



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

Nicholas Thalheimer, *Chairman*
Andrew Sheehan,
Town Administrator

Sue Lisio, *Vice-Chairman*

Robert Plamondon, *Clerk*
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SELECTMEN'S MEETING AGENDA
SEPTEMBER 25, 2012 - 7:00 P.M.
SELECTMEN'S MEETING CHAMBERS

I PRELIMINARIES

- 1.1 Call the meeting to order and roll call
- 1.3 Notice that the meeting is being tape recorded
- 1.4 Chairman's Additions or Deletions
- 1.5 Review/Approve Meeting Minutes: April 3, 2012; April 4, 2012; April 17, 2012; August 14, 2012; September 11, 2012. Votes may be taken.

II APPOINTMENTS /HEARINGS

III MEETING BUSINESS

- 3.1 Approve the following Chapter 90 project funding requests for the Highway Department. Votes may be taken.
 - Replace existing curb and asphalt sidewalk with approximately 250 linear feet of granite curb and concrete sidewalk along Rte. 119 starting at Bow Street and heading west for 250 ft.
 - Repave section of North End Road where it meets with Brookline Road (Rte.13).
- 3.2 1-Day Liquor license for John Fors, V.F.W. Post #6538, 491 Main Street, West Townsend, MA for a 50th Birthday Party, October 20, 2012, 6:00PM-10:00PM. Votes may be taken.
- 3.3 Mandatory referral from the Zoning Board of Appeals regarding renewal of a special permit for Patricia M. Smith at 199 Wallace Hill Road for an accessory apartment. Votes may be taken.
- 3.4 Discussion of FY2013 budget amendment and Special Town Meeting. Votes may be taken.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS

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



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1.5

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SELECTMEN'S MEETING MINUTES
APRIL 3, 2012
SELECTMEN'S MEETING CHAMBERS

The chairman called the meeting to order at 6:07PM. Roll call showed chairman Robert Plamondon (RP), vice chair Sue Lisio (SL), and clerk Nicholas Thalheimer (NT) present.

The purpose of the meeting is to hear employee appeals relative to their placement on the recently completed compensation and classification plan. The Board members discussed preliminaries: any changes will be retroactive to January 1, 2012 and tonight's meeting will be to hear justification from employees and supervisors, and decisions will occur at a later date. A small number of employees were present who expressed dissatisfaction with the rating system and the placement of positions on the classification plan.

Police Lieutenant, David Profit: Lt. Profit explained that his is one of two positions that were red circled, meaning that he is at the top of the grade and will not get regular step increases, only cost of living adjustments (COLAs). He said his position has evolved into a second in command since 2001 when it went from an overnight position to a Monday-Friday day shift position. He feels his position should be retitled Deputy Chief and said HRS agreed. He also said in most communities the Lt. is in a superior officers union; in Townsend he is under a personal services contract and not in a union. He asked that the position be classified grade T12/level 5. Chief Erving Marshall expressed his support for an increase in pay, but not for the creation of a deputy chief position. He does not believe a town this size warrants a deputy chief. He said T11/8 is more appropriate.

Administrative Assistant to the Chief of Police, Donna Souza: Ms. Souza stated that **Confidential Administrative Coordinator Patti Clark** would have been here tonight but had a conflict. Ms. Souza said she and Ms. Clark had no objection with their grades, but both felt they should have been placed at higher levels in recognition of her 30 years of experience and Ms. Clark's 25 years. She said both would have been at the maximum step if the prior matrix had been funded. For them, lost wages are the issue. Ms. Souza recommended a one step increase for each 10-19 years and 2 levels for 20-29 years. SL said longevity is not automatically given in the private sector and that it is the individual's decision to remain in the job that long.

Children's Librarian, Molly Benevides: Ms. Benevides was joined by Library Director Stacy Schuttler and Trustee Suzanne Doust. Ms. Schuttler previously submitted comments to Mr. Sheehan and to HRS explaining that the Children's Librarian should be reclassified because of the position's supervisory responsibilities; the position is the acting director when the director is away;

and the position supervises the Librarian II which is currently classified at the same grade and step (Grade 4/Level 1). She said HRS recommended reclassifying the position to grade 5. The Board members were in general agreement that the position should be reclassified to level 5.

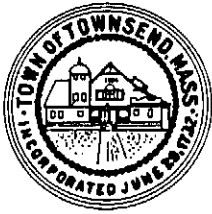
Assistant Town Clerk, Kathy Spofford: Town Clerk Sue Funaiole spoke on behalf of the assistant. She presented results of a survey of 20 towns that she undertook. She said the job is the same in every town and that Ms. Spofford is an above average employee. SL asked what duties Ms. Spofford performs that are not reflected in the job description, but Ms. Funaiole was unable to provide any examples. She said she needed to see HRS's rating sheet for the position. Ms. Funaiole said the assistant in Townsend, as in every community, has to run the election in her absence SL said she needs justification for moving the position up but none has been provided.

Building Commissioner, Richard Hanks: Mr. Hanks provided recommended changes to the job description. He had not previously submitted the comments to HRS. He stated that he thought contractual employees should not be part of the classification plan. In response to a question from RP he stated he gets called in after hours approximately 4-5 times per year. He said his position should not be grade 8 as in the past it was comparable to the Highway Superintendent and Water Superintendent. He asked that the position be reclassified to grade 9. The Board asked Mr. Sheehan to send Mr. Hanks's comments to HRS for another look.

Planning Board Administrative Assistant, Jeanne Hollows: Ms. Hollows was joined by Planning Board chairman Jeff Peduzzi. They requested changing the position from grade 3/level 1 to grade 4/level 2. They also solicited some data from other communities and said level 2 is justified. SL said HRS placed similar positions on the same grade and the Board has to take that into consideration. If one position is moved it requires moving other similar positions.

Land Use Coordinator, Jeanne Hollows and Karen Chapman: Ms. Chapman said she was placed at grade 6/level 1 by HRS and she believes grade 8/level 1 is more appropriate. She cited enforcement of stormwater rules as being comparable to the Building Commissioner's enforcement of the building code. She added that planning documents like the master plan and open space plan are prerequisites for many grant programs.

8:57 The chairman adjourned the meeting.



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SELECTMEN'S MEETING MINUTES
APRIL 4, 2012
SELECTMEN'S MEETING CHAMBERS

The chairman called the meeting to order at 6:02PM. Roll call showed chairman Robert Plamondon (RP) and vice chair Sue Lisio (SL). Clerk Nicholas Thalheimer (NT) was absent.

This is the second meeting to hear employee appeals relative to their placement on the recently completed compensation and classification plan.

Recreation Commission positions: Recreation Commission chair Sharon Whittier and Recreation Director Karen Clement were present. They explained that in addition to the Director there are four seasonal positions with about 20 employees hired for the summer. They have always had their own pay scale. They said that HRS did not discuss any of the seasonal positions, only the Director's position. They are asking for 5 separate positions starting at \$8.00/hour for seasonal employees. SL said the Assistant Director may be most appropriately placed in the S1 schedule at a higher level than the other seasonal positions.

Health Administrator, Carla Walter: Carla Walter was joined by Board of Health members Chris Genoter, Jim LeCuyer, and Michelle Dold. Ms. Walter said that HRS agreed with the comments submitted by the BOH but left the position at grade 3. She said the position is not consistent with grade 3 because she supervises the Recycling Center employees, manages the department's budgets, maintains confidential files, and maintains property at the Recycling Center/former landfill. She requested that the position be reclassified grade 4/level 2 on July 1, 2012.

Highway Superintendent, Ed Kukkula: Mr. Kukkula explained that about 5 years ago he assumed the duties of the office administrator when she retired. In return he was given half of her salary. He is asking to be reclassified to properly compensate him for those administrator's duties. He suggested a stipend of \$7,700 for the office administrator's duties.

Fire Department employees, Chief Don Klein: Chief Klein explained that five employees achieved additional certifications while the classification plan was being prepared. The employees are Keith Feddersen, Kris Klein, Ben Niemiera, Lee Niemiera, and Brent Davis. If they had completed their certifications a little sooner they could have been properly placed on the plan. He suggested that the Niemeiras, Keith Feddersen, and Brent Davis be reclassified from grade 2/level 1 to grade 2/level 2 and Kris Klein from grade 2/level 2 to grade 2/level 5. He explained that this

would put these men even with their peers who have the same credentials. The Chief added that all other Fire Department employees are satisfied with their placement.

Executive Assistant to the Town Administrator, Carolyn Smart: Ms. Smart said she had three complaints with the HRS plan: the job description, salary survey, and the placement of her position. She said the job description flows poorly. She said the salary survey was poorly done. She said her position was improperly placed in grade 4. She made reference to prior classification plans and offered to explain to the Board of Selectmen how classification plans work. She also told the Board members they were not doing what they are supposed to do with classification plans and that the Board should be slotting the positions. She claimed the facilities manager reports to her and always had. SL pointed out that hers was an administrative position, not a supervisory position. Ms. Smart said the position had supervisory responsibilities until Mr. Sheehan was hired. She said the position should be at least grade 5.

Water Superintendent, Paul Rafuse: Mr. Rafuse presented to the Board that his position should be reclassified from grade 9/level 8 to grade 11/level 7. He argued that he is responsible for keeping the water supply free of contamination. He also said he did his own survey of water departments and districts and from that survey plugged a salary into the classification plan. He criticized the communities HRS used as comparables. SL pointed out that it is difficult to be objective when doing your own survey for your own position.

Water Department Billing Clerk: Mr. Rafuse spoke to the Board about the classification of the billing clerk. He explained that the position was previously 30 hours/week, but is proposing to reduce it to 20 hours/week. He argued the billing clerk should be classified the same as the office administrator. He said he had no objections with the job description. SL pointed out that the supervisory responsibilities of the two positions are clearly not the same. She suggested that he look at the job descriptions because it sounds like he is trying to create a hybrid of the two positions. Mr. Rafuse argued they shouldn't be two grades apart.

Water Department Technicians: The Water Technicians are Mike MacEachern and Jim Blanchard. They explained that Mr. MacEachern is grade 6/level 5 and Mr. Blanchard is grade 6/level 1. Mr. MacEachern said they should both be classified the same because they do the exact same job. He added that the only difference is that he has worked there for 15 years and Mr. Blanchard has been there 7 years.

Water Department Office Administrator, Brenda Boudreau: Ms. Boudreau said she was fine with the grade, but thought she should be at a higher level within the grade. She argued that there were no comparables for her position in the study by HRS. Mr. Rafuse proposed grade 4/level 4.

Payroll Clerk, Cheryl Simoneau: Ms. Simoneau explained that she is an 18-year part time employee and does not get basic benefits like vacation, longevity, and sick time. She said she was fine with the job description and grade, but asked for additional steps for longevity. She stated that she was appalled that Librarian I employees are at the same grade/level and suggested those positions were mis-classified.

Conservation Agent/Conservation Administrative Assistant, Leslie Gabriliska: Ms. Gabriliska explained that historically there was a 25 hour/week administrative assistant and 20 hours/week agent. She has been doing both positions for several years and suggests formally combining them

into a single position. She currently works 37 ½ hours/week. Mr. Sheehan said it makes sense to combine the positions. He suggested looking at it again after July 1, 2012 and seeing how it fits into the budget.

Department Assistant, Sheryl Vaughan: Mr. Sheehan said Ms. Vaughan was not able to attend tonight and asked him to relay information to the Board. She told him that she is satisfied with her grade, but thinks as an 8 year employee she should be higher than level 1.

The Board agreed to meet again on April 17 at 6PM to decide on the appeals.

9:25 The chairman adjourned the meeting.



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SELECTMEN'S MEETING MINUTES
APRIL 17, 2012 - 6:00 P.M.
SELECTMEN'S MEETING CHAMBERS

The chairman called the meeting to order at 6:02PM. Roll call showed chairman Robert Plamondon (RP), vice chair Sue Lisio (SL), and clerk Nicholas Thalheimer (NT).

The purpose of the meeting is to review, discuss, and vote on employee appeals relative to their placement on the classification plan. Employee appeals were heard on April 3 and 4, 2012.

Police Lieutenant, David Profit: RP felt that because the Lt. is under contract his placement on the classification plan should not be modified. He also does not support changing the title to deputy chief. He suggested taking no action until the Lt.'s contract is up for renegotiation. The other members agreed.

Administrative Assistant to the Chief of Police, Donna Souza: SL raised Ms. Souza's request for additional steps for longevity. SL opposes steps for longevity, but would consider level increases for experience. She suggested something like 1 step for 3 years of experience. RP and NT said 1 step for 4 years may be more appropriate, subject to ability to pay. The Board members were unable to agree on a formula for steps for experience. They asked Mr. Sheehan to do an analysis of the cost of giving an extra step for everyone who has been in their current position for 4 years or more. SL said she sees no justification for additional steps other than experience. RP and NT agreed.

Confidential Administrative Coordinator, Patty Clark: The Board members did not feel sufficient information was provided to justify reclassifying the position.

Children's Librarian, Molly Benevides: The Board members agreed sufficient information was presented to justify reclassifying the position to grade 5/step 1 at a rate of \$18.06/hour. They also noted that this is consistent with HRS's analysis of the position.

Assistant Town Clerk, Kathy Spofford: The Board members did not feel sufficient information was provided to justify reclassifying the position.

Payroll Clerk, Cheryl Simoneau: The Board members did not feel sufficient information was provided to justify reclassifying the position.

Building Commissioner, Richard Hanks: NT abstained from the discussion on the Building Commissioner because he is building a house and regularly deals with the Commissioner. RP and SL agreed sufficient information was presented to justify reclassifying the position to grade 9/step 5 at a rate of \$29.65/hour.

Planning Board Administrative Assistant, Jeanne Hollows: The Board members did not feel sufficient information was provided to justify reclassifying the position.

Land Use Coordinators, Jeanne Hollows and Karen Chapman: The Board members did not feel sufficient information was provided to justify reclassifying the position and further did not feel the level of responsibility was equal to other grade 8 positions.

Health Administrator, Carla Walter: SL noted that the position includes some supervisory responsibilities. She didn't feel grade 4 was justified, but would consider a step increase within grade 3. RP felt no more than 1 step should be granted. The Board members agreed supervisory responsibilities were sufficient to justify reclassifying the position to grade 3/step 2 at a rate of \$16.17/hour.

Highway Superintendent, Ed Kukkula: The Board and Mr. Sheehan discussed the request at length. It was decided that the request warranted further analysis after the conclusion of Town Meeting. It was agreed to leave the position at grade 9/maximum level pending further review.

Call Firefighters, Keith Feddersen, Kris Klein, Ben Niemiera, Lee Niemiera, and Brent Davis: The Board members agreed sufficient information was presented to justify reclassifying the positions as presented by Chief Klein on April 4, 2012:

- **Keith Feddersen:** grade 2/level 2, \$15.12/hour.
- **Kris Klein:** grade 2/level 5, \$16.29/hour.
- **Ben Niemiera:** grade 2/level 2, \$15.12/hour.
- **Lee Niemiera:** grade 2/level 2, \$15.12/hour.
- **Brent Davis:** grade 2/level 2, \$15.12/hour.

Executive Assistant to the Town Administrator, Carolyn Smart: SL noted that the supervisory responsibilities with respect to Facilities is misleading and the Facilities Coordinator clearly reports to the Town Administrator. SL also noted that Ms. Smart did not clearly articulate what grade and level she believes the position should be classified. SL also said nothing was provided to show why this position is different from others in grade 4. RP said he is inclined to keep the position where HRS slotted it. The Board members did not feel sufficient information was provided to justify reclassifying the position.

Water Superintendent, Paul Rafuse: The Board members did not feel sufficient information was provided to justify reclassifying the position.

Water Technicians, Mike MacEachern and Jim Blanchard: It was noted that the Water Techs must have State licenses in order to be on-call. SL suggested that the Water Superintendent consider drafting a job description for a junior position and suggested he work with Mr. Sheehan. With respect to Jim Blanchard, the Board members agreed his position should be reclassified the same as Mr. MacEachern's at grade 6/level 5 at a rate of \$21.33/hour. The members agreed Mr. MacEachern's position should remain unchanged.

Office Administrator, Brenda Boudreau: The Board members did not feel sufficient information was provided to justify reclassifying the position.

Billing Clerk, currently vacant: The Board members did not feel sufficient information was provided to justify reclassifying the position.

Conservation Administrative Assistant and Conservation Agent, Leslie Gabrijska: The Board members agreed it makes sense to merge the two positions into one to be held by one person. They asked Mr. Sheehan to work on it over the summer.

Recreation Department seasonal employees: The Board members agreed to red circle the Assistant Director as she is currently far above the highest step and to slot the other employees into grade S1 at the step closest to but above their current rate.

Registrars of Voters: The Board agreed to increase their compensation by \$5/month.

Stipend positions: The Board members agreed to make no changes at this time, but to look at it in the future.

Recycling Attendants: The Board members agreed to the correction detailed by Mr. Sheehan.

Election Workers: election workers are currently paid as follows:

- Wardens (3): \$120
- Clerks (3): \$110
- Checkers (15-18): \$110 and \$95 for trainees
- Constables (1): \$160
- Tellers (1 or 2): \$50
- Police: covered by union contract

The Board agreed to increase election worker wages by \$5 each.

NT moved to adopt the changes as noted and leave all others unchanged. SL seconded. Unanimous.



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SELECTMEN'S MEETING MINUTES
AUGUST 14, 2012 - 7:00 P.M.
SELECTMEN'S MEETING CHAMBERS

I PRELIMINARIES

- 1.1 The Chairman called the meeting to order at 7:01 pm and roll call showed chairman Nicholas Thalheimer (NT), vice-chairman Sue Lisio (SL), and clerk Robert Plamondon (RP) in attendance.
- 1.2 NT gave notice that the meeting is being tape recorded.
- 1.3 Chairman's Additions or Deletions: The chairman deleted the Executive Session.
- 1.4 Meeting Minutes: July 31, 2012; RP moved to accept, NT seconded. Unanimous. SL abstained because she was not present.

III MEETING BUSINESS

- 3.1 Award contract for Fire-EMS Headquarters feasibility study. Votes will be taken.

Mr. Sheehan reported that an RFP was issued about a month ago for a consultant to prepare a feasibility study for new Fire EMS Headquarters. That facility would replace the building at 460 Main Street in West Townsend and the three buildings in the center of town (the ambulance garage behind Town Hall, the headquarters building at 13 Elm Street, and the Squannacook Hall building at 8 Elm) with a single structure that would host all the equipment in all four buildings presently. The Town received proposals from the following four firms: The Carell Group, CSS Architects, Inc., Winter Street Architects, and Kaestle Boos Associates, Inc. A screening panel established by Chief Klein forwarded a ranking of the technical proposals. They did not see the prices. Their results were evaluated by Mr. Sheehan along with the cost proposals. As a result Mr. Sheehan recommends the Board award the contract for the feasibility study at \$32,500 to Kaestle Boos. He added that the price is substantially lower than the \$50,000 that was appropriated at Town Meeting for this purpose.

RP moved to award the contract for the Fire-EMS Headquarters feasibility study to Kaestle Boos Associates, Inc. SL seconded. Unanimous.

II APPOINTMENTS /HEARINGS

- 2.1 7:05 Squannacook Rail Trail Committee to update the Board on plans for the trail and discuss next steps.

Members of the Squannacook Greenways Board of Directors present were Steve Meehan, Robert Hargraves, Bill Rideout and Mark Cram. Mr. Meehan spoke for the non-profit

Squannacook Greenways (SG). SG is requesting the Board of Selectmen provide a letter of support to further the progress made on this project. If the BOS issues a letter of support DCR will lease the railroad tracks from the MBTA. This will allow SG to build the rail trail at no expense and with no liability to the Town. In the letter of support, DCR asks that the Town commit to building a sidewalk on Main Street in the Harbor and provide police patrols on the trail. Extensive discussion ensued. RP asked about abutter's concerns. Sheila Murphy, 170 Main Street, raised a number of concerns. Mr. Hargraves spoke as a resident abutting the rail trail in Groton and registered his support. The Board tabled the item until such time as Police Chief Marshall can give his input on the policing of the trail.

- 3.2 Authorize Andrew Sheehan, Town Administrator, to execute and submit the Town's Green Communities application.

Mr. Sheehan gave an update of the Green Communities presentation held Monday in Leominster. He says the next step is for the committee to submit a grant application detailing how they plan to spend the \$156,825.

RP moved to authorize Andrew Sheehan, Town Administrator, to execute and submit the Town's Green Communities application. SL seconded. Unanimous.

- 3.3 Request for the use of the Jefts Street field for a wedding and determination of a fee.

Mr. Sheehan explained that a couple would like to use the field behind Town Hall for their wedding reception.

RP moved to approve the request for the use of the Jefts Street field for a wedding reception requiring a \$250 refundable deposit and in lieu of a fee a donation will be made to a Townsend-based charity with a minimum amount of \$25 subject to signature of a waiver and indemnification. SL seconded. Unanimous.

- 3.4 1-Day Liquor license for John Fors, V.F.W. Post #6538, 491A Main Street, West Townsend, MA.

- 30th Birthday Party, August 31, 2012, 7PM-11PM
- Wedding Reception, September 8, 2012, 5:00PM-9:30PM
- 50th Wedding Anniversary, September 15, 2012, 7:00PM-11:00PM

RP moved to approve the one-day liquor license requests. SL seconded. Unanimous.

- 3.5 Personnel Policies & Procedures: discussion.

Mr. Sheehan will set up a conference call with Counsel to develop a timeline of what needs to be done and how to approach the entire project.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS

- 4.1 Request of Chris Clish, Council on Aging Director, to approve the hiring of Peter F. Buxton as a substitute van driver.

RP moved to approve the hiring of Peter F. Buxton as a substitute van driver for the Council on Aging. SL seconded. Unanimous.

- 4.2 Appoint Theresa Morse to the Energy Committee.

RP moved to appoint Theresa Morse to the Energy Committee for a term from 8/14/12-6/30/13. SL seconded. Unanimous.

- 4.3 Appoint Patricia O'Reilly to be the Crossing Guard for a term from July 1, 2012 to June 30, 2013.

RP moved to appoint Patricia O'Reilly to be the Crossing Guard for a term from July 1, 2012 to June 30, 2013. SL seconded. Unanimous.

- 4.4 Appointment of John Vaillancourt to the Townsend Cultural Council.
RP moved to appoint John Vaillancourt to the Townsend Cultural Council for a term from 8/14/12-6/30/13. SL seconded. Unanimous.

V **WORK SESSION**

5.1 Board of Selectmen Updates/Reports

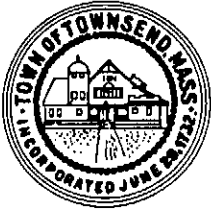
- RP reminded everyone that there is a Special Town meeting tomorrow night at 7 PM regarding the school budget override. A quorum of 75 is needed to proceed.
- RP would like to invite Gary Shepherd and the Recreation Commission to the next meeting to resolve any outstanding issues on the courts being built at Hawthorne Brook. Mr. Sheehan gave an update that on 7/30/12 the Recreation Commission voted to commit up to \$40,000 for fencing, landscaping and other improvements. He is working with Kopelman & Paige to draft an inter-municipal agreement between the town and NMRSD because we must have an interest in the property before public funds can be spent. No substantial work has occurred lately at the site.
- RP stated his concerns about the quality of the roads and suggested that a list of road projects be posted on the website.

5.2 Town Administrator Updates/Reports

- Mr. Sheehan reminded everyone of the Special Town Meeting tomorrow night and Special Election August 28th from 8am to 8pm at Town Hall.
- He announced that there is a vacancy on the Planning Board. It will be posted for 10 days.
- The next Board of Selectmen meeting will be held August 28, 2012.

- 5.3 Review/Sign Payroll Warrant. RP moved to sign warrants out of session. NT seconded. Unanimous.

- 5.4 Review/Sign Bills Payable Warrant. RP moved to sign warrants out of session. NT seconded. Unanimous.



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SELECTMEN'S MEETING AGENDA
SEPTEMBER 11, 2012 - 7:00 P.M.
SELECTMEN'S MEETING CHAMBERS

I PRELIMINARIES

- 1.1 The Chairman called the meeting to order at 7:00 PM. Roll call showed Chairman Nicholas Thalheimer (NT) and clerk Robert Plamondon (RP) present. Sue Lisio (SL) arrived at 7:07PM.
- 1.2 NT gave notice that the meeting is being tape recorded.
- 1.3 Chairman's Additions or Deletions: None
- 1.4 Meeting Minutes: The Board tabled review of meeting minutes until a later meeting.

- 3.1 Vote to establish and post for members to serve on the Fire-EMS Headquarters Building Committee.
Mr. Sheehan noted a contract is in place for a feasibility study for a new Fire-EMS headquarters. A building committee needs to be established to work with the consultant and help select design professionals and later a general contractor. He has prepared a posting to create a committee of 5 members. RP made a motion to approve the posting for a Fire-EMS Building Committee as prepared by Mr. Sheehan and to establish said committee. NT seconded. Unanimous.

II APPOINTMENTS /HEARINGS

- 2.1 7:05 Board of Water Commissioners request the BOS authorize the hiring of special counsel for the purpose of establishing an independent Water District.
Niles Busler representing the Board of Water Commissioners said they would like to hire Attorney Mary Bassett to assist the Department is splitting off from the Town and incorporating as an independent water district.
Sue Lisio (SL) at 7:07.
Upon inquiry from the BOS, Mr. Busler said no additional funds need to be raised to pay for the attorney as there are sufficient funds in the professional services line item. RP made a motion that the BOS authorize the hiring of special counsel for the purpose of establishing an independent Water District. SL seconded. Unanimous.

III MEETING BUSINESS

- 3.2 Authorize the closing of Brookline Street on October 6, 2012 for the annual Gregory Reeves Memorial Scholarship Run.
Mr. Sheehan said the police chief has no concerns and is developing an operations plan. RP gave the history of the event and encouraged citizens to participate. RP made a motion to

authorize the closing of Brookline Street on October 6, 2012 for the annual Gregory Reeves Memorial Scholarship Run. SL seconded. Unanimous.

- 3.3 Request of Police Chief Erving Marshall and Lieutenant David Profit that the Board of Selectmen review and adopt Police Department policies and procedures related to the Department's certification.

Lieutenant Profit stated that these are the last 24 policies of close to 100 needed for certification and future accreditation. Townsend should be proud to have a Police Department that will be accredited. RP moved to approve the request as outlined in the memo to the Board. SL seconded. Unanimous.

- 3.4 Approve agreement for backup paramedic intercept services between the Townsend Fire-EMS Department and the towns of Pepperell and Ashby.

Chief Klein explained that Townsend Fire-EMS will still provide backup service but will not be the primary response company. The agreement establishes a flat rate system more in line with what other municipalities use. RP moved to approve. SL seconded. Unanimous.

- 3.5 Approve the following Chapter 90 project funding requests for the Highway Department. Votes may be taken:

- Purchase of one new Wacker-Neuson BPU2540 Reversible Plate Compacter;
- Survey of a portion of Route 13 south of the New Hampshire border.

Mr. Sheehan said the compacter would be used on small areas that need compaction of sub surface material or asphalt. The survey would be on Route 13 from 119 to the New Hampshire state line. Mass Highway requires that we do some survey engineering and design work to ease some of the slopes and curves. RP moved to approve the compacter. SL seconded. Unanimous. RP moved to approve the use of \$3500 as part of the survey as presented. SL seconded. Unanimous.

- 3.6 Planning Board Referral Notice for Site Plan Review Special Permit for Karen McNabb Noon for renovations at 267 Main Street, upper level for a Karate Studio. RP moved to defer to the Planning Board. SL seconded. Unanimous.

- 3.7 Planning Board Referral Notice for Site Plan Review Special Permit for Chris & Nancy Pappas, Tabivi, LLC for construction of a new 3,496 square foot 90 seat restaurant at 24 Main Street. RP moved that we defer to the planning board with no comment. SL seconded. Unanimous.

- 3.8 FY2013 budget update. Votes may be taken.

Mr. Sheehan gave a summary of the Department Head meeting last week. Department have been asked to submit cuts that will reduce budgets while allowing departments to continue to provide essential services. Among the items raised were:

- Curbside trash collection;
- Take home vehicles
- Health insurance
- Delinquent taxes
- Hiring and spending freezes
-

Mr. Sheehan will have a proposal for the Board to review two weeks from tonight.

- 3.9 Vote to open Special Town Meeting Warrant.
Mr. Sheehan asked the Board to open the Special Town Meeting Warrant for an undetermined date to be identified at a later date.
RP moved to open the Special Town Meeting Warrant. SL seconded. Unanimous.
- 3.10 1-Day Liquor licenses for John Fors, V.F.W. Post #6538, 491 Main Street, West Townsend.
• 40th Birthday Party, October 6, 2012, 6:00PM-10:30PM
• Fundraiser for Cystic Fibrosis, October 26, 2012, 7:30PM-11:30PM
RP moved to approve the one-day liquor license requests. SL seconded. Unanimous.
- 3.11 Approve Landfill Mowing contract between Shepherd's Landscaping and the Town.
Mr. Sheehan said the Board of Health has approved this operation for a contract price of \$3K. RP moved to approve. SL seconded. Unanimous.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS

- 4.1 Designate the Selectmen's representative to the Capital Planning Committee.
Mr. Sheehan noted Bill Roberts' term expired in June so there is now an opening to be filled by the Selectmen. It is an important committee for programing the capital needs of the town for the next five years. The last few years they have been meeting on Thursdays SL hopes a volunteer will step forward.
- 4.2 Request to reappoint Christopher Campion and Sue Dejniak to the Energy Committee for a three year term from July 1, 2012 to June 30, 2015.
RP moved to reappoint. SL seconded. Unanimous.
- 4.3 Request from Recreation Commission to hire Emaline M. Hoff as Recreation Director.
Sharon Whittier introduced Ms. Hoff. They feel Emy is qualified to bring recreation to the next level.
RP moved to hire. SL seconded. Unanimous.
- 4.4 Request to reappoint Dave Kulvete to a position on the Townsend Cultural Council (for a three year term from July 1, 2012 to June 30, 2015).
RP moved to reappoint. SL seconded. Unanimous.
- 4.5 Request to reappoint Eino Kauppi, Susan Gerken and Michele Busler to the Historic District Commission for three year terms from July 1, 2012 to June 30, 2015.
RP moved to reappoint. SL seconded. Unanimous.
- 4.6 Request to appoint Carla Walter to TEMA (Townsend Emergency Management Agency) for a three year term from July 1, 2012 to June 30, 2015.
RP moved to appoint Carla Walter. SL seconded. Unanimous.

V WORK SESSION

- 5.1 Board of Selectmen Updates/Reports
SL questioned the road work being done on North End road. Mr. Sheehan said there was a collapsed catch basin being replaced by the Highway Department.
- 5.2 Town Administrator Updates/Reports
Nothing additional.

5.3 Review/Sign Payroll Warrant: RP moved to sign warrants out of session. SL seconded.
Unanimous.

5.4 Review/Sign Bills Payable Warrant: RP moved to sign warrants out of session. SL seconded.
Unanimous.

8:10 RP moved to adjourn. SL seconded. Unanimous



3.1

CHAPTER 90 – PROJECT REQUEST

*2 Original Signed Project Request Forms are to be submitted.

CONTRACT # 1N1F 00002007
50051002

Classification: _____
Primary Road: _____
Local Road: _____
City/Town: Townsend
Location(s): Along Rte. 119

Length: 250 feet Width: 9 feet

PROJECT TYPE

Construction: Resurfacing: Engineering: Equipment:

Other: Curb and sidewalk installation

TYPICAL SECTION DETAILS: Indicate depths, special treatments, etc... Also please include sketch for Construction/Improvement Projects.

Surface: _____
Base Course: _____
Foundation: _____
Shoulders/Sidewalks: Granite & sidewalk installation per MassDOT construction details

SCOPE OF WORK:

Replace existing curb and asphalt sidewalk with approximately 250 linear feet of granite curb and concrete sidewalk along Rte. 119 starting at Bow Street and heading west for 250 ft.

WORK TO BE DONE:

Force Account: Advertised Contract: Other: Verbal quotes for granite & concrete

Estimated Cost (Please attach estimate and list funding source(s)): \$ \$20,000.00

These funds will pay 100% of Local Road Project costs to the limit of this assignment

CERTIFICATION

The design, engineering, construction, and future performance of the project, including maintenance, is the responsibility of the Municipality. The proposed work will conform to recognized engineering and construction methods. I/We hereby certify under penalty of perjury the following: that the project is on a public way, and any necessary takings have been made; that all materials will comply with approved established specifications; that all weights and quantities will be accurate; that equipment rental rates are those established by MassDOT Highway or the advertised low bid; that all documentation will be checked for accuracy, and will be endorsed in accordance with municipal procedures for accountability.

Reviewed by:
Signed: _____
State Aid Engineer Date

Road Classification Verified: _____
Approved for \$ _____ @ 100%
District Highway Director Date

Signed: *Edward A. B...*
Superintendent 09/12/12
Highway Official's Title Date

Accounting Official's Title Date
Date Duly Authorized Municipal Officials



Chapter 90 Environmental Punch List

City/Town: Townsend Mass. Highway District No. 3
Proposed Work: Replace existing curb and asphalt sidewalk with approximately 250 linear feet of granite curb and concrete sidewalk along Rte. 119 starting at Bow Street and heading west for 250 ft.

Construction _____ Resurfacing _____ Improvement _____ Engineering _____ Other

NOTE: ALL ENVIRONMENTAL PERMITS / APPROVALS MUST BE OBTAINED PRIOR TO CONSTRUCTION.

- 1. Will the pavement width increase 4 ft. or more for an aggregate length of 1000 ft. or more? Yes No
- 2. Will the bank or terrain (other than alteration required for installation of equipment or structures) be altered at a distance exceeding 10 ft. from the pavement? Yes No
- 3. Will the removal of 5 or more trees with diameters of 14 inches or more be required? Yes No
- 4. Will more than 300 ft. of stone wall be removed or altered? Yes No
- 5. Will the project involve construction of a parking lot with capacity of 50 cars or more? Yes No
- 6. Are any other MEPA review thresholds exceeded (see 301 CMR 11.00)?
If your answer is YES to any of questions 1-6, you must file an Environmental Notification Form (ENF).* Yes No
- 7. Will the project be on a "Scenic Road" (Acts of 1973, C. 67)?
If your answer is YES, your Planning Board or Selectmen / City Council must give written consent for cutting / removal of trees or changes to stone walls. Yes No
- 8. Have all necessary takings, easements, rights of entry, etc. been completed?
If a county Hearing is required, it must be held prior to starting work Yes No
- 9. Are archaeological, anthropological, historical, etc. problems / impacts anticipated?* Yes No
- 10. Is any work proposed in or within 100 ft. of a wetland (stream, pond, swamp, etc.)? *
If your answer is YES, you must file the project with your local Conservation Commission prior to starting work. Yes No
- 11. If work is proposed in a wetland or water resource, a permit may be required from the Department of Environmental Protection, Corps of Engineers, etc.. Verify with agencies.*
* See Appendix K for a List of Environmental Agencies. Yes No

Validation

It is recognized that the purpose of this information is to assist the Massachusetts Highway Department in approving the Chapter 90 Project Request Form (of which this is a part). Accordingly, the information provided here is intended to be complete and correct with no intentional errors or material omissions. Any action taken by Mass. Highway on the basis of this information shall not legally or financially obligate Mass. Highway to support or defend the municipality, and the municipality shall save harmless Mass. Highway for any action.

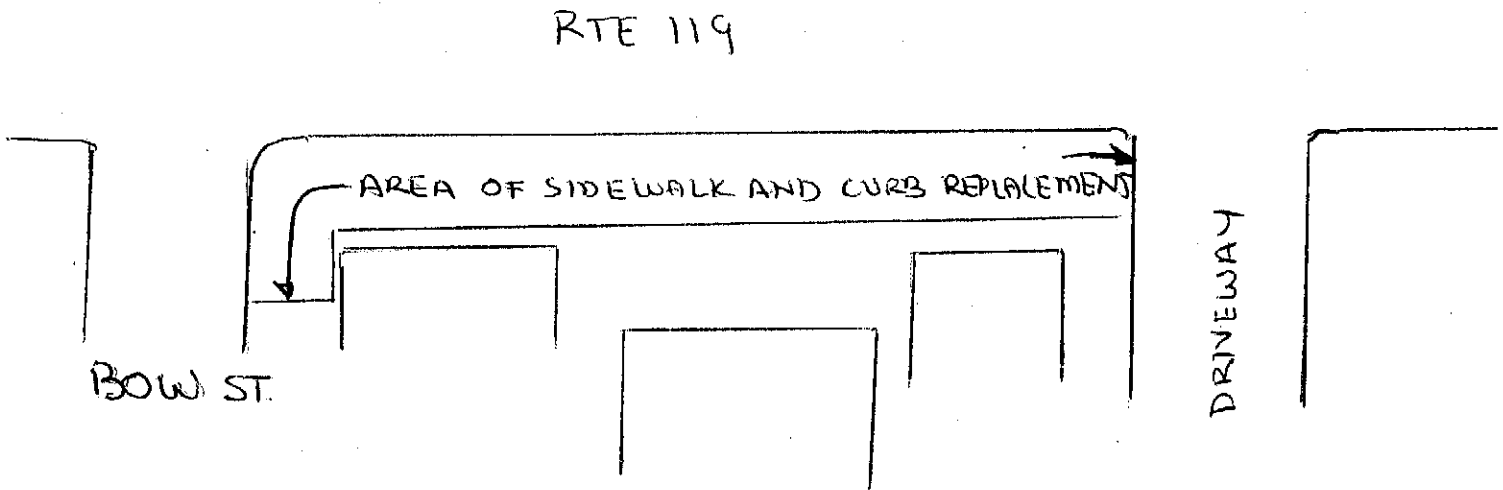
| | |
|----------------------------------|--|
| Authorized Municipal Official(s) | Reviewed and Approved for Transmittal by: |
| | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Signatures <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> / /04 Highway or Conservation Officer's Title Date |
| | <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Date: September 12, 2012 |
| Signatures | |
| Date: | |

This form should be submitted in duplicate with original signatures to the Mass. Highway District Office.
This form should accompany the Project Request Form.

**CHAPTER 90 FY13
ESTIMATED COSTS:**

Sidewalk along Rte. 119 by Bow Street:

| | | |
|----------------------------------|---------------------|--------------------|
| Granite curb – furnish & install | 250 LF x \$36.00/LF | \$ 9,000.00 |
| Concrete | 40 CY x \$120.00/CY | \$ 4,800.00 |
| Concrete installation: | 2250 SF x \$2.00.SF | \$ 4,500.00 |
| TOTAL: | | \$19,425.00 |





CHAPTER 90 - PROJECT REQUEST

updated 8/2012

*2 Original Signed Project Request Forms are to be submitted.

CONTRACT # INTF00002008
50051002

Classification: _____

Primary Road: _____

Local Road: North End Road

City/Town: Townsend

Location(s): North End Road where it intersects with Brookline Road, (Rte. 13)

Length: 60 feet Width: 40 feet

PROJECT TYPE

Construction: Resurfacing: Engineering: Equipment:

Other: Curb and sidewalk installation

TYPICAL SECTION DETAILS: Indicate depths, special treatments, etc... Also please include sketch for Construction/Improvement Projects.

| | |
|----------------------|---------------------------------|
| Surface: | <u>Friction Course - 1-1/2"</u> |
| Base Course: | <u>1-1/2"</u> |
| Foundation: | <u>Graded base</u> |
| Shoulders/Sidewalks: | |

SCOPE OF WORK:

Resurface North End Rd. where it intersects Brookline Road (Rte. 13). Contractor will supply equipment and labor and Town will supply asphalt.

WORK TO BE DONE:

Force Account: Advertised Contract: Other: Quoted - labor & equipment only

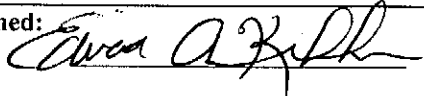
Estimated Cost (Please attach estimate and list funding source(s)): \$ \$5,800.00

These funds will pay 100% of Local Road Project costs to the limit of this assignment

CERTIFICATION

The design, engineering, construction, and future performance of the project, including maintenance, is the responsibility of the Municipality. The proposed work will conform to recognized engineering and construction methods. I/We hereby certify under penalty of perjury the following: that the project is on a public way, and any necessary takings have been made; that all materials will comply with approved established specifications; that all weights and quantities will be accurate; that equipment rental rates are those established by MassDOT Highway or the advertised low bid; that all documentation will be checked for accuracy, and will be endorsed in accordance with municipal procedures for accountability.

| | |
|-------------------------------------|-------------|
| Reviewed by: | |
| Signed: | |
| <u>State Aid Engineer</u> | <u>Date</u> |
| Road Classification Verified: _____ | |
| Approved for \$ _____ | @ 100% |
| <u>District Highway Director</u> | <u>Date</u> |

| | |
|--|--|
| Signed: | |
|  | |
| <u>Superintendent</u> | <u>09/12/12</u> |
| Highway Official's Title | Date |
| _____ | _____ |
| <u>Accounting Official's Title</u> | <u>Date</u> |
| _____ | _____ |
| <u>Date</u> | <u>Duly Authorized Municipal Officials</u> |



Chapter 90 Environmental Punch List

City/Town: Townsend Mass. Highway District No. 3
Proposed Work: Repave section of North End Rd. where it meets with Brookline Rd. (Rte. 13)

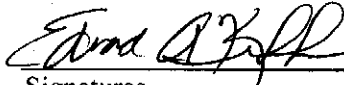
Construction _____ Resurfacing xx Improvement _____ Engineering _____ Other _____

NOTE: ALL ENVIRONMENTAL PERMITS / APPROVALS MUST BE OBTAINED PRIOR TO CONSTRUCTION.

- 1. Will the pavement width increase 4 ft. or more for an aggregate length of 1000 ft. or more? Yes No
- 2. Will the bank or terrain (other than alteration required for installation of equipment or structures) be altered at a distance exceeding 10 ft. from the pavement? Yes No
- 3. Will the removal of 5 or more trees with diameters of 14 inches or more be required? Yes No
- 4. Will more than 300 ft. of stone wall be removed or altered? Yes No
- 5. Will the project involve construction of a parking lot with capacity of 50 cars or more? Yes No
- 6. Are any other MEPA review thresholds exceeded (see 301 CMR 11.00)?
If your answer is YES to any of questions 1-6, you must file an Environmental Notification Form (ENF).* Yes No
- 7. Will the project be on a "Scenic Road" (Acts of 1973, C. 67)?
If your answer is YES, your Planning Board or Selectmen / City Council must give written consent for cutting / removal of trees or changes to stone walls. Yes No
- 8. Have all necessary takings, easements, rights of entry, etc. been completed?
If a county Hearing is required, it must be held prior to starting work. Yes No
- 9. Are archaeological, anthropological, historical, etc. problems / impacts anticipated? Yes No
- 10. Is any work proposed in or within 100 ft. of a wetland (stream, pond, swamp, etc.)? *
If your answer is YES, you must file the project with your local Conservation Commission prior to starting work. Yes No
- 11. If work is proposed in a wetland or water resource, a permit may be required from the Department of Environmental Protection, Corps of Engineers, etc.. Verify with agencies.* Yes No

Validation

It is recognized that the purpose of this information is to assist the Massachusetts Highway Department in approving the Chapter 90 Project Request Form (of which this is a part). Accordingly, the information provided here is intended to be complete and correct with no intentional errors or material omissions. Any action taken by Mass. Highway on the basis of this information shall not legally or financially obligate Mass. Highway to support or defend the municipality, and the municipality shall save harmless Mass. Highway for any action.

| | |
|----------------------------------|---|
| Authorized Municipal Official(s) | Reviewed and Approved for Transmittal by:  _____ Signatures <u>SUPERINTENDENT 9/12/12</u> _____ Highway or Conservation Officer's Title Date Date: <u>September 12, 2012</u> |
| Signatures | |
| Date: | |

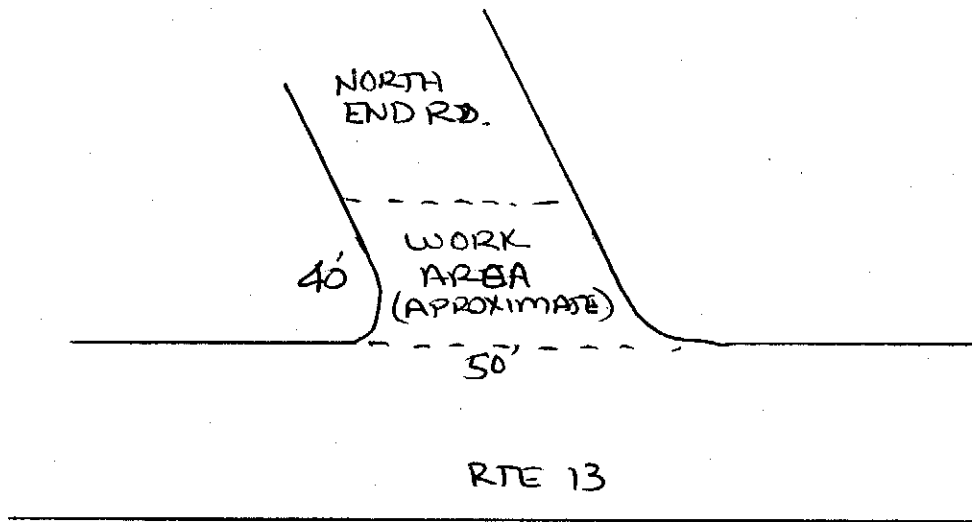
This form should be submitted in duplicate with original signatures to the Mass. Highway District Office.
This form should accompany the Project Request Form.

**CHAPTER 90 FY13
ESTIMATED COSTS:**

North End Road intersection paving:

| | | |
|-------------------|-----------------------|-------------|
| Equipment & labor | 17,000 SY @ \$1.91/SY | \$ 2,750.00 |
| Asphalt: | 45 TN @ \$67.47/TN | \$ 3,050.00 |

TOTAL: **\$ 5,800.00**



3.2

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 "50th Birthday Party" to be held on **October 20, 2012**, with sale hours from **6:00P.M. to 10:00P.M.**

The license is granted in conformity with the Statutes and ordinances relating thereto and expires **October 20, 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: September 25, 2012
Name of Licensee: John Fors
Address of Licensee: 491A Main Street, Townsend, MA
Effective Date or Dates of License: October 20, 2012
Authorized Hours of Sales: 6:00P.M. to 10:00P.M.
Description of the Licensed Premise: VFW Post 6538, 491A Main Street, West Townsend MA in conjunction with a "50th Birthday Party."

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

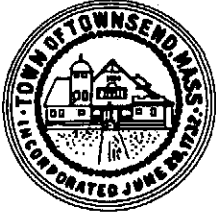
THE LOCAL LICENSING AUTHORITY

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 Licensee is responsible, whether present or not, for enforcing the serving capacity of 100 guests for the licensed premises to include the "bar area".



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. Townsend 01474

Name/ Address of Event Premise

10-20-12

Date of Event

6pm - 10pm 4 hours

Hours of Event

50th Birthday Party

Type of Event/Sponsors

Number of people expected at event: 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 R. Fors

Signature of License Holder

9-16-12

Date

Date Application Received:

9/20/12

Date sent to licensing Agent for review:

9/25/12

**TOWN OF TOWNSEND
ZONING BOARD OF APPEALS
272 MAIN STREET
TOWNSEND, MA 01469**

3.3

To: Planning Board
Board of Health
Conservation Commission
Board of Selectmen

REFERRAL NOTICE

Please Review the attached application and relay to the Zoning Board of Appeals any questions or concerns you may have. This referral is required under §145-65 of the Townsend Zoning Bylaw. Under MGL Ch. 40A, Sec. 11, comments should be provided within 35 days. Failure to make recommendations shall be deemed lack of opposition. Ch. 40A also requires you to notify the applicant of your comments.

APPLICANT: Patricia M. Smith
LOCUS ADDRESS: 199 Wallace Hill Road
PARCEL ID: Assessor's Map 35, Block 25, Lot 2

Date of Hearing: November 7, 2012 @ 7:00pm
Date of Referral: September 18, 2012

cc: Building Inspector
Police Chief
Fire Chief
Highway
Water Department
Assessors

Petition: *(from legal notice)*

The Townsend Zoning Board of Appeals will hold a public hearing on **Wednesday, November 7, 2012 at 7:00 p.m.** at Memorial Hall, 272 Main St., on the application of **Patricia M. Smith** for renewal of a **Special Permit** under Zoning Bylaw Sections 145-36 and 145-65.

The applicant is requesting a renewal of a special permit for an accessory apartment at 199 Wallace Hill Road. Original permit was granted April 2003 to the previous owner.

COMMENTS: _____

NO COMMENT _____

SIGNED: _____ **DATE:** _____



Office of the
ZONING BOARD OF APPEALS
272 Main Street

Townsend, Massachusetts 01469
Phone: (978)597-1700 x1723 Fax (978)597-1722

TOWN OF TOWNSEND
TOWN CLERK

APPLICATION FORM

Application form as incorporated in Zoning Board of Appeals Rules and Regulations as adopted on May 26, 2010. Earlier revisions: 10/6/94, 10/5/95, 10/30/95; 4/10/97; 5/12/99, 3/1/01, 12/16/05, 6/13/07.

Name: Patricia M. Smith
Mailing Address: 199 Wallace Hill Road, Townsend MA
Property Address: 199 Wallace Hill Road, Townsend MA
Applicant's phone: 978-590-9907
Applicant is (circle one): Owner Agent/Attorney Purchaser Tenant
Property owner's name and mailing address (if not applicant): n/a

Characteristics of Property:

Number of lots 1 Lot Area 5.89 acres Frontage 263' Zoning District RB
(If more than one lot, please complete information for each lot individually)

Assessor's Office Map # 35 Block # 25 Lot # 2

Recorded at Middlesex Southern Registry of Deeds: Book: 59949 Page: 545

1. Is the parcel in the Aquifer Protection District? No
2. Is the parcel within 300 feet of the Squannacook River? No
3. Is the parcel in an Historic District?* No
4. Are there any brooks, streams, swamps, bogs, lakes, ponds, or other wetlands on the lot or within 100 feet of the lot? n/a
5. Will this request result in additional living space?
If yes, do you have Board of Health approval for a septic system to serve this space? No
If you do not, please explain:

cont..

This Application is for:

_____ **Variance** of the Zoning Bylaws, Code of the Town of Townsend Section 145-66 and Section _____ - Fee \$300.00 (see additional information/requirements on the next page)

_____ **Special Permit for Earth Removal** under Section 145-46, Section 145-65 and Section 145-40 of the Zoning Bylaws, Code of the Town of Townsend.

Under 7000 cubic yards Fee \$300.00,

7001 cubic yards and over Fee \$750.00

Material to be removed: _____

_____ **Appeal** under Section 145-64 of the Zoning Bylaws, Code of the Town of Townsend.

Fee: \$300.00

_____ **Comprehensive permit** under M.G.L. Ch. 40B: Base fee: \$7,500 plus the following based on the number of units:

| Number of Units | Cost per Unit |
|-----------------|---------------|
| 1-5 | \$135.00 |
| 6-15 | \$300.00 |
| 16-30 | \$400.00 |
| 31 or more | \$450.00 |

_____ **Special Permit for multi-family housing** under Section 145-37 of the Zoning Bylaws, Code of the Town of Townsend. Fee * \$5,000.00 plus \$135.00/unit)

_____ **Special Permit** under Section 145-65 and Section _____ of the Zonings Bylaw, Code of the Town of Townsend. Fee \$300.00. (for any special permit section not listed above).

Renewal of Special Permit under Section 145-65 and Section 145-36 of the Zonings Bylaw, Code of the Town of Townsend. Fee \$135.00

* **For more than one request checked above, pay the highest applicable fee**

Fees listed provide for the administrative costs of the Board, and do not include special costs such as consultants to review engineering plans or other expert opinions the Board may deem necessary. Under M.G.L. c. 40A and c. 44, §53G, the Board may require an applicant to pay the reasonable costs of outside consultants. The Board may also require an applicant to pay any unusual administrative costs, such as copying costs for large submissions of plans or drawings greater than 8.5" by 14". The applicant shall pay the cost of recording any decision at the Registry of Deeds. Application fees are non-refundable.

Further Variance information:

If applying for a Variance, please answer the following questions:

Under state law (MGL Ch 40A, Section 10), the Board cannot issue a Variance unless the Board finds that the requirements in (c) through (f) below are met. The applicant is obligated to demonstrate these points to the Board. If you need advice on (c) through (f), you should consult an attorney. No Town official can advise you on your answers.

- (a) What type of variance are you requesting?*
- (b) What is the amount of the variance from the particular requirements of the Code of the Town of Townsend?*
- (c) What circumstances relating to the particular soil condition, shape, or topography of your land or structures cause you to need a variance?
- (d) What substantial hardship, financial or otherwise, owing to the particular circumstances in (c) above, would result if this application for a variance were denied?
- (e) The granting of this variance by the Zoning Board of Appeals would not be detrimental to the public good; and
- (f) The granting of this variance is not a substantial derogation from the particular bylaw or bylaws.

* The Building Department or the Zoning Board Administrator can assist you in filling out of this application for items (a) and (b).

ITEMS THAT MUST BE SUBMITTED WITH THE APPLICATION FORM:

1. Any correspondence from the Building Inspector concerning this request, including the written rejection letter which is being appealed pursuant to M.G.L. ch. 40A § 8 and the Zoning Bylaws, Code of the Town of Townsend § 145-64.
2. One-page summary of the proposal (for a Variance, see the above information).
3. A scaled plot plan that distinguishes existing structures from the proposed construction. Said plan must also show all setbacks (front, side, rear) and frontage measurements. All lot and structural dimensions, both existing and proposed, must be clearly delineated.
4. For an accessory apartment, include floor plans of the principal residence and the apartment, along with a report from the Board of Health in accordance with Section 145-36 D of the Zoning Bylaws, Code of the Town of Townsend.

INSTRUCTIONS FOR FILING APPLICATIONS:

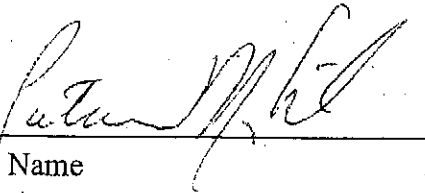
Present the signed application with the items listed above to the Town Clerk, which will then certify the date of filing and give you a copy of the application as certified.

File the certified copy, along with 8 additional copies (for distribution to the ZBA members, Town Counsel, and Mandatory Referrals), and the fee with the Town Clerk. Hand delivery to the Town Clerk is recommended.

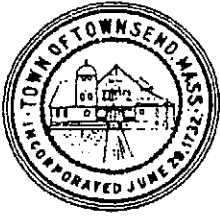
ALL APPLICANTS MUST READ, SIGN AND DATE THE FOLLOWING:

I certify that the information provided above is true and correct to the best of my knowledge; that I understand that the Board may require additional information to process or grant this application; that the Board may require me to pay additional consulting or other unusual costs; that errors in this information, or in the information I provide at the public hearing, may result in the denial of this application or the revocation of any favorable decision issued by the Board; that any relief granted by the Board shall be limited to the request made in this application; that I may be represented by counsel at my own expense; that if my application is denied it cannot be resubmitted for two years, following its denial, without prior approval of both the Zoning Board of Appeals and the Planning Board; and that I am responsible for all other applications, permits, approvals etc., that may be required by law.

Signed:


Name

9/13/12
Date



Office of
ZONING BOARD OF APPEALS
272 Main Street
Townsend, Massachusetts 01469
978-597-1703; 978-597-8135

RECEIVED
APR 10 2003
TOWN OF TOWNSEND
TOWN CLERK

PETITION OF JAMES A. HAMILTON
PREMISES: 199 WALLACE HILL RD.
DATE OF DECISION: APRIL 2, 2003

James A. Hamilton petitioned the Zoning Board of Appeals for a Special Permit under Townsend Zoning Bylaws 11.3 and 9.3 to construct an accessory apartment at 199 Wallace Hill Rd. (Assessor's Map 35, Block 25, Lot 2). The petition was filed in the office of the Town Clerk on February 25, 2003.

For this purpose a public hearing was scheduled for Wednesday, April 2, 2003. "Parties in Interest," were verified by the Assessor's office on February 28, 2003. Notice of the public hearing was mailed to parties in interest at least 14 days prior to the hearing date. The notice of public hearing was published in the *Townsend Messenger* on April 29, 2003 and March 26, 2003.

The hearing was held as scheduled on April 2, 2003. Testimony and plans were received into the record. Zoning Board members present were William Cadogan, David Chenelle, John Page, Craig Stevens and Darlene Sodano.

The Board considered the application in light of statutory criteria, bylaw requirements and found as follows:

Findings of Fact:

1. All mandatory referrals were received and read into the record by Chairman Cadogan.
2. In terms of Zoning Bylaw 9.3, Accessory Apartments in a Residential District, the Board found as follows:
 - a) The proposed floor area of accessory apartment is 846 sq. ft. and does not exceed 35% of the floor area of the principal residence.
 - b) Adequate provision has been made for the disposal of sewage, waste and drainage of such accessory apartment in accordance with the requirements of the Board of Health. Board of Health provided a mandatory referral and a report stating that the septic system is adequate.
 - c) Adequate provision has been made for ingress and egress to the outside from such accessory apartment. The accessory apartment is a walkout basement and also has access to the principal residence.
 - d) The construction and occupancy of the accessory apartment will not be detrimental to the neighborhood in which the lot is located. The board determined that there is no change to outward appearance of residence.

- e) The lot on which the accessory apartment and principal residence are located contains at least 1 (one) acre. The lot is 5.89 acres and exceeds the 1 acre requirement.
- f) deleted in bylaw
- g) Adequate provision has been made for off street parking of motor vehicles in such a fashion as is consistent with the character of a single family residence. The residence is 300 ft. off Wallace Hill Rd. and can not be seen from the street.
- h) There is no other apartment on the lot on which the accessory apartment is to be located. The board confirms that there is no other apartment.

In terms of Zoning Bylaw 11.3, Special Permit Decision, the Board found as follows:

- a) The lot is adequate in terms of size for the proposed use.
- b) The lot is zone residential and suitable for the proposed use.
- c) The impact of traffic flow and safety is negligible.
- d) There is no impact on neighborhood visual character, including views and vistas.
- e) The Board of Health addressed and approved the adequacy of sewage disposal, source of water and drainage.
- f) There is no change to utilities and other public services.
- g) There is no change or impact on ground and surface water quality and other environmental and natural resource considerations.

David Chenelle made a motion that the proposed use of an accessory apartment will not have adverse effects which overbalance its beneficial effects on either the neighborhood or the Town, in view of the particular characteristics of the site, seconded by Darlene Sodano and the Board unanimously approved that finding.

David Chenelle made a motion that the Board grant the Special Permit to construct an Accessory Apartment requested by James Hamilton at 199 Wallace Hill Rd., with the following conditions:

1. The apartment must be built according to the plans and schedules submitted and received into the record.
2. The applicants agree to abide by the terms of the Townsend Housing Authority or Local Housing Agency or Partnership program to insure moderate income occupancy of the apartment thus created for a period of not less than five (5) years. The Townsend Housing Authority or Local Housing Agency or Partnership shall permit deferral of the program if the homeowner wishes to accommodate initially a family member or members. For the purposes of this Section 9.3.6 of Townsend Zoning Bylaw, family member shall be defined as one of the blood, step or adopted relatives of the home owner or spouse as follows: Mother, father, sister, brother, son, daughter, uncle, aunt, grandmother, grandfather and/or their spouses.
3. The Special Permit must be renewed in five years, April 2008, per the bylaw.

The motion was seconded by Darlene Sodano.

The Board voted:

William Cadogan voted to approve the special permit with conditions.
David Chenelle voted to approve the special permit with conditions.
John Page voted to approve the special permit with conditions.
Craig Stevens voted to approve the special permit with conditions.
Darlene Sodano voted to approve the special permit with conditions.

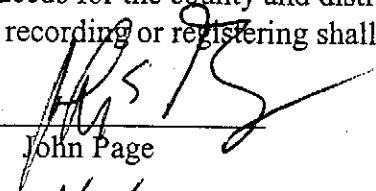
The motion carried and the Special Permit is granted with the above conditions. This Decision does not relieve the petitioner or any other person of the necessity of complying with all other applicable Federal, state or local statutes, ordinances, bylaws and/or regulations.

Any appeals of this Decision shall be made pursuant to Massachusetts General Laws Chapter 40A, Section 17, and a copy shall be filed in the Town Clerk's office within twenty (20) days after the date of filing of the Decision in the Office of the Town Clerk.

Pursuant to Massachusetts General Laws Chapter 40A, Section 11:

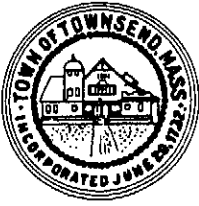
No variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the... town clerk that twenty (20) days have elapsed after the decision has been filed in the office of the... town clerk and no appeal has been filed or that if such an appeal has been filed, that it has been dismissed or denied,...is recorded in the registry of deeds for the county and district in which the land is located... The fee for recording or registering shall be paid by the owner or applicant.

Signed:


John Page

Date:

4/10/03



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

Nicholas Thalheimer, *Chairman*

Sue Lisio, *Vice-Chairman*


Robert Plamondon, *Clerk*

Andrew J. Sheehan,
Town Administrator

Office (978) 597-1701
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MEMORANDUM

TO: Board of Selectmen

FROM: Andrew J. Sheehan, Town Administrator 

DATE: September 21, 2012

SUBJ.: FY13 Budget Deficit Reduction Plan

At its meeting of September 4, the Board of Selectmen directed me to prepare a plan to close the budget deficit and balance the FY13 budget. I am pleased to report that I have successfully accomplished this task, though not without touching all departments and impacting service delivery. No layoffs are proposed and although there are reductions in hours, no employee's hours were reduced so much that they lost health insurance benefits. The remainder of this memo will detail the revenue enhancements and expenditure reductions that allow us to close the deficit.

Summary:

When the override was defeated on August 28, 2012, Townsend was confronted with a deficit of \$417,728. Due to some increases in health insurance enrollment we also needed a supplemental appropriation of about \$40,000 for the health insurance line item. We also have a couple of contractual obligations for which additional funding is needed. In total, our starting deficit was \$464,291.

Revenues:

Revenues go hand in hand with expenditures. The first place we looked to shrink the deficit was in revenues. We were able to identify additional revenues that we had either not anticipated or had underestimated. When we were building the budget last winter and spring we conservatively estimated our revenues, particularly local receipts. In fact, we projected a 5% decrease in local receipts. Nine months later we have sufficient trending data to confidently revise local receipts higher. Motor vehicle excise taxes, interest revenue, rental income, and income from licenses and fees were all higher than projected for FY12. This enables us to safely revise our local receipts higher for FY13. In spite of the positive local receipts, we have continued to conservatively estimate our meals tax revenues. The Dept. of Revenue projects approximately \$70,000; we are

projecting only \$25,000. This is a prudent approach and builds a cushion into our budget.

As stated in prior meetings, our local aid number came in higher than projected. This is due to the timing of our Town Meeting and the adoption of the State budget. When we held our Annual Town Meeting on May 1, 2012, the Massachusetts Legislature had not yet completed its budget. We were forced to estimate local aid based on the competing budget proposals of the Governor, House, and Senate. There were indications that FY13 local aid numbers would be on par with the total received in FY12. (If you recall, in FY12 we received an initial local aid amount that was supplemented after State receipts came in above estimates) But the State budget was still incomplete and we could not assume local aid at 100% of FY12. Our FY13 local aid estimate was based on the initial FY12 local aid number, not including the supplemental aid. When the State budget was finally approved in July it included the supplemental aid, providing an additional \$82,779 for Townsend.

Combined with the additional local receipts revenues have increased by \$172,329.

Expenditures

I asked departments to identify cuts that would reduce their budgets while still maintaining essential services. Departments must be complimented for identifying more than \$250,000 in reductions. I used these reductions as a starting place for developing the deficit reduction plan. However, it became clear very quickly that cuts in excess of what was offered by the departments would be necessary.

I propose reducing the open hours of Town Hall, the Townsend Public Library, and the Townsend Senior Center effective December 1, 2012. I recommend closing Town Hall to the public on Fridays, reducing the hours from 37 to 30. In general, Friday is the quietest day. Also, many town halls in other communities close all day or half day on Friday and indicate no ill effects. The savings in utility costs associated with closing the buildings do not provide substantial savings. The only way to glean significant savings is by reducing employee hours. I have identified positions for reduced hours. The spreadsheet shows specific reductions by department. As noted above, no employees were laid off and none had their hours reduced to the point where they lost eligibility for health insurance.

Currently, the Library is open Tuesday through Saturday, with seasonal hours on Sunday. It is closed on Sunday and Monday. The Senior Center is open Monday-Friday and closed on the weekend. I will be working with the directors of the library and Senior Center to discuss schedules and identify the most appropriate day(s) to close. As with Town Hall, employee hours at the Library and Senior Center will be reduced to provide the majority of savings. Again, no employee will lose access to health insurance.

Reductions to personnel and expense lines are proposed in departments across the organization. These reductions are reflected on the spreadsheet.

There are other management changes available. Some that have been identified include:

- Take home vehicles: The Board has identified take home vehicles as a potential savings. A modest savings to the operating budget is available in this area; a more significant capital savings is also available.
- Health insurance: Health insurance is a large cost center and there may be opportunities for savings. I plan to put our health insurance out to bid later this fiscal year.
- Curbside Solid waste collection: Solid waste is an area identified by many and one in which savings may be available. Savings for FY13 could not be easily quantified, but savings for future years must be fully explored.
- Technology: Increased use of technology is another avenue. Technology can yield significant cost-reducing efficiencies. We are currently exploring this in the area of financial management software.
- Regionalization: Shared services agreements and other regional approaches may allow us to reduce costs and/or provide necessary services that we would otherwise not be able to provide. I am working with colleagues in the region to identify opportunities in this area.
- Finally, some of our service contracts may provide opportunities for savings. These will be looked at as we move forward.

I received many ideas from people over the past few weeks and I encourage people to continue to brainstorm for both short term and long term solutions.

Reserves

I am not proposing the use of reserves (free cash or stabilization) to close the deficit. The revenue enhancements and expenditure reductions have erased the deficit. The Town's reserves remain robust and paint a positive picture for ratings agencies and provide us with great flexibility.

Conclusion

This has been a very challenging time for the Town, its employees, and officials. I suspect it will also present challenges for residents as they adjust to new service levels and schedules. However, it is forcing us to scrutinize our operations and make decisions that might otherwise be too distasteful. Despite the near term unease I trust that it will set us up for a positive future.

I want to thank the employees for their conduct during this difficult time. Uncertainty over what will happen weighs heavily on people. The employees have approached this professionally and respectfully and I want to commend and thank them for their behavior.

| | | | | |
|---------|-------------------------------------|-----------|-----------|----------------|
| 179 | Land Use Expenses | 4,300 | 3,300 | 1,000 |
| 191 | Facility Maint. - Energy | 100,912 | 80,912 | 20,000 |
| 210 | Police Personnel Services | 1,245,499 | 1,225,499 | 20,000 |
| 220 | Fire-EMS Personnel Services | 676,982 | 622,982 | 54,000 |
| 225 | Comm. Ctr. Personnel Services | 271,096 | 211,877 | 59,219 |
| 241 | Building Dept. Personnel Svcs. | 90,989 | 77,137 | 13,852 |
| 421/422 | Highway Personnel Svcs. | 387,573 | 342,573 | 45,000 |
| 491 | Cemetery & Parks Personnel Services | 93,711 | 87,711 | 6,000 |
| 520 | Board of Health Personnel Svcs. | 32,436 | 28,707 | 3,729 |
| 541 | Council on Aging Personnel Svcs. | 63,816 | 55,548 | 8,268 |
| 610 | Library Personnel Services | 174,194 | 162,994 | 11,200 |
| 610 | Library Expenses | 44,269 | 41,869 | 2,400 |
| | Debt Service | | | 2,000 |
| | Subtotal reductions | | | 294,633 |
| | Stabilization/free cash | | | 0 |
| | Balance | | | 884 |

Salary reductions based on 30 weeks effective 12/1/12-6/30/13

