



**ANNUAL/SPECIAL TOWN MEETINGS  
PROCTOR SCHOOL – WOODBURY AUDITORIUM  
TUESDAY, MAY 3<sup>rd</sup>, 2016**

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

The Moderator, Stephen Whelan, called the Annual Town Meeting to order at 7:09 PM., stating the required quorum had been surpassed. The meeting was opened with the Pledge of Allegiance. The Moderator followed with stating that the warrant had been served and duly posted and that the Return of the Constable was certified as proper and complete, posted and advertised as required by law, and called the meeting to order. The Moderator having introduced himself continued with general announcements.

The Moderator moved to his introductions recognizing Town Clerk Ann Gill, Finance Committee Members, Chairman Karen Dow, Jonathan Guido, Dana Warren, Eric Menzer, Michael Hartmann, Che Elwell and Louis Ross, as well as Administrative Assistant Jennifer Davis. He then introduced the Board of Selectmen, Chairman Laura Powers, Stephen Lais, Martha Morrison, Eldon Goodhue, and Boyd Jackson. He also recognized Town Counsel Lauren Goldberg, and Town Administrator Kellie Hebert.

In attendance were Department Heads as follows: Treasurer/ Collector Barbara Michalowski, Accountant Catherine Gabriel, Highway Superintendent Dave Bond, Water Superintendent Greg Krom, Police Chief Evan Haglund, Fire Chief Ron Giovannacci, Council on Aging Director Jodi Gibeley, Library Director Laura Zalewski, and Donna Rich, Purchasing and Community Development Coordinator. Educators Bernie Creeden from Topsfield Elementary Schools, Masconomet Superintendent Kevin Lyons and CFO Susan Givens were also recognized, as well as School Committee Board Members. The moderator acknowledged Dr. Creeden's upcoming retirement and years of service, and Dr. Creeden received a standing ovation.

The Moderator asked for permission to allow out of town Department Heads and leadership of Departments to sit with their peers, and there were no objections.

Board of Selectmen Chair Laura Powers, with the Assistance of Stephen Lais, presented Recognition Awards to Members of the Community as follows:

Barbara K. Booth	Commissioners of Trust Funds
Katherine E. Carlson	Elementary School Committee
Emily Collins	Cultural Council
Sean P. Cunniff	Library Trustee
Lisa A. Nihan-Demeule	Cultural Council
Jennifer Floyd	Historical Commission
A.Richard Gandt	Board of Selectmen

Eldon D. Goodhue	Board of Assessors / Board of Selectmen
Alan L. Grenier	Council on Aging / Memorial/Veterans Day Committee
David W. Juliano	Cultural Council
Harry W. Lear, Jr	Memorial/Veterans Day Committee
Paul Luippold	Cable TV/Town Website Committee
Michael P. Massaro	Library Trustee
Stephen D. Silveri	Planning Board
Gordon C. Spater	Elementary School Committee
Robert Rose	Sealer of Weights & Measures

If a hand count vote became necessary, the tellers were Ruth Lucy, Darcy Fulton, Dottie Wass, Liz Collins, and alternates were Donna Rich and Susan Sordello if necessary. A summary of further announcements are listed below:

1. Microphones have been provided in the auditorium for convenience. It was asked that they be used when addressing the meeting.
2. If one wished to speak to any question, one must first be recognized by the Moderator. When recognized, the person must state his or her name and street address. Three minutes was provided for each speaker. Debate should be conducted in a respectful and courteous manner.
3. 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.
4. If a voter desired to move an amendment to a Finance Committee recommendation or to any other motion, a written proposed motion to amend for review by the Moderator and Town Counsel prior to any action on it. Printed forms for these motions are available and assistance can be provided in completing these forms if needed.

***Since the finance committee's recommendation is the motion on which the vote is being taken, the moderator asked for a motion to be made to waive the reading of the warrant. The motion was made and seconded, and there were no objections.***

**ARTICLE FIRST:**  
**REPORTS**

Laura Powers, Chairman of the Board of Selectmen, presented the report. She began with thanking everyone for participating in Town Meeting, and commended the hardwork and dedication of employees and volunteers of the Town.

The Moderator asked Chairman Gregor Smith of the Town Hall Building Committee to present his report along with Committee Members Peter Bryson, Mark Lyons, Elizabeth Mulholland, Ben Nutter, and Josh Rownd. The committee recommended that renovations and addition to Town Hall be considered, based on the data gathered and analyzed. The evidence presented focused on the needs of the building, the organization within the building, and the daily operations. The current building is not ADA compliant nor building code compliant. This recommendation was to be addressed through Article Twenty-fourth later in the meeting.

*At 7:50 PM, the Moderator called the Annual Town Meeting into a brief recess and called to order the Special Town Meeting.*

**ARTICLE FIRST:**  
**REPORTS**

Finance Committee Chairman Karen Dow presented the report, and explained the process of Budget planning for Fiscal Year 2017. Beginning in the fall of 2016, Department heads are provided with guidelines. Two items that exceeded guidelines were the increase of hours for the COA Director due to the Senior Needs Study done the previous year, as well as a salary increase for the Police Clerk due to a back log of reporting requirements.

**ARTICLE SECOND:**  
**PRIOR YEAR BILLS**

The Finance Committee recommended that the Town vote to transfer from available funds the sum of \$658.00 from Water Department Other-Systems Maintenance Emergency to pay an outstanding bill contracted prior to July 1, 2015, from the same account. At 7:58 PM, the Town voted unanimously.

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

The Finance Committee recommended that the Town vote to 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 2016 fiscal year and the Town so voted at 8:00 PM.

<b>FROM:</b>		<b>TO:</b>	
\$1,080	Highway - Other	\$1,080	Highway- Salary
\$10,700	Highway – Other	\$10,700	Highway - Wages
\$16	Accountant - Salary	\$16	Accountant - Wages
\$5,025	Treasurer - Wages	\$5,025	Treasurer – Salaries
\$2,000	Inspectional Services – Salaries	\$2,000	Inspectional Services – Wages
\$266	Inspectional Services - Other	\$266	Inspectional Services – Wages
\$500	Assessors – Salaries	\$500	Parks Cemetery - Wages
\$2,500	Fire - Other	\$2,500	Fire – Salaries
\$9,623	Pensions/Essex Retirement	\$9,623	Fire – Salaries
\$3,647	Pensions/Essex Retirement	\$3,647	Parks Cemetery - Salaries
\$4,950	Pensions/Essex Retirement	\$4,950	Historic Commission - Other
\$1,500	Account – Salary	\$1,500	Accountant - Other
\$2,843	Property & Liability Insurance	\$2,843	Police – Other

**ARTICLE FOURTH:**  
**POLICE CRUISER**

The Finance Committee recommended that the Town vote to transfer the sum of \$44,120 to be expended by the Board of Selectmen, with the advice of the Police Chief, to purchase and equip a new SUV Police Cruiser; and authorize the trade-in or sale of a 2000 Honda Odyssey utilized by the Detective Division; and to fund said transfer \$3,071.01 from Fiscal 2014 Annual Town Meeting Article 22 Telephone Systems Town Hall/Library; \$4,252.50 from Fiscal 2012 Special Town Meeting Article 5 Permitting Software; \$20.00 from Fiscal 2015 Annual Town Meeting Article 24 Police Cruiser; \$393.79 from Fiscal 2015 Special Town Meeting Article 7 Security Doors and Alarm System; and \$35,488.70 from Fiscal 2016 MIA Health Insurance; and \$894 from Fiscal 2015 Article 22 Water Heater. The vote was unanimous at 8:03 PM.

**ARTICLE FIFTH:**  
**PUBLIC SAFETY RADIO COMMUNICATIONS UPGRADES - PHASE II**

The Finance Committee recommended that the Town vote to transfer from Fiscal 2016 MIA Health Insurance the sum of \$16,000 to be expended by the Board of Selectmen, with the advice of the Police Chief, for the purchase and installation of equipment to improve coverage of two-way police radio communications within the Town, including all incidental and related costs, and the Town so voted at 8:05 PM.

**ARTICLE SIXTH:**

**AUTOMATIC FLOOR SCRUBBER FOR STEWARD ELEMENTARY SCHOOL**

The Finance Committee recommended that the Town vote to transfer from Fiscal 2015 Annual Town Meeting Article 22 Hot Water Heaters the sum of \$12,000 to be expended by the School Committee to purchase an automatic floor scrubber for the Steward Elementary School, and the Town so voted at 8:06 PM.

**ARTICLE SEVENTH:**

**CAFETERIA TABLES FOR PROCTOR SCHOOL**

The Finance Committee recommended that the Town vote to transfer from Fiscal 2015 Annual Town Meeting Article 22 Hot Water Heaters the sum of \$21,106 to be expended by the School Committee to purchase cafeteria tables for the Proctor School, and the Town so voted at 8:06 PM.

**ARTICLE EIGHTH:**

**AUTHORIZE INSURANCE PROCEEDS FOR HIGHWAY TRUCK SANDER**

The Finance Committee recommended that the Town vote to authorize Insurance Proceeds in the amount of \$52,681 from Reserved for Appropriation Insurance Proceeds over \$20,000 to be used towards the purchase of a Highway Sander/Plow Truck, and the Town so voted at 8:07 PM.

**ARTICLE NINTH:**

**HIGHWAY SANDER/PLOW TRUCK REPLACEMENT**

Recommend that the Town vote to transfer the sum of \$87,320 from the Fiscal 2016 MIIA Health Insurance and apply \$52,681 from Article Eighth to be expended by the Board of Selectmen, with the advice of the Road Commissioners to purchase a Sander/Plow Truck.

Resident Kim Sherwood of 29 Perkins Row asked for clarification on the funds being used from the insurance account, and Karen Dow, Finance Chair, provided her with the answer.

The motion carried unanimously at 8:10 PM.

**ARTICLE TENTH:**

**FIRE/RESCUE/EMS ASSESSMENT**

At 8:10pm, the Finance Committee recommended that the Town vote to transfer from the Fiscal 2016 Property and Liability Insurance the sum of \$9,500 to be expended by the Board of Selectmen to hire a professional consulting firm to conduct a Public Safety Assessment to evaluate Fire, Rescue and Emergency Medical Services in the Town of Topsfield.

Much heated debate ensued. Those citizens heard included Philip McManus of 10 Proctor Drive, Susan Archer of 24 Parsonage Lane, Dexter Bishop of 387 Boston Street, and Carlos Verrier of 15 Brook Road. At 8:38 PM Philip Knowles of 75 High Street asked the question be moved. The Moderator took a vote

and due to the closeness of the voice vote a hand count was required. The vote to move the question was 262 yeas to 82 nos and the question was moved to the vote on the article.

The Moderator was unsure on the voice vote, and a hand count was necessary on the main motion. Article Tenth was defeated by a vote of 206 nos to 141 yeas at 9:02 PM.

#### **ARTICLE ELEVENTH:**

##### **FIRE CHIEF ASSESSMENT CENTER**

Recommended that the Town vote to transfer \$9,800.00 from the Fiscal 2016 Insurance Administration Fees the sum of \$3,800.00 and transfer from the Fiscal 2016 HRA Inpatient Hospital fund the sum of \$6,000.00 to be expended by the Board of Selectmen to hire a professional consulting firm to conduct a Fire Chief Recruitment and Assessment.

Some questions were asked and comments favoring or opposing the article presented. Jonelle Winfrey of 15 South Main Street asked if this was the normal process for hiring a new chief. The question was fielded by Laura Powers, Board of Selectmen chair, with an affirmative response. Mike Massaro of 10 Boardman Lane inquired if the Chief did not retire, would the funds be able to be transferred to another account for use. Karen Dow, Finance Committee Chair responded that yes, the funds could be transferred via next year's Town Meeting, as seen earlier in the evening with Article Third of the Special Town Meeting.

The article passed with a simple majority vote at 9:10 PM.

*A motion to conclude the Special Town Meeting was made and seconded and the Annual Town Meeting was re-adjourned at 9:10 PM. The Town Moderator requested that the Town Clerk copy the Finance Committee's report from the Special Town Meeting into the Annual Town Meeting Minutes Article First.*

#### **ARTICLE FIRST:**

##### **REPORTS**

Finance Committee Chairman Karen Dow presented the report, explaining the process of Budget planning for Fiscal Year 2017. Beginning in the Fall of 2016, Department heads are provided with guidelines. Two items that exceeded guidelines were the increase of hours for the COA Director due to the Senior Needs Study done the previous year, as well as a Salary increase for the Police Clerk due to a back log of reporting requirements.

#### **ARTICLE SECOND:**

##### **RESERVE FUND**

The Finance Committee recommended that the Town vote to appropriate and transfer from free cash the sum of \$100,000 for the Reserve Fund for Fiscal Year 2017, and the Town so voted at 9:12 PM unanimously.

**ARTICLE THIRD:**  
**GENERAL OPERATING BUDGET**

The Finance Committee Recommended that the Town vote to raise and appropriate the sum of \$18,012,479 for schools, highways, and other Town expenses, and fix the annual salary and compensation of all elected officers from July 1, 2016, and determine the manner of expending the same as stated in attachment A; and to meet said appropriation, raise and assess the sum of \$17,924,170; transfer the sum of \$46,376 from the Gould Trust Fund Part B; transfer the sum of \$1,585 from the Fund Balance Reserved for Reduction Future Excludable Debt Account; transfer the sum of \$22,000 from the Conservation Revolving Account and transfer the sum of \$18,348 from the Police Insurance and Restitution Account; and further, that the Town vote to raise, assess, and appropriate the additional sum of \$140,000 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 question under General Laws Chapter 59, section 21C(g).

The motion carried at 9:30 PM.

**ARTICLE FOURTH:**  
**WATER DEPARTMENT OPERATING BUDGET**

The Finance Committee recommended that the Town vote to appropriate and transfer from Water Revenue the sum of \$1,196,604 as detailed herein, to operate the Water Department from July 1, 2016, through June 30, 2017, and to approve the sum of \$113,047 of indirect costs appropriated in the General Fund under Article Third above, to be funded from Water Revenues.

Appropriated Fiscal Year 2016		Proposed Appropriation Fiscal Year 2017
<b>WATER DEPARTMENT OPERATING BUDGET</b>		
\$ 85,299	Salary	\$ 91,410
192,667	Wages	199,275
305,780	Other	323,630
84,000	Long-Term Debt Principal	79,500
24,872	Long-Term Debt Interest	23,191
	Short Term Debt Principal	55,000
11,508	Short-Term Debt Interest	11,598
5,000	Debt Issue Costs	5,000
295,000	Water Reserve Fund	356,000
51,500	Unanticipated Emergency	52,000
<b>1,055,626</b>	<b>SUB-TOTAL – DIRECT COSTS</b>	<b>1,196,604</b>
76,362	Indirect Costs	113,047
<b>1,131,988</b>	<b>TOTAL: WATER DEPARTMENT</b>	<b>1,309,651</b>

Resident Philip Knowles of 75 High Street, Chairman of the Water Enterprise asked that the Board of Selectmen voice their approval of the Water Department Budget. Laura Powers, Board of Selectmen Chair stated approval and that the Board of Selectmen had done so during the Warrant process.

The Town voted at 9:32 PM and the article passed unanimously.

**ARTICLE FIFTH:**

**MASCONOMET REGIONAL SCHOOL DISTRICT**

The Finance Committee recommended that the Town vote to approve the Fiscal Year 2017 Total General Fund Expense Budget of the Masconomet Regional School District in the amount of \$34,017,615 and raise, assess and appropriate the sum of \$7,025,349 to fund the Town's share of the Fiscal Year 2017 Masconomet Regional School District Assessment of which the sum of \$6,739,123 supports the Maintenance & Operating Budget, and the sum of \$286,226 supports the Masconomet Building Debt Service.

Resident Katherine Carlson of 23 Perkins Row inquired about student growth in Topsfield over the next few years, and Masconomet Superintendent Kevin Lyons responded that Topsfield had shown slower growth than the other two Towns over the past year and expected that to remain the same.

The recommendation was adopted at 9:37 PM with a unanimous vote.

**ARTICLE SIXTH:**

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

The Finance Committee recommended that the Town vote to approve the Fiscal Year 2017 Gross Operating Budget of the Essex North Shore Agricultural and Technical School District in the amount of \$26,261,503 and raise, assess and appropriate the sum of \$191,263 for the Town's share of the assessment of same.

The motion passed unanimously at 9:40 PM.

**ARTICLE SEVENTH:**

**MEMORY TREE & BROWNIE TREE LIGHTING**

The Finance Committee recommended that the Town take no action to appropriate and transfer from Free Cash the sum of \$2,750 to be expended by the Parks and Cemetery Department in Fiscal Year 2017 to fund the installation, operations and maintenance of the lights on the Memory Tree and the Brownie Tree on the Topsfield Town Common. Residents Philip Knowles of 75 High Street and Richard Cullinan of 25 Howlett Street offered to donate the funds to assist with the project.

At 9:52 PM, the Finance Committee recommendation of no action was voted and passed.

*At 9:52 PM, the first group of consent articles were presented by the finance committee, and the town voted unanimously on articles eighth thru article nineteenth.*

**\*ARTICLE EIGHTH:**

**LEASE OF EMERSON FIELD**

The Finance Committee recommended that the Town vote to 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 raise, assess and appropriate the sum of \$1,250 for said lease, and the Town so voted unanimously.

**\*ARTICLE NINTH:**

**GRANT AUTHORIZATION FOR TOWN PROJECTS**

The Finance Committee recommended that the Town vote to 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 TENTH:**

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION CONTRACTS**

The Finance Committee recommended that the Town vote to 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 ELEVENTH:**

**ANNUAL ENGINEERING & LANDFILL MONITORING**

The Finance Committee recommended that the Town vote to appropriate and transfer from the Solid Waste Fund the sum of \$38,700 to be expended by the Board of Selectmen in Fiscal Year 2017 to fund services for professional engineering and monitoring related to the capping and closure of the Town's sanitary landfill, and the Town so voted unanimously.

**\*ARTICLE TWELFTH:**

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

The Finance Committee recommended that the Town vote to appropriate and transfer from Free Cash the sum of \$20,500 as a grant for Fiscal Year 2017 to fund certain activities of the Tri-Town Council, and the Town so voted unanimously.

**\*ARTICLE THIRTEENTH:**

**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., as the annual contribution that provides services for our elders in Topsfield, and the Town so voted unanimously.

**\*ARTICLE FOURTEENTH:**

**FUND TOWN EMPLOYEE SEPARATION RESERVE FUND**

The Finance Committee recommended that the Town vote to appropriate and transfer from Free Cash the sum of \$62,000 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 FIFTEENTH:**

**FUND OTHER POST EMPLOYMENT BENEFITS**

Recommended that the Town vote to 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 SIXTEENTH:**

**RESERVE FOR SALARY/WAGES**

The Finance Committee recommended that the Town vote to appropriate and transfer from Free Cash the sum of \$18,000 for general collective bargaining and employee contract settlement purposes in Fiscal Year 2017, and the Town so voted unanimously.

**\*ARTICLE SEVENTEENTH:**

**PARK REVOLVING FUND**

The Finance Committee recommended that the Town vote to 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 fiscal year, and the Town so voted unanimously.

**\*ARTICLE EIGHTEENTH:**

**CEMETERY REVOLVING FUND**

The Finance Committee recommended that the Town vote to 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 fiscal year, and the Town so voted unanimously.

**\*ARTICLE NINETEENTH:**

**CONSERVATION COMMISSION REVOLVING FUND**

The Finance Committee recommended that the Town vote to 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 fiscal year, and the Town so voted unanimously.

*At 9:54 PM, the second set of consent articles were presented by the finance committee, and the town voted unanimously to accept articles twentieth thru twenty third.*

**\*\*ARTICLE TWENTIETH:**

**ACCOUNTING/HR SOFTWARE FOR TRI-TOWN SCHOOL UNION**

The Finance Committee recommended that the Town vote to appropriate and transfer from Free Cash the sum of \$19,560 to be expended by the School Committee to purchase Topsfield's share of Accounting/Human Relations Software for the Tri-Town School Union, and the Town so voted.

**\*\*ARTICLE TWENTY-FIRST:**

**LANDFILL – FIELD AND INFRASTRUCTURE MAINTENANCE**

The Finance Committee recommended that the Town vote to 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 recreational fields, and the Town so voted.

**\*\*ARTICLE TWENTY- SECOND:**

**PURCHASE OF A 4 WHEEL DRIVE PICK-UP TRUCK WITH PLOW**

The Finance Committee recommended that the Town vote to appropriate and transfer from Free Cash the sum of \$45,000 to be expended by the Board of Selectmen, with the advice of the Road Commissioners to purchase and equip a pick-up truck for the Highway Department and authorize the trade-in or sale of a 2005 Pick-Up Truck, and the Town so voted.

**\*\*ARTICLE TWENTY-THIRD:**

**PURCHASE OF HIGHWAY BRUSH TRACTOR**

The Finance Committee recommended that the Town vote to appropriate the sum of \$140,000 to be expended by the Board of Selectmen, with the advice of the Road Commissioners, to purchase and equip a brush tractor, of which the sum of \$70,000 shall be transferred from Free Cash and the sum of \$70,000 shall be appropriated and transferred from existing, available State funds, and authorize the trade-in or sale of the 1997 brush tractor, and the Town so voted.

**ARTICLE TWENTY-FOURTH:**

**TOWN HALL PROJECT**

The Finance Committee recommended that the Town appropriate the sum of \$9,859,000 to pay costs of designing, remodeling, reconstructing and making extraordinary repairs to the Town Hall, including the payment of all other costs incidental and related thereto, and 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 7(3A) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that the appropriation and borrowing authorized by this vote shall be expressly contingent upon approval by the voters of the Town of a debt exclusion question allowing the Town to exclude from the limits imposed by General Law Chapter 59, Section 21C(k), so called Proposition 2 ½, the amounts necessary to repay the principal and interest on any such borrowing.

Questions were fielded by Town Hall Building Committee Members. Resident Joanne Patton of 135 Asbury Street spoke eloquently in favor of the article.

At 10:05 PM, the motion carried with the required 2/3 vote.

**ARTICLE TWENTY-FIFTH:**

**TOWN HALL PROJECT – TRANSFER OF CUSTODY AND PURPOSE FOR PORTION OF ABUTTING LAND**

The Finance Committee recommended that the Town vote to transfer from the School Committee for school and playground purposes to the Board of Selectmen for general municipal purposes, including without limitation, for Town Hall purposes and purposes ancillary thereto, the care, custody, management and control of a certain portion of the Parcel School property which property lies adjacent to Town Hall and was acquired by deed recorded with the Essex South District Registry of Deeds in Book 2760, Page 78, which portion contains 6,923 square feet, more or less, and is approximately shown as “Article Twenty-Fifth Parcel” on a sketch plan entitled “2016 Annual Town Meeting-Article Twenty-Fifth”, copy of which is on file with the office of the Town Clerk.

Sheila King of 24 Willowdale Road requested information on parking. The question was fielded by Town Hall Building Committee member Josh Rownd of 110 Salem Road.

The motion passed unanimously at 10:09 PM.

**ARTICLE TWENTY-SIXTH:**

**WATER TREATMENT PLANT PROJECT-LAND EASEMENT**

The Finance Committee recommended that the Town vote to authorize the Board of Selectmen, with the advice of the Board of Water Commissioners, to acquire by gift, purchase or eminent domain easement(s), needed for the conveyance of raw water from the Town’s sources to the Public Works Facility and treated water from the Public Works Facility to the water distribution system, consistent with the easements shown on plans prepared by and on file with the Water Department, as well as with the Town Clerk’s office entitled, “Water Transmission Main Project”, and to authorize the Board of Selectmen to execute documents and take whatever other action is required to effectuate the purpose of this vote. The Town voted and the motion passed at 10:11 PM unanimously.

**ARTICLE TWENTY-SEVENTH:**

**TOWN CLERK OFFICE HOURS- ACCEPT MASSACHUSETTS GENERAL LAW**

The Finance Committee recommended that the Town vote pursuant to Massachusetts General Law Chapter 41, Section 110A, to allow the Office of the Town Clerk to remain closed on Saturdays and to treat Saturday as a legal holiday for the purposes of calculating the time frame for filing or taking other action required by law. The vote was taken at 10:12 PM and the motion passed.

**ARTICLE TWENTY-EIGHTH:**

**DOG LICENSES - ACCEPT MASSACHUSETTS GENERAL LAW**

The Finance Committee recommended that the Town vote to accept the provision of Massachusetts General Law Chapter 140, Section 139(c) that provides as follows, “No fee shall be charged for a license for a dog owned by a person aged 70 years or over”. The Town voted unanimously to accept the recommendation at 10:13 PM.

**ARTICLE TWENTY-NINTH:**

**AGGREGATION OF ELECTRICITY – ACCEPT MASSACHUSETTS GENERAL LAW**

The Finance Committee recommended that the Town vote to initiate the process to aggregate electrical load, pursuant to Massachusetts General Law chapter 164, section 134 and to grant the Board of Selectmen authority to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation.

The motion carried at 10:16 PM.

**ARTICLE THIRTIETH:**

**FIRE CHIEF-RESCIND ACCEPTANCE OF MASSACHUSETTS GENERAL LAW**

The Finance Committee recommended that the Town vote no action be taken to rescind its acceptance of the provisions of Massachusetts General Law Chapter 48, Sections 42, 43, and 44, the so-called “strong fire chief” statute, pursuant to which, amongst other things, the Fire Chief appoints fire fighters and otherwise has control over the Fire Department, and further to accept the provisions of Massachusetts General Law Chapter 48, Section 42A, the so called “weak fire chief” statute, pursuant to which the Board of Selectmen appoints fire fighters and may establish regulations for the operation of the Fire Department; or take any other action relative thereto.

Much heated debate ensued and a hand count was necessary to determine the vote. At 10:53 PM, the Finance Committee’s recommendation for no action was passed with 147 votes in favor, and 118 votes against the motion.

**ARTICLE THIRTY-FIRST:**

**AMEND PERSONNEL BYLAW**

The Finance Committee recommended that the Town vote to delete Chapter XLI, Section 8.0, entitled “Personnel Advisory Committee”, and insert in place thereof a new section 8.0 entitled, “Ad Hoc Personnel Advisors” as follows:

8.0 Ad Hoc Personnel Advisors

The Personnel Director may appoint, to serve at the pleasure of the Director, one or more residents of the Town qualified with certain expertise and experience relevant to personnel issues, all of whom shall serve without compensation, to assist said Director in an advisory capacity with respect to any personnel issues that the Personnel Director deems appropriate;

and further that the Personnel Advisory Committee shall be abolished and the terms of any incumbent members thereof terminated, and the Town so voted unanimously at 10:54 PM.

**ARTICLE THIRTY- SECOND:**

**AMEND ZONING BYLAW ARTICLE IV, SECTION 4.10 BUSINESS PARK DISTRICT  
CONDITIONS, SECTIONS B, C AND J**

The Finance Committee recommended that the Town vote to amend the Topsfield Zoning Bylaw, Article IV, Section 4.10, Sections B, C and J as follows with the words to be deleted shown in strikethrough.

“B. A site plan for the tract shall be submitted along with the application for special permit and shall be subject to the approval of the ~~Special~~ Permit Granting Authority.

C. Uses may be in one continuous building, or groupings of buildings. Different ownership may be allowed by the ~~Special~~ Permit Granting Authority where such groupings are consistent with the safety of the users and are consistent with the overall intent of this section.

J. The development shall be served by a public water system or private water system approved by the ~~Special~~ Permit Granting Authority and adequate in terms of fire protection and domestic use.”

At 10:56 PM the motion was adopted unanimously.

**ARTICLE THIRTY- THIRD:**

**AMEND ZONING BYLAW, ARTICLE II, SECTION 2.10 CREATION OF “ROLLING GREEN”  
ELDERLY HOUSING DISTRICT**

The Finance Committee recommended that the Town vote to amend the Topsfield Zoning Bylaw, Article II, Section 2.10 and the Zoning Map, to include property located at 470 Boston Street as an Elderly Housing District to be known as Rolling Green by adding Section 2.10, Section D, as follows:

“D. Rolling Green Elderly Housing District

It being determined to be consistent with the purposes of the Zoning Bylaw, as amended, and the Master Plan for the Town, the property as described hereinafter, being approximately Fourteen and 3/10 (14.3) acres, known as “Rolling Green,” and being shown as Parcel 3 on Topsfield Assessors’ Map 7 and being bounded generally on the East by Boston Street (Newburyport Turnpike, U.S. Route 1) and on the North by the Town Line between Topsfield and Ipswich, is rezoned as an Elderly Housing District, and the Zoning Map of the Town of Topsfield, Massachusetts, is so amended. The legal description of the property referred to above is comprised of that area of land situated in the Town of Topsfield, bounded and described as follows:

Beginning at a point on westerly sideline of Boston Street (Newburyport Turnpike, U.S. Rt. 1), said point being located N 36° 39’ 55” E a distance of Five Hundred Seventy and 42/100 (570.42) feet from a MASS Highway Bound;

Thence running along a stone wall N 66° 26’ 07” W for a distance of Fifty Nine and 51/100 (59.51) feet to a drill hole in said stonewall;

Thence turning and running along said stone wall N 64° 53’ 01” W for a distance of Ninety One and 11/100 (91.11) feet to a drill hole in said stonewall;

Thence turning and running along said stone wall S 77° 42’ 54” W for a distance of Two Hundred Two and 58/100 (202.58) feet;

Thence turning and running along said stone wall S 74° 02’ 08” W for a distance of One Hundred Forty Five and 16/100 (145.16) feet;

Thence turning and running along said stone wall S 73° 36’ 58” W for a distance of One Hundred Thirty One and 47/100 (131.47) feet;

Thence turning and running along said stone wall S 73° 30' 56" W for a distance of One Hundred Fifty Nine and 30/100 (159.30) feet to a drill hole at a stone wall corner;

Thence turning and running along a stone wall N 36° 57' 12" W for a distance of Two Hundred Sixty Four and 56/100 (264.56) feet to a drill hole in said stone wall;

Thence running N 36° 57' 12" W for a distance of Nineteen and 46/100 (19.46) feet to a point;

Thence turning and running N° 17 16' 49" W for a distance of Twelve and 27/100 (12.27) feet to a drill hole set in a stone wall;

Thence running along said stone wall N 17° 16' 49" W for a distance of Seventy Six and 80/100 (76.80) feet to a point;

Thence turning and running along said stone wall N 15° 17' 25" W for a distance of One Hundred Twenty Three and 02/100 (123.02) feet to a point;

Thence turning and running along said stone wall N 11° 39' 33" W for a distance of Forty Nine and 99/100 (49.99) feet to a point;

Thence turning and running along said stone wall N 27° 36' 34" W for a distance of Twenty Seven and 82/100 (27.82) feet to a point;

Thence turning and running along said stone wall N 60° 55' 45" W for a distance of Forty Six and 26/100 (46.26) feet to a point;

Thence turning and running along said stone wall N 42° 22' 09" W for a distance of Twenty One and 87/100 (21.87) feet to a drill hole set at the end of said stone wall;

Thence turning and running N 39° 18' 14" W to the Town Line between Ipswich and Topsfield;

Thence turning and running N 74° 52' 49" E by the Town Line between Ipswich and Topsfield to a point;

Thence turning and running S 19° 03' 04" E to a tree with wire;

Thence turning and running S 13° 10' 00" E for a distance of Twenty Three and 11/100 (23.11) feet to a tree with wire;

Thence turning and running S 15° 48' 44" E by the remnants of an old wire fence for a distance of Fifty One and 67/100 (51.67) feet to a point;

Thence turning and running S 36° 44' 57" E by said remnants of an old wire fence for a distance of Ninety Four and 41/100 (94.41) feet to a point;

Thence turning and running S 38° 15' 24" E by said remnants of an old wire fence for a distance of One Hundred Forty Three and 84/100 (143.84) feet to a post;

Thence turning and running S 45° 50' 51" E by said remnants of an old wire fence for a distance of One Hundred Twenty Five and 22/100 (125.22) feet to a point;

Thence turning and running S 40° 01' 55" E by said remnants of an old wire fence for a distance of One Hundred Sixty and 55/100 (160.55) feet to a post;

Thence turning and running S 42° 10' 33" E by said remnants of an old wire fence for a distance of Ninety Three and 32/100 (93.32) feet to a point on westerly sideline of Boston Street (Newburyport Turnpike, U.S. Rt. 1);

Thence turning and running S 36° 39' 55" W by the westerly sideline of Boston Street (Newburyport Turnpike U.S. Rt. 1) for a distance of Two Hundred Thirty Nine and 08/100 (239.08) feet to the point of beginning.

Said property is shown on a plan entitled "PLAN of LAND in TOPSFIELD AND IPSWICH, MA, 470 BOSTON STREET – ASSESSORS MAP 2 LOT 5, PROPERTY OF BOSTON STREET REALTY TRUST, scale 1"=50', dated DEC. 23, 1986, prepared by Hancock Survey Associates, Inc. and contains approximately fourteen and three tenths (14.3+/-) acres according to said plan."

This article required a 2/3 vote, and the Town so voted at 11:05 PM.

**ARTICLE THIRTY- FOURTH:**

**CITIZEN PETITION**

To see if the Town will vote to Amend the Town Bylaws, Chapter II, Article I, Section 2-1 “Town Meeting and Elections” by adding the following subsection to empower written secret ballots at town meetings:

“2-1.7 Written Ballot. The vote on any question before the Town at an Annual or Special Town Meeting may be taken by written secret ballot upon the affirmative vote of at least twenty-five of the voters present and voting.”

The Finance Committee recommendation of no action was adopted at 11:10 PM.

*The Moderator presented Articles Thirty-Fifth, Thirty-Sixth, and Thirty-Seventh as a Third Consent Agenda. There were no objections from the Town. The Finance Committee recommended no action at this time because there was insufficient information.*

**ARTICLE THIRTY- FIFTH:**

**HICKORY LANE – STREET ACCEPTANCE**

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.

A vote of no action passed unanimously at 11:12 PM.

**ARTICLE THIRTY- SIXTH:**

**EVERGREEN LANE – STREET ACCEPTANCE**

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.

A vote of no action passed unanimously at 11:12 PM.

**ARTICLE THIRTY- SEVENTH:**

**BEECH PLACE – STREET ACCEPTANCE**

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.

A vote of no action passed unanimously at 11:12 PM.

**ARTICLE THIRTY- EIGHTH:**

**CAPITAL STABILIZATION FUND**

The Finance Committee recommended that the Town appropriate and transfer from Free Cash the sum of \$100,000 to the Capital Stabilization Fund, and the Town so voted at 11:13 PM. This article required a 2/3 vote and was passed unanimously.

**ARTICLE THIRTY- NINTH:**

**STABILIZATION FUND**

The Finance Committee recommended the Town vote to raise and assess or transfer from available funds and appropriate the sum of \$25,000 to the Stabilization Fund. This article required a 2/3 vote and was passed unanimously at 11:13 PM.

**ARTICLE FORTIETH:**

**FREE CASH**

The Finance Committee recommended that the Town vote to transfer from Free Cash and appropriate the sum of \$358,492 to reduce the tax levy for Fiscal Year 2017.

The motion passed at 11:16 PM unanimously.

*After completion of the last article to be brought before the Town, the Moderator asked for a motion to adjourn Town Meeting, which was received and seconded by the Town. Annual Town Meeting of 2016 was dissolved at 11:17 PM. There were 391 registered voters in attendance.*

**TOWN OF TOPSFIELD  
ANNUAL TOWN ELECTION  
May 5, 2016**

The polls opened at 7:00 AM on May 5, 2016 at St. Rose of Lima Church Hall, 12 Park Street, with Paula Burke as Election Warden, and Frederick Glatz as Constable. The following election workers were sworn to the faithful performance of their duties:

Jane Bonanno, Elaine Crippen, Fred Capobianco, Janice Englehardt, Barbara Adams, Audrey Iarocci, Jane May, Judith Forrest, Ruth Lucy, Sue Caples, Chris Cotti, , Betty Booye, and Mary Beth Willis.

The polls were closed at 8:00 PM, and 1508 ballots were cast. There were 4807 persons registered to vote in this election. The results are as follows:

Moderator, One Year

Stephen T. Whelan	1109*
Jeanine P. Cunniff –Write In	63
Blanks	324
Write-ins	12

Selectman, Three Years

A. Richard Gandt	725
Mark B. Lyons	752*
Blanks	31
Write-ins	--

Elementary School Committee, Three Years (Vote for 2)

Katrina Alexis Frere	787*
Josiah Grimes	620
Daniel Mark Pallotta	621*
Blanks	984
Write-ins	4

Assessor, Three Years

Lynn A. Conant	1119*
Blanks	385
Write-ins	4

Assessor, Two Years

Robert E. Kanter	1067*
Blanks	436
Write-ins	5

Commissioner of Trust Funds, Three Years

Thomas P. Walsh	1081*
Blanks	424
Write-ins	3

Housing Authority, Five Years

Rose M. David	1068*
Blanks	437
Write-ins	3

Library Trustee, Three Year(Vote for 2)

Gail Bryson	969*
Brook Spater	1012*
Blanks	1032
Write-ins	3

Park & Cemetery Commissioner, Three Year

Robert E. Benjamin	1090*
Blanks	417
Write-ins	1

Planning Board, Three Year(Vote for 2)

Jeanine P. Cunniff	981*
Joseph D. Geller	1004*
Blanks	1027
Write-ins	4

Planning Board, Two Year

C. Josh Rownd	1039*
Blanks	465
Write-ins	4

Regional School Committee, Three Years (Vote for 1)

William J. Hodges	705*
Leeanne Powers	535
Blanks	267
Write-ins	1

Road Commissioner, Three Years

Philip G. Knowles	1099*
Blanks	404
Write-ins	5

Water Commissioner, Three Years

Richard L. Stone	1099*
Blanks	408
Write-ins	1

Question One:

Shall the Town of Topsfield be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to design, remodel, reconstruct and make extraordinary repairs to the Town Hall, including design and construction of an addition and payment of all other incidental and related costs:

Yes	746*
No	733
Blanks	29

Question Two:

Shall the Town of Topsfield be allowed to assess an additional \$140,000 in real estate and personal property taxes for the purposes of funding the general operating budget for the elementary schools for the fiscal year beginning July first two thousand sixteen?

Yes	924*
No	562
Blanks	22

A true copy attest:

Ann D. Gill  
Town Clerk