



**ANNUAL/SPECIAL TOWN MEETINGS
MASCONOMET REGIONAL HIGH SCHOOL AUDITORIUM
20 ENDICOTT ROAD, BOXFORD, MA
TUESDAY, MAY 3, 2022**

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

The Moderator, Stephen Whelan, introduced himself and reported there was a quorum present. He called the Annual Town Meeting to order at 7:14 PM. He acknowledged the presence of several special guests: Senator Joan Lovely, Representative Jamie Belsito, Representative Sally Kerans, and Representative Lenny Mirra.

The Moderator introduced the Select Board: Chair Lynne Bermudez, Vice Chair and Clerk Marshall Hook, Dick Gandt, Boyd Jackson, and Cam Brown, along with Town Administrator, Kevin Harutunian and Town Counsel, Lauren Goldberg and Jared Collins of KP Law. He then introduced the Finance Committee members: Che Elwell, Chair, Karen Dow, Karen Duval, Jonathan Guido, David Larson, Michael Hartmann. The Moderator acknowledged the School Superintendents, Dr. Michael Harvey and Dr. Scott Morrison, and members of their respective School Committees sitting in the front right section of the auditorium, along with Town Department Chairs.

The Moderator led the Meeting in the Pledge of Allegiance and a moment of silence. 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 and ground rules for Town Meeting are listed below:

1. For restrooms, please exit at the back of the auditorium and turn left or right. The restrooms are located down the corridor at the bend.
2. Socially-distanced seating is provided in the two side sections of the auditorium. Masks are encouraged at your own discretion.
3. Please retain the blue cards you were issued at Check-in. In the event of a hand count vote, you will be required to raise your card. Residents are asked to remain seated for the duration of the count.
4. Please silence all cell phones.
5. The meeting is being recorded for a future broadcast. The Moderator thanked Brad Sweet and Boxford Cable for their service.
6. 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.

7. If one wishes to speak to any question, one must first be recognized by the Moderator. Please proceed to the nearest microphone. When recognized, the person must state his or her name and street address. There is a two-minute speaking limit. Debate should be conducted in a respectful and courteous manner.
8. 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 read the names of employees who left their positions with the Town, or volunteers who left their individual boards or committees during the previous year. The Moderator expressed the Town's gratitude for their service. Those recognized were: Diann Baylis, Janet Brown, Karen Dow, Dick Gandt, Eric Menzer, Kim Philpot, Ken Scott, Gus Serino, Laura Zalewski, Gretchen Rehak, Phil Knowles, Mike Gallagher and Richard Stone.

The Meeting then honored two residents who are retiring after lengthy service to the Town on various boards and committees. Select Board Chair Lynne Bermudez spoke about Dick Gandt's 22 years of service, including several terms on the Select Board. Che Elwell, Chair of the Finance Committee, outlined Karen Dow's 28 years of service, including the Select Board, as well as several terms as Finance Committee Chair. Senator Joan Lovely presented resolutions from the State Senate for Mr. Gandt and Dr. Dow. Representative Jamie Belsito presented resolutions from the State House of Representatives for Mr. Gandt and Dr. Dow.

ARTICLE FIRST:

REPORTS

Chair Person Che Elwell presented the report of the Finance Committee.

ARTICLE SECOND:

BALANCE TRANSFERS

To see if the Town will vote to transfer certain account balances and appropriate the same to fund the General Operating Budget for Fiscal Year 2023 to be voted under Article Third, or take any other action relative thereto.

Account:	Amount:
Conservation Commission	20,000
Cemetery Revolving Account	25,000
Cemetery Perpetual Care Fund	25,000
Cable/PEG Fund	54,898
Account Subtotal	\$124,898
American Rescue Plan Act (ARPA) Grant:	

Two New Fulltime Firefighters (includes uniform allowance)	138,347
Increase in Ambulance Billing	8,100
Increase to Ambulance Medical Supplies	6,000
Bi-annual GASB 45 Actuary Study	8,100
Additional Election Costs in FY23	12,489
Electricity for Old Garage	625
Additional Cyber Security Contract Costs	3,300
ARPA Subtotal	\$176,961
Total Balance to Transfer:	\$301,859

Michael Hartmann of the Finance Committee moved that the Town vote to transfer the sum of \$301,859 from various funds listed under this Article Second in the warrant and appropriate the same to fund the General Operating Budget in Fiscal Year 2023 to be voted under Article Third. The Finance Committee recommended positive action.

Kevin Harutunian, Town Administrator, answered several questions from the audience.

The Town so voted unanimously.

At 8:00 PM, the Moderator entertained a motion to recess the Annual Town Meeting. The motion was duly seconded and 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 bills for consideration.

ARTICLE THIRD:

FISCAL YEAR 2022 BUDGET TRANSFERS

To see if the Town will 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 2022 fiscal year, or take any other action relative thereto.

Michael Hartmann of the Finance Committee moved that the Town vote to transfer from the unexpected balance of certain accounts, and/or available funds, and appropriate said to certain other account to pay certain expenses of the 2022 fiscal year. The Finance Committee recommended positive action.

TRANSFER FROM:			TRANSFER TO:		
Account Name	Account #	Amount	Account Name	Account #	Amount
SSP PROFESSIONAL SRVS	12405-53050	4,500.00	SEL DIGITAL COMMUNICATION	12202-51142	4,500.00
FCM WAGES MT	13102-51143	550.00	SEL WAGES-MINUTE TAKER	12202-51143	550.00
P&C ELEC	49205-52100	250.00	TOB LIGHTS/ELEC	15105-52100	250.00
FCM WAGES MT	13102-51143	1,000.00	CLK WAGE ELECTION WORKERS	16102-51870	1,000.00
SALARY RESERVE	91801-57999	20,000.00	FIR WAGE CALL FIREFIGHTER	22002-51150	20,000.00
SALARY RESERVE	91801-57999	2,000.00	INS WAGE ALT BLDG INSP	24102-51140	2,000.00
SALARY RESERVE	91801-57999	11,000.00	HWY WAGE LABOR	42002-51130	11,000.00
PROPERTY + LIABILITY INS	91605-57400	22,571.00	SNOW & ICE GASOLINE/DIESEL	42305-54100	22,571.00
P&C ELEC	49205-52100	500.00	STR LIGHT/ELEC	42405-52100	500.00
PROPERTY + LIABILITY INS	91605-57400	9,000.00	REFUSE EXP/RUBBISH COLLECTION	43005-52910	9,000.00
SALARY RESERVE	91801-57999	1,550.00	P&C WAGE EQUIPMENT OP	49202-51130	1,550.00
SALARY RESERVE	91801-57999	3,000.00	P&C WAGE LABOR / FT	49202-51131	3,000.00
		75,921.00			75,921.00

Article Third passed by unanimous vote.

ARTICLE FOURTH: **CONSULTANT FOR TOWN-WIDE MASTER PLAN**

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 Select Board to fund a consultant to assist in preparing a Town-wide Master Plan, including all incidental or related expenses, or take any other action relative thereto.

Karen Dow of the Finance Committee moved that the Town vote to transfer and appropriate the sum of \$25,477.75 from Article Twenty-Fifth of the 2021 Annual Town Meeting (Coppermine Road Improvements), to be expended by the Select Board, with the advice of the Planning Board, to fund a consultant to assist in preparing a Town-wide Master Plan, including all incidental and related expenses. The Finance Committee recommended positive action.

Article Fourth passed by the majority.

A motion to conclude the Special Town Meeting was made, seconded and the Town so voted. The Annual Town Meeting was re-convened at 8:04 PM.

ARTICLE THIRD: **GENERAL OPERATING BUDGET**

To see if the Town will vote to fix the annual salary and compensation of all elected officers, and raise and assess, or transfer from available funds, and appropriate a sum of money for elementary schools, highways,

and other Town expenses from July 1, 2022 for Fiscal Year 2023, and determine the manner of expending the same, or take any other action relative thereto.

Michael Hartmann of the Finance Committee moved that the Town vote to appropriate the sum of \$22,715,420 for elementary schools, highways, and other Town expenses, and fix the annual salary and compensation of all elected officers from July 1, 2022, 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, raise and assess the sum of \$22,413,561. The Finance Committee recommended positive action.

The Town so voted unanimously.

ARTICLE FOURTH:

WATER DEPARTMENT OPERATING BUDGET

To see if the Town will vote to raise and assess, or transfer from available funds, and appropriate a sum of money for the Water Department for Fiscal Year 2023 and determine the manner of expending the same, or take any other action relative thereto.

WATER DEPARTMENT OPERATING BUDGET			
Actual Appropriation FY2022			Proposed Appropriation FY2023
\$ 366,175	Salary & Wages		\$ 397,213
434,930	Other		419,550
659,300	Long-Term Debt Principal		652,300
366,886	Long-Term Debt Interest		337,856
-	Short Term Debt Principal		-
-	Short-Term Debt Interest		-
-	Debt Issue Costs		-
125,000	Water Reserve Fund		125,000
155,000	Unanticipated Emergency		125,000
2,107,291		SUB-TOTAL – DIRECT COSTS:	2,056,919
178,046	Indirect Costs		190,671
\$2,285,337		TOTAL WATER DEPARTMENT BUDGET:	\$2,247,590

David Larson of the Finance Committee moved that the Town vote to transfer from Water Revenue the sum of \$2,056,919 and appropriate the same as detailed under this Article Fourth in the Warrant, to operate the Water Department from July 1, 2022, through June 30, 2023, and to confirm the sum of \$190,671 of indirect costs appropriated in the General Fund under Article Third, to be funded from Water Revenues. The Finance Committee recommended positive action.

The Town so voted unanimously.

ARTICLE FIFTH:

MASCONOMET REGIONAL SCHOOL DISTRICT ASSESSMENT

To see if the Town will vote to approve the Fiscal Year 2023 Gross Budget of the Masconomet Regional School District and to raise and assess, or transfer from available funds, and appropriate a sum of money for the Town's share of the assessment of same, or take any other action relative thereto.

Karen Duval of the Finance Committee moved that the Town vote to approve the Fiscal Year 2023 Gross Budget of the Masconomet Regional School District in the amount of \$38,367,132 and raise, assess and appropriate the sum of \$8,776,844 to fund the Town's share of the Fiscal Year 2023 Masconomet Regional School District Maintenance & Operating Assessment. The Finance Committee recommended positive action.

The Town so voted unanimously.

ARTICLE SIXTH:

ESSEX NORTH SHORE AGRICULTURAL AND TECHNICAL SCHOOL DISTRICT

To see if the Town will vote to approve the Fiscal Year 2023 Gross Operating Budget of the Essex North Shore Agricultural and Technical School District and to raise and assess, or transfer from available funds, and appropriate a sum of money for the Town's share of the assessment of same, or take any other action relative thereto.

Karen Duval of the Finance Committee moved that the Town vote to approve the Fiscal Year 2023 Gross Operating Budget of the Essex North Shore Agricultural and Technical School District in the amount of \$33,585,649 and raise, assess and appropriate the sum of \$442,571 for the Town's share of the assessment of same. The Finance Committee recommended positive action.

Norman C. Gaudrault, of 20 Great Hill Dr., stepped to the microphone to ask how many Topsfield students attended the school and Ms. Duval answered that 27 students are from Topsfield.

Article Sixth passed by unanimous vote.

At 8:30 PM the Moderator presented the first group of consent articles including Articles Seventh thru Article Thirteenth, asking the Town to vote unanimously on these annually recurring articles. A particular article could be pulled for debate and discussion simply by objection. The Town voted to approve the use of the Consent Agenda.

***ARTICLE SEVENTH:**

GRANT AUTHORIZATION FOR TOWN PROJECTS

To see if the Town will vote to authorize the Select Board to apply for, accept, and expend without further appropriation any private, state, or federal grants or loans for Town projects, or take any other action relative thereto.

Che Elwell of the Finance Committee moved that the Town vote to authorize the Select Board to apply for, accept, and expend without further appropriation any private, state, or federal grants or loans for Town projects. The Finance Committee recommended positive action.

The Town so voted unanimously.

***ARTICLE EIGHTH:**

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION CONTRACTS

To see if the Town will vote to authorize the Select Board 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 in accordance with MGL c.90, or take any other action relative thereto.

Che Elwell of the Finance Committee moved that the Town vote to authorize the Select Board 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 MGL c.90. The Finance Committee recommended positive action.

The Town so voted unanimously.

***ARTICLE NINTH:**

TRI-TOWN COUNCIL ON YOUTH AND FAMILY SERVICES

To see if the Town will vote to raise and assess, or transfer from available funds, and appropriate a sum of money as a grant for Fiscal Year 2023 to fund certain activities of the Tri-Town Council, or take any other action relative thereto.

Che Elwell of the Finance Committee moved that the Town vote to transfer and appropriate from Free Cash the sum of \$21,525 as a grant for Fiscal Year 2023 to fund activities of the Tri-Town Council. The Finance Committee recommended positive action.

The Town so voted unanimously.

***ARTICLE TENTH:**

SENIOR CARE

To see if the Town will vote to raise and assess, or transfer from available funds, and appropriate a sum of money as a grant to Senior Care Inc., an authorized service provider for elders in Topsfield, or take any other action relative thereto.

Che Elwell of the Finance Committee moved that the Town vote to transfer and appropriate from Free Cash the sum of \$1,500 as a grant for Fiscal Year 2023 to fund activities of Senior Care Inc. The Finance Committee recommended positive action.

The Town so voted unanimously.

***ARTICLE ELEVENTH:**

COMPENSATED ABSENCES 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 Compensated Absences Fund for the costs of employment separation benefits 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, or take any other action relative thereto.

Che Elwell of the Finance Committee moved 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 Bylaw, rules, regulations, policies or applicable contracts or collective bargaining agreements. The Finance Committee recommended positive action.

The Town so voted unanimously.

***ARTICLE TWELFTH:**

UNEMPLOYMENT COMPENSATION 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 Unemployment Compensation Fund for the costs of unemployment benefits as may be required by law, or take any other action relative thereto.

Che Elwell of the Finance Committee moved that the Town vote to appropriate and transfer from Free Cash the sum of \$80,000 to the Town's Unemployment Compensation Fund to fund the costs of unemployment benefits as may be required by law. The Finance Committee recommended positive action.

The Town so voted unanimously.

***ARTICLE THIRTEENTH:**

TOWN FACILITIES REPAIR AND MAINTENANCE FUND

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 Select Board 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, or take any other action relative thereto.

Che Elwell of the Finance Committee moved that the Town vote to transfer and appropriate from Free Cash the sum of \$25,000 to be expended by the Select Board 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. The Finance Committee recommended positive action.

The Town so voted unanimously.

ARTICLE FOURTEENTH:
POLICE CRUISER RADIOS

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 Select Board, with the advice of the Police Chief, to purchase and install two new police cruiser radios, including all incidental and related expenses, or take any other action relative thereto.

David Larson of the Finance Committee moved that the Town vote to transfer and appropriate from Free Cash the sum of \$11,000 to be expended by the Select Board, with the advice of the Police Chief, to purchase and install two new police cruiser radios, including all incidental and related expenses. The Finance Committee recommended positive action.

The Town so voted unanimously.

ARTICLE FIFTEENTH:

STEWARD AND PROCTOR SCHOOL FLOORS – PHASE 1

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 Topsfield School Committee, to fund Phase I of a three-year program to replace the classroom, hallway and office flooring at the Steward and Proctor Elementary Schools, including all incidental and related expenses, or take any other action relative thereto.

John Guido of the Finance Committee moved that the Town vote to transfer and appropriate from Free Cash the sum of \$60,000 to be expended by the Topsfield School Committee to fund the first year of a three-year program to replace the classroom, hallway and office flooring at the Steward and Proctor Elementary Schools, including all incidental and related expenses. The Finance Committee recommended positive action.

Following a brief discussion, Article Fifteenth passed by unanimous vote.

ARTICLE SIXTEENTH:

PUBLIC WORKS PICKUP TRUCK

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 Select Board, to purchase and equip a new Public Works Pickup Truck, including all incidental and related expenses, and trade-in or sell a 2014 Pickup Truck, or take any other action relative thereto.

David Larson of the Finance Committee moved that the Town vote to transfer and appropriate from Free Cash the sum of \$40,000 to be expended by the Select Board to purchase and equip a new Pickup Truck, including all incidental and related expenses, and trade-in or sell a 2014 Pickup Truck. The Finance Committee recommended positive action.

Bruce Bolnick, of 135 Perkins Row, asked if the Finance Committee had currently, or will in the future, consider purchasing an electric vehicle. Gary Wildes, Public Works Superintendent, answered that electronic products are not currently viable for the needs of the department, and Kevin Harutunian, Town

Administrator, rose to mention that Topsfield was recently one of three communities in the Commonwealth selected for a free analysis of our fleet for possible alternative vehicles.

Article Sixteenth passed by simple majority vote.

ARTICLE SEVENTEENTH:

PUBLIC WORKS ONE-TON DUMP TRUCK

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 Select Board, to purchase and equip a new Public Works One-Ton Dump Truck, including all incidental and related expenses, and trade-in or sell a 2010 One-Ton Dump Truck, or take any other action relative thereto.

David Larson of the Finance Committee moved that the Town vote to transfer and appropriate from Free Cash the sum of \$59,000 to be expended by the Select Board, to purchase and equip a new One-Ton Dump Truck, including all incidental and related expenses, and trade-in or sell a 2010 One-Ton Dump Truck. The Finance Committee recommended positive action.

There was no discussion. Article Seventeenth passed by simple majority vote.

ARTICLE EIGHTEENTH:

PUBLIC WORKS VEHICLE LIFTS

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 Select Board, to purchase and equip heavy duty and light duty vehicle lifts for the DPW Facility, including all incidental and related expenses, or take any other action relative thereto.

David Larson of the Finance Committee moved that the Town vote to appropriate the sum of \$67,000 to be expended by the Select Board to purchase and equip heavy duty and light duty vehicle lifts for the DPW Facility, including all incidental and related expenses; and to meet said appropriation, transfer the sum of \$60,300 from Free Cash, and the sum of \$6,700 from the Water Enterprise Fund Retained Earnings. The Finance Committee recommended positive action.

There was no discussion. Article Eighteenth passed by unanimous vote.

ARTICLE NINETEENTH:

PUBLIC WORKS ZERO TURN MOWER

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 Select Board, to purchase and equip a new Public Works zero-turn mower, including all incidental and related expenses, or take any other action relative thereto.

David Larson of the Finance Committee moved that the Town vote to transfer and appropriate from Free Cash the sum of \$10,000 to be expended by the Select Board to purchase and equip a new Zero-Turn Mower, including all incidental and related expenses. The Finance Committee recommended positive action.

Bruce Bolnick, of 135 Perkins Row, questioned whether the Town would be considering Gary Wildes, Public Works Superintendent, responded that he would look into it, but that battery sustainability would probably be an issue.

Article Nineteenth passed by unanimous vote.

ARTICLE TWENTIETH:

PINE GROVE CEMETERY ROADWAY AND WATER LINE REPLACEMENT

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 Select Board, to repair, improve and expand the water lines and roadways at the Pine Grove Cemetery, including all incidental and related expenses, or take any other action relative thereto.

Karen Dow of the Finance Committee moved that the Town vote to transfer and appropriate from Cemetery Perpetual Care funds the sum of \$160,000 to be expended by the Select Board to repair, improve and expand the water lines and roadways at the Pine Grove Cemetery, including all incidental and related expenses. The Finance Committee recommended positive action.

Rafael McDonald, of 30 Parsonage Ln., questioned if these improvements would be included in the cemetery expansion of the next Article and Gary Wildes, Public Works Superintendent confirmed it would be up to the expansion. Mark Rafferty, of 51 Parsonage Ln., asked if the walking trail around the edge of the cemetery would be included in improvements and Kevin Harutunian, Town Administrator, answered that the improvements would not include the perimeter trail.

Article Twentieth passed by unanimous vote.

ARTICLE TWENTY-FIRST:

PINE GROVE CEMETERY LOT EXPANSION

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 Select Board to fund expansion of the Pine Grove Cemetery, including all incidental and related expenses, or take any other action relative thereto.

Karen Dow of the Finance Committee moved that the Town vote to transfer and appropriate from Sale of Lots Cemetery fund the sum of \$40,000 to be expended by the Select Board to fund the expansion of the Pine Grove Cemetery, including all incidental and related expenses. The Finance Committee recommended positive action.

Gary Wildes, Public Works Superintendent confirmed to Rafael McDonald, of 30 Parsonage Ln., that the water and roadway work will extend to the new expansion. Mark Rafferty of 51 Parsonage Ln., asked where the expansion would be and the Moderator directed him to follow up offline.

Article Twenty-first passed by majority vote.

ARTICLE TWENTY-SECOND:
WATER DEPARTMENT BILLING SOFTWARE

To see if the Town will vote to raise and assess, or transfer from available funds, and appropriate a sum of money to fund the purchase, installation, and implementation of a new Water Department Billing Software System, including all incidental or related expenses, or take any other action relative thereto.

Jon Guido of the Finance Committee moved that the Town vote to transfer and appropriate from the Water Enterprise Fund Retained Earnings the sum of \$25,000, to be expended by the Select Board, to fund the purchase, installation, and implementation of a new Water Department Billing Software System, including all incidental or related expenses. The Finance Committee recommended positive action.

Article Twenty-Second passed by unanimous vote.

ARTICLE TWENTY-THIRD:
LANDFILL REPAIRS

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 Select Board, for the repair and/or replacement of environmental control and monitoring equipment at the Landfill site, including all incidental and related expenses, or take any other action relative thereto.

David Larson of the Finance Committee moved that the Town vote to transfer and appropriate the sum of \$35,000 from Free Cash, to be expended by the Select Board for the repair and/or replacement of environmental control and monitoring equipment at the Landfill site, including all incidental and related expenses. The Finance Committee recommended positive action.

Article Twenty-Third passed by unanimous vote.

ARTICLE TWENTY-FOURTH:
TREE REMOVAL

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 Select Board, to fund the removal of hazardous trees from Town properties and public right-of-ways, including all incidental and related expenses, or take any other action relative thereto.

David Larson of the Finance Committee moved that the Town vote to transfer and appropriate the sum of \$50,000 from Free Cash, to be expended by the Select Board to fund the removal of hazardous trees from Town properties and public right-of-ways, including all incidental and related expenses. The Finance Committee recommended positive action.

Sandie Sienkiewicz, of 2 Pine St., rose to thank the Town for putting aside funds to deal with hazardous trees.

Article Twenty-Fourth passed by unanimous vote.

ARTICLE TWENTY-FIFTH:
TREE PLANTINGS

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 Select Board, to fund the planting of trees on Town properties and public right-of-ways, including all incidental and related expenses, or take any other action relative thereto.

The Finance Committee recommended and moved (by Jon Guido) that the Town take no action.

During discussion, many residents rose in support of the Town planting trees. Some residents questioned whether tree planting plans should be part of the anticipated Master Plan process or the new Sustainability Advisory Committee. The Finance Committee was asked the policy guideline was for Free Cash.

The Town voted by majority against taking no action. The Moderator, then asked Jon Guido to present a “new main motion” as follows:

Recommended that the Town vote to transfer and appropriate the sum of \$35,000 from Free Cash, to be expended by the Select Board to fund the planting of trees on Town properties and public right-of-ways, including all incidental and related expenses.

Following additional discussion, Phil Knowles, 12 Boston Street, unit 21, rose to call question, and the Town so voted.

The new main motion of Article Twenty-Fifth passed by majority vote.

ARTICLE TWENTY-SIXTH:
PARK AND BALL FIELD IMPROVEMENTS

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 Select Board, to repair and improve multiple park and ball fields at Pye Brook Community Park, Klock Park, and Proctor School, including all incidental and related expenses, or take any other action relative thereto.

David Larson of the Finance Committee moved that the Town vote to transfer and appropriate the sum of \$45,000 from Free Cash, to be expended by the Select Board to repair and improve multiple park and ball fields at Pye Brook Community Park, Klock Park, and Proctor School, including all incidental and related expenses. The Finance Committee recommended positive action.

Following a robust discussion, Article Twenty-Sixth passed by unanimous vote.

ARTICLE TWENTY-SEVENTH:
CONSULTING TO MAINTAIN MS4 GENERAL PERMIT

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 Select Board, for consulting services to perform work and prepare and submit reports related to the Municipal Separate Storm Sewer System General Permit, including all incidental and related expenses, or take any other action relative thereto.

David Larson of the Finance Committee moved that the Town vote to transfer and appropriate the sum of \$65,000 from Free Cash, to be expended by the Select Board for consulting services to perform work and prepare and submit reports related to the Municipal Separate Storm Sewer System General Permit, including all incidental and related expenses. The Finance Committee recommended positive action.

There was no discussion. Article Twenty-Seventh passed by unanimous vote.

ARTICLE TWENTY-EIGHTH:
RECODIFICATION OF ZONING BYLAWS

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 Select Board to fund the codification of the Town's Zoning Bylaws, including all incidental or related expenses, or take any other action relative thereto.

Karen Duval of the Finance Committee moved that the Town vote to transfer and appropriate the sum of \$7,000 from Free Cash, to be expended by the Select Board to perform a codification of the Town's Zoning Bylaws, including all incidental and related expenses. The Finance Committee recommended positive action.

The Town so voted unanimously.

At 9:29 pm, the Moderator presented the second group of consent articles including, Articles Twenty-Ninth through Thirty-Fourth, asking the Town to vote unanimously on these articles related to updating the Masconomet Regional School District Agreement. Robert Kmetz, of 32 Towne Ln., rose to ask questions about more than one of the articles, so the Consent Agenda was not utilized and all Articles were considered separately.

****ARTICLE TWENTY-NINTH:**
AMEND MASCONOMET REGIONAL SCHOOL DISTRICT AGREEMENT - APPORTIONMENT

To see if the Town will vote to amend subsection E (3) of Section IV ("Apportionment of Operating Costs") of the Masconomet Regional School District Agreement, as recommended by the Masconomet Regional School District School Committee, by inserting the ***bold, italicized text***:

For Fiscal Year 2024, operating costs will be apportioned to member towns using the method outlined in G.L. c. 70, § 6. Operating assessments for each member town shall equal the sum of (i) such member town's required local contribution to the regional school district as determined by the Commissioner of Elementary and Secondary Education, and (ii) the product of (a) that portion of the regional school district's net school spending, as defined by G.L. c. 70, § 2, which exceeds ***the total required local contribution for all member towns, multiplied by (b) the ratio which such member town's October 1 pupil enrollment in the regional school district for*** the three (3) preceding fiscal years bears to the total pupil enrollment from all member towns during the same period.

Karen Duval of the Finance Committee moved that the Town vote to amend the Masconomet Regional School District Agreement, as set forth in this Article Twenty-Ninth in the warrant. The Finance Committee recommended positive action.

There was no discussion. Article Twenty-Ninth passed by unanimous vote.

****ARTICLE THIRTIETH:**

AMEND MASCONOMET REGIONAL SCHOOL DISTRICT AGREEMENT - PAYMENTS

To see if the Town will vote to amend subsection F (“Fiscal Year and Times of Payments of Apportioned Costs”) of Section IV (“Apportionment of Operating Costs”) of the Masconomet Regional School District Agreement, as recommended by the Masconomet Regional School District School Committee, by deleting the text shown in ~~strikethrough~~, and inserting the ***bold, italicized text***:

F. ~~Fiscal Year and Times of Payments of Apportioned Costs~~

~~The fiscal year or period of the District shall be the same as the fiscal period of the member towns as provided by law, and the word year or fiscal year or calendar year as it relates in this Agreement to a fiscal or budget year shall mean the fiscal year of the District.~~

~~Each member town shall pay to the District in each fiscal year its proportionate share, certified as provided in subsection V (C), of the capital and operating costs. Except as otherwise provided in subsection V (A), the annual share of each member town shall be paid in four (4) equal installments quarterly due on or before the following dates each year:~~

~~August 15~~

~~November 15~~

~~February 15~~

~~May 15~~

And replacing it with:

F. *Fiscal Year and Times of Payments of Apportioned Costs*

The fiscal year or period of the District shall be the same as the fiscal period of the member towns as provided by law, and the word year or fiscal year or calendar year as it relates in this Agreement to a fiscal or budget year shall mean the fiscal year of the District.

Each member town shall pay to the District in each fiscal year its proportionate share, certified as provided in subsection V (B), of the capital and operating costs. Except as otherwise provided in subsection V (A), the annual share of each member town shall be paid in four (4) equal installments quarterly due on or before the following dates each year:

August 15

November 15

February 15

May 15

Karen Duval of the Finance Committee moved that the Town vote to amend the Masconomet Regional School District Agreement, as set forth in this Article Thirtieth in the warrant. The Finance Committee recommended positive action.

There was no discussion. Article Thirtieth passed by unanimous vote.

****ARTICLE THIRTY-FIRST:**

AMEND MASCONOMET REGIONAL SCHOOL DISTRICT AGREEMENT - BUDGET APPROVAL

To see if the Town will vote to amend subsection (B) ("Final Maintenance and Operating Budget") of Section V ("Budget") of the Masconomet Regional School District Agreement, as recommended by the Masconomet Regional School District School Committee, by deleting the text shown in ~~strike through~~, and inserting the ***bold, italicized text***:

The Committee shall, not later than forty-five (45) days prior to the earliest date on which the business session of the annual town meeting of any member town is to be held (but in any event, not later than March thirty-first (31st) in each year adopt an annual maintenance and operating budget for the ensuing fiscal year, ***by a two-thirds vote of all its members***. Said budget to include debt and interest charges and any other current capital costs as separate items, and shall apportion the amounts necessary to be raised in order to meet the said budget in accordance with the provisions of subsections IV (D) and IV (E). The amounts so apportioned to each member town shall, ***not later than thirty days following adoption of the final annual budget***, be certified by the District treasurer to the treasurers of ~~the such~~ member towns, and each ***member*** town ~~shall be liable for and shall, at its next annual town meeting~~, appropriate the amounts so certified to it. ***Approval of the budget shall require an affirmative vote of the appropriating authorities of two-thirds of the member towns.***

Karen Duval of the Finance Committee moved that the Town vote to amend the Masconomet Regional School District Agreement, as set forth in this Article Thirty-First in the warrant. The Finance Committee recommended positive action.

Dr. Michael Harvey, Masconomet Regional School District Superintendent answered Robert Kmetz's question regarding whether two-thirds approval was statutory.

Article Thirty-First passed by unanimous vote.

****ARTICLE THIRTY-SECOND:**

AMEND MASCONOMET REGIONAL SCHOOL DISTRICT AGREEMENT - AMENDMENTS

To see if the Town will vote to amend subsection B ("Procedure") of Section VII ("Amendments") of the Masconomet Regional School District Agreement, as recommended by the Masconomet Regional School District School Committee, by inserting the ***bold, italicized text***:

A proposal for amendment may be initiated by a majority vote of all the members of the Committee or by a petition signed by 10% of the registered voters of any one of the member towns. In the latter case, said petition shall contain at the end thereof, a certification by the town clerk of such member town as to the number of registered voters in said town according to the most recent voting list and the number of signatures on the petition which appear to be names on registered voters of said town. Any such proposal for amendment shall be presented to the secretary of the Committee, who shall mail or deliver a notice in writing to the Board of Selectmen of each of the member towns that a proposal to amend this agreement has been received and shall enclose of copy of such proposal (without the signatures in the case of a proposal by petition). The selectmen of each member town shall include in the warrant for the next annual or a special town meeting called for the purpose an article stating the proposal or the

substance thereof. Such amendment shall take effect upon its acceptance by all of the member towns, acceptance by each town to be by a majority vote at a town meeting as aforesaid, ***and approval of the Commissioner of Elementary and Secondary Education.***

Karen Duval of the Finance Committee moved that the Town vote to amend the Masconomet Regional School District Agreement, as set forth in this Article Thirty-Second in the warrant. The Finance Committee recommended positive action.

Dr. Michael Harvey, Masconomet Regional School District Superintendent confirmed for Robert Kmetz that the phrase, “and approval of the Commissioner of Elementary and Secondary Education” in Article Thirty-Second refers to changes in the Agreement, not the budget itself.

Article Thirty-Second passed by unanimous vote.

****ARTICLE THIRTY-THIRD:**

AMEND MASCONOMET REGIONAL SCHOOL DISTRICT AGREEMENT - ADMISSION

To see if the Town will vote to amend Section VIII (“Admission”) of the Masconomet Regional School District Agreement, as recommended by the Masconomet Regional School District School Committee, by inserting the ***bold, italicized text***:

By an amendment of this agreement adopted under and in accordance with Section VII above, any other town or towns may be admitted to the regional school district upon adoption as therein provided of such amendment and upon acceptance by the town or towns seeking admission of the agreement as so amended and also upon compliance with such provisions of law ***and regulations*** as may be applicable, and such terms as may be set forth in such amendment. ***A new member may be admitted to the regional school district as of July 1 of any fiscal year, provided that all requisite approvals for such admission or withdrawal, including the Commissioner's approval, shall be obtained no later than the preceding December 31. The authorizing votes may provide for the deferral of said admission or withdrawal until July 1 of a subsequent fiscal year.***

Karen Duval of the Finance Committee moved that the Town vote to amend the Masconomet Regional School District Agreement, as set forth in this Article Thirty-Third in the warrant. The Finance Committee recommended positive action.

There was no discussion. Article Thirty-Third passed by unanimous vote.

****ARTICLE THIRTY-FOURTH:**

AMEND MASCONOMET REGIONAL SCHOOL DISTRICT AGREEMENT - WITHDRAWAL

To see if the Town will vote to amend subsection A (“Procedure”) of Section IX (“Withdrawal”) of the Masconomet Regional School District Agreement, as recommended by the Masconomet Regional School District School Committee, by inserting the ***bold, italicized text***:

Any member town may withdraw from the regional school district by a majority vote of the voters present and voting on the question at an annual or special town meeting called for the purpose, such withdrawal to become effective on June 30 of the year named in the

question, provided: (1) that in pursuance of such vote, the withdrawing town gives the regional school district at least one year's written notice of its intention to withdraw, (2) that the said town has paid over to the District any costs which have been certified by the district treasurer to the treasurer of the withdrawing town, including the entire amount so certified for the year in which such withdrawal takes effect, and (3) that the said town shall remain liable to the District for its share of the indebtedness, *including but not limited to Other Post-Employment Benefits (OPEB) and other liabilities* of the District outstanding at the time of such withdrawal, and for interest thereon, to the same extent and in the same manner as if the town had not withdrawn from the District, except that such liability shall be reduced by any amount which such town has paid over at the time of withdrawal and which has been applied to the payment of such indebtedness or interest. *An existing member may withdraw from the regional school district as of July 1 of any fiscal year, provided that all requisite approvals for such admission or withdrawal, including the Commissioner's approval, shall be obtained no later than the preceding December 31. The authorizing votes may provide for the deferral of said admission or withdrawal until July 1 of a subsequent fiscal year.*

Karen Duval of the Finance Committee moved that the Town vote to amend the Masconomet Regional School District Agreement, as set forth in this Article Thirty-Fourth in the warrant. The Finance Committee recommended positive action.

There was no discussion. Article Thirty-Fourth passed by unanimous vote.

ARTICLE THIRTY-FIFTH:

RETIRING OF SCHOOL BUILDING DEBT

To see if the Town will vote to rescind the authorized but unissued portion of the borrowing approved at the May 2, 2017 Town Meeting for the purpose of replacing roofs at the Proctor and Steward Elementary Schools which balance is no longer needed for the projects, or to take any other action relative thereto.

Jon Guido of the Finance Committee moved that the Town vote to rescind the authorized but unissued portion of the borrowing approved under Article Thirtieth of the May 2, 2017 Town Meeting for the purpose of replacing roofs at the Proctor and Steward Elementary Schools which balance of \$2,392,694 is no longer needed for the projects. The Finance Committee recommended positive action.

There was no discussion. Article Thirty-Fifth passed by unanimous vote.

ARTICLE THIRTY-SIXTH:

OTHER POST-EMPLOYMENT BENEFITS ("OPEB" TRUST 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 Other Post-Employment Benefits Liability Trust Fund, or take any other action relative thereto.

Jon Guido of the Finance Committee moved that the Town vote to transfer and appropriate from Free Cash the sum of \$360,000 to the Other Post-Employment Benefits Liability Trust Fund. The Finance Committee recommended positive action.

There was no discussion. Article Thirty-Sixth passed by unanimous vote.

ARTICLE THIRTY-SEVENTH:

CAPITAL STABILIZATION FUND

To see if the Town will vote in accordance with the provisions of MGL c.40, §5B to raise and assess, or transfer from available funds, and appropriate a sum of money to the Capital Stabilization Fund, or take any other action relative thereto.

Jon Guido of the Finance Committee moved that the Town vote to transfer and appropriate from Free Cash the sum of \$400,000 to the Capital Stabilization Fund. The Finance Committee recommended positive action.

There was no discussion. Article Thirty-Seventh passed by unanimous vote.

ARTICLE THIRTY-EIGHTH:

GENERAL 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 General Stabilization Fund, or take any other action relative thereto.

Jon Guido of the Finance Committee moved that the Town vote to transfer and appropriate from Free Cash the sum of \$125,000 to the General Stabilization Fund. The Finance Committee recommended positive action.

There was no discussion. Article Thirty-Eighth passed by unanimous vote.

ARTICLE THIRTY-NINTH:

FREE CASH TO OFFSET THE TAX RATE

To see if the Town will vote to transfer from available funds and appropriate a sum of money to reduce the tax levy for Fiscal Year 2023, or take any other action relative thereto.

Jon Guido of the finance committee moved that the Town vote to transfer and appropriate from Free Cash the sum of \$400,000 to reduce the tax levy for Fiscal Year 2023. The Finance Committee recommended positive action.

There was no discussion. Article Thirty-Ninth passed by unanimous vote.

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. The Annual Town Meeting of 2022 was dissolved at 9:41 PM. There were 121 registered voters in attendance.

**TOWN OF TOPSFIELD
ANNUAL TOWN ELECTION
May 5, 2022**

The polls opened at 7:00 AM on May 5, 2022, at St. Rose of Lima Church Hall, 12 Park Street, with Frederick Capobianco as Constable. The following election workers were sworn to the faithful performance of their duties:

Ruth Bortzfield, Christine Cotti, Elaine Crippen, Kathy Curren, Theresa Brady, Wendy LaRovere, Deb Parkhurst, Ali Reid, Susan Whelton, and Nate Willis.

The polls were closed at 8:00 PM, and 836 ballots were cast. There were 5,008 persons registered to vote in this election. Total percentage voting in this election is 16.7%. The results are as follows:

TOWN OF TOPSFIELD OFFICIAL RESULTS May 5, 2022 Annual Town Election			
Precinct #	1	2	TOTAL
Total Registered Voters	2627	2381	5008
Total Votes	406	430	836
Total Votes/Registered Voters	15.45%	18.06%	16.69%
<u>Moderator</u>			
(For One Year - Vote for One)			
Stephen T. Whelan	322	352	674
Blanks	84	78	162
Write Ins			
<u>Select Board</u>			
(For Three Years - Vote for One)			
Rafael N. McDonald	306	338	644
Blanks	100	92	192
Write Ins			
<u>Elementary School Committee</u>			
(For Three Years - Vote for Two)			
Andrew C. Prazar	295	304	599
Candice M. Snyder	251	277	528
Blanks	266	279	545
Write Ins			
<u>Assessor</u>			
(For Three Years - Vote for One)			

Lynn A. Conant	316	337	653
Blanks	90	93	183
Write Ins			
<u>Commissioner of Trust Funds</u>			
(For Three Years - Vote for One)			
Thomas P. Walsh	310	331	641
Blanks	96	99	195
Write Ins			
<u>Library Trustee</u>			
(For Three Years - Vote for Two)			
Gail D. Bryson	302	319	621
Nancy Lehman	257	269	526
Blanks	253	272	525
Write Ins			
<u>Planning Board</u>			
(For Three Years - Vote for Two)			
Gregory S. Mellinger	293	313	606
Jennie M. Merrill	297	316	613
Blanks	222	231	453
Write Ins			
<u>Regional School Committee</u>			
(For Three Years - Vote for One)			
William J. Hodges	243	319	562
Kathleena R. Scarpato	159	108	267
Blanks	4	3	7
Write Ins			

A true copy attest:

Mary E. Willis
Town Clerk