

BOARD OF SELECTMEN
Proctor School Library
Minutes of April 16, 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. 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 representative Joel Richardson, Tri-Town Transcript reporter Kate Evans, Alcohol Licensing Advisory Committee members Nancy Luther, Rob Hardy and Stan Ragalevsky, Agricultural Commission Chairman Trudi Perry, Willowdale Estate owner Briar Forsythe, Main Street Market owner Terri Lee Carabillo, James Sacco, Alfalfa Farm Winery Richard Adelman, Frank DeLuna, Fire Chief Ron Giovannacci and Police Chief Evan Haglund.

ANNOUNCEMENTS:

Selectman Gandt announced that the annual Metal and White Goods pickup would be May 15, 16 and 17. Place household metals such as stoves, dishwashers, etc. at curbside by 7AM for pickup. No stickers are required for the items. If you have an item containing Freon, please call 978-887-1500 to register the item prior to pick-up.

Selectman Morrison reminded residents that the Town Clean-up would be April 27 from 8AM – Noon. This year it is sponsored by Faithworks, the ecumenical teen youth group based at the Congregational Church. Members will be on hand in the Town Hall parking lot to pass out trash bags and gloves to volunteers who claim their routes on the Town map and to pile the trash bags up as they come back full of road-side litter.

Selectman Powers announced that the Annual Town Warrant would be delivered on Friday and/or Saturday, please hold onto the document and bring to Town Meeting.

Selectman Powers also announced that the Annual Report is available at Town Hall and that both documents are posted on the Website under Town Documents.

APPOINTMENTS:

7:30PM: Regional Emergency Communication Center (RECC) Update: Fire & Police Chiefs presented. Fire Chief Ron Giovannacci explained the process that took place for the hiring of the dispatchers going into the RECC. Fire Chief announced that Chris Lyons had been hired as a Deputy Director, working along with Tom Dubas. It was then reported that the Town of Essex would move into the RECC first, on or about June 24th, followed by Wenham on or about June 26th; Topsfield was scheduled for the end of August and Beverly and Amesbury in October. The CAAD kickoff would be May 2nd. Chief Haglund explained that there was an application of a grant that would provide funding for a telephone system in the Police Station vestibule and the process that would be followed once in place at the station. Technical aspects of the RECC operations were reviewed by both Chiefs. Selectman Gandt asked for clarification of the number of dispatchers. Chiefs responded that there would be 15 dispatchers from the first six communities. Chief Haglund explained the process that the Topsfield's dispatchers would follow. Selectman Gandt asked for clarification regarding the RECC assessment appearing on the Cherry Sheet. Selectman Morrison expressed her Thanks to both Chief's for their efforts.

GENERAL BUSINESS

Old Business

Chief's Contract: There was a discussion relative to the contracts and language that needed to be changed.

Town Administrator Profile: Selectman Morrison made a motion to approve the profile for the new Town Administrator as amended with Selectman Gandt's technical changes, entitled Final Draft, seconded by Selectman Vogel; so voted: 5-0. Selectman Gandt requested the amendments refer to the Town Accountant reviewing the section "Public Finance" and making corrections if need be.

Selectman Gandt requested that under the section entitled, "Sustaining a High Level of Public Services Challenges" a part of a sentence be struck, and after discussion the statement was not removed.

APPOINTMENTS: (continued)

8:00PM: PUBLIC HEARING - Transfer of Alcohol License at 19 Main Street, Main Street Market- Terri Lee Cabrillo and prospective owner James Sacco were present. Clerk Morrison read the Legal Notice. Selectman Vogel reviewed the process that would be required, which would include the Alcohol Licensing Advisory Committee providing the Board of Selectmen with a recommendation and the knowledge that Mr. Sacco has read the Town's Rules and Regulations, and a statement of any changes to the store Mr. Sacco may have for the future. Mr. Sacco explained his background and plans for the Market and said he had read most of the Town's Rules and Regulations. Alcohol Licensing Advisory Committee Chairman Stan Ragalevsky agreed to schedule a meeting with Mr. Sacco to review the State application and a Plan of Operation. There was a discussion regarding the stated requirements, and it was agreed that every effort would be made to expedite the timing of the meeting.

Selectman Vogel made a motion to close the Hearing, seconded by Selectman Powers; so voted: 5-0.

Selectman Vogel made a motion to approve the transfer of the alcohol license from Terri Lee Carabillo to James E Sacco Jr. subject to approval by the Alcohol Licensing Advisory Committee, seconded by Selectman Powers; so voted: 5-0.

CITIZEN QUESTIONS & COMMENTS

Alfalfa Farm Winery Richard Adelman requested to approach the Board with three questions. First, Mr. Adelman asked if the Board had any information about the newly passed legislation regarding catering and pouring of alcohol. Chairman Goodhue responded "no". Secondly, Mr. Adelman asked if the Board had any concerns or questions regarding the Warrant Article he presented as a Citizen Petition. Chairman Goodhue stated that the Board does not vote on Citizen Petitions or individual articles; the Article, as presented, would stand on its own at Town Meeting. Selectman Gandt commented that it would be up to the citizens of the Town to bring up issues of concern and to vote at Town Meeting if they want Alfalfa Farm Winery to have a pouring license at this location. Selectman Morrison questioned Mr. Adelman on the Tri-Town Transcript article which stated hours of operation being three hours on a Sunday in Spring and six hours in the Fall and stated that this is not what is written in the Warrant Article. Mr. Adelman provided clarification on the hours of operation, and stated that the intent of the Warrant Article would be to allow him to have Agricultural / Tourism events at Alfalfa Farm Winery, such as birthday parties and bridal showers, and be able to pour his wine, which requires a pouring license. Chairman Goodhue wished Mr. Adelman luck at Town Meeting with the citizen's questions and discussion.

GENERAL BUSINESS

New Business

120 Hill Street-Lot: Selectman Morrison made a motion not exercise the option to purchase the land at 120 Hill Street-Lot 1 under MA General Law Chapter 61A, Section 14, seconded by Selectman Vogel; so voted: 5-0.

Special State Primary Election Warrant: Selectman Gandt made a motion to approve the Special State Primary Warrant for the April 30, 2013 election, seconded by Selectman Powers; so voted: 5-0.

Side Letter Agreements with AFSCME: Selectman Morrison made a motion to accept two Side Letter of Agreements with the American Federation of State, County and Municipal Employees, Council 93, Local 2905: one for the Park & Cemetery Employees and one for the Highway & Water Employees, seconded by Selectman Vogel; so voted: 5-0.

Green Community Grant Extension: Selectman Morrison made a motion to accept the recommendation of the Green Communities Division of the Commonwealth to extend the deadline for the Town's Green Community Grant to December 30, 2013 and to authorize the Chairman to sign; seconded by Selectman Powers; so voted: 5-0.

One Day Liquor License: Selectman Vogel made a motion to approve a One Day Liquor License to Family Promise North Shore Boston for a fundraising event to be held on June 19th at the Coolidge Hall, Fairgrounds between the hours of 6:30-9:30PM, seconded by Selectman Powers; so voted: 5-0.

Liaison Reports

Selectman Powers reported on the Recreation Committee Summer Camp plans.

Selectman Gandt reported on the Institution for Savings placement of the signage.

Selectman Gandt reported on the advancement of the Rail Trail from Washington Street to Pye Brook Park.

Selectman Gandt reported on the Water Departments Public Forum regarding the Water Treatment Plant.

Town Administrator's Report:

- 2013 Town Warrant update provided.
- Veteran Agent update provided.
- Reported on a meeting with Treasurer/Collector and Dental Insurance representative.
- Reported on attendance to a meeting regarding casinos and slot parlors in Commonwealth.

Correspondence & Reports

Correspondence

Masconomet Regional High School Chief Financial Officer, Susan Givens submitted an explanation of spending out of the Excess & Deficiency Fund in an appropriation of \$170,000. Governor Patrick sent notification that the Town of Topsfield Chapter 90 apportionment for FY14 is provisionally \$405,884.

Giusti, Hingston and Company submitted their annual audit report along with the management letter.

Town of Dudley Board of Selectman are requesting support in allowing a conversation about the unsustainable Chapter 70 formula to begin on Beacon Hill. Selectman Gandt requested that the letter be forwarded to Dr. Bernie Creeden.

Reports

The 2012 Water Quality Report was submitted and mailed by the Water Department. MBTA Advisory Board submitted minutes of February 19, 2013 and an agenda for April 3rd. Conservation Commission submitted a monthly report for March.

Invitation

Independent Living Center invited the Board of Selectmen to their 26th Annual Legislative Breakfast on May 10th, 9-11:30AM at the Salem Waterfront Hotel and Marina.

Tri-Town Council invited the Board of Selectmen to “Save the Date” for the Annual Reception to be held on May 30th from 8:30-10AM at the Commons.

Warrants: The Selectmen signed and approved warrants in the amount of **\$ 395,334.93**. The breakdown is as follows:

Warrant FY13:	
083T	\$ 84,714.87
084	\$ 310,620.06

At 8:45 PM, Selectmen Gandt made a motion to adjourn and Selectman Morrison seconded the motion; so voted: 5-0.

Respectfully submitted,

Donna Rich, Secretary
Selectmen’s Office

Approved as written at the May 13, 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. Transfer of Alcohol License at Main Street Market
3. Police & Fire Chief Contracts
4. Vote Town Administrator Profile
5. 120 Hill Street-Lot 1
6. Special State Primary Election Warrant
7. AFSCME Side Letter
8. Green Community Grant Amendment
9. One Day Liquor License-Family Promise NS Boston fundraiser
10. MASCO appropriation from Excess & Deficiency Fund
11. FY14 Chapter 90 notification
12. Town’s Financial Statement Audit
13. Request from the Town of Dudley
14. Water Quality Report
15. MBTA Advisory Board minutes and agenda
16. Independent Living Center Annual Legislative Breakfast
17. Tri-Town Council Annual Reception
18. Cable-Web Committee
19. STM transfer of funds first draft

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.