

BOARD OF SELECTMEN
Proctor School Library
Minutes of December 14, 2015

Chairman Powers called the meeting to order at 7:30PM. Board members present, in addition to Chairman Laura Powers, were Selectmen Martha Morrison, Steve Lais, Boyd Jackson and Eldon Goodhue. Of the Selectmen's staff, Town Administrator Kellie Hebert and Board Executive Assistant Donna Rich were in attendance. Other persons present during all or part of the meeting were Topsfield Cable operators Baxter & Ben Demers, Tri-Town Transcript reporter Doreen Burliss, residents Norm & Peg Isler, Kim & Dan Philpot, Kim Sherwood, Sue Fisher, Gretchen Rehak, Dorothy Waas, Teresa Farris, Dick Gandt, Sandy Runnion, Laura Coulbourn, Jane May, Brian O'Connor, Heidi Fox, Jena Lindsey, Brian Cranney, Workforce Innovation and Opportunity Act representative Mary Farris

The Board stood for the Pledge of Allegiance and then observed a moment of silence.

ANNOUNCEMENTS: Chairman Powers announced that the Ron Giovannacci was awarded the Pillar of the Community Award at the Holiday Walk and provided a review of the evening's events. Selectman Morrison thanked the many Garden Clubs and others for their contributions. Chairman Powers reviewed the Boards Working Session of earlier that day relative to Succession Planning reporting that final interviews for the Town Accountant position were being held.

APPOINTMENT

7:35: Village Parking Area-Citizens Gretchen Rehak & Sandy Runnion came forward with a signed petition regarding Village Parking area. Gretchen read a prepared speech and presented the Board with a petition signed by 370 area residents and a list of 580 respondents from around the country gathered via social media sources objecting to jersey barriers placed at the Village Shopping parking area. Laura Coulbourn, on behalf of Sandy Runnion (whom had laryngitis), read comments gathered over social media Facebook. Jean Lindsey (nine years old) read a letter she authored expressing her concern of the parking area. Chairman Powers stated her appreciation of the comments and concurred on the challenges presented, however reported that the property in question, Village Parking area, is privately owned. Chairman Powers provided information of Town Bylaws that are in place and of those town departments that have authority over specific areas. Chairman Powers noted that recently parking spaces have been made available at the "old" highway garage located on School Avenue, thanks to the Highway Department. Selectman Morrison stated that unless there is a change of use in one of the occupied store front spaces at the Village Shopping Plaza does the Zoning Board of Appeals perform a site plan review, which would involve the reviewing of adequate parking spaces for that unit. Resident Brian O'Connor requested the Board request the owner to stripe the parking area to be compliance with the Zoning Bylaw. Resident Norm Isler requested information about signage at the location, resident Teresa Farris commented if towing of vehicles was to occur, as noted on signs at the location, the owner would be required to provide advanced notice to the Police Chief.

CITIZENS QUESTIONS & COMMENTS

Kim Sherwood came forward requesting an update on her previous request for a Town-wide Public Record Policy. There was a discussion relative to the State Legislatures who is presently in the process of changing the law and whether the town should wait for that to unfold or move forward.

GENERAL BUSINESS

New Business

Police Department Request: Selectman Morrison made a motion to appoint the attached listed personnel to the sworn positions with expiration dates indicated on the letter as recommended by the Chief of Police, seconded by Selectman Goodhue; so voted: 5-0.

Highway Request: Selectman Goodhue made a motion to approve the contract for the furnishing of Road Salt to Granite State Minerals Inc., of Portsmouth, NH for FY16 in the not to exceed amount of \$50,000, seconded by Selectman Morrison; so voted: 5-0.

Annual Class II License Renewals: Selectman Morrison made a motion to approve the renewal of Class II Used Car Dealer Licenses for: Signature Motor Cars, Inc, George Baptisa dba: Credit Auto Brokerage, Eurasian Imports Inc, dba: New Meadows Auto, Ray Lawton dba: Fend Auto Sales, and Topsfield Motor Company LLC effective January 1, 2016 and to expire December 31, 2016, seconded by Selectman Goodhue; so voted: 5-0. It was noted that Detective Steve Weir has approved all renewals.

Alcohol License (package store): Selectman Jackson made a motion to approve the renewal of a Retail Package Goods Store Alcohol License to Gil's Grocery and Village Market Foods LLC dba: Village Market effective January 1, 2016 and to expire Dec 31, 2016, seconded by Selectman Goodhue; so voted: 5-0.

Alcohol License (general on premise): Selectman Goodhue made a motion to approve the renewal of a General on Premise Pouring Alcohol License to Topsfield Commons LLC and Willowdale Estate, LLC, dba: Willowdale Estate effective January 1, 2016 and to expire December 31, 2016, seconded by Selectman Morrison; so voted: 5-0.

Alcohol License (pouring license): Selectman Jackson made a motion to approve the renewal of a Farmer Winery Series Pouring License to Alfalfa Farms Inc, dba: Alfalfa Farm Winery effective January 1, 2016 and to expire December 31, 2016, seconded by Selectman Goodhue; so voted: 5-0.

Annual Common Victualler Licenses Renewals: Selectman Morrison made a motion to approve the renewal of Common Victualler Licenses for: Sakkas Restaurant Inc dba: Topsfield House of Pizza, Qirici Inc dba: Daybreak Café, New Meadows Golf Club, Inc., CBW LLC, dba: Cardelis Café and Deli, Alex's Roast Beef, Pizza & Seafood, Willowdale Estate LLC, dba: Willowdale Estate, and Maia LLC dba: Dunkin' Donuts, The Commons 1854 Ubcem dba: Topsfield Commons, Topsfield Bakeshop Inc all effective January 1, 2016 and to expire December 31, 2016. All establishments have passed inspections by Fire, Building and Board of Health, seconded by Selectman Goodhue; so voted: 5-0.

Common Victualler Licenses: Selectman Goodhue made a motion to approve the issuance of a Common Victualler License to Essex Agricultural Society dba: Topsfield Fair-Collidge Hall effective January 1, 2016 and to expire December 31, 2016. This establishment has passed inspections by Fire, Building & Board of Health, seconded by Selectman Morrison; so voted: 5-0.

Town Administrator Request: Kellie reviewed the Governors Municipal Modernization Legislation and Community Compact Application.

Town Administrator's Report:

- 2015 Warrant Article update provided

Minutes

Selectman Morrison made a motion to accept the Minutes of Working Session of October 26, 2015, Minutes of Nov 2, 2015, Nov 16, 2015, and Nov 30, 2015, seconded by Selectman Goodhue; so voted 5-0.

Selectman Morrison made a motion to accept the Executive Session Minutes of Nov 2, 2015, Nov 16, 2015 and Nov 30, 2015, as written and to hold until all issues have been resolved, seconded by Selectman Goodhue; so voted 5-0.

Correspondence & Reports

Correspondence

Resignation of Call Firefighter Robert Boeri submitted his letter of resignation.

Kopelman and Paige PC provided an Opinion and cc'd the Board regarding Interpretation of the Waiver Provision in the Wetlands Regulations.

Executive summary of the Council on Aging Needs Assessment report

North Shore Workforce Innovation Mayor Kimberley Discoll submitted an appeal for Topsfield to join the partnership. Workforce Innovation and Opportunity Act representative Mary Farris and resident Brian Cranney provided a list of Q&A's for the Board to review.

Reports

Board of Assessors submitted the Transfer from Overlay to Overlay Reserve Account Report.

Board of Assessors submitted Minutes of November 6th & 18th.

At 8:54 PM, Selectman Goodhue made a motion to adjourn and Selectman Morrison seconded the motion; so voted: 5-0.

Respectfully submitted,

Donna Rich, Executive Assistant
Board of Selectmen

Approved as written at the January 25, 2016 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 October 26, 2015, Regular meetings of November 2, 16 & 30, 2015 and Executive Sessions of November 2, 16 & 30, 2015.
3. Gretchen Rehak and Sandy Runnion: presentation of petition regarding the Village Parking area
4. Succession Planning: vote to post vacancy position
5. Request of the Police Chief for by-yearly personnel appointments
6. Request for Road Salt from Highway Department
7. Request of Annual Class II License Renewals
8. Request of Annual renewal of Retail Package Goods Store Alcohol Licenses
9. Request of Annual renewal of General on Premise Pouring Alcohol Licenses
10. Request of Annual renewal of a Farmer Winery Series Pouring Alcohol License
11. Request of Annual renewal of Common Victualler Licenses
12. Request for the issuance of a NEW Common Victualler License
13. Discussion of the Governors Municipal Modernization Legislation and Community Compact Application

14. Resignation of a Call Firefighter received
15. Opinion from Kopelman and Paige regarding a Conservation Commission issue
16. Executive summary of the Council on Aging Needs Assessment report
17. Mayor Driscoll's letter regarding North Shore Workforce Innovation
18. Board of Assessors report on the transfer from Overlay to Overlay Reserve Account Report
19. Board of Assessors meeting minutes of November 6 & 18, 2015
20. Workforce Innovation and Opportunity Act representative Mary Farris & Brian Cranney distributed a list of Q&A's to the Board.

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.