



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

**Minutes of Monday, May 21, 2018  
7:30 PM**

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

Chief Haglund, Topsfield Police Department; Officer David Ricci, Topsfield Police Department; Glenn Clohecy, Topsfield Building Inspector; John Coulon, Board of Health Agent; Nancy Luther and Rob Hardy, Alcohol Licensing Advisory Committee

**CALL TO ORDER**

Chairman Mark Lyons 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 Lyons 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:

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.

Selectman Spencer made the following announcement:

Topsfield Town Hall hours will be on a summer schedule: Mondays through Thursdays 8AM – 5PM and closed on Fridays beginning this Friday, May 25<sup>th</sup> through Labor Day weekend.

BOS Meeting Minutes 5/21/18

## **CITIZEN COMMENTS AND QUESTIONS**

David Larson of 109 North Street asked a question regarding the net interest rate of the 14 million BAN that was approved at a prior meeting.

Kimberly Sherwood of 29 Perkins Row asked questions concerning agenda item #9 "Reclassification Request" regarding the Town Clerk's title and pay grade.

## **NEW BUSINESS**

### Reserve Police Officer

Selectman Gandt made a motion to appoint Special Police Officer David Ricci to the position of "Reserve Police Officer" in the Topsfield Police Department for a probationary term of one year beginning May 30, 2018 and expiring June 30, 2019. Selectman Spencer seconded the motion and it was approved with a vote of 4-0.

### Board of Selectmen Meeting Schedule

A working session will be posted for Thursday, May 24<sup>th</sup> at 3:00pm to discuss upcoming issues that the Board will need to address and to finalize the regular BOS meeting schedule for FY2019.

### Public Hearing: New Liquor License

Clerk Bermudez made the following announcement at 7:52pm:

"In accordance with Massachusetts General Laws Chapter 138, Section 15A, notice is hereby given that the Topsfield Board of Selectmen as the Licensing Authority will hold a public hearing on Monday, May 21, 2018 at 7:45pm in the Proctor School Library to act on an application for an alcohol license for the sale of Wine and Malt Beverages incidental to the sale of other food products by the following applicant: Foti Z. Qirjazi of Lelas Variety, LLC located at 49N Main Street." Signed by Board of Selectman Chairman, Boyd Jackson.

This was published in the Tri-Town Transcript on April 27, 2018.

Alex Qirjazi and Foti Qirjazi were present to address the Board of Selectmen and answer any questions. Their plan for Lelas Variety, LLC included the following:

- Only one entrance, but two exits (one for emergencies only)
- Alcoholic beverages would be placed directly in front of cashier and walk-in cooler would be under surveillance.
- Store to include fresh produce from local farms
- Store to include local business products
- No plan to pursue tobacco licensing
- Have a history running other businesses with liquor licenses
- Adding a handicap ramp for accessibility

Nancy Luther and Rob Hardy of the Alcohol Licensing Advisory Committee stated their committee had met with the applicants for Lelas Variety, LLC last Wednesday, May 16, 2018, and had approved their license application.

James Gilford of 184 High Street and owner of Gill's in downtown Topsfield stated he was in favor of the applicant's request, but wanted it on the record that the store cannot have more than 30% alcoholic beverages and nothing opened or unopened can be stored outside.

Ms. Zille Bhujju, president of the Tri-Town Council (TTC) and a member of the TTC's program "The Coalition – a community wide partnership focused on reducing and preventing substance abuse and growing healthy, positive behaviors of youth" read a letter dated May 21, 2018 to the Board of Selectman stating concerns on the sale of wine and malt beverages, tobacco and vaping devices within the 500' buffer zone from Proctor School.

The Board questioned the applicant about such items as the layout of the store, use of the walk-in cooler in the rear and the location of the alcoholic beverages in the front of the store being visible to the school age children. The applicant then provided a modified version of the layout in which, for example, the walk-in cooler had only on door.

With no further questions or remarks from the public, Selectman Gandt made a motion to close the public hearing. Selectman Spencer seconded the motion and it was approved with a vote of 4-0.

Chairman Lyons suggested the discussion for the license be postponed until the next scheduled Board of Selectmen's meeting on Monday, June 4, 2018 to give the applicant time to re-organize their floor plan of the store.

#### Signatory Authorization

Clerk Bermudez made a motion to authorize the Chairman of the Board of Selectmen, Mark Lyons as the official Signatory Designee for the Board and Lynne Bermudez as an Alternate to sign all official Payroll and Vendor Warrants. Selectman Gandt seconded the motion and it was approved by a vote of 4-0.

#### Village Shopping Center

John Coulon, Board of Health Agent for the Town of Topsfield stated he had met regularly in recent weeks with the owner of the Village Shopping Center to discuss various public health issues. Glenn Clohecy, Building Inspector for the Town of Topsfield, participated in the discussion.

Gretchen Rehak, Martha Sanders & Carol Brooks Ball stated they are concerned town residents that have formed a citizens group they named "Topsfield Village Love" and discussed their concerns on the current status of the downtown.

Jenna Lindsay, a sixth grader at Proctor School, read a letter concerning improvements to the downtown.

The idea to form a study group which could put forth a vision on what residents would like the downtown area to look like, set goals and look into options was discussed and will be reviewed at another meeting TBD.

#### Permitting Software

The Building Department (which is open part-time) proposed the purchase of cloud-based permitting software to allow potential builders, electricians and plumbers to login and submit applications and plans from any computer, 24/7.

Selectman Spencer made a motion to approve an agreement between the Town of Topsfield and Point Software Inc. for the use of on-line permitting software for use by the Inspectional Services Department for a period on one year from the execution of the agreement. Clerk Bermudez seconded the motion and it was approved by a vote of 3-1, with Selectman Gandt voting against.

#### Consigli Change Order #8 Request

Clerk Bermudez made a motion to approve change order #8 for the Town Hall Preservation, Renovation and Expansion Project with Consigli Construction Co., Inc. of Milford, MA in the amount of \$167,196.62 to include the following:

1. Abate roof slate at valleys	\$20,097
2. Plaster patching allowance overage	\$24,597.34
3. Breakroom 206 re-design layout	\$32,612.45
4. New stair design at historical entrance portico	\$17,849.94
5. Adding blocking & fastening at framing to moment steel	\$1,831.14
6. Plaster repair historical entrance	\$40,824.07
7. Added lights at the new addition attic	\$3,890.10
8. Install added UG conduit in Electric Duct bank	\$890.28
9. Provide exterior light at south stair egress	\$1,336.57
10. Backup generator construction costs	\$14,282.33
11. Sidewalk curb cuts at high street extension	\$4,756.14
12. Provide power/telephone-data to COA closet	\$2,581.18
13. Provide condensate pump at gf addition	\$1,648.08

And further, for the Chair to sign. Selectman Spencer seconded the motion and it was approved by a vote of 4-0.

#### Sign Permit – Fairview Machine

A representative of Fairview Machine asked to be postponed to a later date TBD.

#### Gift to Fire Department



Clerk Bermudez made a motion to accept a donation of \$5,000 exclusively for the purchase of an Infra-Red Sauna Decontamination System for the Topsfield Fire Department. Selectman Spencer seconded the motion and it was approved by a vote of 4-0.

#### Reclassification Request: Town Clerk

The Topsfield Town Clerk position is an appointed position that is salaried. The Town Administrator stated that the Records Access Officer (RAO) component of the job has grown significantly in responsibility and complexity since it was first introduced.

Selectman Spencer made a motion to amend the Personnel Classification Plan by reclassifying the position of "Town Clerk" from a Grade 7 to a Grade 8 and to amend the Personnel Classification Plan by updating the title of "Town Clerk" to "Town Clerk/Records Access Officer" as recommended by the Personnel Director. Selectman Gandt seconded the motion and it was not approved by a vote of 1-2-1.

#### Public Records Software

Selectman Gandt made a motion to authorize a service agreement between the Town of Topsfield and FOIA Direct LLC in the amount of \$4,500 to purchase FOIA Direct Public Records Management Software (\$2,500) and to fund one year of maintenance fees (\$2,000) effective July 1, 2018; and further, for the Chair to sign. Selectman Spencer seconded the motion and it was approved by a vote of 4-0.

#### Donibristle Farm

Selectman Spencer made a motion to accept a donation to the Town of Topsfield from Essex County Greenbelt Association, Inc. in the amount of \$235,000 exclusively to support the town's acquisition from Greenbelt for two (2) perpetual conservation restrictions on the Donibristle Farm property located on Hill Street and Rowley Bridge Road. Selectman Gandt seconded the motion and it was approved by a vote of 4-0.

#### Community Compact IT Grant

Selectman Gandt made a motion to accept a Community Compact Program Information Technology Grant in the amount of \$16,700 from the Commonwealth of Massachusetts for the purchase of Enterprise Content Management Software; and to authorize the Chair to sign. Selectman Spencer seconded the motion and it was approved by a vote of 4-0.

#### COA Appointment

Selectman Gandt made a motion to appoint Kim Love to the Council on Aging Board for a three (3) term expiring on June 30, 2021. Selectman Spencer seconded the motion and it was approved by a vote of 4-0.

Public Way Access

Selectman Spencer made a motion to approve the request by the Neurofibromatosis Northeast Organization for a public way access for their 8<sup>th</sup> Annual Coast to the Cure Bike Ride on Saturday, September 8, 2018. Clerk Bermudez seconded the motion and it was approved by a vote of 4-0.

One Day Liquor License

Selectman Gandt made a motion to approve the request for a One Day Liquor License for Trinity Church to hold a Beer and Wine Tasting Event on Saturday, June 23, 2018 from 4PM to 10PM. Selectman Spencer seconded the motion and it was approved by a vote of 4-0.

**Town Administrator's Report**

**Minutes**

Selectman Gandt made a motion to approve the minutes of the Board Meeting held on Monday, May 7, 2018. Clerk Bermudez seconded the motion and it was approved by a vote of 3-0-1.

At 10:38PM, Selectman Spencer made a motion to adjourn the meeting. Selectman Gandt seconded the motion and it was approved with a vote of 4-0.

Respectfully submitted,  
Debi Morong  
Executive Assistant / Recording Secretary

**DOCUMENTS**

1. Agenda
2. Detailed Agenda
3. Draft Board of Selectmen FY2019 Meeting Schedule
4. Signatory Authorization Request from the Town Accountant
5. Appointment of a Reserve Officer from Chief Haglund
6. New Liquor License Application from Lelas Variety LLC
7. Newly formed citizens group Topsfield Village Love – letters, pictures and information regarding the Village Shopping Center.
8. PermitLink Services Contract – Point Software
9. Consigli Construction Change Order #8
10. Reclassification of the Town Clerks Grade and amendment of title Request
11. Public Records Request Software from FOIA Direct
12. Donibristle Farm Conservation Project Grant Award to the Town of Topsfield
13. A gift of \$5,000 to purchase an Infra-Red Sauna Decontamination System for the Fire Dept.
14. Community Compact Cabinet's Information Technology Grant
15. Appointment to the COA Board – Kim Love volunteer application
16. Neurofibromatosis Northeast – 8<sup>th</sup> Annual Coast for a Cure Bike Ride Request
17. One Day Liquor License Request from Trinity Church for a Beer & Wine Tasting Even
18. Draft Meeting minutes of May 7, 2018
19. Comcast letter dated 4.16.18 – Video Packaging

- 20. MIIA letter dated 4.25.18 – FY2019 Renewal Proposal
- 21. RECC funds – Essex County Communications Center
- 22. SeniorCare letter dated 5.2.18 – Annual Service Report for 2017
- 23. Xfinity letter dated 5.11.18 – TV Changes