

SPECIAL TOWN MEETING
OCTOBER 22, 1996

Voters of the Town of Boxford met at the Masconomet Regional High School on Tuesday, October 22, 1996. Moderator DeWitt T. Minich called the Special Town Meeting to order at 7:18 p.m. The articles of the warrant were disposed of as follows:

ARTICLE 1. To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$100,000 to establish a Reserve Fund for FY 1997; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to transfer from free cash the sum of \$100,000 to establish a Reserve Fund for FY 1997.

Finance Committee recommended adoption of this article.

ARTICLE 2. To see if the Town will vote to appropriate the sum of \$305,522 for highway maintenance and construction in anticipation of state aid allotment, said monies predicated on state reimbursement of the following: Chapter 113, Section 2A, Acts of 1996, \$305,522 (MA# 36163, First Apportionment); or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to appropriate the sum of \$305,522 for highway maintenance and construction in anticipation of state aid allotment, said monies predicated on state reimbursement of the following: Chapter 113, Section 2A, Acts of 1996, \$305,522 (MA# 36163, First Apportionment).

Finance Committee recommended adoption of this article.

ARTICLE 3. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to purchase a tailgate spreader for the Department of Public Works, said funds to be spent under the direction of the Board of Selectmen; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to transfer from free cash the sum of \$7,600 to purchase a tailgate spreader for the Department of Public Works, said funds to be spent under the direction of the Board of Selectmen.

Finance Committee recommended adoption of this article.

ARTICLE 4. To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$20,000 to be added to the Conservation Fund, to be used for drafting a topographic plan showing wood roads, stone walls, tree lines and wetland of Wildcat Forest; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to pass over Article 4.

Boxford Special Town Meeting

ARTICLE 5. To see if the Town will vote raise and appropriate, or transfer from available funds, a sum of money to fund the costs estimated for repairs associated with the previous use of Johnson Field and its surrounding area as a sanitary landfill; said funds to be expended under the direction of the Board of Health; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to transfer from free cash the sum of \$125,000 to fund the costs estimated for repairs associated with the previous use of Johnson Field and its surrounding area as a sanitary landfill; said funds to be expended under the direction of the Board of Health.

Finance Committee recommended adoption of this article.

ARTICLE 6. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money for the completion of the sanitary disposal system at Camp Stepping Stone (aka Camp Sacajawea), said funds to be spent under the direction of the Board of Health; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to transfer from free cash the sum of \$10,000 for the completion of the sanitary disposal system at Camp Stepping Stone (aka Camp Sacajawea), said funds to be spent under the direction of the Board of Selectmen.

Finance Committee recommended adoption of this article.

ARTICLE 7. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to construct an irrigation system for the Boy Scout Park Baseball Field; said funds to be spent under the direction of the Board of Selectmen; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to transfer from free cash the sum of \$10,000 to construct an irrigation system for the Boy Scout Park Baseball Field; said funds to be spent under the direction of the Board of Selectmen.

Finance Committee recommended adoption of this article.

ARTICLE 8. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to fund the preparation of an engineered plan for the siting of a parking lot on Town owned land off Spofford Road, immediately adjacent to the Spofford Pond School; said funds to be spent under the direction of the Board of Selectmen; or take any other action thereon.

Boxford Special Town Meeting

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to transfer from free cash the sum of \$7,500 to fund the preparation of an engineered plan for the siting of a parking lot on Town owned land off Spofford Road, immediately adjacent to the Spofford Pond School; said funds to be spent under the direction of the Board of Selectmen

Finance Committee recommended adoption of this article.

ARTICLE 9. To see if the Town will vote to amend Article 5 of the General Bylaws (The Personnel Bylaw) by creating the following new position: Assistant Director, Council on Aging, Grade 9; or take any other action thereon.

Upon motion made and duly seconded, ARTICLE 9 was defeated by majority voice vote.

Finance Committee recommended adoption of this article.

ARTICLE 10. To see if the Town will vote to amend Article 5 of the General Bylaws (The Personnel Bylaw) by amending the pay range for Grade DH1 (Conservation Administrator) from the current range as shown here:

Grade DH1 - Conservation Administrator - Annual Salary

	A	B	C	D	E	F	G	H	I
Steps	14,168	14,565	14,973	15,392	15,823	16,266	16,271	17,189	17,671

so that it will read as follows:

	A	B	C	D	E	F	G	H	I
Steps	18,642	19,164	19,701	20,253	20,820	21,403	22,002	22,618	23,251

or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to amend Article 5 of the General Bylaws (The Personnel Bylaw) by amending the pay range for Grade DH1 (Conservation Administrator) from the current range as shown here:

Grade DH1 - Conservation Administrator - Annual Salary

	A	B	C	D	E	F	G	H	I
Steps	14,168	14,565	14,973	15,392	15,823	16,266	16,271	17,189	17,671

so that it will read as follows:

	A	B	C	D	E	F	G	H	I
Steps	18,642	19,164	19,701	20,253	20,820	21,403	22,002	22,618	23,251

Boxford Special Town Meeting

ARTICLE 11. To see if the Town will vote to authorize the Board of Selectmen with approval of the School Committee to grant an easement to Massachusetts Electric Company, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, for the purpose of installing an overhead and underground electrical distribution system in, along, upon and under a portion of the land owned by the Town (Spofford Pond School) described in a deed recorded with the Essex South District Registry of Deeds at Book 3492, Page 77 located off Spofford Road, said easement premises being shown on a sketch plan entitled "Sketch showing proposed overhead and underground Electrical System to be installed on private property owned by the Town of Boxford off Spofford Road - Boxford, MA", prepared by Massachusetts Electric Company, dated May 24, 1996, which Sketch Plan 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 authorize the Board of Selectmen with approval of the School Committee to grant an easement to Massachusetts Electric Company, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, for the purpose of installing an overhead and underground electrical distribution system in, along, upon and under a portion of the land owned by the Town (Spofford Pond School) described in a deed recorded with the Essex South District Registry of Deeds at Book 3492, Page 77 located off Spofford Road, said easement premises being shown on a sketch plan entitled "Sketch showing proposed overhead and underground Electrical System to be installed on private property owned by the Town of Boxford off Spofford Road - Boxford, MA", prepared by Massachusetts Electric Company, dated May 24, 1996, which Sketch Plan is on file with the Town Clerk.

A two-thirds vote was required.

ARTICLE 12. To see if the Town will vote to amend Article 7 of the General Bylaws by inserting the following new Section 5:

Section 5 - Consumption of Alcohol

7-5-1 No patron, customer, or other person shall bring onto the premises for consumption and consume any alcoholic beverage, wine, beer, or malt beverages on any premises operating with a common victualer's license within a B-1 Retail Business District (as defined in the Boxford Zoning Bylaw). This section shall not prevent any person duly licensed pursuant to G. L. c.138, Sec.12 or other legal authority from bringing alcoholic beverages, wine, beer, or malt liquors onto the duly licensed premises for consumption thereon;

7-5-2 Whoever shall violate this bylaw shall be fined \$50.00 for the first offense and \$100.00 for each subsequent offense. Each separate container containing such alcoholic beverages, wine, beer, or malt beverages shall constitute a separate violation;

Boxford Special Town Meeting

7-5-3 The enforcing officials shall be the town's licensing authority or its agents 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 7 of the General Bylaws by inserting the following new Section 5:

Section 5 - Consumption of Alcohol

7-5-1 No patron, customer, or other person shall bring onto the premises for consumption and consume any alcoholic beverage, wine, beer, or malt beverages on any premises operating with a common victualer's license within a B-1 Retail Business District (as defined in the Boxford Zoning Bylaw). This section shall not prevent any person duly licensed pursuant to G. L. c.138, Sec.12 or other legal authority from bringing alcoholic beverages, wine, beer, or malt liquors onto the duly licensed premises for consumption thereon;

7-5-2 Whoever shall violate this bylaw shall be fined \$50.00 for the first offense and \$100.00 for each subsequent offense. Each separate container containing such alcoholic beverages, wine, beer, or malt beverages shall constitute a separate violation;

7-5-3 The enforcing officials shall be the town's licensing authority or its agents and the law enforcement officials of the Town.

ARTICLE 13. I move to amend Article Seven of the General Bylaws by inserting the following new section:

Section 5 - Herbicides and Pesticides

"The use of herbicides, pesticides and other toxic materials shall be prohibited on Town-owned lands unless approved by the Board of Health and where appropriate by the Conservation Commission;" 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 by inserting the following new section:

Section 5 - Herbicides and Pesticides

"The use of herbicides, pesticides and other toxic materials shall be prohibited on Town-owned lands unless approved by the Board of Health and where appropriate by the Conservation Commission."

Boxford Special Town Meeting

ARTICLE 14. To see if the Town will vote to amend the actions taken, pursuant to Article 15 of the Warrant for the Special Town Meeting of November 2, 1993, which reads as follows: To fund the replacement of the Air Conditioning unit in the Town Hall Vault and to select the correct size unit to perform correctly in the vault. (appropriated amount \$4,070.00); amended to read as follows: To authorize the Town Clerk to utilize the balance of the original Article (\$3,580.02) to fund the reorganization of the vault's contents; i.e., indexing, microfilming, storage, record review by the state, etc., to conform to the Massachusetts General Laws, Chapter 66; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to amend the actions taken, pursuant to Article 15 of the Warrant for the Special Town Meeting of November 2, 1993, which reads as follows: To fund the replacement of the Air Conditioning unit in the Town Hall Vault and to select the correct size unit to perform correctly in the vault. (appropriated amount \$4,070.00); amended to read as follows: To authorize the Town Clerk to utilize the balance of the original Article (\$3,580.02) to fund the reorganization of the vault's contents; i.e., indexing, microfilming, storage, record review by the state, etc., to conform to the Massachusetts General Laws, Chapter 66; said funds to be expended under the direction of the Town Clerk.

Finance Committee recommended adoption of this article.

ARTICLE 15. To receive and place on file the document entitled: "Boxford Master Plan" dated June, 1996 prepared by the Boxford Master Plan Committee and approved by the Boxford Planning Board on June 12, 1996, without ratification or authorization of any action proposed; or take any action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to receive and place on file the document entitled: "Boxford Master Plan" dated June, 1996 prepared by the Boxford Master Plan Committee and approved by the Boxford Planning Board on June 12, 1996, without ratification or authorization of any action proposed.

ARTICLE 16. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to fund the investigating, testing and repair of problems associated with the failure of the Town owned underground fuel storage tank; said funds to be spent under the direction of the Board of Selectmen; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to pass over Article 16.

Finance Committee recommended adoption of this article.

Boxford Special Town Meeting

ARTICLE 17. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to fund the relocation of the town fuel pump dispensing island at the location of the town underground fuel storage tank; said funds to be spent under the direction of the Board of Selectmen; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to transfer from free cash the sum of \$8,455 to fund the relocation of the town fuel pump dispensing island at the location of the town underground fuel storage tank; said funds to be spent under the direction of the Board of Selectmen.

Finance Committee recommended adoption of this article.

ARTICLE 18. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to fund the unanticipated special education costs incurred to date for FY 1997; said funds to be spent under the direction of the Elementary School Committee; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to transfer from free cash the sum of \$112,253 to fund the unanticipated special education costs incurred to date for FY 1997; said funds to be spent under the direction of the Elementary School Committee.

Finance Committee recommended adoption of this article.

ARTICLE 19. To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$7,500 to be expended under the direction of the Boxford School Committee, for the purpose of conducting an indoor Air Quality and Ventilation Systems Evaluation for the Spofford Pond and Cole School buildings; or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by hand count vote, 120 in favor and 82 opposed, to transfer from free cash the sum of \$7,500 for the purpose of conducting an indoor Air Quality and Ventilation Systems Evaluation for the Spofford Pond and Cole School buildings; said funds to be spent under the direction of the Elementary School Committee.

Finance Committee recommended adoption of this article.

ARTICLE 20. To see if the Town will vote to authorize the Board of Selectmen to explore and consider to purchase, or take by eminent domain, a parcel of land, with the building thereon, owned by Georgetown Road Limited Partnership, shown as Parcel 11 on a Plan of Land prepared by Thomas E. Neve Associates dated March 29, 1996, containing 4.73 acres according to said plan, a copy of which is on file at the Town Clerk's office, being a portion of the land shown on Assessor's Map 16, Block 1, Parcel 04 for the purpose of constructing or renovating the building thereon for Municipal office use; or take any other action thereon.

Boxford Special Town Meeting

Upon motion made and duly seconded, it was VOTED, by hand count vote, 108 in favor and 83 opposed, to amend the article by deleting the words "or take by eminent domain."

Upon motion made and duly seconded, it was VOTED, by majority show of hands, to explore and consider to purchase a parcel of land, with the building thereon, owned by Georgetown Road Limited Partnership, shown as Parcel 11 on a Plan of Land prepared by Thomas E. Neve Associates dated March 29, 1996, containing 4.73 acres according to said plan, a copy of which is on file at the Town Clerk's office, being a portion of the land shown on Assessor's Map 16, Block 1, Parcel 04 for the purpose of constructing or renovating the building thereon for Municipal office use.

ARTICLE 21. To see if the Town will vote to transact any other business that may legally come before said meeting.

Upon motion made and duly seconded, it was VOTED, by unanimous vote, to dissolve this Special Town Meeting at 10:31 p.m.

Registered voters attending this meeting were 235. Counters and checkers for this meeting were appointed by Town Clerk Patricia Shields.

A true record.

ATTEST:


Patricia Shields
Town Clerk