

BOARD OF SELECTMEN
Minutes of September 27, 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 Walter Harmer, Tri-Town Transcript Brendan Lewis and resident Gerald Buckley.

ANNOUNCEMENTS: Chairman Gandt announced that the Board would go into Executive Session at the end of regular session to discuss the Police Union Contract and the Fire Chief contract and would not return to Open Session.

Chairman Gandt announced that the semi-annual metals/white goods pick-up is scheduled for October 20, 21, and 22. This collection is for appliances and other items containing more than 80% metal. Items should be at curb-side by 7AM on your trash day. If you have items containing Freon, please register the item by contacting the Selectmen's Office at 978-887-1500. There is no charge for this collection.

Selectman Luther announced that the annual Household Hazardous Waste Collection Day would be Saturday, November 6 at the Masconomet High School parking lot beginning at 9AM-1PM. It is sponsored by the Boxford, Middleton, and Topsfield League of Women Voters.

GENERAL BUSINESS

New Business

Zoning Board of Appeals Member: 1) Selectman Morrison made a motion to accept Lisa Stern Taylor's resignation as a member of the ZBA, effective September 1st, seconded by Selectman Powers; so voted: 5-0.

2) Selectman Morrison made a motion to appoint Lisa Stern Taylor as an Alternate Member of the Zoning Board of Appeals effective immediately for the term to expire June 30, 2011, seconded by Selectman Powers; so voted: 5-0.

Auxiliary Police Officer Candidate: Selectman Powers made a motion to appoint Brook L. Dechene as an Auxiliary police officer effective September 28, 2010 for the term to expire December 31, 2010, seconded by Selectman Morrison; so voted: 5-0.

Veterans Day Banner: Selectman Luther made a motion to approve a banner for the Veterans Day Parade to be erected between the Proctor School and Town Hall from October 27th – November 7th, seconded by Selectman Goodhue; so voted: 5-0. Chairman Gandt reminded citizens that the Veterans' Day parade would be November 6th. Selectman Luther mentioned that Mr. Shamroth has stated he is seeking poles to be placed on either side of Main Street for such banners to be displayed, Chairman Gandt reminded the Board that the Town Administrator had done extensive research on the matter a few years back and that there are issues associated with such an implementation. Selectman Goodhue stated he would like to contact Mr. Shamroth to discuss the matter and would report back to the Board.

9.7 acres of Open Space: Selectman Powers made a motion to approve the potential acquisition by the Department of Conservation and Recreation of approximately 9.7 (+/-) acres of land as noted on Exhibit A (see attached) and approve the waiver of the 120 day notice period along with the Chairman to sign, seconded by Selectman Goodhue; so voted: 5-0. The Board requested that the Department of Conservation and Recreation be corrected as to the following in their cover letter. The subject property abuts Bradley Palmer State Park, rather than Harold Parker State Park as stated in the letter, and that Topsfield is within the Metropolitan Area Planning Council rather than the Merrimack Valley Planning Commission as referenced in the letter.

Phase II Rail Trail: Selectman Morrison made a motion to approve the expenditure of \$2,190 to K&R Construction, Boxford MA for additional work on Phase II of the Topsfield Linear Common, seconded by Selectman Powers; so voted: 5-0.

Town Hall System Administration Services: Selectman Powers made a motion to award and approve a contract with Amiable Networks of Newmarket, NH for system administration consulting services for fiscal 2011 in the not too exceed amount of \$4,990, seconded by Selectman Luther; so voted: 5-0.

Library HVAC Maintenance Contract: Selectman Morrison made a motion to award a contract for the Library's HVAC Periodic Maintenance to Ambient Temperature Corporation, Middleton MA in the amount of \$5,988, seconded by Selectman Goodhue; so voted: 5-0.

Chairman Gandt mentioned that the Board would be meeting on Wednesday, September 29th at 4PM to discuss refinancing the Town's bonds and also to act on a one day liquor license request that was submitted on Friday and did not meet the new Open Meeting Law deadline for items the Board could discuss at tonight's meeting.

Town Administrator's Report:

- Rail Trail bridge abutment damage review.
- March Flood FEMA documents update
- Regional Ambulance Service update
- Board of Selectmen Goals next step reviewed
- Town Meeting Warrant Schedule update
- Emerson Lease update
- Personnel Advisory update
- MAPC seminar attended on social media policy
- Comcast contract renewal update
- MIIA Reward seminars update
- MAPC Legislative session update. Discussion ensued regarding the various bills that are pending.

Selectmen Minutes:

Selectman Powers made a motion to accept the minutes of August 30, 2010 as presented; seconded by Selectman Morrison; so voted 4-0. Selectman Luther abstained.

Selectman Powers made a motion to accept the Executive Session Minutes of August 30, 2010 as written and to hold until all issues have been resolved; seconded by Selectman Morrison; so voted 4-0. Selectman Luther abstained.

Correspondence & Reports

Correspondence

Alternate Member of Planning Board: Planning Board Chairman Bob Winship has submitted a letter recommending Steve Hall be appointed as an Alternate member to the Planning Board. The Chairman asked the Board to be prepared to vote on the appointment at the next meeting.

Cultural Council has submitted a letter of recommendation for Karen Nadherny. The Chairman asked the Board to be prepared to vote on the appointment at the next meeting.

Department of Telecommunications and Cable has provided a Cable Services Buying Guide pamphlet.

National Grid: Public Hearing to be held on October 12th at 2:00PM for a petition made by the Boston Gas, Colonial Gas and Essex Gas Companies d/b/a National Grid to recover lost base Revenue for calendar years 2008 & 2009.

Alliance to Protect Nantucket Sound has sent a letter explaining how Cape Wind is not cost effective to the ratepayers.

Reports

Planning Board: Minutes of May 25th, June 15th & 21st, July 20th & 27th and August 3rd have been posted to the website.

North Shore Regional Vocational School District: Agenda for September 16th and minutes of June 10, 2010 have been submitted.

Rail Trail Committee: Minutes of July 22nd and August 12, 2010 have been submitted.

Fire Department: Monthly Report for August has been submitted.

Invitations

Independent Living Center of North Shore and Cape Ann: Invitation to the FY11 Annual Meeting that would be held on Wednesday, October 20th from 5:30-7PM

Topsfield Fair invited the Board to participate in the salute to the Royal Canadian Mounted Police Musical Ride at the 2PM performance on Saturday, October 2, 2010. The whole Board noted they would attend.

Essex Aggie Groundbreaking: The Board has been invited to join Governor Patrick on Wednesday, October 6th at 9:30AM at Essex Agricultural School, 562 Maple Street, Danvers, for the Essex Aggie Groundbreaking. Selectmen Gandt, Luther and Powers expressed an interest in attending.

Warrants: The Selectmen signed and approved warrants in the amount of **\$ 238,006.82**. The breakdown is as follows:

Warrant FY11:

027T	\$ 75,835.98
028	\$ 162,170.84

At 8:36 PM, Selectmen Luther made a motion to go into Executive Session to discuss the Police Union Contract and the Fire Chief contract; Selectman Powers seconded the motion. In a roll call vote, a yes vote was recorded for Chairman Gandt, Selectman Morrison, Selectman Luther, Selectman Goodhue and Selectman Powers. The Board would not return to open session.

Respectfully submitted,

Donna Rich, Secretary
Selectmen’s Office

Approved as written at the October 12, 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.