



Office of the  
**BOARD OF SELECTMEN**  
272 Main Street  
Townsend, Massachusetts 01469

Nicholas Thalheimer, *Chairman*  
Andrew J. Sheehan,  
*Town Administrator*

Sue Lisio, *Vice-Chairman*

Robert Plamondon, *Clerk*  
Office (978) 597-1700  
Fax (978) 597-1719

**SELECTMEN'S MEETING AGENDA  
DECEMBER 4, 2012 - 7:00 P.M.  
SELECTMEN'S MEETING CHAMBERS**

**I PRELIMINARIES**

- 1.1 Call the meeting to order and roll call
- 1.2 Notice that the meeting is being tape recorded
- 1.3 Chairman's Additions or Deletions
- 1.4 Review/Approve Meeting Minutes: November 14, 2012, November 20, 2012

**II APPOINTMENTS /HEARINGS**

- 2.1 7:05 Tax Classification Hearing: to determine the percentages of the tax levy to be borne by each class of real property for FY2013. Votes may be taken.
- 2.2 Town Clerk Sue Funaiole, to discuss 2013 dog licenses.

**III MEETING BUSINESS**

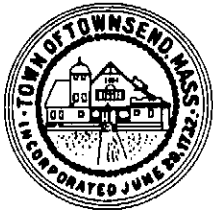
- 3.1 Award Police Station roof contract. Votes may be taken.
- 3.2 Approve 2013 holiday schedule. Votes may be taken.
- 3.3 Authorize deficit spending for snow and ice removal pursuant to G. L. c. 44, s. 31D. Votes may be taken.
- 3.4 Vote to renew annual licenses for 2013. Votes may be taken.
- 3.5 Approve 1-Day Liquor license for John Fors, V.F.W. Post #6538, 491 Main Street, West Townsend, MA for a Family Christmas Party/Reunion on December 22, 2012, 7:00PM-11:00PM. Votes may be taken.
- 3.6 Vote to accept a gift from Rollstone Bank & Trust Charitable Foundation to the Townsend Library in the amount of \$2,500. Votes may be taken.

**V WORK SESSION**

- 5.1 Board of Selectmen Updates/Reports
- 5.2 Town Administrator Updates/Reports
- 5.3 Review/Sign Payroll Warrant
- 5.4 Review/Sign Bills Payable Warrant

**Executive Session:** under G. L. c. 30A, s. 21(a)(3) to discuss strategy with respect to collective bargaining negotiations with the Telecommunications, Highway, Fire, and Police unions where open session may have a detrimental effect on the Town's bargaining position and under G. L. c. 30A, s. 21(a)(2) to conduct negotiations with the Town Administrator Andrew Sheehan and Police Lieutenant David Profit. Votes may be taken.





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1.4

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**SELECTMEN'S MEETING MINUTES**  
**NOVEMBER 14, 2012 - 6:00 P.M.**  
**SELECTMEN'S CHAMBERS**  
**TOWN HALL, 272 MAIN STREET**

1. At 6:04PM the Chairman called the meeting to order. Roll call: chairman Nicholas Thalheimer (NT), vice chair Sue Lisio (SL), clerk Robert Plamondon (RP)
2. Discussion of Special Town Meeting.  
The Board reviewed the motions and decided who would read the motions.

November 23, 2012: RP moved to close Town Hall to the public on Friday, November 23, the day after Thanksgiving and allow employees to use vacation or personal time. SL seconded.  
Unanimous.

6:35PM Recess to Special Town Meeting





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**SELECTMEN'S MEETING MINUTES  
NOVEMBER 20, 2012  
SELECTMEN'S MEETING CHAMBERS**

**I PRELIMINARIES**

- 1.1 At 7:01PM the chairman called the meeting to order. Roll call: chairman Nicholas Thalheimer (NT) and clerk Robert Plamondon (RP).
- 1.2 The chairman announced that the meeting is being tape recorded.
- 1.3 Chairman's Additions or Deletions: The chairman announced items 2.3 and 3.1 were removed from the agenda.
- 1.4 Review/Approve Meeting Minutes. November 7, 2012. RP moved to approve the minutes as written. NT seconded. Unanimous.

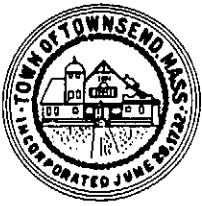
**II APPOINTMENTS /HEARINGS**

- 2.4 Police Chief Erving to draw certificates for Bike Helmet Safety Awards.  
Chief Marshall was present to draw winners for the Bike Helmet Safety Awards. The Board members drew four names. Each of the winners will receive gift certificates. Winners were Cassidy Thibodeau, Alexis Aubuchon, Aiden Murray, and Kaylee Chapman.
- 5.1 Board of Selectmen Updates/Reports  
RP read a letter from the Brookline, NH Board of Selectmen thanking and commending the Townsend Fire-EMS Department for their assistance in battling a recent fire.
- 5.2 Town Administrator Updates/Reports  
Mr. Sheehan reported that the State Dept. of Energy Resources has approved the Energy Committee's application for funding under the Green Communities grant. Projects include audits of Town Hall and the Police Station, and installation of IdleRight technology in two cruisers.
- 5.3 Review/Sign Payroll Warrant. RP moved to sign payroll warrants. NT seconded.  
Unanimous.
- 5.4 Review/Sign Bills Payable Warrant. RP moved to sign vendor warrants. NT seconded.  
Unanimous.
- 2.1 7:05 Vacancy on Board of Library Trustees: Joint meeting of the Board of Selectmen and Library Trustees to fill vacancy as a result of resignation.  
Pat Jeanig, chair of the Library Trustees, informed the Board that the Trustees recommend the appointment of Karen Waxman to fill the vacancy until the next town election. RP moved to appoint Karen Waxman to fill the vacancy until the next town election. NT seconded. Roll call: RP aye, NT aye, Pat Jeanig aye, Sherry Cloutier aye, Allison Bird aye, Kim King aye.

2.2 7:10 Vacancy on Amanda Dwight Entertainment Fund Committee: Joint meeting of the Board of Selectmen and Amanda Dwight Trust Fund Committee to fill vacancy as a result of resignation.

Susan Gerken, chair of the Trust Committee nominated Karen Clement. RP moved to appoint Karen Clement to fill the vacancy until the next town election. NT seconded. Roll call: RP aye, NT aye, Susan Gerken aye, and Deborahanne Mayer aye.

7:14PM NT adjourned the meeting.



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3.1

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Andrew J. Sheehan,  
*Town Administrator*

Office (978) 597-1701  
Fax (978) 597-1719

### MEMORANDUM

TO: Board of selectmen

CC: Erving Marshall, Jr., Chief of Police  
Kim Fales, Town Accountant

FROM: Andrew J. Sheehan, Town Administrator 

DATE: November 29, 2012

SUBJ.: Police Station Roof  
Contract Recommendation

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This office recently issued an Invitation for Bids (IFB) for replacement of the Police Station Roof. The project includes stripping and shingling the roof of the Police Station. Thirty firms or individuals took out bid packages. A total of seven bids were received. Three bids came in under the appropriated amount of \$25,000, one came in just above the appropriated amount (\$25,850), and three bids were in excess of \$40,000.

The low bidder was Richard T. Losordo Electrical Contractor, Inc. ("Losordo") with a bid of \$20,064. Losordo's bid is complete. I checked references for similar roof projects and all references came back very positive. All references were satisfied with the quality of the work and adherence to the schedule. All references said they would hire Losordo again.

I recommend the Board of Selectmen vote to award the contract to Richard T. Losordo Electrical Contractor, Inc. for a contract price of \$20,064.

I look forward to discussing this at the meeting of December 4, 2012.

Police Station Roof  
 Invitation for Bid Registrar  
 November 9, 2012

Name/Company	Amount	Bid Form	Bidder Certs	Bid Bond	Agreement	Notes
Eagle Eyes Contracting	25,850-	✓	✓		x	
Andrew Wolfuey	43,750-	✓	✓		x	
ACR, Inc.	21,608-	✓	✓		x	
Richard T. Losordo, Inc. Electrical Contractor	20,064-	✓	✓		x	
MC Contracting, Inc.	41,900-	✓	✓		x	
Viking Roofing, Inc.	41,400-	✓	✓		x	
WPI Construction, Inc.	23,000-	✓	✓		x	





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3.2

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*Town Administrator*

Office (978) 597-1700  
Fax (978) 597-1719

TO: ALL MUNICIPAL EMPLOYEES

FROM: Karin Canfield, Executive Assistant

DATE: December 5, 2012

RE: HOLIDAYS OBSERVED FOR 2013

HOLIDAY	DATE CELEBRATED	EMPLOYEE OBSERVED
New Year's Day 2013	January 1	Tuesday, January 1, 2013
Martin Luther King's Birthday	January 21	Monday, January 21, 2013
President's Day	February 18	Monday, February 18, 2013
Patriot's Day	April 15	Monday, April 15, 2013
Memorial Day	May 27	Monday, May 27, 2013
Independence Day	July 4	Thursday, July 4, 2013
Labor Day	September 2	Monday, September 2, 2013
Columbus Day	October 14	Monday, October 14, 2013
Veteran's Day	November 11	Monday, November 11, 2013
Thanksgiving Day	November 28	Thursday, November 28, 2013
Christmas Day	December 25	Wednesday, December 25, 2013
New Year's Day 2014	January 1	Wednesday, January 1, 2014

*As a General Rule: Any Saturday holiday will be observed on the prior Friday; any Sunday holiday will be observed on the Monday following unless otherwise noted.*

*Approved by BOS 12/04/2012*





3.3

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*Town Administrator*

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Fax (978) 597-1719

**MEMORANDUM**

TO: Board of Selectmen

CC: Finance Committee  
Ed Kukkula, Highway Superintendent  
Kim Fales, Town Accountant

FROM: Andrew J. Sheehan, Town Administrator 

DATE: November 29, 2012

SUBJ.: Approval of Deficit Spending for Snow and Ice

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The Town appropriated \$125,000 for snow and ice removal in FY13. This amount does not come close to meeting the Town's winter operations needs in a normal winter. For this reason, the Town annually authorizes unlimited deficit spending for snow and ice removal. Deficit spending for this purpose is allowed under G. L. c. 44, s. 31D.

I recommend that the Town again authorize deficit spending for snow and ice removal. However, instead of unlimited deficit spending I recommend that a cap be placed on the deficit spending authorization. A cap will foster better monitoring and budget control of snow and ice spending. I recommend an initial deficit spending authorization of \$75,000. If winter conditions so dictate a further authorization beyond \$75,000 can be voted later in the season.

Thank you for your consideration and I look forward to discussing this on December 4, 2012.

and for expendi- maintenance, with : similar purposes : and during the urrent fiscal year, s required to be ing the last eight d year, giving ex- ferences between e next fiscal year imated to be re-

public building or public work by any city or town costing more than two thousand dollars shall be deemed to have been made until the auditor or accountant or other officer of the city or town having similar duties has certified thereon that an appropriation in the amount of such contract is available therefor and that an officer or agent of the city, town or awarding authority has been authorized to execute said contract and approve all requisitions and change orders. No order to the contractor for a change in or addition to the work to be performed under a contract subject to this section, whether in the form of a drawing, plan, detail or any other written instruction, unless it is an order which the contractor is willing to perform without any increase in the contract price, shall be deemed to have been given until the auditor or accountant, or other officer of the city or town having similar duties, has certified thereon that an appropriation in the amount of such order is available therefor; but such certificate shall not be construed as an admission by the city or town of its liability to pay for such work. The certificate of the auditor or accountant or other officer of the city or town having similar duties, that an appropriation in the amount of such contract or order is available shall bar any defense by the city or town on the grounds of insufficient appropriation; and any law barring payment in excess of appropriations shall not apply to amounts covered by any certificate under this section.

Added by St.1964, c. 693, § 1. Amended by St.1986, c. 447; St.1989, c. 341, § 27.

**§ 31D. Snow and ice removal; emergency expenditures; reporting requirements**

Any city or town may incur liability and make expenditures in any fiscal year in excess of available appropriations for snow and ice removal, provided that such expenditures are approved by the town manager and the finance or advisory committee in a town having a town manager, by the selectmen and the finance or advisory committee in any other town, by the city manager and the city council in a city having a city manager or by the mayor and city council in any other city; provided, however, that the appropriation for such purposes in said fiscal year equaled or exceeded the appropriation for said purposes in the prior fiscal year. Expenditures made under authority of this section shall be certified to the board of assessors and included in the next annual tax rate.

ed to be furnished manent or tempo- d in each classifi- cal year and the ary employees, or y-first of the then nd thereto, except g the duties of la- , weekly or hourly s, and shall state ixed by ordinance t such employees

nt any city, upon from so setting e temporary labor- duties of labor- temporary employees monthly, weekly employees

ing similar duti ach calendar year ten report of the receipts applicable s of the first six cal year, with an last six months of year.

ended by St.1953, c. 3.

**Sec. 6**

Notes

s; certificate as to s; effect of certifi- of insufficiency of

on, reconstruction, demolition of any

Every city or town shall annually, not later than September fifteenth, report to the division of local services of the department of revenue the total amounts appropriated and expended, including any funding or reimbursements received from the commonwealth, for snow and ice removal in the fiscal year ending on the preceding June thirtieth. Added by St.1976, c. 33. Amended by St.1996, c. 45, § 4.

**§ 32. Submission of city budget to city council; procedure for approval, rejection or alteration**

Within one hundred and seventy days after the annual organization of the city government in any city other than Boston, the mayor shall submit to the city council the annual budget which shall be a statement of the amounts recommended by him for proposed expenditures of the city for the next fiscal year. The annual budget shall be classified and designated so as to show separately with respect to each officer, department or undertaking for which an appropriation is recommended:—

(1) Ordinary maintenance, which shall also include debt and interest charges matured and maturing during the next fiscal year, and shall be subdivided as follows:—

(a) Salaries and wages of officers, officials and employees other than laborers or persons performing the duties of laborers; and

(b) Ordinary maintenance not included under (a); and

(2) Proposed expenditures for other than ordinary maintenance, including additional equipment the estimated cost of which exceeds one thousand dollars.

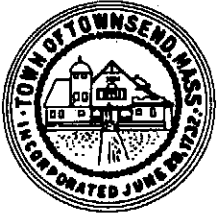
The foregoing shall not prevent any city, upon recommendation of the mayor and with the approval of the council, from adopting additional classifications and designations.

The city council may by majority vote make appropriations for the purposes recommended and may reduce or reject any amount recommended in the annual budget. It shall not increase any amount in or the total of the annual budget nor add thereto any amount for a purpose not included therein except on recommendation of the mayor, and except as provided in section thirty-three; provided, however, that in the case of the school budget or in the case of a regional school district assessment, the city council, on the recommendation of the school committee or on recommenda-

3.4

Bailey's Bar & Grille, LLC	All Alcohol
Bailey's on the Green	All Alcohol
Gourmet House	All Alcohol
The Old Brick Store	All Alcohol
The Townsend House	All Alcohol
The Wine Nook	All Alcohol
Townsend Package Store	All Alcohol
VFW Post #6538	All Alcohol
Yee's Village	All Alcohol
Townsend Sales & Service	Class I
Baro's Used Cars	Class II
Country Auto Sales & Service	Class II
Harbor Auto Body	Class II
Shepherd's Sales & Service	Class II
Joe's Auto Body	Class III
MJS Metals	Class III
Alliance Energy, LLC	Common Victualler
Bailey's Bar & Grille, LLC	Common Victualler
Bailey's on the Green	Common Victualler
Brick Steamer, LLC	Common Victualler
Catalano Enterprises (DD)	Common Victualler
Central Plaza Pizza	Common Victualler
Cliff's Café & Catering	Common Victualler
Courtney's Donuts LLC (DD)	Common Victualler
Energy To Go	Common Victualler
Gourmet Donuts	Common Victualler
Gourmet House	Common Victualler
Grovercare Inc	Common Victualler
Hannaford	Common Victualler
McDonald's Restaurant	Common Victualler
McNabb's Pharmacy, Inc	Common Victualler
Patriot Pizza	Common Victualler
Pizza Pizzaz	Common Victualler
South Fitchburg Hunting & Fishing Club	Common Victualler

The Ice Cream Factory	Common Victualler
The Old Brick Store	Common Victualler
The Townsend House	Common Victualler
Townsend Pizza, Inc	Common Victualler
Townsend Rod & Gun Club	Common Victualler
VFW Post #6538	Common Victualler
Yee's Village	Common Victualler
Bailey's Bar & Grille, LLC	Entertainment
Bailey's on the Green	Entertainment
The Townsend House	Entertainment
Townsend Country Club	Entertainment
VFW Post #6538	Entertainment
Yee's Village	Entertainment
Bailey's Bar & Grille, LLC	Sunday Hours
Bailey's on the Green	Sunday Hours
VFW Post #6538	Sunday Hours
Yee's Village	Sunday Hours



3.5

TOWN OF TOWNSEND  
One-day Special License Application Form  
(M.G.L. Chapter 138, Section 1)

John Fors  
Name of Responsible Person/License Holder

Townsend VFW Post 6538 491A Main St. West Townsend  
Name/ Address of Event Premise

12-22-12                      7-11pm      4 hours  
Date of Event                      Hours of Event

Family Christmas Party / Reunion  
Type of Event/Sponsors

Number of people expected at event: 60-65

Police Detail Required: YES [ ] NO  (Please consult with Licensing Agent)

Type of Beverages to be served: All Alcoholic  Wine & Malt only [ ]

United Liquors  
Name of licensed wholesaler

Servers trained in serving and handling alcohol: YES  NO [ ]

*By signing below I certify that I am in receipt of the Town of Townsend Alcohol Beverages Policy Guidelines and agree to the terms and conditions set forth under section V. - One-day Special Licenses.*

John Fors  
Signature of License Holder

11-19-2012  
Date

Date Application Received: 11/20/2012

Date sent to licensing Agent for review: \_\_\_\_\_

**TOWN OF TOWNSEND  
272 MAIN STREET, TOWNSEND, MA 01469**

**NOTICE OF APPROVAL OF SPECIAL PERMIT**

This is to certify that:

**JOHN FORS**

V.F.W. Post #6538

491A Main Street

West Townsend, MA

**THE ABOVE NAMED NON PROFIT ORGANIZATION IS HEREBY  
GRANTED A SPECIAL LICENSE FOR THE SALE OF ALL ALCOHOLIC  
BEVERAGES, TO BE DRUNK ON THE PREMISES**  
Under Chapter 138, Section 14, of the Liquor Control Act.

In conjunction with a "Family Christmas Party/Reunion" to be held on December 22, 2012, with sale hours from 7:00P.M. to 11:00P.M.

The license is granted in conformity with the Statutes and ordinances relating thereto, and expires December 22, 2012 unless sooner suspended or revoked.

Date:

**THE LOCAL LICENSING AUTHORITIES**

**SEE ATTACHED CONDITIONS OF LICENSE**





yn

The Commonwealth of Massachusetts  
The Alcoholic Beverages Control Commission  
238 Causeway Street, Suite 200  
Boston, MA 02114

Telephone (617) 727-3040  
Fax (617) 727-1258

**NOTICE OF APPROVAL OF SPECIAL LICENSE**

The Local Licensing Authorities of the within named City or Town have approved, pursuant to the provisions of Chapter 138 Section 14, issuance of a Special License as described herein.

City/Town: Townsend  
Date of Local Authority Approval: December 04, 2012  
Name of Licensee: John Fors  
Address of Licensee: 491A Main Street, Townsend, MA  
Effective Date or Dates of License: December 22, 2012  
Authorized Hours of Sales: 7:00P.M. to 11:00P.M.  
Description of the Licensed Premise: VFW Post 6538, 491A Main Street, West Townsend MA in conjunction with a "Family Christmas Party/Reunion."

License is for sale of:  
All Alcoholic Beverages: X  
Wines and Malt Beverages Only:  
Wines Only:  
Malt Beverages Only:

The Licensed Activity or Enterprise is:  
For profit:  
Non-profit: X

Is the license for a dining hall maintained by an incorporated educational institution authorized to grant degrees? \_\_\_\_\_

Restrictions attached to the license by the local authority: SEE ATTACHED

***THE LOCAL LICENSING AUTHORITY***

By: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## **ONE-DAY LIQUOR LICENSE CONDITIONS**

**JOHN FORS  
VFW POST 6538  
491A MAIN STREET, WEST TOWNSEND, MA**

1. One license has been issued for use at the Pavilion/Function Hall area and is to be secured so that alcohol is confined to licensed area.
2. Licensee must stock alcoholic beverages in separate storage area within licensed area.
3. Licensee must purchase alcohol stock separately for each license issued and from a wholesaler/importer, manufacturer, etc. Licensee can not purchase from a package store under a Section 14 license.
4. Licensee can not use any alcohol stock from existing licensed premise known as the VFW Post #6538 Club.
5. Attendees can not travel with alcoholic beverages outside the licensed secured area.
6. The Licensee is responsible, whether present or not, for ensuring that no disorder, disturbance, or illegality takes place in or on a licensed premise.
7. The License is responsible, whether present or not, for enforcing the serving capacity of 100 guests for the licensed premises to include the "bar area".

**From:** Melissa Kuehl [<mailto:Melissa.Kuehl@rollstonebank.com>]  
**Sent:** Wednesday, November 28, 2012 12:31 PM  
**To:** [sschuttler@cwmares.org](mailto:sschuttler@cwmares.org)  
**Subject:** donation from Rollstone Charitable Foundation

3.6

Hi Stacy-

I'm pleased to tell you that Rollstone Bank & Trust, through its Charitable Foundation, would like to make a \$2500 donation to the Townsend Public Library! Our foundation is centered on education and improving the lives of children in our communities, so the proceeds must be used for an endeavor that falls within those guidelines, such as an educational program or new books.

The money was raised through our 3rd annual golf tournament. We will be presenting checks to a number of organizations, and would like to get a group picture sometime in mid- to late-December. Would you or another library representative be available for a photo?

I look forward to hearing from you. Thank you for the service you provide to the community.

Sincerely,

Melissa

1

Melissa Kuehl  
Marketing Manager  
Rollstone Bank & Trust  
780 Main Street  
Fitchburg, MA 01420  
Direct Line: 978.665.2307  
Fax: 978.343.2166  
Email: [melissa.kuehl@rollstonebank.com](mailto:melissa.kuehl@rollstonebank.com)

**ROLLSTONE BANK & TRUST**

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