



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

Gordon Clark, *Chairman*

Carolyn Smart, *Vice-Chairman*

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*Town Administrator*

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**MINUTES**  
**SEPTEMBER 15, 2015, 6:00 P.M.**  
**SELECTMEN'S CHAMBERS, TOWN HALL**  
**272 MAIN STREET, TOWNSEND, MA**

**I PRELIMINARIES**

- 1.1 At 6:00PM the Chairman called the meeting to order. Roll call showed Gordon Clark, Chairman (GC), and Carolyn Smart Vice Chairman, (CS) present.
- 1.2 Pledge of Allegiance observed.
- 1.3 Chairman announced that the meeting is being tape recorded.
- 1.4 Chairman's Additions or Deletions: Amend 2.1 and 4.2, delete 2.3
- 1.5 Town Administrator updates and reports:
  - Town Administrator, Andrew Sheehan (AS), reported that the Department of Revenue was at Town Hall today as part of the DPW study. DOR met with some department heads and Board of Selectmen members.
  - Route 13N section from Dudley Road up to the state line, Ed Kukkula, the Highway Superintendent, has been working with Weston & Sampson to prepare plans to reconstruct the road. Due to changes in MassDOT rules the project has been delayed.
  - Filing with Finance Committee for a reserve fund transfer for insurance, saying it cannot wait until Town Meeting. AS will ask for \$2,000 for costs related to Treasurer-Collector bond and new equipment.
- 1.6 Board of Selectmen announcements, updates, and reports:
  - CS announced the Townsend Historical Society Arts and Crafts Fair on the Common on September 19 and 20, 2015.
- 2.1 6:10 Review and sign contract with Interim Chief of Police Robert A. DeMoura. The Board may enter Executive session pursuant to GL c. 30A, s. 21(a)(2) to conduct contract negotiations with non-union personnel. CS moved to enter in to Executive session pursuant to GL c. 30A, s. 21(a)(2) to conduct contract negotiations with non-union personnel and to reconvene in open session. GC seconded. GC aye, CS aye. Returned to open session at 6:20PM GC recognized Chief Erving Marshall's 38 years of service. CS moved to appoint Robert DeMoura as the Interim Police Chief of the town of Townsend. GC seconded. Unanimous. CS moved to approve, sign, and release the employment contract with Robert DeMoura. GC seconded. Unanimous. Chief Robert DeMoura gave a brief overview of his career. GC recognized Lt. Mark Giancotti as being a key part of the Police Department and this transition.
- 2.2 6:15 Fire-EMS Chief Mark Boynton to discuss the following. Votes may be taken:
  - Ambulance write-off policy
  - Agreements for Backup Paramedic Intercept Services with the towns of Groton and Lunenburg  
Chief Boynton discussed the ambulance write off policy and the Backup Paramedic Intercept Agreements with the towns of Groton and Lunenburg. Discussed the Chief being able to approve the

write off policy. CS moved to approve the draft policy for EMS billing hardship and to amend it to reflect the Fire-EMS Chief will have the authority to waive any hardship and to sign it outside of the meeting. GC seconded. Unanimous. CS moved to approve the agreements for Backup Paramedic Intercept Services with the town of Groton and the town of Lunenburg. GC seconded. Unanimous.

1.7 Approval of meeting minutes. August 18, 2015. CS moved to approve the meeting minutes of August 18, 2015. GC seconded. Unanimous.

1.6 Board of Selectmen announcements, updates, and reports: (continued)

- CS asked if GC was available October 1 for a meeting with Cemetery and Parks and Facilities Management, library and Senior Center working group.
- CS requested that a discussion of department head meetings and employee meetings be added to the next agenda.
- GC commended everyone who has been involved with the annex for the Recreation Department.

## **II APPOINTMENTS AND HEARINGS**

~~2.3 6:30 Squannacook Rail Trail and Route 119 Sidewalk: Joe Shank requests the opportunity to discuss the project. Votes may be taken.~~

2.4 6:45 Treasurer-Collector Deborah Kristoff to provide an update. Treasurer-Collector Deborah Kristoff, (DK) reported that accounts are balanced, currently transferring information in to the Vadar system. CS asked what the time frame would be to reconcile accounts, DK said she is hoping this week, but day to day tasks often get in the way of the reconciliation. She added she is still training staff. GC thanked DK for coming to the meeting and keeping employees informed. GC suggested having a representative from Great West to come out and discuss issues. Requested that Great West be contacted and request a meeting. AS said that in terms of the cash reconciliation, nothing is being held up. Still have time to get free cash in time for the December Town Meeting.

## **III MEETING BUSINESS**

3.1 Review and sign proclamation recognizing Chief of Police Erving M. Marshall, Jr. CS read proclamation recognizing Chief of Police Erving M. Marshall, Jr. CS moved to sign proclamation for Chief Marshall. GC seconded. Unanimous.

3.2 Review and sign proclamation recognizing Donna Miller for receiving the William E. May Endowment Award. CS read the proclamation recognizing Donna Miller for receiving the William E. May Endowment Award. CS moved to sign proclamation recognizing Donna Miller for receiving the William E. May Endowment Award. GC seconded. Unanimous.

3.3 Review request of Kelly McTighe proclaiming October as Dysautonomia Awareness Month. AS read the proclaiming October as Dysautonomia Awareness Month. CS moved to approve the proclamation for Dysautonomia Month. GC seconded. Unanimous.

3.4 Review posting for a committee to memorialize the former girls' school at 458 Main Street. AS said that West Townsend Fire-EMS Building Committee suggested that a committee be created to memorialize the former girls' school at 458 Main Street. AS put together a description of the posting for the committee. Board needs to decide how many members would be a part of the committee. GC suggested a 5 member committee. CS moved to approve the posting for the vacancies. GC seconded. Unanimous.

3.5 Review Open Meeting Law complaint against the Board of Selectmen. AS reported that this was a different Open Meeting Law complaint, but it was about the same thing as the previous complaint; appointing Mike Turgeon to the Conservation Commission without providing 48 hour notice. AS said that the response from the Board will be essentially the same as the response from the previous complaint, siting steps that have already been done. AS will revise the letter and the Board can sign it out of session or review it at the next meeting. CS read the former response in to the record. The response will include that the requested correction action is beyond the scope of the open meeting law complaint.

- 3.6 Review correspondence from Carolyn Sellars requesting that the Board of Selectmen ask the Federal Energy Regulatory Committee (FERC) to look at all gas pipeline projects to identify the project(s) providing gas at the least economic and environmental cost. Carolyn Sellars explained the letter she previously wrote to FERC requesting the Board of Selectmen to approve the letter, as well as asking Lt. Governor and Representative Harrington to sign. AS will draft a letter for next week.

#### **IV APPOINTMENTS OF PERSONNEL/OFFICIALS**

- 4.1 Review request of John Francis Hughes to be appointed to the West Townsend Reading Room Committee. CS moved appoint John Francis Hughes to the West Townsend Reading Room Committee effective September 15, 2015 to June 30, 2016. GC seconded. Unanimous.
- 4.2 Review request of Fire-EMS Chief Mark Boynton to appoint the following to the Fire-EMS Department for terms from September 15, 2015 to June 30, 2016, and subject to successful completion of pre-employment physical, CORI check, and probationary period.
- Nicholas Newell, On-Call Firefighter
  - Tabata Costanzo, On-Call and Per Diem EMT
  - Brian Harking, Per Diem Paramedic
  - Robert Hayes, Per Diem Paramedic
  - Ashley Cotter, On-Call and Per Diem EMT
- CS moved to appoint the following to the Fire-EMS Department for a term from September 15, 2015 to June 30, 2016 and subject to successful completion of pre-employment physical, CORI check and with a 6 month probationary period:
- Nicholas Newell, On-Call Firefighter
  - Tabata Costanzo, On-Call and Per Diem EMT
  - Brian Harking, Per Diem Paramedic
  - Robert Hayes, Per Diem Paramedic
  - Ashley Cotter, On-Call and Per Diem EMT
- GC seconded. Unanimous.

#### **V WORK SESSION**

- 5.1 Review and sign payroll and bills payable warrants. CS moved to sign bills payable warrant out of session. GC seconded. Unanimous. CS invoked the rule of necessity to sign payroll as CS is an employee and GC's wife is also an employee. CS moved to review and sign the payroll warrant outside of session invoking the rule of necessity. GC seconded. Unanimous.

#### **VI EXECUTIVE SESSION**

- 6.1 Executive session pursuant to GL c. 30A, s. 21(a)(2) to conduct contract negotiations with non-union personnel.
- 6.2 Executive session pursuant to GL c. 30A, s. 21(a)(1) to discuss complaints or charges against individuals.
- CS moved to enter in to Executive session pursuant to GL c. 30A, s. 21(a)(2) to conduct contract negotiations with non-union personnel and Executive session pursuant to GL c. 30A, s. 21(a)(1) to discuss complaints or charges against individuals and to adjourn directly from executive session. GC seconded. GC aye, CS aye.

*Note: documents used or referenced during the meeting are available at [http://www.townsend.ma.us/Pages/TownsendMA\\_BOSAgenda/](http://www.townsend.ma.us/Pages/TownsendMA_BOSAgenda/) or in the Selectmen's Office.*