



**ANNUAL/SPECIAL TOWN MEETINGS**  
**PROCTOR SCHOOL – WOODBURY AUDITORIUM**

**TUESDAY, MAY 6<sup>TH</sup>, 2014**

The several articles in the Warrant for the Meeting and the action of the Town thereto.

The Moderator called the Annual Town Meeting to order at 7:18 p.m., stating the required quorum had been surpassed. The Moderator followed with reading of the Warrant and the Return of the Constable noting the meeting had been duly posted and advertised as required by law, and called the meeting to order. The meeting opened with the Pledge of Allegiance. He continued with the following announcements.

1. The meeting is being taped for future broadcast. Thanks to volunteers Brad Sweet and his assistant Baxter Demers for this service. We also thank Art Bevilacqua of Essex TV & Radio for providing audio for this Meeting.
2. Microphones have been provided in the auditorium for your convenience. We ask that you use them when addressing the meeting.
3. If you wish to speak to any question, you must first be recognized by the Moderator. When recognized, the person must state his or her name and street address.
4. By long standing tradition in the Town, a recommendation of the Finance Committee amounts to the main motion, and doesn't require a second. If the Finance Committee recommends "no action" on a particular article, and a voter desires positive action on the article or an amended article, the voter may and should, during discussion of the Finance Committee recommendation, state his or her intention to move for positive action on the article or an amended article if the Finance Committee's "no action" recommendation is voted down; but, the vote will be taken on the Finance Committee's recommendation of "no action" before a motion for positive action is in order.
5. If a voter desires to move an amendment to a Finance Committee recommendation or to any other motion, I will require a written proposed motion to amend for review by myself and Town Counsel prior to any action on it. We have printed forms for these motions and will be happy to help anyone who needs assistance in making it out.

The Moderator asked for unanimous consent to allow out of town Department Heads to sit with their peers. Consent was given.

The Moderator moved to his introductions. First, he introduced Ann Gill, the Town Clerk, on her maiden voyage on Annual Town Meeting. He then introduced the Board of Selectmen, Acting Chair Martha Morrison, Dick Gandt, Laura Powers and Eldon Goodhue. He also recognized Town Council Lauren Goldberg, and Town Administrator Kellie Hebert. Introductions were made of the Finance Committee Members, Chairman Mark Lyons, Karen Dow, Heidi Bond, Paul Dierze, Dan Shugrue, Jonathan Guido, and Dana Warren.

The Town Moderator requested the Meeting start with the Annual Award Presentations.

### **2014 AWARDS PRESENTATION**

The following is a list of recipients who received awards for their past service to the town. The awards were presented by Selectmen Martha Morrison with the assistance of Laura Powers.

Susan Archer	Elementary School Committee
Laurence C. Atkins	Council on Aging
Gerald J. Buckley	Housing Authority
Katherine E. Carlson	Rail Trail Committee
Gracie A. Clemson	Council on Aging
Richard J. Cullinan	Board of Road Commission
Charles R. Denault, Jr.	Wallace Kneeland Committee
Mark O. Erickson	Conservation Commission
Henry A. Goudreau	Planning Board
Kathryn S. Hartmann	Finance Committee
Audrey B. Iarocci	Board of Library Trustees
John W. Minnehan	Housing Authority
Karen E. Nadherny	Cultural Council
Melissa A. Ogden	Open Space Committee
Robert D. Ogden	Cable TV/ Website Committee
Jacqueline A. Rizzo	Council on Aging
Kathleen A. Tremblay	Rail Trail Committee
William B. Whiting	Cable TV/ Website Committee

The following recipients were unable to attend but were recognized:

Patricia A. Carroll	Council on Aging
Dorothea M. DeLuca	Board of Library Trustee
Elizabeth L. Dierze	Masconomet School Committee
Scott Dow	Wallace Kneeland Committee
Bruce C. Spaulding	Alcohol Licensing Advisory Committee
Kenneth G. Vogel	BOS/Elementary School & Masco School

The Moderator then moved to Article First.

### **ARTICLE FIRST:   REPORTS**

Mark Lyons, Finance Committee Chair presented the Budget report in respect to recommendations for FY 2015.

Martha Morrison, Acting Chair for the Board of Selectmen, presented the report summarizing FY 2014 accomplishments and happenings.

## **ARTICLE SECOND:**

### **RESERVE FUND**

The Finance Committee recommended the Town appropriate the sum of \$150,000 for the Reserve Fund, and to meet said appropriation that the Town transfer the sum of \$150,000 from Free Cash, and the Town so voted unanimously.

## **ARTICLE THIRD:**

### **GENERAL OPERATING BUDGET**

The Finance Committee recommended that the Town raise and appropriate \$16,059,271 for schools, highways, and other Town expenses, and fix the annual salary and compensation of all elected officers from July 1<sup>st</sup> and determine the manner of expending the same as stated in attachment A; and to meet said appropriation, raise and assess the sum of \$15,965,549; transfer the sum of \$66,000 from the Gould Trust Fund Part B; transfer the sum of \$1,722 from the Fund Balance Reserved for Reduction Future Excludable Debt Account; transfer the sum of \$26,000 from the Conservation Revolving Account; and further, that the Town vote to raise, assess, and appropriate the additional sum of \$199,500 for the Elementary Schools as stated in the column entitled "Contingency Appropriation" in Appendix A, provided, however, that such additional appropriation shall be contingent upon the passage of a Proposition 2 ½ general override referendum under General Laws Chapter 59, § 21C(g). Appendix A may be found at the close of this document. Discussion ensued. The Town Moderator noted that only a simple majority vote was required, and the Town so voted overwhelmingly.

**The Moderator, having concluded Town Meeting action on Article Third, stated "I will now entertain a motion to adjourn the Annual Town Meeting until such time as the business of the Special Town Meeting has been concluded and the Special Town Meeting is dissolved." The motion was made and seconded. The Moderator called the Special Town Meeting to order at 8:04 p.m. and read the warrant. He then moved to Article First of the May 6, 2014 Special Town Meeting.**

## **ARTICLE FIRST:**

### **REPORTS**

There were no reports.

## **ARTICLE SECOND:**

### **PRIOR YEAR BILLS**

The Finance Committee recommended to see if the Town would transfer from available funds and appropriate a sum of money to pay outstanding bills contracted prior to July 1, 2013. There were none to review and the Town so voted unanimously.

**ARTICLE THIRD:****TRANSFER OF FUNDS**

The Finance Committee recommended that the Town transfer from the unexpended balance of certain accounts, and/or from available funds, and appropriate said funds to certain other accounts to pay certain expenses for the 2014 fiscal year, and the Town so voted unanimously as follows:

FROM:		TO:	
\$ 7,380	Selectmen Salary	\$ 2,480	Police Salary Account
		\$ 1,946	Fire Salary Account
		\$ 1,154	Treasurer Collector Wage Account
\$92,900	MIIA Health Insurance	\$ 9,400	Snow & Ice Wage Account
		\$83,500	Snow & Ice Other Account
\$ 4,840	Essex Retirement	\$ 3,800	Town Hall Other Account
		\$ 1,040	Town Treasurer Collector Other
\$16,060	Worker's Compensation	\$14,000	Fire Other Account
		\$ 2,060	Highway Wage Account
\$48,375	Property & Liability Insurance	\$11,100	Highway Other Account
		\$ 8,647	Library Maintenance & Repair Account
		\$ 5,000	School Other Account
		\$ 5,000	Selectmen Other Account
		\$ 5,000	Town Hall Other Account
		\$13,628	Police Wage Account
\$10,000	Police Other	\$10,000	Police Wage Account
\$14,740	Insurance & Restitution	\$14,740	Police Wage Account
\$ 1,200	Assessors Wage	\$ 1,200	Assessors Other Account
\$ 1,660	A19/13ATM	\$ 1,660	Inspectional Services Other Account
\$ 3,078	A17/13ATM	\$ 3,078	Town Hall Other Account

**ARTICLE FOURTH:****PURCHASE OF TECHNOLOGY EQUIPMENT FOR THE ELEMENTARY SCHOOLS**

The Finance Committee recommended that the Town appropriate and transfer the sum of \$90,462 from Article Third of the May 2013 Annual Town Meeting Insurance: Medical to be expended by the Board of Selectmen, with the advice of the Elementary School Committee, to purchase technology equipment, and the Town so voted unanimously.

**The Moderator stated the business of the Special Town Meeting was concluded. He would now entertain a motion to dissolve the Special Town Meeting of May 6, 2014. The motion was duly made, seconded and voted unanimously. The Special Town Meeting dissolved at 8:10 p.m. The Annual Town Meeting resumed with Article Fourth.**

**ARTICLE FOURTH:**

**WATER DEPARTMENT OPERATING BUDGET**

The Finance Committee recommended that the Town appropriate the sum of \$891,842 as detailed herein, and to meet said appropriation \$891,842, to come from Water Revenue, to operate the Water Department from July 1, 2014, through June 30, 2015, and to approve the sum of \$109,702 of indirect costs appropriated in the General Fund under Article Third above, to be funded from Water Revenue, and the Town so voted unanimously.

	Proposed
Appropriated	Appropriation
Fiscal Year 2014	Fiscal Year 2015

**WATER DEPARTMENT OPERATING BUDGET**

\$ 77,240	Salary	\$ 81,073
155,791	Wages	177,577
273,054	Other	296,980
84,000	Long-Term Debt Principal	83,500
31,572	Long-Term Debt Interest	28,212
20,000	Short-Term Debt Interest	38,000
5,000	Debt Issue Costs	5,000
130,000	Water Reserve Fund	130,000
76,500	Unanticipated Emergency	51,500
<b>853,157</b>	<b>SUB-TOTAL – DIRECT COSTS</b>	<b>891,842</b>
106,229	Indirect Costs	109,702
<b>959,386</b>	<b>TOTAL: WATER DEPARTMENT</b>	<b>1,001,544</b>

**ARTICLE FIFTH:**

**MASCONOMET REGIONAL SCHOOL DISTRICT ASSESSMENT**

The Finance Committee recommended that the Town approve the 2015 Fiscal Year Gross Operating Budget of the Masconomet Regional School District in the amount of \$30,932,313 and appropriate the

sum of \$6,421,520 to fund the Town's share of the Fiscal Year 2015 Masconomet Regional School District Assessment of which the sum of \$6,133,337 supports the Maintenance & Operating Budget, and the sum of \$288,183 supports the Masconomet Building Debt Service; and to meet said appropriation raise and assess the sum of \$6,421,520, and the Town so voted unanimously.

**ARTICLE SIXTH:**

**ESSEX NORTH SHORE AGRICULTURAL & TECHNICAL SCHOOL DISTRICT  
ASSESSMENT**

The Finance Committee recommended that the Town approve the 2015 Fiscal Year Gross Operating Budget of the Essex North Shore Agricultural and Technical School District in the amount of \$28,038,701 and appropriate the sum of \$188,764 for the Town's share of the assessment of same; and to meet said appropriation, raise and assess the sum of \$185,957; and transfer the sum of \$2,807 from Article Seventh of May 2013 Annual Town Meeting, and the Town so voted unanimously.

**ARTICLE SEVENTH:**

**LEASE OF EMERSON FIELD**

The Finance Committee recommended that the Town authorize the Board of Selectmen, with the advice of the Park & Cemetery Commissioners, and under such terms as it deems advisable, to enter into a lease with the Congregational Church of Topsfield for certain property in Topsfield commonly known as Emerson Field, and vote to raise, assess and appropriate the sum of \$1,250 for said lease, and the Town so voted unanimously.

**ARTICLE EIGHTH:**

**GRANT AUTHORIZATION FOR TOWN PROJECTS**

The Finance Committee recommended that the Town authorize the Board of Selectmen to apply for, accept, and expend without further appropriation any private, state, or federal grants or loans for Town projects, and the Town so voted unanimously.

**ARTICLE NINTH:**

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION CONTRACTS**

The Finance Committee recommended that the Town authorize the Board of Selectmen to enter into contracts with the Massachusetts Department of Transportation for the ensuing year and to accept and expend such sums as may be made available to the Town under Chapter 90 of the General Laws, and the Town so voted unanimously.

**ARTICLE TENTH:**

**ANNUAL ENGINEERING & LANDFILL MONITORING**

The Finance Committee recommended that the Town transfer and appropriate the sum of \$36,700 from the Solid Waste Fund to be expended by the Board of Selectmen to fund the Fiscal Year 2015 annual professional engineering and monitoring services related to the capping and closure of the Town's sanitary landfill, and the Town so voted unanimously.

**ARTICLE ELEVENTH:**

**TRI-TOWN COUNCIL ON YOUTH AND FAMILY SERVICES**

The Finance Committee recommended that the Town appropriate and transfer from Free Cash the sum of \$18,319 as a grant to fund certain activities of the Tri-Town Council, and the Town so voted unanimously.

**ARTICLE TWELFTH:**

**SENIOR CARE**

The Finance Committee recommended that the Town vote to appropriate and transfer from Free Cash the sum of \$1,500 as a grant to Senior Care Inc., and the Town so voted unanimously.

**ARTICLE THIRTEENTH:**

**FUND TOWN EMPLOYEE SEPARATION RESERVE FUND**

The Finance Committee recommended that the Town appropriate and transfer from Free Cash the sum of \$20,000 to the Town Employee Separation Reserve Fund created under Article Fourth of the May 7, 2013 Special Town Meeting for costs of employment separation benefits for employees for time owed for unused sick and vacation leave or other benefits as may be required by law, the Personnel Bylaw, rules, regulations, policies or applicable contracts or collective bargaining agreements, and the Town so voted unanimously.

**ARTICLE FOURTEENTH:**

**FUND OTHER POST EMPLOYMENT BENEFITS**

The Finance Committee recommended that the Town appropriate and transfer from Free Cash the sum of \$100,000 to the "Other Post-Employment Benefits Liability Trust Fund", and the Town so voted unanimously.

**ARTICLE FIFTEENTH:**

**RESERVE FOR WAGES**

The Finance Committee recommended that the Town appropriate and transfer from Free Cash the sum of \$30,000 for general collective bargaining settlement purposes in Fiscal Year 2015, and the Town so voted unanimously.

**ARTICLE SIXTEENTH:**

**RESERVE FOR PAY & COMPENSATION STUDY**

The Finance Committee recommended that the Town appropriate and transfer from Free Cash the sum of \$50,000 to be expended by the Board of Selectmen, with the advice of the Personnel Director, to implement an Employee Compensation Plan, and the Town so voted unanimously.

**ARTICLE SEVENTEENTH:**

**TRIENNIAL RE-CERTIFICATION FOR ALL REAL PROPERTY VALUES**

The Finance Committee recommended that the Town transfer \$22,500 from free cash, and transfer \$25,000 from Article Fifteenth of May 2012 Annual Town Meeting and appropriate a sum of \$47,500 to be expended by the Board of Selectmen, with the advice of the Board of Assessors, to contract for the State required re-certification update of real property values for residential, commercial and industrial real estate, and the Town so voted unanimously.

**ARTICLE EIGHTEENTH:**

**FISCAL YEAR 2015 ADDITIONAL REAL ESTATE EXEMPTION**

The Finance Committee recommended that the Town under the provisions of Section 4 of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988, an exemption increase of one hundred per cent (100%) for Fiscal Year 2015 for all taxpayers qualifying for a personal exemption, and the Town so voted unanimously.

**ARTICLE NINETEENTH:**

**PARK REVOLVING FUND**

The Finance Committee recommended that the Town reauthorize the Park Revolving Fund for the Park & Cemetery Department pursuant to Massachusetts General Laws Chapters 44, § 53E1/2: (1) to pay for part-time, seasonal and temporary wages, equipment, supplies and other operating expenses; (2) receipts of the Park & Cemetery Department's recreation programs shall be deposited in said fund unless otherwise provided for by law; (3) said funds may be expended by majority vote of the Park & Cemetery Commissioners; (4) expenditures to be limited to \$45,000 in the ensuing year, and the Town so voted unanimously.

**ARTICLE TWENTIETH:**

**PARK REVOLVING FUND**

The Finance Committee recommended that the Town reauthorize the Cemetery Revolving Fund for the Park & Cemetery Department pursuant to Massachusetts General Laws Chapter 44, § 53E1/2: (1) to pay for part-time, temporary and seasonal wages, equipment, supplies and other operating expenses; (2) cemetery related receipts of the Park & Cemetery Department shall be deposited in said fund unless otherwise provided for by law; (3) said funds may be expended by majority vote of the Park & Cemetery Commissioners; (4) expenditures to be limited to \$25,000 in the ensuing year, and the Town so voted unanimously.

**ARTICLE TWENTY-FIRST:**

**CONSERVATION COMMISSION REVOLVING FUND**

The Finance Committee recommended that the Town reauthorize the Conservation Revolving Fund for the Conservation Commission pursuant to Massachusetts General Laws Chapter 44, § 53E1/2: (1) to be expended for services, supplies, part-time wages and other operating expenses as authorized by Massachusetts General Law Chapter 40, § 8C; (2) receipts of the Conservation Commission of fees paid



under the Topsfield General Wetlands Bylaw and Regulations will be deposited in said fund unless otherwise provided for by law; (3) said funds may be expended by majority vote of the Conservation Commissioners; (4) expenditures to be limited to \$10,000 in the ensuing year, and the Town so voted unanimously.

**ARTICLE TWENTY-SECOND:**

**PURCHASE TELEPHONE SYSTEMS FOR THE TOWN HALL AND LIBRARY**

The Finance Committee recommended that the Town appropriate the sum of \$21,000 to be expended by the Board of Selectmen to purchase and install digital telephone systems, including hardware, software and other equipment needed to replace the Town Hall and Library's existing systems; and transfer from Free Cash the sum of \$17,400; and transfer the sum of \$3,600 from Article Fifth of the May 2011 Special Town Meeting, and the Town so voted unanimously.

**ARTICLE TWENTY-THIRD:**

**PURCHASE OF LAW SWEEPER**

The Finance Committee recommended that the Town appropriate the sum of \$35,000 to be expended by the Board of Selectmen, with the advice of the Park and Cemetery Commissioners, to purchase and equip a lawn sweeper, and to appropriate and transfer from Free Cash the sum of \$10,000; and from the Cemetery Perpetual Care Fund the sum of \$20,000; and from the Park Revolving Fund the sum of \$5,000; and trade-in or sell a 1996 lawn sweeper, and the Town so voted unanimously.

**ARTICLE TWENTY-FOURTH:**

**PURCHASE OF BRUSH CHIPPER**

The Finance Committee recommended that the Town appropriate and transfer from Free Cash the sum of \$38,000 to be expended by the Board of Selectmen, with the advice of the Tree Warden, to fund the purchase of a brush chipper; and trade-in or sell a 1993 brush chipper, and the Town so voted unanimously.

**ARTICLE TWENTY-FIFTH:**

**PURCHASE OF A POLICE CRUISER**

The Finance Committee recommended that the Town appropriate and transfer from Free Cash the sum of \$40,200 to be expended by the Board of Selectmen, with the advice of the Police Chief, to purchase and equip a new Police cruiser; and trade-in or sell a 2006 Ford Crown Victoria, and the Town so voted unanimously.

**ARTICLE TWENTY-SIXTH:**

**PURCHASE OF A FIRE UTILITY VEHICLE**

The Finance Committee recommended that the Town appropriate and transfer from Free Cash the sum of \$50,000 to be expended by the Board of Selectmen, with the advice of the Fire Chief, to purchase and equip a new Fire Utility Vehicle, and the Town so voted unanimously.

**ARTICLE TWENTY-SEVENTH:**

**REPAIR OF TOWN FACILITIES**

The Finance Committee recommended that the Town appropriate and transfer from Free Cash the sum of \$120,800 to be expended by the Board of Selectmen to fund repairs and associated costs to repair Town facilities as recommended in the report entitled “Town Buildings Assessment Study and Capital Master Plan”, on file with the Town Clerk, and the Town so voted unanimously.

**ARTICLE TWENTY-EIGHTH:**

**LANDFILL – FIELD AND INFRASTRUCTURE MAINTENANCE**

The Finance Committee recommended that the Town appropriate and transfer from Free Cash the sum of \$20,000 to be expended by the Board of Selectmen, with the advice of the Park & Cemetery Commissioners, for maintenance of the Town’s sanitary landfill infrastructure and for maintenance of the landfill’s recreational fields, and the Town so voted unanimously.

**ARTICLE TWENTY-NINTH:**

**PURCHASE OF A HIGHWAY DUMP TRUCK/SANDER**

The Finance Committee recommended that the Town appropriate \$145,000 to purchase and equip a Highway Dump Truck/Sander, including the payment of all other costs incidental and related thereto; and trade-in or sell the existing 2000 model year Dump Truck/Sander, that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, and the Town so voted unanimously exceeding the required two-thirds vote.

**ARTICLE THIRTIETH:**

**PURCHASE OF A FIRE RESCUE VEHICLE**

The Finance Committee recommended that the Town appropriate \$210,000 to purchase and equip a Fire Rescue Vehicle, including the payment of all other costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Discussion ensued and the Town so voted with the required two-thirds vote.

**ARTICLE THIRTY-FIRST:**

**PURCHASE OF A FIRE QUINT/LADDER TRUCK**

The Finance Committee recommended that the Town appropriate \$1,000,000 to pay the costs of purchasing and equipping a Fire Quint/Ladder Fire Apparatus, including the payment of all other costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Discussion ensued. AT 9:06 p.m., John Spencer of Morningside Drive asked to move the question. The Town voted unanimously to do so. The Town so voted in favor of the Finance Committee recommendation with the required two-thirds vote.

**ARTICLE THIRTY-SECOND:**

**PERKINS ROW PUMPING STATION REHABILITATION DESIGN**

The Finance Committee recommended that the Town transfer and appropriate the sum of \$100,000 for the preparation of design plans and construction documents for the Perkins Row Pumping Station Rehabilitation Project as described in Article Thirty-second of the warrant; and to meet said appropriation, transfer the amount of \$100,000 from the amount appropriated under Article Twenty of the May 2012 Annual Town Meeting; to be expended by the Board of Selectmen, with the advice of the Board of Water Commissioners, and to authorize the Board of Selectmen, with the advice of the Board of Water Commissioners, to take any other action necessary to carry out this project. After brief discussion, the Town so voted unanimously.

**ARTICLE THIRTY-THIRD:**

**WATER STORAGE TANKS REPAIR AND IMPROVEMENT**

The Finance Committee recommended that the Town appropriate the total sum of \$250,000 for the construction phase of the Water Storage Tanks Repair and Improvement Project as described under Article Thirty-third of the warrant; and, to meet said appropriation, transfer the sum of \$78,000 from the amount appropriated under Article Twentieth of the May 2012 Annual Town Meeting, the sum of \$35,000 from the amount appropriated under Article Thirty-seventh of the May 2013 Annual Town Meeting, and \$137,000 from Water Enterprise Retained Earnings; such funds to be expended by the Board of Selectmen, with the advice of the Board of Water Commissioners, and to authorize the Board of Selectmen, with the advice of the Board of Water Commissioners, to take any other action necessary to carry out this project, and the Town so voted unanimously.

**ARTICLE THIRTY-FOURTH:**

**WATER TREATMENT PLANT DESIGN**

The Finance Committee recommended that \$800,000 be appropriated to pay costs of project management services, design, preparation of construction documents, pilot testing, permitting and bidding of a water treatment plant, including related transmission mains and other associated costs of the project including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to

meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount under and pursuant to Chapter 29C and Chapter 44, Sections 7 & 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town thereof. All or any portion of the amount authorized to be borrowed pursuant to this vote may be obtained through the Massachusetts Water Abatement Trust (the "Trust"), and in connection therewith, appropriate officials of the Town are authorized to execute and deliver any and all documents and agreements incidental and related thereto, including one or more loan and/or security agreement(s) with the Trust and any related project regulatory agreement(s) with the Department of Environmental Protection. Heated debate ensued, and the Town voted in favor of the Finance Committee's recommendation by the required two-thirds vote.

#### **ARTICLE THIRTY-FIFTH:**

##### **WATER MAIN REPLACEMENT - WASHINGTON STREET**

The Finance Committee recommended that \$1,100,000 be appropriated to pay costs of replacing water mains and appurtenances on Washington Street from Colrain Road to River Road, including the payment of all other project expenses for the Washington Street Water Main Replacement and Improvement Project, so called; that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 8(5) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town thereof, and the Town so voted unanimously, exceeding the two-thirds vote requirement.

#### **ARTICLE THIRTY-SIXTH:**

##### **AMEND PROCUREMENT CONTRACT BYLAW**

To see if the Town will vote to amend Chapter XXIV, Procurement Contract By-Law, section 2 by deleting:

"one thousand (\$1,000.00)"

and inserting in place of thereof:

"ten thousand (\$10,000.00)"

, or take any other action relative thereto.

The Finance Committee recommended that the Town amend Chapter XXIV, Procurement Contract By-Law, section 2, as set forth under Article Thirty-sixth of the warrant, and the Town so voted unanimously.

#### **ARTICLE THIRTY-SEVENTH:**

##### **AMEND ANIMAL CONTROL BYLAW**

To see if the Town will vote to amend Chapter XXIII, Canine Control By-Law, section 23-2.3 by deleting the following:

"All Dogs Neutered or Spayed (male or female)      Ten (\$10.00) dollars per registered dog

All Dogs Not Neutered or Spayed (male or female) Fifteen (\$15.00) dollars per registered dog”  
and inserting in place of therof:

“All Dogs Neutered or Spayed (male or female) Fifteen (\$15.00) dollars per registered dog

All Dogs Not Neutered or Spayed (male or female) Twenty (\$20.00) dollars per registered dog”  
, or take any other action relative thereto.

The Finance Committee recommended that the Town vote to amend Chapter XXIII, Canine Control By-Law, section 23-2.3, as set forth under Article Thirty-seventh of the warrant, and the Town so voted unanimously.

**ARTICLE THIRTY-EIGHTH:**  
**AMEND MEMBERSHIP OF CONSERVATION COMMISSION**

To see if the Town will vote to reduce the size of the Conservation Commission from seven members to five, by amending the Town Bylaws, Chapter II, Article VII, Section 2-15, Conservation Commission, to delete Section 2-15.2 in its entirety and insert the following in place thereof:

“2-15.2 Members: Term. A Conservation Commission of five (5) members shall be appointed by the Board of Selectmen for three-year overlapping terms, commencing July 1 of each year, so arranged that the term of no more than two members shall expire in any given year.”,

provided, however, that following the effective date of the bylaw approved hereunder, the Board of Selectmen shall make appointments to the Conservation Commission to fill vacancies as they may arise, or upon expiration of term, only as needed to bring the total composition of the Conservation Commission to five, and for such term as appropriate so that the term of no more than two members shall expire in any given year, and thereafter appointments shall be made for three-year terms as provided in said bylaw, or take any other action relative thereto.

The Finance Committee recommended that the Town amend Chapter II, Article VII, Section 2-15, Conservation Commission, as set forth under Article Thirty-eighth of the warrant, and the Town so voted unanimously.

**ARTICLE THIRTY-NINTH:**  
**HOME RULE PETITION FOR EIGHT ALCOHOL POURING LICENSES**

To see if the Town will vote to authorize the Board of Selectmen to file a petition with the General Court for special legislation authorizing the Board of Selectmen to issue EIGHT pouring licenses for conference and event facilities and full-service restaurants as defined in the Zoning By-laws, and in the form set forth below; provided however, that the General Court may make clerical and editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the public purposes of the petition, or take any other action relative thereto.

An Act Authorizing the Issuance of Eight Licenses for the Sale of Alcoholic Beverages to Be Drunk On Premises in the Town of Topsfield

SECTION 1. Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Topsfield shall be authorized to grant up to eight additional licenses for the sale of all alcoholic beverages to be drunk on the premises under the provisions section 12 of said chapter 138, to entities licensed as a common victualler under chapter 140 of the General Laws and operating as a “conference and event facility” or “full-service restaurant”, both as defined in the Topsfield zoning by-laws. No holder of a license for the sale of alcoholic beverages under the provisions of any special or general law shall be eligible to hold a license under this act. The licenses shall be subject to all of said chapter 138, except section 17.

SECTION 2. The license granted under this Act, if revoked or no longer in use, shall be returned physically, with all of the legal rights and privileges pertaining thereto, to the licensing authority.

SECTION 3. This Act shall take effect upon its passage.

The Finance Committee recommended that the Town authorize the Board of Selectmen to file a petition with the General Court for special legislation authorizing the licensing authority of the Town to issue EIGHT pouring licenses for conference event facilities and full-service restaurants and to approve Article Thirty-ninth as set forth above in this warrant article After much heated debate, resident Philip Knowles asked that the question be moved, which was voted unanimously. The Finance Committee recommendation passed on a standing vote of: 94 ayes to 74 nos.

#### **ARTICLE FORTIETH:**

#### **CITIZEN PETITION - ESSEX AGRICULTURAL SOCIETY ALCOHOL LICENSE**

To see if the Town will vote to authorize the Board of Selectmen to file a petition with the General Court for special legislation authorizing the Board of Selectmen to issue to Essex Agricultural Society a license for the sale of all alcoholic beverages to be drunk on the premises at Topsfield Fairgrounds, 207 Boston Street, as set forth below; provided however, that the General Court may make clerical and editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the public purposes of the petition, or take any other action relative thereto.

An Act Authorizing the Issuance of a Certain License for the Sale of Alcoholic Beverages to Be Drunk On Premises in the Town of Topsfield

SECTION 1. Notwithstanding Section 17 of Chapter 138 of the General Laws, the licensing authority of the Town of Topsfield to grant a license for the sale of all alcoholic beverages to be drunk on the premises under Section 12 of said Chapter 138. The licenses shall be subject to all of said Chapter 138, except Section 17.

SECTION 2. Licenses issued pursuant to this Act shall be non-transferrable to any other location, person, corporation, organization, or entity. Any transfer in violation of this Act shall render said license null and void.

SECTION 3. The license granted under this Act, if revoked or no longer in use, shall be returned physically, with all of the legal rights and privileges pertaining thereto, to the licensing authority.

SECTION 4. This Act shall take effect upon its passage.

The Finance Committee recommended that no action be taken. Lengthy discussion ensued. At 11:08 p.m., resident Robert Cornetta asked that the question be moved which was seconded. The Petition was dismissed.

**ARTICLE FORTY-FIRST:**

**AMEND ZONING BYLAW, ARTICLE VII, SECTION 7.04, MEDICAL MARIJUANA TREATMENT CENTER**

To see if the Town will vote to amend the Topsfield Zoning Bylaws by deleting Article VII, Special Regulations, Section 7.04 titled “Temporary Moratorium on Medical Marijuana Treatment Centers” in its entirety and replacing it with a new Section 7.04 titled “Medical Marijuana Treatment Center” to provide as follows:

**“7.04 Medical Marijuana Treatment Center**

A. A Medical Marijuana Treatment Center which is also known as a Registered Marijuana Dispensary, shall be permitted in the Business Park District by Special Permit and shall be subject to Site Plan Review in accordance with Article IX of the Topsfield Zoning Bylaws.

B. The Zoning Board of Appeals shall be the Special Permit granting authority for a Medical Marijuana Treatment Center.

C. Medical Marijuana Treatment Centers shall be licensed and operated in accordance with 105 CMR 725.000, as may be amended from time to time.

D. Procedure:

1. Application: In addition to the materials required under Article IX, Site Plan Review, the applicant shall include:

a. A copy of its registration as an Medical Marijuana Treatment Center from the Massachusetts Department of Public Health (DPH);

b. A detailed floor plan of the premises of the proposed Medical Marijuana Treatment Center that identifies the square footage available and describes the functional areas of the Medical Marijuana Treatment Center, including areas for any preparation of marijuana-infused products;

c. A description of the security measures, including employee security policies, approved by the DPH for the Medical Marijuana Treatment Center;

d. A copy of the emergency procedures approved by the DPH for the Medical Marijuana Treatment Center;

e. A copy of the policies and procedures for patient or personal caregiver home-delivery approved by the DPH for the Medical Marijuana Treatment Center;

f. A copy of the policies and procedures for the transfer, acquisition, or sale of marijuana between Medical Marijuana Treatment Centers approved by the DPH;

g. A copy of proposed waste disposal procedures; and

h. A description of any waivers from the DPH regulations issued for the Medical Marijuana Treatment Center.

2. The Special Permit Granting Authority shall refer copies of the application to the Town's Inspectional Services Department, Fire Department, Police Department, Board of Health, the Conservation Commission, and the Highway Department. These boards/departments shall review the application and shall submit their written recommendations. Failure to make recommendations within thirty-five (35) days of referral of the application shall be deemed lack of opposition.

3. After notice and public hearing and consideration of application materials, consultant reviews, public comments, and the recommendations of other town boards and departments, the Special Permit Granting Authority may act upon such a permit.

#### E. Special Permit Conditions on the Medical Marijuana Treatment Center:

The Special Permit Granting Authority shall impose conditions reasonable and appropriate to improve site design, traffic flow and public safety, protect water quality, air quality, and significant environmental resources, preserve the character of the surrounding area and otherwise serve the purpose of this section. In addition to any specific conditions applicable to the applicant's Medical Marijuana Treatment Center, the Special Permit Granting Authority shall include the following conditions in any special permit granted under this Bylaw:

1. Hours of operation, including dispatch of home deliveries.

2. The permit holder shall file a copy of any Incident Report required under 105 CMR 725.110(F) with the Zoning Enforcement Officer and the Chief of Police within 24 hours of creation of the incident report by the Medical Marijuana Treatment Center. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.



3. The permit holder shall file a copy of any cease and desist order, summary cease and desist order, quarantine order, summary suspension order, order limiting sales, notice of a hearing, or final action issued by the DPH or the Division of Administrative Law Appeals, as applicable, regarding the Medical Marijuana Treatment Center with the Zoning Enforcement Officer and the Chief of Police within 48 hours of receipt by Medical Marijuana Treatment Center.

4. The permit holder shall provide to the Zoning Enforcement Officer and the Chief of Police, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.

5. The special permit shall expire within five years of its issuance or sooner if so limited by the Special Permit Granting Authority. If the permit holder wishes to renew the special permit, an application to renew the special permit must be submitted at least 120 days prior to the expiration of the special permit.

6. The special permit shall be limited to the current applicant and shall lapse (a) if the permit holder ceases operating the Medical Marijuana Treatment Center, (b) the applicant transfers the right to operate the Treatment Center without the prior consent of the Special Permit granting authority or (c) if the majority interest in or control of the applicant is transferred without the prior consent of the Special Permit Granting Authority.

7. The special permit shall lapse upon the expiration or termination of the applicant's registration by the DPH.

8. The permit holder shall notify the Zoning Enforcement Officer and the Chief of Police in writing within 48 hours of the cessation of operation of the Medical Marijuana Treatment Center or the expiration or termination of the permit holder's registration with the DPH.

#### G. Prohibition Against Nuisances:

No use shall be allowed in the Business Park District which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

#### H. Severability:

The provisions of this Bylaw are severable. If any provision, paragraph, sentence, or clause of the Bylaw or the application thereof to any person, establishment, or circumstance(s) shall be held invalid, such invalidity shall not affect the other provisions or application of this Bylaw.”,

and further to amend the Table of Contents by deleting the entry “7.04 Temporary Moratorium on Medical Marijuana Treatment Centers” and replacing it with the entry “7.04 Medical Marijuana Treatment Center”, or take any other action relative thereto.

The Finance Committee recommended that the Town amend the Topsfield Zoning Bylaws by deleting Article VII, Special Regulations, Section 7.04 titled “Temporary Moratorium on Medical Marijuana Treatment Centers” in its entirety and replacing it with a new Section 7.04 titled “Medical Marijuana Treatment Center” and amending the Table of Contents accordingly, all as set forth under Article Forty-first of the warrant, and the Town so voted unanimously, exceeding the required two-thirds vote, in favor of the Zoning By-Law amendment, as presented..

#### **ARTICLE FORTY-SECOND:**

##### **AMEND ZONING BYLAW, ARTICLE III, SECTION 3.02 TABLE OF USE REGULATIONS**

To see if the Town will vote to amend the Topsfield Zoning Bylaw, Article III, Section 3.02, Use Regulations and Table of Use Regulations for all districts with an addition to the “Permitted Uses” table as set forth below, with the provisions to be added shown in bold italics:

		ORA	IRA	CR	BV	BH	BP	BHN
<b><i>2.18</i></b>	<b><i>Medical Marijuana Treatment Center</i></b>	<b><i>NP</i></b>	<b><i>NP</i></b>	<b><i>NP</i></b>	<b><i>NP</i></b>	<b><i>NP</i></b>	<b><i>S</i></b>	<b><i>NP</i></b>

, or take any other action relative thereto.

The Finance Committee recommended that the Town amend the Topsfield Zoning Bylaw, Article III, Section 3.02, Use Regulations and Table of Use Regulations for all districts in the “Permitted Uses” table as set forth under Article Forty-second of the warrant, and the Town so voted unanimously, exceeding the required two-thirds vote, in favor of the Zoning By-Law amendment, as presented.

#### **ARTICLE FORTY-THIRD:**

##### **AMEND ZONING BYLAW, ARTICLE IV, SECTION 4.08 MINIMUM BUILDABLE AREA**

To see if the Town will vote to amend the Topsfield Zoning Bylaw, Article IV, Section 4.08 Minimum Buildable Area by amending and re-designating the existing sub-section C as sub-section D, and by

adding a new sub-section C, all as set forth below, with the provisions to be deleted shown in strikethrough and the provisions to be added shown in bold italics:

***“C. For lots created after May 6, 2014, in the Outlying Residential and Agricultural District and in the Inner Residential and Agricultural District, each lot’s buildable area shall be capable of containing a 100 foot diameter circle within which there is not more than 5% of buffer zone as defined by the Massachusetts Wetlands Protection Act Regulations 310 CMR 10.00, et. seq. or the Topsfield Wetlands General Bylaw.***

~~***C-D. On subdivision plans or on plot plans***~~ the Planning Board may require ~~indication on subdivision plans or on plot plans of the general location on a lot of proposed buildings, and to determine the existence of sufficient buildable land~~ ***those plans to show buildable areas as required in Section 4.08 A. and C., and the proposed locations of buildings.”***

, or take any other action relative thereto.

*Recent experience with the development of both subdivisions and individual lots has shown that our existing buildable area bylaw is not adequate to protect town residents, new home-owners, and natural resource areas from flooding and stormwater management problems that have led to costly engineering, reconstruction and/or legal costs. The purpose of this amendment is to ensure that new lots created in the town have enough space for a building and some unrestricted, surrounding area to allow for the construction of the structure and its appurtenances without the disruption of resource areas vital to stormwater management and for the installation of landscaping surrounding the structure without permanent intrusion into resource areas. This amendment attempts to encourage the creation of lots that have at least a 100’ diameter circle (7854 ft<sup>2</sup>) of unrestricted land that can support a house and its infrastructure and provide surrounding land that will protect neighbors and resource areas from the impacts of development. This amendment does not affect existing lots. It affects only new lots created after May 6, 2014.*

The Finance Committee recommended that the Town amend the Topsfield Zoning Bylaw, Article IV, Section 4.08 Minimum Buildable Area by amending and re-designating the existing sub-section C as sub-section D, and by adding a new sub-section C, all as set forth under Article Forty-third of the warrant, and the Town so voted unanimously, exceeding the required two-thirds vote, in favor of the Zoning By-Law amendment, as presented.

#### **ARTICLE FORTY-FOURTH:**

#### **AMEND ZONING BYLAW, ARTICLE XVI SECTION 16.04**

To see if the Town will vote to amend the Topsfield Zoning Bylaw, Article XVI, Section 16.04 General Requirements to insert correct alphabetical ordering after “F. Design Standards”, or take any other action relative thereto.

The Finance Committee recommended that the Town amend the Topsfield Zoning Bylaw, Article XVI, Section 16.04 General Requirements to insert correct alphabetical ordering after “F. Design Standards”, and the Town so voted unanimously exceeding the required two-thirds vote, in favor of the Zoning By-Law amendment, as presented.

**The Moderator asked the Finance Committee to present Articles Forty-Fifth, Forty-Sixth, and Forty-Seventh in a single motion, and asked for consent, which was granted.**

The Developer and Town Departments agreed that the roads were not ready for acceptance, and the Finance Committee recommended no action be taken, and the Town so voted unanimously exceeding the simple majority vote requirement.

**ARTICLE FORTY-FIFTH:**  
**ACCEPTANCE OF HICKORY LANE**

To see if the Town will vote to accept “Hickory Lane” as a public way, in accordance with the locations, boundaries and measurements of said Hickory Lane as laid out, altered or relocated by the Board of Selectmen, all as shown on a plan titled:

“As-Built Plan For: Hickory Beech Residential Development Topsfield, MASS.; dated January, 2014 prepared by Beals Associates PLLC, 70 Portsmouth Ave., Stratham, N.H. 03885; Scale 1” = 50’.”,

and to authorize the Board of Selectmen to accept a gratuitous conveyance for any necessary easement for said way and name it “Hickory Lane”, or take any other action relative thereto.

**ARTICLE FORTY-SIXTH:**  
**ACCEPTANCE OF EVERGREEN LANE**

To see if the Town will vote to accept “Evergreen Lane” as a public way, in accordance with the locations, boundaries and measurements of said Evergreen Lane as laid out, altered or relocated by the Board of Selectmen, all as shown on a plan titled:

“As-Built Plan For: Hickory Beech Residential Development Topsfield, MASS.; dated January, 2014 prepared by Beals Associates PLLC, 70 Portsmouth Ave., Stratham, N.H. 03885; Scale 1” = 50’.”,

and to authorize the Board of Selectmen to accept a gratuitous conveyance for any necessary easement for said way and name it “Evergreen Lane”, or take any other action relative thereto.

**ARTICLE FORTY-SEVENTH:**  
**ACCEPTANCE OF BEECH PLACE**

To see if the Town will vote to accept "Beech Place" as a public way, in accordance with the locations, boundaries and measurements of said Beech Place as laid out, altered or relocated by the Board of Selectmen, all as shown on a plan titled:

"As-Built Plan For: Hickory Beech Residential Development Topsfield, MASS.; dated January, 2014 prepared by Beals Associates PLLC, 70 Portsmouth Ave., Stratham, N.H. 03885; Scale 1" = 50'."

And to authorize the Board of Selectmen to accept a gratuitous conveyance for any necessary easement for said way and name it "Beech Place", or take any other action relative thereto.

#### **ARTICLE FORTY-EIGHTH:** **CAPITAL STABILIZATION FUND**

To see if the Town will vote to create a special purpose stabilization fund in accordance with the provisions of Massachusetts General Laws Chapter 40, §5B, to be known as the Capital Stabilization Fund, to be used for capital purchases and projects, and in connection therewith to raise and assess or transfer from available funds and appropriate a sum of money to said fund, or take any other action relative thereto.

The Finance Committee recommended that the Town create a special purpose stabilization fund, to be known as the Capital Stabilization Fund, and to appropriate and transfer from Free Cash the sum of \$10,000.00 to fund, and the Town so voted unanimously exceeding the two-third vote requirement.

#### **ARTICLE FORTY-NINTH:** **STABILIZATION FUND**

To see if the Town will vote to raise and assess or transfer from available funds and appropriate a sum of money to the Stabilization Fund, or take any other action relative thereto.

The Finance Committee recommended that the Town appropriate and transfer from Free Cash the sum of \$100,000 to the Stabilization Fund, and the Town so voted unanimously exceeding the two-third vote requirement.

#### **ARTICLE FIFTIETH:** **FREE CASH**

To see if the Town will vote to transfer from Free Cash and appropriate a sum of money to reduce the tax levy for Fiscal Year 2015, or take any other action relative thereto.

The Finance Committee recommended that the Town transfer from Free Cash and appropriate the sum of \$33,817 to reduce the tax levy for Fiscal Year 2015. A simple majority vote was required, the Town so voted, and the motion was adopted.

The Moderator stated that Selectman Gandt moved to adjourn the meeting to 12 Park Street on Thursday, May 8, 2014 for voting, and upon conclusion of voting at 8 p.m., the meeting would dissolve. The

motion was seconded, and voted unanimously. The meeting adjourned at 11:24 p.m. There were 487 registered voters in attendance.

ANNUAL TOWN ELECTION  
ST. ROSE CHURCH HALL 12 PARK STREET  
MAY 8, 2014 - 7:00 A.M. - 8:00 P.M.

The Town Clerk announced the polls open at 7:00 A.M. The Poll workers were sworn prior to the opening of the polls.

Paula M. Burke, Warden  
Mary E. Willis, Deputy Warden  
Fred Glatz, Constable

Ballot Clerks and Tellers:

Sally Cabral, Jane Bonanno, Ruth Lucy, Frederick Capobianco, Christine Cotti, Elaine Crippen, Audrey Iarocci, Dorothy Roberts, Betty Booye, and Barbara Adams.

The polls were closed at 8:00 p.m. After a provisional ballot was verified the following day, 1129 registered voters cast their votes with the following events:

<u>ASSESSOR</u>		<u>REGIONAL SCHOOL</u>	
<b>John W. Minnehan</b>	915	<u>DISTRICT COMMITTEE - 1 YR</u>	
Other	3	<b>Kim M. Sherwood</b>	850
Blanks	211	Other	12
		Blanks	267
<u>COMMISSIONER OF TRUST FUNDS</u>			
<b>Richard T. Walsh</b>	905	<u>REGIONAL SCHOOL</u>	
Other	2	<u>DISTRICT COMMITTEE - 3 YR</u>	
Blanks	222	<b>John K. Spencer</b>	901
<u>CONSTABLE</u>		Other	5
<b>Frederick J. Glatz</b>	937	Blanks	223
Other	2		
Blanks	190	<u>ROAD COMMISSIONER</u>	
<u>HOUSING AUTHORITY</u>		<b>Boyd R. Jackson</b>	900
<b>Richard J. Cullinan</b>	903	Other	7
Other	4	Blanks	222
Blanks	222		
<u>LIBRARY TRUSTEE</u>		<u>SCHOOL COMMITTEE</u>	
<b>Abigail P. Jackson</b>	856	<b>Joseph J. Quigley, Jr.</b>	850
<b>Judith F. Lais</b>	823	<b>Gregg William Lindsay</b>	756
Other	4	Other	3
Blanks	575	Blanks	649
<u>MODERATOR - 1 YEAR</u>			
<b>George A. Hall, Jr.</b>	912	<u>SELECTMAN</u>	
Other	6		
Blanks	211		

PARK & CEMETERY COMMISSIONER

**Mark H. Frampton**

916

Other

5

Blanks

208

**Martha A. Morrison**

828

**J. Stephen Lais**

762

Other

10

Blanks

658

PLANNING BOARD

**Steven B. Hall**

846

**Martha A. Morrison**

844

Other

5

Blanks

563

WATER COMMISSIONER

**Philip G. Knowles**

844

Other

6

Blanks

279

**BALLOT QUESTIONS**

**PROPOSITION 2 ½ REFERENDUM BALLOT QUESTION**

**QUESTION ONE: SCHOOL COMMITTEE:** “Shall the Town of Topsfield be allowed to assess an additional \$199,500 in real estate and personal property taxes for the purpose of funding the general operating budget for the elementary schools including, two full time classroom teachers in grades one and four (\$110,599), a 5/10 full time equivalent Extended Studies Program teacher for grades 4-6 (\$27,849), and an 8/10 full time equivalent Learning Specialist (\$61,052), for the fiscal year beginning July first two thousand and fourteen?”

**Yes 792**

**No 318**

**Blanks 19**

Question One passed by a majority vote.

**NON-BINDING REFERENDUM BALLOT QUESTION**

**QUESTION TWO:** To see if the Town will vote to authorize the Board of Selectmen to file a petition with the General Court for special legislation authorizing the Board of Selectmen to issue EIGHT pouring licenses for “conference and event facilities” and “full-service restaurants” as defined in the Zoning By-laws, and in the form set forth below; provided however, that the General Court may make clerical and editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the public purposes of the petition, or take any other action relative thereto.

An Act Authorizing the Issuance of Eight Licenses for the Sale of Alcoholic Beverages to Be Drunk On Premises in the Town of Topsfield

SECTION 1. Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Topsfield shall be authorized to grant up to eight additional licenses for the sale of all alcoholic beverages to be drunk on the premises under the provisions section 12 of said chapter 138, to entities licensed as a common victualler under chapter 140 of the General Laws and operating as a “conference and event facility” or “full-service restaurant”, both as defined in the Topsfield zoning by-laws. No holder of a license for the sale of alcoholic beverages under the provisions of any special or general law shall be eligible to hold a license under this act. The licenses shall be subject to all of said chapter 138, except section 17.

SECTION 2. The license granted under this Act, if revoked or no longer in use, shall be returned physically, with all of the legal rights and privileges pertaining thereto, to the licensing authority.

SECTION 3. This Act shall take effect upon its passage.

**Yes     728**  
No     343  
Blanks 58

Question Two passed by a clear majority. The vote, however, is not binding.

Attest:

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Ann D. Gill  
Town Clerk