

ADJOURNED ANNUAL TOWN MEETING

May 24, 1994

Moderator DeWitt T. Minich called the third session of the Boxford Annual Town Meeting to order at 7:38 p.m. The articles of the warrant were disposed of as follows:

ARTICLE 37. To see if the Town will vote to amend the General Bylaws of the Town of Boxford, Article 12 (the Wetlands Protection bylaw), Section 2. Jurisdiction to read as follows:

"Except as provided in this bylaw, no person shall remove, fill, dredge, build upon, or alter the following resource areas: within 100 feet of any fresh water wetland, marsh, wet meadow, bog or swamp; within 100 feet of any lake, river, pond, stream, or estuary; and land under said waters; or within 100 feet of any land subject to flooding or inundation by groundwater or surface water. 11

A motion to have Mr. Greg McGregor, a non-resident, speak was defeated by hand count vote, 182 in favor and 129 opposed. A two-thirds favorable vote is required.

A motion to have Mr. Curtis Young, a new resident but unregistered voter, speak was defeated by hand count vote, 261 in favor and 132 opposed. A two-thirds favorable vote is required.

Upon motion made and duly seconded, it was VOTED, by hand count vote, 101 in favor and 333 opposed, to defeat Article 37.

ARTICLE 38. To see if the Town will vote to amend the General Bylaws of the Town of Boxford, Article 12 (the Wetlands Protection bylaw) Section 3: Exceptions by adding the following two paragraphs:

"Roadway(s) to upland property shall be allowed when no other access to upland property is available."

"Trails shall be allowed for public and private recreational use, with any and all motorized vehicles prohibited."

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

ARTICLE 39. To see if the Town will vote to sell a parcel of Town-owned land off of Georgetown Road, consisting of 13,160 square feet, identified on Plan of Land prepared by John J. Decoulios, 248 Andover Street, Peabody, MA 01960, dated March 10, 1994, a copy of which is on file with the Town Clerk; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to sell to Darman A. Wing, 56 Georgetown Road, Boxford, for the sum of \$3,000 a parcel of Town-owned land off of Georgetown Road, consisting of 13,160 square feet, identified on Plan of Land prepared by John J. Decoulios, 248 Andover Street, Peabody, MA 01960, dated March 10, 1994, a copy of which is on file with the Town Clerk.

Finance Committee recommended adoption of this Article.

Adjourned Annual Town Meeting - May 24, 1994

ARTICLE 40. To see if the Town will vote to authorize the Board of Selectmen to accept an exchange of land between the Town and Ipswich Way, Inc. , General Partner of Georgetown Road Limited Partnership. This exchange to consist of a 0.45 acre parcel of land owned by the Town (identified as Parcel "All on a plan submitted to the Planning Board by Ipswich Way Inc. and dated March 16, 1994) to be exchanged for a 0.68 acre parcel of land owned by Ipswich Way, Inc. (identified as Parcel "B" on the same plan); or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by hand count vote, 255 in favor and 55 opposed, to authorize the Board of Selectmen to accept an exchange of land between the Town and Georgetown Road Limited Partnership, or its nominee. This exchange to consist of a 0.45 acre parcel of land owned by the Town (identified as Parcel "All on a plan submitted to the Planning Board by Ipswich Way Inc. and dated March 16, 1994) to be exchanged for a 0.68 acre parcel of land owned by Georgetown Road Limited Partnership (identified as Parcel "B" on the same plan) -

ARTICLE 41. To see if the Town will vote to authorize the Board of Selectmen to accept a gift of land shown as Lot #62 on the Baldpate Pond Limited Partnership Preliminary Subdivision sketch dated July, 1993, and revised December 1, 1993. This land consists of 9.5 acres of upland and wetland and is adjacent to 21.5 acres of Town owned land on Baldpate Pond; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by hand count vote, 262 in favor and 16 opposed, to accept a gift of land shown as Lot #62 on the Baldpate Pond Limited Partnership Preliminary Subdivision sketch dated July, 1993, and revised December 1, 1993. This land consists of 9.5 acres of upland and wetland and is adjacent to 21.5 acres of Town owned land on Baldpate Pond.

ARTICLE 42. To see if the Town will vote to amend the General Bylaws of the Town, Article 8, Section 4 by adding the following paragraphs:

118-4-14(a) The owner or keeper of a dog shall be prohibited from allowing a dog to be annoying, dangerous, or a nuisance;

8-4-14(b) For the purposes of this bylaw, "annoying, dangerous, or a nuisance" includes the following:

Molesting passersby or passing vehicles (including bicycles), attacking persons or domestic animals, trespassing on school grounds or other public property, damaging public or private property, barking, whining, or howling in an excessive, continuous or untimely fashion, or being on the property of an owner who does not wish the dog on his or her property.

Adjourned Annual Town Meeting - May 24, 1994

8-4-14(c) Violations of this section of the bylaws shall be non-criminal in nature and violators shall be subject to the following fines:

- First Offense - Warning only
- Second Offense - \$25.00
- Third and Subsequent Offense - \$50.00

said fines shall be paid to the Town of Boxford.

8-4-14(d) The enforcing official of this bylaw shall be the Animal Control Officer of the Town; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to amend the General Bylaws of the Town, Article 8, Section 4 by adding the following paragraphs:

118-4-14(a) The owner or keeper of a dog shall be prohibited from allowing a dog to be annoying, dangerous, or a nuisance;

8-4-14(b) For the purposes of this bylaw, "annoying, dangerous, or a nuisance" includes the following:

Molesting passersby or passing vehicles (including bicycles), attacking persons or domestic animals, trespassing on school grounds or other public property, damaging public or private property, barking, whining, or howling in an excessive, continuous or untimely fashion, or being on the property of an owner who does not wish the dog on his or her property.

8-4-14 (c) Violations of this section of the bylaws shall be non-criminal in nature and violators shall be subject to the following fines:

- First Offense - Warning only
- Second Offense - \$25.00
- Third and Subsequent Offense - \$50.00

all fines and fees due and payable shall be remitted to the Town before dog can be returned to its owner.

8-4-14(d) The enforcing official of this bylaw shall be the Animal Control officer of the Town.

Finance Committee recommended adoption of this Article.

Adjourned Annual Town Meeting - May 24, 1994

ARTICLE 43. To see if the Town will vote to advise the Boxford members of the Masconomet Regional District School Committee to oppose any renewal or extension of the Channel One contract; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to advise the Boxford members of the Masconomet Regional District School Committee to oppose any renewal or extension of the Channel One contract.

ARTICLE 44. To see if the Town will vote to amend Article Seven of the General Bylaws of the Town by adding the following new section:

PUBLIC HEALTH

Section 3 Smoking

7-3-1 Smoking shall be prohibited in all schools and on all school property.

7-3-2 Smoking shall be defined as smoking or possessing a lighted cigarette, cigar, pipe, or other smoking Article.

7-3-3 Violations of this section shall be non-criminal in nature, and violators shall be subject to the following fines: First Offense, \$25.00; Second Offense, \$50.00; Third and subsequent offense, \$100.00. Said fines shall be paid to the Town of Boxford.

7 - 3 -4 The enforcing officials shall be those persons designated by the School Committee in control of the applicable school, and the law enforcement officials of the Town; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to amend Article Seven of the General Bylaws of the Town by adding the following new section:

PUBLIC HEALTH

Section 3 Smoking

7-3-1 Smoking shall be prohibited in all schools and on all school property.

7-3-2 Smoking shall be defined as smoking or possessing a lighted cigarette, cigar, pipe, or other smoking Article.

7-3-3 Violations of this section shall be non-criminal in nature, and violators shall be subject to the following fines: First Offense, \$25.00; Second Offense, \$50.00; Third and subsequent offense, \$100.00. Said fines shall be paid to the Town of Boxford.

Adjourned Annual Town Meeting - May 24, 1994

7-3-4 The enforcing officials shall be those persons designated by the School Committee in control of the applicable school, and the law enforcement officials of the Town.

Finance Committee recommended adoption of this Article.

ARTICLE 45. To see if the Town will vote to amend the General Bylaws of the Town of Boxford, Article One, Section 2, second sentence to read as follows:

1-2-1 "All Warrant Articles are to be submitted to the Board of Selectmen thirty days prior to the Annual Town Meeting"; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to amend the General Bylaws of the Town of Boxford, Article one, Section 2, second sentence to read as follows:

1-2-1 "All Warrant Articles are to be submitted to the Board of Selectmen thirty days prior to the Annual Town Meeting."

Finance Committee recommended adoption of this Article.

ARTICLE 46. To see if the Town will vote to adopt the following resolution petitioned by the Tri-Town Health Advisory Council:

WHEREAS: It is estimated that the number of AIDS cases in the world will increase tenfold reaching 20 million cases by the year 2,000.

WHEREAS: AIDS (or HIV disease) now impacts men, women, and children internationally, nationally, state-wide, and locally.

WHEREAS: HIV disease is considered preventable in the next generation providing prevention-education is addressed NOW.

WHEREAS: Such prevention-education must be introduced in the home, in our schools, and in public presentations to be effective,

WHEREAS: The Tri-Town Health Advisory Council is acknowledging the epidemic and addressing prevention needs,

NOW THEREFORE: Be it resolved by the Annual Town Meeting of the Town of Boxford that its citizens will support the planning efforts of the Tri-Town Health Advisory Council by:

- considering its recommendations
- participating in its prevention plans
- supporting its ongoing efforts;

or take any other action thereon.

Adjourned Annual Town Meeting - May 24, 1994

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to defeat Article 46.

ARTICLE 47. To see if the Town will vote to accept the provisions of M.G.L. Chapter 40, Section 8d, to establish a Historical Commission, and that the powers and duties of said Commission be assumed by the Historic District Commission; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to accept the provisions of M.G.L. Chapter 40, Section 8d, to establish a Historical Commission, and that the powers and duties of said Commission be assumed by the Historic District commission.

ARTICLE 48. To see if the Town will vote to accept the amendments to the M.G.L., Chapter 59, Section 5, which if accepted would reduce from five years to one year the state residency requirement for new residents of the Town must meet to qualify for a veteran exemption under Cl. 22, 22A, 22B, 22C, 22D or 22E. ; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to accept the amendments to the M.G.L., Chapter 59, Section 5, which if accepted would reduce from five years to one year the state residency requirement for new residents of the Town must meet to qualify for a veteran exemption under Cl. 22, 22A, 22B, 22C, 22D or 22E.

Finance Committee recommended adoption of this Article.

ARTICLE 49. To transact any other business that may legally come before said meeting.

Four flag designs were displayed to voters and one was selected to fly in the Hall of Flags at the State House on Flag Day.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to dissolve this Annual Town Meeting at 11:06 p.m.

Registered voters attending the meeting were 461. Counters and checkers for the meeting were appointed by Town Clerk Patricia Shields.

A true record.

ATTEST:

Patricia Shields
Town Clerk

Adjourned Annual Town Meeting - May 24, 1994

TRANSFERS:

Article 23 (from free cash)	1,500.00
Article 24 (from free cash)	13,300.00
Article 25 (from free cash)	20,000.00
Article 27 (from free cash)	50,000.00
Article 30 (from free cash)	150,000.00
Article 33 (from free cash)	3,000.00

TOTAL TO BE TRANSFERRED: \$ 2,371,800.00

RAISE AND APPROPRIATE:

Article 3	\$ 10,862.00
Article 6	29,120.00
Article 11	8,557,263.00
Article 12	20,000.00
Article 13	30,000.00
Article 14	64,508.00
Article 15	20,000.00
Article 16	6,500.00
Article 17	15,000.00
Article 18	15,500.00
Article 21	19,000.00
Article 26 (Article 7 S.T.M. Nov 2, 1993)	15,000.00
Article 26 (May 11, 1994)	(15,000.00)
Article 28	20,000.00
Article 29	10,000.00
Article 31	1,500.00
Article 33	45,000.00

TOTAL TO BE RAISED
AND APPROPRIATED: \$8,864,253.00

APPROPRIATIONS:

Article 3 (from Enterprise Fund Receipts)	\$ 126,100.00
Article 10 (from Wetlands Protection Fund to to Planning Board/Conservation Commission Office Planning Budget)	\$7,912.50

TOTAL TO BE APPROPRIATED: \$ 134,012.50