

BOARD OF SELECTMEN
Proctor School Library
Minutes of September 30, 2013

Chairman Ken Vogel called the meeting to order at 7:30PM. Board members present, in addition to Chairman Vogel, were Martha Morrison, Dick Gandt, Laura Powers and Eldon Goodhue. 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 Gibraltar Pools Peter deBernardo, residents Walter Harmer and Trudi Perry, Alfalfa Farm owner Richard Adelman with his legal counsel Frank DiLuna.

ANNOUNCEMENTS:

Selectman Powers announced that the Metal and White goods pickup would be Oct 23, 24 and 25. Place household metal items and white goods such as stoves, dishwashers, etc. at curbside by 7AM for pickup. No stickers are required for items. If you have an item containing freon, please call 978-887-1500 to register the item prior to pick-up.

Selectman Morrison announced that the Flu Clinic would be held on October 24th at the Emerson Center from 1PM-4PM.

Selectman Powers announced that the Police Chief has declared that Topsfield Halloween Trick or Treating hours would be October 31 from 5:30PM-8:00PM.

GENERAL BUSINESS

Old Business

Congregational Church: Selectman Morrison recused herself. At the meeting of August 19, 2013 the Board approved the Congregational Church's application to replace an existing non-conforming sign with a sign that was larger and rotated 90° so as to be parallel with Main Street. Selectman Goodhue made a motion to approve an amendment to that application to allow 6 inch square granite supporting posts in lieu of wooden posts, seconded by Selectman Powers; so voted: 4-0.

Home Rule Petition-Alfalfa Farm Winery: Selectman Morrison made a motion to rescind any previous motions relative to Senate No. 1790 and to move to approve the revisions to the Town's home rule petition filed as Senate No. 1790, as requested by the Senate, by striking out, in line 1, the words, "11, 12, 15, 15F, 17 and 19B" and inserting in place thereof the following words:- "11 and 17", seconded by Selectman Gandt; so voted: 5-0.

APPOINTMENTS:

7:45PM —PUBLIC HEARING continued - **Gibraltar Pools**-Peter deBernardo presented a revised plan which requests a smaller internally lighted area of 44 X 15 to be added to the top sign. After a discussion, Selectman Morrison made a motion to close the hearing, seconded by Selectman Powers, so voted: 5-0. Then Selectman Morrison made a motion to approve, at 435 Boston Street, the following modification to the non-conforming sign that was approved by the Board on 3/26/2007: allow an increase the height of that previously approved 44 X 92 inch internally lighted sign by twelve (12) inches and below that sign allow the addition of a 44 X 15 inch opaque, non-illuminated sign, seconded by Selectman Powers, so voted: 5-0.

GENERAL BUSINESS (continued)

New Business

Highway Department Contract Request: Selectman Morrison made a motion to approve a contract for fiber reinforced crack filling to Crack Sealing Inc. of Raynham, MA in the amount of \$100,000, seconded by Selectman Goodhue; so voted: 5-0.

Rail Trail Appointment: Selectman Morrison made a motion to appoint William J. Rossiter to the Rail Trail Committee for a term to expire June 30, 2014, seconded by Selectman Powers; so voted: 5-0.

Release of Executive Minutes: Selectman Gandt made a motion to assign the responsibility and authority to the Chairman of the Board of Selectmen to review and release Executive Sessions minutes as soon as appropriate, seconded by Selectman Morrison; so voted: 5-0.

Setting of Working Sessions: Chairman Vogel asked if Selectman Powers would meet with Town Administrator Kellie Hebert to work on her personal goals and then present them to the whole Board for discussion.

Selectmen's Goals: Secretary Donna Rich was assigned to set up some dates for the Board to meet to discuss goals for FY14. She will also forward last year's goals to the Board for their review.

Policy & Procedures/Protocols: Chairman Vogel asked Selectmen Goodhue to work with Kellie Hebert to set the basic foundation for protocols based on the Town Administrator job description and then to bring those forward to the Board for discussion.

Chairman Vogel requested the Town Administrator meet with the Police Chief and Fire Chief to develop FY14 Goals.

Town Administrator's Report:

- Update on Cable TV-meeting held with Boxford Cable-Agreement being drafted for Board of Selectmen review.
- Update on RECC status-Police Chief will attend next meeting to update Board on any outstanding issues.
- Budget Timeline with Department Heads on October 3rd.
- Capital Improvement Program requests are due October 10th.
- Moderator has appointed Dana Warren to replace Kathy Hartman on the Finance Committee for a three year term.

Selectman Morrison reported on the street acceptance progress at Hickory Beech Development. Selectman Gandt reported on the Permitting Software.

Minutes

Selectman Gandt made a motion to accept the Working Session Minutes of August 14, 2013, as written, seconded by Selectman Goodhue; so voted 5-0.

Selectman Goodhue made a motion to accept the Executive Session Minutes of August 14, 2013 as amended, seconded by Selectman Morrison; so voted 5-0

Selectman Powers made a motion to accept the Minutes of September 13, 2013, as written, seconded by Selectman Morrison; so voted 5-0.

Selectman Goodhue made a motion to accept the Minutes of September 16, 2013, as written, seconded by Selectman Powers; so voted 5-0.

Correspondence & Reports

Correspondence

Comcast has stated they will continue to provide high-speed internet service to Topsfield schools free of charge, noting this represents an annual value of \$5,993.40.

Department of Public Utilities will hold Public Hearings on October 10th at 2:30PM to investigate competitively pricing with electricity and gas companies.

Scleroderma Director Jack Armitage sent a letter of thanks for the generosity and participation in the North Shore Walk for a Cure for Scleroderma. The event raised \$22,000.

PERAC successfully performed an audit for the Essex Regional Retirement System representing the years of 2009, 2010 and 2011.

Invitation

MMA Fall Conference for Selectmen will be held on Oct 5th in Franklin beginning at 8AM. Selectman Powers plans to attend.

At 9:05 PM, Selectmen Goodhue made a motion to adjourn, seconded by Selectman Powers.

Respectfully submitted,

Donna Rich, Secretary
Selectmen's Office

Approved as amended at the November 12, 2013 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 –Working session of Aug 14, with Executive Session, Regular session of Sept 13 & 16, 2013.
3. Gibraltar Pools revised signage
4. Congregational Church Signage
5. Amendment for the Home Rule Petition
6. Highway Department Contract Request
7. Rail Trail Appointment
8. Comcast regarding high-speed internet to the schools
9. Department of Public Utilities notification of a Public Hearing
10. Scleroderma sent a letter of thanks.
11. Essex Regional Retirement System reported on PERAC's audit
12. Phil & Ellen Mahoney's correspondence
13. September fuel report

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.
