



BOARD OF SELECTMEN
Proctor School
60 Main Street, Topsfield

Minutes of Monday, February 26, 2018
7:30 PM

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

From the Fire Department, Chief Jenifer Collins-Brown, David Ahern EMT, Lieutenant Tom Ash EMT-P, John Boyle EMT, Lieutenant Conor Brown EMT-P, Roland Courtemanche EMT-P, Nicholas Dallisandro EMT, John Hallinan, Tamara Harper EMT, Darrell Moore, Bill Richard, Jim Sevigny, Shane Sevigny, Charles Wood EMT and Scott Winfrey EMT. Town Moderator Steve Whelan and residents Gerry Buckley, Barbara Crowley, Eldon Goodhue, David Larson, Laura Majeski, Stephen Majeski, Marie Perkins, Joseph Perkins, Allan Wallace, Bill Whiting and Libby Wilson were in attendance, as were Sibhita Mahabier from National Grid, 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."

Selectman Gandt made the following announcements:

"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, Topsfield Local 3250 International Association of Firefighters and Topsfield Call Firefighters Association, since an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares. The Board will NOT return to public session."

"The process to request exclusion from mosquito spraying has changed. Residents are no longer required to send a certified letter to the Town Clerk to request exclusion from mosquito spraying. To request exclusion, residents must contract the Massachusetts Department of Agricultural Resources (MDAR) directly using their downloadable Exclusion Request Form or the on-line request portal on the MDAR website. There is a link to the MDAR Mosquito Spray Exclusion page on the Town's website at www.topsfield-ma.gov."

Chairman Jackson made the following announcement:

"Boy Scout Troop 81 will be hosting a Blood Drive on March 3, 2018 from 9 AM to 2 PM at the Emerson Center at 9 East Common Street. Walk-ins are welcome or you can call to schedule an appointment at 1-800-733-2767."

Selectman Gandt made the following announcements:

"Motor vehicle Excise Tax Bills were mailed on Tuesday, February 6, 2018. Payment is due by March 8, 2018. Residents may pay by mail or drop payment at the Town Hall Offices."

"JRM will no longer accept recycling with plastic bags mixed in with recycling or containing recycling. Plastic bags become entangled in sorting machinery, so recycling that is left out either in a plastic bag or containing plastic bags will not be picked up. Plastic garbage bags are still accepted for trash disposal. For more information, please visit the Town website: www.topsfield-ma.gov."

"The next Listening Session will be conducted by Selectman John K. Spencer on Thursday, March 1, 2018 at 5:30 PM in the Topsfield Room at the Topsfield Town Library."

CITIZEN COMMENTS AND QUESTIONS

Budget Forum: David Larson expressed appreciation for the recent Fiscal Year 2019 Budget Forum. He suggested that questions and answers from the Forum should be posted on the Town website.

Tax Rate: Libby Wilson expressed concern about the increase in the tax rate and shared her concern that future tax increases are unsustainable. Chairman Jackson informed Ms. Wilson that the Town was forced by the Department of Environmental Protection (DEP) to construct a water treatment plant and the schools could have lost 40% funding through the Massachusetts School Buildings

Association (MSBA) if the Town had not proceeded with the Schools Building Envelope project this year. Selectman Gandt agreed with Ms. Wilson.

Timber Lane Group Home: Stephen Majeski and Barbara Crowley appeared before the Board to express concern that a private home at 13 Timber Lane may become a group home. Chairman Jackson informed Mr. Majeski that State law allows group homes to house unrelated people in single family residences. Fire Chief Collins-Brown informed the Board that group homes must meet septic regulations and building codes. Chairman Jackson informed Mr. Majeski that group homes do not have to inform the Town about the residents who will be living there. Barbara Crowley expressed concern about the number of group homes in Topsfield.

Eagle Scout Project: Joey Perkins, a junior at Masconomet Regional High School and a member of Boy Scout Troop 81, presented his Eagle Scout Project to the Board. His project consists of the development and construction of six fitness stations along the Rail Trail near the Proctor School playground and Town tennis courts. The Board congratulated Mr. Perkins on achieving the rank of Eagle Scout and thanked him for his project.

DEPARTMENT UPDATE

Fire Chief Jenifer Collins-Brown gave a brief update on activities at the Topsfield Fire Department:

- Firefighters Nicholas Dallisandro EMT and Steven Debay EMT recently graduated from the Massachusetts Fire Academy.
- The Department has answered a high number of calls related to the Flu.
- Open Burning season is underway and will continue until May 1. Burn permits must be obtained through the Fire Department, and regulations are on the Fire Department website.
- The Fire Department is not staffed from 6PM to 6AM but Chief Collins-Brown is working on ways to address this. The Department receives 34% of all calls during this time period.
- The Fire Department is involved with ALICE (Alert, Lock-down, Inform, Counter and Evacuate) training and will be sending two members to 'Train the Trainer' workshops.
- The Fire Department received a grant in the amount of \$6,123.00. This has been used for safety training for the Department and lock boxes. Lock boxes are metal boxes that can be attached to a house to hold a house key, accessible by the Fire Department in the event of an emergency. Lock Boxes are available to local Senior Citizens, free of charge, on a loan basis.
- To date in this Fiscal Year, the Department has contributed \$49,696.00 to the General Fund from Ambulance Services.

Introduction of Firefighter Nicole Richard EMT-P

Chief Collins-Brown introduced Full-Time Firefighter Nicole Richard EMT-P to the Board. Firefighter Richard was chosen from a pool of 7 applicants for the position. Firefighter Richard's fiancé, Shane Sevigny, participated in the ceremony. The Board welcomed Firefighter Richard to the Department and wished her well in her new position.

NEW BUSINESS

Proposed Warrant Article

Clerk Lyons made a motion that an Article be placed on the Warrant for the Annual Town Meeting to adopt MGL Ch.60 section 3D: to include a Warrant Article for Town Meeting to establish an Elderly and Disabled Taxation Fund. Seconded by Selectman Gandt. Town Administrator Kellie Hebert explained that this is simply a vote to approve placing a box on property and excise tax bills that residents may check to make a voluntary contribution to an assistance fund for Elderly and Disabled residents. Ms. Hebert further explained that a Taxation Aid Committee will be established to develop eligibility rules and a process for distribution of funds. Selectman Gandt expressed concern that the Town Warrant closed on January 31, 2018.

Clerk Lyons made a motion to reopen the Town Warrant. Selectman Gandt seconded. So voted 3-0.

Clerk Lyons made a motion to reconsider the prior motion regarding the Proposed Warrant Article, and that this motion shall supersede the prior motion to place an Article on the Warrant for the Annual Town Meeting to adopt MGL Ch.60 section 3D: to include a Warrant Article for Town Meeting to establish an Elderly and Disabled Taxation Fund by designation on municipal property tax or motor vehicle excise bills. Seconded by Selectman Gandt, so voted 3-0.

Proposed Warrant Article

Clerk Lyons made a motion that an Article be placed on the Warrant for Annual Town Meeting to Adopt MGL Ch. 60 section 3F to include a Warrant Article for Town Meeting to establish a fund for voluntary donations to multiple Veterans Assistance Funds by designation on municipal property tax or motor vehicle excise bills. Chairman Jackson explained that these funds could be used to assist Veterans with food, heat, transportation or other needs. Seconded by Selectman Gandt, so voted 3-0.

Clerk Lyons made a motion to close the Town Warrant. Seconded by Selectman Gandt, so voted 3-0.

8:00 PM PUBLIC HEARING – NATIONAL GRID

Clerk Lyons read the following legal notice to open the Public Hearing:

"I move to open the Public hearing for a Petition for Joint or Identical Pole Locations at 98 Rowley Bridge Road, Topsfield, by Verizon New England and National Grid to locate and install poles, wires and fixtures including the necessary sustaining and protecting fixtures along and across the following public way: Rowley Bridge Road – National Grid to install 1 JO Pole on Rowley Bridge Road. National Grid to install new stub pole 2282-84 on Rowley Bridge Road in Topsfield in accordance with petition plan #23922674, dated January 24, 2018. Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes." Seconded by Selectman Gandt. Selectman Gandt asked National Grid representative Sibhita Mahabier for comment. Ms. Mahabier explained that the project is to secure some existing and original poles in that area. Chairman Jackson asked if there was any other public comment on this petition. There was none.

Selectman Gandt made a motion to close the public hearing. Seconded by Chairman Jackson, so voted 3-0.

Clerk Lyons made a motion to approve a Petition for Joint or Identical Pole Locations at 98 Rowley Bridge Road, Topsfield, by Verizon New England and National Grid to locate and install poles, wires and fixtures including the necessary sustaining and protecting fixtures along and across the following public way: Rowley Bridge Road – National Grid to install 1 JO Pole on Rowley Bridge Road. National Grid to install new stub pole 2282-84 on Rowley Bridge Road in Topsfield in accordance with petition plan #23922674, dated January 24, 2018. Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes. Seconded by Selectman Gandt, so voted 3-0.

Selectman Gandt made a motion to approve a One Day Liquor License for the Topsfield Garden Club for the GROW Spring! Expo at the Gould Barn on April 7, 2018. Malt Beverages to be served between the hours of 11 AM and 3 PM. Selectmen Gandt withdrew this motion.

Selectman Gandt made a motion to approve a One Day Liquor License for the Topsfield Garden Club for the GROW Spring! Expo at the Gould Barn on April 7, 2018. Wine and Malt Beverages to be served between the hours of 11 AM and 3 PM, this Motion to supersede the prior Motion. Seconded by Chairman Jackson, so voted 3-0.

Rail Trail Grant Request

Selectman Gandt made a motion to approve the submission of a Rail Trail grant application and authorization for the Town Administrator to sign, as requested by the Chair of the Rail Trail Committee. Seconded by Chairman Jackson. Chairman Jackson explained that this grant is for \$21,000, with matching funds from the Town in the form of labor, to improve the safety of the Rail Trail. Chairman Jackson called for a vote, so voted 3-0.

Enforcement of Town's Sign Bylaw

The Board discussed correspondence from resident Don Cragg outlining his concerns about a lack of enforcement of the Town's Sign Bylaw. Selectman Gandt directed the Town Administrator to follow up with Donna Rich from Planning and Zoning to place the Sign Bylaw and Regulations on the Town Website. This topic will be revisited at the March 12, 2018 Board of Selectmen Meeting.

Public Hall Usage Policy

Resident Bill Whiting appeared before the Board to express his concern that the Town should develop a usage policy for the Public Hall at Town Hall, 8 West Common Street before the building is reopened. The target date for reopening is November, 2018. Mr. Whiting expressed concern that many groups will want to use the Public Hall and he suggested that the Selectmen review the Usage Policy developed by the Town of Ipswich. Mr. Whiting pointed out that insurance, security, liability, scheduling and maintenance are issues to be considered. Town Administrator Hebert informed there is currently a Public Hall Usage policy, as was required for the Standard and Poor rating process. Town Administrator Hebert suggested that the Board revisit this topic and the possibility of establishing a Revolving Fund for the Public Hall rental and associated costs at the March 12, 2018 Board of Selectmen Meeting.

FY19 BOS Operational Budgets

Town Administrator Hebert gave the Board an update on the FY19 Budget Process and the list of "Other" expenses over the Finance Committee's 0% Guidelines. Ms. Hebert informed the Board that the Council on Aging added two items: \$400 for postage for the mailing of the Senior Scoop and \$390 for tracking software management. Selectman Gandt informed the Board that he spoke to Council on Aging Director Paula Burke about ways to decrease the postal expense.

Working Sessions

The Board chose the following dates for Working Sessions and the Town Administrator will send a reminder to Board Members:

March 7, 2018 at 5 PM

March 14, 2018 at 5 PM

March 19, 2018 at 5 PM

Annual Town Meeting

Town Administrator Kellie Hebert gave the Board an update and overview of the 2018 Town Meeting Warrant Articles and Citizen Petitions. The Board reviewed the preliminary draft of the 45 Annual Town Meeting Warrant Articles (not including Special Town Meeting Articles). Ms. Hebert will submit the Warrant Articles to the Finance Committee for their recommendations after they are finalized. The Board of Selectmen will review the Draft Warrant and respond to the Town Administrator with proposed changes and corrections. Capital Budgets will be reviewed at an upcoming Working Session.

Town Administrator Hebert informed the Board that the Elementary School Committee hosted a Public Forum to present their Budget on 2/26/18.

MEETING MINUTES

Selectman Gandt made a motion to accept the February 5, 2018 Meeting Minutes as amended. Seconded by Clerk Lyons, so voted 3-0.

EXECUTIVE SESSION

At 9:46 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 Selectman Gandt.

Roll Call Vote to enter into Executive Session:

Jackson – Yes

Lyons – Yes

Gandt – Yes

So voted 3-0. The Board entered Executive Session at 9:46 PM.

Respectfully submitted,
Susan Winslow
Recording Secretary

DOCUMENTS

1. Agenda
2. Detailed Agenda
3. MGL Part I Title IX Chapter 60 section 3D language
4. Barnstable Elderly and Disabled Taxation Aid Committee document
5. MGL Part I Title IX Chapter 60 section 3F language
6. Petition for Joint or Identical Pole Locations from National Grid
7. Overhead Petition map from National Grid
8. Legal Notice for Petition for Joint or Identical Pole Location at 98 Rowley Bridge Road
9. Tear sheet of National Grid Public Hearing legal notice
10. Abutter list to 98 Rowley Bridge Road
11. National Grid Order for Joint or Identical Pole Locations

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12. Certification Page for signatures for National Grid/Verizon New England
13. One Day Liquor License for Topsfield Garden Club
14. Application for One Day Liquor License from the Topsfield Garden Club
15. Recreational Trails Program 2018 Application
16. Commonwealth of Massachusetts Standard Contract Form
17. Letter from Selectman A. R. Gandt to Joe Geller, Rail Trail Committee dated 2/12/18
18. Correspondence to Selectmen from resident Don Cragg
19. Town of Topsfield Policy for Community Use of the Public Hall at the Topsfield Town Hall
20. Capital Budget Requests – FY2019
21. Preliminary Draft – not for general distribution, Topsfield Cable/PEG Reserve Fund FY19 Capital Equipment Budget as of February 24, 2018
22. FY19 Departmental Budget Requests List of Requests over 0% Finance Committee Guidelines
23. 2018 Town Meeting Preliminary List of ATM Warrant Articles
24. Preliminary Draft Language for 2018 ATM Warrant Articles
25. Draft Minutes: Monday, February 5, 2018 Regular Business Meeting
26. Thank you note to Topsfield Fire Department from John Arathuzik
27. Massachusetts Municipal Association Legislative Breakfast information and registration