

TOWN OF BOXFORD ANNUAL TOWN MEETING MAY 13, 2014 MINUTES

A quorum being present, Boxford Annual Town Meeting was called to order by Town Moderator Gerald R. Johnston at 7:57pm on Tuesday, May 13, 2014 in the Masconomet Auditorium with 927 voters in attendance. The articles were disposed of as follows:

It was moved by Stephen A. Davis, Chair of the Board of Selectmen, and duly seconded, that the Moderator not be required to read articles or motions of the warrant articles verbatim, and further that he be authorized to summarize articles and motions as he deems appropriate.

It was voted by a greater than majority hand count that the Moderator not be required to read articles or motions of the warrant articles verbatim, and further that he be authorized to summarize articles and motions as he deems appropriate.

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

It was moved by Stephen A. Davis, and duly seconded, 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. The motion passed by unanimous voice vote.

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 2015 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 **\$5,000** for Fiscal Year 2015 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 2015 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 2015 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 **\$5,000** for Fiscal Year 2015 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 2015 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 2015 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

It was moved by Stephen A. Davis, and duly seconded to authorize the establishment of the revolving accounts as listed in Article #2 of the 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.

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 2015 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 **\$5,000** for Fiscal Year 2015 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 2015 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 2015 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 **\$5,000** for Fiscal Year 2015 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 2015 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 2015 from said account for the purchase of tick control products and associated expenses.

The motion carried by a unanimous show of hands.

ARTICLE 3. To see if the Town will vote to adopt the expanded **Classification Plan and Compensation Plan** for FY 2015, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on pages 15 through 17 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

It was moved by Personnel Board member Timothy M. Feeney, and duly seconded, to adopt the Classification Plan and Compensation Plan for FY 2015, as

submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on pages 15 through 17 of the warrant.

The motion carried by a greater than majority show of hands.

ARTICLE 4. 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 2015, 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: **\$28,835,614.**

The proposed budget is printed on pages 18 and 19 of this warrant.

Board of Selectmen recommends adoption of this article

It was moved by Finance Committee Chair Geoffrey E. Buswick, and duly seconded, to raise and appropriate **\$28,804,674**, and transfer **\$5,940** from "Receipts Reserved for Appropriation – Septic Loan Program", and transfer **\$25,000** from "Overlay Released by the Assessors", for a total appropriation of **\$28,835,614**, for the use of several departments for Fiscal Year 2015, 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 18 and 19 of this warrant; and authorize expenditure of these funds under the direction of the appropriate listed department.

It was moved by Daniel J. Volchok, member of the Masconomet School Committee, and duly seconded, that the Fiscal Year 2015 budget be amended to increase the Masconomet annual operational assessment by \$90,053 for a total of \$8,299,466 resulting in a total town budget of \$28,925,667. The motion passed by a majority show of hands.

It was voted by a greater than majority show of hands to raise and appropriate **\$28,894,727**, and transfer **\$5,940** from "Receipts Reserved for Appropriation – Septic Loan Program", and transfer **\$25,000** from "Overlay Released by the

Assessors”, for a total appropriation of **\$28,925,667**, for the use of several departments for Fiscal Year 2015, 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 18 and 19 of this warrant; and authorize expenditure of these funds under the direction of the appropriate listed department.

NOTE: At this time, we anticipate that **Article #5** will be offered as a "contingent debt exclusion." This means that although the debt appropriation could be approved at the Annual Town Meeting, that appropriation would be fully contingent upon successful passage of the related Proposition 2½ ballot question. Should the exclusion question fail at the election, the Town Meeting debt appropriation would be rendered null and void.

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ARTICLE 5. To see if the Town will vote to appropriate **\$7,600,000 [estimate]** to pay costs of architectural, engineering, renovation, construction, landscaping, furnishing and equipping and all other related expenses to construct a new **Boxford Village Library** and fund demolition of a portion of, and preserve through the restoration of a historically compatible exterior closure to, the current **Cummings House**, both located at **10 Elm Street** and for the payment of all other costs incidental and related thereto, and that to meet this appropriation: 1) to transfer the sum of **\$240,000** from a donation gift fund established for this purpose; 2) to appropriate the sum of **\$19,415** from the unexpended balance of the Community Preservation Committee Historic Fund appropriation and debt authorization approved for the historic renovation of Lincoln Hall in Article #14, of the Special Town Meeting October 23, 2007; 3) to appropriate the sum of **\$95,832** from the Community Preservation Committee Historic Fund; 4) to appropriate the sum of **\$34,753** from the Community Preservation Committee Undesignated Fund and, 5) that the Treasurer, with the approval of the Selectmen, is authorized to borrow **\$7,210,000** under and pursuant to Chapter 44, Sections 7(3); 7(3A) and 7(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, also known as Proposition 2 1/2; and that in order to aid in the funding of said project, that the Board of Library Trustees be permitted to seek, receive and accept grants, donations or reimbursements for this purpose and to authorize the Board of Library Trustees and the Permanent Building Committee to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to affect the

construction of said project; said funds to be expended under the direction of the Permanent Building Committee and the Community Preservation Committee, or take any other action thereon.

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

It was moved by Heidi F. Ellard, Chair of the Board of Library Trustees, and duly seconded, to appropriate **\$7,267,000** to pay costs of architectural, engineering, renovation, construction, landscaping, furnishing and equipping and all other related expenses to construct a new Boxford Village Library and fund demolition of a portion of, and preserve through the restoration of a historically compatible exterior closure to, the current Cummings House, both located at 10 Elm Street and for the payment of all other costs incidental and related thereto, and that to meet this appropriation: 1) to transfer the sum of **\$543,000** from a donation gift fund established for this purpose; 2) to appropriate the sum of **\$19,415** from the unexpended balance of the Community Preservation Committee Historic Fund appropriation and debt authorization approved for the historic renovation of Lincoln Hall in Article #14, of the Special Town Meeting October 23, 2007; 3) to appropriate the sum of **\$95,832** from the Community Preservation Committee Historic Fund; 4) to appropriate the sum of **\$34,753** from the Community Preservation Committee Undesignated Fund and, 5) that the Treasurer, with the approval of the Selectmen, is authorized to borrow **\$6,574,000** under and pursuant to Chapter 44, Sections 7(3); 7(3A) and 7(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, also known as Proposition 2 1/2; and that in order to aid in the funding of said project, that the Board of Library Trustees be permitted to seek, receive and accept grants, donations or reimbursements for this purpose and to authorize the Board of Library Trustees and the Permanent Building Committee to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to affect the construction of said project; said funds to be expended under the direction of the Permanent Building Committee and the

Community Preservation Committee. A vote was taken by ballot. There were 536 yes votes and 360 no votes. The motion was unsuccessful due to its failure to achieve a greater than two-thirds majority.

ARTICLE 6. To see if the Town will vote to appropriate **\$300,000 [estimate]** to pay costs of architectural, engineering, renovation, construction, equipping and all other related expenses to historically preserve through the renovation and rehabilitation of some interior components of a portion of the current Cummings House, located at 10 Elm Street and for the payment of all other costs incidental and related thereto, said interior restoration to include, but not be limited to, installation of a limited use/limited application elevator, installation of accessible rest room facilities, installation of new fire alarm annunciator system, and other miscellaneous mechanical improvements; and that to meet this appropriation, the Treasurer with the approval of the Selectmen shall be authorized to issue debt in the amount of **\$300,000** under the Community Preservation Program for the rehabilitation of historic resources, pursuant to Massachusetts General Laws Chapter 44B and under and pursuant to Massachusetts General Laws Chapter 44, Section 7(3A) and 7(21), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in order to aid in the funding of said project, that the Board of Library Trustees and Boxford Cultural Council be permitted to seek, receive and accept grants, donations or reimbursements for this purpose and to authorize the Board of Library Trustees, and the Permanent Building Committee to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to affect the construction of said project; said funds to be expended under the direction of the Permanent Building Committee and the Community Preservation Committee; provided however that no funds may be 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 Article # 5 of this warrant from the limitations of Chapter 59, section 21C of the General Laws, also known as Proposition 2 1/2; or take any other action thereon.

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

It was moved by Julian Troake, member of the Board of Library Trustees, and duly seconded, to pass over Article 6. The motion passed by a unanimous voice vote.

ARTICLE 7. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$413,940 for the purposes of additionally funding the Fiscal Year 2015 Masconomet Regional School District Assessment**, thereby completing the funding required to meet the total assessment and approving the district certified budget, provided that the appropriation authorized herein shall be contingent upon the vote at the Town election to assess additional real estate and personal property taxes in accordance with the provisions of Proposition 2 ½, so called; or take any other action thereon.

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

It was moved by Geoffrey E. Buswick, and duly seconded, to raise and appropriate the sum of **\$323, 887** for the purposes of additionally funding the Fiscal Year 2015 Masconomet Regional School District Assessment, thereby completing the funding required to meet the total assessment and approving the district certified budget, provided that the appropriation authorized herein shall be contingent upon the vote at the Town election to assess additional real estate and personal property taxes in accordance with the provisions of Proposition 2 ½, so called. The motion carried by a majority show of hands.

ARTICLE 8. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$394,975 for the purposes of additionally funding the Fiscal Year 2015 Elementary School Budget**, provided that the appropriation authorized herein shall be contingent upon the vote at the Town election to assess additional real estate and personal property taxes in accordance with the provisions of Proposition 2 ½, so called; or take any other action thereon.

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

It was moved by David Rivers, Chair of the Boxford School Committee, and duly seconded, to raise and appropriate the sum of **\$394,975** for the purposes of additionally funding the Fiscal Year 2015 Elementary School Budget, provided that the appropriation authorized herein shall be contingent upon the vote at the Town election to assess additional real estate and personal property taxes in accordance with the provisions of Proposition 2 ½, so called. The motion passed by a majority show of hands.

It was moved by Stephen A. Davis, and duly seconded to adjourn the Annual Town Meeting to a date and time certain, Wednesday, May 14, 2014 at 7pm at the Masconomet auditorium. The motion passed by a unanimous voice vote. Annual Town Meeting was adjourned at 10:38pm.

A quorum being present at the date and time designated, Boxford Annual Town Meeting reconvened at 7pm and was called to order by Moderator Gerald R. Johnston with 156 voters in attendance.

It was moved by Charles J. Costello, member of the Board of Selectmen, and duly seconded, that the Moderator not be required to read articles or motions of the warrant articles verbatim, and further that he be authorized to summarize articles and motions as he deems appropriate.

It was voted by a greater than majority hand count that the Moderator not be required to read articles or motions of the warrant articles verbatim, and further that he be authorized to summarize articles and motions as he deems appropriate.

ARTICLE 9. To act on the list of proposed capital purchases for FY 2015 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 2015, 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 and supported the Board of Selectmen

Estimate: **\$503,346.**

Finance Committee recommends adoption of this article

Capital Budget Committee Recommendations as noted

Permanent Building Committee Recommendations as noted

The proposed capital budget is printed on page 14 of this warrant.

The Moderator called for a vote to allow Department of Public Works Superintendent John Dold to speak on item 14 of the list of Proposed Capital Purchases for FY 2015. This matter passed by a unanimous voice vote.

The Moderator called for a vote to allow Police Chief Michael Murphy to speak on item 18 of the list of Proposed Capital Purchases for FY 2015. This matter passed by a unanimous voice vote.

It was moved by Andrew (Ford) Fischer and duly seconded to amend Article 9 by removing item 18 (to “fund purchase and training for 15 conducted electrical weapons (Taser) and associated equipment-Police Department sic) from the proposed Capital Purchases for FY 2015 thus that total capital purchases would equal \$481,346 for Article 9. The amendment was defeated by a majority show of hands.

It was moved by Charles J. Costello to transfer from Free Cash **\$503,346** to fund the list of proposed capital purchases for FY 2015 as shown on page 14 of this warrant, for the use of several departments for fiscal year 2015, 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. The motion passed by a unanimous voice vote.

ARTICLE 10. To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of **\$300,000 [estimate]** to pay costs for the construction, engineering oversight, traffic safety plan and other expenses related to the repair, reconstruction and **replacement of a stormwater culvert on Main Street at Glendale Road**, and that to meet this appropriation or a portion thereof, the Treasurer with the approval of the Board of Selectmen, is hereby authorized to borrow a sum under and pursuant to Chapter 44, Section 7, Clause (1) 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, or take any other action thereon.

Sponsored and supported by Board of Selectmen
Finance Committee to make recommendation at Town Meeting
Capital Budget Committee: “B” High Priority

It was moved by Peter C. Perkins, member of the Board of Selectmen, and duly seconded, to transfer **\$75,000** from the “Overlay Released by the Assessors” and **\$121,500** from Free Cash for a total appropriation of **\$196,500** to pay costs for the construction, engineering oversight, traffic safety plan and other expenses related to the repair, reconstruction and replacement of a stormwater culvert on Main Street at Glendale Road. This motion passed by a unanimous voice vote.

ARTICLE 11. To see if the Town will vote to set the **annual curbside solid waste collection fee** at \$2.50 for each 32-gallon bag or container (each use); or take any other action thereon.

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

It was moved by Louise B. Kress, member of the Board of Health, 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 carried by a unanimous voice vote.

ARTICLE 12. To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of **\$25,000 to fund the Compensated Absence fund**, 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 Mary Anne Nay, member of the Board of Selectmen, and duly seconded, to transfer from Free Cash the sum of **\$25,000** to fund the Compensated Absence fund. This motion was passed by a unanimous voice vote.

ARTICLE 13. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$20,625 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 Peter C. Perkins, and duly seconded, to transfer from Free Cash the sum of **\$20,625** 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 a majority voice vote.

ARTICLE 14. To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of **\$20,000 to engage consulting services to assist with the candidate screening, assessment process and candidate background investigation to hire the next Fire Chief**, or take any other action thereon.

It was moved by Peter C. Perkins, and duly seconded, to transfer from Free Cash the sum of **\$20,000** to engage consulting services to assist with the candidate screening, assessment process and candidate background investigation to hire the next Fire Chief.

It was moved by Stuart Saginor, and duly seconded, to pass over this article. The amendment passed by a hand count vote of 89 yes, 49 no. The article was passed over.

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

ARTICLE 15. To see if the Town will vote to amend the Zoning Bylaw, Town Code Chapter 196, reducing the required minimum acreage for the Elderly Housing District, by deleting from Town Code 196-24B(4) the language, "The minimum area of a lot within the Elderly Housing District shall be 24 acres", an inserting in place thereof the language, "The minimum area of a lot within the Elderly Housing District shall be 12 acres", or take any other action thereon.

Sponsored and supported by Housing Partnership Committee
Planning Board recommends adoption of this article

It was moved by Joseph C. Hill, Chair of the Boxford Housing Partnership, and duly seconded, to amend the Zoning Bylaw, Town Code Chapter 196, reducing the required minimum acreage for the Elderly Housing District, by deleting from Town Code 196-24B(4) the language, "The minimum area of a lot within the Elderly Housing District shall be 24 acres", and inserting in place thereof the language, "The minimum area of a lot within the Elderly Housing District shall be 12 acres". The vote on this motion was 79, yes; 62 no. The motion failed due to the failure to achieve a greater than two-thirds vote.

ARTICLE 16. To see if the Town will vote to re-zone from Zoning District Class "O" Official or Open Space District to Zoning District Class "E-H" Elderly Housing District a portion of the property located on Middleton Road and shown as Parcel 2 on a plan entitled "Plan of Land in Boxford, MA property of Charles W. Haynes, Trustee Elmlea Partnership Trust," dated November 12, 2007, prepared by Donohoe and Parkhurst, Inc. and recorded with the Essex South Registry of Deeds in Plan Book 411, Plan 10; said portion containing 13.4 acres, more or less, and being shown as "Land Use Area 3," the

approximate boundaries of which are depicted on a plan filed in the Town Clerk's office entitled "Conservation Restriction and Use Area Plan," dated April 8, 2010, prepared by Donohoe and Parkhurst, Inc.; or take any other action thereon.

Sponsored and supported by the Housing Partnership Committee
Planning Board recommends adoption of this article

It was moved by J. Steven Merriam, member of the Boxford Housing Partnership, and duly seconded, to pass over this article. The motion passed by a unanimous voice vote.

ARTICLE 17. To see if the Town will vote to **transfer from the care, custody and control of the Board of Selectmen as currently held for one or more of the purposes authorized under the Community Preservation Act to the care, custody and control of the Board of Selectmen for the purpose of community housing**, a portion of the property located on Middleton Road and shown as Parcel 2 on a plan entitled "Plan of Land in Boxford, MA property of Charles W. Haynes, Trustee Elmlea Partnership Trust," dated November 12, 2007, prepared by Donohoe and Parkhurst, Inc. and recorded with the Essex South Registry of Deeds in Plan Book 411, Plan 10; said portion containing 13.4 acres, more or less, and being shown as "Land Use Area 3," the approximate boundaries of which are depicted on a plan filed in the Town Clerk's office entitled "Conservation Restriction and Use Area Plan," dated April 8, 2010, prepared by Donohoe and Parkhurst, Inc. (the "Restriction Plan"), and further **to authorize the Board of Selectmen to convey an affordable housing restriction to be placed upon said property and to grant such restrictions as required by the provisions of M.G.L. ch. 44B, section 12(a) limiting the use of the aforesaid property shown on the Restriction Plan as restricted area "H" to community housing purposes; or take any other action thereon.**

Sponsored and supported by the Housing Partnership Committee

It was moved by J. Steven Merriam, and duly seconded, to pass over this article. The motion was approved by a unanimous voice vote.

ARTICLE 18. To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of **\$10,000 to engage consulting services to assist with the preparation and mandatory update of the Town's Open Space and Recreation Plan**, 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 Charles E. Killam, member of the Board of Selectmen, and duly seconded, to transfer from Free Cash the sum of **\$10,000** to engage consulting services to assist with the preparation and mandatory update of the Town's Open Space and Recreation Plan. The motion passed by a unanimous voice vote.

ARTICLE 19. To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of **\$2,500 to engage consulting services to assist with the preparation and mandatory update of the Town's other post-employment benefit (OPEB) liability report**, 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 Mary Anne Nay, and duly seconded to transfer from Free Cash the sum of **\$2,500** to engage consulting services to assist with the preparation and mandatory update of the Town's other post-employment benefit (OPEB) liability report. The motion carried by a unanimous voice vote.

ARTICLE 20. 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 2015, with each item to be considered a separate appropriation:

Appropriations:

From FY 2015 estimated annual revenues for Sawyer-Richardson Open Space Bond expense	\$201,365
From FY 2015 estimated annual revenues for Lincoln Hall Historic Renovation Bond expense	\$ 53,725
From FY 2015 estimated annual revenues for Haynes Land Purchase Bond expense	\$153,500
From FY 2015 estimated annual revenues for Committee Administrative Expenses	\$ 48,371

Reserves:

From FY 2015 estimated annual revenues for Historic Resources Reserve	\$ 43,017
From FY 2015 estimated annual revenues for Community Housing Reserve	\$ 96,742
From FY 2015 estimated annual revenues for Budgeted Reserve	\$370,000

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 Peter J. Delaney, Chair of the Community Preservation Committee, 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 2015, with each item to be considered a separate appropriation:

Appropriations:

From FY 2015 estimated annual revenues for Sawyer-Richardson Open Space Bond expense	\$201,365
From FY 2015 estimated annual revenues for Lincoln Hall Historic Renovation Bond expense	\$ 53,725
From FY 2015 estimated annual revenues for Haynes Land Purchase Bond expense	\$153,500
From FY 2015 estimated annual revenues for Committee Administrative Expenses	\$ 48,371

Reserves:

From FY 2015 estimated annual revenues for Historic Resources Reserve	\$ 43,017
From FY 2015 estimated annual revenues for Community Housing Reserve	\$ 96,742
From FY 2015 estimated annual revenues for Budgeted Reserve	\$370,000

The motion carried by a unanimous voice vote.

ARTICLE 21. To see if the Town will vote to appropriate **\$8,500 from the Community Preservation Committee Undesignated Fund** to fund the rehabilitation of farmland soils on the Cargill Field, the appropriated funds to be expended under the direction of the licensees for the Cargill Field and 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

It was moved by Peter J. Delaney, and duly seconded, to appropriate **\$8,500** from the Community Preservation Committee Undesignated Fund to fund the rehabilitation of farmland soils on the Cargill Field, the appropriated funds to be expended under the direction of the licensees for the Cargill Field and the Community Preservation Committee. The motion passed by a hand count vote of 73 yes to 68no.

ARTICLE 22. To see if the Town will vote to **transfer care, custody, management, and control** of a parcel of Town-owned land shown on Assessor's Map 19, Block 3, Parcel 28 **from the Board of Selectmen and/or the Board of Health for landfill purposes to the Board of Health for the purposes of landfill site assignment oversight and post closure operation and to the Board of Selectmen for the joint purposes of general municipal use and for conveyance by leasing of such property for renewable energy uses;** and to authorize the Board of Selectmen to lease such property for the installation,

operation and maintenance of a privately-owned, ground-mounted solar photovoltaic facility **for a term of up to twenty-five (25) years** on such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town, and to convey all necessary interests, including easements, for all purposes relating to such lease; FURTHER, to **authorize the Board of Selectmen to enter into a renewable energy power purchase and/or net metering credit purchase agreement**, including an agreement for power and net metering credits generated by a solar photovoltaic facility, for a term of up to twenty-five (25) years, on such terms and conditions as the Board of Selectmen deems to be in the best interests of the Town; and FURTHER, to **authorize the Board of Selectmen to negotiate and enter into an agreement for payments-in-lieu-of-taxes ("PILOT")** pursuant to M.G.L. Chapter 59, Section 38H(b), and Chapter 164, Section 1, or any other enabling authority, for both real property and personal property associated with a privately owned and operated solar photovoltaic facility to be located on the Town's landfill property as shown on Assessor's Map 19, Block 3, Parcel 28 for a term of up to twenty-five (25) years on such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town; and further to authorize the Board of Selectmen to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to undertake the purpose of this article, or take any other action thereon.

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

It was moved by Gregory A. Netland, Chair of the Sustainability Committee, to transfer care, custody, management, and control of a parcel of Town-owned land shown on Assessor's Map 19, Block 3, Parcel 28 from the Board of Selectmen and/or the Board of Health for landfill purposes to the Board of Health for the purposes of landfill site assignment oversight and post closure operation and to the Board of Selectmen for the joint purposes of general municipal use and for conveyance by leasing of such property for renewable energy uses; and to authorize the Board of Selectmen to lease such property for the installation, operation and maintenance of a privately-owned, ground-mounted solar photovoltaic facility for a term of up to twenty-five (25) years on such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town, and to convey all necessary interests, including easements, for all purposes relating to such lease; FURTHER, to authorize the Board of Selectmen to enter into a renewable energy power purchase and/or net metering credit purchase agreement, including an agreement for power and net metering credits generated by a solar photovoltaic facility, for a term of up to twenty-five (25) years, on such terms and conditions as the Board of Selectmen deems to be in the best interests

of the Town; and FURTHER, to authorize the Board of Selectmen to negotiate and enter into an agreement for payments-in-lieu-of-taxes ("PILOT") pursuant to M.G.L. Chapter 59, Section 38H(b), and Chapter 164, Section 1, or any other enabling authority, for both real property and personal property associated with a privately owned and operated solar photovoltaic facility to be located on the Town's landfill property as shown on Assessor's Map 19, Block 3, Parcel 28 for a term of up to twenty-five (25) years on such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town; and further to authorize the Board of Selectmen to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town of Boxford to undertake the purpose of this article. The motion passed by a greater than two-thirds voice vote.

ARTICLE 23. To see if the Town will adopt a plan entitled "Town of Boxford Zoning Map August 2012" as the official town Zoning Map; or take any other action thereon.

Sponsored and supported by Planning Board

It was moved by J. Steven Merriam, Planning Board member, and duly seconded, to adopt a plan entitled "Town of Boxford Zoning Map August 2012" as the official town Zoning Map. The motion carried by a unanimous voice vote.

ARTICLE 24. To see if the Town will vote to amend the Zoning Bylaw, Town Code Chapter 196, by deleting the "C Conservancy District" and making clerical corrections to various section references, as follows:

Listing of Sections: delete the language, "C Conservancy District" and insert in place thereof the word, "reserved"

Section 196-2: delete from the opening paragraph the language, "Zoning Map, dated May 10, 1977" and insert in place thereof the language, "Town of Boxford Zoning Map August 2012"; delete from the opening paragraph the word "nine" and insert in place thereof the word "eight"; delete under the heading "Special Districts" the language, "C Conservancy District (§ 196-17)"

Section 196-13B(1): delete from the phrase "Subsection B(11)(o) of this section" the letter "o" and insert in place thereof the letter "l" so that the phrase reads, "Subsection B(11)(l) of this section" [editor's note: this is a lower case letter l, not the number 1].

Section 196-13D, Farm stand activities: Change section heading to read “E. Farm Stand Activities”

Section 196-13D, Farm stand activities, (2): delete from the phrase, “as described in Section D(3)” the letter “D” and insert in place thereof the letter “E” so that the phrase reads, “as described in Section E(3)”.

Section 196-13D, Farm stand activities, (3)(b): delete from the phrase, “the information required by Section D.3.a” the letter “D” and insert in place thereof the letter “E” so that the phrase reads, “the information required by Section E.3.a”.

Section 196-14, B-1 Retail Business District, B(1): delete from the phrase, “All uses permitted in § 196-13B(2), (3), (5), (6), (9), (11)(h), (11)(i) and (11)(n)” the language, “(11)(i) and (11)(n)” and insert in place thereof the language “and (11)(i)” so that the phrase reads, “All uses permitted in § 196-13B(2), (3), (5), (6), (9), (11)(h), and (11)(i).”

Section 196-16, M Manufacturing or Industrial District, B(5): delete the language “, subject to § 196-31” therein.

Section 196-17, C Conservancy District: delete the section heading and the text from this section in its entirety and replace therewith the language, “§ 196-17. Reserved”;

or take any other action thereon

Sponsored and supported by Planning Board

It was moved by J. Steven Merriam, and duly seconded, to amend the Zoning Bylaw, Town Code Chapter 196, by deleting the “C Conservancy District” and making clerical corrections to various section references as listed in Article #24 of this warrant. The motion passed by a unanimous voice vote.

ARTICLE 25. To see if the Town will vote to withdraw from membership in the Essex County Mosquito Control District, pursuant to the provisions of Chapter 516 of the Acts of 1958; or take any other actions thereon.

It was moved by Natasha Grigg, and duly seconded, to pass over Article 25.

It was moved by Stephen A. Davis, and duly seconded, to dissolve Annual Town Meeting. The motion passed by a unanimous voice vote.

A true record,

Attest

Robin Phelan, Town Clerk