



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

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

Colin McNabb, *Vice-Chairman*

Carolyn Smart, *Clerk*
Office (978) 597-1701
Fax (978) 597-1719

SELECTMEN'S MEETING AGENDA
AUGUST 12, 2014, 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 Approval of meeting minutes: April 1, 2014 open session, April 1, 2014 executive session, April 3, 2014, April 15, 2014 open session, April 15, 2014 executive session, April 25, 2014, May 1, 2014, May 20, 2014, June 3, 2014, June 17, 2014 open session, June 17, 2014 executive session, June 25, 2014, July 1, 2014 open session, July 1, 2014 executive session, July 7, 2014, July 15, 2014.

II APPOINTMENTS AND HEARINGS

- 2.1 7:05 Public Hearing on petition of Unitil and Verizon to install two utility poles on Boutelle Road beginning at pole #1 and continuing approximately 345' northerly. Votes may be taken.
- 2.2 7:10 Hazard Mitigation Plan: Sam Lawton of Montachusett Regional Planning Commission (MRPC) will present the draft Hazard Mitigation Plan. Votes may be taken.
- 2.3 7:20 Fire Department: Fire Chief Mark Boynton will discuss the following. Votes may be taken.
 - Provide an update on a new station
 - Request the Board's approval to hire new per diem paramedics: Darren L. Brock, Natan Hagopian, Andrew Perry, Nicholas R. Shelburne.
 - Discuss the creation of new positions of EMS Director and Fire Department Mechanic.
- 2.4 7:30 Council on Aging Director: Ed Snapp, chairman of the screening committee, will be present to offer the Committee's recommendation for COA Director. Votes may be taken.

III MEETING BUSINESS

- 3.1 Review and discuss Devens Regional Household Hazardous Products Collection Center FY14 Annual Report. Votes may be taken.
- 3.2 Review and approve revised Alcoholic Beverages License Policy. Votes may be taken.
- 3.3 Review and approve request of Debra Reeves to hold the 10th Annual Gregory E. Reeves Memorial Scholarship Run on Saturday, October 11, 2014 and to close Brookline Street from Main Street to Highland Street from 7:30AM to 12:30PM, and further to authorize the Police Chief to approve temporary closures of other roadways. Votes may be taken.
- 3.4 Discuss process for filling vacancies on the Conservation Commission. Votes may be taken.
- 3.5 Update on status of tax collections. Votes may be taken.

- 3.6 Review and discuss correspondence from the Water Department regarding transfer of Water collections from the Water Department to the Town Collector. Votes may be taken.
- 3.7 Discuss creation of Sustainability Committee. Votes may be taken.
- 3.8 Discuss Town Administrator and Board of Selectmen goals for 2014. Votes may be taken.
- 3.9 Vote to declare surplus a North Star Semi-Trash Water Pump used by the Board of Health at the Landfill. Votes may be taken.
- 3.10 Update on public records request. Votes may be taken.
- 3.11 Update and discussion of Open Meeting Law. Votes may be taken.
- 3.12 Review requests of Unitil to cross, alter, or construct within a public way for installation of gas services at 24 Worcester Road, 24 Main Street, and 67 W. Elm Street. Votes may be taken.
- 3.13 Review requests for One Day Special Liquor Licenses for Terri Roy of Townsend VFW Post 6538, 491A Main Street. Votes may be taken.
 - Wedding Reception on August 23, 2014 from 5-9PM;
 - Jack & Jill on September 13, 2014 from 7-11PM;
 - 40th Birthday Party on September 27, 2014, from 7-11PM.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS

- 4.1 Vote to appoint Joseph Sullivan to the Townsend Emergency Management Agency (TEMA) for a term from August 12, 2014 to June 30, 2017. Votes may be taken.
- 4.2 Vote to appoint the following election workers for terms from August 15, 2014 to August 14, 2015. Votes may be taken.

Carol Wright	Anne Forseman
Avis Roy	Ann Adams
Louise Thorpe	Brian Colby
Clare Kauppi	Sandra Tuttle
Barbara Wheeler	Jane Stonefield
Heidi Munroe	Marcia MacMaster
Carol Mansfield Buxton	Irene E. Johnson
Janet Wesson-Snapp	Helen Kezar
Cheryl Simoneau	Darlene Coit
Lindsay Morand	Joan MacPhee
Mary Szurely	John Stonefield
Janet Vesper	Susan Gerken
Betty Mae Tenney	Peter Buxton
Sharon LaCasse	Carlene Whittemore
Paula Woodman	Lois Howgate
Charlene Smith	Jerrilyn Bozicas
Eino Kauppi	Jean Bradley
Elaine Martin	Steve Baldwin
Janet Leavitt	

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.



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1.4

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Andrew J. Sheehan,
Town Administrator

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SELECTMEN'S MEETING MINUTES
APRIL 1, 2014, 6:00 P.M.
SELECTMEN'S MEETING CHAMBERS

I PRELIMINARIES

- 1.1 The Chairman called the meeting to order at 6:00PM. Roll call showed Sue Lisio (SL) chairman and Colin McNabb (CM) vice chairman.
- 1.2 Chairman's Additions or Deletions: None

II APPOINTMENTS AND HEARINGS

- 2.1 Review request from Paul Rafuse, Water Superintendent, to declare as surplus assorted brass fittings.
CM moved to declare the items surplus. SL seconded. Unanimous.
- 2.2 Review request from the Mass. Department of Conservation & Recreation (DCR) relative to the potential assignment of a parcel of land on Barker Hill Road classified under G. L. c. 61B. DCR requests that the Board waive the 120 day waiting period and announce DCR's interest in acquiring the property.
SL read the letter announcing DCR's interest in acquiring the property.
- 2.3 Review and sign contract with Mammoth Fire Alarms, Inc. for purchase and installation of a Public Emergency Alarm Reporting System.
The Board signed the contract that it had voted to approve on February 25, 2014.
- 2.4 Discussion of Fire-EMS Chief interview process. The Board may adjourn to Executive Session to discuss strategy in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel pursuant to G. L. c. 30A, s. 21(a)(2).
6:20 CM moved to enter executive session for the stated reason and adjourn directly without returning to open session. SL seconded. CM: aye, SL: aye.

**SELECTMEN MEETING MINUTES
EXECUTIVE SESSION
APRIL 1, 2014**

CM - Colin McNabb, Vice Chairman

SL - Sue Lisio, Clerk

6:20 PM Executive session to discuss strategy in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel pursuant to G. L. c. 30A, s. 21(a)(2).

The Board discussed topics and questions for the Fire-EMS Chief interviews. No votes were taken.

7:18 PM CM moved to adjourn the executive session. SL seconded. CM (YES), SL (YES).

Respectfully submitted:
Andrew Sheehan, Town Administrator

Voted by the Board of Selectmen to approve and release on _____, 2014.



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SELECTMEN'S MEETING MINUTES
APRIL 3, 2014, 6:00 P.M.
SELECTMEN'S MEETING CHAMBERS

I PRELIMINARIES

- 1.1 The Chairman called the meeting to order at 6:04PM. Roll call showed Sue Lisio (SL) chairman and Colin McNabb (CM) vice chairman.
- 1.2 Chairman's Additions or Deletions: Add 2.3 NMRHS debt vote.

II APPOINTMENTS AND HEARINGS

- 2.3 North Middlesex Regional High School debt vote: CM moved to place on the ballot the question of whether to exempt payments of debt service on the bonds from the annual tax limitation, pursuant to GL c. 59, s. 21C(K), proposition 2 ½ so called: "Shall the Town of Townsend be allowed to exempt from the provision of proposition two-and-one-half, so called, its allocable share of the amounts required to pay the bond issued by the North Middlesex Regional School District (District) in order to pay costs of constructing a new District high School, to be located at 19 Main Street, in Townsend, and for the payment of all other costs incidental and related thereto." SL seconded. Unanimous.
- 2.1 Fire-EMS Chief interviews.
- 6:30 Mark Boynton. The Board interviewed Mark Boynton of the Amherst, NH Fire Department.
- 7:00 Gregory Gagnon. The Board interviewed Gregory Gagnon of the Dracut Fire Department.
- 2.2 Discussion and/or decision. The Board discussed the attributes of each candidate including professional experience, education, grant writing experience, experience in a hybrid department, comparability of towns, and experience in Massachusetts. After a thorough discussion CM moved to offer the position to Mark Boynton and to enter into negotiations. SL seconded. Unanimous.
- 7:35 Adjourned.



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SELECTMEN'S MEETING MINUTES
APRIL 15, 2014, 5:30 P.M.
SELECTMEN'S MEETING CHAMBERS

I PRELIMINARIES

- 1.1 The Chairman called the meeting to order at 5:30PM. Roll call showed Sue Lisio (SL) chairman and Colin McNabb (CM) vice chairman.
- 1.2 Chairman's Additions or Deletions: None

II APPOINTMENTS AND HEARINGS

- 2.1 5:32 CM moved to adjourn to Executive Session to discuss strategy in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel, specifically Fire-EMS Chief-appointee Mark Boynton, pursuant to G. L. c. 30A, s. 21(a)(2).
5:45 The Board returned to open session.
 - 2.2 5:45 The Board met with Finance Committee to discuss the FY15 budget. Topics included the Town Clerk's salary, stipend employee wages, animal control officer's wages, and the Fire Chief's salary.
- 6:45 Adjourned.

**SELECTMEN MEETING MINUTES
EXECUTIVE SESSION
APRIL 15, 2014**

CM - Colin McNabb, Vice Chairman

SL - Sue Lisio, Clerk

5:32 PM Executive session to discuss strategy in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel, specifically Fire-EMS Chief-appointee Mark Boynton, pursuant to G. L. c. 30A, s. 21(a)(2). Also present was Andrew Sheehan, Town Administrator.

The Board reviewed the draft Fire-EMS Chief contract with Mark Boynton negotiated by Mr. Sheehan. CM moved to approve and sign the contract as negotiated with a term of May 19, 2014–May 18, 2017. SL seconded. CM (YES), SL (YES).

5:45 PM CM moved to adjourn the executive session. SL seconded. CM (YES), SL (YES).

Respectfully submitted:

Andrew Sheehan, Town Administrator

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**SELECTMEN'S MEETING MINUTES
EMERGENCY MEETING
APRIL 25, 2014, 5:00 P.M.
SELECTMEN'S MEETING CHAMBERS**

I PRELIMINARIES

- 1.1 The Chairman called the meeting to order at 5:02PM and roll call showed Sue Lisio (SL) chairman and Colin McNabb (CM) vice chairman.
- 1.2 Chairman's Additions or Deletions: None

II APPOINTMENTS AND HEARINGS

- 2.1 Discuss and vote to appoint Denise MacAloney as Temporary Town Clerk for the purposes of running the 2014 Annual Town Election, said appointment to run from the date of the vote to appoint until the completion of required election activities and/or certification.

The Board briefly discussed the reasons for an outside clerk to run the annual election.

CM moved to appoint Denise MacAloney as Temporary Town Clerk for the purposes of running the 2014 Annual Town Election, said appointment to run from the date of the vote to appoint until the completion of required election activities and/or certification. SL seconded. Unanimous.

5:04 Adjourned.



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SELECTMEN'S MEETING MINUTES
MAY 1, 2014, 7:00 P.M.
TOWNSEND PUBLIC LIBRARY
12 DUDLEY ROAD

Joint meeting with the Library Trustees to discuss the Meeting Hall.

The Chairman called the meeting to order at 7:00PM. Roll call showed Sue Lisio (SL) chairman and Colin McNabb (CM) vice chairman. Library Trustees present included Pat Jeanig (PJ) chairman, Sherry Cloutier (SC), Kim King (KK), Alison Bird (AB), and Karen Waxman (KW). Andrew Sheehan (AS) Town Administrator and Stacy Schuttler (SS) were also present.

PJ explained that the Meeting Hall is not a typical space. It contains audio visual equipment, a commercial kitchen, and art gallery displays. SS said that approximately 1/3 of users want to use the kitchen and fewer want to use the AV equipment. She said it works well during open Library hours, but the requests from outside organizations are difficult and time consuming for staff. SL suggested limiting the use of the Meeting Hall to open hours of the Library or Senior Center. She said the staff should tell prospective users that it is not available after hours. Mention was made of a couple of events already scheduled by outside groups. It was agreed that those events could go forward because people have already been identified to open and close the building.

7:38 Adjourned.



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SELECTMEN'S MEETING MINUTES
MAY 20, 2014, 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); and Colin McNabb, Vice-Chairman (CM), and Carolyn Smart, Clerk (CS) present.
- 1.2 The Chairman announced that the meeting is being tape recorded.
- 1.3 Chairman's Additions or Deletions: May not have the Executive Session and may move 3.6 to after 2.2.

III MEETING BUSINESS

- 3.1 Review chapter 90 Project Requests submitted by Ed Kukkula, Highway Superintendent:
 - A. Mill and resurface a portion of Mason Road in the amount of \$52,880;
 - B. Mill and resurface a portion of Mason Road in the amount of \$63,853;
 - C. Mill and resurface a portion of Shirley Road in the amount of \$28,061;CS moved to approve chapter 90 Project Requests as listed. CM seconded. Unanimous.
- 3.2 Review request from Ed Kukkula, Highway Superintendent, to extend material bids contracts: CS moved to extend the contracts as submitted by Ed Kukkula. CM seconded. Unanimous.

II APPOINTMENTS AND HEARINGS

- 2.1 7:05 Meeting with the Board of Water Commissioners and Superintendent Paul Rafuse to discuss the following:
 - A. Water Department collections: discuss recommendations of the independent auditors and the Dept. of Revenue (DOR) financial management review to transfer collections to the Town Collector: Present for the Board of Water Commissioners were Niles Busler (NB), Mike MacEachern (MM), and Nathan Mattila (NM). There being a quorum, NB asked about cross charges, logistics and the lock box option. Mr. Sheehan has not calculated cross charges, but said the utilization of a lock box service would increase efficiency and help keep the charges down. He pointed out that Paul Rafuse, the Water Superintendent, would like to comply with the auditor and the Department of Revenue. A lock box system has more benefits: payments would be transferred by the bank and it could be tailored for reports with bank's IT person developing individualized billing programs. After discussion SL asked the Board of Water Commissioners to talk and come back to the Board. NB said it would be added to an upcoming BOWC agenda.
 - B. Sustainable Water Management Initiative (SWMI): discuss proposed amendments to the Water Management Act and the potential impacts in Townsend: Paul Rafuse, Water Superintendent, pointed out the prepared statement included in the Board's packets. Maura Callahan of the USGS said studies indicate that extra water is not needed, but our impact of flows will have to be minimized. There are preparations to meet with the DEP about the renewal process, though the governor wants to push this through as part of his environmental legacy. After discussion SL sees this as an unfunded mandate and she has no problem writing a letter outlining the Town's concerns.

CM is also in support of sending a letter of opposition. CS recused herself. Discussion on the differentiations by town and the science behind the project that appears to be one-sided. Mr. Sheehan will draft a letter for the Board.

- 2.2 7:15 Conservation Agent Leslie Gabriliska to provide a brief update on Kinder Morgan/Tennessee Gas Pipeline project: LG noted that there is activity throughout the state and the town is working to get their voices heard. It is being approached from a no pipeline perspective with no alternate routes. She is setting up a meeting at the high school. Emily Norton, a volunteer advocate who previously formed the Friends of Willard Brook, suggested citizens watch “Gasland” on YouTube. In addition to other activities at the Meeting Hall related to the pipeline issue, “Gasland II” will be shown Thursday night and Nashoba Watershed will give a PowerPoint presentation. LG also said the Land Trust will pay for a mailing. One of her concerns is that the price of the tariff will be passed on to electricity consumers. SL suggested all information be filtered through the Town Administrator to ensure identical information. CS noted the Kinder Morgan presentation is available online and would like to assemble a fact sheet to get many questions answered. LG will put something together. CM wants to be well versed for the meeting with Kinder Morgan. LG said a petition for a special town meeting being circulated. SL stated the Board will not vote until after a meeting with Kinder Morgan.

III MEETING BUSINESS (continued)

- 3.6 Discuss future of the Hart Library at 276 Main Street: Town Properties representative Laura Shifrin (LS) said at their meeting on May 8th they voted on three options unanimously: 1.) tear down, 2.) sell, and 3.) hope for a benefactor. CM repeated that two RFPs have gone out with no response and suggested the building be sold. CS asked if a specification sheet has ever been done showing what it would cost to bring the building up to code. Mr. Sheehan suggested we would need to know what the building’s use would be first. LS said the likelihood of needing tight tanks and the prohibitive cost of asbestos removal would be daunting. CS is cautious about selling the land, but the building would be ok. LS said the contractor on the Board, herself and appraisers recommend the Board speak with a municipal auction professional before making a decision. There may still be hazardous waste costs if it is torn down. SL asked if there is anything we can avail ourselves of with regard to economic development that was just signed by the governor. Mr. Sheehan noted if it was easy, it would have been done by now.
- 3.3 Review request from Ed Kukkula, Highway Superintendent, for a transfer of appropriations in the amount of \$30,000 from wages to expenses: CS moved. CM seconded. Unanimous.
- 3.4 Review request of Unitil Fitchburg Gas & Electric to Cross, Alter and/or Construct Within a Town Way for installation of gas services at 70 Proctor Road and 19 Elm Circle: CS moved to approve. CM seconded. Unanimous.
- 3.5 Review correspondence and proclamation for 2014 Motorcycle and Scooter Annual Ride to Work Day: CS read the proclamation into the record for June 16, 2014. CS moved to draft an EMS proclamation to sign out of session. CM seconded. Unanimous.
- 3.7 Discuss FY15 capital budget appropriation: CS handed out a report questioning whether or not it was appropriate to fund items from future years on the capital improvement plan (CIP). Extensive discussion ensued. SL said the terminology in the bylaw is confusing and can be misconstrued. A meeting was suggested to review the terms in the bylaw. Mr. Sheehan defended the appropriation stating that Town Counsel would not have approved it if it was not legal. CS believes the confusion happened between the submittal of the plan and the town meeting. She asked if the police chief got his cruisers. Mr. Sheehan pointed out that the cruisers are funded in the operating budget, not the capital appropriation. CS stated that she guessed she could just ask the Attorney General. SL said her assumption is that everything in a 5-year program has been discussed. CS asked for a work session. SL agreed, but suggested a cooling off period with time to do some research. CM pointed out that CS mentioned contacting the Attorney General and asked if she was suggesting the police not get their cruisers. SL asked how that would affect the appropriations. Continued discussion ensued. A conclusion was not reached.

- 3.8 Council on Aging/Senior Center Director: discussion of next steps in recruiting a successor: Mr. Sheehan noted the process would be similar to that of hiring the new fire chief. He suggested a screening committee present the Board with a single candidate or a few for the Board to interview. CM agreed with the search committee but would prefer a choice. He would like a member of the Board to be on the committee if they would be recommending a single candidate. CS would prefer the COA appoint the successor. SL suggested the committee consist of a couple of people not currently affiliated with the Council on Aging as representatives of people who don't use their services at this time. CM suggested the appointing authority of the COA Director be clarified before a decision is made. CS agreed it should be revisited.
- 3.9 Review and approve Maria Lane Scholarship: CS moved to approve in the amount of \$500. CM seconded. Unanimous.
- 3.10 Town Moderator: notice of resignation: Mr. Sheehan looked into how to move forward and fill the position; especially being that the moderator is the appointing authority for Finance Committee and four members of the Capital Planning Committee. He said the deputy moderator runs the town meetings, but he has no appointing authority. Counsel advised that members can continue to serve until such time as a new moderator is put in place. CM asked members of the Boards to stay the course.
- 3.11 Update on road work and detours in Lunenburg affecting Townsend drivers: Mr. Sheehan noted that there is construction at the intersection of Townsend Harbor Road and Mulpus Road in Lunenburg suggested drivers take an alternate route until completed.
- 3.12 Discuss request of Timberlee Park residents to volunteer to maintain the Ash Street ball fields: Mr. Sheehan said resident Bob Harrison reached out to the Water Department. Our insurance agent has been contacted and we don't have any liability. It's great when a neighborhood group can take responsibility of maintaining an area. CS made a motion to allow Timberlee Park residents to volunteer to maintain the Ash Street ball fields. CM seconded. Unanimous.
- 3.13 Reminder of Memorial Day parade and activities: CS read the notice into the record.
- IV APPOINTMENTS OF PERSONNEL/OFFICIALS**
None
- V WORK SESSION**
- 5.1 Board of Selectmen updates and reports: CS requested a letter be sent to the new investor at the Harbor Village Mall. She would also like to have a work session for revenue ideas. SL would like to couple that with economic development ideas. CS asked for an update on the sidewalk plans for Route 119. Mr. Sheehan advised that until more is done on the rail trail, it isn't prudent to move forward on the sidewalk design. CM announced a medication disposal box at the Townsend Police Department and volunteers are needed to put flags on the graves of veterans from 10 to 12 on Friday.
- 5.2 Town Administrator updates and reports: Mr. Sheehan stated that Chief Mark Boynton's first day with the Fire Department was yesterday. He thanked Dave Roy and Mike Grimley for keeping the department going in the interim. The Devens recycling center will be open June 4 and 7 from 9 to noon.
- 5.3 Review and sign payroll and bills payable warrants: CS moved to sign out of session, CM seconded. Unanimous.

CS moved to adjourn at 9:20PM. CM seconded. Unanimous.



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SELECTMEN'S MEETING MINUTES
JUNE 3, 2014, 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); Colin McNabb, Vice-Chairman (CM); and Carolyn Smart, Clerk (CS) present.
- 1.2 SL announced that the meeting is being tape recorded.
- 1.3 Chairman's Additions or Deletions: SL announced the addition of 3.17- Review request from Ed Kukkula, Highway Superintendent, to extend material bid contracts for FY15; and added 3.18 – Review of correspondence from Carolyn Smart.
- 1.4 Approval of meeting minutes: April 22, 2014 and April 29, 2014: CM moved to approve the minutes for April 22, 2014. CM aye, SL aye, CS abstained. CS moved to approve the minutes for April 29, 2014. Unanimous.

III MEETING BUSINESS

- 3.4 Review request from Ed Kukkula, Highway Superintendent, to award a contract for milling to PJ Albert, Inc. in the amount of \$1.66/square yard: CS moved to approve the request to award the contract. CM seconded. Unanimous.
- 3.7 Review request for One Day License for Helen Eisner and the Townsend Congregational Church for a Wedding Reception to be held on June 7, 2014 from 1-5PM at the Townsend Congregational Church. CS moved to approve. CM seconded. Unanimous.
- 3.8 Review request for One Day License for Terri Roy and the VFW Post 6538 for a Baby Shower to be held on June 14, 2014 from 12:00-4:00PM at the VFW, 491A Main Street: CS moved to approve. CM seconded. Unanimous.

II APPOINTMENTS AND HEARINGS

- 2.1 7:05 Public Hearing on petition of Unitil and Verizon to install a utility pole on Bayberry Hill Road approximately 160' east of the intersection of New Fitchburg Road: SL opened the public hearing at 7:05PM. A list of attendees was gathered. CS read the legal notice into the record. Unitil's representative, Jim Dee explained that there would be one pole across from 203 Bayberry Hill Road to raise the wires out of harm's way. The current span is 266 feet. The floor was opened for comments. Abutter John D'Angelillo said the pole fell over this winter and thanked Unitil for their rapid response. CS moved to approve contingent on approval from Ed Kukkula, Superintendent of the Highway Department. CM seconded. Unanimous. Hearing closed at 7:11PM.
- 2.2 7:10 Public Hearing on petition of Unitil and Verizon [sic] (Fitchburg Gas and Electric) to install a utility pole on Burgess Road approximately 1,780' north of the intersection of Dudley Road. SL opened the public hearing at 7:14PM. A list of attendees was gathered. CS read the legal notice into the record. Jim Dee from Unitil said two poles would be added to the end of Burgess Road to extend the lines to a proposed barn. The floor was opened for comments. Abutter David Chenelle said he is in support but

with limited opposition re: the wording of “public way” as in 1889 the road had been deemed abandoned and asked for a qualifier that it is a private way. Mr. Dee agreed to the request. CS stated that when a road is abandoned, there should be a petition with the land court. After discussion CS moved to approve to the extent necessary. CM seconded. Unanimous. Hearing closed at 7:25PM.

III MEETING BUSINESS (continued)

- 3.15 Review and sign bond anticipation note documents for the \$150,000 borrowing for road improvements: Mr. Sheehan reminded the Board that this was approved at Town Meeting. A State House Bond has been obtained at a 0.55% interest rate which comes out to \$426 in interest. CS moved to approve and sign the bond in the amount of \$150,000. CM seconded. Unanimous.
- 3.1 Review correspondence from Assistant Town Clerk Susan Funaiole requesting a waiver from the Personnel Policies & Procedures Manual: Mr. Sheehan explained that during the transition in the Town Clerk’s office there was a break in service of more than one week. The Personnel Policies and Procedures Manual states, “Continuous Service: Employment with the Town of Townsend which is uninterrupted except for required military leave of absence, authorized holiday, paid vacation, sick leave, and paid leave of absence. Any other absence of more than one week will constitute a break in service and such absence will not accumulate service credits.” Ms. Funaiole is asking for a waiver though there is no provision and as the Town Administrator he is not authorized to grant one. CS stated the reason this was written in 2004 was for people who were out on extended unpaid leave. CM asked if there is any precedent and if this would be setting one. Mr. Sheehan was not aware of policies being waived in the past. Kathleen Spofford pointed out the unique situation of Ms. Funaiole going from a nine year employee to an elected official for six years and back to being an employee again. That is almost 15 years of service. She is not asking for sick leave. After more discussion, CS moved to agree to allow vacation benefits for Susan Funaiole accrued since August 30, 1999. CM seconded. Unanimous.
- 3.2 Sustainable Water Management Initiative (SWMI): review draft comment letter on proposed amendments to the Water Management Act: Mr. Sheehan wrote a letter to the DEP from the Board outlining concerns brought up at the last meeting. He copied Representative Harrington and Senator Flannigan. CS moved to approve and sign the letter. CM seconded. Unanimous.
- 3.3 Water Department collections: continue discussion of the recommendations of the independent auditors and the Dept. of Revenue (DOR) financial management review to transfer collections to the Town Collector and potential costs associated with the move: Mr. Sheehan said he did not have a formal cost estimate for the move. He cited so many variables that there isn’t even a ballpark estimate at this time. The lock box system will be in place on July 1. That should give us a better idea. Water Superintendent Paul Rafuse expressed his intent to comply with the auditors. SL would like to have this in place by the next audit. Mr. Sheehan said approval from the Water Commission will be required and the next audit will begin the end of this summer. CM would be satisfied if something was in place by then.
- 3.5 Review request from Ed Kukkula, Highway Superintendent, for a transfer of appropriations in the amount of \$30,000: Mr. Sheehan advised the Board of an interesting situation with regard to the street sweeper. Town Meeting appropriated \$185,000 for a sweeper and \$50,000 for a catch basin cleaner. Ed Kukkula has found a sweeper with a built in vacuum for catch basins. It would save the town \$20,000. The company would allow us to use the \$30,000 as a “rent-to-buy” option or down payment until the borrowed money is available. CS moved to approve the request. CM seconded. Unanimous.
- 3.6 Review request of Unitil Fitchburg Gas & Electric to Cross, Alter and/or Construct Within a Town Way for installation of gas services at 43 Mason Road and 23 Smith Street: CS moved to approve. CM seconded. Unanimous.
- 3.9 Review request for One Day License for Terri Roy and the VFW Post 6538 for a Wedding Reception to be held on June 14, 2014 from 7:00-11:00PM at the VFW, 491A Main Street: CS moved to approve. CM seconded. Unanimous.

- 3.10 Review request for One Day License for Terri Roy and the VFW Post 6538 for a Wedding Reception to be held on June 21, 2014 from 2:30-6:30PM at the VFW, 491A Main Street: CS moved to approve. CM seconded. Unanimous.
- 3.11 Continue discussion of future of the Hart Library at 274 Main Street and potential uses and funding sources: Mr. Sheehan went to a meeting about the CDBG program, a federal grant program administered through the MRPC. It is not really applicable, but could be if we convert the library to low-income housing. The Priority Development Fund would pay up to \$15,000 for feasibility studies for conversion to senior or low income housing. This remains a difficult piece of property to work with. If we get rid of the land or demolish the building, there's no going back. CM asked what the time frame was for the feasibility study funds. Mr. Sheehan said it's a couple of months for the application and a couple of months for the study to be completed. SL noted that it would be good information to have if it would let us know what the requirements are, thus a good investment for selling the building. She also advised the Board that the school superintendent's office is supposed to be in Townsend. It might be something the school department is interested in as the building would lend itself as an administrative office. Discussion on more options ensued. CS moved to request the Town Administrator to apply for funding for a feasibility study. CM seconded. Unanimous.
- 3.12 Discuss summer meeting schedule: CM requested to postpone until the next meeting.
- 3.13 Council on Aging/Senior Center Director: continue discussion for recruiting a successor: Mr. Sheehan put a memo in the Board's packets about the size of the committee and its composition. If the Board wants the committee to present the Board with a single candidate, a Board member should be on the committee. If there will be multiple candidates, it won't be necessary. Ed Snapp has a committee consisting of himself, Valerie Adams, Dave Profit, Russ Moore, Stacy Schuttler, and Sharon Mercurio as an advisor. They would like to interview six candidates and bring forth three. All resumes will go to Mr. Sheehan with a deadline of June 25th. The Board agreed to that plan.
- 3.14 Review correspondence from Montachusett Regional Planning Commission (MRPC) seeking an alternate member to serve from July 1, 2014-June 30, 2015: Mr. Sheehan noted that annual appointments will be done at the next meeting and this can be included.
- 3.16 Announce Military Band Concert schedule for 2014: CM read the announcement into the record.
- 3.17 Review request from Ed Kukkula, Highway Superintendent, to extend material bid contracts for FY15:
 - Reclamation to All States Asphalt, Inc. and Subsidiaries: \$2.04 per square yard
 - Crack Sealing to Superior Sealcoating, Inc.: \$0.30 per linear foot
 - Washed Sand for Winter Use to Pitcherville Sand & Gravel: \$10.25 per cubic yard
 - Bituminous Asphalt in place to Sunshine Paving Co.: \$67.47 per ton:
CS moved to approve as attached. CM seconded. Unanimous.
- 3.18 Review correspondence from Carolyn Smart: SL brought up a letter that CS sent to K&P with regard to a Capital Planning legal opinion. SL's concerns are that typically when the Board seeks an opinion it is a decision the Board makes. The letter gives the appearance that the Board is asking for this opinion, which it is not. CS signed the letter as clerk of the Board of Selectmen. There should be an understanding going forward that correspondence like this needs to be discussed as a Board first. CS stated that even if she is not at a meeting, she is still a member of the Board. Discussion diverged into the definition of the Capital Plan bylaw and other related items. At CS's request, SL read her letter to counsel into the record. Questions were raised as to whether this letter implied a threat of litigation. SL reiterated the need to clarify the Capital Planning bylaw to eliminate its ambiguity.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS: None

V WORK SESSION

- 5.1 Board of Selectmen updates and reports: SL passed around an invitation from the MMA for a class for new Selectmen. CS thanked Mr. Sheehan for the letter to the Harbor Village Mall investment group. She would like to attend the Energy Committee meeting. SL would like to invite the Energy Committee to a

Board meeting. CS would like to schedule sustainability and revenue committee work sessions this summer. She and SL gave updates on pipeline information at the Meeting Hall. CS reminded citizens that on July 1st the Board of Health will be reducing trash pick up to 64 gallons or two bags. Overflow bags will be available at Hannaford's, Apple Meadow, McNabb's and the Old Brick Store. CM expressed the Board's condolences to the family of Andrew Gustafson.

- 5.2 Town Administrator updates and reports: Mr. Sheehan advised that the tax collector is accelerating collection efforts. They are willing to work with tax payers. Devens will be open tomorrow, June 4th, from 9-noon and Saturday and continuing twice a month until December. Cheryl Simoneau celebrated her 20th anniversary with the town today by announcing her retirement on June 11th.
- 5.3 Review and sign payroll and bills payable warrants: CS moved to sign warrants out of session. CM seconded. Unanimous.

CS moved to adjourn at 9:20. CM seconded. Unanimous.



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272 Main Street
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SELECTMEN'S MEETING MINUTES
JUNE 17, 2014, 7:00 P.M.
SELECTMEN'S MEETING CHAMBERS

I PRELIMINARIES

- 1.1 The Chairman called the meeting to order and roll call showed Sue Lisio, Chairman (SL), Colin McNabb, Vice-Chairman (CM), and Carolyn Smart, Clerk (CS) present.
- 1.2 SL announced that the meeting is being tape recorded.
- 1.3 Chairman's Additions or Deletions: SL announced the addition of 3.14 - Review request of Police Chief Erving Marshall to accept a donation in the amount of \$6,000 from the Give Back Ride; 3.15 - Review and approve rental purchase agreement with HP Fairfield for a Johnson Vac Sweeper Model VT650; and 4.3 - Review request of Police Chief Erving Marshall to appoint Brent Davis as a Police Officer from June 19, 2014 to June 30, 2014.
- 1.4 Approval of meeting minutes: None.

III MEETING BUSINESS

- 3.1 Discuss summer meeting schedule: It was decided that the meetings for the summer will be held on June 25 (pipeline meeting with Kinder Morgan at the high school), July 1, July 15 and August 12.

II APPOINTMENTS AND HEARINGS

- 2.1 7:05 Board of Health chairman Chris Genoter, Health Administrator Carla Walter, and Tessa David of MassToss will discuss the FY15 curbside trash and recycling program. Also present were Jim Le'Cuyer of the Board of Health and Irene Congdon of the Recycling Committee and Mass. DEP. Tessa David of MassToss told the Board that recycling fliers were mailed informing households that the number of bags of trash is dropping from three to two as of July 1, 2014. Plastics not 1-7 or 2 ½ gallon or larger loose bags and large items can go to the recycling center. The updated flier is on the website. Overflow bags are available at Town Hall and from various retailers. Increasing recycling reduces the town's costs because it reduces the trash volume and therefore the tipping fees and because we don't have to pay to dispose of recyclables. John Daly said the Town passed an override vote for curbside pickup. He wants the money back in his real estate taxes. Mr. Sheehan said when an override is passed the purpose is only for the first year. If in subsequent years it is not needed for that purpose it can be used for a different purpose. He said the BOH by statute is responsible for trash. SL the prices go up every year for tipping fees. In order to avoid asking for an override we are trying to keep costs down by encouraging recycling, which is mandatory in Massachusetts. The gradual way the BoH has been implementing this is admirable. You don't have to purchase the extra bags. Jim LeCuyer (JL) said he has been on the BoH for 13 years and feels like this is being shoved down their throats and said he doesn't agree with it. SL asked if the BoH voted for this. JL said he did not. In response to the question about where the additional money is going Mr. Sheehan said next year's budget has an increase of \$4,000. The cost to pick up is based on how often they come and the number of households. We can save money by reducing the tonnage and therefore the tipping fee. If we save money the savings go to free cash and the

budget in future years can be adjusted accordingly. John Stonefield suggested every household be given one hundred bags a year. Among a variety of topics that were discussed, Irene Congdon of the recycling committee said the town accepts plastics labeled 1-7, bottles, cans (tin and aluminum) and paper. If you can rip it, it's paper. CS observed that due to the passage of two overrides a lot of people feel they are not getting their money's worth. There were many opinions stated in the ensuing discussion. SL expressed her appreciation of everybody's input. Mr. Sheehan reminded everyone that the new limits go into effect July 1st. The contract has already been signed and any new suggestions would go into effect next year.

- 2.2 7:10 The Friends of the Library and the Townsend Couples Club to discuss events celebrating the 5th anniversary of the Library/Senior Center/Meeting Hall including a proposed wine tasting: Melissa Hermann represented the Friends of the Library who would be co-hosting the proposed event with the Townsend Couple's Club. They are seeking permission to serve wine at an event at the Library. CM asked what time of day this would take place and if they would have insurance coverage. Ms. Hermann told him it would be on a Saturday evening, only for people 21 years of age and older, they have already looked into insurance coverage and a police detail. CS said it was allowed for the 275th anniversary and they were read the riot act because it violated the bylaw, which she read into the record. SL brought forth a discussion about using the Meeting Hall during off hours. CS said she would feel better if the Board developed a policy specifically for wine tastings. SL expressed her concerns with setting a precedent and assured that it is not due to any mistrust of these organizations. Carolyn Sellars noted that the Library Trustees have already endorsed this and it will be held on October 25th in conjunction with the events the 5th Anniversary Committee is planning. This particular one is modeled after the one Pepperell has held at their library for years. CS moved to draft language for a policy for a wine tasting in the Meeting Hall. SL asked Mr. Sheehan to have a draft of policy at the next meeting and stated that she is opposed to even drafting a policy and she will be opposed to any alcohol on town property.
- 3.2 Review contract with Weston & Sampson Engineers to provide landfill monitoring and reporting: Mr. Sheehan noted that this is a DEP requirement and that the pricing has pretty much remained the same: FY'15 = \$20,400, FY'16 = \$15,500 and FY'17 = \$20,400. It has already been signed by the Board of Health. CS moved to approve. CM seconded. Unanimous.

The Board took a five minute break.

- 3.3 Review correspondence from the Town of Pepperell regarding formation of a Middlesex County Coalition of Municipalities in opposition to the Tennessee Gas Pipeline: SL received a letter and CS read it into the record. The Board members all support this action and Mr. Sheehan believes it is the best way to approach this project. After discussion CS moved to have SL join the coalition as the representative from the Board of Selectmen. CM seconded. Unanimous. In addition, Mr. Sheehan told the Board that a petition was delivered today to hold a Special Town Meeting within 45 days to oppose the pipeline. SL confirmed that the Board will at 6:30PM on June 25th prior to their meeting with Kinder Morgan at the High School. She also stated that there will be a presentation about the pipeline project at the Meeting Hall this Saturday at 10:30AM.
- 3.4 Review request for One Day License for William Towson for the 75th Anniversary of the Townsend Rod & Gun Club to be held on August 23, 2014 from 12-6PM at the Townsend Rod & Gun Club: CM moved to approve. SL seconded. Passed. CS recused herself as a member of the club.
- 3.5 Continue discussion of future of the Hart Library at 274 Main Street and potential uses and funding sources: Mr. Sheehan clarified that the funding through the Priority Development Fund for a feasibility study is only available if the building would be used for affordable or senior housing. He will meet with Superintendent Landers to see if the schools might be interested in the space.

- 3.6 Council on Aging/Senior Center Director: continue discussion for recruiting a successor: Mr. Sheehan has received an opinion from Kopelman & Paige that states that the Board of Selectmen is the appointing authority for the position. CS stated that she does not agree with the opinion from counsel and would like to table this item to the next meeting. Mr. Sheehan's only concern is that the resumes are due June 25th and Chris Clish is leaving in August. The screening committee hasn't even been appointed yet. SL said she doesn't have a problem with going forward. Ed Snapp of the Council on Aging said he has Stacy Schuttler, Russ Moore, Dave Profit, Valerie Adams, and himself for the committee. Mr. Sheehan said there should be 4 representatives from the Council on Aging or Friends of the Seniors, 2 residents at large and the Library Director. He will put the appointments on next week if they have a full committee.
- 3.7 Review request for a transfer of appropriations for the Board of Health in the amount of \$1,500: Mr. Sheehan explained that this is to cover the costs associated with mailing the flier. CS moved to approve. CM seconded. Unanimous.
- 3.8 Review request for a transfer of appropriations for the Treasurer in the amount of \$3,000: CS moved to approve. CM seconded. Unanimous.
- 3.9 Review request for a transfer of appropriations for legal services in the amount of \$3,000: CS moved to approve. CM seconded. Unanimous.
- 3.10 Review request for a transfer of appropriations for the Facilities Dept. in the amount of \$8,000: CS moved to approve. CM seconded. Unanimous.
- 3.11 Review request for a transfer of appropriations for the Plumbing Inspector in the amount of \$600: CS moved to approve. CM seconded. Unanimous.
- 3.12 Review request of Unitil to cross, alter, or construct within a public way for installation of a gas service at 8 South Street: CS moved to approve. CM seconded. Unanimous.
- 3.13 Discuss Charter Committee and review of Home Rule Charter: Mr. Sheehan explained that though the 7-member committee was created some time ago, there are not enough volunteers yet. SL made a plea for volunteers. Mr. Sheehan explained the difference between an appointed committee and an elected commission as well as the limitations on a committee.
- 3.14 Review request of Police Chief Erving Marshall to accept a donation in the amount of \$6,000 from the Give Back Ride: Mr. Sheehan noted that this is a ride that happens every year with a different entity receiving the donation. This year the Police Department was the recipient and they would like the Board to accept this generous. CS moved to accept. CM seconded. Unanimous.
- 3.15 Review and approve rental purchase agreement with HP Fairfield for a Johnson Vac Sweeper Model VT650. Mr. Sheehan reviewed the situation. Town Counsel has been consulted and confirmed that the purchase is legal. CS moved to approve the rental purchase agreement contingent on review by the Town Accountant. CM seconded. Unanimous.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS

- 4.1 Review request of the Conservation Commission to appoint Emily Norton for a term from June 17, 2014-June 30, 2015 and Veronica Kell for a term from June 17, 2014-June 30, 2016: Mr. Sheehan received additional information from the Massachusetts Association of Conservation Commissions (MACC). CS read the letter from Jennifer Pettit into the record. She included the above-mentioned information and volunteer response forms. Jim Deroian (JD) said Steve Marshall put in his paperwork six months ago. He has been attending meetings as asked. He should have been brought on board. JD said it was his decision to table the appointments. Ms. Kell and Ms. Norton are well qualified, but he feels it is a matter of principle. When he joined six years ago, he was naïve, but willing to learn. SL asked if it was his expectation that if the person came to meetings they would get the appointment. Discussion about the makeup of the Board and Mary Small's absence. Karen Chapman (KC) recounted that the vote to appoint Emily was unanimous and the vote for Ronnie was 3-2 in favor. SL recapped that five people voted on both of these appointments and expressed her displeasure with the lack of

professionalism being portrayed. The Board of Selectmen counts on the Conservation Commission. They bring forward recommendations for this Board to appoint. Discussion about the option of appointing an alternate. CM stated that after hearing from both sides, he is not comfortable voting tonight. He would like to schedule a joint meeting. Leslie Gabrielska (LG) said Mary Small offered her resignation, but the Commission did not accept it. KC pointed out that the Conservation Commission is not posted for this meeting. SL agreed with her colleagues that more discussion needs to take place. The Commission's main charge is to uphold the law. It is difficult to do if opinions are getting in the way of facts.

- 4.2 Review and approve annual appointments. CS moved to approve the annual appointments as reflected on the list. CM seconded. Unanimous.
- 4.3 Review request of Police Chief Erving Marshall to appoint Brent Davis as a Police Officer from June 19, 2014 to June 30, 2014. CS moved to appoint Brent Davis as a Police Officer from June 19, 2014 to June 30, 2014. CM seconded. Unanimous.

V WORK SESSION

- 5.1 Board of Selectmen updates and reports.
CS read off a list of topics she would like to discuss at future meetings.
CM moved that the Board issue a proclamation for the St. John's groundbreaking. CS seconded. Unanimous.
- 5.2 Town Administrator updates and reports: Mr. Sheehan announced a change in tax bills, explaining that the Town is employing a lock box system where payments will be sent to a bank.
- 5.3 Review and sign payroll and bills payable warrants. CS moved to sign payroll and bills payable warrants out of session. CM seconded. Unanimous.

9:41PM CS moved to enter executive session under G. L. c. 30A, s. 21(a)(3) to discuss strategy with respect to the Telecommunications Union and adjourn directly without returning to open session. CM seconded. CS: aye, CM: aye, SL: aye.

SELECTMEN MEETING MINUTES
EXECUTIVE SESSION
JUNE 17, 2014

SL - Sue Lisio, Chairman
CM - Colin McNabb, Vice Chairman
CS - Carolyn Smart, Clerk

9:41 PM Executive Session: under G. L. c. 30A, s. 21(a)(3) to discuss strategy with respect to the Telecommunications Union.

The Board was joined in the Executive Session by Andrew Sheehan, Town Administrator.

Mr. Sheehan presented the memorandum of agreement to the Board. Board members decided to invite the Police Chief, Communications Supervisor, and members of the union to a meeting on July 1, 2014 to discuss the agreement.

10:00 PM CS moved to adjourn the executive session. CM seconded. SL (YES), CM (YES), CS (YES).

Respectfully submitted:
Andrew Sheehan, Town Administrator

Voted by the Board of Selectmen to approve and release on _____, 2014.



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SELECTMEN'S MEETING MINUTES
JUNE 25, 2014, 6:30 P.M.
NORTH MIDDLESEX REGIONAL HIGH SCHOOL
19 MAIN STREET, TOWNSEND, MA

- 1 The Chairman called the meeting to order at 6:00PM and roll call showed Sue Lisio, Chairman (SL); Colin McNabb, Vice-Chairman (CM); and Carolyn Smart, Clerk (CS) present.
- 2 SL announced that the meeting is being tape recorded.
- 3 Review recommended appointments to the Council on Aging Director Screening Committee:
Ed Snapp Valerie Adams David Profit Russ Moore
Stacy Schuttler Cheryl Simoneau Susan Funaiole
Sharon Mercurio (non-voting)
CS moved to appoint the recommended members to the Council on Aging Director Screening Committee. CM seconded. Unanimous.
4. Review hiring of Payroll Clerk: Mr. Sheehan provided a memorandum recommending the hiring of Susan Bresnick and designating the position of payroll clerk a special municipal employee:
CS moved to hire Susan Bresnick as Payroll Clerk and designate the position of Payroll Clerk a special municipal employee. CM seconded. Unanimous.
5. Review and discuss petition for Special Town Meeting:
SL stated that it is her understanding that a petition has been received and verified by the Town Clerk to have a Special Town Meeting to vote on a non-binding referendum to oppose the proposed gas pipeline. CS moved to hold a Special Town Meeting on Thursday, July 31, 2014 and to open the warrant. A discussion ensued. CS amended the motion to close the warrant on Monday, June 30, 2014 at 5:00PM. CM seconded. Unanimous.
6. Gas Pipeline: Kinder Morgan will present plans for a proposed gas pipeline:
Alan Fore of Kinder Morgan was present with a team of associates and sub-consultants to discuss the proposed natural gas pipeline project. Mr. Fore walked the audience through a Power Point presentation describing how Kinder Morgan got to this point, the approval process, tax and employment benefits, and capacity of the pipeline. After the presentation Board members asked questions of the Kinder Morgan team. After Board questions the public asked questions of the Kinder Morgan team.

CM moved to grant permission for Kinder Morgan to survey on Town property. CS seconded. The motion failed with none in favor and three opposed.

9:36 Meeting adjourned.



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SELECTMEN'S MEETING MINUTES
JULY 1, 2014, 6:00 P.M.
SELECTMEN'S MEETING CHAMBERS

- 1.1 The Vice Chairman called the meeting to order at 6:00PM and roll call showed Colin McNabb, Vice-Chairman (CM) and Carolyn Smart, Clerk (CS) present.
- 1.2 CM announced that the meeting is being tape recorded.
- 1.3 Chairman's Additions or Deletions: 3.16
- 1.4 Approval of meeting minutes: May 6, 2014, May 13, 2014 CS moved to approve the minutes of May 6, 2014, May 13, 2014. CM seconded. Unanimous.

EXECUTIVE SESSION At 6:02PM CS moved to enter Executive Session under G. L. c. 30A, s. 21(a)(2) to conduct collective bargaining negotiations with the Telecommunications Union. CS: aye, CM: aye.

- 6:13 The Board returned to open session
- 3.1 Review request from Police Chief Erving Marshall to approve temporary traffic changes associated with the circus at Spaulding Field on July 10, 2014: one-way traffic on Turnpike Road (westbound) and one-way traffic on Eastman Street (southbound) to create a circular pattern around the school and field; "No Parking This Side" signs on the north side of Turnpike Road, the west side of Eastman, the south side of Rt. 119 from the school westbound, both north and south sides of Rt. 119 east of the school and the west side of Worcester Rd the west side of Riverbank Terr. the south side of Jelfs Street and the south side of Highland Ext. CS moved to endorse the temporary traffic changes. CM seconded. Unanimous.
- 3.8 Review request from Police Chief Erving Marshall for reimbursement of six days of earned but unused vacation leave. CS moved to approve the request. CM seconded. Unanimous.
- 3.9 Review request from Town Administrator Andrew Sheehan for reimbursement of seven days of earned but unused vacation leave. CS moved to approve the request. CM seconded. Unanimous.
- 3.11 Review and approve Board of Health's request for transfer of appropriations in the amount of \$5,000 from curbside trash and recycling to Board of Health operations. CS moved to approve the transfer. CM seconded. Unanimous.
- 3.12 Review and approve Town Administrator's request for transfer of appropriations in the amount of \$500 from interest on short term loans to Facilities Dept. wages. CS moved to approve the transfer. CM seconded. Unanimous.

- 3.13 Review and approve Fire Chief's request for transfer of appropriations in the amount of \$12,500 from Fire-EMS Dept. wages to Fire-EMS Dept. new equipment. CS moved to approve the transfer. CM seconded. Unanimous.
- 3.15 Review and sign Warrant for the September 9, 2014 State Primary Election. CS moved to sign the election warrant. CM seconded. Unanimous.
- 4.1 Appoint Fire Chief Mark Boynton as Emergency Response Coordinator at the request of TEMA Director Shirley Coit. CS moved to appoint Fire-EMS Chief Mark Boynton as Emergency Response Coordinator. CM seconded. Unanimous.
- 3.3 Review and approve bid for fuel. CS moved to approve the three year contract for Shattuck Oil for #2 Fuel Oil. CM seconded. Unanimous.
- 6:30 The Board recessed to await the arrival of its scheduled appointments.
- 7:05 The Board reconvened.
- 3.16 CS moved to close non-essential operations at 1PM on July 3, 2014. CM seconded. Unanimous.
- 5.2 Town Administrator updates and reports.
- Pot hole repair funding: The State has extended the time to expend the funds to September 30, 2014.
 - FY15 State operating budget: The Legislature included the Townsend earmarks for \$50,000. We are still awaiting the Governor's signature.
 - Real estate bills have gone out. The Town has implemented a lock box service so bills will be mailed to Century Bank in Reading, MA. (Sue Lisio (SL) arrived at 7:10PM and assumed the chair)
 - Fire-EMS Chief Mark Boynton has been evaluating his department's needs and will be bringing forth some staffing changes, including in-house mechanics.
 - Water Department collections: The Board of Water Commissioners voted to transfer collections to Town Hall. The timeline will be worked out over the coming months. The Water Dept. is also implementing a lock box service.
 - Moody's has reestablished the Town's Aa3 bond rating. AS thanked the finance team for their assistance.
- 2.1 Board of Health to discuss the FY15 curbside trash and recycling program. Board of Health (BOH) chairman Chris Genoter (CG), and members Jim Le'Cuyer (JL) and Michelle Dold (MD) were present. Also present were Tessa David (TD) of MassToss and Health Administrator Carla Walter (CW).

CG explained the curbside collection program. In FY15 the Town is scheduled to pay Shaw's \$434,000 to collect and transport trash and recyclables (the haul price). We also pay Shaw's a tipping fee of \$73/ton to dispose of trash. The contract extension for FY15 limits residents to two barrels of trash and unlimited recycling each week, down from three barrels in FY14. CS says we can afford to stay at three barrels and still be within budget. CG said the BOH wishes to include an article on the upcoming special town meeting (STM) to let the voters decide whether to go with 3 barrels or 2. CM expressed concern about expanding the number of topics on the STM. He prefers to keep it focused on the non-binding pipeline resolution. SML is concerned about the cost of additional tonnage. CG calculated that at the same tonnage (2,600 tons) as FY14 we would spend \$623,800. CS said the budget should work.

JL moved to skip including this on the July STM, leave it at 3 barrels, and bring the question to the regular STM in the Fall. SML said that would give us a little time to watch the tonnage and determine if the budget will be sufficient. CG said he is okay with leaving it at 3 barrels until the fall, but said he believes in the 2 barrel limit that was negotiated with Shaw's.

John King said his family has 4 kids and they put out 1 bag per week most weeks. He thinks 2 barrels can work. CM prefers to stay with 2 barrels as was negotiated. CG said the BOH will vote at a regular meeting to leave the program at 3 barrels and bring a question to the fall STM.

- 3.2 Review draft Housing Production Plan prepared by the Townsend Housing Authority. CM suggested inviting the Housing Authority to an upcoming meeting to discuss this item.
- 3.4 Review correspondence from Carolyn Smart regarding the Energy Committee, proposed Sustainability Committee, Route 119 Sidewalk, and Annual Training.
CS read her comments into the record. She met recently with the Energy Committee and is concerned that the Town is not reducing its energy usage. She thinks we need a gas consumption policy. SL said this is a good opportunity to talk about goals and from there we could look at a gas consumption policy. Maybe we should set a goal-setting meeting. It is important for us as board members not to get involved in the day-to-day. I consider sitting with department heads and going through paperwork as something we pay Andy to do. I think it's important that our board focus on policy making and direction. CM said we should first meet and set the goals and then move to the next part. SL asked CS about the formulation of a sustainability committee. CM would like for all of the things CS raised to be part of a discussion for a goals work session. CS would like the finance committee in on the sustainability committee.
- 3.5 Review email from Carolyn Smart to Town Counsel regarding the FY2015 capital plan. SL expressed concern that CS contacted Town Counsel directly. CS said she wanted the information unfiltered. CS reiterated that she believes the Capital bylaw was not followed. SL suggested CS contact Counsel directly and hopefully this will finally allow us to move on.
- 3.6 Discuss inquiry from Carolyn Smart questioning whether the purchase of police cruisers was properly approved at the May 6, 2014 Annual Town Meeting.
CS said she is concerned the funding for police cruisers was not properly appropriated and said Town Accountant Kim Fales suggested a housekeeping article at the Fall STM. AS said he spoke with Kim Fales and she said the appropriation was fine and no further action is required. He reminded the Board that cruisers are appropriated in the operating budget, not the capital budget, because they have an expected life of less than 5 years.
- 3.7 Review correspondence from Carolyn Smart regarding a legal opinion about the appointing authority of the Council on Aging Director.
CS said she disagrees with the legal opinion from Town Counsel. A discussion ensued about the process for recruiting and selecting a new COA Director. AS said what he believes was intended was for the Screening Committee to present finalists to the COA and for the COA to present a candidate to the BOS. BOS members agreed that is what they expect.
- 3.10 Review and discuss draft Policy on Alcohol in Public Facilities.
The BOS reviewed the draft policy prepared by AS. AS reached out to several communities. Ayer is the only one that does not allow any alcohol on Town property. The other towns do not have a separate policy. Pepperell, Chelmsford, Hudson, and Acton rely on the one-day liquor license to guide them. Groton is different because they own the country club and it

has an all-pouring license. CS suggested simply adding section 5 of the draft policy to the one day liquor license policy. All agreed.

- 3.14 Review and sign the Warrant for the July 31, 2014 Special Town Meeting.
A suggestion was made to try to hold the STM at Hawthorne Brook Middle School (HBMS) since it holds more people and is air conditioned. AS will see if HBMS is available and check on capacity. CS moved to sign the warrant out of session pending confirmation of the availability of HBMS. CM seconded. Unanimous.
- 5.1 Board of Selectmen updates and reports.
CS: Attended the St. John's grand opening; stated that Rep. Sheila Harrington is pushing to explore an alternate route for the gas pipeline; and announced band concerts for July 3 and 10.
CM: expressed his condolences to the Shepherd family on the passing of Nancy Shepherd.
SL: said she attended the pipeline coalition meeting.
- 5.3 Review and sign payroll and bills payable warrants. CS moved to sign warrants out of session. CM seconded. Unanimous.
- 9:07 Meeting adjourned.

SELECTMEN MEETING MINUTES
EXECUTIVE SESSION
JULY 1, 2014

CM - Colin McNabb, Vice Chairman

CS - Carolyn Smart, Clerk

6:02 PM Executive Session: under G. L. c. 30A, s. 21(a)(2) to conduct collective bargaining negotiations with the Telecommunications Union.

The Board was joined in the Executive Session by Andrew Sheehan, Town Administrator, Erving Marshall, Police Chief, David Mazza, Communications Supervisor, and members of the Telecommunications department and their AFSCME labor representative Dena Fleno.

The Board and the union discussed the proposed memorandum of agreement that includes a 3 on 4 off schedule to be implemented on a one year trial basis.

CS moved to approve the memorandum of agreement. CM seconded. CS (YES) CM (YES).

6:12 PM CS moved to adjourn the executive session. CM seconded. CS (YES) CM (YES).

Respectfully submitted:
Andrew Sheehan, Town Administrator

Voted by the Board of Selectmen to approve and release on _____, 2014.



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

Sue Lisio, *Chairman*

Colin McNabb, *Vice-Chairman*

Carolyn Smart, *Clerk*

Andrew J. Sheehan,
Town Administrator

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

SELECTMEN'S MEETING MINUTES
JULY 7, 2014, 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 Colin McNabb (CM), vice chairman and Carolyn Smart (CS) clerk.
- 2.1 Work session with the Conservation Commission to discuss appointments and other matters. Conservation Commission (Commission) chairman Karen Chapman (KC) called the Commission to order. Commission members present were: KC, Jennifer Pettit (JP), Mary Small (MS), James Deroian (JD), and John Hussey (JH). Town Administrator Andrew Sheehan (AS) and Conservation Agent Leslie Gabriliska (LG) were also present. CM noted that the joint meeting was called to discuss appointments and the internal conflict on the Commission. He asked that all parties show respect and maintain decorum.

KC summarized the timeline of events, including a sabbatical by Mary Small. JD stated that it was unfair for MS to not attend meetings for so long and then attend when she did. He also said prospective Commissioner Steve Marshall was treated unfairly by being allowed to attend meetings and then not being recommended for appointment. JP said MS was unavailable due to professional commitments and that the Commission gave her latitude because of her invaluable knowledge and experience.

Prospective member Mike Turgeon said that the Commission picks and chooses what and how it enforces the Wetlands Protection Act, is arbitrary, does not conduct its business in a transparent fashion, and is disrespectful of property owners. He also said the Commission's current light workload does not require Commissioners with expertise. MS said the Commission has an issue with tone, respect, and professionalism. CS stated she thinks MS is being bullied by JD due to his loud voice.

The joint session with the Conservation Commission ended at 8:15PM.

- 1.2 Chairman's Additions or Deletions: Fire Department transfer of appropriations. CS moved to amend the previously approved transfer of appropriations by reducing it by \$1,000. CM seconded. Unanimous.
- 8:35 Meeting adjourned.



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SELECTMEN'S MEETING MINUTES
JULY 15, 2014, 7:00 P.M.
SELECTMEN'S MEETING CHAMBERS

I PRELIMINARIES

- 1.1 The Vice-Chairman called the meeting to order and roll call showed Colin McNabb, Vice-Chairman (CM) and Carolyn Smart, Clerk (CS) present.
- 1.2 CM announced that the meeting is being tape recorded.
- 1.3 Chairman's Additions or Deletions: CM deleted Review request of Fire Chief Mark Boynton to create new position(s) of Fire Department Mechanic and added 3.8A - Review and sign contract between the Water Department and Stantec for SCADA system construction administration in the amount of \$31,300; 3.10 - Review and approve Building Commissioner's request for transfer of appropriations in the amount of \$101.24 from Building Dept. expenses to Electrical Inspector expenses for mileage reimbursement; and 4.3 - Vote to appoint Jerrilyn Bozicas as Associate Member of Planning Board for a one year term from July 1, 2014 to June 30, 2015.
- 1.4 Approval of meeting minutes: None

II APPOINTMENTS AND HEARINGS None

III MEETING BUSINESS

- 3.1 Review and approve request from Recreation Commission to increase the revolving fund spending authorization: Mr. Sheehan explained that the Recreation Commission operates under a revolving fund with an annual authorization of \$52,000. It is not uncommon for them to request an increase in the authorization. Earlier in FY14 an additional \$15,000 was approved. In the last month they have exceeded their authorization. They are asking for an additional \$8,000. They usually keep their spending on par with the receipts they take in for their programs. CS moved to approve. CM seconded. Unanimous.
- 3.10 Review and approve Building Commissioner's request for transfer of appropriations in the amount of \$101.24 from Building Dept. expenses to Electrical Inspector expenses for mileage reimbursement: Mr. Sheehan said that this increase is attributable to the uptake in building permit activity. CS moved to approve. CM seconded. Unanimous.
- 3.2 Review and approve one year extension of Agreement for Government Access Television and Related Services with Radio Engineering Associates: Mr. Sheehan noted that the contract that was signed last year had the option for an extension. CS moved to approve. CM seconded. Unanimous.
- 3.4 Review and approve chapter 90 Project Request from Ed Kukkula, Highway Superintendent, in the amount of \$20,000 to reclaim and pave the entire length of Spaulding Street: CS moved to approve. CM seconded. Unanimous.
- 3.5 Review and approve chapter 90 Project Request from Ed Kukkula, Highway Superintendent, in the amount of \$38,800 to prepare data collection, field survey, base plan, preliminary design, environmental permitting assistance, final design and bidding assistance for the removal of the existing 36" culverts

and replace with a new culvert at Old Meeting House Road: CS moved to approve. CM seconded. Unanimous.

- 3.6 Review and discuss correspondence from the Water Department regarding transfer of Water collections from the Water Department to the Town Collector: CM asked to wait until a full Board is present.
- 3.7 Vote to confirm and disclose the memorandum of agreement with the Telecommunications Union. CS moved to confirm and disclose the memorandum of agreement with the Telecommunications Union. CM seconded. Unanimous.
- 3.8 Review and sign contract between the Water Department and Weston & Sampson CMR, Inc. for SCADA system upgrade in the amount of \$156,249. CS disclosed that she is an employee of the water department but she has no financial interest in this contract and has filed a disclosure with the Town Clerk. CS moved to approve and sign subject to Town Counsel's review. CM seconded. Unanimous.
- 3.8A Review and sign contract between the Water Department and Stantec for SCADA system construction administration in the amount of \$31,300. CS moved to approve and sign. CM seconded. Unanimous.
- 3.9 Review and discuss alternative gas pipeline route proposed by Beaver Brook Association and review draft correspondence: CM asked to wait until a full Board is present. CS would like to meet with Beaver Brook before the Special Town Meeting. Mr. Sheehan has drafted a letter for signature.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS

- 4.1 Vote to reappoint Carrin Cullota to the Meeting Hall Gallery Committee for a term from July 1, 2014 to June 30, 2016: CS moved to reappoint. CM seconded. Unanimous.
- 4.2 Vote to appoint John DeAngelillo to the Fire-EMS Headquarters Building Committee: CS moved to appoint. CM seconded. Unanimous.
- 4.3 Vote to appoint Jerrilyn Bozicas as Associate Member of Planning Board for a one year term from July 1, 2014 to June 30, 2015: CS moved to appoint. CM seconded. Unanimous.

V WORK SESSION

- 5.1 Board of Selectmen updates and reports: CS requested a meeting with the Building Inspector and the Fire Chief to discuss permitting for the new high school. She thanked Karen Clement and Cynthia Schulze for organizing a group of volunteers to clean and spruce up the Kids Kountry Playground. CS also announced that there will be a pipeline march on July 21st starting at 6PM at the VFW and will continue to the common. Everybody is urged to participate and wear red. There is a meeting scheduled for August 5th with Representative Harrington and Senator Benson at Lunenburg High School. She announced hours for voter registration. CM read the Townsend Fire-EMS lawn party announcement into the record and encouraged the public to come dunk him and the Fire Chief in the dunk tank.
- 5.2 Town Administrator updates and reports: Mr. Sheehan reminded everyone that the Special Town Meeting about the pipeline project will be Thursday, July 31st at 7:00PM at Hawthorne Brook Middle School. The pipeline coalition group has expanded beyond Middlesex county and has more than 11 communities involved. There will not be another regularly scheduled Board of Selectmen's meeting until August 12th.
- 5.3 Review and sign payroll and bills payable warrants. CS moved to sign out of session. CM seconded. Unanimous.

CS moved to adjourn at 7:30PM. CM seconded. Unanimous.



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

2.1

Sue Lisio, *Chairman*
Andrew J. Sheehan,
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Colin McNabb, *Vice-Chairman*

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LEGAL NOTICE
TOWN OF TOWNSEND
PUBLIC HEARING

The Board of Selectmen will conduct a Public Hearing on Tuesday, August 12, 2014 at 7:05P.M., in the Selectmen's Meeting Chambers, 272 Main Street, Townsend, Massachusetts. The purpose of this hearing is to consider the petition of Unitil and Verizon New England Inc., Companies duly incorporated respectively for the transmission of electricity for lighting, heating and power, respectively ask permission to construct and use a line for such transmission, with the poles and other fixtures necessary to sustain and protect its wires, upon and along the public ways in said Town as follows:

BOUTELLE ROAD - Beginning at existing pole#1 continuing approximately 345' Northerly, installing two poles.

And to this end your Honorable Board is hereby requested, after due notice and a hearing as provided by law, to grant to your petitioner, and its successors and assigns, a location for such line agreeably to the provisions of Chapter 166 of the General Laws and of all acts in amendment thereof, to grant said companies, their respective successors and assigns, joint or identical locations for such lines the poles erected thereon to be owned and used by them in common.

Also for permission to place and maintain underground laterals, manholes, handholds, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes in Article XI Section 22, clause 62 of Section 34 of Chapter 262 of the Town of Townsend by-laws.

It is suggested that the pole be located substantially as shown on a plan filed herewith marked "Unitil and Verizon New England Inc. Proposed Pole Locations in Townsend, Plan No. 598-T, Dated 5/09/13".

All citizens are encouraged to present verbal or written comments prior to or during the hearing.

THE BOARD OF SELECTMEN:
Sue Lisio, *Chairman*
Colin McNabb, *Vice Chairman*
Carolyn Smart, *Clerk*

Montachusett Region Hazard Mitigation Plan: Five-Year Plan Update



MRPC Grant Award

- MRPC received funds from FEMA and MEMA to update the regional and community Hazard Mitigation Plans in Fall, 2011
- Kickoff for the plan update process began in January, 2012
- Significant Hazard-related events since initial plans prepared:
 - Ice Storm of December 2008
 - Spring Flooding 2010
 - October 2011 Nor'easter
- *Town of Townsend's Hazard Mitigation Plan will expire: April 5, 2015*



Disaster Mitigation Act of 2000 ("DMA 2000")

- DMA 2000 provides a source of pre-disaster hazard mitigation funding that will assist...local governments...in implementing effective hazard mitigation measures to ensure the continued functionality of critical services and facilities after a natural disaster.
- Provides the legal basis for FEMA's mitigation plan requirements as a condition for mitigation grant assistance



What is Hazard Mitigation??

- Reduction or alleviation in the loss of life, property and injuries resulting from natural and human-made hazards through long-term strategies.
 - Planning
 - Policy changes
 - Programs
 - Projects



Goals for Developing a Local Hazard Mitigation Plan

- To reduce the potential impact of hazards on:
 - local infrastructure
 - local economy
 - critical facilities
 - local environment
 - private property
 - local historic and cultural treasures
- To improve:
 - protection of the general population from hazards
 - emergency preparedness
 - local disaster response and recovery capability
- To qualify the community for additional Federal funding under several hazard mitigation programs
- To reduce the Town's liability with respect to hazards in general



Hazard Mitigation Plan Update Process

- Re-established Local Multi-Hazard Community Planning Team
- Reviewed each step in Plan's development:
 - Identify Past & Potential Hazards & Critical Facilities
 - Assess Vulnerability and Current Development Patterns
 - Identify and Prioritize Hazard Mitigation Strategies
 - Develop an Action Plan for Implementing Mitigation Strategies
- Adopt and Monitor the Updated Plan



Identify Past and Potential Hazards

- **Flood Related Hazards** – heavy rain, snow melt, dam failure, ice jams
- **Atmospheric Related and Winter Related Hazards** – high winds, hurricanes, tornados, nor'easters, severe thunderstorms, heavy snow, ice storms, and blizzard
- **Other Natural Hazards** – major urban fires, wild fires, beaver dams, drought, and extreme temperatures
- **Geologic Hazards** – earthquakes and landslides



Critical Facilities

- A Critical Facility is a building, structure or location which:
 - is vital to the hazard response effort.
 - maintains an existing level of protection from hazards for the community.
 - would create a secondary disaster if a hazard were to impact
- For the Plan Update, review location of Mapped Critical Facilities.
 - Has anything changed due to new construction, relocation, etc.?



Mitigation Strategy Update

- Did the strategies in the Previously Approved Plan reflect the updated risk assessment?
- Did the strategies lead to mitigation projects and/or changes in policy that helped the Town to reduce vulnerability?
- Did the strategies support any changes to mitigation priorities?
- Are goals and strategies reflective of current State Goals?



Prioritizing the Actions

- ✓ Is it Socially acceptable?
- ✓ Is it Technically feasible and potentially successful?
- ✓ Is it Admistratively workable?
- ✓ Is it Politically acceptable?
- ✓ Is there Legal authority to implement?
- ✓ Is it Economically beneficial?
- ✓ Is it Environmentally beneficial?

STAPLEE



Formal Adoption by the Board of Selectmen/City Council

- Demonstrates community commitment to hazard mitigation.
- Educates the public on mitigation actions that will be taken before and/or after a hazard disaster.
- Ensures a long term approach to hazard mitigation.
- Keeps the community qualified for funding under several federal Hazard Mitigation programs



Formal Adoption by the Board of Selectmen/City Council: Process

1. Draft Hazard Mitigation Plan Update presented to Board of Selectmen/City Council for input (*Tonight*).
2. Draft Plan submitted to FEMA/MEMA for review.
3. FEMA/MEMA send "Conditional Letter of Approval" to Chief Elected Official(s) and MRPC
4. MRPC provides "Certificate of Adoption" to Chief Elected Official(s) for official adoption
5. Certification of Adoption returned to MRPC and incorporated into Final Hazard Mitigation Plan Update



Comments and Questions

Send all comments/questions to:

Sam Lawton

MRPC Principal Planner

slawton@mrpc.org

978-345-7376 x319





TOWNSEND FIRE-EMS DEPARTMENT

Proudly serving the citizens of Townsend since 1875


PO Box 530 – 13 Elm St.
Townsend, MA 01469

2.3

Mark R. Boynton
Chief of Department

Headquarters: 978-597-8150

Fax: 978-597-2711

To: Andrew Sheehan, Town Administrator
From: Mark Boynton, Fire Chief 
Subject: Per Diem Firefighter/Paramedic New Hires
Date: August 7, 2014

Respectfully request the Board of Selectmen approve the hiring of the following Firefighter/Paramedics to join our team.

All have been recommend by an interview panel consisting of Townsend Fire Officers, staff and Paramedics.

Once approved all will be required to pass a physical and background check.

Darren L Brock of 223 Wauwinet Rd Barre, MA
Natan Hagopain of 200 Hudson St Northborough, MA
Andrew Perry of 4 Cedar Ledge Rd, Harvard
Nicholas R. Shelburne of 34 Elm St. Webster, MA



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Mark R. Boynton
Chief of Department

Headquarters: 978-597-8150

Fax: 978-597-2711

To: Andrew Sheehan, Town Administrator

From: Mark R. Boynton, Fire-EMS Chief 

Subject: Part-Time Fire Apparatus Mechanics

Date: July 25, 2014

Currently due to the complexity of modern fire apparatus repairs, maintenance and inspections are completed by various vendors across the state and surrounding states. There are numerous costs associated with this method including paying the average labor rate \$94.00 per hour, personnel cost and fuel cost delivering and pickup up apparatus. In addition to the increased cost of using outside vendors we experience delays in repairs, minor repairs are put on hold to avoid personnel and fuel cost and fire apparatus are out of service for several days at a time.

Over the past several years I have experienced success with hiring two part-time fire apparatus mechanics to perform the majority of these repairs and inspections in-house reducing down-time, labor, personnel and fuel cost. These mechanics would provide services on an as-needed bases here in Townsend at a pay rate of \$50.00 per hour. They would be available to trouble shoot problems or provide recommendations over the phone 24/7 and whenever possible be available to road side service if needed.

Based on 2014 repair and maintenance records we paid \$10,000 in labor at \$98 dollars per hour. By hiring part-time mechanics at \$50.00 we would save \$4,681 dollars and eliminate an estimated \$1,506 in personnel cost and \$786 in fuel cost for a total estimated savings of \$6,973

I respectfully request the Board of Selectmen create two part-time Fire Apparatus Mechanics positions. To fund the positions remove \$7,000 from 001-02-220-5245-0000-000 "Repair and Maintenance – Equipment, Vehicles" and place it in a newly created budget account for "Part Time Mechanics"

FIRE-EMS DEPARTMENT MECHANICS **DRAFT**

Position Purpose:

The purpose of these two positions is to conduct routine maintenance and repairs to emergency apparatus to comply with national standards, reduce down time and to ensure safety of our personnel.

Supervision:

Supervision Scope: Performs responsible duties requiring independent judgment and initiative in overseeing the fleet of the department. Exercises judgment in the analysis of the facts and circumstances surrounding repairs, in accordance with established guidelines and procedures.

Supervision Received: Works under the general direction of the Fire-EMS Chief and higher ranking officers of the department and in conformance with departmental regulations, applicable provisions of the Massachusetts General Laws, and professional standards. Employee refers only unusual cases to supervisor.

Supervision Given: Not a supervisory position.

Job Environment:

Work is performed primarily at various Fire Stations and occasionally outside. Work may be performed under variable weather conditions, including temperature extremes. Employee is exposed to the hazards associated with repairing and maintaining emergency apparatus including bio-medical hazards, as well as exposure to smoke, noxious odors, and fumes. The noise level in the work environment is usually moderate in office setting, and very loud at an emergency scene. Work schedule may be unpredictable. May be required to immediately report when available for emergency repairs or road side assistance.

Has access to limited department-related confidential information including personnel records and personal information about citizens.

Errors could result in confusion and delay and possible injury or death.

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.

Conduct preventative maintenance following National Fire Protection Standard on all Fire-EMS apparatus twice annually. Preventative maintenance includes but is not limited to changing all fluids, detailed inspections, repair replace worn or broken parts.

Perform minor to moderate repairs and service including brakes, drive train, engine, transmission, electrical, generators, pumps and chassis. These shall include but not limited to replacement and adjusting of brakes. Replacing universal joints, gaskets, valves, switches etc.

Trouble shoot mechanical problems including system failures (fuel, chassis, electrical, aerial and safety).

Conduct pump and pump component testing and replace work broken parts as necessary.

Serve as an advisor to the Fire-EMS Chief and/or vehicle committee's on the technical requirements for replacement of apparatus.

Provide advice, recommendations and oversee all major repairs performed on apparatus by outside vendors beyond the limitations of Townsend facilities and expertise.

Mechanics that are certified firefighters may also respond to emergencies while in the area or working at any of the stations and assist as needed and directed by the incident commander.

Minimum Qualifications:

Education, Training and Experience:

High School Diploma or GED

Ten years of field experience as Fire Apparatus Mechanic.

Three years full-time experience as a full-time fire apparatus mechanic.

Special Requirements:

A valid motor vehicle operator's license is required.

ASE Certified medium/heavy truck.

Certification/knowledge of ProLink communication tool.

Knowledge of applicable NFPA and KKK standards

Emergency Vehicle Operator Course

NIMS 300

Preferred Qualification

Pro Board Firefighter Level 1

Pro Board Firefighter Level 2

Knowledge, Ability and Skill:

Knowledge. Thorough knowledge of all applicable Massachusetts General Laws relating to the Emergency Vehicle Repairs. Comprehensive knowledge of fire apparatus, pumps and aerial apparatus.

Ability: Ability to develop and teach training courses. Ability to communicate effectively and efficiently verbally and in writing at all times.

Skill: Skill in operating all apparatus and mechanical equipment.

Physical Requirements:

Moderate to highly strenuous physical effort may be required, standing, bending, walking, kneeling, stooping, crouching, grasping, talking and hearing for extensive periods of time. Use of hands to finger, handle, or grasping objects. Specific vision abilities include close and distance, color and peripheral, depth perception and ability to adjust focus. May be required, with assistance, to lift equipment in excess of 150 pounds. Required to use personal protective gear. The position requires the ability to tools and equipment, pneumatic and hand tools, standard office equipment, radios, and pagers. Ability to operate a motor vehicle.

(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.)



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Mark R. Boynton
Chief of Department

Headquarters: 978-597-8150 Fax: 978-597-2711

Part-Time Fire Apparatus Mechanics

Townsend Fire-EMS is accepting application for two experienced part-time mechanics to service and repair Fire and EMS apparatus. Services will generally be required one or two days a month, performed in-house during a week day. Position will be required to be available 24/7 for technical advice and respond when available for road-side assistance.

Townsend provides Fire-EMS service with twenty piece of equipment including fire engines, an aerial ladder, tanker, forestry trucks, ambulances, generators and all-terrain vehicles.

Duties will include: Preventative maintenance following NFPA standards to all apparatus twice a year. Minor to moderate repairs and service including brakes, drive train, engine, transmission, electrical, generators, pumps and chassis.

Major repairs such as replacing engines, transmission, pumps or suspension will be conducted by a service center based on recommendation of the mechanics.

Minimum qualifications: 10 years as a fire apparatus mechanic with a minimum of 3 years full time. Must be currently employed as a mechanic for a company or municipality that repairs fire trucks. Ability to demonstrate knowledge of applicable NFPA standards, valid driver license and clean criminal record. Must be ASE certified in medium to heavy trucks brakes and steering. Knowledgeable in both Waterous and Hale fire pump repairs. Competent in laptop and prolink diagnostics. Knowledgeable in aerial apparatus operations and repairs.

Starting pay is \$50.00

Interested personnel contact Fire-EMS Chief Mark R. Boynton
MBOYNTON@TOWNSENFIRE-EMS.ORG call or stop by headquarters
located at 13 Elm Street, Townsend MA 01469

Devens Regional Household Hazardous Products Collection Center

3.1

FY14 Annual Report

Fiscal Year 2014 the Devens Household Hazardous Waste Collection Center generated an operating net surplus of \$13,925. The surplus was a result of operating Revenues of \$78,036 versus Operating Expenses of \$64,110.

Revenues

Revenues were comprised of Annual Memberships (\$40,611), User Fees (\$37,419) and Interest Income (\$6). Non-operating revenues were \$4,211. This non-operating money is from one-time capital cost of \$4,111 from new member, Town of Ashby and \$100 labor from the Town of Lancaster.

Operating Expenses

The major components of expenses were for Professional Services from Clean Harbors which were composed of Waste Disposal (\$25,361) and Chemist (\$7,230). Additionally, Program Management (\$10,750) and Insurances (\$7,129), as well as Depreciation of equipment and infrastructure (\$6,808) were significant cost components. All Other General Supplies and Expenses totaled of \$6,834.

Metrics (FY13 vs. FY12)

Member users served were 813 vs 681 year 2 and 489 year 1, a 19% and 39% increase, year over year. Members constructively disposed of 46,376 pounds, versus 42,555 yr. 2 and 40,298 yr. 3 of Household Hazardous Products, a 8.9% and 5.6% increase. Operating revenues were \$78,036 vs. \$74,621, a 4.6% increase. Operating expenses were \$64,110 vs \$64,202, a .1% decrease. Operating surplus was \$13,925 vs. \$10,419, a 34% increase. Cost reduction strategies resulted in \$6,003 decrease in disposal costs.

Program Features

Residents and small businesses enjoyed the opportunity to properly dispose of their toxic waste safely and easily at the Devens Regional Household Hazardous Products Collection Center, also known as DevesHHW. There were twenty collection days that appropriately and securely collected household hazardous waste such as unused cleaners, leftover paints, pool chemicals, and fluorescent bulbs.

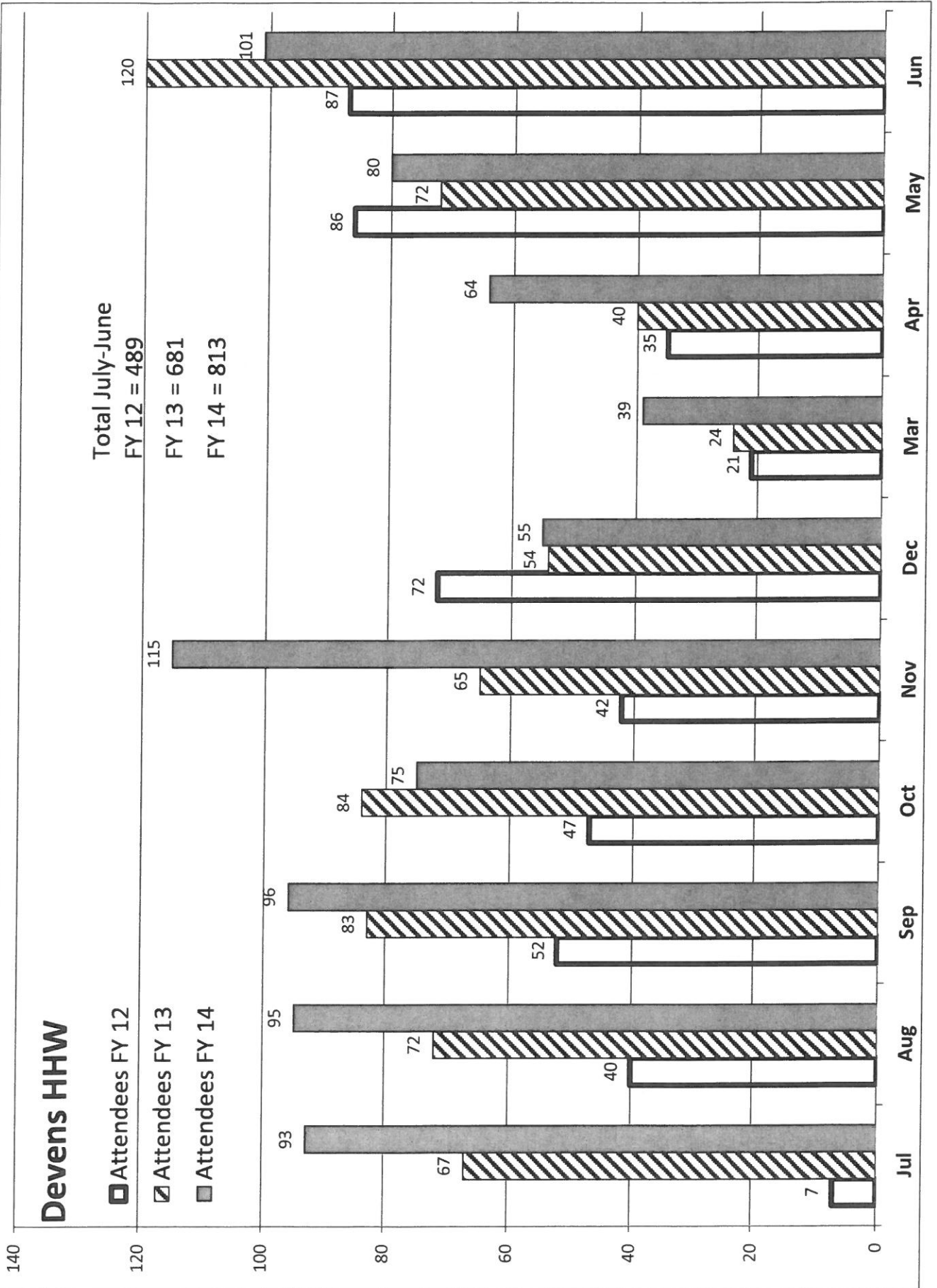
The DevensHHW service also resulted in additional protection to our drinking water supplies. The program is so well received that two other communities have contacted us to find out how they may join. Average wait times were 3 minutes, so it is an easy in and easy out operation. The center is open for customers on the first Wednesday and following Saturday from 9 to noon from March to December. It is located behind 9 Cook Street. More information is available at www.DevensHHW.com or by calling 978-501-3943.

This regional service makes it easier for residents of Ashby, Ayer, Bolton, Devens, Groton, Harvard, Lancaster, Littleton, Lunenburg, Shirley and Townsend to properly manage household toxic waste. In addition the Collection Center is also available to businesses that do not exceed DEP's threshold for Very Small Quantity Generators (VSQGs) and generate less than 220 pounds (approximately 27 gallons) of ignitable, corrosive, reactive, toxic, or hazardous waste or waste oil per month and no acutely hazardous waste.

Devens HHW

Total July-June
 FY 12 = 489
 FY 13 = 681
 FY 14 = 813

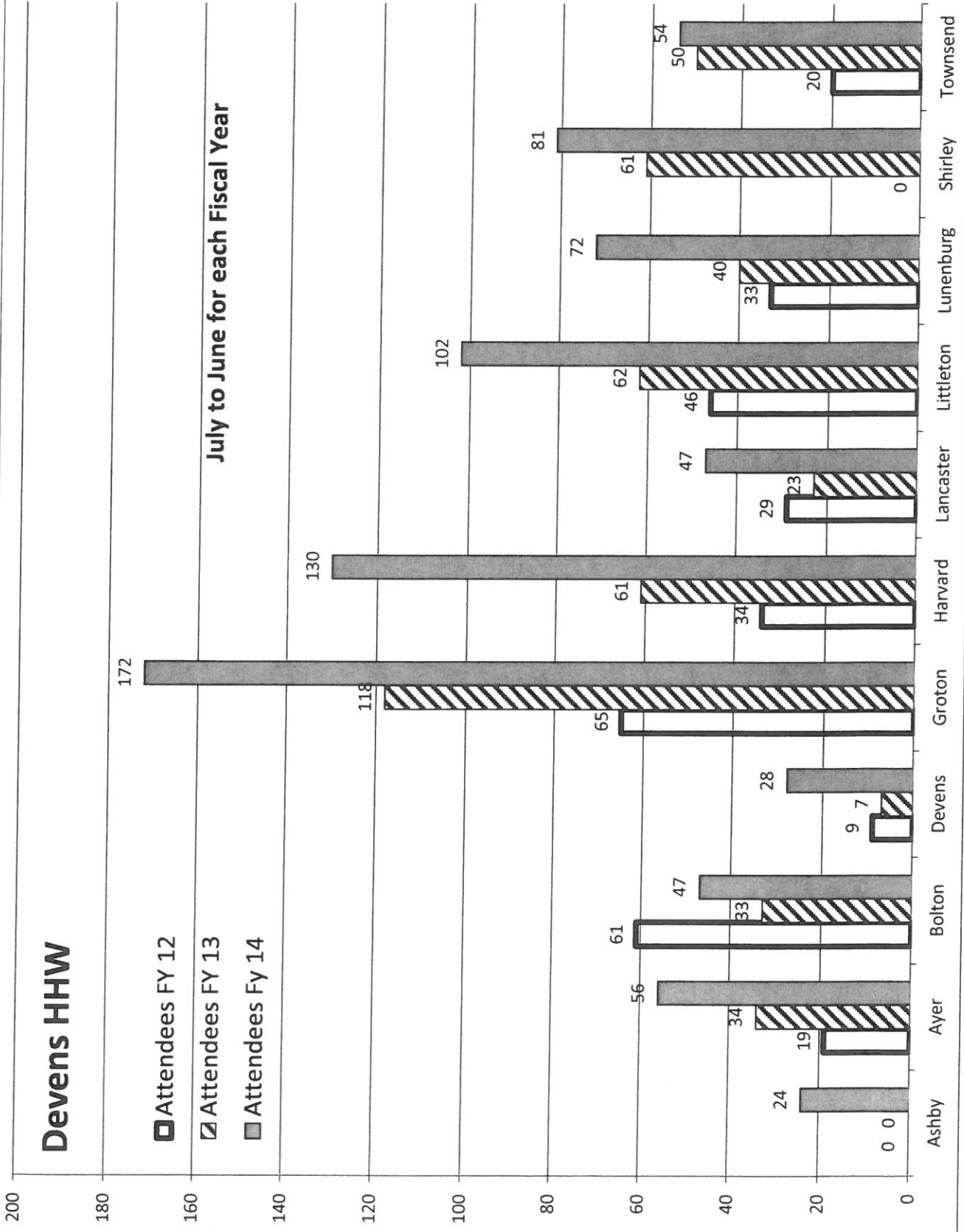
Attendees FY 12
 Attendees FY 13
 Attendees FY 14



Devens HHW

- Attendees FY 12
- Attendees FY 13
- Attendees Fy 14

July to June for each Fiscal Year



Devens HHW
FY14 Load and Attendance Statistics

Sum = loads

Count = number of attendees

Row Labels	7/3	7/6	8/7	8/10	9/4	9/7	10/2	10/5	11/6	11/9	12/4	12/7	3/5	3/8	4/2	4/5	5/7	5/10	6/4	6/7	Grand Total
Ashby																					
Sum of 5 gal/lbs		4		2	1	1		1												2	11
Sum of 10 gal/lbs		3	1	1		1		2	2	2	1		1				1	1			16
Count of total		4	2	2	1	1		3	2	2	1		1				1	2		2	24
Ayer																					
Sum of 5 gal/lbs	1			2	1	5	3.5	1	1	2	2	1.8			1		1		2	2	26.3
Sum of 10 gal/lbs	2	1	1	2		9	7	5	2	2	4	1	1		3			1			41
Count of total	3	1	3	2	2	9	7	2	2	3	2	3	2		2	1	2	2	3	5	56
Bolton																					
Sum of 5 gal/lbs	2	1		1	2		3.5	3	1.8	1		1	1	1	5	6		2	3		34.25
Sum of 10 gal/lbs	3	1	2	1	3	1		1	3	2		2	1	3	4	2			3	5	37
Count of total	3	1	1	2	3	1	3	4	3	2		2	2	3	5	4		2	3	3	47
Devens																					
Sum of 5 gal/lbs				0.5		1								1	1	1		1		1	6
Sum of 10 gal/lbs			1			1	1		1		1					2		1		1	9
Count of total			2	2		3	1		1		1			3	1	2	3		3		28
Groton																					
Sum of 5 gal/lbs	4	9	2	12	3	6	1	3	2	8	2	4		3	1	7	3	6	8	7	90.5
Sum of 10 gal/lbs	6	7	1	18	4	9	1	8	4	15	3	1	8	8	1	13	5	18	17	13	160
Count of total	9	10	5	22	6	7	2	7	5	13	4	7	2	8	2	14	6	14	15	14	172
Harvard																					
Sum of 5 gal/lbs	5	6	4	1	2	6	4.5	2.8	1	8.3	2	4	2	6	1	5	1	1	2	4	68.5
Sum of 10 gal/lbs	6	3	4	7	2	3	2	2	15	14	1	6	2	7	1	7	3	2	1	4	92
Count of total	11	8	9	5	4	8	6	5	5	18	5	7	2	7	3	10	5	3	3	6	130
Lancaster																					
Sum of 5 gal/lbs		2		2	3	3	1	2	2	4.3					1		1	2	1	2	26.25
Sum of 10 gal/lbs		1	1		2	1	1	1	1	3		3			1		2	1	2	4	24
Count of total		2	3	3	5	3	3	3	2	7		3			1		3	3	2	4	47
Littleton																					
Sum of 5 gal/lbs	4	3	1		3	4	2	2	4	7		2		1	3	2	1	1	1	8	47.6
Sum of 10 gal/lbs	12	10	2		3	13	13	12	2	7	1	4		2	2	4	6	6	9		108
Count of total	6	9	3	1	6	10	4	4	5	10	1	3	1	1	5	5	7	7	14		102
Lunenburg																					
Sum of 5 gal/lbs	1	2	4	3	2	4	6	1	2	6		2		1		1	2	2	2		41
Sum of 10 gal/lbs				4	4	4	5			3		2		2		2	4	3	10	5	48
Count of total	1	3	4	5	4	6	8	3	3	11		5		3	1	3	3	2	5	2	72
Shirley																					
Sum of 5 gal/lbs	3	2	4	7	2	3	1		1	5			1	1	1	1	1	4		1	37
Sum of 10 gal/lbs	6	2	2	3	2	2	2	1	10	9			1	2	1	1	1			5	50
Count of total	7	6	5	7	3	8	4	3	2	11		5	2	2	2	3	2	5		4	81
Townsend																					
Sum of 5 gal/lbs	3	4		2	2	3	1	2	1	2	1	3				1		2		1	28
Sum of 10 gal/lbs	3	4	5	5	5	4	2	2	2	2	3	2		1		3	2	3	1	1	50
Count of total	4	5	3	4	3	4	2	4	2	4	3	3		1	1	2	2	4	1	2	54
Total Sum of 5 gal/lbs	23	33	15	33	18	37	20	18.3	17	44.3	8	17	4	13	8	24	17	21	19	28	416.4
Total Sum of 10 gal/lbs	38	32	20	41	22	50	35	33	40	60	16	19	15	21	12	34	24	36	40	47	635
Total Count of total	44	49	40	55	34	62	38	37	33	82	19	36	15	24	18	46	33	47	39	62	813

3.2



TOWN OF TOWNSEND
ALCOHOLIC BEVERAGES LICENSE POLICY GUIDELINES

Approved by the Licensing Board/ Board of Selectmen

Chairman

Date

Vice-Chairman

Clerk

Approved by the Licensing Agent/Police Chief

Police Chief

Date

Town of Townsend Alcoholic Beverage License Policy

Whereas, it is desirable to adopt a uniform policy regarding the administration of liquor licenses and matters to be considered in determining action to be taken upon a finding that liquor laws have been violated;

Therefore, the Board of Selectmen hereby adopts this policy:

I. Administration of Liquor Licenses

The Board of Selectmen is the Licensing Board for the Town of Townsend. The Police Chief and/or appointed designee is the Licensing Agent for the Licensing Board. The Licensing Agent(s) in conjunction with the Licensing Board has the authority to accept and reject applications that do not meet the minimum requirements of the Alcohol Beverages Control Commission (ABCC) and the Town of Townsend.

Approvals of applications by the Licensing Board are valid for six (6) months from the date of approval by the ABCC. If such time expires before the license is issued, due to the applicant's failure to meet all of the conditions imposed by the Licensing Board, the license will not be issued and the applicant must reapply and a new hearing will be conducted.

II. Types of Licenses/Procedure

The Town of Townsend issues licenses in accordance with the regulations and conditions set forth by the ABCC and Chapter 138 of the Massachusetts General Laws (MGL). Any license transaction must be complete in accordance with the documentation requirements for each type of license issued.

All form(s) required for license transactions with the exception of a one-day special license are available on the ABCC website at www.mass.gov/ABCC.

The Manager of record as listed on the application must agree to a Criminal Offender Record Information (CORI) check and sign an authorization form at the time the application is submitted to the Licensing Board.

All applications will be reviewed and approved by the following Town Officials prior to the scheduled hearing:

- Building Commissioner to ensure compliance with zoning bylaws and building codes and regulations.

- Fire Chief to ensure compliance with fire codes and regulations.
- Police Chief/Licensing Agent to investigate application and make recommendation to the Licensing Board.
- Tax Collector to ensure there are no outstanding tax liabilities.
- Land Use Coordinator to review any land use issues regarding the location of the premises.

A public hearing to review the application will be scheduled with the Licensing Board. The applicant or their representative should be present to answer any questions.

The applicant is responsible for paying the actual costs associated with the hearing, such as the legal advertisement and abutter notification if necessary. All license approvals will be subject to all costs associated having been paid in full.

When the application has been signed and approved, the Licensing Board will forward the documentation to the ABCC.

In the event the Licensing Board does not approve the license request, a written notification outlining the reason(s) for such action will be sent within ten (10) days of the public hearing to the ABCC and the applicant.

When the Licensing Board is notified by the ABCC that the application has been approved and Form 43 issued by the ABCC is received, the applicant will be notified. All new licenses and transfers of licenses are required to pay the following fee(s) to the Town of Townsend.

Section 12 All Alcoholic Restaurant	\$ 1,500.00
Section 15 All Alcoholic Retail Package Store	\$ 1,050.00
Section 12 Wine & Malt Restaurant	\$ 750.00
Section 15 Wine & Malt Retail Package Store	\$ 1,000.00

In the case of a license transfer, the full amount of the fee is charged; the Licensing Board does not pro-rate the license cost or annual fee.

Hours of operation may vary as a result of the public hearing along with and any other conditions set forth by the Licensing Board. The maximum hours of operation for Section 12 and Section 15 establishments are as follows:

Section 12 – Restaurants, Hotels, Clubs, and General on Premises

Monday – Saturday	11:00A.M. to 1:00A.M.
Sunday	12:00P.M. to 1:00A.M.

Section 15 – Package Stores

Monday – Saturday	9:00A.M. to 11:00P.M.
Sunday	12:00P.M. to 11:00P.M.

III. Renewal of Existing Liquor License

In accordance with ABCC regulations, renewal applications of existing license(s) shall be received no later than November 30th. Renewal applications will be mailed to the establishment’s mailing address on record unless previous arrangements have been made by the licensee. Upon receipt of the renewal package, the licensee must complete all forms including the workers’ compensation affidavit and the tax attestation form. In accordance with MGL Chapter 138, Section 16A, this application must be signed in the month of November and returned to the Office of the Board of Selectmen, 272 Main Street, Townsend, MA by November 30th. Any renewal application not signed during the month of November will be treated as a new license and would be subject to all the procedures set forth under MGL Chapter 138, Section 15A.

All Section 12 license renewals are contingent upon receipt of a valid certificate of inspection issued by the Building Commissioner and signed by the Chief of the Fire Department, and proof of the required liquor liability insurance coverage.

IV. Findings of violation

Reports of liquor law infractions will be fully investigated by the Licensing Agent. Upon receipt of a report from the Licensing Agent, the ABCC or other law enforcement entity that an infraction has occurred, the Licensing Board will forthwith conduct a public hearing in accordance with the Massachusetts Open Meeting Law.

The License holder will be notified in writing of the allegations and/or infractions. The License holder will be notified in writing of the date and time the Licensing Board will conduct a hearing to review the matter. The Licensing Agent and/or their designee will present a report of their findings to the Licensing Board. The license holder should attend the hearing and be available

for questioning. The Licensing Board will act upon the infractions on a case by case basis. Disciplinary action may range from a warning letter to revocation of the liquor license.

V. One-day Special Liquor Licenses

One day Special Licenses are issued by the Licensing Board pursuant to Massachusetts General Law Chapter 138, Section 14.

Businesses or charities that hold events where liquor is served are required to obtain a One-day Special Liquor License from the Licensing Board. The Licensing Agent will be the determining authority whether a One-day Special Liquor License is required under MGL Chapter 138, Section 14.

No more than one license can be issued per premises at one time.

Applications shall be filed with the Licensing Board at least 30 days prior to the event. It is recommended that applications be filed 60 days in advance.

All alcohol must be purchased by the One-day Special Liquor License holder from a licensed Massachusetts wholesaler, in compliance with MGL Chapter 138, Section 14. Alcohol may not be purchased out of state, from a caterer, or from a Section 15 Package Store. A list of approved wholesalers is located on the ABCC website at www.mass.gov.abcc or you may contact the Office of the Licensing Board to receive a copy.

No alcohol may be stored on unlicensed premises. For special events covered under a One-day Special Liquor License, alcohol may be delivered the day of the event and removed from the premises after the event at the expiration of the special license. Under State Law, Chapter 138, Section 22, holders of a One-day Special Liquor License may not transport alcohol without a permit. In the event the license holder is unable to schedule the delivery of alcohol on the same day as the event, this will be reflected upon the license. It will be necessary for the license holder to inform the Licensing Agent if delivery cannot be made on the day of the event. Any additional time allowed on the One-day Special Liquor License for delivery will only be done at the Licensing Agent's recommendation.

The Licensee is required to post the One-day Special Liquor License in a conspicuous location during the event.

The license fee of \$20.00 is required at the time of the application submittal.

No One-day Special Liquor License holders may have alcoholic beverages delivered between the hours of 2:00A.M. and 8:00A.M. All One-day Special Liquor Licenses will expire at midnight (12:00A.M.) and last call must occur at least ½ hour prior to expiration. One-day Special Liquor Licenses will not be approved for any sale hours before noon (12:00P.M.) on Sunday.

The license holder should be present at all times during which alcoholic beverages are being sold at the event. License holders are responsible for ensuring that minors are not served alcoholic beverages and are not drinking alcoholic beverages on the licensed premises. All servers must be 21 years of age. The license holder is responsible for ensuring that no disturbance, disorder, or illegality takes place in or on the licensed premises.

No license holder may be granted a One-day Special Liquor License for more than a total of 30 days per calendar year and no special license will be granted to any person while his application for an annual license under section 12 is pending.

The Licensing Board has the authority to refuse to issue or reissue a One-day Special Liquor License if the licensee fails to comply with state or local regulations.

The Licensing Agent may impose other regulations and conditions upon the license holder such as requiring a police detail or evidence of insurance depending upon the event. The Board of Selectmen shall consider each application on its individual merits. A decision on one request shall not be binding on any other request.



An event held by a private resident does not require a special license if it meets the following conditions:

- The event is invitation only
- An entrance fee is not charged
- Tickets are not sold
- A donation is not required or solicited
- Money is not exchanged for alcohol



TOWN OF TOWNSEND
One-day Special License Application Form
(M.G.L. Chapter 138, Section 1)

Name of Responsible Person/License Holder

Name/ Address of Event Premises

Date of Event

Hours of Event

Type of Event/Sponsors

Number of people expected at event: _____

Police Detail Required: YES [] NO [] (Please consult with Licensing Agent)

Type of Beverages to be served: All Alcoholic [] Wine & Malt only []

Name of licensed wholesaler

Servers trained in serving and handling alcohol: YES [] NO []

By signing below I certify that I am in receipt of the Town of Townsend Alcohol Beverages Policy and agree to the terms and conditions set forth under section V. - One-day Special Liquor Licenses.

Signature of License Holder

Date

Date Application Received: _____

Date sent to licensing Agent for review: _____

Andy Sheehan

3.3

From: Debra Reeves
Sent: Wednesday, July 16, 2014 9:16 PM
To: asheehan@townsend.ma.us
Subject: 10th Annual Gregory E. Reeves Memorial Scholarship Run

Hello Andrew,

It is almost time for the 10th Annual Gregory E. Reeves Memorial Scholarship Run. "Greg's Race" will be held on Saturday, October 11. Start time is 10:30A.M. The run will again begin at 5 Brookline Street, in front of the Congregational Church. As in years past, we would like to request the closure of Brookline Street to Highland Street from 7:30A.M until approximately 12:30P.M. for the safety of the runners/walkers. Please submit this request to the Board of Selectmen. Thank you for your assistance.

Please call or email with any questions.

Best Regards,
Bill and Deb Reeves
978-597-5859
<http://www.coolrunning.com/major/14/gregoryreeves/>



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

3.5


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

Colin McNabb, *Vice-Chairman*

Carolyn Smart, *Clerk*
Office (978) 597-1701
Fax (978) 597-1719

MEMORANDUM

TO: Board of Selectmen

FROM: Andrew J. Sheehan, Town Administrator 

DATE: August 7, 2014

SUBJ.: Update on Delinquent Tax Collections

The purpose of this memo is to provide the Board with an update on collection of delinquent property taxes. As the Board will recall, the Town had a substantial backlog of uncollected taxes from FY11 to FY14. Town Collector Beth Ann Scheid put together a plan to collect these taxes and bring collections current.

In FY11 there were 28 delinquent accounts owing \$36,652. Through Beth Ann's efforts the Town collected \$31,218 from 23 accounts. The remaining 5 accounts, totaling \$5,434, were moved to tax title.

In FY12 there are 63 accounts with total outstanding taxes of \$81,752. During August she will send a reminder letter to those delinquent accounts establishing a due date in September. Accounts that remain delinquent on that date will receive a notice of advertising with final payment deadline to avoid publication. Advertising is expected to occur in October with accounts being moved to tax title in November.

A similar process will be used early in 2015 to collect delinquent taxes from FY13 and FY14.

Please feel free to contact Beth Ann Scheid or me if you have any questions in this regard.



TOWNSEND WATER DEPARTMENT
540 Main Street West Townsend, Massachusetts 01474

Rec'd 4/27/14

3.6

Niles Busler, Chairman
Paul L. Rafuse,
Water Superintendent

Michael MacEachern, Vice Chairman

Nathan Mattila, Clerk
(978) 597-2212
Fax (978) 597-5611

June 27, 2014

Board of Selectmen
Memorial Hall
272 Main Street
Townsend, MA 01469

Re: Material Weakness in Auditors Management Letter Re: Water Collections

To The Honorable Board of Selectmen;

This is to inform you that at their meeting held on June 9, 2014 the Board of Water Commissioners discussed your request to inform the Board by August as to the Commissioners intentions to comply with the Auditor's Management Letter and the Department of Revenue (DOR) regarding transferring water collections to the Tax Collector "Collector".

As a result of their discussion the Commissioners agreed and voted to transfer collections to the "Collectors" office and utilize the lockbox service provided by Century Bank contingent upon a proposed "Charge Back" fee the Town would charge the Water Department that would be agreeable between both the Board of Water Commissioners and the Board of Selectmen. For your convenience and information I have enclosed a proposed annual fee for lockbox services from Eastern Bank and Century Bank. For comparison purposes I requested quotes for 75% participation or 1,500 of our 2,000 accounts.

At your earliest convenience please provide me with a proposed total fee if any, the Town would charge the Water Department to utilize the service through the "Collector's" office for the Commissioners review. Upon approval of the fee after the Commissioners review please have the Town Administrator contact me to schedule a meeting between myself, my Office Administrator, the Town Administrator and, the Bank Representative to work out and discuss the set up details. Thank you for your time and consideration.

Sincerely,

Paul Rafuse, Superintendent
Townsend Water Department

pr
enclosures

**CENTURY BANK LOCKBOX SERVICES FEE SCHEDULE
TOWN OF TOWNSEND**

Cost Estimates are based upon 75% participation or 1,500 accounts billed quarterly = 6,000 accts./yr.

A. Lockbox-Basic Services

Items Processed	\$ 0.12/remittance processed	6,000 x \$0.12 = \$720.00
Non-processable Items	\$ 0.07/document returned	Approx. 3% (180) = \$12.60
Transmission Output	\$50.00/month	Done Qtrly. = \$200.00
PO Box Rental	@ Cost (annual charge)	In Town of Reading = \$150.00
Lockbox Postage	@ Cost (monthly charge)	N/C
Lockbox Programming Fee	@ Cost (billed at \$75/hour)	1 time fee (can be spread out in pymts.) Est. @ = \$400.00

Initial implementation charges will be waived.

Rejected Remittance Charges:

<3% monthly volume	No Charge
3%-9.9% monthly volume	\$0.05 per remittance processed
10%-and-over monthly volume	\$0.10 per remittance processed
20%-and-over monthly volume	\$0.10 per remittance plus \$100 surecharge.

No Charge

B. Lockbox-Optional Services

Web Inquiry Maintenance	\$50.00/month	x 12 = \$600.00
CD ROM	\$20.00/CD	x 12 = \$240.00
Check Only Look-ups	\$ 0.50/check	To be determined. This is for payments received with checks only (no receipt). Bank would have to "look up" or research for customers unless we authorize billing company to provide Century Bank a copy of our accts. Receivable file. Then all these associated fees may be waived.
Check Only Data Entry	\$ 0.35/check	
Deposit Only with Image	\$ 0.25/check	
Account Maintenance	\$15.00/month	x 12 = \$180.00

C. Banking Services

Deposits	\$ 1.00/deposit	Per week estimated @ \$100.00
Per Check Deposited	\$ 0.05/item	6,000 x \$0.05 = \$300.00
Returned Item Re-deposited	\$ 2.00/item	1 st time redeposit for insufficient funds
Returned Item Chargeback	\$10.00/item	2 nd time deposit for insufficient funds } Charged to customer
Wire Transfers (Repetitive)	\$10.00/wire	This should be born by the Town as they (Tax Collector/ Town Accountant) would be initiating transfer.

Peter R. Castiglia

Senior Vice President
Institutional and Government Banking Services
Century Bank

400 Mystic Avenue Tel. 781-393-4041
Medford, MA 02155 Email: pcastiglia@centurybank.com

TOTAL ANNUAL FEE IN RED \$2,902.60

Note: Information provided per discussion with Brian Feeney, Executive Vice President Institutional Services/Government Banking Century Bank



**Town of Townsend Water Department
Lockbox Processing Pricing**

<u>Service</u>	<u>Quarterly Est. Qty.</u>	<u>Unit Cost</u>	<u>Quarterly Fee</u>	<u>Total Annual Cost</u>
Lockbox Services				
Initial Set-up Fee	1	\$ -		No Charge
Monthly Maintenance	3	\$ 75.00	\$ 225.00	\$ 900.00
Remittances Processed*	1,500	\$ 0.05	\$ 75.00	\$ 300.00
Checks Processed*	1,500	\$ 0.05	\$ 75.00	\$ 300.00
Unprocessable per item fee	9	\$ 0.15	\$ 1.35	\$ 5.40
Total Lockbox Fees			\$ 376.35	\$ 1,505.40

Lockbox Services (optional - not included in total cost below)				
Mail Courier Fee**		At Cost - see below		At Cost
Web Inquiry Fee	3	\$ 100.00	\$ 300.00	\$ 1,200.00
Monthly CD Rom Fee (Data & Images)	3	\$ 20.00	\$ 60.00	\$ 240.00
Daily Email Report(s) Fee per report	21	\$ 1.00	\$ 21.00	\$ 84.00

Banking Services				
Monthly Maintenance	1	\$ -	\$ -	No Charge
Per Deposit Fee	21	\$ -	\$ -	No Charge
Per Check Deposit Fee	300	\$ -	\$ -	No Charge
Re-Deposited Returned Check		\$ -	\$ -	No Charge
Returned Deposited Items		\$ -	\$ -	No Charge
Wire Transfer		\$ -	\$ -	No Charge
Total Banking Services Fees			\$ -	No Charge

Annual Fees				
P.O. Box Rental Fee - at cost as determined by the USPS/subject to change	1	\$ 1,400.00		\$ 1,400.00
Total Annual Fees with PO Box Rental (does not include optional costs)				\$ 2,905.40

TOTAL ANNUAL FEE w/ OPTIONAL SERVICES \$4,429.40

Assumptions

* Monthly remittance and check volumes are based on the volume of 300 items per month.

** Mail courier fees at cost. This fee is for any exceptions or unprocessables that are to be returned to the Water Dept on a daily/regular basis via USPS.

Submitted by: Heather Tittmann, CTP, Vice President / Government Banking - Eastern Bank

Date: December 9, 2013

FY 2015 GOALS

Sue Lisio

Create and maintain a comprehensive list of the Town's assets, original and current values, age, and life expectancy

Complete the Charter Committee Review and Revisions (by Spring Town Meeting?)

Insure transparency and compliance for all Town operations and employees to protect the Town from any liability (Train/promote Open Meeting Law, Ethics, Personnel Policies, etc.)

Produce an Information Technology plan including inventory of platforms, license renewals, security procedures, and revised policies where indicated to enhance productivity, minimize maintenance costs, and to insure the security of Town's information

Find a solution to Hart Library and Annex disposition

Reexamine changes to active employee and retiree health insurance

Explore training opportunities for managers in order to more effectively manage personnel and provide training for employees comparable to what is available in the private sector.

Colin McNabb

Town-wide maintenance plan

Retiree health insurance

Business development committee

Computer upgrades

Monthly or quarterly information memos

CPC meeting with Finance Committee and Board of Selectmen prior to submitting capital plan to Board of Selectmen

Carolyn Smart

Explore energy efficiency initiatives including educating staff, developing a gasoline consumption policy, and purchasing electric/hybrid vehicles for the Water and Fire departments

Form a budget sustainability committee

Require monthly reports from departments

Issue a request for proposals for engineering services for construction of a sidewalk on Route 119

Develop a schedule for annual trainings for department heads, employees, and boards/committees on the open meeting law, public records law, procurement, better communication and consensus building, sexual harassment, and bullying

Andy Sheehan

3.9

From: Carla Walter <cwalter@townsend.ma.us>
Sent: Thursday, July 31, 2014 1:10 PM
To: asheehan@townsend.ma.us
Cc: stuffycoyote@msn.com
Subject: Request for Surplus Equipment

Hi Andy,

Per our conversation, attached is the information for the pump that Jim would like to have. Its not worth anything but parts I suppose. The motor blade is corroded and the top of the pump has been melted from overheating while working too hard for its size. I brought it to Shepard's to fix and they said no to bother. The Board purchased a much better one as you know so we have no need for this machine or its parts. Can you place this on the Select Board agenda please?

Thanks for the support.

Best,
Carla

North Star Semi -Trash Water Pump
Item No. 109171B
3" Ports
3.5 gallon
Cost: \$649

This electronic message is confidential and intended for the named recipient only. Any dissemination, disclosure or distribution of the contents of this communication is unlawful and prohibited. If you have received this message in error, please contact by return email or telephone (978-597-1713), and delete the copy you received. Thank you.

POLICY & PROCEDURES
PROCESS FOR DISPOSITION OF SURPLUS PROPERTY UNDER \$5,000
(relative to the sale, alienation, or disposal of personal property)

Section 1. From time to time, the Town of Townsend finds it necessary to dispose of scrap metals and materials, residue inventory and surplus equipment. The following procedure outlines the instructions to be followed by Town departments in the disposition of items with an estimated net value of less than \$5,000, in order to optimize revenues. It is the intent of this procedure to require the establishment of reasonable control over scrap, surplus and obsolete material generation, usage, handling, sale and disposal. This policy shall not apply to real property.

"Surplus" or "Scrap" materials included in this section are defined as items no longer useful to a governmental body but having resale or salvage value.

Section 2. Surplus items shall be declared surplus or scrap by a vote of the Board of Selectmen per recommendation of a department head or applicable Town board. Each department should provide the Board of Selectmen with a written list including description of the items and estimate of value.

Having been so declared and approved for disposal, each department in consultation with the Town Administrator shall abide by the following procedure:

1. Prepare a complete list documenting the surplus or scrap materials.
2. Determine the needs of other departments by circulating a list of materials identified through Town e-mail or memo.
3. Arrange to have the materials stripped of all usable parts that can be reused for Town purposes and do not impact ability to be resold .
4. Put materials in best possible condition.
5. Place materials in area for optimum viewing.
6. Advertise the disposition as follows: Post a notice on (1) the Town's posting board; (2) the Town's website; and (3) the cable television bulletin board. Such notice shall describe the method under which the materials will be disposed (see item 7, below), the location for receipt of quotes or of any live auction, and an estimated value, if any, of the materials.
7. To dispose of the materials, Departments may (1) solicit written quotes, or (2) conduct a live auction. Dispose of materials to highest responsive bidder in accordance with terms and conditions of sale.
8. Properly record all documents of sale.
9. Fill out Fixed Asset Control Form and return it to the Town Administrator.

Section 3. The Town of Townsend reserves the right to accept or reject any or all bids. All sales shall be made on an "as is, where is" basis. All property sold shall be paid for by Cashier's Check, Certified Check or Money order payable to the Town. The Town shall furnish the successful bidder(s) a bill of sale documenting the description of the materials, price bid and terms of sale. Purchaser must indicate agreement by signing and returning it to the applicable department head and/or Town Administrator.



3.10

The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Public Records Division

Shawn A. Williams
Supervisor of Records

July 31, 2014
SPR14/419

Ms. Karen Hill
914 Clark Street
Gardner, MA 01440


Dear Ms. Hill:

I have received your letter appealing the response of the Town of Townsend-Board of Selectmen to your request for records.

I have directed a member of my staff, Attorney Lori Sullivan, to review this matter. Upon completion of the review, I will advise you in writing of the disposition of this case. If in the interim you receive a satisfactory response to your request, please notify this office immediately.

Any further correspondence concerning this specific appeal should refer to the SPR case number listed under the date of this letter.

Very truly yours,


Shawn A. Williams
Supervisor of Records

cc: Mr. Andrew J. Sheehan



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

DATE _____ AGENDA: [1700] [1] [14]
Chair _____ V. Chair _____ Clk _____
COLLEEN: _____

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

Colin McNabb, *Vice-Chairman*

Carolyn Smart, *Clerk*
Office (978) 597-1701
Fax (978) 597-1719

July 16, 2014

Ms. Karen Hill
914 Clark Street
Gardner, MA 01440

Dear Ms. Hill:

*This is not reasonable.
Why would T-C need to
review? Please put on an
agenda for discussion*

The Town is in receipt of your public records request. You have requested the following:

- All incoming and outgoing emails to or from Leslie Gabrijska between the period of January 1, 2009 and July 7, 2014
- All incoming and outgoing emails to or from Karen Chapman between the period of January 1, 2012 and July 7, 2014

We have prepared the following estimate:

Hours required by Leslie Gabrijska to review all emails for the 5 ½ year period between 1/1/09 to 7/7/14, and for Karen Chapman to review all emails for the 2 ½ year period between 1/1/12 to 7/7/14	60 hours @20.84/hr.=	\$1250.40
Hours required for Town Counsel review of emails	5 hours @ 160.00/hr =	\$800.00
Hours required by Information Technology Dept.	16.5 hours @ \$25.00/hr =	\$412.50
	Total:	\$2,462.90

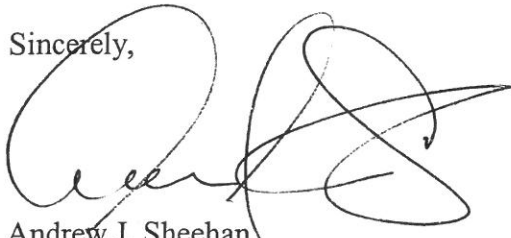
We require payment in advance of fulfilling the request. Once we receive payment, we will begin collecting and researching the requested records.

Please be advised that this is only an estimate. The final cost will depend upon the time taken to extract the records, review them for confidential information, and redact confidential information from the records. If additional resources are necessary, I will advise you of same.

Your request is for a large volume of emails estimated to be in the thousands. We will address the request as quickly as possible, but I expect it will take several months.

If this estimate is acceptable and you wish us to proceed with fulfilling the request, please provide payment in the amount of \$2,462.90, payable to the *Town of Townsend*. Upon receipt of payment we will begin the process of collecting records.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew J. Sheehan', with a large, stylized flourish extending to the right.

Andrew J. Sheehan
Town Administrator

Cc: Leslie Gabrilka, Conservation Agent
Karen Chapman, Chairman, Conservation Commission
Kathleen Spofford, Town Clerk
Board of Selectmen

Andy Sheehan

From: Carolyn Smart <carolynsmart3@gmail.com>
Sent: Friday, August 01, 2014 1:08 PM
To: Andy Sheehan
Subject: Re: Hi

yes, section 10 - it may have changed since I went through it but according to this bulletin; it is 10

A custodian has a duty to write a program to segregate exempt information from non-exempt computerized information. See G.L. c.66, § 10 (custodial duty to segregate). Again, only the actual costs incurred may be assessed for compliance.

Have a nice weekend
Carolyn

On Fri, Aug 1, 2014 at 12:58 PM, Carolyn Smart <carolynsmart3@gmail.com> wrote:
Going by memory; but I believe it is Chapter 66 section 10...but I can look it up and confirm for you. The Secretary of State should know for sure.

Are we having issues with the mail server do you know? My Eudora email on my laptop won't let me send messages, only receive. Not sure if it is doing the same on my other computer (water dept) just thought I'd ask if you know of any issue before I bother Melissa with it.

Yes, he has a few times and in writing, according to Rob...I don't know that first hand. In any regard, I think we should make sure he receives it. Would you mind talking to the Chief?

thanks
Carolyn

On Fri, Aug 1, 2014 at 8:50 AM, Andy Sheehan <asheehan@townsend.ma.us> wrote:

I will ask Sue about adding Rob's appointment. I will check with the Chief about the badges. Has Rob asked him?

I think the 8/12 agenda will include a discussion item about how to proceed with the Conservation appointments, but not the appointments or interviews. Sue is going to let me know how she wants to proceed.

On the public records request and requirement to segregate of emails, can you give me the chapter and section you referenced last night? I didn't write it down. Thanks.

From: Carolyn Smart [mailto:carolynsmart3@gmail.com]
Sent: Thursday, July 31, 2014 8:41 PM
To: Andy Sheehan
Subject: Hi

July 7, 2014

RECEIVED
JUL 07 2014
TOWN OF TOWNSEND
DEPT. OF PUBLIC WORKS

Conservation Commission and Information Technology Dept

Town of Townsend

Townsend Massachusetts 01469

RECEIVED

JUL 07 2014

SELECTMEN'S OFFICE

Re: Massachusetts Public Records Request

I am requesting, under Mass. Public Records Law (M.G.L. Chapter 66, Section 10.) copies of incoming and outgoing E-mails of the Conservation Chair ~~of town~~ Karen Chapman from Jan 1st 2012 to present.

I am providing a portable hard drive, however, I recognize that I may be charged for personal time.

The Public Records Law requires you to provide me with a written response within 10 calendar days. If you cannot comply with my request, you are statutorily required to provide an explanation in writing.

Sincerely,

Karen Hill
914 Clark St
Gardner, MA 01440
978.630.4577

July 7, 2014

RECEIVED
JUL 07 2014
TOWN OF TOWNSEND
TOWN CLERK

Conservation Commission and Information Technology Dept
Town of Townsend
Townsend, Massachusetts, 01469

Re: Massachusetts Public Records Request

I am requesting, under Mass Public Records Law (M.G.L. Chapter 66, Section 10.) copies of incoming and outgoing E-mails of the Conservation Agent, Leslie Gilbratska from Jan¹⁵ 2009 to present.

I am providing a portable hard drive, however, I recognize that I may be charged for personnel time.

The Public Records Law requires you to provide me with a written response within 10 calendar days. If you cannot comply with my request, you are statutorily required to provide an explanation in writing.

Sincerely,

Karen Hill
914 Clark St
Gardner, MA 01440
978 630 4577



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

3.11

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

Colin McNabb, *Vice-Chairman*

Carolyn Smart, *Clerk*
Office (978) 597-1701
Fax (978) 597-1719

MEMORANDUM

TO: Boards, Committees, Commissions, and Staff

FROM: Andrew J. Sheehan, Town Administrator 

DATE: August 12, 2014

SUBJ.: Open Meeting Law

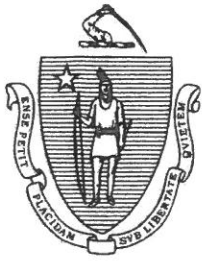
A recent case in a nearby town has afforded an opportunity to remind boards, committees, commissions, and staff of the Massachusetts Open Meeting Law (OML) and the need to adhere to its requirements. The OML, GL c. 30A, ss.18-25, governs any multi-member board, committee, commission, or subcommittee, whether elected, appointed or otherwise constituted, established to serve a public purpose.

The recent case involving the Westford Board of Selectmen centered on the use of email to conduct deliberations. The Office of the Attorney General determined that the Board of Selectmen violated the OML by "sending electronic communications discussing public business within its jurisdiction to a quorum of the Board." A copy of the Attorney General's determination is attached.

Email and other electronic communications media have made it easy and convenient to communicate to all members of a board at once. Usually it is a great convenience and time saver. However, as this case demonstrates, email also makes it easy to unintentionally violate the law. The Attorney General advises that "members of public bodies not communicate over email at all except for distributing meeting agendas, scheduling meetings, and distributing documents to be discussed at meetings."

Please share the Attorney General's determination with all members of your board, commission, or committee, as well as staff, so that we do not inadvertently run afoul of the law.

Thank you for your attention to this important matter. Please feel free to contact me if you have any questions in this regard.



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

MARTHA COAKLEY
ATTORNEY GENERAL

(617) 727-2200
www.mass.gov/ago

July 21, 2014

OML 2014 – 80

Jodi Ross, Town Manager
Town of Westford
55 Main Street
Westford, MA 01886

RE: Open Meeting Law Complaint

Dear Ms. Ross:

This office received a complaint from Samantha Allen of the *Lowell Sun* dated April 10, 2014, alleging that the Westford Board of Selectmen (the Board) violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. The complaint was originally filed with the Board on or about March 13, 2014, and you responded on behalf of the Board by letter dated March 25, 2014.¹ In her complaint, Ms. Allen alleges that, based on the Town's response to her public records request, the Board engaged in improper deliberations by email concerning former Fire Chief Richard Rochon's retirement (hereinafter "the emails").

Following our review, we find that the Board violated the Open Meeting Law by sending electronic communications discussing public business within its jurisdiction to a quorum of its members. In reaching this decision, we reviewed the March 13, 2014 complaint filed with the Board; your March 25, 2014 response on behalf of the Board;² and the April 10, 2014 complaint filed with our office, requesting further review. We also reviewed the emails at issue.

¹ We remind the Board that, while a public body may authorize an individual such as the Town Manager or Town Counsel to respond on the public body's behalf, the Open Meeting Law and the Attorney General's regulations require that the public body first review the Open Meeting Law complaint. See G.L. c. 30A, § 23(b); 940 CMR 29.05(5). Here, the Board did not review this complaint prior to the Town Manager's response.

² For the purpose of clarity, we will refer to you in the third person hereafter.



FACTS

We find the facts as follows. The Board consists of five members, thus three members constitute a quorum. The events at issue preceded the July 2013 retirement of then-Fire Chief Richard Rochon.³

On June 24, 2013, the Board authorized counsel to negotiate a separation agreement (the “agreement”) with Chief Rochon. Town Manager Jodi Ross and former Board Chair Kelly Ross assisted counsel with the various drafts of the agreement. The Town Manager kept the Board apprised of these negotiations by email.

Following a Board meeting on July 12, 2013, the Town Manager emailed the entire Board and attached a draft version of the agreement, notified the Board that Chair Ross was tracking the changes made, and invited Board members Andrea Peraner-Sweet and Scott Hazelton to call her with questions about the draft. (“Email 1”) Later that evening, Chair Ross responded to the Town Manager and copied the entire Board, summarizing the changes that were made to the draft agreement. (“Email 2”) In response, Mr. Hazelton sent an email to Chair Ross, copying the Board, on July 13, 2013, asking, “[i]s it normal practice to bury personell (sic) records this completely?” He went on to state, “[w]hat really disturbs me is #10.” (“Email 3”) Later that day, the Town Manager responded to Mr. Hazelton and copied the Board, stating, “[n]o, it is not normal practice to bury personnel records and we are not agreeing to this...[w]e are also not agreeing to #10. Our attorney will redraft on Monday and I will then send to all of you.” (“Email 4”)

On July 25, 2013, the Town Manager sent an email to the Board notifying it about Chief Rochon’s retirement party and stated that Chair Ross had offered to sign a letter from the Board because the Board would not be meeting before the party (“Email 5”), to which Mr. Hazelton responded, copying the Board, stating that he would be “happy to drop by Town Hall or otherwise meet to sign the card personally.” (“Email 6”) On July 29, 2013, Chair Ross sent an email to the Board with a draft letter addressed to Chief Rochon and asked for comments. (“Email 7”) The letter congratulated Chief Rochon on his retirement and briefly outlined some of his accomplishments as Fire Chief. Hours later, Mr. Hazelton sent an email back to Chair Ross, copying the Board, with his suggested edits, noting, “[i]n mentioning his accomplishments like the manned stations and paramedic services, I think another of his legacies to the town will be ‘state of the art fire, rescue and safety equipment.’” (“Email 8”) Chair Ross responded, copying the Board, “I’ll make the changes.” (“Email 9”) On July 31, 2013, Chair Ross sent a follow-up email to the Board with the revised letter to Chief Rochon, stating, “I really need to know if you all will be able to sign this letter – ideally by going to Town Hall after it is printed and before the retirement celebration on August 8, or at least at the 8/13 BOS meeting.” (“Email 10”) Ms. Peraner-Sweet responded to Chair Ross, copying the Board, “I’m good with the letter...And, I am able to sign the letter prior to Rich’s retirement party.” (“Email 11”)

³ Our review focused on emails sent between or among the Board concerning Chief Rochon’s departure. We note that there were several other one-way communications sent by the Town Manager to the Board for its reference only. Such emails would not implicate the Open Meeting Law. See OML 2013-32; OML 2012-105.

DISCUSSION

The Open Meeting Law was enacted “to eliminate much of the secrecy surrounding deliberations and decisions on which public policy is based.” Ghiglione v. School Board of Southbridge, 376 Mass. 70, 72 (1978). The Open Meeting Law therefore requires that “[e]xcept as provided in [G.L. c. 30A, § 21(a)], all meetings of a public body shall be open to the public.” G.L. c. 30A, § 20(a). “Meeting” is defined, in part, as “a deliberation by a public body with respect to any matter within the body’s jurisdiction.” G.L. c. 30A, § 18. The Law defines “deliberation,” in relevant part, as “an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction.” Id.

We find that Emails 1 and 5 did not constitute improper deliberation because they were one-way communications to the Board from the Town Manager, who is not a member of the Board. However, Emails 2, 3, and 4 constituted improper deliberation outside of an open meeting. In Emails 2 and 3, Chair Ross and Mr. Hazelton discussed items of public business within the Board’s jurisdiction by sending amendments to and questions about the draft agreement to the entire Board. The agreement was ultimately presented to the Board for its approval during its July 17, 2013 meeting,⁴ and was clearly a matter of public business within the Board’s jurisdiction.

Additionally, just as the Chair Ross’ and Mr. Hazelton’s emails should not have been sent to the entire Board, the Town Manager’s response to Mr. Hazelton’s questions about the draft agreement in Email 4 should not have included the rest of the Board. A public body may not use a non-member, such as the Town Manager, to communicate on matters that the Board would otherwise save for discussion at an open meeting. See District Attorney for the Northern District v. School Board of Wayland, 455 Mass. 561, 570-571 (2009) (“Governmental bodies may not circumvent the requirements of the open meeting law by conducting deliberations via private messages, whether electronically, in person, over the telephone, or in any other form.”). While the Town Manager may send one-way communications to the Board, she may not facilitate communication between Board members. See OML 2012-105.⁵ The Town Manager’s email constituted an improper deliberation among the Board through a third party. Accordingly, the opinions, questions, comments and revisions concerning the draft agreement in Emails 2, 3, and 4 should not have been shared with a quorum of the Board’s members outside of a properly posted open meeting.

⁴ The Board cited attorney-client privilege as the purpose for several executive sessions held in July 2013 concerning this matter. While a public body may meet in executive session to communicate with counsel, it may do so only for one of the enumerated purposes for executive session. See District Attorney for Plymouth District v. Board of Selectmen of Middleborough, 395 Mass. 629, 633 (Mass. 1985). The attorney-client privilege is not an explicitly enumerated purpose for which a public body may enter executive session. OML 2012-55; OML 2010-6. Those minutes have since been released to the public. Therefore, we do not address the propriety of these closed door discussions, and we note that these discussions with counsel could not be otherwise conducted by email.

⁵ Open Meeting Law determinations may be found at the Attorney General’s website, www.mass.gov/ago/openmeeting.

Finally, while we do not find a violation, we note our concern about the content of one of the emails sent concerning Chief Rochon's farewell letter. The signing of a form farewell letter to a retiring employee may be considered an administrative task and thus permitted by the Open Meeting Law; however, Mr. Hazelton's substantive revisions to the letter in Email 8 about Chief Rochon's accomplishments as Fire Chief should have been reserved for the Board's consideration during an open meeting. In discussing Chief Rochon's accomplishments, Mr. Hazelton's revisions went beyond merely administrative edits, such as correcting spelling mistakes. Determining which tasks are merely "administrative" can be challenging and email communication between a quorum of public body members — however innocent — easily may create the appearance of secret deliberation. See OML 2014-2; OML 2013-130. Therefore, our best advice continues to be that members of public bodies not communicate over email at all except for distributing meeting agendas, scheduling meetings, and distributing documents to be discussed at meetings.

CONCLUSION

We find that the Board violated the Open Meeting Law by sending electronic communications discussing public business within its jurisdiction to a quorum of the Board. We order immediate and future compliance with the Open Meeting Law, and caution that future similar conduct may be considered evidence of intent to violate the Open Meeting Law. Additionally, we order the Board to publicly disclose Emails 2, 3, and 4 at the Board's next meeting.

We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with our office or the Board. Please feel free to contact our office at (617) 963-2540 if you have any questions.

Sincerely,



Hanne Rush

Assistant Attorney General

Division of Open Government

cc: Samantha Allen, Lowell Sun
Westford Board of Selectmen

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by this order may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty one days of receipt of this order.

Emailed
8.6.14

3.12

Town of Townsend
Highway Department
PO Box 621
177 Main St
Townsend, MA 01469
(978) 597-1712

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

Date: 8.6.14

Town of Townsend
Highway Superintendent
PO Box 621
Townsend, MA 01469

To Whom it May Concern:

The Undersigned, Unitil Fitchburg Gas & Electric hereby applies for permission to: open Road
to install Gas Service at
24 Worcester Rd

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

Start Date: _____

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

(Company Representative)
285 John Fitch Hwy

(Street Address)
Fitchburg, MA 01420

(City, State, Zip)

(Telephone)

Approved/Disapproved: Highway Superintendent: E. Bell Date: 8-5-14
Approved/Disapproved: Board of Selectmen: _____ Date: _____

email
7/30/14

Town of Townsend
Highway Department
PO Box 621
177 Main St
Townsend, MA 01469
(978) 597-1712

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

Date: 7.30.14

Town of Townsend
Highway Superintendent
PO Box 621
Townsend, MA 01469

To Whom it May Concern:

The Undersigned, Unitil Fitchburg Gas & Electric hereby applies for permission to: open Road
24 main st

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

Start Date: _____

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

Kevin Moore
(Company Representative)
285 John Fitch Hwy
(Street Address)
Fitchburg, MA 01420
(City, State, Zip)
978-353-3221
(Telephone)

Approved/Disapproved: Highway Superintendent: _____
Approved/Disapproved: Board of Selectmen: _____

Date: 8.4.14
Date: _____

Email
8.1.14

Town of Townsend
Highway Department
PO Box 621
177 Main St
Townsend, MA 01469
(978) 597-1712

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

Date: 8.1.14

Town of Townsend
Highway Superintendent
PO Box 621
Townsend, MA 01469

To Whom it May Concern:

The Undersigned, Unitil Fitchburg Gas & Electric hereby applies for permission to: _____

OPEN Road at 67 W Elm St
to install Gas Service

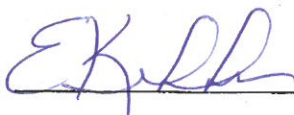
A \$100.00 permitting fee is now required with all applications.

Start Date: _____

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

Kevin Moore
(Company Representative)
285 John Fitch Hwy
(Street Address)
Fitchburg, MA 01420
(City, State, Zip)
978-353-3221
(Telephone)

Approved/Disapproved: Highway Superintendent: _____
Approved/Disapproved: Board of Selectmen: _____



Date: 8-4-14
Date: _____

**TOWN OF TOWNSEND
272 MAIN STREET, TOWNSEND, MA 01469**

NOTICE OF APPROVAL OF SPECIAL PERMIT

This is to certify that: **TERRI ROY**

V.F.W. Post #6538 491A Main Street West Townsend, MA

**THE ABOVE NAMED NON PROFIT ORGANIZATION IS HEREBY
GRANTED A SPECIAL LICENSE FOR THE SALE OF ALL
ALCOHOLIC BEVERAGES, TO BE DRUNK ON THE PREMISES**
Under Chapter 138, Section 14, of the Liquor Control Act.

In conjunction with a **“Wedding Reception”** to be held on **August 23, 2014**, with
sale hours from **5:00P.M. to 9:00P.M.**

The license is granted in conformity with the Statutes and ordinances relating
thereto, and expires **August 23, 2014** unless sooner suspended or revoked.

Date: 08/12/14

THE LOCAL LICENSING AUTHORITIES

SEE ATTACHED CONDITIONS OF LICENSE



yn

The Commonwealth of Massachusetts
The Alcoholic Beverages Control Commission
238 Causeway Street, Suite 200
Boston, MA 02114

Telephone (617) 727-3040
Fax (617) 727-1258

NOTICE OF APPROVAL OF SPECIAL LICENSE

The Local Licensing Authorities of the within named City or Town have approved, pursuant to the provisions of Chapter 138 Section 14, issuance of a Special License as described herein.

City/Town: Townsend
Date of Local Authority Approval: August 12, 2014
Name of Licensee: Terri Roy
Address of Licensee: 491A Main Street, Townsend, MA
Effective Date or Dates of License: August 23, 2014
Authorized Hours of Sales: 5:00P.M. to 9:00P.M.
Description of the Licensed Premises: VFW Post 6538, 491A Main Street, West Townsend MA in conjunction with a "Wedding Reception."

License is for sale of:
All Alcoholic Beverages: X
Wines and Malt Beverages Only:
Wines Only:
Malt Beverages Only:

The Licensed Activity or Enterprise is:
For profit:
Non-profit: X

Is the license for a dining hall maintained by an incorporated educational institution authorized to grant degrees? _____.

Restrictions attached to the license by the local authority: SEE ATTACHED

THE LOCAL LICENSING AUTHORITY

By: _____



TOWN OF TOWNSEND
One-day Special License Application Form
(M.G.L. Chapter 138, Section 1)

Terris Roy
Name of Responsible Person/License Holder

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

8-23-14 4 5pm - 9pm
Date of Event Hours of Event

Wedding Reception
Type of Event/Sponsors

Number of people expected at event: 60

Police Detail Required: YES [] NO [] (Please consult with Licensing Agent)

Type of Beverages to be served: All Alcoholic [] Wine & Malt only []

United Liquors
Name of licensed wholesaler

Servers trained in serving and handling alcohol: YES [] NO []

By signing below I certify that I am in receipt of the Town of Townsend Alcohol Beverages Policy Guidelines and agree to the terms and conditions set forth under section V. - One-day Special Licenses.

Terris Roy
Signature of License Holder

8-1-14
Date

Date Application Received: _____

Date sent to licensing Agent for review: _____

**TOWN OF TOWNSEND
272 MAIN STREET, TOWNSEND, MA 01469**

NOTICE OF APPROVAL OF SPECIAL PERMIT

This is to certify that:

TERRI ROY

V.F.W. Post #6538

491A Main Street

West Townsend, MA

**THE ABOVE NAMED NON PROFIT ORGANIZATION IS HEREBY
GRANTED A SPECIAL LICENSE FOR THE SALE OF ALL
ALCOHOLIC BEVERAGES, TO BE DRUNK ON THE PREMISES**
Under Chapter 138, Section 14, of the Liquor Control Act.

In conjunction with a "Jack & Jill" to be held on **September 13, 2014**, with sale hours from **7:00P.M. to 11:00P.M.**

The license is granted in conformity with the Statutes and ordinances relating thereto, and expires **September 13, 2014** unless sooner suspended or revoked.

Date: 08/12/14

THE LOCAL LICENSING AUTHORITIES

SEE ATTACHED CONDITIONS OF LICENSE



yn

The Commonwealth of Massachusetts
The Alcoholic Beverages Control Commission
238 Causeway Street, Suite 200
Boston, MA 02114

Telephone (617) 727-3040
Fax (617) 727-1258

NOTICE OF APPROVAL OF SPECIAL LICENSE

The Local Licensing Authorities of the within named City or Town have approved, pursuant to the provisions of Chapter 138 Section 14, issuance of a Special License as described herein.

City/Town: Townsend
Date of Local Authority Approval: August 12, 2014
Name of Licensee: Terri Roy
Address of Licensee: 491A Main Street, Townsend, MA
Effective Date or Dates of License: September 13, 2014
Authorized Hours of Sales: 7:00P.M. to 11:00P.M.
Description of the Licensed Premises: VFW Post 6538, 491A Main Street, West Townsend MA in conjunction with a "Jack & Jill."

License is for sale of:
All Alcoholic Beverages: X
Wines and Malt Beverages Only:
Wines Only:
Malt Beverages Only:

The Licensed Activity or Enterprise is:
For profit:
Non-profit: X

Is the license for a dining hall maintained by an incorporated educational institution authorized to grant degrees? _____.

Restrictions attached to the license by the local authority: SEE ATTACHED

THE LOCAL LICENSING AUTHORITY

By: _____



TOWN OF TOWNSEND
 One-day Special License Application Form
 (M.G.L. Chapter 138, Section 1)

Terr Roy
 Name of Responsible Person/License Holder

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

9-13-14 4 7pm - 11pm
 Date of Event Hours of Event

Jack + Jill
 Type of Event/Sponsors

Number of people expected at event: 75-100

Police Detail Required: YES [] NO (Please consult with Licensing Agent)

Type of Beverages to be served: All Alcoholic Wine & Malt only []

United Liquors
 Name of licensed wholesaler

Servers trained in serving and handling alcohol: YES NO []

By signing below I certify that I am in receipt of the Town of Townsend Alcohol Beverages Policy Guidelines and agree to the terms and conditions set forth under section V. - One-day Special Licenses.

Terr Roy
 Signature of License Holder

9-1-14
 Date

Date Application Received: _____

Date sent to licensing Agent for review: _____

**TOWN OF TOWNSEND
272 MAIN STREET, TOWNSEND, MA 01469**

NOTICE OF APPROVAL OF SPECIAL PERMIT

This is to certify that:

TERRI ROY

V.F.W. Post #6538

491A Main Street

West Townsend, MA

**THE ABOVE NAMED NON PROFIT ORGANIZATION IS HEREBY
GRANTED A SPECIAL LICENSE FOR THE SALE OF ALL
ALCOHOLIC BEVERAGES, TO BE DRUNK ON THE PREMISES**
Under Chapter 138, Section 14, of the Liquor Control Act.

In conjunction with a “**40th Birthday Party**” to be held on **September 27, 2014**,
with sale hours from **7:00P.M. to 11:00P.M.**

The license is granted in conformity with the Statutes and ordinances relating
thereto, and expires **September 27, 2014** unless sooner suspended or revoked.

Date: 08/12/14

THE LOCAL LICENSING AUTHORITIES

SEE ATTACHED CONDITIONS OF LICENSE



yn

The Commonwealth of Massachusetts
The Alcoholic Beverages Control Commission
238 Causeway Street, Suite 200
Boston, MA 02114

Telephone (617) 727-3040
Fax (617) 727-1258

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Address of Licensee: 491A Main Street, Townsend, MA
Effective Date or Dates of License: September 27, 2014
Authorized Hours of Sales: 7:00P.M. to 11:00P.M.
Description of the Licensed Premises: VFW Post 6538, 491A Main Street, West Townsend MA in conjunction with a "40th Birthday Party."

License is for sale of:
All Alcoholic Beverages: X
Wines and Malt Beverages Only:
Wines Only:
Malt Beverages Only:

The Licensed Activity or Enterprise is:
For profit:
Non-profit: X

Is the license for a dining hall maintained by an incorporated educational institution authorized to grant degrees? _____.

Restrictions attached to the license by the local authority: SEE ATTACHED

THE LOCAL LICENSING AUTHORITY

By: _____



TOWN OF TOWNSEND
One-day Special License Application Form
(M.G.L. Chapter 138, Section 1)

Terri Roy
Name of Responsible Person/License Holder

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

9-27-14 4 7-11pm
Date of Event Hours of Event

40th Birthday Party
Type of Event/Sponsors

Number of people expected at event: 50

Police Detail Required: YES [] NO [] (Please consult with Licensing Agent)

Type of Beverages to be served: All Alcoholic [] Wine & Malt only []

United Liquor
Name of licensed wholesaler

Servers trained in serving and handling alcohol: YES [] NO []

By signing below I certify that I am in receipt of the Town of Townsend Alcohol Beverages Policy Guidelines and agree to the terms and conditions set forth under section V. - One-day Special Licenses.

Terri Roy
Signature of License Holder

Date

Date Application Received: _____

Date sent to licensing Agent for review: _____

TOWN OF TOWNSEND

A.1

REQUEST FOR RE/APPOINTMENT TO
BOARD, COMMITTEE OR COMMISSION

- Name: Joseph Sullivan
First, Middle Initial and Last Name/If registered voter, then as registered.

- Address, including P.O. Box Number (if applicable), Town, Zip Code:
16 Virga Lane
Townsend
MA 01469

- Telephone Number: 978-597-5184

- Position: TEMA member

- Term Expiration Date: June 30, 2017

- Current Term Expiration: —

- Note if filling unexpired term of a former member: —

- Signature of Board, Committee or Commission Chair or designee:
Shirley A. Coak

Please return this form to:

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