

**BOARD OF SELECTMEN
Proctor School Library
Minutes of February 4, 2013**

Chairman Eldon Goodhue called the meeting to order at 7:30PM. Board members present, in addition to Chairman Goodhue, were Martha Morrison, Dick Gandt, Laura Powers and Ken Vogel (left for a period of time to attend the Finance Committee meeting). 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 Topsfield Cable Walter Harmer, Tri-Town Transcript reporter Kate Evans, ET Johnson & Associates Beth Johnson, American Legion members Brent Roeder and Alan Grenier and Town Clerk Paula Burke.

ANNOUNCEMENTS: Chairman Goodhue announced that the Board would go into Executive Session at the end of regular session to discuss negotiating strategies for the Police Chief contract and the Highway/Water and Park & Cemetery AFSCME contracts and would not return to Open Session.

Selectman Gandt announced that at the Massachusetts Municipal Association Topsfield was awarded first prize for the 2012 Annual Report in Category II for the second year. ET Johnson & Associates Beth Johnson was present and thanked Ben Nutter for his architectural photos and Gretchen Rehak for her writing contributions.

Selectman Powers announced that the Fire Department has been awarded a Grant in an amount of \$63,175 to replace all of the SCBA's (Self-Contained Breathing Apparatus), Bottles (extras for the SCBA equipment) and to purchase an additional RIT (Rapid Intervention Team) Pack.

APPOINTMENTS:

7:30PM Korean War Memorial-American Legion members Brent Roeder and Alan Grenier presented the concept of a Korean Conflict Memorial to be placed at the Memorial Green at no cost to the Town and to be dedicated at the 2013 Memorial Day ceremony. They asked for a letter of support signed by the Chairman of the Board of Selectmen. Selectman Gandt made a motion to support the addition of the Korean Conflict Memorial on the Memorial Green in Topsfield, seconded by Selectman Morrison; so voted: 4-0.

Town Administrator's Report:

- Town Election proposed to change to coincide with the State Primary for the Senator Seat vacated by Senator Kerry who was appointed Secretary of the State. Town Clerk Paula Burke explained the pros and cons of moving the Town's election from May 9th to the primary on April 30th. Selectman Morrison made a motion to schedule the Annual Town Election for Tuesday, April 30, 2013, to be held in conjunction with the Special State Primary, with the polling hours to coincide with the State Primary-7:00AM-8:00PM, seconded by Selectman Powers; so voted: 4-0.
- 2013 Town Meeting preparation update provided.
- Essex County Regional Emergency Communication Center final budget has been made available to the Board members.

GENERAL BUSINESS

Old Business

Trash & Recycling Contract: Selectman Morrison made a motion to authorize the Town Administrator and such other staff as maybe appropriate to negotiate a contract with JRM Hauling & Recycling Services, Inc. of Peabody, MA for Municipal Solid Waste and Recycling

Services for a ten-year term commencing July 1, 2013 and ending June 30, 2023 (FY14-FY23) in total amount of \$4,152,690.00, under the terms and conditions set forth in a proposal from JRM Hauling dated January 10, 2013 and such other terms and conditions as the Board deems appropriate; provided, however, that such contract shall be contingent upon annual appropriation and Town Meeting approval of the 10-year term, seconded by Selectman Powers; so voted: 4-0.

Town Administrator Search: Selectman Morrison reported that at a meeting on January 31st with Selectmen Powers and Gandt the following plan was discussed. First, the group directed Ms. Wilder to ask that the UMass Boston Edward J. Collins, Jr. Center for Public Management submit a proposal to assist the town in the Town Administrator search. Second, that a Board of Selectmen sub-committee be set up to review the proposals and present the top firm to the whole Board at a working session on February 13th, which would then be voted at the February 19th Selectmen meeting. Chairman Goodhue stated that through a sense of the Board he appointed a sub-committee consisting of Selectmen Gandt and Powers for the purpose of reviewing the Town Administrator Executive Search RFP. Lastly, Selectman Powers added that the group discussed the idea of an appointed citizen Search Committee, but concluded that the timeline was too tight for this to be an effective way to proceed. The Board would work directly with the chosen consulting firm. Secretary Donna Rich was directed to post a working session for February 13th at 3PM with the review of Warrant Articles and Town Administrator Search consultants to be on the agenda.

New Business

Rail Trail: Selectman Gandt made a motion to apply for a grant with the Massachusetts Department of Conservation and Recreation in the amount of \$50,000 with a \$12,500 match for the continued development of the Topsfield Linear Common, seconded by Selectman Morrison; so voted: 4-0.

Holocaust Remembrance Day: Selectman Morrison made a motion to participate in the Holocaust Awareness Week, April 7-13 and for the Chairman to sign the attached proclamation, seconded by Selectman Powers; so voted: 5-0. Selectman Morrison read the proclamation.

Amendment to MassWorks Infrastructure Program Grant: Selectman Gandt made a motion to approve Contract Amendment #1 with Commonwealth of Massachusetts MassWorks Infrastructure Program to extend the contract end date to June 30, 2013 for the Rehabilitation of Rowley Bridge Road Bridge and for the Chairman to sign, seconded by Selectman Powers; so voted: 5-0.

MMA Annual Meeting Review: Selectman Powers and Gandt provided a review of the Massachusetts Municipal Association Annual meeting that took place January 25 & 26 at the Hynes Convention Center in Boston. Among the highlights noted were a review of workshops attended and vendors at the Trade Show.

Liaison Reports

Selectman Powers reported that the Elementary School has submitted the FY14 preliminary budget. Noteworthy to mention was that the budget reflects reorganization which was explained as preparation of Dr. B. Creeden's retirement in three years.

Selectman Powers reported that the Topsfield Beach Association met this evening and began their preparation for the 2013 summer at Hood Pond. President Vicki Long had requested to renew the license and to see if it could be for a longer duration, than one year. It was the pleasure of the Board to invite the Beach Association to the next Board meeting for an annual review. A Request for Proposal was noted would have to be initiated this year and Ms. Wilder was directed to start the process.

Minutes

Selectman Morrison made a motion to accept the Minutes of the Working Session of December 20, 2012 as written, seconded by Selectman Powers; so voted 3-0. Selectmen Morrison and Vogel abstained.

Selectman Morrison made a motion to accept the Minutes of the Working Session of January 2, 2013, as amended, seconded by Selectman Vogel; so voted 4-0. Selectman Goodhue abstained.

Selectman Morrison made a motion to accept the Minutes of the Working Session of January 3, 2013, as amended, seconded by Selectman Vogel; so voted 4-0. Selectman Goodhue abstained.

Selectman Morrison made a motion to accept the Minutes of the Working Session of January 4, 2013, as amended, seconded by Selectman Vogel; so voted 4-0. Selectman Goodhue abstained.

Selectman Powers made a motion to accept the Minutes of the Working Session of January 9, 2013, as written, seconded by Selectman Morrison; so voted 4-0. Selectman Goodhue abstained.

Selectman Morrison made a motion to accept the Executive Session Minutes of January 9, 2013 as amended and to hold until all issues have been resolved, seconded by Selectman Powers; so voted 4-0. Selectman Goodhue abstained.

Selectman Morrison made a motion to accept the Minutes of the Working Session of January 14, 2013, as written, seconded by Selectman Powers; so voted 4-0. Selectman Goodhue abstained.

Selectman Morrison made a motion to accept the Minutes of January 22, 2013, as amended, seconded by Selectman Powers; so voted 4-0. Selectman Goodhue abstained.

Correspondence & Reports

Correspondence

A response from the Executive Office of Health and Human Services Department of Public Health regarding Topsfield's concerns with the newly passed legislation for medical marijuana was received.

Glenn Clohecy requested Gibraltar Pools Corp to apply for a modification of their existing signage within 30 days and copied the Board of Selectmen on the correspondence.

District Local Technical Assistance Program (DLTA) MAPC announced the renewed commitment to funding of the DLTA by the Governor and Legislature.

Kopelman & Paige PC copied the Board on a letter sent to Giusti, Hingham and Company PC regarding the FY2012 Annual Audit.

Fred Capobianco submitted a letter of resignation from the Council On Aging Board, effective immediately.

Reports

Board of Assessors submitted minutes of January 11, 2013.

Elementary School FY14 Proposed Budget was submitted, narrative forwarded to the Board.

Invitation

Massachusetts Municipal Association announced the Spring Legislature Breakfast has been scheduled in Andover for March 8th.

Warrants: The Selectmen signed and approved warrants in the amount of \$ **357,586.65**. The breakdown is as follows:

Warrant FY13:	
063T	\$ 88,503.82
064	\$ 269,082.83

At 9:10 PM, Selectmen Powers made a motion to go into Executive Session to discuss negotiating strategies for the Police Chief contract and the Highway/Water and Park & Cemetery AFSCME contracts; seconded by Selectman Vogel. In a roll call vote, a yes vote was recorded for Chairman Goodhue, Selectman Morrison, Selectman Gandt, Selectman Powers and Selectman Vogel. The Board would not return to open session.

Respectfully submitted,

Donna Rich, Secretary
Selectmen's Office

Approved as amended at the February 19, 2013 Board of Selectmen's meeting.

Per the Open Meeting Law, the documents that were either distributed to the BOS before the meeting in a packet, or at the meeting were:

1. Agenda
2. Preliminary BOS Minutes – 12/20, 1/2, 3, 4, 9, 14 and 22nd, in addition executive session of 1/9.
3. Municipal Solid Waste and Recycling Services Contract information
4. Rail Trail Grant request
5. Holocaust Remembrance Day Proclamation
6. Amendment to MassWorks Infrastructure Program Grant request
7. Letter of response from DPH regarding newly passed legislation regarding Marijuana Dispensaries
8. Building Inspectors letter to Gibraltar Pools regarding signage
9. MAPC renewed commitment to funding of the DLTA Program
10. Kopelman & Paige PC copied letter to the Town Auditors firm
11. Resignation of a COA Board member
12. Board of Assessors minutes
13. Elementary School FY14 budget-narrative
14. MMA Spring Legislative Breakfast-March 8th in Andover, MA
15. Korean War Memorial explanation documents

<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>
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