

**SPECIAL TOWN MEETING  
October 26, 2004**

Voters of the Town of Boxford met at the Masconomet High School on Tuesday, October 26, 2004. Moderator Gerald Johnston called the meeting to order at 7:40 p.m. and the articles of the warrant were disposed of accordingly.

**ARTICLE 1.** To see if the Town will vote to accept Massachusetts General Laws Chapter 40, Section 8G and authorize the Selectmen to enter into Police mutual aid agreements with other cities and towns; or take any other action thereon.

Sponsored by the Board of Selectmen

*Upon a motion made and duly seconded, it was VOTED, by unanimous voice vote, to accept Massachusetts General Laws Chapter 40, Section 8G and authorized the Selectmen to enter into Police mutual aid agreements with other cities and towns.*

**ARTICLE 2.** To see if Town will vote to appropriate the sum of \$253,367.00 for highway maintenance and construction in accordance with the FY 05 Chapter 90 local transportation aid, as authorized by a contract with the Commonwealth of Massachusetts executed by the Town on September 28, 2004, funds to be expended under the direction of the Board of Selectmen; or take any other action thereon.

Sponsored by the Board of Selectmen  
Finance Committee recommends adoption of this article

*Upon a motion made and duly seconded, it was VOTED, by unanimous voice vote to appropriate the sum of \$253,367.00 for Highway Maintenance and Construction in accordance with FY 05 Chapter 90 local transportation aid, as authorized by a contract with the Commonwealth of Massachusetts executed by the Town on September 28, 2004, funds to be expended under the direction of the Board of Selectmen.*

**ARTICLE 3.** To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$15,000 to purchase a new replacement minimum 72" rotary mower for the Department of Public Works, said funds to be expended under the direction of the Board of Selectmen; or take any other action thereon.

Sponsored by the Board of Selectmen  
Finance Committee recommends adoption of this article  
Capital Budgeting Committee Recommendation: "A" Essential

*Upon a motion made and duly seconded, it was VOTED, by majority voice vote to transfer from the one-time municipal relief state aid fund the sum of \$15,000 to purchase a new replacement minimum 72" rotary mower for the Department of Public Works, said funds to be expended under the direction of the Board of Selectmen.*

**ARTICLE 4.** To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of **\$12,000 to fund the relocation of existing public safety radio receiver antennas** to a higher location at Masconomet Regional High School and to relocate existing public safety radio receiver antennas from the West Fire Station to the new wireless tower under construction off Essex Street, said funds to be expended under the direction of the Board of Selectmen, or to take any other action thereon.

Sponsored by the Board of Selectmen  
Finance Committee recommends adoption of this article  
Capital Budgeting Committee Recommendation: "A" Essential

*Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to transfer from the one-time municipal relief State Aid Fund, the sum of \$12,000 to fund the relocation of existing public safety radio receiver antennas to a higher location at Masconomet Regional High School and to relocate existing public safety radio receiver antennas from the West Fire Station to the new wireless tower under construction off Essex Street, said funds to be expended under the direction of the Board of Selectmen.*

**ARTICLE 5.** To see if the Town will vote to amend the Compensation Plan for Classification Plan Employees for FY 2005 to create the department head position of **Director of Assessment for the Office of the Assessors** with an FY 05 annual salary range to be recommended by the Personnel Board; further to amend the Town Code, Chapter 11 § 11-11 and Chapter 19 §19-2 to replace the references to "Assistant Assessor" with the words "Director of Assessment", or take any other action thereon.

Estimated Annual Salary Range: \$40,000 - \$48,000  
Sponsored by the Board of Assessors and Personnel Board  
Finance Committee recommends adoption of this article

*Upon a motion made and duly seconded, it was VOTED, by majority voice vote, to amend the Compensation Plan for Classification Plan Employees for FY 2005 to create the department head position of Director of Assessment for the Office of the Assessors with an FY 05 annual salary range of a minimum of \$41,000 and a maximum of \$53,000; further to amend the Town Code, Chapter 11 § 11-11 and Chapter 19 §19-2 to replace the references to "Assistant Assessor" with the words "Director of Assessment".*

**ARTICLE 6.** To see if the Town will vote to raise and appropriate, or transfer from available funds a total of **\$91,762 to supplement various FY 2005 department operating budgets** as follows, said funds to be expended under the direction of the appropriated listed department:

Legal	\$ 25,000
Computer Management	\$ 15,000
Planning Board	\$ 200
Municipal Finance Department	\$ 20,238
Ambulance Service	\$ 1,030
Building Inspector	\$ 650
DPW – Salary	\$ 4,644
Board of Health	\$ 10,000
General Insurance	\$ 15,000

or take any other action thereon

Sponsored by the Finance Committee

*Upon motion made and duly seconded, it was **VOTED**, by unanimous voice vote, to raise and appropriate, a total of \$91,762 to supplement various FY 2005 department operating budgets as follows, said funds to be expended under the direction of the appropriated listed department:*

<i>Legal</i>	<i>\$ 25,000</i>
<i>Computer Management</i>	<i>\$ 15,000</i>
<i>Planning Board</i>	<i>\$ 200</i>
<i>Municipal Finance Department</i>	<i>\$ 20,238</i>
<i>Ambulance Service</i>	<i>\$ 1,030</i>
<i>Building Inspector</i>	<i>\$ 650</i>
<i>DPW – Salary</i>	<i>\$ 4,644</i>
<i>Board of Health</i>	<i>\$ 10,000</i>
<i>General Insurance</i>	<i>\$ 15,000</i>

**ARTICLE 7.** To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of **\$10,000 to supplement the FY 2005 police department salary operating budget**, said funds to be expended under the direction of the police department, or take any other action thereon.

Sponsored by the Board of Selectmen

Finance Committee **does not** recommend adoption of this article

*Upon a motion made and duly seconded, it was **VOTED**, by majority hand count 193 in favor and 80 opposed to raise and appropriate the sum of \$10,000 to supplement the FY 2005 police department salary operating budget, said funds to be expended under the direction of the police department.*

**ARTICLE 8.** To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of **\$10,000 to fund an engineering/architectural study for repair, refinishing and conditioning the basement level of the West Boxford Library**, said funds to be expended under the direction of the Board of Selectmen, or to take any other action thereon.

Sponsored by the Board of Selectmen and Facilities Maintenance Committee  
Finance Committee recommends adoption of this article  
Capital Budgeting Committee Recommendation: "A" Essential

*Upon a motion made and duly seconded, it was VOTED, to transfer from the one-time municipal relief state aid fund the sum of \$10,000 to fund an engineering/architectural study for repair, refinishing and conditioning the basement level of the West Boxford Library, said funds to be expended under the direction of the Board of Selectmen.*

**ARTICLE 9.** To see if the Town will **authorize the Library Trustees to apply for**, accept and expend any **state grants** that may be available for the library renovation and expansion, **and to accept the preliminary designs for the project**, on file with the Town Clerk, or take any action thereon.

Sponsored by the Board of Library Trustees  
Finance Committee **does not** recommend adoption of this article at this time  
Selectmen **do not** support the plan as presented  
Capital Budgeting Committee Recommendation: "D" Not Recommended

*UPON A MOTION MADE AND DULY SECONDED, IT WAS VOTED BY A UNANIMOUS 2/3 VOICE VOTE TO ALLOW NON-RESIDENTS DIANE GIARRUSSO, DIRECTOR OF BOXFORD TOWN LIBRARIES AND JEFF HOOVER OF TAPPE ASSOCIATES TO SPEAK AT BOXFORD'S SPECIAL TOWN MEETING.*

*AN AMENDMENT (#1) TO ARTICLE 9 WAS INTRODUCED AS FOLLOWS:*

*To amend Article 9, striking all words after " ...state grants that may be available for ..." and adding "...construction of a new, central library on Town lands in the vicinity of Spofford Road."*

**The amended article now reads:**

*To see if the Town will authorize the Library Trustees to apply for, accept and expend any state grants that may be available for construction of a new central library on Town lands in the vicinity of Spofford Road.*

*A MOTION TO MOVE THE ARTICLE WAS VOTED, BY UNANIMOUS VOICE VOTE.*

*Upon a motion made and duly seconded, it was VOTED by show of hands, to defeat Amendment #1.*

*Upon a motion made and duly seconded, it was VOTED by majority voice vote, to authorize the Library Trustees to apply for, accept and expend any state grants that may be available for the library renovation and expansion, and to accept the preliminary designs for the project, on file with the Town Clerk.*

**ARTICLE 10.** To see if the Town will vote to authorize the Selectmen to lease an interest in a 1.1 acre parcel of town owned land on Olde Killam Hill Road for a term not to exceed twenty years, for a minimum purchase price to be determined by the Board of Selectmen upon such terms and conditions as the Board of Selectmen may deem appropriate, for the purpose of construction and maintenance of a wireless communications tower and antennas, including related structures, equipment and roadways; said land identified in the records of assessors as Map 20, Block 2, Lot 9; further described in a deed of final judgment of foreclosure of tax title, filed in the Essex South Registry of Deeds, Book 12503, Page 50; and to authorize the Selectmen to enter into any and all agreements necessary to affect said lease, or take any other action thereon.

Sponsored by the Board of Selectmen

*Upon motion made and duly seconded, the VOTE to PASS OVER Article 10 was DEFEATED by a hand count of 67 in favor and 84 opposed.*

*Upon a motion made and duly seconded, it was VOTED by a greater than 2/3 hand count of 99 in favor and 63 opposed to DEFEAT Article 10.*

**ARTICLE 11.** To see if the Town will vote to accept the following roads described below, as public ways, including any appurtenant easements and to authorize the Board of Selectmen to acquire any necessary easements by gift: said plans on file with the Town Clerk:

**Bayns Hill Road** in its entirety, from Station 0+00 to Station 14+21.15 as shown on a plan entitled, "Definitive Plan Bayns Hill Subdivision in Boxford, Massachusetts", prepared for Mackinnon Real Estate Trust, dated September 20, 1995, by Hancock Survey Associates, Inc. and recorded in Essex South Registry of Deeds;

**Laurel Hollow Road** in its entirety, from Station 0+00 to Station 12+02.11 as shown on a plan entitled, "As Built Plan of Laurel Hollow Road in Boxford, Massachusetts",

prepared for Michael Kenny, dated October 2, 2002, by Apple Associates, Inc. and recorded in Essex South Registry of Deeds;

Sponsored by the Planning Board

*Upon a motion made and duly seconded, it was VOTED by unanimous voice vote to PASS OVER Article 11.*

**ARTICLE 12.** To see if the Town will vote to **amend the town Zoning map** and re-zone the town owned parcels listed below currently in the “R-A Residence Agricultural District” to now be in the “O – Official or Open Space District” **and to accept the updated zoning map** dated October, 2004 and on file in the Office of the Town Clerk:

<u>Common Name</u>	<u>Map-Block-Lot(s)</u>
<b>As shown on Assessors’ records</b>	
Hovey’s Pond Wetland	05 – 1 – 5 & 6
Mill Brook Farm #642 Main Street	05 – 1 – 8.1 & 8.2
Witch Hollow Conservation Area	13 – 2 – 1.1
Lord Forest & Fields	27 – 1 – 26
Wunnegen Conservation Area	39 – 1 – 1 & 40 – 1 – 37.1 & 36
Lockwood Forest	37 – 1 – 3 & 3.5
Haynes Field	32 – 3 – 26
Holmes Pond	40 – 1 – 70
Doll House – West Boxford Center	9 – 1 – 3.3
Lincoln Hall – West Boxford Center	10 – 2 – 5
Killam Cemetery	42 – 2 – 3
Ancient Grave Yard	32 – 2 – 17
Land between #151 & #167 Washington Street	10 – 1 – 21
Parcels on east side of Pine Plain Road	11 – 2 – 22
Land abutting #256 Georgetown Road	16 – 1 – 3 & 4
Land at Georgetown and Hillside Roads	20 – 10 – 6
Land between Chapman Way and Lowe Pond	25 – 1 – 1
Parcels opposite # 85 Main Street	32 – 3 – 9 & 10 & 20 & 11.1
Spofford School	15 – 1 – 4
Camp Dennison	16 – 1 – 3

or take any other action thereon.

Sponsored and Approved by the Planning Board

***AN AMENDMENT (#1) WAS INTRODUCED TO DELETE THE WORDS “TOWN OWNED.”***

*Upon a motion made and duly seconded, it was VOTED by unanimous voice vote to PASS Amendment #1 to Article 12.*

*Upon a motion made and duly seconded, it was VOTED by a greater than 2/3 unanimous voice vote to amend the town Zoning map and re-zone the parcels listed below currently in the “R-A Residence Agricultural District” to now be in the “O – Official or Open Space District” and to accept the updated zoning map dated October, 2004 and on file in the Office of the Town Clerk:*

Common Name  
As shown on Assessors' records

Map-Block-Lot(s)

Hovey's Pond Wetland	05-1-5 & 6
Mill Brook Farm #642 Main Street	05-1-8.1 & 8.2
Witch Hollow Conservation Area	13-2-1.1
Lord Forest & Fields	27-1-26
Wunnegen Conservation Area	39-1-1 & 40-1-37.1 & 36
Lockwood Forest	37-1-3 & 3.5
Haynes Field	32-3-26
Holmes Pond	40-1-70
Doll House - West Boxford Center	9-1-3.3
Lincoln Hall - West Boxford Center	10-2-5
Killam Cemetery	42-2-3
Ancient Grave Yard	32-2-17
Land between #151 & #167 Washington Street	10-1-21
Parcels on east side of Pine Plain Road	11-2-22
Land abutting #256 Georgetown Road	16-1-3 & 4
Land at Georgetown and Hillside Roads	20-10-6
Land between Chapman Way and Lowe Pond	25-1-1
Parcels opposite # 85 Main Street	32-3-9 & 10 & 20 & 11.1
Spofford School	15-1-4
Camp Dennison	16-1-3

**ARTICLE 13.** To see if the Town will vote to **authorize the Selectmen to sell** or otherwise dispose of a portion of **surplus land located off Sunrise Road**, identified as "R.O.W." on the records of the Assessors on Map 25, further identified as "Parcel 1" on a deed recorded with the Essex South Registry of Deeds, Book 10620, Page 573 for a minimum purchase price to be determined by the Board of Selectmen upon such terms and conditions as the Board of Selectmen may deem appropriate, or to take any other action thereon.

Sponsored by the Board of Selectmen and the Land Committee

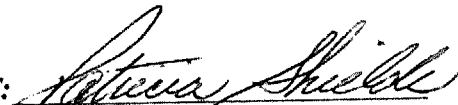
*Upon a motion made and duly seconded, it was **VOTED by a greater than 2/3 unanimous voice vote to authorize the Selectmen to sell** or otherwise dispose of a portion of **surplus land located off Sunrise Road**, identified as "R.O.W." on the records of the Assessors on Map 25, further identified as "Parcel 1" on a deed recorded with the Essex South Registry of Deeds, Book 10620, Page 573 for a minimum purchase price to be determined by the Board of Selectmen upon such terms and conditions as the Board of Selectmen may deem appropriate.*

**ARTICLE 14.** To transact any other business that may legally come before said meeting.

*Upon a motion made and duly seconded, it was **VOTED by unanimous voice vote, to close and adjourn Special Town Meeting.***

Registered voters attending Special Town Meeting were 326. Counters and checkers for the Special Town Meeting were appointed by Town Clerk Patricia Shields.

A true record.

ATTEST:   
Patricia Shields, Town Clerk, CMMC, CMC

**APPROPRIATION:**

Article 2 Chapter 90 Highway Funds	\$253,367.00
<b>TOTAL APPROPRIATION</b>	<b>\$253,367.00</b>

**RAISE AND APPROPRIATE:**

Article 6 Supplement FY05 Operating Budget for Departments	\$91,762.00
Article 7 Supplement FY05 Police Budget	\$ 10,000.00
<b>TOTAL TO BE RAISED AND APPROPRIATED</b>	<b>\$101,762.00</b>

**TRANSFER: ONE-TIME STATE TAX RELIEF FUND**

Article 3 Purchase new mower	\$ 15,000.00
Article 4 Cost to relocate Radio Antennas	\$ 12,000.00
Article 8 Repair West Boxford Library Basement	\$ 10,000.00
<b>TOTAL FROM OTHER AVAILABLE FUND</b>	<b>\$ 37,000.00</b>