



# OFFICE OF THE BOARD OF SELECTMEN

Veronica Kell, *Chairman*  
Wayne Miller, *Vice Chairman*  
Joseph Shank, *Clerk*

James M. Kreidler, Jr.  
Town Administrator

## VIRTUAL SELECTMEN'S MEETING MINUTES FOR FEBRUARY 23, 2021 AT 6:00 P.M.

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

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

Roll call vote showed 3 members present: Chairman, Veronica Kell (VK), Vice-Chairman, Wayne Miller (WM), and Clerk, Joe Shank (JS)

#### 1.2 Pledge of Allegiance

#### 1.3 VK announced the meeting is being tape recorded.

#### 1.4 Chairman's Additions or Deletions.

2.5 VK discussion for the Goods & Services policy for the Shared Streets and Spaces Grant.  
VK to add meeting schedule for work sessions.

#### 1.5 Public Comment Period. (none)

JS received an email regarding unregistered vehicles. JS to assist the Police Chief to review and follow up.

### II. WORK SESSION - VOTES MAY BE TAKEN:

#### 2.1 Discuss/Vote Town Administrator Goals and Objectives for Calendar Year 2021

Mr. Kreidler outlined the following:

- Managing COVID-19 and keeping the government open and services provided in such a way to keep the public and the employees safe.

Mr. Kreidler commented many folks spoke positively to having the Annual & Special Town Meeting outdoors. Recreation was able to get certified by the State for off-site learning.

Care funds provided for:

- Police Department alert system (code red system)
- Electronic messaging board for emergencies
- Scheduling software
- Outdoor event equipment
- PPE, plexiglass, and other protective procedures
- Intercom system
- Barriers/Counters
- Audio/Visual system for Memorial Hall
- Library IT/Structure upgrade

- Mortgage and rental assistance program
- Fire Department equipment and ultrasonic cleaners
- Budget summit and managing the spending freeze.
- Barricades and traffic direction control
- IT upgrades, fire walls, server back-ups, and re-cabling of town hall.
- Collins Center comp/class plan acceptance
- Admin Representative for the Nashoba Valley Dispatch Center
- Implemented Office 365 for all employees.
- New phone system
- Off-site back-up
- Creation of TCAM
- Creation of a Townsend Housing Trust.
- 97 Main Street brownfield with funding approved.
- Sidewalk replacement on the Common.
- On-going labor relations and negotiations
- On-going litigation to include depositions and documentation.

Mr. Kreidler commented it was a team effort to get all the items accomplished.

Going forward:

- Public services under COVID-19 from a health and fiscal perspective
- Continue to work on the grant coordination that has been discussed by the Board in terms of the grant portal to be sure we have a coordinated effort.
- Management of a tight budget
- Quarterly training sessions for employees
- Internships with focus on Land Use, Public Finance, Public Administration

JS Goals:

- Harmony of the town and all departments working together.
- Selectmen's policies & procedures
- Transparent
- Healing
- Consolidating Dispatch with Pepperell & Ashby
- Senior Center Expansion
- Grant writer for organizational purposes
- Cash process
- Support the town employees.

WM:

- Street repair
- More grant money
- Looking forward post COVID and how town meetings are held.
- More Volunteers

VK:

- Union contracts completed.
- All Committees need to be fully staffed.
- All documents in town up to date: Masterplan, Open Space and Recreation Plan, ADA Plan, Energy Masterplan, Water Masterplan, and the MVP Plan
- Improve 365 Office with share documents and Board/Committee email addresses.
- Improve Budget Policy timeline
- Improved communications between Boards to include all Board/Committee meetings

VK to write up goals and objectives and send out to the Board members.

VK another discussion at a future meeting to vote on the goals.

The Board reviewed the evaluation form (see attached). VK would like the smart goals to be used. The Board to discuss at a future work session. VK would like the Board members to write a smart goal that can be measured, obtainable and relevant.

VK to send out an outline of all the goals and objectives that were discussed.

JS: that we make a motion that we have the Chair Veronica to work on the objective and goals with Jim and have them be acceptable and brought back to us. WM seconded. Unanimous vote.

## 2.2 Discuss/Vote Updates to Selectmen Policies and Procedures/ Operating Policies

The Board reviewed the Board Operating Policies & Procedures (see attached).

- 16.02 discusses procedure of policy approval.
- JS would like to shred the policies and start over.
- JS concerned all the power is taken out of the Board's hands and given to Jim.
- JS wants the Board to run the town.
- WM we have made changes to policies commenting it is a living document.
- VK suggested due to the Charter and section 4.2 and that we do need to have operating policies and that shredding them would be a little radical.

Changes to be considered:

- VK: Would like a clearer definition of the day-to-day operations. The Board of Selectmen should always know what is going on in the town.
- VK: When are we the Chief Executives and when are we working individually. It is unclear as to when a Board member can ask things or when there has to be a vote for it.
- JS would like to know when employees are out on disability.

VK read section 1 and all Board members agreed to section 1 (see attached operating policies).

- 16.02 No changes
- 16.03 Board agreed to this section.
- 16.04 VK: (see marked-up copy of policies)

JS: Would like to eliminate last sentence. JS agreed with VK changes.

VK to write up changes and have Town Counsel review and bring back to the Board.

JS suggested have a vote on agreed upon issues and have VK review with Counsel.

WM suggested to use track changes on the word doc with changes and have Town Counsel review.

JS: I will make a motion that we go down these policies and we discuss what we are going to have for change Veronica you are talking notes we are listening to both sides and if we have something we want to say or change and you're writing it down change and send it to Counsel and lets move on. WM seconded. Unanimous vote.

- JS: 16.05 - 4.2 first paragraph last line we need to go into a different direction.
- 16.05 VK: Add after consultation with the Board of Selectmen and a unanimous vote. Clarification of how members can receive and/or discuss information. VK would like the T/A to brief all members.
- 16.06 JS would like support staff to report to the Selectmen as well.  
VK would like support staff functions to be for the Town Administrator and the Board of Selectmen.
- 16.07 No changes
- 16.08 JS basic functions of the Town Administrator are to report the Board.
- VK: See attached mark-up for clarification.
- 16.09 no changes
- 16.10 no changes
- 16.11 no changes
- 16.12 no changes
- 16.13 no changes
- 16.14 no changes
- 16.15 no changes
- 16.16 no changes
- 16.17 JS the Selectmen run the Town with the help of Mr. Kreidler  
JS need to be more specific with executive session and we need to make sure we are very clear and we need to make sure we are going in for the right purpose.
- 16.18 VK would like the agenda sooner, close of business on Tuesday and when we get agenda items and get all the things we need in the packet.  
JS would like something on the agenda if any member asked. VK would like mail and minutes in shared folder.
- 16.19 no changes

- 16.20 VK change the word to statute. Eliminate the last sentence.
- 16.21 no changes
- 16.22 typo no other changes
- 16.23 VK addition to last paragraph.  
JS: back into Town Hall and public input, people need to voice concerns.  
VK added the Town Administrator will inform the Board of Selectmen.
- 16.24 See VK changes (see attached).
- 16.25 no changes
- 16.26 VK take OML out

### 2.3 Discuss/Vote Updates to Townsend Organizational Chart

The Board reviewed the organization chart (see attached).

JS: I make a motion we change the organization chart to have the executive assistant reporting to the Board of Selectmen. WM seconded. Unanimous vote.

### 2.4 Discuss/Vote Warrant articles for ATM- those received and any that the Board wishes to submit.

Mr. Kreidler reviewed the articles and placeholders with the Board received to date (see attached).

Mr. Page, Chairman of the Charter Review Committee requested a placeholder for the charter review.

Mr. Sheldon, TCAM asked for a placeholder for 2 articles.

VK: requested a placeholder for the pavement management plan and a placeholder for the 3% tax for marijuana.

### 2.5 VK discussion for the Goods & Services policy for the Shared Streets and Spaces Grant. Mr. Kreidler and VK to work together for the goods & services on the grant.

VK: Meeting Schedule: February 27, 2021 budget meeting, March 2, 2021, March 13, 2021 budget meeting, and March 16, 2021.

JS I make a motion that we adjourn the regular Selectmen's work session meeting to go 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 or litigation position of the public body and the chair so declares re: AFSCME- Supervisors and will not be returning to open session. WM seconded. Roll call: WM (yes), VK (yes), and JS (yes).

For Detailed Discussion please click here: <https://youtu.be/cwqsubrVgZo>

Respectfully submitted by,

Carolyn Smart  
Executive Assistant

Meeting Minutes for February 23, 2021 released on May 4, 2021.



James M. Kreidler, Jr.  
Town Administrator

## OFFICE OF THE BOARD OF SELECTMEN

Veronica Kell, *Chairman*  
Wayne Miller, *Vice Chairman*  
Joseph Shank, *Clerk*

### VIRTUAL SELECTMEN'S MEETING AGENDA FOR FEBRUARY 23, 2021 AT 6:00 P.M.

Join Zoom Meeting

<https://us02web.zoom.us/j/86155635548?pwd=azZlNE55Yk8zcTlHZUZZMmlOQURNdz09>

Meeting ID: 861 5563 5548

Passcode: 535821

One tap mobile

+13126266799,,86155635548#,,,,\*535821# US (Chicago)

+19292056099,,86155635548#,,,,\*535821# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 861 5563 5548

Passcode: 535821

Find your local number: <https://us02web.zoom.us/j/86155635548?pwd=azZlNE55Yk8zcTlHZUZZMmlOQURNdz09>

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

- 1.1 Call the meeting to order and roll call.
- 1.2 Pledge of Allegiance
- 1.3 Announce the meeting is being tape recorded.
- 1.3 Chairman's Additions or Deletions.
- 1.4 Public Comment Period.

#### II. WORK SESSION - VOTES MAY BE TAKEN:

- 2.1 Discuss/Vote Town Administrator Goals and Objectives for Calendar Year 2021
- 2.2 Discuss/Vote Updates to Selectmen Policies and Procedures/ Operating Policies
- 2.3 Discuss/Vote Updates to Townsend Organizational Chart
- 2.4 Discuss/Vote Warrant articles for ATM- those received and any that the Board wishes to submit

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 or litigating position of the public body and the chair so declares re: AFSCME- Supervisors.

#### VII. ADJOURNMENT:





## TOWN ADMINISTRATOR

### **Position Purpose:**

Performs professional management work overseeing activities of town departments under the jurisdiction of the Board of Selectmen and in accordance with federal, state, local laws and regulations. Is responsible to the Board of Selectmen for the administration of all town affairs placed in his/her; provides executive leadership for the Town in areas of policy formulation, fiscal affairs, labor relations, and organizational development. Performs all other related work as required.

### **Supervision:**

*Supervision Scope:* Performs highly responsible work of a complex nature, requiring the exercise of considerable independent judgment. Provides professional advice to a variety of officials, departments, boards and committees concerning the development, implementation and administration of the policies, goals, regulations, and statutory requirements related to the administration and operation of the Town. Analyzes difficult administrative problems and recommends solutions, managing diverse projects, recommending long and short range goals, motivating and coaching managers, and coordinating the activities of many independent boards, commissions, and departments.

*Supervision Received:* Works under the policy direction of the Board of Selectmen with considerable latitude for independent judgment and action. Assumes responsibility for developing and achieving the department's goals and objectives. Questions are referred to supervisor only when clarification of town policy is needed. Works under the jurisdiction of federal, state and local laws and procedures. Works under the orders and directives received from town meeting.

*Supervision Given:* Supervises and directs the administration of town departments and offices for whose function he/she is responsible. Incumbent is responsible for the day-to-day management of the entire work force under the control of the Board of Selectmen and as otherwise authorized by Board. Hires staff, provides daily direction, and counsels and disciplines staff consistent with town policies.

### **Job Environment:**

Work is generally performed under typical office conditions. Required to work outside of normal business hours and attend frequent evening meetings. Also, may be contacted at home at any time to respond to important situations and emergencies. Incumbent is required to attend numerous meetings with various town boards and committees and is expected to attend social and civic events to represent the Town.

Operates an automobile, computer, telephone, and standard office machines.

Makes frequent and direct contact with local, county, state, regional and federal agencies and officials, the media, community leaders, town employees and department heads, local civic and

Townsend, MA  
Town Administrator  
FLSA: Exempt  
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special interest groups, and the general public. Contacts are in person, by telephone, in writing and via internet. Contacts require considerable persuasiveness, resourcefulness, discretion, and negotiating skills to influence the decisions and behavior of other parties. Contacts involve attendance at meetings and conferences. Incumbent is recognized as a spokesperson for the Town.

Has access to an extensive amount of highly confidential information relating to the Town of Townsend, the disclosure of which may cause serious repercussions. Confidential information may include, but is not limited to, police investigations, labor negotiations, personnel records, contract development, and information about citizens.

Errors in judgment could have continuing adverse effect on the Town's ability to deliver services, result in loss of municipal revenues, have far-reaching legal and financial ramifications, and cause significant adverse public relations.

**Essential Functions:**

*(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.)*

Is Chief Administrative Officer of the Town of Townsend, directly responsible to the Board of Selectmen for the administration of all town affairs placed in his/her charge by the Board. Assists the Board of Selectmen with the formulation of policy and execution of its directives. Manages and supervises departments and offices of the Town to achieve goals within available resources. Plans and organizes workloads and staff assignments. Exercises administrative authority over town departments, commissions, boards, committees, and officers under the jurisdiction of the Board. Trains, motivates and evaluates assigned staff.

Supervises department heads appointed by the Board of Selectmen; provides assistance in program planning, grantsmanship, personnel management, and budget development; makes recommendations to the Board of Selectmen in conjunction with department heads regarding departmental operations.

Establishes and maintains appropriate administrative procedures for the conduct of all affairs under the Board of Selectmen's jurisdiction, and when appropriate, to facilitate the coordination of all town activities.

Provides leadership and direction in the development of short and long range plans; gathers, interprets, and prepares data for studies, reports, and recommendations; coordinates department activities with other departments as needed.

Attends all regular meetings of the Board of Selectmen, and has a voice but not a vote in all of its deliberations. Prepares agendas, sets meetings and correspondence priorities. Brings to the

## CONTRACT

attention of the Board all information relevant to the performance of the Office of the Selectmen. Provides professional advice to the Board of Selectmen and department heads. Makes presentations to boards, commissions, civic groups and the general public. Communicates official plans, policies and procedures to staff and the general public.

Administers the Selectmen's Office by receiving and making appropriate disposition of all correspondence and communications. In conjunction with the Chairperson of the Board, makes all procedural and substantive preparation for the meetings of the Board. Anticipates the needs of the Board for information and background material for setting policy and decisions made by the Board. Ascertains that all decisions of the Board are carried out.

Responds to inquiries, complaints and problems, and provides assistance to department directors, town staff, local and state officials, and business and community leaders, citizens, the news media, and the general public. Resolves the more difficult customer service requests.

Acts as the Board of Selectmen's liaison to town building committees on town-wide construction and other capital projects. Coordinates and supervises the employees and processes of municipal departments under the jurisdiction of the Board of Selectmen who have direct responsibility and accountability in municipal construction projects. Those municipal departments may include, but is not limited to, procurement, public safety, public works, planning, zoning, and inspectional services. May also coordinate efforts with Town Counsel and Town Accountant.

Informs the Board and any other appropriate boards/committees of all relevant statutory and regulatory changes.

May serve as Chairperson of many statutory and *ad hoc* committees; may serve as the Board of Selectmen's designee on other committees and boards.

Engages in a variety of public relations and town-wide coordination activities to ensure support from appropriate public and private constituencies and other institutions and government entities; works with local, county, state, and federal officials to identify and resolve problems, gain support or exchange information.

Informs and advises the Board of Selectmen of trends, problems and activities as appropriate to facilitate policy making; recommends policy, guidelines and operational strategies to board; implements policy options as directed by the Board.

Shapes the policies of the Town's financial plan. Prepares the budget and presents the financial plan to the Board of Selectmen and Finance Committee. Responsible for the development and updating of the capital improvement program. Maintains policy boards' awareness of the Town's financial condition and financial needs. Serves as the Board of Selectmen's representative to the Finance Committee.

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Responsible for the preparation of annual and special town meeting warrants and annual town report. Attends all sessions of the town meeting and provides Selectmen with information to address questions from voters of the Town.

Supervises, directs and coordinates town services under the jurisdiction of the Board of Selectmen; coordinates and cooperates with the Planning Board, Appeals Board, Conservation Commission, Board of Health, and other boards, commissions, and committees.

Coordinates all labor negotiations and grievance procedures as directed by the Board of Selectmen, acts as collective bargaining agent; evaluates and renders advisory decisions to the Board on grievances by employees as required. Mediates grievances and complaints from town employees; represents the Town in grievances and lawsuits.

Serves as the Town's personnel officer; consults with the department heads regarding personnel issues and policies; may propose modifications to Personnel Policies. Makes recommendations regarding vacancies in town offices, department head positions, committees, commissions and boards to be filled by the Board of Selectmen; in cooperation with department heads, recommends hiring and firing and disciplining of town employees.

Works with town boards and commissions in an advisory capacity; provides reports on various town projects; works with regional and state agencies.

Administers procedures for licenses and permits issued by the Board of Selectmen.

Coordinates departmental operational policies, rules, regulations, and procedures, and submits them to the Selectmen for approval.

Coordinates litigation and legal opinions between the Selectmen, Town Counsel, and various boards, departments, committees, and commissions.

Ensures that projects and programs are effectively coordinated by supervising the projects and programs, ensuring that communications are defined amongst officials and employees involved, and reporting to Selectmen on problems encountered.

Conducts regular staff meetings with department heads; reviews program goals and objectives with department heads.

Sees to it that the provisions of general laws, votes of town meetings and of the selectmen, which require enforcement by him/her or officers subject to his/her direction and supervision are faithfully carried out.

## CONTRACT

Reviews budget reports, financial statements, requests for proposals, and other documents; makes recommendations and forwards documents for further action as required. Composes letters, memos, e-mail documents and other materials; writes reports.

Attends county, regional, state, and federal meetings as the representative of the Selectmen.

Maintains knowledge of practices and trends in local government management by attending professional seminars and conferences.

Performs similar or related work as required.

### **Recommended Minimum Qualifications:**

#### **Education, Training and Experience:**

Master's degree in public administration, business management or closely related field; five years of experience as a municipal administrator; experience with town meeting process; or any equivalent combination of education, training and experience.

#### **Special Requirements:**

Valid Massachusetts driver's license.

#### **Knowledge, Ability and Skill:**

**Knowledge:** Thorough knowledge of the principles and practices of public finance, budget management, personnel management, collective bargaining, and intergovernmental relations. Comprehensive knowledge of the functions of municipal government. General understanding of the interaction between local government, state government, and federal government. General knowledge of Massachusetts General Laws as they apply to municipal government. Working knowledge of public administration, practices, and general office procedures. Sufficient knowledge of emerging technologies to recognize its value to the Town.

**Ability:** Ability to plan, organize and direct the preparation of reports, analyze problems, and formulate recommendations. Ability to speak and write effectively. Ability to establish and maintain effective working relationships with all town employees, board/committee members, officials and the general public. Ability to conceptualize and put into operation department and town-wide goals and objectives. Ability to plan, organize, evaluate and control the administration of town programs.

**Skill:** Excellent fiscal and supervisory skills. Skill as a strategic thinker experienced in bringing divergent perspectives to agreement around key public policies and programs. Professional skills related to customer services. Basic skill in utilizing personal computers.

*Townsend, MA  
Town Administrator  
FLSA: Exempt  
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Physical Requirements:

*The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Lifts/moves objects weighing up to 10 pounds, files, and types on a keyboard at a moderate speed. Operates automobile to perform in-town and out-of-town travel to transact town business; travel to night meetings are common place in order to confer with the Board of Selectmen and other town bodies. Regularly conveys information to the public.*

*(This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.)*



Town of Townsend

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FORM

**BOARD OF SELECTMEN  
DEPARTMENT SUPERVISOR PERFORMANCE EVALUATION**

Name: James M. Kreidler, Jr.

Title: Town Administrator

Person Performing Evaluation:

RATING SCALE								
<u>1</u>	<u>/</u>	<u>2</u>	<u>/</u>	<u>3</u>	<u>/</u>	<u>4</u>	<u>/</u>	<u>5</u>
1 – Unsatisfactory			2 – Below Expectations			3 – Meets Expectations		
4 – Exceeds Expectations			5 – Outstanding			N/A – Not Applicable		

**PERFORMANCE EVALUATION CRITERIA**

1. Legislative Relations: 1 / 2 / 3 / 4 / 5
- Responsiveness to and communications with:
    - Board of Selectmen
    - School District (Superintendent/School Committee)
    - Town Officials
    - State Legislative Representatives
  - Provides meeting information when requested
  - Quality of response to various Board's needs and concerns
  - Timeliness of reporting and replies to Board members

Comments:

2. Public Relations/Communications: 1 / 2 / 3 / 4 / 5
- Relations with media
  - Handling public information requests/complaints
  - Relations with other public groups and organizations
  - Public presentations
  - Communication with Town departments relative to town operations including but not limited to state and federal regulations, local general bylaws and Town charter.

Comments:

3. Budget Preparation and Administration: 1 / 2 / 3 / 4 / 5
- Clarity and accuracy of budgetary information
  - Responsiveness to indicated Town needs and policy goals
  - Creativity in developing budgetary alternatives/options
  - Monitoring of budget administration during the year

Comments:

4. Managerial Skills:

1 / 2 / 3 / 4 / 5

- Organization and planning
- Written communications/reports
- Exercises sound judgement during decision making
- Ability to develop alternative options and courses of action
- Creativity/innovation
- Decisiveness

Comments:

5. Direction/Supervision of Town Organizations: 1 / 2 / 3 / 4 / 5

- Leadership provided to employees who he/she as directs supervision over.
- Coordination of programs/activities when applicable
- Adheres to Town/Departmental Policies and other Regulations
- Staff development, growth and recruitment

Comments:

6. Personal and Prof. Growth of the Administrator 1 / 2 / 3 / 4 / 5

- Continuing professional education and development
- Attendance at professional meetings, seminars, and conferences
- Active membership in state and national professional associations

Comments:

7. Productivity and Reliability

1 / 2 / 3 / 4 / 5

- The extent to which the Supervisor is able to complete required tasks in a timely manner.
- The extent to which the Supervisor can be relied upon regarding task completion and follow up work.
- The level of quality of the work performed

Comments:

8. Job Knowledge and Initiative

1 / 2 / 3 / 4 / 5

Comments:

9. Overall Rating:

1 / 2 / 3 / 4 / 5



General Comments:

BOARD OF SELECTMEN

ACKNOWLEDGED BY:

\_\_\_\_\_  
Member, Board of Selectmen

\_\_\_\_\_  
Town Administrator

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_





**TOWN OF TOWNSEND**  
**BOARD OF SELECTMEN**  
**TOWN ADMINISTRATOR PERFORMANCE EVALUATION**

Administrator's Name: James M. Kreidler Title: Town Administrator

Performing Evaluation: Selectboard Date: March 21, 2017

**2017 COMPOSITE PERFORMANCE EVALUATION**

**RATING SCALE**

1 – Unsatisfactory	2 – Below Expectations	3 – Meets Expectations
4 – Exceeds Expectations	5 – Outstanding	
N/A – Not Applicable		

**Composite Numeric Rating**

**4.4**

“Exceeds Expectations 100% of the time.”  
and  
“Outstanding 40% of the time.”

Jim has performed well in his first year as our Town Administrator. There have been many challenges and conflicts that require knowledge, diplomacy, experience and the networking resources to help guide and advise on many complicated responses. Jim is managing a balancing act of communicating with multiple boards and the community oftentimes with multiple competing interests.

Jim's ability to perform and keep this town moving in a positive direction, despite the most difficult of circumstances is nothing short of miraculous. In a time of personal crisis, he still put his responsibility to the community ahead of his own needs. Jim is a true professional and an asset to this community. His verbal and written skills along with his knowledge base are superior. It would have been interesting to see what accomplishments he might have made without all of the political noise and distractions.

After working with Jim for the past 15 months I couldn't be happier that we have him working for us here in Townsend. He's proven time and time again that he's the real deal. I am sad that some people are choosing to try to beat Jim down in order to get their way on their issues. He's tough but he should not have to put up with the level of nonsense he's had to deal with here. Change and accountability are never easy and a lot of the times Administrator's choose the easy way out and they ignore making the hard calls. That's not Jim. If he sees or is told of a problem, he addresses it. It doesn't matter who it is that he needs to address and what potential political danger it might put him in. Right is right and he feels strongly that he has an obligation to do the right thing. Jim's quote to me about this is, “this is where I earn my paycheck and not necessarily my friends.” I look forward to another year with Jim leading and guiding Townsend into a stronger and better place.





## TOWN OF TOWNSEND

### BOARD OF SELECTMEN TOWN ADMINISTRATOR PERFORMANCE EVALUATION

Administrator's Name: James M. Kreidler

Title: Town Administrator

Performing Evaluation: Selectboard

Date: March 6, 2018

#### 2018 COMPOSITE PERFORMANCE EVALUATION

##### RATING SCALE

1 - Unsatisfactory      2 - Below Expectations      3 - Meets Expectations  
4 - Exceeds Expectations      5 - Outstanding  
N/A - Not Applicable

##### Composite Numeric Rating

4.33

"Exceeds Expectations 100% of the time."

"Outstanding 33% of the time."

*GMC.*  
Jim knows more about local and state government than anyone I have ever known in my 40 years in this profession. Whether it is the big picture issues like labor law and finance or even the minor and obscure things like land use and zoning intricacies, he is always on the top of things. What I have found just as important as the knowledge that he possesses is on the rare occasion that he doesn't have an answer at his fingertips he readily says so and commits to get it. I have had the privilege of working with Jim for over two of my three years on the Board of Selectmen and I can honestly say that without his skills, efforts, strength and knowledge I am certain our town would be in a horrible place right now. Whether it is the professionalism and strength he's brought to our financial house or the courage and intellect he has demonstrated in some very difficult personnel matters, I cannot imagine having come through it if not for him. The citizens of Townsend have been exceptionally well served by Jim and I have faith that if he is allowed to continue without interference that we will all look back at Jim's tenure here as the time that Townsend truly turned the corner and reestablished itself as the incredible community it once was.

I have found Jim to be very knowledgeable and easy to talk to. I feel it would have been easier to give specifics and certainly more meaningful to evaluate Jim had the Board given him a list of specific goals and objectives to measure his performance against. I look forward to the upcoming year, to encourage the setting of specific goals, objectives, and priorities with the hope of becoming more proactive, goal-oriented, and to spend less time and attention focused on crisis management.

Jim has been open to different points of view and has been able to gain consensus with multiple stakeholders. He demonstrates confidence in his decision making. He demonstrates a high degree of knowledge of his job responsibilities and is constantly seeking opportunities to improve our town government.

King:

*CK*

Clark:

*GMC*

Lisio:

*SL*





Town of Townsend

**BOARD OF SELECTMEN  
DEPARTMENT SUPERVISOR PERFORMANCE EVALUATION**

Name: James M. Kreidler, Jr.

Title: Town Administrator

Person Performing Evaluation: Summary Board of Selectmen

RATING SCALE								
1	/	2	/	3	/	4	/	5
1 – Unsatisfactory			2 – Below Expectations			3 – Meets Expectations		
4 – Exceeds Expectations			5 – Outstanding					
N/A – Not Applicable								

**Overall Rating:**

**3**

**General Comments:**

Jim, I have found you to be capable, intelligent, and knowledgeable. I enjoy talking and debating with you as it makes me think. I hope you realize that when I question or challenge you it is to be sure you consider them and to allow you to change my view. I appreciate your sharing of your experience with me and the Town and if I occasionally, or not, ask for more information, it is that my sense is it will help more than just me to more fully understand the details and validate what is discussed.

My observation is that, as all of us do, you enjoy some aspects of your job more than others. I encourage you to do challenge you to do more of what does not come easily as doing so results in building skills and confidence.

I hope to see you exhibit more courage to bring forth creative thoughts for improvements, with the full knowledge that questions, and challenges will come during the Board discussion. As we have discussed many times, the best part of Board deliberations is that we have the opportunity for open and honest dialog to be able to come to a better solution than any individual could do on their own. This is lost art of public sector negotiation and in my opinion, the biggest benefit of the Open Meeting Law.

I urge you to avail yourself of the resources at your disposal to discover new tools or techniques to keep you growing and motivated.

Overall, work is adequate but there is room for improvement. The TA position needs to be more forward thinking as the financial challenges will continue to grow increasingly difficult. There needs to be more active communication with NMRSD as this represents over 50% of the budget.





**TOWN OF TOWNSEND MASSACHUSETTS-PRESS RELEASE**

**April 18, 2019**

**CONTACT:     Townsend Town Administrator Jim Kreidler- 978.790.8785**

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**"KREIDLER MAKES THE GRADE IN TOWNSEND"**

**Townsend Town Administrator's Annual Performance Evaluation Released**

The Townsend Board of Selectmen publicly presented the annual performance evaluation of Town Administrator Jim Kreidler on Thursday April 18, 2019 at the Board's televised meeting. The composite results of the evaluation show that Town Administrator Jim Kreidler again met the expectations of the Townsend Board of Selectmen over the past year.

"Townsend is a wonderful town to work in and for and I am happy to have satisfied the Board again over the past year", said Kreidler.

In the specific comments from the Board one member said that they "found [Kreidler] to be capable, intelligent, and knowledgeable." And further stated, "I enjoy talking and debating with you as it makes me think. I hope you realize that when I question or challenge you it is to be sure you consider them and to allow you to change my view. I appreciate your sharing of your experience with me and the Town and if I occasionally, or not, ask for more information, it is that my sense is it will help more than just me to more fully understand the details and validate what is discussed."

Another comment encouraged Kreidler to "do more of what does not come easily as doing so results in building skills and confidence."

One member stated "overall, work is adequate but there is room for improvement. The Town Administrator position needs to be more forward thinking as the financial challenges will continue to grow increasingly difficult."

Kreidler agreed, saying "there is always room for improvement; I have built a 29 year career in public service by trying to hone my skills and becoming more effective and efficient. If I stop growing and improving I'll know that it would be time to stop serving."

Town Administrator Kreidler is in his fourth year serving as Town Administrator in the Town of Townsend.

-----END-----





## Employee Evaluations: Components and Best Practices

September 17, 2020

Joellen J. Cademartori, Chief Executive Officer

630 Dundee Road, Suite 130, Northbrook, IL 60062  
847.380.3240 info@govhrusa.com GovHRUSA.com



### What's Performance Evaluation?



### Presentation Outline

- What is Performance Evaluation and Objectives of a Performance Evaluation System
- Performance Evaluation Tool Components
- Meeting with the Employees
- Practical Tips and Questions



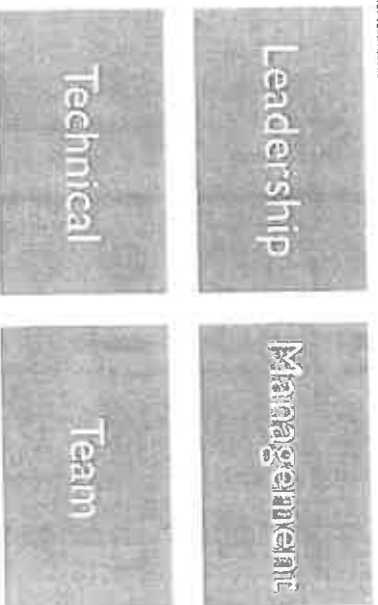
### Objectives of a Performance Evaluation System



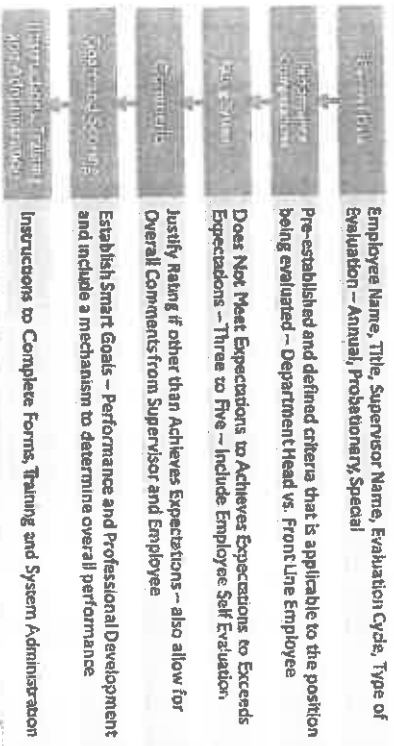
## Performance Evaluation Practices

- Scan of Tools and Practices
  - Massachusetts
    - 16 Communities Surveyed, 8 Responses
    - 5 have a system, 3 do not
  - Nationwide
    - 34 Communities Survey, 16 Responses
    - 17 have a system, 3 do not

## Performance Competencies



## Performance Evaluation Tool Components



## Performance Competencies and Categories

- Leadership Categories
  - Mission, Vision, Values and Strategic Plan
  - Initiative and Innovation
  - Relationship with Assigned Committees and Commissions
  - Professional Growth and Development
- Leadership Perception

## Performance Competencies and Categories

### Leadership Category

#### Relationship with Assigned Committees and Commissions

Actively Communicates and provides guidance and liaison support;  
Develops and maintains effective professional working relationships;  
Consistently and appropriately represents Town Administration's position;  
Accessible and responsive to requests for information.

## Performance Competencies

Exhibited by all employees – weighted differently

	Dept Head	Manager	Front-Line
Leadership	40%	20%	10%
Management	20%	40%	10%
Technical	20%	20%	60%
Team	20%	20%	20%

10

## What Affects Performance?

It is likely the level of performance will change from year to year.

Organization Policies and Practices  
Job Concerns  
Personal Life

Understand the biases that accompany rating performance:

Halo vs Horn  
Recent Effect, Central Tendency  
Positives vs. Negative Laniency  
Like Me or Contrast Effect

## Rating System – Use Words!

Too Few?

Too Many?

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>Does Not Meet Expectations</li> <li>Achieves Expectations</li> <li>Exceeds Expectations</li> </ul> | <ul style="list-style-type: none"> <li>Unacceptable</li> <li>Needs Improvements</li> <li>Meets Expectations</li> <li>Exceeds Expectations</li> <li>Outstanding</li> </ul> |
|---|---|

12

## Establishing Performance Goals

Decide on the types of goals to be established, either project or program focused or task oriented

- Use the SMART goal format:
  - Specific (Single Outcome)
  - Measurable (Action Oriented - # ↑ ↓)
  - Attainable (Realistic – can be accomplished)
  - Relevant (To our mission and positions)
  - Timebound (By when)

13

## Smart Goals?

Provide more online services for residents

Find a way to cut the budget by 5%

Improve work relationships

Read the Purchasing Manual by September 21, 2020

15

## Smart Goals?

Attend a time management seminar by December 31, 2020

Purchase a work order system

Have no accidents while operating City/Town equipment throughout the evaluation period

Develop a list of CIP items as they relate to HVAC by November 2, 2020

14

## Steps in Evaluating Performance

Document any score other than Achieves Expectations and provide examples in the Comments section.

If performance Needs Improvement or is Unacceptable determine what is necessary to improve performance.

Review Goals, if applicable, and determine if they have been met

Establish new Goals, if applicable, and the Performance Plan for the upcoming evaluation period – align to strategic initiatives.

Set form aside, if necessary, for a final review before distributing to the employee

Score the form

16



Discuss any recommended training and development opportunities.

Solicit feedback from the employee and answer all questions.

### Meeting with the Employee

Distribute the Performance Evaluation Form Prior to the Meeting

Meet in Private Location

Emphasize the Discussion is Free-flowing and Solicit Feedback

Allow the employee to provide written feedback and give the deadline for the written feedback to be provided.

Schedule a follow-up meeting if necessary.

Sign the form.

Send form to Supervisor or Human Resources.



Let me know if I can help...

Questions?

[info@govhrusa.com](mailto:info@govhrusa.com)

Direct: 847-380-3238  
Mobile: 224-545-4333



### How to Ensure Success!

Open communication and networking will go a long way when evaluating employee performance. No surprises!

Aligning goals to the mission of the Community will make work more purposeful.

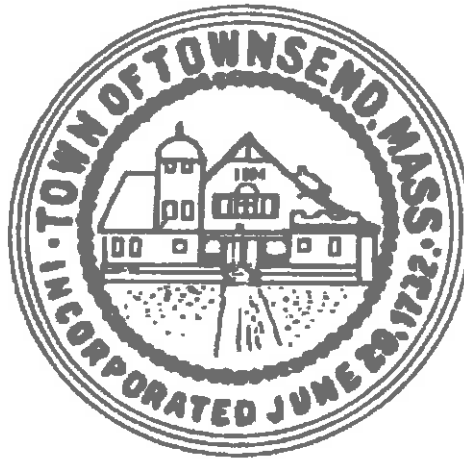
Ongoing training to ensure the system is being used uniformly is paramount.

Overall management of the system to ensure consistency across departments is critical to its success

Employees take pride in their work and desire feedback!







# TOWN OF TOWNSEND BOARD OF SELECTMEN Operating Policies & Procedures

Adopted by its Board of Selectmen

\_\_\_\_\_  
Chairman, Carolyn Smart

\_\_\_\_\_  
Date

\_\_\_\_\_  
Vice-Chair, Gordon Clark

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk, Cindy King

\_\_\_\_\_  
Date

## RECORD OF CHANGES

Revision	Date	Change Authority	Change/Affected Sections	Initial of Authority
#1	7.10.18	BOS	16-18 Chairman in consultation with the Town Administrator	

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**16-01: PURPOSE:**

The Board of Selectmen of the Town of Townsend, recognizing the need to codify the traditional and accepted working relationships among the members of the Board, between the Board and the Town Administrator, supporting staff and between the Board and other Town boards, committees, officials and citizens, and also recognizing the need to systemize and reduce to writing the Board's operating procedures, hereby adopt the following policies.

**16-02: PROCEDURE TO ESTABLISH POLICIES AND PROCEDURES:**

Draft policies and procedures shall be placed on the agenda for any regularly scheduled meeting of the Board. Drafts should be in writing, and may be introduced by a member of the Board, Town Administrator, or by request of a department. Upon receipt of a draft, the Board may choose to discuss the policy immediately or schedule the discussion for a future meeting. The Board may schedule any hearings or meetings it deems necessary for discussion. The Board should encourage the Town Administrator to distribute a draft policy for comment to appropriate officials as it deems necessary.

The Board shall not vote on a policy at the same meeting that it is first introduced. This rule may be waived if the Board unanimously votes that prompt action is necessary.

The Town Administrator shall be responsible for the maintenance and distribution of all policies and procedures.

**16-03: AUTHORITY:**

The Board of Selectmen is an elected Board and derives its authority and responsibilities from the statutes of the Commonwealth of Massachusetts, the Charter, and the bylaws of the Town of Townsend.

**16-04: ROLE OF THE BOARD OF SELECTMEN:**

The Board is the chief executive body of the town. The Board sets the community's vision and provides the leadership required to assure that the mission is followed. The Board is responsible for appointing personnel as identified in the Townsend Charter, developing and implementing policy and reviewing for compliance with said policies. The Town Administrator supports the Board with appointments and policy formulation, implementation, and compliance.

The Board is responsible for supervising the departments of the general government that are not supervised by the other elected officials. This responsibility is delegated to the Town Administrator, and the Board agrees to allow the Town Administrator to provide administrative direction to the departments that fall under the Board's jurisdiction to

assure that the Board's policies are implemented in the course of the town's day to day operations. Department heads shall receive policy direction from the Board through the Town Administrator. Department Heads report to the Board but do so through the Town Administrator. This policy is not intended to limit or otherwise exclude a Department Head from expressing concerns or issues directly to the Board if said concern still exists after first expressing such concerns to the Town Administrator, but rather it is intended to provide a framework for an effective and efficient operation utilizing an appropriate chain of command. If any concerns or issues are brought to the attention of the Board directly, the Board shall report them to the Town Administrator as soon as it is practicable and shall work proactively with the Town Administrator to address the concern or issue. Complaints, concerns and questions about the operation of departments, and suggestions for improvements should be addressed to the Town Administrator, who shall forthwith inform all members of the Board. The responsibility for addressing these issues is thus carried out through the Town Administrator. Selectmen may be called upon to resolve disputes that are unable to be resolved at the staff level.

No individual Board member shall be allowed to direct a Department Head in the methods or manners in which the department's day to day business is to be conducted, unless through the Town Administrator and only if authorized by vote of the entire Board, however, this policy is not intended to limit or restrict the rights of an individual Board member to communicate with any Department Head.

#### **16-05: ROLE OF THE TOWN ADMINISTRATOR:**

The Board appoints a Town Administrator who functions as the Town's Chief Administrative Officer. The primary duties of the Town Administrator shall be the day-to-day administration of the general government as outlined in the Townsend Charter section 4-2. The Town Administrator shall also assist and work under the direction of the Selectmen in the formulation, implementation, and compliance of policy.

The Town Administrator shall be the chief administrative officer of the Town, directly responsible to the Board of Selectmen for the administration of all Town affairs for which the Town Administrator is given responsibility the powers and duties of the Town Administrator shall include the following:

- To supervise, direct and be responsible for the efficient administration of all functions and activities for which the Town Administrator is given authority.

- To see that the personnel policies and practices, rules and regulations are equally administered for all Town employees.

- To attend all regular and special meetings of the Board of Selectmen, unless unavailable for reasonable cause, and shall have a voice, but no vote, in all proceedings.

To keep the Board of Selectmen fully advised at a public meeting, in person, or in writing as to the needs of the Town and all Departments and to make recommendations to the Board of Selectmen of actions required to resolve the situation.

To prepare the budgets which fall directly under the Board of Selectmen. To oversee the budgets for the Departments under the supervision of the Selectmen, and in addition the Town Administrator will present to the Selectmen the budgets of elected Officials and the Capital Plan in such a manner that the Selectmen have an understanding of the total budget. The Town Administrator will also work with the Finance Committee, the Accountant and the Treasurer to develop a plan for the funding of appropriations.

The Town Administrator will be responsible for Central Purchasing.

To see that all of the provisions of the laws of the Commonwealth, of this Charter, Town Bylaws, other votes of Town Meeting, and votes of the Board of Selectmen which require enforcement by the Town Administrator or other officers subject to the direction and supervision of the Board of Selectmen, are faithfully executed, performed or otherwise carried out.

To inquire, at any time, into the conduct and operation of any office or any Department, its officers or employees under the jurisdiction of the Board of Selectmen.

To attend all sessions of all Town Meetings and to be prepared to answer all questions raised by voters which relate to warrant articles and to matters over which the Town Administrator exercises any supervision.

To coordinate the activities of all Town departments serving under the Office of the Board of Selectmen with those under the control of other officers and multiple member bodies elected directly by the voters. For this purpose, the Town Administrator shall have the authority to require the persons so elected, or their representatives, to meet with the Town Administrator, at reasonable times, for the purpose of effecting coordination and cooperation among all departments of the Town.

To perform any other duties that are required to be performed by the Town Administrator by By-laws, vote of the Town Meeting or votes of the Selectmen, or otherwise.

The Town Administrator must strive to maintain a close working relationship with all members of the Board. He/she shall regularly brief all the Board members on all important issues.

In order to provide the town with continuity of management and the Town Administrator with job security, the Selectmen are committed to maintaining an employment contract with the Town Administrator, as permitted by statute.

**16-06: ROLE OF SUPPORT STAFF OF THE OFFICE OF THE BOARD OF SELECTMEN;**

The Board hires support staff, said hiring shall be made by recommendation from the Town Administrator.

The support staff functions as a support for the Town Administrator. Support staff must strive to maintain a close working relationship with all members of the Board and the Town Administrator. Support staff reports to and takes direction from the Town Administrator.

**16-07: BOARD RULES AND ETHICS:**

1. Member of the Board of Selectmen, in relation to his or her community should:

Realize that he or she is one of a team and should abide by, and carry out, all board decisions once they are made.

Be well informed concerning the duties of a board member on both local and state levels and pursuant to the Charter.

Remember that he/she represents the entire community at all times.

Accept the Office of Selectman as a means of unselfish service and not benefit personally or politically from his/her board activities.

In all appointments, avoid political patronage by judging all candidates on merit, experience, and qualifications only.

Abide by the ethics regulations established by the State and not use the position to obtain inside information on matters which may benefit someone personally.

At all times carry and conduct him/herself in a manner that is appropriate and becoming of a Chief Elected Executive Official of the Town of Townsend.

2. A member of the Board of Selectmen, in his/her relations with fellow board members, should:

Support all Board decisions once they are made.

Recognize that only an action taken at official and legal selectmen's meetings is binding, and that he/she alone cannot bind the board outside of such meetings.

Recognize that he/she should not make any representation to anyone on behalf of the board unless and until the board takes a formal position on the matter.

Uphold the intent of executive session and respect the privileged communication that exists in executive session.

Make decisions only after all facts on a question have been presented and discussed.

Treat with respect the rights of all members of the board despite differences of opinion.

Be responsible and address the concerns and complaints of the citizens, employees, Appointed and Elected Town Officials in Town of Townsend consistent with these policies.

Demonstrate leadership by raising issues and encouraging debate regarding said issues both within the Board and within the community at large.

#### **16-08: TOWN ADMINISTRATOR RULES AND ETHICS:**

##### **1. The Town Administrator, in relation to the Board and the community should:**

Realize that his/her basic function is to carry out the policies of the Board through day to day administration of the town's business.

Realize that he/she represents the Board and should abide by, and carry out, all lawful Board decisions once they are made.

Be well informed concerning the duties of a Town Administrator on both local and state levels.

Remember that in representing the Board that he/she represents the entire community at all times and that he/she must treat the public in a courteous and respectful manner.

Accept the position of the Town Administrator as a means of unselfish service and not benefit personally or politically from his or her activities.

In recommendations for all appointments or in making appointments, avoid political patronage by judging all candidates on merit, experience, and qualifications only.



Abide by the ethics regulations established by the State and not use the position to obtain inside information on matters which may benefit someone personally.

Participate in discussion at Board Meetings and Town Meetings as required or as requested by the Board.

2. The Town Administrator, in his/her relations with other Administrative Officers, Boards and Committees of the Town should:

Endeavor to establish sound, clearly defined policies that will support the mission statement and practices of good leadership as established by the Board of Selectmen for the benefit of the people of the community.

Recognize and support the administrative chain of command.

3. The Town Administrator, in his/her relations with the board members, should:

Uphold the intent of executive session and respect the privileged communication that exists in executive session.

Treat with respect all members of the Board of Selectmen, be available when requested by members to discuss and/or advise all matters under the authority of the Town Administrator.

Consistent with the law, the Town Administrator should make available all correspondence, mail, emails or other related materials submitted to the office.

#### **16-09: ORGANIZATION OF THE BOARD:**

The Chairman shall be elected annually at the first regular meeting following the Annual Town Election. If a vacancy occurs, the Board shall elect a successor. The Board shall further appoint a Vice-Chairman and Clerk under the same provisions stated for the Chairman.

#### **16-10: RESPONSIBILITIES OF THE CHAIRMAN:**

The Chairman of the Board shall:

Preside at all meetings of the Board. In doing so, he/she shall maintain order in the meeting room, recognize speakers, call for votes and preside over the discussion of agenda items.

Sign official documents that require the signature of the Chairman.

Call special meetings in accordance with the Open Meeting Law.

Set agenda items with the Town Administrator subject to acceptance of the board when the meeting convenes.

Make liaison assignments and assign overview responsibilities for project and tasks to Board members subject to acceptance of said assignment by the Board members.

The Chairman shall have the same rights as other members to offer and second motions and resolutions, to discuss questions and to vote thereon.

**16-11: RESPONSIBILITIES OF THE VICE CHAIRMAN:**

The Vice Chairman of the Board shall act in the place of the Chairman during his/her absence at meetings. Should the Chairman leave office, the Vice Chairman shall assume the duties of Chairman until the Board elects a new Chairman.

**16-12: RESPONSIBILITIES OF THE CLERK:**

In general although not limited, the Clerk's primary responsibility is to make motions and sign documentation needing the Clerk signature as authorized by the entire Board. In absence of the Town Administrator or staff members it is the duty of the Clerk to record meeting minutes.

**16-13: REGULAR BOARD MEETINGS:**

Regular Board Meetings are held on a schedule voted by the Board. Unless in the case of an emergency, the Board shall not meet on days designated as legal holidays.

**16-14: EMERGENCY MEETINGS:**

A meeting that is called for any time other than the regular meetings and that is called without the required forty-eight (48) hour posting shall be known as a "Special Emergency Meeting". The same rules as those established for regular meetings will apply. Special Emergency meetings may be called by any member provided that the subject matter is of an emergency nature, a majority of the members agree to meet, due diligence is used in notifying all Board members and the meeting is posted as is required by the Open Meeting Law.

**16-15: WORKING MEETINGS:**

The Board may conduct informal "working sessions" from time to time as the situation warrants. At such meetings, which will be posted in accordance with the Open Meeting Law, any official action will be taken. A synopsis of transactions of informal meetings will be made a part of the minutes of the following regular meeting.

#### **16-16: MEETING PROCEDURES:**

Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure and the Open Meeting Law. It is the practice that application of such procedures be on a relatively informal basis, due to the size of the group and the desirability of flexibility in the expression of opinion. Robert's Rule of Order is used as a guide in matters requiring clarification.

Although the public and the press have a right to be present at open meetings of the Board of Selectmen, they do not have the right to participate unless they are recognized by the Chair.

A quorum shall consist of two members of the Board. As a practical courtesy, action on critical or controversial matters, such as the adoption of policy or appointments, shall be taken, whenever practicable, with the full Board in attendance.

The Town Administrator is expected to be in attendance at all meetings of the Board. The Town Administrator shall attend in order to keep the Board informed and advised on all matters that fall within the jurisdiction of his/her office. In accordance with the law, he/she shall carry out the actions of the Board as they relate to the conduct and administration of Town affairs under his/her jurisdiction.

#### **16-17: EXECUTIVE SESSION:**

Executive Sessions of the Board shall only be held in accordance with the provisions of Massachusetts General Law Chapter 30A, section 21A.

If practicable, executive sessions, other than a few minutes in duration, will be scheduled only at the end of the open meeting. Only items clearly allowed under the Open Meeting Law shall be included in Executive Session. The motion must specify when entering the executive session and the exemption under which the session is sought. A majority of the members present must vote to enter executive session by roll call vote. The motion must state whether or not the Board will reconvene into open session.

#### **16-18: AGENDA PROCEDURES:**

The responsibility for coordinating and planning the meeting agenda is that of the ~~Town Administrator~~ Chairman in consultation with the ~~Town Administrator~~ Chairman. Each of the Board Members and the Town Administrator may place items on the agenda. The ~~Town Administrator~~ Chairman, in consultation with the ~~Chairman~~ Town Administrator, shall schedule a realistic time period for each appointment, interview, conference or other scheduled item of business.

All items for the agenda are expected to be submitted to the Town Administrator by the close of business on the Wednesday before at least five (5) working days before any regularly scheduled Tuesday Board meeting. Items of emergency or strictly routine nature

that develop after closing of the agenda may be considered under "Chairman's additions to the agenda".

The Town Administrator prepares background material for the meeting and should make an effort to have such material available at least four days before any regularly scheduled meeting. If background information is insufficient or complicated or if complex memos or motions are presented at the meeting which were not in the Board's meeting packet, any member should feel free to request the tabling of the item to allow careful study of the material presented or the motion proposed.

The agenda shall be available to the public and the press at the Selectmen's office at least two days before the meeting date and shall be posted with the Town Clerk in accordance with the charter on the town's posting board and the town website.

Copies of the minutes of the previous meeting and all important correspondence, reports and other pertinent background materials shall be forwarded with the agenda to Board members.

#### **16-19: MINUTES:**

The Town Administrator and/or their designee shall record open meetings of the Board unless no such persons are available, then the responsibility will rest with the Clerk of the Board. The minutes of the Board of Selectmen constitute the official record of the Board under Federal, State and Local Law.

Minutes shall be circulated to the members of the Board before the meeting for approval by the Board. By unanimous consent, minor corrections may be made to the minutes without advance circulation of such corrections.

Minutes shall contain a full statement of all motions made and voted by the Board and of the disposition of all proposals for action. Approved minutes with all attached documentation and materials presented and/or discussed will be forwarded forthwith to the Office of the Town Clerk and uploaded to the town's website. No such material discussed or presented will include any confidential or sensitive matters before redacting such in order to protect and respect the rights of individuals.

#### **16-20: APPOINTMENTS:**

The Board makes numerous appointments each year. Appointments are generally made for one or three years in length. In no case, may appointments be made for more than three years unless specifically allowed by statute. Appointments generally are made on or before June 30th of each year.

**Committee Appointments:** Whenever possible the Board will seek variety in backgrounds, interests, ages, sex and geographic areas of residents, so that a true cross section of the

community will be reflected. In order to attract qualified and interested persons, vacancies will be made public as far in advance of appointment as practicable.

It is the practice of the Board to accept the recommendation of the sitting committee members for appointment of new members.

#### **16-21: ADVISORY COMMITTEES OF THE BOARD OF SELECTMEN:**

The Board may appoint standing or ad hoc advisory committees to aid on matters under the Board's jurisdiction. The use of such advisory committees provides greater expertise and more widespread citizen participation in the operation of government. Charges to advisory committees shall be in writing and shall include the work to be undertaken, the time in which it is to be accomplished and the procedures for reporting to the Selectmen.

Each committee must report in writing at least annually to the Selectmen. The Board will discharge committees upon the completion of their work. In addition, each Committee shall be provided with a Committee Handbook addressing issues such as conduct and law. This Committee Handbook should be reviewed every two (2) years.

#### **16-22: RELATIONS WITH TOWN BOARDS, COMMITTEES AND COMMISSIONS:**

The Board of Selectmen is aware that coordination and cooperation is needed among the Town's Boards, Committees and Commissions not only in the day to day operations but also to:

- A. Set town wide goals and priorities,
- B. Identify and anticipate major problems and working together towards their resolution, and
- C. Develop a process for dealing with federal, state and county government.

Therefore, as the executive board that is historically responsible for the overall leadership and coordination of town affairs, the Selectmen will require that the Town Administrator to:

At least two times each year schedule meetings with Boards, Committees, and Commissions to carry out functions listed above. One meeting, shall, if possible, be held between the annual election and the start of town meeting for the purpose of reviewing the warrant and expediting town meeting.

On behalf of the Board, the Town Administrator is responsible for inter-board communications in the day to day operations of government. The Town Administrator shall develop a process for exchange of information and the provision for advice and recommendations among the Boards, Committees and Commissions with common interest, which shall include but not be limited to the exchange of minutes, the

establishment of a central repository for data, studies and reports and the appointment of members or staff of boards, committees or commissions as liaison with one another around common projects.

#### **16-23: RELATIONS WITH CITIZENS:**

The Board recognizes that it both represents and is accountable to all the citizens of the town. It is the Board's policy to make every effort to strengthen communications with its citizens. Measures will be instituted to increase citizen participation, encourage citizen input into governmental decisions and to keep citizens informed of all actions contemplated or taken by the Board and the town meeting which will affect them.

Persons who will be directly affected by proposed Board discussion and/or action will be notified by the Town Administrator of the date and time of meeting at which the matter will be discussed or acted upon by the Board.

In considering matters of citizen concern at a regular meeting, the public will be allowed to ask questions or make statements relative to the matter under consideration at the discretion of the Chairman or upon request of any member of the Board.

All citizen questions and complaints are to be answered promptly. Questions and concerns relating solely to the Office of Selectmen shall be answered promptly by the Town Administrator. Those needing prompt attention by the Board should be referred to the Chairman for consideration and possible inclusion on the next meeting agenda.

#### **16-24: EMPLOYEE GRIEVANCES:**

Employee grievances are to be handled as outlined in the Town's Personnel Policies and Procedures or through the conditions set forth in a union contract for those employees covered by such agreements. If employee grievances are brought to the attention of a Board member it shall be Board policy to proceed as follows:

The employee will be shown the administrative process to be followed. A meeting with the Board may be requested by any employee; the Board shall defer such meeting until other remedies available to the employee under the Personnel Policies and/or collective bargaining agreements have been exhausted.

#### **16-25: HEARINGS BEFORE THE BOARD:**

Hearings before the Board of Selectmen generally shall be conducted in accordance with the statutory requirements applicable to the particular matter.

#### **16-26: INSPECTION OF PUBLIC RECORDS:**

This section complies with 950 CMR 32.00: Public Records Access for the guidance of supervisory and administrative personnel, and to insure that disputes regarding access to particular records are resolved expeditiously and fairly.

Every person has the right to inspect or receive copies of public records in the custody of the Selectmen's departments without unreasonable delay. Every effort shall be made to provide such public records in a timely fashion and in accordance with the law.

#### **16-27: DEPARTMENTAL MEETINGS AND REPORTING:**

In an effort to keep the Board of Selectmen informed and to provide Department Heads with an opportunity to communicate departmental activities in a more efficient and formalized fashion, the Board of Selectmen requires the following:

Each Department Head shall be required to submit a monthly written report to the Selectmen's office. This report shall describe all activities undertaken by that Department Head and his/her department employees during the prior month. Particular attention should be paid to how the department head's actions during the prior month fit in with the department's annual goals and objectives. These written reports are intended to help keep the Board of Selectmen informed, to relieve Department Heads from the obligation of attending the meetings on a regular basis, and to free up valuable time at Selectmen's meetings for non-routine matters.

The Town Administrator shall coordinate and schedule monthly Department Head meetings on the first Tuesday of the month and report all agenda topics and discussions to the Board of Selectmen at their regular scheduled meeting. OML? All monthly reports should be submitted to the Town Administrator at the monthly department meetings with discussion regarding the reports to be held at the meetings with other departments to ensure open communication and cooperation with all departments in conducting the work needed to ensure the success of the community needs and objectives.

While this policy is a requirement for all Department Heads under the jurisdiction of the Board of Selectmen, it is also an open opportunity for other Elected or Appointed Officials, Boards and Commissions to keep the lines of communication open.







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

Sue Lisio, Chairman

Wayne Miller, Vice-Chairman

Don Klein, Clerk

James M. Kreidler, Jr.,  
Town Administrator

Office (978) 597-1701  
Fax (978) 597-1719

**BOARD OF SELECTMEN**

**POLICY #08-2019 Goods and Services Contracts**

**Introduction:**

In order to be clear about the intent of both the Town and other parties with whom the Town enters into relationships, written contracts are frequently necessary. Well-executed written contracts clarify and define the agreement between the parties and protect against unnecessary risks to the Town's resources and reputation. This policy provides guidance for the development and use of written contracts, describes situations for which they are required, and identifies exceptions to those requirements. Any questions should be addressed to the town's Chief Procurement Officer.

**Contract Definition:**

Under this policy, a contract is an agreement between The Town and another party that is intended to have a binding obligation and/or legal effect. Contracts contain the terms and conditions under which goods, services, or other considerations of value are furnished by either party. Effective contracts provide a common understanding and the essential terms and mutual obligations defined within the agreement that exist between the parties. In addition to formal documents commonly understood to be contracts, documents such as purchase orders, service agreements, leases, and letters or memoranda of agreement, understanding, and intent are contracts if there is a Town interest at stake and something of value is exchanged.

**Applicability of the Policy:**

This policy applies to all agreements between The Town and any other party, for goods and services. This policy does not apply to employment contracts.

**CONTRACT POLICY:**

**When Written Contracts Are Required and When Are They Not Required:**

Not every arrangement involving the purchase of goods or services by the Town, or the use of Town facilities or resources by third parties, will require a written contract, but most do. In general, if the arrangement involves any significant risk or potential liability that needs to be allocated between the parties, or involves a situation where the duties and responsibilities of the parties are not so basic and obvious that they do not need to be spelled out in writing, then a contract should be used. In the following subsections, some common types or categories of commercial or business transactions are described, and situations requiring (or not requiring) a written contract are specified. Keep in mind that Contracts, when used, must be originated by the Town.

**Contract Language:**

Contract forms, templates and required language are stipulated in Contracting Procedures section of this policy, which may change from time to time. If the forms and templates provided do not seem appropriate for the transaction or arrangement being contemplated, or if such forms or templates are a good starting point but clearly need modification, you should consult as necessary with the Chief Procurement Officer or to define the proper language for your particular situation.

**Contract Approval and Signatory Authority:**

Signatory authority for The Town is sometimes delegated but contract approval authority and responsibility rests ultimately with the Board of Selectmen. Pursuant to town bylaw, contracts with a value of less than \$5,000.00 may be executed by the Town Administrator.

When the Board of Selectmen delegates its approval or signatory authority, the Board must still exercise reasonable oversight and maintain ultimate responsibility for the contracts, and the Board should limit or revoke the delegated authority whenever appropriate.

**Legal Counsel Review:**

Additional information on contract review is provided in Appendix A: Procedures.

**Clauses not Permitted:**

- *Automatic Renewal*: The Town does not allow contracts to contain an automatic renewal clause unless there is also a clause permitting the Town to terminate the contract at will.
- *Limitation of Liability*: The Town does not allow a contracting party to limit their potential liability except in rare or specific circumstances. Limiting this recovery could adversely impact the Town's insurance coverage.

**Exceptions for State and Federal Agencies:**

The Commonwealth of Massachusetts, the Federal Government and most states will not provide insurance or indemnity in their agreements with their contracting partners. In such instances, the Town normally will accept the agency's contract without such provisions. When entering into a contract with such a governmental entity, it is recommended that the contracting party attach the Town's standard addendum and any other desired language which may act as a guideline for the parties to follow in the event of an adverse event or outcome; however such attachment is not likely to be considered binding. Contracting departments also need to be very careful in considering whether or not the other party is truly a state agent or not – many state universities or colleges do not have the same immunity protections as other state agencies (e.g., the State Police), and some quasi-public entities may not be precluded from providing insurance or indemnification to other parties they do business with.

**Whistle-blower:**

If a person believes that a supervisor, colleague, subordinate or any other person is acting outside the Town policy on contracting, she/he should report the concerns utilizing the Town's anonymous Red Flag Reporting process.

Retaliation against any person who reports suspected or identified problems, malfeasance or other wrongdoing is prohibited by law and Town policy.

**Conflicts of Interest:**

It is the responsibility of all Town employees to ensure that the Town does not knowingly enter into contracts that present conflicts of interest. Town officials must accordingly exercise their authority in a manner consistent with applicable conflict-of-interest policies and laws.


Procedures:

The Town Contracting Procedures are included by reference in this Policy as Appendix A, however it is recognized that procedures may be changed more frequently than the Policy.

APPROVED BY THE TOWNSEND BOARD OF SELECTMEN  
FIRST READING: October 1, 2019  
FINAL APPROVAL/ADOPTION: November 5, 2019

  
Sue Lisio, Chairman

  
Wayne Miller, Vice Chairman

  
Donald Klein, Clerk

## APPENDIX A

### CONTRACTING PROCEDURES

Contracting departments should refer to both Policy and Procedure when entering into and developing contracts and agreements.

This Procedures on Contracts and Contracting is designed to give departments and individuals the resources they may need regarding contracting.

#### Contract Initiation and Reviewer Responsibilities:

The individual initiating the contract on behalf of the Town (the initiator) and subsequent reviewers are responsible for reading the entire contract and determining that its content, objectives, definitions, and terms:

1. Accurately reflect the terms of the Town's solicitation and are consistent with the requirements of the Uniform Procurement Act.
2. Are consistent with the initiator's or department's requirements.
3. Utilize the Town's Counsel supplied standard terms and conditions (*see Forms*)
4. Are clear and consistent throughout.
5. Do not constitute a conflict of interest for the parties affected by the contract.
6. Are in accordance with Town Policies.
7. Are in accordance with state and federal laws as may be applicable.

In addition, contract initiators are responsible for ensuring that contracts:

Are routed through the appropriate Town officials for review once procured and contracted but prior to signing.

The appropriate steps are as follow:

1. Submit the draft contract to counsel's signature of approval.
2. Submit the draft contract to the Town Accountant for signature attesting to the availability of funds to meet the terms of the contract, and lastly
3. Submit to the Board of Selectmen for vote and execution at a public Board of Selectmen meeting.

Are appropriately filed and stored.

#### Contract Signer Responsibilities:

All contracts must be signed by both parties.

The contract signer is responsible for 1) reviewing and signing the contract, 2) ensuring that all mandatory reviews have been done, and 3) sending the signed original contract to the responsible office for storage and management

### **Managing the Contract:**

All contracts should be assigned to a contract administrator, who may or may not be the contract initiator or the signature authority. The contract administrator is the administrator responsible for performing or tracking the performance of the contract and addressing any other issues that arise under the contract.

All contract files must contain:

- A copy of the final, fully-executed contract.
- All correspondence or other documents related to the contract. If there are performance problems with the contract, the problems should be documented in memos to the file or in correspondence to the vendor.
- All changes (including change orders and work orders) to the agreement should be formally executed in accordance with the terms of the contract and attached to the Agreement.
- Any extensions to the agreement should be formally executed in accordance with the terms of the agreement and attached to the Agreement.
- All certificates of insurance should be kept in the file.
- A diary or tickler "compliance" file should be established to keep all certificates of insurance up to date, verify timely performance if time is of essence to the agreement, and to allow timely renewal, if applicable, of the agreement.

At the conclusion of the term of the contract, the administrator responsible for managing the contract is responsible to close the agreement and ensure that it is properly stored, as outlined below.

### **IRS Form W-9:**

The federal government requires that the Town obtain an IRS Form W-9 from all parties to whom it may issue a check. Our contracts should reflect this requirement. The IRS Form W-9 contains Personal Identifiable Information (PII) and must not be copied or kept by the department issuing the contract. The best practice is to include the IRS Form W-9 with the contract, including a stamped and addressed envelope to:

Accounts Payable  
Town of Townsend  
Town Hall  
272 Main Street  
Townsend MA 01469

If the contract is signed on Town premises, the department issuing the contract can collect a copy of the W-9 at the time the contract is signed, and hand deliver it to Accounts Payable. This information is kept on

file so that it is available for reference when the check request or invoice is presented for payment. W-9 forms are kept for two years from the date of receipt by Accounts Payable.

#### **Completed Agreements - Storage:**

The Town Accountant's Office is the official repository for executed contracts. Copies of the contract, once fully executed, should also be kept in the Contract Administrator's department level contract file.

#### **Getting Help:**

##### **Who do I call for general information about forming or managing a contract?**

Consult this policy and the Chief Procurement officer, for template forms, contract structure, risk issues, insurance and indemnity agreements, professional services.

##### **Template Forms and Language:**

Template forms and language, as may be amended from time to time by Town Counsel, are provided for risk management purposes only and should not be construed as legal advice. Forms listed below are for the convenience and utility of The Town staff who may need to construct an agreement.

##### **Using template forms:**

Select the type of agreement that most closely matches the subject of your agreement (e.g., goods and services, real property, construction, waiver of liability). Download the word.doc file and save it to your computer, renaming it appropriately. Fill-in the blanks and adjust the agreement to meet the terms and conditions of your specific agreement. If you have questions, contact the Chief Procurement Officer for assistance. Templates have the minimum clauses needed for a clear agreement, but many agreements may need additional clauses to complete the agreement.

##### **Template Form:**

All template contracts can be obtained by contacting the Board of Selectmen's office.

Acknowledgement of Receipt of Policy

I acknowledge receipt of this Goods and Services Contracts Policy. Having read said policy, I understand and agree to its terms.

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

