

Boxford Annual Town Meeting Minutes May 14, 2019

Boxford's Annual Town Meeting was called to order by Moderator Gerald Johnston at 7:05pm in the Masconomet Auditorium, 20 Endicott Road, with 319 voters in attendance.

A motion was made by Alfred Vaz, Jr., of 45 Dana Road, 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.

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

A motion was made by Alfred Vaz, Jr. 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.

This motion passed by majority voice vote.

ARTICLE 2. To see if the Town will vote to adopt the **Classification Plan and Compensation Plan** for FY 2020, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on pages 13 through 16 of this warrant; funding for estimated costs of said plan included in the general operating budget of Town in Article #3; 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

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Timothy Feeney of 21 Haymeadow Road, and duly seconded to adopt the **Classification Plan and Compensation Plan** for FY 2020, as submitted by the Personnel Board under Chapter 23 of the Town Code; said Classification Plan and Compensation Plan as printed on pages 13 through 16 of this warrant; funding for

estimated costs of said plan included in the general operating budget of Town in Article #3.

This motion passed by majority voice vote.

ARTICLE 3. 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 2020, 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: **\$34,817,588**

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

Board of Selectmen recommends adoption of this article

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Michael White, of 26 Highland Road, and duly seconded, to raise and appropriate the sum of \$34,813,068 and transfer the sum of \$5,940 from the "receipts reserved for appropriation-septic system loan program", for a total appropriation of \$34,819,008 to be used by several departments for Fiscal Year 2020, 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 motion passed by majority voice vote.

ARTICLE 4. To see if the Town will vote to raise and appropriate \$207,289 for the purposes of additionally funding the Fiscal Year 2020 Masconomet Regional School District Assessment, thereby completing the funding required to meet the total assessment and approving the District certified budget; or take any other action thereon.

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

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Michael White, and duly seconded, to raise and appropriate \$207,289 for the purpose of additionally funding the Fiscal Year 2020 Masconomet Regional School District Assessment, thereby completing the funding required to meet the total assessment and approving the District certified budget.

This motion passed by majority voice vote.

ARTICLE 5. To see if the Town will vote to raise and appropriate \$10,237 for the purposes of additionally funding the Fiscal Year 2020 Communications Department Budget to partially fund the hire of one part-time additional Communications Dispatcher; or take any other action thereon.

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

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Mary Anne Nay, of 2 Woodhill Lane, and duly seconded, to raise and appropriate \$10,237 for the purpose of additionally funding the Fiscal Year 2020 Communications Department Budget to partially fund the hire of one part-time additional Communications Dispatcher.

This motion passed by majority voice vote.

ARTICLE 6. To see if the Town will vote to raise and appropriate \$28,188 for the purposes of additionally funding the Fiscal Year 2020 Council on Aging Department Budget to hire one part-time social worker; or take any other action thereon

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

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Christina Eckert, of 14 Anna's Way, and duly seconded, to raise and appropriate **\$28,188 for the purpose of additionally funding the Fiscal Year 2020 Council on Aging Department Budget to hire one part-time social worker.**

This motion passed by majority voice vote.

ARTICLE 7. To see if the Town will vote to raise and appropriate **\$29,300 for the purposes of additionally funding the Fiscal Year 2020 DPW Non-Salary Expense Budget to improve and increase the Town's annual maintenance of recreational playing fields, or to take any other action thereon.**

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

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Charles Costello, of 42 Rowley Road, and duly seconded, to raise and appropriate **\$29,300 for the purpose of additionally funding the Fiscal Year 2020 DPW Non-Salary Expense Budget to improve and increase the Town's annual maintenance of recreational playing fields.**

This motion passed by majority voice vote.

ARTICLE 8. To **act on the list of proposed equipment and capital purchases** for FY 2020 and see what sums of money the Town will vote to transfer from Free Cash, for the use of several departments for fiscal year 2020, and authorize expenditure of these funds for such purposes 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; or take any other action thereon.

Sponsored and supported by the Board of Selectmen (Numbers 1-24)
Sponsored and supported by the Elementary School Committee
(Number 25)
Sponsored and supported by the Masconomet District School Committee
(Number 26)
Estimate: **\$1,226,695**

Finance Committee recommends adoption of this article
Permanent Building Committee Recommendations as noted
The proposed capital budget is printed on page 17 of this warrant.

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Peter Perkins, of 385 Main Street, and duly seconded, to transfer the sum of **\$1,226,695** from Free Cash for the use of several departments for fiscal year 2020 as shown on page 17 of this warrant, and authorize expenditure of these funds for such purposes 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.

This motion passed by majority voice vote.

ARTICLE 9. To see if the Town will vote to transfer from available funds the sum of **\$62,000 to engage consulting and engineering services to design, seek regulatory permitting approval, provide plans and specifications, conduct competitive construction bidding and undertake other services as necessary, for replacement of HVAC system in Town Hall/Library**, said funds to be expended under the direction of the Permanent Building Committee, or take any other action thereon.

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

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Robert Hazelwood of 19, Belvedere Road, and duly seconded, to transfer from Free Cash the sum of **\$62,000 to engage consulting and engineering services to design, seek regulatory permitting approval, provide plans and specifications, conduct competitive construction bidding and undertake other services as necessary, for replacement of HVAC system in Town Hall/Library**, said funds to be expended under the direction of the Permanent Building Committee.

This motion passed by majority voice vote.

ARTICLE 10. To see if the Town will vote to transfer from available funds the sum of **\$77,000 to engage consulting and engineering services to design, seek regulatory**

permitting approval, provide plans and specifications, conduct competitive construction bidding and undertake other services as necessary, for a partial replacement of the building envelope in Town Hall/Library, said funds to be expended under the direction of the Permanent Building Committee, or take any other action thereon.

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

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Robert Hazelwood, and duly seconded, to transfer from Free Cash the sum of \$77,000 to engage consulting and engineering services to design, seek regulatory permitting approval, provide plans and specifications, conduct competitive construction bidding and undertake other services as necessary, for a partial replacement of the building envelope in Town Hall/Library, said funds to be expended under the direction of the Permanent Building Committee.

This motion passed by unanimous voice vote.

ARTICLE 11. To see if the Town will vote to appropriate the sum of \$430,000 for architectural, engineering and other consultant fees and other expenses incidental and related thereto, as necessary to prepare design plans and specifications, to provide construction documents, and to conduct solicitation of construction bids for the "historic rehabilitation," as defined in the Community Preservation Act, of the Cummings House, located at 10 Elm Street, for the purpose of rendering the Cummings House functional for use as the Boxford Community & Senior Center to consist of approximately 5,000 square feet; said documents to also address the associated site work, the incorporation of the historic Cummings House structure, and the demolition of the 1980's addition to the building as well as the construction of a new addition to the building; and that to meet this appropriation, the sum of \$140,000 be transferred from the Historic Preservation Community Preservation Fund balance, the sum of \$25,000 be transferred from the Senior Center Gift Fund, and to authorize the Treasurer with the approval of the Board of Selectmen to borrow the sum of \$265,000 under and pursuant to Chapter 44, section 7(7) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the town therefor, provided 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 M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; said funds to be expended under the direction of the Permanent Building Committee in consultation with the Council on Aging and the Community Preservation Committee; and further, to authorize the Council on Aging and others to seek private donations, grants, and contributions with a goal of raising at least 30% of all costs associated with subsequent construction of the building; or take any other action thereon.

Sponsored and Supported by the Board of Selectmen, Historic Districts Commission/Historical Committee, Council on Aging, and Community Preservation Committee

Finance Committee recommends adoption of this article

Permanent Building Committee recommends adoption of this article

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Mary Anne Nay, and duly seconded, **to appropriate the sum of \$430,000 for architectural, engineering and other consultant fees and other expenses incidental and related thereto, as necessary to prepare design plans and specifications, to provide construction documents, and to conduct solicitation of construction bids for the "historic rehabilitation," as defined in the Community Preservation Act, of the Cummings House, located at 10 Elm Street, for the purpose of rendering the Cummings House functional for use as the Boxford Community & Senior Center to consist of approximately 5,000 square feet; said documents to also address associated site work, the incorporation of the historic Cummings House structure, and the demolition of the 1980's addition to the building as well as the construction of a new addition to the building; and that to meet this appropriation, the sum of \$140,000 be transferred from the Historic Preservation Community Preservation Fund balance, the sum of \$25,000 be transferred from the Senior Center Gift Fund, and to authorize the Treasurer with the approval of the Board of Selectmen to borrow the sum of \$265,000 under and pursuant to Chapter 44, section 7(7) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the town therefor, provided 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 M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; said funds to be expended under the**

direction of the Permanent Building Committee in consultation with the Council on Aging and the Community Preservation Committee; and further, to authorize the Council on Aging and others to seek private donations, grants, and contributions with a goal of raising at least 30% of all costs associated with subsequent construction of the building.

This motion passed by a greater than two-thirds majority of 223 yes, 28 no.

ARTICLE 12. To see if the Town will vote to **transfer the care, custody, management, and control of the Town-owned property located at 10 Elm Street, including any structures thereon, from the Board of Selectmen for general municipal purposes, to the Board of Selectmen for Community Center purposes, with the intent that such property shall be used for the siting of a new Community & Senior Center building,** the planning, designing, construction, and equipping of which shall be undertaken under the direction of the Permanent Building Committee in consultation with the Council on Aging; such building to incorporate and make part of its design and construction those historic parts of the Cummings House currently located upon said property and found sound and reusable, with a goal of raising at least 30% of all costs associated with planning and construction of the building through private donations, grants, and contributions, with additional cost as may be eligible, as may be funded, from Community Preservation Act Funds and/or other available Town funds as approved by vote of a future Town Meeting; provided, however, that in the event the construction of the building contemplated herein has not been authorized and funds appropriated therefor by Town Meeting before June 30, 2022, the property shall revert to the Board of Selectmen for general municipal purposes; or take any other action thereon.

[To be considered if previous article fails]

Sponsored and Supported by the Council on Aging

Historic District Commission/Historical Committee recommends adoption of this article

Board of Selectmen recommends adoption of this article if the previous article fails

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Richard Taylor, of 172 Washington Street, and duly seconded, to pass over this article.

This article passed by unanimous voice vote.

ARTICLE 13. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for a special act to provide for the issuance of alcoholic beverage licenses in the form set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court; and, provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

Notwithstanding section 17 of chapter 138 of the General Laws, The Board of Selectmen as the licensing authority of the town of Boxford may grant one (1) additional license for the sale of wines and malt beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to Boxford Community Store, Inc., located at 7 Elm Street, and one (1) additional license for the sale of wines and malt beverages to be drunk on the premises pursuant to said section 12 of said chapter 138 to a restaurant located in the B-1 Retail Business District upon successful application to the Board of Selectmen. Licenses granted under this act shall be subject to all of said chapter 138, except said section 17. If any license granted pursuant to this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location, or at another location in the B-1 Retail Business District under the same conditions as specified in this act.

Notwithstanding section 11 of chapter 138 of the General Laws or any other general or special law to the contrary, the licensing authority of the town of Boxford may grant special licenses for the sale of alcoholic beverages in accordance with section 14 of chapter 138 to a responsible manager conducting an indoor or outdoor activity or enterprise for a gathering of less than 500 persons. The licenses shall be subject to any other requirements that the Board of Selectmen may deem appropriate.

or to take any other action thereon.

Sponsored and Supported by the Board of Selectmen

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Barbara Jessel, of 23 Lily Pond Road, and duly seconded, to authorize the Board of Selectmen to petition the General Court for a special act to provide for the issuance of alcoholic beverage licenses in the form set forth in Article #13 of this warrant; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court; and, provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

This motion passed by majority voice vote.

ARTICLE 14. 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 and Supported by the Board of Health
Finance Committee recommends a reassessment of the Trash Sticker Fee for FY2021

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Richard Fahrner, of 6 Beechwood Circle, 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 15. To see if the Town will vote to appropriate or reserve from the Community Preservation Fund FY 2020 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 2020, with each item to be considered a separate appropriation:

Appropriations:

Sawyer-Richardson Open Space Bond expense	\$162,650
Lincoln Hall Renovation Bond expense	\$ 46,463
Haynes Land Purchase Bond expense	\$132,750

Aaron Wood Renovation Bond expense	\$ 14,846
Boxford Commons Bond expense	\$121,206
Committee Administrative Expenses	\$ 46,786
<u>Reserves:</u>	
Historic Resources Reserve	\$ 32,263
Community Housing Reserve	\$ 93,571
Budgeted Reserve	\$236,294

or take any other action thereon.

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

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Peter Delaney, of 63 Middleton Road, and duly seconded, to appropriate or reserve from the Community Preservation Fund FY 2020 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 2020, with each item to be considered a separate appropriation, as shown in article #15 of this warrant.

This motion passed by unanimous voice vote.

ARTICLE 16. To see if the Town will vote to appropriate \$35,000 from the Undesignated Community Preservation Fund balance to fund the planning, permitting and construction of a pedestrian-equestrian boardwalk at Wildcat Conservation Area, including other expenses incidental and related thereto, with additional funding to come from grants and private sources for a total project cost of \$40,000, said 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
Board of Selectmen recommends adoption of this article
Finance Committee recommends adoption of this article

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Peter Delaney, and duly seconded, to appropriate \$35,000 from the Undesignated Community Preservation Fund balance to fund the planning,

permitting and construction of a pedestrian-equestrian boardwalk at Wildcat Conservation Area, including other expenses incidental and related thereto, with additional funding to come from grants and private sources for a total project cost of \$40,000, said funds to be expended under the direction of the Community Preservation Committee.

This motion passed by unanimous voice vote.

ARTICLE 17. To see if the Town will vote to appropriate \$20,000 from the Undesignated Community Preservation Fund balance to fund the placement of a stone dust surface and associated rehabilitation of a recreational trail located on the National Grid right-of-way between Pye Brook Road and the Topsfield Town Line, including other expenses incidental and related thereto, with additional funding to come from grants and private sources for a total project cost of \$53,490, said 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
Board of Selectmen recommends adoption of this article
Finance Committee recommends adoption of this article

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Peter Delaney, and duly seconded, to appropriate \$20,000 from the Undesignated Community Preservation Fund balance to fund the placement of a stone dust surface and associated rehabilitation of a recreational trail located on the National Grid right-of-way between Pye Brook Road and the Topsfield Town Line, including other expenses incidental and related thereto, with additional funding to come from grants and private sources for a total project cost of \$53,490, said funds to be expended under the direction of the Community Preservation Committee.

This motion passed by unanimous voice vote.

ARTICLE 18. To see if the Town will vote to appropriate \$40,000 from the Undesignated Community Preservation Fund balance to fund Conservation Commission projects to preserve, rehabilitate and restore conservation land and associated recreational resources in Boxford as allowed by the Community Preservation Act, including other expenses incidental and related thereto, said

projects to be authorized by both the Conservation Commission and the Community Preservation Committee, said 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
Board of Selectmen recommends adoption of this article
Finance Committee recommends adoption of this article

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Peter Delaney, and duly seconded, to appropriate \$40,000 from the Undesignated Community Preservation Fund balance to fund Conservation Commission projects to preserve, rehabilitate and restore conservation land and associated recreational resources in Boxford as allowed by the Community Preservation Act, including other expenses incidental and related thereto, said projects to be authorized by both the Conservation Commission and the Community Preservation Committee, said funds to be expended under the direction of the Community Preservation Committee.

This motion passed by unanimous voice vote.

ARTICLE 19. To see if the town will adopt the following amendment to the Zoning Bylaw, Town Code Chapter 196, Section 45E, consisting of a change in the lapse period for failure to begin construction from 12 months to 24 months, as follows (deleted text is ~~struck through~~, proposed new text is **bold and underlined**):

§196-45. E. Lapse. Special Permits shall lapse if a substantial use thereof or construction has not begun, except for good cause, within ~~12~~**24** months of special permit approval (plus such time as is required to pursue or await the determination of an appeal from the grant thereof).
or take any other action thereon.

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

A motion was made by Robert Gore, of 186 Main Street, and duly seconded, to adopt the following amendment to the Zoning Bylaw, Town Code Chapter 196, Section 45E, consisting of a change in the lapse period of Special Permits for failure

to begin construction from 12 months to 24 months, as shown in article #19 of this warrant.

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

ARTICLE 20. To see if the Town will vote to accept the provisions of General Laws Chapter 44, Section 55C, and to establish a trust to be known as the Boxford Affordable Housing Trust Fund, whose purpose shall be to provide for the creation and preservation of affordable housing in the Town of Boxford for the benefit of low and moderate income households and for the funding of community housing, as defined and in accordance with the provisions of General Laws Chapter 44B, and, in implementation thereof, vote to amend the Town Bylaws by inserting new section Chapter 7, Article XVII, for these purposes, which will include the establishment of a Board of Trustees to govern said trust, as follows:

BOXFORD AFFORDABLE HOUSING TRUST FUND

§7-46 NAME OF THE TRUST.

The trust shall be called the "Boxford Affordable Housing Trust Fund," herein referred to as the "Trust".

§7-47 PURPOSE OF TRUST.

The purpose of the Trust shall be to provide for the preservation and creation of affordable housing in the Town of Boxford for the benefit of low and moderate income households and for the funding of community housing as defined and in accordance with the provisions of the Community Preservation Act, General Laws Chapter 44B ("Chapter 44B"). The Trust shall use such property, both real and personal, and shall dispense such funds in such manner as the Board of Trustees shall deem most appropriate to carry out such purposes consistent with the policies adopted from time to time by the Board of Selectmen regarding affordable housing. The Trust shall be governed by a Board of Trustees in accordance with the General Laws Chapter 44, Section 55C (the "Act"), as revised from time to time, and the authority granted by Town Meeting.

§7-48 APPOINTMENT AND TENURE OF TRUSTEES.

There shall be a seven (7) member Board of Trustees (the "Board"), six of whom shall be appointed for two year overlapping terms of office by the Board of Selectmen from amongst the residents of the Town. Initially, the appointments shall be staggered terms: three for one-year terms and three for two-year terms. The members of the Board shall serve without compensation and shall be composed of the following:

- one (1) member of the Board of Selectmen;
- one (1) member of the Community Preservation Committee;
- one (1) member of the Housing Partnership Committee;
- one (1) member of the Planning Board;
- two (2) residents at large; and
- the Town Administrator or the Town Administrator's designee

In the event that a vacancy shall occur on the Board of Trustees, the Board of Selectmen shall fill said vacancy for the unexpired term in accordance with this Bylaw.

The Trustees are hereby authorized to execute a Declaration of Trust for the Trust, to be recorded with the Essex South Registry of Deeds and filed with the Essex South District of the Land Court.

§7-49 POWERS OF TRUSTEES.

The powers and duties of the Trustees shall include the following, all of which shall be carried on in furtherance of the purposes and in compliance with the terms set forth in the Act:

- (A) To accept and receive personal property by gift, grant, contribution, bequeath or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the Trust in connection with any bylaw or any general or special law or any other source, including money appropriated pursuant to the Chapter 44B; provided, however, that any Chapter 44B monies received shall remain subject to all the rules, regulations and limitations of that chapter when expended by the Trust, and such funds shall be accounted for separately by the Trust; and provided further, that no later than July 15 of any calendar year,

the Trust shall ensure that all expenditures of funds received from said Chapter 44B are reported to the Community Preservation Committee for inclusion in the year end reporting to the Massachusetts Department of Revenue.

- (B) To purchase and retain personal property, including, without restriction, investments that yield a high rate of income or no income;
- (C) To execute, acknowledge and deliver assignments, transfers, pledges, covenants, contracts, promissory notes, releases, grant agreements and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Trustees engage for the accomplishment of the purposes of the Trust;
- (D) To accept mortgages and other liens in real property to secure loans and other monies advanced for the purposes of the Trust, and, in the event of a default or breach of said loans, to take any and all actions, including foreclosure, against said real property, and to dispose and/or utilize any such real property so acquired for the purposes of this Trust;
- (E) To employ advisors and agents, such as accountants, appraisers, and lawyers as the Trustees deem necessary;
- (F) To pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Trustees deem advisable;
- (G) To make distributions or divisions of principal in kind;
- (H) To compromise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the Trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of Section 55C, to continue to hold the same for such period of time as the Trustees may deem appropriate;
- (I) To extend the time for payment of any obligation to the Trust;
- (J) To issue policy goals and statements to serve as guidelines for the Trust;

- (K) To provide funds for the benefit of low and moderate income households to assist in the acquisition, creation, preservation, rehabilitation and support of housing affordable for such families; and
- (L) To exercise such additional powers, if any, as may be set forth in Section 55C, as it may be amended from time to time, so long as said powers are consistent with the powers granted under this Trust.

or take any other action thereon.

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

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Joseph Hill, of 41 High Ridge Road, and duly seconded, to transfer from Free Cash the sum of \$145,635 to initially fund the Boxford Affordable Housing Trust Fund established pursuant to the vote taken under Article 20 of the May 14, 2019 Annual Town Meeting, said funds to be expended under the direction of the Boxford Affordable Housing Trust Fund Board of Trustees for loans and/or grants to income qualified individuals under the purpose of the Trust.

This motion was defeated by a majority show of hands.

ARTICLE 21. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$145,635 to initially fund the Boxford Affordable Housing Trust Fund** established pursuant to the vote taken under Article 20 of the May 14, 2019 Annual Town Meeting, said funds to be expended under the direction of the Boxford Affordable Housing Trust Fund Board of Trustees, or to take any other action thereon:

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

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Joseph Hill to pass over this article.

This motion passed by unanimous voice vote.

ARTICLE 22. To see if the Town **will vote to amend its Stormwater Bylaw, by inserting jurisdiction over illicit discharges** into the town's stormwater system, and amend language of the bylaw, shown in full in a document on file with the Town Clerk, and in the relevant sections of the existing bylaw as shown below in bold underline; Town Code, Chapter 160, **STORMWATER MANAGEMENT BYLAW:**

§160-1. B. **Determinations.**

.....Construction Site stormwater runoff and post-construction stormwater discharges, **as well as illicit discharges**, can adversely affect public safety, public and private property, surface water, groundwater resources, drinking water supplies, recreation, aquatic habitats, fish and other aquatic life, property values and other uses of land and water;...

§160-2. A. **Purposes; objectives.**

- A) The purpose of this Bylaw is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of Construction Site stormwater runoff and post-construction stormwater discharges, **as well as illicit discharges**.....

(8) Establish a prohibition on illicit discharges and a mechanism and authority to remove any illicit discharges that may be discovered.

§160-3. **Definitions.**

ILLICIT DISCHARGE – Means any discharge to a MS4 that is not composed entirely of storm water, except discharges pursuant to an NPDES permit, discharges resulting from fire-fighting activities, and discharges allowed pursuant to section 1.4 of the Massachusetts MS4 General Permit effective July 1, 2018.

§160-6. **Statement of Jurisdiction.**

A. No person shall perform any activity that alters a Construction Site or Hotspot, or results in illicit discharge, except as authorized by the Conservation Commission...

or take any other action thereon.

Sponsored and Supported by the Conservation Commission

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Peter Perkins to amend **the Town's Stormwater Bylaw, by inserting jurisdiction over illicit discharges** into the town's stormwater system, and amend language of the bylaw, shown in full in a document on file with the Town Clerk, and in the relevant sections of the existing bylaw as shown in article #22 of this warrant.

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

ARTICLE 23. To see if the Town will vote to accept G.L. c. 64L, § 2(a) to impose a local meals excise tax of 0.75% on the sale of restaurant meals originating within the Town to take effect July 1, 2019; or take any other action thereon.

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

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Charles Costello to accept G.L. c. 64L, § 2(a) to impose a local meals excise tax of 0.75% on the sale of restaurant meals originating within the Town to take effect July 1, 2019.

This motion was defeated by majority voice vote.

ARTICLE 24. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$12,384 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
Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Peter Perkins to transfer from Free Cash the sum of **\$12,384 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 25. To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of **\$27,500 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
Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Barbara Jessel to transfer from Free Cash the sum of **\$27,500 to fund the Compensated Absence Fund**.

This motion passed by unanimous voice vote.

ARTICLE 26. To transact any other business that may legally come before said meeting.

Backup information: www.town.boxford.ma.us/atm-documents

A motion was made by Al Vaz to dissolve the Annual Town Meeting.

This motion passed by unanimous voice vote. The Annual Town Meeting was adjourned at 11:16pm.

A true record,

Robin Phelan, Town Clerk

RESULTS - BOXFORD
Election Results May 21, 2019

	Pct. 1	Pct. 2	Pct. 3	Total
Board of Selectmen (VOTE FOR TWO)				
Mary Anne Nay	102	176	154	432
Peter C. Perkins	95	185	141	421
Melissa Maria Rodrigues-Silvestro	36	65	42	143
Write-ins	3	2	1	6
Blanks	32	56	30	118
Board of Assessors				
David F. Benson	109	195	164	468
Write-ins	1	0	0	1
Blanks	24	47	20	91
Town Clerk				
Robin E. Phelan	113	204	167	484
Write in - Judi Stickney	0	6	0	6
Write-ins- Others	3	2	1	6
Blanks	18	30	16	64
Boxford School Committee				
Elizabeth L. Palmer	104	188	156	448
Write-ins	0	0	0	0
Blanks	30	54	28	112
Masconomet Regional School Committee				
Bonnie Thornborough	102	191	153	446
Write-ins	0	0	1	1
Blanks	32	51	30	113