



SELECT BOARD MEETING

Minutes of Monday, December 19, 2022 7:00 PM

Board Members participating were Select Board Chair Marshall Hook, Select Board Vice-Chair and Clerk Lynne Bermudez and Select Board Members Cameron Brown, Rafael McDonald and Boyd Jackson. Of the Select Board's staff Town Administrator Kevin Harutunian and Executive Assistant Sam Morin were present. Chief Neal Hovey, Chief Jennifer Collins-Brown, and Highway Superintendent Gary Wildes were also present.

GOVERNOR'S ORDER

Select Board Chair Marshall Hook announced that, due to the COVID-19 State of Emergency announced by Governor Baker, this meeting would be conducted as a Virtual Meeting via ZOOM and as such, participation was remote. He then read the following:

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted via remote means. Members of the public who wish to watch or listen to the meeting may do so in the following manner: Video conference is on the agenda. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Topsfield website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

CALL TO ORDER

Select Board Chair Hook called the meeting to order at 7:00 PM.

ANNOUNCEMENTS

Vice-Chair and Clerk Bermudez made the following announcements:

Announcement of Recordings

"The meeting is being recorded by the Recording Clerk via ZOOM in the event that the connection is lost at any time during the meeting, a device is being

used by the recording clerk for the purpose of taking minutes; is there anyone else present who wishes to record the meeting?" There was no response.

"While we are conducting town business using remote participation via ZOOM, we ask that those of you not recognized by the chair or otherwise engaged in the discussion of the moment to please mute your microphone to avoid interruptions outside the conversation."

SB Videos on Demand (VOD)

"Select Board meetings can be viewed by going into the Watch Cable Video on Demand icon on the homepage of the Town's website."

Select Board Meetings:

"On Wednesday, January 4, 2023, the Board will hold a work session at 6 PM. The next Select Board Meeting will be on Monday, January 9, 2023 at 7 PM. Please check the meeting postings on the Town Website for information to either join via zoom or for the location of that particular meeting/work session."

CITIZEN QUESTIONS & COMMENTS

There were no questions or comments.

APPROVAL OF MINUTES

Vice-Chair and Clerk Bermudez made a motion to approve the minutes of the Select Board Meeting held November 7, 2022 as amended. Select Board Member Brown seconded the motion and the motion carried by roll call vote of 4 in favor and 1 abstain as follows:

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|-------------------------------|---------|
| Chair Hook | Yes |
| Vice-Chair and Clerk Bermudez | Yes |
| Select Board Member Brown | Yes |
| Select Board Member Jackson | Abstain |
| Select Board Member McDonald | Yes |

Vice-Chair and Clerk Bermudez made a motion to approve the minutes of the Select Board Work Session held December 1, 2022. Select Board Member McDonald seconded the motion and the motion carried by roll call vote as follows:

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|-------------------------------|-----|
| Chair Hook | Yes |
| Vice-Chair and Clerk Bermudez | Yes |
| Select Board Member Brown | Yes |
| Select Board Member Jackson | Yes |
| Select Board Member McDonald | Yes |

NEW BUSINESS

ONE DAY LIQUOR LICENSE REQUEST

Recreation Director Stephanie Sweeney presented for approval a one-day liquor license application requested by the Topsfield Elementary School PTO. The license will be used to provide malt beverages at the Winterfest event planned for January 21, 2023 on the Topsfield Common.

Select Board Member Brown made a motion to approve a One Day Liquor License for the Topsfield Elementary School PTO for Winterfest at the Topsfield Commons on Saturday, January 21, 2023. Malt Beverages will be served between the hours of 12 PM and 2 PM. Vice-Chair and Clerk Bermudez seconded the motion and the motion carried by roll call vote as follows:

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|-------------------------------|-----|
| Chair Hook | Yes |
| Vice-Chair and Clerk Bermudez | Yes |
| Select Board Member Brown | Yes |
| Select Board Member Jackson | Yes |
| Select Board Member McDonald | Yes |

EAGLE SCOUT PRESENTATION

Eagle Scout Noah Demers provided an update on his proposed project to erect a backboard on the Topsfield Tennis Courts near Proctor School. Noah reported that the building inspector confirmed the backboard will be able to withstand weather and wind. He also consulted with abutters and received feedback on their concerns about noise and obstructed sight lines. Upon the suggestion of Highway Supt. Gary Wildes, the backboard will be placed on the side of the fence facing the school, moving it further from abutter homes. Per Select Board feedback, the height of the board will not exceed eight feet and the back of the board will be painted to present a better view for park visitors.

MBTA COMPLIANCE PLAN

Planning Board Chair Martha Morrison provided an update on the Town's Interim Compliance Plan for the MBTA community housing district. As an "adjacent community" to an MBTA community the number of required units district decreased from 750 to 118. Ms. Morrison explained that the Town could lose State Housing Authority funding if the Plan is not filed by 1/31/23. She also explained that the Town is not being tasked with building the housing but rather creating a zoning district that will allow property owners by right to build multi-family housing without a special permit. The lots in the district do not have to be vacant lots but can have buildings

that could be repurposed for housing units. Lots that cannot be included in the plan include municipally owned property, property with conservation restrictions and wellhead districts.

The new zoning district will need to be approved at the FY2024 or FY2025 Annual Town Meeting (ATM). Discussion was held on how to educate residents about the impact of not being in compliance with this new Multi-Family Housing regulation. Ms. Morrison commented that the first exposure to residents will be through the Master Plan process. Information sessions can also be hosted by the Planning Board. A Public Hearing, held by the Planning Board, is required before the ATM.

DEPARTMENT OF PUBLIC WORKS

Highway Superintendent Gary Wildes presented for approval a contract to purchase a 2022 Ford F550 dump truck. The purchase of the dump truck was originally approved for a 2023 Ford truck.

Select Board Member Brown made a motion to approve the purchase of a 2022 Ford F550 One Ton Dump Truck for the amount of \$68,960.20 to replace the originally approved 2023 Ford truck. Vice-Chair and Clerk Bermudez seconded the motion and the motion carried by roll call vote as follows:

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|-------------------------------|-----|
| Chair Hook | Yes |
| Vice-Chair and Clerk Bermudez | Yes |
| Select Board Member Brown | Yes |
| Select Board Member Jackson | Yes |
| Select Board Member McDonald | Yes |

Select Board Member Jackson subsequently left the meeting at 8:11 PM due to technical difficulties.

COMMON VICTUALLERS LICENSE

TA Harutunian presented for approval Common Victualler licenses for eight businesses. TA Harutunian confirmed that businesses are inspected prior to licenses being issued. As inspections for three businesses have not yet occurred, TA Harutunian requested the businesses be temporarily allowed to continue to operate until the inspections occur.

Vice-Chair and Clerk Bermudez made a motion to approve the 2023 Common Victualler License Renewals for the following establishments in the Town of Topsfield with an expiration date of December 31, 2023:

- Topsfield House of Pizza

- Bagel Bin Deli
- Alex's Roast Beef Pizza & Seafood
- Essex Agricultural Society – Coolidge Hall/Topsfield Fair
- Willowdale Estate
- Dunkin Donuts
- Topsfield Bake Shop
- Pierce Farm LLC

Select Board Member Brown seconded the motion and the motion carried by roll call vote as follows:

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|-------------------------------|-----|
| Chair Hook | Yes |
| Vice-Chair and Clerk Bermudez | Yes |
| Select Board Member Brown | Yes |
| Select Board Member McDonald | Yes |

Vice-Chair and Clerk Bermudez made a motion to issue a temporary continuance for the following establishments in the Town of Topsfield for the renewal of their Common Victualler license with an expiration date of January 24, 2023:

- New Meadow's Golf Club
- Osteria Peppino Pizzeria
- Topsfield Commons

Select Board Member Brown seconded the motion and the motion carried by roll call vote as follows:

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|-------------------------------|-----|
| Chair Hook | Yes |
| Vice-Chair and Clerk Bermudez | Yes |
| Select Board Member Brown | Yes |
| Select Board Member McDonald | Yes |

USED CAR LICENSE: 2023 RENEWALS

TA Harutunian presented for approval annual renewals for used car licenses.

Select Board Member McDonald made a motion to approve the 2023 Class II Used Auto Dealer License Renewals for the following establishments in the Town of Topsfield with an expiration date of December 31, 2023:

- Signature Motors
- George Baptista
- Eurasian Imports, Inc.
- Topsfield Motors Co., LLC
- Peppi's Auto Sales, Inc.

Vice-Chair and Clerk Bermudez seconded the motion and the motion carried by roll call vote as follows:

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|-------------------------------|-----|
| Chair Hook | Yes |
| Vice-Chair and Clerk Bermudez | Yes |
| Select Board Member Brown | Yes |
| Select Board Member McDonald | Yes |

HOOD POND LICENSE AGREEMENT

Recreation Director Stephanie Sweeney presented for approval an agreement with the Topsfield Beach Association for beach activities at Hood Pond.

Vice-Chair and Clerk Bermudez made a motion to approve an agreement between the Town of Topsfield and the Topsfield Beach Association for the purpose of beach activities at Hood Pond for a term of one (1) year ending December 31, 2023, pending receipt of a current and updated insurance policy listing the Town of Topsfield as additional insured. Select Board Member McDonald seconded the motion and the motion carried by roll call vote as follows:

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|-------------------------------|-----|
| Chair Hook | Yes |
| Vice-Chair and Clerk Bermudez | Yes |
| Select Board Member Brown | Yes |
| Select Board Member McDonald | Yes |

SUSTAINABLE MATERIAL RECOVERY PROGRAM

TA Harutunian presented for acceptance an annual State grant for programs related to sustainability and recycling.

Select Board Member McDonald made a motion to accept a grant from the Commonwealth of Massachusetts Department of Environmental Protection Sustainable Material Recovery Program in the amount of \$7,800.00. Select Board Member Brown seconded the motion and the motion carried by roll call vote as follows:

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|-------------------------------|-----|
| Chair Hook | Yes |
| Vice-Chair and Clerk Bermudez | Yes |
| Select Board Member Brown | Yes |
| Select Board Member McDonald | Yes |

FIRE DEPARTMENT

Fire Chief Jen Collins-Brown presented for acceptance a grant from the Department of Fire Safety that will be used toward the purchase of two radios.

Select Board Member Brown made a motion to accept a grant from the Department of Fire Safety in the amount of \$12,897.35. Select Board Member McDonald seconded the motion and the motion carried by roll call vote as follows:

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| Chair Hook | Yes |
| Vice-Chair and Clerk Bermudez | Yes |
| Select Board Member Brown | Yes |
| Select Board Member McDonald | Yes |

TOPSFIELD COMMUNITY PARTNERSHIP (TCP)

Recreation Director Stephane Sweeney presented for acceptance a grant from the Topsfield Community Partnership for pyramid heaters and PA system. The equipment will be shared with other departments.

Select Board Member McDonald made a motion to accept a donation from the Topsfield Community Partnership to support the Recreation Department's purchase of heaters and a PA system in the amount of \$1,053.00. Vice-Chair and Clerk Bermudez seconded the motion and the motion carried by roll call vote as follows:

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| Chair Hook | Yes |
| Vice-Chair and Clerk Bermudez | Yes |
| Select Board Member Brown | Yes |
| Select Board Member McDonald | Yes |

SALARY SURVEY

TA Harutunian discussed a proposed salary adjustment for three employees who are outside of the 60% market compensation percentile following completion and analysis of a salary survey of surrounding towns.

Vice-Chair and Clerk Bermudez made a motion to transfer up to \$9,030.60 from the salary reserve account to fund a one-time compensation adjustment for three employees to commence on January 1, 2023. Select Board Member Brown seconded the motion and the motion carried by roll call vote as follows:

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|-------------------------------|-----|
| Chair Hook | Yes |
| Vice-Chair and Clerk Bermudez | Yes |
| Select Board Member Brown | Yes |
| Select Board Member McDonald | Yes |

SELECT BOARD MEETING SCHEDULE

A discussion was held on the location of 2023 Select Board meetings and work sessions. In January and February, the regular sessions on Mondays at 7 pm will be held in person and the 6 pm Work Sessions will be held via Zoom.

Vice-Chair and Clerk Bermudez proposed an executive session after the January 4, 2023 Work Session for a discussion related to negotiations for a proposed park at the entrance to the shopping center. The board concurred and it will be added to the agenda.

SELECT BOARD UPDATES

Select Board Member Brown thanked the Fire Department for their response to a matter at his home.

Select Board Member McDonald suggested that the file names for agendas be formatted as year-month-date. He also commented on a Listening Session discussion item related to power and utility costs and the efficiency of streetlights. TA Harutunian explained that Topsfield is part of a consortium with other communities that locked in rates for a four-year term for power and heat costs beginning in FY2024. The delivery cost is not locked in. He also provided information on discussions with National Grid about retrofitting streetlights and options to reduce costs.

Vice-Chair and Clerk Bermudez thanked Chief Hovey for a recent luncheon for Police Department recognitions. She also asked if there has been a response to the inquiry from the Epilepsy Foundation to collect textiles for the town. TA Harutunian said the request will go to the Sustainability Advisory Committee for review.

TOWN ADMINISTRATOR'S REPORT

TA Harutunian provided an update on the following items:

- Three new traffic control officers have been added to the Police Department.
- Budget meetings were held with all departments, and budgets will go to the Town Accountant on December 20.

CORRESPONDENCE

Correspondence is available on BoardDocs.

ADJOURNMENT

At 9:06 PM, Vice-Chair and Clerk Bermudez made a motion to adjourn. Select Board Member McDonald seconded the motion and the motion carried by roll call vote as follows:

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| Chair Hook | Yes |
| Vice-Chair and Clerk Bermudez | Yes |
| Select Board Member Brown | Yes |
| Select Board Member McDonald | Yes |

Respectfully submitted,
Samantha Morin, Executive Assistant & Recording Secretary
Theresa Coffey, Recording Secretary

DOCUMENTS

1. Agenda
2. Select Board Minutes of November 7, 2022
3. Select Board Work Session Minutes of December 1, 2022
4. One Day Liquor License Request – Topsfield Elementary School PTO Update
5. Noah Demers Eagle Scout Presentation
6. Interim Compliance Action Plan for MBTA Communities
7. Contract to Purchase - Colonial Municipal Group 12/16/22 (2022 Ford Truck)
8. Check List for Used Car License Renewals
9. Topsfield Beach Association Hood Pond License 2023 – Draft
10. Sustainable Materials Recovery Program – Recycling Dividends Award
11.22.2022
11. FY2023 Firefighter Safety Equipment Grant
12. Topsfield Community Partnership – Heater and PA System Donation

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.