

Marilyn's copy



## BOARD OF SELECTMEN

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



MINUTES FROM SPECIAL MEETING HELD  
August 3, 1994

- 1.1 Chairman Rebholz called the meeting to order at 7:05 P.M.
  - 1.2 Roll call taken showed all Selectmen present.
  - 1.3 There were no additions or deletions to the agenda.
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- 2.1 The board met at 7:05 p.m. with Amy Collins, Treasurer regarding the Town's need to borrow. The board discussed the borrowing and Ms. Collins explained why the town has to borrow and the reason for it being late. Chairman Rebholz explained we have to make sure this does not happen again and that something should be done to remind everyone involved when certain payments are due and when borrowing is necessary. Ms. Collins assured the board that this tardiness would not happen again. She went on to explain the range of rates available would be between 3.25% and 4.75%. Chairman Rebholz said he would like the Treasurer to get the best rate possible. The board discussed the length of time the borrowing should encompass. Chairman Rebholz said he would consider 3 or 6 months. Selectman Darling said it should be 6 months due to the fact that we are going to have to borrow again. Selectman Wood asked if the Accountant had recommended a length of time to borrow for. Ms. Collins said he did not make any recommendation with respect to the length of the borrowing.

Chairman Rebholz moved to authorize the Treasurer to borrow \$1.5 million for the period beginning August 18, 1994 to February 17, 1995. Seconded by Selectman Darling. All in favor.

Selectman Darling moved to adjourn the the meeting at 7:23 p.m. Seconded by Chairman Rebholz. All in favor.

Submitted by:  
Timothy P. Bragan  
August 9, 1994

0087C/059



## BOARD OF SELECTMEN

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Selectmen Meeting Agenda  
Special Meeting  
MEMORIAL HALL  
7:00 P.M.  
August 3, 1994

- I. Preliminaries:
  - 1.1 Meeting Called to Order
  - 1.2 Roll Call
  - 1.3 Agenda - Additions/Deletions
  
- II. Appointments:
  - 2.1 7:00 p.m. Amy Collins RE: Town Borrowing
  
- III. Adjournment

# BOARD OF SELECTMEN

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MINUTES FROM MEETING HELD  
August 9, 1994



- 1.1 Chairman Rebholz called the meeting to order at 7:08 P.M.
- 1.2 Roll call taken showed all Selectmen present.
- 1.3 There were no additions or deletions to the agenda.
- 3.1 Chairman Rebholz moved to set the date for the Special Town Meeting as Thursday, September 29, 1994 at 7:00 p.m., tentatively scheduled to be held at the North Middlesex Regional High School. Seconded by Selectman Darling. All in favor.
- 3.2 Chairman Rebholz moved to open the warrant for the Special Town Meeting from August 9, 1994 to August 23, 1994 at noon. Seconded by Selectman Wood. All in favor.
- 3.3 Chairman Rebholz moved to have himself sign the Tax Collector bond. Seconded by Selectman Darling. All in favor.
- 3.4 Chairman Rebholz moved to sign Driveway Permit #08-94 for Michael Cushion to be located at 303 Townsend Hill Road, Map 36 Block 22 Lot 1B. Selectman Wood said she felt that pole #38 was too close to the driveway and that it could cause a problem when plowing in the winter. Selectman Darling asked if the board had any guidelines or policies for pole distances from the driveway. Chairman Rebholz said we could table it or turn it down. Wood said she would want to table it to see if the builder would move it. Chairman Rebholz moved to table driveway permit #08-94. Seconded by Selectman Wood. All in favor.
- 3.5 Chairman Rebholz moved to approve Driveway Permit #09-94 for B Squared Corporation to be located at 190 Mason Road, Map 13 Block 02 Lot 00. Seconded by Selectman Darling. All in favor.
- 2.1 The board met at 7:15 p.m. with Mr. Blair Arsenault regarding a petition submission. Mr. Arsenault said there was no formal petition to submit, but that if the board wished one he would get the signatures necessary. He went on to explain that he and those he is working with would like the Selectmen to place an article on the warrant to rescind the action taken at the last annual Town Meeting (see attached article). Chairman Rebholz said if we can save time and energy if this is what is going to come about either way. Chairman Rebholz moved to accept the article. Seconded by Selectman Wood. All in favor. Selectman Wood said if counsel, in her review, has to make changes then they will have to be made. Mr. Arsenault said that is fine if they are minor changes and asked to be notified of any changes. The Town Clerk said the date of Town Meeting is wrong and should be the 26th of April not the 25th. Mr. Arsenault asked the board to change the date to the 26th.
- 3.6 Chairman Rebholz moved to sign letter to Mass Highway regarding State Aid for Highways. Seconded by Selectman Wood. All in favor.

- 3.7 Chairman Rebholz explained the proposal to provide night hours to enhance public access. He said it was a good idea and that he hopes the residents take advantage of the new hours. Selectman Wood said she thought it was a good idea, but wondered about the Veterans Agent and his hours. The Executive Secretary explained the Veterans Agent holds hours on Thursday evenings and would not be affected by this change. Mr. Bragan went on to remind everyone this proposal was for a trial basis and would begin the week of October 3, 1994 and would go until the week ending April 28, 1995, with a review to be done by the Board of Selectmen at their first meeting in April. Chairman Rebholz moved to institute the proposal for the period of October 3, 1994 to April 28, 1995, with a review done by this board at its first meeting in April 1995. Seconded by Selectman Wood. Two in favor (Wood and Rebholz) with one (Darling) not voting.
- 4.1 The chairman moved to approve payroll warrant 6P. Seconded by Selectman Wood. Two in favor (Darling and Wood) with one abstention (Rebholz).
- 4.2 Purchase orders were reviewed and approved.
- 4.3 Chairman Rebholz moved to approve the minutes from July 26, 1994 and August 3, 1994. Seconded by Selectman Wood. All in favor.
- 4.4 The board reviewed the letter from the NMRSD School Committee regarding the Council for Fair School Finance. They wished to have more time to review the letter and thus made no comment.
- 4.5 The board reviewed the information submitted by the Townsend House Restaurant regarding their new addition. The Chairman moved to add the square footage to the license. Seconded by Selectman Wood. All in favor.
- 4.6 EXECUTIVE SECRETARY REPORT:
- A) The Selectmen were informed of the Executive Secretary's meeting with Kevin from the Assessor's Office regarding the possibility of sending out preliminary tax bills in October. The board was given information about preliminary bills and that the possibility was that preliminary bills would be sent out.
- B) The Executive Secretary informed the Selectmen of Town Counsels comments and recommendations regarding the Tri-Town Agreement for Cooperative Assessing. The board members were given copies of counsel's comments.
- C) The Executive Secretary informed the board of Labor Counsel's comments regarding the appointment of a full time employee to an additional part time position. It was explained that counsel wished to inform the board that under the Fair Labor Standards Act (FLSA), for every amount of time over forty hours, a non-exempt employee is entitled to time and a half wages. Also, the employee must be designated a special municipal employee. The board was concerned about the time spent on jobs and hours worked. It was explained that this person was filling a blank slot and would only get hours if ever laid off of from primary position, as was the case in the past. The board wished to take more time to consider the subject and Selectmen Darling asked if we could get a ruling from the ethics commission.

D) The Selectmen were informed of the letter received from town resident Mr. Raul Quesada regarding traffic signs on Fitchburg Road. The board was informed that Mr. Felton has a copy of the letter and would see what he could do.

E) The board was informed of the letter from Landlaw, Inc. requesting support, written support, for the attorney General's proposal to develop a library with up-to-date copies of the zoning and general legislation for each city and town in the commonwealth. The board wished to consider the matter and to find out more information concerning this proposition.

F) The board was informed of the pre-bid meeting at the landfill that deals with the hydro-geological bid by the Board of Health. An invitation was extended to the members of the board to walk the site.

G) The board was informed of the memorandum received from the Conservation Commission regarding the appointment of Mr. James Barry to the commission. In the memo they explain they were under the wrong impression that none of their members were up for re-appointments. Chairman Rebholz moved to appoint Mr. James Barry to the Conservation Commission for the period of August 09, 1994 to June 30, 1997. Seconded by Selectman Wood. All in favor.

Selectman Darling asked about the letter in the mail regarding the classes the Assessors have to take and if any of our Assessors have taken them. The Executive Secretary explained to Mr. Darling that the letter deals with an issue the board dealt with a month ago in which the board signed a letter asking for a waiver for the Assessors and the response came back that 2 of the 3 Assessors had to take the class. He asked if the Department of Revenue would be willing to allow the town to send out preliminary tax bills if our Assessors have not taken the course. The Executive Secretary explained to Mr. Darling that the DOR would more likely approve preliminary bills as opposed at allowing the current board to set a new tax rate.

Chairman Rebholz moved to adjourn the the meeting at 8:15 p.m. Seconded by Selectman Darling. All in favor.

Submitted by:  
Timothy P. Bragan  
August 23, 1994

0087C/60-62

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## BOARD OF SELECTMEN

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Selectmen Meeting Agenda  
MEMORIAL HALL  
7:00 P.M.  
August 09, 1994

### I. Preliminaries:

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

### II. Appointments:

- 2.1 7:15 P.M. Petition Submission.

### III. New Business:

- 3.1 Move to set the date for the Special Town Meeting as Thursday, September 29, 1994 at 7:00 p.m.
- 3.2 Move to open the warrant for the Special Town Meeting from August 9, 1994 to August 23, 1994 at noon.
- 3.3 Move to sign the Tax Collector bond.
- 3.4 Move to sign Driveway Permit #08-94 for Michael Cushion to be located at 303 Townsend Hill Road, Map 36 Block 22 Lot 1B.
- 3.5 Move to sign Driveway Permit #09-94 for B Squared Corporation to be located at 303 Townsend Hill Road, Map 13 Block 02 Lot 00.
- 3.6 Move to sign letter to Mass Highway regarding State Aid for Highways.
- 3.7 Move to approve Proposal to Provide Night Hours to Enhance Public Access.

### IV. Work Session:

- 4.1 Approve Payroll Warrant 6P and Bills Payable Warrant 6B.
- 4.2 Review purchase orders.
- 4.3 Move to approve the minutes from July 26, 1994 and August 3, 1994.
- 4.4 Review and/or comment on the letter from the NMRSD School Committee regarding the Council for Fair School Finance.
- 4.5 Review information submitted by the Townsend House Restaurant regarding their new addition.
- 4.6 Executive Secretary Report.

### V. Adjournment

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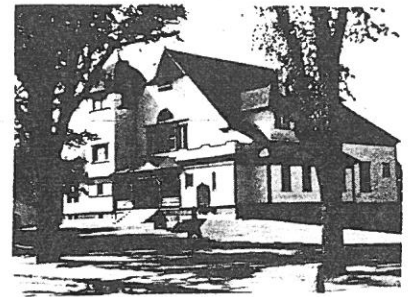






## BOARD OF SELECTMEN

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Selectmen Meeting Agenda  
MEMORIAL HALL  
7:00 P.M.  
August 23, 1994

### I. Preliminaries:

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

### II. Appointments:

- 2.1 7:20 P.M. Bill Felton, Highway Superintendent RE: Snow Removal and the Hiring of Contractors for larger snow storms.

### III. New Business:

- 3.1 Move to approve Common Victualler License #27-94 for Pizza Pizzazz located at 18 Main Street, Unit 108, Harbor Village Shopping Center, contingent upon the business receiving the appropriate Board of Health certificate.
- 3.2 Move to approve 3 one-day liquor licenses for the South Fitchburg Hunting and Fishing Club which include:
  - #12-94 for August 28, 1994, from 12noon to 11 p.m., in conjunction with a meat raffle, and
  - #13-94 for September 16, 1994, from 11 a.m. to 11 p.m., in conjunction with a fishing derby, and
  - #14-94 for September 17, 1994, from 11 a.m. to 11 p.m., in conjunction with a fishing derby.
- 3.3 Move to sign the Northstar Memorandum of Agreement.
- 3.4 Move to sign the Certificate and Covenant as to Tax-Exempt Status of Notes.
- 3.5 Review and/or take action on correspondence from North Central Massachusetts Development Corporation.
- 3.6 Acknowledge resignation of Dr. William F. Denig, Chairperson, Townsend Library Trustees, from the Library Board of Trustees.

### IV. Work Session:

- 4.1 Approve Payroll Warrant 08P and/or Bills Payable Warrant 08B.
- 4.2 Review purchase orders.
- 4.3 Move to approve the minutes from August 9, 1994.
- 4.4 Review and discuss Letter from Robert T. Boudreau, Esquire, on behalf of Elizabeth and Daniel Lewis of Chelmsford, MA.
- 4.5 Executive Secretary Report.

### V. Adjournment





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### MINUTES FROM MEETING HELD August 23, 1994

- 1.1 Chairman Rebholz called the meeting to order at 7:03 P.M.
- 1.2 Roll call taken showed all Selectmen present.
- 1.3 There were additions to the agenda. Chairman Rebholz added 3.7 which dealt with the Appointment of Crossing Guards. Selectman Wood said she had something to discuss under the Executive Secretary's Report. There were no deletions to the agenda.
  
- 3.1 Chairman Rebholz moved to approve the Common Victualler License, #27-94, for Pizza Pizzazz located at 18 Main Street, Unit 108, Harbor Village Shopping Center, contingent upon the business receiving the appropriate Board of Health certificate. Seconded by Selectman Darling. All in favor.
- 3.2 Chairman Rebholz move to approve 3 One-Day Liquor licenses for the South Fitchburg Hunting and Fishing Club which include:
  - #12-94 for August 28, 1994, from 12noon to 11 p.m., in conjunction with a meat raffle, and
  - #13-94 for September 16, 1994, from 11 a.m. to 11 p.m., in conjunction with a fishing derby, and
  - #14-94 for September 17, 1994, from 11 a.m. to 11 p.m., in conjunction with a fishing derby.Chairman Rebholz explained that in the past the board has set a time of noon to start any event that has a One-Day Liquor license and that the Executive Secretary had pointed out that the 12 noon time was done on Sunday date only. Selectman Darling said that he did not want to be unreasonable about this but noon is early enough. Selectman Wood agreed with Darling. Chairman Rebholz moved to approve the One-Day Liquor licenses with the amendment to #13 and #14 by changing the start time of liquor sales from 11 a.m. to 12 noon. Seconded by Selectman Darling. All in favor.
- 3.3 Chairman Rebholz moved to sign the Northstar Memorandum of Agreement. The board discussed the agreement and the type of equipment we would receive and the cost of transportation for the equipment. The board iterated it did not want to pay for a piece of junk. Wood said she would want the departments to understand that this was an extra piece of equipment and not something that would be replaced in the future. The motion was seconded by Selectman Wood. All in favor.
- 3.4 Chairman Rebholz moved to sign the Certificate and Covenant as to Tax-Exempt Status of Notes for the recent borrowing by the town. Seconded by Selectman Darling. All in favor.
- 3.5 The board reviewed the letter from North Central Massachusetts Development Corporation regarding an appointment to the Micro Loan Policy Committee. The board asked that a copy of the letter be sent to Mr. Bob Hale of the Businessmen's Association to see if they have anyone who would want to be appointed to this committee.

- 2.1 The board met at 7:20 P.M. with Bill Felton, Highway Superintendent regarding snow removal and the hiring of contract labor for larger snow storms. The board discussed how many contractors and when they would be used. The board inquired about insurance for the contract laborers and in what areas of town they would be used. Mr. Felton explained that he could get 3 or 4 men and would be called in only when there was plowable, 4" to 6"+, snow and that they would be used in trouble areas. He said he would check on their insurance and get back to the board. The estimated cost of the contractors would be about \$9,000.00. Talk about bidding requirements and other town owned properties that are plowed by the highway department ensued. Chairman Rebholz moved to approve the hiring of contractors. Seconded by Wood. All in favor.
- 3.6 The chairman read and the board acknowledged the resignation of Dr. William F. Denig, Chairperson, Townsend Library Trustees, from the Library Board of Trustees. Selectman Darling suggested a letter of regret be sent to Mr. Denig. The other board members agreed with Selectmen Darling.
- 4.1 Selectman Darling moved to approve Payroll Warrant 08P and Bills Payable Warrant 08B. Seconded by Selectman Wood. Two in favor (Wood and Darling) with one abstention (Rebholz).
- 4.2 Purchase orders were reviewed and approved. Selectman Wood questioned a Purchase order for road pack material saying the purchase order was for \$68.00 and the bill was for \$268.00. It was pointed out to Selectman Wood that the purchase order was for only a portion of the bill as the bill was split between two departments.
- 4.3 Chairman Rebholz moved to approve the minutes from August 9, 1994. Seconded by Selectman Darling. All in favor.
- 4.4 The board reviewed the letter from Robert T. Boudreau, Esquire, on behalf of Elizabeth and Daniel Lewis of Chelmsford, MA. Selectman Darling asked if the board could wait until the next meeting to discuss the letter. The board agreed.
- 4.5 Executive Secretary Report.
  - A) The Selectmen were given copies of the letter received from the President of the Bank of Boston regarding the decision to close the WCIS bank here in town. Selectman Wood asked to have a copy of the letter sent to the Wrights. The board approved of her request.
  - B) The board was informed of Mr. Burson's request for projects for 9 scouts that are going for their Eagle Scout. The members of the board said they would come up with projects and give them to the Executive Secretary.
  - C) The Executive Secretary informed the board of the rabies clinic to be held on September 10, 1994, from 3 pm to 5 pm at the West Townsend Fire Station.
  - D) The Selectmen were informed of the letter received from the Board of Assessors stating they have requested the authority to send Preliminary Tax Bills.
  - E) The board was asked if it wished a thank you letter be sent to the Fire Chief and his men for a recent mutual aid response. The board agreed to send such a letter.

F) The board was informed of the driveway permit from the last meeting need not be acted on due to the fact that one had been obtained earlier last year for the same driveway. The board discussed this matter and concluded that something had to be done to prevent this from happening again. Selectman Wood asked what do we use the map or the description and that we have to decide this issue soon. Selectman Darling asked what the LUA responsibility in this process is. Selectman Wood explained she looks at it for Planning, Zoning, and Conservation.

G) The board was informed of the Police Chief's letter asking parents and children to be careful traveling to and from school especially those in the Harbor and high school area.

H) Members were given copies of the update to the Open Meeting Law.

I) Selectman Wood discussed receiving directions from counsel in writing and not verbally. She went on to ask that counsel be asked to provide in writing a list of pending litigation and get actions to be completed. Selectman Darling asked if a report every 60 or 90 days was sufficient. Wood said every third bill should list outstanding issues. Selectman Darling agreed and said we should do it as soon as possible.

J) Selectman Wood said the Land Use Administrator would like night hours as well to coordinate with the other department schedules effective October 3rd. Selectman Darling asked about Thursday hours as they were crossed off on the schedule submitted to the Board. Ms. Olden said that it was for appointments only. She said she works 35 hours a week.

K) Chairman Rebholz explained that Conservation would like call waiting put on the phone in the LUA office. Darling said it is great and he has it at home. Rebholz moved to have it put on the phone. Seconded by Darling. All in favor.

Chairman Rebholz moved to adjourn the meeting at 8:45 p.m. Seconded by Selectman Darling. Two in favor and one not present.

Submitted by:  
Timothy P. Bragan  
September 6, 1994

0087C/63-65

