



**BOARD OF SELECTMEN  
Proctor School Library  
60 Main Street, Topsfield**

**Minutes of April 10, 2017  
7:30 PM**

Board Members present in addition to Chairman Stephen Lais were Boyd Jackson, Martha Morrison and Laura Powers. Clerk Mark Lyons was not in attendance because it was the first night of Passover. Of the Selectman's Staff, Kellie Hebert, Town Administrator, and Susan Winslow, Administrative Assistant, were in attendance. Other persons present during all or part of the meeting were Highway Superintendent David Bond, Health Agent John Coulon, Chairman of the Water Commissioners Philip Knowles, Water Superintendent Greg Krom, Police Chief Evan Haglund, MEMA Representative Allen R. Phillips and Town Moderator Steve Whelan. From the Topsfield Fire Department: Firefighter David Ahern, Firefighter Thomas Ash, Firefighter Conor Brown, Captain Jenifer Collins-Brown, Firefighter Nicholas Dalissandro, Captain Charles Denault, Firefighter Jerome Feltault, Firefighter Travis Fontaine, Interim Chief Richard Harris, Firefighter Jeffrey Horne, Firefighter Sean Looney, Firefighter Scott Moore, Firefighter Jason Santosuosso, Firefighter Scott Winfrey, Acting Lieutenant Charles Wood, Lieutenant Donald Wood. Representative Brad Hill and Senator Joan Lovely were also in attendance. Greg Murrer from the Ipswich River Watershed Association was in attendance. Residents Richard Gandt, Sydney Renda, Priscilla Renda, Wendy Renda and Eric Renda were in attendance. Doreen Burliss of the Tri-Town Transcript and Ben Demers from Boxford Cable Television were in attendance.

**CALL TO ORDER**

Chairman Stephen Lais called the meeting to order at 7:30 PM.

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

**ANNOUNCEMENTS**

Chairman Lais announced, "Please be informed that the meeting is being recorded by Boxford Cable Television and that the Board's Recording Clerk has a recording device for her record-keeping. Due to technical issues, tonight's meeting will not be broadcast live, but it will be recorded and broadcast at a future date. Is there anyone else present who wishes to record the meeting?" There was no response to this question.

Selectman Morrison announced, "The Topsfield Historical Society is hosting an Arbor Day Event April 29 from 10am to 2pm at the Capen House, 1 Howlett

Street, to commemorate the historic moment when the ancient Ash tree that has graced the Capen House Lawn for over 100 years will be taken down. This tree has reached the end of its life, posing a threat to the Capen House and the public. This family event will focus on learning about trees and our environment and there will be nature crafts, snacks, history information and prizes.”

Selectman Powers announced, “The Compost facility at the Highway yard is now open every Saturday from 9am to 1pm. Tickets are \$10.00 per visit or you may buy a season pass for \$75.00, available at the Selectmen's Office at 461 Boston Street, Unit E-6.”

Selectman Jackson announced, “Topsfield Annual Town Meeting will be held Tuesday, May 2 at 7:00 PM at the Proctor School Gymnasium. The Town Meeting Warrant is available on the Town website and will be mailed to residents by April 18. The Town Election will be held on Thursday, May 4 from 7am to 8pm at the St. Rose of Lima Church Hall.”

Selectman Morrison announced, “Voter Registration deadline for the Town Election is April 12. The Clerk's office will be open from 8am to 8pm on that date at 461 Boston Street, Unit E-6 at the rear of the office complex.”

Chairman Lais announced, “The League of Women Voters is sponsoring Candidates Night on April 12 at 7:30pm at the Proctor School Library.”

### **CITIZEN QUESTIONS AND COMMENTS**

Chairman Lais asked if there were any citizen questions or comments. There were none.

### **NEW BUSINESS**

#### Representative Brad Hill and Senator Joan Lovely

Representative Hill and Senator Lovely announced that the House has an allocation of \$200,000,000 for Chapter 90 this year. The Senate took up the bill last week and passed it as well. Selectman Jackson added that Topsfield will be allocated \$269,755 pending final legislative approval.

Representative Hill also informed the group of the following:

- Unemployment numbers are low but revenue is still low due in part to companies offering benefits in lieu of taxable compensation.
- The House will finalize the Budget by Memorial Day.
- The Cannabis Control Commission has been established to have general supervision and regulatory authority over recreational marijuana establishments.
- The Curatorship Bill was heard April 10, 2017.
- LAND and other grants will be facing cuts this coming year.
- He praised Town Administrator Kellie Hebert for working tirelessly on Topsfield's behalf.

Fire Department Awards

Interim Chief Richard Harris announced that, at this meeting, the Fire Department would be recognizing the actions of Firefighters following two recent events.

Captain Jenifer Collins-Brown described the event of January 13, 2017 when baby Sydney Renda made a surprise arrival in an unexpected home birth. Firefighters responded within 7 minutes to assist mother and baby before transporting them to the hospital.

The following Fire Department personnel received awards at this meeting in recognition of the clinical skills and teamwork demonstrated on Friday, January 13, 2017 during the field delivery of Miss Sydney Renda in her home: Firefighter EMT Thomas Ash, Firefighter EMT Charles Brown, Captain Paramedic Jenifer Collins-Brown, Captain EMT Charles Denault, Firefighter Jason Santosuosso, Firefighter EMT Scott Winfrey.

Town Clerk Beth Willis presented the Renda Family with Sydney's Birth Certificate.

Captain Jenifer Collins-Brown described the events of December 3, 2016 when Aaron Herman of Belmont suffered a sudden cardiac arrest while biking on the Rail Trail. Firefighters administered life-saving CPR, IVs and multiple defibrillations to restore a pulse before transporting him to the hospital.

The following Fire Department Personnel received awards at this meeting in recognition of the clinical skills and teamwork demonstrated on Saturday, December 3, 2016 during the successful resuscitation of Mr. Aaron Herman after a sudden cardiac arrest: Firefighter EMT David P. Ahern, Firefighter EMT Charles Brown, Firefighter Paramedic Conor Brown, Captain Paramedic Jenifer Collins-Brown, Firefighter Paramedic Roland Courtemanche, Firefighter Nicholas Dalissandro, Firefighter EMT Travis Fontaine, Chief Ronald Giovannacci, Acting Lieutenant EMT Charles B. Wood.

Captain Collins-Brown then introduced Mr. Aaron Herman who thanked the members of the Topsfield Fire Department for saving his life.

Fire Department Report

Interim Chief Richard Harris reviewed to the Monthly Reports in the Selectmen's packets. In the past four months, there were 212 reports for medical aid, 82 transports, 55 transport refusals. The Fire Department has generated \$49,400 to the General Fund to date.

Mutual Aid Agreement

Interim Fire Chief Richard Harris informed the Board that he has worked with Chief Evan Haglund, Highway Superintendent David Bond and Health Agent

John Coulon to introduce the Statewide Mutual Aid Agreement to Topsfield. He introduced MEMA Representative Allen R. Phillips who gave the Board a description of Statewide Mutual Aid including:

- 327 out of 350 communities in the Commonwealth participate in Statewide Mutual Aid
- It takes 30 days to opt in.
- To opt out, it takes one letter and 10 days.
- Enrolled communities are not forced to respond mutually. This is an “if you can” scenario.
- Enrollment will allow the Town access to FEMA funds more quickly in the event of an incident.

Selectman Morrison made a motion to approve a Mutual Aid Agreement for Statewide Public Safety Mutual Aid in accordance with G.L. Chapter 40, §4k and Statewide Mutual Aid in accordance with G.L. Chapter 40, §4J and G.L. Chapter 48, §9A. Selectman Powers seconded, so voted 4-0.

#### Water Treatment Facility Land Easement

Water Superintendent Greg Krom and Chairman of the Water Commissioners Philip Knowles appeared before the Board to support the land easement agreement with Green Acres Realty for the Water Treatment Facility project. Mr. Krom showed the Board a plan indicating the location of the easement. He thanked the late Richard Skeffington for agreeing to the easement before his death, and Rob Skeffington for proceeding with the easement. Mr. Krom informed the Board that there will be a request to the Selectmen for a Special Town Meeting for this project to be held in June, 2017, the date to be determined.

Selectman Morrison made a motion that, in accordance with Massachusetts General Laws Chapter 40, § 39B and pursuant to the vote taken under Article 26 of the 2016 Annual Town meeting, to accept the land easement from Green Acres Realty for the Topsfield Water Treatment Facility Project. Seconded by Selectman Powers, so voted 4-0.

#### Issuance of One Day Alcohol License and Tent Approval

Greg Murrer from the Ipswich River Watershed Association appeared for a request for a One Day Alcohol License for a fundraising event, the Paddle-A-Thon on June 17, 2017. Chairman Lais thanked Mr. Murrer for following through on instructions given to him at the March 27, 2017 Selectmen's Meeting.

Selectman Morrison made a motion to issue a One Day Alcohol License to the Ipswich River Watershed Association for a fundraising event, Paddle-A-Thon, to be held at the Topsfield Fairgrounds on June 17, 2017. Beer to be served in the tent between the hours of noon and 4:00pm. Seconded by Selectman Powers, so voted 4-0.

Selectman Morrison made a motion to approve the use of a tent for use by the Ipswich River Watershed Association during its Paddle-A-Thon fundraising event from 9am to 6pm to be held at the Topsfield Fairgrounds on Saturday, June 17, 2017. Seconded by Selectman Powers, so voted 4-0.

One Day Alcohol License, Tent Approval and Approval of Route

The application for this event was ineligible for a One Day Alcohol License based on the number of anticipated participants: 1,300. Topsfield regulations restrict One Day Alcohol Licenses to a maximum of 500 participants, so the application for the One Day Alcohol License and request for a tent for the serving of alcohol was withdrawn.

Request for Approval of Route:

Selectman Powers made a motion to approve the public travel route through the streets of Topsfield for the American Diabetes Association fundraising event, 'Tour de Cure' on Sunday, May 21, 2017 beginning at 6am and ending by 4pm. Selectman Morrison seconded, so voted 4-0.

Nomination of Peter Mulholland as Inspector of Animals

Selectman Morrison made a motion to nominate to the Commonwealth of Massachusetts Mr. Peter Mulholland to be re-appointed by the Commonwealth as the Inspector of Animals for the Town of Topsfield effective May 1, 2017 to April 30, 2018. Selectman Jackson seconded, so voted 4-0.

Boxford Cable Television Agreement

Selectman Morrison made a motion to approve a Services Agreement between the Town of Topsfield and non-profit 501 (c) (3) Boxford Community Access Television to provide cable television and programming services for the Town of Topsfield through June 30, 2017; further, that the agreement be subject to a one year renewal on July 1, 2017 for services to be provided through Fiscal Year 2018 pending Town Meeting funding for Fiscal Year 2018 budget for Cable PEG Services. Seconded by Selectman Powers, so voted 4-0.

Utility Contract Renewals: CREST Utility Contracts

Town Administrator Kellie Hebert explained that by signing this agreement, Topsfield will be joining 14 communities in the CREST consortium to obtain competitive rates on utilities.

Selectman Powers made a motion to approve the contracts and utility pricing agreements coordinated by Tradition Energy and the CREST Collaborative Purchasing Group to purchase gas and electric utilities for Topsfield buildings. Further, to approve a contract between the Town of Topsfield and Constellation New Energy, Inc. for an Electricity Supply Agreement for four (4) years. Further, to approve a contract between the Town of Topsfield and Sprague Operating Resources for a Natural Gas Sales Agreement for three (3) years. Further, to

authorize the Town Administrator and Chairman to sign the contract documents on behalf of the Town of Topsfield. Seconded by Selectman Morrison, so voted 4-0.

### Fire Chief Search Process

Town Administrator Kellie Hebert informed the Board that Municipal Resources Inc. (MRI) has completed the initial assessments and has five (5) candidates scheduled for an Assessment Day at the Topsfield Fairgrounds on April 28. The candidates have completed applications, written essays and telephone interviews. Background checks have been completed. Board Members will be invited to the Assessment Day. From the two (2) or three (3) finalists after Assessment Day, Town Administrator Hebert will make a recommendation to the Board.

Chairman Lais expressed his “strong disapproval” of the job description and residency requirement and said he would have liked to have been involved early in the process. He indicated that he would have been comfortable with a 15 mile radius requirement instead of an in-town residency requirement. Selectman Morrison agreed with Chairman Lais. Selectman Jackson added that he does not think a residency requirement is inappropriate and he would support a 15-mile radius living requirement. He added that the Board is not going to go back and start the process over again and he praised the efforts of MRI to bring forward five (5) viable candidates. It was agreed that this requirement will be negotiable.

### **TOWN ADMINISTRATOR REPORT**

Town Administrator Hebert reported the following:

- The Health Insurance Plan Design Review is moving forward with a meeting of the PEC on April 19 at 4:00 pm.
- The Collins Center completed the Capital Planning Document.
- Town Administrator Hebert met with the Finance Team to develop suggestions for improving the Budget and Town Meeting Warrant processes for FY19.
- The Complete Streets Program is underway.
- Because Topsfield is a Compact Community, there may be up to \$250,000 in grant funds available for making Town Hall ADA compliant. She is working with Senator Lovely and Representative Hill on this.

### **COMMUNICATIONS**

Selectman Jackson praised Ms. Hebert for the letter she wrote to House Chair Jay R. Kaufman and Senate Chair Michael D. Brady expressing the Town's opposition to S.1655 which would, if passed, reverse the 2011 court decision *Willowdale, LLC v Assessors of Topsfield*, 78 Mass. App. Ct. 767 (2011).

**ADJOURN**

Selectman Powers made a motion to adjourn. Seconded by Selectman Morrison, so voted 4-0. The meeting adjourned at 9:15 PM.

Respectfully Submitted,

Susan Winslow  
Recording Secretary

**Documents:**

1. Agenda
2. Detailed Agenda
3. Document, "Topsfield Historical Society Arbor Day Event 4/29/17"
4. Letter from MassDOT regarding FY18 Chapter 90 apportionment to Town of Topsfield
5. Topsfield Fire Department December, 2016 Update
6. Topsfield Fire Department January 2017 Update
7. Topsfield Fire Department February 2017 Update
8. Topsfield Fire Department March 2017 Update
9. Topsfield Fire Department Monthly EMS Reports for December 2016, January 2017, February 2017, March, 2017.
10. Letter announcing award to Captain Jenifer Collins-Brown from Coverdell Stroke Program EMS Quality Improvement Collaborative
11. Letter announcing nominations for 2016 CPS Technician of the Year Award from the National Child Passenger Safety Board citing Firefighter Thomas Ash, Captain Charles Denault, Captain Jenifer Collins-Brown and Firefighter Conor Brown.
12. Thank you letter to the Topsfield Fire Department from Anita Sweeney
13. Thank you letter to the Topsfield Fire Department from Chief Fred A. Mitchell Jr., Georgetown Fire Department
14. Thank you note to the Topsfield Fire Department from the Phillips Family
15. BOS Recommendation from Interim Fire Chief Richard Harris for State-Wide Mutual Aid participation.
16. Letter from Chief Harris to BOS
17. Letter from Kurt N. Schwartz, Undersecretary, Law Enforcement and Fire Services and Acting Director of MEMA
18. Attachment A, Summaries of Mutual Aid Laws
19. Attachment B, Mutual Aid 'Opt-In' Instructions
20. Copy of PowerPoint presentation, 'Mutual Aid in Massachusetts' by Allen R. Phillips
20. One Day Alcohol License – Ipswich River Watershed Association
21. One Day Alcohol License Application – Ipswich River Watershed Association
22. One Day Alcohol License Application – American Diabetes Association

23. Route request and Tour de Cure route maps – American Diabetes Association
24. Document, “Draft Agreement Between Boxford Cable Access Television Corporation and The Town of Topsfield, Massachusetts”
26. Nomination Document for Animal Inspector from Commonwealth of Massachusetts
26. Constellation Agreement
27. Sprague Natural Gas Agreement
28. Memorandum to Kellie Hebert from Brian Duggan, MRI
29. Fire Chief Job Description
30. Advertisement for Fire Chief
31. Document, “Ideal Candidate Profile and Challenge Statement”
32. Letter from Kellie Hebert to The Honorable Jay. R. Kaufman, House Chair and The Honorable Michael D. Brady, Senate Chair
33. Document, “Masconomet RSD Safety and Security Warrant Article for Consideration in FY18”
34. Letter from Susan K. Givens, Assistant Superintendent of Finance and Operations, Masconomet Regional School District
35. Masconomet Regional School District FY18 General Fund Budget
36. Letter to Selectman Powers from Workforce Investment Board

*These Minutes were accepted as written at the April 24, 2017 Board of Selectmen 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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