

**BOARD OF SELECTMEN**  
**Minutes of March 28, 2011**

Chairman Dick Gandt called the meeting to order at 7:30PM. Board members present, in addition to Chairman Gandt, were Martha Morrison, Nancy Luther, Eldon Goodhue 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 Topsfield Cable Evelyn Hammond and Walter Harmer, residents: Jeanine Cunniff, Ken Vogel, Kim Sherwood, and Francisca Morant, Police Chief Evan Haglund, Tri-Town School Union Superintendent Bernie Creedan, Topsfield Motor Company owner Daniel Donegan and father, John.

**ANNOUNCEMENTS:**

Chairman Gandt announced that the compost site would open Saturday, April 2<sup>nd</sup>, from 9AM-1PM. Trip tickets are available for \$5.00 or, new this year; residents can purchase an annual vehicle sticker for \$45. Both are available in the Board of Selectmen's office.

Selectman Morrison stated that Topsfield residents have a long tradition of being generous and giving to the Town. In keeping with that tradition Selectman Morrison announced that three (3) donation accounts have been created as a mechanism for residents to donate to various town improvements.

- a) Town Hall Improvement Fund-created for repair projects for Town Hall,
- b) General Purpose Gift Fund-created for general Town projects not funded through the budget process to be expended by the Board of Selectmen,
- c) Veterans Day Parade Fund-created to help pay for the 25<sup>th</sup> Anniversary special celebration to occur in November 2011.

Selectman Powers announced that the Recreation Committee will be offering five (5) programs this spring: golf, Field Hockey for 4-6 graders, tennis, yoga and swimming lesson. The Committee has also begun working on the summer camp and concert schedules.

**GENERAL BUSINESS**

**Old Business**

Revisions to Town Budgets: Selectman Morrison made a motion to approve an amendment to the Veterans Budget to reflect additional funds in the amount of \$1,380 for a total budget of \$6,350, seconded by Selectman Powers; so voted: 5-0.

Selectman Morrison made a motion to approve an amendment to the Building Inspector's Budget to reflect additional \$3,020 for a total budget of \$98,776, seconded by Selectman Powers; so voted: 5-0.

Selectman Morrison made a motion to approve an amendment to the Fire Department Budget to reflect additional \$2,500 for a total budget of \$58,467, seconded by Selectman Luther; so voted: 5-0.

New Class II Used Car Dealer: Selectman Morrison made a motion to approve New Meadows Auto located at 86 Central Street a (new) Class II Used Car Dealer License with a total of 16 vehicles allowed on the premises and to expire December 31, 2011, seconded by Selectman Powers; so voted: 5-0.

**New Business**

New Class II Used Car Dealer: Selectman Morrison made a motion to approve Topsfield Motor Company LLC located at 16 Maple Street a (new) Class II Used Car Dealer License with a total maximum of 31 vehicles, as long as no other business occupies space requiring parking opens at this location, and to expire December 31, 2011, seconded by Selectman Powers; so voted: 5-0. Prospective owner Daniel Duggan and his father John were present at the meeting.

Police Officer Appointment: Police Chief Evan Haglund was present. Selectman Morrison made a motion to approve the appointment of Reserve Officer Joseph DeBernardo to the position of probationary full time Police Officer for a period of one year effective April 11, 2011 and to expire April 11, 2012, seconded by Selectman Luther; so voted: 5-0. Police Chief explained this position is to backfill a position vacated by the retirement of Sergeant Harris.

Playground Plaque: Selectman Morrison made a motion to approve the Playground Committee's suggested plaque, as presented, to be made out of bronze, placed on a boulder and to be funded by the Committee, seconded by Selectman Luther; so voted: 5-0.

Fire District Study Committee Appointment: Selectman Luther made a motion to appoint Jim Carroll to the Ipswich/Topsfield Fire District Study Committee effective immediately and to expire June 30, 2011, seconded by Selectman Powers; so voted: 5-0. Ms. Wilder and Selectman Goodhue will also be on the committee.

Non-Union Personnel: Selectman Morrison made a motion to approve freezing the steps of non-union Town employees for FY12, seconded by Selectman Powers; so voted: 5-0.

Antoria Way: Selectman Morrison began by explaining that Massachusetts General Law states that the Board of Selectman have to physically "layout" the road (a plan of it was opened on the table) prior to voting. All Board members reviewed the plan. Selectman Morrison made a motion to approve the layout of Antoria Way as a public way as shown on a plan entitled "Roadway As-Built Plan Antoria Way located in Topsfield MA, Essex County dated March 24, 2010 prepared by W.C. Cammett Engineering, Inc., Robert E. Smith Jr. , PLS, 297 Elm Street, Amesbury MA; Scale 1" = 20'; Recorded in Book 30298, Page 420 in the Southern Essex District Registry of Deeds in Salem, MA", all in accordance with Chapter 82, Section 21 of the Massachusetts General Laws, seconded by Selectman Luther; so voted 5-0.

### **Old Business**

Annual Town Warrant: Selectman Morrison expressed her gratitude to Ginna Wilder, Roberta Knight, Dick Gandt and Donna Rich for the work done on the 2011 Town Warrant. Ginna added the entire Financial Team also. Ms. Wilder commented that she is still waiting for final determination if the Vocational School articles should be one or two. There was discussion on the wording of the Masconomet School Committee Representation and the format being presented. Ms. Wilder noted final changes would be accepted up until Tuesday, March 29<sup>th</sup> at 4PM. Chairman Gandt announced that at the March 24, Thursday, Working Session, the Board had voted to have 2 Ballot Questions: Capital Debt Exclusion of \$145,000 for the Highway Dump/Sander/Wing/Plow Truck and Operating: Masconomet Regional High School's Assessment of \$191,539.

Selectman Morrison made a motion to approve the entire 2011 Warrant as presented with the exception of Articles 6 (Essex North Shore Agricultural & Technical School Assessment) and 21 (Masconomet School Committee Representation), minor editorial changes and the Ballot Questions, seconded by Selectman Luther; so voted: 5-0.

There was a discussion regarding necessary documentation required for the Article related to the Exchange of Land on Pheasant Lane. There was a consensus that the Article should remain on the Warrant and resolved at this Town Meeting.

There was a discussion regarding the structure of the override questions. Selectman Goodhue expressed his displeasure of requesting the taxpayers to pay more. Selectman Powers expressed her displeasure of the structure of the override questions, stating that it is not balanced or fair; she referred to 8 years ago when Masconomet override failed and there were major teacher layoffs and programs cut; she is fearful of the question not passing. Selectman Goodhue made a motion to reconsider the vote taken on the Warrant, seconded by Selectman Powers. Selectman Powers expressed her desire to have the override question be more evenly split between the

Elementary and Masconomet schools. Another option Selectman Powers stated was to split the amount over the departments that presented budgets over the Finance Committee’s Guidelines. Selectman Morrison made a motion to approve the entire 2011 Warrant as presented with the exception of Articles 6 (Essex North Shore Agricultural & Technical School Assessment) and 21(Masconomet School Committee Representation) along with the Ballot Questions, seconded by Selectman Luther; so voted: 4-1.

Ambulance Contract: Selectman Morrison made a motion to approve amendment #2 to the contract for Ambulance Services with Northeast Ambulance Service of Middleton, MA for zero dollars for the second one-year extension of said contract for FY12 with the same terms and conditions, seconded by Selectman Luther; so voted: 5-0. Ms. Wilder commented that Fire Chief Ron Giovannacci recommended the continuation of the agreement.

**Liaison Reports**

Selectman Luther announced that Council on Aging Director Lydia Bertolino had tendered her resignation effective April 8<sup>th</sup>. Lydia had taken a position in Gloucester to be closer to home.

**Town Administrator’s Report:**

- Commented that everyone is working on budgets
- RECC update
- Suburban Coalition Legislature Breakfast will be held on April 26<sup>th</sup> at 9AM at the State House in Boston.

**Correspondence & Reports**

Correspondence

Council on Aging Director Lydia Bertolino submitted her resignation effective April 8<sup>th</sup>.

Comcast 2011 Annual Notice Filing had been submitted.

National Grid sent notification that there will be a public hearing held on April 6<sup>th</sup> at 2PM regarding a petition filed with the Department of Public Utilities for approval of its Long-Range Forecast and Supply Plan.

Carol Larocque, Animal Control Officer, had placed a restraining order on dogs residing at 4 Coventry Lane.

Reports

MBTA Advisory Board submitted minutes of Dec 1<sup>st</sup>, agenda for March 23<sup>rd</sup>, FY12 Operating Budget, and Capital Improvement Program for 2012-2016.

Invitations

Adult Day Health Program Northeast Senior Health and the Northeast Health Foundation invited the Board to a special ribbon cutting ceremony to celebrate the opening of Spectrum at North Andover on April 13<sup>th</sup> beginning at 5PM at 1820 Turnpike Street, Unit 106, North Andover.

**Warrants:** The Selectmen signed and approved warrants in the amount of **\$252,505.09**. The breakdown is as follows:

Warrant FY11:	
079T	\$ 75,369.68
080	\$ 177,135.41

At 9:05 PM, Selectmen Luther made a motion to adjourn and Selectman Powers seconded the motion; so voted: 5-0.

Respectfully submitted,

Donna Rich, Secretary  
Selectmen's Office

*Approved as amended at the May 23, 2011 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>
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