

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

Sue Lisio, *Chairman*

Robert Plamondon, *Vice-Chairman*

Colin McNabb, *Clerk*

Andrew J. Sheehan,  
*Town Administrator*

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

**SELECTMEN'S MEETING AGENDA**  
**AUGUST 27, 2013 - 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 and approve Meeting Minutes: July 30, 2013. Votes may be taken.

**II APPOINTMENTS /HEARINGS**

- 2.2 7:15 Joint Meeting with Trust Fund Commissioners: Joint meeting to fill vacancies of Trust Fund Commissioners. Vacancies are filled by majority vote of the Board of Selectmen and remaining Trust Fund Commissioners. Votes may be taken.

**III MEETING BUSINESS**

- 3.1 Review and approve request from the Abram S. French Fund Committee to approve funding in the amount of \$400 so the Committee can provide assistance. Votes may be taken:
- 3.2 Review and approve applications from Unitil to Cross, Alter and/or Construct Within a Town Way at the following locations. Votes may be taken.
  - 40 Turnpike Road, for a new gas service installation;
  - 550 Main Street and 13 Turnpike Road for new gas service installation;
  - 6 Terrace Way, for new gas service installation;
  - 10 Barker Hill Road, for new gas service installation.
- 3.3 Review and sign contract with Air Cleaning Specialists of New England for installation of an air cleaning system at the Highway Garage with a contract price of \$24,700. Votes may be taken.
- 3.4 Review correspondence from Xfinity regarding digital network enhancements and encryption of programming. Votes may be taken.
- 3.5 Review Mandatory Referral Notice form the Planning Board regarding a Wind Energy Systems Bylaw to be included on the Special Town Meeting warrant. Votes may be taken.
- 3.6 Declare as surplus the Building Department's 2000 Ford Explorer and authorize its disposition. Votes may be taken.
- 3.7 Review correspondence on the status of the North Middlesex Regional High School construction project. Votes may be taken.
- 3.8 Review and approve one day Special License for John Fors, VFW Post 6538 for a Wedding Reception on September 7, 2013 from 7PM-11PM. Votes may be taken.
- 3.9 Set dates for the Special Town Meeting and close of the warrant. Recommended dates are Tuesday, October 29, 2013 for a Special Town Meeting and Thursday, September 19, 2013 for the close of the warrant. Votes may be taken.
- 3.10 Receive update on the status of the FY12 and FY13 audits. Votes may be taken.

- 3.11 Discuss scheduling work sessions for the following:
- Work session to discuss funding for road improvements;
  - Work session to discuss goals.

**IV APPOINTMENTS OF PERSONNEL/OFFICIALS**

- 4.1 Vote to appoint Paul E. Sweet and Renee S. Fossey to the Abram S. French Fund Committee for terms from July 30, 2013 to June 30, 2014. Votes may be taken.
- 4.2 Vote to appoint Patricia O'Reilley as Crossing Guard for a term of July 30, 2013 to June 30, 2014. 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) regarding collective bargaining and litigation.



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

1.4

Sue Lisio, *Chairman*

Robert Plamondon, *Vice-Chairman*

Colin McNabb, *Clerk*

Andrew J. Sheehan,  
*Town Administrator*

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

**SELECTMEN'S MEETING MINUTES**  
**JULY 30, 2013 - 7:00 P.M.**  
**SELECTMEN'S MEETING CHAMBERS**

**I PRELIMINARIES**

- 1.1 The Chairman called the meeting to order at 7:00PM and roll call showed Sue Lisio, Chairman, (SL); Robert Plamondon, Vice-Chairman, (RP); and Colin McNabb, Clerk, (CM) present.
- 1.2 SL gave notice that the meeting is being tape recorded.
- 1.3 Chairman's Additions or Deletions: 2.3 Pamela Mariano of Bailey's requests an opportunity to address the Board regarding the acceptance of G. L. c. 138, s. 33B; and 4.2 Vote to appoint Jessica Fellows and Rachel Wilkins as part time telecommunicators for a term of July 30, 2013 to June 30, 2014 with a nine month probationary period.
- 1.4 Review/Approve Meeting Minutes: July 2, 2013 and July 15, 2013. CM moved to approve. RP seconded. Unanimous.

**II APPOINTMENTS /HEARINGS**

- 2.1 7:05 Don Klein, Fire Chief, for the following:
  - To pin new fulltime Firefighter/EMT Leon Niemiera: Chief Klein introduced Mr. Niemiera. He has been with the Department as a call member for many years and was one of the first recruits the Chief hired. He was on military duty while his interview was conducted over the phone. He is passionate about firefighting and will be part of the training division. Mr. Niemiera was pinned by his mother and thereafter sworn in by Sue Funaiolo, Town Clerk.
  - Request that the Board declare surplus a 2000 Ford Explorer XLT: Chief Klein pointed out the 2000 Ford Explorer XLT needs a lot of work has 106,000 miles on it. He feels it would be prudent to surplus it for purposes of disposal. Mr. Sheehan said it will be advertised on the website and the money will go into the general fund. CM moved to declare the 2000 Ford Explorer XLT as surplus. RP seconded. Unanimous.

**IV APPOINTMENTS OF PERSONNEL/OFFICIALS**

- 4.1 Vote to appoint the following paramedics for terms from July 30, 2013 to June 30, 2014:

Eric T. Mannion	Curtis J. Triehy
Fredric L. Jeffries	Ronald J. Eddy
Jacqueline H. Becker	Martin W. Scott

CM moved to appoint those listed as paramedics for terms from July 30, 2013 to June 30, 2014. RP seconded. Unanimous.
- 4.2 Vote to appoint Jessica Fellows and Rachel Wilkins as part time telecommunicators for a term of July 30, 2013 to June 30, 2014 with a nine month probationary period: CM moved

to appoint Jessica Fellows and Rachel Wilkins as part time telecommunicators for a term of July 30, 2013 to June 30, 2014 with a nine month probationary period. RP seconded. Unanimous.

2.3 Pamela Mariano of Bailey's requests an opportunity to address the Board regarding the acceptance of G. L. c. 138, s. 33B: SL introduced Ms. Mariano. She asked the Board to sponsor changing Sunday hours to 10 AM instead of noon at the Special Town Meeting. In 2010 the law was changed by Governor Patrick. Business is affected by golfers going to New Hampshire on Sundays and they would like to open for breakfast on weekends and be able to offer alcoholic beverages. Mr. Sheehan pointed out that Ms. Mariano is simply asking if the Board would be willing to sponsor the adoption of the statute. If the Board is not willing to be the sponsor she has indicated her willingness to gather the signatures needed for a petition. SL emphasized that it means the Board would be agreeing to put it on the warrant; not that they have voted to approve it or are in favor of it. The Board discussed the benefits the change would have for businesses and for the town as a whole. RP asked if acceptance of the statute would be specific to a business. Mr. Sheehan said accepting the statute would allow the Board to permit serving alcohol as early as 10AM on Sundays, but it would be determined during licensing for each establishment. He also pointed out that it only applies to on-premises licenses, not retailers. Anyone who has an all-alcohol on-premises license could petition the board for the earlier opening. CM moved to sponsor the article regarding the acceptance of G. L. c. 138, s. 33B. RP seconded. Unanimous.

2.2.1 7:15 Ed Kukkula, Highway Superintendent, for a discussion on paving priorities, chapter 90 funding, and other funding sources for road improvements: SL opened the discussion by noting that members of the Finance Committee and Capital Planning were present, though the Finance Committee did not have a quorum. SL continued by addressing Mr. Kukkula, acknowledging that he comes to the Board with requests on a yearly basis and realizes that having a long-term plan for road repairs is advisable. State funding is the only source of funds for roadwork and State funding is insufficient for our needs. Mr. Kukkula addressed the Board pointing out that the Highway Department expects to receive a little over \$300K in Chapter 90 funding from the State for FY' 14 which will pave a little over one mile of road. Put into perspective, one mile on Wallace Hill Road cost \$280-\$290K. In 1999 part of South Row Road was repaved. The estimated time span pavement is approximately 13 years. In order to keep a road in good shape you need to maintain it. In about 8 years roads deteriorate about 40%. Within another 4 years they deteriorate another 40%. The roads listed in his memo are all in need of major reconstruction. The Highway Department continually uses its hot box. They put down 2-4 tons a day patching roads and are nowhere near catching up. Their budget buys patch or hot top to patch the roads. At this rate the town is in serious trouble. Even if the State gave \$400K a year, that's a mile-and-a-half of road and there are 86 miles of road in Townsend. SL asked how much the town gives the Highway Department. Mr. Sheehan stated that the town doesn't include road construction money in the operating budget. Mr. Kukkula stated that \$30,000 is budgeted for things like patch and line striping. SL would like to figure out a comprehensive plan. The condition of roads affects the town's appearance and the perceived value and amount of pride the community takes in the town. She asked Mr. Sheehan what other towns do. He replied that some rely on Chapter 90 like we do. Others communities have made the commitment to funding whether it's through the operating budget or a capital plan budget. He added that even if we spent a million dollars a year in road paving we wouldn't be caught up. This will take at a much bigger commitment. Communities that have good road networks make the

investment not only in reconstruction, but roads that are only 4-6 years from reconstruction are receiving preventative maintenance. SL asked if it is time to look at this as an item that needs its own funding on an ongoing basis in terms of a capital budget. It's a commitment the town would be making earmarked for the roads even if it was just matching the State's funds. Funding sources include the operating budget, capital budget, and debt or capital exclusions. CM suggested a work session specifically for this subject. SL asked Capital Planning and the Finance Committee to discuss it and a meeting will be scheduled after Labor Day to explore potential solutions. RP asked about the status of Route 13 to the state line. Mr. Kukkula said Townsend owns the 3 miles of road from the border to the center. Mass DOT said they would put that project on the TIP (transportation improvement project list) for \$2.5M. Realistically could be 3 to 5 years out.

On a related subject, Mr. Sheehan has drafted a letter for the governor with respect to Chapter 90. Last year we received \$429,000. The governor is concerned there is not sufficient money to support the spending but Ways and Means says there is. CM moved to send a letter regarding Chapter 90 funding to the governor's office. RP seconded. Unanimous.

### **III MEETING BUSINESS**

3.1 Review and approve chapter 90 reimbursement requests:

- Main Street sidewalk and granite curb installation, \$15,212.00.
- Route 13 survey, \$6,655.
- Route 13 survey, \$3,500.

CM moved to approve as listed. RP seconded. Unanimous.

3.2 Reminder of joint meeting on Monday, August 12, 2013 at 7PM of the North Middlesex Regional School Committee, High School Building Committee, and the Boards of Selectmen and Finance Committees of the district towns to discuss the high school project. SL reminded all of the meeting and pointed out they are televised.

3.3 Review and approve Grievance Policy for the General Public to Ensure Equal Access to Facilities & Activities, Policy #2013-02. Mr. Sheehan said this policy was brought up as part of a grant for the purchase of the Genova property on Highland Street. The goal is to increase the accessibility of public spaces. The policy sets forth a grievance procedure for anybody who feels aggrieved by their limitation to gaining access to a public space. Any grievance would start with Richard Hanks, the ADA coordinator, then to the town administrator and ultimately the Board of Selectmen. CM moved to approve. RP seconded. Unanimous.

3.4 Vote to accept grant between the Massachusetts Department Environmental Protection (DEP) and Town of Townsend for a grant in the amount of \$5,000 for a Mandatory Recycling Enforcement Coordinator. Mr. Sheehan recapped that an article to fund this enforcement position was approved at town meeting. This is formal acceptance of the grant. He believes the length of the term is 18 months. CM moved to accept. RP seconded. Unanimous.

3.5 Review draft intermunicipal agreement with the Town of Lunenburg to purchase excess solar net metering credits. Mr. Sheehan reiterated that Lunenburg is working on two solar projects. The communities that host those projects are eligible for net metering credits. Lunenburg's credits exceed what they need or use in kilowatt hours in a given year. They have offered the excess to Townsend. The way the credits would work, we would identify the accounts the credits would apply to and that would be noted on the Unitil bills we receive. It would be reflected as 100% on the bill. We would then be invoiced by Lunenburg

for 85% of the value of the credit. We would ultimately be saving 15% on each credit. We use about 900,000 kilowatt hours a year. It does present an opportunity for some savings for us. Though it only applies to a portion of the bill, it is still beneficial to us. We spend about \$185,000 a year on electricity town-wide. We might save about \$15,000. As we get it more formalized, we will get a better estimate.

- 3.6 Discuss dates for Special Town Meeting. Mr. Sheehan pointed out that typically they are mid-October to mid-November. He is considering Tuesday, November 5<sup>th</sup>, but will bring a formal recommendation to the Board at the next meeting.

## **V WORK SESSION**

5.1 Board of Selectmen Updates/Reports: None.

5.2 Town Administrator Updates/Reports:

- The legislature has overridden the governor's vetoes with respect to the budget and also to transportation funding. We got our final cherry sheets (local aid numbers) they came in about \$4,000 higher than we had projected. Schools received some additional funding above what the governor had proposed.
- He reminded the public of a number of vacancies on boards and committees:
  - Housing Authority
  - Planning Board
  - Energy Committee
  - Trust Fund CommitteeThose interested can fill out a volunteer response form in the Town Administrator's office or on line.
- The Fire Chief is looking for on-call firefighters and on-call EMTs. There is some regular training that takes place Tuesday nights and you respond to calls if you are available. The positions are compensated.
- The Devens household hazardous waste facility will be open August 7<sup>th</sup> and 10<sup>th</sup> from 9 to noon. Attendance continues to be very strong. Townsend usage increased 50% over the first year and the average wait time is only three minutes.
- The Board will meet again on August 27<sup>th</sup>.

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

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

Meeting adjourned at 8:10.

2.2

**NOTICE OF JOINT MEETING  
BOARD OF SELECTMEN  
AND  
TRUST FUND COMMISSIONERS**

August 27, 2013 at 7:15PM  
Selectmen's Chambers  
272 Main Street, Townsend

The Board of Selectmen and Trust Fund Commissioners will convene a joint meeting on Tuesday, August 27, 2013 at 7:15PM in the Selectmen's Chambers, 272 Main Street, Townsend. The purpose of the meeting is to fill one or more vacancies of Trust Fund Commissioners. The appointment will be made by majority vote of the Board of Selectmen and the remaining Trust Fund Commissioners.

## **PUBLIC NOTICE OF VACANCY**

August 5, 2013

In accordance with Section 7-10 of the Townsend Charter requiring a ten (10) day posting, the following vacancy is posted:

**TRUST FUND COMMISSIONERS**  
To serve until the next annual Town Election

**The appointment will be made jointly by vote of the Board of Selectmen and the remaining Trust Fund Commissioner in accordance with 3-1(f) of the Town Charter.**

If interested, please forward a Volunteer Response Form to the Office of the Board of Selectmen, 272 Main Street, Townsend, MA 01469.



## Procedures for Filling Vacancies on Elected Boards and Commissions

This procedure follows the steps outlined in MGL c. 41, s. 11, Appointment to fill vacancy in town office. C. 41, s. 11 reads:

Section 11. As used in this section, the term "vacancy" includes a failure to elect. If a vacancy occurs in any town office, other than the office of selectman, town clerk, treasurer, collector of taxes or auditor, the selectmen shall in writing appoint a person to fill such vacancy. If there is a vacancy in a board consisting of two or more members, except a board whose members have been elected by proportional representation under chapter fifty-four A, the remaining members shall give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by roll call vote. The selectmen shall fill such vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next annual meeting or until another is qualified.

- Within one (1) month of a vacancy the board or commission shall give written notice to the Board of Selectmen;
- Selectmen shall post notice of a joint meeting at least one week in advance of the meeting; alternatively the Board of Selectmen and the board or commission shall separately post notices of their meetings at least one week in advance so long as the item is reflected on the agenda of each;
- Chair of the Board of Selectmen calls the joint meeting to order or announces the agenda item;
- Chair calls for nominations to fill the vacancy;
- Chair calls for seconds to nominations;
- Chair calls for roll call vote of nominees by the members of the Board of Selectmen and the members of the board or commission;
- Chair declares the candidate who receives a majority of votes;
- The candidate so chosen shall fill the vacancy until the next annual election.

July 31, 2013

3.1

To: Board of Selectmen

From: Abram S. French Fund Committee

We request that you transfer \$400.00 from your available funds to the Abram S. French Fund so that we can provide financial assistance to a family that we have determined is in financial need.

Thank you,

  
Janis S. Fossey  
Abram S. French Fund Committee



3.2

TOWN OF TOWNSEND  
 Highway Department  
 P.O. Box 621  
 12 Dudley Road  
 Townsend, Massachusetts 01469  
 (978) 597-1712

Application for Permit  
 To Cross, Alter and/or Construct Within a Town Way  
 Townsend General Bylaws Article II, Section 13

Date: 8/8/13

Town of Townsend  
 Highway Superintendent  
 P.O. Box 621  
 Townsend, MA 01469

To Whom it May Concern:

The Undersigned UNITIL (company name) hereby  
 applies for permission to: 40 TURNPIKE RD TOWNSEND  
NEW GAS SERVICE INSTALLATION

A \$100.00 permitting fee is now required with all permit applications.

Start Date: \_\_\_\_\_

Further, we agree that if the Town way has been disturbed, i.e., roadway, sidewalk, it will be returned to its original condition. When backfilling operations are required, it shall be constructed of successive layers not more than one (1) foot in depth, uniformly distributed and each layer thoroughly compacted. The Undersigned will notify the Highway Department when backfilling operations proceed. The Highway Superintendent or his/her Designee will be present during this operation.



We deliver.  
 It's that simple.

285 John Fitch Highway  
 Fitchburg, MA 01420

phone: 978-353-3260  
 cell: 978-833-0020  
 fax: 978-353-3360  
 Pager: 978-445-0032  
 e-mail: dimcco@unitil.com

*Mark DiMeco*

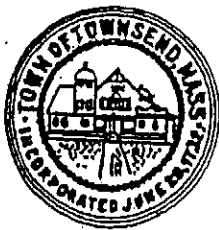
Mark DiMeco  
 Gas Operations  
 Project Leader

Approved/Disapproved: Highway Superintendent E. Kullh

Date: 8-20-13

Approved/Disapproved: Board Of Selectmen \_\_\_\_\_

Date: \_\_\_\_\_



TOWN OF TOWNSEND  
 Highway Department  
 P.O. Box 621  
 12 Dudley Road  
 Townsend, Massachusetts 01469  
 (978) 597-1712

Application for Permit  
 To Cross, Alter and/or Construct Within a Town Way  
 Townsend General Bylaws Article II, Section 13

Date: 5/29/13

Town of Townsend  
 Highway Superintendent  
 P.O. Box 621  
 Townsend, MA 01469

To Whom it May Concern:

The Undersigned UNITIL/NEUCO (company name) hereby  
 applies for permission to: open Road @  
550 Main St and 13 Turnpike Rd  
for installation of new gas service

A \$100.00 permitting fee is now required with all permit applications.

Start Date: \_\_\_\_\_

Further, we agree that if the Town way has been disturbed, i.e., roadway, sidewalk, it will be returned to its original condition. When backfilling operations are required, it shall be constructed of successive layers not more than one (1) foot in depth, uniformly distributed and each layer thoroughly compacted. The Undersigned will notify the Highway Department when backfilling operations proceed. The Highway Superintendent or his/her Designee will be present during this operation.



We deliver.  
 It's that simple.

285 John Fitch Highway  
 Fitchburg, MA 01420  
 phone: 978-353-3260  
 cell: 978-833-0020  
 fax: 978-353-3360  
 Pager: 978-445-0032  
 e-mail: dimcco@unitil.com

*Mark DiMeco*

Mark DiMeco  
 Gas Operations  
 Project Leader

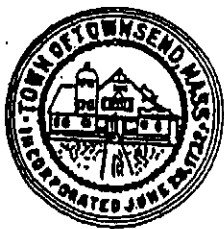
Approved  Disapproved: Highway Superintendent

*E. Kuller*

Date: 8-20-13

Approved/Disapproved: Board Of Selectmen

Date: \_\_\_\_\_



TOWN OF TOWNSEND  
 Highway Department  
 P.O. Box 621  
 12 Dudley Road  
 Townsend, Massachusetts 01469  
 (978) 597-1712

Application for Permit  
 To Cross, Alter and/or Construct Within a Town Way  
 Townsend General Bylaws Article II, Section 13

Date: 8/5/13

Town of Townsend  
 Highway Superintendent  
 P.O. Box 621  
 Townsend, MA 01469

To Whom it May Concern:

The Undersigned 6 Terrace Way (company name) hereby  
 applies for permission to: Install NATURAL GAS SERVICE

A \$100.00 permitting fee is now required with all permit applications.

Start Date: \_\_\_\_\_

Further, we agree that if the Town way has been disturbed, i.e., roadway, sidewalk, it will be returned to its original condition. When backfilling operations are required, it shall be constructed of successive layers not more than one (1) foot in depth, uniformly distributed and each layer thoroughly compacted. The Undersigned will notify the Highway Department when backfilling operations proceed. The Highway Superintendent or his/her Designee will be present during this operation.



We deliver.  
 It's that simple.

285 John Fitch Highway  
 Fitchburg, MA 01420

phone: 978-353-3260  
 cell: 978-833-0020  
 fax: 978-353-3360  
 Pager: 978-445-0032  
 e-mail: dimeco@unitil.com

*Mark DiMeco*

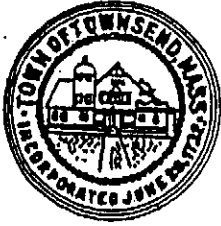
Mark DiMeco  
 Gas Operations  
 Project Leader

Approved/Disapproved: Highway Superintendent E. Kuller

Date: 8-20-13

Approved/Disapproved: Board Of Selectmen \_\_\_\_\_

Date: \_\_\_\_\_



TOWN OF TOWNSEND  
 Highway Department  
 P.O. Box 621  
 12 Dudley Road  
 Townsend, Massachusetts 01469  
 (978) 597-1712

Application for Permit  
 To Cross, Alter and/or Construct Within a Town Way  
 Townsend General Bylaws Article II, Section 13

Date: 7/23/13

Town of Townsend  
 Highway Superintendent  
 P.O. Box 621  
 Townsend, MA 01469

To Whom it May Concern:

The Undersigned UNITIL (company name) hereby  
 applies for permission to: ROAD OPENING  
at 10 Barker Hill Rd

A \$100.00 permitting fee is now required with all permit applications.

Start Date: \_\_\_\_\_

Further, we agree that if the Town way has been disturbed, i.e., roadway, sidewalk, it will be returned to its original condition. When backfilling operations are required, it shall be constructed of successive layers not more than one (1) foot in depth, uniformly distributed and each layer thoroughly compacted. The Undersigned will notify the Highway Department when backfilling operations proceed. The Highway Superintendent or his/her Designee will be present during this operation.



We deliver.  
 It's that simple.

285 John Fitch Highway  
 Fitchburg, MA 01420

phone: 978-353-3260  
 cell: 978-833-0020  
 fax: 978-353-3360  
 Pager: 978-445-0032  
 e-mail: dimcco@unitil.com

*Mark DiMeo*

Mark DiMeo  
 Gas Operations  
 Project Leader

Approved/Disapproved: Highway Superintendent E. Kull

Date: 8-20-13

Approved/Disapproved: Board Of Selectmen

Date: \_\_\_\_\_

Town of Townsend

PROCUREMENT COMPLIANCE CHECKLIST

Department or Board: HIGHWAY

Description of Need: AIR CLEANING SYSTEM FOR GARAGE

Based on the description of need, please mark which section of law applies to your situation. Please attach all documentation necessary to demonstrate compliance with any item marked (form, quote, memo, contract, agreement, etc.). This form must be completed prior to your purchase and should accompany the invoice submitted to the Town Accountant.

- MGL c30B Uniform Procurement Act
  - Supplies or services valued between \$5,000 and \$25,000
  - Supplies or services valued over \$25,000
  - Sole source
  - Emergency
  - Disposal of surplus supplies valued over \$5,000
  - Real property valued over \$25,000 (acquisition/disposal)
  - Public works construction estimated \$10,000 to \$25,000

MGL c7 Design Contracts for Public Building Projects

MGL c149 Construction Bid Laws

- Less than \$10,000
- \$10,000 to \$25,000
- \$25,000 to \$100,000
- Over \$100,000

MGL c30 ss39M Public Works Construction

Estimated cost more than \$10,000

Procurement is satisfied via Statewide Contract procured by OSD

Procurement is satisfied via Collective Purchasing Agreement

*Edward A. Kelly*  
Signature of Department Head/Board

\_\_\_\_\_  
Signature of Chief Procurement Officer



TOWN OF TOWNSEND  
**PROCUREMENT FORM - VERBAL QUOTES**  
Supplies or Services valued between \$5,000 and \$25,000

DATE: 8/20/13 DEPT. HIGHWAY

Budget Line Item # 001.04.425.5802.2014.251

Purchase Description: AIR CLEANING SYSTEM FOR GARAGE

VENDOR #1 Date: 8.8.13 Time: 11:19AM Unit Price: \_\_\_\_\_ Total: 24,700.00

Company Name & Contract: Air Cleaning Specialists of NE

Address: 1525 Hanover St, Hanover MA Chris Roche

Phone #: 781.826.9755

VENDOR #2 Date: 8.13.13 Time: \_\_\_\_\_ Unit Price: \_\_\_\_\_ Total: 25,792.00

Company Name & Contract: Clean Air Co., Inc

Address: 28 New Brunswick Ave. Fords NJ

Phone #: 732.738.8818

VENDOR #3 Date: 8.15.13 Time: 9:20AM Unit Price: \_\_\_\_\_ Total: 29,881.00

Company Name & Contract: Air Cleaning Systems Inc.

Address: 8 Sunset Dr. Latham NY Tony Milanese

Phone #: 800.247.1020

Purchase awarded to vendor #: 1

Comments: \_\_\_\_\_

Edward A. Kurlik  
Signature Department Head/Authorized  
Personnel Soliciting Quotes

\_\_\_\_\_  
Signature Chief Procurement Officer

NOTE: All invoices for purchases of supplies and services over \$5,000 and up to \$25,000 must be accompanied with this completed form to the Town Accountant. Verbal quotes are required per Chapter 30B of the Massachusetts General Laws.





1525 Hanover Street  
 Hanover, MA 02339  
 Phone 781-826-9755  
 Fax 781-829-0240

www.aircleaningspecialistsne.com

of New England LLC

<b>Date</b>	August 8, 2013	<b>Time:</b>	11:19 AM
<b>To</b>	Edward Kukkula	<b>Phone:</b>	978-597-1712
	Townsend Highway Garage	<b>Fax:</b>	978-597-0726
<b>From</b>	Karyn Malone	<b>Phone:</b>	781-826-9755
		<b>Fax:</b>	781-829-0240

RE Proposal

Number of pages including cover sheet:	2
--	---

Edward

As per your meeting with Chris here is the updated proposal you requested.

If you have any questions please call.

Thank you

Karyn Malone  
 Air Cleaning Specialists



1525 Hanover Street  
 Hanover, MA 02339  
 Phone 781-826-9755  
 Fax 781-829-0240

www.aircleaningspecialistsne.com

of New England LLC

## PROPOSAL

DATE:	August 8, 2013				
TO:	Townsend Highway Garage				
	177 Main Street				
	Townsend, MA 01469				
ATTN:	Mr. Edward Kukkula	Phone:	978-597-1712	FAX:	978-597-0726

### Equipment

Seven (7) Plymovent FE-125 Retractable hose drop system for 5" diameter hose with lock & latch balancer and stainless steel cable 9' 9 1/2" long and supporting saddle. Supplied with Plymovent EF-125-10 exhaust hose, 5" diameter x 33' long rated at 570° F, flame resistant with external wire helix and yellow wear strip. The 8005-SC rubber coated steel nozzle incorporates a spring clamp to attach to the vehicle's tailpipe.

One (1) Plymovent TEV-585 Exhaust Blower, 7 1/2 HP 208 Volt, 3Ø, 3450 RPM TEFC direct drive motor, designed to deliver 2727 CFM at 8.5 inches E.S.P. The inlet is 9 7/8" diameter and the outlet is 12 3/8" diameter. Class B spark resistance construction of powder coated steel housing and aluminum wheel with shaft seals.

### Installation

Installation includes mounting the hose drop to ceiling structure with supports and cross braces as required. Brackets and mounts are provided as required to install and secure the exhaust blower in the proper location. The exterior wall is penetrated to allow the ductwork to exit the building. Ductwork installation covers the fitting and assembly of the ductwork system to connect the hose drops the exhaust blower. All connections are screwed in place and sealed.

### Warranty

The warranty is for all parts and labor of the system for one (1) year from final date of acceptance.

### Electrical

Electrical is not included in the installation. The Highway Department is responsible for all electrical work.

Price ..... \$ 24,700.00

Proposed By: Chris Roche President	Accepted By:
---------------------------------------	--------------

AIR CLEANING SYSTEMS, INC

MAIN BUSINESS OFFICE

8 SUNSET DRIVE

LATHAM, NY 12110

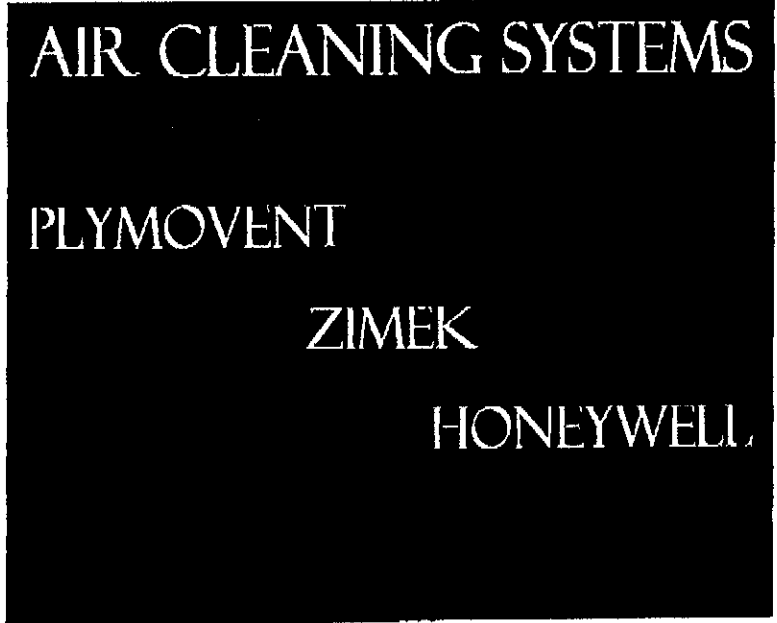
518-785-4541

FAX: 518-785-4874

CALL TOLL FREE

1- 800- 247- 1020

WWW.ACLEARNSYSTEM.COM



FAX

DATE: August 15, 2013

TO: MR. Edward Kukkula  
Townsend Highway Garage

FROM: Tomy MILANESE

FAX #: 978-597-0786

PAGES: 2

RE: Quote / Proposal for Plymovent Exhaust System

COMMENTS:

**AIR CLEANING SYSTEMS, INC.**  
 IS A SERVICE DISABLED VETERAN OWNED SMALL BUSINESS  
 COMPLETE COVERAGE TO SERVE YOU BETTER

MAIN OFFICE  
 8 SUNSET DRIVE  
 LATHAM, NY 12110  
 (518) 786-4541  
 Fax (518) 786-4874  
 almjr@acleansystem.com  
 Servicing New York  
 Vermont & Western MA

P.O. BOX 84  
 Pittsford, NY 14534  
 (585)325-2100  
 almjr@acleansystem.com  
 Central and  
 Western New York

**OR CALL 1-800-247-1020**  
[www.acleansystem.com](http://www.acleansystem.com)

August 15, 2013

Townsend Highway Garage  
 Attn: Mr. Edward Kukkula  
 177 Main St.  
 Townsend, MA 01469

Dear Mr. Kuukkula:

We are quoting PlymoVent Exhaust System for the Townsend Highway Garage as follows:

Qty.	Product description
7	Plymovent Model FE-125 Retractable Hose Drop System for 5" Dia. Hose includes Plymovent Exhaust Hose Mode EF-125-10, 5" dia. X 33' long, rated at 570 degree F., Rubber Nozzle with spring clip
1	Plymovent TEV-585- Exhaust Blower, 7.5HP, 208volt, 3 phase, 3450 RPM TEFC, 2727 CFM at 8.5 inches ESP.

**COST: \$29,881.00 (electrical is not included)**

Above cost include turn-key installation and One year warranty parts and labor of the Vehicle Exhaust System.

Please do not hesitate to call us if you have any questions.

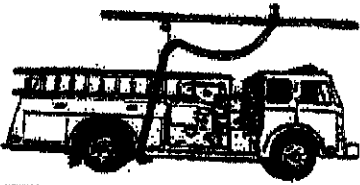
Sincerely,  
**AIR CLEANING SYSTEMS, INC.**



**TONY MILANESE, Sales Manager**  
[Almjr@acleansystem.com](mailto:Almjr@acleansystem.com)

TM/es  
 Facsimile

**Clean Air Company, Inc.**  
 28 New Brunswick Avenue - Fords, NJ 08863 -  
 Phone: 732-738-8818 Fax: 732-738-4914



**QUOTE**

Terms	Rep
net 30	Greg

**Sold To:** Townsend Highway Garage  
 Edward Kukkula  
 177 Main St  
  
 Townsend: MA 01469  
  
 Phone: 978-597-1712  
 Fax: 978-597-0726

**Ship To:**  
  
  
  
 Phone:  
 Fax:

Date	Quote #	Job Name
08/13/13	UNSAVED	

Qty	Part #	Description
7	FE-125	RETRACTABLE HOSE DROP SYSTEM FOR 5" HOSE CONNECTION. INCLUDES HOSE SUPPORT SADDLE, LOCKING BALANCER WITH 9.8' OF CABLE AND SAFETY CHAIN.
7	EF2-125-10	YELLOW/BLACK EXHAUST HOSE L=33 FT 5" DIA. TEMP RESISTANCE +570 DEG. F WITH YELLOW WEAR STRIP
7	REG-125-16	RUBBER NOZZLE, W/CO-OUTLET, VISE GRIP, HOSE CON 5"/125MM NOZZLE OPEN. 6.25"/180/MM
1	TOL-315	RECTANGULAR TO ROUND SHEET METAL TRANSITION FOR TEV 5 FANS. TRANSITIONS TO 12" ROUND MALE FITTING.
1	CAC Material	Misc materials for installation
24	CAC Prev	Prevailing wage installation rate for two men per hour
1	TEV-585-60	FAN, 7.5 HP, 3450 RPM, 208-230/480V, 3PH, 60HZ, TEFC MOTOR - GREY

1 Shipping All shipping charges are estimated and will be billed at actual rates.

The title and right to possession of all property listed above shall be and remain with Clean Air Company Inc. until entire purchase price is paid in full by purchaser, at which time title shall transfer to purchaser. Payment terms are net 30. All balances over 30 days will be assessed a 1.5% monthly finance charge. Collection fees encumbered will be the purchasers responsibility. The undersigned accepts the terms and conditions of this quotation.

SubTotal	\$25,792.00
Sales Tax	\$0.00
Shipping	\$0.00
<b>Total With Estimated Shipping</b>	<b>\$25,792.00</b>

Signed \_\_\_\_\_  
 Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 PO Number: \_\_\_\_\_

Tax exempt paperwork required with purchase order.

Delivery instructions: Must arrive by: \_\_\_\_\_ Loading dock? [ ] Yes [ ] No Inside? [ ] Yes [ ] No Partial Shipment OK? [ ] Yes [ ] No

Products returned that are not deemed an incorrect shipment incur a 14% restocking charge. Price quotes are valid for 90 days from date of quote.

Date	Quote #	Job Name
08/13/13	UNSAVED	

Qty	Part #	Description
-----	--------	-------------

Products returned that are not deemed an incorrect shipment incur a 14% restocking charge.  
Price quotes are valid for 90 days from date of quote.



3.4

August 2, 2013

Board of Selectmen  
Town of Townsend  
272 Main Street  
Townsend, MA 01469

Dear Chairman and Members of the Board:

Having completed our digital network enhancement to an all-digital system, on or shortly after October 7, 2013 we will begin encrypting our Limited Basic service in your area. Encryption has a number of consumer benefits; including the reduced need for home service calls and the enhanced security of our network by reducing service theft that impacts our customers' service experience.

When Limited Basic service is encrypted, all XFINITY Video customers will need equipment supplied by Comcast connected to each television in order to continue receiving services.

A customer that has a set-top box, digital adapter, or a retail CableCARD™ device connected to each TV will be unaffected by this change. A customer that is currently receiving Comcast's Limited Basic service on any TV *without* equipment supplied by Comcast will lose the ability to view any channels on that TV. These customers will be entitled to receive equipment at no additional charge or service fee for a limited period of time. The number and type of devices the customer is entitled to receive, and for how long, will vary depending on the customer's situation.

Enclosed please find a sample of the customer notice that the FCC requires be sent to customers regarding encryption and the availability of devices at no additional charge or service fee. You'll note that we have established a special toll free number and website so that our customers can learn more about the equipment offer and eligibility.

In addition, the encryption of our Limited Basic service will impact those accounts receiving courtesy services pursuant to our Franchise/License Agreement. Courtesy accounts are entitled to receive up to three digital adapters or CableCARDS at no additional monthly charge, including those they may have previously received as part of our digital network enhancement to an all-digital platform. A sample of the courtesy notice to be received by these accounts is enclosed.

As always, if you have any questions or concerns please feel free to contact me at 617.279.1576.

Sincerely,

*Timothy Kelly*

Timothy Kelly, Sr. Manager  
Government & Regulatory Affairs

Enclosures

---

**IMPORTANT SERVICE MESSAGE:**

---

On October 7, 2013, Comcast will start encrypting Limited Basic service on your cable system.

If you have a set-top box, digital adapter, or a retail CableCARD™ device connected to each of your TVs, you will be unaffected by this change. However, if you are currently receiving Comcast's Limited Basic service on any TV without equipment supplied by Comcast, you will lose the ability to view any channels on that TV.

If you are affected, you should contact Comcast at **855-860-8989** to arrange for the equipment you need to continue receiving your services. In such case, you are entitled to receive equipment at no additional charge or service fee for a limited period of time. The number and type of devices you are entitled to receive, and for how long, will vary depending on your situation:

- If you are a Limited Basic customer and receive the service on your TV without Comcast-supplied equipment, you are entitled to up to two devices for two years (five years if you also receive Medicaid).
- If you subscribe to a higher level of service and receive Limited Basic service on a secondary TV without Comcast-supplied equipment, you are entitled to one device for one year.

You can learn more about this equipment offer and eligibility at [comcast.com/digitaladapterinfo](http://comcast.com/digitaladapterinfo) or by calling 855-860-8989.

To qualify for any equipment at no additional charge or service fee, you must request your equipment between September 7, 2013 and February 3, 2014 and satisfy all other eligibility requirements.

**You can learn more about this equipment offer and eligibility at [comcast.com/digitaladapterinfo](http://comcast.com/digitaladapterinfo) or by calling 855-860-8989.**



**IMPORTANT INFORMATION  
ABOUT YOUR COURTESY VIDEO SERVICES**

DATE

Account Holder  
Address  
City, ST 00000

Dear \_\_\_\_\_:

**On XX/XX/XXXX, Comcast will begin encrypting Limited Basic service on the cable system in your community.**

TVs connected to a set-top box, digital adapter (DTA) or retail CableCARD™ device will be unaffected by this change. However, if you have any TVs that are currently receiving Comcast's Limited Basic service *without* equipment supplied by Comcast, you will lose the ability to view any channels on those TVs.

If you are affected, you should contact Comcast at the number below to arrange for the equipment you will need to continue receiving services. We will provide you with **up to three digital adapters or CableCARDS at no additional charge** (including those you may already have on your account), unless digital equipment is otherwise provided for by your community's agreement with us. Please know that if you choose not to take a digital device for any TV, you will not receive Comcast service on that TV. If you request **more** than the three digital devices mentioned above, you will incur a monthly charge of either \$0.50 or \$1.99 depending on your service level for each additional digital adapter and a monthly equipment charge of no more than \$1.50 for each additional CableCARD in the same retail device.

For more information or to obtain your digital equipment, please call 1.800.581.5122 and reference this letter.

Sincerely,

Installation, taxes and other fees extra. Pricing subject to change. ©2013 Comcast. All rights reserved.

TOWN OF TOWNSEND  
PLANNING BOARD  
272 MAIN ST.  
TOWNSEND, MA 01469  
978- 597-1700 x 1722 \* 978- 597-1722 fax  
jhollows@townsend.ma.us

3.5

Date: July 26, 2013

To: Assessor's Office  
Board of Selectmen  
Board of Health  
Building Inspector  
Conservation Commission  
Fire Department

Highway Department  
Historic District  
Housing Authority  
Police Department  
Town Clerk  
Water Department  
Zoning Board of Appeals

From: Planning Board Office

**REFERRAL NOTICE**

In accordance with the provisions of MGL Chapter 40A, Sections 5 & 11, and the Code of the Town of Townsend, Section 145-69, the Townsend Planning Board will hold a public hearing in the Selectmen's Meeting Chamber, Memorial Hall, 272 Main Street, with regard to the following proposed zoning amendment to the Code of the Town of Townsend.

Please Review the attached draft amendment and relay to the Planning Board any questions or concerns you may have.

Under MGL Ch. 40A, Section 11, comments should be provided within 35 days. Failure to make recommendations shall be deemed lack of opposition.

**AMENDMENT DESCRIPTION:** To add a Wind Energy Systems Bylaw

**APPLICANT:** Planning Board working through a grant funded by MRPC (Montachusett Regional Planning Commission)

**DATE OF HEARING:** Monday, September 23, 2013

**TIME / PLACE OF HEARING:** 7:15 p.m., Selectmen's Chambers

**LEGAL AD:** Townsend Times: Aug. 30, 2013 & Sept. 6, 2013

COMMENTS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NO COMMENT \_\_\_\_\_

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_



THE PLANNING BOARD  
272 Main Street  
Townsend, Massachusetts 01469  
978-597-1700 x1722 \* 978-597-1722 fax  
jhollows@townsend.ma.us

RECEIVED  
JUL 26 2013  
TOWN OF TOWNSEND  
TOWN CLERK

**Jeffrey R. Peduzzi, Chairman**

**Karen M. Coughlin, Vice-Chairman**

**Chris Jones, Clerk**

**Julie Johnson, Member**

**Chris Nocella, Member**

**TOWNSEND  
PLANNING BOARD LEGAL NOTICE**

In accordance with the provisions of MGL Chapter 40A, Sections 5 & 11 and Townsend Zoning Bylaw, Article XII, Section 145-69, the Planning Board will hold a public hearing **Monday, September 23, 2013 at 7:15 PM** in the Selectmen's Chamber, Memorial Hall, 272 Main St., with regard a proposed amendment to add a Wind Energy Systems section to the Zoning Bylaws.

The proposed amendment is available for review at the Offices of the Planning Board/Land Use Coordinator and the Town Clerk during regular business hours. Parties wishing to speak in favor of, or in opposition to, this proposal may do so in writing prior to the hearing, or may appear at the hearing in person or represented by an agent or attorney. Interested parties are encouraged to attend.

Respectfully submitted,  
Jeffrey R. Peduzzi, Chairman

**Publish in the *Townsend Times*: August 30, 2013 & September 6, 2013**

cc: Town Clerk  
Other Towns  
Applicant/Abutters  
Assessors Office  
Board of Selectmen  
Board of Health  
Building Inspector  
Conservation Commission  
Fire Department  
Highway Department  
Historic District Commission  
Housing & Community Development  
Housing Authority  
Land Use Coordinator  
Montachusett Regional Planning  
Police Department  
Water Department Commission  
Zoning Board of Appeals

§ 145-\_\_\_ Wind Energy Systems

**A. Purpose.** The purpose of this bylaw is to minimize the impacts of wind turbines on the character of neighborhoods, property values, scenic, historic, and environmental resources of the Town and to protect health and safety while allowing wind energy.

**(1) Applicability**

This section applies to all utility-scale, on-site wind facilities, and small wind energy systems, proposed to be constructed after the effective date of this section. This section also includes building integrated wind systems, and physical modifications to existing wind facilities that materially alter the type, configuration, location or size of such facilities or other equipment.

**B. Definitions.**

**Utility-Scale Wind Facility:** A commercial wind facility, where the primary use of the facility is electrical generation to be sold to the wholesale electricity markets.

**On-Site Wind Facility:** A wind project, which is located at a commercial, industrial, agricultural, institutional, or public facility that will generate electricity on-site.

**Small Wind Energy System (SWES):** All equipment, machinery and structures utilized in connection with the conversion of kinetic energy of wind into electrical power. This includes, but is not limited to, storage, electrical collection and supply equipment, transformers, service and access roads, and one or more wind turbines, which will have a height not to exceed than 80 feet.

**Large Wind Energy System (LWES):** All equipment, machinery and structures utilized in connection with the conversion of kinetic energy of wind into electrical power. This includes, but is not limited to, storage, electrical collection and supply equipment, transformers, service and access roads, and one or more wind turbines, which will have a height greater than 80 feet.

**Height:** The height of a wind turbine measured from natural grade to the tip of the rotor blade at its highest point, or blade-tip height. This measure is also commonly referred to as the maximum tip height (MTH).

**Historical District:** Areas identified within the Town to have historical significance. The Town has three (3) designated historical districts including Historic District I – Townsend Center, Historic District II – Townsend Harbor, and Historic District III – West Townsend. A complete listing can be obtained at the Land Use Department.

**Rated Nameplate Capacity:** The maximum rated output of electric power production equipment. This output is typically specified by the manufacturer with a nameplate on the equipment.

**Special Permit Granting Authority (SPGA):** The special permit granting authority shall be the planning board for the issuance of special permits to construct and operate wind facilities.

**Substantial Evidence:** Such evidence as a reasonable mind might accept as adequate to support a conclusion.

**Wind Energy Facility:** All of the equipment, machinery and structures together utilized to convert wind to electricity. This includes, but is not limited to, developer-owned electrical equipment, storage, collection and supply equipment, service and access roads, and one or more wind turbines.

**Wind Monitoring or Meteorological Tower:** A temporary tower equipped with devices to measure wind speeds and direction, used to determine how much wind power a site can be expected to generate.

**Wind turbine:** A device that converts kinetic wind energy into rotational energy that drives an electrical generator. A wind turbine typically consists of a tower, nacelle body, and a rotor with two or more blades.

**Building Inspector:** The inspector of buildings, building commissioner, or local inspector, or, if there are none in a town, the board of selectmen, or person or board designated by local ordinance or bylaw charged with the enforcement of the zoning ordinance.

**Building Permit:** A building permit is a required approval of a project by a licensed building inspector which is consistent with the local, state and federal building codes. In addition, the permit must meet the criteria set forth under the local zoning bylaws regarding small wind energy systems.

**Agriculture:** Farming' or agriculture' shall include farming in all of its branches and the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural, aqua cultural, floricultural or horticultural commodities, the growing and harvesting of forest products upon forest land, the raising of livestock including horses, the keeping of horses as a commercial enterprise, the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes, bees, fur-bearing animals, and any forestry or lumbering operations, performed by a farmer, who is hereby defined as one engaged in agriculture or farming as herein defined, or on a farm as an incident to or in conjunction with such farming operations, including preparations for market, delivery to storage or to market or to carriers for transportation to market.

### **C. General Requirements for all Wind Energy Facilities**

#### **(1) Exemptions**

Wind turbines constructed, reconstructed, or renovated for the primary purpose of commercial agriculture shall be considered a structure pursuant to MGL, c. 40A, §3 and, therefore, shall be exempt from this by-law.

**(2) Compliance with Laws, Ordinances and Regulations**

The construction and operation of all such proposed wind energy facilities shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, environmental, electrical, communications and aviation requirements.

**(3) Fees.**

(a) The Planning Board will normally require fees to cover the costs of outside consultants, to be deposited in advance with the Town, in accordance with the provisions of MGL c. 44, § 53G. Such fees will be deposited in a separate account, and any amounts remaining in said account after the completion of the associated project will be refunded to the applicant or successor, in accordance with these rules and said state law. When the expense of such consultants exceeds the currently available funds in the 53G account, the applicant is required to provide such additional and appropriate funds within 14 days of notification by the Board of the required amount. Additional fee requirements as outlined in §175-26 of the Planning Board Rules and Regulations may apply.

(b) The application for a building permit for a small wind energy system must be accompanied by the fee required for a building permit for a Permitted Accessory Use.

**(4) Proof of Liability Insurance**

The applicant shall be required to provide evidence of liability insurance in an amount, and for a duration, sufficient to cover loss or damage to persons and property occasioned by the failure of the facility. Insurance in a reasonable amount determined and approved by owner's insurance company shall be in force prior to construction. Annual proof of said insurance shall be filed with the Town Clerk.

**(5) Site Control**

At the time of its application for a special or building permit, the applicant shall submit documentation of actual or prospective control of the project site sufficient to allow for installation and use of the proposed facility. Documentation shall also include proof of control over setback areas and access roads, if required. Control shall mean the legal authority to prevent the use or construction of any structure for human habitation, or inconsistent or interfering use, within the setback areas.

**(6) Utility Notification**

No site plan for the installation of a wind energy facility shall be approved until evidence has been given that the electric utility company that operates the electrical grid where the facility is to be located has been informed of the customer's intent to install an interconnected customer-owned generator, and copies of site plans showing the proposed location have been submitted to the utility for review. No installation of a wind energy facility should commence and no interconnection shall take place until an Interconnection Agreement pursuant to applicable tariff and consistent with the requirements for other

generation has been executed with the utility. Off-grid systems shall be exempt from this requirement, unless they are proposed to be located within setback distance from the sideline of an existing utility Right of Way (ROW).

#### **D. Small Wind Energy System Requirements**

##### **(1) Building Inspector Issued Permit**

No small wind energy system (SWES) shall be erected, constructed, installed or modified as provided in this section without first obtaining a building permit from a licensed building inspector. All such wind energy systems shall be constructed and operated in a manner that, where economically feasible, will minimize adverse visual, safety and environmental impacts. The construction of a small wind facility shall be permitted in any zoning district, except a designated historic district, subject to the issuance of a Permit and provided that the use complies with all requirements set forth in sections F, G and H set forth herein.

##### **(2) Application Process & Requirements**

The building permit application shall be accompanied by deliverables including the following:

###### **(a) A plot plan showing:**

- i.** Property lines and physical dimensions of the subject property within 500 feet of the wind turbine from the proposed tower location;
- ii.** Location, dimensions, and types of existing major structures on the property;
- iii.** Location of the proposed wind system tower, foundations, guy anchors and associated equipment;
- iv.** The right-of-way of any public road that is contiguous with the property;
- v.** Location of all existing above ground or overhead gas or electric infrastructure, including Critical Electric Infrastructure, and utility rights of way (ROW) and easements, whether fully cleared of vegetation or only partially cleared, within 500 feet of the site parcel;
- vi.** Location and approximate height of tree cover.

**(b)** Wind system specifications, including manufacturer and model, rotor diameter, tower height, tower type (freestanding or guyed).

**(c)** One or three line electrical diagram detailing wind turbine, associated components, and electrical interconnection methods, with all NEC compliant disconnects and overcurrent devices.

- (d) Name, address, phone number and signature of the applicant, as well as all co-applicants or property owners, if any.
- (e) The name, contact information and signature of any agents representing the applicant.
- (f) A plan for maintenance of the small wind energy facility.

#### **E. Large Wind Energy System (LWES) Requirements**

##### **(1) Special Permit**

No large wind turbine or tower may be erected, constructed, installed or modified without first obtaining a Special Permit from the Special Permit Granting Authority (SPGA). The SPGA under this bylaw shall be the Planning Board. A LWES may be permitted in any zoning district, excluding historical districts, provided that the use is maintained and complies with all requirements set forth herein and any conditions ascribed to any specific project. No Special Permit shall be granted unless the SPGA determines that all such wind energy systems shall be constructed and operated in a manner that minimizes adverse visual, safety, and environmental impacts.

##### **(2) General**

All plans and maps shall be prepared, stamped and signed by a professional engineer licensed to practice in Massachusetts.

##### **(3) Waivers**

- (a) The Planning Board may waive strict adherence to sections of this bylaw if it finds that the safety and well-being of the public will not be adversely affected by such a waiver. For each waiver granted, the Planning Board will make a written record indicating that the proposed tower meets the purpose of this bylaw.
- (b) All requests for waivers shall be made in writing on a separate sheet (or sheets) of paper and be attached to the site plan review special permit application and be presented at the time of the initial application.
- (c) Requests for waivers shall indicate the section number and the reason the applicant needs the waiver along with any documentation to support the request.
- (d) The Planning Board will grant requests for waivers only upon a four-fifths majority vote. Each request shall be voted on separately. The applicant shall have the right to withdraw the request at any time prior to the actual vote. Once a request for a waiver is withdrawn it may not be presented again for a period of year.
- (e) Requests for more than three waivers, including, in the case of an amendment or renewal, any waivers previously granted for the existing or any predecessor permits, will indicate to the Planning Board the following:



- i. The site is inadequate for the proposed use, or
- ii. The site plan is incomplete.

**(4) Application Requirements.** A Site Plan Review Special Permit application and plans shall be filed under the provision set forth in Zoning Bylaw Section 145-65 C. Plans shall have the following minimum requirements:

- (a)** Site boundaries and access road;
- (b)** Tower location, including guy wires, if any, tower height and blade length;
- (c)** Setbacks from property boundaries;
- (d)** Buildings within 500 feet of the proposed tower;
- (e)** Abutters;
- (f)** View lines from the middle of each abutter's property line, including a view from each street shown, beginning at true North and continuing clockwise;
- (g)** Topography;
- (h)** Fencing and landscaping;
- (i)** Areas to be cleared of vegetation and trees;
- (j)** Historic sites;
- (k)** Wetlands (pond, lake, marsh, swamp, bog, etc.) within 100 feet of the proposed area;
- (l)** Rivers, streams or brooks within 200 feet of the proposed area;
- (m)** Habitats for endangered species;
- (n)** A locus map showing lot dimensions and all abutting street locations;
- (o)** Name, address, phone number and signature of the applicant, as well as all co-applicants or property owners, if any;
- (p)** The name, contact information and signature of any agents representing the applicant; and
- (q)** A maintenance plan for the wind energy facility.
- (r)** Reports shall:

- i. Describe the wind turbine, tower and the technical, economic and practical reasons for the tower design, and the need for the tower at the proposed location.
- ii. The applicant shall demonstrate to the satisfaction of the Planning Board that the location of the wind turbine and tower is adequate and that the size and height is the minimum necessary for the purpose.
- iii. Other feasible sites, including existing sites, if any
- iv. Demonstrate that the wind turbine and tower complies with these regulations and all applicable standards of the federal and state governments.
- v. Provide the specifications of the wind turbine and tower.

**(5) Notification**

Permits for Large Wind Energy Systems (LWES) shall be granted in accordance with the procedure for notice hearings, decisions and appeals set forth in Townsend Zoning Bylaw § 145-65E and MGL c. 40A, §§ 9 and 11. All additional abutters within one half mile are also to be notified of the hearings.

**(6) Decision**

See §145-65 for specific information.

**(7) Lapse**

Permits granted hereunder shall lapse within one year if substantial progress has not been made unless satisfactory reasons have been proven to the SPGA.

**(8) Modifications**

A substantial modification to approved plans will apply if:

- (a) The applicant requests the terms of the Special Permit be altered, or,
- (b) The applicant requests adding equipment, alters the height or location and or exterior appearance of the original design, or
- (c) SPGA initiates modification if good cause is shown.

Modifications shall be granted in accordance with the procedure for notice hearings, decisions and appeals set forth in Townsend Zoning Bylaw § 145-42, and MGL c. 40A, §§ 9 and 11.

**(9) Renewals**

Existing special permits under this bylaw shall not require the re-submission unless there has been a substantive change in the information or conditions reviewed for existing special permit, and provided further that a complete application for renewal of the permit is submitted prior to the expiration of the existing permit.

**(10) Term of Special Permit**

A special permit issued for a wind facility shall be valid 20 years, unless extended or renewed. The time period may be extended or the permit renewed by the SPGA upon satisfactory operation of the facility. Request for renewal must be submitted at least 180 days prior to expiration of the special permit. Submitting a renewal request shall allow for continued operation of the facility until the special permit granting authority acts. At the end of that period (including extensions and renewals), the wind facility shall be removed as required by this section.

**F. Design Standards**

**(1) Appearance, Color and Finish**

Color and appearance shall comply with Federal Aviation Administration (FAA) safety requirements. Colors and surface treatment of the installation shall minimize visual disruption, for example, by painting non-reflective muted colors darker against land, lighter colors against sky, without graphics or other decoration. However, visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of 10 feet from the ground.

**(2) Lighting**

Wind turbines shall be lighted only if required by the FAA. Lighting of other parts of the wind energy facility, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Except as required by the FAA, lighting of the wind energy facility shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

**(3) Signage**

Signs on wind energy facilities shall comply with the Town's sign by-law. The following signs shall be required:

(a) Those necessary to identify the owner, provide a 24-hour emergency contact phone number, and warn of any danger;

(b) Educational signs providing information about the facility and the benefits of renewable energy.

Wind turbines shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the wind energy facility.

**(4) Utility Connections**

Reasonable efforts, as determined by the SPGA, shall be made to place all developer-owned utility connections from the wind energy facility underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Utility owned electrical equipment required for utility interconnections may be above ground, if required by the utility provider.

**(5) Appurtenant Structures**

All appurtenant structures to wind energy facilities shall be subject to applicable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other and contained within the turbine tower whenever technically and economically feasible. Whenever reasonable, structures should be shaded from view by vegetation and/or located in an underground vault and joined or clustered to avoid adverse visual impacts.

**(6) Height**

(a) For a Large Wind Energy System (LWES) the maximum height shall be determined by the Planning Board and /or according to manufacturer recommendation, not to exceed FAA Regulations.

**G. Safety and Environmental Standards**

**(1) Emergency Services**

The applicant shall provide a copy of the project summary, electrical schematic, and site plan to the police and fire departments, and/or the local emergency services entity designated by the local government, as well as the local electrical utility company. Upon request the applicant shall cooperate with local emergency services in developing an emergency response plan. All means of disconnecting the wind energy facility shall be clearly marked. The applicant or facility owner shall identify a responsible person for public inquiries or complaints throughout the life of the project.

**(2) Unauthorized Access**

Wind energy facilities shall be designed to prevent unauthorized access. For instance, the towers of wind turbines shall be designed and installed so that step bolts or other climbing features are not readily accessible to the public and so that step bolts or other climbing features are not installed below the level of 8 feet above the ground. Electrical equipment shall be locked where possible.

**(3) Setbacks**

(a) A SWES and LWES may not be sited within:

1. A distance equal to one and one-half (1.5) times the maximum tip height (MTH) of the wind turbine from buildings, critical infrastructure—including Critical Electric Infrastructure and above-ground natural gas distribution infrastructure—or private or public ways that are not part of the wind energy facility;
2. A distance equal to three (3.0) times the maximum tip height (MTH) of the turbine from the nearest existing residential or commercial structure; or

3. A distance equal to one and one-half (1.5) times the maximum tip height (MTH) of the turbine from the nearest property line, and private or public way.

(b) The permit granting authority may increase the setbacks to and satisfy the intent of the bylaw herein, and that an appropriate setback helps mitigate potential impacts.

**(4) Shadow/Flicker**

Wind energy facilities shall be sited in a manner that minimizes shadowing or flicker impacts. The applicant has the burden of proving that this effect does not have adverse impact on neighboring or adjacent uses.

**(5) Sound**

The wind facility and associated equipment shall conform with the provisions of the Department of Environmental Protection's, Division of Air Quality Noise Regulations (310 CMR 7.10), unless the Department and the Permit Granting Authority agree that those provisions shall not be applicable. A source of sound will be considered to be violating these regulations if the source:

(a) Increases the broadband sound level by more than 10 dB(A) above ambient, or

(b) Produces a —pure tone condition — when an octave band center frequency sound pressure level exceeds the two adjacent center frequency sound pressure levels by 3 decibels or more.

These criteria are measured both at the property line and at the nearest inhabited structure. Ambient is defined as the background A-weighted sound level that is exceeded 90% of the time measured during equipment hours. The ambient may also be established by other means with consent from DEP. An analysis prepared by a qualified engineer shall be presented to demonstrate compliance with these noise standards, if required by the permit granting authority.

The permit granting authority, in consultation with the DEP, shall determine whether such violations shall be measured at the property line or at the nearest inhabited residence.

**(6) Land Clearing, Soil Erosion and Habitat Impacts**

Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the wind energy facility or otherwise prescribed by applicable laws, regulations, and bylaws, and subject to existing easements, restrictions and conditions of record.

**H. Monitoring and Maintenance**

**(1) Wind Energy Facility Conditions**

(a) The applicant shall maintain the wind energy facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, emergency braking (stopping) and integrity of security measures. Site access shall

be maintained to a level acceptable to the local Fire Chief and Emergency Medical Services. The project owner shall be responsible for any access road(s), unless accepted as a public way, and the cost of maintaining the wind energy facility to the level and standard of this bylaw as well as remain in compliance with all applicable conditions.

(b) If a LWES or SWES is designated a safety hazard by the Zoning Enforcement Officer, the owner shall correct the hazard or remove the WES within ninety (90) days.

## **I. Abandonment or Decommissioning**

### **(1) Removal Requirements**

Any wind energy facility which has reached the end of its useful life or has been abandoned shall be removed. The owner/operator shall physically remove the facility no more than 150 days after the date of discontinued operations. The applicant shall notify the SPGA by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

(a) Physical removal of all wind turbines, structures, equipment, security barriers and transmission lines from the site;

(b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;

(c) Stabilization or re-vegetation of the site as necessary to minimize erosion. The SPGA may allow the owner to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

### **(2) Abandonment**

Absent notice of a proposed date of decommissioning or written note of extenuating circumstances, the wind energy facility shall be considered abandoned when the facility fails to operate for more than two years without the written consent of the SPGA. If the applicant fails to remove the facility in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the town may enter the property and physically remove the facility.

### **(3) Financial Surety**

#### **(a) Surety for Removal**

Applicants for utility-scale large wind energy facilities shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal or failure to maintain, in the event the town must maintain or remove the facility and remediate the landscape, in an amount and form determined to be reasonable by the SPGA, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, or as determined by a peer review engineer. Such surety will not be required for

municipally or state-owned facilities. The applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

**(b) Surety for Maintenance**

An initial bond shall be posted for a LWES unless they are used solely for commercial agricultural use pursuant to MGL, c. 40A, §3. Such bond shall cover maintenance and construction costs. An annual maintenance bond shall be posted for the access road (if applicable), site (if applicable) and tower(s) in an amount to be approved by the SPGA.

**(c) Failure to post an approved bond and/or provide proof of insurance shall be grounds to revoke the special permit.**

**J. Invalidation.** If any portion of this bylaw is declared to be invalid, the remainder shall continue to be in full force and effect.

# Massachusetts School Building Authority

3.7

Steven Grossman  
*Chairman, State Treasurer*

John K. McCarthy  
*Executive Director*

July 31, 2013

Ms. Joan Landers, Superintendent  
North Middlesex Regional School District  
45 Main Street  
Pepperell, MA 01463

Re: North Middlesex Regional School District, North Middlesex Regional High School

Dear Superintendent Landers:

I am pleased to report that the Board of the Massachusetts School Building Authority (the "MSBA") has voted to approve the North Middlesex Regional School District (the "District"), as part of its invitation for Feasibility Study, to proceed into schematic design for replacement of the existing North Middlesex Regional High School on the existing site.

It is my understanding that the District anticipates seeking community approval for this Proposed Project in the Spring of 2014. Therefore, it is critical that the District, in conjunction with its Owner's Project Manager and Designer, submit a schedule to the MSBA as soon as possible, which should include: the work plan to complete all of the required documentation for presentation to the MSBA's Board of Directors at a future Board meeting; the date of the Town Meeting(s) at which the Proposed Project will be considered; and the anticipated design and construction schedule. We have attached a listing of the remaining deliverables for your use in preparing this schedule.

We will be contacting you soon to discuss these next steps in more detail, but in the meantime, I wanted to share with you the Board's vote to approve the North Middlesex Regional School District to proceed into schematic design for replacement of the existing North Middlesex Regional High School on the existing site.

I look forward to continuing to work with you as the MSBA's grant program progresses. As always, feel free to contact me or my staff at (617) 720-4466 should you have any questions.



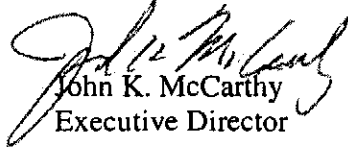


Page 2

July 31, 2013

North Middlesex Regional School District Board Action Letter

Sincerely,

  
John K. McCarthy  
Executive Director

Cc. Legislative Delegation  
Peter McMurray, Chair, Ashby Board of Selectmen  
Stephen Themelis, Chair, Pepperell Board of Selectmen  
Nicholas Thalheimer, Chair, Townsend Board of Selectmen  
Town Administrator Bob Hanson, Town of Ashby  
Town Administrator John Moak, Town of Pepperell  
Town Administrator Andy Sheehan, Town of Townsend  
Susan Robbins, Chair, North Middlesex Regional School Committee  
Robert Templeton, Chair, North Middlesex Regional School Building Committee  
Peter Collins, Owner's Project Manager, Heery International, Inc.  
Lorraine Finnegan, Designer, Symmes Maini & McKee Associates, Inc.  
File: 10.2 Letters (Region 2)

Exhibit B  
 North Middlesex Regional School District  
 North Middlesex Regional High School  
 Schedule of Deliverables – July 31, 2013

<b>Deliverable</b>	<b>Status/ Received</b>
Initial Compliance Certification	Complete
School Building Committee	Complete
Local Vote Authorization	Complete
Mass. Historical Commission Approval	Still Required
Enrollment Questionnaire	Complete
Executed Enrollment Certification	Complete
Educational Space Summary	Complete
OPM Selection	Complete
Executed MSBA Standard OPM Contract	Complete
Designer Selection	Complete
Executed MSBA Designer Standard Contract	Complete
MSBA Educational Space Template	Complete
Preliminary Evaluation of Alternatives	Complete
Budget Statement for Preferred Schematic Design	Complete
Recommendation of Preferred Schematic Design	Complete
Final Design Program for Preferred Schematic Design	Still Required
Schematic Building Floor Plans	Still Required
Room Data Sheets	Still Required
A letter from the Superintendent demonstrating SPED compliance with Chapters 70 and 71B	Still Required
Schematic Exterior Building Elevations	Still Required
Mass DESE Special Education Space Approval Letter	Still Required
Narrative Building Systems Descriptions	Still Required
Preliminary Summary of Ineligible Spaces	Still Required
Construction Systems: Outline of Specifications	Still Required
MA-CHPS Scorecard	Still Required
Furnishings, Fixtures & Equipment Specification and Estimate	Still Required
Value Engineering Plan for Detailed Design	Still Required
Total Project Budget	Still Required
Construction Estimate Unifomat II, Level 3	Still Required
Project Cash Flow	Still Required
Project Schedule	Still Required

District: North Middlesex Regional School District  
 School Name: North Middlesex Regional High School  
 Recommended Category: Preferred Schematic  
 Date: July 24, 2013

**Recommendation**

That the Executive Director be authorized to approve the North Middlesex Regional School District, as part of its Invitation to Feasibility Study, to proceed into schematic design for replacement of the existing North Middlesex Regional High School on the existing site. MSBA staff has reviewed the Feasibility Study and accepts the District's preferred solution for replacement of the existing North Middlesex Regional High School on the existing site.

<b>District Information</b>	
District Name	North Middlesex Regional School District
Elementary School(s)	Ashby Elementary School (K-4) Spaulding Memorial School (K-4) Varnum Brook Elementary School (K-4)
Middle School(s)	Hawthorne Brook Middle School (5-8) Nissitissit Middle School (5-8)
High School(s)	North Middlesex Regional High School (9-12)
Priority School Name	North Middlesex Regional High School
Type of School	High School
Grades Served	9-12
Year Opened	1960
Existing Square Footage	197,377
Additions	1971
Acreage of Site	49.5 acres
Building Issues	The District identified deficiencies in the following areas: <ul style="list-style-type: none"> <li>- Mechanical systems</li> <li>- Electrical systems</li> <li>- Plumbing systems</li> <li>- Envelope</li> <li>- Windows</li> </ul> In addition to the physical plant issues, the District reported that the existing facility does not support the delivery of its educational program.
Original Design Capacity	Unknown
2012-2013 Enrollment	999
Agreed Upon Enrollment	870
Enrollment Specifics	The District and MSBA have mutually agreed upon a design enrollment of 870 students serving grades 9-12.

**MSBA Board Votes**

Invitation to Feasibility Study	June 6, 2012
---------------------------------	--------------

Preferred Schematic Authorization	On July 31, 2013 Board agenda
Project Scope & Budget Authorization	District is targeting Board authorization on January 29, 2014
Reimbursement Rate Before Incentives	57.11%

<b>Consultants</b>	
Owner's Project Manager	Heery International, Inc.
Designer	Symmes Maini & McKee Associates

## Discussion

The existing North Middlesex Regional High School is a 197,377 square foot ("sf") facility on a 50 acre site located at 19 Main Street (Route 119) in Townsend, Massachusetts. Although the facility serves three communities, the site is almost entirely within the town limits of Townsend. The existing facility currently houses grades 9-12.

The original school building was constructed as a high school in 1960, with upgrades and a middle school addition completed in 1971. The District identified numerous deficiencies in its Statement of Interest, including the primary goals of replacing the HVAC system to ensure proper ventilation in the classrooms and common areas, expanding the science laboratories, and increasing the capacity of the building's electrical and communications infrastructure to enable expanded use of technology in the classrooms.

As part of this proposed project, the design team performed an evaluation of all major building systems and concluded that, in addition to the building's HVAC system deficiencies, the plumbing, the main electrical service components, the fire alarm, and the emergency power systems are all at the end of their useful lives. This evaluation noted that the facility is not handicap accessible and does not have a fire sprinkler system. It also reports that the building's exterior envelope requires substantial modification to comply with current energy efficiency standards, the roof framing is significantly below current standards for snow loading, and the level of renovations required to bring the building to compliance with current building codes would trigger upgrades to the structural framing and foundation systems. It should be noted that there was a 2001 window and wall panel replacement project in the 1960 portion of the building for which the Commonwealth provided grant funding to the District. In the Schematic Design Phase, the MSBA will determine the appropriate amount of state funding that will be recouped in with conjunction with the 2001 project.

In conjunction with its consultants, the District performed a comprehensive review of its educational program and received input from educators, administrators, and facilities personnel. Because the 1970s middle school facility was added to the existing 1960s high school design, and later repurposed back to the original function as a high school, most common core functions are separated into two distinct spaces serving the original middle and high schools. It was noted in the review that was performed that space adjacencies in the building layout do not support the

District's educational needs and that significant reconfiguration of the facility is required to meet these needs.

Based on the findings of this review, the District and its consultants initially studied seven preliminary options; including one no build option, three addition/renovation configurations and three new construction options. The following is a list of the preliminary alternatives considered:

Options	Description of Preliminary Options
1	No build, code upgrade
2A & 2B	Two variations of full scope, addition/renovation options
2C	Full scope, renovation only
3A, 3B & 3C	Full scope, new building

As a result of the MSBA's review of the options included in the Preliminary Design Program ("PDP") submittal and MSBA staff concerns regarding the limited range of design options and high costs associated with the options provided, the design team considered additional options in the Preferred Schematic Report for comparative cost analysis. These additional options include: a base repair option and a moderate renovation and/or addition option. The MSBA asked the District to look at these additional options to provide the District with a range of alternatives including those with low, moderate, and high costs, and to provide a chance for the District to examine the extent to which each option supports its educational program. This enabled the District to work to evaluate and select the most educationally-appropriate and cost-effective solution. At the request of the MSBA, the design team provided a smaller new building option, referred to as the reduced scope option that, through increased space utilization, was able to meet the needs of the District's educational program. Subsequently, the design team provided three options, all of which met the District's educational program, for further development and evaluation, including the following:

Option	Description
2B.2	Full scope, addition/renovation
3A	Full scope, new building
3D	Reduced scope, new building

At the request of the MSBA, and in order to comply with the PDP review comments, the design team later provided the following two additional options in a supplemental package dated June 28, 2013:

Option	Description
1	No build, code upgrade
2D	Reduced scope, addition/renovation

Upon further review, MSBA staff and the District agreed to five final options for further consideration in the final evaluation of options as presented below:

**Summary of Preliminary Design Pricing for Final Evaluation of Options**

<b>Option (Description)</b>	<b>Total Gross Square Feet</b>	<b>Square Feet of Renovated Space (cost*/sf)</b>	<b>Square Feet of New Construction (cost*/sf)</b>	<b>Site, Building Takedown, Haz Mat. Cost*</b>	<b>Estimated Total Construction ** (cost*/sf)</b>	<b>Estimated Total Project Costs</b>
Option 1: (No Build, Code Upgrade)	197,377	197,377 \$149/sf	NA	\$1,420,000	\$30,764,754 \$156/sf	\$38,455,942
Option 2B.2: (Full Scope, Add/ Reno)	190,656	117,319 \$277/sf	73,337 \$344/sf	\$16,343,128	\$74,092,020 \$389/sf	\$88,910,424
Option 2D: (Reduced Scope, Renovation)	197,377	197,377 \$277/sf	NA	\$12,179,819	\$66,899,095 \$339/sf	\$80,278,914
Option 3A: (Full Scope, New Building)	192,005	NA	192,005 \$316/sf	\$18,595,248	\$79,295,027 \$413/sf	\$95,154,033
<b>Option 3D***: (Reduced Scope, New Building)</b>	<b>180,530</b>	<b>NA</b>	<b>180,530</b> <b>\$310/sf</b>	<b>\$18,595,248</b>	<b>\$74,558,890</b> <b>\$413/sf</b>	<b>\$89,470,688</b>

\* Marked up construction costs

\*\* Does not include construction contingency

\*\*\*District's preferred option

The District selected Option 3D, which has a reduced scope and provides a smaller, more efficient new building. The District determined that Option 3D is the most educationally-appropriate and cost-effective solution and selected this option as its preferred solution to proceed into schematic design. The District considered this option to be preferable to the addition/renovation options because of the extent of reconfiguration required in the existing building to meet the needs of the educational program. This option is also the most cost-effective of the new building options studied that is able to fully support the educational program.

The District presented its proposed project to the MSBA Facilities Assessment Subcommittee ("FAS") on July 10, 2013. At that meeting, MSBA staff raised concerns regarding the extent of the proposed scope items deemed ineligible for MSBA funding, including a TV studio, additional staff offices, work associated with improvements to existing athletic press box and concession facility, and proposed items not included in the budget such as District offices and maintenance facilities. Members of the FAS noted discrepancies in the submitted documents including references to "reduced program" versus "reduced scope" in the educational program documents and presented materials, asking whether the preferred option resulted in a design that compromises the needs described in the educational program. The District explained that all spaces eliminated in the preferred "reduced scope" options will not prevent it from being able to deliver its educational program. The MSBA asked the design team to provide documentation of the revisions to the educational program as approved by the Superintendent and submittal

documents to reflect discussions at the FAS meeting. The MSBA has received this information. Members of the FAS also commented on the following items to be addressed in the subsequent Schematic Design submittal: (1) travel distance from the accessible parking area to the front entrance; (2) ability of the preferred option floor plan to accommodate a shift from a department based configuration to a team/project based arrangement; (3) configuration of the upper floors and the elevator location; and (4) incorporation of the greenhouse functions into the science labs by using window mounted plant shelving.

MSBA staff reviewed the conclusions of the Feasibility Study, all subsequent submittals, and the enrollment data with the District and found:

- 1) MSBA reviewed the Feasibility Study and subsequent material and finds that the options investigated were sufficiently comprehensive in scope, the approach undertaken in this study was appropriate, and the District's preferred solution is reasonable and cost-effective and meets the needs identified by the District.
- 2) The District has submitted an operational budget for educational objectives and a capital budget statement for MSBA review.
- 3) The District's schematic design submittal will be subject to final review and approval by the Department of Elementary and Secondary Education as part of the schematic design submittal prior to a Project Scope and Budget Agreement.
- 4) Subject to Board approval, the MSBA will participate in a project that includes spaces that meet MSBA guidelines, with the exception of variations previously agreed to by the MSBA. All proposed spaces will be reviewed during the Schematic Design phase.
- 5) As part of the Schematic Design phase, the District will work with the MSBA to determine a mutually agreeable methodology to differentiate between eligible costs and ineligible costs.
- 6) MSBA staff recommends allowing the District to proceed into schematic design contingent upon receipt of an updated educational program.

Based on the review outlined above, staff recommends that the North Middlesex Regional School District be approved to proceed into schematic design for replacement of the existing North Middlesex Regional High School on the existing site.

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 4, of the Liquor Control Act

In conjunction with a "Wedding Reception" to be held on September 7, 2013  
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 September 7, 2013, unless sooner suspended or revoked.

Date: 8/27/13

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: August 27, 2013  
Name of Licensee: John Fors  
Address of Licensee: 491A Main Street, Townsend, MA  
Effective Date or Dates of License: September 7, 2013  
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 "Wedding Reception."

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)

Terri Roy  
Name of Responsible Person/License Holder

491 A Main Street Townsend VFW Post 6538  
Name/ Address of Event Premise

8-7-13                      7-11pm                      4 hours  
Date of Event                      Hours of Event

Wedding Reception  
Type of Event/Sponsors

Number of people expected at event: 75

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.*

Terri Roy  
Signature of License Holder

8-4-13  
Date

Date Application Received: 8/07/13

Date sent to licensing Agent for review: 8/27/13

TOWN OF TOWNSEND

REQUEST FOR RE/APPOINTMENT TO  
BOARD, COMMITTEE OR COMMISSION

4.1

Name: Paul E. Sweet  
*First, Middle Initial and Last Name/If registered voter, then as registered.*

Address, including P.O. Box Number (if applicable), Town, Zip Code:  
6 Ash Street  
Townsend, MA 01469

Telephone Number: 978 597-8086

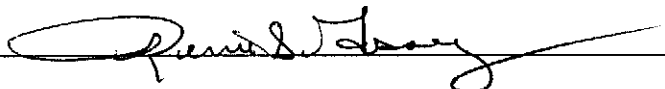
Position: Abram S. French Fund

Term Expiration Date: 2014

Current Term Expiration: 2013

Note if filling unexpired term of a former member: \_\_\_\_\_

Signature of Board, Committee or Commission Chair or designee:

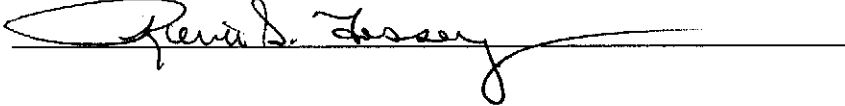


*Please return this form to:*

Office of the Board of Selectmen  
272 Main Street  
Townsend, MA 01469

TOWN OF TOWNSEND

REQUEST FOR RE/APPOINTMENT TO  
BOARD, COMMITTEE OR COMMISSION

- Name: Renee S. Fossey  
*First, Middle Initial and Last Name/If registered voter, then as registered.*
- Address, including P.O. Box Number (if applicable), Town, Zip Code:  
374 Townsend Hill Road  
Townsend, MA 01469
- Telephone Number: 978 597-8321
- Position: Abram S. French Fund
- Term Expiration Date: ~~2013~~ 2014
- Current Term Expiration: 2013
- Note if filling unexpired term of a former member: \_\_\_\_\_
- Signature of Board, Committee or Commission Chair or designee:  


*Please return this form to:*

Office of the Board of Selectmen  
272 Main Street  
Townsend, MA 01469



**TOWNSEND POLICE DEPARTMENT**  
**P. O. Box 137**  
**70 Brookline Road**  
**Townsend, Massachusetts 01469**

4.2

**Erving M. Marshall, Jr.**  
**Chief of Police**

**978-597-6214**  
**978-597-2242**

**DATE:** August 1, 2013  
**TO:** Board of Selectmen

**FROM:** Erving M. Marshall, Jr.  
Chief of Police

**RE:** Annual Appointments: 7/1/13 to 6/30/14  
Crossing Guard

*In accordance with Chapter 41, Section 97A of the Massachusetts General Laws, I hereby submit the following list of people and ask that they be appointed for the above captioned time period as follows:*

Townsend Police Department

**CROSSING GUARD:**

Patricia O'Reilly

54 Brookline Street

597-5325

*Respectfully submitted,*

A large, stylized handwritten signature in black ink, appearing to be "EMM".

*Erving M. Marshall, Jr.*  
*Chief of Police*

EMM/dls

cc: Appointment file