



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

**Minutes of August 21, 2017
7:30 PM**

Board Members present were Chairman Boyd Jackson, Clerk Mark Lyons, Selectman Richard Gandt, and Selectman 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.

Also in attendance were: Fire Chief Appointee Jenifer Collins-Brown, Health Agent John Coulon, Conservation Agent Heidi Gaffney and Tri-Town School Union Director of Facilities Steve Clifford. From the Town Hall Building Committee Josh Rownd and Town Hall Building Project OPM John Sayre-Scibona were in attendance. Resident David Larson was in attendance, as were Ben and Maddie Demers from Boxford Cable Television.

CALL TO ORDER

Chairman Boyd Jackson called the meeting to order at 7:34 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.
- Following the Open Session, the Board will enter into closed Executive Session in accordance with M.G.L. c. 30A, § 21(A) under Exemption #2 to conduct strategy sessions in preparation for contract negotiations with nonunion personnel, specifically, to discuss the Fire Chief's Contract.
- The Board will also meet in Executive Session under Exemption #3 to discuss strategy with respect to collective bargaining or litigation, specifically for the Full Time Police, Full Time Firefighters and AFSCME units 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.

- There will be a Groundbreaking Event for the Town Hall Historic Preservation, Renovation and Addition Project at 10:00 am on Wednesday, August 23rd at 8 West Common Street.

CITIZEN COMMENTS AND QUESTIONS

Resident David Larson informed the Board that he had questions related to the funding for the schools repairs projects. Chairman Jackson suggested that Mr. Larson might hold his questions until this item was discussed during the meeting, and he would be given time to ask questions. Mr. Larson agreed.

DEPARTMENT UPDATE

Health Agent John Coulon gave the Board a report on activities in the Board of Health. See attached.

The Board thanked Mr. Coulon for his report.

NEW BUSINESS

Appointment of Acting Fire Chief

Selectman Spencer made a motion to appoint Captain Jenifer Collins-Brown Acting Fire Chief. Seconded by Selectman Lyons. Selectman Lyons made a motion to amend the motion to include the language, until appointment as Permanent Fire Chief or further action of the Board of Selectmen. Seconded by Selectman Gandt. Chairman Jackson called for a vote on the amended motion, so voted 4-0.

Promotion of Auxiliary Police Officers to Special Police Officers

Selectman Spencer made a motion to appoint Auxiliary Police Officers Eric Goodwin, David Ricci, Justin Slattery and Timothy Glynn as Special Police Officers for a term to expire on June 30, 2018 as recommended by Police Chief Evan Haglund. Seconded by Selectman Gandt, so voted 4-0.

In-The-Field Authority – Gregor Smith

Selectman Spencer made a motion to authorize Chairman Gregor Smith of the Town Hall Building Committee to approve in-the-field changes up to \$10,000, staying within budget for each occurrence. Seconded by Selectman Lyons. Selectman Gandt offered an amendment that was clarified by Selectman Spencer as follows, "Move to Authorize Chairman Gregor Smith of the Town Hall Building Committee to approve Town Hall Project in-the-field changes costing less than \$10,000 per occurrence that are funded within the project contingency fund to be followed by notification to the Board of Selectmen." Amendment seconded by Selectman Lyons, so voted 4-0. Chairman Jackson called for a vote on the amended motion, so voted 4-0.

Signatory Authority – Boyd Jackson

Selectman Spencer made a motion to authorize Boyd Jackson to sign Change Requests with Consigli Construction Co., Inc. of Milford, MA, during the construction of the Town Hall Project. Seconded by Selectman Gandt. Josh Rownd from the Town Hall Building Committee explained that Change Requests identify each change and the source of the request. The change request is followed by a Change Order which may include multiple change requests. Change Orders are reviewed and signed by all parties involved including the Selectmen. Chairman Jackson called for a vote, so voted 4-0.

Approval of Conservation Restriction

Selectman Spencer made a motion to approve a Conservation Restriction from James and Debra DiBenedetto to Essex County Greenbelt over 1.825 acres located at 120 Hill Street. Seconded by Selectman Gandt. Conservation Administrator Heidi Gaffney explained that this Conservation Restriction has been reviewed by the State and pertains to the 1.825 acres owned by the DiBenedettos. The larger parcel of Donibristle Farm will have a separate Conservation Restriction. Chairman Jackson called for a vote, so voted 4-0.

Contract Amendment

Selectman Spencer made a motion to approve Amendment #3 for the Contract for Designer Services of a Water Filtration Facility with Wright-Pierce of North Andover, MA for the additional services described in the amendment, additional fee not to exceed \$782,166 and for the Board to sign. Seconded by Selectman Gandt, so voted 4-0.

Stabilization Fund Authorization:

Selectman Spencer made a motion to authorize the Treasurer/Collector to utilize the Stabilization Fund to temporarily fund Contract Amendments with Compass Project Management, Inc. and S.L.A.M for the 2016 MSBA Accelerated Repair Program, aka, Proctor and Steward Schools Building Envelope Projects. Seconded by Selectman Gandt. So voted 4-0.

Contract Amendment

Selectman Spencer made a motion to approve Contract Amendment #1 with S.L.A.M. for \$482,268 (both schools) for Designer Services for the extension of services for the design development through close-out for the 2016 MSBA Accelerated Repair Program, aka Proctor and Steward Schools Building Envelope Projects; and authorize the Town Administrator to sign. Tri Town School Union Director of Facilities Steve Clifford addressed the Board to say the Project has a strong team and will be starting on Design in two weeks, with opening bids expected in February. The project is scheduled to begin at the close of school in 2018. Chairman Jackson called for a vote, so voted 4-0.

Contract Amendment

Selectman Spencer made a motion to approve Contract Amendment #1 with Compass Project Management, Inc. for \$477,500 (for both schools) for Owner Project Management Services for the 2016 MSBA Accelerated Repair program, aka Proctor and Steward Schools Building Envelope Projects; and authorize the Town Administrator to sign. Chairman Jackson called for a vote, so voted 4-0.

Resident Comment

Resident David Larson was given the opportunity to ask questions. He suggested that the language on the Agenda should have included the word 'temporary' regarding Agenda Item #8. He informed the Board that his questions had been answered in the course of the meeting.

Public Entertainment License

Selectman Gandt made a motion to approve a Public Entertainment License to Dean & Flynn, Inc. D/B/A Fiesta Shows to grant an Amusement Games License for two Sundays, October 1st and 8th, 2017 at the Topsfield Fair Grounds during the Topsfield Fair. Seconded by Selectman Spencer, so voted 4-0.

Public Entertainment License

Selectman Gandt made a motion to approve a Public Entertainment License to Dean & Flynn, Inc. D/B/A Fiesta Shows to grant an Amusement Rides License for two Sundays, October 1st and 8th, 2017 at the Topsfield Fair Grounds during the Topsfield Fair. Selectman Gandt clarified that the hours for this License and the Amusement Games License are 10 AM – 11 PM. Seconded by Selectman Spencer, so voted 4-0.

TOWN ADMINISTRATOR REPORT

- The Collins Center is working on Draft Financial Policies as part of the Community Compact Project. The Town Administrator would like to set up a joint meeting of the Board of Selectmen and the Finance Committee in October to meet with representatives from the Collins Center.
- Public Records Update: the Town Administrator has been working with Town Clerk Beth Willis and KP Law to respond appropriately to multiple Public Records Requests, predominantly from one individual. Attorney Michelle Randazzo from KP Law has offered to do a seminar on Open Meeting Law and Public Records Requests.
- Complete Streets Program: the Town Administrator has been working with Community Development Director and Purchasing Agent Donna Rich, Sergeant Neal Hovey and Chief Evan Haglund from the Topsfield Police Department, Highway Superintendent David Bond and representatives from World Tech Engineering to review the 19 proposals from the prioritization list of streets and sidewalks in need of repair.

- Website: the Town Administrator distributed a paper copy of the current version of the front page of the new Town Website incorporating suggestions made by Selectmen. Training for Website Administrators will be offered in August and September. The Website is scheduled to go live in September.

MEETING MINUTES

August 2, 2017

Selectman Spencer made a motion to accept the August 2, 2017 Meeting Minutes as written. Seconded by Selectman Gandt. Selectman Gandt made a motion to amend the August 2, 2017 Meeting Minutes with changes he suggested. Seconded by Selectman Spencer, so voted 4-0. Selectman Spencer made a motion to accept the August 2, 2017 Meeting Minutes as amended. Seconded by Selectman Gandt, so voted 4-0.

August 7, 2017

Selectman Spencer made a motion to accept the August 7, 2017 Meeting Minutes as written. Seconded by Selectman Gandt. Selectman Gandt made a motion to amend the August 7, 2017 Meeting Minutes with changes he suggested. Seconded by Selectman Spencer, so voted 4-0. Selectman Spencer made a motion to accept the August 7, 2017 Meeting Minutes as amended. Seconded by Selectman Gandt, so voted 4-0.

August 9, 2017

Selectman Spencer made a motion to accept the August 9, 2017 Meeting Minutes as written. Seconded by Selectman Gandt, so voted 4-0.

CORRESPONDENCE

Letter from Town resident Kim Philpot

Letter from Martha Goldsmith, Director, Office of Leasing and State Office Planning

Letter to Community Development Director and Purchasing Agent Donna Rich from Rebecca Murray, Supervisor of Records for the Commonwealth of Massachusetts dated August 18, 2017

Letter to Kim Sherwood from Rebecca Murray, Supervisor of Records for the Commonwealth of Massachusetts dated August 16, 2017

Letter from Town Administrator Kellie Hebert to Kim Sherwood dated August 10, 2017

EXECUTIVE SESSION

At 9:01 PM, Selectman Gandt 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 Spencer. Roll Call Vote to enter into Executive Session:

Gandt – Yes

Jackson – Yes

Lyons – Yes

Spencer – Yes

So voted 4-0. The Board entered Executive Session at 9:02 PM.

DOCUMENTS

Agenda

Detailed Agenda

Invitation to Groundbreaking Event for Town Hall Renovation

Document, "Board of Health Periodic Report to the Board of Selectmen, August 21, 2017"

BOS Recommendation Request to confirm Town Administrator's appointment of Captain Jenifer Collins-Brown as Acting Fire Chief

BOS Recommendation Request from Chief Evan Haglund to appoint and promote Eric Goodwin, David Ricci, Justin Slattery and Timothy Glynn to the position of Special Police Officer

BOS Recommendation Request from Donna Rich for signatory authority for Gregor Smith, Chairman of the Town Hall Building Committee for in-the-field changes less than \$10,000 for each occurrence

Town Hall Building Committee Minutes from July 26, 2017 Meeting

BOS Recommendation Request from Community Development Coordinator and Purchasing Agent Donna Rich for signatory authority for Boyd Jackson to sign Change Requests

BOS Recommendation Request from Community Development Coordinator and Purchasing Agent Donna Rich for Change Order #1 for the Town Hall Building Committee to Consigli Construction Co., Inc. of Milford, MA

Consigli Construction Co., Inc. Change Request Number CR-003

SOS Corporation Construction Services quotation dated August 8, 2017

BOS Recommendation Request from Conservation Agent Heidi Gaffney to approve a Conservation Restriction at 120 Hill Street

Document, "Conservation Restriction" for 120 Hill Street

BOS Recommendation Request from Water Superintendent Greg Krom to approve Amendment #3 for the Contract for Designer Services of a Water Filtration Facility with Wright-Pierce of North Andover, MA

Document, "Town of Topsfield Contract for the Designer Services for a Water Treatment Facility"

Document, "Scope of Services"

Division of Local Services (DLS) Form titled 'Advance of Funds in Lieu of Borrowing Report

BOS Recommendation Request from Town Administrator Kellie Hebert to approve a Contract Amendment #1 with S.L.A.M.

Document, "Contract for Designer Services Amendment No. 01 Extension of Services – Design Development through Closeout"

BOS Recommendation Request from Town Administrator Kellie Hebert to approve a Contract Amendment #1 with Compass Project Management, Inc. for Owner Project Management Services

Document, "Attachment C Contract for Owner Project Management Services Amendment No. 1"

BOS Regular Meeting Minutes – 8/21/2017

Page 7

BOS Recommendation Request from the Office of the Town Administrator for License Application for Public Entertainment on Sunday – Amusement Games

Town of Topsfield License for Public Entertainment on Sunday for Amusement Games

BOS Recommendation Request from the Office of the Town Administrator for License Application for Public Entertainment on Sunday – Amusement Rides

Town of Topsfield License for Public Entertainment on Sunday for Amusement Rides

Draft Meeting Minutes of August 2, 2017

Draft Meeting Minutes of August 7, 2017

Draft Meeting Minutes of August 9, 2017

Letter to Building Inspector Glenn Clohecyc from Kim Philpot dated May 16, 2017

Letter from Martha Goldsmith, Director, Office of Leasing and State Office Planning

Letter to Community Development Director and Purchasing Agent Donna Rich from

Rebecca Murray, Supervisor of Records for the Commonwealth of Massachusetts dated August 18, 2017

Letter to Kim Sherwood from Rebecca Murray, Supervisor of Records for the Commonwealth of Massachusetts dated August 16, 2017

Letter from Town Administrator Kellie Hebert to Kim Sherwood dated August 10, 2017

Minutes were accepted as written at the September 14, 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.

John Coulon
8/21/17

BOARD OF HEALTH PERIODIC REPORT TO BOARD OF SELECTMEN

August 21, 2017

-Last report ... April 24, 2017

Following are site visits counted by category since last report to date:

SEPTIC:

Soil Tests: 18

New 2 Repairs 16

Inspections at Installations: 39

New 3 Repairs 25 Other 11

Locations: 23

Monitor: 45

FOOD:

Routine Inspections: 39 at 10 locations (includes annual and temporary permits)

EMERGENCY PREPAREDNESS Meetings and Drills/Trainings: 14

PUBLIC HEALTH MEETINGS: 9

PUBLIC HEALTH SEMINARS/CONFERENCES/TRAININGS: 6

BEAVERS: 4

BEACH: 3

CAMPS: 8 for 4 camps

POOLS: 3 for 2 pools

BAT: 2

NUISANCE: 2

Submitted by John Coulon