



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

Colin McNabb, *Chairman*
Andrew J. Sheehan,
Town Administrator

Carolyn Smart, *Vice-Chairman*

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MINUTES
MAY 26, 2015, 6:00 P.M.
SELECTMEN'S CHAMBERS, TOWN HALL
272 MAIN STREET, TOWNSEND, MA

I PRELIMINARIES

- 1.1 Chairman called the meeting to order. Roll call showed Colin McNabb, Chairman (CM), Carolyn Smart, Vice Chairman (CS), and Gordon Clark, Clerk (GC) present.
- 1.2 Pledge of Allegiance observed.
- 1.3 CM announced that the meeting is being tape recorded.
- 1.4 Chairman's Additions or Deletions: Add 4.1
- 1.5 Town Administrator updates and reports:
 - Town Administrator, Andrew Sheehan (AS), reported that the Fire-EMS station building project is underway.
 - Devens Regional Household Hazardous Products Collections Center will be open June 3 and 6 from 9AM-12PM, weather permitting.
- 1.6 Board of Selectmen announcements, updates, and reports:
 - GC read announcement that the Townsend Military Band Concert will begin its 2015 Thursday evening concert series on the common on June 4.
 - GC updated residents on last two (2) Board of Selectmen meetings, including a checklist for Constable consideration, Unitol performing a much needed road repair, and Highway Superintendent, Ed Kukkula (EK) potentially putting security cameras up at the Highway Department.
 - CS requested that AS add the Board's goals list to a future agenda.
 - CS also added that she will be attending an upcoming Cemetery and Parks meeting. CM said that he may be attending as well.
 - CS requested to discuss IT on the next agenda
 - CM offered his condolences to the family of John Camber on his passing.
- 1.7 Meeting minutes:
 - Vote to approve Open Session minutes of March 24, 2015, April 21, 2015, and May 5, 2015. CS moved to approve Open Session minutes of March 24, 2015, and April 21, 2015. GC seconded, but abstained from voting as he was not present (a member of the Board) at that time. CS voted yes and CM voted yes. Motion passed. CS moved to approve Open Session minutes of May 5, 2015. GC seconded. Unanimous.
 - Vote to release Executive Session minutes of March 24, 2015, March 31, 2015, April 7, 2015, and April 14, 2015. CS moved to release Executive Session minutes of March 24, 2015, March 31, 2015, April 7, 2015, and April 14, 2015. GC seconded. Unanimous.

II APPOINTMENTS AND HEARINGS

- 2.1 6:10PM Historic District Commission: Eino Kauppi (EK) of the Historic District Commission will be present to discuss the historic districts. EK explained historic district regulations, governed by Mass General laws, discussing that the Legion Hall is in the district but the West Fire Station is not. If it is approved, it will not be a problem. Decision will go through the Massachusetts Historic Commission in Boston.

III MEETING BUSINESS

- 3.1 Complaints against employees: continuation of discussion regarding complaints brought by Selectman Carolyn Smart against Town employees. The Board may enter Executive Session pursuant to GL c. 30A, s. 21(a)(1) to discuss complaints brought against public officers, employees, staff members, or individuals. CS read a prepared statement. CS made a motion to form a complaint and investigation policy as well as instructing the Town Administrator to provide usernames and password to the Board of Selectmen for the Mass Municipal Personnel Association website to research other policy information from other communities. GC seconded. CM asked that CS separate the motion on the floor in to two (2) separate motions. CS moved to form a complaint and investigation policy. GC seconded. Unanimous. CS moved to instruct the Town Administrator to give us (the members of the Board of Selectmen) usernames and passwords for the MMPA website to research policy information from other communities. CM asked AS if there was a limit on usernames for each town, AS said he believed they were limited to two (2) with the membership. CM then asked that this motion be tabled until further information is gathered. GC asked if it was similar to a library card, AS answered that it was a sub-organization to the MMA. AS will check to see what is available to the general public versus what is username protected. Resident John Hussey asked who had username and password to MMA, AS answered that he and his assistant had access to username and password. A resident asked if they could consider these unfounded allegation done, CM said that from the statement that CS made, the investigation would not be reopened. CM noted that Town Counsel was present at no charge, and Town Counsel Brian Riley (BR) explained that he is waiving the fees for his attendance at tonight's meeting. CM clarified what the investigation consisted of, and read a statement from Town Counsel reviewing the chain of events regarding the complaints. A number of residents addressed the Board on a number of issues that were raised. Resident John Oser voiced his concerns over his check being put on the Town's website without blocking out pertinent information such as routing number and account number. GC asked if the item could be taken down from website and blocked out; AS said he was hearing this information for the first time tonight and would take down the information from the website tonight. CS said that when she sent that information in she sent it to the Towns Attorneys and never expected it to come back or be posted online. AS said the two (2) complaints from CS became public records when the investigation was complete. The findings and the complaints were posted to the website when the findings were released. AS said he will remove check tonight after the meeting.
- 3.2 Review and approve request from Town Administrator Andrew Sheehan to be reimbursed for up to eight (8) unused vacation days. GC read AS's contract regarding vacation time buy back. GC is leaning towards voting no on this, however there is a line item in the budget to cover this request. AS is currently enrolled in Suffix University for certification. Resident asked how school authorization was worked in to the contract, AS responded that he discussed his attendance in the program with the Board and an amendment to his current contract allowed him to attend. CS moved to approve the request from Town Administrator Andrew Sheehan to be reimbursed for up to eight (8) unused vacation days up to the amount of \$2,999.04. GC seconded. Unanimous. CM requested a brief 5 minute recess. Upon return, CM said that there was an issue with the March 31, 2015 Executive Session minutes, as they were not ready to be released, and asked for a motion to rescind release of those minutes. CS moved to rescind the vote to release the Executive Session minutes for March 31, 2015. GC seconded. Unanimous. Clark abstained

- 3.3 Review and approve permit fee for a Public Regional High School. New high school project regarding the permitting fee. AS and Building Commissioner Rich Hanks, (RH), came up with a fee schedule for the Board's approval, consisting of an upfront fee of \$75, 000 and then allows the Town to compensate for building, plumbing, gas, and wire inspections. GC asked RH his opinions on the proposed plan, which RH agreed was what he and AS had already discussed/gone over. AS discussed what the Board has previously discussed with RH regarding fees and payments. CS asked BR for legal opinion on how the Board should proceed with determining a fee schedule. BR said that the Board has the authority to adopt a fee schedule, discussed further on who would be responsible for paying out the fees. CS moved that the Board waive the normal permit fee and in its place adopt a fee that is intended to compensate the Town for land review and inspections expenses and administrative services related to the project. And an initial fee in the amount of \$75,000 shall be payable at the time of initial permit application; the Town shall periodically assess such additional fees as are sufficient to offset the cost of building, electrical, gas and plumbing inspections. GC seconded. Unanimous.
- 3.4 Review and sign Agreements for Backup Paramedic Intercept Services with the towns of Ashby and Pepperell. New agreements state that Townsend get paid for coverage, Chief explained fee. CS moved to approve and sign agreements for Backup Paramedic Intercept Services with the towns of Ashby and Pepperell. GC seconded. Unanimous.
- 3.5 Discuss Dept. of Revenue fiscal health review. CS provided copies of Dept. of Revenue (DOR) information. DOR has come to Townsend a few times in the last six (6) years; regionalization study for Townsend for Police and dispatch with Ashby in 2009 and 2011 financial management review. Requested DOR to look at consolidation of departments, which was put off. AS will find out if DOR is willing to come out. CM discussed including this topic when goals are discussed.
- 3.6 Review and approve one day special liquor license for Terri Roy, VFW Post 6538 for a Graduation Party from 7-11PM on June 11, 2015. CS moved to approve one day liquor license for Terri Roy, VFW Post 6538 for Graduation Party with serving hours from 7-11PM on June 11, 2015. GC seconded. Unanimous.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS

- 4.1 Review request of the Board of Library Trustees to appoint Molly Benevides, Ward Clark, Cheryl Cloutier, Terri Duggan, Mary Foster, Rachel Guerriero, James Sager, Patricia Sager, and Patricia Thomas-Jeanig to the Long Range Planning Committee with terms from May 26, 2015 to the completion of the Long Range Plan. The Long Range Planning Committee is required to be eligible for grants. CS moved to appoint as requested by the Board of Trustees to appoint Molly Benevides, Ward Clark, Cheryl Cloutier, Terri Duggan, Mary Foster, Rachel Guerriero, James Sager, Beverly Sager and Patricia Thomas-Jeanig to the Long Range Planning Committee with terms from May 26, 2015 to the completion of the Long Range Plan. GC seconded. Unanimous. One of names was incorrect, Beverly Sager not Patricia Sager. CS moved to amend that motion to change Patricia Sager to Beverly Sager. GC seconded. Unanimous.

V WORK SESSION

- 5.1 Review and sign payroll and bills payable warrants. CS moved to review and sign payroll and bills payable warrants outside of session. GC seconded. Unanimous.

GC moved to adjourn at 7:12PM. CS seconded. Unanimous.

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.