

BOARD OF SELECTMEN
Proctor School Library
Minutes of December 3, 2012

Chairman Eldon Goodhue called the meeting to order at 7:33PM. Board members present, in addition to Chairman Goodhue, were Martha Morrison, Dick Gandt, Laura Powers and Ken Vogel. 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 and Tri-Town Transcript reporter Kate Evans.

ANNOUNCEMENTS: Chairman Goodhue announced that the Board would go into Executive Session at the end of regular session to discuss negotiation strategies for the Dispatch Union Contract, a Police Grievance, and a Call Firefighter union bargaining request and would not return to Open Session.

Selectman Powers reported that on November 29th the Board held a public hearing to determine the factor for the tax levy for FY13. The Board approved a residential factor of 1, which will result in the taxation of all classes of property at the same rate. In addition the Board also went into executive session and had invited the Police Chief to discuss negotiating strategy for collective bargaining with the Dispatcher's union and also discussed a Police grievance with the Chief of Police.

Selectman Gandt reported that at the November 26th meeting the Board discussed the duties of the Town Administrator and related town government considerations. Also the Board approved an extension of the temporary signage at Institute for Savings at 5 Main Street to March 1st. Selectman Powers announced that the recipient of this year's "Pillar of the Community" was American Legion Commander Dave Comeau. The award was presented at the Holiday Walk on Saturday, December 1st. Selectman Morrison extended a formal Thank You and kudos to the Recreation Committee for the annual Holiday Walk.

GENERAL BUSINESS

Old Business

GRC Proposal: Chairman Goodhue reported that after researching Article 3rd and 4th of the March 2005 Special Town Meeting it has been determined that it was approved by the voters and Attorney General. Section 67-1.1 outlines the duties of the Town Administrator. Selectman Powers made a motion to move forward with a "strong" Town Administrator's job description, consistent with the bylaw adopted in March of 2005, seconded by Selectman Vogel; so voted: 5-0. Chairman Goodhue then suggested the formation of a sub-committee to develop the job description for the new Town Administrator position and appointed Selectmen Powers and Gandt. It was determined that the sub-committee would work with Ms. Wilder on the description and report to the Board.

New Business

Town Warrant: Selectman Powers made a motion to open the Annual Town Warrant for the May 7th Town Meeting and to close the Town Warrant on February 4, 2013, seconded by Selectman Morrison; so voted: 5-0.

Renewal of Liquor Licenses: Selectman Powers made a motion to approve the renewal of Gil's Grocery 2013 Retail Liquor License for the sale of wine and malt liquor and to approve the renewal of ICDT, Inc, dba Main Street Market 2013 Retail Liquor License for the sale of wine and malt liquor, seconded by Selectman Morrison; so voted: 5-0.

Highway Contract Amendment: Selectman Gandt made a motion to approve contract amendment No.1 for construction oversight of the Rowley Bridge Rd Bridge Project to Jacobs Engineering Group of Boston, MA, in a not to exceed amount of \$29,978.73, seconded by Selectman Morrison; so voted: 5-0.

Highway Contract Request: Selectman Morrison made a motion to approve the contract for the furnishing of Road Salt to Eastern Minerals, Inc., of Lowell MA for fiscal 2013 in the not to exceed amount of \$40,000, seconded by Selectman Vogel; so voted: 5-0.

Highway Contract Request: Selectman Gandt made a motion to approve and sign the contract for the furnishing of Washed Concrete Sand to Torrromeo Industries Inc. of Methuen, Ma in an amount not to exceed \$20,000, seconded by Selectman Vogel; so voted: 5-0.

Water Department Contract Request: Selectman Gandt made a motion to approve the contract for the cleaning of the total of 60 water wells at the North Street and Perkins Row well fields with Layne Christensen of Dracut, MA in the amount no to exceed \$15,300, seconded by Selectman Powers; so voted: 5-0.

One Day Liquor License: Selectman Vogel made a motion to approve a One Day Liquor License to B.E.S.T. (Boxford Elementary Schools Trust) for a fundraiser to be held on February 28th at the Gould Barn from 6-11PM with a snow date of March 6th, seconded by Selectman Powers; so voted: 5-0.

Police Department Appointment: Selectman Vogel made a motion to appoint Taylor Ford as a part time dispatcher/prisoner watch matron effective December 6th and to expire June 30th 2013 seconded by Selectman Morrison; so voted: 5-0.

Rail Trail Route 1 Crossing Signage: Selectman Morrison made a motion to approve Amendment No. 1 to Coviello Electric & General Contracting Co., Inc., Medford MA in an amount of \$988.89 for the purpose of alternative signage at the Route 1 Crossing, seconded by Selectman Gandt; so voted: 5-0.

Liaison Reports

Selectman Powers reported on the Tri-Town Council Youth Substance Abuse Prevention Coalition quarterly meeting she attended where concern for the passage of medical marijuana law and its associated repercussions were discussed. Executive Director Lisa Teichner has requested to come before the Board to raise awareness within the community. Chairman Goodhue agreed to have Selectman Powers extend an invitation for the December 17 meeting. Selectman Morrison mentioned that the Planning Board would be responsible for initiating changes to the Zoning Bylaws relative to the new law. Selectman Powers made a motion to request that the Planning Board to explore and research the relevant aspects of the new marijuana law and the impacts on the Zoning Bylaws, seconded by Selectman Vogel, so voted: 5-0. Selectman Morrison reported that the Historical Commission would be seeking members.

Town Administrator's Report:

- Permitting Software update provided.
- Town Meeting preparation update provided.
- Reported on the new Conflict of Interest training.
- Reported on liquor license for Alfalfa Farm Winery, Public Hearing scheduled for December 5th at 3PM at the State House and suggests Board representation.
- Park & Cemetery Dump Truck request: Selectman Powers made a motion to declare the 2003 GMC Sierra Dump Truck surplus equipment and allow the Park & Cemetery

Department to trade-in the 2003 Truck as part of the replacement purchase of a new 2013 Chevrolet K3500 at a minimum trade-in value of \$3,700, seconded by Selectman Vogel; so voted 5-0.

Selectmen Minutes:

Selectman Gandt requested the minutes of October 9th be held until the next meeting.

Selectman Powers made a motion to accept the Minutes of October 22, 2012 as presented, seconded by Selectman Vogel; so voted 5-0.

Selectman Powers made a motion to accept the Executive Session Minutes of October 22, 2012 as presented and to hold until all issues have been resolved, seconded by Selectman Morrison; so voted 5-0.

Selectman Powers made a motion to accept the Minutes of November 5, 2012 as presented, seconded by Selectman Vogel; so voted 5-0.

Correspondence & Reports

Correspondence

Coneco Engineers, Scientists & Surveyors provided notification that contamination found at the substation had been released by the MA DEP.

Invitation

Wreaths Across America Caravan will be stopping at the Topsfield Fair Grounds on Monday, December 10 at 1:30PM. Chairman Goodhue said he would attend to accept the wreath for Topsfield and the Board consensually agreed it should be placed on the Veterans Green.

Warrants: The Selectmen signed and approved warrants in the amount of **\$491,884.45**. The breakdown is as follows:

Warrant FY13:	
045T	\$ 97,186.80
45Seniors	\$ 7,032.00
45School	\$ 242,683.88
46	\$ 144,981.77

At 8:40 PM, Selectmen Gandt made a motion to go into Executive Session to discuss negotiation strategies for the Dispatch Union Contract, a Police Grievance and a Call Firefighter Union bargaining request; seconded by Selectman Morrison. In a roll call vote, a yes vote was recorded for Chairman Goodhue, Selectman Morrison, Selectman Gandt, Selectman Powers and Selectman Vogel. The Board would not return to open session.

Respectfully submitted,

Donna Rich, Secretary
Selectmen's Office

Approved as amended at the January 22, 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 – October 9, 22, and executive session and November 5th
3. Renewal of Liquor Licenses documents
4. Rowley Bridge Road Bridge Project Amendment to contract request
5. Washed Concrete Sand contract request
6. Water wells cleaning contract request
7. One Day Liquor License for BEST documents
8. Appointment to Dispatcher/Prisoner Watch Matron request
9. Route 1 Crossing signage Amendment request
10. Coneco Engineers, Scientists & Surveyors letter
11. Park & Cemetery Dump Truck request
12. Town Administrator recruitment flow chart and written document

<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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