

BOARD OF SELECTMEN
Minutes of July 6, 2010

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, Tri-Town Transcript Brendan Lewis, Sheriff of Essex County Frank G. Cousins Jr., the Sheriff's Office Legal & Legislative Affairs Superintendent Joe McGowan, Police Chief Evan Haglund and Fire Chief Ron Giovannacci.

ANNOUNCEMENTS:

- Chairman Gandt informed the citizens that the Board met on June 28th and voted in favor of submitting Chapter 90 Reimbursement payments.
- Selectman Morrison announced that the Agricultural Commission and Historical Commission webpages have been updated to include copies of the commissions' forms and other interesting information.
- Selectman Powers stated that the Treasurer/Collector sent out the Real Estate and Personal Property tax bills on June 18th, and would be due Monday, August 2nd, as August 1st falls on a Sunday. Payment could be made:
 - in person at the Treasurer's Office,
 - dropped off at the mail slot located to the left of the front door at the Town Hall,
 - mailed in the envelope provided (which will go to a lockbox), or
 - paid "on line" using a link on Town Website.
- Selectman Powers announced that the Recreation Committee would be sponsoring "Concerts on the Common" again this summer. The first concert would be Sunday July 11, from 4:00 pm to 6:00 pm on the Common. All 8 concerts would be free and the schedule of performers would be posted on the Town Website. Brochures would be available at the Town Hall, Library and other locations throughout the Town.
- Chairman Gandt informed the citizens that there would be a mandatory water ban in effect. This would mean that nonessential outdoor water use would be limited to hand-held hoses or buckets only before 9 A.M. or after 5 P.M. each day. The use of automatic irrigation systems at any time would be strictly prohibited with the exception of uses contained in the Town Bylaw..

APPOINTMENTS:

7:30 – Regional Emergency Communication Center (RECC) - Police Chief, Fire Chief, Sheriff of Essex County Frank Cousins, and Legal & Legislative Affairs Superintendent Joe McGowan came forward to update the Board and answer questions regarding the RECC Agreement that they asked to be signed by July 30, 2010. The Fire Chief began by providing a brief summary of the RECC and how the project had developed. Selectman Gandt noted that at the 2009 Town Meeting the Town voted to give the authority for the Board of Selectman to move forward with this project. Joe McGowan added that the project has received \$6.9 million funding for capital and equipment costs to build and furnish the new building. Furthermore, Kimball Engineering of Cambridge, MA has been hired as a consultant to oversee the architectural portion of the project and the project will be managed by the Division of Capital Asset Management (DCAM), which is the state agency responsible for major public building construction and real estate services for the Commonwealth of Massachusetts. There will be three (3) advisory boards developed with responsibility for writing the RECC's rules, regulations

and procedures. The advisory groups are one each for: Fire, Police and Finance. Selectman Gandt expressed concern with the agreement and the lack of procedural documentation regarding the budget process. Sheriff Cousin's explained that those details would be documented in the policy and procedures that each advisory board would be writing. Selectman Goodhue made a motion to sign the Memorandum of Understanding by and between the Essex County Sheriff's Department and the Town of Topsfield, as written, seconded by Selectman Powers; so voted 4-1, Chairman Gandt opposed stating the documents were not ready for "prime time". Selectman Morrison made a motion to enter into the RECC by signing the "Intergovernmental Agreement For The Joint Provision of Public Safety Communications, Dispatch and Operations Services" document dated July 6, 2010, seconded by Selectman Powers; so voted: 4-1, Chairman Gandt opposed for the same reason as above.

GENERAL BUSINESS

Old Business

NERAC Regional Equipment Cache Program: The Board agreed to postpone discussion on this issue until the July 19, 2010 meeting.

Surveying Services for Conservation Property off Pheasant Lane: Selectman Goodhue made a motion to table this issue until the July 19, 2010 meeting, seconded by Selectman Powers; so voted: 5-0.

Liquor License: Chairman Gandt announced that the request for a liquor license by Main Street Market, located at 17 Main Street, has been approved by the State (Alcohol Beverages Control Commission, ABCC) for a Retail Package Goods Store Liquor License. The Board signed the License.

New Business

Topsfield Fair Parade: Selectman Morrison made a motion to approve a parade permit for Saturday, October 2, 2010 for the Topsfield Fair opening day which will begin at 9AM at the Common and follow the traditional route, seconded by Selectman Luther; so voted: 5-0.

Fire Truck BAN: Chairman Gandt notified the Board that the Treasurer/Collector has received bids for a BAN (bond anticipation note) relating to the new 1500 GPM Triple Combination Pumper for the Fire Department in an amount of \$250,000. The lowest bid was received from UNIBANK with a 1.14% rate. The Board signed the Bond documents.

FY11-13 Application Service Provider Agreement: Selectman Morrison made a motion to approve the three-year Application Service Provider "ASP" contract to host the Town's financial data with Tyler Technologies, Inc., MUNIS Division of Falmouth, ME in the amount of \$37,261 for FY11 that includes the annual rate of \$33,261 per year with an additional one time fee in the initial year for VPN installation in the amount of \$4,000, seconded by Selectman Luther; so voted: 5-0.

FY2010 Cable Legal Services-Amendment #1: Selectman Powers made a motion to approve Amendment No. 1 to the contract with Epstein & August, LLP of Boston, MA for legal services relative to negotiations with Comcast concerning the renewal of its cable contract in the amount of \$1,430, seconded by Selectman Morrison; so voted: 5-0.

FY 2011 Cable Legal Services-Amendment #2: Selectman Morrison made a motion to approve Amendment No. 2 to the contract with Epstein & August, LLP of Boston, MA for legal services relative to negotiations with the Comcast renewal contract in the amount of \$2,000 for FY2011, seconded by Selectman Powers; so voted: 5-0.

Request for Transfer of Appropriation-Board of Health: Selectman Morrison made a motion to approve a transfer from Board of Health Other-Telephone to Board of Health –Wages Clerical Part Time in the amount of \$139.00 to cover wages due to the secretary, seconded by Selectman Luther; so voted: 5-0.

Liaison Reports

Selectman Powers gave an overview of the Park Revolving Fund. She passed out the Treasurer's Report from 2009 and 2010 displaying revenue generated, expenses and salary/wages paid. As a self funded committee, it has been highly successful in providing non-competitive activities to the Town residents. Each month, funds are reconciled with the Town Accountant.

Town Administrator's Report:

- Emerson Lease-working with Steve Clark, Congregational Church representative.
- Central Essex Emergency Medical Services update
- Open Meeting Law-DVD available along with information on the Attorney General's website.
- Peer to Peer Grant is now accepting applications
- Health Care Bill update
- PERAC Legislative update meeting
- Code Red demonstration on July 15, 2010
- Reminder that Re-appointed members of Committees/Boards and Commissions are required to be sworn in at the Town Clerk's Office
- Trash will be picked up a day later, due to Monday being a holiday

Correspondence & Reports

Correspondence

Masconomet Regional School Appropriating Funds: Masco has sent a letter informing the Board of the School Committee's approval to appropriate from Excess & Deficiency \$74,000 for Roof Repairs and \$10,000 to perform a feasibility study on ventilation in the field house.

Town Landfill Spring Monitoring Report: Weston & Sampson has provided the Semiannual Environmental Monitoring Report of the Landfill which is available in the Selectmen's Office for review.

Water on Wilmor Road: Robert Shamroth has submitted a letter stating his and neighborhood water issues. The Board asked for the letter to be forwarded to the Zoning Board of Appeals, Board of Health, Planning Board, Surface & Groundwater Study Committee, and Water Department.

Campmeeting Road Speed Reduction: Police Chief submitted the Department of Transportation ruling on Campmeeting Road speed limit. As a result the Town will place advisory warning signs of 20 mph on that road

Re-Appointments to the Fire Department: The Fire Chief has approved one year re-appointments for the Call Firefighters.

Reports

Board of Assessors submitted minutes of June 11, 2010.

Warrants: The Selectmen signed and approved warrants in the amount of **\$166,834.61 and \$60,439.42.** The breakdown is as follows:

Warrant FY10:		Warrant FY11:	
107T	\$ 77,125.47	003T	\$ 32,398.00
107Balloon	\$ 5,914.25	004	\$ 28,041.42
108	\$ 83,794.89		

At 9:24 PM, Selectmen Luther 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 amended at the August 30, 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.
