

## Annual Town Meeting: Tuesday, May 8, 2018

Boxford's Annual Town Meeting was called to order by Moderator Jerry Johnston at 7:20pm on Tuesday, May 8, 2018 in the Masconomet Auditorium, with 313 voters in attendance.

It was moved by Charles J. Costello, Chair of the Board of Selectmen, and duly seconded, that the Moderator NOT be required to read articles or motions of the warrant 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.** Charles J. Costello moved, and it was 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.

This motion passed by unanimous voice vote.

**ARTICLE 2.** It was moved by Michael E. White, Chair of the Finance Committee, and duly seconded, to **raise and appropriate \$34,163,927 and transfer \$5,940 from "receipts reserved for appropriation - septic system loan program"**, for a total appropriation of **\$34,169,867**, for the use of several departments for Fiscal Year 2019, 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.

This article passed by majority voice vote.

**ARTICLE 3.** It was moved by Selectman Peter C. Perkins, and duly seconded, to transfer from Free Cash the sum of \$788,262 to fund **the list of proposed equipment and capital purchases** for FY 2019 as shown on page 16 of this warrant, for the use of several departments for fiscal year 2019 and authorize expenditure of these funds under the direction of the appropriate listed department and authorize the Board of Selectmen or School Committees to dispose of any equipment declared surplus if replaced.

Masconomet School Committee Chair Daniel Volchok moved, and it was duly seconded, to amend Article 3 by deleting Line 17 of the Proposed Equipment and Capital Purchases for FY 2019, located on page 16 of the warrant. This line item represents Boxford's share of the Masconomet building improvement in the amount of \$208,151. The amendment was offered because the Town of Topsfield, at its May 1 Annual Town Meeting, declined to fund its share of the Masconomet building improvements, which requires the approval of all three towns comprising the Masconomet Regional School District in order to pass. This amendment brings the total proposed equipment and capital purchases for FY 2019 to \$508,111.

The amendment passed by majority voice vote.

Article 3, as amended, passed by majority voice vote.

**ARTICLE 4.** It was moved by Selectman Alfred Vaz, Jr., and duly seconded, to transfer from Free Cash the sum of **\$95,000 to supplement current consulting and other professional services assisting in preparing**

**and evaluating a proposed Non-School Municipal Facilities Master Plan**, said funds to be available for expenditure in FY 2018, said funds to be expended under the direction of the Planning Board.

This article passed by majority voice vote.

**ARTICLE 5.** It was moved by Chair of the Board of Library Trustees, Linda Shea, and duly seconded, to create a special stabilization fund pursuant to the provisions of M.G.L. c.40 § 5B, to be known as the Library Stabilization Fund and **transfer from Free Cash the sum of \$475,000 to the Library Stabilization Fund, for the specific restricted purpose of use for library purposes excluding annual operating expenses, as may be proposed to Town Meeting by the Library Trustees, in order to comply with the intent of the original donors who gifted the property at 10 Elm Street to the Town for library purposes; and to transfer the care, custody and control of the property and building thereon at 10 Elm Street currently held by the Library Trustees for library purposes to the care, custody and control of the Board of Selectmen for general municipal purposes** and to authorize the Board of Selectmen to take any action or execute any document or agreement necessary to effectuate the purposes of this article.

This article passed by a greater than two-thirds voice vote.

**ARTICLE 6.** It was moved by Selectman Mary Anne Nay, and duly seconded, to **adopt M.G.L. Chapter 59, § 5C½ , which provides for an additional real estate exemption for taxpayers who are granted personal exemptions on their domiciles under M.G.L. c59, §5, including certain blind persons, veterans, surviving spouses and seniors, and to provide that the additional exemption shall be up to 100 percent of the personal exemption**, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2018.

This article passed by unanimous voice vote.

**ARTICLE 7.** It was moved by Charles J. Costello, and duly seconded, to transfer from Free Cash the sum of **\$40,000 to fund supplemental DPW roadside tree cutting, roadside tree and branch debris clearing, including subcontracted services and employee overtime as may be required**, said funds to be available for expenditure in FY 2018, said funds to be expended under the direction of the Board of Selectmen.

Article 7 passed by unanimous voice vote.

**ARTICLE 8.** It was moved by Charles J. Costello, and duly seconded, to transfer from Free Cash the sum of **\$100,000 to supplement the "Snow & Ice Removal" line item of the FY 2018 Annual Operating Budget** adopted as part of Article #5 of the May 9, 2017 Annual Town Meeting.

Article 8 passed by unanimous voice vote.

**ARTICLE 9.** It was moved by Selectman Barbara Jessel, and duly seconded, to transfer from Free Cash the sum of **\$7,000 to fund consulting services to assist with the preparation and mandatory update of the Town's Other Post Employment Benefit (OPEB) liability report**, said funds to be expended under the direction of the Board of Selectmen.

Article 9 passed by unanimous voice vote.

**ARTICLE 10.** It was moved by Board of Health member Richard Taylor, and duly seconded, to set the **annual curbside solid waste collection fee at \$2.50 for each 32-gallon bag or container (each use)**.

Article 10 passed by unanimous voice vote.

**ARTICLE 11.** It was moved by to Community Preservation Chair Peter Delaney to **appropriate or reserve from the Community Preservation Fund FY 2019 estimated 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 2019, with each item to be considered a separate appropriation:

**Appropriations:**

Sawyer-Richardson Open Space Bond expense	\$172,225
Lincoln Hall Historic Renovation Bond expense	\$ 47,863
Haynes Land Purchase Bond expense	\$136,750
Aaron Wood Renovation Bond expense	\$ 14,326
Boxford Common Bond expense	\$148,889
Committee Administrative Expenses	\$ 43,198

**Reserves:**

Historic Resources Reserve	\$ 24,206
Community Housing Reserve	\$ 86,395
FY 2019 Budgeted Reserve	\$180,000

Article 11 passed by unanimous voice vote.

**ARTICLE 12.** It was moved by Peter Delaney to appropriate the sum of **\$100,000 from the Community Preservation Fund Undesignated Fund for rehabilitation of land for recreational use, in particular to fund the installation of new playground surfaces at Boxford Common** consistent with the requirements of 521 CMR 2.1, 3.2, 19.7, and 29.1; including incidental costs and expenses, said funds to be expended under the direction of the Community Preservation Committee.

Article 12 passed by majority voice vote.

**ARTICLE 13.** It was moved by School Committee member Carol Hubbard to appropriate the sum of **\$320,000 to fund site preparation and construction of a new elementary school playground at Spofford Pond School, Spofford Road, including incidental costs and expense; and to fund said appropriation, that \$70,000 be transferred from Free Cash, that \$200,000 be transferred from the Community Preservation Fund Undesignated Fund for rehabilitation of land for recreational use, and \$50,000 be transferred from a gift fund established for said purpose,** said funds to be available for expenditure in FY 2018, said funds to be expended under the direction of the School Committee in consultation with the Community Preservation Committee.

Article 13 passed by unanimous voice vote.

**ARTICLE 14.** It was moved by Mary Anne Nay, and duly seconded, to **amend the Town's general bylaw by adding a new section, Town Code \_\_\_\_\_, Marijuana Establishments,** as follows:

Section \_\_\_\_ Consistent with M.G.L. c. 94G § 3(a)(2), all types of non-medical "marijuana establishments" as defined in M.G.L. c. 94G § 1, including marijuana cultivators, independent testing laboratories, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited in the Town of Boxford.

Article 14 passed by majority voice vote.

**Town of Boxford Special Town Meeting Minutes October 23, 2019**

The Town of Boxford's Special Town Meeting was called to order by Town Moderator Gerald Johnston at 7:12 pm in the Masconomet Regional School Auditorium and Gymnasium with 721 voters present.

It was moved by Al Vaz, Board of Selectmen, and duly seconded, that the Moderator NOT be required to read articles or motions verbatim and further that he be authorized to summarize articles and motions as he deems appropriate. This motion carried by a majority hand count.

Sponsored and supported by Elementary School Committee

Finance Committee recommends adoption of this article

**ARTICLE 1.** To see if the Town will vote to raise and appropriate or transfer from available funds to supplement the FY 2019 budget appropriations adopted as Article #2 of the May 8, 2018 Annual Town Meeting and **increase the Salary Reserve line item by \$44,579** and to adopt the **Classification Plan and Compensation Plan** for FY 2019, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on pages 8 through 11 of this warrant; or take any other action thereon.

Sponsored and Supported by the Personnel Board

Finance Committee to make recommendation at Town Meeting

Board of Selectmen recommends adoption of this article

**Backup information: [www.town.boxford.ma.us/stm-documents](http://www.town.boxford.ma.us/stm-documents)**

**ARTICLE 1.** It was moved by Tim Feeney of the Personnel Board, and duly seconded, to raise and appropriate to supplement the FY 2019 budget appropriations adopted as Article #2 of the May 8, 2018 Annual Town Meeting and increase the Salary Reserve line item by \$44,579 and to adopt the Classification Plan and Compensation Plan for FY 2019, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on pages 8 through 11 of this warrant. This motion passed by majority hand count.

**ARTICLE 2.** To see if the Town will vote to raise and appropriate or transfer from available funds to supplement the FY 2019 budget appropriations adopted as Article #2 of the May 8, 2018 Annual Town Meeting and **increase the Town Clerk salary line item by \$9,221 to fund a salary adjustment for the elected Town Clerk to a new FY19 salary of \$71,000**, or take any other action thereon.

Sponsored and supported by the Personnel Board

Board of Selectmen recommends adoption of this article

Finance Committee recommends adoption of this article

[www.town.boxford.ma.us/stm-documents](http://www.town.boxford.ma.us/stm-documents)

**ARTICLE 2.** It was moved by Tim Feeney, and duly seconded, to raise and appropriate to supplement the FY 2019 budget appropriations adopted as Article #2 of the May 8, 2018 Annual Town Meeting and increase the Town Clerk salary line item by \$9,221 to fund a salary adjustment for the elected Town Clerk to a new FY19 salary of \$71,000. This motion passed by majority hand count.

**ARTICLE 3.** To see if the Town will vote to appropriate from the **Community Preservation Committee Undesignated Fund** the total sum of **\$1,000 to upgrade existing tennis courts** located adjacent to the Boxford Police Station to accommodate the playing of "Pickle ball" in addition to tennis, or take any other action thereon.

Sponsored and supported by the Community Preservation Committee

Board of Selectmen recommends adoption of this article

Finance Committee recommends adoption of this article

**Backup information:** [www.town.boxford.ma.us/stm-documents](http://www.town.boxford.ma.us/stm-documents)

**ARTICLE 3.** It was moved by Peter Delaney of the Community Preservation Committee, and duly seconded, to appropriate from the Community Preservation Committee Undesignated Fund the total sum of \$1,000 to upgrade existing tennis courts located adjacent to the Boxford Police Station to accommodate the playing of "Pickle ball" in addition to tennis. This motion passed by a greater than majority hand count.

**ARTICLE 4.** To see if the Town will vote to amend its bylaws by adding the phrase shown in *Underlined Bold Italic* below to Town Code, Chapter 7, Commissions, Committees and Boards, Article XI, Permanent Building Committee, §7-20 Membership, B. Temporary members:

- A. Regular members. The Permanent Building Committee shall consist of five regular voting members, all serving without compensation. The appointing authority shall endeavor to appoint, to the extent possible, one registered architect, one licensed engineer, one licensed builder, one accountant, and one attorney, none of whom serve on other regulatory boards within the Town. All regular members shall be residents of the Town of Boxford. All regular members shall be appointed for one-year terms by the Board of Selectmen.
- B. Temporary members. For each municipal project, two temporary members shall be appointed who are members, professional employees of the Town, and/or designees of the appointed or elected board or committee sponsoring or requesting a construction or major maintenance project; or in the case of major maintenance initiated by the Permanent Building Committee itself, the board or committee whose facility would be the recipient thereof. *In the case of a*

project with multiple buildings with simultaneous and coordinated design and construction, in addition to the two temporary members from the sponsoring committees cited above who have full membership and voting rights during deliberation on their respective building's project; an additional two temporary members shall be appointed at large. The temporary members shall be appointed at large for one-year terms by the Board of Selectmen. Temporary members shall be appointed at large for one-year terms by the Board of Selectmen. Temporary members shall have the right to vote on the activities of the Permanent Building Committee only with respect to the particular project for which such member was appointed.

Sponsored and supported by the Board of Selectmen

Backup information: [www.town.boxford.ma.us/stm-documents](http://www.town.boxford.ma.us/stm-documents)

**ARTICLE 4.** It was moved by Mary Anne Nay of the Board of Selectmen, and duly seconded, to amend the Town's bylaws by adding the phrase shown in Article #4 of this warrant in **Underlined Bold Italic** and thereby amend the section of the Town Code, Chapter 7, Commissions, Committees and Boards, Article XI, Permanent Building Committee, §7-20 Membership, B. Temporary members. This article passed by a greater than two-thirds vote.

**ARTICLE 5.** To see if the Town will vote to appropriate the **sum of \$24,525,000 to pay costs of design, permitting, construction and all other incidental and related expenses to implement the Non-School Municipal Facilities Plan dated October 1, 2018** and on file with the Office of the Town Clerk which may include, but is not limited to, any or all of the following: **1) a new Department of Public Works building and associated structures on Town-owned land off Spofford Road; 2) expanded COA/Community Center at 4 Middleton Road and 3) an expanded Town Library at 7A Spofford Road;** said amount to be expended under the direction of the Permanent Building Committee; **and to meet this appropriation, 1) the sum of \$1,050,000 shall be transferred from Free Cash; 2) the sum of \$475,000 shall be transferred from the Library Stabilization Fund created and funded by Article #5 of the May 8, 2018 Annual Town Meeting and that the Library Stabilization Funds be used for the Library construction portion of the project; and 3) the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$23,000,000** pursuant to Chapter 44 of the General Laws, as amended, or pursuant to any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. 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 2½. The Permanent Building Committee is authorized 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. The Board of Selectmen, Council on Aging, and the Board of Library Trustees are authorized to solicit, seek, receive and accept, grants, donations and reimbursements for this project.

Sponsored and Supported by the Planning Board

Finance Committee recommends adoption of this article

Board of Selectmen recommends adoption of this article

Board of Library Trustees recommends adoption of this article

Council on Aging recommends adoption of this article

Historic District Committee/Historical Commission recommends adoption of this article

***NOTE:** As an implementation committee, the Permanent Building Committee (PBC) chooses not to advocate for particular project proposals as they come before Town Meeting. However, the PBC believes it can execute the plan based on the assumptions and contingencies put forth by the task force.*

It was moved by Charles Costello of the Board of Selectmen and duly seconded by William Cargill, Jr., that Article 5 be voted on as written, without amendment. This article passed by a greater than two-thirds vote.

**ARTICLE 5.** It was moved by Robert Gore of the Planning Board, and duly seconded, that the Town appropriates the sum of \$24,525,000 to pay costs of design, permitting, construction and all other incidental and related expenses to implement the Non-School Municipal Facilities Plan dated October 1, 2018 and on file with the Office of the Town Clerk which may include, but is not limited to, any or all of the following: 1) a new Department of Public Works building and associated structures on Town-owned land off Spofford Road; 2) expanded COA/Community Center at 4 Middleton Road and 3) an expanded Town Library at 7A Spofford Road, said amount to be expended under the direction of the Permanent Building Committee; and to meet this appropriation, 1) the sum of \$1,050,000 shall be transferred from Free Cash; 2) the sum of \$475,000 shall be transferred from the Library Stabilization Fund created and funded by Article #5 of the May 8, 2018 Annual Town Meeting and that the Library Stabilization Funds be used for the Library construction portion of the project; and 3) the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$23,000,000 pursuant to Chapter 44 of the General Laws, as amended, or pursuant to any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. 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 2½. The Permanent Building Committee is authorized 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. The Board of Selectmen, Council on Aging, and the Board of Library Trustees are authorized to solicit, seek, receive and accept, grants, donations and reimbursements for this project. This motion failed due to a less than two-thirds majority vote of 437 in favor, 320 opposed.

**ARTICLE 6.** To transact any other business to legally come before this meeting.

It was moved by Al Vaz, and duly seconded, to dissolve the Special Town Meeting. This motion passed by majority vote.

A true record,

Robin Phelan, Town Clerk