

BOARD OF SELECTMEN
Proctor School Library
Minutes of July 28, 2014

Chairman Dick Gandt called the meeting to order at 7:30PM. Board members present in addition to Chairman Dick Gandt, were Martha Morrison, Laura Powers, Steve Lais 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, Caleb Hudson, Tri-Town Transcript reporter Anna Burgess, Alcohol Advisory Committee members Stan Ragalevsky and Nancy Luther, the Historic Society's Renovation Committee members Tim Coffin, Bruce Daniels, Audrey Iarocci and Harry Reifel, Fishbone Project Manager Sarah Holden, Russo Barr Principal Andy Barr, residents Kim Sherwood, Kathleen Hoffman, Lori Breen, Trudi Perry, Hannah Menzer, Alfalfa Farm Winery owner Richard Adelman, and legal counsel for Alfalfa Farm Winery Frank DiLuna.

Chairman Gandt began the meeting with the Pledge of Allegiance and a moment of silence.

ANNOUNCEMENTS:

Selectman Powers reported that the Concerts on the Common continue on August 3rd with *4 Guys in Tuxes* to perform.

Chairman Gandt reported on the Working Sessions that had been held on July 7th, 14th, and 17th and also expressed one planned for August 11th.

Selectman Morrison reported that the first quarter Real Estate and Personal Property tax bills have been mailed and will be due August 1st.

Chairman Gandt reported that August 7th Topsfield would recognize as Purple Heart Day, as previously voted on by the Board.

APPOINTMENTS:

7:40PM – Relocation of “old school house”- Renovation Committee member Tim Coffin reviewed a relocation request of the East School house at the end of Candlewood Drive on Paul Ackerman's property. Mr. Coffin stated that the committee is seeking guidance from the Board for a proper location for the school house. It was noted that the desire of the Historical Society to move the school house to a location where it could potentially be utilized using the same model as the Gould Barn. Mr. Coffin stated that the committee had thought of a location between Proctor School and Town Hall as a potential resting spot. The Committee reported that they had met with the Elementary School Committee about that location, however the structure would most likely straddle both Town land and School property therefore would need further acceptance from the Town. Another location suggested was on the Congregational Church property. The Board asked questions about the group's plans for use of the building and their overall vision for the structure and supporting infrastructure; the Board decided to continue this discussion at the August 18th meeting.

8:05PM- Building Envelope Condition Report-Russo Barr Principal Andy Barr and Fishbone Project Manager Sarah Holden presented their findings on the condition of Town Hall relative to the exterior of the building. Discussion items included windows, side “dog-house” structures and condition of exterior paint. Chairman Gandt charged Town Administrator to provide an appropriate approach at the August 18th meeting.

GENERAL BUSINESS

Old Business

Amended Alcohol Rules & Regulations: Alcohol Advisory Committee members Stan Ragalevsky and Nancy Luther explained the recent revisions as housekeeping and non-substantive. Selectman Morrison made a motion to approve the Amended Alcohol Rules & Regulations as presented and dated 7/28/2014 and to contain a fee structure set at the following: applications for Farmer Winery License \$300, Farmer Winery License \$1,200, seconded by Selectman Powers; so voted: 5-0.

9:05PM Public Hearing for Alfalfa Farm Inc – Clerk Laura Powers opened the hearing by reading the Public Notice that was published in the Tri-Town Transcript on July 11, 2014 for the pouring license application for Alfalfa Farm Winery Inc. Chairman Gandt read the approved legislation for the Alfalfa Farmer Winery pouring license. Alfalfa Farm Winery owner Richard Adelman, legal counsel for Alfalfa Farm Winery, Frank DiLuna, and Trudi Perry approached the Board. Chairman Gandt reviewed several inconsistency found in the application to the business plan and requested they be corrected. The Board discussed limitations and issues with the parking plan presented in the application. The Board asked that the parking plan included in an Alfalfa Winery’s site plan dated August 12, 2010 be considered as Alfalfa Winery formulates a proper parking plan. The Board asked that the Traffic Advisory Committee review plans also. It was decided that a site visit would be beneficial and Secretary Donna Rich was asked to coordinate.

Selectman Powers made a motion to continue the Hearing until August 18th at 8PM, seconded by Selectman Morrison; so voted: 5-0.

CITIZENS QUESTIONS & COMMENTS

Chairman Gandt recognized Masconomet Regional School Committee member Kim Sherwood. Ms. Sherwood explained to the Board the contents of the letter from Masconomet Chief Financial Officer regarding the expenditures from the Excess and Deficiency fund. Ms. Sherwood expressed her desire to have this type of information be more easily understandable. Selectman Powers offered her expertise on the matter after being on Masconomet Regional School Committee for 9 years.

GENERAL BUSINESS

Old Business

Amendments to an Act requesting Pouring Licenses: Selectman Morrison made a motion to approve the amended changes to House Bill No, 4167 as suggested by Senator Lovely, in section 1, by inserting after the word “Laws”, in line 1, the following words:–“or any other general or special law to the contrary”: and by striking out section 2 and inserting in place thereof the following 2 sections:-

“SECTION 2. The licensing authority shall not approve the transfer of a license granted under this act to any other location but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those entities and that all applicable taxes, fees and contributions have been paid. SECTION 2A. A license granted under this act, if cancelled, revoked or no longer in use, shall be returned physically, with all of the legal rights, privileges and restrictions pertaining to the license, to the licensing authority”, seconded by Selectman Goodhue; so voted: 5-0.

New Business

Veteran's Service Agreement: Selectman Morrison made a motion to enter into a service agreement for one year commencing on July 1, 2014 and ending on June 30, 2015 in the amount of \$12,000 with Richard Cullinan of 25 Howlett Street, Topsfield, Massachusetts to provide professional assistance related to the administration and implementation of all services associated with the duties of a Veterans Agent/Service Officer for the Town of Topsfield, seconded by Selectman Goodhue; so voted: 5-0.

Emerson Field Lease Agreement: Selectman Morrison recused herself. Selectman Powers made a motion to approve a lease agreement between the Town of Topsfield and the Congregational Church of Topsfield at 9 East Common Street, Topsfield, MA in the amount of \$625 for a term of six months commencing on July 1, 2014 and terminating on December 31, 2014, seconded by Selectman Goodhue; so voted: 4-0. Selectman Morrison returned to the meeting.

Tri-Town Council Grant Agreement: Selectman Powers made a motion to approve a grant agreement between the Town of Topsfield and the Tri-Town Council, a non-profit located at 49 Main Street, Topsfield, MA in the amount of \$18,319.00 for services to be rendered to the residents of Topsfield, seconded by Selectman Lais; so voted: 5-0.

SeniorCare Grant Agreement: Selectman Powers made a motion to approve a grant agreement between the Town of Topsfield and SeniorCare Inc, a non-profit located at 49 Blackburn Center, Gloucester, MA in the amount of \$1,500 for services to be rendered to senior residents 60 and over or disabled adults of Topsfield, seconded by Selectman Goodhue; so voted: 5-0.

Walk Request: Selectman Morrison made a motion to approve the Trinity Church CROP Walk to be held on Sunday, October 26th beginning at 1PM. The route is the same as in previous years. Approvals have been obtained from Fire/Police & Highway, seconded by Selectman Lais; so voted: 5-0.

Bond Borrowing --Assign Useful Life greater than specified in Chapter 44 § 7 (9): Selectman Goodhue made a motion to table this issue until August 11th at which time the Town Administrator would provide clarification regarding the prepayment without penalty information on the bonds, seconded by Selectman Morrison; so voted: 4-1. Selectman Powers opposed due to her readiness to move the item as presented.

Council on Aging: Selectman Morrison made a motion to appoint Alfred DiDonato to the Council on Aging Board for a term to expire June 30, 2017, seconded by Selectman Powers; so voted: 5-0.

Green Community Grant: Selectman Morrison made a motion to approve the Department of Energy Resources contract in the amount of \$48,936 for the proposed high efficiency steam boiler at the Library and for the Chairman to sign, seconded by Selectman Powers; so voted: 5-0.

Library Heating System Upgrade: Selectman Morrison made a motion to award a contract to Resource & Energy Consulting to upgrade the heating system at the Library for \$50,936 and for the Chairman to sign, seconded by Selectman Powers; so voted: 5-0.

State Primary Warrant: Selectman Powers made a motion to approve the Warrant for State Primary scheduled for September 9, 2014, seconded by Selectman Morrison; so voted: 5-0.

Town Administrator's Report:

- Update on Pay & Classification Study
- Brief Negotiations update

CITIZENS QUESTIONS & COMMENTS

Chairman Gandt recognized Lori Breen who asked for an update on the Board's decision of a moment of silence at the beginning of the meetings. It was expressed that the item would be further discussed at a meeting in the Fall.

Correspondence & Reports

Correspondence

Masconomet Regional School Chief Financial Officer Susan Givens submitted how the Excess & Deficiency Fund would be used.

FY15 Fire Department Appointments submitted.

Willowdale Estate sent a follow-up letter on the noise complaint and also the BOS was copied on a letter to Mr. Niland.

Moderator appointed Eric Menzer of Pemberton Road to a three year term on the Finance Committee.

Reports

Board of Assessors Minutes submitted for May 9th and May 27th.

Invitation

Mass for Public Safety Personnel Cardinal's Office sent an invitation to attend a Mass on Sunday, September 21 at the Cathedral of the Holy Cross in Boston beginning at 11:30AM.

At 10:38 PM, Selectmen Morrison made a motion to adjourn and Selectman Goodhue seconded the motion; so voted: 5-0.

Respectfully submitted,

Donna Rich, Secretary
Selectmen's Office

Approved as written at the August 18, 2014 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. Relocation of an "Old School House" information from Renovation Committee
3. Building Envelope Condition Report presented by Russo Barr, Fishbone Consulting and Roberta Knight.
4. Public Hearing – Alfalfa Farm Winery pouring license application documents
5. Amended Alcohol Rules & Regulations document
6. Senate Amendments to Full Pouring Licenses information
7. Veteran's Service Agreement request
8. Emerson Field Lease Agreement request
9. Tri-Town Council Grant Agreement request
10. SeniorCare Grant Agreement request
11. Trinity Church Walk request
12. Treasurer/Collector Bond Borrowing request
13. Appointment to the Council on Aging Board request

14. Green Community Grant request
15. Heating Upgrade for the Library request
16. State Primary Warrant request
17. Masconomet Regional High School explanation of how Excess & Deficiency Fund will be used.
18. FY15 Fire Department Appointments
19. Follow-Up letter to noise complaint from Willowdale Estate
20. Moderator's Finance Committee Appointment
21. Board of Assessors Minutes of May 9th and 27th
22. Invitation to a Mass for Public Safety Personnel

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.