



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

Sue Lisio, Chairman

Cindy King, Vice-Chairman

Wayne Miller, Clerk

James M. Kreidler, Jr.,  
Town Administrator

(978) 597-1701

MEETING MINUTES FOR OCTOBER 2, 2018 6:00 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 6:00P.M.

Roll call vote taken showed 3 members present: Chairman, Sue Lisio (SL) Vice-Chairman, Cindy King (CK) and Clerk, Wayne Miller (WM).

1.2 Pledge of Allegiance

1.3 SL announced the meeting is being tape recorded.

1.4 There were no Chairman's additions or deletions.

1.5 Public Comment Period.

There were no comments made.

II: EXECUTIVE SESSION - VOTES MAY BE TAKEN:

WM 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 for AFSCME Supervisory Union Lieutenant and AFSCME Police Union Grievance and 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: Fire Union and 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. Update on cases involving: Eaton, Clark, Merrill, Normington, and the Water Dept. SL declared. CK amended motion and to return to open session. CK seconded. Roll call vote SL (YES), CK (YES), WM (YES).

WM moved to dissolve the executive session and reconvene in open session. CK seconded. Roll call vote: SL (YES), CK (YES), WM (YES).

WM moved to recess the meeting for 5 minutes. CK seconded. Unanimous vote.

SL called the meeting back to order.

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

3.1 WM moved to appoint Terry Walsh as an Office Assistant for the Townsend Water Department effective October 2, 2018 contingent upon the passing of a medical exam and

CORI check with a one-year probationary period. CK seconded. Discussion: CK inquired as to the number of hours for the position. Paul Rafuse, Water Superintendent stated the position is 19 hours per week. Unanimous vote.

3.2 WM moved to appoint Kevin Keefe as a Water Tech to the Townsend Water Department effective October 2, 2018 contingent upon the passing of a medical exam and CORI check with a one-year probationary period. CK seconded. Discussion: CK asked if this position was full-time. Paul Rafuse, Water Superintendent stated it was a full-time position. SL informed the Board she did file a 23b disclosure regarding the appointment. Unanimous vote.

3.3 WM moved to appoint James Landi as a full time Police Officer to the Townsend Police Department for a term effective October 2, 2018 to June 30, 2019 contingent upon the passing of a medical exam and background check with a one-year probationary period. CK seconded. Discussion: CK inquired to the possible waiving of the probationary period due to Officer Landi working for the Townsend Police Department prior. James Kreidler, Town Administrator explained it would be a CBA issue and that all parties would need to agree. WM amended the motion "unless agreed to be waiver by the union for the probationary period". CK seconded. Unanimous vote.

3.4 WM moved to appoint Alexandra Hayden as a Reserve Officer to the Townsend Police for a term effective October 2, 2018 to June 30, 2019 contingent upon the passing of a medical exam and background check with a one-year probationary period. CK seconded. Unanimous vote.

#### IV. MEETING BUSINESS - VOTES MAY BE TAKEN:

4.1 Review request from Nashoba Valley Technical School District to declare School Committee members for Townsend as Special Municipal Employees pursuant to M.G.L. Chapter 268A.

The Board reviewed the request as attached. Discussion regarding the blanket request ensued with the Board reaching consensus they would like to declare status based upon an individual request. WM moved to take no action on the request. CK seconded. Unanimous vote.

4.2 Review/Approve first reading of policy #6-2018, Personal Services Contract Administration.

The Board reviewed the policy #6-2018 as attached. SL stated she had 2 revisions, under 1 "written review of the contract" and the other "as specified under MGL".

WM moved to approve the first reading #6-2018 Personal Services Contract with the amendments. CK seconded. Unanimous vote.

- 4.3 WM moved to accept a Highway Safety Division Grant for an amount not to exceed \$10,000 from the Executive Office of the Public Safety & Security for the purpose traffic enforcement. CK seconded. WM asked Rick Bailey, Police Chief to explain the usage of the grant. Chief Bailey outlined what the grant would be used for in the attached memorandum. Other discussion included: Highway signage on Route 119, process used for enforcing safety regulations, and safety concerns at the High School
- 4.4 WM moved to accept a Pedestrian and Bicycle Safety Enforcement and Equipment for an amount not to exceed \$2,441.94. CK seconded. Unanimous vote.
- 4.5 Review/Approve Change Order #7 in the amount of \$10,350.10 for the West Townsend Fire Station.

The Board reviewed the change order as attached. Discussion included: the previous change orders, issues with the design, spending the contingency funds, the effect of one change on the rest of the project, concerns regarding the cost of some of the changes, issues with the design and grade of the site work. Mr. Kreidler read the Fire Chief's answers to questions submitted into the record regarding the project. Please see attached.

WM moved to approve change order # in the amount of \$10,350.10 for the West Townsend Fire Station. CK seconded. Unanimous vote.

- 4.6 Review/Discuss reports completed for the complaints of unregistered vehicles on 89 Wallace Hill Road and 31 South Street.

SL presented the reports for the unregistered vehicles – please see attached. After discussion of the process used and the bylaw; WM moved to authorize the Town Administrator to send by certified mail to 89 Wallace Hill Road for 3 vehicles that are in violation of the town bylaw to have 30 days to remove or be fined \$100.00 per day until in compliance with the bylaw. CK seconded. Unanimous vote.

WM moved to the Board authorize the Town Administrator by certified mail for 31 South Street to get in compliance with the bylaw or be subject to a \$100.00 per day fine. CK seconded. Unanimous vote.

- 4.7 Police Department Updates, RE: Certification, Department Policies, and Staffing. Discussion with the Police Chief, Richard Bailey and Deputy Chief, Jay Sartell ensued: status and timeline for policy revision and accreditation, policies being addressed on individual basis, revisions to be brought to current standards, Deputy Chief trained to do assessments on policy revision so that all future polices to be in compliance, academy training, FTO (Field Training Officer) process and timeline for new Officers, two Officers currently trained to provide the training, field training programs, Reserve Officer training,



law enforcement profession is changing, difficulty recruiting with limited benefits, difficulties competing with civil service positions, limited Academy training programs, one position down with recent resignation and once hired will be at full staffing.

SL moved to re-address agenda item 4.1 as Karen Chapman, NVTHS School Committee was there to discuss the request.

#### 4.1 Revisited:

Ms. Chapman explained her position with MRPC and the representation of several communities by MRPC and NVTHS; explaining there's overlap. Ms. Chapman further informed the Board, that the State Ethics Commission has suggested to make this request to help any other School Committee Member that might be interested in several their Community in an official capacity. Clarification that SME status is for the position and not the person.

WM moved that the Board designate the members of the Nashoba Valley Regional School District be Special Municipal Employees. CK seconded. Unanimous vote.

#### V. OLD BUSINESS - VOTES MAY BE TAKEN:

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

##### 6.1 Town Administrator updates and reports.

Mr. Kreidler read his report into the record addressing all bulleted items above - please see attached report.

##### 6.1.1 Goals and Associated Tasks updates.

##### 6.1.2 Special Town Meeting

##### 6.1.3 Status: Certification of free cash.

##### 6.1.4 Cable Access Corp

After review of the report (see attached) the requested action was considered.

WM moved to authorize the Town Administrator to seek different Legal Counsel for the Cable project. CK seconded. Unanimous vote.

##### 6.1.5 Consideration of appointment of the Executive Assistant to the Town Administrator.

##### 6.1.6 Town Counsel's Opinion.

After review of requested action by the Town Administrator in his report (please see attached) SL stated she would like the Board to consider posting the position on the website. WM stated he would like all vacancies to be posted on the website unless a collective bargaining agreement prevents and further made a motion to approve any new



position to be included and to explore other recruitment options. There's was no second. The Board agreed to consider a policy at a future meeting.

WM moved to appoint Carolyn Smart to the position of Executive Assistant. CK seconded. Unanimous vote.

Further discussion included the IT grant and progress made by the IT Director. Mr. Kreidler stated the IT Director is using the grant money from the Community Compac and the \$10,000.00 from his budget to complete phase I of the upgrades. Mr. Kreidler further relayed the Director is currently working on a proposal to finish all the needed work to include the phone system.

6.2 Board of Selectmen announcements, updates, and reports.

Sue Lisio:

SL asked to review the calendar and meeting schedule. The Board agreed to meet on October 4, 2018 for the Town Counsel interviews and the work session scheduled for October 23, 2018.

Hawthorne Brook project using some remaining project money to replace 1 boiler and part of another one with grant money from the town "green" project.

6.3 Clerk of the Board announcements for events

WM announced two local boy scouts are trying to achieve their Eagle Scout and are actively fundraising for their projects.

6.4 There was no Board Correspondence.

6.5 Approval of meeting minutes for September 11<sup>th</sup> & 18<sup>th</sup>, 2018.

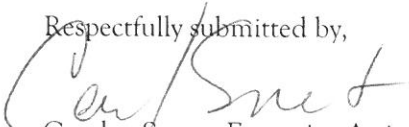
WM moved to approve the meeting minutes from September 11, 2018. SL seconded. CK abstained as she was not present during the meeting. Unanimous vote. WM moved to approve the meeting minutes for September 18, 2018. CK seconded. Unanimous vote.

6.6 WM moved to review and sign the payroll and bills payable warrants out of session. CK seconded. Unanimous vote.

VII. ADJOURNMENT:

WM moved to adjourn the meeting at 9:30P.M. CK seconded. Unanimous vote.

Respectfully submitted by,

  
Carolyn Smart, Executive Assistant

Voted to approve the meeting minutes for the meeting of October 2, 2018, by the Board of Selectmen this 6<sup>th</sup> day of November, 2018



## Carolyn Smart

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**From:** Paul Rafuse <prafuse@townsend.ma.us>  
**Sent:** Wednesday, September 26, 2018 4:58 PM  
**To:** James Kreidler; Carolyn Smart  
**Cc:** 'Lance Lewand'; 'Nathan Mattila'  
**Subject:** Board of Selectmen's Agenda

3.1  
+  
3.2

Please add to your agenda for Tuesday October 2, 2018 to approve hiring Terry Walsh as Office Assistant and Kevin Keefe as Water Tech for the Townsend Water Department.

Thank you

*Paul Rafuse*

Paul Rafuse  
Superintendent  
Townsend Water Department  
540 Main St.  
West Townsend, MA 01474  
Tel: 978-597-2212  
Fax: 978-597-5611  
E-mail: [prafuse@townsend.ma.us](mailto:prafuse@townsend.ma.us)

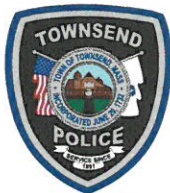
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RICHARD B. BAILEY  
CHIEF OF POLICE

## TOWNSEND POLICE DEPARTMENT

70 BROOKLINE STREET • TOWNSEND, MASSACHUSETTS

TEL. 978-597-6214 FAX. 978-597-2176

3.3 +  
3.4

DATE: September 26, 2018

TO: James M. Kreidler, Jr. – Town Administrator  
Board of Selectmen

FROM: Richard B. Bailey  
Chief of Police

RE: Request to Appoint James Landi as a Probationary Full-Time Police Officer  
Request to Appoint Alexandra Hayden as Reserve Officer

Dear Mr. Kreidler and Board of Selectmen:

As you are aware, James Landi resigned his position in January 2018. He has since reconsidered and would like to re-join the department. I am recommending James Landi's appointment to Probationary Full-Time Police Officer contingent upon a comprehensive background investigation and all related testing.

On February 5, 2018 we posted a job announcement for both full-time and reserve patrol officers. The application deadline was March 5, 2018.

After a substantial testing/vetting process and careful consideration of the applicants, I am requesting the appointment of Alexandra Hayden for the position of Reserve Police Officer. Ms. Hayden is reserve academy trained and will begin her field training upon hire.

If you have any questions or concerns, please feel free to contact me. Thank you in advance for your considerations in these matters.

Respectfully submitted,

Richard B. Bailey  
Chief of Police

Cc: Appointment files





# Nashoba Valley

TECHNICAL SCHOOL DISTRICT

100 Littleton Road • Westford, Massachusetts 01886  
Telephone: 978.692.4711 • Fax: 978.392.0570 • www.nashobatech.net

Dr. Denise P. Pigeon  
Superintendent

September 14, 2018

Ms. Sue Lisio, Chair  
Board of Selectmen  
272 Main Street  
Townsend, MA 01469

4.1  
RECEIVED

SEP 17 2018

BOARD OF SELECTMEN

Dear Ms. Lisio,

The Nashoba Valley Technical High School (NVTHS) District School Committee (NVTHS Committee) is writing to request that the Townsend Board of Selectmen vote to designate the position(s) of the Town's representative on the NVTHS Committee as "special municipal employee(s)." We are submitting such a request to all eight member towns of the NVTHS District. The purpose of our request is to broaden the circumstances under which NVTHS Committee members may serve their respective towns in multiple positions.

Pursuant to M.G.L. Chapter 268A, the conflict of interest law, when a person serves on a regional school district committee, the individual is considered to be a municipal employee of every municipality that is a member of the regional district. Under Section 20 of the conflict of interest law, while serving as a municipal employee, an individual may not have a financial interest, directly or indirectly, in a contract made by the municipality which he/she serves. This provision of the law sometimes prevents a municipal employee of a town from having a second position with that same town. However, exemptions may be available for those positions that have been designated "special municipal employees."

Because NVTHS Committee members do not receive compensation for their positions, they are eligible for designation as "special municipal employees." (M.G.L. c. 268A, Section 1(n).) In order to assign this status, the Board of Selectmen in the eight towns that are members of the NVTHS District must all vote to designate the town's NVTHS Committee representative(s) as "special municipal employees." This designation goes with the position, and not the person holding the position. Thus, the designation will broaden opportunities for both current and future representatives to serve their towns in multiple positions.

To this end, the NVTHS Committee is requesting the Townsend Board of Selectmen to affirmatively vote to designate the Town's NVTHS Committee Representative(s) "special municipal employees" pursuant to M.G.L. c. 268A, Section 1(n). Once a vote is taken, please provide me with a letter of affirmation that NVTHS Committee Representative(s) for the Town have been designated "special municipal employees."

In the event the Board of Selectmen has any legal questions about the designation of "special municipal employee," we urge the Board to consult with Town Counsel. Thank you for your consideration in this matter.

Sincerely,



Charlie Ellis, Chair  
NVTHS District Committee

cc: ✓ Mr. James Kreidler, Jr., Townsend Town Administrator



Serving the towns of Ayer, Chelmsford, Groton, Littleton, Pepperell, Shirley, Townsend, Westford





4.2

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

Sue Lisio, Chairman  
James M. Kreidler, Jr.,  
Town Administrator

Cindy King, Vice-Chairman

Wayne Miller, Clerk  
Office (978) 597-1701  
Fax (978) 597-1719

POLICY #6-2018

BOARD OF SELECTMEN

**Purpose:** To Facilitate Responsible Personal Service Contract (PSC) Administration

**Policy:** Personal Service Contract (PCA) Administration

This policy shall serve to codify the processes by which the Board will negotiate, review, execute and administer PCA's for town employees that are allowed by law to have PCA's.

1. All PCA's negotiated by the Board shall undergo <sup>written</sup> review by town labor counsel prior to final vote of approval.
2. All PCA renewal/nonrenewal/renegotiation dates shall be tracked by the Town Administrator and provided to the Board in time sufficient for the Board to consider its intentions.

ADOPTED BY THE BOARD OF SELECTMEN ON \_\_\_\_\_, 2018.

\_\_\_\_\_  
Sue Lisio, Chairman

\_\_\_\_\_  
Cindy King, Vice-Chair

\_\_\_\_\_  
Wayne Miller, Clerk







# TOWNSEND POLICE DEPARTMENT

70 BROOKLINE STREET • TOWNSEND, MASSACHUSETTS 01469

TEL. 978-597-2242 FAX. 978-597-1718

RICHARD B. BAILEY  
CHIEF OF POLICE

To: Board of Selectmen  
Date: September 28, 2018  
Re: Traffic Safety Grant Acceptance - 2018

The following are grants from the state to the Townsend Police Department from the Executive Office of Public Safety and Security – Highway Safety Division Grants

## 1. Traffic Enforcement and Equipment Grant Program

In support of the Federal Fiscal Year (FFY) 2018 Traffic Enforcement and Equipment Grant Program, the Townsend Police Departments will conduct high-visibility traffic enforcement and purchase traffic safety equipment in accordance with the regulations of the Executive Office of Public Safety and Security's (EOPSS) Highway Safety Division (HSD).

Eligible enforcement activities under this contract include funding for high-visibility traffic enforcement of motor vehicle laws, including but not limited to, speeding and aggressive driving, impaired driving and occupant protection.

The total under the grant is up to \$10,000.00, with \$5,000.00 allocated for equipment ("stealth stat" speed and traffic volume tracking to respond to citizens' complaints. The equipment goes across the road to see they type, number, and speed of vehicles).

## 2. Pedestrian and Bicycle Safety Enforcement and Equipment Grant

The Townsend Police Department will conduct targeted overtime enforcement and a minimum of one of the other eight community initiatives listed below. TPD selected the two areas underlined below in addition to the targeted enforcement.

### Targeted enforcement

- Crosswalk law enforcement decoys
- Pedestrian sweeper patrols
- Adopt-a-Cone programs
- Retro-reflective signage and community banners
- Pedestrian breakaway signs
- Crosswalk retro-reflective tape
- Educational print materials and/or flyers to mobilize business and community groups as well as local residents
- Purchase of bicycle safety helmets

The total under the grant is up to \$ 2441.94, with \$610.49 allocated for equipment (4 high visibility cones for use at the common during events, and town (voting, town meeting) and school (sporting events, assemblies etc.) events.







# TOWNSEND FIRE-EMS DEP

*Proudly serving the citizens of Townsend since*

PO Box 530 – 13 Elm St.  
Townsend, MA 01469

4.5

Mark R. Boynton  
Chief of Department

Headquarters: 978-597-8150

Fax: 97

**To:** James Kreidler Jr. Town Administrator  
**From:** Mark R. Boynton, Fire-EMS Chief *MRB*  
**Subject:** West Townsend Fire Station Change order #7  
**Date:** September 27, 2018

On behalf of the Fire Station Building Committee we request your approval on the attached change order.

The attached contract change order reflects three changes with increased cost totaling \$10,350.10 and extending the completion date by 4 working days. Funding is available within the contingency fund that has a current balance of \$49,699.00

- Provide and install electrical conduit, wiring to lighting control system for a light to be installed on a flagpole. \$1,644.10 The flagpole has been donated by the NMRHS project and will be installed at no cost by Shepco Incorporated.
- Install granite curbing along the western edge of the parking lot \$6,351.51 Early in the project you approved a change order to raise the building 18 inches to eliminate potential drainage problems. At the time we did not realize this would also create a slope on the western edge of the parking lot which is being eliminated by the donation of the Granite well by Shepco Incorporated. The granite curbing is required by code so vehicles do not roll down the slope or in this case over the wall.
- Gas piping from the gas meter to generator pad. \$2,354.49 A standby generator for the building was no included in the project. It is our intent to repurpose a generator that was at the former central station to provide backup electricity to the West Station. To facilitate this gas piping must be installed from the meter to the generator pad before the concrete sidewalk is installed. The generator will be installed by a local contractor after the West Station project is complete.



## CONTRACT CHANGE ORDER

Date: 08.09.27

Project: Townsend Fire Substation  
460 Main Street  
Townsend, MA 01474

Change Order No: 7

Architect's Project Number: 1623

To Contractor: Souliere & Zepka Construction, Inc.  
5 Spring Street  
Adams, MA 01220

Contractor's Project Number: N/A

Contract Date: 10.03.2017

The Contract is changed as follows:

- ADD: Provide and install gas piping to generator location, per SKP-1.
- ADD: 1.5 working days
- ADD: Provide and install 80' of 5"x18" granite curbing with concrete backer along western edge of parking lot.
- ADD: 2 working days
- ADD: Provide and install conduit stub from northern lamppost into lawn, plus pull (2) additional wires from building to furthest lamppost. Wires will be connected to the controller and programmed.
- ADD: 1 working day

\$2,354.49

\$6,351.51

\$1,644.10

Total adds: \$10,350.10

**Net Change Order: \$10,350.10**

- See attached PCO #017R, PCO #019, and PCO #020 for breakdown of costs.

**Not valid until signed by the Architect, General Contractor, and Owner**

The Original Contract Sum was ..... \$1,424,290.00  
Net change by previously authorized Change Orders ..... \$75,033.15  
The Contract Sum will be INCREASED by this Change Order in the amount of ..... \$10,350.10  
The new Contract Sum including this Change Order will be ..... \$1,509,673.25

The Contract Time will be INCREASED by ..... 4.5 working days  
The date of Substantial Completion will be ..... 09.11.2018

Architect  
The Galante Architecture Studio, Inc.  
146 Mount Auburn Street  
Cambridge, MA 02138

Contractor  
Souliere & Zepka Construction, Inc.  
5 Spring Street  
Adams, MA 01220

  
Owner  
Town of Townsend  
460 Main Street  
Townsend, MA 01474

# **SOULIERE & ZEPKA CONSTRUCTION, INC.**

## General Contractors

5 SPRING STREET  
ADAMS, MA 01220  
TEL 413-743-1687  
FAX 413-743-2641

9/4/18

The Galante Architecture Studio  
146 Mount Auburn St.  
Cambridge, MA. 02138

Attn: Jamie Emerson

Re: Townsend Fire Substation  
POC #017R - gas line for generator - SKP-1

Provide and install gas piping to the exterior generator as per SKP-1.

Gas	Kneeland Plbg. & Htg. Inc. FS	\$2,162.11
	(see attached breakdown)	
Souliere & Zepka 7.5% on FS	\$ 162.16	
Subtotal	\$2,324.27	
Bond 1.3%	\$ 30.22	
	\$2,354.49.....Total POC #017R	

Note\* This does not include moving the generator from its present location to the new generator pad.

Additional days required for this proposal: 1½ working days

Respectfully Submitted,

*Michael A. Zepka*  
Michael A. Zepka  
President

**Kneeland Plumbing and Heating, Inc.**

63 Hammond Street  
P. O. Box 311  
Rowley, Mass 01969  
Master License #: 8471  
Phone: 978-948-2282  
Fax: 978-948-5068

August 27, 2018

Souliere & Zepka Construction, Inc.  
5 Spring Street  
Adams, MA 01220

Attn: Pam Capeless

Project: Townsend Fire Station  
Townsend, MA

RE: ASI #008 - Install Gas to New Exterior Generator

**Adds:**

Material:  
(See attached Work Sheet) \$ 945.99

**Net Materials Add \$ 945.99**

**Labor:**

Add Hours - 11.05 Hours  
Net Add Hours - 11.0 @ \$68.22  
(See Attached Work Sheet)

Net Labor Add \$ 750.42  
L & M Subtotal \$ 1,619.41  
Labor Burden (30%) \$ 225.13  
Subtotal \$ 1,921.54  
OH & P (12.5%) \$ 240.57  
**Total Net Add \$ 2,162.11**

**Note:** This piping must be run under ground. Excavation & Backfill is by others.

Submitted By:  
Terrance M. Desmond  
Kneeland Plumbing & Heating, Inc.

Item Description	Comments	Count	Labor unit Hrs	Labor Totals	Trade Cost/Unit	Extension
2" X 1-1/2" Black Malleable Tee		1	1.14	1.14	27.80	27.80
1-1/2" Black Malleable Union		1	0.76	0.76	25.40	25.40
1-1/2" Black Malleable 90 El		4	0.68	2.72	9.27	37.08
1-1/2" x 3" Black Nipple		2	0.05	0.10	2.97	5.94
2" X 6" Black Nipples		1	0.05	0.05	4.78	4.78
1-1/2" Gas Regulator		1	1.10	1.10	278.92	278.92
1-1/2" Gas Cock		1	0.68	0.68	34.95	34.95
1-1/2" PPE Con-Stub Gas Riser		2	1.00	2.00	212.56	425.12
Roll 1-1/2" PPE Tubing		1	1.50	1.50	101.00	101.00
Misc. Pipe Dope/Teflon Thread Tape	Labor with Fittings	1	0.00	0.00	5.00	5.00
Test Gas Installation & Stand Inspection		1	1.00	1.00	0.00	0.00
			Hours Add	11.05	Material Add	945.99
	Rate 68.22					



ARCHITECT'S SUPPLEMENTAL INSTRUCTIONS #008

To: Soulliere & Zepka Construction, Inc.  
5 Spring Street  
Adams, MA 01220

From: Jamie Emerson

Date: 08.13.18

Project: Townsend Fire Substation

Project #: 1623

Description: Provide ~~electrical~~ gas connections to the Owner's existing generator, as detailed on sketches.

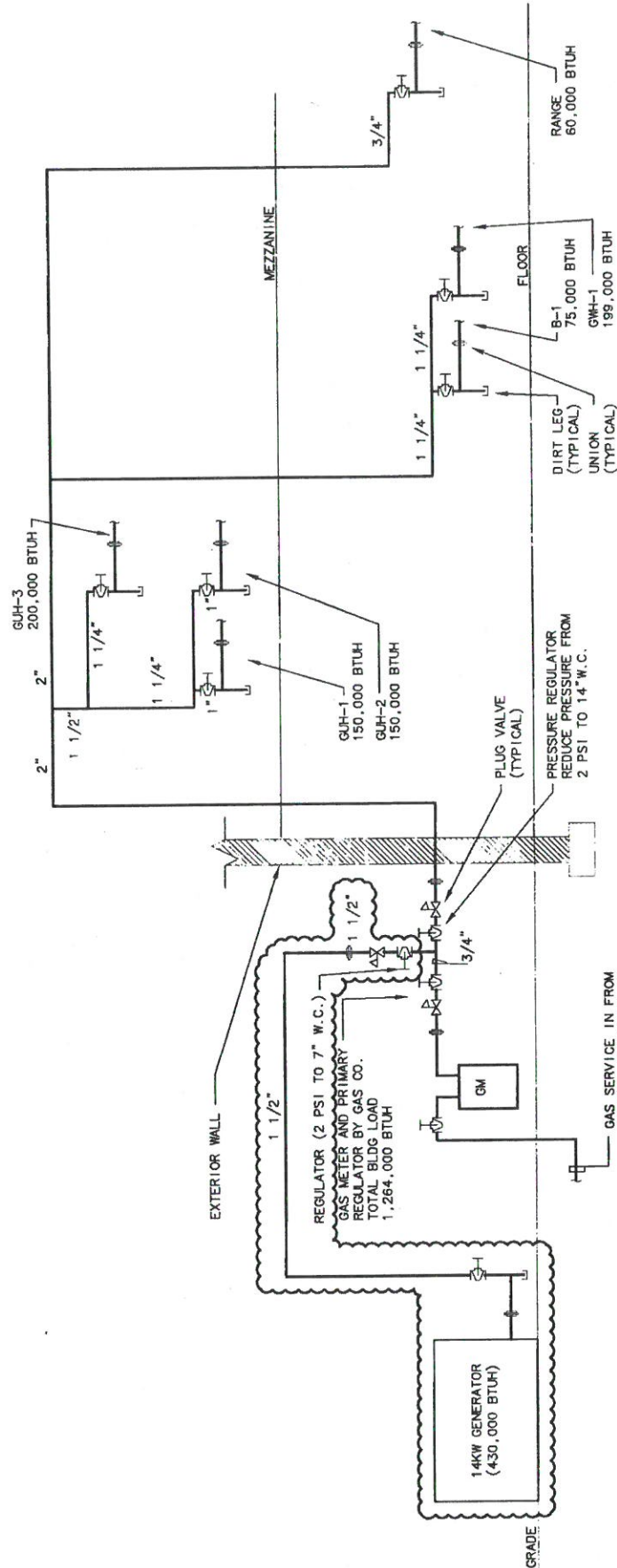
Initiated by:

Owner's request.

Attachments: SKP-1  
~~4000-2~~

Please execute promptly the work described in this ASI which interprets the Contract Documents or orders minor changes without change in the Contract Sum or Contract Time. If you consider that a change in the Contract Sum or Contract Time is required, please submit your itemized proposal to the Owner immediately before proceeding with this work.

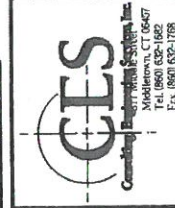
Issued by:	Accepted by:	Accepted by:
Architect The Galante Architecture Studio, Inc.	Contractor [Contractor Name]	Owner [Owner Name]



NOTE:  
1. GAS PIPING INSTALLATION SHALL COMPLY WITH  
ASCE 7 DESIGN CATEGORY C.

## 2 GAS SERVICE RISER DIAGRAM

N.T.S.



PROJECT TITLE:  
TOWNSEND FIRE  
SUBSTATION  
460 MAIN STREET  
TOWNSEND, MA 01474

DRAWING TITLE:  
GAS SERVICE RISER  
DIAGRAM GENERATOR  
ADDITION

DWG. NO:

SKP-1

SCALE:

DATE: 08/10/2018

REVISIONS TO: P-301

REMARKS:

PROJECT NO: 2016217

DATE: 08/10/2018

REMARKS:

# **SOULIERE & ZEPKA CONSTRUCTION, INC.**

## **General Contractors**

5 SPRING STREET  
ADAMS, MA 01220  
TEL. 413-743-1687  
FAX 413-743-2641

9/18/18

The Galante Architecture Studio  
146 Mount Auburn St.  
Cambridge, MA. 02138

Attn: Jamie Emerson  
Stan Dillis


Re: Townsend Fire Substation  
PCO #019 - additional curbing

Provide and install 80' of 5" x 18" granite curbing, with concrete backer, along the western edge of the parking lot.

Glenn Hines Excavation Contractor (see attached)	\$5,225.00
Souliere & Zepka Const., Inc.	
20% O&P	<u>\$1,045.00</u>
Subtotal	\$6,270.00
1.3% Bond	<u>\$ 81.51</u>
Total PCO #019.....	\$6,351.51

Additional days required for this proposal: 2 working days

Respectfully Submitted,

  
Michael A. Zepka  
President

## FWD: Re: FWD: FW: Stone wall and curbing

kzepka@soulierezepka.net [kzepka@soulierezepka.net]

Sent: 9/18/2018 2:34 PM

To: kzepka@soulierezepka.net

*Souliere & Zepka Construction, Inc.  
5 Spring Street, Adams, MA 01220  
(p) 413-743-1687  
(f) 413-743-2641*

----- Original Message -----

Subject: Re: FWD: FW: Stone wall and curbing  
From: "Glenn Hines" <hinesdigging@yahoo.com>  
Date: 9/18/18 10:02 am  
To: kzepka@soulierezepka.net

Pam

Price on 80' of 5" x 18 " new curb installed with concrete backer      \$5225.00

Glenn

Glenn E. Hines  
Excavation Contractor  
35 Wachusett St.  
Leominster, MA 01453  
978-840-0388 (office/fax)

From: Mark Boynton  
Sent: Wednesday, September 05, 2018 9:19 AM  
To: 'kzepka@soulierezepka.net' <kzepka@soulierezepka.net>; Jamie Emerson (je@galantearchitecture.com) <je@galantearchitecture.com>  
Cc: William Elliot (billelliottff@gmail.com) <billelliottff@gmail.com>  
Subject: Stone wall and curbing

Pam and Jamie

Please work up a price and change order for granite curbing, set in concrete with six inch reveal along the western edge of the parking lot. I will forward you the letter from civil engineer Stan Dillis as soon as I get it.

Thanks  
Mark

Mark R. Boynton

# SOULIERE & ZEPKA CONSTRUCTION, INC.

## General Contractors

5 SPRING STREET  
ADAMS, MA 01220  
TEL. 413-743-1687  
FAX 413-743-2641

9/20/18

The Galante Architecture Studio  
146 Mount Auburn St.  
Cambridge, MA. 02138

Attn: Jamie Emerson  
Stan Dillis

Re: Townsend Fire Substation  
PCO #020 - flagpole lighting

Provide and install conduit from northern most lamppost base into lawn so that the FD can later connect a site lite for their flagpole. Pull two additional wires from the building to the furthest lamppost. Wires will be connected to the controller and programmed.

Electrical FS	
Hub Electric	\$1,475.45
(see attached breakdown)	
Souliere & Zepka Const.	
10% on FS	\$ 147.55
	<u>\$1,623.00</u>
Bond 1.3%	\$ 21.10
Total PCO #020.....	\$1,644.10

Additional days required for this proposal: 1 working day

Respectfully Submitted,



Michael A. Zepka  
President

## Hub Electric Inc.

**10 Draper Street, Unit 19**

Woburn, Massachusetts 01801

**Telephone: (781) 938-5200**

## Revised Extra Work

## Order #6

**Client Address:**

**Souliere & Zepka Construction, Inc.**

**5 Spring Street**

Adams, MA 01220

**USA**Date \_\_\_\_\_

EWO

8/21/2018

5494

## Project

**Townsend - New Fire Sub Station**

### Description

Total

### West Townsend Fire Substation

**Scope of Work:** Flag pole conduit stub out to the new flag pole location, to and existing light pole base. Pull three spare wires to last pole base. Wire into lighting controller and program point with existing control panel. Flag pole lights should come on when it gets dark and turn off when it gets light.

**Electrical Labor (6 hours X \$ 98.00)**

588.00

## Materials

**95.00**

## Programming

600.00

Profit/Overhead 15%

192.45

Extra Work Order being submitted by: Hub Electric Inc.

Total

**\$1,475.45**

All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon delays beyond our control. Purchaser agrees to pay all collection, including attorney's fees. This estimate may be withdrawn by us if not accepted within 15 days. All terms COD and upon approved credit references.

**Authorized  
Signature**

**Acceptance  
Signature**

Date \_\_\_\_\_





Office of the  
BOARD OF SELECTMEN  
272 Main Street, Townsend, MA

4.6

Veh #1

RECEIVED

SEP 28 2018

Townsend Board of Selectmen Unregistered Motor Vehicle Report

Member Performing Investigation: Sue Lisio Date: 09/28/2018

Date of Written Complaint: 6/8/18 Date of Investigation: 09/25/18

Vehicle Identification Number: undetermined

Vehicle Plate Number if visible: Not Visible

Vehicle Description: White vehicle, make unknown, appears to have been in an accident and undrivable with one end smashed badly

Address: 89 Wallace Hill Road, Townsend

Description the location of the vehicle (i.e. the front of the lot, side of the lot, near garage, etc):

This vehicle appears to be smashed beyond repair and what would usually be sold only for repair parts. It is located approximately 20 feet in front of the house entrance.

Follow Up Comments:

The Deputy Police Chief accompanied me on the investigation and we observed the car from the street. I did not enter the property and was therefore unable to obtain the VIN number.

Signed Sue Lisio, member Townsend Board of Selectmen





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

RECEIVED

SEP 28 2018

Veh #2

Townsend Board of Selectmen Unregistered Motor Vehicle Report

Member Performing Investigation: Sue Lisio Date: 09/28/2018

Date of Written Complaint: 9/8/18 Date of Investigation: 09/25/18

Vehicle Identification Number: undetermined

Vehicle Plate Number if visible: 99 with the rest Not Visible

Vehicle Description: Navy Blue, appears to be a Hyundai, first two numbers of the plate are 99

Address: 89 Wallace Hill Road, Townsend

Description the location of the vehicle (i.e. the front of the lot, side of the lot, near garage, etc):

This vehicle appears to be undrivable/not moved in some time as there are objects behind it. It is located approximately 20 feet in front of the house entrance to the right of the White vehicle when looking at the house.

Follow Up Comments:

The Deputy Police Chief accompanied me on the investigation and we observed the car from the street. I did not enter the property and was therefore unable to obtain the VIN number.

Signed Sue Lisio, member Townsend Board of Selectmen





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

veh #3  
RECEIVED

SEP 28 2018

Townsend Board of Selectmen Unregistered Motor Vehicle Report

BOARD OF SELECTMEN

Member Performing Investigation: Sue Lisio Date: 09/28/2018

Date of Written Complaint: 9/8/18 Date of Investigation: 09/25/18

Vehicle Identification Number: undetermined

Vehicle Plate Number if visible: 19CF09

Vehicle Description: Gray Dodge Stratus

Address: 89 Wallace Hill Road, Townsend

Description the location of the vehicle (i.e. the front of the lot, side of the lot, near garage, etc):

A check of these plates by the Assessor's Office on 9/28/18 shows this vehicle registration was cancelled on 06/19/2017. This vehicle is parked close to the road along with at least 3 other vehicles, 2 of them validated as currently registered

Follow Up Comments:

The Deputy Police Chief accompanied me on the investigation and we observed the car from the street. I did not enter the property and was therefore unable to obtain the VIN number.

Signed Sue Lisio, member Townsend Board of Selectmen





§ 112-14 Unregistered motor vehicles.

A. No person or entity shall keep or permit to be kept on any premises within the Town of Townsend more than one unregistered motor vehicle assembled or disassembled unless said vehicles are stored within an enclosed building. The one unregistered motor vehicle shall be no closer than 75 feet to a public way, and no closer than 75 feet to the property line of another.

B. For good cause shown, the Board of Selectmen may issue a permit to keep more than one unregistered motor vehicle on any premises not within an enclosed building, after a duly called public hearing to which all abutters to the premises have received a notice if it finds that such keeping:

- (1) Will not adversely affect the neighborhood;
- (2) Will not be a nuisance; or
- (3) The keeping of such vehicles will not be in conjunction with a use that is:
  - (a) Otherwise not permissible in the zoning district; or
  - (b) Is permissible by a special permit from the Zoning Board of Appeals but no permit has been granted.

C. All permits granted shall limit the number of unregistered motor vehicles to be kept on the premises by the permit holder, shall not run with the land, and shall be limited to a reasonable length of time to be determined by the Board of Selectmen.

D. The provision of Subsections A through E, inclusive, of this section, shall not apply to motor vehicles designed and used for farming purposes, nor to persons or entities in the lawful exercise of licenses granted under MGL c. 140, §§ 58 and 59.

E. The Board of Selectmen shall enforce this section. No other Town official shall have the authority to enforce the section. No other Town official shall investigate any potential violations. Upon a written complaint to the Board of Selectmen a designated member of the Board shall perform a site inspection and investigation and shall report his findings to the Board in writing. The report shall contain the vehicle(s) identification number(s) and the property address on which the vehicle(s) is located. If the report finds that the vehicle(s) is in a violation of this section, the Board of Selectmen shall send a certified letter to the owner of the land, on which said vehicle(s) is parked, and the property owner will have 30 days to remove said vehicle. Whoever violates any provisions of this section of the Townsend General Bylaws shall be liable for a penalty of \$100 per day for each day of violation. Violations will be calculated from the date of the certified mailing. No penalty will be assessed if the vehicle(s) is removed within 30 days and there are no subsequent violations on the same property.





4.7

## Townsend Police Department

### MEMORANDUM

DATE ISSUED: 10/2/18

NUMBER: N/A

To: Chief Richard Bailey  
From: Deputy Chief James Sartell  
Subject: Hiring Process  
Date: October 2, 2018  
No.: N/A

Please consider this an update to the September 7, 2018 memo about our hiring process. As you are aware, we advertised for full time and reserve police officer positions with PoliceApp for a month starting February 5, 2018. At the time of the initial posting we had one open full time position due to an officer resigning in January to work in another community. We also intended to replenish the reserve ranks with officers willing to work patrol shifts and possibly transition to full time as positions came available. As discussed at the time, there were at least two retirements possible in calendar year 2018. At the time, the school had submitted a budget with no funding for a School Resource Officer.

More than 70 applicants signed up to take a written test on March 10, 2018. From the 44 applicants that tested, 16 were invited to participate in an oral interview. These interviews were conducted on March 14<sup>th</sup> and 15<sup>th</sup> by Lt. Mark Giancotti, Sgt. Kimberly Mattson, and Officer Mark Francis. 8 applicants were recommended to move on in the process. 8 of the 9 applicants then participated in video based assessment testing. 7 passed and were granted executive interviews. In the interceding months, Sgt. John Johnson retired and we were advised that the school district would fund the school resource officer resulting in two additional positions. On September 26, 2018 Officer Nicholas Thayer submitted his letter of resignation effective October 19<sup>th</sup>. Officer Thayer is resigning to take a job in his hometown of Chelmsford.

The following applicants were moved on in the process for the following recommendations:

A full time academy trained candidate was moved to background for full time position. He was not recommended.

**Christopher Low was moved to background, recommended to be hired as a full time officer, appointed, and is now attending the Randolph Academy. The tentative date for graduation is December 20, 2018.**

A reserve academy trained candidate was moved to background for a full time position and not recommended.

Alexandra Hayden was moved to background and is recommended to be hired as a reserve officer. She is reserve academy trained. A request to appoint Ms. Hayden as a reserve is being heard by the Board of Selectmen on October 2, 2018.

██████████ was moved to background which is still in process at the time of this memo. ██████████ is a candidate for one of the three open full time positions pending successful background and PAT. The full time academy would start in March.

██████████ was moved to background which is in process at the time of this memo. ██████████ is slated to be sponsored by the department to attend a reserve academy beginning in January. ██████████ is also now in consideration for the full time opening created by Thayer's resignation.

James Landi, who resigned in January to take employment in another community has applied to be rehired. Landi has been moved to background and is scheduled to be appointed, pending background, physical etc. at the October 2, 2018 meeting of the Board of Selectmen.

In short, there have been 4 openings since this process began, one as recently as last week. The opening caused by James Landi's January resignation (filled by Christopher Low), Sgt. Johnson's retirement (██████████ in background), Mark Francis being assigned as SRO (James Landi in background), and the pending resignation of Nicholas Thayer.

An additional group of 25 applicants were invited for video assessment (the second stage of the hiring process) on September 29, 2018. 17 applicants attended and participated in this round of testing. The tests have been sent in for review and oral interviews for those who pass are tentatively scheduled for the first week of November. As you aware, in addition to the open position created by Thayer's resignation, there is a retirement scheduled to take place by the end of the calendar year as well. Should there be no recommendation for a hire out of the remaining candidates, the plan is to re-post the position immediately. It should also be noted that the cost of attending the full time academy is \$3000 which does not include uniforms and equipment related costs. The outfitting, tuition, and related costs for the number of new non-certified employees needed was not adequately funded for FY19.

# TOWNSEND POLICE DEPARTMENT INCLUDES PART-TIME EMPLOYEES

<u>Component</u>	<u>Authorized FY 2017</u>	<u>Actual FY 2017</u>	<u>Authorized FY 2018</u>	<u>Actual FY 2018</u>	<u>Authorized FY 2019</u>	<u>Actual FY 2019*</u>
Chief of Police	1	1	1	1	1	1
Deputy Chief of Police	0	0	0	1	1	1
Police Lieutenant	1	1	1	1	1	1
Sergeant	3	2	3	2	2 (3)	1
Patrol Officer	9	9	9	9	9	8
School Resource Officer	1	1	1	0	1	1
Reserve Patrol Officer (PT)	5	5	5	5	5	5
Administrative Assistant	1	1	1	1	1	1
Records Clerk (PT)**	-	-	-	-	2	0
TOTAL FULL-TIME PERSONNEL	-	-	16	15	16	14
TOTAL PART TIME PERSONNEL	-	-	6	6	7	5
TOTAL EMPLOYEES	-	-	22	21	23	19

\*as of 10/2/2018

\*\*2 positions >20 hours a week





# Report of the Town Administrator

October 2, 2018

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## A Personnel Updates-

1. Interim Treasurer Collector Services- As per your prior authorization, we now have the assistance of an outside agent in the treasurer collector office.. Ms. Suzanne Marchand is with us two days a week and has hit the ground running. You may or may not be aware that she performed the very same function for us in the winter of 2015-2016 during our last transition in the full time position of treasurer collector.

**Board Action Requested-** None Requested

2. Legal Counsel- Cable Access Corporation- The Cable Advisory Committee has previously been authorized by the Board to secure independent legal counsel. I would respectfully request the Board's support in working with the Committee to secure different Counsel as the current arrangement has not been nearly productive enough.

**Board Action Requested-** Vote to support a change in Counsel for the Cable Advisory Committee.

- 3 Executive Assistant to the Town Administrator - This is a matter upon which I had previously expressed my position at your last meeting. Based upon the practice since long before my arrival in this position. That practice had the positions listed in the Charter as "appointed by the Board" being appointed by the Board and all others were simply "hired" by the Town Administrator.

It was in this regard that I proceeded accordingly regarding permanently filling the position of Executive Assistant to the Town Administrator.

I posted on the Charter defined Town Bulletin Board in accordance with both Charter and Town wide Personnel Policies and Procedures.

That process yielded one applicant and I found the applicant to more than meet the requirements for the position. This applicant had previously held the position here in our town hall. In fact, due to another personnel matter, I had the opportunity to have this person in the position performing the exact job for a solid year. I have found her performance to have exceeded my expectations and have so evaluated her.

Given all of the above I put her name forward seeking, not the Board's approval, but in accordance with practice, merely its affirmation of the hire.

Since then you have sought and received a new legal opinion that is contrary to the prior one upon which the previous practice had been based.

I understand that it is the most current opinion and that we should heed the advice of counsel.

I have come to know that, based upon this new opinion, that there may be an interest in re-posting the position, this time going beyond the requirements of the Charter and Policies by posting the position on the town website.

As I write the following I want to be sure that it is understood that I am doing so both respectfully and dispassionately **but** as I am required by my position to do.

While I will obviously defer to the Board's collective judgment on this matter, I believe a decision to reopen this recruitment by posting on the town website would be problematic.

A retroactive application of a new policy on a previously completed recruitment process presents a number of concerns.

- I have conducted a hiring process based upon the law, the Charter and your policies.
- I have conducted a hiring process in conformance with what has been the prior practice of the town.
- I have conducted a hiring process in conformance with the then most current legal opinions.
- I have secured a candidate that had previously held the position for 12 years.
- I have secured a candidate that has held the position for the last year.
- I have secured a candidate that I have evaluated as having exceeded expectations in the current position over the past year.
- Lastly, the candidate is a current employee and it is my belief that if there is a qualified internal candidate that they should be offered the position.

One way or another, this matter must be resolved so in that regard...

#### **Board Action Requested-**

**Option 1:** I move that the Board direct the Town Administrator to post the position of Executive Assistant to the Town Administrator on the Town website for a period of \_\_\_\_ days.

**OR**

**Option 2:** I move pursuant to the Town Administrator's recommendation that the Board hire Ms. Carolyn Smart as the Executive Assistant to the Town Administrator.

#### **B Financial Updates-**

- a. FY18 Year End Financials and Free Cash—The Town Accountant advises that in spite of the lack of a Treasurer Collector that everyone has been pitching in and working to keep us on track. In that regard, the current expectation is that the town will submit its closed and balanced books to the State Department of Revenue (DOR) by mid next week. At that point it is in DOR's hands to review, approve and certify free cash. I expect to have a sense of that timing for you at your next meeting. The certification of free cash is usually the prerequisite to the calling of a special town meeting. I will have a broadly

sketched out timeline for an STM for your next meeting based upon the feedback from DOR.

**Board Action Requested-** None requested.

C. Project Updates-

1. Town Administrator Goals and Objectives- I have enclosed a copy of the Board approved goals, objectives and deliverables sheet. I will discuss it with you at the meeting.

**Board Action Requested-** None Requested



**Carolyn Smart**

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C. 2

**From:** Selectman <sml412@comcast.net>  
**Sent:** Tuesday, September 25, 2018 7:32 AM  
**To:** Carolyn Smart  
**Subject:** FW: Hawthorne update for tonight

fyi

---

**From:** Selectman <sml412@comcast.net>  
**Sent:** Tuesday, September 25, 2018 7:30 AM  
**To:** 'Morgan, Brad' <bmorgan@nmrsd.org>  
**Cc:** 'Jim kreidler' <jkreibler@townsend.ma.us>  
**Subject:** RE: Hawthorne update for tonight

Hi Brad,

I lost track of where we left it but don't recall having formally announced it to the public at a meeting. I will add it to next Tuesday's agenda just to make sure. (10/02).

Sue

**From:** Morgan, Brad <bmorgan@nmrsd.org>  
**Sent:** Tuesday, September 25, 2018 7:21 AM  
**To:** [sml412@comcast.net](mailto:sml412@comcast.net)  
**Subject:** Re: Hawthorne update for tonight

Sue,

Has this been announced to the public? I just want to check before we move forward with any decisions.

Take care,  
Brad

On Tue, Sep 11, 2018 at 7:41 AM Select <[sml412@comcast.net](mailto:sml412@comcast.net)> wrote:

Hi,

After the HS Building Committee meeting last night Superintendent Morgan, Nancy, and I chatted about the boiler replacement. Nancy said both their Counsel and MSBA said that because the project was approved for HVAC that it is in the scope of the project but that it should be communicated to the Towns. The Town does not need to formally approve it as we did with out-of-scope items for the HS project.

The SC Chair had asked they communicate with the Towns that if they have enough money in the current project, they plan to replace a failed boiler at HB. Both boilers need replacing but one will be a "green" project funded through a grant. We simply need to announce this to the public and perhaps send an acknowledgment letter with copy to SC Chair.

Sue

--

**Brad Morgan**

Superintendent of Schools

North Middlesex Regional School District

45 Main Street

Pepperell, Massachusetts 01463

---



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65

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

Sue Lisio, Chairman  
James M. Kreidler, Jr.,  
Town Administrator

Cindy King, Vice-Chairman

Wayne Miller, Clerk  
(978) 597-1701

MEETING MINUTES FOR SEPTEMBER 11, 2018 - 6:00 P.M.  
SELECTMEN'S CHAMBERS, 272 MAIN STREET, TOWNSEND, MA

I. PRELIMINARIES - VOTES MAY BE TAKEN:

- 1.1 The meeting is called at 6:00P.M.  
Roll call vote taken showed 2 members present: Chairman Sue Lisio (SL), Clerk Wayne Miller (WM) and absent Vice-Chairman Cindy King (CK).
- 1.2 Pledge of Allegiance.
  - 1.2.1 Moment of Remembrance  
SL asked for a moment of silence in recognition of September 11<sup>th</sup> and for the loss of innocence on that tragic day.
- 1.3 SL announce that the meeting is being tape recorded.
- 1.4 SL moved to add 6.2.2 to announce when Town Counsel interviews will be held.
- 1.5 Public Comment Period  
Lauri Shifrin, Townsend Housing Authority member inquired as to status of her legal opinion.

II: EXECUTIVE SESSION - VOTES MAY BE TAKEN:

WM moved to enter from regular session to 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 for AFSCME Supervisory Union Lieutenant and AFSCME Police Union Grievance and pursuant to GL c. 30A, s. 21(a)(2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel. RE: review of existing School Resource Officer MOU and contract with Town Administrator and 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: Fire Union, Police Union, Supervisory Union, Clerical Union and Highway-Water Union. SL seconded. SL stated the Board will come back into open session. Roll call vote: SL (YES) and WM (YES).

SL called the meeting back to order at 7:22P.M.

SL informed the public, the executive session items for 2.2 & 2.3 will be tabled to a future meeting.



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

- 3.1 WM moved to appoint Kym Craven to the Townsend Emergency Management Association (TEMA) for a term effective September 11, 2018 to June 30, 2021. SL seconded. Unanimous vote.
- 3.2 WM moved to appoint Barbara A. Bourdon to the Townsend Emergency Management Association (TEMA) for a term effective September 11, 2018 to June 30, 2021. SL seconded. Unanimous vote.
- 3.3 WM moved to appoint Sean Pearson to the Zoning Board of Appeals as an Associate Member for a term effective September 11, 2018 to June 30, 2019. SL seconded. Unanimous vote.
- 3.4 WM moved to appoint David Funairole to the Zoning Board of Appeals as an Associate Member for a term effective September 11, 2018 to June 30, 2019. SL seconded. Unanimous vote.
- 3.5 WM moved to appoint David Hargraves to the Townsend Fire-EMS Association as a per diem paramedic for a term effective September 11, 2018 to June 30, 2019 contingent upon the passing of medical exam and CORI check with a one-year probationary period. SL seconded. Unanimous vote.
- 3.6 WM moved to appoint John Johnson as a Reserve Officer for the Townsend Police Department for a term effective September 11, 2018 to June 30, 2019. SL seconded. Unanimous vote.

IV. MEETING BUSINESS - VOTES MAY BE TAKEN:

- 4.1 Review/Accept a grant in the amount of \$7,800.00 through the Sustainable Materials Recovery Program.

The Board reviewed the documentation regarding the grant (please see attached) SL confirmed the grant was under the control of the Board of Health.

WM moved to accept a grant in the amount of \$7,800.00 through the Sustainable Materials Recovery Program.

- 4.2 Review/Discuss Policy 4-2018 CORI Policy, First Reading.  
The Board reviewed the draft policy (please see attached). WM moved to accept the first reading of the CORI policy. SL seconded. Unanimous vote. The Board agreed to address the second reading at the September 18, 2018 meeting.

- 4.3 Review/Discuss/Vote to authorize Cemetery and Parks Superintendent as the administrative and signatory agent for the purpose of the \$7,100.00 state appropriation for the Veterans marker.

Town Administrator, James Kreidler explained to the Board; the request and associated paperwork was made by the Cemetery & Parks Department and this office did not have any of the paperwork or details regarding the project. Mr. Kreidler requested the Board authorize the Cemetery & Parks Superintendent to be the project coordinator and responsible for all associated documentation and reporting. SL stated she would like a brief summary of what the project entails.

WM moved to authorize the Cemetery & Parks Superintendent as the administrative and signatory agent for the purpose of the \$7,100.00 state appropriation for the Veterans Marker. SL seconded. Unanimous vote.

- 4.4 WM moved to sign the proclamation for Keith Jackson. SL seconded. Unanimous vote.

- 4.5 Review/Approve a contract for Engineering Services with Tighe & Bond in the amount of \$26,600.00 for the Water Main replacement on Meadow Road.

Water Superintendent, Paul Rafuse clarified the dollar amount is \$26,600.00 as stated in the contract.

WM moved to approve a contract for Engineering Services with Tighe & Bond in the amount of \$26,600.00 for the Water Main replacement on Meadow Road. SL seconded. Unanimous vote.

- 4.6 Discussion RE: Water flow and fire suppression sufficiency in Harbor area of town.

Water Superintendent, Paul Rafuse explained the cause of the water flow issue for the Harbor area, relaying the issue is being chlorinated due to the bacteria hits at the reconnection site. Mr. Kreidler informed the Board the Fire Chief had voiced concerns as he was not informed of the issue and it could have an effect on the Harbor Mall and Schools. Mr. Kreidler informed the Board the Fire Chief did contact the Fire Marshall's office regarding the concern and the Department does have area towns and personnel informed and on standby should any problem occur. Mr. Rafuse gave the Board correspondence related to the issue (please see attached) and began to voice his concerns with the Fire Chief. Mr. Kreidler informed the Board that would be a personnel matter and should be discussed in open session.

- 4.7 Discussion of Pending Legal Opinion requested by the Chair regarding:  
1. Who is the ultimate appointing authority for Town employee positions that fall under the responsibility of the Elected Board of Selectmen?

2. If a new town employee job/title is created (such as Records Clerk at the Police Department as discussed at our last meeting), who has the authority to make the appointment?
3. Does the Board of Selectmen have veto power over appointment recommendations?
4. What are the requirements for internal vs external postings for non-union personnel?
5. Is it within the authority of Board of Selectmen to direct the Town Administrator to post a position both internally and externally and to evaluate the entire pool of candidates?
6. Is it within the authority of Board of Selectmen to direct the Town Administrator to share cover letters, resumes including work history and education, references, and in the case of internal candidates, personnel performance evaluations and educational background of job finalists with the Board?

SL stated the legal opinions received were not definitive or specific enough for her so she wanted to inform the Board she asked for a new one and above are the questions asked.

V. **OLD BUSINESS – VOTES MAY BE TAKEN:**

- 5.1 Authorize the Town Administrator to sign the Community Development Block Grant Contract and to solicit and contract for grant administration services.

Mr. Kreidler informed the Board; MRPC applied on behalf of Townsend for a CDBG and the town was awarded the contract. Mr. Kreidler informed the Board after contact with DHCD he now has to find an Administrative Agency for the grant as MRPC is no longer able to perform those services. Mr. Kreidler asked the Board for authorization to solicit planning agencies for administration of the grant.

WM moved to authorize the Town Administrator to sign the Community Development Block Grant Contract and to solicit and contract for grant administration services. SL seconded. Unanimous vote.

VI. **WORK SESSION – VOTES MAY BE TAKEN:**

- 6.1 Town Administrator updates and report

Mr. Kreidler read his report to the Board as attached addressing all agenda items 6.1.1-6.1.10.

Personnel Updates

6.1.1 Sgt. John Johnson (ret.) schedule before the Board for appreciation

SL relayed she would like to schedule sometime in October.

6.1.2 Employee Compensatory Time Discussion

6.1.3 Update regarding Interim Treasurer/Collector Services.

WM moved the Board of Selectmen approve the submittal proposal for Interim Tax Collector/Treasurer Services. SL seconded. Unanimous vote.

6.1.4 Request approval for attendance at a course at the Columbia University Business School-Executive Education Program per the terms of the contract between the Town and me, specifically providing "...tuition for one college level course per semester at a college of the TOWN ADMINISTRATOR'S choice, subject to the prior approval of the TOWN..."



WM approved per Mr. Kreidler's contract the request to attend and take the course. SL seconded. Unanimous vote. Resident Laura Shifrin inquired as to the cost and reimbursement.

6.1.5 School Resource Officer Update.

Financial Updates

6.1.6 Boiler replacement at Varnum Brook and Hawthorn Brook within the funding of the Accelerated Repair Projects

6.1.7 Letter to Governor Baker RE: Requested release of bond authorization for the Town Common sidewalks.

WM moved to approve the draft letter to Governor Baker and sign out of session. SL seconded. Unanimous vote.

6.1.8 Assessors Office Veterans Exemption- discussion regarding two veterans who were not provided their exemptions in spite of having appropriately filed.

Miscellaneous Updates

6.1.9 Draft policy making the Town website the official posting location for town notices requiring legal posting.

6.1.10 Update RE: question about posting lawsuit documents on the town website.

The Board reviewed the legal opinion (please see attached). The Board agreed to review any documents to be uploaded prior to being placed on the website.

6.2 Board of Selectmen announcements, updates, and reports.

Selectman King: Opiate crisis in Townsend and Recovery Month  
Suicide Awareness Week  
Veteran Benefits

Selectmen King's updates were tabled to a future meeting.

6.3 Clerk of the Board announcements for events

WM read two announcements - see attached. One for a Arts & Crafts fair and the other for the POW MIA ceremony both on the Town Common.

6.4 Board Correspondence. None.

6.5 Approval of meeting minutes for August 21, 2018. SL moved to table the meeting minutes for August 21, 2018.

6.6 WM moved to review and sign the payroll and bills payable warrants out of session. SL seconded. Unanimous vote.

VII. ADJOURNMENT:

WM moved to adjourn the meeting at 8:35P.M. SL Seconded. Unanimous vote.

Respectfully submitted by,

Carolyn Smart, Executive Assistant

*Voted to approve the meeting minutes for the meeting of September 11, 2018, by the Board of Selectmen this \_\_\_\_\_ day of \_\_\_\_\_, 2018.*





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

Sue Lisio, Chairman

Cindy King, Vice-Chairman

Wayne Miller, Clerk

James M. Kreidler, Jr.,  
Town Administrator

(978) 597-1701

MEETING MINUTES FOR SEPTEMBER 18, 2018 5:30 P.M.  
SELECTMEN'S CHAMBERS, 272 MAIN STREET, TOWNSEND, MA

I. PRELIMINARIES - VOTES MAY BE TAKEN:

1.1 The meeting was called to order at 5:30P.M.

Roll call vote taken showed 2 members present: Chairman Sue Lisio (SL) and Clerk Wayne Miller (WM).

Vice-Chair Cindy King (CK) arrived at the meeting at 5:55P.M.

SL moved to address 3.1 prior to the preliminaries.

1.2 Pledge of Allegiance

1.3 Announce that the meeting is being tape recorded.

At 6:00P.M. SL announced the meeting is being tape recorded as of 6:00P.M. as the technical difficulties were resolved.

1.4 Chairman's Additions or Deletions.

SL added under 4.2 to discuss the future meeting schedule.

1.5 Public Comment Period

There were no public comments heard from the audience members.

II. APPOINTMENTS AND HEARINGS - VOTES MAY BE TAKEN:

2.1 6:15P.M. Interview for Town Counsel services with the Law Firm, Miyares and Harrington, LLP.

The Board met with Attorney Harrington and Attorney Heep from the Law Firm Miyares and Harrington, LLP. SL handed out the process document - (please see attached). SL explained the process that will be used to conduct the interviews. Each Board member asked 3 questions and then asked the Attorney (s) if they had questions for them. SL stated they would be using the same process for each interview and hope to have a decision by the beginning of November.

III. MEETING BUSINESS - VOTES MAY BE TAKEN:

3.1 5:30P.M. Review/Discuss questions to be considered for the interview process of Town & Labor Counsel Services.

The Board reviewed the summary process presented by SL (see attached), each member reviewed the questions submitted. SL designated 3 questions per member, asking the Town Administrator to draft a summary sheet of the questions to be asked.

The Board took a brief recess while the Town Administrator drafted the questions for each member.

When CK arrived to the meeting; SL updated her on the summary process and gave her 3 questions to ask and review.

- 3.2 Review/Approve/Sign a Common Victualler license application for Jasen Girouard, The Better Foods Co., LLC. The Board reviewed the license application request. CK voiced concern the application did not appear to be signed and requested the licensee sign the application before release of the license.

WM moved to approve and sign out of session a common victualler license for Jasen Girouard, The Better Foods Co., LLC pending his signature on the application page packet. CK seconded. Unanimous vote.

- 3.3 Review/Approve/Sign an agreement with Fitchburg Gas and Electric Company, dba Unitil for Outdoor LED Light Billing. The Board reviewed the billing agreement and the recommendation from the Energy Committee. (please see attached).

WM moved to approve and sign an agreement with Fitchburg Gas and Electric Company, dba Unitil for Outdoor LED Light Billing. CK seconded. Unanimous vote.

- 3.4 WM moved to approve the request from the Energy Committee to authorize John Hume of M.R.P.C. to access and complete the reporting necessary in the MassEnergyInsight energy reporting system and to authorize the Chairman to sign letter (s) to the Regional Coordinator of the Green Communities Division granting permission to access and report in the MassEnergyInsight energy reporting system. CK seconded. Unanimous vote.

- 3.5 Review/Approve policy #5-2018, Criminal Offender Record Information (CORI). Mr. Kreidler relayed this is the second reading in accordance with the Board policies and he has not received any edits or changes from the Board members.

WM moved to approve #5-2018 Criminal Offender Record Information second reading. CK seconded. WM amended his motion; "as a Board of Selectmen policy" CK seconded. Unanimous vote.

#### IV. WORK SESSION – VOTES MAY BE TAKEN:

- 4.1 Town Administrator updates and reports.  
There were no Town Administrator updates or reports.



- 4.2 Board of Selectmen announcements, updates, and reports.  
4.2.1 Board Schedules: SL inquired to what dates the Board members were available. The Board together reviewed the calendar and set the following dates for meetings:  
October 2<sup>nd</sup> – regular meeting  
October 4<sup>th</sup> – Town Counsel interviews  
October 9<sup>th</sup> – regular meeting  
October 23<sup>rd</sup> – work session  
SL informed the Board the Charter Committee met and organized last Thursday. SL stated she reached out to Attorney Goldberg to request information for the Charter review.
- 4.3 Clerk of the Board announcements for events - None
- 4.4 Board Correspondence  
WM stated he did receive an inquiry as to the status of a public records request. Mr. Kreidler informed the Board it was processed and in the mail to the requestor with a copy sent to the Supervisor of Public Records.
- 4.5 Approval of meeting minutes for August 21, 2018. SL questioned the motion passed under for an appointment or affirmation of the records clerk. WM moved to approve the meeting minutes for August 21, 2018. CK seconded. Unanimous vote.
- 4.6 WM moved to sign the bills payable warrant out of session. CK seconded. Unanimous vote.

V. ADJOURNMENT:

WM moved to adjourn the meeting at 7:30P.M. CK seconded. Unanimous vote.

Respectfully submitted by,

Carolyn Smart, Executive Assistant

*Voted to approve the meeting minutes for the meeting of September 18, 2018, by the Board of Selectmen this*  
\_\_\_\_\_day of \_\_\_\_\_,2018



Outstanding Items List (version 1) as of 10/2/2018

Number	Item	Who	Priority	Category	Notes	Completed date/name
1	Town Counsel Search, summary, questions, and set a meeting date to do interviews	BOS		Town Counsel	TA report in BOS Packets 7/10/18, 9/11/18	9/11/18 ALL
2	Employee reception date, time, plans	Staff		follow up	Pick Fall Date/Spring next yr. Set for 9/11/18	9/11/18 JMK
3	Update on TAYBS progress	TA		follow up	TA report in BOS Packets 7/10/18	
4	Update/Results/next steps on unregistered vehicle complaints	Staff		follow up	Revised bylaw for STM	
5	Police cruisers, buy or lease? We were going to discuss this more after budget.	TA		follow up	Chief to present at July Bos meeting, Sept. meeting	
6	VADAR, updates and/or missing components from TA/Laurie. This was related to reports and easier access (Excel?) to expenditures, etc.	Staff		follow up	Accountant to address Bos at August meeting	
7	TA goals, tasks, with timelines as result of BOS goals summary.	TA		GOALS	TA completed	8/21/18 JMK
8	Next steps for each goal. Examples, talk to Lunenburg, for roads goal, etc. u	BOS		GOALS	TA presented detail deliverables	8/21/18 JMK
9	Regionalization, update on Ashby project and when to bring it to the Board.	TA		follow up	TA report in Bos Packets 7/10/18	
10	LT and Assessor contracts.	BOS		follow up	Executive Session 7/10/18, LT 9/11/18. Assessor denied	9/11/18 ALL
11	LUC job description related discussion	BOS		business		
13	Announce, post, discuss open Treas/coll job. Regionalize?	BOS		GOALS	Posted on 6/2/18. 7 applicants to date. No hire. Consultant	
14	HR consultant	BOS		business	Hold indefinite	HOLD
15	Timeline for IT consultants to give us priorities.	TA		follow up	TA report in Bos Packet 7/10/18	7/10/18 JMK
16	Based on item 15, prepare money article for the Fall?	TA		business	See #15 and consultant's report	7/10/18 JMK
17	THA report from Liaison, budget, assistance	Sue		follow up	Chairman Lisio to present 7/10/18	7/10/18 SL
18	Goals progress, establish subcommittees?	BOS		GOALS		
19	Finance team	TA		follow up		
20	Cable access	TA		follow up	Expect legal update for 7/10/18 Bos meeting. Ongoing	
21	Cable Corporation	BOS		follow up	Expect legal update for 7/10/18 Bos meeting. Ongoing	
22	Resource officer, update, plan and timeline for FY19 School year	TA		business	Chief to present at July Bos meeting	9/11/18 JMK
23	Other regionalization opportunities?	BOS		GOALS	Ongoing discussions with Lunenburg re: ACO	7/11/18 CS
24	TC All Board trainings for 2019	Staff		business	Open Meeting Law and Ethics. (Videos)	
25	All Boards Meetings/Plans	TA		follow up	Consensus is Mid September. Pick date and location	7/10/18 ALL
26	Put draft policies to bed (public comm, legal use, agendas) others?	BOS		business	On 7/10/18 Bos Agenda	7/10/18 ALL
27	New: Closing 2018, plan with Barbara leaving. Resources required?	TA		business	Treasurer Collector to address Bos at July meeting	7/10/18 ALL
28	Properties Committee - members, status, openings, postings, appointments?	Staff		business	On 7/10/18 Bos Agenda	
29	Exec Session for July 10 - complaint against a Town Employee and have TC send notice to employee	Sue		business	On 7/10/18 Bos Agenda	7/10/18 ALL
30	Heard HR Director for NM is leaving. Regionalization opportunity with their new one?	BOS		GOALS	Outreach made to NMRSD	
31	Website functionality and user-friendly assessment - subcommittee?	BOS		business		
32	Ask BOS members to review policies and come back with priority list for revisions	BOS		business	On 7/10/18 Bos Agenda. Ongoing	
33	Assign Liaison flag committee	BOS		business	On 7/10/18 Bos Agenda. Done. Sue Lisio	7/10/18 SL



List of anticipated agenda items for October. Some may be better handled in work session?

1. TA Report to include
  - a. Goals and Associated Tasks
    - i. A specific timeline for each goal
    - ii. Approach for each
    - iii. What has been achieved to date on each
  - b. Update on Agenda Posting on Website
  - c. Work efficiencies - VADAR
2. Police Report
  - a. Progress to date on Certification
  - b. Progress to date on Department Policies
3. Communications – NVCC Update
4. IT Report and update on work progress and items completed to date
5. Website functionality and user-friendly assessment – subcommittee
6. Cable Access Next Steps
7. Cable Corporation Next Steps
8. Town Properties Committee Discussion on roles, charge, structure
9. Other normal town business



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