



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

Nicholas Thalheimer, *Chairman*  
Andrew J. Sheehan,  
*Town Administrator*

Sue Lisio, *Vice-Chairman*

Robert Plamondon, *Clerk*  
Office (978) 597-1700  
Fax (978) 597-1719

**SELECTMEN'S MEETING MINUTES**  
**FEBRUARY 12, 2013 - 7:00 P.M.**  
**SELECTMEN'S MEETING CHAMBERS**

**I PRELIMINARIES**

- 1.1 The Chairman called the meeting to order at 7:00PM and roll call showed Chairman, Nicholas Thalheimer (NT); Vice-Chairman, Sue Lisio (SL); and Clerk, Robert Plamondon (RP) in attendance.
- 1.2 NT gave notice that the meeting is being tape recorded.
- 1.3 The Chairman noted the board will take no action on 3.5 and add a new item 3.6.
- 1.4 Review/Approve Meeting Minutes: January 29, 2013. Motion was made by RP to approve meeting minutes of January 29, 2013. NT seconded. Unanimous. SL abstained.
- 1.5 Review/Approve Executive Session Minutes from December 18, 2012; January 8, 2013; January 15, 2013; and January 29, 2013. Motion was made by RP to approve and hold executive session minutes from December 18, 2012. SL seconded. Unanimous. Motion was made by RP to approve and hold executive session minutes from January 8, 2013. SL seconded. Unanimous. Motion was made by RP to approve and hold executive session minutes from January 15, 2013. SL seconded. Unanimous. Motion was made by RP to approve and hold executive session minutes from January 29, 2013. NT seconded. Unanimous. SL abstained.

**II APPOINTMENTS /HEARINGS**

- 2.1 7:05 Susan Funaiole, Town Clerk; Present winner of #1 dog tag: Sammy the Shih Tzu brought his family in to receive the honors and the blanket and gift certificates from Townsend Veterinary Hospital and Country Flair. Everybody is reminded that the \$5 late fee starts March 1<sup>st</sup>.
- 3.3 Approve change of Town Election schedule: Sue Funaiole, Town Clerk, requested the BOS approve combining the State Special Primary and local elections. Instead of the local election being held on April 22, 2103, it would be held April 30, 2013. It could save the town approximately \$1,200-\$1,500. Mr. Sheehan pointed out that many communities are taking advantage of this option. The last date to take out papers would be moved to March 8, 2013 and they would not need to be returned until March 12, 2013. There are still a few positions people have not taken out nomination papers for including Assessors, Cemetery and Parks, Planning Board, Recreation Commission, Housing Authority and 3 positions on the Trust Fund. Clarification was made of some aspects of the voting process. RP moved that the Board vote, pursuant to Section 2 of chapter 2 of the Acts of 2013, to change the date of the annual Town election of April 22, 2013 to coincide with the date of the Special State Primary on April 30, 2013. Further, the remainder of the election calendar shall be set

- as required by statute and will be posted on the Town Website and in the Town Clerk's Office. SL seconded. Unanimous.
- 3.2 Vote to increase Snow & Ice deficit spending authorization: In light of the recent storm, Mr. Sheehan recommends the Board increase the Snow & Ice budget an additional \$50,000 bringing the total to \$125,000. Motion made by RP to increase the Snow & Ice deficit \$50,000. SL seconded. Unanimous.
- 3.6 Vote on request of Beneficial Massachusetts for the Board of Selectmen to waive its right to notice of foreclosure under c. 61A: Mr. Sheehan explained that property at 114 Old Meeting House Road under the tax advantage statute, Chapter 61A, was foreclosed on without the lender giving notice to the town. This oversight is holding up the sale of the property to the buyer. On behalf of Beneficial Massachusetts, Inc. attorney Brian Shea requested the BOS waive the notice and the right of first refusal for the aforementioned property. Mr. Sheehan has discussed the matter with Town Counsel. RP moved to waive the Town's right to notice of sale and its right of first refusal. SL seconded. Unanimous.
- 2.2 7:15 FY14 North Middlesex Regional School District budget: Joint meeting with the Board of Selectmen and Finance Committee: Joan Landers (JL) and Susan Robbins (SR) present for the North Middlesex Regional School District. Colin McNabb (CM) and Andrea Wood (AW) present for the Finance Committee (no quorum). The Superintendent has worked diligently on the budget since early November. They began with a 2.5% increase, reduced it to a 1-1.5% increase and she has been requested by the Finance Sub-Committee to further reduce that to a .5% increase – \$350,000-\$372,000. The Governor's budget shows a \$127,053 decrease to Townsend. There was also a decrease in Ashby of \$92,000 and there was a significant increase in Pepperell of \$472,000. Based on a 1% budget and the Governor's proposed budget, above the minimum local contribution would be \$20,553. There would be a decrease to the operating budget of \$106,500. Chapter 71 transportation aid came in \$69,306 lower. So the change to Townsend would be an increase of \$12,515. So the total local revenue for Townsend would be -\$93,984 based on a 1% budget using \$200,000 of the excess and deficiency (E&D) account. RP asked why the decreased numbers for Townsend. JL said there has been a slight decrease in enrollment. Mr. Sheehan noted our minimum local contribution is going down. Discussion was had on how local contributions are defined and shifts in enrollment. Superintendent Landers will be presenting the proposed .5% increase budget to the full School Committee this coming Thursday evening, February 14, 2013. So far this budget season, they have worked out 8 budget scenarios. The public hearing is scheduled for February 25, 2013. Andrea Wood asked for clarification of the differences between target share and minimum contribution and how the figures are arrived at. The School Committee has to certify their budget by March.
- 2.3 7:30 Fire Chief Don Klein: requesting permission to apply for SAFER Grant and request to fill a second Deputy Chief position: Chief Klein would like to apply for 2 separate SAFER grants; one for on-call firefighters and a second for full-time personnel. There has been a dramatic decrease in on-call firefighters. It costs \$3,500 each to hire, train and equip. He has lost one full-time employee and is about to lose the second. Discussion was had on the benefits and detriments of being awarded this grant. RP moved to grant permission to Fire Chief Don Klein to apply for SAFER grants. SL seconded. Unanimous.

With regard to filling a second Deputy Chief position, Chief Klein would like to promote the most senior captain within the department, who has been there for about 28 years. Currently he is a Grade 3 level 8 (\$18.75/hr.). He would be raised to Grade 4 level 6 (\$19.09/hr.). Chief Klein has room in his budget to cover this. Mr. Sheehan said the position has to be posted. Motion made by RP to allow the chief to post the position for a second Deputy Chief position. SL seconded. Unanimous.

### **III MEETING BUSINESS**

- 3.1 Sign employment contract with Fire-EMS Chief, Don Klein: Mr. Sheehan gave an update on contract negotiations. The new contract will be in place until March 31, 2014. Chief Klein will receive a 2 ½% increase to \$81,328. RP moved to sign the employment contract with Fire-EMS Chief, Don Klein. SL seconded. Unanimous.
- 3.4 Personnel Policies manual: discussion of revisions to manual. Mr. Sheehan gave details of the review of the current manual. Instead of repeating federal and state laws and policies it should make reference to them. The current policies were adopted in 2004 and have never been amended. This is our opportunity to bring the policies up to current standards and puts in place a process that allows them to be amended as needed over time. Motion made by RP to put the draft bylaw amendment on the Town Meeting warrant subject to revision and review by town counsel. SL seconded. Unanimous.

### **V WORK SESSION**

- 5.1 Board of Selectmen Updates/Reports: RP reported on the passing of Shirley Kao. SL requested clarification of the Charter Review Committee report and the substantive changes that would require further investigation, one of those being appointed vs. elected positions. She requests deliberation on this subject at the next meeting.
- 5.2 Town Administrator Updates/Reports: Mr. Sheehan said he has asked the Capital Planning Committee to support the purchase of an integrated financial software package for the Assessor, Accountant and Treasurer/Tax Collector. The current systems are not compatible. The request to Capital Planning is for \$60,000 for the purchase and set up. There would also be an annual hosting/license fee which are the same or less than what we currently spend. Capital Planning will come before the Board with their recommendations in March. Mr. Sheehan also reminded all that warrant articles are due March 1 a 5:00PM. He complimented the staff of Highway, Police, Fire-EMS, Cemetery & Parks, contractors and all those who worked so hard through the storm. Special thanks to the Highway Department. Townsend's roads were better maintained than many other communities.
- 5.3 Review/Sign Payroll Warrant: RP moved to sign warrants out of session. SL seconded. Unanimous.
- 5.4 Review/Sign Bills Payable Warrant: RP moved to sign warrants out of session. SL seconded. Unanimous.

**Executive Session:** RP moved at 8:37PM to enter into executive session under G.L. c. 30A, s. 21(a)(2) to conduct contract negotiations with Lieutenant David Profit and Town Administrator Andrew Sheehan and to adjourn directly from executive session. SL seconded. SL aye, RP aye, NT eye. The board entered into executive session at 8:38PM.