

**BOARD OF SELECTMEN
Proctor School Library
Minutes of November 25, 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 and Eldon Goodhue. Laura Powers was absent. 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 Police Chief Evan Haglund, Auxiliary Officer Robert Smith, Rail Trail Committee Chair Joe Geller and member Dave Reed.

ANNOUNCEMENTS: Chairman Vogel announced that the Board would go into Executive Session at the end of regular session to discuss negotiating strategies for collective bargaining for the AFSCME unions, Highway/Water and Park & Cemetery and would not return to Open Session.

Chairman Vogel announced that the Holiday Walk would be on December 7th beginning at 4PM. Selectman Morrison reviewed some of the events that would be taking place throughout the day.

APPOINTMENTS:

7:35PM – Police Appointment-Chief Haglund presented Auxiliary Officer Robert Smith to be appointed as a Reserve Officer. Officer Smith spoke about his eagerness to join the Topsfield Police force.

Selectman Morrison made a motion to appoint Officer Robert Smith to the position of probationary Reserve police officer commencing on November 26th through June 30, 2014, seconded by Selectman Goodhue; so voted: 4-0.

CITIZENS QUESTIONS & COMMENTS (none heard)

GENERAL BUSINESS

New Business

MAPC Representative: Selectman Morrison made a motion to appoint Kellie Hebert as the Town's representative to the Metropolitan Area Planning Council in accordance with MGL, Chapter 40B, section 24 for a term of 3 years, ending November 2016, seconded by Selectman Goodhue; so voted: 4-0.

Minutes

Selectman Morrison made a motion to accept the Minutes of October 15, 2013, as written, seconded by Selectman Goodhue; so voted 4-0.

Selectman Morrison made a motion to accept the Minutes of November 12, 2013, as written, seconded by Selectman Goodhue; so voted 4-0.

Selectman Morrison made a motion to accept the Executive Session Minutes of November 12, 2013 as written and to hold until all issues have been resolved, seconded by Selectman Goodhue; so voted 4-0.

Correspondence & Reports

Correspondence

Council on Aging received a resignation from Gracia Clemson effective November 12, 2013. The Board was made aware that the Top Cupboard Food Pantry received a donation from Institution for Savings in the amount of \$5,000.

APPOINTMENTS:

7:45PM - Rail Trail Kiosk- Rail Trail Chairman Joe Geller and member David Reed explained an Eagle Scout Project for the Topsfield Linear Common (TLC). Dave Reed, as mentor to Boy Scout Nick Meixsell's Eagle Project, explained the kiosk design and purpose. In addition to the kiosk, the scout also made a few benches that would be located along the trail.

Selectman Morrison made a motion to approve an informational panel for a kiosk on the Topsfield Linear Common located near the Route 1 parking area, seconded by Selectman Gandt; so voted: 4-0.

Joe Geller provided an update on the Topsfield Linear Common (TLC), stating the receipt of an additional \$49,000 grant which will be earmarked for curb cuts, structural engineering services for bridge repair and the addition of a ten car parking area along Route 97.

Joe Geller also updated the Board on the section of the TLC owned by National Grid, north of Washington Street to the Boxford town line. Noted was that additional funding would be required and the Friends of the Rail Trail would begin fundraising to assist with the cost. Mr. Geller informed the Board that because two members held position on several other town boards and committees they submitted Conflict of Interest Disclosure forms to the Town Clerk.

Correspondence & Reports (continued)

Correspondence

A Letter was received on behalf of MA Electric Co from Coneco for activities being performed at the Substation at 224A Boston Street.

The Police Chief submitted a letter of intent to enter into negotiations for renewal of his employment contract with the Town, which is to expire April 30, 2014.

Teamsters Union, Local 42, submitted a letter of intent to renegotiate the Contract for the Police Officers which would expire June 30, 2014.

Reports

North Shore Vocational School District minutes from Sept 12 and an agenda from Nov 14 were submitted.

Library Trustees minutes of Oct 8th were submitted.

Board of Assessor minutes of Sept 27th and Oct 25th were submitted.

Town Administrator's Report:

- Reported that FY15 budget have been distributed to Department Heads and are due December 30th to the Town Accountants office. In addition, it was noted that the Finance Committee guideline was a 3% increase in "Other".
- Reported that the Free Cash was certified at slightly over \$1.5 million.
- Reported that the Finance Committee guideline for the Capital Improvement Program had been set at \$300,000.
- Announced that there was a preliminary Annual Town Meeting Warrant document in process.
- Reported that details are being finalized with the Boxford Cable/TV and that cable coverage would be very soon, possibly by the December 23rd meeting.
- Update provided on the Pay & Classification Study.
- Update provided on Town building improvement projects.
- Update on Green Communities and MIIA Loss Control Grant process and submitted applications.

Selectmen Updates:

Selectman Morrison reported on the Massachusetts Historic Grant application process, which would be due in February/March timeline and could be a funding source for several Town Hall projects.

Selectman Gandt commented that the MIIA grant application for enhanced security at Hood Pond indicated the work would be completed by February.

Selectman Goodhue reported on his research of a complaint from an Ipswich Road resident about the noise at Willowdale Estate. Chairman Vogel thanked him for the work and thought no further action was required at this point.

Selectman Morrison reported on the status of the marijuana moratorium the Town adopted at the 2013 Town Meeting.

Chairman Vogel reported on his findings related to a perceived incident that occurred on October 4th between the Trust Commissioners and the Town Administrator. The Chairman reported that after researching MA General Law he found that there was no wrong doing on behalf of the Town Administrator when the Administrator specified to the Trust Commissioners to whom they would be permitted to issue funds from a trust. The issue began with the Treasurer/Collector questioning the issuance of a check to the vendor and not the resident for roof repairs performed at a resident's house and funded by the Trust Commissioners. Further, complaints received regarding the Trust Commissioners functioning have been resolved, however, the Chairman reported that sloppy minutes with no votes noted and names not being complete were detected, and in addition documents that were held at a Commissioner's home have been transferred to Town Hall. Selectman Gandt verified that Chairman Vogel found nothing illegal in the actions of the Trust Commissioners.

At 8:53 PM, Selectmen Morrison made a motion to go into Executive Session to discuss negotiating strategies for collective bargaining for the AFSCME unions, Highway/Water and Park & Cemetery; seconded by Selectman Goodhue. In a roll call vote, a yes vote was recorded for Chairman Vogel, Selectman Morrison, Selectman Gandt, and Selectman Goodhue. The Board would not return to open session.

Respectfully submitted,

Donna Rich, Secretary
Selectmen's Office

Approved as written at the February 3, 2014 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 –Regular Session of October 15, November 12 with Executive Session.
3. Police Appointment recommendation.
4. MAPC Representative Nomination information.
5. Rail Trail Kiosk documentation.
6. Council on Aging resignation received.

7. Top Cupboard Food Pantry receives a donation.
8. Update on substation at 224A Boston Street.
9. Police Chief submitted letter of intent for renewal of employment contract.
10. Police Officers submitter letter of intent to open negotiations for contract.
11. NS Vocational School submitted agenda and minutes.
12. Library Trustees submitted minutes of Oct 8th meeting.
13. Board of Assessors submitted minutes of Sept 27th and Oct 25th meetings.

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.