

BOARD OF SELECTMEN
Minutes of October 13, 2009

Chairman Martha Morrison called the meeting to order at 7:30PM. Board members present in addition to Chairman Martha Morrison were Richard Gandt, Nancy Luther, Karen Dow and Laura Powers. Of the Selectmen's staff, Town Administrator Virginia Wilder and Board Secretary Donna Rich were in attendance. Other persons present were William Whiting of the Topsfield Cable; Brendan Lewis of the Tri-Town Transcript; Evan Haglund, Police Chief; Ron Giovannacci, Fire Chief; Dawn Seymour, Playground Committee member; Jackie White, Library Director; Jim Rossi, Library Trustee; Joseph McGowan and Essex County Sheriff Frank G. Cousins, Jr., Regional Emergency Communication Center representatives.

ANNOUNCEMENTS:

Chairman Morrison announced that the Board would go into Executive Session at the end of the Open Session to discuss the Call Fire Fighter Union Contract and would not return to Open Session.

Selectman Dow announced the annual metals/white appliance free pick-up is Wednesday, October 21st, Thursday, October 22nd, and Friday, October 23rd. Large metal items can be placed at curbside for pick-up. Items containing Freon such as refrigerators & air conditioners must be called into the Selectmen's office prior to the pick-up date.

Selectman Dow announced that the annual Household Hazardous Waste Collection Day event is to be held on Saturday, Oct. 31st for all residents from 9AM-1PM at the Masco parking lot. The event is sponsored by the League of Women Voters. Some items to be disposed of include: oil-based paints, fluorescent bulbs, mercury-containing items, medical sharp items, and expired medicines.

Selectman Morrison announced that on October 24th there is going to be an International Day of Climate Action from 9AM – Noon at the Proctor School, sponsored by the League of Women Voters. The event is similar to an expo and will be about how climate change will affect us locally and what we can do about it. Free bike raffle and eco films; green vendors will be on hand.

Selectman Luther announced that the Police Chief has notified the citizens that Halloween will be held on Saturday, October 31st from 5:30PM – 8PM.

Chairman Morrison announced that the Seasonal Flu Clinic will be held on October 15th from 1:00PM – 4:00PM at the Emerson Center.

Selectman Gandt announced that there will be a ribbon cutting ceremony celebrating Phase I of the Rail Trail on Saturday, October 17th at 1PM. In conjunction with the Open Space Committee there will also be three walks taking place throughout the morning beginning with an 8AM meeting at the intersection of the Rail Trail with Route 97 and walking to Wenham, then a 9:30AM meeting at Hickory Beech for a walk in the newly established trails in this area, and finally at 11AM a walk around the perimeter of Pye Brook Community Park.

Selectman Powers announced that the Recreation Committee is presently accepting applications for the Maryellen McGee "Pillar of the Community Award". The deadline is November 1, 2009. Chairman Morrison reminded everyone of the Veterans Day Parade with a rededication of memorials on the Topsfield Memorial Triangle beginning at 11AM.

Selectman Dow announced that the Masco Music Program is holding its annual fruit sale. Fresh Florida fruit is ordered and delivered, find a Masco music student to place an order.

APPOINTMENTS:

7:43 – Play Ground Committee - Dawn Seymour addressed the Board stating that originally she was planning on obtaining the Board's signature on an indemnification agreement, however

the vendor, O'Brien & Sons Incorporated, of Medfield, MA has requested some changes to the agreement. Ms. Wilder noted that the agreement is part of the normal contract procedure followed by municipalities and that O'Brien & Sons, Inc. should be familiar with this agreement. Ms. Seymour informed the Board that the date of construction has been moved to October 25, 2009 with a ribbon cutting ceremony scheduled for October 28, 2009 at 9AM.

7:50PM – Regional Emergency Communication Center Update – Sheriff Frank Cousins and Joe McGowan, both from the Essex County Sheriff's Department, presented an update on the Essex County Regional Emergency Communications Center project. Sheriff Cousins opened by saying that this began as a grassroots project that initially received five million dollars in grant money and then, on September 2, 2009, received an additional \$2,038,600 to reach the goal of close to seven million dollars to fund the building and capital equipment portion of the project. The other news announced was that the location has been decided; the Essex County Regional Emergency Communications Center will be in a dedicated building to be constructed on the grounds of the Sheriff's department located on Manning Avenue in Middleton. With the location secured, the project has been referred to the state Department of Capital Asset Management (DCAM) for planning and construction. Tom Dubas will serve as project manager for the Sheriff's Department. Sheriff Cousins mentioned that they are still encouraging towns & cities to join. Joe McGowan noted that there is a website available for information:

www.ecrecc.com.

GENERAL BUSINESS

New Business

Library HVAC Upgrade and Repairs: Selectman Powers made a motion to award the Chapter 149 construction/renovation contract for the Library's HVAC Upgrade and Repairs Project to Hall Sheet Metal, Inc of Middleton, MA in the amount \$86,796, seconded by Selectman Luther; so voted: 5-0.

Diesel Fuel Amendment: Selectman Gandt made a motion to approve contract Amendment #1 with Mike & Sons Oil Company of Ipswich, MA at \$0.10 per gallon over the daily rack billing price in a total amount of \$21,000 for FY10, seconded by Selectman Luther; so voted: 5-0.

Cable Legal Services: Selectman Gandt made a motion to award a contract with Epstein & August, LLP of Boston, MA for legal services in the amount of \$500, seconded by Selectman Powers; so voted: 5-0.

Consulting Services for Cable Access: Selectman Gandt made a motion to award a contract to Finer Associates, Inc. of Needham, MA for consulting services for cable access in the amount of \$2,000, seconded by Selectman Dow; so voted: 5-0.

Cultural Council FY10 Funding Request: Selectman Luther made a motion to approve the contract for the transfer of FY2010 Local Cultural Council funds from the Massachusetts Cultural Council to Topsfield and for the Chairman to sign, seconded by Selectman Dow; so voted: 5-0.

Town Administrator's Report:

- Projected 9C Cuts
- Regional Ambulance Group continues to meet
- Continuity of Operational Planning
- MA Driver Verification Program
- Annual meeting with MIIA regarding the Town's insurance policy

Selectmen Minutes: Selectman Luther made a motion to accept the amended minutes of the Working Session of Sept 21, 2009; seconded by Selectman Powers; so voted 5-0. Selectman Powers made a motion to accept the amended minutes of Sept 28, 2009; seconded by Selectman Luther; so voted 5-0.

Correspondence & Reports

Correspondence

Moderator, John Kinhan has sent a memo stating the appointment of David Comeau and Alfred DiDonato to the Memorial Day/Veterans Day Committee for a term to expire June 30, 2010. Town Clerk has provided a letter of explanation of the online ethics quiz required of all Town employees and volunteers. The quiz should be taken prior to December 28 with an acknowledgement submitted to the Town Clerk.

Department of Public Utilities will hold a public hearing on October 21, 2009 at 2PM regarding a request from National Grid to increase the 2009 Energy Efficiency Plan budget 52.3% for the remainder of the program year, which expires Dec. 31, 2009.

The US Environmental Protection Agency is requesting that the Town review its 2003 Storm Water Permit for compliance.

Benjamin Dewey, location manager for “Furry Vengeance”, has sent a letter of thanks for the many people in Topsfield that helped in the production of the feature film.

Kopleman & Paige have submitted a memorandum reminding municipalities of the Public Records Law pertaining to retaining emails.

Reports

Council on Aging minutes of September 8, 2009

Planning Board minutes of September 1 & 15, 2009 have been posted to the Web.

North Shore Vocational School minutes of July 23, 2009 and agenda for Oct 8, 2009

Zoning Board of Appeals is having a public hearing on October 27, 2009 at 8PM for Peter Rakip at 30 Main Street for a restaurant, snack & non-alcoholic beverage special permit.

Conservation Commission monthly report for September 2009.

Police Department monthly report for September 2009.

Warrants: The Selectmen signed and approved warrants in the amount of \$ **332,141.58**. The breakdown is as follows:

Warrant FY10:

031T	\$ 76,060.04
032	\$ 256,081.54

At 9:35 PM, Selectman Gandt moved to go into executive session to discuss the Call Fire Fighters Union Contract circumstances; seconded by Selectman Dow. In a roll call vote, a yes vote was recorded for Chairman Morrison, Selectman Dow, Selectman Luther, Selectman Powers and Selectman Gandt. The Board would not return to open session. Virginia Wilder and Donna Rich were also present.

Respectfully submitted,

Donna Rich, Secretary
Selectmen's Office

Approved as amended at the November 9, 2009 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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