



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

Sue Lisio, *Chairman*
Andrew J. Sheehan,
Town Administrator

Robert Plamondon, *Vice-Chairman*

Colin McNabb, *Clerk*
Office (978) 597-1700
Fax (978) 597-1719

SELECTMEN'S MEETING AGENDA
NOVEMBER 5, 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: October 22, 2013. Votes may be taken.

II APPOINTMENTS /HEARINGS

- 2.1 7:15PM Cable Television Public Hearing to take public input on whether Comcast is in compliance with its current license and determine the Town's future cable related needs; and determine whether to issue a cable license to Comcast. Votes may be taken.
- 2.2 Executive Session: under G. L. c. 30A, s. 21(a)(3) regarding collective bargaining and litigation. Votes may be taken.

III MEETING BUSINESS

- 3.1 Request from the Lions Club for a license to sell Christmas Trees at the rear of the Townsend Common from November 29, 2013 to December 24, 2013. Votes may be taken.
- 3.2 Request from the Abram S. French Fund Committee to transfer \$2,700 from available funds to the Abram S. French Fund to provide assistance to families in need. Votes may be taken.
- 3.3 Review and approve letter of appreciation to Sterilite Corp. for donation of shelving units for the Town Hall Annex. Votes may be taken.
- 3.4 Request to close Town Hall on November 29, 2013.
- 3.5 Request to reclassify the Health Administrator from grade T-3 to grade T-4. Votes may be taken.
- 3.6 Review and discuss Special Town Meeting warrant. Votes may be taken.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS

- 4.1 Request to appoint Edward Hermann to the Energy Committee for a term from November 5, 2013 to June 30, 2015. Votes may be taken.
- 4.2 Request to appoint the following to the Council on Aging for the terms noted. Votes may be taken.
 - o Sandra Stevens, from November 5, 2013 to June 30, 2016;
 - o Valerie Adams, from November 5, 2013 to June 30, 2015;
 - o Pauline Bolduc, from November 5, 2013 to June 30, 2014.
- 4.3 Request to appoint Interim Town Treasurer. 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



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1.4

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SELECTMEN'S MEETING MINUTES
OCTOBER 22, 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: The Chairman corrected the revised agenda stating that item VI will remain and added items 3.5, 3.6, and 3.7.
- 1.4 Review and approve Meeting Minutes: September 24, 2013 and October 8, 2013: CM moved to approve Meeting Minutes of September 24, 2013. RP seconded. Unanimous. CM moved to approve Meeting Minutes of October 8, 2013. RP seconded. Unanimous.

II APPOINTMENTS /HEARINGS

None

III MEETING BUSINESS

- 3.1 Review draft request for proposals for the lease of the Hart Library: Mr. Sheehan has revised the request for proposals. He explained the guidelines for ADA compliance and noted that we do not have the authority to sell or enter into a lease-to-own agreement for the building at this time. Authorization for that requires Town Meeting approval. SL recommended that the option to sell be added to the warrant for the 2014 Annual Town Meeting if it has not been leased by then. Mr. Sheehan also reviewed the acceptable zoning applications noting that zoning may be able to be modified if necessary to enter into a lease. He will forward the draft to the Town Properties Committee to review and will bring it back to the Board prior to releasing it to the public.
- 3.2 Review and approve One Day Special Liquor License on November 9, 2013 from 6PM to 10:00PM for Terri Roy for VFW Post 6538 at 491A Main Street: CM moved to approve. RP seconded. Unanimous.
- 3.3 Discuss proposed slots parlor casino on Jungle Road, Leominster and vote to sign Surrounding Community Agreement with PPE Casino Resorts MA, LLC: Mr. Sheehan and representatives from neighboring communities and counsel have been meeting with the casino developer, PPE Casino Resorts MA, LLC, in order to be designated as surrounding communities and be able to compete for mitigation funding. The fund consists of 6 1/2% of gross gaming revenues. One benefit includes a competitive grant application process which may be able to offset the transportation-related impact anticipated in Townsend. It is estimated additional traffic down Route 13 could be 100,000 trips annually. A summary of the agreement is that PPE would pay Townsend \$5,000 a year and reimburse the town for documented public safety calls related to the casino. They will pay an additional ¼ of 1% after they reach the \$200 million mark. PPE will also cooperate in securing mitigation funds and pick up the legal costs for the negotiation of this agreement. In response, they ask for the support of the Board of Selectmen. RP supports the agreement. If it is going to be built and we don't support it there is no gain. He feels it is located far enough away that there won't be substantial impact. CM and SL agreed. CM moved to approve and sign the Surrounding Community Agreement with PPE Casino Resorts MA, LLC. RP seconded. Unanimous.

3.4 Vote to reopen and close the November 19, 2013 Special Town Meeting warrant; review warrant articles; and vote to sign the warrant. Mr. Sheehan received a request from Chief Marshall to add a warrant for a \$9,806 supplemental appropriation to improve their phone system. There are also some FY14 departmental adjustments under Article 5. CM moved to reopen the November 19, 2013 Special Town Meeting warrant. RP seconded. Unanimous. CM moved to include in the warrant a \$9,806 supplemental appropriation to improve the phone system at the Police Department and also separate the financial articles in Article 5. RP seconded. Unanimous.

Mr. Sheehan led the Board through a review of warrant:

- Article 2 & 3: Awaiting free cash amount to determine stabilization.
- Article 8: Capital Planning Committee (CPC) met to discuss this article. CM stated that CPC is concerned that the land acquisition and site planning are what should be approved at this juncture. Mr. Sheehan added that they seem concerned about the \$11.3 million price tag and reiterated that there are many built-in contingencies. Initially they seemed supportive of the land acquisition and design, but then shied away from that as well. SL asked if CPC actually voted. If not, she cannot offer an opinion. Chief Klein explained that the project is presented as a whole because the likelihood is the site would have to be reworked in the future. Similar problems occurred with the Harbor Station and costs increased over the 8 years it took to complete. He would rather have the community support the project as the best cost-effective product. SL asked if this really is a CPC task. Mr. Sheehan said it meets the criteria for capital projects. SL wondered if the scope of the committee may need to be refined. Mr. Sheehan noted that the capital planning process does want these things on their horizon. It is in their purview, but in another category from what they typically deal with. RP noted there was no formal communication from CPC. If their concerns were so great, they should have been presented to this board. CM believes the article should stay on the warrant in its entirety and the residents should decide. SL and RP agree. SL asked where the debt exclusion comes in. Mr. Sheehan explained that if the article is approved, the debt exclusion would be on the April ballot. SL asked what happens if it is approved at Town Meeting and then fails at the ballot. Mr. Sheehan said it simply cannot be funded without approval of the debt exclusion. If approved, in the meantime, Chief Klein would like to start land negotiations, initial site work and testing, explore solar options, and meet with the Mass. Dept. of Transportation regarding access to Route 119.
- Article 9: Current liquor license holders would be able to open as early as 10AM on Sundays. They will have to amend their licenses if this article is approved.
- Article 12: This would alter the way department heads access town counsel. SL had concerns with the cost of contacting town counsel and asked what the hourly rate is for an opinion in writing. Mr. Sheehan answered that it is \$160 per hour. CM is not in favor of this for financial reasons. He feels it would be administratively chaotic. He spoke with Kay Doyle who told him there is always one person dedicated to contacting counsel. RP stated that there is a reason why management has its role in the hierarchy. Circumventing the chain of command is simply not done. In the past 9 years he has seen requests for legal opinions on the same issues over and over again. SL is not in favor of this article going to Town Meeting. CM moved Article 12 be removed from the Special Town Meeting warrant. RP seconded. Unanimous
- Article 13: Increase in fees.
- Articles 14 and 15: Per the code enforcement/ticketing statute, the Board of Health can issue enforcement tickets. SL asked if the position for this is currently funded through a grant and the duration of the grant. According to Mr. Sheehan the grant funds the position for 18 months with a chance for an extension. SL asked if we are obligated to fund it further. She also asked whether other parties should be listed as enforcement agents in case this position goes away. Mr. Sheehan will check with the Board of Health.
- Article 16: This land was acquired through foreclosure. Fisheries and Wildlife would like to purchase it.
- Article 17: Purchase of this land by Fisheries and Wildlife has to be approved by multiple entities. SL asked about the tax difference. Mr. Sheehan will request an increase in payment in lieu of taxes. RP asked if the proceeds of the sales would go into the General Fund. Mr. Sheehan said the sale of the land for Article 16 would, but the money from the Article 17 land would go into the Conservation Land Trust because it is already conservation land

- CM moved to close the warrant and sign as amended out of session. RP seconded. Unanimous.
- 3.5 Vote to accept a grant in the amount of \$1,075 from Montachusett Home Care Corp. to Townsend Emergency Management Agency (TEMA) and authorize TEMA to spend that amount to print instruction booklets for citizen emergency response training (CERT). RP moved to accept a grant in the amount of \$1,075 from Montachusett Home Care Corp. to Townsend Emergency Management Agency (TEMA) and authorize TEMA to spend that amount to print instruction booklets for citizen emergency response training (CERT). SL seconded. CM recused for professional reasons. Passed.
- 3.6 Vote to transfer to the Council on Aging's gift and donation account the donations received in memory of Roy Shepherd. CM moved to transfer the donations received in memory of Roy Shepherd to the Council on Aging's gift and donation account. RP seconded. Unanimous.

3.7 Review and approve the following Chapter 90 requests:

- \$15,000 to repave the turnaround at the end of Hamilton Hill Road;
- \$50,000 to crack seal Warren Road, Turner Road, Haynes Road, Lunenburg Road, and Dudley Road.

CM moved to approve the listed Chapter 90 requests. RP seconded. Unanimous.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS

- 4.1 Vote to appoint Cheryl Simoneau to the Abram S. French Fund Committee for a term from October 22, 2013 to June 30, 2014: CM moved to appoint Cheryl Simoneau to the Abram S. French Fund Committee for a term from October 22, 2013 to June 30, 2014. RP seconded. Unanimous.

V WORK SESSION

5.1 Board of Selectmen Updates/Reports:

- SL gave an update on the High School Building Committee. The last meeting was very well attending by representatives from all three towns. Community forums will be conducted at the library in the near future.
- SL also brought forward a request from a Veteran that those who fly the American flag should be cognizant of their condition and have them properly disposed of when they are worn. The VFW will take them.
- CM announced the Haunted Trail this weekend on the Common sponsored by Townsend Recreation.
- On October 26th from 10-2 unused or expired medications can be turned in at the Police Station.

5.2 Town Administrator Updates/Reports:

- Devens household hazardous waste collection dates are November 6th and 9th and December 4th and 7th.
- We recently put two 2000 Ford Explorers and a generator out to bid. The items sold for \$1,325.
- John DiNapoli of Unutil updated him that the lights at the W. Townsend substation have been turned off and they will be installing smaller, motion-sensitive lighting.
- Committee vacancies include, but are not limited to:
Planning Board Charter Committee Fire/EMS Chief Committee Energy Committee
Housing Authority Finance Committee On-call firefighters and EMTs.
- The petition to the General Court for the tax collector/treasurer position is still in the House and waiting to go to the Senate. Mr. Sheehan will keep pushing it along.

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.

VI Executive Session

Executive Session: under G. L. c. 30A, s. 21(a)(3) regarding collective bargaining: CM moved to enter into executive session under G. L. c. 30A, s. 21(a)(3) regarding collective bargaining and adjourn immediately following. RP seconded. Roll call: CM aye, RP aye, SL aye. The board entered into executive session at 8:48PM.

3.1

TOWN OF TOWNSEND
272 MAIN STREET, TOWNSEND, MA 01469

NOTICE OF APPROVAL OF LICENSE

This is to certify that:

FRANK FARESE

On behalf of the Lion's Club in Townsend, MA

IS HEREBY GRANTED A LICENSE

For selling Christmas Trees at the rear of the Townsend Common from
November 29, 2013 to December 24, 2013.

The license is granted in conformity with the Statutes and ordinances relating
thereto, and expires 12/24/13 unless sooner suspended or revoked.

Date: November 5, 2013

THE LOCAL LICENSING AUTHORITIES

THE COMMONWEALTH OF MASSACHUSETTS
TOWN of TOWNSEND
APPLICATION FOR LICENSE
(GENERAL)

No. X-01

10-21 2013

TO THE LICENSING AUTHORITIES:

The undersigned hereby applies for a License in accordance with the provisions of the Statutes relating thereto:

Lion's Club of Townsend

by Frank Farese

(Full name of person, firm or corporation making application)

STATE CLEARLY
PURPOSE FOR
WHICH LICENSE
IS REQUESTED

To Sell Christmas Trees

November 29, 2013 - December 24, 2013

GIVE LOCATION
BY STREET
AND NUMBER

At Town Common

in said Town of TOWNSEND

in accordance with the rules and regulation made under authority of said statutes.

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Lion's Club

*Signature of Individual
or Corporate Name (Mandatory)

By: Corporate Officer
(Mandatory, if Applicable)

04-3194947

**Social Security # (Voluntary)
or Federal Identification Number

* This license will not be issued unless this certification clause is signed by the applicant.

** Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. G.L.c. 62Cs.49A.

Received 10/28 2013

Hour (A.M.) 9:47 P.M. _____

Frank Farese

Signature of Applicant

185 SOUTH BOW RD

Address

Approved _____ 20 _____

License Granted _____ 20 _____

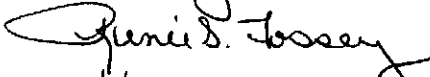
Oct. 26, 2013

3.2

To: Board of Selectmen

From: Abram S. French Fund

We request that you transfer \$2700.00 from your available funds to the Abram S. French Fund so that we may provide financial assistance to multiple families in financial need.

Thank you,

Abram S. French Fund Committee



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3.3

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Robert Plamondon, *Vice-Chairman*

Colin McNabb, *Clerk*

Andrew J. Sheehan,
Town Administrator

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

November 5, 2013

Mr. Albert Stone, Chairman
Sterilite Corporation
P.O. Box 8001
Townsend, MA 01469-8001

RE: Donation of Shelving Units

Dear Mr. Stone:

On behalf of the residents of Townsend the Board of Selectmen would like to take this opportunity to thank you for your donation of 20 shelving units (item #0155 8501) for use in the Town Hall Annex, also referred to as the old bank building. Renovation work is moving at a brisk pace and we hope to install ventilation and humidity control soon. We expect to start storing documents within a short time frame.

Your donation helps us to use this lovely building again, even in a limited capacity, and your donation is very much appreciated.

Very truly yours,

Sue Lisio, *Chairman*

Robert Plamondon, *Vice-Chair*

Colin McNabb, *Clerk*



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3.4


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MEMORANDUM

TO: Board of Selectmen

FROM: Andrew J. Sheehan, Town Administrator 

DATE: November 1, 2013

RE: Request to Close Town Hall November 29, 2013

I am requesting the Board of Selectmen vote to close Town Hall to the public on Friday, November 29, 2013. It has been common practice to close Town Hall to the public on the day after Thanksgiving and I request that we continue the tradition. Employees may use accrued vacation or personal time.

Thank you for your consideration.

MEMO

To: Andy Sheehan, Town Administrator, and Townsend, MA

From: Sandy Stapczynski, Human Resources Services

Date: 10/9/2013

Re: Board of Health Administrator

For your review, attached please find the updated job description.

The Consultant spoke at length with the Board of Health Official, the supervisor of this position; and also the incumbent employee in the position of Board of Health Administrator. The Consultant also reviewed information received from the town administration department related to the current compensation and classification plan, and reviewed historical documents too. Based on the Consultant's updated description, the position was then rated and placed on the appropriate grade classification. HRS' *Municipal Position Classification and Rating Manual* was used to rate the position.

During these difficult financial times, any type of recommendation for grade reclassification requires stringent consideration. The Consultant has completed due diligence in the thorough review of this position. This position has significant responsibility for coordinating multiple health department programs (onsite and offsite) for the Health Department in Townsend, as well as increased executive level administrative assistant duties.

Based on this recent update in job duties, knowledge and abilities and skills required for the position, HRS recommends that the position be reclassified from a grade T-3 to a grade T-4. Any cost of living adjustment, if given, for FY-14 should be added to this pay range. When placing the position on a grade T-4, at a minimum, the incumbent should be placed on the step closest to, but just above what they are currently earning in order to not cut the current pay of the incumbent employee.

In conclusion, HRS believes that grade T-4 will place the Board of Health Administrator equitably with the Office Administrator, Administrative Assessor, Assistant Town Clerk and other positions currently on the grade T-4.

BOARD OF HEALTH ADMINISTRATOR

Position Purpose:

The purpose of this position is to perform professional administrative, clerical and managerial work of significant complexity and responsibility in overseeing the operations of the Board of Health, Landfill and Recycling Center. Performs all other related work as required.

Supervision:

Supervision Scope: Exercises independent judgment and initiative in performing duties, requiring considerable knowledge and judgment in the application and interpretations of relevant federal, state and local regulations and guidelines.

Supervision Received: Work is performed under the policy direction of the elected Board of Health. Work is performed independently referring to supervisor only when clarification of operating policies or procedures is needed.

Supervision Given: Oversees senior citizens participating in the Tax Work-off Program on the department level. Supervises six (6) recycling center personnel. Assists Board of Health in the hiring of personnel including pre-interviewing, advertising, orientation and training. Coordinates scheduling of Recycling Personnel, Landfill Engineering and Operations, Solid Waste Removal and Curbside Trash & Recycling program. Oversees volunteers participating in recycling program.

Job Environment:

Fair amount of work is performed under typical office conditions, with frequent interruptions to provide assistance and information to the public; noise level in the office is moderate. Required to attend Board of Health meetings, as well as meetings held by other town Boards and Commissions. Occasionally monitors recycling center in various weather conditions.

The Health Administrator also needs to be at the Recycling Center and Landfill outdoors with exposure to extremes of heat and cold temperatures and inclement weather. Incumbent is subject to the hazards associated with working at a Transfer Station and around heavy equipment. Work environment is loud. Has exposure to hazardous materials/fumes from recycling oil, gas, antifreeze and automotive batteries. On-call for emergencies and stand-by operations during normal business working hours

Regularly operates a computer, telephone, copier, facsimile machine and other standard office equipment. Occasionally uses camera.

Makes frequent contacts with the general public, applicants and their representatives or attorneys, engineers, surveyors, contractors, town boards and officials, Town Counsel, State, Federal and Town officials in other towns, as well as other outside groups such as the DEP and

*Townsend, MA
BOH Administrator
FLSA: Non-Exempt
October, 2013 BOS Meeting
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MBOH. Contacts are in person, in writing, and by telephone and require persuasiveness and resourcefulness to influence the behavior of others.

Maintains and has access to department-level confidential information related to personnel files and litigation requiring the application of appropriate judgment, discretion and professional office Protocols. Errors could result in loss of department services, and legal repercussions.

Essential Functions:

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.)

The Health Administrator provides a wide range of monitoring and supervisory tasks as well as all administrative support functions to the elected Board of Health, the Recycling Center and landfill. Assists and at time enforces the Board's issues in promulgation and enforcement of local health regulations on these issue: Septic and Garbage, Solid Waste, Housing and Dwellings, Food, Smoking, Animal Inspection/Manure Management/Beaver control, Health Care and Disease control, Nuisances, Hazardous Wastes, Pool and Beaches and private Well/Water regulations.

Prepares and manages annual budgets for approval by the Board of Health and Finance Committee. Prepares narrative justification for line items as required. Solicits and submits responses from the Board of Health Operations, Landfill Operations, Landfill Engineering and the Recycling Center related to Recycling Center five year plan. Orders office supplies for Office, Landfill and Recycling center; maintain inventory.

Coordinates the Tax Work-Off Program within the Board of Health and Recycling Center for eligible Senior Citizens.

Manage daily maintenance of web site for Board of Health, Recycling Center, Building Department and Recycling Committee.

Drafts annual report for Board of Health.

Manages lagoon status at the landfill and coordinates discharges and associated permits. Serves as professional liaison for the engineers and maintenance contractors with matters regarding legal, financial and contractual issues with DEP, State and Federal regulations.

Attends project meetings and site visits with various Department Heads, municipal staff, appointed Committees including members from the general public, to share project information, delegate tasks, review progress and facilitate completion of projected goals. Initiates, schedules and runs public informational forums.

Attends conferences and seminars for professional development related to the job responsibilities and issues of the Board of Health and Recycling Center. Researches and prepares applications for grants on behalf of the Board and manages grants received.

Serves as a professional liaison for the Board with regional and statewide initiatives and projects through Nashoba Associated Boards of Health, Massachusetts Associated Board of Health and Department of Environmental Protection,

Establishes and maintains working relationships with Fire, Police, EMS, Civil Defense, local hospitals, physicians and veterinarians, state and federal agencies to ensure efficient cooperation during a crisis or natural disaster.

Drafts and prepares town meeting articles, permits, procurement documents, request for proposals and invitations for bids for all town health services and other contracts.

Researches bylaws, regulations, policies, practices and fees adopted in neighboring towns of similar nature to assist the Board of Health and Recycling Center in adopting fair and equitable requirements.

Reviews and re-writes job descriptions as necessary to reflect work actually being performed by employees at the Recycling Center. Prepares annual performance reviews and submits changes in payroll and step increases to Town Administration.

Manages & directs the facilities of Recycling Center. Other job duties include building and grounds maintenance, custodial support, vendor and utilities, and organization of events. Manages disposition of recyclable materials to assure most advantageous arrangements for the town.

Prepares and posts Board of Health meeting agendas as required by M.G.L. Attends meetings and take minutes. Prepares related correspondence, follows up on action items, write certificates.

Receives applications and fees associated with Townsend Board of Health, Recycling Center and Landfill. Prepares forms for use in various permit and license applications. Reviews applications for completeness and adherence to state and local regulations. Processes applications and deposit receipts in Treasurer's Office.

Attends all other BOH night meetings necessary to ensure proper representation of the Board of Health; off site and on site. Represents the Town of Townsend as a voting member of MassToss.

Manages the hauling of recycling and curbside trash and its budget. Handles all concerns regarding curbside trash and recycling and all other issues associated with.

Prepares Emergency Dispensing Site (EDS) plan for mass vaccination requiring coordination and participation of other town departments heads including Police, Fire, DPW, School and Town Administration. Performs similar or related work as required.

Recommended Minimum Qualifications:

Education, Training and Experience:

Associates Degree, and at least five (5) years of Administrative experience, and previous experience in statutory, regulatory and legal processes, municipal government or one or more areas of Board jurisdiction are required. Must be proficient in Microsoft Office and First Class web management

Special Requirements:

Possession of a valid motor vehicle operator's license. Courses: ICS 100, ICS 200, NIMS 700(Emergency Preparedness Planning) certification within six (6) months of employment.

Knowledge, Ability and Skill:

Knowledge: Thorough knowledge of office procedures, practices and terminology. Working knowledge of town operations, office equipment and the operation of computer software applications. Knowledge of terminology and procedures used by Commission and Boards in order to type, file, handle or respond to various notices, letters and permit appropriately. General knowledge of health and safety laws, regulations and pertinent town bylaws. Keen knowledge of municipal operations.

Ability: Ability to set up and maintain a well-organized filing system. Ability to read engineering plans related to the Board of Health. Ability to research or assist the public in relations to Health issues. Ability to track budget line item expenditures, and prepare and submit payment vouchers in a timely manner. Ability to tactfully and courteously maintain satisfactory working relationships with various Commission and Board members, superiors, other Department heads, professional representing applicants, State of other outside groups, co-workers and the general public.

Skill: Skill in operating computer and utilizing appropriate software applications such as word-processing, spreadsheet, database and Internet. Skills in researching Health, Recycling and Landfill related data and plans from multiple departments and directing the public in their research to obtain such information. Excellent customer service skills, organizational skill and writing skills.

Physical Requirements:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

GRADE: T-4

While performing the duties of this job, the employee is frequently required to work at a desk; regularly convey information to employees and the public; regularly move about inside the office to access file cabinets and office machinery. The employee must occasionally lift and/or move objects weighing up to 15 pounds. Ability to operate a keyboard and calculator at efficient speed and to view computer screens for extended periods of time. Occasional work in the field requires traversing uneven terrain.

(This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.)

The Commonwealth of Massachusetts

3.6

MIDDLESEX SS.

To either of the Constables of the Town of Townsend in the County of Middlesex, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the legal voters of the Town of Townsend, qualified to vote at Town Meetings for the transaction of Town affairs, to meet at the Memorial Hall, 272 Main Street, Townsend, MA for the Special Town Meeting on Tuesday, **November 19, 2013, at 7:00 PM**, then and there to act on the following articles:

FINANCIAL MATTERS

ARTICLE 1

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$ _____ for the purpose of paying prior fiscal year bills, or take any other action in relation thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 2

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury, the sum of \$ _____ for the purpose of supplementing the stabilization fund, as allowed under MGL Chapter 40, Section 5B, or take any other action in relation thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 3

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$ _____ for the purpose of supplementing the capital stabilization fund, including debt service payments of capital items, as allowed under MGL Chapter 40, Section 5B, or take any other action in relation thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 4

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$ _____ to implement collective bargaining agreements entered into between the Town and the following:

1. American Federation of State, County, and Municipal Employees, Council 93, Local 1703, Highway/Water Union;
2. American Federation of State, County, and Municipal Employees, Council 93, Local 3470, Telecommunications Union;
3. American Federation of State, County, and Municipal Employees, Council 93, Local 3470, Police Union;
4. International Association of Firefighters, Career Firefighters of Townsend, Local 4879.

Or take any other action in relation thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 5

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$_____ for the purpose of updating and replacing the existing phone system in the Police/Communications Facility, or take any other action in relation thereto.

SUBMITTED BY: Police Chief

ARTICLE 6

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$_____ for the purpose of supplementing Board of Health personnel services, or take any other action in relation thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 7

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$_____ for the purpose of supplementing Elections/Town Meetings personnel services and \$_____ for the purpose of supplementing Elections/Town Meetings expenses, or take any other action in relation thereto.

SUBMITTED BY: Town Clerk

ARTICLE 8

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$_____ for the purpose of supplementing Veterans Benefits, or take any other action in relation thereto.

SUBMITTED BY: Veterans Services Officer and Board of Selectmen

ARTICLE 9

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$_____ for the purpose of supplementing the Treasurer, or take any other action in relation thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 10

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$_____ for the purpose of supplementing Facility Maintenance expenses, or take any other action in relation thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 11

To see if the Town will vote to amend the Capital Plan and appropriation approved by Article 24 at the Annual Town Meeting held on May 7, 2013, or take any other action in relation thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 12

To see if the Town will vote to transfer from Free Cash into the Cemetery Improvement Fund the sum of \$_____ from the cutting of trees on Turnpike Road and vote to transfer from Free Cash into the Cemetery Improvement Fund the sum of \$_____ from the cutting of trees at Riverside Cemetery, or take any other action in relation thereto.

SUBMITTED BY: Cemetery Commission

ARTICLE 13

To see if the Town will vote to appropriate **\$11,313,000.00** for the purpose of acquiring a certain parcel of land by gift, purchase, or eminent domain said land being a portion of Assessors Map 18, Block 65, Lot 0 as shown on a sketch plan on file in the office of the Town Clerk, and designing and building a new central fire headquarters to replace the buildings at 460 Main Street, 8 Elm Street, 13 Elm Street, and 272R Main Street, and as funding therefore to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said sum and issue bonds and notes therefore, and further to amend the Capital Plan as approved by Article 24 at the Annual Town Meeting held on May 7, 2013, or take any other action in relation thereto.

SUBMITTED BY: Fire Station Building Committee and Fire Chief

BYLAW AND STATUTORY ADOPTIONS

ARTICLE 14

To see if the Town will vote to adopt G, L. c. 138, s. 33B to allow the local licensing authority to authorize holders of on-premises alcohol licenses to sell alcoholic beverages between the hours of 10:00AM and 12:00PM on Sundays, the last Monday in May and on Christmas Day or on the day following when said day occurs on Sunday, or take any action in relation thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 15

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new **ARTICLE XVII MEDICAL MARIJUANA, SECTION 145-88 TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS/REGISTERED MARIJUANA DISPENSARIES**, that would provide as follows, and further to amend the Table of Contents to add Section 145-88 "Temporary Moratorium on Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries:"

Section 145-88. Temporary Moratorium on Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries

A. Purpose of Moratorium.

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013. On May 8, 2013, the State Department of Public Health promulgated Regulations that became effective on May 24, 2013. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center, identified in the State Regulations as a Registered Marijuana Dispensary, is not a permitted

use in the Town of Townsend. The State Regulations are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of such use and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning By-law regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Center/Registered Marijuana Dispensaries so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

B. Definition

“Medical Marijuana Treatment Center” shall mean a “not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health as a Registered Marijuana Dispensary, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.”

C. Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center/Registered Marijuana Dispensary. The moratorium shall be in effect through December 31, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the State Regulations and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries and related uses.

Or take any action relative thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 16

To see if the Town will vote to amend the Town’s Zoning Bylaw by adding to **Article XVI Renewable/Alternative Energy, Section 145-87. Wind Energy Systems**, that would provide as follows, and further to amend the Table of Contents to add Section 145-87 “Wind Energy Systems:”

§ 145-87. 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 including 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 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 including 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/Maximum Tip 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.

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 including 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 Permit: A Building Permit is a required approval of a project by the Building Commissioner 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 the 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 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 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. 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;
 - vii. Wetland resource areas within 100 feet of the proposed area;
 - viii. Rivers, streams or brooks within 200 feet of the proposed area.
- (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, 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 one 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) Wetland resource areas 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 § 145-65 and MGL c. 40A, §§ 9 and 11. All additional abutters within one half mile are also to be notified of the hearings.

(6) Decision

Decisions may be issued in accordance with §145-65.

(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 § 145-65, and MGL c. 40A, §§ 9 and 11.

(9) Renewals

Existing Special Permits under this bylaw shall not require re-submission unless there has been a substantive change in the information or conditions reviewed for the existing Special Permits,

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 SPGA 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 shall 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 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 setbacks to satisfy the intent of the bylaw herein, and require appropriate setbacks to help 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 will 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 operating 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 to maintain 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 at the owner's expense.

(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.

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

Or act in relation thereto.

SUBMITTED BY: Planning Board

ARTICLE 17

To see if the Town will vote to adopt G.L. c.60 §23B to authorize the Tax Collector and Town Treasurer to assess

- for land of less than one acre upon which there is no permanent structure, a fee of twenty-five dollars (\$25.00);
- for land upon which is situated no more than a single family residence and outbuildings, a fee of twenty-five dollars (\$25.00);
- for land upon which is situated no more than a two family residence and outbuildings, a fee of twenty-five dollars (\$25.00);
- for land upon which is situated no more than a three family residence with outbuildings, a fee of twenty-five dollars (\$25.00);
- for land upon which is situated a residence for four or more families, a fee of one hundred dollars (\$100.00);
- for land upon which is situated a commercial, industrial or public utility structure, a fee of one hundred and fifty dollars (\$150.00);
- for farms, forest land and all other real property, a fee of fifty dollars (\$50.00).

In no case can the fee exceed one half of one per cent of the assessed value of the real estate.

Or act in relation thereto.

SUBMITTED BY: Board of Selectmen and Treasurer/Tax Collector

ARTICLE 18

To see if the Town will vote to amend §102-4 of the Townsend Code to allow enforcement of violations of the Mandatory Recycling and Trash Collection Program through noncriminal dispositions by deleting text and inserting new text as shown underlined below:

~~C. For a period of 60 days following the effective date of the by-law, violations will be met with a written notice of noncompliance and trash will be left for the person to recycle appropriately. After this sixty day period,~~ Violations will result in enforcement through noncriminal disposition pursuant to §1-1 of the Townsend Code and may also result in the loss of curbside pickup.

or take any other action relative thereto.

SUBMITTED BY: Board of Health

ARTICLE 19

To see if the Town will vote to amend §1-1 of the Townsend Code to insert the following:

- K. Mandatory Recycling Program
- (1) Enforcing Officer: Municipal Recycling Enforcement Coordinator
 - (2) Fine Schedule:
 - (a) First Offense: Warning
 - (b) Second Offence: Warning
 - (c) Third and Subsequent Offenses: \$100 per bag

or take any other action relative thereto.

SUBMITTED BY: Board of Health

DISPOSITION OF TOWN-OWNED LAND

ARTICLE 20

To see if the Town will vote to transfer the care, custody, management and control of a parcel of land from the Treasurer, held for the purpose of sale at auction as tax title land, to the Board of Selectmen for purposes of conveyance, and to authorize the Board of Selectmen to convey said parcel to the Commonwealth of Massachusetts, Division of Fisheries & Wildlife, on such terms and conditions, and for such consideration as the Board of Selectmen shall determine, said parcel of land known as the Clement Property, located off South Row Road and Emery Road, identified by the Assessors as Map 25, Block 3, Lot 0, said land to be used for open space for the benefit of the public in perpetuity pursuant to Article 97, and further to authorize the harvesting of timber prior to the conveyance, or act in relation thereto.

SUBMITTED BY: Board of Selectmen and Conservation Commission

ARTICLE 21

To see if the Town will vote to transfer the care, custody, management and control of two parcels of land from the Conservation Commission to the Board of Selectmen for purposes of conveyance, and to authorize the Board of Selectmen to convey said parcels to the Commonwealth of Massachusetts, Division of Fisheries & Wildlife, on such terms and conditions, and for such consideration as the Board of Selectmen shall determine, said parcels of land located on Haynes Road in Townsend, Middlesex County, Massachusetts, and shown as Open Space Area "A" and Open Space Area "B", respectively, on a plan of land entitled "Locke Estates, Townsend, Mass., Prepared for Gerald and Joan Croteau," dated May 25, 1999, amended March 21, 2000, prepared by Ducharme & Wheeler, Inc., Bolton, MA, as described in a deed recorded with the Middlesex South Registry of Deeds in Book 53439, Page 134 and identified by the Assessors as Map 44, Block 4, Lots 0 and 11, respectively, said properties to be used for open space for the benefit of the public in perpetuity pursuant to Article 97, and to authorize the Board of Selectmen to petition the Massachusetts General Court for approval of the conveyance of the properties described herein, under Article 97 of the Amendments to the Massachusetts Constitution, if such approval is deemed by the Board of Selectmen to be needed, and to authorize the Board of Selectmen to file Article 97 legislation with the General Court, or act in relation thereto.

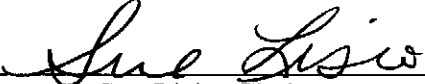
SUBMITTED BY: Board of Selectmen and Conservation Commission

And you are directed to serve this Warrant, by posting up attested copies thereof at MEMORIAL HALL, 272 MAIN STREET at the Center, WEST TOWNSEND FIRE STATION, 460 MAIN STREET in West Townsend, POLICE/COMMUNICATIONS CENTER, 70 BROOKLINE ROAD, NORTH MIDDLESEX REGIONAL HIGH SCHOOL, 19 MAIN STREET, and HARBOR CHURCH, 80 MAIN STREET in said Town, at least FOURTEEN (14) days before the time of holding said meeting.


HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of the meeting, as aforesaid.

Given under our hands this 29th day of OCTOBER in the year TWO THOUSAND THIRTEEN.

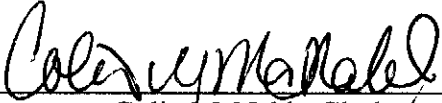
SELECTMEN OF TOWNSEND



Sue Lisio, Chairman

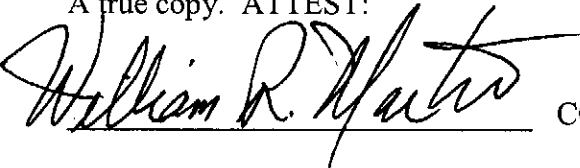


Robert Plamondon, Vice Chairman



Colin McNabb, Clerk

A true copy. ATTEST:



CONSTABLE

MIDDLESEX, SS.

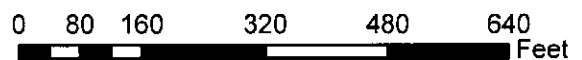
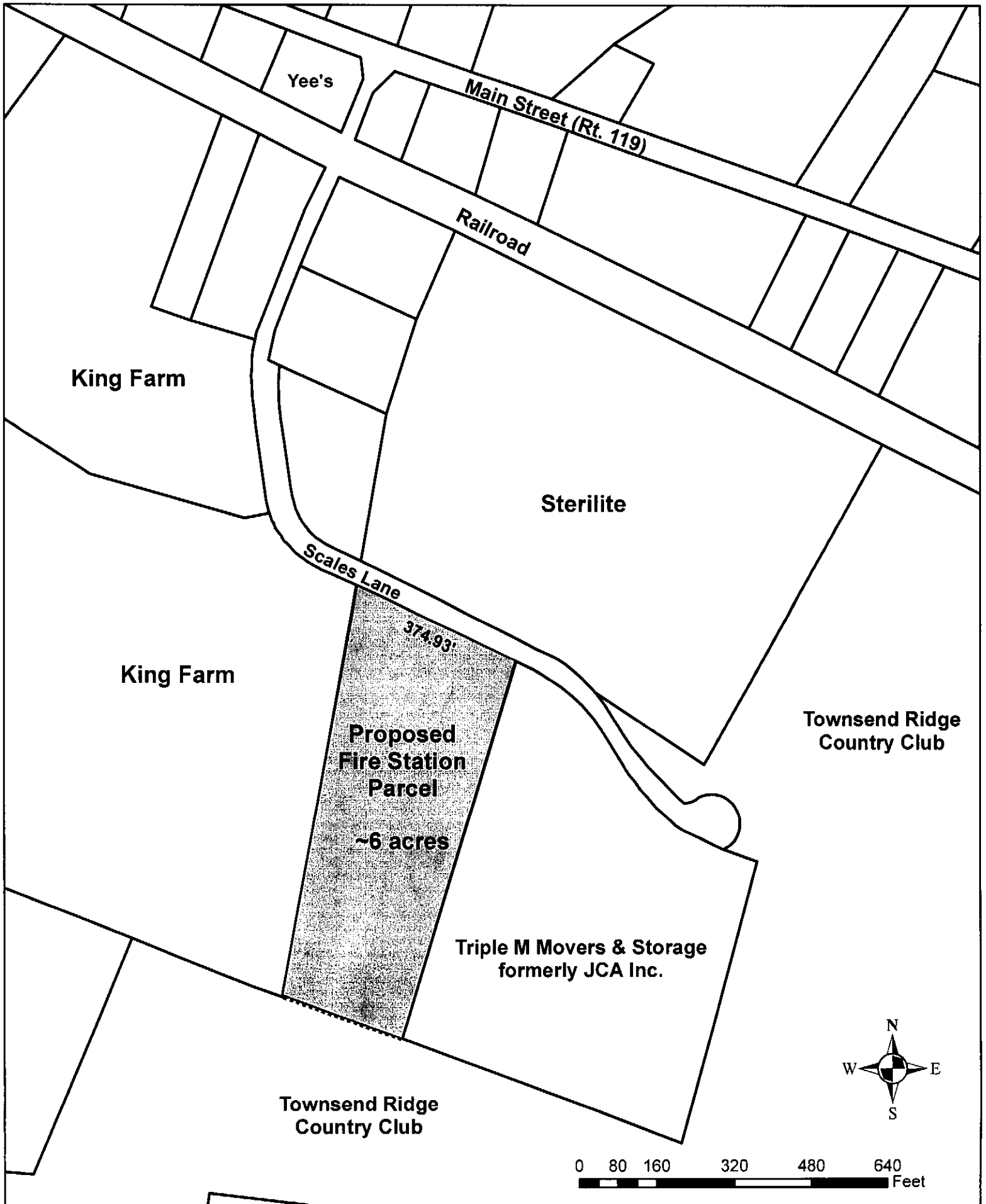
PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of TOWNSEND by posting up attested copies of the same at: MEMORIAL HALL, 272 MAIN STREET AT THE CENTER, WEST TOWNSEND FIRE STATION, 460 MAIN STREET IN WEST TOWNSEND, POLICE/COMMUNICATIONS CENTER, 70 BROOKLINE ROAD, NORTH MIDDLESEX REGIONAL HIGH SCHOOL, 19 MAIN STREET, and HARBOR CHURCH, 80 MAIN STREET, AT LEAST FOURTEEN (14) DAYS BEFORE THE DATE OF THE MEETING, AS WITHIN DIRECTED.

Constable of TOWNSEND

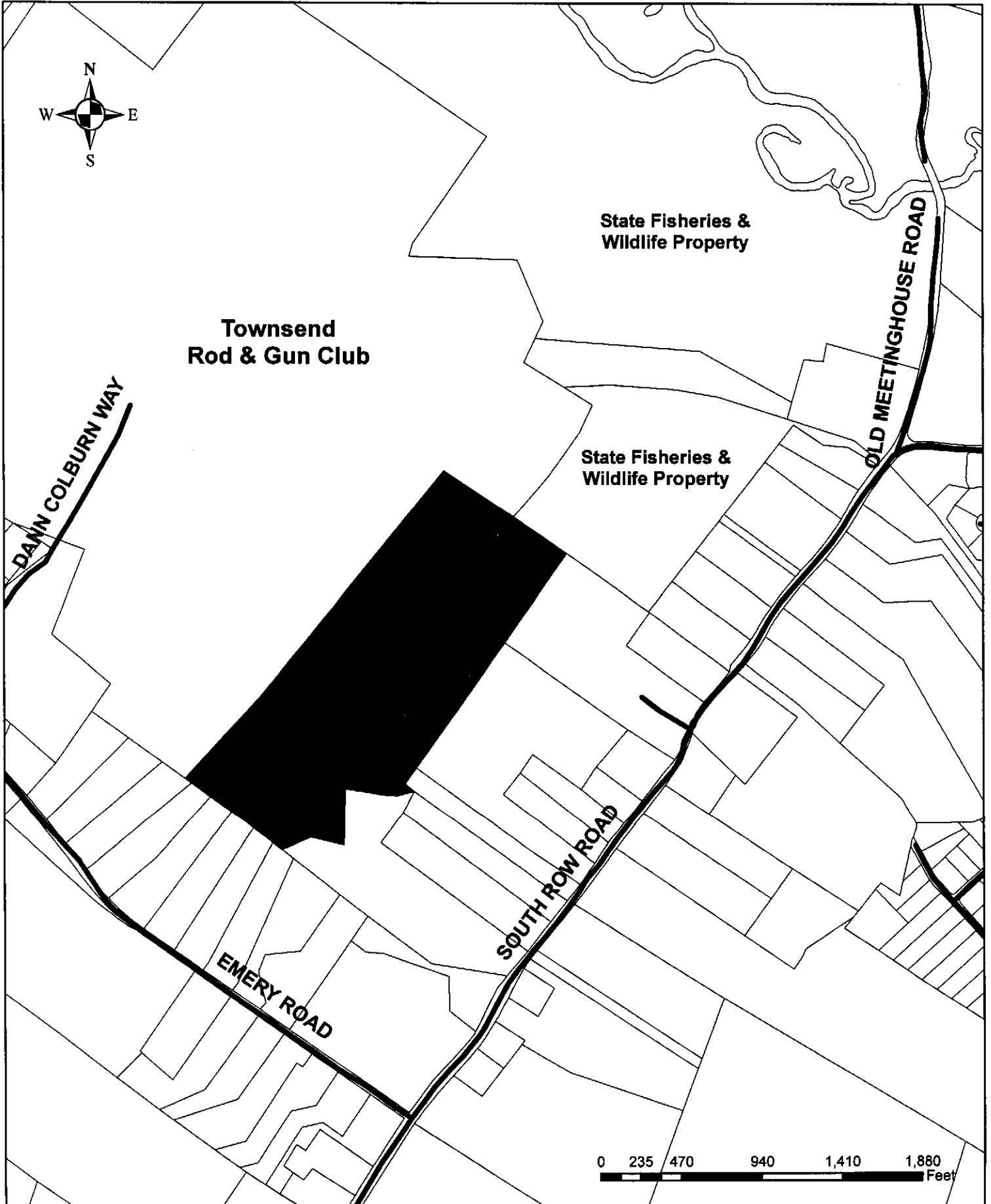
SIGNATURE

LOCATION	TIME	MONTH	DAY	YEAR
MEMORIAL HALL	_____	_____	_____	_____
WEST TOWNSEND FIRE STATION	_____	_____	_____	_____
NORTH MIDDLESEX REGIONAL HIGH SCHOOL	_____	_____	_____	_____
POLICE/COMMUNICATIONS CENTER	_____	_____	_____	_____
HARBOR CHURCH	_____	_____	_____	_____

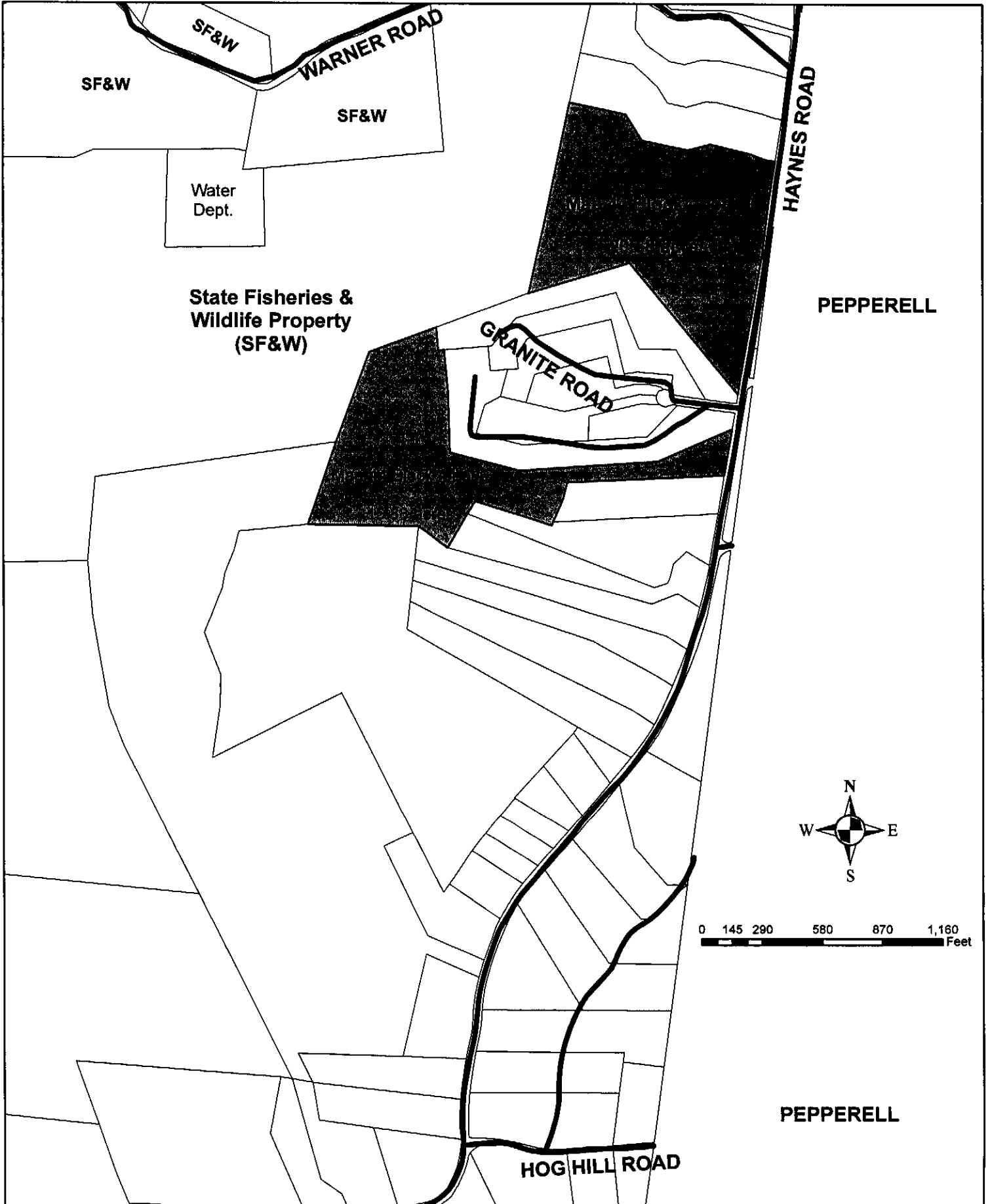
Special Town Meeting Nov. 19, 2013 - ARTICLE 13



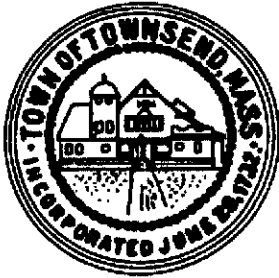
Special Town Meeting Nov. 19, 2013 - ARTICLE 20



Special Town Meeting Nov. 19, 2013 - ARTICLE 21



A.1



TEC

TOWNSEND ENERGY COMMITTEE
272 Main Street
Townsend, Massachusetts, MA 01469

Christopher L. Campion, Ph.D., Susan Dejniak, PMP,
Michael Brown, Ph.D.

October 28, 2013

TO: Board of Selectmen
FROM: Energy Committee *KC*
SUBJECT: Committee Appointments

At a meeting of the Energy Committee on October 24, 2013, it was unanimously voted to recommend to the Selectmen the appointment of the following resident to the Energy Committee for the indicated term:

Edward Hermann
54A Adams Road
Term effective October 24, 2013 - June 30, 2015

This vacancy was posted as required by the Town Charter on October 3, 2013.



Date received 10/17/13

VOLUNTEER RESPONSE FORM

Town government needs citizens who are willing to give time in the service of their community. The Talent Bank is a means of compiling names of interested citizens to serve on a voluntary basis on boards and committees. This file is available for use by the public as well as the Moderator and the Selectmen.

Talent Bank files are being updated to include categories consistent with the changing needs of the town.

Indicate your order of preference and return the form below to:

Talent Bank c/o Board of Selectmen
272 Main Street
Townsend, MA 01469

Name: EDWARD J HERMANN

Phone (978) 597-2049 email edward.hermann@gmail.com

Address: 54 A ADAMS RD.

Occupation: ELECTRICAL / SOFTWARE ENGINEER

Amount of time available
(per week/per month): 20 hr / month

Background/Experience B.S.EE. SOFTWARE ENGINEERING

**REFER TO THE LIST OF BOARDS AND COMMITTEES ON THE BACK
OF THIS FORM AND LIST THOSE YOU ARE INTERESTED IN
SERVING ON IN ORDER OF PREFERENCE**

1. ENERGY
2. _____
3. _____



TEC
TOWNSEND ENERGY COMMITTEE
272 Main Street
Townsend, Massachusetts, MA 01469

Christopher L. Campion, Ph.D., Susan Dejniak, PMP,
Michael Brown, Ph.D.

RECEIVED
OCT 03 2013

PUBLIC NOTICE OF VACANCY TOWN OF TOWNSEND
TOWN CLERK

October 3, 2013

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

ENERGY COMMITTEE

- 1 Member: Term running from July 1, 2013 to June 30, 2016**
- 1 Member: Term running from July 1, 2013 to June 30, 2015**

The Energy Committee operates under the general direction of the Board of Selectmen. Its purpose is to manage the requirements of Townsend's Green Community status under the Massachusetts Green Communities Act; advise on energy procurement and policies for municipal facilities and residential and commercial customers; pursue funding opportunities; and work with consultants, including but not limited to an energy services company (ESCO) under a performance contract.

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

4.2

TO: Board of Selectmen
FROM: Council on Aging/Christine Clish, Dir.
RE: Appointment to Board
DATE: Oct. 22, 2013

New appointments to the Council on Aging Board:

Sandra Stevens, 34 Bayberry Hill Rd., Townsend, Tel: 978-597-8384
Term: 07/01/13 to 06/30/16

Valerie Adams, Fitchburg Rd., Townsend, Tel: 978-597-8478
Fills unexpired term, 07/01/12 to 06/30/15

Pauline Bolduc, 66 Dudley Rd., # 108, Townsend, Tel: 978-300-5445
Fills unexpired term: 07/01/11 to 06/30/14

All three ladies help out at the Senior Center and are very interested in the welfare of our senior citizens. Ms. Bolduc will be a liaison between Atwood Acres and the COA Board. I will forward the new appointments' volunteer applications. If you have any questions, please contact me at 978-597-1710.

SEP 13 2013

TOWN OF MAINE
TOWN CLERK

COUNCIL ON AGING BOARD OPENINGS

ONE - UNEXPIRED THREE YEAR TERM, for *JULY 1, 2011 TO JUNE 30, 2014*

ONE - UNEXPIRED THREE YEAR TERM, for *JULY 1, 2012 TO JUNE 30, 2015*

ONE - UNEXPIRED THREE YEAR TERM for *JULY 1, 2013 TO JUNE 30, 2016*

Mission Statement: The Council on Aging is committed to the continued growth and well being of our senior citizens by providing programs, education, information and referral services with a goal of helping seniors achieve the best quality of life possible.

The Council on Aging identifies the needs of the community's elderly population, educates the community & implements services to fill the needs of the elderly. Anyone interested must fill out a volunteer form (available at Town Hall - Clerk or Selectmen's office or on line).

For more information, contact Christine Clish, Director, 978-597-1710.