



**BOARD OF SELECTMEN  
VIRTUAL MEETING**

**Minutes of Monday, May 11, 2020  
7:00 PM**

Board Members participating were Chairman John K. Spencer, Vice-Chair & Clerk Lynne Bermudez and Selectmen Boyd Jackson and A. Richard Gandt. Of the Selectmen's staff Town Administrator Kevin Harutunian and Executive Assistant & Recording Secretary Debi Morong were present. Of the Town Hall staff, Town Accountant Catherine Gabriel, Fire Chief Jen Collins-Brown and Police Chief Neal Hovey were present.

**CALL TO ORDER**

Chairman John K. Spencer called the meeting to order at 7:02 PM.

**GOVERNOR'S ORDER**

Chairman Spencer 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. Mr. Spencer confirmed that all participants had audio and/or visual capability.

*"Pursuant to Governor Baker's March 12, 2020 order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Topsfield Board of Selectmen will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Topsfield website at [www.topsfield-ma.gov](http://www.topsfield-ma.gov) For this meeting, members of the public who wish to watch or listen to the meeting may do so in the following manner: Video conference (see log-in information below.) 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."*

**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 and 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?" Selectman Gandt informed the Board that he would record the meeting.

### **BOS Videos on Demand (VOD)**

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

### **COVID-19**

"Please check the Town Website for helpful information regarding COVID-19 under News and Announcements or go directly to the COVID-19 page at [www.topsfield-ma.gov](http://www.topsfield-ma.gov)."

### **4<sup>th</sup> Quarter Tax Bills and Application Exemptions**

"The Board of Selectmen have adopted the local option to extend the Real Estate & Personal Property tax bill due date from May 1<sup>st</sup> to June 1<sup>st</sup>; and, to extend the due date for application for exemptions and deferrals from April 1, 2020 until a due date no later than June 1, 2020. Please go to [www.topsfield-ma.gov](http://www.topsfield-ma.gov) for more information."

### **White Goods/Metals Curbside Collection**

"The Spring collection of white goods/metals will be held on your regular collection day; May 13<sup>th</sup>, 14<sup>th</sup> & 15<sup>th</sup>. Items must be curbside by 7:00 AM. Please go to [www.topsfield-ma.gov](http://www.topsfield-ma.gov) for more info."

### **Northeast MA Mosquito Control (NEMMC):**

"Representatives from NEMMC will be in the area during the next few weeks placing surveillance traps in preparation for mosquito season. Please see the Health Dept. web page for more information on the NEMMC Best Management Practice Plan for Topsfield at [www.topsfield-ma.gov](http://www.topsfield-ma.gov) "

### **Town Hall Summer Hours:**

"Beginning Friday, May 22<sup>nd</sup> (Memorial Day weekend) the Town Hall will be closed on Fridays for the summer through Friday, September 4<sup>th</sup> (Labor Day weekend). The Town Hall summer hours will be as follows: Mondays 8 AM – 7 PM; Tuesdays through Thursdays 8 AM – 4:30 PM."

### **Selectmen's Meetings**

"On Monday, May 18<sup>th</sup>, Monday June 1<sup>st</sup> and Monday June 15<sup>th</sup> there will be Board of Selectmen Meetings at 7:00 PM. The Board will hold work sessions on Wednesday, May 13<sup>th</sup> and Thursday, June 11<sup>th</sup> at 3 PM. All meetings and work sessions will be conducted virtually using ZOOM until further notice. All information to join these meetings is listed on each agenda posting on the town website."

### **CITIZEN'S 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 BOS work session held Friday, April 17, 2020. Selectman Gandt seconded the motion and the motion carried by a roll call vote as follows:

Chairman Spencer	Yes
Vice-Chair & Clerk Bermudez	Yes
Selectman Jackson	Yes
Selectman Gandt	Yes

Vice-Chair and Clerk Bermudez made a motion to approve the minutes of BOS Meeting held Monday, May 4, 2020. Selectman Gandt seconded the motion and the motion carried by a roll call vote as follows:

Chairman Spencer	Yes
Vice-Chair & Clerk Bermudez	Yes
Selectman Jackson	Yes
Selectman Gandt	Yes

### **NEW BUSINESS**

#### **PROCTOR & STEWARD ELEMENTARY SCHOOLS**

Town Administrator Kevin Harutunian and Tri-town School Union Director of Facilities Steve Clifford explained that through the process to close out the roof projects at Proctor and Steward Elementary Schools, the schools applied to the Mass. School Building Authority (MSBA) for additional consideration of items that were initially excluded from MSBA funding. This First Amendment to the Project Funding Agreement, which reflects some of these items as well as such items as a rebalancing of the schedule of values, requires Board approval. At the conclusion of a ten-month audit by the MSBA, the town will receive its final reimbursement.

Selectman Gandt made a motion to approve the First Amendment to the Project Funding Agreement between the Town of Topsfield and the Mass School Building Authority dated January 22, 2020. Selectman Jackson seconded the motion and the motion carried by a roll call vote as follows:

Chairman Spencer	Yes
Vice-Chair & Clerk Bermudez	Yes
Selectman Jackson	Yes
Selectman Gandt	Yes

**FIRE DEPARTMENT**

Chief Collins-Brown informed the Board that the Town of Topsfield received stimulus funds from the CARES ACT. Every ambulance provider or service received a percentage of adjudicated Medicare claims. The funds must be accepted within 30 days. These funds will be used for healthcare-related expenses or to offset lost revenue attributed to COVID-19.

Vice-Chair and Clerk Bermudez made a motion to accept the stimulus funds from the CARES ACT in the amount of \$5,053.43. Selectman Gandt seconded the motion and the motion carried by roll call vote as follows:

Chairman Spencer	Yes
Vice-Chair & Clerk Bermudez	Yes
Selectman Jackson	Yes
Selectman Gandt	Yes

**SAFER GRANT**

Chief Collins-Brown requested a letter of support from the Board of Selectmen for the Safer Grant application. The purpose of the grant is to help towns meet the minimum standard for firefighter coverage, which for Topsfield is four firefighters on duty at one time. Chief Collins-Brown reviewed the current staffing levels of call firefighters and full-time firefighters and commented this grant is part of the effort to get to a more predicable staffing pattern. The grant will provide 75% funding for the first two years and 65% funding in the third year. If the grant is awarded, the town will not be obligated to accept the grant to hire the requested four full-time firefighters.

Selectman Jackson made a motion to approve the request by Fire Chief Collins-Brown and the Topsfield Fire Department for a letter of support to be included when applying for the SAFER Grant. Vice-Chair and Clerk Bermudez seconded the motion and the motion carried by roll call vote as follows:

Chairman Spencer	Yes
Vice-Chair & Clerk Bermudez	Yes
Selectman Jackson	Yes
Selectman Gandt	Yes

**POLICE DEPARTMENT**

Police Chief Neal Hovey requested approval from the Board for payment of invoices related to the purchase of a the new 2020 K8A – Ford Interceptor Utility police vehicle, plus conversion and equipment, that was approved at the 2019 Annual Town Meeting in the amount of \$62,000. The new vehicle was purchased

on April 17, 2020. The invoice for MHQ Company in the amount of \$34,070.98 requires the Board's approval as it is above the \$25,000 threshold for Town Administrator approval. Chief Hovey reviewed invoices for the total purchase of vehicle and invoices for conversion and equipment, totaling \$55,324.70. Vice-Chair and Clerk Bermudez made a motion to approve the purchase of a 2020 K8A Ford Interceptor for the Topsfield Police Department for which funds were appropriated at the 2019 ATM for an amount of \$34,070.98. Selectman Gandt seconded the motion and the motion carried by roll call vote as follows:

Chairman Spencer	Yes
Vice-Chair & Clerk Bermudez	Yes
Selectman Jackson	Yes
Selectman Gandt	Yes

### **TRI-TOWN COUNCIL**

Tri-town Council Executive Director Meredith Shaw and Tri-town Council Communications and Development Manager Gretchen Rehak presented their request to place a banner on the Town Common to honor the Masconomet High School graduating class of 2020. The three towns in the school district will place signs in a public area beginning on May 22, 2020 to provide an opportunity for the community to show their support for the graduating seniors who have had traditional graduating events cancelled because of the COVID-19 pandemic. The banners will also provide a location for families to take pictures with the graduates. The Council requested to hang the banner on May 22, 2020 and leave it in place for four weeks.

Selectman Gandt made a motion to approve the request of the Tri-Town Council to place a 4'X8' banner honoring the Masconomet High School Graduation Class of 2020 on town property on the common for a period starting May 22, 2020 and to be removed on or before June 19, 2020 and that it be put up in a way that is safe. Selectman Jackson seconded the motion and the motion carried by roll call vote as follows:

Chairman Spencer	Yes
Vice-Chair & Clerk Bermudez	Yes
Selectman Jackson	Yes
Selectman Gandt	Yes

### **PUBLIC HEARING**

The Public Hearing on the matter of the Topsfield Motor Co. sign was continued from February 24, 2020 and closed at the May 4, 2020 BOS Meeting. There was no public comment taken at this meeting.

Following the May 4, 2020 Public Hearing on this matter, Topsfield Motors Co. co-owner, Dan Donegan, submitted a revised permit application for the sign to be posted on the side of the building at 16 Maple Street specifying its size. The sign was downsized from 360 square feet to 282 square feet. Because the sign permit application was again denied by the Building Inspector, Mr. Donegan is requesting a special permit from the Board.

Selectman Gandt expressed his concern that the sign was still too big, was not appropriate on a residential street and was not in keeping with Sign Regulation Zoning Bylaw. Mr. Donegan confirmed that there have been no complaints about the sign made to the business and Town Administrator Harutunian confirmed that no complaints have been made to the town. The other three Selectmen stated their belief that while the sign was larger than allowed by the bylaw, it is tasteful and attractive, there have been no complaints for the current sign (which is larger than the one being requested), and the building is virtually hidden from Route 1 due to trees. Vice Chair Bermudez stated that she believes the sign bylaw should be reviewed as this is the second request for a special permit from businesses on or near Route 1 and it is better to revise the bylaw to reflect current thinking than to continually approve non-conforming signs.

Vice-Chair and Clerk Bermudez made a motion to approve the request from Daniel Donegan of Topsfield Motor Co. who is seeking a special permit under Article XIII, Section 13.3 of the Sign Regulation Zoning By-Law to install new signage at 16 Maple Street, Topsfield, MA. Selectman Jackson seconded the motion.

Selectman Gandt made a motion to amend the motion on the floor to add that the size of the sign is 6 feet x 47 feet and is unlighted. Vice-Chair and Clerk Bermudez seconded the motion to amend and the motion carried by roll call vote as follows:

Chairman Spencer	Yes
Vice-Chair & Clerk Bermudez	Yes
Selectman Jackson	Yes
Selectman Gandt	Yes

The Chair called for a vote on the main motion as amended which carried by roll call vote as follows:

Chairman Spencer	Yes
Vice-Chair & Clerk Bermudez	Yes
Selectman Jackson	Yes
Selectman Gandt	No

**2020 ATM & STM WARRANTS**

Following the May 4, 2020 meeting, KP Law reviewed the Annual Town Meeting warrant version 5.1. KP Law comments, edits and clarifying language were reviewed, discussed, agreed to, and saved as Version 5.2. The Special Town Meeting warrant version 2.1 had one edit in the title block of the warrant.

Selectman Gandt made a motion to accept the 2020 Annual Town Warrant and the 2020 Special Town Meeting Warrant as discussed, deliberated and agreed on May 11, 2020. Selectman Jackson seconded the motion and the motion carried by roll call vote as follows:

Chairman Spencer	Yes
Vice-Chair & Clerk Bermudez	Yes
Selectman Jackson	Yes
Selectman Gandt	Yes

**TOWN ADMINISTRATOR'S REPORT**

- The Governor's order on COVID-19 related restrictions is set to expire on May 18 and the Topsfield response team is watching closely to see what changes will come on May 19. Work continues on the re-opening plan for town buildings. Formatting changes are being made to the COVID-19 information page on the town website to make it more user friendly.
- Temporary parking limitation signs were placed in several areas for public safety reasons.
- The Bourque Road Race that was approved by the Board for the use of Coppermine Road, has been cancelled and instead will be held as a virtual race.
- An ad hoc working group including the town moderator, police and fire chiefs, health agent, town clerk and town administrator are working together to plan logistics for the town meeting and election. There are many small details to work through for public safety. The working group requested a representative from the Board of Selectman.
- After researching town by-law requirements for the town meeting warrant, it was decided that the warrant will be printed and mailed to residents. Precautions will be taken to reduce the risk of contamination to keep everyone safe.
- Absentee ballot applications will be mailed to all registered voters.
- A spending and hiring freeze has been put in place.
- Evaluation forms were distributed to department heads to begin this year's evaluation process.
- Summer hours for Town Hall were announced, and hours on Monday will be extended into the evening to provide access for residents who are not able to conduct their business during the day.

- Online payments and permits are coming soon which will improve efficiency for the town and for residents.
- The DEP has approved reduced coverage at the water treatment facility. This will significantly reduce overtime obligations for the town.
- New Highway Superintendent Gary Wilde led the team in the successful paving project on Canterbury Hill Road. Emails were received from residents thanking them for the great work.

## **CORRESPONDENCE**

Correspondence is available on BoardDocs.

## **ADJOURN**

At 9:03 PM, Selectman Gandt made a motion for the Board of Selectmen to adjourn. Vice-Chair and Clerk Bermudez seconded the motion and the motion carried by roll call vote as follows:

Chairman Spencer	Yes
Vice-Chair & Clerk Bermudez	Yes
Selectman Jackson	Yes
Selectman Gandt	Yes

Respectfully submitted,

Debra A. Morong, Executive Assistant & Recording Secretary

Theresa Coffey, Recording Secretary

## **DOCUMENTS**

1. Agenda
2. Draft BOS Work Session Minutes – April 17, 2020
3. Draft BOS Minutes – May 4, 2020
4. First Amendment to the Project Funding Agreement Between the Town of Topsfield and the MSBA
5. MHQ Invoice for Topsfield Police Dept. Ford Interceptor Utility dated March 24, 2020
6. Tri-Town Council Masco Senior Banner Proof
7. Topsfield Motors Sign Permit Application dated May 8, 2020; maps & photos
8. Topsfield Motors Permit Denial dated May 8, 2020
9. Topsfield Motors Special Sign Permit Application
10. Annual Town Meeting Warrant Version 5.1 dated 5-07-20 and marked KP with Cover Sheet and Attachment B
11. Special Town Meeting Warrant Version 2.1 dated 5-04-20

<p>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.</p>
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