

BOARD OF SELECTMEN
Proctor School Library
Minutes of August 24, 2015

Chairman Powers called the meeting to order at 7:30PM. Board members present, in addition to Chairman Laura Powers, were Selectmen Martha Morrison, Steve Lais and Eldon Goodhue. Boyd Jackson 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 Kathy O'Brien, Chief of Police Evan Haglund, candidate Christopher Lippi, Cardeli's Café & Deli owner Steve Kutcher and residents Kathleen Hill and Dick Gandt.

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

ANNOUNCEMENTS: Chairman Powers announced that the Board had a Working Session on August 20th and the Board voted to instruct Kopelman & Paige PC to send the letter regarding Notice of Intent to Convey Land-120 Hill Street to the sellers attorney Jill Elmstrom Mann, Esq of Mann & Mann, P.C. relative to the property at 120 Hill Street; and voted to approve \$9,040 expenditure for emergency repairs to the Ipswich River Bridge; and also voted to approve technical language changes proposed by the legislative committee for S.1949, Appointment of the Town Clerk.

Chairman Powers reported that Route 97 paving is well underway and that the paving on Washington Street has been completed.

CITIZENS QUESTIONS & COMMENTS *none heard*

GENERAL BUSINESS

Old Business

Pye Brook Park: Selectman Morrison made a motion to approve an engineering services contact with Weston & Sampson, Inc. of Peabody MA in the amount of \$10,000 for the creation of a new recreational field at the Clay Pile Area, seconded by Selectman Goodhue; so voted: 4-0.

New Business

Police Appointment: Selectman Morrison made a motion to appoint Christopher Lippi to the position of Auxiliary Police officer/Prisoner watch to a term commencing August 25, 2015 ending on December 31, 2015, seconded by Selectman Goodhue; so voted: 4-0. Chief of Police introduced Mr. Lippi, who then expressed his aspirations of helping the citizens of Topsfield.

Council on Aging Appointment Request: Selectman Goodhue made a motion to appoint Elaine H. Crippen to the Council on Aging Board for a term to expire June 30, 2016, seconded by Selectman Morrison; so voted: 4-0.

Town Hall Window Project: Selectman Morrison made a motion to accept the Massachusetts Historic Commission grant of \$50,000 for the repair of windows at Town Hall, seconded by Selectman Goodhue; so voted: 4-0.

Call Firefighter Contract: Selectman Goodhue made a motion to sign the consolidated contract for the Call Firefighter Association, seconded by Selectman Morrison; so voted: 4-0.

One Day Liquor License Request: Selectman Morrison made a motion to approve a One Day Liquor License to Harvest Direct Co-Op Inc for an event to be held on September 20, 2015 at the Gould Barn from 4PM-8PM, seconded by Selectman Goodhue; so voted: 4-0. Selectman Lais questioned if the cider from Far From the Tree Cider Company would be considered within the

malt beverage and wine that this license fulfills. Town Administrator was directed to clarify that issue for the Board.

Appointment:

7:51PM – Public Hearing- Sign Permit The Meadows Condominium- Kathleen Hill, Trustee was present. Selectman Morrison requested that a scaled diagram displaying the height the sign would be off of the ground should be provided along with a scaled drawing of where the lighting would be located.

Selectman Morrison made a motion to continue the Hearing until September 14 at 7:45PM, seconded by Selectman Goodhue; so voted: 4-0.

GENERAL BUSINESS

New Business *continued*

Common Victuallar License: Steve Kutcher came forward. Selectman Goodhue made a motion to approve a Common Victuallar license to CBW LLC dba: Cardeli's Café and Deli located at 17 Main Street to expire December 31, 2015, seconded by Selectman Morrison. Selectman Lais reported on some areas of incompleteness on the application. Mr. Kutcher clarified he would be open from 7AM-7PM Monday-Saturday and 8AM-1PM on Sunday's and that the Workers Comp Insurance had been provided to the Board of Health. Selectman Morrison requested clarification on whether a Special Permit was required for the business at this location.

Selectman Goodhue amended his original motion to be contingent if the Special Permit is required the vote would be rescinded and that the completed application be brought to the Board of Selectmen's office forewith, seconded by Selectman Morrison; so voted: 4-0. Vote on the original motion: 4-0.

Trinity Walk Request: Selectman Morrison made a motion to approve the Trinity Church CROP Walk to be held on Sunday, October 25th beginning at 1PM; with the route is the same as in previous years, seconded by Selectman Goodhue; so voted: 4-0.

MassDOT Request: Selectman Morrison made a motion to authorize the chairman to sign Federal Highway Administration (FHWA) Title VI / Nondiscrimination Assurance, seconded by Selectman Goodhue; so voted: 4-0.

Water Department Request: Selectman Goodhue made a motion to approve Change Order #2 for the contract with Joseph Cardillo & Son, Inc of Wakefield, MA for an adjusted final net contract price in the amount of \$914,839.37, seconded by Selectman Morrison; so voted: 4-0.

Workforce Investment Act for the North Shore: There was a discussion of a request from Mayor Driscoll of the City of Salem regarding the Workforce Innovation and Opportunity Act as stated in a letter dated June 18, 2015. The Board decided to take no action at this time.

Library Request: Selectman Morrison made a motion to approve a three (3) year agreement with ASNE of Marlborough MA to provide preventative maintenance for the library's emergency back-up generator in an amount for FY16 of \$958.00 and for the chairman to sign, seconded by Selectman Goodhue; so voted: 4-0.

Sub-Committee Update of the Procurement/Contract Sub Committee: Chairman Powers reported that the subcommittee has met and are discussing the Town Administrators signing authority.

Procurement: Chairman Powers reported that the Attorney General's office is seeking updated information regarding the delegation of signing authority for expenditures and also of the Chief Procurement Officer for the town. Selectman Morrison made a motion to authorize the chairman to sign the Chief Procurement Officer Designation form for the town of Topsfield displaying the Town Administrator as such, seconded by Selectman Goodhue; so voted: 4-0.

Town Administrator's Report:

- Distributed a status report on Warrant Articles from 2015 Annual Town Meeting.
- Reminder of Board Retreat with Jeff Nutting scheduled for August 26th.
- Update of 24/7 Fire Service Committee.
- Update that the 2015 Town Hall Building Committee has made a selection for the architectural/preservation firm to perform the Schematic Design Phase.
- Update on Town Hall-side porches demolished, stairs with rails installed and completed.

Minutes

Selectman Morrison made a motion to accept the Minutes of August 10, 2015 as written, seconded by Selectman Goodhue; so voted 3-0-1. Chairman Powers abstained.

Correspondence & Reports

Correspondence

MassDOT sent a letter regarding the maximum load on bridges in Topsfield.

Two letters of thanks were received for the Fire Departments service.

Superintendent Dr. Bernie Creeden submitted his letter of intent to retire on or before June 30, 2016.

Trust Fund Commissioners submitted a letter dated August 3, 2015 of suggested protocols for the distribution of funds. Selectmen Goodhue and Lais requested Chairman Powers to consider adding this topic to a future agenda and to invite all parties to be present.

Reports

Personnel Advisory Committee submitted minutes of July 14th.

Town Accountant submitted Local Receipt Report for FY16 First Quarter.

Invitations

The Board was invited to a Public Safety Mass to take place at 11:30AM on Sunday, October 4, 2015 at the Cathedral of the Holy Cross in Boston.

The Board was invited to the SeniorCare Annual Meeting & Dinner Thursday, September 24, 2015 from 6:30PM-9PM at Cruiseport, Gloucester.

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

Respectfully submitted,

Donna Rich, Executive Assistant
Board of Selectmen

Approved as amended at the September 14, 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 – Regular Meeting of August 10, 2015
3. Request for engineering services at the Clay Pile Area at Pye Brook Park
4. Request for an appointment to the Police Department
5. Request for appointment to the Council on Aging Board

6. Acceptance of the Massachusetts Historic Grant for windows at Town Hall
7. Call Firefighter Association contract
8. Request for a Common Victuallar License at 17 Main Street, Cardeli's Café
9. Request for a One Day Liquor License from Harvest Direct Co-Op
10. Request for the annual CROP Walk to be held on October 25th
11. Request from MassDOT to sign the Federal Highway Administration Title VI / Nondiscrimination Assurance
12. Request for Amendment #2 from the Water Department
13. Request from the Mayor of Salem to join the Workforce Innovation & Opportunity Act
14. Request for a maintenance contract for the Library
15. Sub-Committee update: Contract/Procurement
16. Procurement Officer designation
17. Fire Department receipt of a letter of thanks
18. MassDOT regarding maximum load on bridges
19. Dr. Bernie Creeden's letter of intended retirement
20. Trust Fund Commissioners letter of August 3rd
21. Personnel Advisory Committee minutes of July 14th
22. Town Accountant Local Receipt for the 1st quarter of FY16
23. Public Safety Mass invitation
24. Senior Care Annual Meeting & Dinner invitation
25. Status report on Warrant Articles for 2015 Annual Town 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.