



**ANNUAL/SPECIAL TOWN MEETINGS
MASCONOMET REGIONAL SCHOOL DISTRICT
FOOTBALL FIELD
SATURDAY, JUNE 20, 2020**

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

The Moderator, Stephen Whelan, reported there was a quorum and called the Annual Town Meeting to order at 8:31 AM, and introduced himself. He asked residents to take a moment to reflect on what an unusual year this has been, and to remember the folks who are no longer with us. He thanked the voters for their courage in coming to the Annual Town Meeting this year. He acknowledged the employees and volunteers for their detail in planning the event. The Moderator confirmed with the Town Clerk 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.

A summary of further announcements are listed below:

1. We have chosen this field for the safety of all. Please respect everyone's safety. Refrain from moving the chairs and maintain physical distance when coming to the microphones to speak.
2. There is bottled water available at the safety tents on the edge of the field.
3. Please use the exit to the left to get to the restrooms in the Field House. Keep your voting card with you in order to return to the seating area.
4. At the end of the meeting, wait to be dismissed before leaving your seat.
5. We may perform a hand count of cards to confirm a vote.
6. Please silence all cell phones.
7. Meeting is being recorded. The Moderator thanks Brad Sweet and Boxford Cable for their service.
8. 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.
9. If one wishes 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. Debate should be conducted in a respectful and courteous manner.
10. 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 introduced the Board of Selectmen: John Spencer, Chairman; Lynne Bermudez, Vice-Chair & Clerk; Boyd Jackson, and Dick Gandt. He then introduced Finance Committee Members, Chairman Jonathan Guido, Karen Dow, Eric Menzer, Michael Hartmann, Che Elwell and Louis Ross, and Karen Duval. He recognized Town Administrator, Kevin Haratunian and that Town Counsel was being represented by Carolyn Murray of KP Law.

The Moderator continued to acknowledge the various Department Heads, Administrators from Tri-Town Union and Masconomet School Districts, and Board and Committee members in attendance. Finally, he introduced the volunteers serving check-in staff, tellers and ushers for the meeting.

ARTICLE FIRST: **REPORTS**

John Spencer, Chairman of the Board of Selectmen, addressed the Town. He acknowledged the significant changes to the Town since that last Town Meeting. He highlighted key personnel changes, the passing of Mark Lyons and many ways the pandemic has affected how the Town has been able to conduct its business.

Jon Guido, Finance Committee Chair, read the report from the Finance Committee. He remembered Mark Lyons, and explained how these extraordinary times had reshaped the Committee's work for the year.

The Moderator read the names of residents who had recently completed terms on various volunteer boards and committees.

ARTICLE SECOND: **BALANCE TRANSFERS**

The Finance Committee recommended that the Town vote to transfer the sum of \$60,074 from various funds listed under Article Second in the warrant and appropriate the same to fund the General Operating Budget in Fiscal Year 2021 to be voted under Article Third as follows:

Account:	Amount:
Fund Balance Reserved for Reduction of Future Excludable Debt	1,074
Conservation Commission	10,000
Cable/PEG Fund	49,000
Total Balance to Transfer:	\$60,074

The Town so voted unanimously.

ARTICLE THIRD: **GENERAL OPERATING BUDGET**

The Finance Committee recommended that the Town vote to appropriate the sum of \$21,942,109 for schools, highways, and other Town expenses, and fix the annual salary and compensation of all elected officers from July 1, 2020, and determine the manner of expending the same as stated in Attachment A to the warrant; and to meet said appropriation, in addition to the amount transferred for such purposes under

Article Second, to transfer the sum of \$100,000 from Overlay Surplus and raise and assess the sum of \$21,882,035. The Town vote by majority in favor of the Article.

ARTICLE FOURTH:

WATER DEPARTMENT OPERATING BUDGET

The Finance Committee recommended that the Town vote to transfer from Water Revenue the sum of \$2,111,135 and appropriate the same as detailed under Article Fourth in the Warrant, to operate the Water Department from July 1, 2020, through June 30, 2021, and to approve the sum of \$161,291 of indirect costs appropriated in the General Fund under Article Third, to be funded from Water Revenues as follows:

WATER DEPARTMENT OPERATING BUDGET			
Actual Appropriation FY2020			Proposed Appropriation FY2021
\$ 378,387	Salary & Wages		\$ 361,555
415,824	Other		410,455
529,000	Long-Term Debt Principal		655,000
342,695	Long-Term Debt Interest		404,125
-	Short Term Debt Principal		-
115,375	Short-Term Debt Interest		-
5,000	Debt Issue Costs		-
50,000	Water Reserve Fund		50,000
100,000	Unanticipated Emergency		230,000
1,936,281		SUB-TOTAL – DIRECT COSTS:	2,111,135
155,083	Indirect Costs		161,291
\$2,091,364		TOTAL WATER DEPARTMENT BUDGET:	\$2,272,426

The Town so voted unanimously.

ARTICLE FIFTH:

MASCONOMET REGIONAL SCHOOL DISTRICT ASSESSMENT

The Finance Committee recommended and the Town so voted unanimously to approve the Fiscal Year 2021 Gross Budget of the Masconomet Regional School District in the amount of \$37,448,235 and raise and assess and appropriate the sum of \$7,825,842 to fund the Town's share of the Fiscal Year 2021 Masconomet Regional School District Assessment, of which the sum of \$7,745,305 supports the Maintenance & Operating Budget, and the sum of \$80,537 supports the Masconomet Building Debt Service.

ARTICLE SIXTH:

ESSEX NORTH SHORE AGRICULTURAL AND TECHNICAL SCHOOL DISTRICT

The Finance Committee recommended that the Town vote to approve the Fiscal Year 2021 Gross Operating Budget of the Essex North Shore Agricultural and Technical School District in the amount of \$31,078,848 and raise and assess and appropriate the sum of \$364,498 for the Town's share of the assessment of same. The Town so voted unanimously.

At 9:14 AM the Moderator entertained a motion to accept the use of the Consent Agenda in the Annual Town Meeting for the first Consent Agenda and the Town so voted. The Moderator then restated the Consent Items, and the Town so voted unanimously.

***ARTICLE SEVENTH:**

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. The Town so voted unanimously.

***ARTICLE EIGHTH:**

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 any sums of money made available to the Town in accordance with G.L. c.90. The Town so voted unanimously.

***ARTICLE NINTH:**

TRI-TOWN COUNCIL ON YOUTH AND FAMILY SERVICES

The Finance Committee recommended that the Town vote to transfer and appropriate from Free Cash the sum of \$20,500 as a grant for Fiscal Year 2021 to fund activities of the Tri-Town Council. The Town so voted unanimously.

***ARTICLE TENTH:**

SENIOR CARE

The Finance Committee recommended that the Town vote to transfer and appropriate from Free Cash the sum of \$1,500 as a grant for Fiscal Year 2021 to fund activities of Senior Care Inc. The Town so voted unanimously.

***ARTICLE ELEVENTH:**

COMPENSATED ABSENCES FUND

The Finance Committee recommended that the Town vote to appropriate and transfer from Free Cash the sum of \$100,000 to the Town's Compensated Absences Fund to fund the costs of employment separation benefits for unused sick and vacation leave or other benefits as may be required by law, the Personnel By-law, rules, regulations, policies or applicable contracts or collective bargaining agreements. The Town so voted unanimously.

ARTICLE TWELFTH:

TOWN FACILITIES REPAIR AND MAINTENANCE FUND

The Finance Committee recommended and the Town voted unanimously to transfer and appropriate from Free Cash the sum of \$22,000 to be expended by the Board of Selectmen to fund facilities repairs, maintenance and any associated costs to repair, maintain and ensure the safety and security of Town-owned properties, facilities equipment and assets, including all incidental and related expenses.

ARTICLE THIRTEENTH:

TOWN HALL AND LIBRARY TELEPHONE SYSTEMS

The Finance Committee recommended that the Town vote to transfer and appropriate from Free Cash the sum of \$30,000 to be expended by the Board of Selectmen, to purchase and install new telephone systems for Town Hall and the Town Library, including design, hardware and software and all incidental and related expenses. Kevin Haratunian, Town Administrator, answered questions regarding the deficiencies of the current phone system. The Town then voted unanimously in favor of the Article.

ARTICLE FOURTEENTH:

NORTH SIDE RADIO COMMUNICATION EQUIPMENT

The Finance Committee recommended and the Town so voted unanimously to transfer and appropriate from Free Cash the sum of \$12,000 to be expended by the Board of Selectmen to purchase and install radio communication within the Town including engineering, design, hardware and software and all incidental and related expenses.

ARTICLE FIFTEENTH:

RESURFACE GROVE STREET TENNIS COURTS

To see if the Town will vote to raise and assess, or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen to fund the resurfacing and repair of the Grove Street Tennis Courts, including all incidental and related expenses, or take any other action relative thereto. The Finance Committee recommended no action on this article and the Town so voted unanimously.

ARTICLE SIXTEENTH:

PUMP STATION AND WELL REHABILITATION STUDY

The Finance Committee recommended that the Town vote to transfer and appropriate from the amounts appropriated under Article 9 of the 2019 Special Town Meeting (Prospect Street & River Road Main Improvements) the sum of \$100,000, to be expended by the Board of Selectmen, with the advice of the Board of Water Commissioners, to fund the Pump Station and Well Rehabilitation Study, including all incidental or related expenses. The Article passed unanimously.

At 9:26 am the Moderator entertained a motion to recess the Annual Town Meeting. The motion was so voted by the Town and the Moderator called to order the Special Town Meeting.

ARTICLE FIRST:
REPORTS

There were no reports.

ARTICLE SECOND:
PRIOR YEAR BILLS

There were no prior year bills.

ARTICLE THIRD:
FISCAL YEAR 2020 BUDGET TRANSFERS

There were no fiscal year 2020 budget transfers.

ARTICLE FOURTH:
POLICE RADIOS

The Finance Committee recommended that the Town vote to transfer and appropriate the sum of \$8,869.74 to be expended by the Board of Selectmen, with the advice of the Police Chief, to purchase radios for Police Department personnel as follows:

From:	To:	Amount:
FY16/A18 Town Hall Building Design	Police Radios	\$ 7,563.68
FY20/A19 Town Hall Computer Workstations		\$ 56.06
Annual Article for Emerson Field Lease		\$ 1,250.00
Total:		\$ 8,869.74

The Town so voted unanimously.

ARTICLE FIFTH:
FIRE PERSONAL PROTECTIVE EQUIPMENT

The Finance Committee recommended that the Town vote to transfer and appropriate the sum of \$10,539.78 to be expended by the Board of Selectmen, with the advice of the Fire Chief, to purchase personal protective equipment for Fire Department personnel as follows:

From:	To:	Amount:
FY20/A18 HWY Front End Loader	Fire Protective Equipment	\$ 10,539.78
Total:		\$ 10,539.78

The Town so voted unanimously.

A motion to conclude the Special Town Meeting was made and seconded and the Annual Town Meeting was re-adjourned at 9:33 AM.

ARTICLE SEVENTEENTH:
ELEMENTARY SCHOOLS TECHNOLOGY

The Finance Committee recommended that the Town vote to transfer and appropriate from Free Cash the sum of \$50,000 to be expended by the Topsfield School Committee, to purchase and install technology at the Proctor and Steward Elementary Schools, including hardware, software and all incidental and related expenses. The Town so voted unanimously.

At 9:30 AM the Moderator presented the second group of consent articles including Article Eighteenth through Article Twentieth, asking the Town to vote unanimously on these articles. A particular article could be pulled for debate and discussion simply by objection. The Moderator then restated the Consent Items, and the Town so voted unanimously.

****ARTICLE EIGHTEENTH:**
REPLACE FIRE STATION AIR HANDLER

The Finance Committee recommended and the Town so voted unanimously to transfer and appropriate from Free Cash the sum of \$15,000 to be expended by the Board of Selectmen to purchase and install a new air handler at the Fire Station, including engineering, design and all incidental and related expenses.

****ARTICLE NINETEENTH:**
FIRE STATION TIGHT TANK FOR DRAINS

The Finance Committee recommended and the Town so voted unanimously to transfer and appropriate from Free Cash the sum of \$22,000 to be expended by the Board of Selectmen to purchase and install a tight tank and supporting infrastructure for fire station garage drains including design, construction and all incidental and related expenses.

****ARTICLE TWENTIETH:**
REPAIR OF FIRE ENGINE PUMP

The Finance Committee recommended and the Town so voted unanimously to transfer and appropriate from Free Cash the sum of \$20,000 to be expended by the Board of Selectmen to repair by rebuilding or otherwise, the pump for Fire Department Engine 3, including all incidental and related expenses.

ARTICLE TWENTY-FIRST:
**HOME RULE PETITION – REORGANIZATION OF THE WATER, HIGHWAY AND
PARK/CEMETERY DEPARTMENTS AND COMMISSIONERS**

The Finance Committee recommended that the Town vote to authorize the Board of Selectmen to petition the General Court for special legislation streamlining certain services in the Town of Topsfield, all as set forth below, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; or take any other action relative thereto.

SECTION 1. Notwithstanding any general or special law to the contrary, there shall be a highway department, a park and cemetery department and a water department in the town of Topsfield to be under the general supervision and control of the town administrator, which town administrator shall have and exercise all of the authority with respect to the departments as provided herein, and such other authority generally as the town may grant from time by by-law. Provided, further, that the town administrator may, following notification to the Board of Selectmen, consolidate or organize the park and cemetery departmental operations with those of the highway department to provide for operational efficiencies.

SECTION 2. (a) The highway department shall have all the powers and duties that are vested by the General Laws, town by-laws or special acts in the following boards, departments and offices or those having corresponding powers and duties in the town of Topsfield: road commissioners, surveyors of highways, and superintendent of streets, which offices shall hereby be abolished and the terms of any incumbents terminated. There shall be a highway superintendent, appointed by the town administrator, who shall serve as the highway department head.

(b) The park and cemetery department shall have all the powers and duties that are vested by the General Laws, town by-laws or special acts in the following boards, departments and offices or those having corresponding powers and duties in the town of Topsfield: park commissioners, cemetery commissioners, and moth superintendent, which offices shall hereby be abolished and the terms of any incumbents terminated. There shall be a park and cemetery superintendent appointed by the town administrator, who shall serve as the park and cemetery department head.

(c) The water department shall have all the powers and duties that are vested by the General Laws, town by-laws or special acts in the following boards, departments and offices or those having corresponding powers and duties in the town of Topsfield: water commissioners, which office shall hereby be abolished and the terms of any incumbents terminated. There shall be a water superintendent, appointed by the town administrator, who shall serve as the water department head. Notwithstanding any other provision of this act to the contrary, the Board of Selectmen shall be authorized to set water rates, provided, however, that such rates shall be set only after receiving a recommendation from the water superintendent.

SECTION 3. During their tenure with the town, the department heads created under section 2 of this act shall not hold elective office nor engage in a business or occupation relating to matters within the jurisdiction of their respective departments unless approved in advance by the Board of Selectmen. Nothing in this section shall prevent the department heads from serving on committees in order to represent the town and their respective departments.

The Town Administrator may enter into an employment agreement with each department head created under section 2 of this act to provide for the salary, fringe benefits and other conditions of employment.

SECTION 4. (a) The incumbent members of the board of road commissioners, holding office as of the effective date of this act, shall constitute an advisory committee to the town administrator on the matters on which it is consulted falling with the jurisdiction of the highway department. The members of said advisory committee may serve for a period equivalent to the remainder of their elected term or their sooner vacating of the position; appointments to such advisory board may be made from time to time at the discretion of the board of selectmen.

(b) The incumbent members of the park and cemetery commission, holding office as of the effective date of this act, shall constitute an advisory committee to the town administrator, on the matters on which it is consulted falling with the jurisdiction of the park and cemetery department. The members of said advisory committee may serve for a period equivalent to the remainder of their elected term or their sooner

vacating of the position; appointments to such advisory board may be made from time to time at the discretion of the board of selectmen.

(c) The incumbent members of the water commission, holding office as of the effective date of this act, shall constitute an advisory committee to the town administrator, on the matters on which it is consulted falling within the jurisdiction of the water department. The members of said advisory committee may serve for a period equivalent to the remainder of their elected term or their sooner vacating of the position; appointments to such advisory board may be made from time to time at the discretion of the Board of Selectmen.

(d) All records, property and equipment of any office, department or agency or part of any office, department or agency whose powers and duties were assigned by this act to the highway department, park and cemetery department or water department shall be transferred immediately as so provided. All official bonds, obligations, contracts and other instruments entered into or executed by or on behalf of the town prior to the effective date of this act and all taxes, assessments, fines, penalties and forfeitures incurred or imposed, due or owing to the town shall be enforced and collected, shall continue without abatement and shall remain unaffected by this act. No contracts or liabilities in force on the effective date of this act shall be affected by this act or the abolition of any offices under this act.

(e) The highway department, park and cemetery department, and water department, for matters under each department's respective jurisdiction, shall be the lawful successor of the respective offices and departments abolished, consolidated or otherwise modified pursuant to this act. No person in the regular permanent full-time or part-time service or employment of the town in relation to the functions addressed in this act shall forfeit the rate of compensation, grade, step or time of service because there shall be a highway department, a park and cemetery department and a water department in the town of Topsfield to be under the general supervision and control of the town administrator. Each such person shall be retained in a capacity as similar as may be practicable to the person's former capacity. No collective bargaining agreement, contract or liability in force on the effective date of this act shall be affected by this act.

SECTION 5. This act shall take effect on January 1, 2021.

The Moderator called on Board of Selectman Chair, John Spencer, to offer insight into the article. A lengthy discussion followed with many residents and town officials expressed both positive and negative positions. Several resident questions were answered by elected officials and Town administration. After a 40-minute discussion, Philip Knowles, 12 Boston St., Unit 21, rose to move the question, and the Moderator called for a vote. The call to move the question passed by a 2/3 vote. The Town then voted by a majority show of hands to approve the Finance Committee's recommendation.

ARTICLE TWENTY-SECOND:

FIVE-YEAR SCHOOL BUS CONTRACT

The Finance Committee recommended that the Town vote to authorize, during the ensuing year, the Superintendent of Schools of Masconomet and the Tri-Town Union, to negotiate and enter into a five-year contract for school transportation. This article was passed over.

ARTICLE TWENTY-THIRD:

SOLAR PHOTOVOLTAIC FACILITY – PILOT AGREEMENT

The Finance Committee recommended that the Town vote to authorize the Board of Selectmen to negotiate and enter into a binding agreement for payments-in-lieu-of-taxes, between the Town of Topsfield and Topsfield Solar LLC, or its affiliates, assigns, or successors for personal property attributable to a solar photovoltaic facility to be installed and operated in the Town at 6 Aaron Drive as detailed in Article Twenty-Third in the warrant. Following a robust discussion, Phil Knowles, 12 Boston St., rose to move the question and the Town so voted. The Town then voted by majority in favor of the Article.

ARTICLE TWENTY-FOURTH:

ADOPT STREET NUMBERING BY-LAW

The Finance Committee recommended that the Town vote to amend the Town General By-Laws by adopting a new Street Numbering By-Law and inserting the same into the General By-Laws as section 2-55 in Chapter II, Article VIII, Policies and Procedures as follows:

2-55. STREET NUMBERING BY-LAW

- 2-55.1 The Town through its Board of Selectmen, shall promulgate regulations establishing addressing standards and governing the numbering of properties.
- 2-55.2 The regulations shall designate specific Town officials to assign and modify addresses for all taxable and non-taxable properties.
- 2-55.3 The Town shall maintain an up-to-date Master Address Table for all taxable and non-taxable properties using the addresses and parcel identifications assigned by persons designated in 2-55.2 above. No person shall utilize an address in the Town for a property, building, or structure, for any purpose, unless that address is included in the Master Address Table.

or take any other action relative thereto.

The Town so voted by majority in favor of the recommendation.

ARTICLE TWENTY-FIFTH:

AMEND GENERAL BY-LAWS: NON-CRIMINAL DISPOSITION FOR BOARD OF HEALTH

The Finance Committee recommended and the Town so voted by a two-thirds majority to amend the Town General By-Laws by deleting the provisions of Chapter XXX in its entirety and inserting in place thereof the following new text:

30-1 The Board of Health is hereby authorized to enforce violations of any by-law, rule, or regulation over which it has jurisdiction, in addition to any other means available in law and in equity, through the non-criminal disposition process set forth in Massachusetts General Laws, Chapter 40, Section 21D. For purposes of non-criminal disposition, the designated enforcement officers shall be the agents of the Board of Health, or any Police Officer of the Town of Topsfield. Each day a violation exists shall constitute a separate violation for purposes of this section. When enforced through non-criminal disposition, unless otherwise specifically provided for by by-law, rule or regulation, the penalties shall be as follows:

First violation: \$25.00

Second violation: \$50.00

Third and subsequent violations: \$100.00

ARTICLE TWENTY-SIXTH:

AMEND GENERAL BY-LAWS: WILD AND EXOTIC ANIMALS

The Finance Committee recommended that the Town vote to amend the title and certain sections of the Town General By-Laws, Chapter LXVII, "Prohibition of Wild or Exotic Animals for Entertainment", as set forth in Attachment B, with the provisions to be deleted shown in strikethrough and the provisions to be added shown in bold italics, or take any other action relative thereto.

ATTACHMENT B

CHAPTER LXVII

PROHIBITION OF WILD OR EXOTIC ANIMALS FOR ENTERTAINMENT BY-LAW

67-1. PURPOSE

The purpose of this Bylaw is to prevent the cruel and inhumane treatment of certain wild and exotic animals displayed for public entertainment in the Town of Topsfield ~~and to thereby preserve and protect the general safety, welfare, and health of the public.~~

67-2. DEFINITIONS

"Displayed" – This term shall include, ~~but is not limited to,~~ animal acts or performances, animal rides, photographic opportunities, and parades.

"Domesticated Animal" - Any animal occurring naturally or historically in the United States, that through long association with humans, has been bred to a degree which has resulted in ~~genetic~~ changes affecting the temperament, color, conformation or other attributes of the species to the extent that makes it unique and different from wild animals of its kind.

"Entertainment" - Any ~~replication of the traditional~~ wild animal circus or other carnival, traveling show, fair, or presentation ~~of any kind~~ in which wild or exotic animals are required to perform tricks or are used in performances for the amusement of an audience.

"Traveling Show" - Any mobile or stationary act, public show, trade show or similar undertaking incorporating wild or exotic animals as defined in this bylaw wherein the animals are taken from their permanent residence and required to walk or travel for any distance.

"Wild or Exotic Animal" - Any or all of the following, whether born in the wild or in captivity, ~~and also any or all of their hybrids with domestic species:~~

- a. Elephants;
- b. Lions;
- c. Tigers;
- d. Ocelots;
- e. Cheetahs;
- f. Jaguars;
- g. Cougars;
- h. Lynx;
- i. Bears;
- j. Giraffes;

- k. Camels;
- l. Zebras;
- m. Kangaroos;
- n. All non-human primates.

67-3. PROHIBITION OF WILD OR EXOTIC AMINALS *ANIMALS* FOR ENTERTAINMENT

No living wild or exotic animal as defined in this bylaw shall be displayed or used for public entertainment on any property in the Town of Topsfield, including land owned by the Town, leased by the Town, or private property, and regardless of how such public entertainment is characterized, including, for example, a circus, carnival, fair, traveling show, exhibit, or similar event or undertaking.

67-4. EXEMPTIONS

The provisions of 67-3 shall not apply to:

- 1. Domesticated animals, including, but not limited to, dogs, cats, horses, and farm animal
- 2. Any non-domesticated animal that is not included in this bylaw's definition of "Wild or Exotic Animal"
- 3. *Exhibits that are part of an organization that is accredited by the "Association of Zoos and Aquariums" (AZA).*
- ~~3. Exhibits that are part of a duly licensed zoo and accredited by American Zoo and Aquarium Association, and exhibits that are deemed educational by either Mass Audubon, Massachusetts Society for the Protection of Animals, or the New England Wildlife Center, provided that the required permitting from the MA Division of Fisheries and Wildlife, US Fish and Wildlife Service, and USDA has been obtained.~~

67-5. ENFORCEMENT AND PENALTIES

This Bylaw shall be enforced by any available means in law or equity, including but not limited to enforcement by non-criminal disposition pursuant to M.G.L. Chapter 40, §21D. Display of a wild or exotic animal in violation of this bylaw shall constitute a separate violation for each day such violation exists. When enforced through non-criminal disposition, the penalties shall be as follows:

First violation:	\$100.00
Second violation:	\$200.00
Third violation and subsequent offenses:	\$300.00

~~The Board of Selectmen or its designee, the Board of Health or its agent, and any Police Officer of the Town of Topsfield shall be considered "enforcing persons" for purposes of this bylaw.~~

The Board of Selectmen or its designee, shall be the enforcing authority of this bylaw.

The Town so voted unanimously.

ARTICLE TWENTY-SEVENTH:

AMEND GENERAL BY-LAWS: SELECT BOARD

The Finance Committee recommended that the Town vote to amend the Town General By-Laws to change the name of the "Board of Selectmen" to "Select Board" by inserting in Chapter 1, Section 1-2, Definitions, after the definition of "Month", the following:

Select Board - The Board of Selectmen of the Town of Topsfield shall be referred to in these by-laws and for all other purposes as the Select Board of the Town of Topsfield, and an individual member thereof as a "Select Board Member"; provided, however, that regardless of such nomenclature, said board shall constitute a board of selectmen for purposes of the Massachusetts General Laws and of any special law applicable to the Town.

and further, in each instance in which they appear in the Town General By-Laws, to replace the words "Board of Selectmen" or "Selectmen", with the words, "Select Board", and the word "Selectman" with "Select Board Member".

or take any other action relative thereto.

The Town so voted by a two-thirds majority.

ARTICLE TWENTY-EIGHTH:

AMEND ZONING BY-LAW: ARTICLE XVI, GROUND-MOUNTED SOLAR

The Finance Committee recommended that the Town vote to amend the Town's Zoning By-Laws Article XVI, Ground-Mounted Solar Photovoltaic Installations, Section 16.04 D as follows, with the provisions to be deleted shown in strikethrough:

- D. Utility Notification: No Solar Photovoltaic Installation shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the Solar Photovoltaic Installation owner or operator's intent to install an interconnected generator ~~and an interconnection agreement and power purchase agreement (where appropriate) has been signed by the utility.~~ Off-grid systems shall be exempt from this requirement.

or take any other action relative thereto.

Martha Morrison, of 217 Rowley Bridge Road, gave the Planning Board's report. The Town voted by two-thirds majority in favor of the Finance Committee's recommendation.

ARTICLE TWENTY-NINTH:

ACCEPTANCE OF M.G.L. CHAPTER 59, § 5 - VETERANS ELIGIBILITY FOR OWNERSHIP EXEMPTIONS

The Finance Committee recommended that the Town vote to accept the provisions of G.L. c.59, §5, for veteran exemptions as detailed in Article Twenty-Ninth in the warrant. The Town so voted unanimously.

ARTICLE THIRTIETH:

OTHER POST-EMPLOYMENT BENEFITS ("OPEB") TRUST FUND

The Finance Committee recommended and the Town so voted unanimously to transfer and appropriate from Free Cash the sum of \$320,000 to the Other Post-Employment Benefits Liability Trust Fund.

ARTICLE THIRTY-FIRST:

CAPITAL STABILIZATION FUND

The Finance Committee recommended and the Town so voted unanimously, to transfer and appropriate from Free Cash the sum of \$100,000 to the Capital Stabilization Fund.

ARTICLE THIRTY-SECOND:

GENERAL STABILIZATION FUND

The Finance Committee recommended vote to raise and assess, or transfer from available funds, and appropriate a sum of money to the General Stabilization Fund. The Article passed unanimously.

ARTICLE THIRTY-THIRD:

FREE CASH TO OFFSET THE TAX RATE

The Finance Committee recommended that the Town vote to transfer from available funds and appropriate a sum of money to reduce the tax levy for Fiscal Year 2021. The Finance Committee's recommendation was approved unanimously.

**TOWN OF TOPSFIELD
TOWN ELECTION
JUNE 25, 2020**

The polls opened at 7:00 AM on June 25, 2020 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, Carole Carter, Elaine Crippen, Kathy Curran, Judy Forrest, Joan Glatz, and Debra Parkhurst.

The polls were closed at 8:00 PM, and 814 ballots were cast. There were 4826 persons registered to vote in this election. Total percentage voting in this election is 16.8%. The results are as follows:

Moderator, One Year

Stephen T. Whelan	627	*
Blanks	177	
Write Ins	10	

Selectman, Three Years

John K. Spencer	532	*
Marshall P. Hook	552	*
Blanks	534	
Write Ins	10	

Selectman, Two Years

A. Richard Gandt	549	*
Blanks	251	
Write Ins	14	

Elementary School Committee, Three Years(Vote for Two)

Meredith Sokolowski	575	*
Shawn P. Malloy	512	*
Blanks	537	
Write Ins	4	

Assessor, Three Years

John W. Minnehan	599	*
Blanks	514	
Write Ins	1	

Commissioner of Trust Funds, Three Years

Richard T. Walsh	600	*
Blanks	213	
Write Ins	1	

Constable

Frederick A. Capobianco	615	
Blanks	199	
Write Ins	0	

Housing Authority

Kathleen L. Hunt	244	
Talisa Rafferty	407	*
Blanks	161	
Write Ins	2	

Library Trustee, Three Years,

Maureen McCarthy	569	*
Caroline B. Playter	532	
Blanks	523	
Write Ins	4	

Park & Cemetery Commissioner, Three Years

Jay Clark Alberts	570	*
Blanks	222	
Write Ins	22	

Park & Cemetery Commissioner, One Year

Blanks

Write Ins - Gretchen Rehak

61 *

Write Ins - Joe Geller

25

Planning Board, Three Years

Steven B. Hall

579 *

Martha A. Morrison

579 *

Blanks

467

Write Ins

3

Regional School Committee, Three Years

Melissa A. Ogden

619 *

Blanks

192

Write Ins

3

Road Commissioner, Three Years

Thomas G. Weil

588 *

Blanks

224

Write Ins

2

Water Commissioner, Three Years

Philip G. Knowles

603 *

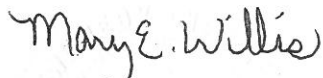
Blanks

207

Write Ins

4

A true copy attest:



Mary E. Willis
Town Clerk