

**Minutes of the BOXFORD BOARD OF SELECTMEN  
BOXFORD TOWN HALL MEETING ROOM #1  
April 24, 2017 7:00PM**

*Present: Chuck Costello, Mary Anne Nay, Al Vaz, Peter Perkins, Bill Cargill*

*Others Present: Town Administrator Alan Benson, Minutes Sec'y Judi Stickney, Ron Holmgren, Mark Phelan, Judy Gore, Bob Gore, Carol Johnson, Randy Johnson, Carole Davis, Steve Davis, Natasha Grigg, Barbara Jessel, Nancy Walker, Anita Gokey, Pat Kelleher, Alexander Colby, Lisa Stapleton, and others*

**7:00 PM PLEDGE OF ALLEGIANCE**

**7:00 PM**

- **Earth Day:** Selectwoman Nay announced that Boxford will be celebrating Earth Day on Saturday, April 29, from 10AM to 3PM, sponsored by the Boxford Village Garden Club and the Boxford Recycling Committee. Clean up your favorite roadside, playground, ballfield, pond or stream. Drop off bags of litter at the Recycling Center and proceed to Town Hall for an ice cream treat.
- **Healthy Kids Day:** Selectwoman Nay announced that the Danvers Community YMCA is sponsoring a Healthy Kids Day, Saturday, April 29, at the Danvers Y, from 12:45PM-3PM, with lots of activities planned.
- **Burning Permits:** Selectman Perkins announced that open burning is allowed in Boxford from January 15 to May 1. Permits are \$20 and available on the Fire Dept. web page or at the East Fire Station.
- **Moderator's Forum:** Selectman Cargill announced that the Moderator's Forum will be held at Town Hall, Meeting Room #1, on Tuesday, May 2, 7PM.
- **Candidates Night:** Selectman Cargill announced that Candidates Night will be held at Town Hall on Thursday, May 4, at 7:30PM.
- **Real Estate Tax Bills Due May 1:** Selectman Perkins reminded residents that real estate taxes are due May 1.
- **Annual Town Meeting and Election:** Selectman Vaz announced that the annual town meeting will be held on Tuesday, May 9 at Masconomet Auditorium at 7PM and the annual town election will be held on Tuesday, May 16, from 7AM to 8PM at Town Hall.
- **Large Metal Item Pick Up Day:** Selectman Costello announced that there will be a large metal item pick up day on Monday and Tuesday, May 22 and May 23, same day as your trash pickup. Have items out at the curb by 7AM.

**7:05 PM MEETING WITH WEST BOXFORD GRANGE:** Selectman Chair Costello provided a brief background on the Colby property and the proposed improvements, noting that the Board of Selectmen never took a formal vote on the proposal for the property improvements. He asked if there was anyone present who wanted to speak to the proposed project. Speakers included:

- **Nancy Merrill, 20 Cross Road**, expressed her concern about the leaching field on the property, noting that a septic and/or leaching field should be installed on the property before any improvements.
- **Steve Davis, Kimball Road**, advised that there are approved plans for a new septic/leaching field, located adjacent to the rear entrance to Lincoln Hall.
- **Natasha Grigg, 92 Lakeshore Road**, noted that the property was purchased as additional parking for Lincoln Hall. She also advised that she and other neighbors do not want to see cars parked there, along the roadside. She suggested that the wooded area be cleaned up, replanted with larger trees, rather than digging up the entire roadside area for the parking lot.
- **Beverly Ingalls, 98 Lakeshore Road**, supports all of what Grigg said, noting that it came as a surprise to the neighbors, who were not notified, until just recently, well after plans were in place.
- **Pat Kelleher, direct abutter on Main Street, next to the store**, is thrilled with the proposed parking, as people are parking on her property now, sometimes over her septic system.
- **Alexander Colby, Ipswich**, former owner of the property, expressed his satisfaction with the proposed improvements.
- **Randy Johnson, 120 Middleton Road**, member of the Agricultural Commission, noted a lot of invasive species in the wooded area need to be removed, and replacing them with the plantings suggested, will improve the area.
- **Lisa Stapleton, 103 Georgetown Road**, expressed her satisfaction with the plans, noting they would enhance the West Village.
- **Anita Gokey, 7 Tyler Road**, was surprised by the plans and didn't know about them until she got something in the mail recently. She suggested adding children's playground equipment, so others could use it.
- **Laura Sapienza Grabski**, thanked Holmgren for working with the Grange, getting grants and funding for the improvements.
- **Nancy Walker, 671 Main Street**, likes the idea of the proposed parking lot, noting that's what was proposed when the land was originally purchased.
- **Ron Holmgren, of the Boxford Grange**, noted that one of the most important aspects of the proposal is the agricultural education portion, adding that the State Grange gives very specific guidelines to qualify for the grant. He went on to say that there may be other options at later time, but the current proposal follows the grant's guidelines.

After the attendees spoke, the Board members each expressed their thoughts on the Colby Park proposal, with both Selectman Perkins and Nay noting that they talked with Mr. Holmgren about his plans to improve West Boxford several times over the past months and they support it. Selectman Cargill advised he was concerned about the septic issues, but those issues appear to have been resolved. Selectman Vaz expressed his satisfaction with the proposed improvement plans and Holmgren's work to make it happen. Selectman Costello added a brief comment in support of the project, requesting that Holmgren look for additional parking spaces in the final plan, to address the concerns of some of those present. Holmgren agreed and advised he would look into it further. At the conclusion of the discussion, Costello asked for a vote.

On a **MOTION** made by **Nay**, second by **Cargill**, the Board of Selectmen **VOTED** unanimously by roll call vote to approve the proposed plan for the Colby Park, as presented in the packet.

The **MOTION** was **AMENDED** by **Costello**, seconded by **Cargill**, to include that Ron Holmgren and the landscape architect will make every effort to provide additional parking and overflow parking on the lawn.

**7:52 PM MEETING WITH BOXFORD ATHLETIC ASSOCIATION:** Dan Gallagher, President of the BAA, along with members Paul Jarosiewicz, Gridley Losee, and Evangelina Kelly met with the Board to discuss the Stiles Pond Town Beach and request assistance from the Town in the operation of the beach. Gallagher advised they have never had a formal agreement with the Town to operate the beach. Town Administrator Alan Benson advised the Board that in years past the Town leased the beach to the BAA, but that is no longer an option. They have discussed licensing BAA to run the beach property, but they would have to supply their own insurance for the property. Benson added that a private insurance carrier could insure the town's property and the BAA as the operator of the property.

Paul Jarosiewicz, director of the town beach, advised that they do carry insurance, but have been advised that they are still exposed and that he, as the director, could be sued and lose his property. He suggested that the Recreation Committee may be a better group to manage the beach with employees of the town, as the Parks Program is run. Gridley Losee, attorney for the BAA, added to the discussion. Selectman Costello suggested that the Town Counsel meet with Losee in an effort to come to an agreement on how the beach could be managed. Discussion continued on the best way to keep the beach operating. The Board suggested that the options will be licensing the BAA to run the Beach and the town insures it, or the Town Beach is run by the Town and the beach workers are town employees.

On a **MOTION** made by **Cargill**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to hire Town Counsel to go into negotiations with Attorney Losee for 4 hours of work to review options for the continued operation of the Town Beach through the BAA, and report back to the Board.

After the vote, Jarosiewicz advised the Board that they have a beaver problem at the beach and the Board of Health is not interested in removing the beavers. Costello suggested that they check with the Conservation Administrator on the beaver issues.

The BAA will be on the agenda for next week and if the attorneys can't work things out by that time, they will be on the agenda for next meeting on May 15.

**8:42 PM REPORT OF THE TOWN ADMINISTRATOR:** Alan J. Benson, Town Administrator, provided the Board with information and updates on the following:

- **Nason Land:** Benson updated the Board on the possible hazardous waste issue on the Nason Land. After testing, it was determined that it is just solid waste that they will dig out and the parking lot will be built as planned.
- **Memorial Day Event:** Benson advised that this year marks the 50<sup>th</sup> anniversary of the in-combat death of Marine Corporal James Melvin, for whom Boxford's American Legion Post is named. The guest speaker will be Major General Ray L. Smith, who was Corporal Melvin's Company Commander in Vietnam.
- **Consider Permission for 2<sup>nd</sup> Annual Wildcat 5K Trail Run/Walk:** Benson provided the Board with information on the Danvers Y's request for permission to hold a 5K run/walk through Wildcat and a family fun day at the Stiles Pond Day Camp on September 23.  
On a **MOTION** made by **Perkins**, second by **Cargill**, the Board of Selectmen **VOTED** unanimously to approve the 5K trail run/walk through Wildcat on September 23, as proposed.
- **Request for Bake Sale on Chadwick Field:** Benson advised the Board that a Masconomet student participating in the Relay for Life has requested permission to hold a bake sale on the Chadwick Fields on Saturday, April 29, to raise money for the American Cancer Society.  
On a **MOTION** made by **Cargill**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to approve the bake sale on April 29, as proposed.
- **Gazebo Concerts:** Benson provided the Board with information on the West Boxford Improvement Society's request to use the gazebo for its Summer Concert Series.  
On a **MOTION** made by **Cargill**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to approve the use of the gazebo for summer concerts, sponsored by the West Boxford Improvement Society as proposed.
- **Licenses for Benson's:** Selectman Costello provided the Board with copies of a Common Victualler's License and a license to sell frozen desserts, ice cream mix, confectionery soda water or fruit on the Lord's Day for Benson's Homemade Ice Cream, Inc.  
On a **MOTION** made by **Costello**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to approve Licenses #1701 and #1704, Common Victualler's License and License for the Sale of Frozen Desserts, Ice Cream Mix, Confectionery Soda Water or Fruit on the Lord's Day for Benson's Homemade Ice Cream, Inc., 188 Washington Street.
- **Lincoln Hall Rental:** Benson advised the Board that Wide Eyes Theatre Company has requested a reduced fee to use Lincoln Hall for July 18-July 23 for their summer production.  
On a **MOTION** made by **Cargill**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to approve the rental rate, as presented.
- **Department of Public Utilities Formal Hearing May 10:** Benson advised the Board that there will be a public hearing regarding the Andrews Farm Water Company's proposed increase in water rates on May 10, at Lincoln Hall.
- **Chapter 90 Funding:** Benson provided the Board with information on Chapter 90 funding for Boxford, as outlined in a letter from MassDOT.

- **Letter to Balmoral Road Resident:** The Board briefly reviewed the letter, drafted by the Town Administrator, and provided edits for Benson to incorporate and send.  
On a **MOTION** made by **Cargill**, second by **Nay**, the Board of Selectmen **VOTED** unanimously to send the letter, as amended.
- **Unit Sale at Andrews Farm:** Benson advised the Board that the Housing Partnership has an affordable unit for sale at Andrews Farm, noting that the State DHCD has revised the process for identifying eligible buyers for affordable units.

#### **8:48 PM ROUTINES**

- **Approval of Minutes:** After a brief discussion on the minutes and amendments, the Board will approve next week, after edits are made.
- **Sign School and Non-School Warrants:**  
On a **MOTION** made by **Costello**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously to approve accounts payable warrant #17-43, in the amount of \$17,869.52.

#### **8:55 PM OTHER BUSINESS**

- **Thank You to Communications Department:** Selectwoman Nay expressed her appreciation to the Communications Department for the important role they played in the fatal motor vehicle accident on Route 95 recently, noting that they were overlooked at the last meeting.
- **Active Shooter Drill at Masconomet:** Selectwoman Nay provided a brief summary of her experience observing the Active Shooter Drill at Masconomet, at Police Chief Riter's invitation, noting that she stayed in the library and observed four scenarios, adding that it was very impressive.
- **Personal Contact Information:** Selectwoman Nay advised viewers that the Board of Selectmen are always available to contact through the Town's website or through a call to the Selectmen's office. A brief discussion ensued on whether they should have their personal contact information available to the public.
- **Agreement with AFSCME DPW Workers:** Benson advised there several changes in the DPW contract this year. Benson briefly reviewed the changes in the Agreement, noting that they have finally come to an agreement and the Board needs to vote on accepting it.  
On a **MOTION** made by **Nay**, second by **Perkins**, the Board of Selectmen **VOTED** unanimously by roll call vote to accept the Memorandum of Agreement between Town of Boxford and AFSCME Council 93, Local 939 Public Works Employees, dated April 24, 2017.
- **Article Assignments:** Selectman Chair Costello quickly reviewed the town meeting warrant articles, assigning them as follows:
  1. Costello
  2. Costello
  3. Costello
  4. Personnel Board

5. Finance Committee
6. School Committee
7. School Committee
8. Perkins
9. Perkins
10. Vaz
11. Vaz
12. Cargill
13. Board of Health
14. Costello
15. CPC
16. CPC
17. CPC
18. CPC
19. Cargill
20. School Committee
21. Nay
22. Nay
23. Initiative Petition
24. Costello

**9:15 PM EXECUTIVE SESSION**

On a **MOTION** made by **Costello**, second by **Cargill**, the Board of Selectmen **VOTED** unanimously by roll call vote to go into Executive Session for the purpose of discussing overall strategy on employment contract negotiations with represented employees, AFSCME Town Hall/Library 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.

**9:45 PM ADJOURN**

On a **MOTION** made by **Cargill**, second by **Nay**, the Board of Selectmen **VOTED** unanimously by roll call vote to return to open session and adjourn at 9:45 PM.

Respectfully submitted,



Minutes Secretary

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

1. Agenda: April 24, 2017

2. Announcement: Earth Day
3. Announcement: Healthy Kids Day
4. Announcement: Burn Permits
5. Announcement: Moderator's Forum
6. Announcement: Candidates Night
7. Announcement: Annual Town Meeting/Annual Town Election
8. Announcement: Large Metal Item Pick Up Day
9. Board of Selectmen Meeting Minutes June 2, 2014, Page 3
10. Board of Selectmen Meeting Minutes February 27, 2017, Page 1
11. Sign Request: Let's Finish Colby Park
12. E-Mail from BAA to Town Administrator, Re: Request to be on Agenda, 4/4/17
13. Stiles Pond Beach at Keith Koster Park Budget 2016
14. E-Mail from Town Counsel to Town Administrator, Re: Private Operation of Town Beach, 4/19/17
15. Letter from Weston & Sampson to Town Administrator, Re: Results of Building Materials Sampling and Analysis for Asbestos, 4/21/17
16. Memorial Day Commemoration in the Town of Boxford
17. E-Mail from Danvers Community YMCA to Assistant to the Town Administrator, Re: Wildcat 5K Trail Run 2017, 4/13/17
18. E-Mail from Jenna Sutherland to Assistant to the Town Administrator, Re: Permission for Bake Sale, 4/8/17
19. Letter from West Boxford Improvement Society to Board of Selectmen, Re: Sign Request, 3/30/17
20. Common Victualler's License, Benson's Homemade Ice Cream, Inc.
21. License for the Sale of Frozen Desserts, Ice Cream Mix, Confectionery Soda Water or Fruit on the Lord's Day, Benson's Homemade Ice Cream, Inc.
22. E-Mail from Wide Eyes Theatre Company to Leanne Mihalchik, Re: Summer Production Lincoln Hall Space Request, 4/10/17
23. Commonwealth of Massachusetts Department of Public Utilities Notice of Public Hearing and Request for Comments
24. Letter from MassDOT to Town Administrator, Re: Chapter 90 Funding, 3/31/17
25. E-Mail from Balmoral Road Resident to Town Administrator, Re: Public Safety Issue, 4/10/17
26. Draft Letter to Balmoral Road Resident from the Board of Selectmen, Re: Public Safety Issue, 4/24/17
27. Memo from Town Administrator to Board of Selectmen, Re: Outstanding Appointments FY2017, 4/19/17
28. Minutes: April 10, 2017