



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

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

Sue Lisio, *Vice-Chairman*

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

SELECTMEN'S MEETING AGENDA
JANUARY 29, 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/Approve Meeting Minutes: January 8, 2013 and January 15, 2013.

II APPOINTMENTS /HEARINGS

- 2.1 7:15 Fire-EMS Headquarters Building Committee update with Kaestle Boos. Votes may be taken.

III MEETING BUSINESS

- 3.1 Personnel Policy and Procedures Manual: discussion of revisions to manual. Votes may be taken.
- 3.2 Charter changes: discussion of Charter Committee's recommended changes. Votes may be taken.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS

- 4.1 Cable Television Advisory Committee: Vote to reappoint the following members for terms from January 1, 2013 to December 31, 2013. Votes may be taken.

Jerry Racette

Kathleen Spofford

Stan Dillis

Steve Cloutier

John D'Angelillo

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)(2) to conduct negotiations with the Fire Department Chief, Don Klein; Police Lieutenant, David Profit; and Town Administrator, Andrew Sheehan. Votes may be taken.



1.4

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

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

Sue Liso, *Vice-Chairman*

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

SELECTMEN'S MEETING MINUTES
JANUARY 8, 2013 - 6:00 P.M.
SELECTMEN'S MEETING CHAMBERS

I PRELIMINARIES

- 1.1 Call the meeting to order and roll call

II APPOINTMENTS /HEARINGS

None

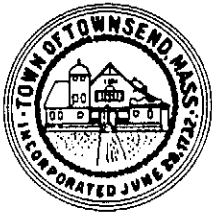
III MEETING BUSINESS

- 3.1 Abram French Fund request in the amount of \$500.
The Board reviewed the request. The name of the recipient was kept confidential in order to protect the privacy of the individual. RP moved to approve the funding request forwarded by the Committee. SL seconded. Unanimous.

V WORK SESSION

- 5.1 Board of Selectmen Updates/Reports
SL reported that there was a school safety meeting involving school officials, Chief Marshall, and others.
- 5.2 Town Administrator Updates/Reports: None
- 5.3 Review/Sign Payroll Warrant: RP moved to sign warrants out of session. SL seconded. Unanimous.
- 5.4 Review/Sign Bills Payable Warrant: RP moved to sign warrants out of session. SL seconded. Unanimous.

Executive Session: RP moved to enter executive session under G. L. c. 30A, s. 21(a)(2) to conduct contract negotiations with the Fire Chief, Don Klein and under G. L. c. 30A, s. 21(a)(6) to discuss the purchase, lease, value, or acquisition of real property where discussion in open session would harm the Town's position; and to adjourn directly from executive session. RP aye, SL aye, NT aye.



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

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

Sue Lisio, *Vice-Chairman*

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

SELECTMEN'S MEETING MINUTES
JANUARY 15, 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 Chairman, Nicholas Thalheimer (NT), Vice-Chairman, Sue Lisio (SL), and Clerk Robert Plamondon (RP) in attendance.
- 1.2 NT gave notice that the meeting is being tape recorded.
- 1.3 The Chairman deleted 2.2, Energy Committee.
- 1.4 Motion was made by RP to approve the meeting minutes of December 18, 2012. SL seconded. Unanimous.
- 1.5 Motion was made by RP to approve and hold the Executive Session minutes of December 4, 2012. SL seconded. Unanimous. In addition, RP moved to approve and hold the Executive Session minutes of December 18, 2012. SL seconded. Unanimous.

III MEETING BUSINESS

- 3.1 Mr. Sheehan recommended the Board approve and extend the Junk Collector's license for MJS Metals through April 30, 2014. Motion was made by RP to approve and extend the Junk Collector's license for MJS Metals through April 30, 2014. SL seconded. Unanimous.
- 3.2 Approve 1-Day Liquor licenses for John Fors, V.F.W. Post #6538, 491 Main Street, West Townsend, MA for the following:
 - Wedding Reception on January 26, 2013, 3:00PM-7:00PM; RP moved to accept, SL seconded. Unanimous.
 - Wedding Reception on February 2, 2013, 7:00PM-11:00PM; RP moved to accept, SL seconded. Unanimous.
 - 30th Birthday Party on February 23, 2013, 7:00PM-11:00PM. RP moved to accept, SL seconded. Unanimous.

II APPOINTMENTS /HEARINGS

- 2.1 **Executive Session:** under G. L. c. 30A, s. 21(a)(3) to discuss litigation where an open session would have a detrimental effect on the Town's position. RP moved to adjourn to Executive Session at 7:05PM and reconvene immediately following. SL seconded. SL aye, RP aye, NT aye.

-EXECUTIVE SESSION-

Meeting reconvened at 7:30PM

- 2.3 Police Chief Erving Marshall: Updates on school safety and narrow banding project. Chief Marshall confirmed that the federally mandated narrow banding project is compliant and has

improved public safety communications. He extended his thanks to Michal Grimley and Dave Mazza of the Townsend Fire Department for their assistance. Regarding school safety, the Department meets with the schools on a consistent basis. They work in conjunction with the NEMLEC STARS team which is a coordinated effort between police, fire, schools and mental health professionals. A parent's night on January 3, 2013 was a success. The Chief stressed the importance of reporting any questionable activity.

- 2.4 Cable Advisory Committee called to order at 7:47PM. Steve Cloutier, Stan Dillis, John D'Angillo, Jerry Racette and Kathy Spofford present. The Committee and the Board discussed creating and dissemination of a survey to gauge residents' satisfaction with Comcast. Bulk mailing was recommended as the primary source of distribution. SL made a motion to send a request to Finance Committee for an exact amount to be determined from the reserve fund. RP seconded. Unanimous.

The Committee is reviewing the proposed contract and will schedule a public hearing upon compilation of the survey results. Mr. Cloutier estimates the hearing to occur in April.

- 2.5 Susan Funaiole, Town Clerk reminded all that the #1 dog tag contest continues. The census mailing is going out this week. There are many important reasons to return them: for grants, emergency personnel, and determination of state local aid funding to mention a few. Ms. Funaiole pointed out that if you don't submit a census for two years you have to complete a continuous residency form before you can vote.

Nomination papers are available for elected positions. The last day to obtain papers is March 1, 2013. They need to be returned to the Town Clerk's office by March 4th with a minimum of 36 signatures from registered Townsend voters.

III MEETING BUSINESS

- 3.3 Vote to Open the May 7, 2013 Annual Town Meeting and Special Town Meeting warrants. Articles are due March 1, 2013 at 5 PM. RP moved to open the warrants. SL seconded. Unanimous.
- 3.4 Sign Highway Department Chapter 90 project request to begin repair of Route 13 from Dudley Road to the New Hampshire border. RP moved to sign the request. SL seconded. Unanimous.
- 3.5 Proclaim January as "Senior Appreciation Month." RP moved to proclaim January as "Senior Appreciation Month." SL seconded. Unanimous.
- 3.6 Amend work schedule of Executive Assistant to the Town Administrator. Mr. Sheehan pointed out that as a result of the budget situation the funding is not in place to fill the vacant 10-15 hour position that was contemplated when the 35 hour position was vacated last spring. As a compromise, he recommends a 6 hour increase for the current employee. This is still 12 fewer hours than the position was previously. RP moved to amend the work schedule of the Executive Assistant to the Town Administrator from 19 to 25 hours per week. SL seconded. Unanimous.
- 3.7 Planning Board referral: 38'X90' two-story Parish Center at St. John's Church, 1 School Street. NT moved to defer to the Planning Board. SL seconded. Unanimous.
- 3.8 Town Administrator's FY14 budget message: AS gave a summary of the budget to date. He conducted an in depth review of the memorandum. Various trash collection options were discussed. The BOS requested cost per household/tonnage comparisons for Townsend and Lunenburg.

IV WORK SESSION

- 5.1 Board of Selectmen Updates/Reports – RP read an announcement on the Friends of the Seniors luncheon on Saturday, January 26, 2013 from 11:00AM-2:00PM. RP also requested information on changing bylaw with respect to road openings. Mr. Sheehan will review and present to the Board in February.

5.2 Town Administrator Updates/Reports:

- Town Meeting will be on May 7th this year.
- Students from Nashoba Valley Technical High School will be doing some projects for the town including a storage shed at the Library/Senior Center Facility and a handicap ramp at the West Townsend Reading Room. Other requests are being explored.
- EnerNoc is conducting an energy audit at the police station. Town Hall will be audited in February or March as well.
- A Chapter 70 school aid increase has been proposed by the Governor. This would help the Town's funding of NMRSD and NTVS.

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

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

Executive Session: under G. L. c. 30A, s. 21(a)(2) to conduct contract negotiations with the Town Administrator Andrew Sheehan. RP moved to adjourn to Executive Session at 9:00PM and to adjourn directly. SL seconded. SL aye, RP aye, NT aye.



3.1

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

Nicholas Thalheimer, *Chairman*

Sue Lisio, *Vice-Chairman*

Robert Plamondon, *Clerk*

Andrew J. Sheehan,
Town Administrator

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

MEMORANDUM

TO: Board of Selectmen

FROM: Andrew J. Sheehan, Town Administrator

DATE: January 24, 2013

RE: Personnel Policies & Procedures Manual
Methods of Revising Manual

The Board previously directed me to review the Personnel Policies & Procedures Manual (the Manual), offer recommendations for updates, and describe alternative methods of adoption. This memo addresses this request.

Karin Canfield, Executive Assistant to the Town Administrator, has gone through the manual and identified some edits. I have also reviewed the manual and have on numerous occasions discussed it with labor counsel David Jenkins.

The Manual is significantly longer than it needs to be and would benefit from a substantial rewrite. The 36 articles that make up the Manual cover 73 pages. Another 8 pages are devoted to appendices. Many of the articles are covered by state or federal law. Whenever a state or federal rule changes it immediately makes the manual inconsistent and out of date. Unless we are going beyond the state or federal standard there is no compelling reason to mimic those standards at the local level.

That being said, many of the articles do need to be included in the Manual. Many of them, however, are wordy or poorly written. Often in writing policies and bylaws there is a desire to account for every potential scenario, no matter how remote. This is virtually impossible and generally just results in unnecessarily verbose policies. Those articles that need to remain should be revised in plain language.

I am more than willing to undertake a revision of the policies. I suggest that the Board instruct me to assemble a small working group to prepare a revised Manual.

The last question involves the method of adoption and amendment of the Manual. General bylaw Chapter 90, Personnel Policies, provides: "Any noncontractual personnel policy and/or procedure of the Town as affirmatively voted and signed off by the majority of elected boards and commissions shall be applicable to all noncontractual Town employees." This is a very unusual provision and one that Town Counsel does not recall seeing in any other community. There are other methods of adopting personnel rules. Some towns utilize a personnel bylaw that is voted by Town Meeting. Other towns allow the chief executive to promulgate personnel policies. Town Counsel advises this latter approach.

Adoption of personnel policies by vote of the Board of Selectmen is a sensible and expeditious approach. To my knowledge the Manual has not been revised since its initial adoption in 2004. The process laid out in c. 90 of the bylaws is cumbersome and time consuming and likely has played a role in it not being amended despite its obvious flaws. The attached bylaw amendment would accomplish this goal.

Personnel policies need to be revised as times and situations change. The process for revising them needs to be easy and quick. We all get frustrated by red tape. We should avoid creating red tape in which only we will get ensnared.

I look forward to discussing this in more depth and bringing our policies up to date.

Draft Bylaw Amendment

To see if the Town will vote to amend the general bylaws, Chapter 90, Personnel Policies, by deleting the existing language which reads:

S. 90-1. Adoption of noncontractual personnel policies and procedures.

Any noncontractual personnel policy and/or procedure of the Town as affirmatively voted and signed off by the majority of elected boards and commissions shall be applicable to all noncontractual Town employees.

S. 90-2. Promotions and transfers.

When an employee in the Town's wage matrix is promoted or transferred to a higher-rated position, he/she shall enter it at the minimum rate for that position. If his/her existing rate is higher than the minimum rate of the new position, he/she will advance to the next step above his/her present rate. He/she may also receive a one-step increase at the time of promotion, if the department head so recommends in writing, and as warranted by the employee's qualifications and performance, subject to the approval of the Board of Selectmen.

If an employee in the Town's wage matrix is transferred to a lower-rated position, he/she shall enter it at his/her rate in the position from which he/she is transferred. The pay rate of such employee shall be adjusted to the appropriate rate for his/her new position within one year by such adjustments as the Board of Selectmen shall determine.

And inserting the following in its place:

The Board of Selectmen shall, by majority vote, adopt personnel policies and procedures to address employment related matters. Such personnel policies and procedures shall include but not be limited to performance evaluation, grievance procedure, disciplinary action, layoff, employee safety, employee compensation and benefits, affirmative action, and sexual harassment.

Employees shall be provided an opportunity to review and comment on any proposed personnel policy prior to the Board's vote by to adopt.

Or take any other action in relation thereto.

