

BOARD OF SELECTMEN
Minutes of August 29, 2011

Chairman Laura Powers called the meeting to order at 7:30PM. Board members present, in addition to Chairman Powers, were Martha Morrison, Dick Gandt, Eldon Goodhue 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 Evelyn Hammond, Tri-Town Transcript Reporter Suzanne Snell, Essex Agricultural Society Manager James O'Brien, Fiesta Show Gene Dean, Police Chief Evan Haglund, Fire Chief Ron Giovannacci, Fire Captains Chick Denault and Jen Collins Brown, State Fire Marshal representative Jennifer Meith, owner of Alfalfa Farm Richard Adelman and Agricultural Commission Chairman Trudi Perry.

ANNOUNCEMENTS:

Selectman Vogel announced that the Police Department would have its 4th *Annual Police Movie Night* Saturday, September 10, 2011 at 6 PM on the Topsfield Common. Citizens were invited to see the movie TOY STORY 3 in Blue Ray and Bose sound on a 40 foot movie screen. Free popcorn and hot fudge sundaes will be served. Citizens would be able to take photos on the police motorcycle and there will be free bicycle raffle. In the event of inclement weather the movie location will be moved to the Topsfield Fair Arena.

Selectman Vogel announced that the Topsfield Police Department would be sponsoring its 6th Citizens Police Academy, beginning September 14, 2011 from 6pm - 8:30pm. The classes would run every Wednesday night for 10 weeks. Classes would be held at the Topsfield Police Department, 210 Boston Street. For more information contact the Police Chief.

Chairman Powers announced that the *Concerts on the Common Series* would continue this Sunday, September 4th with The Joe Macey Project from 4PM – 6PM and that due to Hurricane Irene the Renowns would be rescheduled to September 18th from 4PM-6PM.

Selectman Gandt announced that the Rowley Bridge Road Bridge was closed due to structural concerns and would be closed for the foreseeable future.

Selectman Gandt reported that the sign in front of Town Hall had been rotated 90 degrees for more visibility, and thanked the Town Clerk, Paula Burke, for her leadership in this project.

Selectman Goodhue announced that on August 31st the Library in collaboration with the Priscilla Capen Herb Society, would be sponsoring the annual "Priscilla Capen Society Doll Tea for Children" to be held on the lawn of the Capen House/Gould Barn. All are welcome, no registration necessary.

APPOINTMENTS:

7:30 – Two Young Hero Awards - Fire Chief Ron Giovannacci and State Fire Marshal representative Jennifer Meith were present to award Young Hero Awards to Jessica Esposito and Julia Silver for their heroism while babysitting. Fire Chief Ron Giovannacci described how Jessica Esposito and Julia Silver were babysitting for twin eighteen month old boys on July 15, 2011. They smelled what they thought was an outside campfire and shut the doors to the house. They quickly realized that it was not an outside fire and that the living room was filling with smoke. They were able to identify a fire in the house, get the children out of the house and able

to notify authorities. Their quick actions were in part due to their training by Topsfield Fire Department personnel using the SAFE program at Steward School. They used that training to act in a way that ensured no harm to the children and minimal damage to the home. The Fire Chief introduced Jennifer Meith from the Massachusetts State Fire Marshal's Office who recognized the actions of the young girls by presenting them with citations and a t-shirt.

GENERAL BUSINESS

Old Business

Sunday Licenses for the Fair: Chairman Powers explained that this item had been tabled at the last meeting and was now before the Board with a request to open at 10AM, which is not consistent with previous year. In addition, the dollar amount of the fees had been questioned by Fair Manager Jamie O'Brien. However this issue was resolved by documentation of a vote made by the Board of Selectmen in 2004 setting the fees. Before further discussion ensued Selectman Vogel disclosed that he was an abutter of the Fairgrounds, and Selectman Goodhue disclosed he was a life time member of the Essex Agricultural Society. Selectman Gandt asked why the change to open the rides and amusements on Sunday's from 1PM to 10AM. Fiesta Shows President Gene Dean explained that they have always opened at 10AM, regardless of what the license said. Mr. Flynn explained that the decision to open the rides and games at 10AM was to distribute the crowds of people more evenly. In addition, there was a brief discussion regarding the changes in the law regarding Sunday licenses. Selectman Gandt stated his opposition to the earlier opening and expressed his desire to poll citizens on the matter. Selectman Goodhue made a motion to allow Dean & Flynn, Inc D/B/A Fiesta Shows for Amusement Rides and Amusement Games Licenses on October 2nd and 9th at the Topsfield Fair Grounds with the hours of 10AM – 11PM, seconded by Selectman Morrison; so voted: 4-1. Selectman Gandt opposed.

8:11 - People's United Bank Sign Public Hearing-Clerk Goodhue read the Public Hearing Notice. Metro Sign and Awning representative Kevin Duggan presented a proposal that would only change the name on the current signage from "Danversbank" to "People's United Bank" at 15 Main Street. Selectman Gandt verified the color of the signage, and there was a brief review of the signs as there were no major changes in size or placement. Selectman Morrison made a motion to close the Hearing, seconded by Selectman Goodhue; so voted: 5-0. Selectman Morrison made a motion to accept the changes in signage to People's United Bank at 15 Main Street as shown on Plan #84 dated May 8, 2011, that was enclosed with the permit application, seconded by Selectman Goodhue; so voted: 5-0.

GENERAL BUSINESS

Old Business

Reserve Police Contract: Selectman Morrison made a motion to accept an Amendment to the existing contract to reflect the new union representation to be New England Benevolent Association where Topsfield Police Reserve Association had appeared, seconded by Selectman Gandt; so voted: 5-0.

New Business

Over 65 Policy: Police Chief Evan Haglund was present to discuss the policy of Reserve and/or Auxiliary officers working beyond the age of 65. Chief Haglund stated that Regular Officers in Reserve and Auxiliary positions must retire at the age of 65; however, the Board could approve a policy allowing Auxiliary officers to stay on the Town's force once reaching the age of 65. The Board requested the issue to be tabled in order to seek further data before making a decision.

Proclamation: Chairman Powers read the United Nations Day proclamation. Selectman Morrison made a motion to proclaim October 24th as United Nations Day and for the Chairman to sign the proclamation, seconded by Selectman Vogel; so voted: 4-0-1. Selectman Goodhue abstained.

Metropolitan Planning Organization Nomination: Selectman Morrison made a motion to approve the nomination of Mr. Maurice Handel of the Town of Needham to fill an “At-Large-Town Seat” under the revised structure of the Metropolitan Planning Organization, seconded by Selectman Vogel; so voted: 5-0.

MIIA Grant Program FY12: Selectman Morrison made a motion to approve the MIIA Grant Program application for the Fire Department to receive \$3,649 to purchase and install camera systems for the fire apparatus and for the Chairman to sign, seconded by Selectman Gandt; so voted: 5-0.

MIIA Grant Program FY12: Selectman Morrison made a motion to approve the MIIA Grant Program application in the amount of \$1,260 for the Fire Department to purchase four carbon monoxide detectors to be used for continuous monitoring of CO present in the Rescue Vehicles and for the Chairman to sign, seconded by Selectman Goodhue; so voted: 5-0.

Green Communities Grant Application: Selectman Gandt made a motion to approve the Green Communities Grant Application to the State in the amount of \$132,750 for the purpose of energy efficiency programs, seconded by Selectman Morrison; so voted: 5-0.

Alfalfa Farm: Chairman Powers reviewed the facts regarding the ongoing activities at the Alfalfa Farm, 267 Rowley Bridge Road and their potential violation of the State regulations regarding Farmer Wineries and Topsfield’s alcohol licensing regulations. It was discussed that an adhoc committee of Selectmen Vogel and Goodhue meet with Alfalfa Farm owner Richard Adelman in attempt to bridge the gap of understanding between Town and State laws as it relates to the sale of wine at Alfalfa Farm.

Liaison Reports

Selectman Morrison reported that the Cable Committee report referred to documents on the Town’s Website needing to be updated. Selectman Morrison formally requests Selectman Gandt to assist in the process. In addition, the Town Bylaws need to be reviewed for consistency with Town Meeting Votes. Selectman Gandt agreed to help out.

Chairman Powers announced that elementary, middle and high school would begin on September 9th for seventh and ninth grades and all other grades on September 6th. Also noted was Masconomet Regional High School has a new website.

Town Administrator’s Report:

- Provided an update on Hurricane Irene
- Boiler Project: Selectman Gandt made a motion to award a contract to Mike Lahey Plumbing & Heating of Adams, MA in an amount not to exceed \$16,500, seconded by Selectman Morrison; so voted: 5-0.
- Fire Department has agreed to put together a commemorative ceremony of remembrance of the terrorist’s attacks of September 11, 2001.
- Rowley Bridge Project was reviewed. Selectman Gandt made a motion to authorize the application for state funds for the design and reconstruction of the Rowley Bridge Road Bridge, seconded by Selectman Morrison; so voted: 5-0.

Selectmen Minutes:

Selectman Gandt made a motion to accept the Working Session Minutes of July 13, 2011 as amended; seconded by Selectman Morrison; so voted 5-0.

Selectman Morrison made a motion to accept the Working Session Minutes of July 20, 2011 as amended; seconded by Selectman Goodhue; so voted 5-0.

Selectman Gandt made a motion to accept the Minutes of August 1, 2011 as amended; seconded by Selectman Morrison; so voted 5-0.

Selectman Morrison made a motion to accept the Executive Session Minutes of August 1, 2011 as amended and to hold until all issues have been resolved; seconded by Selectman Gandt; so voted 5-0.

Selectman Gandt made a motion to accept the Minutes of August 15, 2011 as amended, seconded by Selectman Morrison; so voted 5-0.

Selectman Morrison made a motion to accept the Executive Session Minutes of August 15, 2011 as written and to hold until all issues have been resolved; seconded by Selectman Gandt; so voted 5-0.

Correspondence & Reports

Correspondence

Day of Remembrance Blood Drive: The American Red Cross will hold a blood drive on Sunday September 11th at Gate D of Fenway Park from 7AM – 5PM.

TransReport: Metropolitan Planning Organization has sent the August 2011 Special Issue.

Sub-Division: 120 Hill Street has sent a letter of intent to sub-divide 6 acres of land. There was discussion regarding this being Chapter Land and what that means to the Town.

Reports

Rail Trail submitted minutes of July 6, 2011.

Conservation Commission submitted a July monthly report.

Moderator John Kinhan appointed Alfred DiDonato, Dave Comeau and Harry Lear Jr to the Memorial Day/Veterans Day Committee for a term to expire June 30, 2012.

Board of Assessors submitted minutes of July 14th.

Invitation

Independent Living Center of the North Shore and Cape Ann, Inc sent an invitation to their 24th Annual Meeting to be held on October 19, 2011 beginning at 5:30PM at 27 Congress Street, Suite 107, Salem Ma.

Warrants: The Selectmen signed and approved warrants in the amount of **\$1,668,921.51**. The breakdown is as follows:

Warrant FY12:	
017T	\$ 77,800.80
018	\$ 1,591,120.71

At 9:45 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 amended at the September 26, 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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