Tom Nee, Firefighter Mike Ferraro, Firefighter Kate Colangelo, Firefighter Warren Gould, Firefighter Keven Foster, Firefighter Brian Hertel, Firefighter Daron Greelish, Firefighter Bruce Clay, Firefighter Jamie Fiedler, Firefighter Lynn Prescott-Hopping, Al Vaz, Ted Riter, DPW Superintendent/Town Engineer John Dold, Town Moderator Gerry Johnston, and others*

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

**7:01PM ANNOUNCEMENTS**

- **Political Signs Regulations:** Chief Murphy provided information on the laws and zoning regulations associated with political signs. He added that there has been some issues with political signs being removed. He encouraged anyone who witnesses someone tampering with political signs to call the police department to report it. They will investigate every report.
- **Golf Tournament:** Chief Murphy announced there will be a golf tournament at Far Corner Golf Course to benefit the Jimmy Fund on June 18. Contact the Chief for more information.
- **Meghan Richards:** Chief Murphy welcomed Meghan Richards, as the new high school intern for the Boxford Police Department.
- **Chief Kerry Stickney Retirement Party:** Selectwoman Nay announced that there will be a retirement party for Chief Stickney on Saturday, May 2 at the Black Swan Country Club. Call 978-887-5725 for tickets.
- **Candidates Forum:** Selectman Killam 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.
- **Large Metal Item Pick-Up Day:** Selectman Costello announced that large metal item pick-up days will be Monday and Tuesday, May 18 & 19.

- **Arbor Day:** Selectman Cargill announced that Spofford Pond School will hold an Arbor Day ceremony on Friday, June 12, 2PM.
- **Antiques Appraisal Day:** Selectwoman Nay announced that the Council on Aging is sponsoring an Antiques Appraisal Day on Sunday May 3, 11am-5pm, at the Boxford Community Center. Kaminski Auctions are the appraisers. Applications are available on the town's website.
- **Thank You to the Eckersons:** Selectwoman Nay announced that Bill and Betty Eckerson are moving to Virginia and she wished them the best. She thanked Bill Eckerson for his service to our country.

**7:10PM APPOINTMENT OF FIRE CHIEF, BRIAN D. GEIGER:**

- **Approval of Personal Services Contract and Vote for Appointment:** Selectwoman Nay announced the Town came to an agreement with Brian Geiger to serve as the town's next fire chief and she asked for a motion to appoint him. On a **MOTION** made by **Cargill**, second by **Costello**, the Board of Selectmen **VOTED 3-2** on a roll call vote to appoint Brian D. Geiger as Fire Chief for the Town of Boxford; term commencing June 1, 2015 to June 30, 2018.
  - Roll Call:**
  - Cargill: Yes**
  - Killam: No**
  - Costello: Yes**
  - Perkins: Yes**
  - Nay: No**
- **Presentation of Chief's Badge:** Selectman and former Fire Chief Peter Perkins presented the Chief's badge to Brian Geiger.
- **Presentation of Deputy Chief's Badge:** Chief Stickney announced that effective immediately he is appointing Brian Geiger as Deputy Chief until June 1, when his term as Chief begins. Amanda Geiger, the new Deputy's wife, pinned the Deputy Chief badge on Geiger.

**7:17PM MEETING WITH DEPARTMENT OF PUBLIC WORKS:** John Dold, DPW Superintendent/Town Engineer, met with the Board of Selectmen to provide updates on the following:

- **Street Sweeping:** Dold advised that sweeping of the parking lots of all municipal buildings have been done. Street sweeping will begin May 4 and he expects it will take about a month.
- **Paving Schedule:** Dold provided the Board with a schedule of street paving that will take place over the spring. He added that additional paving will take place in the summer when expected additional funding is received after July 1. There ensued a brief discussion on the maintenance of unaccepted roads.

- **Culvert Plans:** Dold advised they are working with an engineering report, compiled in 2010, that lists culverts in town that need to be repaired. This year, they will be working on the culverts on Adams Road and Topsfield Road.
- **New Stream Crossing Regulations:** Dold advised that DEP updated their regulations in October that will affect the culvert and road repairs they are planning. Costello suggested they send a letter to our legislative delegations regarding the additional costs of the unfunded mandates caused by the new regulations. A brief discussion ensued.
  - On a **MOTION** made by **Costello**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to send a letter to our legislative delegation, cosigned by the Chair of the Board of Selectmen and the DPW Superintendent, to let them know the Board's concerns about an unfunded mandate.
- **Other Business:** The Board members discussed the following with Dold:
  - **ADA Compliancy:** Nay asked about Stiles Pond. Dold advised it has not been completed and he'd like Selectwoman Nay to go down to Stiles again with him to go over the plans.
  - **Tree Budget:** Costello asked if Dold has enough in his tree budget to remove trees now, before they bloom, if possible. Dold will look into it and will contact National Grid regarding the pink ribbons they've put on the trees.
  - **Surplus Equipment:** Perkins asked if he had any plans on removing the surplus equipment out back. Dold will look over the equipment Perkins referred to and get back to him.
  - **Energy Savings:** Cargill thanked Dold for the work he's been doing on energy savings realized in town buildings, as provided in a report Dold compiled. Dold provided an additional graphic report for the Board to view, showing year over year energy cost comparisons.

**7:50PM DISCUSSION ON ANNUAL MAY 12, 2015 TOWN MEETING**

**WARRANT:**

- **Review Articles for Board Member Assignments:** The Board reviewed the articles and made the following assignments:
  - **Article 1:** Mary Anne Nay
  - **Article 2:** Mary Anne Nay
  - **Article 7:** Peter Perkins
  - **Article 8:** Chuck Costello
  - **Article 13:** Bill Cargill
  - **Article 16:** Charlie Killam
  - **Article 23:** Mary Anne Nay
- **Consideration of Printed Ballot for Article 21:** Moderator Gerald R. Johnston met with the Board to discuss the consideration of providing printed ballots at

Town Meeting for Article 21. A lengthy discussion ensued. Johnston suggested the use of “Yes” “No” cards, rather than a ballot, and used only if the voice vote is not overwhelmingly one way or the other.

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

- **Kathleen J. Benevento, Director of Municipal Finance:** Selectman Charlie Killam provided a report on his meeting with Director of Municipal Finance, Kathleen J. Benevento, reviewing the evaluation and setting objectives. Killam summarized by reporting that Benevento is fiscally conservative and an asset to the town.  
On a **MOTION** made by **Killam**, second by **Costello**, the Board of Selectmen **VOTED** unanimously to ratify the Performance Evaluation and proposed job objectives as proposed by Kathleen Benevento, Director of Municipal Finance.
- **John C. Dold, DPW Superintendent/Town Engineer:** Selectman Peter Perkins provided a report on his meeting with the DPW Superintendent/Town Engineer reviewing the evaluation and setting objectives. He summarized by reporting that he felt that the compiled score was low, compared to the work Dold has done for the Town and he provided several examples of great work Dold has done.  
On a **MOTION** made by **Perkins**, second by **Cargill**, the Board of Selectmen **VOTED** unanimously to ratify the Performance Evaluation and proposed job objectives as presented for DPW Superintendent/Town Engineer, John Dold.
- **Robert M. Aldenberg, Inspector of Buildings:** Selectwoman Mary Anne Nay provided a report on her meeting with the Building Inspector, reviewing the evaluation and setting objectives. She summarized by reporting that the Building Inspector was a joy to meet with and he is an asset to the town.  
On a **MOTION** made by **Nay**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to ratify the Performance Evaluation and proposed job objectives as presented for Inspector of Buildings, Robert M. Aldenberg.
- **Alan J. Benson, Town Administrator:** Selectwoman Mary Anne Nay provided a report on her meeting with the Town Administrator, reviewing the evaluation and setting objectives, noting that the Town Administrator’s overall score was 80.14%. She summarized by thanking Benson for his service to the town.  
On a **MOTION** made by **Nay**, second by **Cargill**, the Board of Selectmen **VOTED** unanimously to ratify the Performance Evaluation and proposed job objectives as presented for Town Administrator, Alan J. Benson.

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

- **Requests for Licenses:** 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.
  - **Common Victualler: Ingaldsby Farm, 80 Willow Road**  
On a **MOTION** made by **Costello**, second by **Killam**, the Board of Selectmen **VOTED** unanimously to issue the Common Victualler's license for Ingaldsby Farm, 80 Willow Road.
  - **Common Victualler: Benson's Ice Cream, 181 Washington Street**  
On a **MOTION** made by **Costello**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to issue the Common Victualler's license for Benson's Ice Cream, 181 Washington Street.
  - **Sale of Ice Cream on Lord's Day: Benson's Ice Cream, 181 Washington Street**  
On a **MOTION** made by **Costello**, second by **Killam**, the Board of Selectmen **VOTED** unanimously to issue the Sale of Ice Cream on the Lord's Day to Benson's Ice Cream, 181 Washington Street.
  - **Liquor Distribution Permit: BTA/BOLT**  
On a **MOTION** made by **Costello**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to issue the Liquor Distribution Permit to BTA/BOLT.
- **Chapter 90 FY2016 Award: \$417,312:** Benson advised the Board that they received notification from the Governor's office that the amount of Chapter 90 funds for FY2016 is \$417,312.
- **Bike Tour:** Benson advised the Board that the Neurofibromatosis Northeast Coast to Cure has requested permission to hold their annual bicycle ride on September 12, 2015.  
On a **MOTION** made by **Killam**, second by **Costello**, the Board of Selectmen **VOTED** unanimously to allow the bike race, as requested.
- **Sign Request:** Benson advised the Board that the West Boxford Improvement Society is requesting to post a sandwich board sign each week over the summer, in the West Village, to provide information on their summer concert series at the West Village gazebo.  
On a **MOTION** made by **Cargill**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to allow the West Boxford Improvement Society to erect the signs as requested.
- **Request to Waive Gazebo Rental Fee:** Benson provided the Board with a request from the West Boxford Improvement Society to waive the rental fee for the gazebo.  
On a **MOTION** made by **Killam**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to waive the rental fee for the gazebo for the West Boxford Improvement Society on the dates requested.

- **Selectmen's Annual Report:** Benson advised the Annual Report is not yet complete, but it will be completed this week and he will e-mail it to the Board. He added that he'd like to get their comments on it by the end of day Thursday.
- **Congratulations to Mark Mitsch, Conservation Commission:** Costello publicly congratulated Mark Mitsch on his completion of the Massachusetts Association of Conservation Commissions Fundamentals for Conservation Commissioners course.

**8:35PM      ROUTINES:** The Board reviewed the following routine agenda items:

- **Review Correspondence:**
  - **ZBA Member Resignation:** The Board briefly discussed the resignation of Kathleen O'Sullivan-Fortin and the filling of the vacancy.
  - **Letter from Local Builder:** Perkins read aloud a letter thanking the Building Inspector for making the department user friendly once again.
- **Outstanding Appointments:** Selectman Perkins read aloud the current list of board and committee vacancies.
- **Approval of Minutes:** The Board briefly reviewed the available minutes and, after amendments proposed, took the following action:
  - On a **MOTION** made by **Perkins**, second by **Cargill**, the Board of Selectmen **VOTED** unanimously to approve the minutes of April 13, 2015, as amended.
- **Treasury Bills:**
  - On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Warrant #15-43, in the amount of \$47,510.53.

On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve Accounts Payable Refund Warrant #15-369, in the amount of \$1,978.09.

**8:44PM      OTHER BUSINESS:**

- **Generator Noise:** Cargill advised he has received many calls regarding the generator noise on Lawrence Road. He spoke with the Building Inspector and others who determined there is nothing that can be done about it, under our zoning regulations. Benson advised the town has no bylaw against noise, but added that the Police are looking into the complaint as a loud public disturbance. He added information on how the town may want to consider looking into new bylaw regulations to deal with the issue. Cargill suggested the town look into a noise ordinance bylaw. Benson will gather information and report back to the Board.

- **Signage for Kaminski Antiques:** Cargill asked if the Board ever voted on approving the sign in the East Village for Kaminski Antiques. The Chair advised it will be gone by Sunday.
- **Earth Day Issues:** Killam advised he got a call from someone who brought trash to Town Hall on Earth Day, as instructed, but there was nowhere to dump it, so they put it in the dumpster. He suggested there be better signage next year.

**8:54PM 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 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.

**9:31PM ADJOURN**

On a **MOTION** made by **Killam**, second by **Costello**, the Board of Selectmen **VOTED** unanimously by roll call vote to return to open session and adjourn at 9:31PM.

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 27, 2015
2. Announcement: Chief Kerry Stickney Retirement Party
3. Announcement: Candidates Forum
4. Announcement: Moderator's Forum
5. Announcement: Candidate's Night
6. Announcement: Large Metal Item Pick-Up Day
7. Announcement: Arbor Day
8. Motion to appoint the fire chief
9. Employment Agreement between the Town of Boxford and Brian D. Geiger
10. Boxford Town Buildings Energy Savings
11. April 15, 2015 Spring Paving List
12. Year By Year Energy Cost Comparison
13. Performance Evaluation: Kathy Benevento, Director of Municipal Finance
14. Performance Evaluation: John Dold, DPW Director/Town Engineer

15. Performance Evaluation: Robert Aldenberg, Inspector of Buildings
16. Performance Evaluation: Alan J. Benson, Town Administrator
17. Common Victualler's Licenses:
  - Ingaldsby Farm
  - Benson's Homemade Ice Cream, Inc.
18. License for Sale of Frozen Desserts, Ice Cream Mix, Confectionery Soda Water or Fruit on the Lord's Day: Benson's Homemade Ice Cream, Inc.
19. Application for the Alcohol Distribution Permit: BTA/BOLT
20. Letter from Governor Baker to Town Administrator, Re: Chapter 90 Local Transportation Aid Funding, 4/9/15
21. E-Mail from Neurofibromatosis Northeast to Board of Selectmen, Re: 5<sup>th</sup> Annual Coast to the Cure Bike Ride, 4/10/15
22. E-Mail from West Boxford Improvement Society to Board of Selectmen, Re: Sandwich Sign Request and Gazebo Use, 4/16/15
23. Copy of Letter from Police Chief to Selectmen Candidates, Re: Political Signs, 4/14/15
24. Letter from Local Builder to Board to Selectmen, Re: Professionalism of Building Inspector
25. Letter from Massachusetts Association of Conservation Commissions to Board of Selectmen, Re: Mark Mitsch Certification, 3/13/15
26. E-Mail from Kathleen O'Sullivan-Fortin to ZBA, Re: Resignation, 4/15/15
27. Memo from Town Administrator to Board of Selectmen, Re: Outstanding Appointments, 4/21/15
28. Meeting Minutes:
  - April 13, 2015
29. Motion to go into Executive Session