

BOARD OF SELECTMEN
Proctor School Library
Minutes of April 27, 2015

Chairman Dick Gandt called the meeting to order at 7:30PM. Board members present, in addition to Chairman Gandt, were Martha Morrison, Steve Lais, Laura Powers and Eldon Goodhue. Of the Selectmen's staff, Town Administrator Kellie Hebert and Board Secretary Donna Rich were in attendance. Other persons present during all or part of the meeting were Topsfield Cable operators Baxter & Ben Demers, residents Phil Knowles, Boyd Jackson, George Anderson, Holger Luther, Al Wallace and Dr. Alan Smith, Animal Control Officer Carol LaRocque, Fire Chief Ron Giovannacci, Captain Jen Collins Brown and Charles Denault, Call Firefighters Charles Wood, Don Wood, Travis Fontaine, Tammy Harper, Darrel Moore, David Ahern, Scott Winfrey, Louis Costanza and several other members.

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

ANNOUNCEMENTS: Chairman Gandt announced that the Board would go into Executive Session at the end of regular session to discuss negotiating with respect to the Fire Chief's contract and will not return to Open Session.

Selectman Morrison reminded residents that the Annual Town Meeting would be held on May 5th beginning at 7PM and the Annual Town Election would be on Thursday, May 7th and the polls would be open from 7AM-8PM.

Selectman Powers announced that the Boy Scouts would hold their Annual Plant & Yard Sale on May 9th beginning at 9-3PM on the Common. Drop off for items would be Saturday, May 2nd from 9AM-3PM in the Congregational Church parking lot.

Selectman Morrison announced that the Town Clean-Up Day would be sponsored by the Congregational Church and several local Garden Clubs and would be on May 16th beginning at the Town Hall parking lot.

Selectman Powers announced that the Historical Society would hold the annual Strawberry Festival on June 13th, 10AM- 4PM on the Town Common.

Selectman Lais announced that hydrant flushing would begin April 13th and would continue until May 20th. There is a schedule on the Topsfield Public Works website listed under hydrant flushing Spring 2015. Flushing removes sediments from the water mains, identifies hydrants in need of repair and checks system fire flows.

Chairman Gandt announced that the Metal and White goods pickup would be May 20, 21, 22. Place household metals such as stoves, dishwashers, etc. at curbside by 7AM for pickup. No stickers are required for items. If you have an item containing Freon, please call 978-887-1500, extension 100 to register the item prior to pick-up.

Selectman Morrison announced that the Town Hall Building Committee has a PowerPoint presentation on the front page of the town website regarding the past-present and future of Town Hall.

Chairman Gandt reported the Board met in a Working Sessions on April 15th to interview the candidates for the open Animal Inspector position.

CITIZENS QUESTIONS & COMMENTS

Animal Inspector Carol LaRocque spoke in regards to the illegal kennel presently located on Boston Street. There was a discussion relative to the commercial kennel being located in a groundwater protection area. Chairman Gandt asked that Ms. Hebert follow-up with the Town Clerk on the licensing of the dogs that are allegedly at that location.

APPOINTMENTS:

7:53PM – Citizens Petition - Town Clerk Appointed vs Elected - Member of the 2012 Government Review Committee Al Wallace spoke of the research the committee investigated that brought them to the recommendation that the Town Clerk should become an appointed position.

GENERAL BUSINESS

Old Business

2015 ATM Warrant: Chairman Gandt announced that the Assessor's office was notified on April 7th that Article 36 of the 2015 Warrant should be amended to include the effect date of July 1, 2015.

Chairman Gandt announced that at the Annual Town Meeting under Article First, Reports, the Moderator would recognize the Chairman of the Fluoride Committee Mark Liptak to present their findings. This is what was recommended at the Special Town Meeting that was held in September 30, 2014.

Achievement Awards: A list of recipients was presented and reviewed. The Board signed the Achievement Awards that would be presented at the Annual Town Meeting.

Use of Surveillance Cameras: Chairman Gandt reported that the Police Chief was not a proponent of the cameras. Selectman Powers noted that the request came from the Emergency Management Director, Fire Chief Giovannacci and that there should be a discussion with him. Selectman Goodhue suggested that the item be tabled and that both Chief's be invited to discuss the item.

New Business

Summer Camp Banner Request: Selectman Morrison made a motion to approve a banner for the Massachusetts Audubon Ipswich River Wildlife Sanctuary Summer Camp from June 9th – June 19th to be erected between the trees beside Town Hall, seconded by Selectman Powers; so voted: 5-0.

Library Items Declared Surplus Request: Selectman Goodhue made a motion to declare 5 varieties of magazine holders presently located and owned by the Library as surplus, seconded by Selectman Morrison; so voted: 5-0.

Road Closure Request: Selectman Powers made a motion to approve the closure of South Common Street from 4:30-8PM for the library's annual Summer Reading Kick-off event to be held on June 19th, seconded by Selectman Morrison; so voted: 5-0.

Common Victualler Request: Selectman Morrison made a motion to approve a Common Victualler License to the Topsfield Bakeshop located at 38 Main Street with a seating capacity of 10, seconded by Selectman Powers; so voted: 5-0.

APPOINTMENTS: *continued*

8:20PM- Citizens Petition - 24/7 Fire Services – Dr. Alan Smith expressed the reasons why the Town should move forward with a 24/7 Fire Service. Some Call Firefighters spoke of the challenges they face working their 40 hours a week and then trying to respond to calls. Captain Jen Collins Brown and Fire Chief Ron Giovannacci spoke to the advantages put forward in the petition. Mr. George Anderson reminded the Board of the growing number of seniors that stay in their homes longer and the needs they require from the Fire Department.

GENERAL BUSINESS

Old Business *continued*

Pending Contracts: Chairman Gandt stated that the contracts signed by Ms. Hebert dated from October 14, 2013-September 3, 2014 should be voted by the Selectmen to make them legal. Selectman Lais reported that after he reviewed all the contracts, as was requested of him, he found nothing of concern. Selectman Morrison made a motion to approve the contracts signed by Town Administrator as indicated on attached document beginning on Oct 14, 2013 – Sept 3, 2014, seconded by Selectman Goodhue; so voted: 5-0.

New Business *continued*

Rail Trail Construction: Chairman Gandt provided an update of the Rail Trail activities.

Animal Inspector Applicants: Selectman Goodhue made a motion to nominate Peter Mulholland to be the Town of Topsfield's Animal Inspector for a term to begin May 1st – April 30, 2016, seconded by Selectman Lais; so voted: 4-0. Selectman Morrison abstained.

Town Maps: Selectman Morrison made a motion to approve a contract for the GIS Internet Services referred to as Query Manager Online with Cartographic Associates, Inc. dba CAI Technologies in the amount for \$4,300, seconded by Selectman Powers; so voted: 5-0.

Town Administrator's Report:

- Update on activities toward completion of Goals
- MIIA Insurance Grant funding for employee mandatory training reviewed
- Suggested developing written policy and procedures for the Board's review and vote under the Human Resources Personnel section of goals

Minutes

Selectman Morrison made a motion to accept the Minutes of March 9, 2015, as written, seconded by Selectman Powers; so voted 4-0. Selectman Lais abstained.

Selectman Morrison made a motion to accept the Minutes of the Working Session of March 16, 2015 as written, seconded by Selectman Powers; so voted 4-0. Selectman Lais abstained.

Selectman Morrison made a motion to accept the Minutes of March 23, 2015, as written, seconded by Selectman Powers; so voted 5-0.

Selectman Powers made a motion to accept the Executive Session Minutes of March 23, 2015 as written and to hold until all issues have been resolved, seconded by Selectman Goodhue; so voted 5-0.

Selectman Morrison made a motion to accept the Minutes of the Joint Session with the Finance Committee of March 25, 2015, as written, seconded by Selectman Powers; so voted 4-0.

Selectman Lais abstained.

Selectman Morrison made a motion to accept the Minutes of the Working Session of March 30, 2015, as written, seconded by Selectman Powers; so voted 5-0.

Selectman Morrison made a motion to accept the Minutes of the Working Session of April 1, 2015, as written, seconded by Selectman Powers; so voted 5-0.

Selectman Morrison made a motion to accept the Minutes of April 6, 2015, as written, seconded by Selectman Powers; so voted 5-0.

Correspondence & Reports

Correspondence

Letter of resignation has been received from Board of Health Chairman William Hunt. Kopelman & Paige PC sent the Plaintiff Motion for Summary Judgment.

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Topsfield was granted \$271,830 in Chapter 90 apportionment for FY16.

Letter of thanks was received from Charlene Stawicki for services received from Captain Jen Collins Brown.

The Moderator appointed Mr. Louis M. Ross of Kinsman Lane to the Finance Committee for a term to expire on June 30, 2017. This filled the vacancy of Daniel Shugrue.

Letter seeking support to institute strict regulations on tobacco being provided to minors was received.

The Board of Health was awarded a Community Partnership Award Merit Finalist for their Elder Health Clinic by Mutual of America.

MIIA awarded Topsfield \$29,311 in program credits for FY15.

At 9:40PM, Selectmen Morrison made a motion to go into Executive Session to discuss negotiating strategies with respect to the Fire Chief's contract; seconded by Selectman Lais. In a roll call vote, a yes vote was recorded for Chairman Gandt, Selectman Morrison, Selectman Lais, Selectman Powers and Selectman Goodhue. The Board would not return to open session.

Respectfully submitted,

Donna Rich, Executive Assistant
Board of Selectmen

Approved as written at the May 18, 2015 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 – Regular Session of March 9 and 23, April 6th, Working Sessions of March 16 and 30, April 1, Joint Meeting with Finance Committee on March 23 and Executive Session of March 23.
3. Achievement Awards list updated
4. Surveillance Cameras request
5. Contracts from 10/14/13-9/3/14 matrix
6. Summer Camp Banner Request from Audubon Ipswich River Wildlife Sanctuary
7. Library Items to be Declared Surplus Request
8. Road Closure Request from the Town Library
9. Common Victuallar application for the Topsfield Bake Shop
10. Animal Inspector applicant matrix
11. Request for contract with GIS Internet Services
12. Letter of Resignation from William Hunt, BOH
13. Town v Mark & Ruthann Finn Summary Judgement
14. Chapter 90 funds awarded for FY16
15. Fire Department letter of thanks received
16. Moderator's letter of an appointed new member
17. Tobacco Coalition request received
18. Elder Health Clinic Awarded to the BOH
19. MIIA was provided Award Credits.

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.