

BOARD OF SELECTMEN
Proctor School Library
Minutes of March 9, 2015

Chairman Dick Gandt called the meeting to order at 7:33PM. Board members present, in addition to Chairman Gandt, were Martha Morrison, Laura Powers and Eldon Goodhue. Steve Lais was absent. 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, Police Chief Evan Haglund, Troop 81 Life Scout George Sacco Jr. and resident George Sacco Sr.

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

ANNOUNCEMENTS: Selectman Goodhue announced that the Town Library would be sponsoring a 2015 Community Read – “The Orchard” by Adele Crockett Robertson. The kickoff party would be held on Friday March 13th in the Gould Barn at 7:00PM.

Selectman Morrison announced that the Tree Planning Committee had changed the date of the workshop to be Saturday, March 28, 9-11:30AM at the Proctor School Library. Topics would include Soils & Soil Preparation before you plant, Trees in Your Landscape, and Avoiding Tree Pests & other Tree Problems.

GENERAL BUSINESS

New Business

Emerson Lease Agreement: Selectman Morrison recused herself. Selectman Goodhue made a motion to approve a lease agreement between the Town of Topsfield and the Congregational Church of Topsfield at 9 East Common Street in the amount of \$625 for a term of six month, commencing on January 1, 2015 and terminating on June 30, 2015, seconded by Selectman Powers; so voted: 3-0.

Mosquito Control: Selectman Goodhue made a motion to support the proposed FY16 Northeast MA Mosquito Control and Wetlands Management District Budget and for the Chairman to sign, seconded by Selectman Morrison; so voted: 4-0.

Historical Commission: Selectman Morrison made a motion to appoint Daniel P. Hover as an Alternate to the Historical Commission with a term to expire June 30, 2015, seconded by Selectman Goodhue; so voted: 4-0.

Police Department Grant Request: Selectman Powers made a motion to approve an application for a Traffic Enforcement Grant request for the Police Department and for the Chairman to sign, seconded by Selectman Goodhue; so voted: 4-0.

CITIZENS QUESTIONS & COMMENTS *none heard*

APPOINTMENTS:

7:45 PM – Eagle Project George Sacco Jr. came forward and presented his Eagle project. The project would replace the stairs and fix an erosion issue in the parking area at Hood Pond. George expressed that his desired timeframe would be to have the project completed prior to the opening of the pond for the 2015 summer season. The Board thanked George for his expected success on the project.

GENERAL BUSINESS

Old Business

ATM & STM Warrant Articles: Ms. Hebert reviewed the status of the 2015 Annual Town Meeting Warrant; Ms. Rich would be the central repository of draft language of the warrant which would assist with the version control of the document. Selectman Powers made a motion for the Board of Selectmen to refer to the Planning Board Mr. Paul Richardson’s letter of March 4th which requests an amendment to Sections 3.13 Parking of Automobiles of the Zoning Bylaw of the Town of Topsfield, seconded by Selectman Goodhue; so voted: 4-0. Selectman Morrison reviewed the dates for Public Hearings related to zoning changes being suggested at the Annual Town Meeting in May. Ms. Hebert explained that the elementary school now was requesting a study be performed on the condition of the roofing at Steward and Proctor Schools, which would also include the cupola and surrounding area roofing, stating that the study is estimated at a cost of \$49,000, in place of requesting a total roof repair. Chairman Gandt went through the list of articles explaining what is presently on the warrant.

FY 16 Capital Program: Ms. Hebert reviewed the status of the items and presented the 5-year plan. The Board appreciated the information as presented.

Town Administrator Goals: Chairman Gandt stated that in an opinion relative to the town dated March 4, 2015 concerning “... who has authority to approve contracts ... and whether ... such authority can be delegated”, Kopelman & Paige PC opined that “... such authority may be delegated to the Town Administrator at the Board’s sole discretion and subject to such control as the Board deems appropriate”. Pursuant to this opinion, Selectman Goodhue suggested consideration of his motion of September 8, 2014 which allows contracts to be signed by the Town Administrator in full disclosure to the Chairman of the Board. Selectman Morrison explained that the subcommittee established at the October 27, 2015 meeting should be given the opportunity to meet and report their findings to the Board. However, Selectman Morrison felt that contracts for Peer Reviews should be signed in a timelier manor. Selectman Morrison made a motion to approve the Town Administrator signing authority for contracts that represent Peer Reviews for the following permitting boards: Board of Health, Planning Board and Conservation Commission, seconded by Selectman Goodhue; so voted: 4-0.

Town Administrator’s Report:

- Reviewed a recent visit from Senator Joan Lovely and her staff. Issues surrounding the budget process were among the discussion topics.
- RECC FY16 budget update provided.
- Fire Chief Contract update provided.

Chairman Gandt provided an overview of the MMA Legislative Breakfast.

Minutes

Selectman Powers made a motion to accept the Minutes of January 26, 2015, as amended, seconded by Selectman Morrison; so voted 3-0. Selectman Goodhue abstained.

Selectman Powers made a motion to accept the Working Session Minutes of February 14, 2015 and the Minutes of February 23, 2015 as written, seconded by Selectman Goodhue; so voted 4-0.

Selectman Powers made a motion to accept the Executive Session Minutes of February 23, 2015 as written and to hold until all issues have been resolved, seconded by Selectman Morrison; so voted 4-0.

Correspondence & Reports

Correspondence

Board of Assessors submitted minutes of January 23, 2015.

Conservation Commission submitted the monthly reports for January and February.

At 9:04 PM, Selectmen Goodhue made a motion to adjourn and Selectman Powers seconded the motion; so voted: 4-0.

Respectfully submitted,

Donna Rich, Executive Assistant
Board of Selectmen

Approved as written at the April 27, 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 – January 26, February 14 & 23rd, along with executive session of February 23, 2015
3. George Sacco's Eagle Project documentation
4. ATM & STM Warrant Articles draft version
5. FY16 Capital Program
6. Town Administrator FY16 draft Goals dated 3/9/15
7. Opinion letter from Kopelman & Paige PC concerning the Board's authority to delegate approval of contracts to the Town Administrator.
8. Emerson Lease Agreement
9. Mosquito Control documentation
10. Historical Commission Alternate application
11. Police Department Grant requested documentation
12. Board of Assessors minutes of January 23, 2015
13. Conservation Commission monthly reports for January and February

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.