



BOARD OF SELECTMEN

P.O. Box 669
Townsend, Massachusetts
01469-0669
(508)-597-2837



MINUTES FROM MEETING HELD March 07, 1994

Wood called the meeting to order at 9:15 A.M.

Roll call taken showed Selectmen Wood, Rebholz, and Darling present.

Wood explained to Selectman Darling the events leading up to today's meeting. Selectman Wood then discussed the definition of Supervisor. Mike Gallant explained that what is needed to be done is bring the position into line with the job description and EOCD expectations. Wood asked about the procedure for assigning work to the Land Use Administrator. Mr. Gallant explained the process which included having the Land Use Administrator inform her supervisor of work being requested of her by the various boards and commissions. The LUA said that this would be just informative and not for him to decide on things to be done. The Executive Secretary clarified this and said that the supervisor would have to make decisions on work to be done and that which could not be done. Selectman Rebholz said he would like to see a monthly meeting among boards to straighten things out. Selectman Darling said he would like an updated report from the various boards. Discussion on type of work to be done by the LUA for ZBA and Conservation took place and agreed that it was allright as long as it does not interfere or delay that which EOCD expects. The problems of working at home, compensatory time, EOCD expectations, and closing the loop on paperwork were also addressed. The issue of Planning Board and the LUA not working together was also discussed. Darling said that the Planning meetings are open and that she could still attend and Mike Gallant said she could still compile information and bring it to him. Elaine said she could use public records request to get the minutes of their meetings. Wood expressed that such a combative approach is not necessary. Both Mr. Gallant and Rebholz agreed with Wood. Rebholz expressed that we have to try to support everyone. Gallant said he felt some ground with Planning had been made. Selectman Wood asked if the flow chart could be made on the computer system. Mike Gallant said that right now it could not but that that does not mean it cannot be made up and put on a board. Wood discussed the description of the process to be developed. The LUA said progress on ZBA but needs more time from Mr. Gallant. Mike Gallant said this project could be done on LUA time and within the hours allotted. Ms. Olden asked Mr. Gallant if he had talked to Ira Grossman about the permit process being moved to Nashoba Board of Health. Mr. Gallant explained that the LUA could call Nashoba and get copies for town. Darling asked if the Town had a hard copy in any office. Mr. Gallant responded by saying some are here and some are not but that he was not sure. Discussion took place on LUA liaison activities and that boards should be getting information on items from other boards. Wood explained that the board gets information regarding other boards from the

LUA. The Executive Secretary explained that we receive notices from other boards not the decisions. Mr. Gallant brought up an issue that he thought the Selectmen would have been interested in regarding tax dollars and Sterilite's proposed expansion. Wood and Darling discussed this taxation issue. Ira Grossman joined the meeting to continue discussion of Board of Health permits. Darling asked if the Board of Health had voted on moving the permits to Nashoba board of Health and out of Town Hall. Ms. Olden said that they did not object to it. Darling asked about back handed comments and responses and objected to them. He expressed if the Board of Health did not have a chance to act on it how could they object. The Board discussed the need for lists of permits and decisions and copies of same to be given to Mike Gallant. Mr. Gallant said there is a need for software for some of the reports. Wood said it is important to make boards work better for themselves or assist in helping them. Darling said that if it is set up in such a manner then it provides a loop-hole for the LUA not to do the work. Wood asked Mr. Gallant to send a letter to the various boards asking them for their priorities of work to be done. Darling asked Wood about this meeting and the decision of rescinding the resignation of Elaine Olden as the LUA. He asked if this decision was a fait-de-complis as to her coming back. Wood said that this meeting was to work things out. Darling said he thought it was to determine if we were to accept her resignation. Wood asked Mike if he could work with her if she did come back. He said if the tension continues over the next few months then it would not be worth letting her come back. He went on to say that the issue of hours, time and schedule being changed needed to be addressed. Discussion took place on the hours worked and to be worked and it was decided that a strong definition of those had to be worked out. Darling asked if Bill May took compensatory time. Wood said no that he is in Public Safety and does not get it. Darling asked for a ruling from Town Labor Counsel regarding the Fair labor Standards Act and compensatory time for employees and the issuance of it without the Board's approval. Mike Gallant said if he is the supervisor then there is no compensatory time and an assignment sheet for work to be done be developed. Wood said that some time would be needed to bring the LUA up to snuff with boards and to move from their. Mike Gallant explained that if she does come back that she does not get any vacation until next February. Darling asked Mr. Gallant if he stands by his statement of not working with her. Mike said he did not make that statement and that Selectman Rebholz was quoted as saying that Mike said that. Selectman Rebholz denied making any such statement. Mr. Gallant said there still needs to be a meeting to review the LUA to see that the goals and decisions are being adhered to. Wood asked how soon could we do this and get the position back on line. Gallant said about a weeks time but that she could start right away. Elaine Olden read a memo withdrawing her resignation and asking for her vacation time to be switched to sick-time. Mike Gallant said he would not allow such a change since it was requested to be vacation and we would have required a doctor's note if it had been sick-time. selectman Rebholz said he had to think about it. Darling said we would continue to have problems and that we should not change time and not accept withdrawal of the

resignation. Wood said she was not worried about the time used. Darling voiced concern about setting precedence and thought the courts could decide that the board did do such a thing by its current actions. Wood said the board is not setting precedence. Darling asked Mike if he thought what the LUA did was un-ethical. Mike said yes. Wood said there is no question of ethics here. Darling disagreed with Wood. Darling moved to re-advertise the position. Seconded by Wood. One in favor (Darling) and two opposed (Wood and Rebholz). Darling said in his professional opinion, Olden could not work with boards and personnel to the benefit of the position. Olden requested a decision about her vacation time. The board did not grant her request to switch the vacation time for sick time. She explained that her and her husband have plans for June and wondered if the board would have a problem with unpaid leave. The board had no problem with that request. Darling asked Mike Gallant if had the choice of taking Elaine Olden back or advertising the position which would he pick. Mr. Gallant said he would readvertise the position. Rebholz moved to accept the withdrawal of the LUA resignation. Seconded by Wood. Two in favor (Wood and Rebholz) with one opposed (Darling). Darling opposed with prejudice.

Wood moved to adjourn the meeting at 11:30 A.M. Seconded by Darling. All in favor.

Submitted by:
Timothy P. Bragan
March 15, 1994.

0087C/2-4



BOARD OF SELECTMEN

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MINUTES FROM MEETING HELD March 08, 1994

- 1.1 Wood called the meeting to order at 7:03 P.M.
- 1.2 Roll call taken showed Selectmen Wood, Rebholz, and Darling present.
- 1.3 There were no additions or deletions to the agenda.
- 2.1 At 7:05 P.M. Selectman Wood reopened the public hearing regarding the application of the South Fitchburg Hunting & Fishing Club for a CLUB ALCOHOL LICENSE. This was continued from February 15, 1994. Wood asked Mr. Saucier for the Club's financial statement, Board of Health certificate, and a letter from the Police Chief. Mr. Saucier explained that the board had said that the financial statement would be required if they received their license. He went on to say that the building has received its inspection and passed and the board of health issued them a certificate. Wood explained that the Police Chief has submitted a letter and that he does not recommend the issuance of a license. Darling asked if the Club would respond to Chief May's letter point by point. Members of the audience wished to comment and the board agreed to open up the meeting for comments for and against the license request. Robert J. Gordeau, 10 Shirley Road, came forward and read an editorial from the Fitchburg Sentinel regarding this license. Mr. and Mrs. Fredd of 6 Warren Road see this as an economic issue and would like to see the Club's financial plan. Wood explained the difference between a financial plan and statement. Darling asked Mr. Fredd what his concern was. Mr. Fredd responded that he was concerned about living next to a 1950's style road house. Darling explained that this license would be similar to any other club license in town. Discussion began on arms being allowed in the club and everyone found out that one cannot leave an unattended firearm in a vehicle. Mr. Saucier explained that he took exception to the article read by Mr. Gordeau and that there is currently a limit on the number of licenses the club could get and that this number was not enough. Discussion took place on safety issues and benefits or lack thereof to the town. Mr. Saucier explained that their functions are family oriented. Selectman Darling agreed with him. Joan Morgan of 38 Maplewood Drive explained that the Club was too close to a residential area and that she had a bullet come into her house. Wood asked Mr. Saucier when he could respond to the letter. He said by April 5, 1994. Wood said the meeting will be postponed until then and at that time there will be no more public comments. The board then adjourned the public hearing until April 5, 1994.
- 3.1 Wood moved to sign the letter requesting permission from the State to close a portion of Route 119 in conjunction with the 100th Anniversary of Memorial Hall. Seconded by Rebholz. All in favor with none opposed.

- 3.2 Wood moved to allow the Highway Department to deficit spend its Snow and Ice budget and its Overtime budget (for snow and ice removal) for this fiscal year. Seconded by Darling. All in favor with none opposed.
- 3.3 Wood moved to approve the changes in the Fire Department Rules and Regulations as requested by the Fire Chief. It was explained to the board by the Executive Secretary that the change was to delete the Clerical wording in section 22 and replace it with Firefighter Aide and to add 22.8 to the rules and regulations. Seconded by Rebholz. All in favor with none opposed.
- 4.1 Wood moved to approve Payroll Warrant 36P. Seconded by Darling. Two in favor (Wood and Darling) with one abstention (Rebholz). Wood then moved to approve the Bills Payable Warrant 36B. Seconded by Darling. All in favor with none opposed.
- 4.2 The board reviewed the Purchase Orders and approved them.
- 4.3 Wood moved to approve the minutes of February 22, 1994. Seconded by Rebholz. Two in favor (Wood and Rebholz) with one abstention (Darling).
- 4.4 The Board of Selectmen discussed reviewing the material in Memorial Hall in order to make a determination as to what the town will dispose of. Selectman Darling suggested meeting this Saturday, March 12, 1994, at 9:00 A.M. The other members agreed with Mr. Darling and decided to meet on Saturday.
- 4.5 Executive Secretary Report.
- A) Selectman Wood asked if anyone has a copy of the original dedication for Memorial Hall and/or any memorabilia from this time period to please contact the Selectmen's office or the Memorial Hall Restoration Committee.
 - B) Selectman Darling explained that he saw a Townsend Police Officer in action this past week and that the officer, Cheryl Mattson, acted in a manner which exemplified Townsend police work. Darling described the situation and explained it took courage and dedication to do it and that Bill May (Police Chief) has a great department. Darling asked if the board would be willing to send a personal letter to Officer Mattson for a job well done. Both Selectman Wood and Selectman Rebholz agreed with Selectman Darling to send the officer a letter.
 - C) The board was informed of the faxscimile machine the office was purchasing and agreed with the purchase.
 - D) The board members were notified of the accident the highway department had and that no one was injured.
 - E) The Executive Secretary read a press release from the Police Chief regarding a community survey that would take place this weekend in Townsend.
 - F) The board members were informed of the action at the Statehouse regarding the early resolution of local aid and money for snow and ice removal.
 - G) The board members were informed that the bid specifications were finally ready and that a rating sheet would be needed to rate the proposals.

H) The board members were informed of the notice received from the MBTA regarding the upcoming test and application for becoming an MBTA Police Officer.

I) The Executive Secretary explained that the Fire Chief has submitted a purchase order for \$250.00 to cover the deductible for Mr. Antosh whose chimney was damaged earlier this year by the Fire Department. Wood asked if the money was coming from the Fire budget. She was informed that it was. The board agreed to allow the purchase order to be signed.

J) The Executive Secretary informed the board that he would be attending a MMA meeting on the 31st of March at Northern Essex Community College in Haverhill and that the meeting was for FY 94 Updates.

K) The board was informed that a local individual has approached our office and asked if he could do his community service hours in town hall. This gentleman would paint, plaster, or drywall and all we would have to do is supply the materials. the board thought this would be a good idea.

L) The board was informed that the office had received notice from the Highway Union that they would like us to begin negotiations. The Executive Secretary explained that Labor Counsel has been made aware of this and that he suggested a couple of dates and that a response be sent to the union.

Wood moved to adjourn the meeting at 8:23 P.M. Seconded by Rebholz. All in favor.

Submitted by:
Timothy P. Bragan
March 15, 1994

0087C/90-92



BOARD OF SELECTMEN

P.O. Box 669
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Selectmen Meeting Agenda MEMORIAL HALL 7:00 P.M. March 08, 1994

I. Preliminaries:

- 1.1 Meeting Called to Order
- 1.2 Roll Call
- 1.3 Agenda - Additions/Deletions

II. Appointments:

- 2.1 7:05 P.M. South Fitchburg Hunting & Fishing Club
Continuation of PUBLIC HEARING FOR CLUB ALCOHOL LICENSE (Continued from 2/15/94).

III. New Business:

- 3.1 Move to sign letter requesting permission from the State to close a portion of Route 119 in conjunction with the 100th Anniversary of Memorial Hall.
- 3.2 Move to allow the Highway Department to deficit spend its Snow and Ice budget and its Overtime budget (for snow and ice removal) for this fiscal year.
- 3.3 Move to approve changes in Fire Department Rules and Regulations as requested by the Fire Chief.

IV. Work Session:

- 4.1 Approve Payroll Warrant ~~36P~~ and/or Bills Payable Warrant ~~36B~~.
- 4.2 Review Purchase Orders.
- 4.3 Approve minutes from February ~~22~~, 1994.
- 4.4 Set date for Board of Selectmen to review material in Memorial Hall in order to make a determination as to what the town will dispose of.
- 4.5 Executive Secretary Report.

V. Adjournment

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MINUTES FROM MEETING HELD March 15, 1994

- 1.1 Wood called the meeting to order at 7:05 P.M.
- 1.2 Roll call taken showed Selectmen Wood, Rebholz, and Darling present.
- 1.3 There were no additions or deletions to the agenda.
- 3.1 Wood read the letter for Officer Cheryl Mattson. Wood moved to sign the letter for Officer Mattson regarding exceptional service on March 4, 1994. Seconded by Selectman Darling. All in favor.
- 3.2 The Executive Secretary explained that the fire truck request for proposals should be advertised in the newspapers on the 21st and 28th of March and in the State's goods and services bulletin on the 23rd and 30th of March. He went on to say the bids would be received by April 4, 1994 at 3:30 P.M. and then opened at 6:00 P.M. on the 4th of April. Wood moved to set the advertisement dates and time schedule for the Fire Truck Request For Proposals as proposed. Seconded by Darling. All in favor.
- 3.3 The Selectmen reviewed the proposed Selectmen's Budget and Memorial Hall Budget for Fiscal Year 1995. The Executive Secretary explained that these budgets represented level funding as voted and amended in last year's town meetings. The board was also informed that the additional increase was done to provide for the MMA Annual Conference expense.
- 3.4 Selectman Darling read the proclamation for Daffodil Day. Selectman Wood then moved to Proclaim Wednesday, March 23, 1994 as "Daffodil Day In Townsend". Seconded by Rebholz. All in favor.
- 4.1 Wood moved to approve Payroll Warrant 37P and Bills Payable Warrant 37B. Seconded by Selectman Rebholz. All in favor.
- 4.2 Purchase Orders were reviewed and approved.
- 4.3 Wood moved to approve the minutes from March 07, 1994 and March 08, 1994. Selectman Darling said he had a problem with the minutes from March 07, 1994. He went on to say that he remembers asking the Building Inspector if he would have accepted Ms. Olden's withdrawal or if he would have re-advertised the position and that Mike said he would have re-advertised. Wood then moved to approve the minutes of March 07, 1994, as corrected, and the minutes of March 08, 1994. Seconded by Selectman Rebholz. All in favor.
- 4.4 Wood asked to postpone review of the material regarding Snow and Ice Removal Insurance until the next meeting. The other members of the board agreed with Wood's request.
- 4.5 Selectman Wood read the letter from Kevin Sawyer, Townsend Little League, regarding Opening Day Parade. The Executive Secretary explained that since receiving this letter the parade on Route 13 has been moved to town owned land and off of a major roadway.

4.6

Executive Secretary Report:

A) The Selectmen were informed of their ability to have Nashoba Cable provide a tape of or stenographer for the public hearing on the 29th of March. The Executive Secretary explained that he felt a stenographer would be more appropriate. The board decided to request a stenographer for the public hearing.

B) The Selectmen were informed of the Recreation Commission's request to purchase Red Sox tickets for the upcoming season. The board was told that the Accountant confirmed that they have the money and no town funds will be used. Wood explained that in the future these types of requests do not have to come to the board as long as the Accountant has said the funds are available and that no town funds are being used. Selectmen Rebholz agreed with Wood and said that this is what was originally intended when the revolving fund was passed.

C) The Executive Secretary read a memo from the Town Clerk regarding the change in districts for House of Representatives.

D) The board members were notified of the public notice from the Department of Public Safety regarding Underground Storage Tank Petroleum Product Cleanup Fund Regulations Implementing MGL Chapter 148 Section 37A. The hearing is to be held on April 1, 1994, at 10:00 AM at One Ashburton Place, 21st Floor, Conference Room #3.

E) The Executive Secretary informed the board that the Accountant was taking a vacation day on Friday and would be at an Annual Meeting on Monday and Tuesday of next week.

F) The Chairman was given a copy of the Selectmen's Report to sign for placement in the Town Report. Selectman Wood asked the other members of the board if they had read the report and if they had any problems with it. Neither Selectman Rebholz nor Darling had any problem with the report. Wood moved to have the board approve of her signing the report. Seconded by Rebholz. All in favor.

The Selectmen recessed the meeting at 7:25 PM to reconvene at 8:00 PM for their 8:00 PM appointment. Chairman Wood reconvened the meeting at 8:02 PM.

2.1

Wood explained the reason for this meeting and that the Selectmen's Office received letters regarding the Land Use Administrator (LUA) for which Selectman Darling feels raises legal and character issues and that the individual has requested the meeting be held in open session and not in executive session. Selectman Wood then turned the meeting over to Mr. Darling. Selectman Darling asked Counsel if she had read the letters and if she could determine if there are any legal ramifications to them. Town Counsel, June Riddle, explained that the letters and the job description together can be taken into account and that the lack of performance could cause legal issues to exist. Wood explained that we are here solely to address the letters from Ms. Cavanaugh. Counsel explained that the material in the letters goes to the issue of the job description and that the question could not be answered in a vacuum. With no stated agenda other than to address those letters then there is no legal ramification within these conditions. Wood asked Darling if there was anything else he had to address. Darling said since the LUA is represented by an attorney that he does not want to say anything that

would harm the town. Darling said he believes Mike Gallant does have something to say. Selectman Rebholz said this meeting was brought about by you not Mike. Selectman Darling said Selectman Rebholz was wrong and that Mike is part of the reason for this meeting. Selectman Rebholz said he was at a loss because the letters are from Elaine Cavanaugh and not Mr. Gallant. Selectman Darling commented that it seems the letters are not worthy of recognition from the other members. Selectman Wood explained to Selectman Darling that he should talk about the problem. Wood asked if anyone had any questions. Blair Arsenault asked if the job description issue had been resolved. Selectman Wood said progress had been made but that it is not part of these proceedings and that this is not a witch hunt and will not be turned into one. Selectman Darling said the LUA has been working for a year and problems have not been resolved. Linda Fasciani said she understood the letters were from one person on the Planning Board and did not represent the whole board. She went on to say that she has seen some progress by this other board. Don Massucco explained that he was a member of the Planning Board and that what is in those letters does not represent his view and that they are Elaine Cavanaugh's. Wood asked if there was anything substantive to legal ramifications to be discussed. Blair Arsenault asked if the goals have been met and why the board is not questioning about the goal. Wood said that some of the goals are being met and that if you wish to look into this, please read the proposal. John Wilder asked if there was anything in the letters that is libelous. Selectman wood responded no. Darling asked if we could read the letters into the minutes. Wood asked Counsel if this was a problem. Counsel said she does not know why this meeting was called. Wood explained that it was to address the issues of character and legal liability as they relate to the letters. Wood asked if any legal issue at this point. Attorney Riddle said there is a possibility for litigation but not at this point. Blair Arsenault asked if a person does not do their job do they not put the town at risk. Town Counsel explained that an employee who does not perform his/her duties can increase risk but that it is a very complex issue to determine and that we can not sit as judge and jury. She then asked to confer with the LUA counsel, Attorney Pickett, to determine if she has a problem with the letters being read into the record. The meeting was recessed at 8:20 PM for five minutes while the attorneys conferred. The meeting reconvened at 8:25 PM and Town Counsel said the letters can be read into the minutes. Wood asked Attorney Pickett if she wants us to read them into the record. Attorney Pickett said she has no problem with that and the board can read anything it wants into the minutes. Wood said she had nothing more to say. Rebholz said he was at a loss as to why the meeting was called. Darling asked Mike Gallant for comments regarding the LUA. Mr. Gallant said he has problems with the LUA but that he has to address these issues with Elaine Olden the LUA and with the board but not at this time. Selectman Rebholz said he thought that that was what was decided at the March 7, 1994 meeting. Blair Arsenault asked if those issues have been dealt with. Selectman Rebholz said that is what we are trying to do. Mr. Arsenault said it seems that there is a problem with the job description, lack of supervision, and the lack of wanting a supervisor. John Wilder expressed that the issues of job description and other issues need to be addressed and we have to move forward. Selectman Darling said that Mr. Gallant was asked about putting the job out to bid and that he responded that he did want it to go out to bid and the board did not back him. Selectman Rebholz said he supports Michael as the direct supervisor of this position but thought it was in the Town's best interest to try and work things out.

Wood moved to adjourn the meeting at 8:30 P.M. Seconded by Rebholz. All in favor.

Submitted by:
Timothy P. Bragan
March 22, 1994



BOARD OF SELECTMEN

P.O. Box 669
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Selectmen Meeting Agenda
MEMORIAL HALL
7:00 P.M.
March 15, 1994

- I. Preliminaries:
 - 1.1 Meeting Called to Order
 - 1.2 Roll Call
 - 1.3 Agenda - Additions/Deletions
- II. Appointments:
 - 2.1 8:00 P.M. Discuss issues raised in correspondence received by the Board of Selectmen regarding a municipal employee.
- III. New Business:
 - 3.1 Move to sign letter for Officer Mattson regarding exceptional service on March 4, 1994
 - 3.2 Move to set advertisement dates and time schedule for the Fire Truck Request For Proposals.
 - 3.3 Discuss and/or approve Selectmen's Budget and Memorial Hall Budget for Fiscal Year 1995.
 - 3.4 Proclaim Wednesday, March 23, 1994 as "Daffodil Day In Townsend".
- IV. Work Session:
 - 4.1 Approve Payroll Warrant 37P and/or Bills Payable Warrant 37B.
 - 4.2 Review Purchase Orders.
 - 4.3 Approve minutes from March 07, 1994 and March 08, 1994.
 - 4.4 Review material regarding Snow and Ice Removal Insurance.
 - 4.5 Review letter from Kevin Sawyer, Townsend Little League, regarding Opening Day Parade.
 - 4.6 Executive Secretary Report.
- V. Adjournment

Marilyn's Copy

BOARD OF SELECTMEN

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MINUTES FROM MEETING HELD March 22, 1994

- 1.1 Wood called the meeting to order at 7:01 P.M.
- 1.2 Roll call taken showed Selectmen Wood, Rebholz, and Darling present.
- 1.3 There were no additions or deletions to the agenda. Wood said she had something to bring up but that she would do it under the Executive Secretary's Report.
- 3.1 The board discussed the Letter from John J. Ojala, 126 North End Road, Townsend, RE: Townsend's Right of First Refusal of Chapter 61 Land to be sold. Wood then moved to give up the Town's option on the land and to send Mr. Ojala a letter stating the same. Seconded by Selectman Darling. All in favor with none opposed.
- 3.2 Wood read a letter from Mr. Wolon's requesting the renewal of his Class II License. Wood moved to Renew the Class II License for John Wolon's d/b/a Affinity Auto, 58 Old Turnpike Road, Townsend with the original restrictions placed on the permit by Planning Board to remain in effect. Seconded by Selectman Darling. All in favor with none opposed.
- 3.3 Chairman Wood moved to approve the One Day Liquor License for South Fitchburg Hunting and Fishing Club in conjunction with a Meat Raffle to be held Sunday, March 27, 1994, from Noon to 8:00 P.M. Selectman Darling questioned whether or not the club had the proper liability insurance for the function. Chairman Wood moved to approve the license again contingent upon the club having the proper liability insurance. Seconded by Selectman Darling. All in favor with none opposed.
- 4.1 Chairman Wood moved to approve Payroll Warrant 38P. Seconded by Selectman Rebholz. All in favor with none opposed.
- 4.2 Purchase orders were reviewed and approved.
- 4.4 The board delayed discussion of the material regarding Snow and Ice Removal Insurance until next week.
- 4.5 The board discussed the ZBA Referral Notice RE: Trash to Treasure's Antiques, 87 Highland Street and had no comment on it.
- 4.6 The board discussed the Planning Board Site Plan Review RE: Sterilite Corporation's Proposed Addition, Scales Lane and had no comment on it.

2.1

The Board of Selectmen met with Library Trustees Ms. Struthers and Ms. Snaith at 7:10 P.M. to discuss the insurance claim for damage to the Library. Also in attendance at this meeting was Bruce Haman, the Town's Insurance Agent. Ms. Struthers asked the board if it was going to submit a claim for damage done to the Library. Chairman Wood responded that she did not think the board would be submitting a claim. Mr. Haman explained the history of the prior damage and claim settlement for the Library and that it could not continue and that another claim would not be settled nor would it be beneficial for the Town. Selectman Darling asked Mr. Haman what an "ice dam" was. Mr. Haman explained the same. Mr. Haman went on to say that if the peripit was not there then the problem would be no problem. Ms. Snaith explained that the roof bids had gone out and that someone will be needed to remove the snow from the roof in the future. Mr. Haman explained his experience with the roof and has reviewed the damage. Selectman Rebholz asked what \$20,000.00 will buy and if the wall that is causing the problem will be removed. Ms. Snaith and Ms. Struthers explained what is to be done and that the wall will not be coming down. Ms. Struthers iterated that the roof will need constant maintenance. Selectman Rebholz said there had to be another way of dealing with this situation. Ms. Snaith explained that they will have to wait until the bids come in to determine the cost of construction. Selectman Rebholz explained that rubber roofs were effective and that heat tape should be used as well. Discussion continued on the ice build-ups and snow removal. Chairman Wood asked the Trustees when they hire someone to do the repairs, that the person(s) provide their own liability insurance. Mr. Haman explained that they should provide a policy of their own. The Trustees said they need someone right away and all the time. Selectman Rebholz said the idea he would like to see would be one individual for town buildings. He went on to say that the cost, scope, and funding would have to be worked out. Chairman Wood said it all depends on the budget and with Education Reform Law we just do not know what will happen. Ms. Struthers asked if this subject could be revisited in September. Chairman Wood said yes. Discussion then continued on the subject of the insurance claim and the water damage. Chairman Wood discussed this issue and asked if all the repairs were done after the last time. The response was no and that it was something they knew would recur. Selectman Rebholz asked if all the money was used from the last claim. Ms. Snaith said she was not sure but some was spent. Ms. Struthers asked how the new damage would be taken care of. Selectman Rebholz suggested using the person who has to do 100 hours of community service to do some of the repairs.

4.3

Chairman Wood moved to approve the minutes from March 15, 1994. Seconded by Selectman Rebholz. All in favor with none opposed.

4.7 EXECUTIVE SECRETARY REPORT:

- A) The Selectmen were informed of the letter from the Massachusetts Emergency Management Agency regarding Flood Awareness Week, March 20-26, 1994.
- B) The Selectmen were informed of the Alcoholic Beverage Control Commission's Notice of Hearing regarding alleged violations by the VFW. The hearing is on Tuesday, April 12, 1994, at 10:30 A.M. in Room 2203, 22nd floor, the Saltonstall Building, 100 Cambridge Street, Boston, MA.
- C) The Executive Secretary read a memo from the Town Clerk regarding the schedule for the Board of Registrars for March/April.
- D) The board members were notified of the correspondence from MASS HIGHWAY regarding Adopt-A-Highway/Rest Area Program.
- E) The Executive Secretary informed the board of the Police Chief's memo regarding youth violence. The board members were given copies of the Chief's memo.
- F) The Selectmen were informed of some of the data regarding the Town's population both human and canine.
- G) The Executive Secretary read the invitation for the celebration of Dr. Churchville's 50 years of service to the community, which will be held at the Founders Room at the Deaconess-Nashoba Hospital on April 13, 1994, from 3 to 6 P.M.
- H) The Executive Secretary informed the board of the Police Chief's Memo regarding stop signs at Emery Road. The board members were told that the current signs are not legal and that they would have to be accepted by the State. The board expressed that everything be done to get them accepted and to check into the signs at Smith and Cross Street.
- I) The Selectmen were given materials they would need for the upcoming public hearing regarding the transfer of the cable license.
- J) Chairman Wood discussed the letter the board had received regarding Locke Road. Wood explained that she had talked to Selectman Darling who owns a portion of the land where Eunice Locke made the pants for her brother to go to the Revolutionary War and that he agreed to have a plaque put on his property to commemorate the site. She went on to say that we needed someone to have a sign made and installed.

Chairman Wood moved to adjourn the meeting at 8:11 P.M. Seconded by Selectmen Rebholz. All in favor.

Submitted by:
Timothy P. Bragan
March 29, 1994

0087C/11-13

MA copy



BOARD OF SELECTMEN

P.O. Box 669
Townsend, Massachusetts
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MINUTES FROM MEETING HELD March 29, 1994

- 1.1 Chairman Wood called the meeting to order at 6:35 P.M.
- 1.2 Roll call taken showed Selectmen Wood, Rebholz, and Darling present.
- 1.3 There were no additions or deletions to the agenda.
- 2.1 7:05 P.M. Public Hearing RE: Transfer of License from Nashoba Cable to Cablevision.
- 3.1 Chairman Wood moved to appoint the following to the Police Department as Reserve Recruit Police Officers for the Period of April 1, 1994 to June 30, 1994, with a two month probation period to be served:

Karen Donahue	Dan Flint
Tracy Rousseau	Mark Giancotti
Lori Smith	Dave Mudge
Shawn Pelletier	Michael Wilson
Jason Klein	Christopher Smith
Heather Haywood	Dominic Melanson
- 3.2 Seconded by Selectman Rebholz. All in favor with none opposed.
- 3.2 Chairman Wood moved to appoint Susan Melendez to the Board of Registrars for the period April 1, 1994 to March 31, 1997. Seconded by Selectman Rebholz. All in favor with none opposed.
- 3.3 Chairman Wood moved to appoint John King as the Inspector of Animals to perform inspections using the Barn Book for the term April 1, 1994 to March 31, 1995. Seconded by Selectman Rebholz. All in favor with none opposed.
- 3.4 Chairman Wood moved to appoint Kathy Comeau as the Inspector of Animals to provide animal quarantines for the term April 1, 1994 to March 31, 1995. Seconded by Selectman Darling. All in favor with none opposed.
- 3.5 Chairman Wood moved to proclaim the month of April as "Fair Housing Month In Townsend". Seconded by Selectman Rebholz. All in favor with none opposed. Chairman Wood then read the proclamation.
- 3.6 Chairman Wood moved to send a letter to the State Department of Education requesting a waiver of the Education Reform Law Requirements as the Town's per pupil bonded indebtedness is greater than the State's average. Selectman Rebholz stated that he was in favor of such action. The motion was seconded by Selectman Darling. The vote showed all in favor with none opposed.
- 4.1 Chairman Wood moved to approve Payroll Warrant 39P and Bills Payable Warrant 39B. Seconded by Selectman Darling. All in favor with none opposed.
- 4.2 Purchase orders were reviewed and approved.
- 4.3 Chairman Wood moved to approve the minutes from March 22, 1994. Seconded by Selectman Rebholz. All in favor with none opposed.

4.4 Executive Secretary Report.

A) The Selectmen were informed of the letter from Camp Dresser & McKee regarding an Assessment of the Townsend Landfill located off of Turnpike Road. The Executive Secretary explained that Town Counsel had been in touch with the Nancy Smith at the EPA and that Counsel advises the Selectmen to sign the "Consent For Access To Property." Chairman Wood moved to allow her to sign the consent form. Seconded by Selectman Rebholz. All in favor with none opposed. Chairman Wood then signed the form.

B) The Selectmen were informed of the Council On Aging's food distribution scheduled for Thursday, March 31, 1994 from 10:00 a.m. to 12:00 noon in the Voting Room in Memorial Hall.

C) The Executive Secretary informed the board of Treasurer Malone's Luncheon Presentation on Health Care Reform. The presentation is to be given on Monday, April 11, 1994, from 12 noon to 1:30 p.m. at the Sheraton Boston Hotel & Towers in Boston.

D) The board members were asked if they would like the gentleman from the Snow and Ice insurance company to come in and explain and/or answer any questions regarding this type of policy. The board agreed to have him come in for a half hour presentation.

E) The Executive Secretary informed the board of Mr. Newton's request for a letter holding the State harmless for any damage done to local roads because of any increased traffic in the detour route. This is needed in conjunction with his moving of the house at 342 Main Street to 54 Barker Hill Road. The board asked the Executive Secretary to look into this matter.

F) The Selectmen were reminded of the Celebration taking place at the Town of Concord on April 9, at 1:30 p.m.

G) The Executive Secretary informed the board that Senator Antonioni has scheduled office hours in town for May 3, 1994 from 7:00 p.m. to 8:00 p.m.

H) The Executive Secretary informed the board that the Articles for the Annual and Special Town Meeting will be ready for their review at the next Selectmen's meeting.

The board recessed their meeting at 6:52 p.m. until 7:05 p.m. when the hearing for the transfer of the cable license will begin. The meeting reconvened at 7:05 p.m. and the hearing for the transfer of license from Nashoba Cable to Cablevision began (see attached minutes provided by Justice Hill Reporting).

Submitted by:
Timothy P. Bragan
May 03, 1994

0087C/14-15