



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

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Town Administrator

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SELECTMEN'S MEETING MINUTES
OCTOBER 22, 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 Sue Lisio, Chairman (SL); Robert Plamondon, Vice-Chairman (RP); and Colin McNabb, Clerk (CM) present.
- 1.2 SL gave notice that the meeting is being tape recorded.
- 1.3 Chairman's Additions or Deletions: The Chairman corrected the revised agenda stating that item VI will remain and added items 3.5, 3.6, and 3.7.
- 1.4 Review and approve Meeting Minutes: September 24, 2013 and October 8, 2013: CM moved to approve Meeting Minutes of September 24, 2013. RP seconded. Unanimous. CM moved to approve Meeting Minutes of October 8, 2013. RP seconded. Unanimous.

II APPOINTMENTS /HEARINGS

None

III MEETING BUSINESS

- 3.1 Review draft request for proposals for the lease of the Hart Library: Mr. Sheehan has revised the request for proposals. He explained the guidelines for ADA compliance and noted that we do not have the authority to sell or enter into a lease-to-own agreement for the building at this time. Authorization for that requires Town Meeting approval. SL recommended that the option to sell be added to the warrant for the 2014 Annual Town Meeting if it has not been leased by then. Mr. Sheehan also reviewed the acceptable zoning applications noting that zoning may be able to be modified if necessary to enter into a lease. He will forward the draft to the Town Properties Committee to review and will bring it back to the Board prior to releasing it to the public.
- 3.2 Review and approve One Day Special Liquor License on November 9, 2013 from 6PM to 10:00PM for Terri Roy for VFW Post 6538 at 491A Main Street: CM moved to approve. RP seconded. Unanimous.
- 3.3 Discuss proposed slots parlor casino on Jungle Road, Leominster and vote to sign Surrounding Community Agreement with PPE Casino Resorts MA, LLC: Mr. Sheehan and representatives from neighboring communities and counsel have been meeting with the casino developer, PPE Casino Resorts MA, LLC, in order to be designated as surrounding communities and be able to compete for mitigation funding. The fund consists of 6 1/2% of gross gaming revenues. One benefit includes a competitive grant application process which may be able to offset the transportation-related impact anticipated in Townsend. It is estimated additional traffic down Route 13 could be 100,000 trips annually. A summary of the agreement is that PPE would pay Townsend \$5,000 a year and reimburse the town for documented public safety calls related to the casino. They will pay an additional ¼ of 1% after they reach the \$200 million mark. PPE will also cooperate in securing mitigation funds and pick up the legal costs for the negotiation of this agreement. In response, they ask for the support of the Board of Selectmen. RP supports the agreement. If it is going to be built and we don't support it there is no gain. He feels it is located far enough away that there won't be substantial impact. CM and SL agreed. CM moved to approve and sign the Surrounding Community Agreement with PPE Casino Resorts MA, LLC. RP seconded. Unanimous.

3.4 Vote to reopen and close the November 19, 2013 Special Town Meeting warrant; review warrant articles; and vote to sign the warrant. Mr. Sheehan received a request from Chief Marshall to add a warrant for a \$9,806 supplemental appropriation to improve their phone system. There are also some FY14 departmental adjustments under Article 5. CM moved to reopen the November 19, 2013 Special Town Meeting warrant. RP seconded. Unanimous. CM moved to include in the warrant a \$9,806 supplemental appropriation to improve the phone system at the Police Department and also separate the financial articles in Article 5. RP seconded. Unanimous.

Mr. Sheehan led the Board through a review of warrant:

- Article 2 & 3: Awaiting free cash amount to determine stabilization.
- Article 8: Capital Planning Committee (CPC) met to discuss this article. CM stated that CPC is concerned that the land acquisition and site planning are what should be approved at this juncture. Mr. Sheehan added that they seem concerned about the \$11.3 million price tag and reiterated that there are many built-in contingencies. Initially they seemed supportive of the land acquisition and design, but then shied away from that as well. SL asked if CPC actually voted. If not, she cannot offer an opinion. Chief Klein explained that the project is presented as a whole because the likelihood is the site would have to be reworked in the future. Similar problems occurred with the Harbor Station and costs increased over the 8 years it took to complete. He would rather have the community support the project as the best cost-effective product. SL asked if this really is a CPC task. Mr. Sheehan said it meets the criteria for capital projects. SL wondered if the scope of the committee may need to be refined. Mr. Sheehan noted that the capital planning process does want these things on their horizon. It is in their purview, but in another category from what they typically deal with. RP noted there was no formal communication from CPC. If their concerns were so great, they should have been presented to this board. CM believes the article should stay on the warrant in its entirety and the residents should decide. SL and RP agree. SL asked where the debt exclusion comes in. Mr. Sheehan explained that if the article is approved, the debt exclusion would be on the April ballot. SL asked what happens if it is approved at Town Meeting and then fails at the ballot. Mr. Sheehan said it simply cannot be funded without approval of the debt exclusion. If approved, in the meantime, Chief Klein would like to start land negotiations, initial site work and testing, explore solar options, and meet with the Mass. Dept. of Transportation regarding access to Route 119.
- Article 9: Current liquor license holders would be able to open as early as 10AM on Sundays. They will have to amend their licenses if this article is approved.
- Article 12: This would alter the way department heads access town counsel. SL had concerns with the cost of contacting town counsel and asked what the hourly rate is for an opinion in writing. Mr. Sheehan answered that it is \$160 per hour. CM is not in favor of this for financial reasons. He feels it would be administratively chaotic. He spoke with Kay Doyle who told him there is always one person dedicated to contacting counsel. RP stated that there is a reason why management has its role in the hierarchy. Circumventing the chain of command is simply not done. In the past 9 years he has seen requests for legal opinions on the same issues over and over again. SL is not in favor of this article going to Town Meeting. CM moved Article 12 be removed from the Special Town Meeting warrant. RP seconded. Unanimous
- Article 13: Increase in fees.
- Articles 14 and 15: Per the code enforcement/ticketing statute, the Board of Health can issue enforcement tickets. SL asked if the position for this is currently funded through a grant and the duration of the grant. According to Mr. Sheehan the grant funds the position for 18 months with a chance for an extension. SL asked if we are obligated to fund it further. She also asked whether other parties should be listed as enforcement agents in case this position goes away. Mr. Sheehan will check with the Board of Health.
- Article 16: This land was acquired through foreclosure. Fisheries and Wildlife would like to purchase it.
- Article 17: Purchase of this land by Fisheries and Wildlife has to be approved by multiple entities. SL asked about the tax difference. Mr. Sheehan will request an increase in payment in lieu of taxes. RP asked if the proceeds of the sales would go into the General Fund. Mr. Sheehan said the sale of the land for Article 16 would, but the money from the Article 17 land would go into the Conservation Land Trust because it is already conservation land

- CM moved to close the warrant and sign as amended out of session. RP seconded. Unanimous.
- 3.5 Vote to accept a grant in the amount of \$1,075 from Montachusett Home Care Corp. to Townsend Emergency Management Agency (TEMA) and authorize TEMA to spend that amount to print instruction booklets for citizen emergency response training (CERT). RP moved to accept a grant in the amount of \$1,075 from Montachusett Home Care Corp. to Townsend Emergency Management Agency (TEMA) and authorize TEMA to spend that amount to print instruction booklets for citizen emergency response training (CERT). SL seconded. CM recused for professional reasons. Passed.
- 3.6 Vote to transfer to the Council on Aging's gift and donation account the donations received in memory of Roy Shepherd. CM moved to transfer the donations received in memory of Roy Shepherd to the Council on Aging's gift and donation account. RP seconded. Unanimous.
- 3.7 Review and approve the following Chapter 90 requests:
- \$15,000 to repave the turnaround at the end of Hamilton Hill Road;
 - \$50,000 to crack seal Warren Road, Turner Road, Haynes Road, Lunenburg Road, and Dudley Road.
- CM moved to approve the listed Chapter 90 requests. RP seconded. Unanimous.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS

- 4.1 Vote to appoint Cheryl Simoneau to the Abram S. French Fund Committee for a term from October 22, 2013 to June 30, 2014: CM moved to appoint Cheryl Simoneau to the Abram S. French Fund Committee for a term from October 22, 2013 to June 30, 2014. RP seconded. Unanimous.

V WORK SESSION

- 5.1 Board of Selectmen Updates/Reports:

- SL gave an update on the High School Building Committee. The last meeting was very well attending by representatives from all three towns. Community forums will be conducted at the library in the near future.
- SL also brought forward a request from a Veteran that those who fly the American flag should be cognizant of their condition and have them properly disposed of when they are worn. The VFW will take them.
- CM announced the Haunted Trail this weekend on the Common sponsored by Townsend Recreation.
- On October 26th from 10-2 unused or expired medications can be turned in at the Police Station.

- 5.2 Town Administrator Updates/Reports:

- Devens household hazardous waste collection dates are November 6th and 9th and December 4th and 7th.
- We recently put two 2000 Ford Explorers and a generator out to bid. The items sold for \$1,325.
- John DiNapoli of Unutil updated him that the lights at the W. Townsend substation have been turned off and they will be installing smaller, motion-sensitive lighting.
- Committee vacancies include, but are not limited to:
 Planning Board Charter Committee Fire/EMS Chief Committee Energy Committee
 Housing Authority Finance Committee On-call firefighters and EMTs.
- The petition to the General Court for the tax collector/treasurer position is still in the House and waiting to go to the Senate. Mr. Sheehan will keep pushing it along.

- 5.3 Review/Sign Payroll Warrant: CM moved to sign warrants out of session. RP seconded. Unanimous.

- 5.4 Review/Sign Bills Payable Warrant: CM moved to sign warrants out of session. RP seconded. Unanimous.

VI Executive Session

Executive Session: under G. L. c. 30A, s. 21(a)(3) regarding collective bargaining: CM moved to enter into executive session under G. L. c. 30A, s. 21(a)(3) regarding collective bargaining and adjourn immediately following. RP seconded. Roll call: CM aye, RP aye, SL aye. The board entered into executive session at 8:48PM.