

BOARD OF SELECTMEN
Working Session
Minutes of February 15, 2012
Town Hall Conference Room

Chairman Laura Powers called the meeting to order at 4:35PM. Board members present in addition to Chairman Powers, were Martha Morrison, Dick Gandt, Eldon Goodhue 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 Alcohol Licensing Advisory Committee member Nancy Luther, Alfalfa Farm owner Dick Adelman, Gil's Grocery owner Jim Gilford, and resident Gerry Buckley.

Cable TV / Website Professional Services Agreement: Selectman Gandt made a motion to approve a Professional Services Agreement with Amelia Mattson of Topsfield MA in an amount not to exceed \$3,000 commencing as of the date of signing, to expire September 12, 2012 and to waive the requirement for liability insurance; seconded by Selectman Vogel; so voted: 4-0-1. Selectman Morrison recused herself due to her personal relationship with Ms. Mattson.

Discussion of Adopting Chapter 138: Chairman Powers explained the purpose of the meeting was to develop questions for a meeting with Town Counsel on February 22, 2012. Selectman Morrison began by suggesting the following questions relative to the potential adoption of Chapter 138:

- 1) What would the Town's quota be for the number of licenses that could be issued?
- 2) How does the quota apply to the different categories of licenses that the Town is given? If the existing licenses are included in the quota, would the character of those licenses change? i.e: they are currently able to sell beer and wine.
- 3) How much regulatory control would the Town have?
- 4) Who has the regulatory control-Town Meeting or Bylaws (BOS)?

Selectman Morrison suggested some questions relative to Facilities doing business in Town and alcohol licensing:

- 5) How would these types of licenses fit into the Town's quota?
- 6) How would they be regulated?
- 7) Could examples from other municipalities be provided explaining how they work?

Selectman Morrison suggested some questions relative to One-Day Liquor licenses:

- 8) Who would own the responsibility for licensing events which are not run by a non-profit or for profit organization?

There was a discussion regarding Farmer Winery Licensing and Alfalfa Farm owner Dick Adelman was present. As a result of the discussion the Board developed the following questions relative to Farmer Winery Licenses:

- 1) How would Chapter 138 interface with Department of Agriculture regulations regarding Farmer Wineries?
- 2) Would there be a limit to the amount of Farmer Winery Licenses that the Town could issue?
- 3) What activities would the Farmer Winery Licenses Regulation allow an existing winery to conduct? i.e. Can they sell wine in bottles or by the glass at the winery?

Underride Question: There was a discussion regarding the Citizen Petition that had been submitted regarding an Underride Question. Ms. Wilder explained that the only government body that can put an Underride Question on a ballot is the Board of Selectmen; therefore Ms. Wilder suggests that Town Council provide a legal opinion as to whether the Citizen Petition regarding an Underride must be placed on the Warrant in the form submitted.

At 3:45 PM, Selectmen Vogel made a motion to adjourn and Selectman Gandt seconded the motion; so voted: 5-0.

Respectfully submitted,

Donna Rich, Secretary
Selectmen's Office

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. Professional Services Agreement
3. Farmer Winery list of definitions

Approved as written at the March 12, 2012 Board of Selectmen's meeting.

<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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