

**BOARD OF SELECTMEN**  
**Minutes of September 2, 2008**

Chairman Jackson called the meeting to order at 7:30PM. Board members present in addition to Chairman Jackson were Richard Gandt, Martha Morrison and Nancy Luther. Of the Selectmen's staff, Town Administrator Virginia Wilder, and Board Secretary Donna Rich, were in attendance. Other persons present were Evelyn Hammond of the Topsfield Cable, Brendan Lewis of the Tri-Town Transcript, Greg Krom, Superintendent Water Department, Phil Knowles, Chairman Water Commissioners, Adam Thomson, owner Thomson Motors, Christopher LeSaffee, owner My Classic Car Garage, Inc, Alex Dearborn owner of 16 Maple Street, and Peter Rakip, owner of the Station Sweet Shoppe.

**ANNOUNCEMENTS:** Chairman Jackson announced that the Board would be going into Executive Session at the end of the Regular Session to discuss a Memorandum of Agreement for the dispatcher's union contract and would not be returning to Open Session.

Selectmen Luther announced the Topsfield Police Relief Association in conjunction with the Topsfield Police Department is presenting "Ratatouille" on Friday, September 12 at 6PM on the Topsfield Common. Free popcorn and ice cream sundaes, along with motorcycle pictures, will be available. The event is sponsored by the Topsfield Fair, Chunky's Cinema Pub, the Station Sweet Shoppe and Richardson's Ice Cream. Rain date is September 13, 2008.

**Selectmen Minutes:** Selectman Morrison made a motion to accept the minutes of the Working Session of August 13, 2008; seconded by Selectman Jackson; so voted 3-0-1, Selectman Gandt abstained. Selectman Luther made a motion to accept the minutes as amended of August 18, 2008; seconded by Selectman Morrison; so voted 3-0-1, Selectman Jackson abstained. Selectman Morrison made the motion to accept the minutes of the Executive Session of August 18, 2008; seconded by Selectman Gandt; so voted 3-0-1, Selectman Jackson abstained. Selectman Morrison made the motion to accept the minutes of August 21, 2008; seconded by Selectman Gandt; so voted 3-0-1, Selectman Jackson abstained. Selectman Morrison made the motion to accept the minutes of the Executive Session of August 21, 2008; seconded by Selectman Luther; so voted 3-0-1, Selectman Jackson abstained.

**APPOINTMENTS:**

**7:30 – Ipswich Road Non-Participating Work Agreement for Water Department -**Greg Krom, Superintendent Water Department and Phil Knowles, Chairman of the Water Commissioners addressed the Board regarding the Water Department's participation in the Ipswich Road Reconstruction project. The Water Department's portion of the project is not state funded and therefore, the state requires the Town to submit signed documents acknowledging the Town's obligation to pay for that portion of the project. Selectman Luther made a motion that the Town enter into Agreement Number 56248, Non-Participating Agreement, with the Commonwealth of Massachusetts for the installation of water main and appurtenances as part of the Ipswich Road Reconstruction Project to be administered by the Mass Highway Department, with the Chairman to sign, seconded by Selectman Morrison; so vote: 4-0.

**GENERAL BUSINESS**

**Old Business**

Expiration of the Station Sweet Shoppe Common Victualler License – Ms. Wilder informed the Board that the Zoning Board of Appeals has continued the Station Sweet Shoppe's hearing until September 23, 2008. Selectman Gandt made a motion to extend the common victualler license

for the Station Sweet Shoppe until September 29, 2008, seconded by Selectman Morrison; so voted: 4-0.

**New Business**

**My Classic Car Garage Inc:** Selectman Luther made a motion to issue a Class II Used Car License to My Classic Car Garage, Inc. located at 16 Maple Street with 8 cars permitted to be displayed on the premises, seconded by Selectman Morrison; so voted: 4-0.

**Thomson Motors:** Selectman Morrison made a motion to issue a Class II Used Car License for Thomson Motors, located at 86 Central Street with 16 cars permitted to be display on the premises, seconded by Selectman Luther; so voted: 4-0.

**Rail Trail Appointments:** Selectman Luther made a motion to appoint Katherine Carlson and Roy Baessler to the Rail Trail Committee for a term to expire June 30, 2009, seconded by Selectman Morrison; so voted: 3-0-1, Chairman Jackson abstained as he was not in attendance the night the candidates were interviewed by the Board.

**Historical Commission Appointment:** Selectman Luther made a motion to appoint Mary Fletcher Ferrill as an Alternate to the Historical Commission for a term to expire June 30, 2009, seconded by Selectman Morrison; so voted: 3-0-1, Chairman Jackson abstained as he was not in attendance the night the candidate was interviewed by the Board.

**Masco Youth Hockey:** The Board of Directors of the MASCO Youth Hockey has solicited Topsfield to obtain permission to display the achievements of the 4<sup>th</sup> & 5<sup>th</sup> Grade hockey team that won the Massachusetts State Hockey Tournament in March of 2008. Chairman Jackson was hesitant to provide permission for the options that were suggested in a letter dated August 12, 2008 as it would set precedence. Selectman Gandt suggested that the winning game be shown on Cable TV and Selectman Luther suggested a certificate of accomplishments be provided to the Topsfield members of the Team and this be coordinated with the other towns for them to do the same.

**Auxiliary Police Officer:** Selectman Gandt made a motion to appoint David Castellarin as an Auxiliary Police officer for a term effective upon completion of departmental training and to expire June 30, 2009, seconded by Selectman Morrison; so voted: 4-0.

**United Nations Proclamation:** Selectman Gandt and Jackson have some changes that they would like to make to the proclamation.

**Daughters of the American Revolution Proclamation:** Selectman Morrison made a motion to proclaim the week of September 17<sup>th</sup> as Constitution Week as requested by the General Israel Putnam Chapter, Daughters of the American Revolution and with the Chairman to sign, seconded by Selectman Luther; so voted: 4-0.

**Sunday Public Entertainment Licenses:** Selectman Gandt made a motion to grant two Sunday Public Entertainment Licenses to Fiesta Shows, one for amusements rides and one for amusement games, at the Topsfield Fair on the Sundays of October 5<sup>th</sup> and 12<sup>th</sup> seconded by Selectman Luther; so voted: 4-0.

**Household Hazardous Waste Collection:** Selectman Gandt made a motion to approve the annual Household Hazardous Waste Collection agreement with Clean Harbors Environmental Services of Braintree, MA for an amount not to exceed \$5,000 for fiscal 2009 and for Chairman to sign, seconded by Selectman Morrison; so voted: 4-0. Selectman Luther announced that the League of Women Voters sponsors the hazardous waste day and is seeking volunteers to assist at MASCO on the day of the event, November 8 from 8:30AM – 1PM. Volunteers can contact Selectmen Luther to sign up.

**Flu Clinics for FY2009:** Selectman Morrison made a motion to approve the contract for services with Public Sector Partners, Inc. of Worcester, Ma to process Medicare reimbursement for the

Flu Clinics offered in Topsfield, in FY2009 in an amount not exceed \$600 and for the Chairman to sign, seconded by Selectman Luther; so voted: 4-0.

Steward School Generator Project: Selectman Gandt made a motion to approve Amendment #1 to the Steward School Generator Project contract with BLW Engineers of Littleton, MA to extend the term of the contract to December 31, 2008, seconded by Selectman Luther; so voted: 4-0.

**Town Administrator’s Report:**

Please see attached report.

**Correspondence & Reports**

Correspondence

Environmental Report-English Commons at Topsfield: Beals Associates Inc has submitted their Environmental Notification Form for the project at 12 Boston Street; the full report is available upon request at the BOS office.

Mass Municipal Association’s Innovation Award Program: MMA is accepting nominations for the Kenneth E. Pickard Municipal Innovation Award Program that honors communities which have developed and implemented inventive and unique programs to increase the effectiveness of local government. Applications are due September 12, 2008.

Pioneer in Partnership: Essex National Heritage Commission is accepting entries for their Pioneer in Partnership award that recognizes individuals and organizations that have exemplified the spirit of partnership, helping our Area work together to preserve, promote and enhance the historical, cultural and natural resources of the region. Applications are due September 19, 2008.

Mass Municipal Association Statewide Essay Contest: Communities are invited to enter MMA’s 3<sup>rd</sup> annual Statewide Essay Contest for 6<sup>th</sup> Graders. The essay topic is “If I were elected leader of my community, I would make a difference by...”.

Border to Boston Bikeway Rail To Trails Project Funding: US Department of Transportation Federal Highway Administrator, Lucy Garliauskas, has sent a letter responding to the Chairman’s letter regarding their change in funding for the project.

Planning Board: Letter was sent inviting Rosemary Gangi’s attorney to come before the Planning Board to explain some issues that have arisen at 37 Gail Street known as the “Antoria Way Subdivision”.

Bicycling for Seniors: Council on Aging has announced a bicycling for seniors program on Wednesdays from September 10<sup>th</sup> to October 1<sup>st</sup> . Rides begin at Town Hall at 10:30AM.

Stand Together Act Responsibly: STAR is seeking communities to become members to assist in obtaining full funding from the State for Payments in Lieu of Taxes (PILOT) on State-owned land. The membership is \$25 per fiscal year. The Board agreed to join.

Reports

Cable TV Advisory Committee: Minutes submitted for June 4, 2008

Conservation Commission: Minutes submitted for June 11, 2008.

**Warrants:** The Selectmen signed and approved warrants in the amount of \$ 204,813.75. The breakdown is as follows:

Warrant #FY09:

019T           \$ 72,294.74

020           \$132,519.01

At 8:50 PM, Selectman Luther made a motion to go into executive session to discuss a Memorandum of Agreement for the dispatcher's union contract, Selectman Morrison seconded the motion. A yes vote was recorded for Selectmen Luther, Selectmen Morrison, Selectmen Gandt and Chairman Jackson. The Board would not return to regular session.

Respectfully submitted,

Donna Rich, Secretary  
Selectmen's Office

*Approved as written at the September 15, 2008 Board of Selectmen's meeting.*