



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

Colin McNabb, *Chairman*

Carolyn Smart, *Vice-Chairman*

Gordon Clark, *Clerk*

Andrew J. Sheehan,  
*Town Administrator*

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

**REVISED AGENDA**  
**AUGUST 25, 2015, 6:00 P.M.**  
**SELECTMEN'S CHAMBERS, TOWN HALL**  
**272 MAIN STREET, TOWNSEND, MA**

**I PRELIMINARIES**

- 1.1 Call the meeting to order and roll call.
- 1.2 Pledge of Allegiance
- 1.3 Announce that the meeting is being tape recorded.
- 1.4 Chairman's Additions or Deletions: **Delete 2.2**
- 1.5 Town Administrator updates and reports. Votes may be taken.
- 1.6 Board of Selectmen announcements, updates, and reports. Votes may be taken.
- 1.7 Meeting minutes: Executive session: June 23, 2015 and July 14, 2015

**II APPOINTMENTS AND HEARINGS**

- 2.1 6:15 Facilities Maintenance Department: Discussion with pertinent department heads regarding the scope of the Facilities Department. The discussion may include an executive session pursuant to GL c. 30A, s. 21(a)(2) to conduct contract negotiations with non-union personnel. Votes may be taken.
- ~~2.2 6:30 Meeting with Board of Assessors regarding senior tax work-off program. Votes may be taken.~~
- 2.3 6:45 Meeting with Building Commissioner Richard Hanks to discuss solar facility permitting fees. Votes may be taken.
- 2.4 7:00 Meeting with Treasurer-Collector Deborah Kristoff regarding miscellaneous topics. Votes may be taken.
- 2.5 8:00 Executive session pursuant to GL c. 30A, s. 21(a)(1) to discuss discipline or complaints or charges against an individual. Votes may be taken.
- 2.6 Executive Session pursuant to GL c. 30A, s. 21(a)(2) to conduct contract negotiations with non-union personnel. Votes may be taken.

**III MEETING BUSINESS**

- 3.1 Discuss and set date for special election to fill a vacancy on the Board of Selectmen. Votes may be taken.
- 3.2 Discuss dates for fall Special Town Meeting and vote to open the warrant. Votes may be taken.
- 3.3 Review and respond to Open Meeting Law complaint against the Board of Selectmen. Votes may be taken.
- 3.4 Review and discuss Zoning Board of Appeals mandatory referral for Lynn Fit LLC d/b/a Planet Fitness for a Special Permit to use 10,600 square feet of the Harbor Village Mall at 18 Main Street for an athletic or recreational facility. Votes may be taken.
- 3.5 Review and discuss Planning Board mandatory referral for Townsend Fit LLC d/b/a Planet Fitness for Site Plan Review and Special Permits for a change of use at the Harbor Village Mall at 18 Main Street to operate a Planet Fitness facility. Votes may be taken.

- 3.6 Review and discuss Zoning Board of Appeals mandatory referral for Keith & Mary LeTourneau for a Special Permit, Variance, or Appeal to use an existing kennel at 352 Main Street to house stray animals picked up by the Animal Control Officer. Votes may be taken.
- ~~3.7 Review and approve request of Recreation Commission Chairman Alice Kennedy to declare surplus the ramp to the Town Hall Annex at 274 Main Street. Votes may be taken.~~
- ~~3.8 Review and approve Chapter 90 final report and reimbursement request in the amount of \$29,900 for the pavement management program. Votes may be taken.~~
- ~~3.9 Review and approve Chapter 90 project request in the amount of \$32,000 to mill and resurface 1600 feet of Depot Street from the intersection of Elm Street to Main Street. Votes may be taken.~~
- ~~3.10 Review and approve Chapter 90 project request in the amount of \$69,000 to mill and resurface 1600 feet of Elm Street from the intersection of Main Street. Votes may be taken.~~
- ~~3.11 Review and approve application of Unutil to cross, alter, or construct within a Town way to install a gas service at 6 School Street. Votes may be taken.~~
- ~~3.12 Review and discuss Board of Selectmen and Town Administrator goals. Votes may be taken.~~

**IV APPOINTMENTS OF PERSONNEL/OFFICIALS**

None

**V WORK SESSION**

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

# Facilities Maintenance Department

## Duties

August 11, 2015

2.1

### General

- General building maintenance/repairs at Memorial Hall, Police Station, Library/Senior Center/Meeting Hall, West Townsend Reading Room
- Interface with Cemetery & Parks regarding exterior maintenance
- Occasional responsibilities at Hart Library, Town Hall Annex, other buildings
- Occasional consultation to other groups, e.g. Fire Station Building Committee
- Coordination of vendors, e.g. repairs, installations, etc.
- Assist staff with questions/requests
- Ensure proper operation of HVAC and other systems
- Snow removal with assistance from Cemeteries & Parks
- Assist other departments/buildings as needed: e.g. coordination with generators, fire alarms, HVAC, vendors for Highway, Cemetery & Parks, Water.
- Procurement of custodial and other supplies for buildings including West Townsend Reading Room
- Irrigation: coordinate with vendor for spring start-up and fall winterization
- Holiday decorations, bunting, flags, etc.

### Memorial Hall

- Custodial contract
- Periodic/semi-annual/annual inspections: fire alarms, elevators, fire extinguishers, insurance inspection, backflow, generators

### Police Station

- Custodial contract
- Periodic/semi-annual/annual inspections: fire alarms, elevators, fire extinguishers, insurance inspection, backflow
- Prep for semi-annual Statewide cell inspections
- Monthly check of repeater site

### Fire Stations

- Current:
  - Occasional consultation for building/repair projects/issues
  - Periodic/semi-annual/annual inspections currently only at Harbor; in the future it will be all stations: fire alarms, elevators, fire extinguishers, insurance inspection, backflow
- Future:
  - General items listed above

### Library/Senior Center/Meeting Hall

- Custodial contract
- Security system/cameras
- Periodic/semi-annual/annual inspections: fire alarms, elevators, fire extinguishers, insurance inspection, backflow
- Semi-annual kitchen inspections: Ansil fire suppression, hood inspections,
- Oversee and manage access control system
- Coordinate with Donor's representative regarding miscellaneous items



**TOWNSEND POLICE DEPARTMENT**  
**P. O. Box 137**  
**70 Brookline Road**  
**Townsend, Massachusetts 01469**

**Erving M. Marshall, Jr.**  
**Chief of Police**

**978-597-2242**  
**978-597-6214**

To: Board of Selectmen

From: Erving M. Marshall, Jr., Chief of Police

Re: Facilities Maintenance

Date: August 17, 2015

While I will be unable to honor your request to meet tomorrow evening at 6:40 pm due to a prior commitment during that time, I am responding to your request in this memo to assist you with your decisions and answer any anticipated questions that you might have.

On January 2, 2007, Mark Mecurio was hired as a 15 hr./week custodian at a classification of grade 3/step 1 for the police/communications facility. During that time, Mark performed cleaning duties, emptied trash, and supervised work crews. His early performance evaluations showed that Mark was, and still is, an exceptional employee who exceeded expectations in all areas. He has never been one to hesitate to become involved in projects that were outside of his normal job responsibilities and his friendly demeanor has always lightened the mood for everyone that he comes in contact with.

In FY 2010 it was decided to eliminate Mark's position from my budget and create a facilities maintenance position which Mark would oversee. This budget year \$8,990.00 was cut from my budget and incorporated into the General Government portion of the budget to offset the cost of this newly created position.

I have always prided myself on keeping the appearance and maintenance of the police/communications facility in good repair. The building is now 25 years old and I still have people that come in that have a hard time believing this, however, it is in most part due to Mark overseeing maintenance that this has been made possible.

A list of the issues that Mark has been involved in with maintaining this building include the following:

- Painting
- Carpeting
- Window replacement
- Boiler replacement and maintenance



## Chapter 44

### FACILITIES MAINTENANCE DEPARTMENT

#### § 44-1. Establishment.

#### § 44-3. Transitional provisions.

#### § 44-2. Appointment of Department employees.

**[HISTORY: Adopted by the Annual Town Meeting of the Town of Townsend 6-2-2009 by Art. 13.<sup>1</sup> Amendments noted where applicable.]**

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#### § 44-1. Establishment.

There shall be a Facilities Maintenance Department.

#### § 44-2. Appointment of Department employees.

Consistent with Section 3-2(d) of the Town Charter, the Board of Selectmen shall appoint the proposed Facilities Maintenance Coordinator and any other employees of the Facilities Maintenance Department.

#### § 44-3. Transitional provisions.

- A. As of July 1, 2009, the Facilities Maintenance Department is hereby established.
- B. As of July 1, 2009, all custodial and cleaning personnel working in any Town facility, including but not limited to the Town Hall, Police Station, and Library, shall be transferred to the Facilities Maintenance Department. All such transfers of employees shall be made without loss of pay, and without change of rating, seniority, retirement or pension rights, or any other privileges under any provision of law or bylaw; provided, however, that this provision shall not be deemed to preclude the Town from eliminating, on or after July 1, 2009, current custodial and cleaning positions, creating the new position of Facilities Maintenance Coordinator, or outsourcing routine cleaning tasks, subject to Town Meeting appropriation.
- C. All budgetary amounts for those custodial and cleaning personnel and/or routine cleaning services described in Paragraph B, above, shall be consolidated into the Facilities Maintenance Department budget, subject to Town Meeting appropriation. Additionally, budgetary expense amounts for maintenance/repair, utilities, custodial and building supplies, and rent for certain Town facilities, in particular for the Memorial Hall, Memorial Hall Annex, new Library/Senior Center Complex, Hart Memorial Free Library, and the Old Senior Center (the lease of which will be terminated in early fiscal year 2010), shall be consolidated into the Facilities Maintenance Department budget, subject to Town Meeting appropriation.

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1. Editor's Note: This article was adopted as Ch. 43, but was redesignated at the direction of the Town and will be formally renumbered at a future Town Meeting.

**ARTICLE 29**

I move that Section 44-3(B) of the Code of the Town of Townsend be amended by inserting the words "Fire-EMS buildings" into the first sentence, so that the sentence shall read: "As of July 1, 2009, all custodial and cleaning personnel working in any Town facility, including but not limited to the Town Hall, Police Station, Fire-EMS buildings, and Library, shall be transferred to the Facilities Maintenance Department.

**READ BY:** \_\_\_\_\_

Adopted 5/5/15

- 3.9 Review and discuss Town Administrator's proposal to transfer Fire-EMS buildings to the Facilities Maintenance Department. Discussed facilities maintenance department structure, which currently includes Town Hall, Police Station, Library, and Senior Center, and the benefits of including the Fire-EMS Station as well. Mark Mercurio, (MM) the Facilities Supervisor, has been working with the Fire Chief as a consultant. Makes sense from a management stand point to put the new station in the hands of a building specialist. Proposed a 40 hour week instead of the current 35, transferring \$14,000 from Fire-EMS Department to facilities for wages and requested a reclassification of the position. Looking ahead to FY17, assess what is needed for staff. Currently a one man position, there is no succession plan in place. CS voiced concerns over transferring the \$14,000 that was budgeted for maintenance of the station/department to cover Facilities Supervisor salary, AS agreed that is a valid concern, however, taking in to account it would be maintaining a new building, the cost associated with it should be reduced. CS also discussed tracking expenses. CM moved to approve the Town Administrator's proposal to transfer Fire-EMS buildings to the Facilities Maintenance Department. CS seconded. SL, yes, CM, yes, and CS no. Motion passed 2-1.
- 3.10 Review and discuss Town Administrator's proposal to transfer Town information technology to the Communications Department. AS explained that the Town's IT (Information Technology) department is referred to as the MIS Department (Management Information Systems) The MIS department has been vendor contract for many years, Melissa Hermann, (MH), is the current contract vendor and is not planning to bid again. After exploring options, AS recommended rolling Town's IT Department in to the Communication Department. Discussed what it would take to put Town's IT in to police/communication. Dave Mazza, Communication Supervisor, proposed 8 hours extra per month and a part time technician, at approximately 24 hours per week. The position would be in the \$25-\$28 range. Currently, the budget is \$40,000, and \$35,000 for tech support. Discussed job description and additional responsibilities as well as kudos for David Mazza for the comprehensive description of the current IT situation that the Town is in. CM moved to approve the Town Administrators proposal to transfer Town information technology to the Communication Department. CS seconded. AS will go forward with job description and present to board. SL yes, CM yes, CS no. Motion passed 2-1.
- 3.7 Review and discuss May 5, 2015 Annual Town Meeting Warrant. AS briefly went over the warrants. The Board discussed some warrants in detail, as well as where the meeting will be held. Possible locations being Memorial Hall, or Hawthorne Brook.
- 3.8 FY16 operating budget: continue discussion of the FY16 operating budget. Decided to move item to next agenda. CS asked about the amounts in free cash, if there was enough to fund the warrant articles. AS answered that a lot of the available free cash may be used depending on how Town Meeting goes. CS asked about the status of the borrowing and AS said it was on hold until a new Treasurer/Collector was hired. Discussed the three (3) audits being conducted.
- 3.11 Review and approve one day liquor license for Terri Roy, VFW Post 6538, for a Baby Shower on April 25, 2015 from 2:00PM to 4:30PM. CS moved to approve one day liquor license for Terri Roy, VFW Post 6538, for a Baby Shower on April 25, 2015 with serving hours from 2:00PM to 4:30PM. CM seconded. Unanimous.

CM took a brief break at 8:28PM

- 3.12 Review and approve one day liquor license for Terri Roy, VFW Post 6538, for a Poker Tournament/Cancer Fundraiser on May 30, 2015 from 7:00PM to 11:00PM. CS moved to approve one day liquor license for Terri Roy, VFW Post 6538, for a Poker Tournament/Cancer Fundraiser on May 30, 2015 with serving hours from 7:00PM to 11:00PM. SL seconded. CS voted yes, SL voted yes. Motion passed.
- 3.13 Review and approve one day liquor license for Terri Roy, VFW Post 6538, for a Birthday Celebration on May 30, 2015 from 12:00PM to 4:00PM. CS moved to approve one day liquor license for Terri Roy, VFW Post 6538, for a Birthday Celebration on May 30, 2015 with serving hours from 12:00PM to 4:00PM. SL seconded. CS voted yes, SL voted yes. Motion passed.



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**MEMORANDUM**

TO: Board of Selectmen

FROM: Andrew J. Sheehan, Town Administrator 

DATE: March 23, 2015

SUBJ.: Facilities Maintenance Department  
Inclusion of Fire-EMS Buildings

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The FY16 operating budget proposal includes expanding the Facilities Maintenance Department to incorporate Fire-EMS buildings. With the new headquarters station scheduled to come on line this year and a new West station proposed the time is appropriate to consider this change.

I met recently with Fire-EMS Chief Mark Boynton and Facilities Manager Mark Mercurio to discuss these changes. We all agree combining Fire-EMS buildings into the Facilities Department makes sense. It will allow the Chief to focus on the critical aspects of his department: fire prevention, fire suppression, and emergency medical services. It will also put Fire-EMS buildings in the hands of a building maintenance professional, improving the oversight and maintenance of these facilities. Furthermore, Mark Mercurio has established relationships with vendors, suppliers, and others. It is more efficient to rely on these relationships than to expect the Chief to establish comparable relationships on his own.

We agreed a phased approach makes sense for several reasons. It will be helpful for Mark Mercurio to be involved while the headquarters station is being constructed. This proved to be invaluable during the construction of the Library/Senior Center and we expect the same benefits will accrue with this project. Phasing the implementation will afford us a year to evaluate our staffing needs.

For FY 16 we propose the following:

- Increase the Facilities Manager from 35 to 40 hours per week;

**FACILITIES MANAGER****Position Purpose:**

To oversee and manage the overall maintenance of identified Town buildings, custodial staff and outside vendors. Supervises building, and facility grounds contractors and/or staff and monitors task/job performance. Performs routine maintenance duties requiring a moderate measure of responsibility and judgment in determining method of completion; all other work as required.

**DRAFT****Supervision:**

*Supervision Scope:* Performs highly responsible duties in directing the maintenance and up keep of Municipal buildings; exercises considerable judgment in supervising activities and in furnishing advice as to maintenance and custodial needs; exercises considerable judgment and initiative in formulating plans, execution of tasks and policies for the services provided.

*Supervision Received:* The Facilities Manager shall be responsible to the Town Administrator for performing the essential functions. Resolves procedural problems independently, requesting assistance with unusual situations which do not have clear precedents.

*Supervision Given:* Supervises one part-time employee, building maintenance contractors, facility grounds contractors and/or staff and custodial company.

**Job Environment:**

Administrative work is performed under typical office conditions; the noise level is moderate. Makes frequent site visits with occasional exposure to weather extremes. May have exposure to chemicals. Environment involves moderate risks or discomforts which require special safety precautions. May be called in after hours for emergencies.

Operates automobile, light trucks, power tools, light duty equipment, computer, printer, radio/cell phone, copier, and other standard office equipment.

Makes frequent contacts with Town officials, Town departments, committee and board members, contractors, vendors, consultants and/or independent experts and the general public. Contacts are in person, in writing, and by telephone and require discussing complex administrative and technical matters.

Has access to department-related confidential information including bid proposals.

Errors in judgment could result in lower standards of services, substandard construction, inadequate maintenance programs, excessive costs, damage to property, and endanger public safety.

**Essential Functions:**

*(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not*

**GRADE:**

*exclude them from the position if the work is similar, related or a logical assignment to the position.)*

Supervises contractor/staff work involving the care and maintenance of Town buildings, surrounding grounds and related equipment. Perform skilled manual work. Work is focused on, the following buildings: Memorial Hall, Annex, Police Station, Hart Library, Library/Senior Center/Meeting Facility and Fire Department facilities. Provide services to other buildings as assigned by the Town Administrator.

Provides advisory services, including recommendations for building repair and upkeep and assisting building administrators in the procurement of contractors involved in the maintenance and repair of the facilities.

Examines buildings on a regular basis for needed repairs, maintenance, and cleanliness; engages in general maintenance and repairs. Receive and obtain quotes for maintenance and repairs needed; perform non-routine cleaning duties when required.

Supervise facility grounds contractors and/or staff. Clear snow and ice from walks as necessary; prepares rooms for meetings and special functions.

Monitors all restrooms to determine if plumbing is functioning; performs maintenance of toilets and sinks.

Carry on a continuous program of inspection to insure the elimination of hazardous conditions. Operates and maintains the heating and air conditioning systems. Checks equipment to ensure proper operation; notifies designated authority when necessary; monitors generators, lights, and furnace and air conditioning units Schedules routine maintenance of these items.

Oversees maintenance contracts for equipment, including but not limited to: fire alarms/detectors, fire sprinklers, furnace, HVAC units; elevators.

Orders or purchases supplies for buildings and keeps accurate inventory of supplies. Work within operational budget.

Open and close buildings, when needed, for all scheduled activities. Performs security checks when closing the building and on weekends per the special functions schedule.

Develop and follow a program of preventive maintenance of all equipment. Recommend maintenance supplies and equipment. Makes routine repairs to buildings and facilities as needed.

Responds to citizen requests and complaints; investigates and resolves problems as needed. Work effectively with a diverse range of citizens.

Oversees maintenance duties on surrounding grounds such as mowing, fertilizing, and raking as directed.



**GRADE:**

Maintains inventories of tools, equipment, and supplies.

Employee is required to use initiative and resourcefulness. Recognize Town wide priorities and work cooperatively to support their accomplishment.

Ability to remain patient under stressful situations and work effectively under time constraints and deadlines.

Develops multi-year capital improvement plan for the Facilities Manager; oversees execution of approved projects.

Performs similar or related work as required.

**Recommended Minimum Qualifications:**

**Education, Training and Experience:**

Associates Degree in Building Construction Technology or related field and 5 to 10 years of experience in the public sector in a supervisory role; or any equivalent combination of education, training and experience.

**Special Requirements:**

Valid Massachusetts Driver's License  
OSHA 10

**Knowledge, Ability and Skill:**

*Knowledge:* Working knowledge of state guidelines as they pertain to procurement, building codes, environmental mandates and labor laws. General knowledge of all trades. Must have knowledge of building maintenance.

*Ability:* Ability to work cooperatively with staff and the public. Ability to handle inquiries and/or complaints tactfully and effectively. Ability to use word processing, spreadsheets and automated systems for processing work orders.

*Skill:* Excellent verbal and written communication skills. Strong interpersonal skills. Skill in all basic hand/power tools and equipment. Superior organizational skills.

**Physical Requirements:**

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

Constant moderate physical effort is generally required in performing functions. The majority of the shift is spent standing and/or walking. Required to reach, bend, stoop, crawl, crouch, and



**GRADE:**

climb a ladder. Frequently required to lift, move, and/or push furniture and equipment, which may weigh 60 pounds or more; may lift/move/push up to 100 pounds. Accesses all areas to be maintained. Operates power tools and light duty equipment. Must be able to detect odors. Ability to operate motor vehicle.

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

## FACILITIES MANAGER

### **Position Purpose:**

Supervises cleaning, building, and facility grounds contractors and/or staff and monitors task/job performance. Performs routine maintenance duties requiring a moderate measure of responsibility and judgment in determining method of completion; all other work as required.

### **Supervision:**

*Supervision Scope:* Performs highly responsible duties in directing the cleaning and maintenance of municipal buildings; exercises considerable judgment in supervising activities and in furnishing advice as to maintenance and cleaning needs; exercises considerable judgment and initiative in formulating plans and policies for the services provided.

*Supervision Received:* The Facilities Manager shall be responsible to the Town Administrator for performing the essential functions. Resolves procedural problems independently, requesting assistance with unusual situations which do not have clear precedents.

*Supervision Given:* Supervises one part-time employee; supervises custodial cleaning company and other building maintenance contractors.

### **Job Environment:**

Administrative work is performed under typical office conditions; the noise level is moderate. Makes frequent site visits with occasional exposure to weather extremes. May have exposure to cleaning chemicals. May be called in emergencies at any time of the day or evening.

Operates automobile, light trucks, computer, printer, computer peripherals, radio/cell phone, copier, and other standard office equipment.

Makes frequent contacts with subordinate staff, vendors, city and school officials, attorneys, other city departments, and the general public. Contacts are in person, in writing, and by telephone and require discussing complex administrative and technical matters.

Has access to department-related confidential information including bid proposals.

Errors in administrative decisions could result in lower standards of services, substandard construction, inadequate maintenance programs, excessive costs, damage to property, and endanger public safety.

### **Essential Functions:**

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

Perform skilled manual work and supervises contractor/staff work involving the care and maintenance of Town buildings, surrounding grounds and related equipment. Work is focused on, but not limited to the following buildings: Memorial Hall, Annex, Police Station, Hart

**GRADE: T-6**

Library, and Library/Senior Center/Meeting Facility. Provides services to other buildings as assigned.

Provides advisory services, including recommendations for building repair and upkeep and assisting building administrators in the procurement of contractors involved in the maintenance and repair of the facilities.

Examines buildings on a regular basis for needed repairs, maintenance, and cleanliness; engages in general maintenance and repairs, including carpentry; oversee routine cleaning of buildings. Receive and obtain quotes for maintenance and repair needed; perform non-routine cleaning duties when needed such as cleaning up after a spill; replace light bulbs; maintains flag pole and related light; changes over storm doors and screens seasonally.

De-ice and shovel snow from walks as necessary; prepares rooms for meetings and special functions; cleans windows inside; performs interior painting of walls/touch up as necessary

Monitors all restrooms to determine if plumbing is functioning; performs maintenance of toilets and sinks.

Operates and maintains the heating and air conditioning systems. Checks equipment to ensure proper operation; notifies designated authority when necessary; monitors generators, lights, and furnace and air conditioning units. Carry on a continuous program of inspection to insure the elimination of hazardous conditions. Schedules routine maintenance of these items.

Oversees maintenance contracts for equipment, including but not limited to: fire alarms/detectors, fire sprinklers, furnace, air conditioning units; elevators.

Orders or purchases supplies for buildings and keeps accurate inventory of supplies. Submit supply orders.

Open and close buildings, when needed, for all scheduled activities. Performs security checks when closing the building and on weekends per the special functions schedule.

Develop and follow a program of preventive maintenance of all equipment. Recommend maintenance supplies and equipment. Makes routine repairs to buildings and facilities as needed.

Responds to citizen requests and complaints; investigates and resolves problems as needed.

Performs maintenance duties on surrounding grounds such as mowing, fertilizing, and raking as directed.

Performs winter maintenance functions for buildings and facilities.

Maintains inventories of tools, equipment, vehicles and supplies.

Develops multi-year capital improvement plan for the Facilities Manager; oversees execution of approved projects.

Performs similar or related work as required.

**Recommended Minimum Qualifications:**

Education, Training and Experience:

Associates Degree in Building Construction Technology or related field and 5 to 10 years of experience in the public sector in a supervisory role; or any equivalent combination of education, training and experience.

Special Requirements:

Valid Massachusetts Driver's License

Knowledge, Ability and Skill:

*Knowledge:* Working knowledge of state guidelines as they pertain to labor laws, environmental mandates and procurement. General knowledge of all trades. Must have knowledge of building maintenance systems and custodial cleaning techniques.

*Ability:* Ability to work cooperatively with staff and the public. Ability to handle inquiries and/or complaints tactfully and effectively. Ability to use word processing, spreadsheets and automated systems for processing work orders. Use computer software to make presentations used for employee training.

*Skill:* Excellent verbal and written communication skills. Strong interpersonal skills. Skill in all of the above listed tools and equipment. Superior organizational skills.

Physical Requirements:

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

Constant moderate physical effort is generally required in performing functions. The majority of the shift is spent standing and/or walking. Required to reach, bend, stoop, crawl, crouch, and climb a ladder when cleaning and performing maintenance duties. Frequently required to lift, move, and/or push furniture and equipment, which may weigh 60 pounds or more; may lift/move/push up to 100 pounds. Accesses all areas to be cleaned. Operates power tools, and cleaning equipment. Must be able to detect odors. Ability to operate automobile.

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

May 25, 2015

Andy,

I have attached an updated Facilities Manager job description to better reflect my duties and the changes to my position as of July 1, 2015 with for your approval. I would like to sit down with you to discuss the re-classification of my position. I am requesting that the Facilities Manager position become a contracted position much like several other current Department Heads in Town. As we have discussed on several occasions I need to be compensated for the times I am "on call" or called in after hours to handle the variety of building emergencies that occur. I would like to have a timeline in place to obtain a work vehicle, appropriate office space (with a working computer) and clothing allowance. We also need to clarify the supervision of the facilities grounds keeping and snow removal as well as who can respond to building emergencies when I am unavailable and the hiring of a part time facilities position. I look forward to sitting down with you soon. Thank you.

Respectfully,

Mark Mercurio

- New grade for increased responsibilities
- Clothing allowance
- Facilities vehicle or stipend
- On call status and compensation
- Office space and computer
- Facility grounds keeping and snow removal – who is in charge?
- Part time facilities position – who takes over when I am not available? Need to share institutional knowledge and create a succession plan
- Timeline to add personnel to department

2.2

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE IX** TAXATION**CHAPTER 59** ASSESSMENT OF LOCAL TAXES**Section 5K** Property tax liability reduced in exchange for volunteer services; persons over age 60

Section 5K. In any city or town which accepts the provisions of this section, the board of selectmen of a town or in a municipality having a town council form of government, the town council or the mayor with the approval of the city council in a city may establish a program to allow persons over the age of 60 to volunteer to provide services to such city or town. In exchange for such volunteer services, the city or town shall reduce the real property tax obligations of such person over the age of 60 on his tax bills and any reduction so provided shall be in addition to any exemption or abatement to which any such person is otherwise entitled and no such person shall receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for services provided pursuant to such reduction nor shall the reduction of the real property tax bill exceed \$1,000 in a given tax year. It shall be the responsibility of the city or town to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the real property tax has been reduced and to provide a copy of such record to the assessor in order that the actual tax bill reflect the reduced rate. A copy of such record shall also be provided to the taxpayer prior to the issuance of the actual tax bill. Such cities and towns shall have the power to create local rules and procedures for implementing this section in any way consistent with the intent of this section.

In no instance shall the amount by which a person's property tax liability is reduced in exchange for the provision of services be considered income, wages, or employment for purposes of taxation as provided in chapter 62, for the purposes of withholding taxes as provided in chapter 62B, for the purposes of workers' compensation as provided in chapter 152 or any other applicable provisions of the General Laws, but such person while providing such services shall be considered a public employee for the purposes of chapter 258, but such services shall be deemed employment for the purposes of unemployment insurance as provided in chapter 151A.

A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (1) allowing an approved representative, for persons physically unable, to provide such services to the city or town; or (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,000.



**Section 2-10 Rules of Procedure**

The Town Meeting shall be run in accordance with the accepted edition of the book "Town Meeting Time."

Town Meeting may by By-law, establish and from time to time amend, revise or repeal, rules governing Town Meeting. A procedural change would become effective in governing the next Annual and succeeding Town Meetings following the procedural change.

**ARTICLE 3  
Elected Officials**

**Section 3-1 In General**

(a) **Elective Offices** – The offices to be filled by the ballot vote shall be the Board of Selectmen, Town Moderator, Town Clerk, ~~Tax Collector~~, Board of Assessors, Board of Health, Planning Board, Board of Water Commissioners, Board of Library Trustees, North Middlesex Regional School Committee Representatives, Cemetery and Parks Commissioners, Recreation Commissioners, Trustees of Soldiers' Memorials, Amanda Dwight Entertainment Fund, Townsend Housing Authority and such other regional authorities, districts, or committees as may be required by law of the Commonwealth or interlocal agreement.

(b) **Eligibility** – Any voter shall be eligible to hold any elective town office.

(c) **Town Election** – The Annual Town Election shall be held according to Town By-Law.

(d) **Compensation** – Elected town officials shall receive such compensation for their services as may be appropriated annually for such purpose.

(e) **Coordination** – Notwithstanding their election by the voters, the town officers named in this section shall be subject to the call of the Board of Selectmen at reasonable times for consultation, conference and discussion on any matter relating to their respective offices.

**(f) Filling of Vacancies**

(1) **Multiple Member Body** – If there is a vacancy in a body consisting of two or more members, other than the Board of Selectmen and unless under the terms of a will or other trust where some other provision is made, the remaining members shall immediately give written notice to the Board of Selectmen and in addition to the public by posting the vacancy and its description on the town bulletin board for at least ten (10) days. One week's notice shall be posted of a joint meeting between the Board of Selectmen and the remaining members of the body to fill the vacancy. The appointment will be made by vote and carried by a simple majority. This appointment will run until the next town election. If notice is not given within thirty (30) days following the date of the vacancy, after one week's posted notice the Board of Selectmen shall fill the vacancy without participation of the remaining members of the multiple member body.

(2) **Board of Selectmen** – If there is a failure to elect or a vacancy occurs and six (6) months or more will elapse before the next annual town election, the remaining Selectmen shall, forthwith, call a special election to fill the vacancy. If a vacancy occurs and more than three (3) months but less than six (6) months will elapse before the next annual town

## CHARTER

election the Selectmen may call a special election, however, upon receipt by petition of two hundred (200) or more registered voters the remaining Selectmen will forthwith call a special election.

(g) **Recall Election Procedures** – as per Town By-law pursuant to Chapter 27 of the Acts of 1995.<sup>1</sup>

### Section 3-2 Selectmen

#### (a) **Composition and Term of office**

A Board of Selectmen, three members elected for three years each, arranged so that the term of one member expires each year.

The composition of the Board may change from three (3) to five (5) members as determined by a two-thirds vote of an Annual Town Meeting, provided that such vote is ratified by the voters of the Town at the next Annual Town Election. A five (5) member Board would have three (3) year overlapping terms, so arranged that as nearly an equal number of members as possible shall expire each year.

#### (b) **Powers and Duties**

The executive powers of the Town shall be vested in the Board of Selectmen, which shall be deemed the chief executive office of the Town. The Board of Selectmen shall have all of the executive power possible to have and to exercise in accordance with the Constitution and the laws of the Commonwealth and by the charter and by-laws of the Town of Townsend. These powers shall also be extended to any trusts granted to the Board of Selectmen. The Board of Selectmen shall be responsible for the formulation and promulgation of policy directives and guidelines to be followed by all town agencies serving under it and, in conjunction with other elected multiple member bodies to develop and promulgate policy guidelines designed to bring the operation of all town agencies into harmony. Nothing in this section shall be construed to authorize any member of the Board of Selectmen, nor a majority of such members, to become involved in the day-to-day administration of any town agency. It is the intention of this provision that the Board of Selectmen shall act only through the adoption of broad policy guidelines that are to be implemented by officers and employees serving under it.

#### (c) **Licensing Authority**

The Board of Selectmen shall be a licensing board for the town and shall have power to issue licenses as otherwise authorized by law, to make all necessary rules and regulations regarding the issuance of such licenses and to attach conditions and to impose restrictions on any such license as it may issue as it deems to be in the public interest and to enforce all laws relating to all businesses for which it issues any licenses.

#### (d) **Appointment Authority**

The Board of Selectmen shall appoint a Town Administrator, Town Accountant and an assistant, Constables, the Town Counsel, the Building Commissioner and an alternate, the Zoning Board of Appeals, the Conservation Commission, the Historic Districts Commission, the Personnel Board (Town By-law), the Board of Registrars (except the Town Clerk who serves by law) and other Election Officers, a Police Chief and the Police Department, a Keeper of the Lockup, Crossing Guards, a Fire Chief and the Fire Department, Hazardous Waste

<sup>1</sup> Editor's Note: See Ch. A196, Special Acts.

Town Collector  
CC-A of  
Acts of 2014



# OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General  
One Ashburton Place  
Boston, MA 02108

CLERK  
COLMANTON

3.3

Please note that all fields are required unless otherwise noted.

## Your Contact Information:

First Name: Veronica Last Name: Kell

Address: 68 Meadow Rd

City: Townsend State: MA Zip Code: 01469

Phone Number: +1 (978) 597-5163 Ext. \_\_\_\_\_

Email: vakdlc@gmail.com

Organization or Media Affiliation (if any): \_\_\_\_\_

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

Individual     Organization     Media

## Public Body that is the subject of this complaint:

City/Town     County     Regional/District     State

Name of Public Body (including city/town, county or region, if applicable): Town of Townsend Board of Selectmen

Specific person(s), if any, you allege committed the violation: Carolyn Smart, Gordon Clark, Colin Mc Nabb  
VK

Date of alleged violation: 8/11/2015

**Description of alleged violation:**

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

At the 8/11/2015 Board of Selectmen meeting, the Selectmen voted 2-1 to appoint Michael Turgeon to the Conservation Commission. This appointment was NOT on the agenda posted 48 hours prior to the meeting. It was added to the agenda by one of the selectmen on the day of the meeting. I believe this was done intentionally to prohibit townspeople who are opposed to this appointment from attending the meeting.

Michael Turgeon is involved in a pending suit in Land Court against the Town of Townsend involving a building application by Karen Hill that was denied by the Townsend Conservation Commission in 2012. Mr Turgeon is the agent for Karen Hill, who had an application to build a single family home denied on the basis that it did not comply with the Town's wetland regulations. Karen Hill has attended, with very few exception, every Conservation Commission meeting for 3 years and has recently begun filing numerous complaints against the Conservation Commission.

At the July 22, 2015, Conservation Commission meeting, it was motioned "to recommend Michael Turgeon's appointment to the Conservation Commission to the Board of Selectmen, pending a decision from the Attorney General that there would be no conflict of interest".

The Selectmen went ahead with the appointment without a response from the Attorney General and without providing the town with adequate notice of their consideration of the appointment.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

The actions I would like taken are:

1. Recall of the vote for Conservation Commissioner by the Selectmen taken at the 8/11/2015 meeting .
2. A response from the Attorney General's office re: Michael Turgeon's appointment as motioned by the Conservation Commission.
3. Notice of appointment to the Conservation Commission posted 48-hours ahead of time.

**Review, sign, and submit your complaint**

**I. Disclosure of Your Complaint.**

**Public Record.** Under most circumstances, your complaint, and any documents submitted with your complaint, will be considered a public record and available to any member of the public upon request. In response to such a request, the AGO generally will not disclose your contact information.

**II. Consulting With a Private Attorney.**

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

**III. Submit Your Complaint to the Public Body.**

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us).

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: Veronica C. Kell

Date: 8/18/2015

For Use By Public Body      For Use By AGO  
Date Received by Public Body:      Date Received by AGO:



The Official Website of the Attorney General of Massachusetts

## Attorney General Maura Healey

[Home](#) > [Government Resources](#) > [Open Meeting Law](#) > [OML Complaint Process and Form](#)

### OML Complaint Process and Form

#### Step 1: Filing a Complaint with the Public Body

A complaint must be filed in writing with a public body within 30 days of the date the alleged violation, or if the alleged Open Meeting Law violation could not reasonably have been known at the time it occurred, then within 30 days of the date it should reasonably have been discovered. The complaint must be filed using the Open Meeting Law complaint form available on the Attorney General's website. Public bodies, or in the case of local public bodies the municipal clerk, should provide members of the public with a copy of the complaint form upon request.

Click to download a copy of the [Attorney General's Open Meeting Law complaint form \(PDF\)](#).

#### Step 2: Public Body's Response

Within 14 business days of the date on which the complaint was filed, the public body must review the complaint and send to the AGO a copy of the complaint along with a description of any action taken to resolve the issue that was raised by the complaint. Within seven business days of the date that the complaint was filed, the public body may request additional information from the person making the complaint if necessary to resolve the complaint. The person making the complaint shall provide the additional information to the public body within 10 business days, and the public body shall have 10 additional business days (total 24 business days from the date complaint was originally filed) to act on the complaint and notify the AGO. The public body may request additional time to consider taking remedial action and must make that request in writing to the AGO, to the Attention of the Director of the Division of Open Government. The AGO may, at its discretion, grant additional time to the public body if it determines there is a showing of good cause to grant the extension.

#### Step 3: Filing a Complaint with the Attorney General

If the person who brought the complaint is not satisfied with the action taken by the public body, that person may file a copy of the complaint, along with any other materials the person making the complaint believes are relevant, with the AGO. The AGO may decline to investigate complaints that are filed with the Attorney General more than 90 days after the alleged Open Meeting Law violation, unless an extension was granted to the public body or the person making the complaint demonstrates good cause for the delay.

#### Step 4: Attorney General's Investigation

After reviewing a complaint and supporting materials, the AGO will determine whether there is reasonable cause to believe that the Open Meeting Law has been violated, and if so, whether to conduct a formal investigation. The AGO may request additional information from the person making the complaint. In the event that the AGO opens a formal investigation, the public body shall provide the Attorney General with such information and documents as may be requested. The AGO has the authority compel the production of documents, take oral testimony, and convene a hearing as may be necessary. The AGO will resolve complaints within a reasonable period of time, generally 90 days.

#### Step 5: Attorney General's Findings

The AGO will make findings, and where a violation has occurred, may order remedial action. If the AGO determines, after investigation, that the Open Meeting Law has been violated unintentionally, then the AGO will resolve the investigation by informal action or by formal ruling for more significant violations. The AGO may order remedial action by the public body directing immediate and future compliance with the law, attendance at a training session, release of records, or other appropriate action.

Where the AGO seeks to reinstate an employee or nullify the action of a public body as a remedy for the violation, the AGO will ordinarily convene a hearing to take testimony from witnesses to determine the appropriate remedy. If the AGO has reasonable cause to believe that the Open Meeting Law has been violated intentionally, the AGO may convene a hearing to determine whether the violation was intentional, whether the public body, one or more of its members, or both, were responsible, and whether to impose on the public body a civil penalty of up to \$1,000 for each violation.

Public bodies and members of the public should consult the Attorney General's [Open Meeting Website](#) for the most up-to-date procedural regulations and other materials related to the law.

3.4

TOWN OF TOWNSEND  
ZONING BOARD OF APPEALS  
272 MAIN STREET  
TOWNSEND, MA 01469

TO: Planning Board	Police Chief
Board of Health	Fire Chief
Conservation Commission	Highway
<u>Board of Selectmen</u>	Water Department
Building Inspector	Assessors

**REFERRAL NOTICE**

Please Review the attached application and relay to the Zoning Board of Appeals any questions or concerns you may have. This referral is required under §145-65 of the Townsend Zoning Bylaw. Under MGL Ch. 40A, Sec. 11, comments should be provided within 35 days. Failure to make recommendations shall be deemed lack of opposition. Ch. 40A also requires you to notify the applicant of your comments.

**APPLICANT:** Lynn Fit LLC, DBA Planet Fitness  
**LOCUS ADDRESS:** 18 Main Street  
**PARCEL ID:** Assessor's Map 41, Block 4, Lot 0

**Date of Hearing:** TBD @ 6:00pm  
**Date of Referral:** August 12, 2015

**Petition:** (from legal notice)

The Townsend Zoning Board of Appeals will hold a public hearing on **Wednesday, September , 2015 @ 6:00pm** at Memorial Hall on the application of Lynn Fit LLC, dba Planet Fitness for a **Special Permit** under Zoning Bylaw §§145-29C(1) and 145-65.

The applicant is proposing to use 10,600 square feet of the existing Harbor Village Mall to renovate and install a Planet Fitness. The property is located at 18 Main Street in the Outlying Commercial District and the applicant is requesting a Special Permit for an athletic or recreational facility in this District.

**COMMENTS:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

**SIGNED:** \_\_\_\_\_ **DATE:** \_\_\_\_\_





Office of the  
**ZONING BOARD OF APPEALS**  
 272 Main Street  
 Townsend, Massachusetts 01469  
 Phone: (978)597-1700 x1723 Fax (978)597-1722

**RECEIVED**  
 AUG 11 2015  
 TOWN OF TOWNSEND  
 TOWN CLERK

**APPLICATION FORM**

Application form as incorporated in Zoning Board of Appeals Rules and Regulations as adopted on May 26, 2010. Earlier revisions: 10/6/94, 10/5/95, 10/30/95; 4/10/97; 5/12/99, 3/1/01, 12/16/05, 6/13/07.

Name: TAYLOR MANDELL FOR LYNN FIT LLC (DBA: PLANET FITNESS)

Mailing Address: 124 HERITAGE AVE # 3

Property Address: 18 MAIN ST TOWNSEND MA

Applicant's phone: 603-817-0380

Applicant is (circle one): Owner Agent/Attorney Purchaser Tenant

Property owner's name and mailing address (if not applicant): FEDEQ NLOOY, LLC  
c/o: KEY POINT PARTNERS 1 BURLINGTON WOOD DR. BURLINGTON MA 01803

**Characteristics of Property:**

Number of lots 1 Lot Area 11.62 Frontage 748 Zoning District OCD

(If more than one lot, please complete information for each lot individually)

Assessor's Office Map # 41 Block # 4 Lot # 0

Recorded at Middlesex Southern Registry of Deeds: Book: 63390 Page: 206

1. Is the parcel in the Aquifer Protection District? YES
2. Is the parcel within 300 feet of the Squannacook River? NO
3. Is the parcel in an Historic District?\* NO
4. Are there any brooks, streams, swamps, bogs, lakes, ponds, or other wetlands on the lot or within 100 feet of the lot? YES
5. Will this request result in additional living space?  
 If yes, do you have Board of Health approval for a septic system to serve this space? \_\_\_\_\_  
 If you do not, please explain:

cont..



This Application is for:

\_\_\_\_\_ **Variance** of the Zoning Bylaws, Code of the Town of Townsend Section 145-66 and Section \_\_\_\_\_ - Fee \$300.00 (see additional information/requirements on the next page)

\_\_\_\_\_ **Special Permit for Earth Removal** under Section 145-46, Section 145-65 and Section 145-40 of the Zoning Bylaws, Code of the Town of Townsend.

Under 7000 cubic yards Fee \$300.00,

7001 cubic yards and over Fee \$750.00

Material to be removed: \_\_\_\_\_

\_\_\_\_\_ **Appeal** under Section 145-64 of the Zoning Bylaws, Code of the Town of Townsend.

Fee: \$300.00

\_\_\_\_\_ **Comprehensive permit** under M.G.L. Ch. 40B: Base fee: \$7,500 plus the following based on the number of units:

Number of Units	Cost per Unit
1-5	\$135.00
6-15	\$300.00
16-30	\$400.00
31 or more	\$450.00

\_\_\_\_\_ **Special Permit for multi-family housing** under Section 145-37 of the Zoning Bylaws, Code of the Town of Townsend. Fee \* \$5,000.00 plus \$135.00/unit)

✓ \_\_\_\_\_ **Special Permit** under Section 145-65 and Section 145-29C(1) of the Zonings Bylaw, Code of the Town of Townsend. Fee \$300.00. (for any special permit section not listed above).

\_\_\_\_\_ **Renewal of Special Permit** under Section 145-65 and Section \_\_\_\_\_ of the Zonings Bylaw, Code of the Town of Townsend. Fee \$135.00

\* For more than one request checked above, pay the highest applicable fee

Fees listed provide for the administrative costs of the Board, and do not include special costs such as consultants to review engineering plans or other expert opinions the Board may deem necessary. Under M.G.L. c. 40A and c. 44, §53G, the Board may require an applicant to pay the reasonable costs of outside consultants. The Board may also require an applicant to pay any unusual administrative costs, such as copying costs for large submissions of plans or drawings greater than 8.5" by 14". The applicant shall pay the cost of recording any decision at the Registry of Deeds. Application fees are non-refundable.

**Further Variance information:**

If applying for a Variance, please answer the following questions:

Under state law (MGL Ch 40A, Section 10), the Board cannot issue a Variance unless the Board finds that the requirements in (c) through (f) below are met. The applicant is obligated to demonstrate these points to the Board. If you need advice on (c) through (f), you should consult an attorney. No Town official can advise you on your answers.

- (a) What type of variance are you requesting?\*
- (b) What is the amount of the variance from the particular requirements of the Code of the Town of Townsend?\*
- (c) What circumstances relating to the particular soil condition, shape, or topography of your land or structures cause you to need a variance?
- (d) What substantial hardship, financial or otherwise, owing to the particular circumstances in (c) above, would result if this application for a variance were denied?
- (e) The granting of this variance by the Zoning Board of Appeals would not be detrimental to the public good; and
- (f) The granting of this variance is not a substantial derogation from the particular bylaw or bylaws.

\* The Building Department or the Zoning Board Administrator can assist you in filling out of this application for items (a) and (b).

#### **ITEMS THAT MUST BE SUBMITTED WITH THE APPLICATION FORM:**

1. Any correspondence from the Building Inspector concerning this request, including the written rejection letter which is being appealed pursuant to M.G.L. ch. 40A § 8 and the Zoning Bylaws, Code of the Town of Townsend § 145-64.
2. One-page summary of the proposal (for a Variance, see the above information).
3. A scaled plot plan that distinguishes existing structures from the proposed construction. Said plan must also show all setbacks (front, side, rear) and frontage measurements. All lot and structural dimensions, both existing and proposed, must be clearly delineated.
4. For an accessory apartment, include floor plans of the principal residence and the apartment, along with a report from the Board of Health in accordance with Section 145-36 D of the Zoning Bylaws, Code of the Town of Townsend.


**INSTRUCTIONS FOR FILING APPLICATIONS:**

Present the signed application with the items listed above to the Town Clerk, which will then certify the date of filing and give you a copy of the application as certified.

File the certified copy, along with 8 additional copies (for distribution to the ZBA members, Town Counsel, and Mandatory Referrals), and the fee with the Town Clerk. Hand delivery to the Town Clerk is recommended.

**ALL APPLICANTS MUST READ, SIGN AND DATE THE FOLLOWING:**

I certify that the information provided above is true and correct to the best of my knowledge; that I understand that the Board may require additional information to process or grant this application; that the Board may require me to pay additional consulting or other unusual costs; that errors in this information, or in the information I provide at the public hearing, may result in the denial of this application or the revocation of any favorable decision issued by the Board; that any relief granted by the Board shall be limited to the request made in this application; that I may be represented by counsel at my own expense; that if my application is denied it cannot be resubmitted for two years, following its denial, without prior approval of both the Zoning Board of Appeals and the Planning Board; and that I am responsible for all other applications, permits, approvals etc., that may be required by law.

Signed:  \_\_\_\_\_  
Name  
Date 8/6/15

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 11, 2015

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 MGL Chapter 40-A, and the Townsend Zoning By-laws Section 145-42 Site Plan Review Special Permit, and Section 145-65 Special Permits, the Planning Board will hold a public hearing regarding an application received from Taylor Mandell, Townsend Fit, LLC (d.b.a. Planet Fitness), regarding a "Change in Use" proposal to renovate existing building structures located at 18 Main St., to open and operate a Planet Fitness facility.

Please review the attached application and relay to the Planning Board any questions or concerns you may have. Under MGL Ch. 40A, Section 11, please provide comments within 35 days to this office and to the applicant. Failure to make recommendations shall be deemed lack of opposition.

**APPLICANT/PROPONENT** Taylor Mandell, Townsend Fit, LLC (d.b.a. Planet Fitness),  
124 Heritage Ave., #3  
Portsmouth, NH 03801

**LOCUS ADDRESS:** 18 Main Street  
Assessor's Map 41, Block 4, Lot 0  
Zoned OCD (Outlying Commercial District)

**OWNER:** FEDEQ NL004, LLC (c/o Key Point Partners)  
1 Burlington Woods, Drive  
Burlington, MA 01803

**DATE OF HEARING:** Monday, Sept. 14, 2015

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

**LEGAL AD:** Townsend Times: August 21, 2015 & August 28, 2015

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

**Lance J. McNally, Chairman**      **Christopher Nocella, Vice Chairman**      **Perry J. Tomasetti, Member**  
**Laura E. Shifrin, Member**      **Jerrilyn T. Bozicas, Associate Member**

**TOWNSEND  
PLANNING BOARD  
LEGAL NOTICE**

In accordance with MGL Chapter 40-A and Townsend Zoning By-laws, Section 145-42 Site Plan Review Special Permit and Section 145-65 Special Permits, the Planning Board will hold a public hearing on **Monday, Sept. 14, 2015 at 7:30 p.m., in the Selectmen's Chambers at Memorial Hall, 272 Main Street**, to review an application received from Taylor Mandell, Townsend Fit, LLC (d.b.a. Planet Fitness), regarding a "Change in Use" proposal to renovate existing building structures located at 18 Main St., Assessor's Map 41, Block 4, Lot 0, zoned OCD (Outlying Commercial District), to open and operate a Planet Fitness facility.

The application is available for review at the Planning Board, Land Use Coordinator, and Town Clerk, Offices 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,  
Lance J. McNally, Chairman

**Publish in the *Townsend Times*: August 21, 2015 & August 28, 2015**

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  
         Housing Authority  
         Land Use Coordinator  
         Montachusett Regional Planning Commission  
         Police Department  
         Water Department Commission  
         Zoning Board of Appeals



**R E C E I V E D**  
 AUG 11 2015

TOWN OF TOWNSEND  
 TOWN CLERK  
 Page 1 of 3

**Site Plan Review Special Permit**

(Under Sections 145-42 Site Plan Review Special Permit; 145-39 Open Space Preservation Development (OSPD); 145-47 Open Space Multi-family Development (OSMD); 145-51 Telecommunication and Cellular Towers, 145-53 Adult Use Establishments, 145-65 Special Permits, and 145-86 Ground-Mounted Solar Energy District of the Townsend Zoning Bylaws)

Date: 8/6/15  
 Name of Project: PLANET FITNESS  
 Location of Project: 18 MAIN ST TOWNSEND MA

1. Owner of record:  
 Name: ALICIA BUSCONI  
 Company: FEDER NLOOY, LLC (c/o KEY POINT PARTNERS)  
 Owner's Street Address: 1 BURLINGTON WOODS DR  
 City/Town: BURLINGTON State: MA Zip: 01803  
 Phone: Day 781-418-6203 Evening \_\_\_\_\_ Fax \_\_\_\_\_

2. Applicant's name and address (if same as owner, write "same")  
 Name: TAYLOR MANDELL  
 Company: TOWNSEND FIT LLC (d.b.a: PLANET FITNESS)  
 Owner's Street Address: 124 HERITAGE AVE # 3  
 City/Town: PORTSMOUTH State: NH Zip: 03801  
 Phone: Day 603-817-0380 Evening \_\_\_\_\_ Fax \_\_\_\_\_

Applicant is: \_\_\_\_\_ Owner \_\_\_\_\_ Agent/Attorney \_\_\_\_\_ Purchaser \_\_\_\_\_  Tenant  
 Other: (Explain) \_\_\_\_\_

If the applicant is not the owner, a Power of Attorney or similar document signed by all owners of the property must be included.

3. Characteristics of Property:  
 \*Zoning District: OCD \*\*Number of Lots: 1  
 \*\*Lot Area 11.62 ACRES \*\*Frontage 748 FT  
 \*Map # 41 Block # 4 Lot # 0  
 \*Recorded, South Middlesex Registry of Deeds: Book Number 63390 Page Number 206

\*Information available from the Assessors Office \*\*If there is more than one lot, please attach a list



4. Please either attach or write a brief description of the nature of this Special Permit for Site Plan Review:

USE CHANGE FOR PLANET FITNESS

**Fees:**

<b>Site Plan Review Special Permit or Non-Discretionary Site Plan Review for Solar/Wind Energy Installation:</b>	\$ 350 Existing Construction
	\$1,200 New Construction
	\$ 200 Modification or Permit Extension
<b>OSPD or OSMD</b>	\$1,000
	\$ 600 if filed simultaneously with Definitive Subdivision
	\$ 300 & 50 per lot Modification or Permit Extension
<b>Telecommunication Cell Tower:</b>	\$ 750 New Construction
	\$ 300 Renewal of Cell Tower Special Permit
<b>Adult use:</b>	\$ 2,000

Please make checks payable to the Town of Townsend. Fees are for administrative costs.

Under MGL Chapter 40A and Chapter 44 §53G, the Planning Board may require a deposit payable to the Town of Townsend for the reasonable costs of a consultant/engineer's peer review or other outside consultant. Funds are held in an interest-bearing account, and unused balances are refundable upon written request at the completion of the project.

The Planning Board may also require the applicant to pay unusual administrative costs, such as copying.

The applicant shall pay the cost of recording any decision at the Registry of Deeds.

Please direct any questions to the Planning Board Assistant at 978-597-1700 x 1722. For zoning or building questions, please contact the Building Commissioner at 978-597-1709.

**Agreement**

- I/we hereby certify that the information on the first page is true and correct based on all the information available to me.
- I/we understand that the Planning Board may require additional information to process this application.
- Any errors in the information provided, or presented by me or my representatives may be cause for denial or revocation of a favorable decision.
- Any relief granted by the Planning Board must be limited to the request made in this application.
- I/we may be represented by counsel at my own expense.
- If this application is denied, it may not be brought before the Planning Board again for two years without prior approval from the Planning Board.
- I/we am/are responsible for all other applications, permits, and approvals that may be required by law.



Project Name: Planet Fitness

For notarizing additional signatures, please photocopy this page as needed.

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

Owner(s): (1) \_\_\_\_\_  
(Print Name)  
\_\_\_\_\_  
(Signature)

(2) \_\_\_\_\_  
(Print Name)  
\_\_\_\_\_  
(Signature)

Date: 8/6/15

Applicant(s): (1) TAYLOR MANDELL  
(Print Name)  
[Signature]  
(Signature)

(2) \_\_\_\_\_  
(Print Name)  
\_\_\_\_\_  
(Signature)

**NOTARY STATEMENT:**

**COMMONWEALTH OF MASSACHUSETTS**  
Rockingham County

On this 6 day of August, 2015, before me, the undersigned Notary Public, personally appeared Taylor Mandell, and proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person(s) whose name(s) is (are) signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose, in my presence.

[Signature]  
Notary Public Signature

**SUSAN ALEX, Notary Public**  
**My Commission Expires March 13, 2020**

Notary Stamp

My Commission Expires

Project Name: Planet Fitness

For notarizing additional signatures, please photocopy this page as needed.

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

Owner(s): (1) Alicia C. Bucconi (2) \_\_\_\_\_  
(Print Name) (Print Name)

[Signature] [Signature]  
(Signature) Key Point Partners (Signature)  
agent for F21 EQ NLD04 LLC

Date: 8/6/15

Applicant(s): (1) Taylor Manden (2) \_\_\_\_\_  
(Print Name) (Print Name)

[Signature] \_\_\_\_\_  
(Signature) (Signature)

**NOTARY STATEMENT:**

**COMMONWEALTH OF MASSACHUSETTS**  
\_\_\_\_\_ County

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, and proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person(s) whose name(s) is (are) signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose, in my presence.

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Notary Stamp

\_\_\_\_\_  
My Commission Expires

TOWN OF TOWNSEND  
ZONING BOARD OF APPEALS  
272 MAIN STREET  
TOWNSEND, MA 01469

3.6

TO: Planning Board  
Board of Health  
Conservation Commission  
Board of Selectmen  
Building Inspector  
Police Chief  
Fire Chief  
Highway  
Water Department  
Assessors

**REFERRAL NOTICE**

Please Review the attached application and relay to the Zoning Board of Appeals any questions or concerns you may have. This referral is required under §145-65 of the Townsend Zoning Bylaw. Under MGL Ch. 40A, Sec. 11, comments should be provided within 35 days. Failure to make recommendations shall be deemed lack of opposition. Ch. 40A also requires you to notify the applicant of your comments.

**APPLICANT:** Keith & Mary Letourneau  
**LOCUS ADDRESS:** 352 Main Street  
**PARCEL ID:** Assessor's Map 18, Block 18, Lot 0

**Date of Hearing:** August 26, 2015 @ 6:00pm  
**Date of Referral:** July 20, 2015

**Petition:** (from legal notice)

The Townsend Zoning Board of Appeals will hold a public hearing on **Wednesday, August 26, 2015 @ 6:00pm** at Memorial Hall on the application of Keith & Mary Letourneau for a **Special Permit, Variance and/or Appeal** under Zoning Bylaw §§145-26B, 145-64, 145-65, or 145-66.

The applicant is proposing to use an existing kennel to house stray animals picked up by the Animal Control Officer. The property is located at 352 Main Street in the Outlying Commercial District and is being used as a single family dwelling, an allowed use. Please read Building Commissioner's letter attached for further explanation.

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**SIGNED:** \_\_\_\_\_ **DATE:** \_\_\_\_\_



Office of  
**ZONING BOARD OF APPEALS**  
272 Main Street  
Townsend, Massachusetts 01469  
978-597-1700 x1723; 978-597-1722 fax

**R E C E I V E D**  
JUL 20 2015  
TOWN OF TOWNSEND  
TOWN CLERK

### LEGAL NOTICE

In accordance with MGL Chapter 40A and the Townsend Zoning Bylaw, the Townsend Zoning Board of Appeals will hold a public hearing on **Wednesday, August 26, 2015 at 6:00pm** at Memorial Hall, 272 Main St., on the application of **Keith & Mary Letourneau** for a **Special Permit or Variance** under Zoning Bylaw §§145-26B, 145-65 or 145-66 and/or an **Appeal** under Zoning Bylaw §§145-64 of the Building Commissioner's letter dated July 15, 2015. The applicant is proposing to use an existing kennel to house stray animals picked up by the Animal Control Officer. The property is located at 352 Main Street (**Assessor's Map 18, Block 48, Lot 0**) in the Outlying Commercial District and is being used as a single family dwelling, an allowed use.

Parties wishing to speak in support of, or in opposition to, this application may do so in writing prior to the hearing, or at the hearing in person or represented by an agent or attorney. Copies of this application are available for review in the offices of the Town Clerk and Zoning Board during business hours.

William Cadogan  
Chairman, Zoning Board of Appeals

Townsend Times: July 31, and August 7, 2015

cc: Applicant  
Agriculture Commission  
Assessors  
Board of Health  
Board of Selectmen  
Building Inspector  
Conservation Commission  
Fire Department  
Highway Department  
Historic District Commission  
Housing Authority  
Land Use Coordinator  
Planning Board  
Police Department  
Street file  
Town Clerk  
Water Department



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

RECEIVED  
 JUN 29 2015  
 TOWN OF TOWNSEND  
 TOWN CLERK

Phone: (978)597-1700 x1723 Fax (978)597-1727

RECEIVED  
 JUN 29 2015  
 TOWNSEND ZONING BOARD  
 OF APPEALS

**APPLICATION FORM**

Application form as incorporated in Zoning Board of Appeals Rules and Regulations as adopted on May 26, 2010. Earlier revisions: 10/6/94, 10/5/95, 10/30/95; 4/10/97; 5/12/99, 3/1/01, 12/16/05, 6/13/07

Name: Keith & Mary Letourneau

Mailing Address: 352 main st. Townsend MA 01469

Property Address: SAME

Applicant's phone: 978-597-5868

Applicant is (circle one): Owner Agent/Attorney Purchaser Tenant

Property owner's name and mailing address (if not applicant): \_\_\_\_\_

**Characteristics of Property:**

Number of lots 1 Lot Area 17,511.2 sq. ft. Frontage 139 ft Zoning District OCD

(If more than one lot, please complete information for each lot individually)

Assessor's Office Map # 18 Block # 48 Lot # 0

Recorded at Middlesex Southern Registry of Deeds: Book: 33723 Page: 002

1. Is the parcel in the Aquifer Protection District? No
2. Is the parcel within 300 feet of the Squannacook River? No
3. Is the parcel in an Historic District?\* No
4. Are there any brooks, streams, swamps, bogs, lakes, ponds, or other wetlands on the lot or within 100 feet of the lot? No
5. Will this request result in additional living space?  
 If yes, do you have Board of Health approval for a septic system to serve this space? No  
 If you do not, please explain:

cont..

This Application is for:

**Variance** of the Zoning Bylaws, Code of the Town of Townsend Section 145-66 and Section 145-26B - Fee \$300.00 (see additional information/requirements on the next page)

**Special Permit for Earth Removal** under Section 145-46, Section 145-65 and Section 145-40 of the Zoning Bylaws, Code of the Town of Townsend.

Under 7000 cubic yards Fee \$300.00,  
7001 cubic yards and over Fee \$750.00

Material to be removed: \_\_\_\_\_

**Appeal** under Section 145-64 of the Zoning Bylaws, Code of the Town of Townsend.  
Fee: \$300.00

**Comprehensive permit** under M.G.L. Ch. 40B: Base fee: \$7,500 plus the following based on the number of units:

Number of Units	Cost per Unit
1-5	\$135.00
6-15	\$300.00
16-30	\$400.00
31 or more	\$450.00

**Special Permit for multi-family housing** under Section 145-37 of the Zoning Bylaws, Code of the Town of Townsend. Fee \* \$5,000.00 plus \$135.00/unit)

**Special Permit** under Section 145-65 and Section 145-26B of the Zonings Bylaw, Code of the Town of Townsend. Fee \$300.00. (for any special permit section not listed above).

**Renewal of Special Permit** under Section 145-65 and Section \_\_\_\_\_ of the Zonings Bylaw, Code of the Town of Townsend. Fee \$135.00

\* **For more than one request checked above, pay the highest applicable fee**

Fees listed provide for the administrative costs of the Board, and do not include special costs such as consultants to review engineering plans or other expert opinions the Board may deem necessary. Under M.G.L. c. 40A and c. 44, §53G, the Board may require an applicant to pay the reasonable costs of outside consultants. The Board may also require an applicant to pay any unusual administrative costs, such as copying costs for large submissions of plans or drawings greater than 8.5" by 14". The applicant shall pay the cost of recording any decision at the Registry of Deeds. Application fees are non-refundable.

**Further Variance information:**

If applying for a Variance, please answer the following questions:

Under state law (MGL Ch 40A, Section 10), the Board cannot issue a Variance unless the Board finds that the requirements in (c) through (f) below are met. The applicant is obligated to demonstrate these points to the Board. If you need advice on (c) through (f), you should consult an attorney. No Town official can advise you on your answers.

- (a) What type of variance are you requesting?\*
- (b) What is the amount of the variance from the particular requirements of the Code of the Town of Townsend?\*
- (c) What circumstances relating to the particular soil condition, shape, or topography of your land or structures cause you to need a variance?
- (d) What substantial hardship, financial or otherwise, owing to the particular circumstances in (c) above, would result if this application for a variance were denied?
- (e) The granting of this variance by the Zoning Board of Appeals would not be detrimental to the public good; and
- (f) The granting of this variance is not a substantial derogation from the particular bylaw or bylaws.

\* The Building Department or the Zoning Board Administrator can assist you in filling out of this application for items (a) and (b).

**ITEMS THAT MUST BE SUBMITTED WITH THE APPLICATION FORM:**

1. Any correspondence from the Building Inspector concerning this request, including the written rejection letter which is being appealed pursuant to M.G.L. ch. 40A § 8 and the Zoning Bylaws, Code of the Town of Townsend § 145-64.
2. One-page summary of the proposal (for a Variance, see the above information).
3. A scaled plot plan that distinguishes existing structures from the proposed construction. Said plan must also show all setbacks (front, side, rear) and frontage measurements. All lot and structural dimensions, both existing and proposed, must be clearly delineated.
4. For an accessory apartment, include floor plans of the principal residence and the apartment, along with a report from the Board of Health in accordance with Section 145-36 D of the Zoning Bylaws, Code of the Town of Townsend.



**INSTRUCTIONS FOR FILING APPLICATIONS:**

Present the signed application with the items listed above to the Town Clerk, which will then certify the date of filing and give you a copy of the application as certified.

File the certified copy, along with 8 additional copies (for distribution to the ZBA members, Town Counsel, and Mandatory Referrals), and the fee with the Town Clerk. Hand delivery to the Town Clerk is recommended.

**ALL APPLICANTS MUST READ, SIGN AND DATE THE FOLLOWING:**

I certify that the information provided above is true and correct to the best of my knowledge; that I understand that the Board may require additional information to process or grant this application; that the Board may require me to pay additional consulting or other unusual costs; that errors in this information, or in the information I provide at the public hearing, may result in the denial of this application or the revocation of any favorable decision issued by the Board; that any relief granted by the Board shall be limited to the request made in this application; that I may be represented by counsel at my own expense; that if my application is denied it cannot be resubmitted for two years, following its denial, without prior approval of both the Zoning Board of Appeals and the Planning Board; and that I am responsible for all other applications, permits, approvals etc., that may be required by law.

Signed: Maya L. Lounsbury 6-29-15  
Name Date  
Ruth Lounsbury

June 29, 2015

To: Zoning Board of Appeals

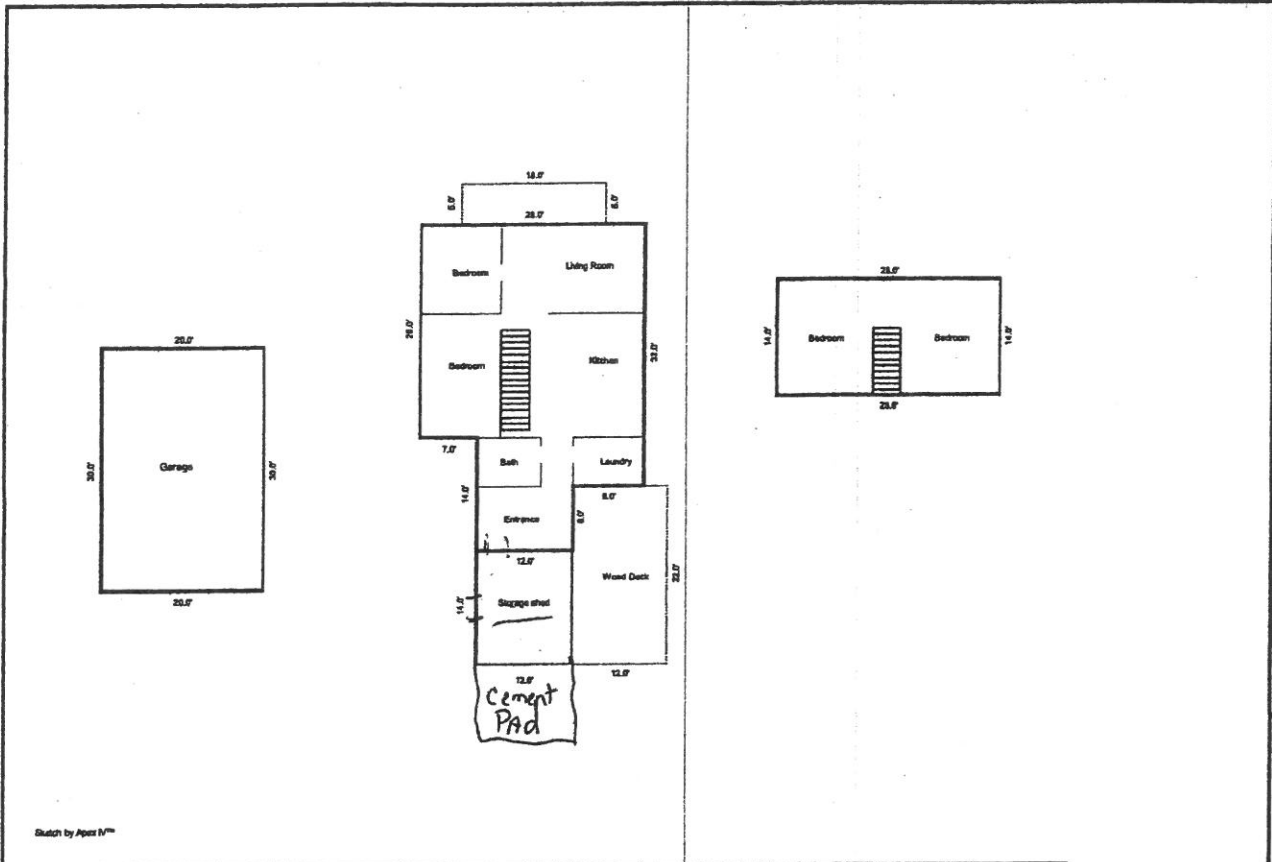
This Variance/Special Permit is being requested for the purpose of Housing the Stray Animals that I pick-up & confine in my capacity of Animal Control Officer

There will be no changes to the structure, Will be using existing space.

Mary Letourneau

# Building Sketch

Borrower	Keith A & Mary L Murray-Letourneau		
Property Address	352 Main St		
City	Townsend	County	Middlesex
State	MA	Zip Code	01469
Client	Rollstone Bank & Trust		



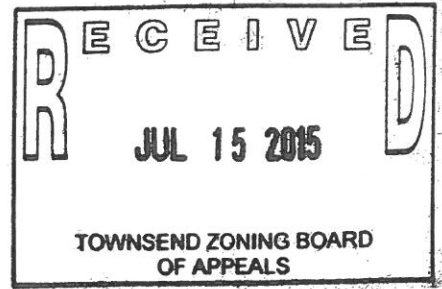
Comments:

AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GLA1	First Floor	950.0	950.0
GLA2	Second Floor	392.0	392.0
P/P	Porch	90.0	
	deck	264.0	354.0
GAR	Garage	600.0	600.0
OTH	Storage	168.0	168.0
Net LIVABLE Area		(Rounded)	1342

LIVING AREA BREAKDOWN			
Breakdown			Subtotals
<b>First Floor</b>			
12.0	x	40.0	480.0
7.0	x	26.0	182.0
9.0	x	32.0	288.0
<b>Second Floor</b>			
14.0	x	28.0	392.0
4 Items			(Rounded)
			1342



**BUILDING DEPARTMENT**  
272 Main Street  
Townsend, Massachusetts 01469



*Richard D. Hanks C.B.O*  
**Building Commissioner**

Zoning Enforcement Officer  
Office (978) 597-1709

ADA Coordinator  
Fax (978) 597-8135

July 15, 2015

Keith and Mary Letourneau  
352 Main Street  
Townsend, MA 01469

Dear Mr. and Mrs. Letourneau,

I am writing to you in regards to your application for a Use Permit to have a commercial kennel at your property. You indicated that the purpose is to house stray dogs in your capacity as the Animal Control Officer for the Town.

Regretfully at this time I must deny your Use permit for the following reason(s).

Your property is zoned Outlying Commercial District (OCD). This district does not list a commercial kennel as an allowed Use by right or by special permit. It does however list a single family dwelling as a by right Use, which is what you are using the property as. As such if section 145-26 B., Residential A and B special permitted uses can be applied because of the residential Use, then a commercial kennel may be approved by the Zoning Board of Appeals (ZBA). The ZBA would make the final determination whether a special permit may be granted for this Use in this zoning district.

You may appeal this determination by filling for an appeal with the ZBA within 30 days of receipt of this letter.

Should you have any questions regarding this letter please call or write me at this office.

Sincerely,

Richard D. Hanks, CBO  
RDH

C.c. Board of Selectmen  
Zoning Board of Appeals  
File  
Binder



RECEIVED  
3.7  
ND

August 12, 2015  
Recreation Department  
Main Street  
Townsend, MA 01469

Board Of Selectmen,

The Recreation Department request that the Board of Selectmen declare the Handicap Ramp at the Annex Building as surplus. The Recreation Board would like to repurpose them to an Eagle Scout who is going to build a ramp for a gentleman who has ALS. The ramp and railings have no value and the town will be helping an Eagle Scout with his project and saving money by not having to have them disposed of.

Thank you,

Alice Kennedy



Chairperson for the Recreation Department



3.8

**CHAPTER 90 - FINAL REPORT**

CONTRACT# INTF00002007S51002

City/Town Townsend Project Pavement Management Program  
 Location(s) All Town roads  
 Length \_\_\_\_\_ Feet Width \_\_\_\_\_ Feet  
 Work was Started 08 / 25 / 14 and Completed 06 / 15 / 15  
 Work was Suspended / / and Resumed / /  
 Done by: Force Account \_\_\_\_\_ Advertised Contract \_\_\_\_\_ Other \_\_\_\_\_

**\* REMARKS:**

<b>EXPENDITURES:</b>	State Funds @ 100%	\$29,900.00
	Municipal Funds	\$
	Other Funds	\$
	<b>TOTAL PROJECT EXPENDITURES</b>	<u>\$29,900.00</u>

**SCOPE OF WORK:**

Provide pavement management program to assist as tool for developing a prioritized Capital Improvement Program and storm water catch basin inventory and mapping.

**CERTIFICATION**

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

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

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

<b>PREPARED &amp; REVIEWED BY</b>	
<i>Evan A. Bell</i>	
<i>Superintendent 8-11-15</i>	
Highway Officer's Title	Date
Accounting Officer's Title	Date

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

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





**CHAPTER 90 – REIMBURSEMENT REQUEST**

updated 8/2012

City/Town: Townsend Project: Pavement Management Program

Project request was approved on 04/30/14 for \$ 30,000.00

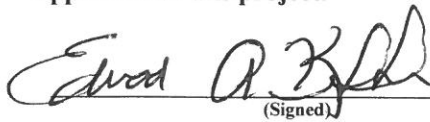
at 100% Reimbursement Rate = \$ 29,990.00

- 1) Attached are forms which document payment of approved expenditures totaling \$29,990.00 for which we are requesting \$29,990.00 at the approved reimbursement rate of 100%.
- 2) The amount expended to date on this project is \$29,990.00.
- 3) Is this request for a FINAL payment on this project?  Yes  No

4) Remarks:

**CERTIFICATION**

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

  
(Signed)

Superintendent  
(Municipal Highway Official Title)

08/11/15  
(Date)

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

**REVIEWED AND APPROVED FOR TRANSMITTAL**

by \_\_\_\_\_ Signed: \_\_\_\_\_

\_\_\_\_\_

(Accounting Officer's Title)

(Duly Authorized)

DATE \_\_\_\_\_

Town of Townsend

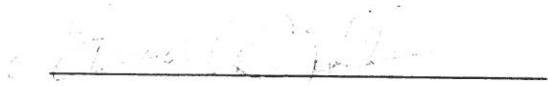
Schedule of Departmental Bills Payable

To the Accounting Officer:

The following named bills of the Highway Department, amounting in total to \$ 8,575.00

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

Date: August 25, 2014



Edward Kukkula, Highway Superintendent

Chapter 90 Pavement Management Services

Name	Description	Amount	Total
BETA Group Inc.	Chap. 122 00002007S 51002	\$ 8,575.00	
	Total		\$ 8,575.00
Grand Total			\$ 8,575.00



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

093676

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

93676

Eight Thousand Five Hundred Seventy Five and 00/100 Dollars

DATE

AMOUNT

9/2/2014

\$8,575.00

PAY  
 TO THE  
 ORDER  
 OF

BETA GROUP INC.

P.O. BOX 9

ALBION RI 02802-0009

*Rate E. Stacy*  
 AUTHORIZED SIGNATURE

⑈093676⑈ ⑆011301798⑆ 100 86601⑈

**TOWN OF TOWNSEND**

093676

Check: 93675      Dated: 9/2/2014      Check Total: 1 item(s) totaling 8,575.00      Stub 93676 Total: 8,575.00  
 Paid To: B021975-1: BETA GROUP INC.

Warrant #	Invoice #	Invoice Date	Amount
1W-2015-10B	140479600	08/12/2014	8,575.00

**TOWN OF TOWNSEND**

093676



ENGINEERING SUCCESS TOGETHER

COPY

August 12, 2014

Project No: 14.04796.00

Invoice No: 1

TOWN OF TOWNSEND  
MR. ED KUKKULA  
HIGHWAY SUPERINTENDENT  
177 MAIN ST.  
TOWNSEND, MA 01469

Project 14.04796.00 TOWNSEND, MA / PAVEMENT MGMT.

**Professional Services from May 22, 2014 to August 1, 2014**

**Fee**

Total Fee	24,500.00		
Percent Complete	35.00	Total Earned	8,575.00
		Previous Fee Billing	0.00
		Current Fee Billing	8,575.00
		<b>Total Fee</b>	<b>8,575.00</b>
		<b>TOTAL DUE THIS INVOICE ...</b>	<b>\$8,575.00</b>

Authorized By:

BARRY LARIVIERE

Date:

AUG 12 2014

08-25-14  
CHAP 40  
CHAP 122

INTF.00002007  
551002

\$8,575.00

1st payment for pavement management services

Terms: Net 30 Days / Please Remit To: BETA Group, Inc., P.O. Box 9, Albion, RI 02802-0009

Town of Townsend

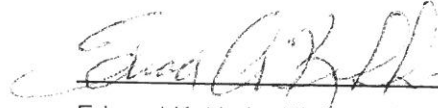
Schedule of Departmental Bills Payable

To the Accounting Officer:

The following named bills of the Highway Department, amounting in total to \$ 3,675.00

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

Date: June 15, 2015

  
Edward Kukkula, Highway Superintendent

Chapter 90 Pavement Management Services

Name	Description	Amount	Total
BETA Group Inc.	Chap. 122 INTF 00002007S 51002	\$ 3,675.00	
	Total		\$ 3,675.00
Grand Total			\$ 3,675.00



ENGINEERING SUCCESS TOGETHER

TOWN OF TOWNSEND  
MR. ED KUKKULA  
HIGHWAY SUPERINTENDENT  
177 MAIN ST.  
TOWNSEND, MA 01469

June 8, 2015  
Project No: 14.04796.00  
Invoice No: 3

Project 14.04796.00 TOWNSEND, MA / PAVEMENT MGMT.  
Professional Services from September 27, 2014 to May 29, 2015

Fee				
Total Fee	24,500.00			
Percent Complete	100.00	Total Earned	24,500.00	
		Previous Fee Billing	20,825.00	
		Current Fee Billing	3,675.00	
		<b>Total Fee</b>		<b>3,675.00</b>
		<b>TOTAL DUE THIS INVOICE ...</b>		<b>\$3,675.00</b>

Authorized By:   
BARRY LARIVIERE

Date:                     

06-15-15  
Chap 90  
Chap 122  
00002007551000  
\$3675.00  
LD



TREASURER'S OFFICE  
 272 MAIN STREET  
 TOWNSEND, MA 01469

VOID IF NOT CASHED WITHIN 1 YEAR  
 FROM DATE OF ISSUE

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

96178

Three Thousand Six Hundred Seventy Five and 00/100 Dollars

DATE

AMOUNT

6/16/2015

\$3,675.00

PAY  
 TO THE  
 ORDER  
 OF

BETA GROUP INC.

P.O. BOX 9

ALBION RI 02802-0009

*Richard J. Kristoff*  
 AUTHORIZED SIGNATURE

⑈096178⑈ ⑆011301798⑆ 100 86601⑈

TOWN OF TOWNSEND

096178

Check: 96178      Dated: 6/16/2015      Check Total: 1 item(s) totaling 3,675.00      Stub 96178 Total: 3,675.00  
 Paid To: B021975-1: BETA GROUP INC.

Warrant #	Invoice #	Invoice Date	Amount
1 W-2015-51B	3	06/08/2015	3,675.00



Town of Townsend

Schedule of Departmental Bills Payable

To the Accounting Officer:

The following named bills of the Highway Department, amounting in total to \$ 5,490.00

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

Date: December 1, 2014



Edward Kukkula, Highway Superintendent

Chapter 90 Pavement Management Services

Name	Description	Amount	Total
BETA Group Inc.	Chap. 122 00002007S 51002	\$ 5,490.00	
	Total		\$ 5,490.00
Grand Total			\$ 5,490.00



PROFESSIONAL SERVICES TOGETHER

FILE COPY

TOWN OF TOWNSEND  
MR. ED KUKKULA  
HIGHWAY SUPERINTENDENT  
177 MAIN ST.  
TOWNSEND, MA 01469

November 10, 2014  
Project No: 14.04876.00  
Invoice No: 1

Project 14.04876.00 TOWNSEND, MA / CATCH BASIN MAPPING  
**Professional Services from September 8, 2014 to October 31, 2014**

<b>Fee</b>			
Total Fee	5,490.00		
Percent Complete	100.00	Total Earned	5,490.00
		Previous Fee Billing	0.00
		Current Fee Billing	5,490.00
		<b>Total Fee</b>	<b>5,490.00</b>
		<b>TOTAL DUE THIS INVOICE ...</b>	<b>\$5,490.00</b>

Authorized By:   
BARRY LARIVIERE

Date: NOV 10 2014



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

094489

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

94489

Five Thousand Four Hundred Ninety and 00/100 Dollars

DATE	AMOUNT
12/2/2014	\$5,490.00

PAY  
 TO THE  
 ORDER  
 OF

BETA GROUP INC.

P.O. BOX 9

ALBION RI 02802-0009

*Rate E. Stacy*  
 AUTHORIZED SIGNATURE

⑈094489⑈ ⑆011301798⑆ 100 86601⑈

**TOWN OF TOWNSEND**

094489

Check: 94489      Dated: 12/2/2014      Check Total: 1 item(s) totaling 5,490.00      Stub 94489 Total: 5,490.00  
 Paid To: B021975-1: BETA GROUP INC.

Warrant #	Invoice #	Invoice Date	Amount
1W-2015-23B	1	11/10/2014	5,490.00

Town of Townsend

FILE COPY

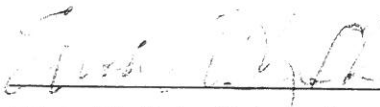
Schedule of Departmental Bills Payable

To the Accounting Officer:

The following named bills of the Highway Department, amounting in total to \$ 12,250.00

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

Date: October 14, 2014

  
Edward Kukkula, Highway Superintendent

Chapter 90 Pavement Management Services

Name	Description	Amount	Total
BETA Group Inc.	Chap. 122 INTF 00002007S 51002	\$ 12,250.00	
	Total		\$ 12,250.00
Grand Total			\$ 12,250.00



ENGINEERING SUCCESS THROUGH TEAMWORK

TOWN OF TOWNSEND  
MR. ED KUKKULA  
HIGHWAY SUPERINTENDENT  
177 MAIN ST.  
TOWNSEND, MA 01469

October 2, 2014  
Project No: 14.04796.00  
Invoice No: 2

Project 14.04796.00 TOWNSEND, MA / PAVEMENT MGMT.  
**Professional Services from August 2, 2014 to September 26, 2014**

**Fee**

Total Fee	24,500.00		
Percent Complete	85.00	Total Earned	20,825.00
		Previous Fee Billing	8,575.00
		Current Fee Billing	12,250.00
		<b>Total Fee</b>	<b>12,250.00</b>
		<b>TOTAL DUE THIS INVOICE ...</b>	<b>\$12,250.00</b>

Authorized By:

BARRY LARIVIERE

Date: OCT 02 2014

10-11-14  
Chp 90  
Chp 122

INTF000002007551002

\$12,250.00  
10



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

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

094090

94090

Twelve Thousand Two Hundred Fifty and 00/100 Dollars

DATE AMOUNT  
 10/14/2014 \$12,250.00

PAY  
 TO THE  
 ORDER  
 OF

BETA GROUP INC.

P.O. BOX 9

ALBION RI 02802-0009

*Rita E. Stacy*  
 AUTHORIZED SIGNATURE

⑈094090⑈ ⑆011301798⑆ 100 86601⑈

**TOWN OF TOWNSEND**

094090

Check: 94090 Dated: 10/14/2014 Check Total: 1 item(s) totaling 12,250.00 Stub 94090 Total: 12,250.00  
 Paid To: B021975-1: BETA GROUP INC.

Warrant #	Invoice #	Invoice Date	Amount
1 W-2015-16B	2	10/02/2014	12,250.00

**TOWN OF TOWNSEND**

094090

**CHAPTER 90 – PROJECT REQUEST**

8/2012

3.9

\*2 Original Signed Project Request Forms are to be submitted.

# 51002-07

Classification: \_\_\_\_\_ INTF00002007S51002

Primary Road: \_\_\_\_\_

Local Road: Depot Street

City/Town: Townsend

Location(s): Depot Street

Length: 1050 feet Width: 24 feet

**PROJECT TYPE**

Construction:  Resurfacing:  Engineering:  Equipment:

Other: milling

**TYPICAL SECTION DETAILS:** Indicate depths, special treatments, etc... Also please include sketch for Construction/Improvement Projects.

Surface: Mass DOT top

Base Course: \_\_\_\_\_

Foundation: \_\_\_\_\_

Shoulders/Sidewalks: \_\_\_\_\_

**SCOPE OF WORK:**

Mill and resurface Depot Street from the intersection Elm Street (Route 13) to Rte. 119 (Main Street) southerly for a distance of 1600 feet.

**WORK TO BE DONE:**

Force Account:  Advertised Contract:  Other: \_\_\_\_\_

Estimated Cost (Please attach estimate and list funding source(s)): \$ \$32,000.00

\*\*These funds will pay 100% of Local Road Project costs to the limit of this assignment\*\*

**CERTIFICATION**

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

**Reviewed by:**

Signed: \_\_\_\_\_  
State Aid Engineer Date

Road Classification Verified: \_\_\_\_\_

Approved for \$ \_\_\_\_\_ @ 100%

District Highway Director Date

**Signed:**

Evan A. Kelly  
Superintendent 8.22.15  
Highway Official's Title Date

Accounting Official's Title Date

Date Duly Authorized Municipal Official

**CHAPTER 90 – ENVIRONMENTAL PUNCH LIST**

City/Town Townsend MassDOT Highway District # 3

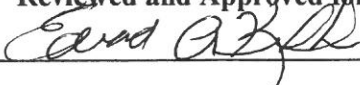
Proposed Work:  
Construction  Resurfacing  Improvement  Engineering  Other

**NOTE: ALL ENVIRONMENTAL PERMITS / APPROVALS MUST BE OBTAINED PRIOR TO CONSTRUCTION.**

1. Will the pavement width increase 4 ft. or more for an aggregate length of 1000 ft. or more? Yes  No
  2. Will the bank or terrain (other than alteration required for installation of equipment or structures) be altered at a distance exceeding 10 ft. from the pavement? Yes  No
  3. Will the removal of 5 or more trees with diameters of 14 inches or more be required? Yes  No
  4. Will more than 300 ft. of stone wall be removed or altered? Yes  No
  5. Will the project involve construction of a parking lot with capacity of 50 cars or more? Yes  No
  6. Are any other MEPA review thresholds exceeded (see 301 CMR 11.00)?  
If your answer is YES to any of questions 1-6, you must file an Environmental Notification Form (ENF).\* Yes  No
  7. Will the project be on a "Scenic Road" (Acts of 1973, C. 67)?  
If your answer is YES, your Planning Board or Selectmen / City Council must give written consent for cutting / removal of trees or changes to stone walls. Yes  N/A  No
  8. Have all necessary takings, easements, rights of entry, etc. been completed?  
If a county Hearing is required, it must be held prior to starting work Yes  No
  9. Are archaeological, anthropological, historical, etc. problems / impacts anticipated? Yes  No
  10. Is any work proposed in or within 100 ft. of a wetland (stream, pond, swamp, etc.)? \*  
If your answer is YES, you must file the project with your local Conservation Commission prior to starting work. Yes  No
  11. If work is proposed in a wetland or water resource, a permit may be required from the Department of Environmental Protection, Corps of Engineers, etc.. Verify with agencies.\* Yes  No
- \* See Appendix K for a List of Environmental Agencies.

**Validation**

It is recognized that the purpose of this information is to assist the MassDOT Highway Division in approving the Chapter 90 Project Request Form (of which this is a part). Accordingly, the information provided here is intended to be complete and correct with no intentional errors or material omissions. Any action taken by MassDOT Highway Division on the basis of this information shall not legally or financially obligate MassDOT Highway Division to support or defend the municipality, and the municipality shall save harmless MassDOT Highway Division for any action.

<b>Duly Authorized Municipal Officials</b>	<b>Reviewed and Approved for Transmittal by:</b> 
	Superintendent
	Highway or Conservation Officer's Title
Signatures	Signatures
Date	Date <u>8-20-15</u>

This form should be submitted in duplicate with original signatures to the MassDOT Highway District Office.  
This form should accompany the Project Request Form.



**Depot Street**  
FY16 Project Estimate

Milling

$$1050 \text{ ft.} \times 24 \text{ ft.} / 9 = 2,916 \text{ SY}$$

$$2,916 \text{ SY} \times \$1.97/\text{SY} = \mathbf{\$5,745.00}$$

Resurfacing

$$1050 \text{ ft.} \times 25 \text{ ft.} / 9 = 2,916 \text{ SY}$$

$$2,916 \text{ SY} \times 0.125 \text{ TN/SY} = 364 \text{ TN}$$

$$364 \text{ TN} \times \$65.89 = \mathbf{\$24,000.00}$$

Basin Repairs

**\$1000.00**

Miscellaneous Asphalt

**\$1,000.00**

Estimated Total Cost

**\$32,000.00**

CHAPTER 90 - PROJECT REQUEST

8/2012

3.10

\*2 Original Signed Project Request Forms are to be submitted.  
# 51002-08

Classification: \_\_\_\_\_ INTF00002007S51002

Primary Road: Elm Street (Route 13)

Local Road: \_\_\_\_\_

City/Town: Townsend

Location(s): Elm Street

Length: 1600 feet Width: 41 feet

PROJECT TYPE

Construction:  Resurfacing:  Engineering:  Equipment:

Other: milling

TYPICAL SECTION DETAILS: Indicate depths, special treatments, etc... Also please include sketch for Construction/Improvement Projects.

Surface: Mass DOT top

Base Course: \_\_\_\_\_

Foundation: \_\_\_\_\_

Shoulders/Sidewalks: \_\_\_\_\_

SCOPE OF WORK:

Mill and resurface Elm Street from the intersection of Rte. 119 (Main Street) southerly for a distance of 1600 feet.

WORK TO BE DONE:

Force Account:  Advertised Contract:  Other: \_\_\_\_\_

Estimated Cost (Please attach estimate and list funding source(s)): \$ \$69,000.00

\*\*These funds will pay 100% of Local Road Project costs to the limit of this assignment\*\*

CERTIFICATION

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

Reviewed by:

Signed: \_\_\_\_\_  
State Aid Engineer Date

Road Classification Verified: \_\_\_\_\_

Approved for \$ \_\_\_\_\_ @ 100%

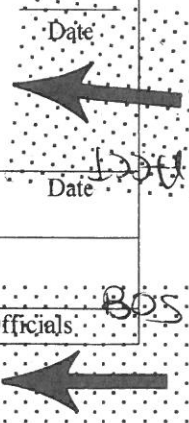
District Highway Director Date

Signed:

Eward A. Kelly 8-20-15  
Superintendent  
Highway Official's Title Date

Accounting Official's Title Date

Date Duly Authorized Municipal Officials





**CHAPTER 90 – ENVIRONMENTAL PUNCH LIST**

City/Town Townsend MassDOT Highway District # 3

Proposed Work:

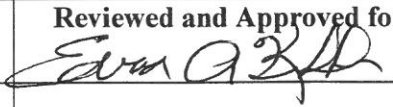
Construction  Resurfacing  Improvement  Engineering  Other

**NOTE: ALL ENVIRONMENTAL PERMITS / APPROVALS MUST BE OBTAINED PRIOR TO CONSTRUCTION.**

1. Will the pavement width increase 4 ft. or more for an aggregate length of 1000 ft. or more? Yes  No
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If your answer is YES, you must file the project with your local Conservation Commission prior to starting work. Yes  No
  11. If work is proposed in a wetland or water resource, a permit may be required from the Department of Environmental Protection, Corps of Engineers, etc.. Verify with agencies.\* Yes  No
- \* See Appendix K for a List of Environmental Agencies.

**Validation**

It is recognized that the purpose of this information is to assist the MassDOT Highway Division in approving the Chapter 90 Project Request Form (of which this is a part). Accordingly, the information provided here is intended to be complete and correct with no intentional errors or material omissions. Any action taken by MassDOT Highway Division on the basis of this information shall not legally or financially obligate MassDOT Highway Division to support or defend the municipality, and the municipality shall save harmless MassDOT Highway Division for any action.

<b>Duly Authorized Municipal Officials</b>	<b>Reviewed and Approved for Transmittal by:</b>
	
	Superintendent
	<u>Highway or Conservation Officer's Title</u>
Signatures	Signatures
Date	Date <u>8-20-15</u>

This form should be submitted in duplicate with original signatures to the MassDOT Highway District Office.  
This form should accompany the Project Request Form.

**Elm Street (Route 13)  
FY16 Project Estimate**

Milling

$$1584 \text{ ft.} \times 41 \text{ ft.} / 9 = 7,216 \text{ SY}$$

$$7,216 \text{ SY} \times \$1.89/\text{SY} = \mathbf{\$13,638.00}$$

Resurfacing

$$1584 \text{ ft.} \times 41 \text{ ft.} / 9 = 7216 \text{ SY}$$

$$7,216 \text{ SY} \times 0.112 \text{ TN/SY} = 808 \text{ TN}$$

$$808 \text{ TN} \times \$65.89 = \mathbf{\$53,239.00}$$

Basin Repairs

**\$1000.00**

Miscellaneous Asphalt

**1000.00**

Estimated Total Cost

**\$69,000.00**

3.11

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: 1/19/2015

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

To Whom it May Concern:

The Undersigned, Unifil Fitchburg Gas & Electric hereby applies for permission to: \_\_\_\_\_

Open Road to install Gas Service at 6 School St

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

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

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

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

Approved/Disapproved: Highway Superintendent: *Evan A. Zilk* Date: 8-20-15  
Approved/Disapproved: Board of Selectmen: \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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

3.12

Colin McNabb, *Chairman*

Carolyn Smart, *Vice-Chairman*

Gordon Clark, *Clerk*

Andrew J. Sheehan,  
*Town Administrator*

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

**MEMORANDUM**

TO: Board of Selectmen

FROM: Andrew J. Sheehan, Town Administrator 

DATE: June 19, 2015

SUBJ.: Goals - Status Report

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The Board of Selectmen spent substantial time and effort in developing and ranking a list of goals. The top four categories were Financial Sustainability, Policies & Procedures, Employees – Existing, and Information Technology. Each category identified individual tasks and there were nearly forty tasks identified within the four top categories.

In December 2014 the following goals and tasks were adopted. In *italics* I have provided a status of each item in the list adopted by the Board:

- Financial Sustainability: *Substantial progress has been made in this critical area.*
  - Balanced budgets: *The FY16 operating budget presented to and adopted by Annual Town Meeting was balanced. The budget was balanced using a modest amount (\$80,371) of stabilization. This was necessitated largely due to an unexpected increase in the local contribution for regional schools as a result of the application of the Education Reform Law that governs school funding.*
  - Investigate new revenue sources: *This is continuous and ongoing effort.*
  - Delinquent tax collections and tax titles: *This is a continuous and ongoing effort initiated by Tax Collector Beth Ann Scheid and continued by Treasurer-Collector Deborah Kristoff. Ms. Kristoff recently sent notices for FY13 delinquencies. A tax title advertising will be made in the coming weeks. In the coming year a similar effort will be made for FY14 and FY15 delinquencies in order to bring us current.*
  - 5-year budget projection: *The revenue portion of this effort is complete; the expenditure portion is expected to be completed prior to the start of the next budget cycle.*

- Retiree health insurance: *This item has been discussed extensively over recent months. Additional direction is needed from the Board of Selectmen before developing a formal presentation to employee groups.*
- Policies & Procedures: *Less progress has been made in this category than was hoped.*
  - Transparency, good conduct, responsible government: *Progress remains elusive in this area.*
  - Quarterly reports from departments: *Quarterly reports began in 2015, commencing with Q1 reports in early April.*
  - Financial policies: *Draft financial policies are approximately 75% complete. These will be fine-tuned by the finance staff in the coming months and presented to the Board of Selectmen and Finance Committee for review and adoption.*
  - Personnel policies: *Some progress has been made on this item. This is a large project that will demand an extensive time commitment by many parties.*
  - BOS policy manual: *Some progress has been made on this item; additional work remains.*
- Employees – Existing: *Some progress has been made in this area. For several of these items additional direction is required from the Board of Selectmen.*
  - Training for department heads, employees, boards/committees: *Open Meeting, Conflict of Interest, Public Records, bullying, sexual harassment: There are many areas where training is needed. Direction is required from the Board of Selectmen on this item.*
  - Transparency and compliance with laws: *Open Meeting, Ethics, personnel policies, etc. Discernable progress has not been made in this area and additional guidance is required from the Board of Selectmen.*
  - Annual performance evaluations for department heads: *Performance evaluations were submitted by many departments. I will be performing evaluations on direct reports in the coming weeks.*
  - Safety committee: *A Safety Committee has not been established.*
- Information Technology: *Progress is being made in this area and substantial steps remain to be taken in the coming year.*
  - Implement IT assessment recommendations: *operating system, email, security, reliability, hardware/software: Townsend Technologies has implemented several of the assessment recommendations. Funding was delayed by the postponement of the fall Special Town Meeting, delaying implementation by about two months. The remaining components of the assessment will be implemented in FY16.*
  - Computer upgrades: *Most of the new computers have been installed with updated software and operating systems.*
  - Improve internet speed and reliability: *Progress remains to be made in this area.*
  - Explore fiber connections between buildings: *The Fire-EMS Headquarters donation project is expected to provide a fiber link to the Police Station. Town Hall and other buildings will be able to connect to this fiber network.*

I look forward to discussing these goals in more detail.