



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

**Minutes of Monday, April 23, 2018  
7:30 PM**

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

Greg Krom, Water Superintendent; Heidi Gaffney, Conservation Commission; Chris LaPointe, Greenbelt; Dick Cullinan, Housing Authority & Veteran's Agent; Diane Drinan, Executive Director Topsfield Housing; Bob Patton, CEO Green Meadows Farm and Gregor Smith, Town Hall Building Committee

**CALL TO ORDER**

Chairman Boyd Jackson called the meeting to order at 7:31 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 Spencer made the following announcements:

Topsfield residents are advised that in addition to their weekly refuse pick-up, there will be a special Household Metals and White Goods pick-up on Wednesday, May 23<sup>rd</sup>, Thursday, May 24<sup>th</sup> and Friday May 25<sup>th</sup>. This is a free collection and items must be curbside by 7AM the same day your trash is picked up. No trash stickers are required.

The Annual Town Meeting is on Tuesday, May 1, 2018 at 7:00PM in the Proctor School Gymnasium.

The Annual Town Elections will be held on Thursday, May 3, 2018 from 7AM until 8PM at St. Rose's Church Hall.

BOS Meeting Minutes 4.23.18

Selectman Gandt made the following announcement:

Annual Town Meeting Warrant Packets, including all of the Warrant Articles, proposed motions and summaries, are printed and have been mailed. The Packet is also available on the Town website [www.topsfield-ma.gov](http://www.topsfield-ma.gov) for download and you may pick-up copies at Town Hall or the Town Library.

Selectman Gandt announced that his next listening hour would be held on Thursday, April 26, 2018 at 5:30PM in the Town Library.

### **CITIZEN COMMENTS AND QUESTIONS**

There were no comments or questions from the audience.

### **Departmental Update**

Housing Authority: Dick Cullinan

The Topsfield Housing Authority is an elected and appointed Board charged with managing state housing located in town under the terms as directed by Mass Department of Housing and Community Development.

Little Brook Village located at 69 Washington Street Topsfield underwent a 1.5 million dollar renovation project in 2017. The Department of Housing and Community Development (DHCD) awarded a grant of \$478,000 for ADA Compliancy upgrades. These are the updates/repairs that were made:

- Removed and replaced all rotted window sills in all units
- Painted all first floor units
- Tiled floors in all the first floor units
- Repaved all walkways to ADA standards
- Built ramps to ADA Standards
- Handicapped parking spaces added
- Car safety barriers in place
- Rear Emergency Handicapped Access
- Re-planted trees that were removed during renovations

Received an additional \$340,000 grant from DHCD to:

- Replace Fire Alarm Systems in all buildings

The last phase of the building repairs will be to paint all five buildings and repair the outside trim. This part of the renovation project may take time to get grant funding due to the many requests from the various state housing programs. The Topsfield Housing Authority does not receive any funding from the town.

### **NEW BUSINESS**

Donibristle Farm LAND Grant

The Donibristle Farm project has been awarded a local Acquisition for Natural Diversity (LAND) Grant from the state and the Conservation Restriction (CR), the CR assignment and the Purchase and Sale Agreement now include language



acknowledging the LAND Grant award, the Purchase and Sale Amendment also revises section 2 and 6 of the original Purchase and Sale which has been reviewed by Town Counsel. Funding was outlined in Article Thirty-Sixth as voted at Town Meeting held on May 2, 2017.

1. Selectman Gandt made a motion to accept the terms of and to execute, the First Amendment to Purchase and Sale Agreement, amending the Purchase and Sale Agreement dated July 24, 2017 related to the acquisition of the Donibristle Farm Conservation Restrictions; and
2. To acquire the partial assignment and assumption of the Conservation Restriction recorded at the Essex South Registry of Deeds in Book 36243, Page 443, for the 1.825 acre Hill Street parcel, to be held under the care, custody and control of the Conservation Commission under the provisions of G.L. c. 40, s. 8C and to execute any and all documents as may be necessary or appropriate therefor in the best interest of the town; and
3. To acquire a Conservation Restriction on approximately 43.57 acres of land off of Rowley Bridge Road from the Essex County Greenbelt Association, Inc. to be held under the care, custody and control of the Conservation Commission under the provisions of G.L. c.40, s. 8C and to execute any and all documents or instruments as may be necessary or appropriate therefor in the best interest of the town.

Selectman Spencer seconded the motion and they were approved with a vote of 4-0.

#### Public Way Access – Approval of Routes

Selectman Gandt made a motion to approve the request from the Bourque Family Foundation for a 7.7k benefit road race on Saturday, June 9, 2018 and will be accessing some of Topsfield's roadways from approximately 4PM until 6PM. Selectman Spencer seconded the motion and it was approved with a vote of 4-0.

#### Water Department Budget

- Water Treatment Plant will come up in fiscal year 2019 (April 2019) and is reflected in the budget.
- The FY19 water rates will increase approximately 29% due primarily to the cost of the Water Treatment Plant.
- Bids for Water Treatment Plant were considerably higher than anticipated
- Plant is being built a year earlier than anticipated; but the town is saving approximately 3%
- 6 months to a year before the Water Treatment Plant can go to automated operations; staffed 24/7 until DEP approval
- River Road project is included in the cost of the Water Treatment Plant

Selectman Gandt made a motion to approve the Water Department Budget for FY2019 for \$1,771,901 as submitted. Chairman Jackson seconded the motion and it was approved with a vote of 4-0.

Water Main Improvement Project: Award of Contract

Prospect Street and River Road have had numerous water main breaks over the past 10 years. The sum of 1.6 million was appropriated at the 2017 Annual Town Meeting for replacement of the water mains on these roads. The design and permitting were finalized in 2017, but bidding was delayed until this year due to borrowing restrictions. The total project cost is estimated to be 1.3 million.

Chairman Jackson made a motion to approve a contract for the Prospect Street and River Road Water Main Improvement Project to R+D Development of Groveland, MA for a price not to exceed \$968,540.89. Selectman Spencer seconded the motion and it was approved with a vote of 4-0.

Kinsmen Corporation Change Order Request

This change order is for the purchase and installation of a harmonics filter for the booster pump station being constructed at the Public Works Facility. The station will provide fire protection for the Water Treatment Plant and has the capacity to protect the existing Public Works building. The harmonics filter is needed to reduce electronic disturbances caused by the variable frequency drive for the 100-horsepower fire pump. The pump station designer included a device to migrate the disturbances, but calculations made by the engineer and verified by the owner's project manager indicate a higher level of protection is required. The funding for this contract is from Article Third approved at the 2017 Special Town Meeting held on June 20, 2017.

Selectman Gandt made a motion to approve the change order request #1 with Kinsmen Corporation of Hookset, NH for an amount not to exceed \$9,316 for the Water Treatment Plant project. Selectman Spencer seconded the motion and was approved with a vote of 4-0.

Consigli Change Order Request

At the May 3, 2016 Annual Town Meeting and with the passage at the Ballot on May 5, 2016, the Town Hall Building Project funding was approved for design and construction of the Town Hall Preservation, Renovation and Expansion.

Consigli Change Order #6:

➤ Additional Windows at West Elevation	\$31,161.32
➤ Wood Floor Restoration Field Conditions	\$22,010.59
➤ Outside Air Design	\$20,112.36
➤ Added Attic Insulation	\$12,339.60
➤ New Walls in Electrical Room	\$ 2,311.97
➤ Vault Changes	\$ 3,267.42
➤ Vault Enclosure	\$ 1,323.14
➤ Added Envelop Details	\$ 7,213.92

➤ Roof Structure Reinforcement for HP's	\$ 2,605.69
➤ West Elevation Masonry Options	\$36,844.16
➤ Plumbing Changes to 2 <sup>nd</sup> Fl. Breakroom	\$14,940.02
➤ Replace South Elevation Wood Siding	\$39,301.86
➤ Revise 1 <sup>st</sup> Fl. Bathroom Traps	\$ 1,301.76
➤ Elevator Credit	(\$25,000.00)
➤ Stripping Paint at Historical Entrance	\$17,414.29
➤ Corner Trim Block at Existing Window Headers	\$ 1,250.56
➤ Replace Wood Brackets at Clock Face	\$ 1,217.15
➤ Allowance Credits	(18,348.73)
➤ Frame Door Opening at Attic Level	\$ 915.58

Selectman Spencer made a motion to approve change order #6 with Consigli Construction for an amount not to exceed \$172,182.66 for the Town Hall Preservation, Renovation and Expansion Project. Selectman Gandt seconded the motion and it was approved with a vote of 4-0.

#### Professional Services Amendment

The proposed Professional Services Amendment #6 from McGinley, Kalsow & Associates, Inc. in the amount of \$11,330 addresses extra fees for a portable generator, the change of a storage area into a private office space, a catwalk in the attic and lifeline cable. The Amendment will be funded within the existing project contingency budget.

Chairman Jackson made a motion to approve the Professional Services Amendment #6 from McGinley, Kalsow & Associates, Inc. for an amount not to exceed \$11,330. Clerk Lyons seconded the motion and it was approved with a vote of 4-0.

#### Records Management System

Annual Town Meeting Warrant Article Twenty-Third will ask the Town to vote to raise and assess funds to purchase technical and professional information management services to implement a comprehensive records management system for the records of the Land Use Departments. The project includes the creation of a public records inventory, document management system, records database and record retention and disposal.

King Information System, Inc. is an indexed filing system for maps and plans. The Trackslider Systems are movable files that hold documentation in half the floor space that stationary files require.

#### Update on Potential Host Community Agreement (HCA)

The act requires that both recreational marijuana establishments and medical marijuana treatment centers enter into a HCA with host communities and allows for a community impact fee.



- The community impact fee must be reasonably related to the costs imposed upon the municipality by the operation of the marijuana establishment of medical marijuana treatment center
- The community impact fee shall not amount to more than 3% of the gross sales
- HCA should not be effective for longer than 5 years
- The municipality is required to document its costs
- Applicant must certify to the Cannabis Control Commission (CCC) that it has entered into a HCA as part of its application process

Selectman Spencer met with Bob Patton, CEO Green Meadows Farm to discuss a potential HCA between the Town of Topsfield and Green Meadows Farm.

Some of the items discussed:

- Cultivation and processing of Medical Marijuana only
- No marijuana use on site
- Green Meadows will adhere to all state and local regulations, guidelines & bylaws
- Agree to use of local business services and products when possible
- The Town will have the right to approve the on-site General Manager
- Maintain regular communications with Topsfield Emergency Services
- Green Meadows will pay real estate taxes based upon commercial value
- Annual payment to the town of 1.25% based on gross sales
- HCA shall be for 5 years; with an annual review
- Any changes to ownership or operations management, the Board may withdraw their letter of support and declare the HCA null and void
- Any new or revised HCA negotiated by the Town and Green Meadows will not assume continuation of any terms in a previous agreement.

Memoranda of Agreement between the AFSCME Water/Highway and the Town of Topsfield & AFSCME Parks and Cemeteries Units and the Town of Topsfield  
Town Administrator Kellie Hebert gave the Board an update on the Town's negotiations with the Topsfield AFSCME UNITS.

Negotiations for MOA:

- 2% cola for each year of 3 year contract (Retro for FY2018)
- 25 cent increase for each employee's base pay retro to January 1, 2018
- 25 cent increase for each employee's base pay in 3<sup>rd</sup> year of contract (FY2020)
- Bi-weekly pay and Electronic Deposit implemented

Selectman Gandt made a motion to approve the MOA between the Town of Topsfield and the AFSCME Water/Highway Unit (FY2018-FY2020). Selectman Spencer seconded the motion and it was approved with a vote of 4-0.

Selectman Gandt made a motion to approve the MOA between the Town of Topsfield and the AFSCME Parks and Cemeteries Unit (FY2018-FY2020). Selectman Spencer seconded the motion and it was approved with a vote of 4-0.

Collective Bargaining Contracts

Postponed to another Board of Selectmen's meeting TBD

Employment Agreement

Postponed to another Board of Selectmen's meeting TBD

Financial Policy Guidelines

Postponed to another Board of Selectmen's meeting TBD

Public Records Guidelines

Postponed to another Board of Selectmen's meeting TBD

Annual Town Meeting Updates

No updates or comments

**Town Administrator's Report**

1. FY2018 Budget compared to Actual to see if any transfers need to be addressed at the Special Town Meeting should be complete by the end of the week.
2. Conference call with Standard & Poor and the Finance Team is set for Wednesday, April 25, 2018 for the 14 million BAN.
3. Proposal of summer office hours: Mondays – Thursdays 8AM until 5PM and closed on Fridays from Memorial Day Weekend through Labor Day Weekend.

**Minutes**

Postponed to the next Board of Selectmen's Working Session scheduled for Wednesday, April 25, 2018.

**Correspondence**

Resident Stan Ragalevsky wrote to the Board of Selectmen with concerns regarding the jersey barriers at the Village Shopping Center. He believes they are a public nuisance and requests that the Board order the owner to remove them.

The Board of Selectmen agreed to place this as an agenda item on the May 21<sup>st</sup> meeting.

At 10:36PM, Clerk Lyons made a motion to adjourn the meeting. Selectman Spencer seconded the motion and it was approved with a vote of 4-0.

Respectfully submitted,  
Debi Morong

## **DOCUMENTS**

1. Agenda
2. Donibristle Farm First Amendment to Purchase and Sale Agreement
3. Donibristle Farm Partial Assignment and Assumption of Conservation Restriction
4. Donibristle Farm Grant of Conservation Restriction to the Town of Topsfield
5. Bourque Family Foundation Road Race Request for June 9, 2018
6. FY2019 Topsfield Water Enterprise Fund Budget
7. Prospect St. & River Rd. Water Main Improvement Project – Contract Award
8. Kinsmen Corporation change order #1 – Water Treatment Plant Project
9. Consigli Construction change order #6 – Town Hall Building Project
10. McGinley, Kalsow & Associates Inc. Professional Services Amendment #6
11. King Information System, Inc. index filing system
12. Letter from Bob Patton dated 4.21.18 – Update on Green Meadows Medical Cannabis Proposal
13. Draft AFSCME MOA – Parks & Cemeteries FY2108-FY2020
14. Draft AFSCME MOA – Water & Highway FY2018-FY2020
15. Draft Collective Bargaining Agreement – Topsfield Call Firefighters FY2018-FY2020
16. Draft Collective Bargaining Agreement – Topsfield Firefighters Local #3250 IAFF
17. Draft Public Records Access Guidelines
18. Plastic Bag Reduction – Proposed motion under Article Thirty-Seventh
19. Xfinity letter dated 4.13.18 – New bill design
20. Resident letters to the Fire Department
21. Resident concerns regarding the Village Shopping Center including emails & pictures of parking area.
22. Stan Ragalevsky's email concerning the Village Shopping Center
23. Draft minutes of February 26, 2018
24. Draft Working Session minutes of March 14<sup>th</sup>, 19<sup>th</sup>, 22<sup>nd</sup> & 28<sup>th</sup>, 2018
25. Draft Meeting minutes of March 12<sup>th</sup>, & 26<sup>th</sup>, 2018
26. Draft Executive Session minutes of March 7<sup>th</sup>, 12<sup>th</sup>, 19<sup>th</sup>, 22<sup>nd</sup>, 26<sup>th</sup>, and 2018