

**BOARD OF SELECTMEN**  
**Minutes of December 21, 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 during all or part of the meeting were Evelyn Hammond of the Topsfield Cable, Brendan Lewis of the Tri-Town Transcript, Peter Rakip and Dorothy Wass.

**ANNOUNCEMENTS:**

Chairman Morrison announced that Town Hall will be closed Friday December 25, 2009 and January 1, 2010.

Selectman Gandt reminded citizens that the Town census is due back to the Town Clerk, as are dog license renewals.

Chairman Morrison announced that Christmas trees can be dropped off at the compost site for free on January 2<sup>nd</sup> & 9<sup>th</sup> from 9AM to 1PM.

Selectman Gandt, on a personal note, relayed his appreciation for the condolences sent regarding his wife Pat's death.

**GENERAL BUSINESS**

**Old Business**

Signage at Willowdale Medical Center: Selectman Luther made a motion to continue the hearing on the signage proposed for Willowdale Medical Center at 9-11 South Main Street until Tuesday, January 19, 2010, seconded by Selectman Gandt; so voted: 5-0.

Signage Sub-Committee: Chairman Morrison announced the formation of a sub-committee that will be responsible for reviewing sign applications that require a special permit from the Board. The Board agreed that Chairman Morrison and Selectman Gandt would represent the Board of Selectman and that Ben Nutter, architect and a resident of Topsfield, would also assist in the review process. Ms. Wilder will coordinate with applicants to set up preliminary meetings.

**New Business**

Town Administrator Contract: Chairman Morrison stated that contract negotiations with the Town Administrator were completed and a contract has been agreed upon. Selectman Gandt made a motion to approve an agreement between Ms. Virginia L. Wilder as Town Administrator from January 1, 2010 – December 31, 2012, contingent upon review of form by Kopelman & Paige LLC, seconded by Selectman Luther; so voted: 5-0. Ms. Wilder thanked the Board for renewing the contract and stated that Topsfield is a unique town with top rate volunteers.

Class I License Renewal: Selectman Gandt made a motion to approve a Class I License for the sale of new and used cars to Cape Ann Industries, Inc., dba E.R.A.C. Inc. and New Vehicle Systems at 414 Boston Street, effective January 1, 2010 and to expire December 31, 2010, seconded by Selectman Powers; so voted: 5-0.

Class II License Renewals: Selectman Luther made a motion to approve Class II License Renewals for the sale of used cars to Country Motors, Inc., 107 Ipswich Rd, My Classic Car Garage Inc., 16 Maple Street, Essex Auto Group LLC, 18 South Main Street, Henry's Auto Sales, 23 Main Street, and Signature Motors Cars, Inc., 230 Boston Street effective January 1, 2010 and to expire December 31, 2010, My Classic Car Garage's renewal subject to provision of complete addresses for the applicant and officers, seconded by Selectman Gandt; so voted: 5-0.

**Town Hall Flag Donation:** Chairman Morrison announced that Ann Coulouras Orcutt has graciously donated a new flag for Town Hall in honor and loving memory of her Dad, Charles Demetrios Coulouras, who served in the US Navy as a Radioman and Chief Petty Officer, First Class in World War II.

**Quarterly Tax Bills:** Selectman Luther made a motion to accept Chapter 183 of the Acts of 2009 to extend the time for mailing the actual tax bills for fiscal year 2010 until January 30, 2010, seconded by Selectman Powers; so voted: 5-0.

### **Liaison Reports**

Selectman Dow reported that the Regional Readiness Study Subcommittee seems to be moving in the direction of strengthening the present School Union rather than creating a regional school district.

Chairman Morrison reported that the Renewable Energy/Green Communities Committee met jointly with the Historical Commission to begin exploring ways to work together helping owners of older homes make them more energy efficient.

### **Town Administrator's Report:**

- Attended a meeting to discuss the Regional Readiness Study Committee's proposal to create a fiscal agent in one of the three towns to streamline processing shared bills.
- Update on the MAPC grant for regional ambulance/EMS application process.
- Update on Animal Control Officer's search for an overnight kennel.
- Update on Capital Requests: received over \$1 million dollars in requests with a cap of \$100,000. The Financial Team will review all capital requests with Departments on January 5<sup>th</sup> in order to make a report to the Selectmen on January 19<sup>th</sup>.
- Update on filling the position of Assistant Assessor.
- Attended the District Attorney's meeting on the Open Meeting Law, which will undergo changes effective July 1, 2010. Additionally, it was noted that the responsibility for enforcing the Open Meeting Law is being transferred to the Attorney General's office as of July 1, 2010.
- Update on the Massachusetts Taxpayers Foundation's annual municipal data report.

### **Selectmen Minutes:**

Selectman Luther made a motion to accept the amended minutes of November 23, 2009; seconded by Selectman Powers; so voted 5-0.

Selectman Gandt made a motion to accept the minutes, as written, of December 4, 2009; seconded by Selectman Powers; so voted 4-0. Selectman Luther abstained.

Selectman Gandt made a motion to accept the minutes, as written, of December 7, 2009; seconded by Selectman Powers; so voted 4-0. Selectman Luther abstained.

Selectman Powers made a motion to accept the Executive Session minutes, as written, of November 23, 2009, seconded by Selectman Luther; so voted 5-0.

Selectman Powers made a motion to accept the Executive Session minutes, as written, of December 7, 2009, seconded by Selectman Gandt; so voted 4-0. Selectman Luther abstained.

Selectman Powers made a motion to accept the Executive Session minutes, as written, of December 14, 2009, seconded by Selectman Gandt; so voted 4-0. Selectman Luther abstained.

**Correspondence & Reports**

Correspondence

Sanitary Landfill semiannual environmental monitoring report submitted by Weston & Sampson for Fall 2009.

Massachusetts Municipal Association is recognizing Topsfield for the quality of the town’s annual report with a certificate for placing among the top three municipalities in Category 2 (population 5,000-12,499). The award will be presented at the Annual Meeting on January 22-23, 2010.

Reports

Zoning Board of Appeals submitted notice of Public Hearing for Mary Bandereck, 46A Main Street, on Dec. 22 at 8:15PM and New Meadows Market, 17-19 Main Street on Dec. 22 at 8:45PM.

Rail Trail Committee submitted minutes of September 30, 2009.

Library Board of Trustees agenda for December 8<sup>th</sup> and approved minutes of Oct. 20, 2009 have been posted on the Library website.

North Shore Regional Vocational School District agenda for December 10<sup>th</sup> and minutes of October 8<sup>th</sup> are available upon request.

Police Department submitted the Monthly Report for November 2009.

Surface & Ground Water Study Committee submitted minutes of November 12, 2009.

Invitations

Massachusetts Municipal Association’s 31<sup>st</sup> Annual Meeting & Trade Show will be held in Boston on January 22<sup>nd</sup> & 23<sup>rd</sup>.

**Warrants:** The Selectmen signed and approved warrants in the amount of **\$148,134.30**. The breakdown is as follows:

Warrant FY10:	
051T	\$ 82,575.88
052	\$ 65,558.42

At 8:15 PM, Selectmen Luther made a motion to adjourn and Selectman Powers seconded the motion; so voted: 5-0.

Respectfully submitted,

Donna Rich, Secretary  
Selectmen’s Office

*Approved as amended at the January 19, 2010 Board of Selectmen’s meeting.*

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.