

ANNUAL TOWN MEETING

May 8, 1979

Voters of the Town of Boxford met at the Masconomet Regional High School auditorium on May 8, 1979. Moderator DeWitt T. Minich called the meeting to order at 8:05 p.m. The Reverend Stuart Nutter conducted a moment of meditation and prayer. The articles of the warrant were disposed of as follows:

ARTICLE 1 - Bills of charge.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to raise and appropriate the sum of \$1,551.50 to pay bills of charge.

ARTICLE 2 - To hear and act on the reports of the Town Officers and Committees.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to receive and place the reports on file without ratification of any action taken or authorization of any action proposed. (Includes report of the Jonathan Tyler Barker Trust Fund which was presented orally to the town meeting body.)

ARTICLE 3 - To act on the proposed budget and see what sums of money the Town will vote to raise and appropriate for the use of several departments for the current fiscal year, to wit: General Government, Protection of Persons and Property, Aid and Relief, Schools and Libraries, Highways, and all other necessary and proper expenses arising during said fiscal year, or to take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to amend the Council on Aging budget by increasing it by \$300.00 from \$975.00 to \$1,275.00.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to raise and appropriate the sum of \$56,691.00 for General Government.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to raise and appropriate the sum of \$44,896.00 for Finance.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to raise and appropriate the sum of \$286,371.00 for Public Safety.

Annual Town Meeting, May 8, 1979 - Page 2

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to raise and appropriate the sum of \$1,003,535.00 for Elementary Schools.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to raise and appropriate the sum of \$1,388,425.00 for Masconomet and the Regional Vo-Tech.

The School portion of the budget totals \$2,391,960.00.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to raise and appropriate the sum of \$62,078.00 for Libraries.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to raise and appropriate the sum of \$82,540.00 for Salaries, Wages and Overtime, Department of Public Works.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to raise and appropriate the sum of \$89,644.00 for Materials, Department of Public Works.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to raise and appropriate the sum of \$80,604.00 for All Other, Department of Public Works.

The Department of Public Works portion of the budget totals \$252,788.00.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to raise and appropriate the sum of \$55,582.00 for Unclassified.

The 1979-80 budget totals \$3,150,366.00.

ARTICLE 4 - To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July, 1, 1979, in accordance with the provisions of the General Laws, Chapter 44, Section 4, and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period less than one year in accordance with General Laws, Chapter 44, Section 17, or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to authorize the Town Treasurer to borrow money, etc., as printed in Article 4.

Annual Town Meeting, May 8, 1979 - Page 3

ARTICLE 5 - To see if the Town will vote to appropriate the sum of \$1,711.88, received as State Aid for Libraries, for the use of the Boxford Town Library.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to appropriate the sum of \$1,711.88, received as State Aid for Libraries, for the use of the Boxford Town Library.

ARTICLE 6 - To see if the Town will vote to appropriate the sum of \$480.06, received from the County, on account of dog licenses, for the use of the Boxford Town Library.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to appropriate the sum of \$480.06, received from the County, on account of dog licenses, for the use of the Boxford Town Library.

ARTICLE 7 - To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to re-roof, paint, and to make any other improvements to the Town Hall, or take any other action thereon.

Upon motion made and duly seconded, an amendment was VOTED, by majority voice vote, to authorize the Board of Selectmen to appoint a Town Hall Renovation Committee who will have plans and recommendations available for the next special town meeting.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to approve the article amended as follows: To transfer from Federal Revenue Sharing the sum of \$8,945.00 to re-roof, paint, and to make any other improvements to the Town Hall; and to authorize the Board of Selectmen to appoint a Town Hall Renovation Committee who will have plans and recommendations available for the next special town meeting.

ARTICLE 8 - To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to purchase a copy machine to be used by the Town and located in the Town Hall, or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to transfer from Federal Revenue Sharing the sum of \$3,515.60 to purchase a copy machine to be used by the Town and located in the Town Hall.

ARTICLE 9 - To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to purchase one (1) Tractor/Mower/Sweeper, to be used by the Department of Public Works, or take any other action thereon.

Annual Town Meeting, May 8, 1979 - Page 4

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to transfer from Federal Revenue Sharing the sum of \$17,559.92 to purchase one (1) Tractor/Mower/Sweeper, to be used by the Department of Public Works.

ARTICLE 10 - To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$10,000.00 for the completion of drainage on Elm Street, King John Drive, King George Drive, Main Street and Valley Road, or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to transfer from Federal Revenue Sharing the sum of \$4,000.00 and to raise and appropriate the sum of \$6,000.00, for a total of \$10,000.00, for the completion of drainage on Elm Street, King John Drive, King George Drive, Main Street and Valley Road.

ARTICLE 11 - To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for completion of cataloguing, restoration-preservation and microfilming of Town records in the custody of the Town Clerk, or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to transfer from Federal Revenue Sharing the sum of \$2,000.00 for completion of cataloguing, restoration-preservation and microfilming of Town records in the custody of the Town Clerk.

ARTICLE 12 - To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$3,800.00 for the completion of a salt storage shed, or take any other action thereon.

Upon motion made and duly seconded, an amendment was VOTED, by majority voice vote, and confirmed by a show of hands, to substitute the figure of \$4,546.00.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to transfer from Federal Revenue Sharing the sum of \$4,546.00 for the completion of a salt storage shed.

ARTICLE 13 - To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$34,528.00, to meet Chapter 90 State Aid Allotment; said monies when reimbursed to be credited to the General Account.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to raise and appropriate the sum of \$34,528.00 to meet Chapter 90 State Aid Allotment; said monies when reimbursed to be credited to the General Account.

Annual Town Meeting, May 8, 1979 - Page 5

ARTICLE 14 - To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$105,000.00 for materials to resurface Brookview Road, Harris Street, Lake Shore Road, Main Street, Pine Plain Road, Pond Street and Roberts Road, or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to raise and appropriate the sum of \$105,000.00 for materials to resurface Brookview Road, Harris Street, Lake Shore Road, Main Street, Pine Plain Road, Pond Street and Roberts Road.

ARTICLE 15 - To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$7,300.00 to purchase and equip a new sedan to be used as a Police car, or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to transfer \$6,191.48 from Federal Revenue Sharing, \$323.38 from Article 16 on the 1977 Annual Town Meeting, and \$235.14 from Article 23 of the 1976 Annual Town Meeting, for a total of \$6,750.00, to purchase and equip a new sedan to be used as a Police car.

ARTICLE 16 - To see if the Town will vote to amend the Zoning Bylaw of the Town of Boxford by adding the following section, or take any other action thereon:

Section VI C 3

In order to promote and provide an orderly opportunity for the Town to amend this Bylaw to assure that adequate access will be provided to all lots created under the provision of Section VI C, Section VI C 1 is hereby suspended and, notwithstanding anything contained in this Bylaw to the contrary, no building permit shall be issued on lots established under said Section until January 1, 1981, or such earlier date as the Town may vote, except as required under Chapter 40A of the Massachusetts General Laws.

A motion to amend the Zoning Bylaws of the Town of Boxford by inserting the following provision:

Section VI B 4 c 3

Each lot established under this section shall have adequate access, as determined by the Inspector of Buildings, to the dwelling from its legal frontage. This section shall not apply to lots established before May 8, 1979, or after January 1, 1981, including those lots shown on plans endorsed by the Planning Board under Subdivision Control Law, or endorsed by Planning Board as not requiring approval, prior to May 8, 1979; and to those lots otherwise protected under Mass. General Laws, Chapter 40-A.

was moved and seconded.

VOTED by hand count, 338 affirmative and 29 opposed.

The Moderator ruled that the main motion was a question to

Annual Town Meeting, May 8, 1979 - Page 6

amend and that the motion voted as an amendment now became the main motion by substituting the amendment, thus requiring a vote to clear the floor of the main motion. A hand count was taken on the main motion.

VOTED, 317 affirmative and 22 opposed.

ARTICLE 17 - To see if the Town will vote to accept Massachusetts General Laws Chapter 41, Section 45A, to have the Board of Selectmen act as the Board of Commissioners of Trust Funds with all of the powers and duties as provided in the General Laws, or to take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to accept Massachusetts General Laws Chapter 41, Section 45A, etc., as printed in Article 17.

ARTICLE 17A-- To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$2,000.00 to establish a Town Unemployment Compensation Fund, or take any other action relative thereto.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to raise and appropriate the sum of \$2,000.00 to establish a Town Unemployment Compensation Fund.

ARTICLE 18 - To see if the Town will vote to accept Massachusetts General Laws Chapter 40, Section 13, relating to the establishment of a municipal buildings and property insurance fund (to be known as Town Insurance Fund) under the management and control of the Board of Commissioners of Trust Funds, or to take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to accept Massachusetts General Laws Chapter 40, Section 13, etc., as printed in Article 18.

ARTICLE 18A - To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to establish a Town Insurance Fund, in accordance with Massachusetts General Laws, Chapter 40, Section 13, and Chapter 41, Section 45A, for the purpose of self-insuring all Department of Public Works' vehicles and any other uninsured losses, or take any other action relative thereto.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to raise and appropriate the sum of \$5,000.00 to establish a Town Insurance Fund, etc., as printed in Article 18A.

Annual Town Meeting, May 8, 1979 - Page 7

ARTICLE 19 - To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money in full settlement of all claims of Donald Banks against the Town, relative to injuries incurred in the line of duty as a call fire fighter for the Boxford Fire Department, or to take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to raise and appropriate the sum of \$10,139.60 in full settlement of all claims of Donald Banks against the Town, relative to injuries incurred in the line of duty as a call fire fighter for the Boxford Fire Department.

ARTICLE 20 - To see if the Town will vote to raise and appropriate or transfer from available funds, or bond a sum of money for the construction of a new East Boxford Fire Station to be located on Town owned property in the East end of Boxford on Middleton Road, and to authorize and instruct the present East Fire Station Building Committee to enter into a contract on behalf of the Town and supervise the execution of such contract until completed.

Upon motion made and duly seconded, an amendment was VOTED, by hand count (253 affirmative and 7 opposed), to transfer from the Stabilization Fund the sum of \$100,000.00 and borrow by issuance of ten (10) year notes the sum of \$155,000.00, for a total of \$255,000.00.

Upon motion made and duly seconded, it was VOTED, by hand count (323 affirmative and 2 opposed), to move the question.

Upon motion made and duly seconded, the article was defeated by hand count vote, 97 affirmative and 236 opposed.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to adjourn the meeting at 11:45 p.m. until 8:00 p.m. on Wednesday, May 9, 1979.

Registered voters attending the meeting were 498.

Annual Town Meeting, May 9, 1979 - Page 8

Moderator DeWitt T. Minich called the second session of the Annual Town Meeting to order at 8:05 p.m. on May 9, 1979.

ARTICLE 21.- To see if the Town will raise and appropriate or transfer from available funds, a sum of money for the purpose of equipping a new Fire Station in the East end of Boxford with the following: a) building maintenance equipment; b) office furniture and equipment.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to pass over the article.

ARTICLE 22 - To see if the Town will vote to adopt the following Zoning Bylaw: "The Board of Appeals may, after a public hearing, in cases of certain limited circumstances, be empowered to enter into a written stipulation with a property owner that the Town shall not enforce certain zoning violations as to the property owner's property. Before the Board of Appeals may enter into such a stipulation, the Board, at its public hearing, must find:

1. That the building or structure was erected prior to January 1, 1979.
2. That a building permit was issued by the Inspector of Buildings.
3. A certificate of occupancy was issued by the Inspector of Buildings, or
4. The building or structure was used for a period of at least one (1) year and no written complaint was filed with the Inspector of Buildings.
5. That the non-enforcement of the zoning bylaws shall not result in any substantial derogation of the zoning bylaws of the Town of Boxford.
6. That this zoning bylaw shall only apply to violations of the requirements as set forth in Section VI B-1; B-2a; B-2b; B-2c-1; B-2c-2; B-3; B-4a-1; B-4a-2; B-4b-1; B-4b-2."

or take any other action relative thereto.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to pass over the article.

ARTICLE 23 - To see if the Town will vote to adopt the following by-law:

- a) No alarm system or equipment shall be connected into the Town Emergency Center without first obtaining an alarm permit signed by the Communications Director, Police Chief or Fire Chief, if applicable.
- b) The only types of equipment which will be allowed to connect to the Town Emergency Center will be digital dialers and leased lines and any other type which the Communications Director deems to be compatible with the equipment of the Town Emergency Center. Telephone dialing systems which include voice or tape recorders