



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
OCTOBER 13, 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 Carolyn Smart, CS and Gordon Clark GC, 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: Items 2.1, 2.3.1, and 2.3.3 were postponed. AS asked if the executive session concerning CS's insubordination complaint against him would be next week. CS said yes. He read the following statement on a point of personal privilege: "On Thursday, October 8, 2015, Selectmen Smart instructed me to add an executive session item to tonight's agenda. She informed me that the purpose was to discuss a complaint of insubordination against an employee, namely me. She said she would provide notification that day. I have not received the required notice in writing. By my count this is at least the 7th claim Ms. Smart has made against me. All have been either withdrawn or investigated and found to be without merit. I object to Ms. Smart filing repeated false claims against me and other employees and ask that that practice cease.
I pray that the Board will not again violate my individual rights as it did two weeks ago by allowing complaints to be aired without providing me with the required notice. Thank you."
- 1.5 Town Administrator updates and reports.
 - AS reported that the American Legion is now owned by the Town;
 - AS reported that he received a petition today seeking additional funding at the Special Town Meeting for the Council on Aging. He referred it to the Town Clerk for certification of signatures. He also expects one or more street acceptance petitions in the coming weeks;
 - AS mentioned the day after Thanksgiving. The Board usually votes to close non-continuous operations offices and allow employees to use vacation or personal time. He was unsure if the Board could vote on this since both members are Town employees or spouses of a Town employee and may be deemed to have a financial interest. CS will contact Labor Counsel.
- 1.6 Board of Selectmen announcements, updates, and reports.
 - CS announced a forum to discuss changes to zoning to facilitate construction of more diverse housing;
 - CS reported she met recently with the Conservation Commission about cleaning up the Squannacook River; she received waiver forms from Town Counsel that she will forward to the Commission;
 - CS asked about the West Townsend Reading Room. AS said he did not have a time frame for when the invitation for quotes would be ready and advertised in the Central Register. He will update the Board on 10/27/15;

- CS asked about municipal aggregation. AS said he referred it to the Energy Committee for evaluation and input, as he does with most energy-related items. He will get an update from Karen Chapman;
- CS asked about the Red Flag Reporting fraud service. AS said it is live and the Town Accountant and he are the ones who will be notified if there is an issue. CS was concerned about that and said she would reach out to Eric Demas;
- GC provided an update on the recruitment of a new Police Chief. He said now that the recruitment is under way he would like CS to be the liaison to the Police Department and he will be the liaison to the Water Department. GC moved that the Board delegate Selectman Carolyn Smart to act on the Board's behalf on matters concerning the Police Department. CS seconded. Unanimous.
- GC said there should be a work session on 10/20/15 and a regular televised meeting on 10/27/15;
- GC said he wants a key to the Selectmen's Office. CS moved to have the Town Administrator issue a master key and BOS Office key to each member of the BOS. GC seconded. Unanimous.
- GC said he received numerous calls about the Police Department acquiring a \$25,000 motorcycle. He was concerned about the cost and the training that would be required for the officers. He asked CS to look into it;
- GC reported that there was a Facilities meeting a couple of weeks ago. He said it was very productive and the plan is to meet four times a year.

1.7 Approval of meeting minutes: None

II APPOINTMENTS AND HEARINGS

~~2.1 6:10 Steve Boezenowski of Teenage Anxiety & Depression Solutions (TADS), to discuss a free mental health and wellness referral service available to the member communities of the North Middlesex Regional School District. Votes may be taken.~~

2.2 6:20 Karen Hill, to address the Board regarding her public records requests.
 Gardner resident Karen Hill (KH) was present. KH said her request for records has been going on since July 2014 and says it is time to resolve it. She said she is concerned that some of the emails she seeks may disappear if the subject employees, Land Use Coordinator Karen Chapman and Conservation Agent Leslie Gabriliska, are allowed to do the reviewing and redacting. CS gave a history of KH's request. CS said the question is who reviews the thousands of emails and redacts the exempt material. She said John Hussey (JH) has volunteered to review the records, said he is a special municipal employee, knows the conservation laws, and knows the Open Meeting Law. Conservation Agent Leslie Gabriliska (LG) said the Board can trust her integrity and the information will not disappear. Resident Sue Lisio (SL) expressed concern about access to protected records. AS read highlights from a letter from Supervisor of Records Shaun Williams in which he said the two employees are the most appropriate individuals to review and redact the emails. AS reminded the BOS that there are more than 10,000 emails in total and said the records will be provided when KH pays the fee. KH said she is willing to pay the fee, but wants JH to review them. CS said Town Clerk Kathy Spofford (KS) is willing to help JH. SL said she was concerned about the Town's liability and said by its actions the BOS is saying to the employees: "We don't trust you." GC cut off SL and said that is not true. SL continued that the Secretary of State has stated that the two employees are best suited to do the work, stated it would be faster for them to do it, the BOS is increasing the Town's liability by not allowing those best suited to do the work, and said if it is not a lack of trust it must be something else. Steve Spofford (SF) reminded everyone that a statement about a witch hunt was made and the person who made that statement is the last person who should be involved in the review of records. JH offered to work with KS on the request. AS repeated that KC and LG are the most appropriate individuals to do the review and said the Town remains ready to perform the work as soon as KH pays the fee. CS said she is looking for a compromise. GC said it has gone on too long and agreed with CS's suggestion that JH perform the work. CS moved for a fee of \$1,083.60 to

ask Steve Cloutier to print the emails. On a point of information AS pointed out that printing was not included in the estimate. It was KH's request that the emails be provided electronically; KH agreed that she provided digital media storage. GC asked how much it would cost to print the emails and AS said he could not even guess. AS reminded that there are over 10,000 emails and he has no idea how many pages it would be. CS said she was sure that \$1,083 would be enough to cover the printing costs. CS suggested tabling the discussion until next week and asking Steve Cloutier to come to the meeting to discuss it. CS moved to table until 10/20/15. GC seconded. Unanimous.

~~2.3 7:00 Executive Session~~

~~2.3.1 Executive session pursuant to GL c. 30A, s. 21(a)(1) to discuss complaints or charges against individuals. Votes may be taken.~~

~~2.3.2 Executive session pursuant to GL c. 30A, s. 21(a)(2) to conduct contract negotiations with non-union personnel. Votes may be taken.~~

~~2.3.3 Executive Session pursuant to GL c. 30A, s. 21(a)(3) to discuss strategy with respect to collective bargaining associated with the request for voluntary recognition of a new collective bargaining unit. Votes may be taken.~~

III MEETING BUSINESS

3.2 Review request of Gail DerBeghosian to rename the first bridge on West Meadow Road that spans Willard Brook in memory of her son, Jesse Todd Newcombe.

Gail DerBeghosian (GD) and her daughter Nicole Newcombe were present. GC said he knew GD's son, Jesse. He said he will direct the next chief to establish an opiate task force; he said people addicted to opiates are not bad people; the dealers are the bad people. GD thanked the Board and said she wants to place a plaque at the bridge to memorialize Jesse, who was only 20 when he passed away; she said it was one of his favorite spots when he was younger. She said it will be a place of peace for friends and family to speak to Jesse. GC offered to work with GD to get a plaque. CS moved that GC work with GD to develop a plaque for the bridge. GC seconded. Unanimous.

3.1 Review and approve request of Town Clerk Kathy Spofford to declare surplus the following office equipment: 1 Brother 6750 typewriter, 1 Smith Corona typewriter, several miscellaneous file boxes, miscellaneous old office supplies, and a laminator and accessories.

Town Clerk Kathy Spofford (KS) requested the named items be declared surplus. CS moved to declare surplus the named items. GC seconded. Unanimous.

3.3 Discuss selection of a consultant to recruit a new Police Chief.

GC summarized the process to date. He said he has recently spoken with chiefs, selectmen, and other personnel in Sharon, Westford, Littleton, and Weymouth, as well as the Plymouth Chiefs of Police and others to get their thoughts on BadgeQuest. He said that now that he has picked the consultant the BOS will be removed from the process and will have no input; the BOS will be involved again when the three finalists are named. Sue Lisio (SL) asked if there would be a screening committee with community involvement. GC said he is relying on the professionals: the Fire Chief, AS, and a Police from another town. GC said there would be no public input on the finalists and said they used to do that but it doesn't work. GC said he met with BadgeQuest today and they are ready to go. CS added that BadgeQuest will send out surveys and assess need; the three person committee is done for the purpose of scheduling; and thanked GC for the hours and hours he contributed. GC added that he drove to Plymouth today to meet with the consultant and make up his mind. CS moved that the Board of Selectmen enter into a contract with BadgeQuest subject to their proposal. GC seconded. Unanimous. GC asked AS to notify BadgeQuest no Wednesday and AS said he would send a notice to proceed.

3.4 Review and approve a one day liquor license for Terri Roy, VFW Post 6538, 491A Main Street, for a Birthday Party from 7-11PM on October 17, 2015. CS moved to approve the one day license. GC seconded. Unanimous.

- 3.5 Review and approve a one day liquor license for Terri Roy, VFW Post 6538, 491A Main Street, for a Christmas Fundraiser from 6-11PM on December 15, 2015. CS moved to approve the one day license. GC seconded. Unanimous.
- 3.6 Review mission and positing for Girls' School Commemoration Committee to recognize the former girls school at 458 Main Street. CS moved to approve the posting. GC seconded. Unanimous.
- 3.7 Proclaim November 13, 2015 Pancreatic Cancer Awareness Day. CS read the proclamation and moved to proclaim November as Pancreatic Cancer Awareness Month. GC seconded. Unanimous.
- 3.8 Discuss draft Selectmen's Policy on Use of Credit Cards. CS presented a revised policy based on input from the Town Accountant. CS asked to put this item on the 10/27/15 agenda so AS can clean up the language.
- 3.9 Discuss draft Selectmen's Policy on Media Relations. CS said she got the policy from Chelmsford and changed Town Manager to Chairman of the Board of Selectmen. CS moved to adopt the policy. GC seconded. Unanimous. CS asked AS to distribute the policy and file it with the Town Clerk.

IV APPOINTMENTS OF PERSONNEL/OFFICIALS

None

V WORK SESSION

- 5.1 Review and sign payroll and bills payable warrants. CS moved to sign the bills payable warrants. GC seconded. Unanimous.
CS moved to invoke the rule of necessity for the purpose of signing the payroll warrant. GC seconded. Unanimous.

The meeting was adjourned at 7A:30PM.

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.