

**BOARD OF SELECTMEN**  
**Proctor School Library**  
**Minutes of April 23, 2012**

Chairman Laura Powers called the meeting to order at 7:30PM. Board members present, in addition to Chairman Powers, were Martha Morrison, Dick Gandt, and Eldon Goodhue. Ken Vogel was absent. 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, Tri-Town Transcript reporter Suzanne Snell, Institution for Savings representatives CEO & President Michael Jones and CFO Kim Rock, Woodman Associates Architect representative Charles Nutter and Latham Law Offices LLC representative Christopher Latham.

**ANNOUNCEMENTS:** Chairman Powers announced that the Board would go into Executive Session at the end of regular session to discuss negotiating strategy for the Firefighters Contract and would not return to Open Session.

Chairman Powers announced that on April 26<sup>th</sup> Topsfield Ladies Night, Spring Fling would be held downtown from 6PM-9PM. This is an opportunity for people to support the downtown stores, which would remain open until 9PM.

Chairman Powers reminded citizens that there would be no tax bill mailed for the taxes due May 1st; the May 1<sup>st</sup> bill was included with the February tax bill. The Treasurer Collector's office would be collecting real estate and personal property taxes which are due by May 1, 2012. Citizens may either mail their tax payments to the Town's lockbox at Century Bank or pay their taxes online. Taxpayers, who have questions, can contact the Treasurer Collector's office at 978-887-1511.

Selectman Gandt reported that Household Metals and White Goods pick-up would be Wednesday, May 16, Thursday, May 17, and Friday, May 18, 2012. There would be no charge for this collection; items must be curbside by 7am the same day the trash is picked up. Metal items include anything that contains at least 80% or more of metal. Household white goods include stoves, washers, dryers, micro-waves, dishwashers and, dehumidifiers. Items that contain Freon, such as refrigerators, freezers and air conditioners need to be registered with the Board of Selectmen's Office prior to the pickup date.

Selectman Goodhue reported that the Fire Department Relief Association would hold a benefit on May 12<sup>th</sup> at Proctor School between 10AM – 2PM in which all proceeds would go toward the purchase of a defibrillator.

Selectman Gandt reported that the Boy Scout Troop 81 would have its annual Mother's Day Flower, Shrub and Yard Sale on Saturday, May 12, 2012 from 8:30 a.m. - 2 p.m. on the Topsfield Common. The rain location would be upstairs in the Emerson building. Donations would be gladly accepted on Saturday, April 28 and Saturday, May 5 from 9 a.m. - 3 p.m. at the Emerson Center.

Chairman Powers reported that the Topsfield Police Department in conjunction with the U.S. Drug Enforcement Administration and the Essex County District Attorney's Office would be participating in a prescription drug turn-in program on Saturday, April 28th, 2012 between 10 am and 2 pm.

Chairman Powers reported that the Topsfield Playground Committee is organizing a fundraising walkathon on Wednesday, April 25, 2012 starting at 9:45am at the Steward School playground. Pledge sheets and collected donations are due by April 23. Please make checks payable to the Topsfield Playground Committee.

Chairman Powers reported that the Recreation Committee Summer Camp would be holding open registration now until June 8<sup>th</sup> for children entering 1-7<sup>th</sup> Grade in the fall of 2012. Six weekly sessions will run July 9<sup>th</sup>–August 17<sup>th</sup>, Monday-Friday 9AM-1PM. Forms can be found at [www.topsfieldrecreation.org](http://www.topsfieldrecreation.org). In addition, two adult programs are available: Yoga would run Wednesdays, April 25<sup>th</sup>–June 20<sup>th</sup> 7:30-8:30PM, \$80 for 8 weeks and Zumba would run Monday, April 23<sup>rd</sup> – June 11<sup>th</sup> 7:30-8:30PM, \$80 for 8 weeks.

Selectman Gandt reported that the Water Department has instituted a Voluntary Water Restriction effective today, April 23<sup>rd</sup>. The restriction is due to low Ipswich River stream flow levels. All residents are asked to curtail outdoor water use between the hours of 9 A.M. and 5 P.M each day. Also, the next round of hydrant flushing would begin April 23<sup>rd</sup>. The flushing schedule and information about the water restrictions are available on our website - [www.topsfieldpublicworks.org](http://www.topsfieldpublicworks.org)

Selectman Morrison announced that Middleton's Stream Team, Farmers Market, Garden Club, Department of Public Works, Board of Health, and Conservation Commission are sponsoring a community program with The Great American Rain Barrel Company to offer their water-saving barrels for \$69, a 42% discount off the retail price.

## **GENERAL BUSINESS**

### **New Business**

**Child Passenger Safety Grant:** Selectman Morrison made a motion to authorize the Topsfield Fire Department to apply for a Child Passenger Safety Grant from the Executive Office of Public Safety and Security (EOPSS) and to authorize the Chairman of the Board of Selectmen to sign any such grant applications and/or contracts required relative to this application.

And further, to name the Chief of the Fire Department as the Contract Manager for said Child Passenger Safety Grant with authority and responsibility for the management and administration of this grant in accordance with all EOPSS regulations, seconded by Selectman Gandt; so voted: 4-0.

**New Class II License:** Selectman Gandt made a motion to approve a Class II Dealer License to Lawton Welding Co. Inc, dba: Fend Auto Sale of 240 Boston Street and to expire December 31<sup>st</sup> and permitted to have five (5) vehicles on the premise. Sgt. Harrison has reviewed and approved this application, seconded by Selectman Morrison; so voted: 4-0.

**Memorial Day Parade:** Selectman Morrison made a motion to approve a parade permit to the Memorial/Veterans Day Committee for the annual Memorial Day Parade to be held on Monday, May 28, 2012, seconded by Selectman Goodhue; so voted: 4-0.

**Appointment of Reserve Officers:** Selectman Gandt made a motion to appoint Officer Steven Weir, Officer Shawn Frost and Officer Michael Balsley, each as a “Weigher of Commodities” effective April 23<sup>rd</sup> and to expire June 30, 2012, seconded by Selectman Morrison; so voted: 4-0.

**Kennel Services Intermunicipal Agreement:** There was discussion regarding entering into an Intermunicipal Agreement with the City of Newburyport for Animal Kennel Services. Some Board members were hesitant at the 25 year duration and some of the language. Selectman Morrison made a motion to table the item until the May 7<sup>th</sup> meeting, seconded by Selectman

Goodhue; so voted: 4-0. Selectman Gandt offered to review the language and research the potential duration of the agreement.

Reserve Police Contract: Selectman Morrison made a motion to approve a three (3) year contract with the Reserve Police as follows:

1. Wage Increases:
  - FY 13 @ 2% wage increase
  - FY 14 @ 2% wage increase
  - FY 15 @ 2% wage increase
2. Holiday Pay:
  - Provide holiday pay on the 4PM to midnight shift on the eve of Christmas Day and the eve of New Year's Day, and
  - Eliminate holiday pay on the 4PM to midnight shift on Christmas Day and on New Year's Day.

Uniform Pay at \$540.00 with the elimination of language for a 30% increase for taxes, seconded by Selectman Goodhue; so voted: 4-0.

### **Liaison Reports**

Selectman Morrison reported that the Historical Commission would meet April 25<sup>th</sup> for significant structure review for the Institution for Savings, the Zoning Board of Appeals would be meeting on April 24<sup>th</sup> to continue Institution for Savings site plan review and the Agricultural Commission is meeting tonight.

### **APPOINTMENTS:**

**8:00PM - PUBLIC HEARING** for Signage at Institution for Savings – Clerk Goodhue read the public hearing notice. Institution for Savings representatives Michael Jones and Kim Rock, Woodman Associates Architect representative Charles Nutter and Latham Law Offices LLC representative Christopher Latham came forward. Selectman Morrison reported that the sub-committee comprised of herself and Selectmen Gandt had met twice with Institution for Savings and reviewed the proposed signage at 5 Main Street. Keeping in mind that the Zoning Board of Appeals has not made a finding on this property, the Public Hearing would have to be continued until May 7<sup>th</sup>. However, there was general discussion on the individual signage:

- 1) Temporary Signage: The Board consensually agreed to the temporary signs described as a forest green type and gold on white vinyl covered mesh banner material, five feet by one hundred feet facing Main Street and five feet by forty five feet facing Park Street. In addition, the temporary signage presented would be authorized through the end of September 2012. It was also noted that if this signage were to become tattered or torn at any time, it is the responsibility of Institute for Saving to repair or remove said sign.
- 2) ATM Kiosk Signage: Presented to be approximately nine square feet each and be clapboard material matching that of the building. There will be no direct lighting, only the ambient lighting from the machine. It was suggested that the signage be “framed” so it would be flat against the building.
- 3) Suspended Signage: Location to be on the front of the building, between the first and second floor. This sign is to be approximately 7.87 square feet and the material is two inch HDU two sided dark green with carved 23k goldleaf letters suspended by an aluminum bracket painted black. It was noted that this sign, as submitted, is within the Town's Bylaws and therefore, requires no approval by the Board of Selectmen.
- 4) Cupola: Was presented to stand 10 feet 8 ½ inches high, to include: three back lighted, translucent clock faces, and a window section with lighting generated from

- fifty watt halogen lamp mounted on the floor below the windows to shine up to the ceiling of that section and not project light out of the section. It was noted that the existing “grandfathered,” internally illuminated sign on the property will be removed in the future. The illuminated cupola will replace that sign and “inherit” its “grandfathered” status.
- 5) Free-Standing Signage: Proposed signage would be on 8”X8” granite posts being 32.75” high X 66” wide with the bottom of the sign being 24” above the landscape, the material was noted to be 2” HUD painted dark green with carved 23k goldleaf letters. The signage is to be located on the corner of Park Street and Main Street presently behind a fence. There was discussion regarding the fence as it relates to the sign. The representatives of Institution for Savings suggested a “mock” sign be placed in the proposed location for 24-hours for the Board of Selectmen to view. The Board agreed to the mockup.
  - 6) Customer Parking Signage: Mr. Latham requested for consideration by the Board the placement of five “customer parking only” signs. These signs were not submitted originally, however, Institution for Savings would like to have these signs, that include a logo, be considered.

Selectman Gandt made a motion to continue the Public Hearing on the signage at 5 Main Street until May 7<sup>th</sup> at 8PM, seconded by Selectman Morrison; so voted: 4-0.

### **Town Administrator’s Report:**

- Town Warrant was delivered to residents on April 13<sup>th</sup> and the Constable has certified the posting.
- Finance Committee Special Town Meeting Recommendations distributed. All were accepted by the Finance Committee, except the Fire Department’s request.
- Recognition Awards to be distributed at Town Meeting require the Board signatures.
- Attended the Senior Health Fair held at Masconomet Regional High School.
- Update on the Water Department’s request for proposal on a water treatment plant.
- Received a request from the Town Clerk relative to the appointment of Dorothy Wass. Selectman Goodhue made a motion to appoint Dorothy Wass to the Board of Registrars for a term to be effective April 23<sup>rd</sup> and to expire March 31, 2015, seconded by Selectman Morrison; so voted: 4-0.

### **Selectmen Minutes:**

Selectman Goodhue made a motion to accept the Minutes of March 26, 2012 as presented, seconded by Selectman Morrison; so voted 4-0.

Selectman Morrison made a motion to accept the Executive Session Minutes of March 26, 2012 as written and to hold until all issues have been resolved, seconded by Selectman Goodhue; voted 4-0.

Selectman Goodhue made a motion to accept the Working Session Minutes of April 2, 2012 as amended, seconded by Selectman Morrison; so voted 4-0.

Selectman Morrison made a motion to accept the Minutes of April 9, 2012 as amended, seconded by Selectman Goodhue; so voted 4-0.

### **Correspondence & Reports**

#### **Correspondence**

Nike 55+ Program Activities Coordinator Kathleen King submitted a letter of thanks for the Council on Aging’s support.

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Comcast submitted Form 500 for 2011.

Two residents submitted a letter addressed to the Finance Committee in support of Article 29<sup>th</sup>, Upgrade Elementary School Technology Infrastructure.

A resident submitted a letter in support of a “correctional override.”

Reports

Police Department submitted a monthly report for Feb/March.

North Shore Regional Vocational School submitted Minutes of February 9<sup>th</sup> and an agenda for April 12<sup>th</sup>.

Fire Department submitted a Quarterly Report for January – March 2012.

Invitations

Essex North Shore Agricultural & Technical School sent an invitation to a Groundbreaking Ceremony on Wednesday, May 9, 2012 at 1:30 PM at 562 Maple Street, Danvers.

Independent Living Center of NS & Cape Ann Inc sent an invitation to the ILCNSCA 25<sup>th</sup> Annual Legislative Breakfast to be held on Friday, May 11 from 9AM-11:30AM at the Salem Waterfront Hotel and Marina, 225 Derby St, Salem.

Salute to Senator Fred Berry sent a SAVE THE DATE for Wednesday, June 20<sup>th</sup> at the Danversport Yacht Club, Danvers. Invitations would be coming in May.

**Warrants:** The Selectmen signed and approved warrants in the amount of **\$ 191,003.24**. The breakdown is as follows:

Warrant FY12:

085T	\$ 90,623.30
086	\$ 100,379.94

At 9:05 PM, Selectmen Goodhue made a motion to go into Executive Session to discuss negotiating strategy for the Firefighters contract; seconded by Selectman Morrison. In a roll call vote, a yes vote was recorded for Chairman Powers, Selectman Morrison, Selectman Gandt, and Selectman Goodhue. The Board would not return to open session.

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. Child Passenger Safety Equipment Grant documents
3. New Class II License for Lawton Welding Co. Inc., dba: A Fend Auto Sale documents
4. Memorial Day Parade request letter.
5. Kennel Services Intermunicipal Agreement.
6. Appointment of Police Officers to “Weigher of Commodities” letter.
7. Preliminary BOS Minutes – March 26<sup>th</sup>, Executive Session March 26<sup>th</sup>, Working Session of April 2<sup>nd</sup> and April 9<sup>th</sup>.

8. Correspondence from: Nike 55+, Comcast, Citizen letter supporting the School Technology Infrastructure Article on the Warrant, Citizen letter of support for a correctional override.
9. Reports: Police Department, NS Regional Vocational School and the Fire Department.
10. Invitations from: Essex NS Agricultural & Tech School, Independent Living Center of NS & Cape Ann Inc, and a Salute to Senator Berry.

*Approved as written at the May 21, 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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