

BOARD OF SELECTMEN
Minutes of February 1, 2010

Chairman Martha Morrison called the meeting to order at 7:30PM. Board members present in addition to Chairman Morrison were Richard Gandt, Nancy Luther, Karen Dow and Laura Powers. Of the Selectmen's staff, Town Administrator Virginia Wilder and Board Secretary Donna Rich were in attendance. Other persons present during all or part of the meeting were Evelyn Hammond of the Topsfield Cable, Brendan Lewis of the Tri-Town Transcript, Ken Vogel, resident, Police Chief Evan Haglund, and Ziad Shahin, resident and president of TAF Enterprises of Danvers.

ANNOUNCEMENTS:

Chairman Martha Morrison announced that the Board would go into Executive Session to discuss the Reserve Police Union Contracts and the Police Chief Contract and would not return to Open Session.

Selectman Powers reminded citizens that taxes are due by midnight. Payment can be made on line or be postmarked 2/1/10 to avoid late fees.

Selectman Gandt announced the important dates from the Town Clerk's office regarding nomination papers and dates for registering to vote at the Special and Annual Town Meeting (see attached list). Also announced were positions available for those wishing to take out nomination papers (see attached list).

Chairman Martha Morrison announced that the Massachusetts Municipal Association awarded Topsfield 2nd prize for its 2008 Annual Report. Congratulations were expressed to Beth Johnson for the work she does each year on the annual report.

APPOINTMENTS:

7:30 – TAF Enterprises Monetary Gift to the Police Department: Ziad Shahin and Police Chief Evan Haglund came forward to explain the donation of \$11,000 to the Police Department. Mr. Shahin explained that he wanted to give funds to the Police Department to secure the DARE program and other related items cut in the FY2010 Police budget. The Board thanked Mr. Shahin for his generous donation.

Selectman Luther made a motion to accept the gift amount of eleven thousand dollars (\$11,000) from TAF Enterprise of Danvers, MA to be used by the Police Department for the Dare Program, training program for use of tasers, truck enforcement, equipment for investigations and training, and other similar purposes, seconded by Selectman Powers; so voted: 5-0.

GENERAL BUSINESS

New Business

Masconomet Regional Scholarship Foundation: Selectman Gandt made a motion to make available funds for three scholarships of \$400 each for Topsfield 2010 seniors, seconded by Selectman Dow; so voted: 5-0.

Annual North Shore Walk-A-Thon to Cure Scleroderma: Selectman Powers made a motion to approve the Scleroderma Foundation's annual walk on Sunday, September 12, to begin at 10AM at Proctor School, seconded by Selectman Gandt; so voted: 5-0.

Annual Art Auction Fundraiser: Selectman Gandt made a motion to approve a One-Day Liquor License for S.A.F.E. Studio at Willowdale Estate on April 9th from 6:30PM-11:30PM, seconded by Selectman Dow; so voted: 5-0.

St. Patrick's Day Fundraiser: Selectman Luther made a motion to approve a One-Day Liquor License for the Friends of the Topsfield at the Gould Barn on March 19th from 6:30PM-12-Midnight and to waive the fee, seconded by Selectman Powers; so voted: 5-0.

Survey of Fontaine Lot: Selectman Gandt made a motion to approve an amount of \$1,880.00 for Donohoe and Parkhurst, Inc, Topsfield MA to perform a survey of the Fontaine lot at 21A Grove Street, and prepare a recordable plan, seconded by Selectman Luther; so voted: 5-0.

Violation of a Restraining Order with regard to the dog Finn: Chairman Morrison reviewed the facts as they were presented at a fact finding hearing held on January 14th at which Chairman Morrison presided. There was discussion among the Board members relative to clarification of the issues. (See the attached Report of the Fact Finding Hearing of January 14, 2010.)

Selectman Gandt made a motion to issue an order to the Scannells of 31 Candlewood Drive, relative to the restraint of their dog named Finn, to erect a fence control system to act as a second level of restraint should dog Finn breach the restraint conditions implemented in response to the restraining order issued in 2009. The new fence control system must be approved by Topsfield's Animal Control Officer who will certify its implementation to the Board of Selectmen. Said fence control system is to be installed as soon as possible, but shall be installed no later than March 31, 2010. In addition, the Board urges the Scannells to enroll dog Finn in a non-aversive training program in an effort to modify and correct dog Finn's current unacceptable behavior. Seconded by Selectman Luther; so voted: 5-0. Ms. Wilder will notify the parties involved of the Board's decision.

Liaison Reports

- Selectman Dow provided a Finance Committee update stating that they have begun the process of hearing liaison reports. It is too early to know if an override would be needed to support essential services; even if all budgets meet the guideline an override may be needed. It was announced that all 50 budgets for fiscal 2011 have been posted to the Town Website.
- Selectman Powers provided an update on the Masconomet Superintendent search. The committee has concluded the site visits to the three candidates' districts and will report on those visits at the School Committee meeting to be held on February 3rd.
- Chairman Morrison reported the Renewable Energy/Green Communities had received grant monies and asked staff to invite the Committee to meet with the Board on their recent activities.

Town Administrator's Report:

- Update on the Regional Emergency Communications Center meeting held on January 29th
- Update on MAPC grant to move forward regional ambulance.
- Update on the Planning Board initiative to perform a survey of the Topsfield business community
- Update on Annual Town Meeting documents. Distributed a preliminary list of articles that are known to date, noted that all articles are due this Friday.
- Attended a Public Safety Meeting
- Financial Team is now meeting weekly.

Correspondence & Reports

Correspondence

Giusti, Hingston and Company has submitted Financial Audit dated December 29, 2009 with a Management Letter. The report is available for your review at the Town Accountant's office. Notification of a Public Hearing to be held in Boston at the Department of Public Utilities on 1/28/10 at 2PM regarding the merger of Boston Gas & Essex Gas Company.

Kopelman & Paige has sent a review of the changes to the Open Meeting Laws effective as of July 1, 2010.

Parks & Cemetery Commission has cc'd the Board on a letter to the Congregational Church regarding the use of Emerson Field. There was discussion relative to clarifying if the Board should place the lease of Emerson Field as an article on the Warrant and if so is the Park & Cemetery Department going to maintain it for Town use. If so, it was noted that the 1984 lease will need to be revised to reflect current parameters of the use and maintenance of the fields. Comcast has submitted a letter stating they will not be launching HBO Signature, HBO Family and MoreMax as previously quoted.

Kopelman & Paige, PC has sent a memorandum updating two programs on Green Communities available to communities.

Kopelman & Paige, PC has sent a memorandum outlining options available to municipalities to regionalize services under existing statutes, special acts and through regional cooperation efforts especially in the area of joint purchasing.

For review: Draft Agreement 12/15/09 for the Joint Provision of Public Safety Communications, Dispatch and Operations Services.

Reports

Planning Board Minutes of December 15, 2009 and January 5, 2010 have been posted to the web site.

Treasurer Collector's Office BANs Reissue information

Warrants: The Selectmen signed and approved warrants in the amount of **\$185,310.38**. The breakdown is as follows:

Warrant FY10:	
063T	\$ 77,722.36
064	\$ 107,588.02

At 8:50 PM, Selectmen Dow made a motion to go into Executive Session to discuss the Reserve Police Union Contract and Police Chief contract; seconded by Selectman Luther. In a roll call vote, a yes vote was recorded for Chairman Morrison, Selectman Gandt, Selectman Luther, Selectman Dow and Selectman Powers. The Board would not return to open session.

Respectfully submitted,

Donna Rich, Secretary
Selectmen's Office

Approved as amended at the March 1, 2010 Board of Selectmen's meeting.

<p>Pursuant to the 'Open Meeting Law,' G.L. 39, § 23B, the approval of these minutes by the Board constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Board as to the completeness or accuracy of such statements.</p>
--