

BOARD OF SELECTMEN
Proctor School Library
Minutes of May 7, 2012

Chairman Laura Powers called the meeting to order at 7:31PM. 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, resident Kim Sherwood, Institution for Savings representatives CEO & President Michael Jones and Vice President Kim Rock, Woodman Associates Architect representative Charles Nutter and Latham Law Offices LLC representative Christopher Latham, and Meridian Associates project engineer Charles Wear.

REORGANIZATION OF THE BOARD OF SELECTMEN:

Chairman Powers requested nominations for the Board's Chairman. Selectman Morrison nominated Eldon Goodhue, seconded by Selectman Gandt; so voted: 3-0-1. Chairman Goodhue abstained. Discussion followed relative to the nomination.

Chairman Goodhue requested nominations for the Board's Clerk. Selectman Powers nominated Martha Morrison, seconded by Selectman Gandt; so voted: 3-0-1. Selectman Morrison abstained.

Chairman Goodhue asked the Board to review the Meeting Schedule. Selectman Morrison made a motion to accept the meeting schedule from May 2012 thru May 2013 as presented, seconded by Selectman Powers; so voted: 4-0.

Chairman Goodhue asked the Board to review the Liaisons list and that the list would be voted on at the May 21st meeting.

ANNOUNCEMENTS:

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.

Chairman Goodhue reported that the Fire Department Relief Association would hold a benefit on May 12th 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, May 5 from 9 a.m. - 3 p.m. at the Emerson Center.

Selectman Powers reported that the Recreation Committee Summer Camp would be holding open registration now until June 8th for children entering 1-7th Grade in the fall of 2012. Six weekly sessions will run July 9th–August 17th, Monday-Friday 9AM-1PM. Forms can be found at www.topsfieldrecreation.org.

Selectman Gandt reported that the Water Department has instituted a Voluntary Water Restriction. All residents are asked to curtail outdoor water use between the hours of 9 A.M. and 5 PM each day. Also, the next round of hydrant flushing has begun. The flushing schedule and information about the water restrictions are available on the Public Works website - www.topsfieldpublicworks.org

Selectman Morrison reported that the 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 rain barrels for \$69, a 42% discount off the retail price. This discount is open to Topsfield residents.

Selectman Powers reported that Masconomet Regional High School is offering a Community Education course entitled 'Internet Basics and Social Networking'. This two evening course is being offered on both May 16th and on May 23rd, from 6PM to 7:30PM; the tuition is \$30. For more information contact Olga Langlois in the Central Office. Registration will remain open until May 11th.

Selectman Morrison mentioned that the Memorial Day parade and ceremonies would be held on the morning of May 28th.

Selectman Gandt reported that the Danvers Rail Trail would be having a ribbon cutting and other celebrations on June 2nd to open their Rail Trail. All are invited.

CITIZEN QUESTIONS & COMMENTS:

Chairman Goodhue recognized resident Kim Sherwood. Ms. Sherwood offered two comments: 1) that the Board of Selectmen should be more available outside of Town Hall to hear citizen thoughts and concerns (she suggested a coffee hour approach) and 2) that the Board should look to surrounding towns (an example of Boxford was stated) for marketing tools to draw more volunteer involvement from residents within the Town.

Selectman Gandt offered his phone number and expressed his "openness" to receiving phone calls from residents; other members affirmed this approach. Selectman Morrison explained that the Open Meeting Law for the Selectmen is very restrictive, endorsed the idea, but realized it would raise a flag on how it would be managed.

APPOINTMENTS:

8:00 – PUBLIC HEARING for Institution for Savings continued: Selectman Morrison reviewed the signage that had been agreed upon at the last meeting: meshed temporary signage to screen construction, a sign on the ATM kiosk in the rear of the building, suspended signage on the front of the building, and the cupola over the ATM area. There was discussion regarding a request to amend the signage to add five (5) customer parking signs and a temporary sign to direct patrons of 15 Main Street to the Park Street entrance. Clarification was requested of the applicant for the traffic flow during the different phases of the construction project.

There was a discussion regarding the free standing sign. Selectmen Gandt and Morrison expressed their concern with the general size of the presented sign and its placement. It was noted that as a result of construction the appearance of the site would change and it was suggested that this sign be held out and reviewed at a later date.

Selectman Morrison made a motion to recess the Public Hearing for Institution for Savings Signs, seconded by Selectman Powers; so voted: 4-0.

Selectman Gandt provided an overview of the applicant's request of the fence along 5-15 Main Street. During the Zoning Board of Appeals Site Plan Review it was verified that the fencing along 5-15 Main Street was in fact on Town property. It was reported that a license would be required for the fence to remain in its present location. There was also discussion regarding the placement of temporary construction fencing which would also be placed on Town property.

Selectman Morrison made a motion to authorize preparation of a license agreement that would authorize the existing picket fence in front of and parallel to 5-15 Main Street to remain on town property and for both parties to review same, seconded by Selectman Gandt; so voted 4-0. It was noted that the existing fence improves the safety of the sidewalk because it separates utility poles from the pedestrian way. It also improves the appearance of the streetscape by reducing the visual impact of (by 'hiding') the utility poles.

Selectman Morrison made a motion to approve a license to temporarily allow a construction safety fence to be located on Town property between the sidewalk and the existing picket fence in front of and parallel to 5 Main Street to protect the public, seconded by Selectman Gandt; so voted: 4-0.

Selectman Gandt reviewed the Institution for Savings offer to expand and improve the parking lot located on Park Street. The details of this project were discussed, reviewing the need for construction documents, insurance liability documents and other similar items. It was further noted that while the Board would review the overall plans, the Highway Superintendent, Dave Bond, would review and approve the construction documents and that they would be the basis for a license authorizing construction on the site. Mr. Latham stated that the plan for the parking had been revised using the suggestions made by the Board of Selectmen sub-committee at the meeting of March 15th and that the applicant would like permission to move forward on the concept of the parking plan. Selectman Morrison discussed the need for public notice to residents and public safety personnel in that area when construction would begin. Selectman Gandt reported that the Rail Trail committee chairman had requested that where the plan specifies stone dust for a portion of the trail near Summer Street, the trail should be bituminous concrete instead.. The need to properly locate the center exit and the islands was also discussed with Charles Wear of Meridian Associates.

Chairman Goodhue reviewed remaining items needed to be accomplished:

- Mr. Latham to draft a license agreement for the fence on Town property and to forward to the Board for review.
- Meridian Associates engineer Charles Wear to meet with Highway Superintendent, Dave Bond regarding the construction plans and a work schedule of the parking lot and surrounding area.

Selectman Morrison made a motion to authorize preparation of a license to construct an expansion of the Park Street parking lot southerly to Summer Street consistent with construction standards of the existing Park Street parking area, and to angle the islands in the existing parking lot consistent with the existing angled parking as depicted on "Concept B Parking Expansion Concept dated February 16, 2012 by Meridian Associates". Approval of the license would be contingent on the Board's and Highway Superintendent's approval of the design and construction documents.

Selectman Morrison made a motion to resume the Public Hearing for signage at 5-15 Main Street, Institution for Savings, seconded by Selectman Powers; so voted: 4-0.

Chairman Goodhue asked if there was any public comment. On behalf of the Institution for Savings, Mr. Chris Latham requested withdrawal without prejudice of the application for a free standing sign. It was noted that the cupola was the only sign to be lighted and that its lighting would be internal. Hearing no further comments, Selectman Morrison made a motion to close the Public Hearing for signage at 5-15 Main Street, Institution for Savings, seconded by Selectman Powers; so voted: 4-0.

Selectman Morrison made a motion to approve the following signage for Institution for Savings:

1. Customer Parking Signage: five (5) customer parking signs;
2. Cupola: as approved by the Zoning Board of Appeals which is 10 feet 8 ½ inches high, to include: three back lighted, translucent clock faces, and a window section with lighting generated by a fifty watt halogen lamp or similar 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;
3. Suspended Signage: Location to be on the north corner of the front of the building, between the first and second floors;
4. ATM Kiosk Signage: two signs as presented, to be approximately nine square feet each and be framed within the clapboard siding of the kiosk;
5. Temporary Signage: two signs as described to be a forest green type and gold on white vinyl covered mesh banner material, one to be five feet in height by one hundred feet facing Main Street and one to be five feet in height by forty-five feet facing Park Street and to be authorized thru November 20, 2012 with an option for the applicant to request an extension;
6. Directional Parking Signage During Construction Phase 1: as presented to direct traffic to the Park Street entrance; and
7. Withdrawal without prejudice of the application for a free standing sign,

seconded by Selectman Gandt; so voted: 4-0.

GENERAL BUSINESS

Old Business

Town Meeting: Chairman Goodhue stated this item would be tabled for tonight and discussed on the May 21st meeting.

Kennel Services Intermunicipal Agreement: Chairman Goodhue stated this item would be tabled until the May 21st meeting.

New Business

Library Request: Selectman Morrison made a motion to approve an Amendment No. 1 to the contract for the Library's HVAC annual maintenance service with Ambient Temperature Corporation of Middleton, MA for fiscal 2012 in the amount of \$5,988.00, seconded by Selectman Powers; so voted: 4-0.

Bituminous Concrete: Selectman Powers made a motion to approve Change Order No. 1 to the contract for bituminous concrete in place with Aggregate Industries Northeast Region Inc. of

Saugus, MA for an additional not to exceed sum of \$80,000 for additional street paving projects for FY12, seconded by Selectman Morrison; so voted: 4-0.

Board of Health-FY12: Selectman Gandt made a motion to approve the Contract for Services with U Health Solutions of Worcester, MA to process Medicare reimbursements for the Flu Clinics offered in Topsfield in FY2012 in the not to exceed amount of \$400, seconded by Selectman Morrison; so voted: 4-0.

Board of Health-FY13: Selectman Gandt made a motion to approve the Contract for Services with U Health Solutions (was Public Sector Partners) of Worcester, MA to process Medicare reimbursements for the Flu Clinics offered in Topsfield in FY2013 in the not to exceed amount of \$400, seconded by Selectman Morrison; so voted: 4-0.

Flashing Light System: Selectman Gandt made a motion to approve a letter to MassDOT agreeing to maintain the proposed flashing warning beacon assemblies and paint the crosswalk as necessary and to incur the cost at the Rail Trail Crossing of US Route 1 and authorize the Chairman to sign, seconded by Selectman Powers; so voted: 4-0.

Town Administrator's Report:

- Town Meeting: expressed gratitude and thanked the Board of Selectmen for all their hard work on the development of the Warrant.
- Government Review Committee Update: George Hall drafted a conceptual Home Rule Petition.
- Town Hall Chimney Capping: update on a proposal for the chimney at Town Hall to be capped, which is requirement when the boiler changed from oil to gas.
Selectman Gandt made a motion to authorize the use of the Fire Department's ladder vehicle for the installation of a chimney cap at Town Hall, seconded by Selectman Morrison; so voted: 4-0.
- Attended the Public Safety meeting: permit software update provided.
- Attended the Road Commissioners meeting: Rowley Bridge Street bridge repair was targeted to be completed by January 2, 2013.
- Triad Council: working with members on review of a contract with the Fair Grounds relative to a "car fit" program to take place in July.
- Comcast announced that the local Topsfield access channel will change from 10 to 8 effective June 5th.
- Essex North Shore Agricultural & Technical School: reminder of the Groundbreaking Ceremony on Wednesday, May 9, 2012 at 1:30 PM.

Correspondence & Reports

Correspondence

MIIA submitted a letter regarding participation credits.

Create Topsfield 13 organizers have submitted a letter announcing an event that is expected to take place September 22, 2013.

Comcast submitted the Financial Balance Sheet, Statement of Revenue & Expenses and Statement of Ownership.

Reports

MBTA submitted the Advisory Board Minutes of February 29th and Agenda for May 1st.

Board of Assessors submitted minutes of March 23rd and April 6th.

Zoning Board of Appeals submitted the Decision of 53 Main Street-Foti Qirjazi.

Conservation Commission submitted the monthly report for April.

Invitations

Warrants: The Selectmen signed and approved warrants in the amount of **\$ 213,909.03**. The breakdown is as follows:

Warrant FY12:	
089T	\$ 86,386.17
090	\$ 127,522.86

At 9:18 PM, Selectmen Gandt made a motion to adjourn and Selectman Morrison seconded the motion; so voted: 4-0.

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. Institution for Saving additional signage documents and licenses request documents
3. Library's HVAC amendment to contract request document
4. Bituminous concrete change order contract request document
5. U Health Solutions contract request for FY12
6. U Health Solutions contract request for FY13
7. Flashing Light System maintenance request
8. Correspondence: MIIA Participation Credits announcement, Information regarding "Create Topsfield 13" and Comcast Financials submitted
9. Reports: MBTA Advisory Board documents, Board of Assessors Minutes, Zoning Board of Appeals Decision and Conservation Commission Monthly Report

Approved as amended at the May 21, 2012 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.
