

BOARD OF SELECTMEN
Minutes of February 2, 2009

Chairman Jackson called the meeting to order at 7:30PM. Board members present in addition to Chairman Jackson were Richard Gandt, Martha Morrison, Nancy Luther and Karen Dow. Of the Selectmen's staff, Town Administrator Virginia Wilder, and Board Secretary Donna Rich were in attendance. Other persons present were Evelyn Hammond of the Topsfield Cable, Brendan Lewis of the Tri-Town Transcript, Faye Raynard of the Village Reporter, Ronald Giovannacci, Fire Chief, and Fire Captain Charles Denault.

ANNOUNCEMENTS: Chairman Jackson announced that the Board would go into executive session at the end of the meeting to discuss the Call Firefighter's contract proposal and would not return to open session.

APPOINTMENTS:

7:30 – Trench Permitting & Fire Engine 3 Update: Fire Chief Ronald Giovannacci and Captain Charles Denault were present.

Engine 3: The Fire Chief began with an update of Engine 3 stating that it has been out of service for the past 5-6 weeks. The repair expense is currently estimated to be \$13,000. All repairs were required for Engine 3 to pass its annual inspection.

Trench Permitting: The Fire Chief began by explaining the Permitting requirements of the new regulation with regard to the depth and width of trenches. The Public Safety Team voted to recommend to the Selectmen that the Fire Department should be the authorizing department for the permit due to their availability 12 hours a day, 7 days a week. A draft of the proposed trench permit based on the state boiler plate was presented for review to the Board. A fee of \$50 was suggested. Captain Denault explained that all trenches will be required to have one of 3 barriers for night time safety: covered with a steel plate; a substantial 6 foot fence surrounding the area; or a police detail. Selectman Gandt asked if after-the-fact permits will be issued, i.e. if a water main breaks during the night and requires digging. The answer was yes. The Fire Chief noted that this regulation has not been well communicated with contractors and hopes that the newspapers will advertise it in the near future. Selectman Morrison suggested that the trench permit be added to the check-off list of the Building Inspector, the Board of Health, the Planning Board and the Zoning Board of Appeals. Chairman Jackson requested the Board review the proposed draft and send any revisions to Ms. Wilder. The revised permit will be presented at the next Board meeting.

Selectmen Minutes: Selectman Gandt made a motion to accept the amended minutes of January 20, 2009; seconded by Selectman Morrison; so voted 5-0.

GENERAL BUSINESS

Old Business

Litter Bylaw: Selectman Morrison made a motion to accept the amended draft of the Litter Bylaw as prepared by Selectman Gandt for a warrant article at the May 2009 Town Meeting and for the article to be reviewed by Town Counsel, seconded by Selectman Luther; so voted: 5-0.

Rail Trail: Selectman Morrison reported that the Board had met with Joe Geller, Rail Trail Chair and Beals Associates on January 28th to finalize the design and bid documents for Phase I. Chairman Jackson reported that he had been in contact with the Road Commissioners to inform them of a few decisions regarding the Park Street parking area. Selectman Gandt noted that the Park Street parking lot will be altered and that plans showing the redesign are at the Board of Selectmen's office for citizens to review. He also explained that the Department of Conservation

& Recreation grant funds being used for the project must be expended by June 30, 2009, thus the immediacy in finalizing the bid documents.

New Business

One Day Liquor License: Selectman Gandt made a motion to approve a one day liquor license for Topsfield Elementary School Parent Teacher Organization for an event on March 14, 2009 at Willowdale Estate, seconded by Selectman Dow; so voted: 5-0.

New Truck for Park & Cemetery: Chairman Jackson opened the discussion of the Park & Cemetery's request to purchase a 2009 Chevrolet c-350 H.D. truck (appropriated by Article 18 /08 ATM) by suggesting it be placed on hold until the next Board meeting, due to the recent financial cuts announced by the Governor. Selectman Morrison further went on to explain that there will be a short fall in this year's budget and that departments have been asked to freeze all unnecessary spending. Further discussion followed regarding the budget issues the town faces due to recently announced 9-C cuts effective for FY09. Selectman Gandt made a motion to table the contract for the Park & Cemetery truck until the February 17, 2009 Board of Selectmen meeting, seconded by Selectman Morrison; so voted: 5-0.

Personnel Rules & Regulations-Amendments: Ms. Wilder explained that amendments to the personnel Policies, Procedures, Rules & Regulations require Board approval.

1. Selectman Gandt made a motion to accept the pay grid as presented for FY2010 that provides a 2.7% increase, seconded by Selectman Morrison; so voted: 5-0. This increase is similar to that contained in the town's collective bargaining agreements for FY2010.
2. Selectman Morrison made a motion to reclassify the position of Water Superintendent from an S6 to an S7 beginning July 1, 2009, seconded by Selectman Gandt; so voted: 5-0.
3. The adoption of a proposed new five (5) step salary schedule for FY2011 was not voted on because the details of the proposal have not yet been developed.
4. Selectman Gandt made a motion to amend section 6.3 Non-occupational Sick Leave to allow up to 2 days of accumulated sick time to be used for doctor's appointments if all personal days have been expended, with the wording for such as recommended in Ms. Wilder's report on this subject; seconded by Selectman Luther; so voted: 5-0.

Town Administrator's Report:

- Ambulance Contract process has begun.
- 9C Legislation and FY2010 State Aid Reductions were reviewed: Topsfield will lose \$74,390 in State Aid for the Town's FY2009 budget, and is estimated to lose \$149,906 in state aid for FY2010.
- Draft Warrant Article List was distributed for review.
- Meetings Attended: Downtown Strategic Planning and Public Safety Team Meeting.
- Announcements: Town Clerk: Town Census, 2009 Dog Licenses and Annual Town Election, Federal Census: test being administered at the Gould Barn on Feb 4, 10, & 17th.

Correspondence & Reports

Reports

Board of Assessors submitted minutes of January 9, 2009.

Conservation Commission submitted minutes of December 17, 2008 & January 7, 2009.

Planning Board submitted minutes of November 18, December 2, & 16, 2008.

Elementary School Committee submitted an agenda for Jan 29, preliminary minutes of Jan 7 & 15, 2009.

Warrants: The Selectmen signed and approved warrants in the amount of \$ **307,124.58**. The breakdown is as follows:

	Warrant #FY09:	
063T	\$	68,460.79
64	\$	238,663.79

At 8:43 PM Chairman Jackson motioned to go into executive session to discuss the Call Firefighter’s contract proposal; seconded by Selectman Luther. In a roll call vote a yes vote was recorded for Chairman Jackson, Selectman Gandt, Selectman Morrison, Selectman Luther and Selectman Dow. The Board would not return to regular session. Virginia Wilder and Donna Rich were present also.

Respectfully submitted,

Donna Rich, Secretary
Selectmen’s Office

Approved as written at the February 17, 2009 Board of Selectmen’s meeting.