



**BOARD OF SELECTMEN  
Proctor School Library  
60 Main Street, Topsfield**

**Minutes of July 10, 2017  
7:30 PM**

Board Members present were Chairman Boyd Jackson, Clerk Mark Lyons, Richard Gandt and Laura Powers. Selectman Spencer was on vacation and was not in attendance. Of the Selectman's Staff, Town Administrator Kellie Hebert, and Administrative Assistant/Recording Secretary Susan Winslow, were in attendance.

Also in attendance were:

Police Chief Evan Haglund and Interim Fire Chief Richard Harris and Fire Captain Jenifer Collins-Brown.

Veterans Service Agent Richard Cullinan, Chairman of the Conservation Committee Cheryl Jolley, Water Superintendent Greg Krom, and Administrative Assistant to the Fire Department Sue Lemiesz.

Firefighters Conor Brown, Roland Courtemanche, Nick Dallisandro, Jerome Feltault, Jeffrey Horne, Capt. Darrell Moore, Acting Lieutenant Charles Wood and Lieutenant Don Wood.

Residents Griffin Brown, Jessica Brown, Kiara Brown, Jeanine Cunniff, Wade Goldman, David Larson, Nancy Luther, Robert Sapienza, Roberta Sapienza and Kim Sherwood.

President of C.P. Berry, Alan Berry.

Director of Fire EMS & Emergency Management Services at Municipal Resources Inc., Robert Craig.

National Grid representative Sibhita Mahabier Sheehy.

Peppi's Auto Sales representatives Gerard and Joseph Giugliano.

Others: David Burns, Mike Collins, Lara Collins, Amy Gilliland and Jason R. Gilliland.

Doreen Burliss of the Tri-Town Transcript and Maddie and Ben Demers from Boxford Cable Television.

**CALL TO ORDER**

Chairman Boyd Jackson called the meeting to order at 7:33 PM.

The Board stood for the Pledge of Allegiance and then observed a moment of silence.

**ANNOUNCEMENTS**

Chairman Jackson made the following announcements:

- Please be informed that the meeting is being recorded live by Boxford Cable Television and that the Board's Recording Clerk has a recording device for her record-keeping. Is there anyone else present who wishes to record the meeting? There was no response to this question.

- Following the Open Session, the Board will enter into closed Executive Session in accordance with M.G.L. c. 30A, § 21 (A) under Exemption #2 to conduct strategy sessions in preparation for contract negotiations with nonunion personnel, specifically, to discuss the Police Chief's Contract.

- The Board will also meet in Executive Session under Exemption #3 to discuss strategy with respect to collective bargaining or litigation, specifically for the Full Time Police, Full Time Fire and AFSCME units since an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. The Board will NOT return to public session.

- Selectman Powers announced that the Masconomet Regional Scholarship Foundation awarded the Joe Iarocci Scholarship to Brennan Joseph Cooney and the Wallace Kneeland Memorial Scholarship to Jonathan Isaac Burbank.

### **CITIZEN COMMENTS AND QUESTIONS**

There were no citizen comments or questions.

### **DEPARTMENT UPDATE – CONSERVATION DEPARTMENT**

Conservation Administrator Heidi Gaffney gave the Board an update on activities including:

- Major and/or Unusual Filings: 303 and 333 Perkins Row ORAD issued, Order of Conditions for 470 Boston Street, Order of Conditions for the Water Treatment Plant
- Expected Major or Unusual Filings: ANRAD for Skeffington property on Perkins Row, filing related to 15 and 19 Evergreen Lane.
- Ongoing projects and activities: Grow Spring Expo, Public Safety Meetings, development of Tree Removal Policy and Temporary Ice-Rink Policy, Bylaw revisions
- Legal issues including 57 Perkins Row and 9 and 21 Towne Lane
- Coordination with Health, Water and Building Departments
- Upcoming activities: MS4 Outreach, Topsfield Fair parking, web page, office organization

### **NEW BUSINESS**

#### Confirmation of Permanent Fire Chief Appointment

Selectman Powers made a motion to confirm the Town Administrator's appointment of Captain Jenifer Collins-Brown as permanent Fire Chief for the Town of Topsfield. Seconded by Selectman Lyons. Selectman Gandt expressed his opposition to this appointment. His comments are attached. Chairman Jackson spoke in favor of the appointment and emphasized that Captain

Collins-Brown underwent a rigorous independent interview process along with 24 national candidates in the process overseen by Municipal Resources Incorporated (MRI). MRI was chosen on the recommendation of the 24/7 Fire Study Committee to hire professional firm to conduct the search and interview process in order to ensure a merit-based, non-political process. Chairman Jackson called for a vote, so voted 3-1 with Richard Gandt voting in the negative.

Newly appointed Chief Collins-Brown made a statement thanking Town Administrator Hebert, the Selectmen, her family, Chief Giovannacci, Interim Chief Harris and members of the Topsfield Fire Department. She recognized the other finalists and thanked Robert Craig, representative of MRI. She also thanked Interim Chief Harris for his work with the Fire Department. Ms. Hebert addressed the audience to thank Topsfield residents Cheryl Jolley, Nancy Luther, Eric Menzer, Melissa Ogden, Roberta Sapienza and Allan Wallace who assisted with the screening and interview process.

#### MSBA Financial Agreement

Selectman Powers made a motion to approve a Project Funding Agreement between the Town of Topsfield and the Massachusetts School Buildings Authority (MSBA) for the Accelerated Repair Program and to proceed with the Proctor and Steward Elementary Schools Repair Projects as approved under Article Thirtieth at the Annual Town Meeting; and to authorize the Chairman to sign. Seconded by Selectman Lyons, so voted 4-0.

#### Rolling Green Public Hearing for Non-Conforming Sign

Chairman Boyd Jackson opened the Public Notice at 8:01 pm. Clerk Mark Lyons read the following, "Notice is hereby given that on Monday, July 10 at 7:45 pm a public hearing will be held at the Proctor School Library on the application for C.P. Berry Construction Company, Inc. seeking a special permit under Article XIII, Section 13.3 of the Sign Regulation Zoning By-law to install new signage at 470 Boston Street, Topsfield, MA, Boyd R. Jackson, Chairman, Board of Selectmen."

Alan Berry, President of C.P. Berry Construction, appeared before the Board to answer questions about the sign for the Rolling Green development. Selectman Gandt suggested two conditions: lighting for the sign should be limited to dusk to 11:00 pm and the Special Permit should expire on December 31, 2020. Mr. Berry was invited to give a description of the Rolling Green Development. Selectman Gandt made a motion to close the Public Hearing at 8:10 pm, seconded by Selectman Powers, so voted 4-0.

Selectman Gandt made a motion to grant C. P. Berry and Rolling Green a special permit under Article XIII, Section 13.3 of the Sign Regulation Zoning By-law to install new signage at 470 Boston Street, Topsfield, MA subject to the following conditions: lighting for the sign shall be limited to dusk to 11 pm and the Special Permit shall expire on December 31, 2020, seconded by Selectman Powers, so voted 4-0.

Verizon and National Grid Public Hearing for Joint Request for Pole on Woodside Road

Chairman Boyd Jackson opened the Public Notice at 8:12 PM. Clerk Mark Lyons read the following, "Notice is hereby given that the Topsfield Board of Selectmen will hold a public hearing in the Proctor School Library on Monday, July 10 at 8:00 pm on a joint petition by Verizon New England Inc. and National Grid to install poles, wires and fixtures including the necessary sustaining and protecting fixtures along and across the public way at Woodside Road, Topsfield. National Grid to install 1 JO Pole on Woodside Road beginning at a point approximately 877 ft. North/Northwest of the centerline of the intersection of Ipswich Road and Woodside Road and continuing approximately 35 ft. in a Westerly Direction: No. 23820484 May 9, 2017. Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes. Boyd R. Jackson, Chairman, Board of Selectmen."

Sibhita Mahabier Sheehy from National Grid appeared before the Board to answer questions. She explained that this matter is to comply with a resident request at 18 Woodside Road to install underground service. Resident Wade Goldman asked if this project would affect the paved road. Ms. Mahabier Sheehy informed the Board that it will not.

Selectman Gandt made a motion to close the Public Hearing at 8:21 pm, seconded by Selectman Powers, so voted 4-0. Selectman Powers made a motion to approve the joint request from Verizon and National Grid to install poles, wires and fixtures including the necessary sustaining and protecting fixtures along and across the public way at Woodside Road, Topsfield. National Grid to install 1 JO Pole on Woodside Road beginning at a point approximately 877 ft. North/Northwest of the centerline of the intersection of Ipswich Road and Woodside Road and continuing approximately 35 ft. in a Westerly Direction: No. 23820484 May 9, 2017. Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes. Seconded by Selectman Gandt, so voted 4-0.

Police Chief Appointments

Selectman Powers made a motion to approve the list of personnel to the sworn positions with expiration dates indicated on the list as recommended by the Chief of Police, seconded by Selectman Gandt, so voted 4-0.

**Police Chief Appointments:**

<b>Regular Full Time Officer 3 year</b>	<b>Original Appt. Date</b>	<b>Exp. Date</b>
Off. Shawn Frost	07/24/00	06/30/20
Sgt. Neal Hovey	08/05/10	06/30/20

<b>Regular Full-Time Officer – 1 year</b>	<b>Original Appt. Date</b>	<b>Exp. Date</b>
Off. Daniel J. Bell	09/08/14	06/30/18
Off. Brendan Gahagan	02/17/15	06/30/18
Off. Christopher Lippi	04/15/16	06/30/18

<b>Reserve Officers – 2 year</b>	<b>Original Appt. Date</b>	<b>Exp. Date</b>
Off. James Gettman	03/01/02	06/30/19
Off. Christopher Sanborn	04/01/03	06/30/19
Off. Lawrence Nestor	02/19/04	06/30/19
Off. James Dunn	11/02/09	06/30/19
Off. Tyler Dechene	03/01/04	06/30/19

**Reserve Officers – 1 year**  
None

<b>Administration – 1 year</b>	<b>Original Appt. Date</b>	<b>Exp. Date</b>
Katherine Jackson	02/25/16	06/30/18
Jennifer Davis	05/22/17	06/30/18

<b>Auxiliary Police Officer/Special Police Officer</b>	<b>Original Appt. Date</b>	<b>Exp. Date</b>
SPO David Bond	09/09/85	06/30/18

<b>Prisoner Watch/Matron 1-year</b>	<b>Original Appt. Date</b>	<b>Exp. Date</b>
Paul Polonsky	07/25/92	06/30/18
Ann Ambeliotis	02/08/16	06/30/18
Jennifer Davis	05/22/17	06/30/18
Katherine Jackson	02/25/16	06/30/18

<b>Police Chaplain 1-year</b>	<b>Original Appt. Date</b>	<b>Exp. Date</b>
Dory Little	05/10/12	06/30/18

Veterans Agent Service Agreement

Selectman Powers made a motion to enter into a Service Agreement with Richard Cullinan of 25 Howlett Street, Topsfield, Massachusetts as Veterans Agent for a term of one year, commencing July 1, 2017 and ending on June 30, 2018 in the amount of \$12,000. The role of the Veterans Agent is to provide professional services and Veterans' assistance services for the Town of Topsfield as required by the Commonwealth of Massachusetts; and to authorize the Chairman to sign. Seconded by Selectman Gandt. Veterans Agent Richard

Cullinan appeared before the Board to answer questions. He informed the Board that there are approximately 320 Veterans in Topsfield and approximately 1,000 people related to those Veterans in Town who may benefit from these services. Chairman Jackson called for a vote, so voted 4-0.

Regional Emergency Communications Center (RECC)

Town Administrator Hebert gave the Board a synopsis of the potential Settlement Agreement and Mutual Release of all Claims with the City of Beverly. There was no action taken on this item.

Request from Peppi's Auto Sales to Amend Used Auto Dealer Class II License

Gerard and Joseph Giugliano appeared before the Board to request that the Used Auto Dealer Class II License issued to Peppi's Auto Sales be amended to allow for the showing of vehicles at 414B Boston Street during business hours. Mr. Giugliano informed the Board that the Registry of Motor Vehicles would not allow him to obtain a License to sell cars to the public without the ability to show a car at 414B Boston Street. Selectman Gandt noted that the area across the street from Peppi's is residential. The Board took no action on this request. They instructed Town Administrator Hebert to contact the neighbors abutting 414B Boston Street directly regarding this matter. This Agenda item will be revisited at the July 24, 2017 Board Meeting.

Waive Stipend

Selectman Gandt made a motion to vote to waive the \$900 stipend for the members of the Board of Selectmen as authorized in the Town Bylaws. Seconded by Selectman Powers, so voted 4-0. Susan Winslow was instructed to draft the appropriate letters from individual Selectmen relating to the stipend waiver.

Contract Award #1 for Water Treatment Facility

Selectman Powers made a motion to vote to award Contract #1 for the construction of a Water Treatment Facility to Kinsmen Corporation of Hooksett, NH for the price not to exceed \$7,246,000. Seconded by Selectman Gandt. Water Superintendent Greg Krom appeared before the Board. He explained that this contract is for the construction of the Water Treatment Facility and the related work on the Boston Street tank. Chairman Jackson called for a vote, so voted 4-0.

Contract Award #2 for Transmission Mains

No action taken; this item will appear on the July 24, 2017 Agenda.

Managed IT Network and Remote Monitoring Service Agreement

Selectman Powers made a motion to vote to enter into a Service Agreement with Retrofit Technologies of Milford, MA for an amount not to exceed \$21,022.40. Seconded by Selectman Gandt, so voted 4-0.

Library's FY18 Network Administrator Services Agreement Amendment

Selectman Powers made a motion to vote to approve Amendment #1 to the existing contract for the Library's FY18 Network Administrator Services to Equitous Technology Solutions, Georgetown, MA in the amount of \$18,600, the Board to sign. Seconded by Selectman Gandt, so voted 4-0.

Lease of Emerson Field

Selectman Powers made a motion to vote to approve a lease agreement between the Town of Topsfield and the Congregational Church of Topsfield at 9 East Common Street, Topsfield, MA in the amount of \$1,250 for a term of twelve months, commencing on July 1, 2017 and terminating on June 30, 2018, the Board to sign. Seconded by Selectman Gandt, so voted 4-0.

Agreement with Senior Care

Selectman Powers made a motion to vote to approve a grant agreement between the Town of Topsfield and Senior Care Inc., a non-profit located at 49 Blackburn Center, Gloucester, in the amount of \$1,500 for services to be rendered to senior residents 60 or over or disabled adults of Topsfield, the Board to sign. Seconded by Selectman Gandt, so voted 4-0.

Agreement with Tri-Town Council

Selectman Powers made a motion to vote to approve a grant agreement between the Town of Topsfield and the Tri-Town Council, a non-profit located at 49 Main Street, Topsfield, MA in the amount of \$20,500 for services to be rendered to the residents of Topsfield. Seconded by Selectman Gandt, so voted 4-0.

Selectmen Code of Responsibility

No action taken; this item was postponed to the July 24, 2017 Agenda.

**TOWN ADMINISTRATOR REPORT**

Town Administrator Hebert informed the Board that the migration of information from the current website to the new platform is underway. Training will be given to Department Heads and Administrative Assistants so they can maintain their Department web pages. Ms. Hebert will have an update at the July 24, 2017 meeting. Ms. Hebert has secured an extension of the grant covering this project to October, 2017. Member of the IT Committee Robert Sapienza gave the Board a description of the migration process.

**MEETING MINUTES**

Selectman Powers made a motion to accept the Meeting Minutes from June 19, 2017 as amended. Seconded by Selectman Gandt, so voted 4-0.

Selectman Powers made a motion to accept the Meeting Minutes from the Joint Finance Committee/Board of Selectmen Meeting on June 20, 2017 as

amended. Seconded by Selectman Gandt, so voted 3-1 with Chairman Jackson abstaining.

### **EXECUTIVE SESSION**

At 9:29 PM, Clerk Lyons read the motion to enter into closed Executive Session with the meeting to adjourn at the conclusion of Executive Session without returning to Open Session. Seconded by Selectman Powers. Roll Call Vote to enter into Executive Session: Gandt – yes, Jackson – yes, Lyons – yes, Powers – yes, so voted 4-0.

### **COMMUNICATIONS**

- Letter from Masconomet Regional Scholarship Foundation Wallace Kneeland Scholarship dated 6/16/17
- Letter from Masconomet Regional Scholarship Foundation Joe Iarocci Scholarship dated 6/16/17
- Letter from Masconomet Regional School District dated 6/23/17
- Letter from COMCAST dated 6/13/17
- Letter and Announcement from C.P. Berry Homes and Topsfield Rolling Green LLC
- Invitation from the Essex County Co-Op and Announcement of 100<sup>th</sup> Anniversary

### **DOCUMENTS**

Agenda

Topsfield Conservation Commission Report to Board of Selectmen  
BOS Recommendation – Fire Chief Appointment Confirmation  
Deliberative comments from Selectman Gandt relative to the Town Administrator's proposed appointment of Captain Collins-Brown as Topsfield's Fire Chief  
Letter and Resume – Captain Jenifer Collins-Brown  
Legal Notice, C.P. Berry/ Rolling Green Special Permit Sign Request  
Application for a Special Permit for a Non-Conforming Sign for Topsfield Rolling Green LLC  
Topsfield Rolling Green Building Permit Application  
Permit Denial for Topsfield Rolling Green Sign  
Drawing of proposed Rolling Green Sign  
Map indicating location of proposed Rolling Green Sign  
Certificate of Liability Insurance – C.P. Berry Construction Co., Inc.  
Addresses of abutter letters sent re: CP Berry request  
Abutter letter  
Legal Notice, Joint Request from Verizon New England and National Grid  
Petition for Joint or Identical Pole Locations  
Map of proposed pole location at 18 Woodside Road  
Addresses of abutter letters sent re: Joint Request from Verizon New England and National Grid  
Abutter letter  
BOS Recommendation Request for Police Chief Yearly Appointments  
List of Requested Appointments  
BOS Recommendation Request – Veterans Service Agent/Officer Agreement with Richard Cullinan  
Professional Services Agreement – Veterans Service Agent/Officer



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RECC Settlement Agreement and Mutual Release of All Claims  
BOS Recommendation Request – Peppi's Used Auto Dealer's License Class II  
Request for amended license  
Letter to the Selectmen from Inspector of Buildings and Zoning Enforcement Officer  
Glenn Clohecy  
Email correspondence – Officer Steven Weir review of amendment request  
Used Car Dealer's License – Class II – Peppi's Auto Sales Inc.  
BOS Recommendation Request – Contract #1 to Kinsmen Corporation, Hooksett, NH  
Notice of Award to Kinsmen Corporation, Hooksett, NH  
BOS Recommendation Request – Fiscal 2018 Managed IT Network and Remote  
Monitoring Services for the Town Hall Computer System with Retrofit Technologies of  
Milford, MA  
Agreement for Fiscal 2018 Managed IT Network Services, Remote Monitoring, Support  
and Maintenance for the Town Hall Computer System  
Certificate of Vote  
Town of Topsfield – FY18 RetroFit Service Plan  
BOS Recommendation Request – Library's Fiscal Year 2018 Network Administrator  
Services Contract  
BOS Recommendation Request for Lease of Emerson Field  
Copy of Article Eleventh from 2017 ATM  
FY18 Indenture of Lease Agreement for Emerson Field  
BOS Recommendation Request – Grant Agreement between the Town of Topsfield and  
Senior Care, Inc.  
Copy of Article Thirteenth from 2017 ATM  
Grant Agreement between the Town of Topsfield and Senior Care  
BOS Recommendation Request – Grant Agreement between the Town of Topsfield and  
the Tri-Town Council  
Copy of Article Twelfth from 2017 ATM  
Grant Agreement between the Town of Topsfield and the Tri-Town Council  
Document – Code of Responsibility  
Letter from Verizon dated 6/29/17  
Letter from Masconomet Regional Scholarship Foundation dated 6/16/17  
Letter from Masconomet Regional Scholarship Foundation dated 6/16/17  
Letter from Masconomet Regional School District dated 6/23/17  
Letter from COMCAST dated 6/13/17  
Letter from C.P. Berry re: Rolling Green at Topsfield dated 6/27/17  
Rolling Green Notice  
C.P. Berry Announcement regarding Rolling Green at Topsfield  
Press Release from Essex County Co-Op dated 1/1/17  
Email invitation to Selectmen from Essex County Co-Op dated 7/7/17

*These Minutes were accepted as written at the July 24, 2017 Board of Selectmen Meeting.*

Pursuant to the 'Open Meeting Law,' G.L. 39, § 23B, the approval of these minutes by the Board constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Board as to the completeness or accuracy of such statements.