



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  
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**MEETING AGENDA**  
**SEPTEMBER 9, 2014, 7:00 P.M.**  
**SELECTMEN'S CHAMBERS**  
**272 MAIN STREET, TOWNSEND, MA**

**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 Board of Selectmen announcements, updates, and reports. Votes may be taken.
- 1.5 Town Administrator updates and reports. Votes may be taken.
- 1.6 Approval of meeting minutes: August 12, 2014, August 19, 2014, August 26, 2014. Votes may be taken.

**II APPOINTMENTS AND HEARINGS**

- 2.1 7:05 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.

**III MEETING BUSINESS**

- 3.1 Review and approve staffing plan for Treasurer/Collector's Office. Votes may be taken.
- 3.2 Review and approve Standard Operating Guideline for Duty Officer at the Fire-EMS Department. Votes may be taken.
- 3.3 Review requests of Unitil to cross, alter, or construct within a public way for installation of gas services at 10 School Street and 7 Smith Street. Votes may be taken.
- 3.4 Confirm October 21, 2014 as the date for the Special Town Meeting; vote to close the warrant at 5PM on September 16, 2014; sign the warrant on September 23, 2014. Votes may be taken.
- 3.5 Review mandatory referral notice from the Planning Board related to proposed amendments to the zoning bylaw. Votes may be taken.
- 3.6 Discuss creation of Sustainability Committee. Votes may be taken.

**IV APPOINTMENTS OF PERSONNEL/OFFICIALS:**

None

**V FY2015 GOALS WORK SESSION**

- 5.1 Town Administrator and Board of Selectmen goals for FY2015. Votes may be taken.

**VI WORK SESSION**

- 6.1 Review and sign payroll and bills payable warrants. Votes may be taken.



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1.6

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Carolyn Smart, *Clerk*  
Office (978) 597-1701  
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**SELECTMEN'S MEETING MINUTES**  
**AUGUST 12, 2014, 7:00 P.M.**  
**SELECTMEN'S MEETING CHAMBERS**

**I PRELIMINARIES**

- 1.1 The Chairman called the meeting to order at 7:01PM 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 would like to move 2.4 after 2.2 and push up 3.6 immediately following 3.1. Discussion about moving the Selectmen and Town Administrator updates. SL then asked to add 3.14: Unutil's tree trimming and concerns with that.
- 1.4 Approval of meeting minutes: After discussion on procedure with regard to motions and amendments;
- CM moved to approve the minutes of the April 1, 2014 open session as amended. SL seconded. Passed 2-0-1. CS abstained.
  - CM moved to approve the minutes of the April 1, 2014 executive session as amended. SL seconded. Passed 2-0-1. CS abstained.
  - CM moved to approve the minutes of April 3, 2014 as amended. SL seconded. Passed 2-0-1. CS abstained.
  - CM moved to approve the minutes of the April 15, 2014 open session as amended. SL seconded. Passed 2-0-1. CS abstained.
  - CM moved to approve the minutes of the April 15, 2014 executive session as amended. SL seconded. Passed 2-0-1. CS abstained.
  - CM moved to approve the minutes of April 25, 2014 as amended. SL seconded. Passed 2-0-1. CS abstained.
  - CM moved to approve the minutes of May 1, 2014 as amended. SL seconded. Passed 2-0-1. CS abstained.

Discussion continued on the intricacies of minute-taking, CS said she could not approve minutes where the vote and motion is not accurately recorded. SL asked if a motion is going to vary from what's on the agenda, she would prefer to have it in writing. Approval of the remainder of the minutes will be completed at a future meeting.

**II APPOINTMENTS AND HEARINGS**

2.1 7:05 Public Hearing on petition of Unutil and Verizon to install two utility poles on Boutelle Road beginning at pole #1 and continuing approximately 345' northerly: SL opened the public hearing at 7:15PM. A list of attendees was gathered. CS read the legal notice into the record. John Wilkinson of 69 Meadow Road asked how his property would be affected. Unutil's representative, Jim Dee gave an overview. The installation would serve 16 Boutelle Road. Questions were asked about who owns the property. Laura Dole said she understands Karen Hill purchased it and divided it into 3 lots; the third lot came into contention. SL asked Mr. Dee if it matters to Unutil who owns the property. Andy West, son of homeowners Ed and Mary West, said they do not see a reason for this to be done and that the lot in

contention has been denied as a building lot. They would prefer the power and telephone companies save the expense. Don Oulette questioned the easement. SL asked if anybody was opposed to the new poles. Ms. Dole is if they impact possible wetlands. Leslie Gabriliska, Conservation Agent, offered to walk the property. The Wests are opposed as they feel it is unnecessary. Veronica Kell of 68 Meadow Road asked about improved electrical and DSL service as a result. Andy West questioned the trimming and/or removal of trees. The placement of the last pole may go through a stand of trees on their property. Mr. Dee stated some trees would have to be taken down. CM asked that the proposed route be marked and SL asked that the affected trees be marked. CS moved to continue the Public Hearing until August 26, 2014 at 7:05 PM to allow for site walks and additional information to be gathered. CM seconded. Unanimous. Hearing recessed at 7:40 PM.

2.2 7:10 Hazard Mitigation Plan: Sam Lawton of Montachusett Regional Planning Commission (MRPC) will present the draft Hazard Mitigation Plan: Mr. Lawton's presentation began at 7:41PM. He explained the current Plan that expires April 5, 2015 is intended to address the requirements of FEMA and MEMA to address and anticipate any hazards that may occur. The requirements are in the disaster mitigation act of 2000. He shared a PowerPoint presentation. He is not asking for a vote tonight, but requested that the Board and staff look it over and provide comments or edits. It will then be submitted to FEMA and MEMA. Once the MRPC gets an approval they will come back for a vote. The plan would then be good for 5 years. SL asked about changing the list of critical facilities. Mr. Lawton said the plan can be amended, but the first responders would already be aware of it. Shirley Coit said as the head of TEMA she meets with the MRPC every year for updates. Paul Rafuse, Water Superintendent, asked why a public water supply wouldn't be listed. They were not reimbursed for damage from the 2008 ice storm. The Board thanked Mr. Lawton for his presentation.

2.4 7:30 Council on Aging Director: Ed Snapp, chairman of the screening committee, will be present to offer the Committee's recommendation for COA Director: At 7:57PM Mr. Snapp told the Board that the screening committee has selected Kimberly Dee as the COA Director contingent on salary negotiation. Mr. Sheehan reminded the Board that the position is budgeted at approximately \$38,000 for the current fiscal year. This is less than the candidate currently makes or would like to make. She has the credentials to demand a higher salary. There was discussion about the compensation and classification plan. Ms. Clish was at Grade 6, step 3. Ms. Dee's request would put her at Grade 6, approximately step 6. Discussion included possibly making an offer contingent on approval of funds at Town Meeting. Mr. Sheehan emphasized that we really aren't in a position to negotiate and he is looking to the Board for direction. There was more discussion about the position, its qualifications, the compensation and classification plan, and funds available under the tax levy. CM suggested tabling this item for two weeks. The other members of the Board agreed.

2.3 7:20 Fire Department: Fire Chief Mark Boynton will discuss the following: Chief Boynton was recognized at 8:15PM.

- Provide an update on a new station: Chief Boynton familiarized himself with the project and on July 28 the committee met to discuss how to proceed. They decided to stick with a three station approach. For the West Station perhaps they can purchase the American Legion property and incorporate the current station to accompany the modern fire apparatus. Their anticipated budget would be around \$500,000. They also agreed to abandon the Scales Lane proposal and start with a new central station at 13 Elm Street. He understands the property was purchased for that purpose and would like to honor that decision. They believe 12,000 square feet will be sufficient. As the Chief of the Department he is honored to tell the Board that he has been approached by a private entity who would like to donate a new station at 13 Elm Street. The new building will meet or exceed the needs that have been previously identified as well as fit the décor and architecture of the downtown area. After some discussion, it was understood this generous donation would be viewed as a partnership for the greater good of the community for a number of reasons. Primarily, it would allow the Chief to focus on developing and advancing the department such as recruiting new members, retention of

current members, increasing training, and increasing fire prevention activities. As proposed, the donation would follow the same model as the library/senior center. The donation would require vacating 13 Elm Street for approximately nine months starting as soon as this Fall. To move forward he needs the blessing of the Board to allow the building to be designed and built on the 13 Elm Street lot. The intention is to accept the privately donated building within the next 12 months. All Board members expressed their gratefulness and thanks for the generosity of this gift. SL asked where the department would relocate. Chief Boynton suggested temporary trailers be placed on the field by Town Hall. CS moved to bless the project as presented by Fire Chief Boynton with the intent of accepting the donation within 12 months. CM seconded. Unanimous.

- Request the Board's approval to hire new per diem paramedics: Darren L. Brock, Natan Hagopian, Andrew Perry, Nicholas R. Shelburne: Chief Boynton is filling vacancies. CS moved to appoint Darren Brock of Barry Mass as an on call firefighter paramedic contingent upon passing a background check and physical with (she asked if there is a probationary period recommended with this to which Chief Boynton replied six months). CS continued adding a six month probationary period. (She asked if she should appoint them all together? It would be the same terms), so I would amend that to include Natan Hagopian, Andrew Perry and Nicholas Shelburne. CM seconded. Unanimous.
- Discuss the creation of new positions of EMS Coordinator and Fire Department Mechanic:
  - EMS Coordinator: Chief Boynton noted that the EMS inspection highlighted the deficiency of not having an EMS Coordinator. He requests the position be posted at a Captain's rank for 20-30 hours incorporated into the per-diem hours so there is no financial impact. Mr. Sheehan doesn't believe it would be necessary to send to HRS. This fits in Grade 4 at Step 6 or higher at \$19.59 - \$21.62/hour. After continued discussion, CS moved to create the position of EMS Coordinator to be paid at the Captain level with hours to be 20-30 hours per week and to post such position. CM seconded. Unanimous.
  - Mechanics: Chief Boynton presented his calculations; last year the Fire Department spent \$39,000 in vehicle repairs. Hiring two part-time mechanics certified to work on fire apparatus could save just under \$7,000. They would also be available for breakdowns and roadside service. The positions would be per-diem at \$50/hour. We save money and get services here. Wages are comparable when you consider they wouldn't be getting benefits. CS said she went over the bills and found \$11,651 in labor costs last year to maintain the vehicles. She didn't get a chance to isolate how much was toward things that a highway mechanic couldn't take care of, but it was about  $\frac{3}{4}$ . We hired a highway mechanic to do things like brakes, oil changes, and such. She commended Chief Boynton for thinking outside of the box and trying to save money but will have a hard time paying \$50/hour when one was just hired for \$22. Discussion ensued about the qualifications required to work on fire apparatus. Chief Boynton pointed out they could work out of the Harbor Station and the only thing to buy would be a larger air hose for about \$100. SL said she is inclined to go with the Chief's recommendation. CS moved to create two part-time fire mechanic positions per-diem with a pay rate of \$50/hour with duties as attached job descriptions outline and to post for the positions. CM seconded. CM aye, SL aye, CS opposed. Motion passes.

### III MEETING BUSINESS

- 3.1 Review and discuss Devens Regional Household Hazardous Products Collection Center FY14 Annual Report: Mr. Sheehan gave an update and passed out an email from Tessa David about the 130,000 lbs. that have been collected at \$1.38/lb. If any town did the collection it would cost \$2.58/lb. or \$98,000. Their annual report talks about the continued increase in usage since opening 3 years ago. The Center continues to be a great success at a low cost and they are open 20 times a year. Jim LeCuyer presented what he considers the actual statistics for the Town. His tabulations show the citizens of Townsend paid \$3,070 to dispose of household hazardous waste and an annual fee of \$4,457. Divided by 54 vehicles it

cost an average of \$82.53 per vehicle. He suggested bringing it in house. SL asked if he can offer 20 collections a year. Mr. LeCuyer said he could at the new fire station. SL suggested he submit a plan through the Board of Health. After additional discussion, the Board took a brief recess.

Recess – 8:59PM to 9:05PM

- 3.6 Review and discuss correspondence from the Water Department regarding transfer of Water collections from the Water Department to the Town Collector: Paul Rafuse, Water Superintendent, informed the Board that the Board of Water Commissioners voted to comply with the auditors and Department of Revenue's suggestion to move forward with the transfer of collections contingent on proposed "chargeback" fees from Town Hall. Mr. Sheehan believes it will serve us well though additional staff will be needed in the tax collector's office. It should be effective January 1 or July 1.
- 3.2 Review and approve revised Alcoholic Beverages License Policy: Mr. Sheehan read the revision into the record. CS moved to accept the amended Alcoholic Beverages License Policy as attached to the record. CM seconded. Unanimous.
- 3.3 Review and approve request of Debra Reeves to hold the 10<sup>th</sup> Annual Gregory E. Reeves Memorial Scholarship Run on Saturday, October 11, 2014 and to close Brookline Street from Main Street to Highland Street from 7:30AM to 12:30PM, and further to authorize the Police Chief to approve temporary closures of other roadways: Mr. Sheehan said this is customary for the annual event and Chief Marshall has no concerns. CS moved to approve the request of Debra Reeves to hold the 10<sup>th</sup> Annual Gregory E. Reeves Memorial Scholarship Run on Saturday, October 11, 2014 and to close Brookline Street from Main Street to Highland Street from 7:30AM to 12:30PM, and further to authorize the Police Chief to approve temporary closures of other roadways. CM seconded. Unanimous.
- 3.4 Discuss process for filling vacancies on the Conservation Commission: The situation was reviewed with regard to the applicants to fill two regular vacancies and two reappointments. The Board agreed to set a meeting for next Tuesday, August 19<sup>th</sup> at 5:30PM to interview all applicants who were considered by the Conservation Commission: Karen Chapman, Jennifer Pettit, Veronica Kell, Stephen Marshall and Emily Norton.
- 3.5 Update on status of tax collections: Mr. Sheehan explained the process Beth Ann Scheid has put into action and her results. He also said she plans to terminate her employment in the next couple of months. He reviewed a new staffing plan for the Treasurer/Collector's office as well as a change in the layout. He will have a formal plan for the Board's next meeting.
- 3.7 Discuss creation of Sustainability Committee: CS moved to table 3.7 and 3.8 to the meeting on August 26, 2014. CM seconded. Unanimous.
- 3.8 Discuss Town Administrator and Board of Selectmen goals for 2014: (see 3.7).
- 3.9 Vote to declare surplus a North Star Semi-Trash Water Pump used by the Board of Health at the Landfill: Mr. Sheehan said this is a standard declaration. This item is beyond repair and has little value. CS moved to declare as surplus a North Star Semi-Trash Water Pump used by the Board of Health at the Landfill with an estimated value to be determined by scrap metal. CM seconded. Unanimous.
- 3.10 Update on public records request: Mr. Sheehan noted that the request is for a total of eight years of emails from Leslie Gabrilksa and Karen Chapman. An appeal has been filed with the Secretary of State's office. Attorney Lori Sullivan at the Secretary of State's Office confirmed that there is no requirement to segregate emails as they come in and it is allowable for the Town to charge for the research and segregation time. He added that the public records law is a state statute administered by the Secretary of the Commonwealth and the Board has no role to play in the public records request or appeal process. The appeal of our response has been filed and rests with the Secretary of State's office. CS said she emailed Mr. Sheehan to ask if he had talked to the Secretary of State's office and didn't hear back from him so she called and said she got a different response. When Andy told her what his response was she emailed them to try to get something in writing but that can't be done. She talked to attorney Angela

Puccini who told her they are going to review the estimate and let us know if we have to revise it as part of that appeal. SL asked for clarification. CS said she asked if we could charge a requester the amount to segregate the exempt and non-exempt emails. After continued discussion CS said the attorney did tell her that with regard to the charge to town counsel, they've had difficulty approving anything like that because it always has to be the lowest paid employee, but we will find out what their determination is. SL asked why CS called. CS said it was because she hadn't heard back from Mr. Sheehan yet when she asked if he had called the Secretary of State's office. SL asked if he did get back to her. CS acknowledged he did. Debate continued. CS suggested the Town Administrator let the BOS know what the estimate is in the future. Mr. Sheehan said that may be difficult since we have only ten days to respond. CS advised him to send a quick email. Mr. Sheehan said that is a good segue to the next item.

3.11 Update and discussion of Open Meeting Law: Mr. Sheehan referenced a memo and accompanying determination from the Attorney General's Office regarding a violation of the Open Meeting Law by the Board of Selectmen of a nearby another town. He said CM brought the article to his attention. The AG's ruling illustrates how easy it is to violate the Open Meeting Law with serial communications over email. In short, any topic that will be discussed and deliberated by a board or commission cannot be discussed outside of a properly posted meeting. This includes sharing of opinions by members. SL stressed that no deliberations can be done outside of a posted meeting.

3.12 Review requests of Unitil to cross, alter, or construct within a public way for installation of gas services at 24 Worcester Road, 24 Main Street, and 67 W. Elm Street: CS moved to approve the requests of Unitil to cross, alter, or construct within a public way for installation of gas services at 24 Worcester Road, 24 Main Street, and 67 W. Elm Street. CM seconded. Unanimous.

3.13 Review requests for One Day Special Liquor Licenses for Terri Roy of Townsend VFW Post 6538, 491A Main Street:

- Wedding Reception on August 23, 2014 from 5-9PM;
- Jack & Jill on September 13, 2014 from 7-11PM;
- 40<sup>th</sup> Birthday Party on September 27, 2014, from 7-11PM

CM moved to approve the requests for One Day Special Liquor Licenses for Terri Roy of Townsend VFW Post 6538, 491A Main Street for the following events: Wedding Reception on August 23, 2014 from 5-9PM; Jack & Jill on September 13, 2014 from 7-11PM; and 40<sup>th</sup> Birthday Party on September 27, 2014, from 7-11PM. CS seconded. Unanimous.

3.14 Unitil's tree trimming and concerns with regard to that: SL informed the Board that Unitil is doing tree service in Timberlee Park. A neighbor's tree was trimmed drastically while they weren't home and they hadn't been notified. They would have hired an arborist if they had the chance. She would like to invite a Unitil customer relations representative and arborist to come in to explain the process. Mr. Sheehan will invite them to an upcoming meeting.

#### **IV APPOINTMENTS OF PERSONNEL/OFFICIALS**

4.1 Vote to appoint Joseph Sullivan to the Townsend Emergency Management Agency (TEMA) for a term from August 12, 2014 to June 30, 2017: CS moved to appoint Joseph Sullivan to the Townsend Emergency Management Agency (TEMA) for a term from August 12, 2014 to June 30, 2017. CM seconded. Unanimous.

4.2 Vote to appoint the following election workers for terms from August 15, 2014 to August 14, 2015:

Carol Wright	Cheryl Simoneau	Eino Kauppi
Avis Roy	Lindsay Morand	Elaine Martin
Louise Thorpe	Mary Szurely	Janet Leavitt
Clare Kauppi	Janet Vesper	Anne Forseman
Barbara Wheeler	Betty Mae Tenney	Ann Adams
Heidi Munroe	Sharon LaCasse	Brian Colby
Carol Mansfield Buxton	Paula Woodman	Sandra Tuttle
Janet Wesson-Snapp	Charlene Smith	Jane Stonefield

Marcia MacMaster  
Irene E. Johnson  
Helen Kezar  
Darlene Coit  
Joan MacPhee

John Stonefield  
Susan Gerken  
Peter Buxton  
Carlene Whittemore  
Lois Howgate

Jerrilyn Bozicas  
Jean Bradley  
Steve Baldwin

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

## V WORK SESSION

### 5.1 Board of Selectmen updates and reports:

- CS announced the August 14 and 21 band concerts. She thought it would be a good idea to have the Building Commissioner, Police Chief and Fire Chief come to a meeting to discuss inspections for the new high school and maybe getting some of the other towns to share the responsibility. She requested the Housing Authority come in to discuss the housing plan and Mr. Sheehan said they are scheduled to come in September. She asked about a constable appointment and Mr. Sheehan said the application was incomplete, but that he would follow up with the individual. She reminded citizens that purple bags are available for excess trash.
- SL asked Mr. Sheehan about the borrowing for capital purchases. Mr. Sheehan informed the Board that he sent an email to departments putting the capital purchases on hold until the borrowing is settled. He reported on conversations he had with bond counsel who views the reference to GL c. 40, s. 53 as a threat of litigation. Bond counsel has to disclose to potential investors any threats of litigation. Until there is a resolution bond counsel advises that we not move forward with the borrowing. Those purchases not dependent on borrowing can still go forward. SL asked what is being held up. Mr. Sheehan replied everything in the Highway Department, which is about two-thirds of the borrowing, a couple of Town Hall items, and the police carpeting and computers. After extensive discussion about the situation CS said she will talk to bond counsel tomorrow.

5.2 Town Administrator updates and reports: The Nashoba Tech roof project is approximately one million dollars less than anticipated. The local share is \$750,000. The hit is about \$24,500 per year for 5 years. The MBTA put out an RFP for the rail trail and the Squannacook Rail Trail was the only bidder. He presumes that will move forward soon. The high school project is moving forward. There will be a pipeline coalition meeting here on August 25<sup>th</sup> at 10AM. He was in North Redding yesterday. The tariff has been put on hold, at least in Massachusetts. Kinder Morgan is moving forward with their agreements with the utilities and are well on their way to getting the contracts they need. Daniel Arsenault provided some information to the Board members and said he would volunteer to save the town some money.

5.3 Review and sign payroll and bills payable warrants: CS moved to sign the payroll out of session. CM seconded. Unanimous. CS moved to sign the bills payable warrant out of session. CM seconded. Unanimous.

CM moved to adjourn at 10:35PM.

*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.*

*Respectfully submitted by Karin Canfield Moore*



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**SELECTMEN'S MEETING MINUTES**  
**AUGUST 19, 2014, 5:30 P.M.**  
**SELECTMEN'S CHAMBERS**  
**272 MAIN STREET, TOWNSEND, MA**

- 1 The Chairman called the meeting to order at 5:30PM and roll call showed Sue Lisio, Chairman (SL); Colin McNabb, Vice-Chairman (CM); and Carolyn Smart, Clerk (CS) present. SL announced that the meeting was being audio recorded.
- 2 Interview candidates for appointment or reappointment to the Conservation Commission:  
Karen Chapman (KC) asked if the Board would be interviewing reappointments for any other committees and asked why they chose to do so for the Conservation Commission. The Board members all agreed it was an unusual situation. SL pointed out that it is because of the difficulties the Commission is having at this time. The Board wants to assure the same opportunities are given to everyone.

SL reminded everyone of the Open Meeting Law, Public Records Law, and similar laws and the expectation for adherence to it including the filing of minutes. She reminded all to be especially careful with email correspondence and other conversations outside the meeting. Commissioners are expected to attend meetings on a regular basis and honor the commitments they make. KC asked if there have been complaints. SL said she heard that there have been discussions outside of meetings. CS confirmed that she has heard similar things. KC said the whole thing feels accusatory whereupon SL and CM assured her that this is purely business, not personal. KC left the room. Emily Norton asked whether Commissioners can have discussions on a site walk to which Mr. Sheehan replied that you can have a conversation about the conditions on the site, but you cannot deliberate or make decisions.

The Board began their interviews with Veronica Kell. Each member had the opportunity to ask the applicants questions. The Board then interviewed Stephen Marshall. KC delivered a document to the chairman and the meeting recessed at 6:12PM. At 6:20 the meeting reconvened. The Board then interviewed the remaining candidates. After the interviews were complete SL announced KC had resigned from the Commission.

CS moved to appoint Jennifer Pettit to a three-year term from July 1, 2014 to June 30, 2017. CM seconded. Unanimous.

CS moved to appoint Emily Norton to a two-year term from July 1, 2014 to June 30, 2016. CM seconded. Passed 2-1 (CM opposed).



CS moved to appoint Stephen Marshall to a one-year term from July 1, 2014 to June 30, 2015. CM seconded. Passed 2-1 (SL opposed).

CS moved to appoint Veronica Kell as an associate member. It was noted that the position of associate member does not exist and a vacancy for such a position has not been posted. CS withdrew the motion. .

3. Other topics not anticipated/Chairman's Additions or Deletions

*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 AGENDA**  
**AUGUST 26, 2014, 7:00 P.M.**  
**SELECTMEN'S MEETING CHAMBERS**

**I PRELIMINARIES**

- 1.1 The Vice-Chairman called the meeting to order at 7:04PM and roll call showed Colin McNabb, Vice-Chairman (CM); and Carolyn Smart, Clerk (CS) present. Chairman Sue Lisio was absent.
- 1.2 The Vice-Chairman announced that the meeting is being tape recorded.
- 1.3 Chairman's Additions or Deletions: CM announced the deletion of 2.1: Continuation of Public Hearing on petition of Unitil and Verizon; add 3.10: Review and approve contracts with BETA Group, Inc. for preparation of a pavement management plan.
- 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. CS moved to approve the meeting minutes of 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. CM seconded. Unanimous.
  - Executive session minutes: June 17, 2014 and July 1, 2014. CS moved to approve the executive session minutes for June 17, 2014 and July 1, 2014. CM seconded. Unanimous.

**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. The applicant's representative requests to continue the hearing without testimony to September 23, 2014: Mr. Sheehan met on the site with Jim Dee from Unitil. Mr. Dee told him they are working with the requester, Ms. Hill, and the neighbors, Ed and Mary West, to come up with a route that is satisfactory to all parties. Mr. Dee requested to continue the hearing without testimony to September 23, 2014. CS moved to continue the public hearing to September 23, 2014 at 7:05PM. CM seconded. Unanimous.
- 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: Ed Snapp said the Council on Aging has found some funding from the formula grant through the Office of Elder Affairs. The grant had been used to pay for the volunteer coordinator position recently vacated by Claire Devine. Using this money to supplement the new director's salary would carry them through FY15 and bring the salary to the \$45,000 range. They would also like to increase the hours to 40 hours per week. Mr. Sheehan suggested going to fall Town Meeting with a supplemental budget appropriation. After continued discussion, it was agreed to table this item to the September 9<sup>th</sup> meeting. The option of adjusting benefits like vacation time was brought up by Mr. Sheehan. CS agreed, but would like the rules to be the same for all employees.
- 2.3 7:20 Fire-EMS Chief Mark Boynton to discuss on-call pay: Chief Boynton explained a gap in coverage for which scheduled on-call or duty officers are needed. There have been some calls where officers were unable to respond and only personnel with limited experience were present. He has scheduled a five week rotation and can use existing funds in the budget to pay a \$1.00 per hour rate which adds up to about \$100/week. CS asked how this would work for the union firefighters. Mr.

Sheehan replied that it would have to be negotiated into the contract and does raise some fair labor standard issues. Chief Boynton explained the terms to the one union member in the rotation who has agreed to those terms. Discussion continued. CS moved to approve the request of Fire Chief Boynton to have on-call pay at \$1.00 per hour for all non-union employees at the Fire-EMS Department. CM seconded. Unanimous.

### **III MEETING BUSINESS**

- 3.1 Review and approve staffing plan for Treasurer/Collector's Office: Mr. Sheehan gave an overview of the situation and proposed a new staffing plan. He recommends the formal consolidation of the Treasurer/Collector as a full-time position. This would improve staff oversight and continuity in the office. The position is not in the compensation and classification plan and he recommends sending it to HRS to be classified. The Assistant Tax Collector position would remain largely unchanged, although she would focus more on high level duties. He proposes to add a 30 hour department assistant at the collections desk who would also do payroll and other tasks. Department assistant exists on the compensation and classification plan. The payroll clerk position would be eliminated. He also recommends adding a collections clerk at the counter. He said the plan would require some changes to the office layout, but was confident it can be done in-house. CS questioned if this plan triggers Section 5.1 of the Town Charter. CM advised tabling this item to the next meeting when all Board members would be present. Mr. Sheehan said he would contact town counsel with regard to the Charter. CM tabled the item to September 9th.
- 3.2 Review and approve c. 90 reimbursement request for Hamilton Hill Road in the amount of \$10,212.32: Mr. Sheehan said the project has been completed. CS moved to approve the Chapter 90 reimbursement request for Hamilton Hill Road in the amount of \$10,212.32. CM seconded. Unanimous.
- 3.3 Discuss dates for Special Town Meeting; vote to open the warrant; set date for warrant articles: A discussion ensued as to the options. CS moved to tentatively set the date for October 21<sup>st</sup> and open the warrant for submission of warrant articles. CM seconded. Unanimous.
- 3.4 Update on FY15 capital borrowing: Mr. Sheehan reported bond counsel has given the go ahead on the capital borrowing. Bond counsel recommends we purchase the equipment with available funds and then use the bond proceeds to be reimbursed. He said no action is needed by the Board at this time. CS assumed the plan was to buy all the capital items from available funds because then we would know how much we have to borrow. We don't necessarily need to borrow the \$729,000. From what she understands now, we are just borrowing the whole \$729,000 regardless of the amount needed? Mr. Sheehan reiterated that we will make the purchases first and then borrow for what is needed. Available funds will be used to purchase the equipment. We already know that by purchasing the combination sweeper catch basin unit that will save about \$20,000 and are still waiting for some clarity on the state budget. If we get that it would be an additional \$50,000 off of what we would have to borrow.
- 3.5 Discuss creation of Sustainability Committee: CM suggested tabling this item.
- 3.6 Discuss Town Administrator and Board of Selectmen goals for 2014: Brief discussion before CS moved to table 3.5 and 3.6 to September 9<sup>th</sup> when the entire Board is present. CM seconded. Unanimous.
- 3.7 Review and approve auction permit for an auction to be held on September 13, 2014, from 9:00am-4:00pm: CS moved to approve the permit for an auction to be held on September 13, 2014, from 9:00am-4:00pm by Petrowsky Auctioneers, Inc. CM seconded. Unanimous.
- 3.8 Review mandatory referral notice from the Planning Board related to proposed amendments to the zoning bylaw: CS had no comment and moved to table to September 9<sup>th</sup>. CM seconded. Unanimous.
- 3.9 Announce 25<sup>th</sup> Anniversary celebration of Atwood Acres, 66 Dudley Road, on September 5, 2014, from 11:30-3:00PM: CS read the announcement into the record.
- 3.10 Review and approve contracts with BETA Group, Inc. for preparation of a pavement management plan in the amount of \$24,500 and catch basin mapping in the amount of \$5,490 with all costs paid from c. 90: Mr. Sheehan explained the process. CM likes that a neutral party is doing the prioritizing. CS moved to approve the contracts with BETA Group, Inc. for preparation of a pavement management plan in the

amount of \$24,500 and catch basin mapping in the amount of \$5,490 with all costs paid by Chapter 90. CM seconded. Unanimous.

**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. CS moved to appoint Jane Jackson to the COA Board with a term from July 1, 2014 to June 30, 2015. CM seconded. Unanimous.

**V WORK SESSION**

- 5.1 Board of Selectmen updates and reports: CS and Mr. Sheehan discussed the donation license agreement for the proposed fire station. CS congratulated Eagle Scout Mike Whittier. She would also like to set up a work session with FinCom before the budget season. CM commended firefighter Brian Mayer for helping fight forest fires out West and announced the 10<sup>th</sup> annual Greg Reeves Run on October 11th.
- 5.2 Town Administrator updates and reports: Mr. Sheehan gave an update on the road projects around town.
- 5.3 Review and sign payroll and bills payable warrants: CS moved to sign the bills payable warrant out of session. CM seconded. Unanimous. CS moved to sign the payroll warrant out of session. CM seconded. Unanimous.

CS moved to adjourn at 8:12PM. CM seconded. Unanimous.

Respectfully submitted: Karin Canfield Moore

*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

3.1


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

Colin McNabb, *Vice-Chairman*

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

## MEMORANDUM

TO: Board of Selectmen

FROM: Andrew J. Sheehan, Town Administrator 

DATE: August 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.

## Andy Sheehan

---

**From:** Brian Riley <BRiley@k-plaw.com>  
**Sent:** Thursday, September 04, 2014 3:20 PM  
**To:** asheehan@townsend.ma.us  
**Subject:** Proposed staffing plan for Treasurer-Collector's office  
**Attachments:** Treasurer-Collector\_staffing\_plan\_memo\_2014-08-21.doc

Andy: You requested an opinion regarding the attached staffing plan ("the Plan") for the Treasurer-Collector's office. You presented this to the Board of Selectmen as making some staffing changes and making the combination of the Treasurer and Tax Collector offices permanent; however, a question arose as to whether these changes should be accomplished through the "Administrative Code" provision of the Charter, found in Section 5-1(b). In my opinion, the Plan is not the kind of change that triggers Section 5-1(b) and does not, therefore, require Town Meeting approval.

You informed me that until this year, the office of Tax Collector was an elected office while the Treasurer is appointed. For some time, the elected Collector [Kathy Rossbach] also served as Treasurer, pursuant to §119.1 of the Code, which provides that "The Tax Collector shall act as the Treasurer for the Town of Townsend with the approval of the Board of Selectmen." Ms. Rossbach retired last year, however, and there have been interim appointments in the two offices. In addition, Chapter 4 of the Acts of 2014 changed the Town Charter by making the Tax Collector an appointed office.

In my opinion, the attached staffing Plan does not trigger Section 5-1(b) of the Town Charter. This provision, found in many Massachusetts charters, authorizes the Town Administrator, "after consultation with the Board of Selectmen," to propose plans of reorganization "which establish operating divisions for the orderly, efficient or convenient conduct of the business of the town." In my opinion, the proposed staffing plan is not establishing a new operating division or department of Town government. The Town by-laws already expressly allow the Board of Selectmen to authorize the Tax Collector to simultaneously serve as Treasurer, as has been the recent practice. The Plan proposes an Assistant Treasurer-Collector, but that position already exists. Otherwise, the Plan only proposes adding some administrative positions and does not alter any official's duties or responsibilities. By contrast, Section 5-1(b), as quoted, refers to establishing a new division or department. For example, a municipality might use this provision to create a unified Department of Finance, putting the Treasurer, Collector, Accountant and Assessors in one department with one officer serving as the Director of that department. While Section 5-1(b) would not be the only way to create such a department [it could be done by Charter amendment], that sort of change would be a new "operating division" requiring the approval of Town Meeting. In my opinion, however, the Plan you are proposing does not trigger the requirements of Section 5-1(b) of the Charter and no Town Meeting vote is needed.

If there are further questions, please let me know.

Very truly yours,

Brian W. Riley, Esq.  
Kopelman and Paige, P.C.  
101 Arch Street  
12th Floor  
Boston, MA 02110  
(617) 556-0007  
(617) 654-1735 (Fax)  
[briley@k-plaw.com](mailto:briley@k-plaw.com)

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## Andy Sheehan

---

**From:** Andy Sheehan <asheehan@townsend.ma.us>  
**Sent:** Wednesday, August 27, 2014 2:35 PM  
**To:** Brian W. Riley (briley@k-plaw.com)  
**Subject:** Townsend Charter, s. 5-1  
**Attachments:** Treasurer-Collector\_staffing\_plan\_memo\_2014-08-21.doc

Brian,

Under Townsend's 1999 charter the position of Tax Collector was an elected position. The position of Town Treasurer is appointed and c. 119 of the Townsend Code allows the Board of Selectmen to appoint the Tax Collector as the Town Treasurer. Until last year Townsend operated in this fashion, with Kathy Rossbach holding the position of elected Tax Collector and appointed Town Treasurer. Chapter 4 of the Acts of 2014 converted the elected Tax Collector to an appointed Town Collector. For most of the past year, since Kathy Rossbach's retirement, we have had a part time Interim Town Treasurer and a part time Interim Town Collector.

At the request of the Board of Selectmen I prepared and presented a staffing plan for the Treasurer-Collector's Office. My memo to the Board is attached. The plan consolidates the separate positions of Town Treasurer and Town Collector into a single full time Treasurer-Collector. It also proposes some other staffing changes in the office. The office remains an independent office and will continue to share space with the Assessors. The Town does not have a finance department.

When I presented the staffing plan last night one of the Board members questioned whether this staffing plan triggers section 5-1(b) of the Charter. Section 5-1(b) addresses "plans of organization or reorganization which establish operating divisions for the orderly, efficient or convenient conduct of the business of the town." I do not view the proposed staffing plan as establishing operating divisions. Section 5-1(b) appears to contemplate larger organizational changes, such as creating a department of public works or public safety department. The proposed staffing plan does little more than formalize the historic structure of the office and add some staff.

Please let me know whether section 5-1(b) is applicable in this case. If possible I would appreciate your response by September 4, 2014 so I can distribute it in advance to the Board of Selectmen. Thank you in advance.

Andy

**Andrew J. Sheehan**  
Town Administrator  
Town of Townsend  
272 Main Street  
Townsend, MA 01469  
Tel: 978-597-1700 x1701  
Fax: 978-597-1719  
[asheehan@townsend.ma.us](mailto:asheehan@townsend.ma.us)

*In Massachusetts, email is determined to be a public record and may not be kept confidential.*



TOWNSEND  
FIRE-EMS  
DEPARTMENT

TOWNSEND  
MA 01469

STANDARD OPERATING  
GUIDELINE

Title:

Duty Officer

SOG #: OPS-14-002  
EFFECTIVE DATE: 09/07/14  
REVISION #:

3.2

DRAFT

I) **Purpose:**

The purpose of this SOG is to provide a framework for Officers in the performance of nights, weekends and holiday Duty Officer coverage.

II) **General:**

- A) Officers of the department will voluntarily be on-call on a rotating schedule to assure someone will be available. This on-call position will be referred to as the Duty Officer.
- B) The Chief or his designee will develop the rotation schedule that will be available two months in advance and posted in the dispatch center.
- C) The Duty Officer shall assume the authority and responsibility of the department in the absence of a higher ranking officer. The intent of this guideline is to assure the authority and responsibilities are fulfilled.
- D) Typical Duty Officers responsibilities shall include, but not be limited to:
  - 1) Command of Major Events
  - 2) Protecting the interest of the town and department.
  - 3) Responsible for the safety and well-being of the town and the department members.
  - 4) Spokesperson and decision maker for the department in the absence of a higher ranking officer.
  - 5) Provide guidance to subordinate members and assume responsibility and authority when necessary.
  - 6) Represent or appoint a representative to the Emergency Operations Center during a disaster.
- E) The Duty Officer may request dispatch of the Department, as he or she deems appropriate.
- F) In the event that weather conditions are likely to change during the day, such that burn permits would likely be rescinded, the On-Call Chief may elect to ban permits for the entire day.
- G) An incident report shall be filed for any duty incident or activity.
- H) Weekday evening coverage starts at 6:00 pm and ends the following morning at 6:00 am.
- I) Weekend duty coverage starts at 6:00 pm Friday night and ends on Monday morning at 6:00 am.
- J) Holiday Coverage shall begin at 6:00 am and end 6:00 am the following morning.
- K) Officers may swap a shift or portions of a shift as long as dispatch is notified as to the change.
- L) Officers while acting as duty officer may utilize a staff vehicle for official business only.
- M) The Duty Officer may submit mileage for reimbursement, for use of their personal vehicle while on duty.
- N) The Duty Officer will receive a standby fee of one dollar (\$1.00) per hour for being on call. Any duties performed during this time shall be compensated at normal hourly rate or overtime if applicable.
- O) The Duty Officer shall respond to all mutual aid requests where Townsend apparatus and/or personnel are responding to the scene. Whenever possible the Duty Officer will make sure and Officer remains available for coverage in Townsend.

**END**

mail  
8/29/14

3.3

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

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

Date: 8/29/14

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

To Whom it May Concern:

The Undersigned, Unitil Fitchburg Gas & Electric hereby applies for permission to: Open Road  
on 10 School St - Install GAS service

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

Start Date: \_\_\_\_\_

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

\_\_\_\_\_  
(Company Representative)  
285 John Fitch Hwy  
(Street Address)  
Fitchburg, MA 01420  
(City, State, Zip)  
\_\_\_\_\_  
(Telephone)

Approved/Disapproved: Highway Superintendent: \_\_\_\_\_  
Approved/Disapproved: Board of Selectmen: \_\_\_\_\_



Date: 8/29/14  
Date: \_\_\_\_\_

imal  
8/26/14

06-15CA

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

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

Date: 8/26/14

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

To Whom it May Concern:

The Undersigned, Unitil Fitchburg Gas & Electric hereby applies for permission to: Open Road  
for 7 Smith St - for installation of Gas Service

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

Start Date: \_\_\_\_\_

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

\_\_\_\_\_  
(Company Representative)  
285 John Fitch Hwy  
(Street Address)  
Fitchburg, MA 01420  
(City, State, Zip)  
\_\_\_\_\_  
(Telephone)

Approved/Disapproved: Highway Superintendent: [Signature] Date: 8/26/14  
Approved/Disapproved: Board of Selectmen: \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# The Commonwealth of Massachusetts

3.4

## MIDDLESEX SS.

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

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the legal voters of the Town of Townsend, qualified to vote at Town Meetings for the transaction of Town affairs, to meet at the Memorial Hall, 272 Main Street, Townsend, MA for the Special Town Meeting on Tuesday, **October 21, 2014, at 7:00 PM**, then and there to act on the following articles:

### FINANCIAL MATTERS

#### ARTICLE 1

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

**SUBMITTED BY:** Board of Selectmen

#### ARTICLE 2

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

**SUBMITTED BY:** Board of Selectmen

#### ARTICLE 3

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

**SUBMITTED BY:** Board of Selectmen

#### ARTICLE 4

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

**SUBMITTED BY:** Police Chief

#### ARTICLE 5

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

**SUBMITTED BY:** Board of Selectmen

#### ARTICLE 6

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

**SUBMITTED BY:** Veterans Services Officer and Board of Selectmen

**ARTICLE 7**

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

**SUBMITTED BY:** Board of Selectmen

**ARTICLE 8**

To see if the Town will vote amend the Board of Health revolving fund to allow proceeds from the sale of overthrow bags to be deposited into the revolving fund, or take any other action in relation thereto.

**SUBMITTED BY:** Board of Health

**ARTICLE 9**

Curbside trash limits: 64 or 96 gallons/week, or take any other action in relation thereto. **AWAITING LANGUAGE FROM BOARD OF HEALTH**

**SUBMITTED BY:** Board of Health

**BYLAW AND STATUTORY ADOPTIONS**

**ARTICLE 10**

To see if the Town will vote to adopt G, L. c. 44, s. 65, as amended, to allow employees to be paid in advance for vacation, or take any action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

**ARTICLE 11**

To see if the Town will vote to adopt G, L. c. 200A, s. 9A, as amended, relative to notice requirements and alternative procedures in managing abandoned funds (i.e. unclaimed checks or “tailings”), or take any action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

**ARTICLE 12**

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:

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 13**

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."*

; or take any action in relation thereto.

**SUBMITTED BY:** Planning Board

**ARTICLE 14**

To see if the Town will vote to amend Zoning Bylaw, Article XI, §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 as specified in chapter 85 of the Townsend General Bylaw, 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 action in relation thereto.

**SUBMITTED BY:** Planning Board

**ARTICLE 15**

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.; or take any action in relation thereto.

**SUBMITTED BY:** Planning Board

**ARTICLE 16**

Ticketing for illegal dumping

AWAITING LANGUAGE FROM BOARD OF HEALTH

**SUBMITTED BY:** Board of Health

**DISPOSITION OF TOWN-OWNED LAND**

**ARTICLE 17**

To see if the Town will vote to authorize the Board of Selectmen to enter into a lease(s) with a solar energy developer(s) for the purpose of developing a ground-mounted solar energy facility on Town-owned land at Map 6, Block 8, Lot 0, 33 Greenville Road, Map 18, Block 24, Lot 0, off Turnpike Road, or Map 27, Block 48, Lot 0, Old Meeting House Road adjacent to the Highway Garage, subject to such terms and conditions deemed by the Board of Selectmen to be in the best interests of the Town, or take any other action in relation thereto.

Authorize lease of Town-owned land for solar development.

**SUBMITTED BY:** Board of Selectmen

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

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

Given under our hands this \_\_\_\_ day of \_\_\_\_\_ in the year TWO THOUSAND FOURTEEN.

SELECTMEN OF TOWNSEND

\_\_\_\_\_  
Sue Lisio, Chairman

\_\_\_\_\_  
Colin McNabb, Vice Chairman

\_\_\_\_\_  
Carolyn Smart, Clerk

A true copy. ATTEST:

\_\_\_\_\_ CONSTABLE

MIDDLESEX, SS.

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

*Constable of TOWNSEND*

\_\_\_\_\_  
SIGNATURE

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

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

3.5

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

RECEIVED  
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 ~~free~~ *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).

3.6

6/17/14  
as

## 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

5.1

### 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



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

## MEMORANDUM

TO: Board of Selectmen

FROM: Andrew J. Sheehan, Town Administrator

DATE: September 4, 2014

SUBJ.: Town Administrator's Goals

---

In advance of the discussion on Board of Selectmen and Town Administrator goals I have prepared a list of goals, objectives, and tasks for the Board's consideration. We can all agree there is no shortage of important items for us to accomplish. The challenge lies in identifying the most important ones that deserve our attention and limited resources. The attached list is enough to carry us through calendar year 2015 and in some cases will require additional funding. I look forward to discussing these goals and the goals identified by the Board members at the meeting on September 9, 2014.

### **GOAL 1: MAINTAIN AND ENHANCE THE FINANCIAL STABILITY OF THE TOWN.**

**Objective 1:** Develop strategies to maintain the stability of the Town's finances and foster improvements where necessary and available.

**Tasks:**

- Continue to develop and present balanced budgets.
- Work with the Treasurer, Collector, Accountant, Board of Selectmen, and Finance Committee to review, update, and adopt comprehensive financial policies.
- Develop multiyear financial projection of revenues and expenditures.
- Continue improvements that will eliminate material weaknesses in the management letter and Department of Revenue financial management review.

**Objective 2:**

Explore and initiate changes in operating systems to increase revenues, reduce costs, and improve efficiency, such as but not limited to revenue enhancements, consolidation, privatization, and regionalization.

**Tasks:**

- Complete changes in the Treasurer-Collectors Office:
  - Implement staffing plan
  - Modify physical layout of space to better serve the public and enhance the ability of staff to perform vital functions
- Assist the Collector and Treasurer in collecting delinquent property taxes and tax titles.
- Pursue changes to employee health insurance to reduce costs.
- Explore consolidation, regionalization, and collaboration with internal and external partners.
- Explore budget savings with departments and policy makers.
- Investigate new revenue sources for consideration by policy makers.

**GOAL 2: PROMOTE SUSTAINABILITY AND LONG TERM PLANNING.**

**Objective 1:**

Develop an action plan to upgrade the Town’s information technology.

**Tasks:**

- Improve internet speed and reliability to ensure uninterrupted connectivity.
- Explore fiber connections between Town facilities in order to increase data speed and allow for redundancies.
- Implement IT assessment recommendations, including moving to an industry standard operating system, enterprise-wide email platform, improved network security, upgraded hardware and software, and improved reliability.

**Objective 2:**

Develop strategies to ensure sustainability of the Town’s capital assets, preserve quality of life of residents, and maintain a long term perspective while addressing short term needs.

**Tasks:**

- Improve maintenance of assets including furnishings, equipment, vehicles, and buildings.
- Continue funding for capital improvements.
- Develop plan for the reuse of the Hart Free Library and Town Hall Annex and if appropriate draft and issue request for proposals to lease.

### **GOAL 3: IMPROVE COMMUNICATIONS AND TRANSPARENCY OF TOWN OPERATIONS, MAKE THE TOWN GOVERNMENT MORE ACCESSIBLE TO RESIDENTS, AND LIMIT THE TOWN'S LIABILITY.**

#### **Objective 1:**

Develop initiatives to improve delivery of information to residents and encourage citizen participation; ensure adherence to both the letter and intent of laws that promote openness, good conduct, and responsible government; and diligently protect the Town from liability.

#### **Tasks:**

- Identify ways to increase volunteer participation on boards and committees.
- Conduct Selectmen's business in an open and transparent fashion while maintaining necessary confidentialities.
- Explore alternative communication methods to disseminate information and frame discussion topics.
- Expand and enhance citizen access to local government through user friendly technology.
- Make available to staff, board, and committee members access to training for laws governing the conduct of governmental activities.

#### **Objective 2:**

Revise bylaws, policies, and systems to more easily incorporate new members to boards and committees, assimilate new employees into the organization, and plan for succession.

#### **Tasks:**

- Update Personnel Policies & Procedures Manual and present to elected boards and commissions for adoption.
- Develop employee handbook.
- Update Board of Selectmen policies.
- Develop board and committee handbook.
- Incorporate new officials and employees into the organization.