



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

**Minutes of Monday, December 11, 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.

Town Accountant Catherine Gabriel was in attendance. Residents Gerry Buckley, Heidi Fox, Eldon Goodhue, David Larson and Kim Sherwood were in attendance, as were Ben and Maddie Demers from Boxford Cable Television and Doreen Burliss from the Tri-Town Transcript.

**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 also 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 announcement.

"Please sign the attendance sheet."

Clerk Lyons made the following announcement:

"Last Spring, the Topsfield Conservation Commission adopted a new policy on private outdoor skating rinks located in a Buffer Zone or Riverfront area. The policy is intended to prevent damage to or alteration of jurisdictional areas from the installation of temporary ice skating rinks for private use. Anyone who is considering installing a private skating rink, either temporary or permanent, in or near a Buffer Zone or Riverfront area, should review the guidelines on the Town Website at [www.topsfield-ma.gov](http://www.topsfield-ma.gov) and contact Conservation Agent Heidi Gaffney."

Selectman Gandt made the following announcement:

“Please watch the Town of Topsfield Website News column [www.topsfield-ma.gov](http://www.topsfield-ma.gov), for dates when the Compost Center will be open for the disposal of Christmas Trees after the Holiday.”

Chairman Jackson made the following announcement:

“The Board will meet in Executive Session under Exemption #3 to discuss strategy with respect to collective bargaining, specifically for the Full Time Firefighters IAFF Union, Call Firefighters Association and the AFSCME units since an open meeting may have a detrimental effect on the bargaining or litigating position of the public body. The Board will not return to Open Session.

### **CITIZEN COMMENTS AND QUESTIONS**

Resident Eldon Goodhue asked if Public Comment on Item #1, the Donibristle Farm Grant Status and impact on the Town FY18 Tax Rate, could be conducted after the item was presented. Chairman Jackson responded in the affirmative.

Resident Kim Sherwood asked the Board for the status of the Collins Center Fiscal Forecast and Capital Improvement reports. Town Administrator Hebert responded that these documents are being updated with information specific to Topsfield.

### **NEW BUSINESS**

#### Donibristle Farm Grant Status & Impact on final FY18 Tax Rate

Town Administrator Hebert informed the Board that the Town did not receive the LAND Grant. This has resulted in a re-calculation of the FY18 Tax rate from 17.08 to 17.36. The Town Accountant and Town Administrator have been in touch with DOR to retract the prior certification to reflect this correction, which has now been certified.

Resident Eldon Goodhue said that he was very disappointed that the Town did not receive the Grant. Chairman Jackson responded that the residents voted at Town Meeting to purchase the land and it was made clear that the Town would be responsible for the purchase of Donibristle Farm if the Town did not receive the grant. The Chairman informed the assembly that 17 towns applied for the grants and 12 received them, so Topsfield is now responsible for the \$400,000 that would have been covered by the grant. Resident David Larson suggested that Greenbelt might solicit donations to help cover this amount.

#### License Renewals

##### Used Car Dealer's License – Class II

Clerk Mark Lyons made a motion to approve the renewal of Used Car Dealer Licenses – Class II effective January 1, 2018 and to expire on December 31, 2018 as approved by Officer Daniel Bell for the following:

Credit Auto Brokerage  
Eurasian Imports Inc.

Fend Auto Sales

Peppi's Auto Sales Inc.

Signature Motor Cars, Inc.

Topsfield Motor Company LLC

Chairman Jackson called for a vote, so voted 4-0.

#### Alcohol License: Package Store

Clerk Lyons made a motion to approve the renewal of a Retail Package Good Store Alcohol License for sale of Wine and Malt Beverages to Gil's Grocery effective January 1, 2018 and to expire December 31, 2018. Seconded by Selectman Gandt, so voted 4-0.

#### Alcohol Pouring Licenses

Clerk Lyons made a motion to approve the renewal of a General On Premise Alcohol Pouring License to Topsfield Commons LLC and Willowdale Estate LLC dba Willowdale Estate effective January 1, 2018 and to expire December 31, 2018. Seconded by Chairman Jackson, so voted 4-0.

#### Farmer's Winery Pouring License

Clerk Lyons made a motion to approve the renewal of a Farmer Winery Pouring License to Alfalfa Farm Winery Inc. effective January 1, 2018 and to expire December 31, 2018. Seconded by Selectman Gandt, so voted 4-0.

#### Common Victualler Licenses

Clerk Lyons made a motion to approve the renewal of Common Victualler Licenses effective January 1, 2018 and to expire December 31, 2018 for the following:

Alex's Roast Beef, Pizza and Seafood

DayBreak Café

Dunkin Donuts

Fairgrounds – Coolidge Hall

New Meadows Golf Club

Osteria Peppino Pizzeria

Topsfield Bakeshop

Topsfield House of Pizza

Willowdale Estate

Seconded by Selectman Gandt, so voted 4-0.

#### Osteria Peppino Pizzeria Alcohol Pouring License

Clerk Lyons made a motion to approve the renewal of a On Premise Alcohol License for Wine and Malt Beverages to be drunk at a full-service restaurant to Osteria Peppino Pizzeria. Seconded by Selectman Gandt, so voted 4-0.

Road Salt Contract

Selectman Gandt made a motion to approve a contract between the Town of Topsfield and Morton Salt Inc., of Chicago, IL for Road Salt for Fiscal Year 2018 in the amount of \$60,000. Seconded by Selectman Spencer, so voted 4-0.

Update Personnel Rules and Regulations

Library Position from Grade 6 to Grade 7

Selectman Gandt made a motion that the Town's Classification Plan be updated to reflect the change in title from a 'Reference Librarian' at a Grade 6 to 'Reference Librarian/Assistant Director' at a Grade 7. Seconded by Selectman Spencer. Town Administrator Hebert informed the Board that this is a request from Library Director Laura Zalewski. She explained that the Library has no facilities staff, so the Director is responsible for all maintenance, 24 hours a day. The addition of an Assistant Director position to assist with these duties would be beneficial, and the Library has the budget to support this. Selectman Gandt voiced his opposition.

Chairman Jackson called for a vote, so voted:

2 in favor, 1 opposed, and 1 abstention. Selectman Spencer abstained.

Changing Personnel Classification

Selectman Gandt made a motion that the Board approve a position upgrade from a Grade 4 to a Grade 5 and remove the titles of 'Administrative Assistant – Conservation Department' and 'Administrative Assistant – Board of Health' and replace both with one new title, 'Senior Administrative Assistant for the Conservation and Health Departments'.

Town Administrator Hebert explained that this will enable full time coverage of both departments, moving closer to having all inspectional services together when the offices are moved back to 8 West Common Street. Selectman Gandt voiced his opposition. Chairman Jackson called for a vote, so voted 3-1.

Public Records Policy Updates

Town Administrator Kellie Hebert informed the Board that this item is relative to proposed updates to the Public Records Policy, Manuals and Forms to bring them in line with current Public Records Law. The Board determined that more work should be done on the language regarding the ten-day response period. Selectman Gandt made a motion to reschedule discussion of this topic to the Board Meeting on January 8, 2018. Seconded by Chairman Jackson, so voted 3-1.

Listening Sessions

Selectman Gandt informed the Board that the Towns of Wenham and Middleton hold listening sessions, as does Senator Lovely, and he has taken steps to reserve a room at the Library for listening sessions on the first Thursday of the month from 6:30 – 7:30 starting in January and February.

Chairman Jackson informed the public that the Selectmen are already easily available to residents through multiple means: the Selectmen's Office is open Monday through Thursday from 8 AM – 4 PM and 8 AM – 12 PM on Fridays; the Selectmen are available through email at [selectmen@topsfield-ma.gov](mailto:selectmen@topsfield-ma.gov) or via their individual email addresses listed on the Town Website or through their telephone numbers listed in the telephone book. Clerk Lyons agreed with the Chair and emphasized that none of the Board Members should individually speak for or represent the Board as a whole.

Selectman Spencer added his concern that no single Selectman should speak for the Board as a whole and that if Selectman Gandt is going to hold Listening Sessions, he should be clear he is doing so as an individual Selectman and bring resident concerns to the Board.

#### **TOWN ADMINISTRATOR'S REPORT**

Town Administrator Hebert informed the Board that members of the Fire Department will be retiring in December: Captain Charles Denault, Lieutenant Donald Wood and Firefighter Jerry Felteault.

Town Administrator Hebert informed the Board that Selectmen FY2019 Budget Presentations will be made to the Board during Working Sessions on December 18, 2017 and December 20, 2017.

#### **CORRESPONDENCE**

Chairman Jackson noted the letter from Stephen Lais expressing his concern that businesses in Town are not conforming with the sign bylaw. Chairman Jackson has asked Code Enforcement Officer Glenn Clohecyc to look into this. Chairman Jackson will report back to the Board with Mr. Clohecyc's findings.

#### **EXECUTIVE SESSION**

At 9:24 PM, Clerk Lyons 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 Chairman Jackson.

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 9:24 PM.

Respectfully submitted,  
Susan Winslow  
Recording Secretary

## DOCUMENTS

1. Agenda
2. Detailed Agenda
3. Class II Used Car Dealer applications and Licenses for Credit Auto Brokerage, Eurasian Imports Inc., Fend Auto Sales, Peppi's Auto Sales, Signature Motor Cars Inc., Topsfield Motor Cars Inc.
4. Alcohol License Applications and Licenses for Gil's Grocery, Topsfield Commons LLC, Willowdale Estate, Osteria Peppino Pizzeria, Alfalfa Farm Winery Inc.
5. Common Victualler Licenses for Sakkas Restaurant dba Topsfield House of Pizza, Qirici Inc. dba Daybreak Café, New Meadows Golf Club, Inc., Alex's Roast Beef, Pizza and Seafood, Bramble Hospitality LLC, dba Willowdale Estate, Maia LLC dba Dunkin' Donuts, Topsfield Commons LLC, Topsfield Bakeshop Inc., Essex Agricultural Society dba Topsfield Fair – Coolidge Hall.
6. BOS Recommendation Request for Road Salt Contract
7. Contract between Town of Topsfield and Morton Salt, Inc.
8. Memorandum from Town Administrator Kellie Hebert to Chair Boyd Jackson and Board of Selectmen re: Item #4: Update of the Personnel Rules & Regulations
9. Letter from Library Director to Town Administrator Kellie Hebert dated 9/19/2017
10. Job Description: Head of Reference/Assistant Director (Topsfield Library)
11. Document, "Town of Topsfield Senior Administrative Assistant – Conservation and Board of Health"
12. Job Posting, "Executive Assistant – Selectmen/Town Administrator"
13. Letter to Mary Jane Handy, Director of Accounts at MA DOR dated 12/5/17 from the Board of Selectmen
14. Email dated 12/6/17 from Christopher C. Harding, Commission of Revenue
15. Document, "Tax Rate Recapitulation Fiscal Year 2018"
16. Document, "Levy Limit FY2018"
17. Letter and Flyer for MMA Annual Meeting and Trade Show January 19 and 20, 2018
18. List of Board of Selectmen Meeting Dates
19. Letter to Board of Selectmen from Stephen Lais dated December 5, 2017
20. Letter to the Board of Selectmen from COMCAST dated November 16, 2017

*Minutes were accepted as amended at the January 8, 2018 Board of Selectmen Meeting.*

Pursuant to the 'Open Meeting Law, G.L. c. 30A, §18-25, 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.