

BOARD OF SELECTMEN
Minutes of January 20, 2009

Chairman Jackson called the meeting to order at 7:30PM. Board members present in addition to Chairman Jackson were Richard Gandt, Martha Morrison, Nancy Luther and Karen Dow. Of the Selectmen's staff, Town Administrator Virginia Wilder, and Board Secretary Donna Rich, were in attendance. Other persons present were Bill Whiting of the Topsfield Cable, Brendan Lewis of the Tri-Town Transcript, Faye Raynard of the Village Reporter, George Anderson, candidate for Housing Authority, Alice Sheridan, Director of the Housing Authority, Jack Minnehan, John McArdle and Gerry Buckley, members of the Housing Authority, Jen Collins-Brown and Ron Giovannacci of the Fire Department, Joe Geller and Roy Baessler of the Rail Trail Committee, Dave Bond, Superintendent Highway Department.

APPOINTMENTS:

7:30 –Candidate for the Housing Authority - George Anderson

Members of the Housing Authority, John Minnehan, Gerald Buckley, and John McArdle and presented George Anderson's name for nomination as a member to the Housing Authority to replace I. Bruce Bears who submitted a letter of resignation to the Town Clerk for the position he held that was to expire in May 2009. Mr. Anderson gave a brief overview of his 35+ years in Topsfield and how he now has time to give back to the Town. Clerk Gandt called the Roll Call vote with Mr. George Anderson's name as the sole nominee to fill the vacant position until the Town's next annual election on May 7, 2009. The following votes were recorded for Mr. George Anderson: John Minnehan voted yes, Gerald Buckley voted yes, John McArdle voted yes, Selectman Dow voted yes, Selectman Luther voted yes, Selectman Morrison voted yes, Chairman Jackson voted yes, and Selectman Gandt voted yes. George Anderson was elected unanimously, 8-0. If Mr. Anderson wishes to continue as a member in this position after May 2009, he will be required to run for office in May 2009.

Selectmen Minutes: Selectman Luther made a motion to accept the amended minutes of December 22, 2008; seconded by Selectman Morrison; so voted 5-0. Selectman Morrison made a motion to accept the minutes of January 5, 2009; seconded by Selectman Luther; so voted 5-0. Selectman Dow made a motion to accept the amended minutes of the Executive Session of January 5, 2009 and to hold until all matters are resolved; seconded by Selectman Morrison; so voted 5-0. Selectman Luther made a motion to accept the amended minutes of the Working Session of January 7, 2009; seconded by Selectman Morrison; so voted 5-0.

7:43 – Revisions to Service Zone Plan – Ron Giovannacci, Fire Chief and Jen Collins

Brown, Captain: Chief Giovannacci explained that he was submitting changes to Topsfield's original EMS Service Zone Plan that was drafted in 2006 and that provides guidelines for emergency medical services. The changes included some that were initiated by the fire department and others that the State required. Changes included:

- Removal of Hamilton Police department as a back up ambulance service.
- Change in the medical director's name to Steven Krendel.
- Incorporation of the Fire Department electronic documentation and special project waiver for CPAP into the operational plan.
- Removal of the words "whether transporting or not" from the primary ambulance definition, per the Commonwealth. Current definitions for the plan are word for word from state statute and cannot be altered.

- Commonwealth required language changes from “transport decisions are determined by patient request in conjunction with the Region III point of entry plan” to “transport decisions are determined in accordance with patient request and EMS System regulations and Department approved point of entry plans”.

Selectman Morrison made a motion for the Chairman to sign the revised EMS Service Zone Plan application, seconded by Selectman Luther; so voted: 5-0.

Chapter 90 Reimbursements – Dave Bond, Superintendent Highway Department: Mr. Bond explained that the Town Highway Projects that have been completed are ready for submission for Chapter 90 reimbursement. All paperwork has been signed by the appropriate personnel and requires the Chairman of the Board of Selectmen to sign. Selectmen Dow made a motion to approve three requests to the MassHighway for reimbursement in the total amount of \$725,756.17 for the Rowley Bridge project, Washington Street project and the Asbury Street Bridge project, seconded by Selectman Luther; so voted: 5-0

Ipswich Road Agreement Number 57257: Dave Bond, Superintendent Highway, explained that MassHighway is requesting the town to enter into a 110% agreement as a condition of receiving funds for the reconstruction of Ipswich Road. Town Counsel has reviewed this agreement and advised the Town that the agreement is a “grant agreement” rather than a contract and is reasonable for the town to execute. Dave Bond said he intends to track the project closely. Selectman Morrison made a motion to agree to enter into a 110% agreement with MassHighway as a condition of receiving funds for the reconstruction of Ipswich Road and to authorize the Chairman of the Board to sign, seconded by Selectman Luther; so voted: 5-0.

ANNOUNCEMENTS: Selectman Dow announced that Kerry Kaplon, principal Proctor School and Trudi Dooner, principal Steward School, have announced their intent to retire in June 2009. There is a search committee being formed. A survey has been posted on the Tri-Town School Union website and Dr. Bernie Creeden, Superintendent of Tri-Town School Union, has invited the entire community to participate in that survey.

GENERAL BUSINESS

New Business

Capital Plan Recommendations for FY2010 - Ms. Wilder presented the Financial Team’s capital expenditure recommendations for FY2010. The Team received \$1.6 million dollars in capital requests and of those the Team has recommended approval of \$53,561 in general capital spending, \$22,000 in enterprise capital spending, and \$500,000 in bonding for a fire truck. The recommended projects include:

Project	Amount
Town Library Phase 1 of Security Project	5,000
Replacement of 2004 Police Cruiser	32, 561
Replacement of Doors at Steward School	6,500
Replacement of Doors at Proctor School	9,500
Replacement of Water Dept 2004 Ranger	22,000

Replacement of the Water Department’s 2004 Ranger for \$22,000 would be funded by the Water Enterprise. Funding for \$53,561 in general capital spending would include \$49,865 to be appropriated from the General Fund / Free Cash and \$3,696 which is available from the 2008 ATM Article 19-Police Cruiser. The full report is attached. In addition there is a recommendation to consider, although not within FinCom guidelines, replacement of Fire Engine 3 for \$500,000 with funding to be provided through a Prop 2 ½ debt exclusion override with an extended payment period of ten years.

Rail Trail ATC Easement – Selectman Gandt made a motion to amend the contract dated June 23, 2008 with Donohoe & Parkhurst, Topsfield MA, for drawings of the placement of an ATC Easement at 7 Grove Street in the amount of \$500, seconded by Selectman Morrison; so voted: 5-0.

Rail Trail Phase I Bid Documents – After some discussion regarding the Phase I Bid Documents put before the Board, it was decided to take additional time to review the material. There will be a public meeting posted for the Board of Selectman on January 28th at 12, noon to review the bid documents. Mr. Geller announced that there will be a Rail Trail Informational forum on February 18th at the Gould Barn. Mr. Stephen Winslow will speak on property liability as it relates to the Topsfield Linear Common and Craig Della Penna will speak about rail trails.

S.A.F.E. Studio: Selectman Luther made a motion to approve a one day liquor license for S.A.F.E. Studio, Inc for their annual auction to be held on April 4, 2009 at the Willowdale Estate, seconded by Selectman Morrison; so voted: 5-0.

Scleroderma Foundation Walk-A-Thon- Selectman Morrison made a motion to approve an annual walk to be held on September 13, 2009, seconded by Selectman Luther; so voted 5-0.

Litter Bylaw – Selectman Gandt presented a draft proposal of a litter bylaw for approval at Town Meeting. Selectman Dow asked for the following words to be added at the end of the first sentence: “except in a designated waste receptacle”. Selectman Luther suggested that where it defines litter, she would like to add glass, paper, and metal items to the definition. Regarding the amount to be fined, it was agreed to propose: First Offense: \$50.00, Second and each subsequent Offense: \$100.00. Selectman Gandt will take suggested changes/additions and revise the bylaw for review at the next Board meeting.

Town Administrator’s Report:

Please see attached report.

- Small Business energy efficiency proposal. Selectman Morrison made a motion to authorize the Town Administrator to enter into an agreement with National Grid to have an independent contractor, chosen by National Grid, install 49 Fluorescent relamp/reballast lamp kits at Town Hall as part of the Small Business Energy Efficiency Services Program offered by that utility with a cost to the Town to be paid as a lump sum of \$644.41, seconded by Selectman Luther; so voted: 5-0. It is estimated that once completed, the project will reduce Town Hall’s electric power consumption by 4180 kwh per year for an estimated annual savings of \$464.85.
- Budget Preparation: due date was January 9th
- 9C Legislation: Governor was given authority to make cuts to local aid for FY2009
- Finance Team Meetings: will now meet weekly
- Ambulance Contract: bid package is being prepared
- Ready Project Requests: Topsfield submitted six projects
- Other Meetings Attended, follow-up items and announcements
 - Essex Regional Retirement Board
 - Dog Licenses and Town Census
 - Census Takers job applications being accepted

Correspondence & Reports

Correspondence

- Environmental Notification for English Commons was submitted by Beals Associates, Boston.
- Revised construction schedule was submitted for New Meadows Market, 17-19 Main Street. There was discussion as to whether and when the owner would request an extension of the original opening date of New Meadows Market as it relates to their liquor license.
- Kopelman & Paige has sent a memo regarding cutting & trimming of “public shade trees”.

Reports

- North Shore Vocational School submitted agenda for January 8, 2009 and minutes of November 13, 2008.
- Open Space submitted meeting notes for November 10, 2008.
- Library Trustees submitted minutes of October 14 & December 10, 2008.
- Cable TV Advisory Committee submitted minutes of November 5, 2008.

Warrants: The Selectmen signed and approved warrants in the amount of \$ **1,771,760.37** . The breakdown is as follows:

Warrant #FY09:	
059T	\$ 87,178.85
060	\$ 1,684,581.52

At 9:26 PM, Selectman Gandt made a motion to adjourn, and Selectman Morrison seconded; so voted 5-0.

Chairman Jackson noted we had a new President, “God Bless Barack Obama and God Bless the United States”.

Respectfully submitted,

Donna Rich, Secretary
Selectmen’s Office

Approved as amended at the February 2, 2009 Board of Selectmen’s meeting.