

BOARD OF SELECTMEN

Minutes of March 29, 2010

Chairman Martha Morrison called the meeting to order at 7:35PM. Board members present in addition to Chairman Martha Morrison were Richard Gandt, Nancy Luther, Karen Dow 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 Evelyn Hammond & Walter Harmer of the Topsfield Cable, Brendan Lewis of the Tri-Town Transcript, Masconomet School Committee members Ken Vogel, John Spencer and Larry Lindquist, Masconomet Superintendent Dr. Anthony Bent, residents Jeanine Cunniff, Marie Perkins, Alice Sheridan, Chaplain candidate Dorrington Little, Police Officer Glenn Walker, Fire Chief Ron Giovannacci, Police Chief Evan EJ Haglund, Beach Association President Kim Sherwood.

ANNOUNCEMENTS:

Chairman Morrison announced that the Board would be going into Executive Session to discuss the Reserve and Regular Police contracts and would not return to Open Session.

Selectman Gandt announced that the Town Clerk would like remind residents that the Federal 2010 Census is due, and that non-respondents will be visited by a federal census taker.

Selectman Gandt announced that the Water Department will be performing their annual hydrant flushing which will start on March 29, 2010. Flushing removes sediment from the water mains, identifies hydrants in need of repair and checks system fire flows. The work will be conducted on weeknights from 9 PM until 1 AM to minimize the disruption to customers. Many customers will have rust-colored or black water while the water mains are flushed and for a period afterwards. For further information please call the Water Department at 978-887-1517.

Selectman Gandt announced that the Composting Center will reopen for the season on April 3rd and is located at the Public Works Facility on Boston Street. The fee to drop off leaves and yard waste is \$5.00 per visit and allows the disposal of up to 2 cubic yards at each visit. The Compost Center is open on Saturdays from 9 AM to 1 PM only. For additional information call the Highway Dept. at 978-887-1542.

Selectman Dow announced that the Household Metals and White Goods pick-up is scheduled for Wednesday, May 19, Thursday, May 20, and Friday, May 21, 2009. There is no charge for collection; items must be curbside by 7AM the same day your trash is picked up. Household white goods allowed include stoves, washers, dryers, micro-waves, dishwashers, and dehumidifiers. Refrigerators, freezers and air conditioners that contain Freon need to be registered with the Board of Selectmen Office at 887-1500 prior to the pick up date.

Selectman Dow announced that each year there is an annual clean up day in Topsfield and this year the organizers have decided to step down and we are looking for a leader or group to head up the events. If anyone is interested, please contact the Board of Selectmen's Office.

Selectman Luther announced that the League of Women Voters is sponsoring Candidates Night on Wednesday, April 14 at Proctor Library beginning at 7:30PM.

Selectman Gandt announced that due to budget cuts street sweeping has been eliminated and will not occur this spring.

APPOINTMENTS:

7:45 – Town Chaplains - Chief Ron Giovannacci and Chief Evan Haglund presented the names of Protestant Ministers Dorrington Little and Robert Tansill to be appointed as Town Chaplains for the Fire and Police Departments. Fire Chief had previously appointed the two Chaplains. Selectman Luther made a motion to appoint Dorrington Little and Robert Tansill as Police Chaplain's with a term to expire June 30, 2011, seconded by Selectman Powers; so voted: 5-0.

7:46 - Police Chief Contract - Selectman Luther made a motion to approve a 3 year contract for Chief Evan E.J. Haglund as Police Chief effective May 1, 2010 – April 30, 2013, seconded by Selectman Dow; so voted: 5-0.

GENERAL BUSINESS

Old Business

Ballot Questions: Selectman Dow made a motion to approve Ballot Question 1, which asks for an additional \$104,307 with details as presented, seconded by Selectman Gandt; so voted: 4-0. Selectman Powers abstained due to affiliation with the Masconomet School Committee.

Selectman Dow made a motion to approve Ballot Question 2, which asks for an additional \$93,500 with details as presented, seconded by Selectman Luther; so voted: 5-0.

Warrant for the 2010 Annual Town Meeting: Chairman Morrison has requested that the Board go through the Warrant and vote the Articles as presented.

Selectman Gandt made a motion to accept Articles First, Second and Third as written, seconded by Selectman Dow; so voted 5-0.

Selectman Gandt made a motion to accept Articles Fourth and Fifth as written, seconded by Selectman Luther; so voted 4-0. Selectman Powers abstained due to affiliation with Masconomet School Committee.

Article Sixth: figures are not confirmed; therefore the article is on hold.

Selectman Gandt made a motion to accept Article Seventh as written, seconded by Selectman Luther; so voted 4-0. Selectman Morrison abstained due to affiliation with the Congregational Church.

Selectman Dow made a motion to accept Articles Eighth and Ninth as written, seconded by Selectman Gandt; so voted 5-0.

Selectman Gandt made a motion to accept Articles Tenth, Eleventh and Twelfth as written, seconded by Selectman Dow; so voted 4-0. Selectman Powers abstained due to affiliation with the Recreation Committee.

Selectman Gandt made a motion to accept Articles Thirteenth and Fourteenth as written, seconded by Selectman Powers; so voted 5-0.

Selectman Dow made a motion to accept Articles Fifteenth, Sixteenth, Seventeenth, Eighteenth and Nineteenth as written, seconded by Selectman Luther; so voted 5-0.

Selectman Dow made a motion to accept Articles Twentieth, Twenty-First, Twenty-Second, Twenty-Third as written, seconded by Selectman Powers; so voted 5-0.

Selectman Powers made a motion to accept Article Twenty-Fourth as written, seconded by Selectman Dow; so voted 5-0.

Article Twenty-Fifth: language has not been confirmed to date, therefore the article is on hold.

Selectman Dow made a motion to accept Articles Twenty-Sixth, Twenty-Seventh, Twenty-Eighth, Twenty-Ninth and Thirtieth as written, seconded by Selectman Gandt; so voted 5-0.

Articles Thirty-First and Thirty-Second are on hold pending further review.

Selectman Dow made a motion to accept Articles Thirty-Third, Thirty-Fourth and Thirty-Fifth as written, seconded by Selectman Gandt; so voted 5-0.

Selectman Dow made a motion to accept Article Thirty-Sixth as written, seconded by Selectman Powers; so voted 5-0.

Selectman Dow made a motion to accept Article Thirty-Seventh as written, seconded by Selectman Luther; 4-0. Selectman Gandt opposes the article due to the amount of years approving. After some discussion, Selectman Dow amended the language of the article to include “for the ensuing year” after “vote to authorize...”, seconded by Selectman Luther; so voted: 5-0.

Articles Thirty-Eight is on hold pending further discussion, with the potential addition of an article for the purposes of the Town Code.

Selectmen Gandt made a motion to accept Article Thirty-Ninth and Fortieth as written, seconded by Selectman Dow; so voted: 5-0.

Selectman Gandt made a motion to withdraw acceptance of Articles Third and Fifth due to possible override language being added and final clarification of the Masconomet Regional School District figures, seconded by Selectman Dow; so voted: 5-0.

Energy Audit & Solar Site Assessments for Town Buildings: Selectman Gandt made a motion to award Joe Green Home Solutions of Salem, MA the contract for an energy audit and solar site assessment on Town Hall, Town Library, Proctor School, Steward School, Fire Department, Police Department, and the Public Works building in the amount of \$3,800, seconded by Selectman Powers; so voted: 5-0.

FM Global Grant: Selectman Luther made a motion to accept a grant from FM Global of Norwood, MA in the amount of \$1,350 to purchase mobile inspection software, seconded by Selectman Dow; so voted: 5-0.

New Business

Beach Association License Agreement: There was a discussion regarding the insurance and the need for a license agreement with a group not associated with the Town, such as the Topsfield Beach Association. Ms. Wilder had Kopelman & Paige, Town Counsel, draw up a draft agreement. Kim Sherwood, President of the Beach Association came forward to address some of the Board's concerns. Questions as to the condition of the beach, who will be permitted to use the Town boat launch, and the status of a request for the Association's financial statement were asked. Ms. Sherwood explained the condition appears to be ok, members only are permitted use of the launch and the Association has a budget of \$50,000 per season to pay for employees and utility bills. Chairman Morrison suggested that two (2) selectmen meet with two (2) members of the Beach Association to review the License Agreement in an effort to expedite the process. Chairman Morrison and Selectman Gandt volunteered and a meeting was set for Wednesday, March 31st at 9:30 at Town Hall.

Fair Grounds License Agreement: There was a discussion of a draft License Agreement for the Essex County Agricultural Society property which abuts the property of the proposed Rail Trail. It was decided that a sub-committee be formed to discuss the specifics of the Agreement.

Water Department Pump Station Electrical Work: Selectman Dow made a motion to award the contract for the Sequestrant and Chlorine Electrical Work to MEF Electrical services of West Newbury, MA in the amount of \$6,200, seconded by Selectman Powers; so voted: 5-0.

One Day Liquor License: Selectman Luther made a motion to approve a One Day Liquor License to Essex Agricultural Society for an event on April 24, 2010 at the Coolidge Hall, Fair Grounds between the hours of 6PM – 9PM, seconded by Selectman Powers; so voted: 5-0.

Town Administrator's Report:

- Warrant & associated issues
- Essex Regional Retirement Board update
- DPW posting of road closures
- Update from a meeting with Cabot Risk
- MMA/MMPA meeting update

Correspondence & Reports

Correspondence

Rail Trail Determination of Applicability: Conservation Commission has issued a negative Determination of Applicability for the proposed removal of spikes, rails and ties along the length of the rail bed between Summer St and the Wenham Town Line in Topsfield.

Flood Insurance Rate Maps: FEMA has changed the timeline for distribution of the new digital Flood Insurance Rate Maps and Flood Insurance Study until December 2010 and January 2011, thus making the maps effective June-July 2011.

Comcast 2010 Annual Notice of Filing: In accordance with Massachusetts cable regulations Comcast has provided a sample work order, sample subscriber bill and rate and channel line-up information as of February 1, 2010.

Verizon Annual Billing Practice: In accordance with Massachusetts cable regulations Verizon has provided copies of Verizon New England, Inc.'s FiOS TV Service Billing Practice Notice, Privacy Notice, sample bill, sample work order, list of programming services and rates and charges.

Reports

Council on Aging submitted Minutes of February 9, 2010.

Police Department submitted the Monthly Report for February 2010.

Warrants: The Selectmen signed and approved warrants in the amount of **\$143,641.87**. The breakdown is as follows:

Warrant FY10:	
079T	\$ 71,165.31
080	\$ 72,476.56

At 9:51PM, Selectmen Dow made a motion to go into Executive Session to discuss the Reserve and Regular Police contracts; seconded by Selectman Luther. In a roll call vote, a yes vote was recorded for Chairman Morrison, Selectman Gandt, Selectman Luther, Selectman Dow and Selectman Powers. The Board would not return to open session.

Respectfully submitted,

Donna Rich, Secretary
Selectmen's Office

Approved as amended at the May 24, 2010 Board of Selectmen's meeting.

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.