

TOWN OF BOXFORD SPECIAL TOWN MEETING FEBRUARY 26, 2013 MINUTES

A quorum being present, the Town of Boxford Special Town Meeting was called to order at 7pm by Town Clerk Robin Phelan in the absence of Moderator Gerald Johnston. The Clerk asked for nominations to serve as Temporary Moderator.

Peter Perkins nominated Robert Was. The nomination was duly seconded and passed by unanimous voice vote.

Mr. Was was sworn in by the Town Clerk.

ARTICLE 1. To see if the Town will vote to appropriate the sum of **\$395,000** for professional architectural, engineering and other consultant fees and other expenses incidental and related thereto, **to design plans and specifications and provide construction documents and conduct solicitation of construction bids for a proposed new Boxford Town Library at 10 Elm Street, of approximately 15,000 square feet, and associated site work, including design for demolition of the 1980s addition and for weather-tight and structural closure of the remaining Cummings House structure;** and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen be authorized to borrow said sum under and pursuant to Chapter 44, Section 7, Clause (21) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, said funds to be expended under the direction of the Permanent Building Committee, or take any other action thereon.

Sponsored and supported by the Library Trustees and the Board of Selectmen

Permanent Building Committee recommends adoption of this article

Finance Committee to make recommendation at Town Meeting

Capital Budget Committee to make recommendation at Town Meeting

It was moved by Heidi Ellard, and duly seconded, to appropriate the sum of \$395,000 for professional architectural, engineering and other consultant fees and other expenses incidental and related thereto, to design plans and specifications and provide construction documents and conduct solicitation of construction bids for a proposed new Boxford Town Library at 10 Elm Street, of approximately 15,000 square feet, and associated site work, including design for demolition of the 1980s addition and for weather-tight and structural closure of the remaining Cummings House structure; and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen be authorized to borrow said sum under and pursuant to Chapter 44; Section 7, Clause (21) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, said funds to be expended under the direction of the Permanent Building Committee, or take any other action thereon.

After some discussion, it was moved by Heather Fecteau, and duly seconded, to move the article.

It was voted by a greater than two-thirds majority of 367 yes; 69 no, to call the question.

The motion failed to achieve the required two-thirds majority and was therefore defeated. The vote was 284 yes; 200 no.

ARTICLE 2. To transact any other business to legally come before this meeting.

Peter Perkins moved, and it was duly seconded, to dissolve the meeting. This motion passed by unanimous voice vote.

A true record,

Robin Phelan, Town Clerk

**MINUTES OF BOXFORD ANNUAL TOWN MEETING
MAY 14 AND 15, 2013**

A quorum being present, Annual Town Meeting was called to order by Moderator Gerald Johnston at 7:00 p.m. in the Masconomet Regional School Auditorium.

Senator Robert Buell was presented with the Moderator's Public Service Award for his many years of serving the Town of Boxford and the Commonwealth of Massachusetts.

It was moved by Selectman Charles Costello and duly seconded that the Moderator not be required to read articles and motions verbatim and further that he be authorized to summarize articles and motions as he deems appropriate. This motion passed by unanimous voice vote.

ARTICLE 1. To receive and place on file the reports of the Town Officers and Committees without ratification of any action taken or authorization of any action proposed; or take any other action thereon.

Sponsored and Supported by the Board of Selectmen

Upon a motion made by Selectman Charles Costello, and duly seconded, it was voted by unanimous voice to receive and place on file the reports of the Town Officers and Committees without ratification of any action or authorization of any action proposed.

ARTICLE 2. To see if the Town will authorize the establishment of the following **revolving accounts** as authorized by Chapter 44, § 53E½ of the Massachusetts General Laws, contingent upon an annual report to the Town on the total receipts and expenditures of each account for each Fiscal Year:

1) **Recycling Revolving Account** under the direction of the Board of Health and used for the deposit of receipts and fees collected on recyclable materials; said recyclable materials to be determined by a joint vote of the Board of Health and Recycling Committee and to be in compliance with all state health regulations; and, further, to allow the Board of Health, or the Recycling Committee, with the approval of the Board of Health, to expend funds not to exceed **\$35,000** for Fiscal Year 2014 from said account for the operation and maintenance of the Town Recycling Center;

2) **Printing Revolving Account** under the direction of the Board of Selectmen and used for the deposit of receipts and fees collected on the sale of printed official documents as required by law by several of the elected and appointed committees, commissions, and boards as well as legal advertisements which are reimbursed to the Town; and further to allow the Board of Selectmen to expend funds not to exceed **\$10,000** for Fiscal Year 2014 from said account for the costs to the Town for printing supplies, equipment and reimbursable advertising;

3) **Library Photocopy Machine Revolving Account** under the direction of the Board of Library Trustees and used for the deposit of receipts collected through public use of the photocopy machines at the Boxford Village library; and further to allow the Board of Library Trustees to expend fees not

to exceed \$5,000 for Fiscal Year 2014 from said account for ongoing supplies and maintenance of the copy machines, and purchase of other library supplies;

4) **Conservation Revolving Fund** under the direction of the Conservation Commission and used for the deposit of receipts collected through fees, including fees collected from applications related to the Town of Boxford Wetlands Protection Bylaw, by direction of the Conservation Commission and further to allow the Conservation Commission, with the written approval of the Selectmen, to expend fees not to exceed \$20,000 for Fiscal Year 2014 from said account for management of land under Conservation Commission control, and for other Conservation Commission expenses approved by a majority of the Commission;

5) **Council on Aging Transportation Revolving Account** under the direction of the Council on Aging and used for the deposit of receipts collected through fees collected from users of the Council's transportation equipment; and further to allow the Board of Selectmen to expend fees not to exceed \$10,000 for Fiscal Year 2014 from said account for the maintenance of the Council's transportation equipment and other related expenses including driver compensation as may be approved by a majority of the Council on Aging;

6) **Town Building Rental Revolving Account** under the direction of the Board of Selectmen and used for the deposit of receipts collected from public use of the various town buildings; and further to allow the Board of Selectmen to expend fees not to exceed \$10,000 for Fiscal Year 2014 from said account for the ongoing administrative expenses, portion of cleaning expenses, utilities, building maintenance and repairs;

7) **Tick Control Product Revolving Account** under the direction of the Board of Health and used for the deposit of receipts collected for tick control products; and further to allow the Board of Health to expend fees not to exceed \$20,000 for Fiscal Year 2014 from said account for the purchase of tick control products and associated expenses;

or take any other action thereon.

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

Upon a motion made by Selectman Charles Costello, and duly seconded, it was voted by unanimous voice vote to authorize the establishment of the **revolving accounts as listed in Article #2 of this warrant**, as authorized by Chapter 44, § 53E½ of the Massachusetts General Laws, contingent upon an annual report to the Town on the total receipts and expenditures of each account for each Fiscal Year.

ARTICLE 3. To see if the Town will vote to **ratify the recommendations of the Personnel Board to adjust the compensation retroactively for FY 2013 and to set new compensation for FY 2014 for the following selected non-union, benefit eligible positions** as shown below and to raise and appropriate, or transfer from available funds the sum of \$77,710 to fund said compensation adjustments:

<u>Position</u>	<u>Current FY'13 Rate</u>	<u>Proposed FY'13 Rate</u>	<u>Proposed FY'14 Rate</u>
Animal Control Officer	\$19.38/hr.	\$19.38/hr.	\$20.35/hr.
Career Full Time Firefighters	\$21.47/hr.	\$24.00/hr.	\$24.48/hr.
Admin Assistant to Town Admin.	\$22.91/hr.	\$23.92/hr.	\$25.19/hr.
COA Director	\$45,874/yr.	\$45,874/yr.	\$49,874/yr.
Director of Communications	\$49,912/yr.	\$49,912/yr.	\$54,912/yr.
Town Clerk	\$52,766/yr.	\$52,766/yr.	\$55,979/yr.
Director of Assessment	\$52,299/yr.	\$54,391/yr.	\$56,567/yr.
Director of Public Health	\$56,430/yr.	\$56,430/yr.	\$64,430/yr.
Treasurer/Collector of Taxes	\$63,612/yr.	\$66,156/yr.	\$68,803/yr.
Director of Municipal Finance	\$87,236/yr.	\$90,725/yr.	\$94,354/yr.

or take any other action thereon.

Sponsored and supported by Personnel Board
 Finance Committee recommends adoption of this article
 Board of Selectmen recommends adoption of this article

Upon a motion made by Personnel Board Chair Tim Feeney, and duly seconded, it was voted by unanimous voice vote to **ratify the recommendations of the Personnel Board to adjust the compensation retroactively for FY 2013 and to set new compensation for FY 2014 for the following selected non-union, benefit eligible positions** as shown in Article #3 of this warrant and to transfer from Free Cash the sum of \$20,650 and to raise and appropriate \$55,466 for total appropriation of \$76,116 to fund said compensation adjustments.

ARTICLE 4. To see if the Town will vote to adopt the expanded **Classification Plan and Compensation Plan** for FY 2014, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on pages 17 through 19 of this warrant; or take any other action thereon.

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

Upon a motion made by Personnel Board Chair Tim Feeney, and duly seconded, it was voted by unanimous voice vote to adopt the expanded **Classification Plan and Compensation Plan** for FY2014, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as shown on a handout distributed at this Town Meeting and now on file with the Town Clerk.

ARTICLE 5. To **act on the proposed budget** and see what sums of money the Town will vote to raise and appropriate, or transfer from available funds, for the use of several

departments for Fiscal Year 2014, to wit: General Government, Financial Administration, Public Safety, Education, Public Works, Health & Human Services, Culture & Recreation, Employee Benefits, Debt Service, and all other necessary proper expenses during said fiscal year; and authorize expenditure of these funds under the direction of the appropriate listed department; or take any other action thereon.

Sponsored and Supported by the Finance Committee

Estimate: **\$27,527,571.**

The proposed budget is printed on pages 20 and 21 of this warrant.

Board of Selectmen recommends adoption of this article

Upon a motion made by the Finance Committee Chair Robert Fanning, it was voted by a unanimous show of hands to raise and appropriate \$27,521,631, and transfer \$5,940 from "Receipts Reserved for Appropriation – Septic Loan Program", for a total appropriation of **\$27,527,571**, for the use of several departments for Fiscal Year 2014, to wit: General Government, Financial Administration, Public Safety, Education, Public Works, Health & Human Services, Culture & Recreation, Employee Benefits, Debt Service, and all other necessary proper expenses during said fiscal year as shown on pages 20 and 21 of this warrant; and authorize expenditure of these funds under the direction of the appropriate listed department.

ARTICLE 6. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$250,000 to further fund the Other Post Employment Benefits Trust Fund** established under Article #14, of the October 22, 2011 Special Town Meeting pursuant to M.G.L. Chapter 32B, Section 20, said funds to be expended under the direction of the Board of Selectmen, or take any other action thereon.

Sponsored and supported by the Finance Committee

Board of Selectmen recommends adoption of this article

Upon a motion made by Finance Committee Geoffrey Buswick, and duly seconded, it was voted by a majority show of hands to transfer from Free Cash **\$250,000 to further fund the Other Post Employment Benefits Trust Fund** established under Article #14, of the October 22, 2011 Special Town Meeting pursuant to M.G.L. Chapter 32B, Section 20, said funds to be expended under the direction of the Board of Selectmen.

ARTICLE. 7. To see if the Town will **vote to increase the number of members on the Zoning Board of Appeals from three to five** by amending its Zoning Bylaws, Town Code Chapter 196 §196-42 Organization to now read:

§ 196-42. Organization. There shall be a Board of Appeals consisting of five persons, citizens of the Town. The members shall be appointed by the Board of Selectmen. They shall hold office for a term of three years, except that, when the Board of first established hereunder, one member shall be appointed for term of one year; and two shall be appointed for a term of two years; and two shall be appointed for a term of three years.

Or to take any other action thereon.

Sponsored by the Board of Selectmen
Planning Board to make recommendation at Town Meeting

Upon a motion made by the Board of Selectmen Chair Peter Perkins, and duly seconded, it was voted by a majority show of hands to pass over this article.

ARTICLE 8. To see if the Town will **vote to remove the zoning requirement for site plan review of new buildings or structures in the "O" Official or Open Space District** by amending its Zoning Bylaws, Town Code Chapter 196, § 196-30(A) site plans by deleting the words indicate with a ~~strike through~~ as follows:

§ 196-30. Site plans. A. For the purpose of reasonably protecting the legitimate interests of adjoining property owners and occupants, ensuring the most advantageous use of all properties and administering the provisions of this bylaw relating to parking and loading spaces, no permit shall be issued for any new building or structure in a Business, Manufacturing, Industrial, ~~Official or Open Space~~ District; nor for an addition to or alteration of an existing building for commercial use in any district; nor for any new building or structure in an Elderly Housing District until a site plan, prepared by a professional architect, engineer or landscape architect, has been approved for a special permit by the Board of Appeals

Or to take any other action thereon.

Sponsored by the Board of Selectmen
Planning Board to make recommendation at Town Meeting

Upon a motion made by the Board of Selectmen Chair Peter Perkins, and duly seconded, it was voted by a majority show of hands to pass over this article.

ARTICLE 9. To see if the Town will vote to appropriate the sum of **\$395,000** for professional architectural, engineering and other consultant fees and other expenses incidental and related thereto, **to design plans and specifications and provide construction documents and conduct solicitation of construction bids for a proposed new Boxford Town Library at 10 Elm Street, of approximately 15,000 square feet, and associated site work, including design for demolition of the 1980's addition and for weather-tight and structural closure of the remaining Cummings House structure;** and that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow said sum under and pursuant to Chapter 44, Section 7, Clause (21) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, said funds to be expended under the direction of the Permanent Building Committee, or take any other action thereon.

Sponsored and supported by the Library Trustees
Permanent Building Committee to make recommendation at Town Meeting
Finance Committee to make recommendation at Town Meeting
Capital Budget Committee to make recommendation at Town Meeting
Board of Selectmen does not recommend adoption of this article
Library Advisory Committee recommends adoption of this article

It was voted by a majority show of hands to allow Miika Ebbrell, a town resident, architect, Permanent Building Committee member and citizen of Canada to address Town Meeting.

It was voted by a majority show of hands to allow Matthew Juros, architect, Historic Districts Commission Member and non-resident property owner of a Boxford home, to address Town Meeting.

It was voted by a majority show of hands to allow Angela Hyatt, a non-resident architect of Silver and Schwartz, to address Town Meeting.

It was moved by Arthur Sibbach, and duly seconded, to call the question. The motion passed by a greater than two-thirds show of hands, 462 in favor, 111 opposed.

It was moved by Heidi Ellard, Chair of the Board of Library Trustees, and duly seconded, to appropriate the sum of **\$395,000** for professional architectural, engineering and other consultant fees and other expenses incidental and related thereto, **to design plans and specifications and provide construction documents and conduct solicitation of construction bids for a proposed new Boxford Town Library at 10 Elm Street, of approximately 15,000 square feet, and associated site work, including design for demolition of the 1980's addition and for weather-tight and structural closure of the remaining Cummings House structure;** and that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow said sum under and pursuant to Chapter 44, Section 7, Clause (21) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, said funds to be expended under the direction of the Permanent Building Committee. It was voted by a greater than two-thirds show of hands, 395 in favor, 195 opposed to approve Article 9.

ARTICLE 10. To see if the Town will vote to appropriate the sum of \$350,000 for professional architectural, engineering and other consultant fees and other expenses incidental and related thereto, to design plans and specifications and provide construction documents and conduct solicitation of construction bids to renovate, expand and construct a proposed new Boxford Town Library at 10 Elm Street, of approximately 12,000 SF, including the Cummings House, and including associated site work. It would include demolition of the existing 1980s addition and barn.

To meet this appropriation, the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow said sum under and pursuant to Chapter 44, Section 7, Clause (21) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, said funds to be expended under the direction of the Permanent Building Committee, or take any other action thereon.

Sponsored by Initiative Petition

Permanent Building Committee to make recommendation at Town Meeting

Library Trustees to make recommendation at Town Meeting

Finance Committee to make recommendation at Town Meeting

Capital Budget Committee to make recommendation at Town Meeting

Board of Selectmen does not recommend adoption of this article

Library Advisory Committee does not recommend adoption of this article

It was moved by Nancy Rohlf, and duly seconded, to pass over Article 10. This motion was passed by a majority hand count.

ARTICLE 11. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to remediate, mediate and abate microbial contamination discovered at the Boxford Town Library 10 Elm Street, and to restore and repair following testing and abatement, said funds to be spent under the direction of the Permanent Building Committee, or to take any other action thereon.

ESTIMATE: \$50,000 to \$150,000. Actual cost estimate will be presented at Town Meeting

Sponsored by the Permanent Building Committee

Finance Committee to make recommendation at Town Meeting

Library Trustees to make recommendation at Town Meeting

Board of Selectmen to make recommendation at Town Meeting

Capital Budget Committee to make recommendation at Town Meeting

It was moved by Margaret Chow Menzer, Chair of the Permanent Building Committee, and duly seconded, to transfer from Free Cash **\$175,000 to remediate, mediate and abate microbial contamination discovered at the Boxford Town Library 10 Elm Street**, and to restore and repair following testing and abatement, said funds to be spent under the direction of the Permanent Building Committee.

It was moved by Robert Thompson, and duly seconded, to amend Article 11 to read "to transfer from free Cash \$70,000.00 to **remediate, mediate and abate microbial contamination discovered at the Boxford Town Library 10 Elm Street**, and to restore and repair following testing and abatement, said funds to be spent under the direction of the Permanent Building Committee." The amendment failed by a majority voice vote.

It was voted by majority voice vote, to transfer from Free Cash **\$175,000 to remediate, mediate and abate microbial contamination discovered at the Boxford Town Library 10 Elm Street**, and to restore and repair following testing and abatement, said funds to be spent under the direction of the Permanent Building Committee.

ARTICLE 12. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$137,500 to perform renovation and repair projects, including design thereof, at the Boxford Town Library located at 10 Elm Street**, including, but not limited to, exterior and interior painting, replacement of floor materials and carpets, replacement of windows and replace damaged wood, and any other related construction activities necessary to maintain Town Library services at this location until a longer term solution is determined, said funds to be spent under the direction of the Permanent Building Committee, or to take any other action thereon.

Sponsored by the Permanent Building Committee
Finance Committee recommends adoption of this article
Library Trustees to make recommendation at Town Meeting
Board of Selectmen to make recommendation at Town Meeting
Capital Budget Committee to make recommendation at Town Meeting

It was moved by Margaret Chow Menzer, Chair of the Permanent Building Committee, and duly seconded, to transfer from Free Cash **\$52,800 to perform renovation and repair projects, including design thereof, at the Boxford Town Library located at 10 Elm Street**, including, but not limited to, replacement of floor materials and carpets, replacement of windows and replace damaged wood, and any other related construction activities necessary to maintain Town Library services at this location until a longer term solution is determined, said funds to be spent under the direction of the Permanent Building Committee.

ARTICLE 13. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$50,000 to perform interior renovations to second floor office area, including design thereof, at the Boxford Town Library located at 10 Elm Street**, including but not limited to carpentry, electrical, plumbing, fire detection, computer and telephone cabling services; for the purchase of replacement and new office furniture and equipment and any other related construction activities necessary to improve the Library Administration services office area, said funds to be spent under the direction of the Permanent Building Committee, or to take any other action thereon.

Sponsored by the Board of Library Trustees
Permanent Building Committee to make recommendation at Town Meeting
Finance Committee to make recommendation at Town Meeting
Board of Selectmen to make recommendation at Town Meeting
Capital Budget Committee to make recommendation at Town Meeting

It was moved by the Library Trustee Pauline Jenkins, and duly seconded, to pass over Article 13. The motion passed by majority voice vote.

ARTICLE 14. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$277,600 to perform renovation, expansion and repair projects, including design thereof, at the Boxford Town Branch Library located at 188 Washington Street**, including, but not limited to, installation of a modular addition attached to the current building, plus additional electrical, plumbing, fire detection, computer and telephone cabling services, and development of public water and upgraded septic system, structural improvements, replacement roof and any other related construction activities necessary to relocate Town Library services to this location until a longer term solution is determined, said funds to be spent under the direction of the Permanent Building Committee, or to take any other action thereon.

Sponsored by the Permanent Building Committee
Finance Committee to make recommendation at Town Meeting
Library Trustees to make recommendation at Town Meeting
Board of Selectmen to make recommendation at Town Meeting
Capital Budget Committee to make recommendation at Town Meeting

It was moved by Margaret Chow-Menzer, and duly seconded, to pass over Article 14. The motion passed by majority voice vote.

ARTICLE 15. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$25,000 to fund investigative studies**, independent cost estimating, and environmental assessments, to assist the Permanent Building Committee to develop and present a plan with estimated costs and time lines needed to access and prepare a **site on town land bordering Spofford Road for town buildings**; said plan to include a schematic design for the site locating the roadway and building sites and an estimate of savings from any joint facilities; said schematic design to be reported back to a subsequent Town Meeting for consideration of further action including possible detailed design and construction appropriations for single or combined buildings, said funds to be expended under the direction of the Board of Selectmen, or to take any other action thereon.

Sponsored by the Council on Aging
Permanent Building Committee recommends adoption of this article
Finance Committee does not support adoption of this article
Board of Selectmen to make recommendation at Town Meeting
Capital Budget Committee: "D" Does not recommend

It was moved by Council on Aging Chair Richard Taylor to transfer from Free Cash **\$25,000 to fund investigative studies**, independent cost estimating, and environmental assessments, to assist the Permanent Building Committee to develop and present a plan with estimated costs and time lines needed to access and prepare a **site on town land bordering Spofford Road for town buildings**; said plan to include a schematic design for the site locating the roadway and building sites and an estimate of savings from any joint facilities; said schematic design to be reported back to a subsequent Town Meeting for consideration of further action including possible detailed design and construction

appropriations for single or combined buildings, said funds to be expended under the direction of the Board of Selectmen.

It was moved by Stuart Saginor, and duly seconded, to pass over this Article. This motion was defeated by majority voice vote.

The article passed by a hand count.

ARTICLE 16. To see if the Town will vote to **rescind its debt authorization for an 18,500 sq. ft. Library at 10 Elm Street** approved pursuant to article #7, of the October 26, 2010 Special Town Meeting, or take any other action thereon.

Sponsored by the Board of Selectmen

Finance Committee recommends adoption of this article

It was moved by Selectman Charles Killam, and duly seconded, to **rescind the debt authorization for an 18,500 sq. ft. Library at 10 Elm Street** approved pursuant to article #7, of the October 26, 2010 Special Town Meeting.

It was moved by Selectman Charles Killam, and duly seconded, to adjourn Annual Town Meeting to a time certain, namely Wednesday, May 15, 2013 at 7:00 p.m. at the Masconomet Regional School Auditorium, 20 Endicott Road. This motion passed by unanimous voice vote.

A quorum being present, the adjourned 2013 Boxford Annual Town Meeting was again called to order at 7:00 p.m. by Moderator Gerald Johnston in the Masconomet Regional School Auditorium. The meeting was adjourned at 11:30 p.m.

ARTICLE 17. To see if the Town will vote to **establish a recreational revolving account** by adoption of M.G.L. Chapter 44, section 53D and authorize the Recreation Committee to receive recreational fees and expend funds with the written approval of the Board of Selectmen, or to take any other action thereon.

Sponsored and supported by the Board of Selectmen

Finance Committee to make recommendation at Town Meeting

It was moved by Selectman Charles Killam, and duly seconded to **establish a recreational revolving account** by adoption of M.G.L. Chapter 44, section 53D and authorize the Recreation Committee to receive recreational fees and expend funds with the written approval of the Board of Selectmen.

ARTICLE 18. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$3,000 to initially fund a summer recreational Boxford Park Program**, said funds to be expended by the Recreation Committee, or take any other action thereon.

Sponsored and supported by the Board of Selectmen
Finance Committee to make recommendation at Town Meeting

It was moved by Selectman Charles Killam, and duly seconded, to transfer from Free Cash **\$3,000 to initially fund a summer recreational Boxford Park Program**, said funds to be expended by the Recreation Committee.

ARTICLE 19. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$20,000 to supplement and increase the Tree Department budget** of the Department of Public Works, said funds to be spent under the direction of the Board of Selectmen, or take any other action thereon.

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

It was moved by Selectman Mary Anne Nay, and duly seconded, to raise and appropriate **\$20,000 to supplement and increase the Tree Department budget** of the Department of Public Works, said funds to be spent under the direction of the Board of Selectmen.

ARTICLE 20. To act on the list of proposed capital purchases for FY 2014 and see what sums of money the Town will vote to raise and appropriate, or transfer from available funds, for the use of several departments for fiscal year 2014, and authorize expenditure of these funds under the direction of the appropriate listed department and authorize the Board of Selectmen to dispose of any equipment declared surplus if replaced; or take any other action thereon.

Sponsored the Board of Selectmen (#1 through #12)
and Elementary School Committee (#13 through #16)
Estimate: **\$451,265**
Finance Committee recommends adoption of this article
Board of Selectmen recommends adoption of this article
Capital Budget Committee Recommendations as noted
Building Committee Recommendations as noted

The proposed capital budget is printed on page 16 of this warrant.

It was moved by Selectman Peter Perkins, and duly seconded, to transfer from Free Cash \$451,265 to fund **the list of proposed capital purchases** for FY 2014 as shown on page 16 of this warrant, for the use of several departments for fiscal year 2014, and authorize expenditure of these funds under the direction of the appropriate listed department and authorize the Board of Selectmen to dispose of any equipment declared surplus if replaced.

This motion passed by unanimous voice vote.

ARTICLE 21. To see if the Town will vote to appropriate the sum of **\$183,500** to fund the construction, engineering oversight and other expenses related to the repair, reconstruction and **replacement of floor drains and installation of subsurface tight tanks at the Fire Stations**, and that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow said sum under and pursuant to Chapter 44, Section 7, Clauses (3A) and (21) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, provided however that no funds shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts required to pay for any bonds or notes issued pursuant to this vote from the limitations of Chapter 59, section 21C of the General Laws; said funds to be expended under the direction of the Board of Selectmen, or take any other action thereon.

Sponsored and supported by Board of Selectmen
Finance Committee recommends adoption of this article
Capital Budget Committee: "A" Essential

It was moved by Selectman Charles Costello, and duly seconded to appropriate the sum of **\$183,500** to fund the construction, engineering oversight and other expenses related to the repair, reconstruction and **replacement of floor drains and installation of subsurface tight tanks at the Fire Stations**, and that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow said sum under and pursuant to Chapter 44, Section 7, Clauses (3A) and (21) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, said funds to be expended under the direction of the Board of Selectmen.

This motion was approved by unanimous voice vote.

ARTICLE 22. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$5,125** to fund **an existing retirement bonus benefit equal to 50% of accumulated, but unused sick days available to retiring employees with more than twenty-five years consecutive service with the Town of Boxford**, said

funds to be expended under the direction of the Board of Selectmen, or take any other action thereon.

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

It was moved by Selectman Mary Anne Nay, and duly seconded, **to fund an existing retirement bonus benefit equal to 50% of accumulated, but unused sick days available to retiring employees with more than twenty-five years consecutive service with the Town of Boxford**, said funds to be expended under the direction of the Board of Selectmen.

This motion passed by unanimous voice vote.

ARTICLE 23. To see if the Town will vote to set the **annual curbside solid waste collection fee** for each 32-gallon bag or container (each use); or take any other action thereon.

Sponsored by the Board of Health
Finance Committee to make recommendation at Town Meeting
Board of Selectmen recommends adoption of this article

Note: Current fee is \$2.50; proposed fee between \$2.50 and \$3.50 dependent upon analysis of trash collection vendor proposals.

It was moved by Board of Health member Louise Kress, and duly seconded, to set the **annual curbside solid waste collection fee at \$2.50** for each 32-gallon bag or container (each use).

This motion passed by unanimous voice vote.

ARTICLE 24. To see if the Town will vote to appropriate \$25,000 in debt acquisition and legal costs, and to appropriate \$925,000 in land purchase expense, for a total appropriation of **\$950,000 to enable the Town of Boxford the fee simple interest or less in the land known as the "Nason Property" acquire for Open Space, Conservation and Passive Recreation purposes, shown as a portion of Parcel 1 and Parcel 2 as shown on a plan recorded with the Essex South District Registry of Deed in Plan Book 341, Plan 97**, located in West Boxford, Essex County, Massachusetts comprised of forty-six (46) acres, more or less, of undeveloped land located on Main Street, Boxford, Massachusetts, as shown on a plan on file with the Town Clerk together with all flowage rights and easements and subject to all well rights and easements; that

said land to be conveyed to the Town of Boxford under the provisions of Massachusetts General Laws, Chapter 40 § 8C, as it may hereafter be amended; said land to be managed and controlled by the Boxford Conservation Commission; and that to fund said purchase, the treasurer, with the approval of the Selectmen, be authorized to issue debt in the amount of **\$950,000 as authorized under Article #37 of the Boxford Annual Town Meeting held May 14, 1997**; the total amount authorized to be borrowed for this purpose shall be reduced to the extent of any grants, gifts or other contributions received by the Town for this acquisition; and to authorize the Conservation Commission and the Board of Selectmen to receive and accept grants, donations or reimbursements for this purpose, and/or any others in any way connected with the scope of this Article, and to authorize the Land Committee, Conservation Commission and Board of Selectmen to file on behalf of the Town of Boxford any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Local Acquisitions for Natural Diversity (LAND) grant program under the provisions of Massachusetts General Laws, Chapter 132A § 11, the Land and Water Conservation Fund (LWCF) grant, and/or any others in any way connected with the scope of this Article and that the Town and Conservation Commission and Board of Selectmen be authorized to grant a perpetual conservation restriction to be held by a third party or parties qualified to hold such restrictions, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to affect said purchase; or take any other action thereon.

Sponsored and supported by the Board of Selectmen, Land Committee, Conservation Commission

Finance Committee to make recommendation at Town Meeting

Capital Budgeting Committee to make recommendation at Town Meeting

Note: The total purchase price for these approximately 46 acres is \$925,000 (plus \$25,000 in legal and debt acquisition costs). Any and all money raised privately will offset the Town of Boxford's share.

It was moved by the Land Committee Chair Peter Delaney, and duly seconded, to appropriate \$25,000 in debt acquisition and legal costs, and to appropriate \$925,000 in land purchase expense, for a total appropriation of **\$950,000 to enable the Town of Boxford to acquire the fee simple interest or less in the land known as the "Nason Property" for Open Space, Conservation and Passive Recreation purposes, shown as a portion of Parcel 1 and Parcel 2 as shown on a plan recorded with the Essex South District Registry of Deed in Plan Book 341, Plan 97**, located in West Boxford, Essex County, Massachusetts comprised of forty-six (46) acres, more or less, of undeveloped land located on Main Street, Boxford, Massachusetts, as shown on a plan on file with the Town Clerk together with all flowage rights and easements and subject to all well rights and easements; that said land to be conveyed to the Town of Boxford under the provisions of Massachusetts General Laws, Chapter 40 § 8C, as it may hereafter be amended; said land to be managed and controlled by the Boxford Conservation Commission; and that to fund said purchase, the treasurer, with the approval of the

Selectmen, be authorized to issue debt in the amount of **\$950,000.00 as authorized under Article #37 of the Boxford Annual Town Meeting held May 14, 1997; and to transfer \$ 501,250.00 from a donation gift fund established for this purpose;** and that the total amount authorized to be borrowed for this purpose shall be reduced to the extent of any further grants, gifts or other contributions received by the Town for this acquisition; and to authorize the Conservation Commission and the Board of Selectmen to receive and accept grants, donations or reimbursements for this purpose, and/or any others in any way connected with the scope of this Article, and to authorize the Land Committee, Conservation Commission and Board of Selectmen to file on behalf of the Town of Boxford any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Local Acquisitions for Natural Diversity (LAND) grant program under the provisions of Massachusetts General Laws, Chapter 132A § 11, the Land and Water Conservation Fund (LWCF) grant, and/or any others in any way connected with the scope of this Article and that the Town and Conservation Commission and Board of Selectmen be authorized to grant a perpetual conservation restriction to be held by a third party or parties qualified to hold such restrictions, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to affect said purchase.

It was moved by Laura Sapienza Grabski, and duly seconded, to amend Article 24 to read to appropriate \$25,000.00 in debt acquisition and legal costs, and to appropriate \$925,000.00 in land purchase expense, for a total appropriation of **\$950,000.00 to enable the Town of Boxford to acquire the fee simple interest or less in the land known as the "Nason Property" for Open Space, Conservation and Passive Recreation purposes, shown as a portion of Parcel 1 and Parcel 2 as shown on a plan recorded with the Essex South District Registry of Deeds in Plan Book 341, Plan 97,** located in West Boxford, Essex County, Massachusetts comprised of forty-six (46) acres, more or less, of undeveloped land located on Main Street, Boxford, Massachusetts, as shown on a plan on file with the Town Clerk together with all flowage rights and easements and subject to all well rights and easements; that said land to be conveyed to the Town of Boxford under the provisions of Massachusetts General Laws, Chapter 40 § 8C, as it may hereafter be amended; said land to be managed and controlled by the Boxford Conservation Commission; and that to fund said purchase, the treasurer, with the approval of the Selectmen, be authorized to issue debt in the amount of **\$448,650.00 as authorized under Article #37 of the Boxford Annual Town Meeting held May 14, 1997; and to transfer \$501,250.00 from a donation gift fund established for this purpose;** and that the total amount authorized to be borrowed for this purpose shall be reduced to the extent of any further grants, gifts or other contributions received by the Town for this acquisition; and to authorize the Conservation Commission and the Board of Selectmen to receive and accept grants, donations or reimbursements for this purpose, and/or any others in any way connected with the scope of this Article, and to authorize the Land Committee, Conservation Commission and Board of Selectmen to file on behalf of the Town of Boxford any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Local Acquisitions for Natural Diversity (LAND) grant program under the provisions of Massachusetts General Laws, Chapter 132A § 11, the Land and Water Conservation Fund (LWCF) grant, and/or any others in any way connected with the scope of this

Article and that the Town and Conservation Commission and Board of Selectmen be authorized to grant a perpetual conservation restriction to be held by a third party or parties qualified to hold such restrictions, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to affect said purchase; or take any other action thereon. This amendment was defeated by majority voice vote.

The original motion was approved by unanimous voice vote.

ARTICLE 25. To see if the Town will vote to appropriate or reserve from the **Community Preservation Fund** annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, debt service, community preservation projects and other expenses in Fiscal Year 2014, with each item to be considered a separate appropriation:

Appropriations:

From FY 2014 estimated annual revenues for Sawyer-Richardson Open Space Bond expense	\$202,240
From FY 2014 estimated annual revenues for Lincoln Hall Historic Renovation Bond expense	\$ 54,863
From FY 2014 estimated annual revenues for Haynes Land Purchase Bond expense	\$156,750
From FY 2014 estimated annual revenues for Committee Administrative Expenses	\$ 39,045

Reserves:

From FY 2014 estimated annual revenues for Historic Resources Reserve	\$ 23,227
From FY 2014 estimated annual revenues for Community Housing Reserve	\$ 78,090
From FY 2014 estimated annual revenues for Budgeted Reserve	\$225,000

or take any other action thereon.

Sponsored and supported by the Community Preservation Committee
Finance Committee recommends adoption of this article

It was moved by Community Preservation Committee Chair, Peter Delaney, and duly seconded, to appropriate or reserve from the **Community Preservation Fund** annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, debt service, community preservation projects and other expenses in Fiscal Year 2014, with each item to be considered a separate appropriation:

Appropriations:

From FY 2014 estimated annual revenues for Sawyer-Richardson Open Space Bond expense	\$202,240
From FY 2014 estimated annual revenues for Lincoln Hall Historic Renovation Bond expense	\$ 54,863
From FY 2014 estimated annual revenues for Haynes Land Purchase Bond expense	\$156,750
From FY 2014 estimated annual revenues for Committee Administrative Expenses	\$ 39,045

Reserves:

From FY 2014 estimated annual revenues for Historic Resources Reserve	\$ 23,227
From FY 2014 estimated annual revenues for Community Housing Reserve	\$ 78,090
From FY 2014 estimated annual revenues for Budgeted Reserve	\$225,00

ARTICLE 26. To see if the Town will vote to appropriate **\$222,000 from the Community Preservation Committee Undesignated Fund** to fund site preparation and construction of a new pre-school playground and a new elementary school playground at the Cole School on Middleton Road in Boxford, with any other funds required for the project to be raised from other funding sources, the appropriated funds to be expended under the direction of the Community Preservation Committee; or take any other action thereon.

Sponsored and supported by the Community Preservation Committee
and the Elementary School Committee
Permanent Building Committee recommends adoption of this article
Finance Committee to make recommendation at Town Meeting
Board of Selectmen recommends adoption of this article
Capital Budget Committee: "C" Low Priority

It was moved by Samantha Mercier, and duly seconded, to appropriate **\$222,000 from the Community Preservation Committee Undesignated Fund** to fund site preparation and construction of a new pre-school playground and a new elementary school playground at the Cole School on Middleton Road in Boxford, with any other funds required for the project to be raised from other funding sources, the appropriated funds to be expended under the direction of the Community Preservation Committee

This motion was approved by unanimous voice vote.

ARTICLE 27. To see if the Town will vote to appropriate **\$8,500 from the Community Preservation Committee Historic Resources Reserve** to fund the design work for the historic rehabilitation of the windows and cupola of the Aaron Wood building on Middleton Road, such funds to be expended under the direction of the Community Preservation Committee; or take any other action thereon.

Sponsored and supported by the Community Preservation Committee
Finance Committee recommends adoption of this article
Permanent Building Committee recommends adoption of this article
Capital Budget Committee: "A" Essential

It was moved by Peter Delaney, and duly seconded, to appropriate **\$8,500 from the Community Preservation Committee Historic Resources Reserve** to fund the design work for the historic rehabilitation of the windows and cupola of the Aaron Wood

building on Middleton Road, such funds to be expended under the direction of the Community Preservation Committee.

This motion passed by unanimous voice vote.

ARTICLE 28. To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section ____, **TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS**, that would provide as follows, and further to amend the Table of Contents to add Section ____, "Temporary Moratorium on Medical Marijuana Treatment Centers:"

Section ____ . PURPOSE

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center, including the cultivation of medical marijuana, is not a permitted use in the Town and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including the cultivation thereof, and Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers, and to address such novel and complex issues, including the cultivation of medical marijuana in the Town which is zoned largely residential agricultural, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers, including the cultivation of medical marijuana, so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

Section ____ . DEFINITION

"Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

Section ____ . TEMPORARY MORATORIUM

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center, including the cultivation of marijuana. The moratorium shall be in effect through July 31, 2015. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations regarding Medical Marijuana Treatment Facilities and related uses, including the cultivation of marijuana, and shall consider adopting new Zoning

Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

Or take any action relative thereto.

Sponsored and supported by Board of Selectmen

Planning Board to make recommendation at Town Meeting

It was moved by Selectman Stephen Davis, and duly seconded, to amend the Town's Zoning Bylaw by adding a new Section entitled **TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS**, as printed in Article #28 of this warrant, and further to amend the Table of Contents to add the new Section.

This Article passed by unanimous voice vote.

ARTICLE 29. To see if the Town will vote to prohibit smoking and the use of tobacco products in all Town and School buildings and on all School property **by amending its Bylaws, Part II: General Legislation, Chapter 150. Smoking, as follows** by inserting the **bolded** text:

§ 150-1. Smoking and use of Tobacco Products prohibited in all Town buildings and schools and on school property.

Smoking **and use of Tobacco Products** shall be prohibited in all **Town buildings and schools** and on all school property.

§ 150-2. Terms defined.

Smoking shall be defined as smoking or possessing a lighted **or otherwise activated** cigarette, cigar, pipe, **electronic cigarette**, or other smoking article.

Tobacco Products shall be defined as products or materials which allow the stimulating components of tobacco to be absorbed through the digestive tract, including but not limited to chewing tobacco or tobacco powder; and products or materials which allow the stimulating components of tobacco to be absorbed through the mucous membrane, including but not limited to snuff.

Electronic cigarette shall be defined as a cigarette-shaped device containing a nicotine-based liquid that is vaporized and inhaled, used to simulate the experience of smoking tobacco.

§ 150-3. Violations and penalties.

A. Violators of this section shall be subject to the following fines:

(1) First offense: \$25.

(2) Second offense: \$50.

(3) Third and subsequent offenses: \$100.

B. Said fines shall be paid to the Town of Boxford.

§ 150-4. Enforcing officials.

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.

Sponsored and Supported by Board of Selectmen and
Masconomet Regional School District Committee
Elementary School Committee recommends adoption of this article

It was moved by Mary Anne Nay, and duly seconded, to prohibit smoking and the use of tobacco products in all Town and School buildings and on all School property **by Town ByLaws, Part II: General Legislation, Chapter 150. Smoking, as follows** by inserting the **bolded** text as shown in Article #29 of this warrant.

It was moved by Alison Chase, to amend Article 29 to read; to see if the Town will vote to prohibit smoking and the use of tobacco products in all Town and School buildings and on all School property except with a permission note from a medical care provider **by amending its ByLaws, Part II: General Legislation, Chapter 150. Smoking, as follows** by inserting the **bolded** text:

§ 150-1. Smoking and use of Tobacco Products prohibited in all Town buildings and schools and on school property.

Smoking and use of Tobacco Products shall be prohibited in all **Town buildings and schools and on all school property.**

§ 150-2. Terms defined.

Smoking shall be defined as smoking or possessing a lighted **or otherwise activated** cigarette, cigar, pipe, **electronic cigarette**, or other smoking article.

Tobacco Products shall be defined as products or materials which allow the stimulating components of tobacco to be absorbed through the digestive tract, including but not limited to chewing tobacco or tobacco powder; and products or materials which allow the stimulating components of tobacco to be absorbed through the mucous membrane, including but not limited to snuff.

Electronic cigarette shall be defined as a cigarette-shaped device containing a nicotine-based liquid that is vaporized and inhaled, used to simulate the experience of smoking tobacco.

§ 150-3. Violations and penalties.

A. Violators of this section shall be subject to the following fines:

- (1) First offense: \$25.
- (2) Second offense: \$50.
- (3) Third and subsequent offenses: \$100.

B. Said fines shall be paid to the Town of Boxford.

§ 150-4. Enforcing officials.

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.

This amendment passed by majority voice vote.
The amended Article passed by majority voice vote.

ARTICLE 30. To see if the Town will vote to prohibit public smoking of marijuana in the Town of Boxford by amending its Bylaws, Part II: General Legislation, to include a new chapter:

Public Consumption of Marijuana or Tetrahydrocannabinol.

Section 1. No Public Consumption.

No person shall smoke, ingest, or otherwise consume marijuana or tetrahydrocannabinol (as defined in General Laws, Chapter 94C, section 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under control of the Town, or in or upon any bus or other passenger conveyance operated by a common carrier within the Town, or in any place accessible to the public within the Town.

Section 2. Violation and Penalties.

Violation of Section 1 is punishable by a fine of up to \$300, enforceable through criminal indictment or complaint under General Laws Chapter 40, Section 21. Any penalty imposed under this bylaw shall be in addition to any civil penalty imposed under General Laws Chapter 94C, Section 32L.

Or take any other action thereon.

Sponsored and supported by Board of Selectmen
Masconomet School District Committee recommends adoption of this article

It was moved by Stephen Davis to prohibit public smoking of marijuana in the Town of Boxford by amending Town ByLaws, Part II: General Legislation, to include a new chapter as shown in Article #30 of this warrant.

Louise Kress moved and it was duly seconded, to amend Article #30 and the proposed ByLaw by reducing the fine from \$300.00 to \$100.00. Ms. Kress further moved to amend the Article by striking the following language: "enforceable through criminal indictment or complaint under General Laws Chapter 40, Section 21."

Charles Costello moved, and it was duly seconded, to allow Police Chief Michael Murphy, who is a non-resident, to speak to Town Meeting. This motion was approved by unanimous voice vote.

Alison Chase moved, and it was duly seconded, to call the question. This motion passed by a greater than two-thirds vote.

The motion to reduce the fine from \$300.00 to \$100.00 was approved by a hand count of 83 yes, 55 no.

The motion to strike the words "enforceable through criminal indictment or complaint under General Laws Chapter 40, Section 21" was approved by a majority show of hands./

The amended Article passed by a majority voice vote.

ARTICLE 31. To see if the Town will vote to amend the fees for licensing dogs and fines for unlicensed and unvaccinated dogs in compliance with recently enacted state law, by amending its bylaws by inserting the language in Bold and deleting the language ~~struck through~~ as follows:

§ 52-11. Penalty for failure to vaccinate against rabies.

The failure of an owner or keeper of a dog six months of age or older to have said animal vaccinated against rabies by a licensed veterinarian using a vaccine approved by the Massachusetts Department of Public Health shall be subject to a noncriminal fine of not more than ~~\$50~~, **\$100**, pursuant to § 1-4 of the General Bylaws of the town.

§ 52-12. Penalty for failure to license.

Notwithstanding the schedule of fines set forth in MGL, c. 140, § 141, or any other provision of law to the contrary, any owner of a dog who fails to license that dog pursuant to the requirements of MGL c. 140, § 137, or who violates the provisions of §§ 137A or 137B regarding the requirements of kennel licensing and sales of dogs from kennels, or § 138 regarding a change in ownership of a licensed dog or the bringing into the Town a dog licensed in some other state may at the election of the enforcing person be subject to a noncriminal fine of ~~\$25 for the first offense and \$50 for each offense thereafter~~, pursuant to § 1-4 of the General Bylaws of the town.

§ 52-14. Annual dog licensing fees.

Notwithstanding the provisions of MGL c. 140, § 139, of said or any other provision of law to the contrary, the annual fees to be charged by the Town of Boxford for the issuance of licenses for dogs shall be:

- A. All **spayed and neutered** dogs: \$20.
All intact dogs: **\$25**
- B. Kennels (5 or more dogs): \$125.

Or take any other action thereon.

Sponsored by the Town Clerk
Board of Selectmen recommends adoption of this article

It was moved by the Town Clerk, Robin Phelan, and duly seconded, to **amend the fees for licensing dogs and fines for unlicensed and unvaccinated dogs in compliance with recently enacted state law**, by amending Town bylaws by inserting the language in **Bold** and deleting the language ~~struck through~~ as shown in Article #31 of this warrant.

This Article passed by unanimous voice vote.

ARTICLE 32. It was moved by Charles Killam, and duly seconded, to dissolve Annual Town Meeting.

This motion passed by unanimous voice vote.

The meeting was dissolved at 9:30 p.m.

