



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

**Minutes of Monday, November 13, 2017
7:30 PM**

Board Members present were Chairman Boyd Jackson, Clerk Mark Lyons and Selectmen Richard Gandt and John K. Spencer. Selectman Laura Powers was not in attendance. Of the Selectman's Staff, Town Administrator Kellie Hebert and Administrative Assistant and Recording Secretary Susan Winslow were in attendance.

Police Chief Evan Haglund was in attendance. From the Topsfield Fire Department, Chief Jenifer Collins-Brown, former Fire Chief Ronald Giovannacci, Former Interim Fire Chief Richard Harris, Lieutenant Thomas Ash, Captain John Boyle, Firefighter Charles Brown, Lieutenant Conor Brown, Captain Charles Denault, Captain Darrell Moore, Acting Lieutenant Charles Wood, Lieutenant Donald Wood were in attendance.

Ripal Patel from Country Farms Market and Melissa Thunberg from Willowdale Estate were in attendance. Residents in attendance included Jessica Brown, Darcy Fulton, Gretchen Rehak, Andrea Wood and Jonathan Wood. Jane Ash was in attendance. Ben and Maddie Demers from Boxford Cable Television and Doreen Burliss from the Tri-Town Transcript were in attendance.

CALL TO ORDER

Chairman Boyd Jackson 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 Jackson made the following announcements:

- Please be informed that the meeting is being recorded live by Boxford Cable Television and that the Board's Recording Clerk has a recording device for her record-keeping. Is there anyone else present who wishes to record the meeting? There was no response to this question.

Executive Session:

- The Board will meet in Executive Session under Exemption #3 to discuss strategy with respect to collective bargaining, specifically for the Topsfield Police Benevolent Association, Full Time Firefighters and AFSCME Units since an open meeting may have a detrimental effect on the bargaining position of the public body and the Chair so declares.
- The Board will NOT return to Open Session.

Selectman Gandt announced:

“On Saturday, November 19 from 9 AM til Noon, Topsfield TRIAD in partnership with Junk Junk Baby! Will offer a Decluttering Day Drop Off at the Topsfield Fairgrounds Gate A (River Gate) on Route 1. They will accept books, housewares, clothing, anything serviceable, kitchenwares. Please do not bring any hazardous waste (batteries, fluorescent light bulbs), hazardous fluids (oil, motor oil, paint, cleaning supplies), tvs or computer monitors or household trash.”

Selectman Spencer announced:

“November 25, 2017 will be the last Saturday of the season for the Compost Center at the Highway Facility, 279 Boston Street. The Center is open from 9 – 1, Saturdays only, for yard waste and brush up to 4 inches in diameter. No stumps or full trees. Compost Tickets may be purchased for \$10 each at the Selectmen’s Office, 461 Boston Street, Suite E-6. The office is open Monday – Thursday from 8 – 4, Friday until noon.”

Selectman Gandt announced:

“Please be advised that the Town Offices will be closed on Wednesday, November 22nd at 12:00 Noon for the Thanksgiving holiday. Please be sure to purchase your compost center access tickets before the close of Town Hall on November 22nd at 12 Noon.”

Selectman Spencer announced:

“Holiday On the Green, a free family event, will take place on Saturday, December 2, 2017 from 3:00 pm to 7:00 pm on the Common. There will be food trucks, hayrides, Nutcracker story time, Memory Tree Lighting, Artisan Workshop, visit from Santa, a Holiday Walk at local businesses and much more. For more information, see the Town website or visit the Holiday On The Green Website at www.holidayonthegreen.com”

CITIZEN COMMENTS AND QUESTIONS

Holiday On The Green: Residents Darcy Fulton and Gretchen Rehak gave the Board a description of the activities planned for Holiday on the Green, a holiday celebration to be held on the evening of December 2, 2017. They also informed the Board that financial donations will be accepted through “Illuminate Topsfield” to cover the cost of industrial quality lighting for this event that will remain in place year-round. Chairman Jackson informed the Board that Consigli Construction graciously offered to hang the lights.

AWARDS AND RECOGNITION:

Fire Chief Collins-Brown presented Length Of Service Awards to the following Firefighters:

Captain Darrell Moore – 40 years
Captain Charles Denault – 35 years
Lieutenant Donald Wood – 25 years
Acting Lieutenant Charles Wood – 25 years
Firefighter Charles Brown – 30 years

Chief Collins-Brown introduced and conducted a Pinning Ceremony for Firefighter EMT John Boyle.

Chief Collins-Brown introduced and announced promotions for Firefighter Thomas Ash and Firefighter Conor Brown to the position of Lieutenant.

DEPARTMENT UPDATE:

Police Chief Evan Haglund gave the Board an update on activities at the Topsfield Police Department. He distributed the following documents and reviewed them:

- copy of the year-to-date budget
- "Activity Report" from the 2017 Topsfield Fair
- photos of Detective Kelly Pickering helping youngsters who set up a stand to give away cupcakes and cookies during the recent storm-related power outage
- photo of Topsfield Officers who volunteered to participate in a Police Motorcade drive-by at the Barbara Bush Children's Hospital in Portland, Maine, for 9-year old Jacob Thompson who is battling cancer
- flyer for Holiday Walk "Stuff A Cruiser" event, collecting food donations for the Food Pantry

NEW BUSINESS

Propertyroom.com Agreement: Selectman Gandt made a motion to authorize an agreement between the Town of Topsfield Police Department and Propertyroom.com for the disposition of forfeited and confiscated items through an on-line auction service. Seconded by Chairman Jackson, so voted 4-0.

7:45 Public Hearing: Willowdale Estate Change of Corporate Name: Selectman Spencer made a motion to open the public hearing regarding the Willowdale Estate LLC request for the change in their corporate name to Bramble Hospitality LLC. Seconded by Selectman Gandt. The Chairman requested any public testimony on this request. Melissa Thunberg, Executive Director at Willowdale Estate informed the Board the name change reflects an expansion of the corporation, but Willowdale Estate will remain the same. Selectman Gandt made a motion to close the public hearing. Seconded by Selectman Spencer, so voted 4-0.

Selectman Spencer made a motion to amend an existing Alcohol License for Willowdale Estate LLC to reflect the corporate name change to Bramble Hospitality LLC. Seconded by Selectman Gandt, so voted 4-0.

8:00 PM Continuation of Public Hearing for Country Farms: Town Administrator Hebert explained that this Hearing was duly opened on October 16, 2017 and was continued to October 30, 2017 due to a request from the petitioner. The October 30, 2017 meeting was cancelled due to the storm and power outage. Selectman Gandt made a motion to open the Public Hearing, seconded by Selectman Selectman Spencer. So voted, 4-0.

Mr. Ripal Patel appeared before the Board to inform them that the proposed sign would be the same size and shape of the former Cumberland Farms sign, and it would not be lighted.

Chairman Jackson asked if there were any other comments from the public. There were none. Selectman Spencer informed the Board that he could not support this request because the sign did not strictly adhere to the Town Sign Bylaws. He explained that the name change represented a change to the sign, thus excluding the sign from the "grandfather clause" in the Sign Bylaw. Selectman Gandt disagreed and noted that there is a precedent in Town where non-conforming signs that have only been refaced have been approved. Selectman Spencer suggested that Mr. Patel consider lowering the height of the sign similar to other businesses on Main Street. Chairman Jackson agreed with Selectman Spencer. Selectman Gandt made a motion to close the Public Hearing. Seconded by Selectman Spencer, so voted 4-0.

Selectman Spencer made a motion to approve the request by Country Farms to install a non-conforming sign. Seconded by Selectman Gandt, so voted 1 in favor and 3 against. The motion failed.

Selectman Spencer and the applicant agreed to work together toward construction of a conforming sign.

Consigli Change Order Request

Selectman Spencer made a motion to approve Change Order #2 with Consigli Construction in the amount of \$10,924.93 for the Town Hall Project to fund labor and materials to replace the rotted and deteriorated wood sill at the south elevation of the new addition location as approved by the Town Hall Building Committee. Seconded by Selectman Gandt, so voted 4-0.

Triton Leasing Change Order Request

Selectman Gandt made a motion to approve Change Order #2 with Triton Leasing and Rental in the amount of \$3,432.50 for the Town Hall Project. The approval will fund additional pipe fittings, drywall, extra containment for second staircase damp roof removal and mobilization as approved by the Town Hall Building Committee. Seconded by Selectman Spencer, so voted 4-0.

ADA Grant Application

Selectman Spencer made a motion to approve a grant application for an Americans with Disabilities Act (ADA) Grant to be submitted from the Town Administrator's and Board of Selectmen's Office to the Commonwealth of Massachusetts to apply for available grant funds for the Town Hall elevator and stage lift, and for the Chairman to sign. Seconded by Selectman Gandt. Selectman Gandt expressed concern about items required by the grant language to be placed on the Town Warrant. He expressed opposition to the requirement that the Town must establish a Commission on Discrimination requiring 'between 5 to 13 members' that must meet ten times a year, citing an increase in bureaucracy and the amount of paperwork. Town Administrator Hebert pointed out that this grant could mean up to \$100,000 toward the construction of the elevator at Town Hall, and it would not be difficult to find five people willing to serve on such a commission, including herself and Fire Chief Jenifer Collins-Brown, who currently serves as the Town's ADA Coordinator. Chairman Jackson called for a vote, so voted 3-1 with Selectman Gandt voting in the negative.

Illuminate Topsfield Gift Account

Selectman Spencer made a motion to establish a new Town Gift Account for donated funds raised by the "Illuminate Topsfield" fundraising efforts. Seconded by Selectman Gandt, so voted 4-0.

Appointment of Melissa Ogden to Open Space Committee

Selectman Spencer made a motion to appoint Ms. Melissa Ogden to the Open Space Committee for a term to commence on October 30, 2017 and expire on June 30, 2018 as recommended by the Open Space Committee. Seconded by Selectman Gandt, so voted 4-0.

VNA Contract Approval

Selectman Gandt made a motion to approve a service agreement between the Town of Topsfield and the VNA Care Network Foundation for Fiscal Year 2018 as recommended by the Board of Health. Seconded by Selectman Spencer, so voted 4-0.

Cultural Council Contract Approval

Selectman Gandt made a motion to approve the contract for the transfer of the FY2018 Local Cultural Council funds from the Massachusetts Cultural Council

to Topsfield in the amount of \$4,400 and for the Chairman to sign. Seconded by Selectman Spencer, so voted 4-0.

TOWN ADMINISTRATOR'S REPORT

(Administrative Note: the Town Administrator's Report is intended to provide Board Members and Citizens with a brief update and reports of progress regarding the many various tasks and major projects that have been assigned to the Town Administrator or Town Department Heads. The TA Report is not intended to engage the Board with any lengthy discussion or questions requiring detailed background information. While limited questions and comments may be easily addressed at the end of the Report – it is recommended that certain questions or requests be referred to the Town Administrator for further research. Also, Board Members may also request that a specific matter be added to the next meeting agenda for a formal discussion and official deliberation.)

(Legal Note: Per Open Meeting Law, Board Members' personal opinions or member deliberations should NOT be offered during the Town Administrator's Report on matters that have not been publicly posted on the agenda; alternatively, for matters or items regarding issues of public decision making and further research and deliberation, the Board may consent, or take a vote, to add any specific topic to the next regular meeting agenda in order to allow the entire Board to engage in a full discussion, deliberation and formal vote following a duly posted meeting and agenda notice to all citizens with 48 hours advance notice.)

Town Administrator Hebert gave a report on the following:

- The Budget Process has been started.
- Meetings with Department Heads regarding Capital Requests will be held in the coming weeks.
- The Collins Center Policy document continues to be reviewed.
- The Treasurer and the Town Accountant have been working on the Recap to send to the DOR

Selectman Gandt requested that he meet with Town Accountant Catherine Gabriel to review budget process. Town Administrator Kellie Hebert and Clerk Lyons voiced their opinion that this should be done at a full Board Level. Town Administrator Hebert set up a Working Session for November 29, 2017 at 4 PM.

APPROVAL OF MEETING MINUTES

October 16, 2017

Selectman Spencer made a motion to approve the Meeting Minutes of October 16, 2017 as amended. Seconded by Selectman Gandt, so voted 4-0.

EXECUTIVE SESSION

At 9:15 PM, Chairman Jackson made a motion to enter into closed Executive Session, with the meeting to adjourn at the conclusion of Executive Session without returning to Open Session. Seconded by Selectman Lyons.

Roll Call Vote to enter into Executive Session:

Jackson – Yes

Lyons – Yes

Gandt – Yes

Spencer - Yes

So voted 4-0. The Board entered Executive Session at 9:15 PM.

DOCUMENTS

1. Agenda
2. Detailed Agenda
3. Memo from Chief Jenifer Collins-Brown announcing Firefighter promotions dated 10/26/17
4. Memo from Interim Chief Harris dated 6/3/2017
5. Year-To-Date Budget document from Police Department
6. Holiday Walk "Stuff A Cruiser" Flyer
7. 2017 Topsfield Fair Police Department Activity Report
8. Photos of community service activities from Topsfield Police Department
9. Memo to Selectmen from Chief Haglund re: Propertyroom.com dated 1/4/17
10. House Bill #1981 Fact Sheet
11. Propertyroom.com contract
12. Legal notice for Willowdale corporate name change Public Hearing
13. Willowdale All Alcohol Beverages – General On-Premises Pouring License
14. Change of Corporate Name Amendment Application for ABCC
15. Country Farms photo of proposed sign
16. Country Farms drawing of sign location
17. Country Farms Application for Special Permit for Non-Conforming Sign
18. Assessor's card for 20 Main Street, Topsfield
19. Inspectional Services Permit Denial to Ripal Patel for Country Farms proposed sign
20. Building Permit Application for Country Farms sign
21. Worker's Compensation Affidavit for North Shore Signorama
22. Copy of legal notice for Country Farm Public Hearing
23. Board of Assessors request form for certified abutters list
24. List of 300-foot abutters for 20 Main Street, Topsfield
25. Assessor's map of 24 Main Street
26. Letter from Tirth LLC dated October 18, 2017
27. photos of Country Farms store
28. Board of Selectmen Recommendation Request from Donna Rich for Change Order #2 for Consigli Construction

DRAFT BOS Regular Meeting Minutes –11/13/2017

Page 8

29. Drawing of rotted sill location at Town Hall
30. Memo from Consigli Construction, "South Elevation Wood Sill Condition"
31. North South Construction Services proposed change order request dated 9/25/17
32. Board of Selectmen Recommendation Request from Donna Rich regarding Asbestos Abatement Change Order #2 for Triton Leasing and Rental
33. Triton Leasing and Rental Inc., Change Order 2
34. Board of Selectmen Recommendation Request from Donna Rich for ADA Grant Application
35. 2017 Municipal Grant Application Installation of Town Hall Elevator and Stage Lift
36. Board of Selectmen Recommendation Request from Donna Rich on behalf of Holiday on the Green Committee
37. Letter and Flyer from Holiday On The Green
38. Copy of Downtown Tree Lighting Donation Form
39. Board of Selectmen Recommendation Request from Health Agent John Coulon
40. Copy of VNA Care Network Contract
41. Board of Selectmen Recommendation Request from Donna Rich on behalf of the Cultural Council
42. Copy of Commonwealth of Massachusetts Standard Contract Form
43. Commonwealth of Massachusetts Contractor Authorized Signatory Listing form
44. Mass Cultural Council Scope of Services/Budget
45. Mass Cultural Council Letter dated October 25, 2017
46. Draft Meeting Minutes from October 16, 2017
47. Letter to Topsfield Fire Department dated October 24, 2017
48. Letter to Topsfield Fire Department from Terri Pawlowski
49. Topsfield Water Department Report of the Water Commissioners
50. Commonwealth of Massachusetts Department of Public Utilities Notice of Filing, Public Hearing, Procedural Conference and Request For Comments dated October 12, 2017
51. Letter from Mass Audubon dated October 25, 2017

Minutes were accepted as written at the November 27, 2017 Board of Selectmen 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.
