

Office of the BOARD OF SELECTMEN

272 Main Street Townsend, Massachusetts 01469

Sue Lisio, Chairman

Robert Plamondon, Vice-Chairman

Colin McNabb, Clerk

Andrew J. Sheehan, Town Administrator Office (978) 597-1700

Fax (978) 597-1719

SELECTMEN'S MEETING AGENDA DECEMBER 17, 2013 - 7:00 P.M. SELECTMEN'S MEETING CHAMBERS

I PRELIMINARIES

- 1.1 Call the meeting to order and roll call
- 1.2 Announce that the meeting is being tape recorded
- 1.3 Chairman's Additions or Deletions:
- 1.4 Review and approve Meeting Minutes: November 19, 2013 and December 3, 2013. Votes may be taken.

II APPOINTMENTS AND HEARINGS

- 2.1 Town Clerk Sue Funaiole to discuss the following. Votes may be taken.
 - Annual dog licensing.
 - April 28, 2014 election calendar
- 2.2 Rename bridges on Wheeler Road and Tumpike Road. Votes may be taken.
 - Wheeler Road Bridge: to be renamed Amadon Family Bridge
 - Turnpike Road Bridge: to be renamed Rossbach Bridge

III MEETING BUSINESS

- 3.1 Discussion of Board of Selectmen vacancy. Votes may be taken.
- 3.2 Discussion of January Board of Selectmen schedule. Votes may be taken.
- 3.3 Authorize deficit spending for snow and ice pursuant to G. L. c. 44, s. 31D. Votes may be taken.
- 3.4 Review and approve collective bargaining agreements with Police and Telecommunicators and if necessary convene Executive Session under G. L. c. 30A, s. 21(a)(3). Votes may be taken.
- 3.5 Vote to open May 6, 2014 Annual Town Meeting warrant. Votes may be taken.
- 3.6 Review request from the Abram S. French Fund Committee to transfer from available funds to the Abram S. French Fund to provide assistance to families in need. Votes may be taken.
- 3.7 Review and approve an amendment to the Surrounding Community Agreement between the Town and PPE Casino Resorts MA, LLC related to the proposed slots casino in Leominster. Votes may be taken.
- 3.8 Town Administrator's FY15 budget message and discussion of instructions to departments. Votes may be taken.
- 3.9 Review correspondence from the Capital Planning Committee. Votes may be taken.
- 3.10 Review request to close Town Hall early on Tuesday, December 24, 2013. Votes may be taken.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS

- 4.1 Select and appoint members of the Fire-EMS Chief Screening Committee. Votes may be taken.
- 4.2 Review and appoint Janet E. Cote' to the American Flag Committee. Votes may be taken.

V WORK SESSION

- 5.1 Board of Selectmen updates and reports. Votes may be taken.
- 5.2 Town Administrator updates and reports. Votes may be taken.
- 5.3 Review and sign payroll and bills payable warrants. Votes may be taken.



Office of the BOARD OF SELECTMEN

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SELECTMEN'S MEETING MINUTES NOVEMBER 19, 2013 - 5:30 P.M. SELECTMEN'S MEETING CHAMBERS

I PRELIMINARIES

- 1.1 The Chairman called the meeting to order at 5:30PM and roll call showed Sue Lisio, Chairman (SL) and Colin McNabb, Clerk (CM) present. Robert Plamondon, Vice-Chairman (RP) arrived at 5:33PM.
- 1.2 Chairman's Additions or Deletions: 3.4: approve cross-alter permits

III MEETING BUSINESS

- 3.1 Accept \$2,000 Volunteer Fire Assistance Grant from the U.S. Department of Agriculture, Forest Service, administered by the Mass. Department of Conservation & Recreation. CM moved to accept the grant. SL seconded. Unanimous.
- 3.4 Approve permits to cross, alter or construct in a public way for Unitil for 124 and 125 South Row Road and 551 Main Street. CM moved to approve the permits to cross, alter, or construct. SL seconded. Unanimous.
- 2.2 At 5:33PM CM moved to enter Executive Session under G. L. c. 30A, s. 21(a)(3) regarding collective bargaining and litigation. SL seconded. SL: aye, CM: aye.

 The Board returned to open session at 5:40PM.

III MEETING BUSINESS (continued)

- 3.2 Review and ratify collective bargaining agreements with unions representing the Firefighters, Police, Telecommunications, and Highway/Water employees. Mr. Sheehan reported that he is working with the unions to finalize some minor wording on contracts. He said he spoke to labor counsel who advised that the funding for Article 4 can still be approved at Special Town Meeting. Once the agreements are signed the funding goes into effect. He recommended taking no action on the contracts this evening.
- 3.3 Special Town Meeting: review and discuss motions. Mr. Sheehan updated some motions and finalized the packet. Motions were assigned to the Board members. Considerable discussion ensued on Article 13. Various options were presented and opinions were voiced. A quorum of four members of the Capital Planning Committee (CPC) was present. The members indicated that the CPC remained deadlocked and would not support the project. Mr. Sheehan discussed the capital planning bylaw. According to the bylaw the project cannot go to this Town Meeting without the assent of the CPC. Fire Chief Don Klein asked to take no action on Article 13.

CM moved to recess to Special Town Meeting at 6:34PM and adjourn immediately thereafter. RP seconded. Unanimous.



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SELECTMEN'S MEETING MINUTES DECEMBER 3, 2013 - 7:00 P.M. SELECTMEN'S MEETING CHAMBERS

I PRELIMINARIES

- 1.1 The Chairman called the meeting to order at 7:05PM and roll call showed Sue Lisio, Chairman (SL); 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: 3.9 vote to approve 2014 holiday schedule, and 1.5- a special acknowledgement.
- 1.4 Review and approve Meeting Minutes: November 5, 2013, May 14, 2013, and September 4, 2012. CM moved to approve. SL seconded. Unanimous.
- 1.5 Special acknowledgement: SL announced Bob Plamondon's resignation as Selectman effective November 25, 2013. Mr. Plamondon was present and relayed his thanks to past and current selectmen and town administrators. He was presented with a Town Seal and a humorous frame incorporating the \$1 per year stipend for his years on the Board. The Board thanked him and wished him all the best.

II APPOINTMENTS /HEARINGS

- 7:05PM Tax Classification Hearing to determine the percentages of the local tax levy to be borne by each class of property for FY2014. The public hearing opened at 7:10PM. Sign-in sheet was circulated. CM read the legal notice into the record. SL asked the assessors to recommend commercial and residential factors. Victoria Tidman, Principal Assessor, conveyed the Board of Assessors' recommendation that the Board of Selectmen vote a residential factor of 1.0 so that all the classes are taxed at the same rate. There being no audience input, CM moved to adopt a minimum residential factor of 1.0 as recommended by the Board of Assessors. SL seconded. Unanimous.
- 2.2 Bike Helmet Safety Program: Chief Erving Marshall was present to draw winners of gift certificates for the annual Bike Helmet Safety Program: Chief Marshall explained how every year the Police Department issues ice cream vouchers to those observed around town wearing their bicycle helmets. Those names were collected and four individuals will be awarded \$100 gift certificates to be used toward bicycle equipment. He asked that the names be drawn and the winners were: Colton Ranger, Madelyn Johnson, Andrew Peloquin, and Lizzie Urda. They will be contacted by the Police Department and issued their certificates.

III MEETING BUSINESS

3.1 Review and sign population estimate for seasonal licenses from the Alcoholic Beverages Control Commission: Mr. Sheehan explained this is something done every year that is

- required by the ABCC to certify our population. The estimate we have is 8,850. CM moved to sign the population estimate for seasonal licenses from the Alcoholic Beverages Control Commission. SL seconded, Unanimous.
- 3.2 Review and approve Change in Manager for Season's Palace, #3, Inc., d/b/a Yee's Village, 350 Main Street: Mr. Sheehan told the Board that the new manager is Chung Wai Yu. This will go to the ABCC for filing, but it is a local approval. CM moved to approve Change in Manager for Season's Palace, #3, Inc., d/b/a Yee's Village, 350 Main Street to Chung Wai Yu. SL seconded. Unanimous.
- 3.3 Review and approve annual renewals for auto, common victualler, alcohol, and entertainment licenses, and consider requests by on-premises liquor license holders for 10AM openings in accordance with G. L. c. 138, s. 33B: Mr. Sheehan noted this is the standard annual renewals which become effective on January 1st. What is different is that two weeks ago town meeting voted on-premises license holders to open earlier on Sundays. Two establishments, Bailey's Bar and Grill and Bailey's on the Green, have filed requests for a change of hours to allow them to open at 10:00AM on Sundays, consistent with the statute. CM moved to approve the annual renewals for auto, common victualler, alcohol, and entertainment licenses contingent on completion of required documentation and sign out of session. SL seconded. Unanimous.
 - CM moved to approve the requests by on-premises liquor license holders Bailey's Bar and Grill and Bailey's on the Green for 10AM openings in accordance with G. L. c. 138, s. 33B. SL seconded. Unanimous.
- 3.4 Review and approve intermunicipal agreement with Lunenburg for surplus net metering credits: Mr. Sheehan updated the Board on the status of the solar farm development in Lunenburg and explained the agreement. CM moved to approve the intermunicipal agreement with Lunenburg for surplus net metering credits. SL seconded. Unanimous.
- 3.5 Vote to accept Sustainable Materials Recovery Program Municipal Grant from the MassDEP in the amount of \$750: Mr. Sheehan that the grant funds receptacles in locations such as the Common and public buildings. CM moved to accept. SL seconded. Unanimous.
- 3.6 Review and approve collective bargaining agreements with Highway/Water, Firefighters, Police, and Telecommunicators and if necessary convene Executive Session under G. L. c. 30A, s. 21(a)(3): Mr. Sheehan said he sees no reason to go into Executive Session. With regard to Police and Telecommunicators, some wording on a couple of items still needs to be finalized, but the financial impacts are unchanged from what was approved at Town Meeting. He asked that the Board vote to ratify and sign the agreement with the Highway/Water union and vote to ratify and sign the agreement with the Firefighters, subject to the union signing first. CM moved to approve collective bargaining agreements with Highway/Water and Firefighters and to sign the Highway/Water agreement tonight and sign the Firefighter agreement after the union signs. SL seconded. Unanimous.
- 3.7 Review and approve Green Communities annual report and receive updates from the Energy Committee: Karen Chapman and Mike Brown from the Energy Committee were present.

 Ms. Chapman has given Mr. Sheehan a copy of the annual report. She summarized their accomplishments and goals for the Selectmen. She also announced that the committee is currently looking for 2 members. CM moved to approve Green Communities annual report. SL seconded. Unanimous.
- 3.8 Review and approve request from Ed Kukkula, Highway Superintendent, to adopt MassDOT-Highway rates for private snowplow contractors: Mr. Sheehan informed the Board that rates paid for private plow drivers have fallen behind area communities and MassDOT rates. This is asking to peg our rates to the state rate. CM moved to approve. SL seconded. Unanimous.

Board of Selectmen December 3, 2013

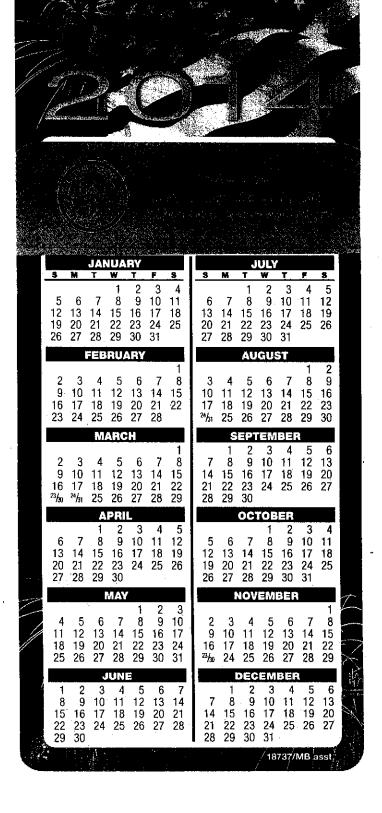
3.9 Vote to approve 2014 holiday schedule: CM moved to approve. SL seconded. Unanimous.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS

4.1 Request to appoint Janet A. Johnson and Carolyn A. Upham to the Townsend Emergency Management Agency from December 3, 2013 to June 30, 2016: CM moved to appoint Janet A. Johnson and Carolyn A. Upham to the Townsend Emergency Management Agency from December 3, 2013 to June 30, 2016. SL seconded. Unanimous.

V WORK SESSION

- 5.1 Board of Selectmen updates and reports: SL gave an update on the Building Committee for the high school. The new building committee website can be reached through a link on the town website.
- 5.2 Town Administrator updates and reports:
 - Devens hazardous waste is open tomorrow, December 4 and Saturday December 7 and will be closed thereafter until March.
 - There are vacancies not only on the Energy Committee, but on 11 additional committees as well. Information is available on the website.
- 5.3 Review and sign payroll and bills payable warrants: CM moved to sign out of session. SL seconded. Unanimous.



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Sec. 6

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on, reconstruction, demolition of any

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

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

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

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

MUNICIPAL FINANCE

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

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

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

- (1) Ordinary maintenance, which shall also include debt and interest charges matured and maturing during the next fiscal year, and shall be subdivided as follows:—
- (a) Salaries and wages of officers, officials and employees other than laborers or persons performing the duties of laborers; and
- (b) Ordinary maintenance not included under (a); and
- (2) Proposed expenditures for other than ordinary maintenance, including additional equipment the estimated cost of which exceeds one thousand dollars.

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

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

Chapter 124

TOWN MEETING

§ 124-1. Date of election and Annual

§ 124-6. Service of the warrant.

Town Meeting.

§ 124-7. Quorum.

§ 124-2. Financial year.

§ 124-8. Submission of articles for

§ 124-3. Annual report.

warrant.

§ 124-3. Annual report.

§ 124-9. Votes.

§ 124-4. Action on committee reports.

§ 124-5. Financial records and reports.

[HISTORY: Adopted by the Annual Town Meeting of the Town of Townsend 4-3-1893 by Art. 18. Amendments noted where applicable.]

§ 124-1. Date of election and Annual Town Meeting. [Amended 4-11-1910 ATM by Art. 13; 3-27-1911 ATM by Art. 16; 3-1-1965 ATM by Art. 18; 11-5-1973 STM by Art. 7; 4-27-1981 ATM by Art. 22; 4-29-1997 ATM by Art. 22; 2-9-1999 STM by Art. 8]

The election of Town officers will be held on the fourth Monday in April each calendar year and that the Town Meeting for the transaction of business and other matters which are required to be determined, to be held on the first Tuesday of May.

§ 124-2. Financial year. [Amended 3-27-1911 ATM by Art. 15; 11-5-1973 STM by Art. 7]

The financial year of the Town, for all departments of the Town, shall commence on the first day of July and end the 30th day of June each year.

§ 124-3. Annual report. [Amended 4-27-1982 ATM by Art. 47; 4-27-1983 ATM by Art. 26; 4-28-1990 ATM by Art. 6]

The annual report of the Town officers shall be available at Memorial Hall and other public places, at least one week before the Annual Town Meeting.

§ 124-4. Action on committee reports.

No action shall be had at any Town Meeting on the report of any committee previously chosen, unless the subject matter shall be specified in the warrant calling such meeting.

§ 124-5. Financial records and reports. [Added 4-5-1909 ATM by Art. 18; amended 4-11-1910 ATM by Art. 10]

The Town Treasurer shall keep a complete set of books wherein shall be entered the amount of each specified appropriation and the orders that have been drawn against it; shall, when any

appropriation has been wholly expended, immediately make a report of the fact to the Selectmen and the head of the department under whose direction the work for which the appropriation was made is carried on; at the close of each order day or as soon thereafter as practicable, he shall send to the Selectmen and the head of the department having the disbursement of the appropriation a statement of the balance of each appropriation remaining subject to draft; he shall, in his annual report, give a detailed statement of all receipts and expenditures of the Town for the past financial year, giving the amount of each specific appropriation, showing to whom paid, the amount and object of the expenditures therefrom, the receipts from each source of income, the change, if any, in the Town debt, and shall include a list of all debts incurred and not paid, up to and including December 31 of each year, showing to whom due, for what due and the amounts. Said statement shall be arranged, as far as practicable, to conform to the schedule of the Division of Municipal Statistics of the Bureau of Statistics of the Commonwealth.

§ 124-6. Service of the warrant. [Added 3-2-1936 ATM by Art. 28; amended 4-28-1998 TM by Art. 24; 5-1-2001 ATM by Art. 38; 5-6-2008 ATM by Art. 22]

Notice of all Town Meetings shall be given by posting an attested copy of the warrant thereof at Memorial Hall at the Center 272 Main Street, the Police/Communication Center, 70 Brookline Road, North Middlesex Regional High School, 19 Main Street, and West Townsend Fire Station, 460 Main Street, and Harbor Church, 80 Main Street, in said Townsend, seven days at least before the time of holding the said meeting. Note: MGL c. 39, § 10 specifies Special Town Meetings require 14 days before for posting of the warrant.

§ 124-7. Quorum. [Added 3-2-1959 ATM by Art. 25; amended 3-13-1967 ATM by Art. 34; 3-8-1971 ATM by Art. 41; 11-18-2008 STM by Art. 14]

The number of voters necessary to constitute a quorum at Town Meeting, except such parts as are devoted exclusively to the election of Town officers, shall be 75, provided that a number less than a quorum may from time to time adjourn the same.

§ 124-8. Submission of articles for warrant. [Added 3-1-1965 ATM by Art. 32; amended 11-5-1973 STM by Art. 7; 4-28-1980 ATM by Art. 46; 4-29-1997 ATM by Art. 39]

No subject shall be inserted in the warrant for the Annual Town Meeting unless the requests therefor are made in the manner and form required by the General Laws, as amended, and unless the said requests are submitted to the Selectmen on or before the first day of March next prior to the date of the Annual Town Meeting.

§ 124-9. Votes. [Added 5-4-1999 ATM by Art. 22]

On matters requiring a two-thirds or nine-tenths vote, an actual count need not be taken unless the vote so declared is immediately questioned by the Moderator or seven or more voters as provided in MGL c. 39, § 15.

AMENDMENT TO SURROUNDING COMMUNITY AGREEMENT

By and Between the Town of Townsend, Massachusetts and PPE Casino Resorts MA, LLC

This Amendment to Surrounding Community Agreement ("Amendment") is made and entered into as of December ___, 2013, by and between the Town of Townsend, Massachusetts ("Town"), a municipality in the Commonwealth of Massachusetts, and PPE Casino Resorts MA, LLC ("PPE").

RECITALS

The following are the recitals underlying this Amendment:

PPE, directly or through an affiliate, has acquired and/or plans to acquire land (as the same may be modified by PPE, located on Jungle Road in the City of Leominster, Massachusetts (the "Project Site").

PPE has submitted to the Massachusetts Gaming Commission (the "Commission") a RFA-2 Application for a Category 2 Gaming License to develop a gaming facility to contain One thousand two hundred and fifty (1250) slot machines on the Project Site in a facility of approximately one hundred and twenty-five thousand (125,000) square feet of interior floor area (the "Project").

On or about October ___, 2013, the Town and PPE entered into a Surrounding Community Agreement ("SCA") to memorialize their respective agreements concerning the establishment of the Project on the Project Site, in satisfaction of G.L. c.23K, § 15(9) and the related regulations of the Commission.

Pursuant to Section 10 of the SCA, PPE and the Town agreed that, if PPE voluntarily entered into a more beneficial agreement with any other Town (other than the Town of Lancaster), such additional benefits would be provided to the Town. Subsequently, the Commission determined that the Town of Bolton would likely be significantly and adversely impacted by the Project, thereby requiring PPE to negotiate in good faith a surrounding community agreement with Bolton.

PPE and Bolton have agreed in principal to an agreement that is more beneficial to Bolton than the SCA is to the Town. It is PPE's belief that Bolton is likely to experience more significant adverse impacts from the Project than will the Town. If PPE is unable to reach a final agreement with Bolton, those parties would proceed to arbitration in accordance with the regulations of the Commission. If an arbitrator requires PPE to enter into a more beneficial agreement, the Town's protections under Section 10 of the SCA would not be triggered, and the Town would receive no greater benefits than currently required under the SCA.

Accordingly, the Town and PPE, for good and valuable consideration, the receipt of which is hereby acknowledged, enter into this Amendment to the SCA and agree as follows:

Section 1. <u>Initial Payment</u>

Within thirty (30) days after the earlier of (i) the Commission's final and nonappealable award of a Category 2 license to PPE for the Project, or (ii) PPE's Commencement of Construction (hereinafter defined), PPE shall pay to the Town an Initial Payment in the amount of Thirty-Five Thousand Dollars (\$35,000). For purposes of this Agreement, the term "Commencement of Construction" shall mean the commencement of construction of forms necessary for the installation of foundations, the installation or replacement of water or sewer service, gas lines or other utilities, or the commencement of any vertical construction (including substantial demolition, reconstruction or remodeling of existing structures) on the Project Site.

Section 2 More Beneficial Agreements

The second sentence of Section 10 of the SCA is hereby amended to read as follows (with strikethrough text representing deletions and underlined text representing additions)

PPE agrees that if it enters into a surrounding community agreement with any other municipality (other than the Town of Lancaster or the Town of Bolton, which the parties recognize is are likely to experience greater impacts than other surrounding communities, and exclusive of a surrounding community agreement entered into as a result of an adverse ruling in an arbitration proceeding under 205 CMR 125.01(6)(c)(7), in which the arbitrator selects the best and final offer of such other surrounding community) or if it submits a proposal in the course of any arbitration proceeding under 205 CMR 125.01(6)(c)(6) that is more beneficial to that community than this Agreement is to the Town, this Agreement shall be amended to ensure that the Town receives benefits at least equal to those provided or offered to such other community in such more beneficial agreement.

Section 3. SCA Otherwise To Remain In Full Force And Effect

Except as explicitly set forth herein, all provisions of the SCA are and shall remain in full force and effect. No further modifications, alterations, or changes to the SCA or any of its terms shall be valid or binding unless accomplished by a written amendment signed by all Parties.

IN WITNESS WHEREOF, the Parties hereto have duly executed this Amendment to be effective as of the date first above written.

Town of Townsend, Massachusetts	PPE Casino Resorts MA, LLC	
By:	By:	
Title: Selectman	Title: Managing Member	
By:		
Title: Selectman		
By:		
Title: Selectman		



Capital Planning Committee 272 Main Street Townsend, MA 01469

3.9

Lorna Fredd, Chairman

Colin McNabb, Vice-Chairman

Carolyn Smart, Clerk

Andrea Wood, Member

Roger Rapoza, Member

Richard Oakley, Member

MEMORANDUM

TO: Board of Selectmen

FROM: Lorna Fredd, Chairman

SUBJECT: Funding for FY 2015 Capital Plan

Within the next few weeks, the Capital Planning Committee will begin the process of developing a Capital Improvements Plan to address Townsend's most critical needs. The coming year promises to be an especially challenging one, and we are looking to the Board of Selectmen for some direction on how to approach this.

Although the September meeting between the Board, the Finance Committee, the CPC and the Highway Superintendent provided no definitive solutions, there was clearly consensus on the need to supplement Chapter 90 funding in order to bring the Town's deteriorating road system up to standard and implement a comprehensive maintenance program. The Board of Selectmen communicated this as a high priority, and thus our dilemma.

Faced with requests from the departments that, if funded, would require a capital stabilization commitment of over \$900,000 in FY 2015, is this the year that we simply allocate all available resources to the highway department regardless of the other department's needs? We have already scheduled meetings with the department heads, and some guidance from the BOS on how much funding is available for capital investment, and where you perceive the priorities to be, would make for a productive process for all concerned.

Thank you for your assistance and consideration.

NOTICE OF POSITION OPENING

FIRE-EMS CHIEF

The Town of Townsend seeks candidates for the position of Fire-EMS Chief to succeed the incumbent chief who will retire in March 2014. The position is appointed by the Board of Selectmen. Current salary range is up to \$85,446, based on qualifications and subject to negotiation.

Responsibilities include but are not limited to administering all functions related to Fire and EMS services in a department made up of full time, part time, and per diem staff. Responsible for supervision, evaluation, discipline, and recommendations for hiring and discharging staff; coordinating all activities of the department; and representing the Town in regional groups and initiatives.

Qualifications: Requires working knowledge of municipal Fire and EMS services. Bachelor's degree in fire protection technology, engineering, business, public administration, or related field; supplemented by completion of Mass. Firefighter Academy courses; ten (10) years' experience in Fire and Emergency Medical Service work and five (5) years in a supervisory capacity. An equivalent combination of education and experience will be considered. EMT certification and Firefighter II, Firefighter Officer II, and Fire Inspector I preferred. Position requires excellent verbal, written, and analytical communication skills.

Applications shall be submitted to: Andrew J. Sheehan, Town Administrator, 272 Main Street, Townsend, MA 01469 or by email asheehan@townsend.ma.us.

Position will remain open until filled. For initial consideration applications shall be received by January 3, 2014.

December 2, 2013

PUBLIC NOTICE OF VACANCY

October 9, 2013

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

FIRE-EMS CHIEF SCREENING COMMITTEE

MISSION

The Board of Selectmen hereby establishes a Fire-EMS Chief Screening Committee. The Committee shall screen candidates for the position of Fire-EMS Chief and forward the names of finalists to the Board of Selectmen. The Committee shall dissolve when it forwards said list of candidates to the Board of Selectmen unless the Committee's term is extended by the Board of Selectmen.

The Committee shall consist of seven (7) members appointed by the Board of Selectmen. Committee members shall be represented as follows:

- The Chief of the Townsend Police Department or if the Chief so designates the Deputy Chief:
- Two (2) Call members of the Townsend Fire Department, one (1) of whom shall be an officer;
- One (1) full time member of the Townsend Fire Department;
- . One (1) department head;
- Two (2) residents, one (1) of whom is affiliated with the North Middlesex Regional School District;

The following shall assist and advise the Committee in its work. They shall not have voting privileges:

- The Town Administrator;
- . A fire chief or superior officer of an area fire department.

Individuals interested in serving should forward a Volunteer Response Form to the Office of the Board of Selectmen, 272 Main Street, Townsend, MA 01469. Forms are available at Town Hall or at online http://www.townsend.ma.us/Pages/TownsendMA Selectmen/volunteer.pdf

Date	received	



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: David A. Funaiole
Phone (978) 597-0129 email daf.yole@verizon.net
Address: 183 Main Street, Townsend, MA 01469
Occupation: Central Office Technician - Fairpoint Communications
Amount of time available (per week/per month): 10-12 hours/week
Background/Experience BOS, ZBA, Trust Fund Commissioner
Town Properties Committee
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. Fire Chief Screening Committee 2.
3.

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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: Jonathan Kinney
Phone (978) 433-2306 email 872260 @ gmil. Com
Address: D8 Chamberry St, Pepperell MA 01463
Occupation: School Conselor Firefisher/EMT-I
Amount of time available (per week/per month): evenings / weekends Any time After 2-30
Deputy Chief, Training Officer - Grew up in Townsend.
Deputy Chial, Training officer - Grew up in Townsend.
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. Fire-EMS Chief Selection Committee
2 Call Member - Non Officer
.3

Jonathan Kinney

28 Cranberry Street Pepperell MA, 01463

Home: 978 433-2306 Cell: 978 302-2669

Email: 872260@gmail.com

October 17, 2013

Dear Board of Selectman,

I am writing to formally apply for an On-Call, non-officer position on the Fire-EMS Chief Selection Committee.

I began my experience in the fire service on Townsend's Explorer Post 10 back in 1979. Since that experience I have served for 15 years in the fire service. I had the privilege to serve as a Deputy Chief for the Pepperell Fire Department for two years. As the Chief Training Officer and a member of the Board of Fire Engineers I was intimately involved in the planning and operations of the Dept. as well as the budget process, writing and implementation of grants and all personnel matters. Having served as a firefighter, Lieutenant and Deputy Chief I feel that I understand demands that are placed on a fire chief. This level of leadership position requires candidates to, first of all, know the job of firefighting and command, understand budget and municipal planning, have strong leadership skills, be highly organized and have great interpersonal skills. I feel that these experiences make me uniquely qualified to serve on this committee.

Having only been on the Townsend Fire-EMS department as a firefighter/EMT-I for just over a year I have no agenda or predetermined thoughts of candidates. I have only a desire to assist the committee with my experiences in choosing the best candidate possible for the position of Fire Chief, to lead the Fire-EMS Department to best serve the Town of Townsend.

Thank you for your consideration and I look forward to hearing from you.

Jonathan Kinney

Jonathan Kinney M.S.

28 Cranberry Street, Pepperell MA, 01463, Home Phone: 978-433-2306 Cell phone: 978-302-2306, Email: 872260@gmail.com

Experience

2012 - Present

Townsend Fire-EMS Department

Firefighter / EMT-I

On-Call/Per Diem firefighter assigned to Harbor Co. 3 and On-Call/Per Diem EMT-I responsible for emergency response to fire, rescue and medical calls. Additional responsibilities include station and equipment maintenance.

1998-2012

Pepperell Fire Department

Deputy Fire Chief (2009-2011)

Primary assignment as the Chief Training Officer responsible for development and implementation of all department training. As a member of the Board of Fire Engineers other duties include incident command of major fire and rescue calls, development and review of budget, development and implementation of the department's standard operating guidelines and policies, supervisor of company officers, firefighters and EMT's.

Firefighter/EMT-B, Hook and Ladder Co. (1998-2009) EMS Company (2011-2012)

2009-Present

FLLAC Collaborative - Caldwell Alternative School

School counselor / therapist in an alternative middle and high school setting. Primary responsibilities include; individual counseling, family counseling focusing on school adjustment and psycho/social issues, leading therapy and psycho-educational groups, IEP development and review, clinical support to teaching staff and development and implantation of behavioral plans.

2004-2009

North Central Charter Essential School

Wellness and Psychology Teacher, School Counselor. As a member of the Student Services Team the counselor role includes support to students and teachers to manage behavior and social/emotional issues in school. The Wellness curriculum includes Adventure (high ropes/challenge course), Health (1st aid and CPR training) and Fitness (weight and aerobic training)

1997 - 2004

North Middlesex Regional School District

Varnum Brook Elementary School (2001-2004) School Guidance Counselor - Grades 3 to 5

Peter Fitzpatrick School, Pepperell MA (1997-2001) School Adjustment Counselor – Kindergarten to 3rd Grade

School counselor to elementary age children and their families. Teaching of social skills classes to students with developmental disabilities, development and monitoring of behavior modification plans, support to administration in school wide discipline program, provided individual and group counseling to students. Developed and taught an eight week parenting class, coordinated and referred students to in house and community counseling resources and provided crisis intervention to students and families.

1995 - 1996

L.U.K Crisis Center Inc. Fitchburg MA

Family Therapist, Intensive Family Intervention Program

Family therapist providing home based services to D.S.S referred families. This brief therapy program was designed to prevent out of home placement of children, provide crisis intervention

and aid in reunification of children with their parent(s). Provided individual counseling to adolescents, couples and family counseling and conducted family assessments, determine diagnosis and develop treatment plans.

1989 - 1994

The Lipton Center, Leominster MA

Community Support Worker, Community Support Program (C.S.P.) (1992-1994)

Provided counseling and case management to adults diagnosed with a mental illness, facilitated psycho-educational groups and provided community outreach.

Mental Heath Technician, (B.U.D.D) – Day Treatment Program (1990-1992)

Provided counseling and training to mentally retarded and psychiatrically impaired adults, developed and co-lead therapy and educational groups.

Crisis Worker, Alternative Crisis Team (A.C.T.) (1989-1990)

Conducted assessment of patients in crisis for suicidal and homicidal risk. Made recommendations for placement into a diversion program or for hospitalization for further treatment. Supervised patients in an eight bed diversion facility.

1988-1989

Institute of Professional Practice, Sterling MA

Facility Coordinator, James Road Residence

Managed a "high intensity" residential program for mentally retarded / psychiatrically impaired adults. Supervised residential staff and provided training in behavioral treatment and monitoring. Management of all logistical needs of the residence.

1986-1988

Lunenburg School System, Lunenburg MA

Special Education Teaching Assistant, Turkey Hill Middle School (1987-1988)

Taught science, geography and math in a small contained classroom for children with learning disabilities

Education

2004 The Coaches Training Institute (C.T.I.) Sebastopol California

Co-Active Leadership Program

2003 The Coaches Training Institute (C.T.I.), Providence Rhode Island

Certificate of Training in the Co-Active Coaching Model

1996 L.U.K Family Institute/Fitchburg State College, Fitchburg MA

Certificate in Adolescent and Family Therapy

1995 Fitchburg State College, Fitchburg MA

M.S Counseling, GPA - 4.0

1987 Fitchburg State College, Fitchburg MA

B.S. Biology

Concentration in Education

1982 National Outdoor Leadership School (NOLS)

Certificate in Outdoor Leadership

Licenses

License - Elementary and Secondary School Guidance Counselor (Standard)

License - School Adjustment Counselor (Initial)

License - Biology (9-12) (Provisional) Massachusetts License Number, 324785

License - Mental Health Counseling (LMHC) Massachusetts, in process

Certification - Massachusetts EMT-Intermediate Certification Number: 872260

Certification - AHA BLS instructor Mass Firefighter I&II Certification



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

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

Townsend, MA 01469
Name: BrEHD King
Phone (978) 423 5323 email b. King 1717 @ Aol. Com
Address: 79 BAYDERYY HILL RD W. TOWNSEND
Occupation: Self EmployEd
Amount of time available (per week/per month):
Background/Experience Townsend Fire Dept 23 years
SEE AHAChed
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. Committee to Select New Fire Chief
3

Brett D. King

79 Bayberry Hill Road West Townsend, MA 01474 C: 978-423-5323 b.king1717@aol.com

GENERAL MANAGER - SITE DIVISION

PLAN

DESIGN

CONSTRUCTION

FINANCE

OPERATIONS

COMPETITIVE ADVANTAGES

Results oriented, hands-on construction professional with 25-years of experience in all facets of the industry. Cross-functional professional with proven ability to effectively manage large projects across a broad spectrum of geographically distributed teams and services with understanding of business and technical requirements and experience to make immediate contributions, improve processes and build revenue. Proven track record through coordinating subcontractors, developing partnerships and building positive rapport with architects, engineers, local officials and clients, while maintaining costs. Versed in contract negotiations, project estimating, design issues, building code and regulations and site management.

AREAS OF EXCELLENCE

Due Diligence

Design Team Coordination

Subcontractor/Supplier Contract Negotiation

Scheduling

Field Performance/Workmanship

Sequencing of Work/Environmental Remediation

Attention to Detail

Site safety/Logistics

Cost Control

PROFESSIONAL EXPERIENCE

General Manager, Site Division - J&J Contractors, Inc. - 2005 - Present

Retained to start site division to self-perform site work in-house and business development. Responsible for overseeing multimillion-dollar construction site work and infrastructure for Federal, State, Academic and Private Projects. Experience includes managing crews of up to 65 tradesman/woman in new construction and demolition projects. Responsibilities include bidding, estimating, budgeting and cost control, site safety/OSHA Compliance. Backed by strong credentials and a proven history of ontime, on-budget and high-quality project completion.

PROJECT HIGHLIGHTS

Cornerstone Square, Westford, MA (2011-2012) - \$4.8M Site Package

Site work for retail project consisting of approximately 30 acres and 11 buildings. Scopes includes excavation and backfilling for buildings and furnish and install water, sewer and drainage. Prepare sub-bases for parking sidewalks and hardscape. Included sewer pump station, septic field, retaining walls, crushing, handling and placement of crushed ledge.

Plymouth North High School, Plymouth, MA (2011-2013) - \$12.3M Site Package

New 267,500 SF high school building; underground utilities, parking, onsite-service and fire access roadways, football field with bleachers and track, multi-purpose playing fields. LEED Gold.

Plymouth Council on Aging, Plymouth, MA (2011-2012) - \$528K Site Package

New 18,000SF Council on Aging building for town. Site work included exposed aggregate walkway, covered patio and raised balconies.

New London Subase Youth Recreation Center Addition, Groton, CT (2012) - \$643K Site Package

Design/build youth center addition for New London Submarine Base, requiting coordination with Navy and CNIC. Project required low impact development criteria per Navy.

Armed Forces Reserve Center, Fort Devens, MA (2009 - 2012) - \$10.8M Site Package

276,000SF design/build in campus setting for U. S. Army Corps of Engineers. 55-acre site involved demolition of 11 existing structures and site clearing of existing reserve center. Over 90,000SY of bituminous paving and 160,00SF concrete apron. LEED Silver.

Army Reserve Center, Kingston, NY (2009-2011) - \$3.5M Site Package

New 52,000SF Army Reserve Center with maintenance shops, unheated storage buildings and offices for U.S. Army Reserves. LEED Silver.

Armed Forces Reserve Center, White River Junction, Vermont (2009-2011) - \$2.7M Site Package

Design/build AFRC included 51,000SF training building, 6,000SF maintenance shop, 15,000SF vehicle storage building and 7,500SF unheated storage. Project in rural Vermont on 18-acre parcel of open field and several wetland areas. Approximately 10,000SY of heavy-duty asphalt paving and 3,250 SY of medium duty paving. LEED Silver.

Armed Forces Reserve Center, Rutland, Vermont (2009-2011) - \$2.8M Site Package

Design/build AFRC included 66,335SF training building, 7,364SF AMSA/OMS and vehicle and storage buildings. LEED Silver.

Army Reserve Center, Newport, RI (2009-2011) - \$2.4M Site Package

60,000SF Army Reserve Center and maintenance shop for US Army Reserve within secure U.S. Naval Facility. Removal and disposal of 20,000 cubic yards of arsenic contaminated soil.

Land Port of Entry, Sarles, North Dakota (2011-2012) - \$1.4M Site Package

Design/build ARRA project for U. S. Customs and Border Protection via Army Corps of Engineers. Sustainable features included turbines for renewable energy.

Land Port of Entry, Hannah, North Dakota (2011-2012) - \$1.1M Site Package

Design/build ARRA project for U. S. Customs and Border Protection via Army Corps of Engineers. Sustainable features included wind turbines.

Land Port of Entry, Forest City, ME (2010-2012) - \$817K Site Package

Design/build ARRA project for U. S. Customs and Border Protection via Army Corps of Engineers.

U. S. Land Port of Entry, Calais, ME (2007-2009) - \$13.0 Site Package

New 100,000SF border crossing station in remote northeast Maine. LEED Gold certified and landmark border crossing station for GSA and U. S. Government in partnership with the Canadian Government on 50-acre site. Encountered approximately 50,000CY of ledge during excavation that was blasted, crushed and reused onsite, as well as 75,000CY of unsuitable material transported off site. Project also included 200,000SF steel reinforced concrete apron.

CSMS/FMS at Camp Fogarty, Rhode Island Army National Guard, East Greenwich, RI. (2007-2009) - \$2.9M Site

Package. New construction combined maintenance shop and field maintenance shop to serve Army National Guard. Project consisted of removal, blasting and hammering of 8,500CY of ledge, underground site utilities and under-drain system, segmental retaining walls, bituminous paving for parking and entries, installation of fueling station and perimeter fencing.

Jamestown Water Treatment Facility (2007-2008) - \$316K Site Package

Construction of new water treatment plant for town of Jamestown.

Dr. Albert Argenziano Community School, Somerville, MA (2007-2009) - \$3.2M Site Package

110,000SF School. Building is 20 feet from MBTA commuter rail which was operational throughout construction.

Swampscott High School, Swampscott, MA (2005-2007) - \$ 4.8MSite Package

Construction of 215,000SF high school configured at two, three-story buildings grouped along a portion of the perimeter of Jackson Recreation Park which had been deemed unsuitable for play fields. Included 20 acres of new play fields and open space. Significant site work and off-site traffic system and drainage system improvements. Included removal of 40,000 CY of ledge. Utilized blasted material by crushing rock on-site and used the recycled material as fill.

A.S. Letourneau Elementary School, Fall River, MA (2006-2008) - \$3.02M Site Package

94,000SF elementary school constructed for State of MA/DCAM in two parts: administrative offices and classrooms. Site work consisted of installation of 10' perimeter retaining wall, ledge removal and utilities.

Lynn Police Headquarters, Lynn, MA (2005) - \$1.9M Site Package

58,000SF, 3-story training center and headquarters on small city site.

Water Treatment Plant, Saint Benedict Abbey, Still River, MA (2009) - \$250K Site Package Water Treatment Plant, City of Gloucester, MA (2010-2011) - \$960K Site Package Power Sub-Station, Danvers, MA (2007) - \$662K Site Package Sewer System Upgrade, Camp Fogarty, East Greenwich, RI (2008) - \$1.4M Site Package Manning Bowl Phase II Stadium and Seating, Lynn, MA (2007) - \$7.2M Site Package

BACKGROUND/LICENSES/CERTIFICATIONS

MA Construction Supervisors License
OSHA 30-Hour Certified
Licensed Drain Layer
Licensed Septic System Installer
Licensed Class A CDL
Hoisting Engineer License
Townsend Fire Department - Joined Department in 1990- Firefighter; Lieutenant - 6 years; Captain - 2 years

PUBLIC NOTICE OF VACANCY

December 2, 2013

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

AMERICAN FLAG COMMITTEE One (1) Member

Interested persons are encouraged to forward a Volunteer Response Form to the Office of the Board of Selectmen, 272 Main Street, Townsend, MA 01469. Forms are available at http://www.townsend.ma.us/Pages/TownsendMA_Selectmen/volunteer.pdf

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

Talent Bank c/o Board of Selectmen

Name: Core Townsend, MA 01469

Name: Core Telephone No. (978 868-4006)

Work No. ()

Address: 40 Fetaburg Rd # 302

Occupation: Clerical

Amount of time available (per week/per month): open

Background/Experience vary Clerical (In 1)

LIST ORDER OF PREFERENCE

Land Use and Preservation	Culture/Recreation	Other
Conservation Commission	275th Anniversary Committee	Board of Registrars
*Plazuing Board	Cultural Council	Election Officials
Town Porest Committee	*Arranda E. Dwight Entertain.	Townsend Emergency Mang. Agency
Zoning Board of Appeals	American Flag Committee	Memorial Hall Restoration Committee
Historic District Commission	James H. Tucker Fund Committee	*Water Commission
Master Plan Committee	*Cemetery & Parks Commission	West Townsend Reading Room
Fence Viewer	*Recreation Commission	*Republican Town Committee
Development & Industrial Commission	*Library Trustees	Republican Town Commune
	Veterans Agent	
General Government	Bandstand Coordinator	Human Services
*Board of Selectmen		*Board of Health
Pinance Committee		Countil On Aging
*Moderator :		*Trustees of Soldiers' Memorials
*Assessors		
Town Properties Committee	School Committee Rep	Abram S. French Fund Committee
Constables	Nashoba Valley Tech High School	Housing
Capital Planning Committee	North Middlesex Regional High School	
Strategic Planning Committee	Contraction regional right Science	*Housing Authority
Cable Television Advisory Committee	Other	

^{*}Unless a vacancy exists on an Elected Board prior to an Election, all * (asterisks) positions require nominations papers. Please see the Town Clerk for further information.

American Flag Committee 272 Main Street Townsend, Massachusetts 01469

16 October 2013

Townsend Board of Selectmen 272 Main Street Townsend, Massachusetts 01469

Honorable Board of Selectmen,

The American flag Committee consists of five (5) members; however at present there are only four (4) active members and a vacancy of one (1) member.

The committee met on 15 October 2013 and voted to fill the position which has not been in attendance for several years.

We ask that you appoint a Townsend resident to fill this vacancy.

Respectfully Submitted,

Member of the Amer	rican Flag Committee	
Tubby Boucher	July Bouten	_ Date: Opt Jun 16, 2013
Mary-Flora Hale	Thang - Hora Dele	_ Date: October 16, 2013
Avis Roy	artisa By	_ Date: October 16, 2015