



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  
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**SELECTMEN'S MEETING AGENDA**  
**AUGUST 26, 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:
  - Open session minutes: May 20, 2014, June 3, 2014, June 17, 2014, June 25, 2014, July 1, 2014, July 7, 2014, July 15, 2014, and July 31, 2014
  - Executive session minutes: June 17, 2014 and July 1, 2014.

**II APPOINTMENTS AND HEARINGS**

- 2.1 7:05 Continuation of 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 7:15 Council on Aging Director: Ed Snapp, chairman of the screening committee, will be present to discuss the recruitment of a COA Director. Votes may be taken.
- 2.3 7:20 Fire-EMS Chief Mark Boynton to discuss on-call pay. Votes may be taken.

**III MEETING BUSINESS**

- 3.1 Review and approve staffing plan for Treasurer/Collector's Office. Votes may be taken.
- 3.2 Review and approve c. 90 reimbursement request for Hamilton Hill Road in the amount of \$10,212.32. Votes may be taken.
- 3.3 Discuss dates for Special Town Meeting; vote to open the warrant; set date for warrant articles. Votes may be taken.
- 3.4 Update on FY15 capital borrowing. Votes may be taken.
- 3.5 Discuss creation of Sustainability Committee. Votes may be taken.
- 3.6 Discuss Town Administrator and Board of Selectmen goals for 2014. Votes may be taken.
- 3.7 Review and approve auction permit for an auction to be held on September 13, 2014, from 9:00am-4:00pm. Votes may be taken.
- 3.8 Review mandatory referral notice from the Planning Board related to proposed amendments to the zoning bylaw. Votes may be taken.
- 3.9 Announce 25<sup>th</sup> Anniversary celebration of Atwood Acres, 66 Dudley Road, on September 5, 2014, from 11:30-3:00PM. Votes may be taken.

**IV APPOINTMENTS OF PERSONNEL/OFFICIALS:**

- 4.1 Review the request of the Council on Aging to appoint Jane Jackson to the COA Board with a term from July 1, 2014 to June 30, 2015. Votes may be taken.

**V WORK SESSION**

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



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1.4

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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 and attached to the minutes. 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 Gabrilksa 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 8<sup>th</sup> 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 Kukula, Highway Superintendent, for a transfer of appropriations in the amount of \$30,000 from wages to expenses: CS moved to approve the request for the transfer of appropriations in the amount of \$30,000 to be transferred from the Wages & Operations Staff account 04-421-5110 to the Public Supplies account 04-422-5530 and equipment repair, CS amended the motion to be transferred to expenses as no breakdown. 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 the 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. 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 EMS proclamation and to sign it outside of the meeting. 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 the Maria Lane Scholarship 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 review and sign the bills payable warrant outside of the meeting. CM seconded. Unanimous. CS moved to review and sign the payroll warrant outside of the meeting. CM seconded. Unanimous.

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

*Note: documents used or referenced during the meeting are available at [http://www.townsend.ma.us/Pages/TownsendMA\\_BOSAgenda/](http://www.townsend.ma.us/Pages/TownsendMA_BOSAgenda/) or in the Selectmen's Office.*



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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 from Ed Kukkula, Highway Superintendent to award a contract for milling to PJ Albert, Inc. in the amount of \$1.66/square yard. 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 the 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. 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 the request for a One Day Liquor License to Terri Roy to be held at the VFW Post 6538 for a Baby Shower on June 14, 2014 with serving hours from 12:00-4:00PM. 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 the petition of Unitil and Verizon to install a utility pole on Bayberry Hill Road approximately 160' east of the intersection of New Fitchburg Road 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 the 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 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 the bond in the amount of \$150,000 with Eastern Bank, CS amended the motion to approve and sign the BAN. 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 to Dwayne Lavangy of DEP on the Sustainable Water Management Initiative with comments on the draft. 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 municipal relief transfer request in the amount of \$30,000 to be transferred to the Equipment Rental Account 04-440-5270 from the Health Insurance Account 001-09-114-5740. CM seconded. Unanimous.

- 3.6 Review request of Unifit 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 the application to Cross, Alter and/or Construct in a Town Way for installation of gas services at 43 Mason Street and 23 Smith Street as approved by Ed Kukkula, Highway Superintendent. 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 the One Day Liquor License request to Terri Roy for the VFW Post 6538 for a Wedding Reception on June 14, 2014 with serving hours from 7:00-11:00PM. 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 the One Day Liquor License request to Terri Roy to held at the VFW Post 6538 for a Wedding Reception to be held on June 21, 2014 with serving hours from 2:30-6:30PM. 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 on the Library. 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 25<sup>th</sup>. 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 the contract extensions request by Ed Kukkula, Highway Superintendent for the materials bids for FY15 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 1<sup>st</sup> 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 20<sup>th</sup> anniversary with the town today by announcing her retirement on June 11<sup>th</sup>.
- 5.3 Review and sign payroll and bills payable warrants: CS moved to review and sign bills payable and payroll warrant out of session. CM seconded. Unanimous.

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

*Note: documents used or referenced during the meeting are available at [http://www.townsend.ma.us/Pages/TownsendMA\\_BOSAgenda/](http://www.townsend.ma.us/Pages/TownsendMA_BOSAgenda/) or in the Selectmen's Office.*





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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 1<sup>st</sup>. 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 5<sup>th</sup> 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 275<sup>th</sup> 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 25<sup>th</sup> in conjunction with the events the 5<sup>th</sup> 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 the contract with Weston & Sampson Engineers to provide landfill monitoring and reporting. 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 25<sup>th</sup> 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 75<sup>th</sup> 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 a One Day Liquor License for the 75<sup>th</sup> Anniversary of the Townsend Rod & Gun Club to be held on August 23, 2014 from 12-6PM at the Townsend Rod & Gun Club. 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 25<sup>th</sup> 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 the municipal relief transfer in the amount of \$1,500 to be transferred to Board of Health Professional Services account 001-05-5300 to be transferred from the Landfill Professional Services Account 001-04-5300. 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 the municipal relief transfer in the amount of \$3,000 to be transferred to the Treasurers Salary Account 145-5100 to be transferred from the Collectors Salary Account 146-5100. 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 the municipal relief transfer in the amount of \$3,000 to be transferred from the General Liability Account #914-5740 to be transferred to the Legal Services Account 151-5300. 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 the municipal relief transfer in the amount of \$8,000 to be transferred from Health Insurance Account 914-5740 to be transferred to the Facility Dept. Energy Account 191-5240. 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 the municipal relief transfer in the amount of \$600 to be transferred from the Interest on Short Term Borrowing Account 729-5925 and to be transferred to the Plumbing Inspectors Account 243-5710. 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 the request of Unitil to cross, alter, and/or construct in a Town way for installation of a gas service at 8 South Street. 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 that the Board accept the generous \$6,000 donation from the Give Back Ride organization to the Townsend Police Dept. Gift & Donation Account. 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 with HP Fairfield for a Johnson Back Sweeper model VT650 contingent on review by our 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 FY15 annual appointments of Personnel and Officials as attached to the record with the addition of Karen Chapman for a term effective July 1, 2014 to June 30, 2017 and Jenifer Pettit with a term effective July 1, 2014 to June 30, 2017 to the Townsend Conservation Commission, CS moved to amend motion to not include Karen Chapman and Jennifer Pettit. 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 into executive session under MG L c. 30A, s. 21(a)(3) to discuss strategy with respects to the Telecommunications Union and adjourn from executive session. CM seconded. CS: aye, CM: aye, SL: aye.

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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 Jeffs Street and the south side of Highland Ext. CS moved to endorse the temporary traffic changes associated with the circus at Spaulding Field on July 10, 2014. 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 as allowed by contract. 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 as stated in his contract. 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 of appropriations in the amount of \$5,000 from curbside trash and recycling to Board of Health operations. 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 of appropriations in the amount of \$500 from interest on short term loans to Facilities Dept. wages. 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 of appropriations in the amount of \$12,500 from Fire-EMS Dept. wages to Fire-EMS Dept. new equipment. CM seconded. Unanimous.
- 3.15 Review and sign Warrant for the September 9, 2014 State Primary Election. CS moved to approve and sign the election warrant for the September 9, 2014 State Primary Election. 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 for a one-year term; July 1, 2014 through June 30, 2015. CM seconded. Unanimous.
- 3.3 Review and approve bid for fuel. CS moved to approve and award for a three year term to expire June 30, 2017 and sign the contract. 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 approve the warrant out of session pending confirmation of location and sign the warrant out of session. 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.

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**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 the request from the Recreation Commission to increase their revolving account spending authorization by an additional \$8,000 to \$67,000 for the year in accordance with c. 44, s. 53E1/2. 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 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. 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 a one year extension of Agreement for Government Access Television and Related Services with Radio Engineering Associates. 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 the 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. 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 the 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. 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 Carrin Cullota to the Meeting Hall Gallery Committee for a term from July 1, 2014 to June 30, 2016. CM seconded. Unanimous.
- 4.2 Vote to appoint John DeAngelillo to the Fire-EMS Headquarters Building Committee: CS moved to appoint John DeAngelillo to the Fire-EMS Headquarters Building Committee. 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 Jerrilyn Bozicas as Associate Member of Planning Board for a one year term from July 1, 2014 to June 30, 2015. 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 21<sup>st</sup> 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 5<sup>th</sup> 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 31<sup>st</sup> 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 12<sup>th</sup>.

- 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.

*Note: documents used or referenced during the meeting are available at [http://www.townsend.ma.us/Pages/TownsendMA\\_BOSAgenda/](http://www.townsend.ma.us/Pages/TownsendMA_BOSAgenda/) or in the Selectmen's Office.*



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 MINUTES**  
**JULY 31, 2014, 6:00 P.M.**  
**HAWTHORNE BROOK MIDDLE SCHOOL**  
**64 BROOKLINE ROAD, TOWNSEND**

**I PRELIMINARIES**

- 1.1 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.
- 1.2 Chairman's Additions or Deletions: The Chairman announced the deletion of 3.2 - Review and sign documents for the \$729,285 borrowing for capital improvements.
- 1.4 Approval of meeting minutes: None

**II APPOINTMENTS AND HEARINGS - None**

**III MEETING BUSINESS**

- 3.1 Review and discuss alternative gas pipeline route proposed by Beaver Brook Association and review draft correspondence: Mr. Sheehan gave an overview of the Beaver Brook Association and its proposed alternative routes. He submitted a drafted letter to the Board. CS moved to sign as attached and forward the letter to the Beaver Brook Association. CM seconded. Unanimous.
- 3.3 Discussion of public records request: Mr. Sheehan summarized the request for about five (5) years of emails from Leslie Gabriliska and Karen Chapman. CS requested this be added to the agenda for the next meeting. After discussion, Mr. Sheehan said he will check with the Secretary of State's office.
- 3.4 Pipeline Coalition update: Mr. Sheehan gave an update on the progress of the coalition. He read the mission statement into the record. They are concerned that the affected properties don't have representation in the process. The North Middlesex Council of Governments has given its assistance.
- 3.5 Review and approve chapter 90 Project Request from Ed Kukkula, Highway Superintendent, in the amount of \$308,000 to reclaim and pave the entire length of Emery Road. CS moved to approve the chapter 90 Project Request from Ed Kukkula, Highway Superintendent, in the amount of \$308,000 to reclaim and pave the entire length of Emery Road. CM seconded. Unanimous.
- 3.6 Review request of Unitil to cross, alter, or construct within a public way for installation of a gas service at 62 South Harbor Road. CS moved to approve the request of Unitil to cross, alter, or construct within a public way for installation of a gas service at 62 South Harbor Road. CM seconded. Unanimous.
- 3.7 Review request of Unitil to cross, alter, or construct within a public way for installation of two services, one for home and one for business, at 77 Emery Road: CS moved to approve the request of Unitil to cross, alter, or construct within a public way for installation of two services, one for home and one for business, at 77 Emery Road. CM seconded. Unanimous.

**IV APPOINTMENTS OF PERSONNEL/OFFICIALS**

- 4.1 Review and approve recommendation for the position of Highway Department Fleet Mechanic: Mr. Sheehan alerted the Board that we have been without a fleet mechanic for about a year. Superintendent Ed Kukkula recommends the hiring of Alex Luther. He is currently with the Town of Chelmsford. Discussion ensued with regard to his services being shared by the Fire Department. SL suggested the word "highway" be deleted with reporting responsibility remaining with the Highway Superintendent. After more discussion, CS moved to approve the recommendation of Alex Luther for the position of Highway Department Fleet Mechanic contingent on a physical exam and a six (6) month probationary period. CM seconded. Unanimous.
- 4.2 Review and approve recommendation for the position of Building Department Assistant: Mr. Sheehan explained that Sherry Vaughan is retiring and her recommended replacement, Janet Leavitt, has helped there in the past. The new position would be 26 hours a week whereas it was previously 30. CS expressed concern with the difference of salary. SL asked if this would fall under a transfer since Ms. Leavitt currently works for another department within the town. Mr. Sheehan noted that both positions are in the same grade but at different levels. Typically within the grade they would retain their salary even if they were more highly paid. CM noted that Ms. Leavitt has worked for the town for 15 years. CS voiced that she would not be comfortable paying the higher salary. SL reviewed the matrix and found the rate to be below the maximum of \$20.22, but once she reaches that level she will be maxed out. CS reiterated that she will not support the \$19.75 per hour request. CM moved to approve the recommendation of Janet Leavitt for the position of Building Department Assistant at \$19.73 per hour for 26 hours a week at Grade 3, step 9. After more discussion CS seconded. Passed 2-1 with CS opposed.

## **V WORK SESSION**

- 5.1 Board of Selectmen updates and reports: None.
- 5.2 Town Administrator updates and reports: None
- 5.3 Review and sign payroll and bills payable warrants: CS moved to take no action. CM seconded. Unanimous.

CS moved to recess to Special Town Meeting at 6:52PM and adjourn immediately thereafter. CM seconded. Unanimous.

*Note: documents used or referenced during the meeting are available at [http://www.townsend.ma.us/Pages/TownsendMA\\_BOSAgenda/](http://www.townsend.ma.us/Pages/TownsendMA_BOSAgenda/) or in the Selectmen's Office.*

**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.



**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

2.1

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

Colin McNabb, *Vice-Chairman*

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

**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

598-T

**HIGHWAY SUPT.**

(Petition for Original Pole Location)

Townsend, MA

May 9, 2013

RECEIVED  
JUN 24 2014

TOWN OF TOWNSEND  
TOWN CLERK

To the Selectmen of the Town of Townsend:

Unitil and Verizon New England Inc., Companies duly incorporated respectively for the transmission of electricity for lighting, heating and power, respectfully 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 public 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 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, handholes, 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 05/09/13".

UNITIL

By  
Keith Caribo  
Manager Technical Systems

VERIZON NEW ENGLAND INC.

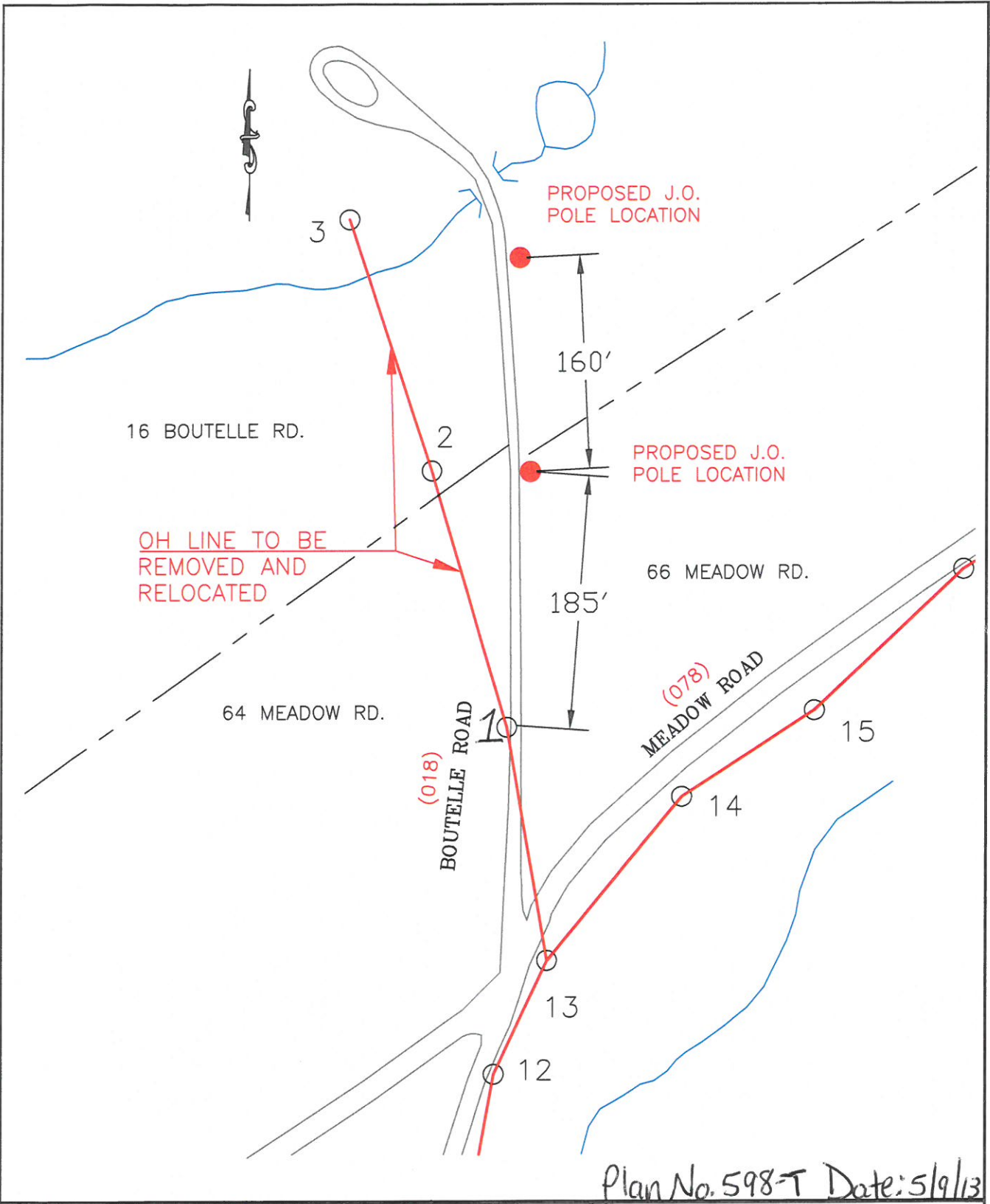
By

Town of Townsend

20

Received and filed.

Town Clerk



Plan No. 598-T Date: 5/9/13

REV.	DESCRIPTION	BY	DATE	CHK	APR

REVISIONS

DRAWN  
JNM

CHECKED  
JD

APPROVED  
JD



POLE PETITION  
TOWNSEND, MA.  
BOUTELLE RD


SCALE	DATE	SHEET	DRAWING NO.
1" = 100'	5/7/13	1 of 1	FAG0300



**TOWN OF TOWNSEND**

*Highway Department*  
177 Main Street  
Townsend, Massachusetts 01469  
(978) 597-1712  
FAX: (978) 597-0726

**MEMORANDUM**

**Date:** June 27, 2014  
**To:** Board of Selectmen  
**From:** Ed Kukkula, Highway Superintendent   
**Subject:** Telephone Pole Installation Request

The Highway Department does not see any issues with having Unitil install two (2) electric poles on Boutelle Road.

Please contact me if you have any further questions or concerns regarding this matter.



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

2.2


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*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 22, 2014

SUBJ.: Council on Aging Director  
Update on Recruitment Process

---

Since the last Board of Selectmen meeting I have had a number of conversations with Screening Committee member Ed Snapp. I have also communicated with the committee's preferred candidate, Kimberly Dee.

As I mentioned at the last meeting Ms. Dee is unable to accept the job at the budgeted salary as it is significantly below her current salary. It is not clear if there is another finalist acceptable to the committee who would accept the position at the available salary. Before the process can move forward the Board of Selectmen must provide direction. I see the following options available:

1. Negotiate a salary with Ms. Dee contingent on a supplemental appropriation at the Fall Town Meeting. If successful, this would leave the position vacant until after Town Meeting. The exact timing will depend on the date of Town Meeting and the amount of notice Ms. Dee needs to provide her current employer.
2. Ask the Committee for their next choice and try to come to an agreement with that person.
3. Cancel the recruitment, ask Fall Town Meeting for additional funds, and if successful commence the recruitment process from the beginning. An updated salary comparison from HRS could be part of this process. This would likely leave the position vacant until after the New Year.
4. Cancel the recruitment, dilute the credentials and duties of the position, and commence the recruitment process from the beginning. This would require reclassifying the position to reflect the lower standards. This would likely leave the position vacant until after the New Year. I do not recommend this option.

Salary is not the only consideration when recruiting an external candidate, especially a department head with supervisory responsibilities. In order to be competitive in the market we must offer a competitive wage and benefits package. A professional coming into this position is likely to balk at the vacation benefit offered in our personnel rules. The personnel rules provide for one week of vacation after 6 months of service, two weeks after a year, etc. We are precluded from entering into a contract for this position. Therefore, I recommend that the Board be prepared to make an offer that includes vacation leave greater than that provided by the personnel rules.

I look forward to discussing this in more detail.



# TOWNSEND FIRE-EMS DEPARTMENT

*Proudly serving the citizens of Townsend since 1875*

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

2.3

Headquarters: 978-597-8150

Fax: 978-597-2711

Mark R. Boynton  
Chief of Department

**To:** Andrew Sheehan, Town Administrator  
**From:** Mark R. Boynton, Fire-EMS Chief *(MRB)*  
**Subject:** Compensation for Personnel Duty Officers  
**Date:** August 21, 2014

The nature of an on-call fire-ems department leaves some uncertainty by never knowing if anyone is around to respond. Current staffing levels provide two EMS personnel 24/7 and fire personnel during the week days leaving us with uncertainty week nights and weekends. This is problematic, particularly on weekends and holidays with an easy solution. A Duty Officer or On-Call Officer is a common practice in the fire service. The roll of the officer is to be an insurance policy. The assigned individual is an officer of the department capable of making decision in the best interest of the town. They are not assigned to a station and may carry out their personal business at home or around town but must remain in town and available via cell phone and able to respond at a moments notice. By assigning a Fire Officer to be available nights and weekends as a Duty or On-Call officer we assure that at a very minimum one responsible member will respond to all incidents, supervise subordinate members, and make decision in the best interest of the town and its citizens.

After a few incidents over the summer when some of our newer firefighters were the only ones to response the officers agreed having on-call officers would be in the best interest of the Department and the town. Beginning August 4<sup>th</sup> the officers of the department volunteered to serve one week periods on a rotating basis as the duty or on-call officer with no compensation. They have remained in town and available from 6pm at night until 6am in the morning on assigned week nights and from 6pm Friday night until 6 am Monday morning on assigned weekends.

As the Chief of the Department I have committed to providing compensation to these officers for their commitment to the town. With your permission I would like to use existing funds within the budget to compensate the officers of the department \$100 for each week they are on call.





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3.1


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## MEMORANDUM

TO: Board of Selectmen

FROM: Andrew J. Sheehan, Town Administrator 

DATE: August 21, 2014

SUBJ.: Staffing Plan  
Treasurer-Collector's Office

---

### Introduction

At the August 12, 2014 meeting I updated the Board on the status of tax collections. I also briefly discussed the historic understaffing in the Treasurer-Collector's Office and said that I would bring forth a staffing proposal for the Board's consideration.

Until last autumn, staffing in the Treasurer-Collector's Office consisted of the full time Treasurer-Collector, the full time Assistant Treasurer-Collector, and 10-hour per week Payroll Clerk. Supplemental staffing assistance was provided by a participant in the senior tax work-off program who also donated time at heavy collection periods during the year. This staffing level was insufficient for an office with this volume of work. The inadequate staffing, not the ability of the staff, was directly responsible for the office falling behind in delinquencies, tax title, and similar functions.

### Staffing Plan and Summary of Operations

Over the past several months the Interim Treasurer, Interim Collector, department staff, and I have evaluated the needs of the office. We offer this staffing plan in an effort to provide sufficient staff to address all of the duties of the office. This plan takes into consideration the recent implementation of lock box, the eventual relocation of Water Collections, and the use of lock box for Water Collections. It also assumes implementation of bi-weekly payroll and mandatory direct deposit, both of which free up staff for more important tasks while having negligible impact on employees. We expect that this staffing plan will be sufficient over the long term. However, the

utilization of lock box and the impact of Water Department collections may necessitate further adjustments.

In summary, we propose to formally combine the Treasurer-Collector as a full time position, retain the full time Assistant Treasurer-Collector, add a Department Assistant, and add a Collections Clerk. The Payroll Clerk position is proposed to be eliminated. The Department Assistant and Collections Clerk will be stationed at the counter and will receive and process most of the payments. The counter will be modified to allow for two people to collect simultaneously. The Treasurer-Collector and Assistant Treasurer-Collector will be available to assist at the counter when needed.

### **Positions**

*Treasurer-Collector:* I propose creating a combined full time Treasurer-Collector. This is the most widely used model for small- and mid- sized communities like Townsend. A combined position provides continuity of operations, full time oversight of staff, and full time presence that can cover any position. Kathy Rossbach held both positions separately, the elected Collector and appointed Treasurer. Therefore, the compensation and classification study did not evaluate a combined Treasurer-Collector. I recommend sending the combined position to HRS for evaluation and slotting into the compensation and classification plan.

*Assistant Treasurer-Collector:* I propose retaining this full time position. The incumbent has proven herself to be a valuable member of the staff and I believe she has great upside potential. The focus of the position will be modified away from the front counter to allow her to provide more assistance to the higher end duties of the office. We need to enable her to continue developing her skills. Eventually she will be in a position to assume the duties of Treasurer-Collector. Succession planning is often overlooked and this is an opportunity to plan for the future.

### *Department Assistant:*

I recommend creation of a Department Assistant position at 30 hours per week. This position will be responsible for staffing the Collections counter, posting collections, preparing payroll, and performing similar tasks. Department Assistant already exists on Grade 3 on the compensation and classification plan and no further study is needed. The position of Payroll Clerk would be eliminated.

### *Collections Clerk:*

I recommend the creation of a Collections Clerk at 18 hours per week. This position will receive collections at the counter, post collections, and perform related tasks. This position does not exist on the compensation and classification plan. I recommend placing it in Grade 2 as it is similar to the Billing Clerk in the Water Department. Alternatively, we can send the position to HRS to be classified.

### **Cost**

The total cost of the proposed personnel changes cannot be accurately estimated at this time. There will be additional costs. However, the additional costs will more than pay

for themselves by the improvements to the overall operation, clearing up the tax delinquencies, disposing of tax title properties, and addressing tailings. If the Board is supportive of the concept we will send some or all of the positions to HRS for evaluation. I recommend bringing a supplemental funding request to the Fall Town Meeting to facilitate these changes.

### **Transition Period**

In order to ensure a smooth transition Beth Ann Scheid has offered to work 5-10 hours a week to facilitate the transition of Collections to Kate Stacy. I expect this transition will last no longer than April 1, 2015.

### **Office Layout/Space Modifications**

In order to maximize the Collections counter some modifications of the space will be required. We have not explored changes in detail, but will do so if the Board expresses support for the staffing plan. We expect any changes to be modest and manageable within the budget.

### **Summary**

Thank you for the opportunity to present this staffing plan. I firmly believe this plan will enable staff to complete the day to day tasks of the office. I further believe that it will enable us to catch up on delinquencies, tax titles, tailings, and other critical functions of the department.

Thank you for your consideration.



3.2

updated 8/2012

**CHAPTER 90 - FINAL REPORT**

**CONTRACT#** INTF00002007 S00 51002

City/Town Townsend Project Rte.Paving Hamilton Hill Rd. turnaround  
 Location(s) Hamilton Hill Road  
 Length 100 Feet Width 47 Feet  
 Work was Started 06/09/14 and Completed 06/09/14  
 Work was Suspended / / and Resumed / /  
 Done by: Force Account                      Advertised Contract                      Other                     

**\* REMARKS:**

<b>EXPENDITURES:</b>	State Funds @ 100%	\$10,212.32
	Municipal Funds	\$
	Other Funds	\$
	<b>TOTAL PROJECT EXPENDITURES</b>	<u>\$10,212.32</u>

**SCOPE OF WORK:**

Paved Hamilton Hill Road turnaround

**CERTIFICATION**

The undersigned hereby certify under penalties of perjury that documentation to substantiate the above expenditures is available for examination in accordance with Executive Order No. 195 (April 27,1981) and Chapter 11, Section 12.

We further certify that all equipment rental costs are within the approved limits established by the MassDOT Highway Division, that the Municipality has complied with all applicable statutes and regulations, that the requests for reimbursements for allowable project expenses actually incurred are in conformance with the "Chapter 90" Project Request, and that the Municipality will be responsible for the future maintenance of this project including the cost thereof.

Copies of the notification published in the Central Register and notice in a newspaper of local circulation required by Chapter 149, Section 44J, and the prevailing wages as determined by the Department of Labor and Industries obtained in compliance with Chapter 149, Section 27F, of the General Laws, as applicable, must be attached.

<b>PREPARED &amp; REVIEWED BY</b>	
Edward Kukkula	
Superintendent	08/13/14
Highway Officer's Title	Date
Accounting Officer's Title	Date

<b>Signed:</b>	
Duly Authorized Municipal Officials	Date

- Include additional Contract Nos. if other Chapter 90 Funds were also used. List street names, total amounts charged to each location, extra work orders, etc. Use back if necessary, or attach supporting papers.



**CHAPTER 90 – REIMBURSEMENT REQUEST**

updated 8/2012

City/Town: Townsend Project: Paving Hamilton Hill Road turnaround

Project request was approved on 10/02/13 for \$ 15,000.00

at 100% Reimbursement Rate = \$ 15,000.00

1) Attached are forms which document payment of approved expenditures totaling \$10,212.32 for which we are requesting \$10,212.32 at the approved reimbursement rate of 100%.

2) The amount expended to date on this project is \$10,212.32

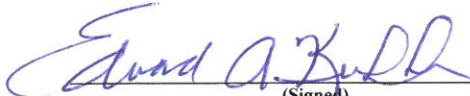
3) Is this request for a FINAL payment on this project?  Yes  No

4) Remarks:  

Project completed on 06/09/14

**CERTIFICATION**

A. I hereby certify under penalties of perjury that the charges for labor, materials, equipment, and services itemized and summarized on the attached forms are true and correct, and were incurred on this project in conformance with the MassDOT Highway Division Policies and established Municipal Standards that were approved for this project.

 Highway Superintendent 08/13/14  
(Signed) (Municipal Highway Official Title) (Date)

B. I/we certify under penalties of perjury that the items as listed or summarized on the attached forms were examined; that they are in conformity with our existing wage schedule, equipment rates, and all applicable statutes and regulations; that they are properly chargeable to the appropriation(s) designated for this work; and that Executive Order No. 195, dated April 27, 1981 and Chapter 11, Section 12 is acknowledged as applicable.

**REVIEWED AND APPROVED FOR TRANSMITTAL**

by \_\_\_\_\_ Signed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Accounting Officer's Title) \_\_\_\_\_  
\_\_\_\_\_  
(Duly Authorized)

DATE \_\_\_\_\_

\*Submit this Chapter 90 Form to the District Highway Director



**CHAPTER 90 - MATERIALS - HED 454 FORM**

City/Town of Townsend

**MATERIALS** for period beginning 6/9/2014  
both inclusive, on account of Contract No. INTF00002007 S0051002  
under Section 34, Clause 2(a). of Chapter 90 of the General Laws.

and ending 9-Jun-14  
with MassDOT Highway Division,

VENDOR NAME	ITEM	QTY.	UNIT	UNIT PRICE	AMOUNTS	CHECK #	REMARKS
				\$	\$		
P. J. Keating Co.	Asphalt	86.13	Ton	\$ 64.0000	\$ 5,512.3200	93065	
					\$ -		
					\$ -		
					\$ -		
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					\$ -		
<b>TOTAL</b>					\$ 5,512.3200		

*"To the best of my knowledge the purchases of materials or services appearing on this sheet are not in conflict with Chapter 779 of the Acts of 1962. Signed under the penalty of perjury."*

Edward A. Keating 8/13/14  
Supervisor / Foreman Date

\_\_\_\_\_  
Town Accounting Approval Date

# MASS HIGHWAY

## Chapter 90 Project Request

Classification:  
Primary Road  
Local Road

XX

Chapter 90  
INTF00002007  
S00 51002  
\$15,000.00

City/Town  
Location(s)  
Length:

**Townsend**  
**Hamilton Hill Road**

100 Feet

Width: 47 Feet

Project Type:

Construction \_\_\_\_\_ Resurfacing XX Engineering \_\_\_\_\_  
Equipment \_\_\_\_\_ Other: \_\_\_\_\_

TYPICAL SECTION DETAILS: State depths, special treatments, etc., and include sketch for Construction/Improvement Projects.  
Surface: 1-1/2"  
Base Course: 2"  
Foundation:  
Shoulders/Sidewalks:

SCOPE OF WORK:  
Repave turnaround at end of Hamilton Hill Road

Work to be done: Force Account \_\_\_\_\_ Advertised Contract \_\_\_\_\_ Other: XX

Estimated Cost (Attach estimate and list funding sources) \$ \$15,000.00  
\*These funds will pay 100% of Local Road Project costs to the limit of this assignment.

### CERTIFICATION

The design, engineering, construction and future performance of the project, including maintenance, is the responsibility of the Municipality. The proposed work will conform to recognized engineering practices and construction methods. I/We certify to the following: that the project is on a public way, and any necessary land takings have been made; that all materials will comply with approved established specifications; that all weights and quantities will be accurate; that equipment rental rates are those established by the Massachusetts Highway Department or the advertised low bid; that all documentation will be checked for accuracy, and will be endorsed in accordance with municipal procedures for accountability.

Prepared and reviewed by:  
Signed [Signature]  
State Aid Engineer - Date 11/11/13  
Road Classification Verified MM  
Approved for \$ 15,000.00 @ 100 %  
District Highway Director \_\_\_\_\_ Date 11/27/13

Signed [Signature]  
[Signature]  
[Signature]  
duly authorized  
Date: 10-27-13

Town of Townsend

FILE COPY

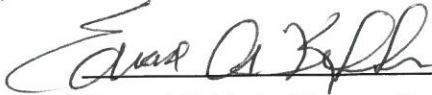
Schedule of Departmental Bills Payable

To the Accounting Officer:

The following named bills of the Highway Department, amounting in total to \$ 5,512.32

Dollars, have been approved by the \_\_\_\_\_, and you are requested to place them on a warrant for payment.

Date: July 7, 2014

  
Edward Kukkula, Highway Superintendent

Chapter 90 Hamilton Hill Road Paving

Name	Description	Amount	Total
P. J. Keating Co.	Chap. 122 00002007S 51002	\$ 5,512.32	
	Total		\$ 5,512.32
Grand Total			\$ 5,512.32



# P.J. KEATING



Oldcastle Materials®

## P. J. Keating Company

998 Reservoir Road  
Lunenburg, MA 01462  
(978) 582-5200

# INVOICE

**TERMS:**

Payment in full is due Net 30 days following invoice date. In the event payment is not made when due, reasonable collection fees, lien fees, and attorney fees with or without suit, together with 1.50% per month FINANCE CHARGE which is an ANNUAL PERCENTAGE RATE of 18%, will be assessed until paid.

Townsend Highway Dept.  
177 Main Street  
Townsend, MA 01469

**Equal Opportunity Employer  
Please Remit Payment to:**

PO BOX 416821  
Boston, MA 02241-6821

*Hamilton Hill Rd paving (turn-around)*

2013 - 2014 SEASON

CUSTOMER NO.	INVOICE DATE	INVOICE NO.	PURCHASE ORDER NO.			JOB NO		
194400	6/17/2014	392980				FY 2014		
DESCRIPTION		MATL UNITS	U/M	MATL PRICE	MATL TOTAL	HAUL RATE	HAUL TOTAL	TOTAL
04813 - Asphalt - Lunenburg, MA Drum								
5722500 - MassDOT Dense Binder HMA		86.130	TON	64.00	5,512.32	0.00	0.00	5,512.32
6/9/2014	2904885 2904886 2904904	2904912						
5761500 - MassDOT 9.5mm Top HMA		8.000	TON	64.00	512.00	0.00	0.00	512.00
6/9/2014	2904883 2904936							
6/10/2014	2905096							
6/12/2014	2905457 2905505							

**Subtotal:** 6,024.32  
**Sales Tax:** 0.00  
**Total Due:** 6,024.32

*Chapter 90  
Chap 122  
000020075 51002  
\$5512.32  
split bill*

PLEASE PAY FROM THIS INVOICE. DETACH AND RETURN WITH PAYMENT

Customer Name	Townsend Highway Dept.
Customer No.	194400
Invoice No.	392980
Invoice Date	6/17/2014
Due Date	7/17/2014
Invoice Amount	\$6,024.32

Amount Remitted \$ \_\_\_\_\_

Town of Townsend

FILE COPY


Schedule of Departmental Bills Payable

To the Accounting Officer:

The following named bills of the Highway Department, amounting in total to **\$ 4,700.00**

Dollars, have been approved by the \_\_\_\_\_, and you are requested to place them on a warrant for payment.

Date: June 30, 2014

  
Edward Kukkula, Highway Superintendent

Chapter 90 Hamilton Hill Road Paving

Name	Description	Amount	Total
Sevigney Bros. Blacktop Inc.	Chap. 122 00002007S 51002	\$ 4,700.00	
	Total		\$ 4,700.00
Grand Total			\$ 4,700.00

**Sevigny Bros. Blacktop Inc.**  
 Residential and Commercial Paving and Sealing  
 37 Pelham Drive  
 Fitchburg, MA 01420  
 (978) 343-6615

**SERVICE INVOICE**

Customer's Order No.			Phone	Mechanic	Helper	Date of Order
Bill To <i>John of Townsend</i>						Order Taken By
Address <i>Main Street</i>						<input type="checkbox"/> Day Work
City <i>Townsend Ma 01469</i>						<input type="checkbox"/> Contract
Job Name and Location <i>Hamilton Hill Rd Townsend Ma.</i>						<input type="checkbox"/> Extra
Work Ordered By <i>E. K. Kichka</i>					Job Phone	

**DESCRIPTION OF WORK**

*Material install binder type asphalt on prepared roadway. Labor and equipment cost - 4700.*

*06-30-14*

*Chap 90*

*Hamilton Hill Rd*

*INTF 000020075*

*00 31002*

*4,700.00*

	TOTAL MATERIALS		
	TOTAL LABOR		
	TAX		
<input type="checkbox"/> No One Home	Date Completed <i>6-9-14</i>	<b>TOTAL AMOUNT \$</b>	<i>4700.</i>

Signature *David Sevigny*

I hereby acknowledge the satisfactory completion of the above described work.

Total amount due for above work: or

Total billing to be mailed after completion of work

THIS DOCUMENT HAS A COLORED SECURITY BACKGROUND. DO NOT CASH IF THE WORD "VOID" IS VISIBLE. THIS PAPER HAS AN ARTIFICIAL WATERMARK ON REVERSE SIDE AND IS ALTERATION PROTECTED.



**TOWN OF TOWNSEND**  
TREASURER'S OFFICE  
272 MAIN STREET  
TOWNSEND, MA 01469

093065

**Eastern Bank**  
LYNN, MA  
53-179/113

93065

Five Thousand Nine Hundred Fifty Seven and 12/100 Dollars

DATE AMOUNT  
7/8/2014 \$5,957.12

PAY TO THE ORDER OF  
P.J.KEATING CORPORATION  
REMITTANCE  
PO BOX416821

*Ruth E. Stacy*  
AUTHORIZED SIGNATURE

BOSTON MA 02241

⑈093065⑈ ⑆011301798⑆ 100 86601⑈

**TOWN OF TOWNSEND**

093065

Check: 93065 Dated: 7/8/2014 Check Total: 2 item(s) totaling 5,957.12 Stub 93065 Total: 5,957.12  
Paid To: P161425-1: P.J.KEATING CORPORATION

Warrant #	Invoice #	Invoice Date	Amount
1 W-2014-54B	392980A	06/17/2014	5,512.32
2 W-2014-54B	393682	06/28/2014	444.80

**Date** 07/07/2014      **Account Number** 10086601      **Serial Number** 0000093001      **Amount** \$4,700.00

THIS DOCUMENT HAS A VOID COPIER SECURITY BACKGROUND AND IS NOT A VOID COPY. THIS PAPER HAS AN ARTIFICIAL WATERMARK ON REVERSE SIDE AND IS ALTERATION PROTECTED.



**TOWN OF TOWNSEND**  
 TREASURER'S OFFICE  
 272 MAIN STREET  
 TOWNSEND, MA 01469

093001

**Eastern Bank**  
 LYNN, MA  
 63-179/113

93001

Four Thousand Seven Hundred and 00/100 Dollars

DATE	AMOUNT
6/30/2014	\$4,700.00

PAY  
 TO THE  
 ORDER  
 OF

SEVIGNY BROS. BLACKTOP INC.  
 37 PELHAM DR  
 FITCHBURG MA 01420

*Rate F. Stacy*  
 AUTHORIZED SIGNATURE

⑈093001⑈ ⑆011301798⑆ 100 86601⑈

**Date** 07/07/2014      **Account Number** 10086601      **Serial Number** 0000093001      **Amount** \$4,700.00

ENDORSEMENT AREA: Know Your Endorser. Require Identification.

070320 4 00 0001000000370 >211370736 <

FOR DEPOSIT ONLY  
 SEVIGNY BROS. BLACKTOP, INC.  
 881014724

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE  
 RESERVED FOR FINANCIAL INSTITUTION USE \*

THIS DOCUMENT INCLUDES THE FOLLOWING SECURITY FEATURES: EXCEEDING FSA GUIDELINES:

- COLORED SECURITY PATTERN ON FACE WITH COPIER "VOID"
- INVISIBLE WORD "VOID" INDICATES PAPER IS NOT COPY
- INVISIBLE ULTRAVIOLET FLUORESCENT FIBERS FACE AND BACK
- ULTRAVIOLET CULL PAPER
- ARTIFICIAL "SECURE DOCUMENT" WATERMARK VISIBLE ON BACK WHEN HELD AT AN ANGLE
- PRIMARY INDICATOR STAINS - PROVIDE EVIDENCE OF ALTERATION
- SECURITY ENFORCEMENT LINES ON BACK
- SECURITY GREEN PENSURE OF ORIGINAL DOCUMENT VERBIAGE ON BACK OF CHECK
- ATTEMPTS TO COPY OR CHEMICALLY ALTER THIS DOCUMENT WILL ACTIVATE SECURITY FEATURES

THIS DOCUMENT MAY INCLUDE MICROPRIINT SIGNATURE LINE.

\* FEDERAL BANKING ACT 1987 - FEDERAL RESERVE REG. CC



DEVAL L. PATRICK  
Governor

THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT  
DEPARTMENT OF LABOR STANDARDS

Prevailing Wage Rates

As determined by the Director under the provisions of the  
Massachusetts General Laws, Chapter 149, Sections 26 to 27H

RACHEL KAPRIELIAN  
Secretary  
HEATHER E. ROWE  
Director

Awarding Authority: Town of Townsend  
Contract Number:  
Description of Work: Pave turnaround on top of Hamilton Hill Road.  
Job Location: Hamilton Hill Road  
City/Town: TOWNSEND

Information about Prevailing Wage Schedules for Awarding Authorities and Contractors

- This wage schedule applies only to the specific project referenced at the top of this page and uniquely identified by the "Wage Request Number" on all pages of this schedule.
- An Awarding Authority must request an updated wage schedule from the Department of Labor Standards ("DLS") if it has not opened bids or selected a contractor within 90 days of the date of issuance of the wage schedule. For CM AT RISK projects (bid pursuant to G.L. c.149A), the earlier of: (a) the execution date of the GMP Amendment, or (b) the bid for the first construction scope of work must be within 90-days of the wage schedule issuance date.
- The wage schedule shall be incorporated in any advertisement or call for bids for the project as required by M.G.L. c. 149, § 27. The wage schedule shall be made a part of the contract awarded for the project. The wage schedule must be posted in a conspicuous place at the work site for the life of the project in accordance with M.G.L. c. 149 § 27. The wages listed on the wage schedule must be paid to employees performing construction work on the project whether they are employed by the prime contractor, a filed sub-bidder, or any sub-contractor.
- All apprentices working on the project are required to be registered with the Massachusetts Division of Apprentice Standards (DAS). Apprentice must keep his/her apprentice identification card on his/her person during all work hours on the project. An apprentice registered with DAS may be paid the lower apprentice wage rate at the applicable step as provided on the prevailing wage schedule. **If an apprentice rate is not listed on the prevailing wage schedule for the trade in which an apprentice is registered with the DAS, the apprentice must be paid the journeyworker's rate for the trade.**
- The wage rates will remain in effect for the duration of the project, except in the case of multi-year public construction projects. For construction projects lasting longer than one year, awarding authorities must request an updated wage schedule. Awarding authorities are required to request these updates no later than two weeks before the anniversary of the date the contract was executed by the awarding authority and the general contractor. For multi-year CM AT RISK projects, awarding authority must request an annual update no later than two weeks before the anniversary date, determined as the earlier of: (a) the execution date of the GMP Amendment, or (b) the execution date of the first amendment to permit procurement of construction services. Contractors are required to obtain the wage schedules from awarding authorities, and to pay no less than these rates to covered workers. The annual update requirement is not applicable to 27F "rental of equipment" contracts.
- Every contractor or subcontractor which performs construction work on the project is required to submit weekly payroll reports and a Statement of Compliance directly to the awarding authority by mail or email and keep them on file for three years. Each weekly payroll report must contain: the employee's name, address, occupational classification, hours worked, and wages paid. Do not submit weekly payroll reports to DLS. A sample of a payroll reporting form may be obtained at <http://www.mass.gov/dols/pw>.
- Contractors with questions about the wage rates or classifications included on the wage schedule have an affirmative obligation to inquire with DLS at (617) 626-6953.
- Employees not receiving the prevailing wage rate set forth on the wage schedule may report the violation to the Fair Labor Division of the office of the Attorney General at (617) 727-3465.
- Failure of a contractor or subcontractor to pay the prevailing wage rates listed on the wage schedule to all employees who perform construction work on the project is a violation of the law and subjects the contractor or subcontractor to civil and criminal penalties.

# Calendar for year 2014 (United States) 3.3

January						
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Holidays and Observances:					
Jan 1	New Year's Day	May 11	Mothers' Day	Oct 31	Halloween
Jan 20	Martin Luther King Day	May 26	Memorial Day	Nov 11	Veterans Day
Feb 14	Valentine's Day	Jun 15	Fathers' Day	Nov 27	Thanksgiving Day
Feb 17	Presidents' Day	Jul 4	Independence Day	Dec 24	Christmas Eve
Apr 13	Thomas Jefferson's Birthday	Sep 1	Labor Day	Dec 25	Christmas Day
Apr 20	Easter Sunday	Oct 13	Columbus Day (Most regions)	Dec 31	New Year's Eve

Calendar generated on [www.timeanddate.com/calendar](http://www.timeanddate.com/calendar)

3.4

August 19, 2014

Mr. Peter B. Frazier  
Senior Vice President  
FirstSouthwest  
Municipal Advisory Group  
54 Canal Street, Suite 320  
Boston, MA 02114

(Town of Townsend Bonds)

We are now ready to approve the issue of the following bonds by the Town of Townsend, Massachusetts:

\$729,285 Various Purpose Bonds, payable within such period of time as allowed under G.L. c.44 and a vote of the Town passed May 6, 2014 (Article 23), and

\$150,000 Road Bonds, payable within 15 years under G.L. c.44, §7(5) and a vote of the Town passed May 6, 2014 (Article 12).

The rendering of our opinion is dependent upon appropriate confirmation of all our previously stated assumptions and on receipt of the usual papers relating to the sale and delivery of the bonds.

Although we take no responsibility for the accuracy or adequacy of the offering material for the bonds, or for notes issued in anticipation of the bonds, we request the opportunity to see a draft of the notice of sale and accompanying financial and descriptive information concerning the bonds substantially prior to its publication or distribution to prospective bidders for the bonds or notes.

  
EDWARDS WILDMAN PALMER LLP



3.5

6/17/14  
CS

## Report

### Energy Committee

I attended the meeting of the Energy Committee last week. As most are aware, the Town needs to meet certain energy reductions in order to maintain its Green Community Status and be eligible for future grant money and programs. The Energy Committee along with Karen Chapman has worked tirelessly on behalf of the Town to reduce energy consumption by completing projects in order to help us meet these goals. I feel we as a Board have an important role in helping to Committee, to help us achieve these goals. I would like to ask the Board's support in requesting that the Town Administrator in conjunction with the Energy Committee conduct some Department Head and Employee meetings to assist with educating our staff on the situation the town faces and to solicit feedback or additional ideas. I would also like to ask the Board considering putting on the next agenda a discussion regarding the formulation of a gasoline consumption policy with the goal of reducing the amount of consumption and to assist with that, I would like to ask Colin, as the Highway/Elected Boards Rep to meet with the Water Commissioners to see if they would be open to adding an electric car to their capital plan this fall for the readings of the newly installed radio read system and possibly for use by the Superintendent in his daily transportation needs. I would also ask that the Public Safety Rep, Sue, to meet with the Fire & Police Department so we can better understand their gas consumption practices and/or policies, and to see if the Fire Department would be open to the idea of obtaining an electric or hybrid vehicle to use for the daily inspections and transportation needs.

### Sustainability Committee

I would like on the next agenda a discussion regarding the formation of a budget sustainability committee. As I have previously stated I am very concerned with meeting our future budgetary obligations, in particular with the authorized debt of \$1,679,000 over the past year without appropriation or mechanism for repayment. I also have concerns that we are no longer able to cover our existing debt service within the operating budget and feel time is of the essence. Budget projections should be done now, with consideration of our future retirement assessments and needs as more folks have been or are planning to retire. Further I would like to request this Board re-institute the policy to require monthly reports from all the Departments so we can better identify and understand our Departments, needs, goals and priorities.

### Route 119 Sidewalk Project

I would like to request that an RFP be drafted for the engineer services for the construction of the sidewalks on 119. At one of the last meetings I was told the appropriation was not enough

## FY 2015 GOALS

3.6

### Sue Lisio

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

August 12, 2014 Meeting

Goals/Improvements

BUDGET PROJECTIONS & DEBT MANAGEMENT PLAN

- 5 year budget projections
- Plan for management and pay-off existing debt

BUDGET SUSTAINABILITY AND REVENUE COMMITTEE

- Review and advice BOS
- Create plan to increase revenue going forward, ie development of trail system

COMPREHENSIVE TOWN FINANCIAL POLICIES

DOR CONSULTATION - REVIEW OF BUDGET PROCESS FOR BOS, FIN COM, & CAPITAL PLANNING

- Review of existing bylaws and process

MEET TOWN GOAL OF 20% REDUCTION IN ENERGY

- Fuel consumption policy
- Review of vehicle assignment policy and practices

REVIEW AND FINALIZE TAX COLLECTOR/TREASURER POSITION

CONDUCT MONTHLY DEPARTMENT MEETINGS

CONDUCT QUARTERLY EMPLOYEE MEETINGS

CONDUCT BI-ANNUAL ALL BOARD/COMMITTEE MEETINGS (Saturday Morning)

ESTABLISH PERSONNEL/GRIEVANCE BOARD FOR NON-UNION EMPLOYEES

- Review and update Personnel Polices & Procedures Manual
- Implement wellness program
- Implement exercise program with MIAA points

IMPLEMENT ANNUAL TRAINING SCHEDULE

- Open Meeting Law, Public Records, Ethics, Sexual Harassment, Bullying, Communication and Department specific trainings

## COMPLETION OF RTE 119 SIDEWALK ENGINEERING PLAN

- Send out to bid ASAP

## ESTABLISH BYLAW REVIEW COMMITTEE

- As required by Charter

## ESTABLISH SAFETY COMMITTEE

- Required by Insurance Carrier
- Review/update right to know information
- Advice Selectmen of needed policies
- Implement driver training schedule to reduce insurance costs

## DOR REVIEW FOR REGIONALIZATION OF WATER DEPARTMENT WITH GROTON & LUNENBURG

## WEST TOWNSEND READING ROOM

- Handicap ramp
- Windows/siding

## REVIEW AND UPDATE ADA POLICY

## PERFORM ANNUAL EVALUATIONS FOR ALL DEPT HEADS

## CREATE LIABILITY, PROPERTY, AUTO CLAIMS POLICY & PROCEDURE MANUAL

## CREATE BOARD OF SELECTMEN POLICY MANUAL

## UPDATE EXISTING WORKERS COMP AND DISABILITY POLICY BOOKLET

## UPDATE ALL EMPLOYEE BULLETIN BOARD WITH UPDATED POSTERS

## SEND OUT ANNUAL SIGN-OFF FOR SEXUAL HARASSMENT POLICY

## SELECTMEN'S OFFICE PROCEDURE

- Copy all invoices
- Track with software (quicken) and reconcile with Accountant

3.7



**Town of Townsend  
Special Auction License**  
(one-day license)

**REQUIRED DOCUMENTATION**

\_\_\_ CORI

\_\_\_ State Auctioneer  
License

\_\_\_ Government Issued  
Photo ID

\_\_\_ Worker's Compensation  
Insurance Affidavit

\_\_\_ Worker's Compensation  
Policy Declaration Page

**PLEASE PRINT:**

Applicant's Name: Petrovsky Auctioneers Inc Phone: 860-642-4200

Applicant's Address: 275 Route 32 N. Franklin, CT 06254

Auctioneer's Name: Samuel R Piotrowski Phone: 860-884-2600

Auctioneer's Address: 11 Forge Lane N. Franklin, CT 06254

Auctioneer's State License#: AU736

Location of Auction: 255 Lunenburg Rd. Townsend, MA

Hours of Auction to be Conducted: 8:30 - 4:30

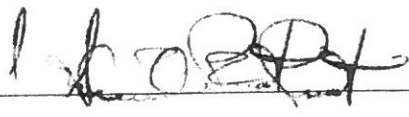
Description of Goods to be Auctioned: Farm tractors, implements, Trucks,  
trailers, & misc.

**SPECIAL LICENSES (One Day):**

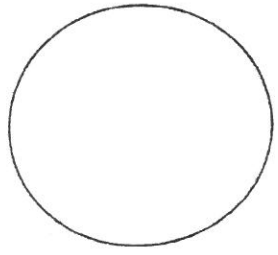
Date(s) of Auction (not to exceed 10 per year): Saturday Sept. 13, 2014

Estimated Value of Goods: \$200,000.

**I HEREBY SWEAR (AFFIRM) UNDER THE PAINS AND PENALTIES OF PERJURY THAT I AM THE PERSON NAMED ABOVE AND THAT THE INFORMATION PROVIDED BY ME IN THIS DOCUMENT IS TRUE.**

Applicant's Signature  Date: 8/21/14

<b><u>NEW APPLICATIONS</u></b>	
PLEASE OBTAIN RECOMMENDATION <u>PRIOR</u> TO SUBMITTING APPLICATION TO THE TOWN CLERK'S OFFICE	
Police Chief Signature: _____	Date: _____
<input type="checkbox"/> Recommend	<input type="checkbox"/> Do Not Recommend



\_\_\_\_\_  
Town Clerk Date

**16660**

CONTROL NO.

AL 736  
LICENSE NO.



THE COMMONWEALTH OF MASSACHUSETTS  
DIVISION OF STANDARDS  
ONE ASHBURTON PLACE, BOSTON, 02108  
**STATE AUCTIONEER LICENSE**

PHONE  
617-727-3480

DATE APR 10 2014

This is to certify that:

**LICENSEE :**  
**ADDRESS :**  
**CITY :**  
**STATE/ZIP:**

Samuel R. Petrowsky  
275 Route 32  
North Franklin, CT 06254

This license is in effect as of date of issue. Said licensee must comply with the requirements of Sec. 10 of Chapter 100; said license shall remain in force until one year from date of issue, unless surrendered prior thereto for cancellation.

**EXPIRES: APR 09 2015**

**THIS LICENSE IS NOT TRANSFERABLE.**

(COPY OF LAW FURNISHED HEREWITH)

DIRECTOR OF STANDARDS



**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE XV** REGULATION OF TRADE**CHAPTER 100** AUCTIONEERS**Section 1** Definitions

Section 1. In this chapter, the following words and terms, unless the context otherwise requires, shall have the following meanings:—

“Auction” or “Public auction”, any sale, coming within its ordinary meaning, by public outcry, including in addition thereto, any sale by public outcry where property is offered first at a stated price and thereafter successively or gradually at lower prices until an acceptor or purchaser is found.

“Auctioneer”, any person who, for a fee, commission, profit or any other valuable consideration, or with the intention or expectation of receiving the same, by means of, or process of, an auction or sale at auction, offers, negotiates or attempts to negotiate, a listing contract, sale, purchase or exchange of goods, chattels, merchandise, real or personal property, or of any other commodity which may lawfully be kept or offered for sale by or at public auction.

“Auctioneering”, the business or act of selling real, personal or mixed property by successive, competitive bids.

“Deputy director”, the deputy director of standards in the office of consumer affairs and business regulation.

“Goods”, any chattels, livestock, merchandise, real or personal property, or commodities of any form or type which may be lawfully kept or offered for sale.

“Local auction permit agent”, the person or persons so designated in a city by the mayor or in a town by the board of selectmen, or upon a failure to so designate or in the absence, incapacity or unavailability of any person or persons so designated, the chief of police.

“Person”, individuals, associations, partnerships and corporations, and the officers, directors and employees of a corporation.

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE XV** REGULATION OF TRADE**CHAPTER 100** AUCTIONEERS**Section 10** Special or annual auction permits

Section 10. No person shall conduct an auction without a special or annual permit issued by the city or town in which the auction is to be conducted. Application for such a permit shall be filed with the local auction permit agent and shall contain the name of the applicant; the name, address and license number of the auctioneer; the hours between which the auction is to be conducted; the location of the auction; and a general description of the goods to be auctioned. As to a special permit, the estimated value of the goods and the date or dates, not to exceed ten, on which the auction shall be held shall also be included.

Within six business days of the filing of an application for a special permit, the local auction permit agent shall either approve the permit subject to stated reasonable terms and conditions relating to public safety as he may establish, or deny the application on stated grounds, which must be reasonable grounds relating to public safety. Failure of an agent to act within the six business day period shall constitute approval of the application. Upon approval, express or implied, the applicant shall tender to the city or town treasurer the permit fee established by said agent, which fee shall be reasonable.

No person shall be eligible for an annual permit unless he maintains a regular place of business for the conduct of auctioneering in the city or town. Said permit shall be issued or denied on the same terms applicable to a special permit, except that an application which is not acted upon within fourteen days of the date of filing with the local auction permit agent shall be deemed approved. Each annual permit issued shall be valid for a term of one year commencing on the date of the express or implied approval of the application therefor. Any applicant for a special or annual permit who is aggrieved by the action of the local auction permit agent on his application shall be entitled to a public hearing by the appointing authority of the agent in accordance with the provisions of chapter thirty A.



<b>PART I</b> ADMINISTRATION OF THE GOVERNMENT
<b>TITLE XV</b> REGULATION OF TRADE
<b>CHAPTER 100</b> AUCTIONEERS
<b>Section 11</b> Certain auctions not subject to chapter

Section 11. The provisions of this chapter shall not apply to any auction held or conducted by an order or judgment of any court of the commonwealth or of the United States or by any officer of a municipality, county or state of the United States; sales held by sheriffs, deputy sheriffs, constables, collectors of taxes, executors, administrators, lien holders, assignees for the benefit of creditors; sales by any other person specifically authorized by law to sell real, personal or mixed property; casual and isolated sales by an owner of his own goods; and any auction held or conducted by any resident member of a charitable, educational, religious or other nonprofit organization within the commonwealth; provided, however, that any person acting as agent for any of the foregoing shall be subject to all of the provisions of this chapter except section ten.

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

3.8

Date: August 20, 2014

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

Historic District Commission  
Housing Authority  
Land Use Coordinator  
Police Department  
Town Clerk  
Water Department  
Zoning Board of Appeals

From: Planning Board Office

**MANDATORY REFERRAL NOTICE**

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

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

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

**ZONING BYLAWS**

- Article II §145-5 Definitions: Right of Way; Stone Walls; Trees; Tree Cutting & Removal
- Article VI §145-24 Driveways and Entrances C. (10) Stone Walls within Town Right of Way
- Article IX §145-42 Site Plan Review C. (1) & (2) -Stormwater Application & Requirements
- Article XVI §145-87. Wind Energy Systems A. (1) Applicability, B. Definitions and D. (2) (c) NEC Compliance

**PLANNING BOARD RULES AND REGULATIONS:**

- Article IV  
§175-31 A. & B. Scenic Road Act, stone walls

APPLICANT/PROPONENT      Planning Board

DATE OF HEARING:              Monday, September 22, 2014

TIME / PLACE OF HEARING:    7:30 p.m., Selectmen's Chambers

LEGAL AD:                        Townsend Times: August 29, 2014 & September 5, 2014

COMMENTS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

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



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

**R E C E I V E D**  
AUG 20 2014

TOWN OF TOWNSEND  
TOWN CLERK

**Jeffrey R. Peduzzi, Chairman**      **Nicholas E. Thalheimer, Vice Chairman**      **Lance J. McNally, Clerk**  
**Christopher Nocella, Member**      **Perry J. Tomasetti, Member**      **Jerrilyn T. Bozicas, Associate Member**

**TOWNSEND  
PLANNING BOARD  
LEGAL NOTICE**

In accordance with the provisions of MGL Chapter 40A, Sections 5 and 11, and Zoning Bylaw, Article XII, Section 145-69, the Planning Board will hold a public hearing on Mon., **September 22, 2014 at 7:30 p.m.**, in the Selectmen's Chambers, Memorial Hall, 272 Main St., to review proposed amendments to the Zoning Bylaws, and Planning Board Rules and Regulations, as follows:

**ZONING BYLAWS**

Article II §145-5 Definitions: Right of Way; Stone Walls; Trees; Tree Cutting & Removal  
Article VI §145-24 C. (10) Stone Walls within Town Right of Way  
Article IX §145-42 C. (1) & (2) Site Plan Review-Stormwater Application & Requirements  
Article XVI §145-87. Wind Energy Systems A. (1) Applicability, B. Definitions and D. (2) (c) NEC Compliance

**PLANNING BOARD RULES AND REGULATIONS:**

Article IV  
§175-31 A. & B. Scenic Road Act, stone walls

The proposed amendments are available for review at the Offices of the Planning Board, Land Use Coordinator and the Town Clerk at 272 Main St., during regular business hours. Parties wishing to speak in favor of, or in opposition to this proposal, may do so in writing prior to the hearing, or may appear at the hearing in person, or represented by an agent or attorney. Interested parties are encouraged to attend.

Respectfully submitted,  
Jeffrey R. Peduzzi, Chairman

**Publish in the *Townsend Times*: August 29, 2014 & September 5, 2014**

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

To see if the Town will vote to amend the Town's Zoning Bylaw

**Article II**

**§ 145-5 Word usage and definitions.**

*By adding the following definitions to the existing list, in alphabetical order as italicized:*

In this Bylaw the following terms shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed. Words used in the singular include the plural and words used in the plural include the singular. Words used in the present tense include the future.

**PREFAB HOME**

Structure designed for over the road transportation to be permanently fixed to a proper foundation (as opposed to a mobile home).

**RIGHT-OF-WAY**

*The side line of a street or way, as determined by deeds and plans recorded at the Registry of Deeds, or a building line laid out under MGL C. 82, § 37; where no line is thus legally established, then a line parallel with and 20 feet distant from the center line of a traveled way.*

**SIGN**

Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, or trademarks, whether stationary or portable, by which anything is known, such as are used to designate or locate an individual, a firm, an association, a corporation, a profession, a business, or a commodity or product, which are visible from a public or private street or right-of-way and used to attract attention.

**STONE WALLS**

*Includes assemblages of stone involving at least one cubic foot of wall material per linear foot totaling not less than 10 feet in length.*

**STRUCTURE**

Anything constructed or erected, the use of which requires fixed location on the ground or attachment to something located on the ground, including swimming pools if more than 23 inches deep or 250 square feet in area or gas or liquid storage tanks if principally above ground, but not including walls or fences. [Amended 3-16-1987 STM by Art. 18]

**TREES**

*Includes a living tree whose trunk has a diameter of four inches, measured 4 1/2 feet from the ground.*

**TREES, CUTTING AND REMOVAL**

*The removal of one or more trees, trimming of major branches or cutting of roots sufficient, in the Tree Warden's written opinion, to cause eventual destruction of the tree.*

*or take any other action in relation thereto.*

**SUBMITTED BY: Planning Board**

ARTICLE \_\_\_\_\_

**To see if the Town will vote to amend Zoning Bylaw Article VI Land Use Regulations,  
of the Code of the Town of Townsend as follows,**

**§ 145-24 Driveways and entrances.**

**C. Design requirements.**

*Add italicized:*

(10) Where a portion of a stone wall must be removed for access to the property, the remaining stone wall shall be left in a stable and orderly fashion. *Removing stone walls located along scenic roads within the Town's right of way are subject to filing an application with the Planning Board pursuant the Scenic Roads Act, M.G.L. Chapter 40 Section 15C. All roads in Townsend, other than numbered routes or State Highways, are designated as "Scenic Roads."*

ARTICLE \_\_\_\_\_

DRAFT

**To see if the Town will vote to amend Article XI  
of the Code of the Town of Townsend**

**§145-42 Site plan review special permit**

*by adding (1) and (2) as italicized:*

**C. Procedure.** Applications for site plan review special permits shall be filed with the Town Clerk and the special permit granting authority as specified in § 145-65C of the Zoning Bylaws. [Amended 4-25-1995 STM by Art. 11; 9-24-1996 STM by Art. 39; 1-4-2000 STM by Art. 11]

*(1) For applicable land disturbance, a Stormwater Management Application shall be filed in conjunction with this application to determine subjectivity to either a Minor or Major Stormwater Management Permit.*

*(2) If applicable, strict adherence to Chapter 85 of the Townsend General Bylaws, NPDES Phase II Stormwater Management, and its associated Regulation, shall be required.*

*or take any other action in relation thereto.*

**SUBMITTED BY: Planning Board**



**ARTICLE**

To see if the Town will vote to amend the Town's Zoning Bylaw Article XVI Renewable/Alternative Energy, Section 145-87. Wind Energy Systems A. (1) Applicability, B. Definitions and D. (2) (c) NEC compliance

**§ 145-87. Wind Energy Systems**

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

**(1) Applicability**

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

**B. Definitions.**

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

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

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

**Large Wind Energy System (LWES):** All equipment, machinery and structures utilized in connection with the conversion of kinetic energy of wind into electrical power including storage, electrical collection and supply equipment, transformers, service and access roads, and one or more wind turbines, which will have a height greater than 80 feet.

*Building-Integrated Wind Energy Facility: A wind energy facility shall be considered to be building-integrated if it is designed to be permanently mounted on a building or other inhabitable structure. This definition applies to wind turbines of any capacity that are designed to be operated in direct contact with a building. This definition also covers, for the purposes of this zoning provision, other wind energy facilities primarily used for land-based applications which may be permanently mounted and operated on a building.*

**D. Small Wind Energy System Requirements**

**(1) Building Permit**

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

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

The Building Permit application shall be accompanied by deliverables including the following:

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

- i.** Property lines and physical dimensions of the subject property within 500 feet of the wind turbine from the proposed tower location;
- ii.** Location, dimensions, and types of existing major structures on the property;
- iii.** Location of the proposed wind system tower, foundations, guy anchors and associated equipment;
- iv.** The right-of-way of any public road that is contiguous with the property;
- v.** Location of all existing above ground or overhead gas or electric infrastructure, including Critical Electric Infrastructure, and utility rights of way (ROW) and easements, whether fully cleared of vegetation or only partially cleared, within 500 feet of the site parcel;
- vi.** Location and approximate height of tree cover;
- vii.** Wetland resource areas within 100 feet of the proposed area;
- viii.** Rivers, streams or brooks within 200 feet of the proposed area.

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

**(c) One or three line electrical diagram detailing wind turbine, associated components, and electrical interconnection methods, with all NEC (*National Electric Code*) and applicable *Massachusetts Electric Code Amendment*-compliant disconnects and overcurrent devices.**

**Amendment to the Planning Board Rules and Regulations  
Article IV of the Code of the Town of Townsend**

Delete as shown and add *Italicized* sections:

~~Free~~ **Hearings Under the Scenic Road Act**

**§ 175-31 Title; authority; appendices.**

A. These are the rules and regulations for ~~the~~ *Scenic Road* hearings of the Townsend Planning Board.

B. These rules are adopted under the authority of MGL c. 40, § 15C. *The Town voted at the Annual Town Meeting of 04/23/74 to designate all roads of the Town of Townsend other than numbered routes or State Highways as "Scenic Roads."*

*Any repair, maintenance, reconstruction, or paving work done along a scenic road within the town's right of way shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the planning board, after a public hearing duly advertised, pursuant to MGL c. 40 §15 C. A violation of this Regulation shall be punished by a fine not to exceed three hundred dollars, with the amount to be determined by the Planning Board.*

C. Those appendices identified as "auxiliary" are not part of these rules but are published together with these rules for the convenience of applicants, the general public, the Town and the Planning Board. For editorial convenience, these are numbered consistently with these rules and regulations.

**§ 175-32 Purpose.**

These regulations are adopted for all purposes provided for in the Scenic Roads Act and related provisions of the Townsend General and Zoning Bylaws.

**§ 175-33 Amendments.**

A. These rules may be amended only through the applicable provisions of the Townsend Charter or General Bylaws.

B. Normally this requires a simple majority vote and filing with the Town Clerk.

C. The auxiliary appendices may be amended through a simple majority vote at any properly posted meeting of the Planning Board.

**§ 175-34 Fees.**

A. All expenses incurred by the Town for processing an application shall be borne by the applicant. Whenever any extraordinary expense occurs that is not covered by the fee structure, such items may be billed directly to the applicant.

B. The base fee for hearings under MGL c. 40, § 15C is \$150. This fee will normally be waived by the Board when the applicant is the Town (excluding the Water Department, School District or other distinct entities) or the project is at the request of the Town or directly benefits the Town as a whole (including benefiting specific Town-owned real estate).

3.9

# Atwood Acres

## CELEBRATING 25 YEARS!



*Please join us as we celebrate twenty-five years of providing safe & affordable senior/disabled housing & service to the community.*

**Friday, September 5, 2014 • 11:30 AM - 3:00 PM**

*Program at 12:00 PM, followed by refreshments, tours and entertainment*

**66 Dudley Road • Townsend, Massachusetts • (978) 597-6992**

RCAP Solutions manages over 300 affordable apartments for the elderly, disabled, and families in Athol, Bolton, Groton, Hubbardston, Northbridge, Townsend, Webster and Worcester. For more information contact (800) 488-1969 or visit [www.rcapsolutions.org/rcap-solutions-properties](http://www.rcapsolutions.org/rcap-solutions-properties).

Property managed by

**RCAP** *Solutions*  
Resources for *Communities And People*

A.1

August 14, 2014

To: Andy Sheehan, Town Administrator  
From: Ed Snapp, Chair, Council on Aging

Re: New COA Board Member

The Council on Aging voted last week to have Jane Jackson join us as a board member.

Jane will be replacing Carole Buxton who recently resigned from the board.

*Ed Snapp COA.*