

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 MINTUES FOR OCTOBER 23, 2018 6:00 P.M. SELECTMEN'S CHAMBERS, TOWN HALL 272 MAIN STREET, TOWNSEND, MA

- I. PRELIMINARIES VOTES MAY BE TAKEN:
- The meeting was called to order at 6:00P.M.

 Roll call vote taken showed 2 members present and 2 absent: Chairman Sue Lisio (SL) and Clerk, Wayne Miller (WM). Absent Vice-Chair, Cindy King (CK).
- 1.2 Pledge of Allegiance
- 1.3 SL announced that the meeting is being tape recorded.
- 1.4 SL added agenda item: 2.1.1 Regional Dispatch Subcommittee.
- 1.5 Public Comment Period (no comments made)

SL moved to address 3.1

- II. MEETING BUSINESS VOTES MAY BE TAKEN:
- 2.1 Nashoba Valley Regional Dispatch discussion, RE: Admin & Finance Boards 2.1.1 Formation of a Regional (Pepperell, Ashby, & Townsend) Dispatch Subcommittee and membership discussion.

After the executive session (see below) SL moved to address agenda item 2.1 SL informed the Board that the Fire-EMS Chief did not want to be on the Admin Board for Nashoba Dispatch and stated the Board needed to appoint another person. The Police Chief will continue to serve as the alternate member. Mr. Kreidler, Town Administrator stated he would be willing to serve on the Admin Board as most members are Town Administrators. Further discussion regarding the formation of a finance board ensued: Mr. Kreidler informed the Board the Town Accountant, Lauri Plourde did attend the first meeting. SL asked Mr. Kreidler to get clarification for the responsibilities of the newly created Finance Board.

SL stated she had reviewed the Admin Board meeting minutes and talked with folks. SL stated while WM is the appointed liaison for the communications group; SL requested she be able to represent the town in a meeting with Rep Harrington and other State Officials and would like the blessing of the Board of Selectmen to continue that work.

Selectmen's meeting minutes for October 23, 2018

WM moved to appoint the Fire Chief to the Pepperell, Ashby, Townsend Communications Group. SL seconded. Unanimous vote.

SL asked for an official vote to continue her work with the Nashoba Dispatch discussions. WM moved that SL continue her work with Nashoba Valley Dispatch. SL seconded. Unanimous vote.

- III. NEW BUSINESS VOTES MAY BE TAKEN:
- Review/Approve Change Order #8 in the amount of 2,635.00 for the West Townsend Fire Station Project.

The Board reviewed the change order as attached. WM moved to approve change order #8 in the amount of \$2,635.00 for the West Townsend Fire Station Project. SL seconded. Unanimous vote.

- 3.2 Review/Approve a Road Opening Permit for Unitil, RE: Cross Street
 The Board reviewed the Road Opening Permit as attached. WM moved to approve the
 Road Opening Permit for Unitil regarding Cross Street. SL seconded. Unanimous Vote.
- 3.3 WM moved to approve one-day special licenses for Terri Roy, VFW Post #6538 for the following dates:
 - October 27, 2018 with serving hours from 7:00P.M. to 11:00P.M. in conjunction with a birthday party.
 - November 10, 2018 with serving hours from 7:00P.M. to 11:00P.M. in conjunction with a birthday party.
 - November 17, 2018 with serving hours from 12:00P.M. to 4:00P.M. in conjunction with a baby shower.

SL seconded. Unanimous vote.

Review/Approve Classification and/or Vacancy in a Water Department Position. The Board reviewed the classification documentation as attached. WM moved to approve the classification and vacancy in the water department. SL seconded. Mr. Kreidler explained the new position was voted by the Water Commissioners. Mr. Kreidler stated he received the job description last night and rated the position, (please see attached). The Board reviewed the current classifications for positions – (please see attached). Unanimous vote. Mr. Rafuse, Water Superintendent inquired if the position could be filled while Mr. MacEachern was still an employee. Mr. Kreidler informed the Superintendent and the Board, it is dependent upon any budgetary concerns and is in the control of the Water Commissioners.

SL moved to address V. Executive Session:

WM moved to enter executive session pursuant to GL c. 30A, s. 21(a)(3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a

Selectmen's meeting minutes for October 23, 2018

detrimental effect on the bargaining position or litigating position and the chair so declares for AFSCME Supervisory Union Lieutenant and AFSCME Police Union Grievance. SL seconded. WM amended the motion to reconvene in an open session. SL seconded. Roll call SL (YES) and WM (YES).

WM moved to close executive session and enter into regular session. SL seconded. Roll call vote: SL (YES) & WM (YES).

WM moved the Board of Selectmen ratify the addendum to the Supervisors contract for the Police Lieutenant and sign out of session. SL seconded. Unanimous Vote.

SL moved to address agenda item 2.1.

- IV. WORK SESSION VOTES MAY BE TAKEN:
- 4.1 Discussion, RE: Town Properties Bylaw.

 The Board reviewed the bylaw please see attached. Mr. Kreidler asked the Board to submit any edits or changes they'd like.
- 4.2 Discussion, RE: Selectmen's and Personnel Policies Revisions, Updates, Process, Matrix.

SL stated she would like the Board to step back and allow the newly Appointed Town Counsel to review and become familiar with the policies. SL asked that Attorney Costa attend the next Board meeting to discuss.

4.3 Discussion of Board Priorities for new Town and Labor Counsel.

The Board discussed priorities: Housing Authority Veterans Project, Charter Review, assistance with the Marijuana bylaws for the Planning Board, and Personnel Polices.

The Board tabled all policy review, agenda items 4.4 to 4.8 until Counsel can review.

- 4.4 Review/Approve BOS policy #6-2018 Personal Service Contract Administration (second reading)
- 4.5 Review/Discuss BOS policy #7-2018 Public Meeting Notice Posting Requirements.
- 4.6 Review/Discuss BOS policy #8-2018 Posting of All Lawsuit Documentation Once Served onto the Town Website
- 4.7 Review/Discuss BOS policy #9-2018 Social Media Policy.
- 4.8 Review/Discuss BOS policy #10-2018 Code of Conduct Policy.
- 4.9 Review/Discuss Town Administrator Goals & Objectives Status Report.

 Mr. Kreidler gave the Board a status report please see attached. Discussion included: communications, IT replacement equipment, IT & phone upgrades, and use of differing software and email servers. Additional conversation regarding the replacement for the Attorney hired for the cable contract.
- 4.10 Discussion RE: Town Administrator Evaluation Process & Job Description Revisions. Mr. Kreidler explained how the performance evaluation process is outlined with the suggestion of waiting until March/April to conduct the process.

Selectmen's meeting minutes for October 23, 2018

4.11 Discussion/set date for Town Administrator Evaluation. WM moved to push out the Town Administrator's evaluation until March 31, 2019. SL seconded. Unanimous vote.
4.12 Request for 12/6/18 meeting, List/Discussion of pending articles for Special Town Meeting. Mr. Kreidler informed the Board of what articles are pending to include: unregistered vehicles, Town Properties Committee, further stating he will send out notification to departments requesting they submit any pending articles/issues.
4.13 Boston Post Cane Award Announcement and Proclamation. WM read the proclamation into the record – please see attached.
4.14 Board of Selectmen announcements, updates, and reports. WM read information regarding the drug take back program - please see attached.
4.15 WM moved to review and sign the payroll and bills payable warrants out of session. SL seconded. Unanimous vote.
V. EXECUTIVE SESSION - VOTES MAY BE TAKEN: 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.
SEE ABOVE UNDER 3.4
VI. ADJOURNMENT:
WM moved to adjourn the meeting at 8:55P.M. SL seconded. Unanimous vote.
Respectfully submitted by, Carolyn Smart, Executive Assistant
Voted to approve the meeting minutes for the meeting of October 23, 2018, by the Board of Selectmen this

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Mark R. Boynton Chief of Department

TOWNSEND FIRE-EMS DEPARTMENT

Proudly serving the citizens of Townsend since 1875

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

Headquarters: 978-597-8150

Fax: 978-300-5786

To:

James Kreidler Jr. Town Administrator

From:

Mark R. Boynton, Fire-EMS Chief MR8

Subject:

West Townsend Fire Station Change order #7

Date:

October 11, 2018

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

The attached contract change order reflects two changes with increased cost totaling \$2,635 and extending the completion date by 2 working days. Funding is available within the contingency fund that has a current balance of \$42,884.00

- Provide and install ground fault circuit breakers to cord reels and plug mold strips in apparatus bay as required by the electrical inspector. \$1,616.00 This is a result of a disagreement in which code applies. Since there is potential these could get wet the safest course of action is to install the GFCI breakers.
- Reroute electrical feed to new condensing unit for air conditioning. \$1,019.00 The condensing unit was moved from outside the building and being exposed to the weather to inside the apparatus bay. This accomplished two things: Dramatically increasing the life expectancy of the unit by putting it inside. Second improving access to the system components for maintenance and repair.

Carolyn Smart

From:

Mark Boynton <mboynton@townsendpd.org>

Sent: To:

Thursday, October 11, 2018 3:26 PM

Jim Kreidler (jkreidler@townsend.ma.us); Carolyn Smart (csmart@townsend.ma.us)

Subject:

Change order

Attachments:

18.10#8.pdf

Zepka found a mistake in the math on the last change order. Change cost are the same the total cost and contract cost have changed on the bottom. Please us this one and delete the previous change order I sent you.

Sorry for the confusion.

Thanks Mark

Mark R. Boynton Fire-EMS Chief **Townsend Fire-EMS Department** 13 Elm Street Townsend, MA 01469 Mobile 978-201-3313 Office 978-597-8150



Virus-free. www.avg.com

CONTRACT CHANGE ORDER

Date:

10.10.18

Project:

Townsend Fire Substation

460 Main Street

Townsend, MA 01474

To Contractor: Souliere & Zepka Construction, Inc.

5 Spring Street Adams, MA 01220 Change Order No:

Contract Date:

Architect's Project Number:

1623

N/A

Contractor's Project Number:

10.03.2017

The Contract is changed as follows:

 ADD: Provide and install 4 GCI breakers at cord reels and plug mold strips, per the electrical inspector's requirements.

Add: I working day

ADD: Reroute electrical feed to new condensing unit location.

\$1,616.00

Add: 1 working day

\$1,019.00

\$2,635.00

. 09.14.2018

Total adds:

\$2,635.00

Net Change Order:

See attached PCO #021 and PCO #022 for breakdown of costs.

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

The Original Contract Sum was\$1,424,290.00 The Contract Sum will be INCREASED by this Change Order in the amount of......\$2,635.00 The new Contract Sum including this Change Order will be\$1,512,308.25 The Contract Time will be INCREASED by...... .2 working days

The date of Substantial Completion will be ...

Contractor The Calante Architecture Studio, Inc. 146 Mount Auburn Street Cambridge, MA 02138

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

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

9/27/18

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

Attn: Jamie Emerson

Re: Townsend Fire Substation

PCO # 021 - additional GFCI circuit breakers

Add 4 GFCI circuit breakers, one on each cord reel and one on each Apparatus Bay plug mold strip.

Electrical

Hub Electric Inc. FS (see attached breakdown)

\$1,483.96

Souliere & Zepka Const., Inc

7.5% on FS

\$ 111.30 \$1,595.26

1.3% Bond

\$ 20.74

Total PCO #021.....\$1,616.00

Additional days required for this proposal: 1 working day

Respectfully Submitted,

Michael A. Zepka

President

Hub Electric Inc.

10 Draper Street Unit 19 Woburn, MA 01801

Extra Work Order #11

Date	EWO
9/27/2018	5517

Name / Address	
Souliere & Zepka Construction, Inc. 5 Spring Street Adams, MA 01220 USA	

	Proje	ect
	Townsend - New I	Fire Sub Station
Description		Total
West Townsend Fire Substation		,
Scope of Work: Add four (4) GFCl circuit breakers, one on each cord reel and on plug mold strip.	e on each apparatus bay	
Electrical Man I lours (4 hours X \$98.00) 4 - GFCI circuit breakers @ \$224.60 each Profit/Overhead 15%		392.00 898.40 193.56
	4	
xtra Work Order being submitted by:Hub Electric Inc.	Total	\$1 483 96

SOULIERE & ZEPKA CONSTRUCTION, INC.

General Contractors

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

10/3/18

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

Attn: Jamie Emerson

Re: Townsend Fire Substation PCO #022 - wiring CU-1

Remove original feed for CU-1 and refeed at new location.

Electrical

Hub Electric Inc. FS (see attached breakdown)

\$936.10

Souliere & Zepka Const., Inc.

7.5% on FS

\$ 70.21

\$1,006.31 \$ 13.08

1.3% Bond

Total PCO #022.....\$1,019.00

Additional days required for this proposal: 1 working day

Respectfully Submitted,

Michael Alyen

Michael A. Zepka

President

Hub Electric Inc.

10 Draper Street Unit 19 Woburn, MA 01801

Extra Work Order #12

Date	EWO	
10/2/2018	5518	

Name / Address	
Souliere & Zepka Construction, Inc. 5 Spring Street Adams, MA 01220 USA	

_		
		Project
	Townsence	- New Fire Sub Station
West Townsend Pire Substation		Total
Scope of Work: Remove original feed for CU-1 and re-feed at new location on stair Electrical Man Hours (8 hours X \$98.00) Materials Profit/Overhead 15%	well wail.	784.00 30.00 122.10
	Total	\$936.10

× X

TOWN OF TOWNSEND

Highway Department 177 Main Street Townsend, Massachusetts 01469 Tel: (978) 597-1712

Fax: (978) 597-0726

ROAD OPENING PERMIT APPLICATION FOR EXCAVATION IN <u>PUBLIC WAYS</u>

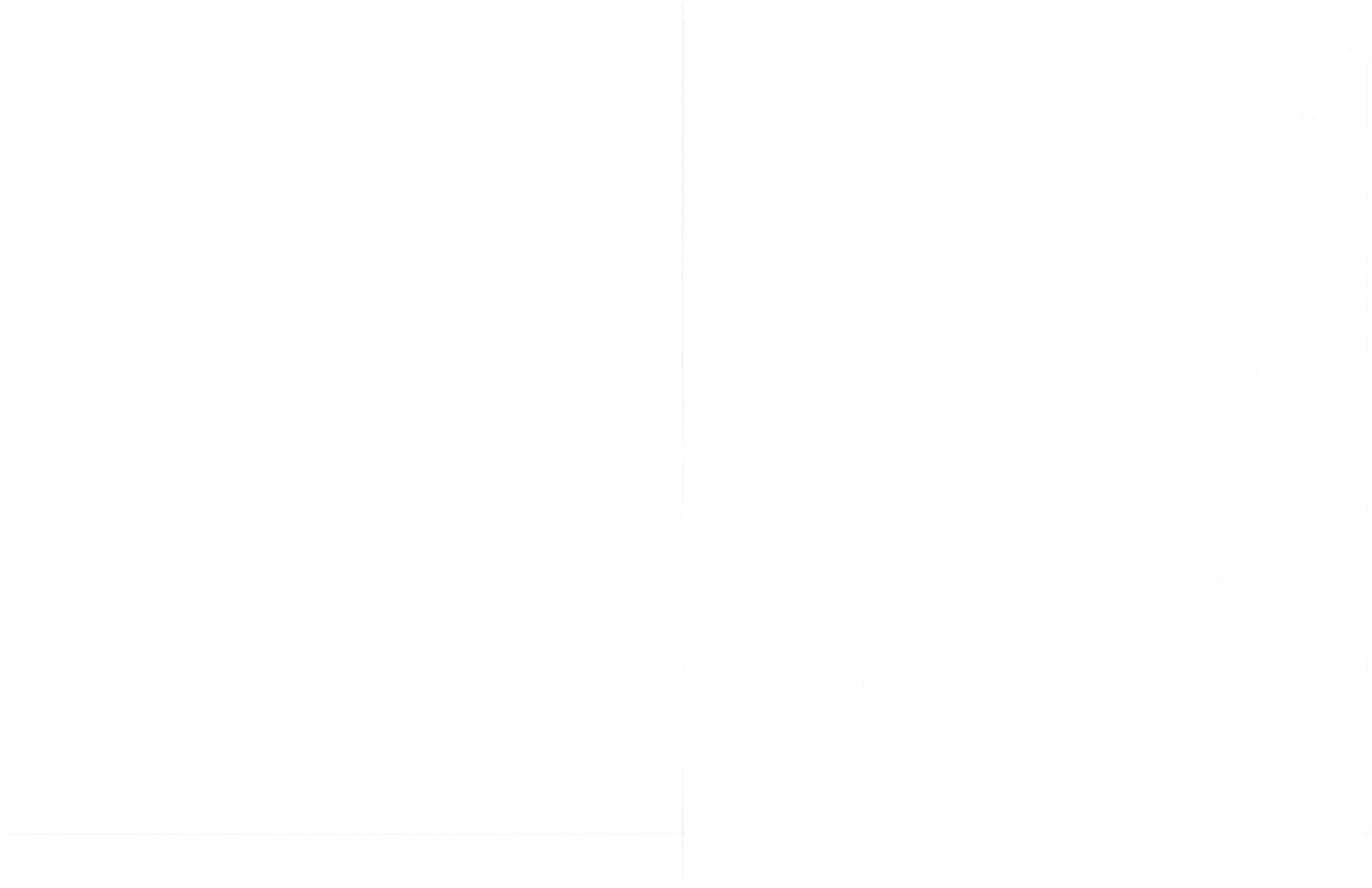
Date: 10/5/201	8	Permit #: <u>6-19</u>	CA
APPLICANT: (C	Complete this section only if differer	nt than Contractor per	rforming the work)
Name:Un	itil Fitchburg Gas and Electric		
Address: 35	57 Electric Ave		
Lu	unenburg Ma 01462		
	978-353-3221 Fax #		
	if different from name listed above)		
CONTRACTOR:			
Name:Ur	nitil/Neuco		
Address:35	7 Electric Ave		
	nenburg Ma 01462		
	978-353-3260		X
Contact Person (if	f different from the name listed abo	ve):Mark Di	meco Jr
Name of person p	performing the excavation (if differen	nt from name listed al	bove)
Name of compete	ent person to be at the worksite (as o	defined by 520 CMR 1	4.02)
	Mark Dimeco		

Mark Dimeco

Update 06/23/16

Massachusetts Hoisting Equipment License Information;
License Number:
Grade:
Expiration Date:
Name and contact information of insurer (a valid, current certificate of insurance <u>must</u> be attached);
DETAILS OF EXCAVATION
Exact Location of Excavation – Street: Cross St House Number: 8 to
Scope of Work: Gas Service installation
Length of Cut: Depth of Cut:
Start Date: Estimated Working Days:
NOTIFICATION DATES:
Dig Safe:
Detail Officer Required: Yes No
Highway Superintendent: James 50 Smith Date: 10/5/18
Board of Selectmen: Lisio
Date: 16/23/18
Fee Received: Check #:
NOTE: Application must be completed and submitted to the Highway Department no less than 48 hours before work begins.

Update 06/23/16



TOWN OF TOWNSEND 272 MAIN STREET, TOWNSEND, MA 01469

NOTICE OF APPROVAL OF SPECIAL PERMIT

This is to certify that:

TERRI ROY

V.F.W.Post #6538

491A Main Street

West Townsend, MA

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

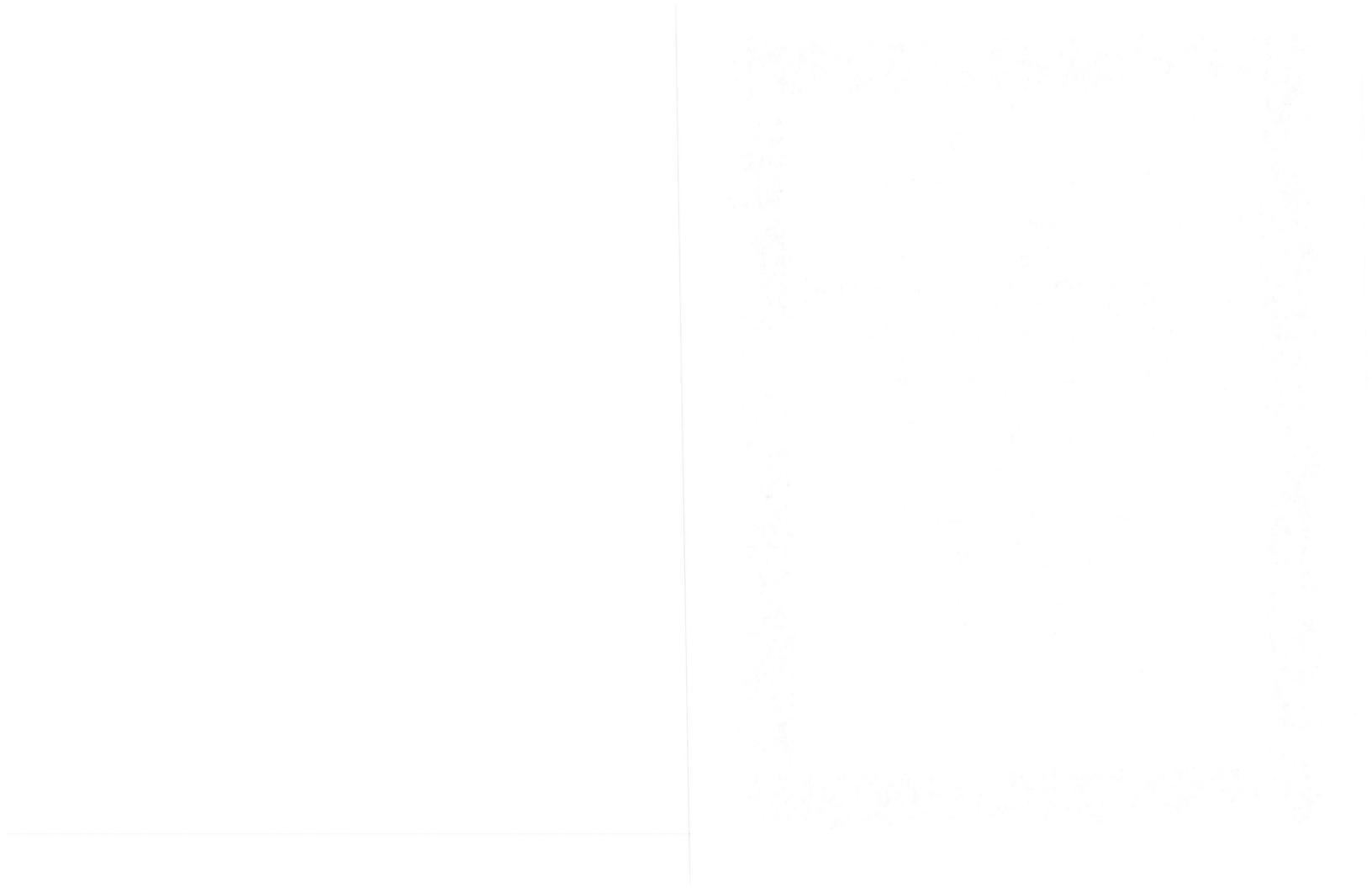
Under Chapter 138, Section 14, of the Liquor Control Act.

In conjunction with a "Birthday Party" to be held on October 27, 2018 with sal hours from 7:00P.M. to 11:00P.M.

The license is granted in conformity with the Statutes and ordinances relating thereto and expires 10/27/18 unless sooner suspended or revoked.

THE LOCAL LICENSING AUTHORITIES

SEE ATTACHED CONDITIONS OF LICENSE



TOWN OF TOWNSEND 272 MAIN STREET, TOWNSEND, MA 01469

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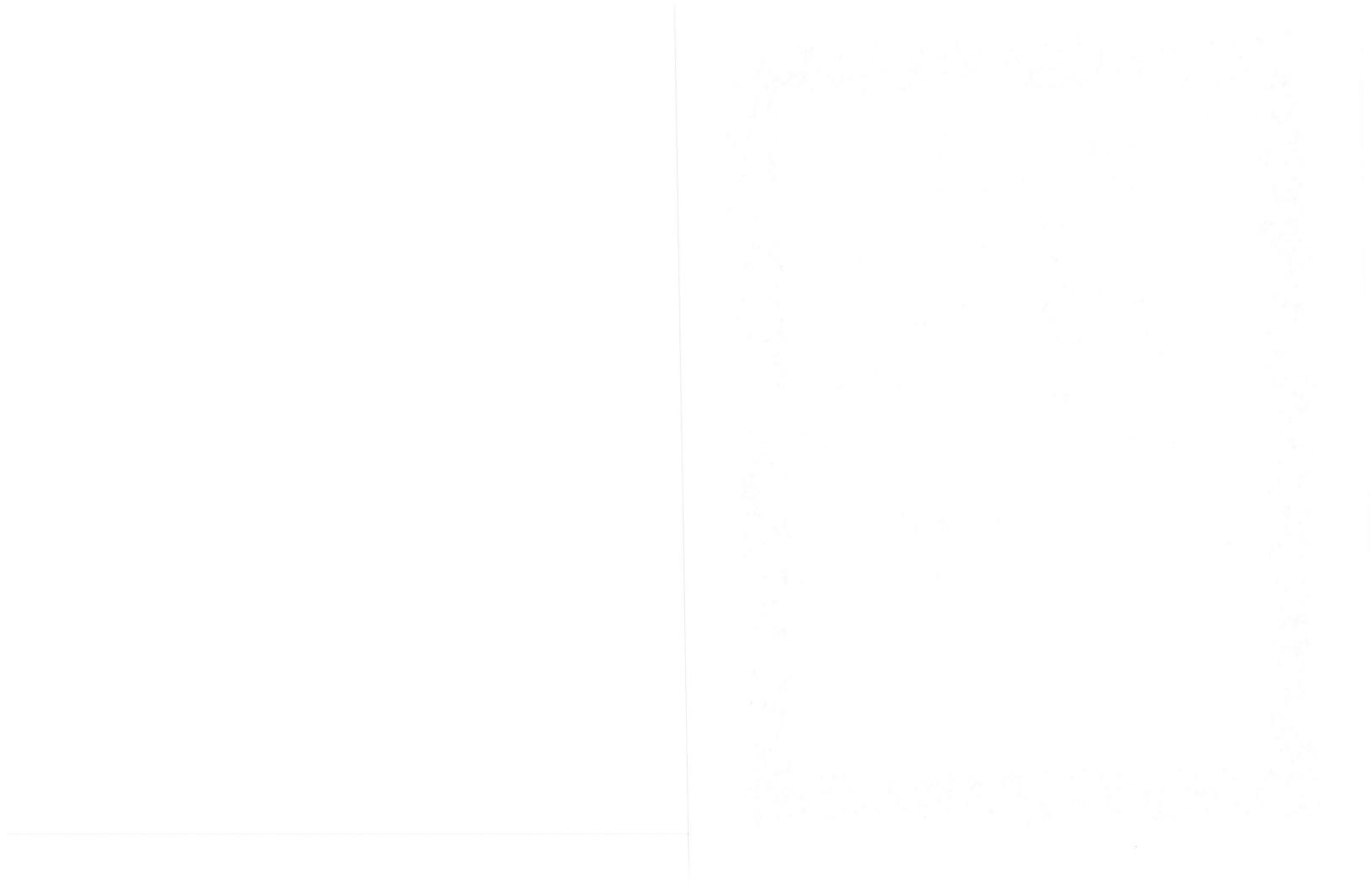
Under Chapter 138, Section 14, of the Liquor Control Act.

In conjunction with a "Baby Shower" to be held on November 17, 2018 with sal hours from 12:00P.M. to 4:00P.M.

The license is granted in conformity with the Statutes and ordinances relating thereto and expires 11/17/18 unless sooner suspended or revoked.

THE LOCAL LICENSING AUTHORITIES

SEE ATTACHED CONDITIONS OF LICENSE



TOWN OF TOWNSEND 272 MAIN STREET, TOWNSEND, MA 01469

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West Townsend, MA

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

In conjunction with a "Birthday Party" to be held on November 10, 2018 with sal hours from 7:00P.M. to 11:00P.M.

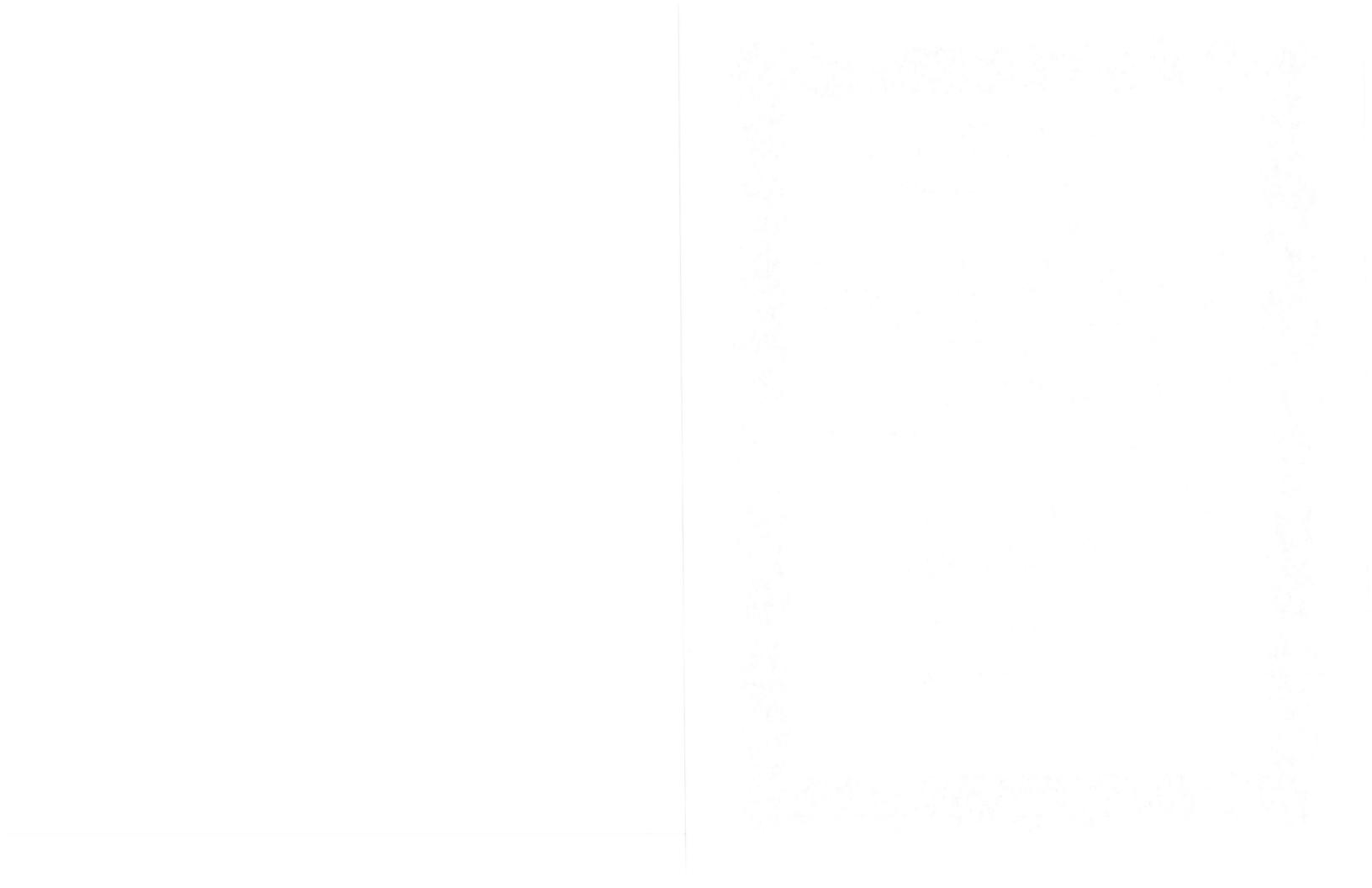
The license is granted in conformity with the Statutes and ordinances relating thereto and expires 11/10/18 unless sooner suspended or revoked.

Date: 10/23/19

THE LOCAL LICENSING AUTHORITIES

Sua Disie

SEE ATTACHED CONDITIONS OF LICENSE



4.1

Chapter 127. Town Properties Committee

[HISTORY: Adopted by the Annual Town Meeting of the Town of Townsend 4-29-1997] ATM by Art. 20. Amendments noted where applicable.]

§ 127-1. Basic charge.

The Board of Selectmen shall annually appoint a seven-member committee to be known as the Town Properties Committee (TPC) charged with assisting the Board of Selectmen with maintenance, acquisition and sales of all Town-owned properties.

§ 127-2. Membership and appointment.

[Amended 5-4-1999 ATM by Art. 25]

The seven-member Town Properties Committee (TPC) shall be appointed by the Board of Selectmen. The Board of Selectmen shall first appoint the five members as follows: one member of the Planning Board, one member of the Finance Committee, one member of the Board of Assessors, one member of the Conservation Commission and one member of the Highway Department. If a member of any board, committee, commission or department declines an appointment, then the Board of Selectmen may substitute a member from the public-at-large. In declining the appointment. The remaining two members shall appointed from the public-at-large. All members of the TPC shall be annually appointed or reappointed at the Board of Selectmen's first scheduled meeting in March.

§ 127-3. Property inventory.

The Board will maintain a standing inventory list of Town-owned real estate and personal property. Such inventory will be annually updated with each Town department notifying the Committee of newly acquired and recently disposed of property. The Committee will annually furnish the Town Accountant with an updated inventory listing.

§ 127-4. Property maintenance proposal and budget.

The TPC will prepare for the Board of Selectmen an annual property maintenance proposal and a proposed budget.

§ 127-5. Property acquisitions and sales.

TPC is charged with assisting the Board of Selectmen in reviewing all proposals for the acquisition or sale of real estate. Within 90 days after receiving written notification by the Board of Selectmen of a proposal to acquire or sell real estate, the TPC will report back to the Selectmen with a report containing recommendations as follows:

- A. The property's strategic value to the Town;
- B. The findings of any appraisals prepared to determine the property's worth;
- Findings of site visits, engineering studies, and environmental assessments;
- A post-acquisition management plan to ensure ongoing property maintenance;
- E. Proposed language for Town Meeting articles; and
- F. Suggested means for funding the acquisition.

§ 127-6. Advisory role.

The role of the TPC shall be advisory only and shall not supersede the role or duty of any other board or officer empowered by statute.

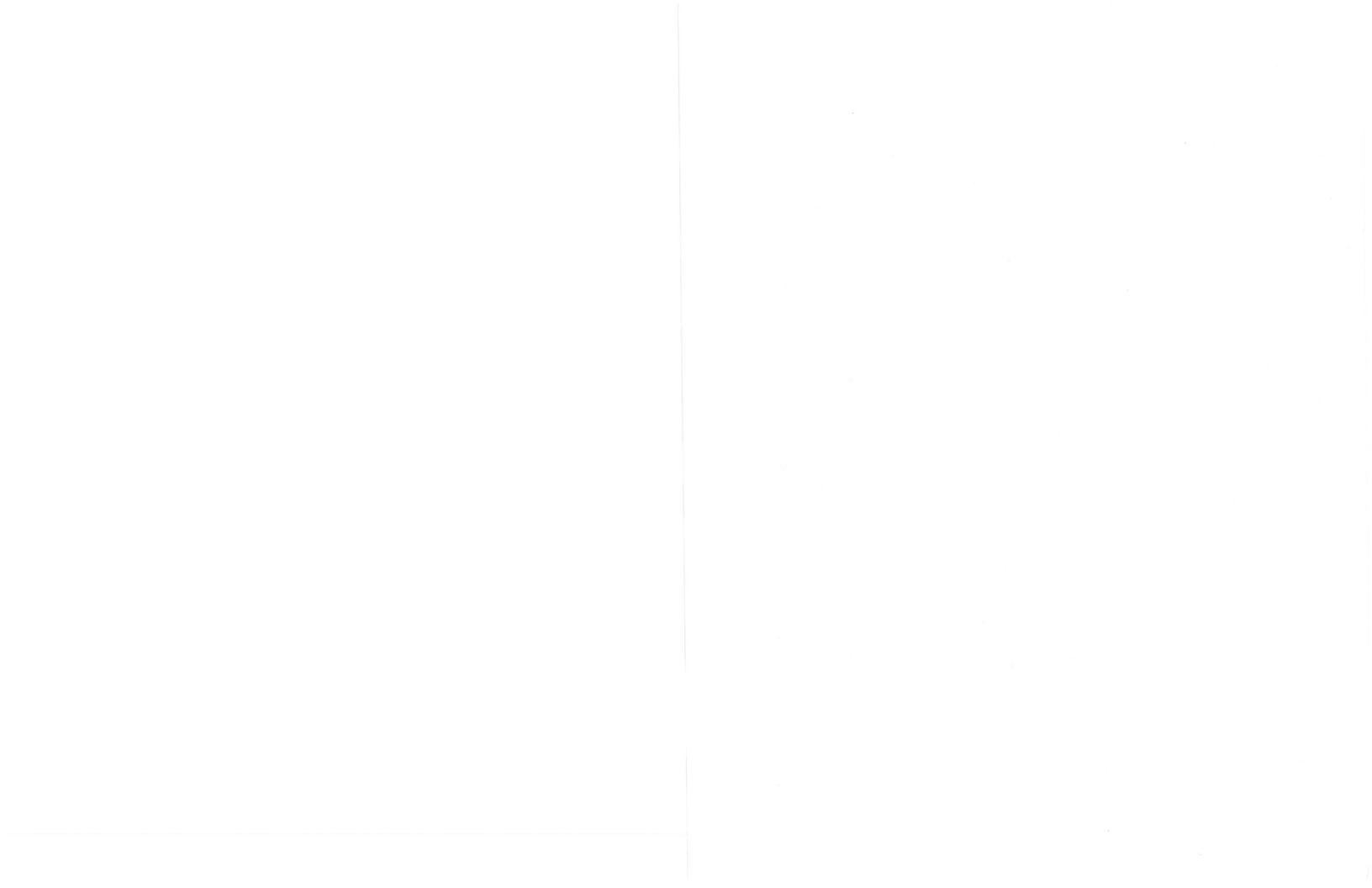




Office of the BOARD OF SELECTMEN 272 Main Street Townsend, Massachusetts 01469

Sue Lisio, Chairman	Cindy King, Vice-Chairman	W	ayne Miller, Clerk
James M. Kreidler, Jr.,		Office	(978) 597-1701
Town Administrator		Fax	(978) 597-1719
POLICY #6-2018			
DOADD OF CELEC			
BOARD OF SELEC	TMEN		
Purpose:	To Facilitate Responsible Personal Service Con-	troot Adminis	(DCCA)
i ui pose.	To Facilitate Responsible Personal Service Con	tract Adminis	stration (PSCA)
Policy:	Personal Service Contract Administration (PSC	(A)	
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This policy shall ser and administer PSC PSCA's.	ve to codify the processes by which the Board w 's for town employees that are allowed by Massac	ill negotiate, husetts Gene	review, execute ral Law to have
	negotiated by the Board shall undergo a written revote of approval.	eview by town	n labor counsel
2. All PSCA and Administrator intentions.	renewal/nonrenewal/renegotiation dates shall r and provided to the Board in time sufficient for	be tracked or the Board	by the Town to consider its
ADOPTED I	BY THE BOARD OF SELECTMEN ON	, 2	018.
		Sue L	isio, Chairman
		Cindy K	ing, Vice-Chair
		oma, n	g, The Chair
		Wayn	e Miller, Clerk







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

Sue Lisio, Chairman	Cindy King, Vice-Chairman	W	ayne Miller, Clerk
James M. Kreidler, Jr., Town Administrator		Office Fax	(978) 597-1701 (978) 597-1719
POLICY #6-2018			
BOARD OF SELECT	ΓΜΕΝ		
Purpose:	To Facilitate Responsible Personal Service Contrac	ct Adminis	stration (PSCA)
Policy:	Personal Service Contract Administration (PSCA)		
This policy shall serve administer PSC's for PSCA's.	to codify the processes by which the Board will nego town employees that are allowed by Massachuse	otiate, revi tts Genera	ew, execute and al Law to have
	egotiated by the Board shall undergo a written reviewote of approval.	ew by tow	n labor counsel
	enewal/nonrenewal/renegotiation dates shall be and provided to the Board in time sufficient for		
ADOPTED B	Y THE BOARD OF SELECTMEN ON	, 2	018.
		Sue L	isio, Chairman
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		Wayr	ne Miller, Clerk





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Office (978) 597-1701

Fax (978) 597-1719

POLICY #7-2018

BOARD OF SELECTMEN

Purpose:

To Facilitate Broad Dissemination of Public Meeting Notices

Policy:

Public Meeting Notice Posting Requirements

This policy shall serve to codify the processes by which the Board will require Public Meeting Notices to be posted by all public bodies in the town of Townsend that are within the Board's jurisdiction. Public Bodies that fall outside of the Board's jurisdiction are strongly encouraged to follow this policy as well.

All Public Meeting Notices shall minimally contain the following:

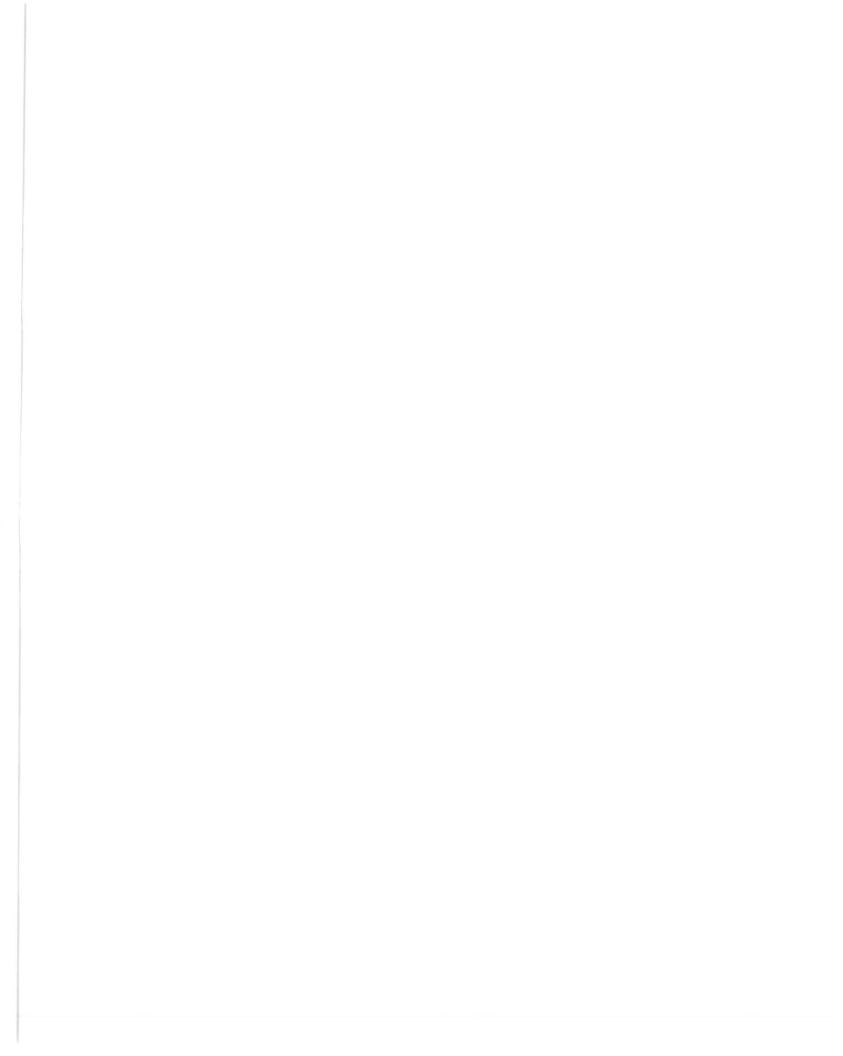
- 1. The notice contains the date, time, and location of the meeting. G.L. c. 30A, § 20(b).
- 2. If the meeting is a joint meeting of several public bodies, the names of all bodies meeting are listed at the top of the notice.
- 3. The notice contains all of the topics that the chair reasonably anticipates will be discussed at the meeting. The topics are sufficiently specific to reasonably advise the public of the issues to be discussed at the meeting, including executive session topics. G.L. c. 30A § 20(b); 940 CMR 29.03(1)(b).
- 4. The notice is printed in a legible, easily understandable format. G.L. c. 30A, § 20(b).
- 5. The date and time that the notice is posted is conspicuously recorded on or with the notice. 940 CMR 29.03(1)(d). If the notice is amended within 48 hours of a meeting, not including Saturdays, Sundays, and legal holidays, then the date and time that the meeting notice is amended must also be conspicuously recorded on or with the notice. 940 CMR 29.03(1)(d).

Notice Publication

- 1. The notice shall be published at least 48 hours before the meeting, not including Saturdays, Sundays and legal holidays. G.L. c. 30A, § 20(b).
- 2. The notice shall be filed with the Town Clerk on or before 12:00 pm on the day that posting is required.

- 3. It is the responsibility of the Board or Commission who is filing the notice to confirm that it has been received by the Clerk and that it has been posted in compliance with the law and this policy.
- 4. The Town Clerk shall post public meeting notices in a location conspicuously visible to the public at all hours, as follows:
 - to the municipal website as the official method of public notice posting, pursuant to this vote of the Board, and also
 - on the "Town Bulleting Board" as described in the Town of Townsend Home Rule Charter at Section 7-5, as it may be amended from time to time.

	, 2018.	ADOPTED BY THE BOARD OF SELECTMEN ON
Sue Lisio, Chairman		
Cindy King, Vice-Chair		
Wayne Miller, Clerk		





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

Sue Lisio, ChairmanCindy King, Vice-ChairmanWayne Miller, ClerkJames M. Kreidler, Jr.,Office(978) 597-1701Town AdministratorFax(978) 597-1719

POLICY #8-2018

BOARD OF SELECTMEN

Purpose: To Provide Ease of Access for the Public to Information Re: Pending Legal Matters

Policy: Posting On The Town Website All Lawsuit Documents Once Served

This policy shall serve to codify the processes by which the Board will require that each lawsuit that is served upon or by the Town be uploaded to the Town Website.

- 1. There shall be a section of each Board of Selectmen meeting agenda entitled "Pending Lawsuits"
- 2. Anytime the town either is served or serves a lawsuit it shall be listed on the agenda of the next Board meeting and a complete copy of the document shall be included in the Board's informational packet.
- 3. Upon Board review and at Board direction the Town Administrator shall post the served lawsuit documents on the Town website as soon as practicable.

, 2018.
Sue Lisio, Chairman
Cindy King, Vice-Chair
 Wayne Miller, Clerk



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

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Office (978) 597-1701

(978) 597-1719 Fax

POLICY #9-2018

BOARD OF SELECTMEN

Purpose:

To Facilitate Responsible Use of Social Media

Policy:

Social Media

INTRODUCTION

The Town of Townsend permits departments to utilize social media sites and social networking sites (collectively "social media sites") to further enhance communications with its residents and various stakeholders in support of town goals and objectives. Townsend officials and departments have the ability to publish articles, facilitate discussions and communicate information through such media to conduct official town business. Social media sites facilitate further discussion of town government business, operations and services by providing members of the public the opportunity to participate in many ways using the Internet.

This policy sets forth general guidelines that must be adhered to with respect to utilization of social media sites for official town purposes. Questions regarding this Policy should be directed to the Town Administrator. These guidelines may be supplemented by more specific administrative procedures and rules as may be issued. Furthermore, this Policy may be amended from time to time, and is meant to be read in conjunction with all other applicable policies and procedures of the Town of Townsend.

II. **DEFINITIONS**

1. "Social media sites" and "social networking sites" refer to websites that facilitate user participation, networking, and collaboration through the submission of user generated content. Social media in general includes tools such as: blogs, wikis, microblogging sites, such as Twitter; social networking sites, such as Facebook and LinkedIn; video sharing sites, such as YouTube; and bookmarking sites.

- 2. A "social media identity" is a specific user identity or account that has been registered on a third party social media site. 3. A "blog" (an abridgement of the term web log) is a town of Townsend website with regular entries of commentary, descriptions of events, or other material such as graphics or video. 4. A "moderator" is an authorized town of Townsend official (appointed or elected) or employee, who reviews, authorizes and allows content submitted by the town officials, employees and public commentators to be posted to a town of Townsend social media site or sites. III. POLICY 1. All town social media sites shall be:
- - a) approved by the Town Administrator; and
 - b) published using social media platform and tools approved by the Information Technology Department ("IT").
- 2. The official posting for the town will be done by the official or employee designated by the Town Administrator.
- 3. With the prior approval of the Town Administrator, departments have the option of allowing employees to participate in existing social media sites as part of their job duties, or allowing employees to create social media sites as part of their job duties. Department Heads may allow or disallow employee participation in any social media activities in their departments.
- 4. All town social media sites shall adhere to applicable state, federal and local laws, regulations and policies including the Public Records Law, Public Records retention schedules, Open Meeting Law, Copyright Law and other applicable town policies.
- 5. Public Records Law and e-discovery laws and policies apply to social media content. Accordingly, such content must be able to be managed, stored and retrieved to comply with these laws. Furthermore, once such content is posted on a social media site, it should stay posted, unless it is removed for one of the reasons set forth below in paragraph Numbers 10 or 11, or it is changed to fix spelling or grammar errors.
- 6. All social media sites and entries shall clearly indicate that any content posted or submitted is subject to public disclosure.
- 7. Each town social media site shall include an introductory statement which clearly specifies the purpose and topical scope of the blog and social media/network site. Where possible, social media sites should link back to the official town of Townsend Internet website for forms, documents and other information.

- 8. Each [City/Town] social media site shall indicate to users that the site is subject to a third party's website Terms of Service. Furthermore, each [City/Town] social media site shall indicate that: the social media site provider could collect personal information through user's use of the social media site; and that this personal information may be disseminated by the third party; and that such dissemination may not be governed or limited by any state, federal or local law or policy applicable to the [City/Town].
- 9. All social media sites shall clearly indicate they are maintained by the [City/Town] of _____ and shall have the [City/Town] of _____ contact information prominently displayed.
- 10. The [City/Town] reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law.
- 11. [City/Town] social media content and comments containing any of the following forms of content shall not be allowed for posting:
- a) Comments or content not topically related to the particular site or blog article being commented upon;
- b) Profane, obscene, or vulgar language or content;
- c) Comments or content that promotes, fosters or perpetuates discrimination on the basis of race, color, gender, gender identity, national origin, religion, ancestry, age, sexual orientation, disability, maternity leave, genetic information, or active military status;
- d) Comments or content that is threatening or harassing;
- e) Sexual comments, content, or links to sexual content;
- f) Conduct or encouragement of illegal activity;
- g) Information that may tend to compromise the safety or security of the public or public systems;
- h) Content that violates a legal ownership interest of any other party;
- i) Protected health information;
- j) Personnel information; or
- k) Other information that is not public record or is otherwise privileged from public disclosure.
- 12. All [City/Town] social media moderators shall be trained regarding the terms of this policy, including their responsibilities to review content submitted for posting to ensure compliance with the policy.
- 13. Where appropriate, [City/Town] IT security and/or computer use policies shall apply to all social media sites and articles.
- 14. Officials (elected or appointed) and employees representing the [City/Town] via social media sites must conduct themselves at all times as a representative of the [City/Town] and in accordance with all applicable rules, regulations, and policies (including personnel policies) of the [City/Town] of ______. See Section IV, Employee Guidelines for Use of Social Media Sites.

- 15. No [City/Town] or department social media site can endorse or otherwise cite (either with approval or disapproval) vendors, suppliers, clients, citizens, co-workers or other stakeholders.
- 16. Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

IV. employee GUIDELINES for use of social media sites

- 1. Electronic Communications and Computer Usage Policy. All employees are responsible for understanding and following the [City/Town]'s Electronic Communications and Computer Usage Policy, in addition to this Policy.
- 2. First Amendment Protected Speech. Although the [City/Town] can moderate the social media sites that accept comments from the public (such as blogs and wikis) to restrict speech that is obscene, threatening, discriminatory, harassing, or off topic, employees cannot use the moderation function to restrict speech with which the [City/Town] merely disagrees (i.e. subject matter restrictions). Users have some First Amendment rights in posting content to public social media sites hosted by municipalities. Moderators must respect those rights by posting all comments other than those excluded for specific legitimate reasons, as referenced above.
- 3. Copyright Law. Employees must abide by laws governing copyright and fair use of copyrighted material owned by others. Never reprint whole articles or publications without first receiving written permission from the publication owner. Never quote an excerpt of someone else's work without acknowledging the source, and, if possible, provide a link to the original.
- 4. Conflict of Interest. Employees are prohibited from using social media to engage in any activity that constitutes a conflict of interest for the Town or any of its employees, as defined by G.L. c. 268A.
- 5. Protect Confidential Information. Never post legally protected personal information that you have obtained from the [City/Town] (e.g., information that is not public record under the Public Records Law, G.L. c.66, §10 and G.L. c. 4, §7(26), or whose dissemination is restricted under applicable Federal or State privacy laws or regulations). Ask permission to publish or report on conversations that occur within the [City/Town]. Never post information about policies or plans that have not been finalized by the [City/Town], unless you have received explicit permission from your supervisor to post draft policies or plans on the department's social media sites for public comment.
- 6. Consider Your Content. As informal as social media sites are meant to be, if they are on a government domain or a government identity, they are official government communications. Social media sites will be sought out by mainstream media so a great deal of thought needs to go into how you will use the social media in a way that benefits both the [City/Town] and the public. Employees should not comment about rumors, political disputes, or personnel issues, for example.
- 7. Handling Negative Comments. Because the purpose of many social media sites, particularly department blogs and wikis, is to get feedback from the public, you should expect that some of the

feedback you receive will be negative. Some effective ways to respond to negative comments include:

- a) Providing accurate information in the spirit of being helpful;
- b) Respectfully disagreeing; and
- c) Acknowledging that it is possible to hold different points of view.
- 8. Respect Your Audience and Your Coworkers. Do not use ethnic slurs, personal insults, obscenity, or engage in any conduct that would not be acceptable in your department's workplace. Do not be afraid to be yourself, but do so respectfully. This includes not only the obvious (no ethnic slurs, personal insults, obscenity, threats of violence, etc.) but also proper consideration of privacy and of topics that may be considered objectionable or inflammatory—such as party politics and religion. Do not use your department's social media presence to communicate among fellow [City/Town] employees. Do not air your differences with your fellow [City/Town] employees on your department's social media's sites.
- 9. Use the Social Media Site or Identity Only to Contribute to your Department's Mission. When you contribute to your department's social media site or identity, provide worthwhile information and perspective that contribute to your department's mission of serving the public. What you publish will reflect on the [City/Town]. Social media sites and identities should be used in a way that contributes to the [City/Town]'s mission by:
 - a) Helping you and your co-workers perform their jobs better;
 - b) Informing citizens about government services and how to access them;
 - c) Making the operations of your department transparent and accessible to the public;
- d) Creating a forum for the receipt of candid comments from residents about how government can be improved; and
- e) Encouraging civic engagement.
- 10. **Mistakes.** The [City/Town] policy is that once something is posted, it should stay posted. Only spelling errors or grammar fixes should be made without making the change evident to users. If you choose to modify an earlier post, make it clear that you have done so—do not remove or delete the incorrect content; provide the correct information and apologize for the error. Ways to accomplish this include:
 - a) Strike through the error and correct; or
- b) Create a new post with the correct information, and link to it from the post you need to correct or clarify.

Either method is acceptable. In order for the social media identity or site to achieve transparency, the [City/Town] cannot change content that has already been published without making the changes clearly evident to users.

11. **Media Inquiries.** [City/Town] or department social media identities or sites may lead to increased inquiries from the media. If you are contacted directly by a reporter, you should refer media questions to ______[insert title of appropriate official].

- 12. **Personal Comments**. Make it clear when you are speaking for yourself as a resident or stakeholder, and not on behalf of the [City/Town] of ______. If you publish content on any website of the [City/Town] and it has something to do with the work you do or subjects associated with the [City/Town], use a disclaimer such as this: "The postings on this site are my own and don't necessarily represent the [City/Town's] positions or opinions."
- 13. Employee or Official Profile. If you identify yourself as a [City/Town] employee or official, ensure your profile and related content is consistent with how you wish to present yourself to colleagues, residents and other stakeholders.
- 14. **Defamation**. Be aware that employees acting in their individual capacity (not on behalf of the [City/Town] are not immune from defamation claims. Under Massachusetts law, defamation is established by showing that the defendant published a false, non-privileged statement about the plaintiff to a third party that either caused the plaintiff economic loss or was of the type that is actionable without proof of economic loss. Some statements, like imputation of a crime, are defamatory per se. Avoid statements that may be interpreted as defamatory.
- 15. Records Retention. Social media sites will contain communications sent to or received by [City/Town] officials and employees, and are therefore Public Records. Ensure that the [City/Town] or department retains a copy of the social media content in accordance with Public Records Retention Schedules. Review the third party social media service provider's terms of service for its record retention practices. Note that while third party social media providers will most likely save your content for some period of time, they generally will not save it indefinitely. To the extent their policies are inconsistent with Public Records Retention Schedules, the [City/Town] or department should retain copies of social media posts such as by printing or otherwise storing periodic "snapshots" of the social media sites.
- 16. Open Meeting Law. Be aware of the Open Meeting Law and possible violations for improper deliberations outside of a posted meeting. A series of individual postings on a social media site cumulatively may convey the position of a quorum of a governmental body regarding a subject within its jurisdiction, and may constitute improper deliberation among the members of a board or committee.

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SOCIAL MEDIA POLICY This acknowledges that I have received and reviewed the Social Media Policy, with attachments, of the [City/Town] of("Policy"). By signing this form, I agree to abide by the Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I recognize that the law and associated Policy regarding use of Social Media are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.	
Print Name:	
Signature:	
Date:	
To be included in employee's personnel file.	
This policy shall serve to codify the processes by which the Board will negotiate, review, execute and administer PSC's for town employees that are allowed by Massachusetts General Law to have PSCA's.	
1. All PSCA's negotiated by the Board shall undergo a written review by town labor counsel prior to final vote of approval.	
2. All PSCA 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	





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

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POLICY #10-2018

BOARD OF SELECTMEN

Purpose:

To continue efforts to provide a positive and pleasant work environment

with clear expectations for all.

Policy:

Code of Conduct Policy

I. PURPOSE:

- A. In addition to the Personnel Policies, Collective Bargaining Agreements and Departmental Policies, this policy should assist all employees and officials with providing basic rules for how to interact with each other, with residents, the general public and vendors. This policy extends to private conduct to the extent the law has additional requirements on public employees. This policy should be not considered all-encompassing but rather a guideline for how to act using reasonable judgment. Any employee who has difficulty meeting the standards outlined in this policy may be given the opportunity to improve and assistance in meeting the standards outlined within the policy.
- B. Safety is a top priority. You are to use good judgement and caution while performing your job functions. We expect harmony among employees. Any problems should be reported to the Town Administrator.
- C. Nothing is this policy limits or replaces other Town policies that address employee conduct, such as the Harassment and Sexual Harassment policies, the Electronic Communications and Computer Usage Policy, or any approved Town Collective Bargaining Agreement or Personal Service Contract. This policy applies to all full-time, part-time, seasonal and temporary employees in addition to volunteers serving the town of Townsend.

II. POLICY:

- A. Attendance is an important part of your job; therefore, you shall report to work on time. It places an unnecessary burden on co-workers and supervisors to cover for you if you are tardy or absent. Excessive unexcused absences and tardiness cannot be tolerated. If you are unable to report to work on any day, or if you are going to be late, you shall notify your supervisor as soon as possible. Such notice may or may not count as approval of leave.
- B. Fighting, which includes physical violence as well excessive arguing, yelling, and/horseplay will not be tolerated. This does not include reasonable and professional debates that naturally occur as different solutions to problems effecting the organization arise and are discussed. However, all employees should make efforts to respect the opinions of others and to collaborate wherever possible.
- C. The Town of Townsend will not tolerate workplace bullying, which is defined as unreasonable or offensive actions in the workplace that impact the psychological or physical health, safety, economic security productivity, or morale of an employee. Some examples of workplace bullying include but are limited to repeat or excessive rudeness, discourteous verbal or non-verbal behaviors, reminding employees of mistakes in a persistent and unprofessional manner, excessive monitoring or spying, micromanaging, yelling, spreading gossip, hostile behavior and humiliating an employee.
- D. Employees are expected to complete their assigned work in a timely manner and reduce excessive personal distractions while work. Supervisors should make clear to employees what is expected of them on a daily basis. Insubordination, sleeping on the job, and intentional slow-downs at work will not be.
- E. Acting in an obscene manner, abusive, threatening, or intimidating language or actions, engaging in malicious, dangerous pranks or jokes is unprofessional. The Town of Townsend employees are expected to treat each, residents, and visitors with respect at all times.
- F. Defacing or damaging Town property, altering or falsifying Town documents, or disclosing confidential documents, materials, and information will not be tolerated.
- G. While driving a Town of Townsend vehicle, you shall remain seated at all times and use a seatbelt. You must be at least 18 years of age to drive a Town owned vehicle and be in possession of a valid Driver's License. The use of cell phones while driving in prohibited, Smoking of any kind in prohibited in a Town Vehicle.
- H. As an employee of the town of Townsend, you are expected not discriminate against, or harass, anyone because of their religious creed, ancestry, national origin, sex, disability, sexual orientation, age, color, race, gender identity and expression, veterans' or military status, genetic information, or any other category protected by Federal or State law.

III. ROLES AND RESPONSIBILITIES:

- A. All Townsend Municipal Employees are responsible for understand and adhering to all town of Townsend policies and it is the responsibility of the employee to get clarification on any part of this policy they do not understand.
- B. Supervisors are responsible for ensuring that all employees are advised of and adhere to the Code of Conduct Policy.
- C. The above is not intended to be considered an exhaustive list of inappropriate behavior, The town of Townsend retains complete discretion to administer discipline for behavior it deems inappropriate, including but not limited to all of the above.

ADOPTED BY THE BOARD OF SELECTMEN ON _	, 2018.
	Sue Lisio, Chairman
	 Cindy King, Vice-Chair
	 Wayne Miller, Clerk

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CURRENT TOWN ADMINISTRATOR CONTRACT LANGUAGE

Each year, on or before December 31, the BOARD shall review and evaluate the performance of the TOWN ADMINISTRATOR utilizing an evaluation instrument to be developed and approved by the parties. Performance shall be presumed satisfactory if no evaluation is conducted.



ARTICLE 5

5. CLASSIFICATION PLAN

It is the policy of the Town to establish and provide a uniform system for classifying all positions and to establish proper relationships between those positions not part of a bargaining unit based on the level of responsibilities assumed and the minimum qualifications required to perform the job so that the same schedule of compensation may be applied to each class ensuring equal pay for equal work.

Contents of the Classification Plan

All employees of the Town, excluding those within a collective bargaining unit or under personal contract with the Board of Selectmen, will be employed in positions classified according to the Town's wage matrix. A copy of the wage matrix is available upon request from the Town Administrator. The classification plan consists of the following:

Position Descriptions:

Each position shall have a written job description, written by the Department Supervisor in conjunction with the Town Administrator. The position description shall consist of a statement describing the nature of the essential functions, required work hours, examples of typical duties, the required minimum knowledge, skills, training, abilities, experience and necessary special qualifications, as well as a determination if the position is exempt or non-exempt from the F.L.S.A. (salary or hourly.)

Position descriptions are intended to be representative of the positions in a class and provide illustrations of the type of work performed, and do not necessarily include all duties performed. Position descriptions are not intended to be restrictive. Qualification statements in each position description establish desirable minimum requirements that should be met by a person before appointment, transfer, or promotion to a position in the class.

Responsibility

The Town Administrator or his/her designee, shall have the responsibility for the administration and day-to-day maintenance of the classification plan and is authorized to:

Complete studies of proposed new positions and make recommendations on allocations to existing classes; re-establishment of a former class; establishment of a new class of positions; or deletion of a class of positions.

Provide for studies of existing positions when there has been a substantial change in the essential duties and responsibilities, which justify consideration of possible reclassification.

Conduct periodic studies and request such assistance as may be needed to assure that the classification plan remains uniform and current.

Require the submission of position questionnaires or any other related information when considered necessary for the proper maintenance of the plan.

Make routine revisions to job description content such as additions and deletions of essential functions after review with the applicable department head.

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

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

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 deposition 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.

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.

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.

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.)

Evaluations

May a public body perform an evaluation of an employee in executive session?

No. Deliberations conducted for the explicit purpose of evaluating the professional competency of an individual may not occur during an executive session. See G.L. c. 30A, §21(a)(1). While conclusions drawn from deliberations about professional competency may be part of a deliberation for another executive session purpose, the evaluation of professional competency, itself, must occur during an open session. For example, as part of the discussion in preparation for renegotiating a superintendent's contract, a school committee may wish to consider the results of an annual professional competency evaluation. The evaluation results may be considered as part of deliberations about strategy held in executive session, however only after deliberations about professional competency were held during a previously convened open session.

Are individual evaluations completed by members of public bodies public records?

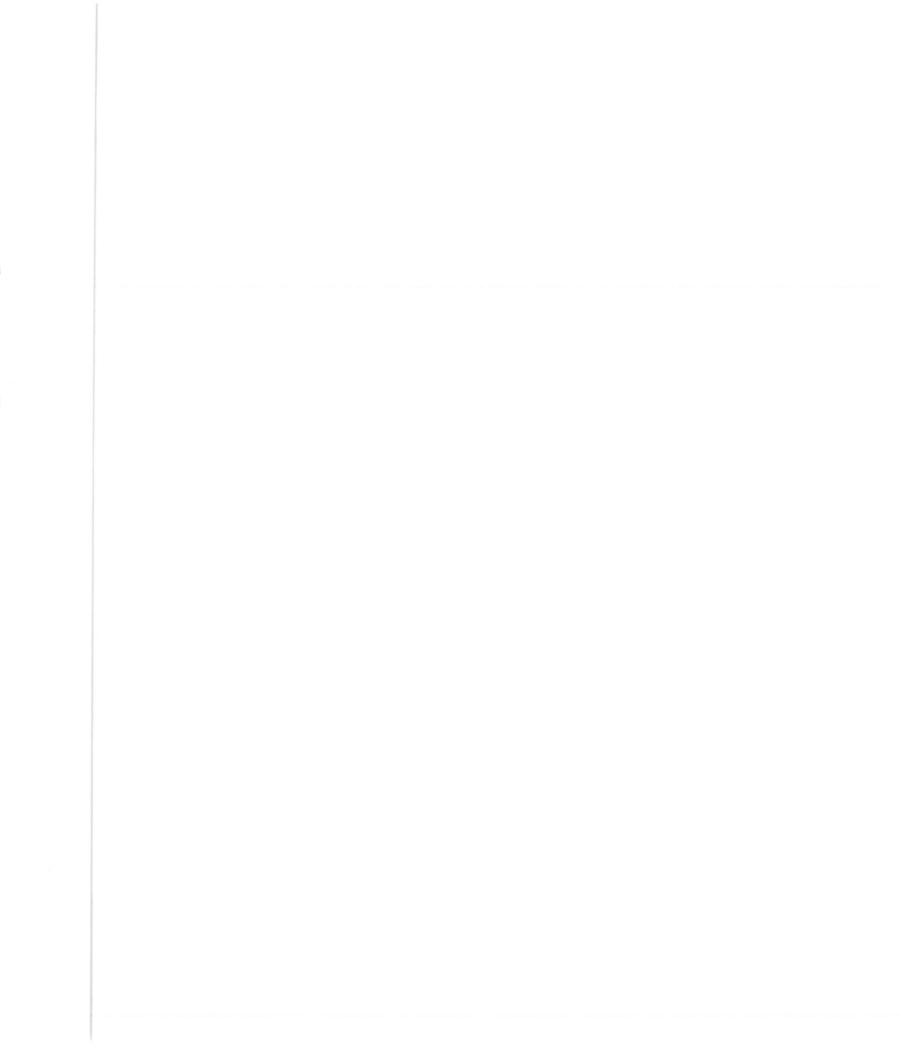
Yes, if those evaluations are used by the public body during an open meeting. The Open Meeting Law states that "materials used in a performance evaluation of an individual bearing on his professional competence," that were created by members of a public body and used during a meeting are public records, and cannot be withheld from public disclosure. See G.L. c. 30A, \$22(e). Thus, employee evaluations that members of a public body create and then use during an open meeting to evaluate an employee are public records. Comprehensive evaluations that aggregate the individual public body members' evaluations are also public records if they are used during the course of a meeting. However, evaluations conducted by individuals who are *not* members of public bodies are *not* public records. For example, the individual evaluations created by municipal employees in response to a request for feedback on the town administrator are not public records, unless the employees completing the evaluations are also members of a public body tasked with evaluating the town administrator's professional competency.

May a public body discuss issues relative to the salary of a public employee in executive session?

It depends. Discussions of salary issues may only occur in executive session as part of a contract negotiation. SeeG.L. c. 30A, § 21(a)(2), (3). Other discussions related to salary, such as a discussion about whether an employee's job performance merits a bonus or salary increase, must be conducted in open session.

May the individual evaluations of an employee be aggregated into a comprehensive evaluation?

Members of a public body may create individual evaluations and submit them for compilation into a master evaluation to be discussed at an open meeting. As a best practice, to avoid the appearance of improper deliberation, members should submit their evaluations to someone who is not a member of the public body—for example, an administrative assistant or executive secretary. Where an administrative assistant or executive secretary is not available for such purpose, an individual member may receive and compile the evaluations. In either event, once



compiled, the aggregated evaluation may not be circulated to a quorum the members prior to a meeting, for example by e-mail. The aggregated evaluation may only be distributed to a quorum of the members in one of two ways: (i) at a properly noticed open meeting, or (ii) via public posting to a municipal website in a manner that is also available to members of the public, as long as paper copies are also made available in the city or town clerk's office. See Boelter v. Board of Selectmen of Wayland, SJC-12353, slip op. at 19-20 (Mass. April 5, 2018). Even if the body posts the aggregated evaluation to a publicly available municipal website, a quorum of the members of the body may not discuss it outside of a properly noticed public meeting.



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Court clarifies 'deliberation' in open meeting law

→ Municipal Government

Members of a public body may submit individual evaluations of an employee for assembly into a master evaluation, but the composite document may not be circulated among members in advance of an open meeting, according to a recent decision by the state's highest court.

The Supreme Judicial Court decision applies to all public bodies that evaluate the professional competency of an employee.

Five registered voters in the town of Wayland had filed suit in Superior Court to challenge the procedure by which the Board of Selectmen conducted the 2012 performance review of the town administrator. The board members had submitted individual evaluations to the chair, who created a composite evaluation and emailed it as an attachment to each board member with an agenda packet before the open meeting. The board reviewed, discussed and approved the composite evaluation at the meeting, then released it to the public.

The Superior Court held that the board violated the open meeting law because the performance evaluations contained board members' opinions, which must be deliberated in an open forum. The Supreme Judicial Court agreed, citing transparency in government: "It is essential to a democratic form of government that the public have broad access to the decisions made by its elected officials and to the way in which the decisions are

Following the court's decision, the Attorney General's Office amended its guidance on public deliberations as part of performance evaluations. For boards that prefer to collect individual evaluations and create a master document, the best practice is to have someone who is not a member of the public body, such as an administrative assistant or an executive secretary, collect and assemble the composite evaluation. If such person is unavailable, an individual member may collect and assemble the evaluations. The compiled document may then be distributed to members either at an open meeting or by posting it to the municipal website, to which the public has access prior to an open meeting, with paper copies available at the city or town clerk's office.

The advisory cautions that members may not discuss the composite evaluation outside of a properly posted public meeting, even though it is posted to a website.

The advisory can be found at https://www.mass.gov/service-details/frequently-asked-questions-about-the-open-meeting-law-public-bodies-quorum-and; scroll down to "Evaluations."

Written by Lisa Adams, Senior Legislative Analyst

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Recent posts

<u>Legislature passes FY18 close-out bill with \$40M for local roads</u>

DRAFT 2018 SPECIAL TOWN MEETING SCHEDULE

1,12

October 23, 2018

Board votes to set STM for December 11, 2018

Board votes to open the STM warrant on October 24, 2018 at 9:00am and to

close the STM warrant on November 20, 2018 at 12:00pm

October 24, 2018

STM Warrant opens

[any zoning articles must be finalized and submitted on or before the warrant closing date]

[any zoning articles must be advertised and publicly heard prior to the opening of the STM]

November 20, 2018

STM warrant closes and sent for counsel review

November 27, 2018

STM warrant posted

December 11, 2018

STM held

PROCLAMATION

4,13

WHEREAS:	The Boston Post Cane, has traditionally been transmitted to the oldest citizen of Townsend; and				
WHEREAS:	Catherine Warner Proctor, Boyes, Wilson, born in the year, One Thousand Nine Hundred and Eighteen has been recognized as the Town of Townsend's oldest resident; and				
WHEREAS:	Catherine Warner Proctor, Boyes, Wilson is one of the personalities that gives the Town of Townsend and the Commonwealth of Massachusetts its unique history and character; and				
WHEREAS:	Catherine Warner Proctor, Boyes, Wilson was an active youth and adult member of the Townsend Grange, the Prescott Grange of Pepperell, North Middlesex Pomona Grange and the Massachusetts State Grange holding offices of importance; and				
WHEREAS:	Catherine Warner Proctor, Boyes, Wilson was special education teacher at Spaulding Memorial School and other area schools; and				
WHEREAS:	Catherine Warner Proctor, Boyes, Wilson served on many town committees such as the 225 th Picture Book Committee and the 275 th Anniversary Committee, where she was featured on a Proctor family float which displayed the nearly 300 years of her family's contributions to life in Townsend; and				
WHEREAS:	Catherine Warner Proctor, Boyes, Wilson was an active member of the Townsend Historical Society and was made an honorary life member and is often thought of by many as Townsend's historian; and				
WHEREAS:	Catherine Warner Proctor, Boyes, Wilson assisted the author and Townsend's Town Clerk in the creation of the book titled "Townsend's Vital Statistics; and				
Commonwealth	FORE, We, Sue Lisio, Cindy King, and Wayne Miller, Selectmen for the Town of Townsend, of Massachusetts, hereby bestow to Catherine Warner Proctor, Boyes, Wilson the Town of ston Post Cane, with all respect, honors, and distinctions transmitted therein; and				
	The Board of Selectmen, urge all citizens to join the Board of Selectmen in honoring Catherine r, Boyes, Wilson for her great accomplishment and venerated age.				
Dated this twen	ty-first day of October in the year Two Thousand and Eighteen.				
	Sue Lisio, Chairman				
	Cindy King, Vice-Chairman				
	Wayne Miller. Clerk				

BOARD OF SELECTMEN GOALS AND OBJECTIVES 2018

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		1.Townwide Road Analysis	ACTION (FEMS)
		OBJECTIVE	ACTION TENO
	SOAL		

10/23/2018

CAPITAL-PAVING

A 2015 BETA Pavement Management Plan- \$29M backlog

Recapping yesterday's meeting with BETA-Inc.,

propose a scope of work proposal to update the road data in the existing database (eg: road work done since last update in 2016);

provide ongoing system support of the database;

provide onsite training for the ongoing maintenance and updating of the data & reporting capabilities;

conduct presentations addressing our pavement and stormwater management as needed/desired.

We expect the proposal to be around \$7500.00 - we will have more specific info once the formal scope of work is received.

BETA has also offered to coordinate the stormwater data with our MrMapper town maps as well.

They can provide the stormwater data in a file format that can be layered onto the gis map from MrMapper.

1B TBD (see 1A above.

1C Develop Funding Options for Consideration at Town Meeting

Example: Lunenburg- Chapter 90, \$4M debt exclusion and dedicated portion of excise tax target of \$250k annually.

Dedicated Revenue Stream

We could prime the fund utilizing free cash and then decrease the free cash commitment each year by a corresponding allocation of excise revenue.

Example: FY20 Free cash \$250K and Excise \$0, FY21 Free Cash \$200K and excise \$50K, etc. until weaned off of free cash and sustaining \$250K excise

Inside Levy Limit Taxation- Not recommended

Chapter 90 Annual allottment.

Outside Levy Limit Taxation- Potential debt exclusion

Example: a \$4M debt exclusion paid back in four yearswould be spent over a number of years

Such an exclusion would cost approximately:

\$100K home= \$126/year if paid back in four years

\$100K home= \$102/year if paid back in five years

\$100K home= \$55/year if paid back in ten years

Potential Four Year Annual Funding Plan-	\$250K	Excise
	\$450K	Chapter 90
	\$1M	Debt Exclusion
	\$1.7M	Per Year for Four Years
	\$6.8M	Four Year Major Work Plan
Potential Long Term Maintenance Funding	\$250K	Excise
	\$450K	Chapter 90 (plus escalators, if any)

\$700k Per Year Thereafter

10/23/2018

CAPITAL-IT

Town Hall Network Upgrade

Phase 1- \$53,000+/- funding in hand

Primary Site (Town Hall)

- Install and Configure Dell Power Edge Server
- Install VMware Essential Bundle
- (16) Microsoft Windows 2016 Server Standard 2Core Licenses.
- (60) Microsoft Windows 2016 Server User CAL Licenses (GOV)
- Install and Configure Office 365 (Email)
- (2) APC Smart-UPS 1500 Units with Network Management Cards
- (1) Extreme Networks X440-G2-48P PoE Switch
- (1) Extreme Networks X440-G2-24P PoE Switch
- (1) Extreme Networks X440-G2-24t Switch
- (1) Ubiquiti Cloud Controller
- (3) Ubiquiti Wireless Access Points
- (1) Sophos SG 230 Total Protect Firewall Bundle -1 Year (Includes the following 1-year subscriptions: Network Protection, Email Protection, Web Protection, Web Server Protection, and Wireless Protection)
- (60) Sophos Central Endpoint Protection Advanced Subscriptions
- (4) Sophos Central Server Protection Advanced Subscriptions · Datto Backup Solution

Secondary Site (Water Department)

- APC Smart-UPS 750 Unit with Network Management Card
- Ubiquiti 12Port PoE Switch
- Ubiquiti Cloud Controller
- Email Migration from current Linux email server to MS office 365
- 55 Email account needs to be converted into Office 365, (Data Conversion)

Hardware purchased and in hand.

Installation and software contract with state approved vendor expected award date of November 2018

Phase 2- Scope and cost estimate being compiled in preparation for fall town meeting.

COMMUNICATION

- 1A. Work with the Cable Advisory Committee (CAC) to create the PEG Access Corporation (PEGAC). Consultation scheduled with Attorney Bill Hewig-November 5, 2018
- 1B. Work with PEGAC to create a scope of work to build out a PEG Access studio Consultation scheduled with Attorney Bill Hewig-November 5, 2018
- 1C. Work with the CAC to execute the system buildout plan per the 2015 Cable Franchise Agreement Consultation scheduled with Attorney Bill Hewig- November 5, 2018
- 2A. Post a link to the town's YouTube channel on Town Website to allow for the viewing of public meetings Complete
- 2B. Post a version of the town fiscal year budget in a year-to-date format.

 Complete
- 2C. Develop policy to make the town website the official posting place for public notices.

 Complete
- 3A. Plan, schedule a hold a volunteer fair with participation from all town boards and commissions served by volunteers
 - Utilize the Library, Meeting Room and Senior Center to hold the fair
 - -Invite local non-profit groups to participate

 Complete
- 4A. Research and work with our software vendor to discover the capability to export data. Accountant working with VADAR. Town Accountant researching
- 4B. Prepare action plan to implement if such capability exists.

TBD

10/23/2018 FISCAL

1A. Identify all town assets.

Complete On town website already.

- 1B. Define life expectancy and projected replacement year and cost.
 - ex.: Arlington and Northborough

Documents under review

1C. Publish report on town website.

TBD

- 2A. Research possibility of hiring or regionalizing with an neighboring community for a part-time grant writer Discussing Local Technical Assistance Grant with MRPC- Potential regional effort
- 2B. Work with community stakeholders and local boards and commissions to determine the interest in and viability of hosting a Medical and/or Recreational Marijuana facility in town.

Planning Board Draft Marijuana Bylaw in draft. Nearing readiness for public hearing.

nd viability of	

POLICIES

- 1A. Townwide Policy Review to include personnel policies and selectmen policies. Ongoing Ongoing- Board work session 10/23/18
- 1B. Personnel Policies- Identify "Big 10" Policies that Apply to Everyone Ongoing-Board work session 10/23/18
- 1C.Selectmen Policies- Consolidate most current versions. Update those requiring update. Ongoing- Board work session 10/23/18
- 1D. Code of Conduct- review sample codes of conduct, to including town union contracts and the charter.

 Ongoing- Board work session 10/23/18

10/23/2018 PERSONNEL

- 1A. Research "Human Services Administrator Position" responsible to oversee all Human Service Functions Hold based upon funding
- 1B. Determine best course forward for Human Resource Position
 - Part-time in house.
 - -Part-time shared/regional

DLTA Grant discussion with MRPC

-Contract services.

REGIONALIZATION

- 1A. Conduct inventory of local/regional outdoor playing field and indoor recreation facility resources
 - Work with our neighbors to maximize resources and seek to negotiate regional sharing agreements.

 Under review
- 1B. Continue with the movement toward a regional animal control service.
 - Currently have schematic design plans being developed for a regional facility to be shared with Lunenburg. Facility Out to Bid with Expected Award November 2018
 - Assess the value in fully regionalizing the actual service and not just the facility. Proceed accordingly. Under review
- 1C. Assess if there is value in regionalizing our Information Technology function. Proceed accordingly Under review

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OPIOD EPIDEMIC

- 1A. Research and determine the value in joinging in the currently filed law suits against opiod manufacturers. KP Law designated if you'd like.
- 1B. Coordinate with local non-profit groups (e.g. NM Cares) to employ resources in the most effective way.

 Police working closely with NM Cares
- 1C. Work with the school system on educational presentations centered on addiction.

 Out reach made to Dr. Ruth Potee

 https://ruthpotee.com/presentations/