



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

Carolyn Smart, *Chairman*  
James Kreidler,  
*Town Administrator*

Gordon Clark, *Vice-Chairman*

Cindy King, *Clerk*  
Office (978) 597-1701  
Fax (978) 597-1719

**MINUTES**  
**AUGUST 9, 2016 6:00 P.M.**  
**SELECTMEN'S CHAMBERS, TOWN HALL**  
**272 MAIN STREET, TOWNSEND, MA**

**I. PRELIMINARIES - VOTES MAY BE TAKEN:**

- 1.1 Chairman called the meeting to order. Roll call showed Carolyn Smart, Chairman (CS), Gordon Clark, Vice-Chairman (GC), and Cindy King, Clerk (CK) 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: Delete 3.6
  - Add 3.4: Approve notice to proceed for design of sidewalk.
  - Add 4.1.5: Review/Approve Janitorial Services Contract.

**II. APPOINTMENTS AND HEARINGS - VOTES MAY BE TAKEN:**

- 2.1 6:05P.M. Recognition of outstanding actions in an emergency. Issued a certificate to Officer Robert Breau for his hard work in the Town of Townsend.
  - 3.1 Ethics Investigation results. GC made a statement, and then read the editorial from the Lowell Sun. GC then gave an overview on the accomplishments during the last 9 months while recall was ongoing. GC commended and apologized to Town Administrator, James Kreidler (JK) for the difficult time since he started with the Town of Townsend. GC also commended CS for her attentiveness and integrity, and also apologized for the difficult time she has gone through as well. GC said that he has thought about quitting during the last 9 months during this a difficult time but he took his oath seriously and would not quit because of his love for his town. CS said that there was personal attacks and the biggest victim was an employee of 27 years, Patti Clark, for which CS apologized. GC made a statement regarding moving the town of Townsend forward. CS added that GC, CS and JK had been cleared by the state from investigation.
  - 3.2 Sign plans/deeds for Trophy Avenue and Alyssa Drive out of session. CK moved to sign plans/deeds for Trophy Avenue and Alyssa Drive out of session. GC seconded. Unanimous.

3.3 Review/Approve Chapter 90 request. CK moved to review and approve chapter 90 request for milling and patching of Brookline Rd., Mason Rd., Greenville Rd., Jeft St., Riverbank Terrace, Turnpike Rd., and Warren Rd in the amount of \$24,000.00. GC seconded. Unanimous

GC said that JK sent him some quarterly reports, specifically from Highway Superintendent Ed Kukkula. JK added that Police Chief Eaton and Water Superintendent Paul Raffuse have also sent in their quarterly reports and JK would like to get them posted on the website in the near future.

3.4 Approve/Sign notice to proceed for design of Main Street Sidewalk. CS explained the sidewalk construction proposal. CK moved to approve and sign notice to proceed for design of Main Street Sidewalk. GC seconded. Unanimous.

3.5 Vote to form the Community Development Strategy Committee. CK went over the Community Development Strategy Committee handout she provided. Brian Keating from MRPC was also present, and explained the benefits to putting together the Committee, including successful submittal of grants. GC also suggested that JK get involved with this Committee to lend his expertise as well. CK moved to create the Community Development Strategy Committee as listed and post for Committee members as listed. GC seconded. Unanimous.

- 2.2 6:30P.M. Animal Complaint hearing from complainant Lisa Ellis (LE), against her neighbor Gretchen and David Karlson. GC read the Animal Control Officer, Mary Letourneau's report dated 7/10/2016 referencing dogs barking at all hours, and the smell (alleged waste/dog feces near a wetland). LE filed a notice with BOS to request the hearing, CK read that document which alleges howling and barking day and night, unlicensed, attacked and injured neighbor's sheep, loose and threatening complainant in her yard, stockpiling waste soaked shavings near a wetland, keeping as many as 14 dogs at time as well as dog sitting additional dogs. LE was sworn in and confirmed her complaint; LE said that animal control never came to her home as there was no card on her door. LE provided a document of a timeline of incidents. CK read the log provided by LE. LE would like a resolution and would also like another person to speak to other than the Animal Control Officer. GC asked LE what she was asking for as a resolution; LE said that since she has complained, it has been quiet and she would like that to continue. GC asked Police Chief Eaton about the past complaints on file; Chief provided the three (3) complaints dating 8/22/13, 5/7/14, 7/3/16-none indicated a sheep attack. LE disputed that, there were more complaints and she has the officer's names. Gretchen Karlson and husband David, (GK and DK). CS swore GK and DK in. GK said that she spoke to the ACO and Town Clerk about getting a kernel license. GK explained that she raced sled dogs for 30+ years, and at the time she moved to Townsend, she had 10 older dogs, currently has 7 dogs remaining dogs, four of which are 14+ years old, one is 13 years old, one 12 years old and one is 10 years old, five (5) of the dogs are out in the barn, two (2) are in the home. GK explained that her dogs can be loud, they are Husky mixes and they howl. GK asked other neighbors if it bothered them, did not ask complainant, no other neighbors complained. Put bark collars on the dogs that were making the noise.

CK asked how the dog collar works, GK explained, adding that they are training devices and not meant to be on the dogs longer than 8 hours a day nor permanently. CK asked how much distance between the barn where the dogs are housed and the complainant's house, approximately 200 yards. GK provided a letter that her neighbor from across the street wrote. GK dog sat for her son (who escaped and got next door, but no attack or growling). CK read letter from Karlson's neighbors who live across the street from the Karlson's stating that she did not hear the dogs.

CK asked about coyotes, GK said that she has heard coyotes in the woods. CK asked ACO if coyotes were prevailing in that area, she said yes.

GC asked if GK could maintain the current conditions whereas the dogs barked less so as to continue the peace between the neighbors.

James Lecuyer Chairman of the Board of Health and was sworn in. Associated with the Karlson's and confirmed everything that the Karlson's have said; clean property food dogs, etc.

CS said that there is a way to resolve, asked for compromise with the bark collars and perhaps allowing the howling during the day. GK said that if LE let her know when the dogs are bothering her, GK will take care of it immediately. LE asked for a contact other than the ACO, CS said to contact JK, Police Chief Robert Eaton said LE could contact him as well. CS suggested continuing the hearing for a month and come back and see how it's going. Will readdress at the first meeting in September. CK moved to continue the hearing until the 2nd meeting September. GC seconded. Unanimous.

### **III. MEETING BUSINESS - VOTES MAY BE TAKEN:**

~~3.6 — Review/Sign citation for local business anniversary celebration.~~

### **VI. WORK SESSION - VOTES MAY BE TAKEN:**

#### **4.1 Town Administrator updates and reports.**

4.1.1. Personnel Updates- JK reported that Department Head Quarterly report memo was issued last week to get Department Heads back in the habit of submitting.

There was an anonymously filed a Red Flag complaint against JK. JK explained the Red Flag Reporting process and provided members of the Board with the complaint. JK further explained that Town Counsel advised that the Board review the complaint and vote to find it with or without merit. JK read the complaint 1) Town Administrator was hired by the Board of Selectmen without consideration of other applicants and the proper practices were not followed. JK explained that the Board followed the Charter in the hiring process.

2) The Town Administrator told the prior cleaning contractor to continue cleaning after the contract had expired (the old contract expired on or about July 1) subsequently a new cleaning company was hired without following proper procedure. JK said that advertisement for the cleaning contract was run in the Fitchburg Sentinel and the Massachusetts Goods and Services Bulletin and the Town Website. Eight (8) proposals were received, four (4) before the deadline and four (4) after the deadline. The evaluation consistent with the uniform procurement act. This and That was awarded the contract. 3) Current IT coordinator has been asked to work without a contract. JK said that the position of IT coordinator was advertised as a

full time town employee position in June 1, 2016 on the Town website and town bulletin board. Five applicants applied, three were interviewed. All appropriate process were followed.

CK moved that the Red Flag complaint submitted on July 30, 2016 as discussed in the meeting tonight August 9, 2016 is unfounded and has no merit. GC seconded. Unanimous.

JK reported that the cleaning contract has been awarded to This and That, and reviewed the contract. CK moved to execute the cleaning contract as presented at the meeting and to sign out of session. GC seconded. Unanimous.

2. Financial Updates- JK reported that the personnel from the McCormack Institute at UMass Boston will be meeting on August 16, 2016 at 11AM in the Selectmen's Chambers. JK suggested that the Board pick a liaison member to attend the meeting. A member of the finance committee will be in attendance as well. CK and CS will both attend the meeting and if needed post for a meeting. JK also reported that the FY16 audit is underway.

3. Project updates- JK reported that the Town has been approved for an extension for the FEMA/MEMA Generator Grants and asked the Board to vote to designate JK to authorize signatory and project manager per the grant requirements. CK moved to oname James Kreidler as the Authorized Signatory and Project Manager for the HAZard Mitigation Program Community Shelter Generator and Senior Housing Generator. GC seconded. Unanimous.

JK reported that he has been researching additional software platforms to offer the utility of the Open Gov platform. Goal is to have two or three vendors to present to the Board.

JK enclosed a draft copies of the Board Policies and Procedures and a Board and Committee Handbook.

JK also talked about the Massachusetts State Police Wives is an organization that is spear heading an effort to "Cover Our State with Blue" and Townsend was the first community to participate.

4. Miscellaneous Updates- None

4.1.5 Review/ Approve Janitorial Services Contract, RE: Facilities

4.2 Board of Selectmen announcements, updates, and reports:

- CK said this Thursday's band concert will be hosted by Fire EMS.
- CK commended the local VFW for receiving all American Status and asked if there could be a proclamation for the next meeting.
- GC suggested having department heads come in to the meeting once or twice a year so the public knows who the department head is and what is going on. GC also suggested inviting State Representatives in to discuss what is going on at a State level.
- CS said that there is a meeting in Worcester at the DOT to talk about a plan for 119 and will report back on the results of the meeting.
- CS said that Cindy Donovan was able to raise \$1000 for Kids Kountry Playground.
- CS suggested that JK have a meeting with Recreation to see what needs to be done to finish the annex.
- CS, GC and JK will be at the dunk tank at the band concert this Thursday.

- CS gave an update regarding at the meeting last Wednesday with the accountant and the treasurer/collector; the work is still behind, specifically the reconciliation of cash. JK said that there is a great deal of work that needs to be done. JK said that a Special Town Meeting in October/November may not happen as they are so behind. Both the Treasurer Collector, Barbara Tierney and Town Accountant Terry Walsh are working very hard to catch up and it is no reflection on them that there is a backlog.
- 4.3 Approval of Meeting minutes. CK moved to approve the executive session minutes for May 18, 2016, May 31, 2016, June 2, 2016 and June 14, 2016. GC seconded. CK moved to release executive session meeting minutes for approve the minutes. GC seconded. Unanimous. CK moved to release the Executive Meeting minutes for May 18, 2016, May 31, 2016, June 2, 2016 and June 14, 2016. GC seconded. Unanimous.
- 4.4 Review and sign payroll and bills payable warrants. CK moved to sign bills payable warrants out of session. GC seconded. Unanimous.

**V: EXECUTIVE SESSION - VOTES MAY BE TAKEN:**

- 5.1 Executive Session: pursuant to GL c. 30A, s. 21(a)(3) to discuss strategy with respects to collective bargaining for all union contracts subject to negotiations if an open meeting may have a detrimental effect on the bargaining position of the body and the Chair so declares. Chair declared so. CK moved to enter in to Executive Session: pursuant to GL c. 30A, s. 21(a)(3) to discuss strategy with respects to collective bargaining for all union contracts subject to negotiations if an open meeting may have a detrimental effect on the bargaining position of the body and the Chair so declares and to adjourn directly from Executive Session. GC seconded. Roll call vote unanimous.

**IV. ADJOURNMENT:**