



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

Sue Lisio, *Chairman*

Colin McNabb, *Vice-Chairman*

Carolyn Smart, *Clerk*

Andrew J. Sheehan,
Town Administrator

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MEETING MINUTES
OCTOBER 21, 2014, 7:00 P.M.
SELECTMEN'S CHAMBERS
272 MAIN STREET, TOWNSEND, MA

I PRELIMINARIES

- 1.1 At 7:02PM the Chairman called the meeting to order and roll call showed Sue Lisio, Chairman (SL) and Carolyn Smart, Clerk (CS) present. Colin McNabb, Vice-Chairman (CM) was absent
- 1.2 Pledge of Allegiance: The Board observed the Pledge of Allegiance.
- 1.3 SL announced that the meeting is being tape recorded.
- 1.4 Chairman's Additions or Deletions: Item 4.1 was deleted.
- 1.5 Board of Selectmen announcements, updates, and reports:
 - CS reported that she reviewed the bills payable warrants and noticed the Town was charged for disposal of hazardous materials at Devens. She demanded to know why it is not free. Town Administrator Andrew Sheehan (AS) reported that the Town's participation in the Devens Regional Household Hazardous Products Collection Center does not entitle the Town to free disposal of hazardous products. The Town has to pay like any resident or small business.
 - CS announced pipeline open houses being hosted by Kinder Morgan. AS added that all the information is on the website. CS said the 11/13/14 open house in Pepperell conflicts with the Special Town Meeting and thinks we should change the date of Town Meeting.
- 1.6 Town Administrator updates and reports. AS gave the following updates:
 - AS reported that MassDOT will be repaving Route 119 from the Common to the Groton line. They moved the project up after receiving correspondence from Chief Marshall. The project will take about two weeks and work will be done at night.
 - Highway Supt. Ed Kukkula expects to present the pavement management plan to the Board in November.
 - Work is progressing on the handicap ramp at the West Townsend Reading Room. Nashoba Tech students and advisors are working with Town staff. The old ramp was demolished today.
 - AS Sheehan noted that Town Accountant Kim Fales will be finishing up next week. He commended her performance and thanked her for her service.
 - AS informed the Board that Facilities Manager Mark Mercurio has accepted a position and will be finishing his employment in a couple of weeks.
 - AS reported on a number of very positive financial matters: The unofficial free cash from the Dept. of Revenue is \$952,848 which is higher than the original preliminary estimate. The official number will come next week. Local receipts in FY14 came in \$427,000 (35%) higher than budgeted. Town Collector Beth Ann Scheid collected \$76,432 in delinquent FY12 property taxes out of \$92,550 outstanding. She will address collection of FY13 delinquencies early in 2015.

- 1.7 Approval of meeting minutes: October 7, 2014. CS moved to approve the meeting minutes of October 7, 2014. CM seconded.

II APPOINTMENTS AND HEARINGS

- 2.1 7:05 Recreation Commission: Discuss use of Town facilities for Recreation programs.
Recreation Commission chairman Alice Kennedy (AK) and Recreation Director Emy Hoff (EH) were present. AK explained that Rec stores most of its equipment and supplies in a storage trailer at the Highway Garage. The trailer is not weather tight and it leaks, causing mold and mildew to grow. EH noted she stores a lot of materials at her house and runs the department out of her house. They would like to use the Town Hall Annex for storage and on a longer time horizon would like to establish an office and run programs out of the Annex. AS said the Fire-EMS Department will be storing materials in the Annex until a new headquarters is constructed and said that other departments store files there. It is unknown how much it would cost to make the building habitable for programs and office space. SL asked AS to talk with Rich Hanks about the building and suggested referring it to the Town Properties Committee.
- 2.2 Off-Premises Retail Alcoholic Beverages license holders: Notification of change of Sunday hours.
Holders of Off-Premises Retail Alcoholic Beverages Licenses may request and the Local Licensing Authority (Board of Selectmen) shall approve sale at 10AM on Sundays effective October 23, 2014. AS explained that an amendment to State law allows retail liquor stores to open at 10AM instead of 12 noon on Sundays. The Old Brick Store and the Wine Nook have filed the paperwork to open early. CS moved to approve the change of hours for the Old Brick Store and Wine Nook to open at 10AM on Sundays effective immediately. SL seconded. Unanimous.

III MEETING BUSINESS

- 3.1 Announce Halloween Observance on October 31, 2014. CS read the announcement from Police Chief Erving M. Marshall, Jr.
- 3.2 Kinder-Morgan Northeast Energy Direct Pipeline: Project Update. AS mentioned the upcoming open houses, said no new information is available on the compression station, and said the Coalition meets again Monday, 10/27/14.
- 3.3 Review correspondence from Groton Board of Selectmen regarding funding for legal services associated with the Kinder-Morgan Northeast Energy Direct gas pipeline project. AS reported that he spoke to officials in Ashby, Groton, Lunenburg, Pepperell, and Tyngsborough and none of the towns have appropriated money specifically for legal costs associated with the pipeline. SL said it is premature. CS said we need to appropriate funds and hire special counsel. AS reminded the Board of the schedule of the project and said the need for counsel would be almost a year away. If something changes and an appropriation is necessary it could be done in May or a special town meeting could be convened.
- 3.4 Review and approve Chapter 90 Final Report and Reimbursement Request for milling and resurfacing of a portion of Mason Road in the amount of \$54,781.90. CS moved to approve the Chapter 90 Final Report and Reimbursement Request for milling and resurfacing of a portion of Mason Road in the amount of \$54,781.90. SL seconded. Unanimous.
- 3.5 Review and approve Chapter 90 Final Report and Reimbursement Request for milling and resurfacing of a portion of Shirley Road in the amount of \$4,617.92. CS moved to approve the Chapter 90 Final Report and Reimbursement Request for milling and resurfacing of a portion of Shirley Road in the amount of \$4,617.92. SL seconded. Unanimous.
- 3.6 Unutil Substation: Update. The Board was in receipt of an email from John DiNapoli of Unutil regarding the West Townsend substation. Resident Cindy Boundy was present and stated she thought Rick Metcalf of Nashoba Associated Boards of Health (NABH) had done a noise study when the generator was there. She said Unutil should know how loud their equipment is. The Board asked AS to contact Rick Metcalf of NABH to see if he had a report and to ask Unutil if they know the decibel level.

- 3.7 Review request of Unitil to cross, alter, or construct within a public way for installation of a gas service at 37 Mason Street. CS moved to approve the request of Unitil to cross, alter, or construct within a public way for installation of a gas service at 37 Mason Street. SL seconded. Unanimous.
- 3.8 Special Town Meeting: Review and discuss warrant articles and appropriations, and sign warrant for November 13, 2014 Special Town Meeting. AS updated the Board on the appropriation articles. He recommended paying down a portion of the recent \$150,000 borrowing for road work. CS and SL were in agreement. The Board asked that Melissa Hermann attend the next meeting to discuss the IT plan; CS asked AS to ask Town Accountant Kim Fales if the IT qualifies as a capital item. The Board discussed the scheduling of Town Meeting and the fact that the 11/13/14 date conflicts with the Kinder Morgan open house. Alternative dates were discussed. The Board agreed to meet at 6PM on October 28 if necessary to sign the Town Meeting warrant. CS moved to sign the Special Town Meeting warrant out of session for November 17, 2014 pending the availability of the Town Clerk, Town Counsel, and Deputy Moderator. SL seconded. Unanimous.
- 3.9 Discuss procedures for disposition of surplus pump at the landfill. AS explained the procedure for disposing of surplus goods and equipment. CS said the policy could benefit from some tweaking. The Board agreed this would be the next policy to review.
- 3.10 Review and approve request of Police Chief Erving M. Marshall, Jr., to declare surplus a 2006 Ford 500 Sedan for the purpose of disposing of the vehicle in accordance with the Town's disposition policy. CS moved to declare surplus a 2006 Ford 500 Sedan for the purpose of disposing of the vehicle in accordance with the Town's disposition policy and with a minimum bid determined from available resources. SL seconded. Unanimous.
- 3.11 Review amended Board of Selectmen policy: Policy #2-05 Sick Time Donation. The Board reviewed the document AS drafted. CS pointed out that the original policy was drafted for a fractional employee who had an illness. SL said she was concerned about offering a sick leave benefit to employees who are otherwise not eligible for sick leave. AS expressed concern about managing such a benefit, acknowledging it was not a significant cost issue. The Board asked AS to research the history and report back.
- 3.12 Review and discuss vacation accrual policy, article 20 of the Personnel Policies & Procedures Manual. SL said she asked that this policy be the next to address. She is concerned that vacation accrual is July of the year following the anniversary date. She thinks vacation should accrue at the anniversary date. CS said a revised policy would have to be distributed to all elected boards for their approval. AS suggested a guidance document from the BOS rather than a formal amendment to the personnel rules. He noted that the Board has modified the rules in recent months and said a guidance document could achieve the desired result with less red tape. The members were in agreement.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS:

- 4.1 Gallery Committee: Review the request of the Gallery Committee to appoint Lisa Lewand to the Gallery Committee for a term from October 22, 2014 to June 30, 2016. Deferred to November 4, 2014.
- 4.2 Town Accountant: Review and approve recommendation of Town Administrator Andrew Sheehan to appoint a Town Accountant or Temporary Town Accountant. AS submitted a memorandum to the Board recommending the appointment of Terry Walsh as Town Accountant and Susan Bresnick as Interim Accountant. He summarized the recruitment process and said he has worked with Terry Walsh in the past and knows her to be a good accountant. CS said she is upset at the process and that the Board did not interview candidates. She said the Accountant works for the Board not the Town Administrator and the Board should do the selection. She recommended performing an audit of the Accountant prior to Terry Walsh starting. Funding could come from the Finance Committee reserve account. CS moved to appoint Susan Bresnick as Interim Town Accountant from November 1, 2014 until the new Town Accountant takes office. SL seconded. Unanimous. CS moved to appoint Terry Walsh as Town Accountant with a start date to be determined. SL seconded. Unanimous.

- 4.3 Administrative Assistant to the Police Department. Review and approve recommendation of Police Chief Erving M. Marshall, Jr., to appoint Samantha Watson-Morris as Administrative Assistant to the Police Department. CS moved to appoint Samantha Watson-Morris as Administrative Assistant to the Police Department with a nine month probationary period pending the completion of physical and psychological testing as well as background investigation. SL seconded. Unanimous. CS moved to approve a six month temporary adjustment for Patty Clark from grade T-3, level 3 to T-3, level 6 employee for taking over the duties of Administrative Assistant and training the new employee during the adjustment period. SL seconded. Unanimous.
- 4.4 Review request of Fire-EMS Chief Mark Boynton to designate Eric Fellows as Fire-EMS Department Photographer. CS moved to designate Eric Fellows as Fire-EMS Department Photographer. SL seconded. Unanimous.

V WORK SESSION

- 5.1 Review and sign payroll and bills payable warrants. CS moved to sign bills payable and payroll warrants out of session. SL seconded. Unanimous.

2.2 continued: CS Moved to approve the change of hours for the Townsend Package Store to open at 10AM on Sundays effective immediately. SL seconded. Unanimous.

9:28 CS moved to adjourn the meeting. SL seconded. Unanimous.

Respectfully submitted: Andrew Sheehan

Note: documents used or referenced during the meeting are available at

http://www.townsend.ma.us/Pages/TownsendMA_BOSAgenda/ or in the Selectmen's Office.