

**BOARD OF SELECTMEN**  
**Minutes of July 18, 2011**

Chairman Laura Powers called the meeting to order at 7:30PM. 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 Topsfield Cable Evelyn Hammond and Walter Harmer, Tri-Town Transcript Suzanne Snell, Cable TV/Town Website Committee Chairman Bill Whiting, Library Executive Director Dana Mastroinni, residents Kim Sherwood, Trudi Perry and Richard Adelman.

**ANNOUNCEMENTS:** Chairman Laura Powers reported that the Board had met last Wednesday in a Working Session to commence Goal Setting for FY12. Next working session meeting will be July 20<sup>th</sup>, 4PM at Town Hall.

Chairman Powers announced that the Board would go into Executive Session at the end of regular session to discuss the Dispatchers, the Park & Cemetery and the Highway/Water union contracts and would not return to Open Session.

Chairman Laura Powers announced that the Department of Revenue has posted the "Cherry Sheet" for FY12 and that there are no surprises in terms of local aid.

Chairman Laura Powers reminded citizens of *the Concerts on the Common* series being held every Sunday from 4:00 PM to 6:00 PM through August 28<sup>th</sup>.

Selectman Vogel reminded citizens the next Council on Aging sponsored *Lunch on the Commons BBQ* will be held on July 21<sup>st</sup> from 11:30 AM to 1 PM.

Selectman Morrison announced that Topsfield had been approved as a Green Community and thanked George Hall and the committee for their efforts. As a result, the Town is now eligible for a grant worth \$132,975; application will be due on August 12<sup>th</sup>.

Selectman Gandt announced that the Water Department has instituted a Voluntary Water Ban effective July 18, 2011. The restrictions are required because the average daily stream flow for the Ipswich River has fallen below 70 cubic feet per second for three consecutive days.

Selectman Goodhue announced that the Library has a couple of upcoming events: *Art Around the World* would be held every Tuesday in July between 10AM-11AM, all ages are welcome. In addition there will be a brief overview of the new online catalog Evergreen systems on Tuesday, August 2<sup>nd</sup> at 11:00am and also on August 8<sup>th</sup> at 5PM.

**APPOINTMENTS:**

**7:30 – Cable/Web Committee Future Plans, Bill Whiting Chairman of both Cable and Web Committees** - Selectman Morrison stated that one of the Board's goals last year was to develop a 5 year plan for Cable and Web operations. Mr. Whiting read the 17 page plan (attached). The plan reviewed cable and web accomplishments in the past and the vision for the future. Chairman Powers noted the usefulness of the plan as the Board had begun its review of goals and objectives in the communication area for fiscal 2012.

**GENERAL BUSINESS**

**Old Business**

Alfalfa Farm Winery License Status review: Selectman Goodhue reported that due to the Town not adopting Chapter 138 it leaves a gray area in the interpretation of the law in regards to the agricultural use and the retail sale of bottled wine. Selectman Vogel reported that under Chapter 138 a winery could sell what it produces wholesale or mail order, however, the Board does not have the authority to issue a license for the sale of wine retail, because the Town has not adopted Chapter 138. There was a discussion on the interpretation of Chapter 138 and consensus of the

Board was to direct the Town Administrator to ask Kopelman and Paige “Can the Town of Topsfield authorize any winery to sell malt and/or wine at a farmers market/agricultural event in Topsfield”.

**New Business**

**MAPC Representative Appointment:** Selectman Morrison made a motion to appoint Town Administrator Virginia Wilder as Topsfield’s representative to the Metropolitan Area Planning Council for a 3 year term beginning July 1, 2011, seconded by Selectman Vogel; so voted: 5-0.

**Antoria Way Easement:** Selectman Morrison requested this item be tabled until the next meeting. Selectman Morrison would like to gain a better understanding of the procedure the Planning Board went through on the easement.

**FY2012 Annual Household Waste Collection Contract:** Selectman Gandt made a motion to approve the Annual Household Hazardous Waste Collection agreement with Clean Harbors Environmental Services of Braintree MA in the not too exceed amount of \$4,500 for fiscal 2012 and to authorize the Chair to sign, seconded by Selectman Morrison; so voted: 5-0.

**Assessors’ Contract For An Evaluation Update for Commercial and Other Properties:** Selectman Goodhue made a motion to award and approve the contract for Update of Commercial, Industrial, Large Multi-Family Residential, Mixed Use And Certain Exempt Property Valuations for Fiscal 2013 to KRT Appraisals LLC of Haverhill MA 01830 in the amount of \$21,500; subject to approval of Letter of Credit by Town Counsel, seconded by Selectman Gandt; so voted: 5-0. Chairman Powers requested clarification regarding the Letter of Credit versus obtaining a surety bond; Selectman Goodhue explained that the Board of Assessors agreed to accept the Letter of Credit in place of a surety bond as the letter of credit is a less expensive and equally effective measure.

**Linear Common Stone Dust Purchase:** Selectman Vogel made a motion to approve the purchase of stone dust for Phase III of the Topsfield Linear Common from Torrromeo Industries of Methuen, MA at \$13.00 per ton in the not-to-exceed amount \$15,000, seconded by Selectman Morrison; so voted: 5-0. Selectman Gandt reported that Iron Horse had changed the “Team” working on the Rail Trail and he felt more comfortable with their ability to complete the necessary tasks to satisfy the Conservation Commission’s Enforcement Order requirements.

**One Day Liquor License:** Selectman Vogel began a discussion regarding the Essex Agricultural Society One Day Liquor License requests for a 40<sup>th</sup> class reunion and a wedding reception, both to be held at the Fair Grounds, Coolidge Hall. He stated his concerns regarding various requirements in terms of insurances, server training, etc. Selectman Morrison stated that a wedding is not a non-profit organization to which the Town is able to provide a one day license but expressed her concern that if the Essex Agricultural Society is going into the business of serving alcohol at functions on the Fair Grounds then this changes the intent of the one-day license. Ms. Wilder suggested that she and Selectmen Vogel and Goodhue meet with Mr. O’Brien, Manager of the Fair Grounds, to review the intent of the requests. Selectman Vogel made a motion to tentatively approve the One Day Liquor Licenses from the Essex Agricultural Society for a wedding reception on August 21<sup>st</sup> and 40<sup>th</sup> class reunion to be held on August 13<sup>th</sup>, if all requirements to obtain such a license are satisfactorily met, seconded by Selectman Goodhue; so voted: 5-0.

**Town Hall Systems Administration Contract:** Selectman Morrison made a motion to award and approve a contract with Amiable Networks of Newmarket, NH for system administration consulting services for FY2012 in an amount non-to-exceed \$3,500, seconded by Selectman Gandt; so voted: 5-0.

**Liaison Reports**

Selectman Gandt reported that there was a new team working for Iron Horse that is more competent than the last one. He is, therefore, feeling more comfortable with the quality of work that is being performed. Selectman Goodhue, Morrison and Chairman Powers all walked the path recently and agreed with Selectman Gandt’s assessment.

**Town Administrator’s Report:**

- Referencing the need to upgrade the Cable TV/Town Website as reported earlier in the meeting, there should also be consideration regarding upgrading the telephone system in Town Hall. Ms. Wilder reported that phone calls are now being tracked to determine the nature of calls received in the Board of Selectmen’s Office. It is suspected that many calls are for other locations within Town Hall. Yet using the current system it is difficult to transfer calls, and if transferred, there is no voice mail to leave a message if the line is busy.
- Organization of Personnel files has begun.
- Worksheet of Goals and Objectives has been ongoing since the Board met.
- Update on the Financial Advisory Board of the Regional Emergency Communication Center. The process of finding an Executive Director has begun.
- Attended a meeting with Town Accountant Pam Wood and a vendor who handles unemployment claims. There is a potential for the Town to realize some savings through better claims management.

**Correspondence & Reports**

Correspondence

Support for Defibrillator: Dr. Bucchiere sent a letter requesting financial support be given to the purchase of a new Defibrillator for the Fire Department.

BOH Appointment: The Board of Health appointed Paula Burke, Town Clerk, as Assistant Health Agent to comply with State Regulations regarding the issuance of Death Certificates.

Preferred Sustainability Status: A letter was received from the Metropolitan Area Planning Council which explains the process of applying for Preferred Sustainability Status on specific grant programs.

Finance Committee Re- Appointment: Letter was received from Town Moderator John Kinhan relative to the reappointment of Paul Dierze to the Town’s Finance Committee.

Finance Committee New- Appointment: Letter was received from Town Moderator John Kinhan relative to the appointment of Daniel Shugrue to the Town’s Finance Committee.

Rowley Bridge Road Bridge Closure: The MassDOT submitted a letter and report relative to their recommendation that the Rowley Bridge Road Bridge be closed to vehicular traffic.

Marijuana Enforcement Fines: Kopelman & Paige submitted a memorandum on the enforcement of Marijuana fines.

Reports

Conservation Commission submitted a monthly report for June.

Alcohol Licensing Advisory Committee submitted minutes of June 1, 2011.

Invitation

GIC Lunch Invitation was received for a luncheon with Dolores Mitchell, Executive Director of the GIC.

**Warrants:** The Selectmen signed and approved warrants in the amount of \$ 374,508.99. The breakdown is as follows:

Warrant FY12:	
005T	\$ 83,551.81
006	\$ 290,957.18

At 9:25 PM, Selectmen Goodhue made a motion to go into Executive Session to discuss the Dispatchers' union, the Park & Cemetery union, and Highway/Water union contracts; seconded by Selectman Gandt. In a roll call vote, a yes vote was recorded for Chairman Powers, Selectman Morrison, Selectman Gandt, Selectman Goodhue and Selectman Vogel. The Board would not return to open session.

Respectfully submitted,

Donna Rich, Secretary  
Selectmen's Office

*Approved as amended at the August 1, 2011 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.