



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

Gordon Clark, *Chairman*
James M. Kreidler, Jr.,
Town Administrator

Cindy King, *Vice-Chairman*

Sue Lisio, *Clerk*
(978) 597-1701

SELECTMEN'S MEETING MINUTES
OCTOBER 17, 2017 7:30 P.M.
SELECTMEN'S CHAMBERS, TOWN HALL
272 MAIN STREET, TOWNSEND, MA

I. PRELIMINARIES - VOTES MAY BE TAKEN:

- 1.1 The meeting was called to order at 7:39P.M.
Roll call vote taken showed 3 members present: Chairman. Gordon Clark (GC), Vice-Chairman, Cindy King (CK) and Clerk, Sue Lisio (SL)
- 1.2 Pledge of Allegiance
- 1.3 The Chairman announced the meeting was being tape recorded.
- 1.4 Chairman's Additions or Deletions.
 - 3.7 Award bid to Fox Painting, Inc
 - GC deleted the section under Selectmen Clark updates, Accomplishment and Goals

II. APPOINTMENTS OF OFFICIALS/PERSONNEL - VOTES MAY BE TAKEN:

- 2.1 SL moved to appoint the following to TEMA for a three (3) term effective October 17, 2017 to June 30, 2020:

Donna Pinkerton	Mary Letourneau
Jonathan Kinney	Joan Walton
Vicky Brunelle	Janet Johnson

CK seconded. Unanimous vote.
- 2.2 SL moved to appoint Janet A. Johnson and Shirley Coit as Representatives to the North Middlesex Emergency Planning Committee effective October 17, 2017 to June 30, 2018.
CK seconded. Unanimous vote.
- 2.3 The Board engaged in discussion to appoint a Selectmen's Rep to the Capital Planning Committee: additional conversation regarding other appointments and involvement on different committees and duties of the Capital Planning Committee ensued.

CK offered to be the appointee to the Committee.

SL move to approve the appointment of Cindy King as the Selectmen's Representative to the Capital Planning Committee for a term effective October 17, 2017 to June 30, 2018.
GC seconded. Unanimous vote.

III. MEETING BUSINESS - VOTES MAY BE TAKEN:

- 3.1 GC informed the Board; the Town Clerk, Kathleen Spofford has been designated CMMC (Certified Massachusetts Municipal Clerk) and Barbara Tierney designated Certified Municipal Treasurer. GC read an article into the record (see attached) Mr. Kreidler suggested the Board authorize him to send an appreciation/thank you letter to both the Town Clerk and the Treasurer.
- 3.2 SL moved to approve and sign the Special State Primary warrant to be held on November 7, 2017. CK seconded. Unanimous vote.
- 3.3 SL moved approve and sign a one day Special License for Shannon Smith, Townsend Farmers Exchange, 15 Elm Street in conjunction with the 2nd Annual Fall Festival to be held on October 29, 2017 with sale hours from 11:00A.M. to 4:00P.M. CK seconded. Unanimous vote.
- 3.4 SL moved to approve and sign the general license to Frank Farese, on behalf of the Lion's Club to sell Christmas trees at the rear of the Town Common from November 24, 2017 to December 24, 2017. CK seconded. Unanimous vote.
- 3.5 SL moved to approve and sign the proclamation for the William E. May award recipient, Alice Avery Struthers. SL read the proclamation into the record (see attached).
- 3.6 The Board reviewed the mandatory referral from the Planning Board regarding the temporary Moratorium on Recreational Marijuana, (please see attached) The Board agreed to send no comment on referral, with appreciation for the opportunity to comment.
- 3.7 Mr. Kreidler outlined the procurement process in regards to the exterior painting project. The Board reviewed the bid prices submitted (see attached)
- SL moved to award the bid for the exterior painting of the Police Station to Fox Painig, Inc., in the amount of \$14,000.00 pending reference (s) check and to authorize the Chief Procurement Officer to sign award notification and contract. SK seconded. Unanimous vote.
- 3.8 Mr. Kreidler asked the Board to consider closing Town Hall to the public for Halloween evening. Mr. Kreidler relayed employees may use their accrued time or work their regularly scheduled hours.
- SL moved to authorize the closing of town hall from 6:00P.M. to 8:00P.M. to the public on October 31, 2017. CK seconded. Unanimous vote.
- 3.9 The Board reviewed the amendment for AFSCME, Council 93, Local 1703 Supervisory Union (see attached).

SL moved to approve and sign the amendment for AFSCME, Council 93, Local 1703 Supervisory Union. CK seconded. Unanimous vote.

IV. WORK SESSION - VOTES MAY BE TAKEN:

4.1 Town Administrator updates and reports.

4.1.1 Recreation Department "Rec Kids Day Camp" program update.

Mr. Kreidler informed the Board there was a misconception regarding the recreation after school program; explaining it is a continuation of their summer rec program and not a daycare. Mr. Kreidler stated all matters with state and local inspections and requirement are in process to be completed.

4.1.2 Chapter 90 Road Funds- \$414,296 committed.

Mr. Kreidler relayed the Chapter 90 funds are committed; the rumors otherwise are not true.

4.1.3 Police Department Patrol Officer Vacancy posting.

Mr. Kreidler informed the Board the posting was done.

4.1.4 Public Authority Towing Bid Process

Mr. Kreidler explained he solicited input from our current vendors to make sure the scope was appropriate for the service we have traditionally required.

4.1.5 Town Counsel Request for Proposal Discussion. (see enclosed)

4.1.6 Labor Counsel Request for Proposal Discussion. (see enclosed)

The Board reviewed the proposals (see attached) Discussion regarding appointment and contract process ensued. The Board agreed to solicit proposals for Counsel Services.

4.1.7 Operational Organizational Chart- Second Meeting DRAFT (see enclosed)

Discussion regarding the organization chart included: Elected Boards authority, definition of day to day vs policy making. A change was noted in the reporting duties of the Executive Assistant position. Mr. Kreidler explained the chart was needed to submit for GFOA designation. SL agreed with chart with the understanding it is a living document and subject to change. SL moved to approve the operational and organizational chart as submitted with changes discussed. CK seconded. Unanimous vote.

4.1.8 Policies Update- Pending: Access to Counsel and Vacation.

Mr. Kreidler inform the Board members that both he and Ms. Lisio are still working together on changes for the policy regarding counsel and vacation time. Discussion regarding probationary period for union and non-union employees ensued with clarification of what is required.

4.1.9 Fire Substation Project- Bid Protest Received.

Mr. Kreidler informed the Board he did receive a protest and public records request, relaying the information is in the Board's mail.

4.2 Board of Selectmen announcements, updates, and reports.

- **Selectman Lisio**
SL inquired as the next meeting date, currently it would fall on Halloween. The Board agreed to meet on October 30, 2017.
- **Selectman King**
CK stated she wanted to continue the Board's discussion on substance abuse at a future agenda.
- **Selectman Clark**
GC informed the Board that he filled in for CK, and spent the afternoon paddling on the Nashua River with Conservation Commissioner Karen Hill. GC also requested the information be uploaded to the website. (see attached)

4.3 SL moved to approve the regular meeting minutes for October 3, 2017. CK seconded. Unanimous vote.

4.4 Schedule next Board Meeting. Suggested date: Monday October 30, 2017 as Tuesday October 31, 2017 is Halloween. The Board agreed to meet October 30, 2017.

4.5 SL moved to approve and sign the bills payable warrant out of session. CK seconded. Unanimous vote.

V: EXECUTIVE SESSION - VOTES MAY BE TAKEN:

5.1 SL moved to enter executive session pursuant to GL c. 30A, s. 21(a)(3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining position or litigating position and the chair so declares, re: pending litigation- Merrill and pursuant to GL c. 30A, s. 21(a)(2) to discuss strategy or to conduct negotiations with non-union personnel with respects to the Town Administrator and to reconvene in open session. CK seconded. Roll call vote GC (YES), CK (YES), and SL (YES).

GC called the meeting back to order at 9:45P.M.

VI. RETURN TO OPEN SESSION-VOTES MAY BE TAKEN:

Chairman Clark re:

- Executive Session Matters
Mr. Kreidler stated it would be appropriate for the Board to explain partially what occurred in executive session, in that, it was agreed to extend the Town Administrator's contract by three additional years and change the language in regards to the automobile stipend and in return the requirement for raises to be consistent with subordinates will be waived.

SL moved to sign the contract with the Town Administrator out of session. CK seconded. Unanimous vote.

- ~~○ Approve and release executive session minutes of April 25, 2017 and October 3, 2017.~~
- ~~○ Approve and NOT release executive session minutes of August 24, 2017.~~
- ~~○ Contract(s)~~

• ~~Board Accomplishments and Goals, and~~

• Board Assignments

GC informed the Board after much thought, he felt it would be better for the Town if he stepped down to Vice-Chair and asked Ms. King if she'd consider taking the Chair position. Additional discussion regarding accomplishments and future plans ensued.

GC moved to make Cindy King Chair and Gordon Clark Vice-Chair and the liaison assignments to remain the same. CK seconded. CK & GC (YES) SL (NO) SL explained her NO vote is a reflection of policy, further relaying the Board generally reorganizes after the annual election as referenced in the Board of Selectmen's policy.

VII. ADJOURNMENT:

SL moved to adjourn the meeting. CK seconded. Unanimous vote.

Respectfully submitted by,



Carolyn Smart
Executive Assistant

Voted to approve and the meeting minutes of October 17, 2017, by the Board of Selectmen this
30th day of October, 2017.

INVITATION FOR BID – REQUEST FOR PROPOSAL

October 16, 2017

3.7

Name	Base Bid Amount	1	2	3	4	5	Includes Addenda	Bid Bond Provided	Cert. Of Tax & Non Collusion	Cert. Of Authority	Notes
DIMITRIOS CONTRACTING	\$16,700	n/a	n/a	n/a	n/a	n/a	n/a	YES	YES	YES	
DAMAZID CONTRACTING	\$16,950	n/a	n/a	n/a	n/a	n/a	n/a	YES	YES	YES	
FOX PAINTING, INC	\$14,000	n/a	n/a	n/a	n/a	n/a	n/a	YES	YES	YES	

10/17/17 mure

TOWN OF TOWNSEND
272 MAIN STREET, TOWNSEND, MA 01469

NOTICE OF APPROVAL OF SPECIAL PERMIT

This is to certify that: **SHANNON SMITH, MANAGER**
TOWNSEND FARMERS EXCHANGE

15 Elm Street Townsend, MA

**THE ABOVE NAMED NON PROFIT ORGANIZATION IS HEREBY
GRANTED A SPECIAL LICENSE FOR THE SALE OF ALL
ALCOHOLIC BEVERAGES, TO BE DRUNK ON THE PREMISES**

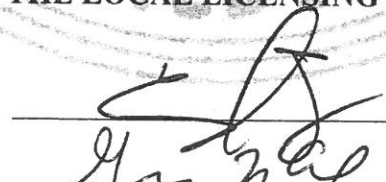
Under Chapter 138, Section 14, of the Liquor Control Act.

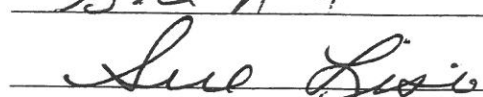
In conjunction with a "2nd Annual Fall Festival" to be held on **October 29, 2017**
with sale hours from **11:00A.M. to 4:00P.M.**

The license is granted in conformity with the Statutes and ordinances relating
thereto, and expires **10/29/17** unless sooner suspended or revoked.

Date: 10-17-17

THE LOCAL LICENSING AUTHORITIES





10/19/19 memo

TOWN OF TOWNSEND
272 MAIN STREET, TOWNSEND, MA 01469

NOTICE OF APPROVAL OF LICENSE

This is to certify that: **FRANK FARESE**

On behalf of the Lion's Club in Townsend, MA


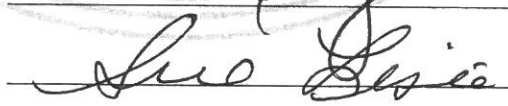
IS HEREBY GRANTED A LICENSE

For selling Christmas Trees at the rear of the Townsend Common from
November 24, 2017 to December 24, 2017.

The license is granted in conformity with the Statues and ordinances
relating thereto, and expires 12/24/17 unless sooner suspended or revoked.

Date: 10-17-19

THE LOCAL LICENSING
AUTHORITY



The office of
THE PLANNING BOARD
272 Main Street
Townsend, Massachusetts 01469
978-597-1700 x1722
MDecoteau@townsend.ma.us

10/17/17
minute

Date: October 10, 2017

To: Assessor's Office
Board of Selectmen
Board of Health
Building Inspector
Conservation Commission
Fire Department
Highway Department

Historic District Commission
Housing Authority
Land Use Coordinator
Police Department
Town Clerk
Water Department
Zoning Board of Appeals

In accordance with the provisions of MGL Chapter 40A, Section 5 and 11, and Zoning Bylaw, Article XII, Section 145-69, the Townsend Planning Board will hold a public hearing November 6, 2017, at 6:40PM in the Selectmen's Chambers, Memorial Hall, 272 Main St., to review proposed amendment to the Zoning Bylaws, as follows:

§ 145-89 Temporary Moratorium on Recreational Marijuana

Parties wishing to speak in support of, or in opposition to, these amendments may do so in writing prior to the hearing, or at the hearing in person or represented by an agent or attorney. Copies of this application are available for review in the offices of the Town Clerk and Land Use Office during business hours.

Publish in the Nashoba Valley Voice: October 6 and Oct 13, 2017

COMMENTS _____

NO COMMENT _____

SIGNED: _____

DATE: _____

10/17/19
minutes

ADDENDUM TO THE
MEMORANDUM OF AGREEMENT BETWEEN
THE TOWN OF TOWNSEND AND
AFSCME COUNCIL 93, LOCAL 1703, SUPERVISORS UNION

This Agreement shall constitute as an addendum to the Memorandum of Agreement between the town of Townsend and AFSCME Council 93, Local 1703, Supervisors Union.

WHEREAS: All are in agreement to amend:

Section XXXII Wages Add:


Effective July 1, 2017, Employees shall receive 2.0% base wage increase retroactive to July 1, 2017.

Effective July 1, 2018, Employees shall receive 2.0% base wage increase.

NOW THEREFORE:

1. This Addendum shall be incorporated in the original contract.

Voted the 19th day of September and amended the 17th day of October, 2017.


Mark Mercuiro, Steward

**FOR THE TOWN OF TOWNSEND
BY ITS BOARD OF SELECTMEN:**

  
Gordon Clark, Chair Cindy King, Vice-Chair Sue Lisio, Clerk

**Memorandum of Agreement
Between
The Town of Townsend
and
AFSCME Council 93, Local 1703, Supervisors Union**

ARTICLE I RECOGNITION-

The Employer recognizes the American Federation of State, County, and Municipal Employees as the sole and exclusive representative of all union employees of the Town of Townsend, Local 1703 Supervisors Unit.

The following classifications shall be included in the duly recognized bargaining unit; Water Dept. Superintendent., Health Administrator, Building Commissioner, Land Use Coordinator, Cemetery/Parks Superintendent, Principal Assessor, Council on Aging Director, Facilities Manager and Recreation Director.

Should any new classifications be added to the work force, the Employer shall notify the Union of such new classifications. The Employer and the Union shall then consult to mutually determine if such new classifications shall be added to the bargaining unit. If the parties cannot agree, the matter may be referred to the Massachusetts Department of Labor Relations by either party, with a request that it make a determination.

The Employer will not aid, promote, or finance any Labor Group or Organization which purports to engage in collective bargaining, or make any agreement with any such group or individual for the purposes of undermining the Union or changing any condition contained in this Agreement.

ARTICLE II: CHAIN OF COMMAND

The day to day administrative and operational chain of command, lines of supervision and reporting for employees in this bargaining unit run to the Board of Selectmen as the only legal entity empowered under the laws of the Commonwealth to negotiate, agree and execute this collective bargaining agreement detailing terms and conditions of employment. Further, the Board of Selectmen has delegated said day to day administrative authority and supervisory authority to the Town Administrator.

ARTICLE III UNION SECURITY

Any employee who is not a Union member who does not make application for membership within thirty (30) days after date of permanent appointment shall, as a condition of employment, pay to the Union each month a service charge as contribution toward the administration of this Agreement in accordance with the provisions of M.G.L. c. 150E. Employees who fail to comply with this requirement shall be discharged by the Employer within 30 days after receipt of written notice to the Employer from the Union.

authorization must be executed by the employee and may be revoked by the employee at any time giving written notice to both the employer and the union. The Employer agrees to remit any deductions made pursuant to this provision promptly to the union together with an itemized statement showing the name of each employee from whose pay such deductions have been made and the amount deducted during the period covered by remittance.

ARTICLE V BOARD RIGHTS

Except as limited by specific provisions of this Agreement, the Board of Selectmen retains all of its rights to manage the Departments and except, as so limited, the exercise of such rights shall not be grievable or arbitrable.

ARTICLE VI EMPLOYMENT OF NON-UNIT PERSONNEL TO PERFORM BARGAINING UNIT WORK

The Employer retains the right to employ non-bargaining unit personnel to perform work presently and/or formerly performed by members of the bargaining unit.

ARTICLE VII GRIEVANCE AND ARBITRATION PROCEDURE

A grievance is an allegation that there has been a misinterpretation, misapplication, or violation of specific terms of this Agreement.

Step 1: The Union Steward and/or Representative, with or without the aggrieved employee, shall take up the grievance or dispute informally with the Town Administrator in order to resolve the grievance or dispute. This informal discussion shall take place within ten (10) working days of the situation which caused the grievance, or within ten (10) working days after the grievant knew or should have known of the situation. The Town Administrator shall attempt to adjust the matter and shall respond to the Steward within five (5) working days.

Step 2: If the grievance or dispute has not been settled, it shall be presented in writing by the Steward and/or Representative to the Board of Selectmen within ten (10) working days after the Department's or designee's response is due. The Board of Selectmen or their designee shall respond to the Steward in writing within fifteen (15) working days.

Step 3: If the grievance or dispute is still unsettled, either party may, within thirty (30) days after the reply of the Board of Selectmen is due, submit the grievance or dispute to the American Arbitration Association for settlement according to their procedures.

The Arbitrator may not amend, alter, add to or subcontract from the terms of this Agreement. The decision of the Arbitrator, if within the scope of his or her authority, shall be final and binding on the parties.

The expense for the Arbitrator's services and the proceedings shall be borne equally by the Employer and the Union. If either party desires a verbatim record of the proceedings it may

- b. No employee may exercise recall rights if it shall result in the promotion to a rank or pay classification higher than that from which he/she was laid off;
- c. Each employee shall be required to notify the Board of Selectmen of the address at which they wish to receive recall notices. Notices shall be sent by certified mail to said address. Failure to respond to an offer of recall within 2 weeks of the date of mailing of the recall notice, shall be deemed a refusal of the vacancy. In the event of an actual or constructive refusal, the vacancy will be offered to the next employee on the recall list, and the person refusing the offer of recall shall go to the bottom of the recall list. IN the event there are no employees on the recall list who accept a vacancy, the Board of selectmen may hire a new employee.
- d. Any employee who twice refuses an offer to recall shall lose all further recall rights.

Employees on layoff shall not lose their previously accrued seniority or benefits; employees on layoff may accrue up to six (6) months of seniority while on layoff; however no benefits shall accrue to any employee during the period they are laid-off.

To the extent permitted by law, employees who have recall rights may continue group health insurance and/or life insurance for the period during which said recall rights provided such employees pay 100% of the cost of such group health and/or life insurance, plus 3% administrative fee. In no event shall the Town be required to incur any expense to provide such group health or life insurance to any laid-off employee.

To the extent practicable, employees shall receive a minimum of two (2) weeks' notice of any layoff under this Article.

ARTICLE X ORIENTATION & PROBATIONARY PERIOD

The Town Administrator is responsible for informing new employees of their rights, responsibilities, duties and obligations.

Orientation:

The Town Administrator will:

Notify the new employee of the starting date, time and designation work location for starting work.

Provide specific rules, regulations, policies, and procedures within seven (7) days from the employee's start of employment.

excess of 40 hours in any one week. Except in the case of an emergency, all overtime and/or compensatory time must receive prior approval from the Town Administrator or his designee. Compensatory time off may not accumulate in excess of forty (40) hours and time shall be used within six (6) months of completion of the fiscal year in which it is accrued.

Eligible employees shall be paid at the rate of two (2) times their regular hourly rate for all hours that they are required to work on Sundays unless regularly scheduled to work on a Sunday, or if the employee works on a holiday.

ARTICLE XIV FAMILY MEDICAL and PARENTAL LEAVE PROVISIONS

Employees shall be entitled to medical leave pursuant to the Family Medical Leave Act.

Employees shall be entitled to parental leave pursuant to the Massachusetts Parental Leave Law, M.G.L. c. 149 s. 105D.

ARTICLE XV HOLIDAYS

The following holidays or days observed as such will be granted as paid holidays:

New Year's Day	Columbus Day
President's Day	Veteran's Day
Patriot's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day
Labor Day	Martin Luther King Day

If a holiday falls on a non-working day it shall be observed on the nearest work day.

Holiday pay shall be equal to the employee's regularly scheduled work day at the straight time rate.

If a holiday falls within an employee's vacation period, he or she shall receive an additional day of vacation pay.

If Town Hall is closed all or part of the day on Christmas Eve or New Year's Eve, bargaining unit members will be granted the same benefit.

In order to be eligible for holiday pay, it is necessary that an employee work his or her full assigned shift on his or her last regularly scheduled work day before the holiday, and on the next regularly scheduled workday following the holiday or uses a vacation or personal day for that work day and works the next regularly scheduled workday following a holiday or uses a vacation or personal day on that workday. Sick leave may be counted as time worked for the day before a holiday in the case of a documented surgery or five (5) plus days out due to a major illness. A doctor's note will be required.

undergo an examination by a physician selected by the employer. In either event, the employer will bear the expense to the extent not covered by the employee's health insurance. The employer will not exercise its discretion to require such medical evidence or such an examination in an arbitrary, capricious, or discriminatory manner.

If an employee is absent from work on Workmen's Compensation, and has sick days available, he or she will be paid the difference between his or her regular take home pay and his or her Workmen's Compensation payments out of his or her accumulated sick leave.

Employees who were hired as of July 1, 2007 shall accrue sick time at the rate of one and one fourth (1.25) days per month, which will be computed at the end of each month. After the first year of employment, all employees shall accrue sick time at a rate of fifteen (15) days per year as of July 1st of each year rather than monthly accrual.

A sick bank shall be created in which sick days in excess of one hundred fifty (150) days accumulated by any employee are placed. The Union, not an individual member, may request use of sick time from the sick bank for an employee who is in need of time due to injury or illness which may be granted per discretion of the Town Administrator. It is understood that an employee must use all available sick, personal, and vacation time before he or she is eligible for sick leave bank use.

ARTICLE XVIII PERSONAL LEAVE

Each employee shall be entitled to four (4) days of personal leave each contract year for compelling personal, household, or business reasons which require the absence of the employee and cannot otherwise be scheduled. The employee shall request such leave at least twenty-four (24) hours in advance except in cases of unforeseen circumstances.

ARTICLE IX BEREAVEMENT LEAVE

In the event of the death of an employee's spouse, child, parent, parent-in law, brother, sister, grandparent, grandchild, domestic partner, step parent, step child, family member living within the household, the employee shall receive 5 days of bereavement leave. In the event of the death of an employee's brother-in-law, sister-in-law, niece, nephew, aunt or uncle, the employee shall receive two (2) days of bereavement leave.

ARTICLE XX MILITARY LEAVE

An employee shall be entitled to a leave of absence during such time as he or she is called up for active duty in the National Guard or Reserve up to a maximum of seventeen days per year. During such leave he or she shall be paid the difference between his or her regular pay and pay received for such military service.

ARTICLE XXI JURY DUTY

The Employer agrees to make up the difference in an employee's base wages between a normal week's wages and compensation received for Jury Duty, exclusive of travel or any other allowance.

ARTICLE XXII MISCELLANEOUS LEAVE

ARTICLE XVII EDUCATION REIMBURSEMENT

At discretion of the Town Administrator, employees may be eligible for reimbursement of the full cost of tuition and registration fees for work-related courses.

ARTICLE XVIII LONGEVITY

After five (5) years of service, computed and paid at the anniversary date of employment and thereafter, each employee shall receive an annual bonus of \$500.00. At ten (10) years of continuous service, the annual bonus shall be increased to \$800.00 per year. At fifteen (15) years of continuous service, the annual bonus shall be increased to \$1,100.00 per year. At twenty (20) years of continuous service, the annual bonus shall be increased to \$1,300.00 per year. At twenty-five (25) years of continuous service, the annual bonus shall be \$1,500.00.

ARTICLE XIX CLOTHING ALLOWANCE

The Employer shall provide a \$600 clothing allowance to employees in the following positions;

Building Commissioner

Water Department Superintendent

Cemetery/Parks Supervisor

Facilities Manager

Recreation Director

ARTICLE XXX CELL PHONES

The Employer shall provide cell phones and a cell phone plan to employees in the following positions;

Facilities Manager,

Building Commissioner

Water Superintendent and Cemetery/Parks Superintendent

ARTICLE XXXI LICENSES

Required licenses are employees' responsibility. Additional licenses, at the discretion of the Town Administrator, may be reimbursed by the Employer. The Building Commissioners' base wages shall be increased by \$500, and he shall no longer receive a stipend for maintaining required licenses.

ARTICLE XXXII WAGES

Effective July 1, 2016, Employees shall receive 2.5% base wage increase retroactive to July 1, 2016.

WHEREFORE, cognizant of the covenants entered into on this _____ day of _____, 2017,
the Town of Townsend and the American Federation of State, County, and Municipal
Employees, AFL-CI) hereby set their signs and seals hereunder.”

For the Town

Cary Smart
Don Noel
CF

For the Union

Townsend clerk earns state certification

Nashoba Publishing
Nashoba Valley Voice

Posted:Fri Oct 06 10:04:04 MDT 2017

TOWNSEND -- Town Clerk Kathleen Spofford, recently qualified for the Massachusetts Town Clerks' Association's (MTCA) prestigious CMMC (Certified Massachusetts Municipal Clerk) designation and will receive her commemorative pin and plaque at the MTCA Winter Conference in Devens on Feb. 8, 2018.

Currently, 117 of the Commonwealth's 301 town clerks hold this designation.

The CMMC designation is achieved by attending MTCA-sponsored educational courses and passing a 250-question aptitude test measuring the municipal clerk's knowledge of Massachusetts General Laws in categories such as elections and election procedures, vital records, campaign & political finance, town meetings, Chapter 40A (planning), Chapter 41 (zoning), ethics and public records.

Kathleen has served as the elected town clerk in Townsend for three years.

She served as assistant town clerk from 2008 to 2014 and as Board of Health administrative assistant from 2004 to 2008. She serves as a member of the Charter Review Committee and the Cable Advisory Committee.

Kathleen earned an Associate's degree from Middlesex Community College in Bedford.

She is a member of the MTCA, the New England Association of City & Town Clerks, the IIMC and the Middlesex County Clerks Association.

Kathleen also continues her professional development through courses sponsored by the MTCA, the Secretary of the Commonwealth's Elections Division and other divisions of the state's government.

Close Window

Send To Printer

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

MIDDLESEX COUNTY, SS.

To either of the Constables of the Town of TOWNSEND

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said Townsend who are qualified to vote in the Special State Election to vote at

Precincts I, II, III

Memorial Hall, 272 Main Street

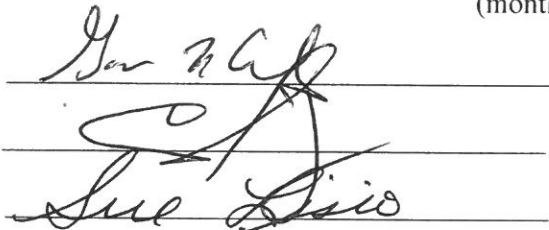
on **TUESDAY, THE SEVENTH OF NOVEMBER, 2017**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the Special State Primaries for the candidates of political parties for the following office:

SENATOR IN GENERAL COURT. . . . FOR THE WORCESTER & MIDDLESEX DISTRICT

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of _____, 2017.
(month)



SELECTMEN OF THE TOWN OF TOWNSEND

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of TOWNSEND by posting up attested copies of the same at: MEMORIAL HALL, 272 MAIN STREET AT THE CENTER, WEST TOWNSEND FIRE STATION, 460 MAIN STREET IN WEST TOWNSEND, POLICE/COMMUNICATIONS CENTER, 70 BROOKLINE ROAD, NORTH MIDDLESEX REGIONAL HIGH SCHOOL, 19 MAIN STREET, and HARBOR CHURCH, 80 MAIN STREET, AT LEAST **SEVEN (7) DAYS** BEFORE THE DATE OF THE ELECTION, AS WITHIN DIRECTED.

Constable of **TOWNSEND**

_____, 2017.
Constable (month and day)

**TOWN OF TOWNSEND
PUBLIC AUTHORITY TOWING
REQUEST FOR QUOTATIONS
OCTOBER 10, 2017**

The Town of Townsend Police Department, acting through its Police Chief (the "Department"), is seeking the submission of quotations from responsible towing companies for the purpose of selecting at least two towing companies to perform public authority towing for the Townsend Police Department. There will be a preference for companies located in Townsend. In the case there are over two companies who have submitted equally responsive bids, the two vendors shall be chosen by lot. The agreement shall be for a three-year period (2017-2018-2019) as further described herein.

The Public Authority Tow company will be used by the Townsend Police Department when:

- 1) A vehicle owner/operator has no preference in towing service.
- 2) Police are unable to locate owner of vehicle to be towed.
- 3) Emergency circumstances arise.
- 4) Overnight parking ban is in effect and/or vehicle interferes with snow removal.
- 5) Any other lawful public authority tow.

This procurement process is undertaken in accordance with the provisions of G.L. c. 30B and G.L. c. 40, 22D.

Quotations will be evaluated according to responsiveness to the attached specifications.

The Town reserves the right to waive any informality in bidding procedure, to cancel this Request for Quotations, or to reject any and all bids, in whole or in part, if it is deemed to be in the best interest of the Town.

Sealed quotation packets are due in the office of the Police Chief on or before Friday, November 10, 2017 by 12:00P.M.

I. MINIMUM SPECIFICATIONS

Towing companies wishing to have their quotations considered for Townsend Police Department public authority towing must comply with the following minimum qualifications. If the company meets all of these minimum qualifications its quotation will be further considered in the evaluative specification listed in section II.

The Responsive Towing Company must provide proof of the following:

- 1) Be licensed for public authority towing with the Massachusetts Department of Public Utilities¹
- 2) Maintain a secure storage area in the Town of Townsend.
- 3) Be open Monday through Friday, during normal business hours.
- 4) Have ability to respond to requests for services within 20 minutes or in a reasonable amount of time as determined by the Chief of Police.
- 5) Adhere to all laws and regulations set forth by the Massachusetts Department of Public Utilities including but not limited to fees for services rendered.
- 6) Have and maintain minimum required insurances²- worker's compensation, garage and automobile liability insurance as follows:

Worker's Compensation Insurance		
Garage liability	\$100,000	(direct primary)
Automobile liability	\$250,000/\$500,000	(bodily injury)
	\$100,000	(property)
	Or	
	\$1,000,000	(combined single limit)

Violations of any of the minimum and/or evaluative requirements by the towing company, its employees or agents acting on behalf of the company may result in termination of rights to perform public authority tows.

Public authority tow operators are a direct extension of the Townsend Police Department. It is in this regard that possessing and maintaining impeccable integrity is of paramount importance. The towing company, its employees or agents acting on behalf of the company, whose integrity comes into question, at the sole discretion of the Board of Selectmen, may be grounds to disqualify a company from consideration of an award or grounds for termination of rights for the company to continue to perform public authority tows if deemed in the Town's best interest after an award.

¹ Massachusetts Department of Public Utilities certificate to tow must be enclosed

² Copies of in force policies must be submitted

II. EVALUATIVE SPECIFICATIONS

1. Vehicles

How many vehicles is your company capable of towing simultaneously?

How many towing vehicles, by year, make, model and type do you lease or own?

List all of your company's currently leased or owned tow vehicles

Year:			
Make:			
Model:			
Color:			
Type:	Flat Bed	Wheel Lift	Other
Registration:			
Owner:			

Year:			
Make:			
Model:			
Color:			
Type:	Flat Bed	Wheel Lift	Other
Registration:			
Owner:			

Year:			
Make:			
Model:			
Color:			
Type:	Flat Bed	Wheel Lift	Other
Registration:			
Owner:			

Year:			
Make:			
Model:			
Color:			
Type:	Flat Bed	Wheel Lift	Other
Registration:			
Owner:			

Year:			
Make:			
Model:			
Color:			
Type:	Flat Bed	Wheel Lift	Other
Registration:			
Owner:			

Year:			
Make:			
Model:			
Color:			
Type:	Flat Bed	Wheel Lift	Other
Registration:			
Owner:			

2.Communication Information

Are your vehicles equipped with a two-way radio? Yes No

How can your employees be communicated with?	Cell Telephone	Other	No
1			
2			
3			
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Comm.

Radio
Call
Letters/Numbers:

FCC License Number:

3.Registration Information

Repair Plates: _____

D.O.T. Number: _____ D.P.U. Number: _____

Has certification of the company by the Massachusetts D.P.U. ever been suspended or
revoked? Yes No

4.Contact Information

Business Telephone number: _____

24 Hour Contact Number: _____

Cell Telephone Number: _____

5.Storage Information

Indoor Storage

Number of Spaces: _____ Size of Spaces: _____ Heated: Yes No

Storage Rate per 24 Hour Storage:\$_____

Owner of Location: _____

Storage Address: _____

Outdoor Storage

Total Square Feet: _____ Number of Spaces: _____ Fence: Yes No
Paved Surface: Yes No Lighted Area: Yes No Height of Fence:

Owner of Location: _____
Storage Address: _____

6. Employees:

How many employees do you have available to perform public authority tows?

Do you have an on-site 24 hour employee: Yes No
If yes, name: _____

List all employees that will be dealing with the public. (Use a separate sheet if needed)

Name: _____
Address: _____
Date of Birth: _____
Social Security: _____
Required C.O.R.I. Check authorization form attached: _____

Name: _____
Address: _____
Date of Birth: _____
Social Security: _____
Required C.O.R.I. Check authorization form attached: _____

Name: _____
Address: _____
Date of Birth: _____
Social Security: _____
Required C.O.R.I. Check authorization form attached: _____

Name: _____
Address: _____
Date of Birth: _____
Social Security: _____
Required C.O.R.I. Check authorization form attached: _____

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Address: _____
Date of Birth: _____
Social Security: _____
Required C.O.R.I. Check authorization form attached: _____

Name: _____
Address: _____
Date of Birth: _____
Social Security: _____
Required C.O.R.I. Check authorization form attached: _____

Name: _____
Address: _____
Date of Birth: _____
Social Security: _____
Required C.O.R.I. Check authorization form attached: _____

TO BE FILLED OUT BY EACH EMPLOYEE WHO WILL BE PROVIDING SERVICES UNDER THIS AGREEMENT.

CORI CHECK ACKNOWLEDGMENT

I, _____ residing at: _____ in the Town/City of _____, acknowledge that a Criminal Offender Record Information (CORI) check will be performed as part of the public authority towing contracting process.

I further acknowledge that a refusal to allow the CORI check to be performed will cause my company's/my employer's company's application to no longer be considered for public authority towing.

Signature: _____

Date: _____

CERTIFICATE OF NON-COLLUSION

I, the undersigned, do hereby certify under penalties of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word “person” shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity or group of individuals.

Name/Title of person signing proposal

Contractor’s Name

ATTESTATION REGARDING STATE AND LOCAL TAXES

Pursuant to Massachusetts General Laws, Chapter 62C, Section 49A, the following must appear on all bid proposals.

I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all State tax returns and paid all State and Local taxes required under law.

Social Security Number or
Federal Identification Number

Signature of Individual or Corporate Name

Corporate Office (if applicable)

QUOTATION SIGNATURE PAGE

Owner/ Applicant Signature: _____

Date: _____

Printed Name: _____

Business Name: _____

Business Address: _____

**TOWN OF TOWNSEND
REQUEST FOR PROPOSALS
RFP #17-10
TOWN COUNSEL SERVICES**

James M. Kreidler, Jr.
Procurement Officer
978.597.1701
jkreidler@townsend.ma.us
October 17, 2017

REQUEST FOR PROPOSALS TOWN COUNSEL SERVICES

Request for Proposals

The Town of Townsend seeks proposals for Town Counsel Services. Interested firms/applicants should meet or exceed RFP qualifications and be experienced in municipal law and related fields; adhere to standards of professional conduct and ethics; and be committed to rendering sound legal advice with suitable objectivity and professional detachment.

Written and Electronic submissions are required, which are detailed in the RFP. Personal interviews may also be required.

The RFP may be obtained at jkreidler@townsend.ma.us.

Written and Electronic Proposals are due to: James M. Kreidler, Jr. Procurement Officer, 272 Main Street, Townsend, MA 01469 and jkreidler@town.townsend.ma.us on or before November __, 2017 by 2:00 PM.

For publication on the MMA website at www.mma.org/requests-for-proposals

REQUEST FOR PROPOSALS TOWN COUNSEL SERVICES

The Town of Townsend, Massachusetts (the “Town”) is seeking proposals from qualified attorneys or firms for the **Provision of Town Counsel Services**, in a safe and efficient manner and in compliance with all applicable laws and regulatory requirements. Interested firms/applicants should meet or exceed RFP qualifications and be experienced in municipal law and related fields; adhere to standards of professional conduct and ethics; and be committed to rendering sound legal advice with suitable objectivity and professional detachment.

The contract will be for a period of three (3) years.

Firms possessing the necessary qualifications, experience, and technical expertise are invited to submit proposals for the provision of **Town Counsel Services** in accordance with this RFP and the Proposal Submission requirements detailed in the RFP document.

Sealed proposals shall be submitted consisting of a Technical Proposal and a Price Proposal, as described below, and are due at the Office of the Town Administrator-Procurement Officer, Town of Townsend, 272 Main Street, Townsend, MA 01469 on or before _____, **2017 at 2:00 P.M.** Personal interviews may also be required of the finalists.

The appointing authority is the Board of Selectmen.

Any questions regarding this Request for Proposals shall be directed in writing no later than **November _____, 2017, 9:00 a.m.**, to Office of the Town Administrator-Procurement Officer, Town of Townsend, 272 Main Street, Townsend, MA 01469 or jkreidler@townsend.ma.us.

All questions will be answered via addendum to all perspective Proposers. No addenda will be issued within 72 hours of the proposal submission date, with the exception of an addendum to extend the proposal deadline.

I. OBJECTIVE

The Town of Townsend, Massachusetts seeks to appoint a highly qualified attorney or law firm as Town Counsel. The successful appointee must meet or exceed the qualifications stated herein and, in general, must be readily accessible to those authorized pursuant to the Town of Townsend “Use of Counsel” policy, exceptionally experienced in municipal law as further described below, scrupulous in adhering to required standards of professional conduct and ethics, and committed to rendering sound legal advice with suitable objectivity and professional detachment. The contract will be for a period of three (3) years.

II. SCOPE OF TOWN COUNSEL SERVICES

The Town seeks Massachusetts licensed counsel experienced in the following matters:

- General Municipal Law, established under Massachusetts General Law and case law;
- Municipal Finance;

- Town Charter, bylaws and regulations;
- Open Meeting, public record, executive session, conflicts of interest law;
- Zoning and land use issues;
- Real estate issues: acquisitions, sales, eminent domain, easements, leases, foreclosures, auctions, tax takings; licenses; conservation and agricultural restrictions; right-of-first refusal;
- Town Meeting: drafting and review of warrant articles and motions, advice on issues before and at Town Meeting;
- Drafting and monitoring special legislation;
- Public bidding, public construction, and municipal procurement issues including lease-purchasing of equipment and contract approval;
- Affordable Housing;
- Subdivision Control law;
- Community Preservation Act;
- Wetlands regulation;
- Environmental issues;
- Elections law and procedures;
- Licensing;
- Appellate Tax Board matters;
- Insurance Coverage issues;
- First Amendment free speech issues;
- Litigation: all courts, including appellate level, and administrative agencies.

The Town expects Town Counsel attendance at the following:

- All sessions of Special and Annual Town Meetings (Annual Town Meeting is first Tuesday in May, set by bylaw);
- Upon request, be present at BOS meetings or other Town board meetings. BOS meetings are generally held on Tuesday evenings.

The Town expects Town Counsel to collaborate or consult with Labor and/or Special Counsel if authorized by the town.

III. MINIMUM QUALIFICATIONS

A. Bar Admissions

The prospective appointee and all those who serve as back-up to the prospective appointee (see below) must be a member in good standing of the Massachusetts Bar and of the Federal Bar for the District of Massachusetts.

B. Experience

The prospective appointee must represent or have represented as Town Counsel (or functional equivalent) a minimum of one Massachusetts municipality for no less than five years; or represented other Massachusetts municipalities in specific areas of municipal law; or possess equivalent experience. References must be furnished for all municipalities represented currently or within the past ten years by the prospective appointee.

C. Accessibility and Accountability

The prospective appointee must commit to be available for frequent contact either through in person meetings or via telephone or email, responding to all communications from authorized officials either himself / herself or through a qualified back up attorney within 24 hours of the call / email. The prospective appointee must be accessible to authorized Town staff.

The Town Administrator's Office manages requests for Town Counsel legal advice. The prospective appointee must also commit, as a general rule, to responding to requests for written opinions within one week unless the circumstances of the opinion warrant a shorter or longer time frame for a response. The prospective appointee must commit to preparing a brief written summary each month of all open issues and to preparing a report for the Town's Annual Report at no cost to the Town.

D. Back-up

The prospective appointee must have within his or her firm or through an established relationship at least one other qualified attorney, who is specifically assigned as a back-up for Townsend, and who is available to render advice and otherwise represent the interests of the Town of Townsend when the prospective appointee is unavailable. In this context, "qualified attorney" shall mean another lawyer who substantially meets the minimum qualifications set forth herein for the prospective appointee.

E. Billing

The prospective appointee must commit to providing a summary of legal services rendered and invoices for services ordered, rendered and accepted on a monthly basis. Each statement must disclose, at a minimum, the date of the service, the identity of the lawyer or staff person performing the service, the subject matter reference for the service, a description of the service performed, the time it took to perform that function, and the hourly rate for the individual performing the function. Litigation expenses invoiced shall be segregated to identify costs associated with individual cases. Expense items must be itemized. Billings may be subject to external review. (See Attachment B)

F. Insurance Requirements

The prospective appointee shall provide Certificates of Insurance coverage as listed below and shall be provided by insurer(s) licensed to do business in the Commonwealth of Massachusetts. Said insurance shall be provided at the Contractor's expense and shall be in full force and effect during the full term of this Contract.

Certificates evidencing that such insurance are in full force and effect shall be delivered to the Town simultaneously with the final execution of this contract, and renewal certificates will be provided annually throughout the contract term. Failure to do so shall constitute a material breach of this contract and be grounds for immediate termination. The Town reserves the right to modify these insurance requirements.

The Contractor's Liability Policies shall be so written that the Town will be notified of cancellation at least thirty (30) days prior to the effective date of such cancellation, and shall include:

- 1. Lawyers Professional Liability of at least \$1,000,000/occurrence / \$3,000,000 aggregate,

The Town of Townsend shall be named as **"Additional Insured"** for the following:

- 2. Workers' Compensation Insurance as required by law,
- 3. General Liability of at least \$1,000,000 Bodily Injury and Property Damage Liability, Combined Single Limit with a \$3,000,000 Annual Aggregate Limit,
- 4. Vehicle Liability of at least \$1,000,000 Bodily Injury and Property Damage Liability per accident.

IV. FEES AND EXPENSES

The Town is committed to containing legal costs and wishes to understand the basis on which the responding attorneys propose fees and expenses. Any attorney/law firm wishing to be considered for appointment may submit with its application alternative proposals to the traditional hourly rate arrangement. For example, responding attorneys may propose a fixed retainer for a specified scope of services with an hourly rate for work outside the established scope of services, or a fixed cost for a set number of hours per month. Towards this end, responding attorneys are encouraged to clearly outline how they might assist the Town in containing legal costs. Any single expense/disbursement exceeding \$500 requires prior approval from the Town Administrator.

If a minimum annual contract is proposed, define what would be included in such an arrangement. Responding attorneys should feel free to be creative in this regard so long as the proposal is workable and reasonable.

Whether or not an alternative fee arrangement is proposed by the responding attorney, the attached fees and expenses response sheet must be filled out completely.

The Town seeks pricing structure proposals for 3 years; however, appointment of Town Counsel is made annually by the Board of Selectmen.

V. SELECTION

In seeking Town Counsel, the Board of Selectmen of the Town of Townsend is not bound by M.G.L. c.30B or by any other constraints apart from the sound judgment of the Selectmen. This process is being used to communicate the desired qualifications of Town Counsel and to solicit information in an orderly fashion for rough comparative purposes.

Ultimately, the Board of Selectmen will select the candidate deemed to be in the best interests of the Town, in its sole discretion. Consequently, the Board of Selectmen and Town of Townsend reserve the right to waive any irregularities in the RFP process and to accept or reject any or all proposals. It is anticipated that the selection process will conclude by December 2017.

VI. SUBMISSION OF TECHNICAL AND PRICE PROPOSALS

All Proposers must ensure that submittals are made as specified below.

The submittal shall discuss the **Technical Qualifications and Approach** that the Proposer offers, including **Price** information and be in a sealed envelope clearly marked:

“Technical and Price Proposal for Provision of Town Counsel Services”

One original Technical and Price Proposal signed by the Proposer, seven (7) copies and one (1) electronic copy are required and must be received no later than **November __, 201 at 2:00 p.m.** Any proposal received after that time and date will not be accepted.

Technical and Price Proposals to:
Town of Townsend,
Townsend Town Hall
272 Main Street
Townsend, Massachusetts 01469

Electronic copies must be in PDF format and provided either on media or sent via email to jkreidler@townsend.ma.us.

Addenda to RFP

If the Town determines to respond to any questions submitted or to amend the RFP in response thereto, the Town will do so in the form of an Addendum to the RFP issued no later than **December __, 2017**, with the exception of an addendum to extend the proposal deadline.

Addenda will be sent by e-mail to all persons on record as having registered with current contact information including the name and address of the interested firm or individual, a valid e-mail address, and phone number.

It is the responsibility of all Respondents to register with the Town Administrator's office to receive any addenda that may be issued. Notwithstanding the foregoing, it is the RFP Respondent's responsibility to ensure that it has obtained all RFP Addenda issued prior to the submission deadline.

CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this bid, or proposal, has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signature of Individual, or
Corporation Name _____
By: _____

Corporate Officer & Title (if applicable) _____

TAX COMPLIANCE CERTIFICATION

Pursuant to M.G.L. Chapter 63C, Section 49A, I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Federal Identification Number: _____

Signature of Individual: _____

Name of Business: _____

CERTIFICATE OF AUTHORITY

I (Name of Officer), certify that I am the _____ (Title) of the Corporation named as Proposer in the within Proposal; that _____ (Name of Officer signing form) who signed said Proposal on behalf of the Submitter was then _____ (Title) of said Corporation; that I know his/her signature and that his/her signature is genuine and that said Proposal was duly signed, sealed and executed for and on behalf of said Corporation by authority of its governing body.

ATTEST: _____

AFFIX CORPORATE SEAL

Instruction: This certificate must be completed where Proposer is a Corporation, and should be so completed by its Clerk. In the event that the Clerk is the person signing the Proposal for the Corporation, this certificate must be countersigned by another Officer of the Corporation.

ATTACHMENT A – RFP RESPONSE

**RESPONSE FOR TOWN OF TOWNSEND TOWN COUNSEL SERVICES
REQUEST FOR PROPOSALS**

Name of Lead Attorney/ Town Counsel: _____

BBO#: _____

Name of Firm: _____

Street Address: _____

City, State, Zip: _____

Telephone: _____

Fax Number: _____

Email: _____

Website: _____

ATTACHMENT B – RFP FINANCIAL INFORMATION

**RESPONSE FOR TOWN OF TOWNSEND TOWN COUNSEL SERVICES
FINANCIAL INFORMATION REQUEST FOR PROPOSALS**

Fees and Expenses Response Sheet

(Answer on a separate sheet to be attached to and made a part of the overall Response to the RFP)

1. Please list the name and hourly rate for proposed lead Town Counsel and for each attorney intended or likely to serve as back-up, as well as each member of the team.
2. If you propose to bill for services provided by paralegals, clerical staff, or other non-attorney personnel, please list by title and by hourly rate each position for whom you may bill.
3. Please provide a complete listing of all charges for expenses you intend to impose as incurred (i.e., any and all copy charges, telephone charges, fax charges, mileage charges and the like, but excluding any fees for stenographers, court fees, service fees and the like).
4. In what hourly increments do you intend to bill?
5. Do you bill out attorney time out of the office on a portal-to-portal basis or some other basis? Please describe.
6. Please describe any proposed alternative fee arrangement.
7. For each city or town you represent list the legal budget (broken down) the last five years and the actual amount spent that year, with an explanation for any substantial differences.
8. For each city and town, describe cost containment procedures you have implemented to keep the legal budget reasonable and cost effective.

ATTACHMENT C – MUNICIPAL LAW EXPERIENCE CHECKLIST
MUNICIPAL LAW EXPERIENCE CHECKLIST

(To be completed for each team member)

Rate your experience within the last five years in the following areas of municipal law using the scale below.

- 1. No experience
- 2. Limited experience
- 3. Moderate experience
- 4. Advanced experience
- 5. Extensive experience

- General Municipal Law, established under Massachusetts General Law and case law;
- Municipal Finance;
- Town bylaws and regulations;
- Open Meeting, public record, executive session, conflicts of interest law;
- Zoning and land use issues;
- Real estate issues: acquisitions, sales, eminent domain, easements, leases, foreclosures, auctions, tax takings; licenses; conservation and agricultural restrictions; right-of- first refusal;
- Town Meeting: drafting and review of warrant articles and motions, advice on issues before and at Town Meeting;
- Drafting and monitoring special legislation;
- Public bidding, public construction, and municipal procurement issues including lease-purchasing of equipment and contract approval;
- Affordable Housing: MGL. c. 40B; MGL c. 44, s. 55C (Municipal Housing Trusts);
- Subdivision Control law;
- Community Preservation Act;
- Wetlands regulation;
- Environmental issues;
- Elections law and procedures;
- Licensing;
- Appellate Tax Board matters;
- Insurance Coverage issues;
- First Amendment free speech issues;
- Litigation: all courts, including appellate level, and administrative agencies.

ATTACHMENT D – STATEMENT OF LITIGATION EXPERIENCE
STATEMENT OF LITIGATION EXPERIENCE

(To be completed for each team member)
Rate your experience within the last five years practicing before the following Courts, Boards and Commissions based on the scale listed below.

- 1. No experience**
- 2. Limited experience**
- 3. Moderate experience**
- 4. Advanced experience**
- 5. Extensive experience**

- Trials before State Courts (District, Superior, Land Courts)
- Trials before Federal District Courts
- Appeals before Massachusetts Appeals Court
- Appeals before Massachusetts Supreme Judicial Court
- Arbitration Proceedings
- Mediation Proceedings
- Administrative Proceedings before Massachusetts Appellate Tax Board
- Administrative Proceedings before Massachusetts Department of Environmental Protection
- Administrative Proceedings before the Alcoholic Beverages Control Commission (ABCC)
- Administrative Proceedings before the Housing Appeals Committee
- Administrative Proceedings before Division of Administrative Law Appeals

**TOWN OF TOWNSEND
REQUEST FOR PROPOSALS
RFP #17-10
LABOR COUNSEL SERVICES**

James M. Kreidler, Jr.
Procurement Officer
978.597.1701
jkreidler@townsend.ma.us
October 17, 2017

REQUEST FOR PROPOSALS LABOR COUNSEL SERVICES

Request for Proposals

The Town of Townsend seeks proposals for Labor Counsel Services. Interested firms/applicants should meet or exceed RFP qualifications and be experienced in municipal law and related fields; adhere to standards of professional conduct and ethics; and be committed to rendering sound legal advice with suitable objectivity and professional detachment.

Written and Electronic submissions are required, which are detailed in the RFP. Personal interviews may also be required.

Written and Electronic Proposals are due to: James M. Kreidler, Jr. Procurement Officer, 272 Main Street, Townsend, MA 01469 and jkreidler@town.townsend.ma.us on or before November __, 2017 by 2:00 PM.

For publication on *the MMA website* at www.mma.org/requests-for-proposals

REQUEST FOR PROPOSALS LABOR COUNSEL SERVICES

The Town of Townsend, Massachusetts (the “Town”) is seeking proposals from qualified attorneys or firms for the **Provision of Labor Counsel Services**, in a safe and efficient manner and in compliance with all applicable laws and regulatory requirements. Interested firms/applicants should meet or exceed RFP qualifications and be experienced in labor negotiations, grievance arbitration and labor relations cases and related matters; adhere to standards of professional conduct and ethics; and be committed to rendering sound legal advice with suitable objectivity and professional detachment.

The contract will be for a period of three (3) years.

Firms possessing the necessary qualifications, experience, and technical expertise are invited to submit proposals for the provision of **Labor Counsel Services** in accordance with this RFP and the Proposal Submission requirements detailed in the RFP document.

Sealed proposals shall be submitted consisting of a Technical Proposal and a Price Proposal, as described below, and are due at the Office of the Town Administrator-Procurement Officer, Town of Townsend, 272 Main Street, Townsend, MA 01469 on or before _____, **2017 at 2:00P.M.** Personal interviews may also be required of the finalists.

The appointing authority is the Board of Selectmen.

Any questions regarding this Request for Proposals shall be directed in writing no later than **Friday, November __, 2017, 9:00 A.M.**, to Office of the Town Administrator-Procurement Officer, Town of Townsend, 272 Main Street, Townsend, MA 01469 or jkreidler@townsend.ma.us.

All questions will be answered via addendum to all perspective Proposers. No addenda will be issued within 72 hours of the proposal submission date, with the exception of an addendum to extend the proposal deadline.

I. OBJECTIVE

The Town of Townsend, Massachusetts seeks to appoint a highly qualified attorney or law firm as Labor Counsel. The successful appointee must meet or exceed the qualifications stated herein and, in general, must be readily accessible to those authorized pursuant to the Town of Townsend “Use of Counsel” policy, exceptionally experienced in municipal labor law as further described below, scrupulous in adhering to required standards of professional conduct and ethics, and committed to rendering sound legal advice with suitable objectivity and professional detachment. The contract will be for a period of three (3) years.

II. SCOPE OF LABOR COUNSEL SERVICES

The Town seeks Massachusetts licensed counsel experienced in the following matters:

- Personnel Law;
- Collective Bargaining;
- Grievance Arbitration;
- Disciplinary Hearings;
- Labor Relations Commission matters;
- MCAD matters; and
- All other specialties related to municipal labor law.
- Litigation: all courts, including appellate level, and administrative agencies.

The Town expects Labor Counsel attendance at the following:

- Upon request, be present at BOS meetings or other Town board meetings. BOS meetings are generally held on Tuesday evenings.

The Town expects Labor Counsel to collaborate or consult with Town Counsel and/or Special Counsel if authorized by the town.

III. MINIMUM QUALIFICATIONS

A. Bar Admissions

The prospective appointee and all those who serve as back-up to the prospective appointee (see below) must be a member in good standing of the Massachusetts Bar and of the Federal Bar for the District of Massachusetts.

B. Experience

The prospective appointee must represent or have represented as Labor Counsel (or functional equivalent) a minimum of one Massachusetts municipality for no less than five years; or represented other Massachusetts municipalities in specific areas of municipal labor law; or possess equivalent experience. References must be furnished for all municipalities represented currently or within the past ten years by the prospective appointee.

C. Accessibility and Accountability

The prospective appointee must commit to be available for frequent contact either through in person meetings or via telephone or email, responding to all communications from authorized officials either himself / herself or through a qualified back up attorney within 24 hours of the call / email. The prospective appointee must be accessible to authorized Town staff.

The Town Administrator's Office manages requests for Labor Counsel legal advice. The prospective appointee must also commit, as a general rule, to responding to requests for written opinions within one week unless the circumstances of the opinion warrant a shorter or longer time frame for a response. The prospective appointee must commit to preparing a brief written summary each month of all open issues and to preparing a report for the Town's Annual Report at no cost to the Town.

D. Back-up

The prospective appointee must have within his or her firm or through an established relationship at least one other qualified attorney, who is specifically assigned as a back-up for Townsend, and who is available to render advice and otherwise represent the interests of the Town of Townsend when the prospective appointee is unavailable. In this context, "qualified attorney" shall mean another lawyer who substantially meets the minimum qualifications set forth herein for the prospective appointee.

E. Billing

The prospective appointee must commit to providing a summary of legal services rendered and invoices for services ordered, rendered and accepted on a monthly basis. Each statement must disclose, at a minimum, the date of the service, the identity of the lawyer or staff person performing the service, the subject matter reference for the service, a description of the service performed, the time it took to perform that function, and the hourly rate for the individual performing the function. Litigation expenses invoiced shall be segregated to identify costs associated with individual cases. Expense items must be itemized. Billings may be subject to external review. (See Attachment B)

F. Insurance Requirements

The prospective appointee shall provide Certificates of Insurance coverage as listed below and shall be provided by insurer(s) licensed to do business in the Commonwealth of Massachusetts. Said insurance shall be provided at the Contractor's expense and shall be in full force and effect during the full term of this Contract.

Certificates evidencing that such insurance are in full force and effect shall be delivered to the Town simultaneously with the final execution of this contract, and renewal certificates will be provided annually throughout the contract term. Failure to do so shall constitute a material breach of this contract and be grounds for immediate termination. The Town reserves the right to modify these insurance requirements.

The Contractor's Liability Policies shall be so written that the Town will be notified of cancellation at least thirty (30) days prior to the effective date of such cancellation, and shall include:

1. Lawyers Professional Liability of at least \$1,000,000/occurrence / \$3,000,000 aggregate,

The Town of Townsend shall be named as **"Additional Insured"** for the following:

2. Workers' Compensation Insurance as required by law,
3. General Liability of at least \$1,000,000 Bodily Injury and Property Damage Liability, Combined Single Limit with a \$3,000,000 Annual Aggregate Limit,
4. Vehicle Liability of at least \$1,000,000 Bodily Injury and Property Damage Liability per accident.

IV. FEES AND EXPENSES

The Town is committed to containing legal costs and wishes to understand the basis on which the responding attorneys propose fees and expenses. Any attorney/law firm wishing to be considered for appointment may submit with its application alternative proposals to the traditional hourly rate arrangement. For example, responding attorneys may propose a fixed retainer for a specified scope of services with an hourly rate for work outside the established scope of services, or a fixed cost for a set number of hours per month. Towards this end, responding attorneys are encouraged to clearly outline how they might assist the Town in containing legal costs. Any single expense/disbursement exceeding \$500 requires prior approval from the Town Administrator.

If a minimum annual contract is proposed, define what would be included in such an arrangement. Responding attorneys should feel free to be creative in this regard so long as the proposal is workable and reasonable.

Whether or not an alternative fee arrangement is proposed by the responding attorney, the attached fees and expenses response sheet must be filled out completely.

The Town seeks pricing structure proposals for 3 years; however, appointment of Town Counsel is made annually by the Board of Selectmen.

V. SELECTION

In seeking Labor Counsel, the Board of Selectmen of the Town of Townsend is not bound by M.G.L. c.30B or by any other constraints apart from the sound judgment of the Selectmen. This process is being used to communicate the desired qualifications of Labor Counsel and to solicit information in an orderly fashion for rough comparative purposes.

Ultimately, the Board of Selectmen will select the candidate deemed to be in the best interests of the Town, in its sole discretion. Consequently, the Board of Selectmen and Town of Townsend reserve the right to waive any irregularities in the RFP process and to accept or reject any or all proposals. It is anticipated that the selection process will conclude by December 2017.

VI. SUBMISSION OF TECHNICAL AND PRICE PROPOSALS

All Proposers must ensure that submittals are made as specified below.

The submittal shall discuss the **Technical Qualifications and Approach** that the Proposer offers, including **Price** information and be in a sealed envelope clearly marked:

“Technical and Price Proposal for Provision of Labor Counsel Services”

One original Technical and Price Proposal signed by the Proposer, seven (7) copies and one (1) electronic copy are required and must be received no later than **November __, 201 at 2:00 p.m.** Any proposal received after that time and date will not be accepted.

Technical and Price Proposals to:

Town of Townsend,
Townsend Town Hall
272 Main Street
Townsend, Massachusetts 01469

Electronic copies must be in PDF format and provided either on media or sent via email to jkreidler@townsend.ma.us.

Addenda to RFP

If the Town determines to respond to any questions submitted or to amend the RFP in response thereto, the Town will do so in the form of an Addendum to the RFP issued no later than **December __, 2017**, with the exception of an addendum to extend the proposal deadline.

Addenda will be sent by e-mail to all persons on record as having registered with current contact information including the name and address of the interested firm or individual, a valid e-mail address, and phone number.

It is the responsibility of all Respondents to register with the Town Administrator's office to receive any addenda that may be issued. Notwithstanding the foregoing, it is the RFP Respondent's responsibility to ensure that it has obtained all RFP Addenda issued prior to the submission deadline.

CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this bid, or proposal, has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signature of Individual, or
Corporation Name _____
By: _____

Corporate Officer & Title (if applicable) _____

TAX COMPLIANCE CERTIFICATION

Pursuant to M.G.L. Chapter 63C, Section 49A, I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Federal Identification Number: _____

Signature of Individual: _____

Name of Business: _____

CERTIFICATE OF AUTHORITY

I (Name of Officer), certify that I am the _____ (Title) of the Corporation named as Proposer in the within Proposal; that _____ (Name of Officer signing form) who signed said Proposal on behalf of the Submitter was then _____ (Title) of said Corporation; that I know his/her signature and that his/her signature is genuine and that said Proposal was duly signed, sealed and executed for and on behalf of said Corporation by authority of its governing body.

ATTEST: _____

AFFIX CORPORATE SEAL

Instruction: This certificate must be completed where Proposer is a Corporation, and should be so completed by its Clerk. In the event that the Clerk is the person signing the Proposal for the Corporation, this certificate must be countersigned by another Officer of the Corporation.

ATTACHMENT A – RFP RESPONSE

**RESPONSE FOR TOWN OF TOWNSEND LABOR COUNSEL SERVICES
REQUEST FOR PROPOSALS**

Name of Lead Attorney/ Labor Counsel: _____

BBO#: _____

Name of Firm: _____

Street Address: _____

City, State, Zip: _____

Telephone: _____

Fax Number: _____

Email: _____

Website: _____

ATTACHMENT B – RFP FINANCIAL INFORMATION

**RESPONSE FOR TOWN OF TOWNSEND LABOR COUNSEL SERVICES
FINANCIAL INFORMATION REQUEST FOR PROPOSALS**

Fees and Expenses Response Sheet

(Answer on a separate sheet to be attached to and made a part of the overall Response to the RFP)

1. Please list the name and hourly rate for proposed lead Labor Counsel and for each attorney intended or likely to serve as back-up, as well as each member of the team.
2. If you propose to bill for services provided by paralegals, clerical staff, or other non-attorney personnel, please list by title and by hourly rate each position for whom you may bill.
3. Please provide a complete listing of all charges for expenses you intend to impose as incurred (i.e., any and all copy charges, telephone charges, fax charges, mileage charges and the like, but excluding any fees for stenographers, court fees, service fees and the like).
4. In what hourly increments do you intend to bill?
5. Do you bill out attorney time out of the office on a portal-to-portal basis or some other basis? Please describe.
6. Please describe any proposed alternative fee arrangement.
7. For each city or town you represent list the legal budget (broken down) the last five years and the actual amount spent that year, with an explanation for any substantial differences.
8. For each city and town, describe cost containment procedures you have implemented to keep the legal budget reasonable and cost effective.

ATTACHMENT C – LABOR LAW EXPERIENCE CHECKLIST
MUNICIPAL LABOR LAW EXPERIENCE CHECKLIST

(To be completed for each team member)

Rate your experience within the last five years in the following areas of municipal labor law using the scale below.

- 1. No experience**
- 2. Limited experience**
- 3. Moderate experience**
- 4. Advanced experience**
- 5. Extensive experience**

- Personnel Law;
- Collective Bargaining;
- Grievance Arbitration;
- Disciplinary Hearings;
- Labor Relations Commission matters;
- MCAD matters; and
- All other specialties related to municipal labor law.

ATTACHMENT D – STATEMENT OF LITIGATION EXPERIENCE
STATEMENT OF LITIGATION EXPERIENCE

(To be completed for each team member)
Rate your experience within the last five years practicing before the following Courts, Boards and Commissions based on the scale listed below.

- 1. No experience**
- 2. Limited experience**
- 3. Moderate experience**
- 4. Advanced experience**
- 5. Extensive experience**

- Trials before State Courts (Superior Court)
- Trials before Federal District Courts
- Appeals before Massachusetts Appeals Court
- Appeals before Massachusetts Supreme Judicial Court
- Arbitration Proceedings
- Mediation Proceedings
- Administrative Proceedings before Division of Administrative Law Appeals

Nashua River "Wild and Scenic" River Study Committee

Sections of the Nashua, Squannacook, and Nissitissit Rivers

www.WildandScenicNashuaRivers.org

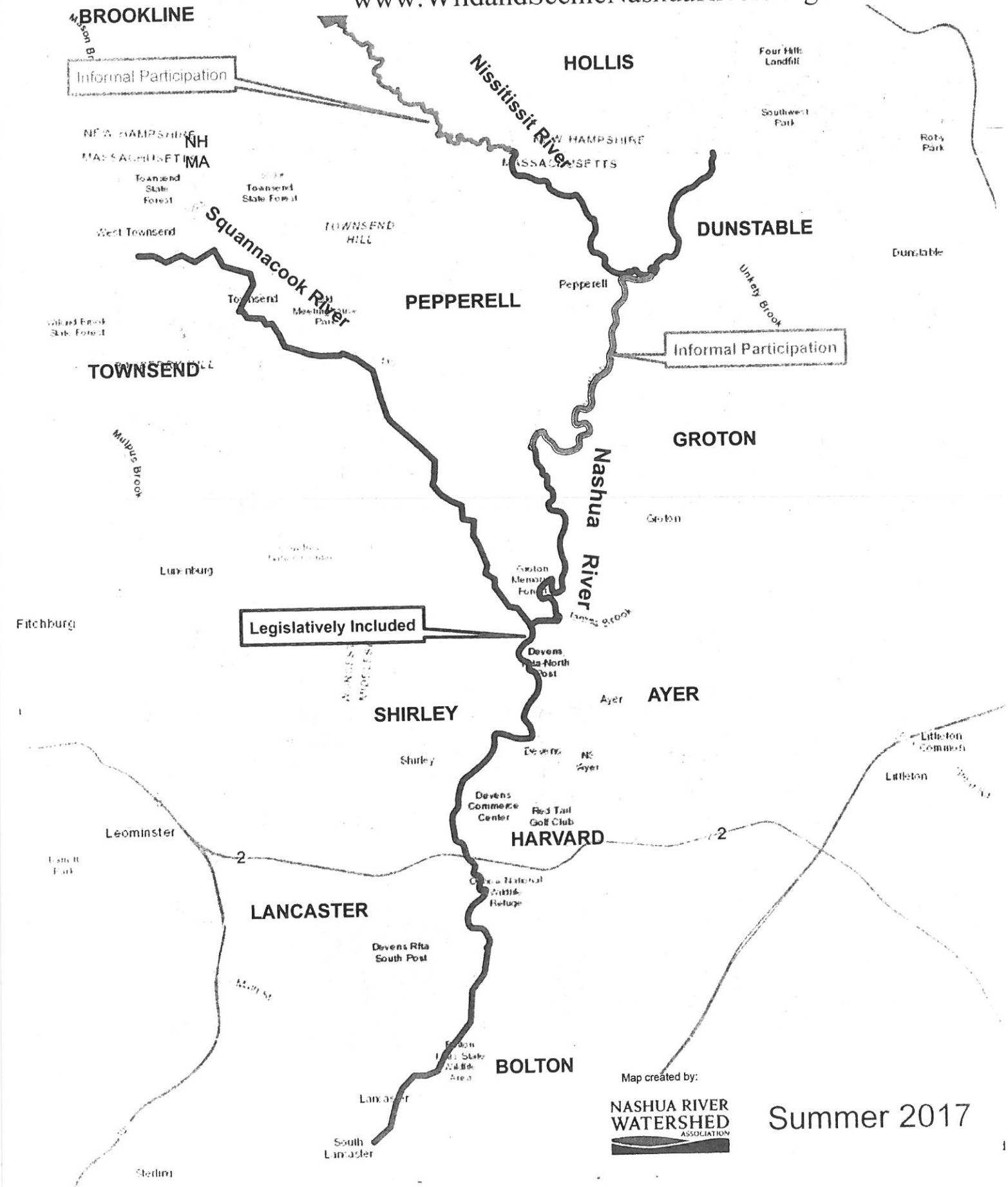
- The National Park Service Partnership Wild and Scenic Rivers Program is dedicated to protecting nationally significant river resources through locally based partnerships.
- Legislation sponsored by U.S. Congresswoman Nikki Tsongas was signed into law on December 19, 2014 which authorized the study.
- The Nashua, Nissitissit, and Squannacook Rivers are an essential part of our region's culture, character, & history. They are also an essential part of our future.
- Currently, eight Massachusetts communities along the Nashua, Nissitissit, and Squannacook Rivers are working together on a planning process with local groups and state & federal agencies. Our mission is to craft a vision for the future of these rivers, to consider their eligibility and suitability to be part of the National Wild & Scenic River System, and to determine how these rivers should best be managed in order to protect water quality and outstanding values such as biological diversity, recreation, and cultural & historical resources.
- Upon completion of the three-year planning process, if participating communities vote affirmatively, the US Congress will be asked to designate the rivers as Partnership Wild and Scenic Rivers.
- This process will result in the formation of strong local partnerships and will build public awareness, appreciation of these rivers, and support for the voluntary, locally based management plans to be developed as part of the study. The goal is to protect our shared outstandingly remarkable resources for the future as well as attract public and private funding to enhance public enjoyment of these rivers.



The Nashua, Squannacook, and Nissitissit Rivers- photos by Cindy Knox Photography

Nashua River "Wild and Scenic" River Study Committee
Sections of the Nashua, Squannacook, and Nissitissit Rivers

www.WildandScenicNashuaRivers.org



Map created by:
**NASHUA RIVER
WATERSHED
ASSOCIATION**

Summer 2017



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

Gordon Clark, *Chairman*
James M. Kreidler, Jr.,
Town Administrator

Cindy King, *Vice-Chairman*

Sue Lisio, *Clerk*
(978) 597-1701

SELECTMEN'S MEETING MINUTES
OCTOBER 3, 2017 6:00 P.M. SELECTMEN'S CHAMBERS, TOWN HALL
272 MAIN STREET, TOWNSEND, MA

I. PRELIMINARIES - VOTES MAY BE TAKEN:

1.1 GC called the meeting to order at 6:00P.M.

Roll call vote showed 2 members present: Chairman Gordon Clark, (GC) and Clerk, Sue Lisio (SL). GC explained that Ms. King has requested a delay to allow for a ceremony she was participating in. SL moved to recess the meeting until 6:30P.M.

GC called the meeting back to order at 6:45P.M.

Roll call vote taken showed 3 members present, Chairman Gordon Clark (GC), Vice-Chair Cindy King (CK) and Clerk Sue Lisio (SL)

1.2 Pledge of Allegiance

GC asked for a moment of silence in honor of Mr. John Whittemore.

1.3 GC announced the meeting is being tape recorded.

1.4 GC announced the following were added or deleted from the original agenda. SL asked to remove agenda item under 5.2 MSBA update.

- **Vote to take 3.1 out of order.**
- **Table agenda item 2.1 until the next regularly scheduled Selectmen's meeting.**
- **Change meeting time for agenda item 2.2 to 7:30P.M.**
- **5.1.8 Approve hiring of Conservation Agent.**
- **5.1.9 Fire Substation Project notice to proceed.**
- **5.3 Add approval of meetings for April 25, 2017**

CK apologized to the audience for being late, explaining as past Commander of the VFW she participated in the ceremony for John Whittemore.

II. APPOINTMENTS AND HEARINGS - VOTES MAY BE TAKEN:

~~2.1 6:30 P.M. Mark Mercurio, Facilities Maintenance Supervisor RE: Dept. Head Update.~~

2.2 **7:30 P.M.** Joan Landers, North Middlesex Regional School District Superintendent RE: Solar Panel installation for the new High School located on 19 Main Street.

The Board met with Joan Sanders, Superintendent. Ms. Landers explained the process needed to install the solar panels on the new high school, further explaining the need to declare the rooftop as surplus.

SL moved to approve the use do the surplus roof space at the North Middlesex Regional High School for the purpose if installing and operating for a period of at least 20 years a new rooftop solar energy system for the benefit of the North Middlesex Regional School District. CK seconded. Unanimous vote.

Ms. Landers informed the Board there's a community open house for the new high school scheduled and the students themselves will lead tours. Ms. Landers reminded the Board of the ribbon cutting ceremony. SL asked the dates be added to the Town's website.

III. APPOINTMENTS OF OFFICIALS/PERSONNEL – VOTES MAY BE TAKEN:

3.1 Discussion RE: Appointment Permanent Police Chief and Deputy Police Chief.

GC read the agenda item as below:

Permanent Police Chief- As per the discussion and prior vote of the Board, the position of permanent Police Chief was posted. Current Interim Chief of Police, Rick Bailey was the lone applicant. Interim Chief Bailey's cover letter and resume are enclosed for your review and consideration. It is the Town Administrator's strong recommendation that the Board appoint Interim Chief Bailey to the position of Permanent Chief of Police of the Townsend Police Department and to enter into executive session to negotiate the terms and conditions of an employment contract.

GC then opened the discussion to his Board members for questions or comments to Chief Bailey; who was in attendance in order to answer any questions. SL inquired as to why the Hollis NH website still had Chief Bailey as an Officer on the force. Mr. Kreidler reminded the Board they did approve a Section 19 waiver from MGL Chapter 268 at the last meeting with the condition he would discontinue his work for that department.

Additional discussion included: posting timeline, probationary period, negotiations, process used when hired as Interim, and job responsibilities.

SL moved to appoint Mr. Richard Bailey as Police Chief for the town of Townsend for the position of permanent Police Chief and to have an executive session for negotiation of the contact and the appointment is contingent upon successful negotiations. CK seconded. Unanimous vote.

GC read the agenda item as below:

Deputy Chief Position- As per the discussion and prior vote of the Board, the position of Deputy Chief was posted. We received a number of very high quality applicants and Interim Chief Bailey interviewed three (3) candidates. It is Interim Chief Bailey's strong recommendation that the Board consider the appointment of Mr. James Sartell of Brookline, NH to the position of Deputy Chief of the Townsend Police Department. Further, it is the recommendation of the Chief and the Town Administrator that if such an appointment is made that the Board enter into executive session to discuss a memorandum of agreement with the Deputy Chief.

Mr. Kreidler gave a synopsis of the process used to recruit and recommend Mr. James Sartell to the position of Deputy Chief.

Discussion included: number of applicants (27) and interviews (3), certification requirements and process for NH Officers, professional relationship between the Chief and Mr. Sartell, service background, role of Chief in Hollis and what areas of responsibility in comparison to Townsend, regional dispatch, and family life.

SL moved to appoint Mr. James Sartell to the position of Deputy Chief to the Townsend Police Department contingent upon successful negotiations with a memorandum of understanding.

3.1.1 May enter into executive session pending outcome of agenda item 3.1
Executive Session pursuant to GL c. 30A, s. 21(a)(2) to discuss strategy or to conduct negotiations with non-union personnel with respects to the Police Chief and Deputy Chief.

SL requested the board address agenda item 2.2 prior to entering executive session. The Board did not address 2.2 prior.

CK moved to enter into executive session pursuant to GL c. 30A, s. 21 (a) (2) to discuss strategy or to conduct negotiations with non-union personnel with respects to the Police Chief and the Deputy Chief. GC seconded. Roll call vote: GC (YES), CK (YES), SL (NO)

SL moved to enter back into open session at 8:20P.M. GC seconded. Roll Call Vote: GC (YES), CK (YES), and SL (YES)

SL moved to approve the MOA with Mr. James Sartell as presented with the modifications agreed to during discussion in the executive session and the Board execute the MOU and sign out of session. CK seconded. Unanimous vote.

- 3.2 SL moved to appoint Dolores Farese to TEMA (Townsend Emergency Management Agency) for a three-year term effective October 3, 2017 to June 30, 2020. CK seconded. Unanimous vote.
- 3.3 SL moved to appoint Amelia Gentry to TEMA (Townsend Emergency Management Agency) for a three-year term effective October 3, 2017 to June 30, 2020. CK seconded. Unanimous vote.

IV. MEETING BUSINESS - VOTES MAY BE TAKEN:

- 4.1 The Board reviewed the award declaration (see attached) SL moved to accept the award in the amount of \$7,200.00 from the Department of Environmental Protection for Townsend’s Recycling Dividends Fund under the Sustainable Materials Recovery Program and to authorize James M. Kreidler, Town Administrator to sign the award. CK seconded. Unanimous vote.
- 4.2 SL moved approve the permit to cross, alter, and/or construct within a town way, for Unitol to install a bond cable across the gas main located on Emery Road. CK seconded. Unanimous vote.

- 4.3 SL moved to approve the permit to cross, alter, and/or construct within a town way, for Unitil to replace existing test station located on Depot Road.
- 4.4 SL moved to approve the permit to cross, alter, and/or construct within a town way, for Unitil to replace existing test station located on Riverbank Street.
The Board signed all three cross, alter, and/or construct within a town way permits (see attached)
- 4.5 The Board reviewed the applications (see attached) SL moved to approve and sign the one-day liquor licenses for Terri Roy on behalf of the V.F.W. Post #6538, 491 Main Street on:
- November 18, 2017 in conjunction with a Birthday Party located at the V.F.W. Post #6538, 491 Main Street with sale hours from 7:00P.M. to 11:00P.M.
 - October 14, 2017 in conjunction with a Wedding Reception located at the V.F.W. Post #6538, 491 Main Street with sale hours from 7:00P.M. to 11:00P.M.
 - November 11, 2017 in conjunction with a 25th Wedding Anniversary Party located at the V.F.W. Post #6538, 491 Main Street with sale hours from 7:00P.M. to 11:00P.M.

CK seconded. Unanimous vote. The Board signed the license applications and permits.

V. WORK SESSION - VOTES MAY BE TAKEN:

5.1 Town Administrator updates and reports.

5.1.1 Open Meeting Law Update (see enclosed)

Mr. Kreidler reviewed the changes with the Board as attached.

5.1.2 Town Hall Position Switch- Executive Assistant and Assistant Town Clerk

Mr. Kreidler informed the Board and the public of the switch.

5.1.3 Police Station Painting Project Update

Mr. Kreidler informed the Board; the I.F.B. has been issued and advertised. Bids are due back on October 16, 2017.

5.1.4 Public Authority Towing Bid Process

Mr. Kreidler informed the Board he would be doing a request for quotes; further explaining the town has never had a bid process for towing. He also relayed that putting the process in place will aid in protecting the town from liability as all drivers need to CORI checks performed.

5.1.5 Town Equipment Auto body Bid Process

Mr. Kreidler informed the Board he would also be sending out an R.F.Q. so all departments would use the same vendor, further explaining how the insurance claim process works.

5.1.6 Town Equipment Mechanical Work Bid Process

This agenda item was covered under 5.1.5 and the process to be the same.

5.1.7 Operational Organizational Chart- DRAFT (see enclosed)

The Board reviewed the chart (see attached) Mr. Kreidler explained the lines of authority and the need to have the chart finalized for GFOA submission with the

other budget related documentation as worked on with the Collins Institute for best practices. SL stated she need clarification on the administrative and policy lines. GC asked SL to work with Mr. Kreidler on any changes and bring back to the next meeting for approval.

5.1.8 Approve the hiring of David Henkels as Conservation Agent.

SL moved to approve the hiring of David Henkels as Conservation Agent for the Town of Townsend effective October 3, 2017 contingent upon the passing of a medical exam and a C.O.R.I. check with a one-year probationary period. CK seconded. Unanimous vote.

5.1.9 Fire Substation Project notice to proceed.

Mr. Kreidler explained the lowest bidder was rejected due to responsive issues that both he and the Fire Chief are working with Town Counsel on.

The Board reviewed the notice to award, process, and the agreement (see attached)

SL moved to send the notice of award and notice to proceed to Soulieria & Zepka Construction Corp, 5 Spring Street, Adams MA for the project no 10-03-17 for the Fire Substation project, contract no 10-03-17-01 with the contract price of \$1,344,000.00, alternate 1 \$26,400.00, #2 N/A, #3 \$13,400.00, #4 32,240.00, #5 4,000.00, #6 4,250.00. CK seconded. Unanimous vote.

5.2 Board of Selectmen announcements, updates, and reports.

- Selectman Lisio
 - Town wide Policy Review and Update Discussion
SL informed the members she would like to review and update the policies. GC asked SL to work with Mr. Kreidler.
 - Opioid Crisis Discussion- Police Plans, Educational Sessions, etc.
SL relayed her thoughts and concerns regarding the opioid crisis and spoke with Chief Bailey (in attendance) about the Townsend Police Department plan to address the drug problem in Townsend.
 - ~~North Middlesex Regional High School Building Update MSBA~~
- Selectman King
Informed the Board she attended a workshop/seminar along with the Planning Board Administrator regarding the new recreation marijuana laws and how the town can plan properly for them.
- Selectman Clark
Mr. Clark stated he would address his updates at the next meeting due to the late hour.

5.3 SL moved to approve the regular meeting minutes for September 19, 2017 and April 25, 2017. CK seconded. Unanimous vote.

SL asked to Board if they would table the approval of the Executive session minutes until the next meeting. The members agreed to table.

5.4 SL moved to approve and sign the bills payable warrant out of session. CK seconded. Unanimous vote.

VI: EXECUTIVE SESSION - VOTES MAY BE TAKEN:

SL moved to enter into executive session pursuant to GL c. 30A, s. 21(a)(2) to discuss strategy or to conduct negotiations with non-union personnel with respects to the Police Chief. CK seconded. Roll Call Vote: GC (YES), CK (YES), SL (YES)

SL moved to enter into executive session pursuant to GL c. 30A, s. 21(a)(3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining position or litigating position and the chair so declares regarding: Pending Litigation- Merrill and Union Negotiation- Police and to return to open session. The Chair declared it may have a detrimental effect on the position. CK seconded. Roll Call Vote: GC (YES), CK (YES), SL (YES)

CK moved to dissolve the executive session at 10:45P.M., and return to open session. SL seconded. Roll Call Vote: GC (YES), CK (YES), and SL (YES).

SL moved to approve the contract with Chief Richard Bailey as presented with the modifications agreed to during executive session and that the Board execute the contract and sign out of session. CK seconded. Unanimous vote.

IV. ADJOURNMENT:

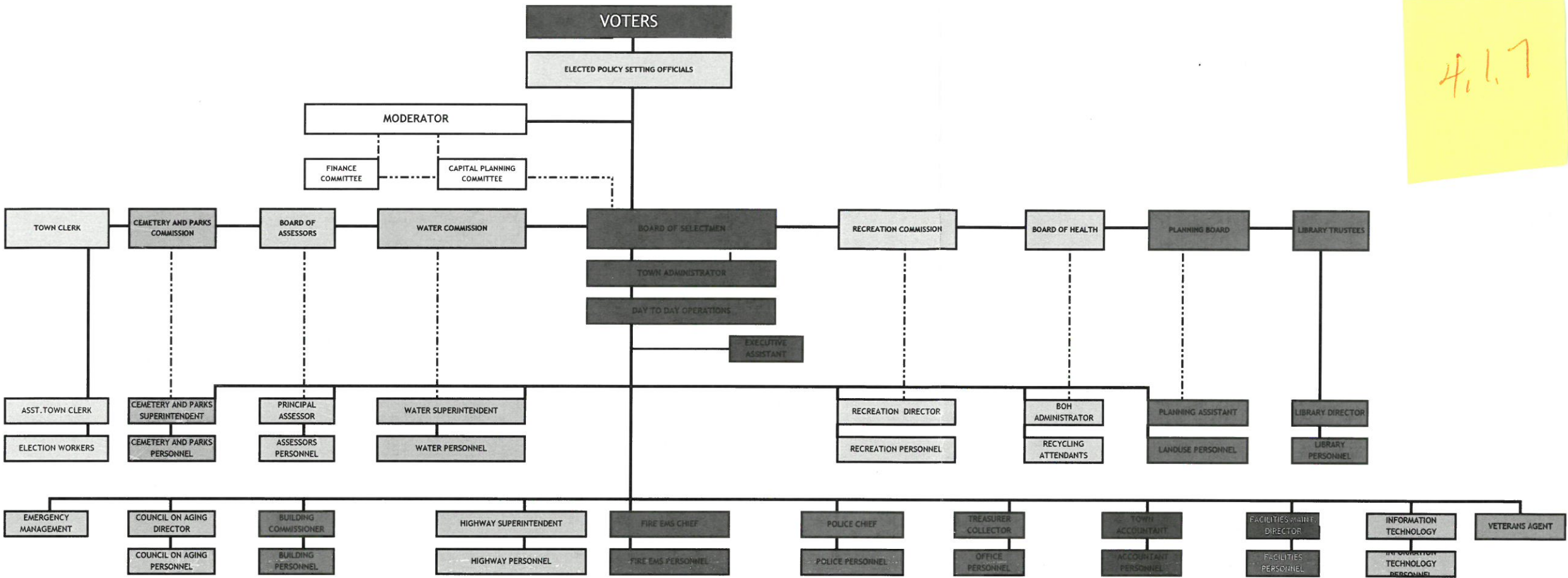
SL moved to adjourn the meeting at 10:49P.M. CK seconded. Unanimous vote.

Respectfully submitted by,

Carolyn Smart
Executive Assistant

*Voted to approve and the meeting minutes of October 3, 2017, by the Board of Selectmen this
_____ day of _____, 2017.*

TOWN OF TOWNSEND - ORGANIZATIONAL CHART- DAY TO DAY ADMINISTRATION - 2017



SOLID LINE EQUALS DIRECT REPORTING PATH

DOTTED LINE EQUALS POLICY COORDINATION

4.1.7

live
except
about
the