

BOARD OF SELECTMEN
Proctor School Library
Minutes of February 23, 2015

Chairman Dick Gandt called the meeting to order at 7:30PM. Board members present, in addition to Chairman Gandt, were Martha Morrison, Steve Lais, Laura Powers and Eldon Goodhue. Of the Selectmen's staff, Town Administrator Kellie Hebert and Board Secretary Donna Rich were in attendance. Other persons present during all or part of the meeting were Topsfield Cable operators Baxter & Ben Demers, Tri-Town Transcript reporter Edith Leavengood, Council on Aging Director Jodi Gibeley, Council on Aging Chairman of the Board Penny Rogers, Elementary Schools Director of Facilities Steve Clifford, Alcohol Licensing Advisory Committee members Nancy Luther and Rob Hardy, Village Market owners Andrea and Neil Anastasas, Fire Chief Ron Giovannacci, several Call Firefighters, Captain Jen Collins Brown, and residents Maureen and Randy Sabino.

The Board stood for the Pledge of Allegiance and a moment of silence.

ANNOUNCEMENTS: Chairman Gandt announced that the Board would go into Executive Session at the end of regular session to discuss negotiating strategies for the Fire Chief contract and will not return to Open Session.

Chairman Gandt provided an overview of the Working Session of February 14th, highlights included: the Chairman signed a Declaration of Emergency, they approved an agreement with ET Johnson & Associates for the design of 2014 Town Annual Report, they approved the Highway Department to deficit spend the FY15 Snow and Ice Budget, and they discussed and reviewed the Capital Program for the FY16.

Selectman Morrison reported that the Fire Department would like citizens to clear fire hydrants and their house number.

Selectman Morrison expressed recognition of Highway personnel for the great job they have been doing to keep up with the snow removal.

Chairman Gandt announced that the Tree Planning Committee would hold a workshop on Saturday, March 7th, 9-11:30AM at the Town Library. Topics would include Soils & Soil Preparation before you plant, Trees in Your Landscape, and Avoiding Tree Pests & other Tree Problems.

GENERAL BUSINESS

Old Business

Board of Selectmen FY15 Goals: Selectman Powers made a motion to approve the amended FY15 Board of Selectmen Goals as proposed, seconded by Selectman Goodhue; so voted: 5-0.

Town Administrator Goals: Selectman Morrison requested that Ms. Hebert submit her suggested Goals to the Board for review at the next meeting.

Local Cable Provider: Selectman Morrison made a motion to approve the BCATv proposal and service provider agreements as amended to display the cost of \$31,426 with an effective date of January 31, 2015, seconded by Selectman Powers; so voted: 5-0.

APPOINTMENTS:

7:50PM – Village Market Foods, LLC dba: Village Market-Public Hearing:- Clerk Powers opened the hearing by reading the Legal Notice published in the February 6th Tri-Town Transcript. Owners Andrea and Neil Anastas's came forward. There was a discussion relative to the new business being established at 371 Boston Street. Land-owner Randy Sabino explained the necessity of the liquor license prior to the commencing of construction at the site.

The Alcohol Licensing Advisory Committee members Nancy Luther and Rob Hardy both expressed their support for the project and submitted a letter stating that. Chairman Gandt asked for any public comment, hearing none, at 8:13PM Selectman Morrison made a motion to close the Hearing, seconded by Selectman Goodhue; so voted: 5-0. Selectman Morrison made a motion to approve the application for Village Market Foods, LLC dba: Village Market for the sale of wine and malt beverages at 371 Boston Street to be submitted to the Alcohol Beverage Control Commission as presented, seconded by Selectman Powers; so voted: 5-0.

8:15PM- COA Request- Council on Aging Director Jodi Gibeley and Board Chairman Penny Rogers came forward to explain the submission of a Citizen Petition for the 2015 Town Meeting Warrant which asks for an appropriation of \$10,000 for a needs assessment study of the senior (over 60) population.

CITIZENS QUESTIONS & COMMENTS *none heard*

GENERAL BUSINESS

Old Business

ATM & STM Warrant Articles: Selectman Morrison reviewed the receipt of three Citizen Petitions, Town Clerk to be Appointed, Fire Station change to 24/7 and Council on Aging request for a Needs Assessment Survey, for the 2015 Annual Town Meeting Warrant. In addition, Selectman Morrison reported that a formal request has been received to propose a Zoning Change to Business District Highway North. Selectman Powers made a motion pursuant to the provisions of M.G.L. of chapter 40A, section 5, Mr. Stephen E. Knowles hereby applies for a change in the Zoning Bylaw of the Town of Topsfield, to wit, to amend Paragraph 4.36 BHN District to change Commercial kennels from NP (not permitted) to Commercial kennels SP (special permit), as set forth in the proposed Warrant Article attached hereto and incorporated herein by reference, seconded by Selectman Goodhue; so voted: 5-0.

FY 16 Capital Program: Chairman Gandt recognized Elementary Schools Director of Facilities Steve Clifford who discussed the Elementary School requests for facility Capital items and projects. Fire Chief then explained the Capital Program request for a new set of Jaws of Life.

Subcommittee Updates: Selectman Powers reported on the Council on Aging subcommittee that is looking at formulating a plan for a needs assessment for the seniors in Town. There is a sample study from another community that is available for anyone to review in the COA office. Selectman Morrison reported that the Town Hall Building Committee is preparing to move to the next phase, a schematic design which will depict renderings and design of employees and citizen needs of the building. An update was provided on the exterior conditions study which dictates the immediate repairs that need to be addressed.

New Business

Agricultural Commission Appointment: Selectman Morrison made a motion to appoint Marthinus J. Riekert to the Agricultural Commission for a term to expire June 30, 2017, seconded by Selectman Powers; so voted: 5-0.

Police Appointment: Selectman Morrison made a motion to appoint Brendan Gahagan to the position of probationary Reserve police officer commencing on February 24, 2015 through December 31, 2015, seconded by Selectman Powers; so voted: 5-0.

Alternate Electrical Inspector: Selectman Morrison made a motion to appoint Thomas Tombarello Jr. and Larry Fischer as Alternate Inspectors for a term to expire June 30, 2015, seconded by Selectman Powers; so voted: 5-0.

Topsfield Fair Road Race: Selectman Powers made a motion to approve the Topsfield Fair 5K Run/Walk Road Race on September 27th from 10AM-2PM with the route as presented, seconded by Selectman Morrison; so voted: 5-0.

Security Agreement: Selectman Morrison made a motion to approve an agreement with SOS Security Consultants, Inc of Topsfield MA for monitoring of the security system at Town Hall in an amount of \$1,650 per year and for the chairman to sign, seconded by Selectman Powers; so voted: 5-0.

Massachusetts Rules of Professional Conduct Request: Selectman Morrison made a motion to consent that Kopelman & Paige PC represent both the Town of Topsfield and Boxford in negotiations of a Lease Agreement with the Tri-Town Superintendency Union, located in Boxford, seconded by Selectman Lais; so voted: 5-0.

Minutes

Selectman Morrison made a motion to accept the Minutes of Working Sessions of September 15, October 15, October 27, December 15, December 29, 2014 as amended, seconded by Selectman Powers; so voted 5-0.

Selectman Morrison made a motion to accept the Minutes of December 1, December 15, 2014 and January 12, 2015 as amended, seconded by Selectman Powers; so voted 5-0. Selectman Goodhue abstained from minutes of January 12th.

Selectman Morrison made a motion to accept the Executive Session Minutes of December 1, December 15 (6PM), December 15 (8:20PM) 2014 and January 12, 2015 as amended and to hold until all issues have been resolved, seconded by Selectman Powers; so voted 4-0. Selectman Goodhue abstained from minutes of January 12th.

Correspondence & Reports

Correspondence

Conservation Commission sent a letter regarding their wishes of opting out of spraying and larviciding mosquito control activities for Town Conservation Properties.

Board of Assessors sent a letter concerning the transfer of funds from Overlay to the Overlay Reserve Account.

Tri-Town Council sent a letter requesting funding for FY16.

MAPC sent information regarding proposed Bylaw Amendments that have been recommended to the Winter Council.

Board of Assessors submitted minutes of Oct 10, Nov 3, 7, 21, and Dec 5, 19, 2014.

MMA Spring Legislative Breakfasts March 6th would be held at the Georgetown Town Hall, 8AM-10AM.

At 9:32 PM, Selectmen Powers made a motion to go into Executive Session to discuss negotiating strategies with respect to the Fire Chiefs contract; seconded by Selectman Morrison. In a roll call vote, a yes vote was recorded for Chairman Gandt, Selectman Morrison, Selectman Lais, Selectman Goodhue and Selectman Powers. The Board would not return to open session.

Respectfully submitted,

Donna Rich, Executive Assistant
Board of Selectmen

Approved as written at the March 9, 2015 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 – Working Sessions of Sept 15, Oct 15 & 27, and Dec 15 & 29, 2014 and Regular meetings of Dec 1 & 15, 2014 and Jan 12, 2015.
3. Village Market-Neil Anastas's application for the sale of wine and malt beverages at 371 Boston Street.
4. Council on Aging to Citizen Petition for a Senior Needs Assessment Study
5. Board of Selectmen Goals revised
6. Local Cable service provider agreements
7. Updated list of ATM & STM Warrant Articles
8. FY16 Capital Program
9. Volunteer application for a member to the Agricultural Commission
10. Appointment of a Reserve Officer to the Police Department
11. Appointment of two Alternate Electrical Inspectors
12. Topsfield Fair request for a Road Race
13. Monitoring agreement for security at Town Hall
14. Document to consent Kopelman & Paige PC to represent Boxford & Topsfield in a lease agreement.
15. Conservation Commission's letter stating to opt out of mosquito control for conservation properties.
16. Board of Assessors minutes
17. Tri-Town Council letter of request for FY16 funds
18. MAPC proposed bylaw amendments
19. MMA Spring Legislative Breakfasts to be held on March 6th
20. Alcohol License Advisory Committee letter of support for the Village Market application
21. Proposed Zoning Change Business District Highway North from S. Knowles

<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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