



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.,

(978) 597-1701

Town Administrator

SELECTMEN'S MEETING MINUTES FOR JANUARY 22, 2019 6:00 P.M.
SELECTMEN'S CHAMBERS, TOWN HALL, MAIN STREET, TOWNSEND, MA

I. PRELIMINARIES - VOTES MAY BE TAKEN:

- 1.1 SL called the meeting to order at 6:00P.M.
Roll call vote: Chairman, Sue Lisio (SL) Vice-Chairman, Cindy King (CK), and Clerk, Wayne Miller (WM).
- 1.2 Pledge of Allegiance
- 1.3 Announce that the meeting is being tape recorded.
- 1.4 Chairman's Additions or Deletions.
SL moved to delete 5.1.
- 1.5 Public Comment Period
Sheila Brown would like to know what the plan is for the Hart Free Library and what the \$500,000.00 can be used for. SL asked Mr. Kreidler to place on the next agenda for discussion. Veronica Kell inquired to the Town Counsel retainer and what that included for services. SL stated Mr. Kreidler would be addressing the issue in his report.

II. MEETING BUSINESS - VOTES MAY BE TAKEN:

- 2.1 WM moved to approve the one-day special license for Paul Martin, V.F.W. Post #6538, 491A Main Street on February 9, 2019 in conjunction with a "60th Birthday Party" with sale hours from 6:00P.M. to 10:00P.M. CK seconded. The Board had concerns regarding the name change. WM amended the motion contingent upon written approval from the ABCC. CK seconded. Unanimous vote.
- 2.2 WM moved to approve a one-day special license for Paul Martin, V.F.W. Post #6538, 491A Main Street on February 23, 2019 in conjunction with a "Fundraiser" with sale hours from 06:00P.M. to 11:00P.M. contingent upon written approval from the ABCC. CK seconded. Unanimous vote.
- 2.3 WM moved to approve a one-day special license for Paul Martin, V.F.W. Post #6538, 491A Main Street on April 6, 2019 in conjunction with a "Wedding Reception" with sale hours from 12:00P.M. to 4:00P.M., contingent upon written approval from the ABCC. CK seconded. Unanimous vote.
- 2.4 WM moved to approve a one-day special license for Paul Martin, V.F.W. Post #6538, 491A Main Street on June 1, 2019 in conjunction with a "Fundraiser" with sale hours from 6:00P.M. to 10:00P.M., contingent upon written approval from the ABCC. CK seconded. Unanimous vote.

- 2.5 WM Moved to approve and authorize the Chair of the Board to sign the contract/sales order for the purchase of a Holder model c-270 tractor in the amount of \$142,695.00.

The Board reviewed the sales order – please see attached.

Mr. Kreidler explained the town did work with the Inspector General directly as this is a sole source procurement for this piece of machinery, noting the procurement is complete. Unanimous vote.

- 2.6 WM moved to approve a request to add a ballot question to the April 22, 2019 Annual Town Election for the Planning Board. CK seconded. CK voiced concerns with approving the bylaw that has not been seen. SL agreed and stated the Board should wait for Town Counsel language prior to approval of the question. Lance McNally, Chairman of the Planning Board stated what he understood from Town Counsel is; the Selectmen authorize a ballot question and the Selectmen work with Town Counsel for the language. Mr. McNally, Chairman stated the Planning Board will work with Town Counsel.

WM moved to take no action on motion. CK seconded. Unanimous vote.

III. OLD BUSINESS – VOTES MAY BE TAKEN:

- 3.1 Discussion, RE: Town Properties Committee responsibilities/bylaw.

The Board reviewed the bylaw. SL inquired as to duties that fall under the Accountant vs the Committee in terms of asset reporting. Mr. Kreidler explained; statutorily the Accountant track all asset for the town while the Committee just maintains a list of properties that can easily be accessed from the Assessor's office.

- 3.2 Update/Review/Revise outstanding project list.

The Board reviewed – please see attached. SL asked the Board members to review and let Mr. Kreidler know of anything additional.

- 3.3 Discussion re: Status of Unregistered Motor Vehicle Complaints/Correspondence.

SL received correspondence from a resident asking why it takes so long for the town to comply with a bylaw. SL stated she received additional correspondence from the residents who rent the property for which the complaints were issued. SL explained the letter outlined some of the vehicles were registered and they are basically asking for more time. Mr. Kreidler stated Town Counsel relayed enforcement is discretionary, further stating an issue for the renters is two of the vehicles are without titles and they are having difficulty finding a company to haul them away without a title. SL stated that one of the unregistered vehicles needs to be 75ft away in accordance with the bylaw. SL would like a letter to go out about the need move the one vehicle and to give another month for compliance. CK inquired who would be notified, the owner or tenant. Mr. Kreidler stated any letter sent out would be sent to the owner and cc'd to the tenant.

WM moved to vote to extend the date for compliance for 30 days contingent upon the proper placement of one unregistered vehicle and proof of registration for the other vehicle and removal of the other two. CK seconded. Unanimous vote.

WM stated that any member of the public can have this bylaw changed, by petitioning the Board to form a subcommittee.

3.4 Discussion Future Agenda Items

SL asked to have a future discussion regarding the Town Administrator's job description and expectations.

Policy idea regarding ban of use of cell phone by any member of the meeting that's in a quorum.

IV. WORK SESSION – VOTES MAY BE TAKEN:

4.1 Town Administrator updates and report

- Community Compact Application

Mr. Kreidler spoke with Mr. Cronin, Division of Local Services further explaining that Townsend was 13th in the State to partner with the State and become a compact community. Mr. Kreidler relayed that Townsend is eligible to apply across the Board for all grant opportunities this year. Mr. Kreidler stated that he strongly supported the best practices to help with the personnel policies and union contracts. SL asked what a best practice was. Mr. Kreidler explained it would depend on what subject, explained the financial best practices and standards we now adhere to GOFA standards. Mr. Kreidler will work to reschedule with Mr. Cronin for the Community Compact meeting.

- FY 20 Budget Update.

1. Comparable Communities for budgetary/wages comparison.

SL would like to look at it as median vs average in terms of comparisons. CK talked about the comparisons on Pioneer titled "Mass Analysis".

2. Schedule Budget Summit Meeting. Date/Attendees/Posting.

Mr. Kreidler explained the Budget Summit meeting is held in November, however, since the town was without a Treasurer/Collector and information needed was not available it was not held thn. Mr. Kreidler informed the Board he met with the School Superintendent and other Town Administrators in the district. Mr. Kreidler relayed the school is having difficult due to the use of E & D funds to supplement the budget. Mr. Kreidler informed the Board there's belief the House 1 budget will have additional funds for Chapter 70 which will help the situation. Mr. Kreidler thought it would be appropriate to have a substitute meeting on February 13, 2018 with the School Committee and Finance Committee. SL when does the Board get a chance to talk to other elected boards to learn of their goals.

3. Schedule Selectmen Review of Department Budgets.

Mr. Kreidler explained the scheduling for the budget hearings have begun and copy of what has been scheduled in the packets.

4. Schedule Discussion of Other Boards Budgets.

Mr. Kreidler stated he would reach out to the elected boards and ask to speak with them about their needs and try to help fill those needs and help them to construct their budgets.

5. Budget Assistance available to other elected boards.

See above.

6. Communication plan for deadlines to all boards/committees.

SL would like to schedule a "drop in" on Saturday mornings and help other Boards/Committees.

A brief discussion regarding recycling costs and the Board of Health budgets. Mr. Kreidler stated he would ask the Board of Health to come in and talk about the plan to appropriately fund recycling. Further discussion regarding various trainings and conferences/workshops being available to all the different branches of local government. Mr. Kreidler suggested having various links on the website that will provide training workshop or resources.

7. Work Session to Discuss Expected Revenue.

See written report - please see attached.

SL asked Mr. Kreidler to address the Use of Town Counsel, Mr. Kreidler reviewed the policy with the Board. SL asked Mr. Kreidler to revise the policy to outline the office hours within the billing agreement. Veronica Kell inquired as to how the office hours are used and how staff and Board members can access the use of Town Counsel.

8. Work Session to Discuss Comparable Communities for Salary Surveys.

See Town Administrator written report - as attached.

9. Work Session to Discuss Financial Plan for Roadway Project.

- a. Other projects with budget impacts

See Town Administrator written report - as attached.

Mr. Kreidler suggested a Saturday morning meeting and he would show how the budget workbooks connect together.

10. Work Session to Discuss Employee Training Needs.

See Town Administrator written report - as attached.

11. Work Session to Review/Revise Employee Job Descriptions (that may impact budget)

See Town Administrator written report - as attached.

Discussion regarding the interview process. WM would like the Town Administrator to do the initial interviewing and recommendation to the Board. Mr. Kreidler suggested that he would screen down to short list of candidates and then will ask for a Representative from each Board to participate in choosing the recommended candidate. The Board agreed with the process.

CK moved to recess for five minutes.

SL called the meeting back to order.

12. Discuss Exempt vs. Non-Exempt Positions.

See Town Administrator written report - as attached.

13. Discuss Longevity Benefits.

See Town Administrator written report - as attached.

14. Discussion, RE: February 13, 2019 meeting with the School Committee FY 20 Budget.

- 4.2 Board of Selectmen announcements, updates, and reports.

- 4.3 Clerk of the Board announcements for events - None.

- 4.4 Board Correspondence - None.

- 4.5 WM moved to approve meeting minutes for December 4th, December 13th and December 20th, 2019. CK seconded. Unanimous vote.
- 4.6 WM moved to review and sign bills payable warrant out of session. CK seconded. Unanimous vote.
- V: EXECUTIVE SESSION - VOTES MAY BE TAKEN:
- 5.1 ~~Executive Session pursuant to GL c. 30A, s. 21(a)(5) to investigate charges of criminal misconduct or to consider the filing of criminal complaints.~~
- 5.2 WM moved to enter into executive session pursuant to GL c. 30A, s. 21(a)(2) to discuss strategy for contract negotiations with non-union personnel. (Finalize Treasurer Collector Contract, Discussion amendment for Town Accountant Contract and Strategize re: union and personal service contracts). CK seconded. Roll call vote SL (YES), WM (YES), and CK (YES)

Respectfully submitted by,



Carolyn Smart, Executive Assistant to the Town Administrator

Voted to approve the meeting minutes for the meeting of January 22, 2019 by the Board of Selectmen this 5th day of February, 2019.

TOWN OF TOWNSEND
272 MAIN STREET, TOWNSEND, MA 01469

NOTICE OF APPROVAL OF SPECIAL PERMIT

This is to certify that: **PAUL MARTIN**

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 "60th Birthday Party" to be held on **February 9, 2019** with sale
hours from **6:00P.M. to 10:00P.M.**

The license is granted in conformity with the Statutes and ordinances relating thereto
and expires **02/09/2019** unless sooner suspended or revoked.

Date:

1/22/19

THE LOCAL LICENSING AUTHORITIES

Sue Gizio
[Signature]

SEE ATTACHED CONDITIONS OF LICENSE

Z.D.

TOWN OF TOWNSEND
272 MAIN STREET, TOWNSEND, MA 01469

NOTICE OF APPROVAL OF SPECIAL PERMIT

This is to certify that: **PAUL MARTIN**

V.F.W. Post #6538

491A Main Street

West Townsend, MA

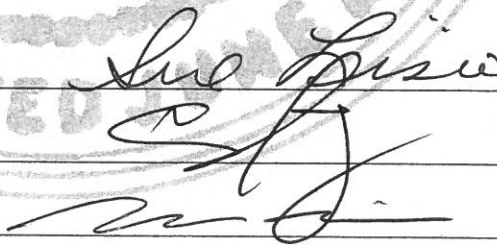
**THE ABOVE NAMED NON PROFIT ORGANIZATION IS HEREBY
GRANTED A SPECIAL LICENSE FOR THE SALE OF ALL ALCOHOLIC
BEVERAGES, TO BE DRUNK ON THE PREMISES**
Under Chapter 138, Section 14, of the Liquor Control Act.

In conjunction with a "Fundraiser" to be held on **February 23, 2019** with sale hours
from **6:00P.M. to 11:00P.M.**

The license is granted in conformity with the Statutes and ordinances relating thereto
and expires **02/23/2019** unless sooner suspended or revoked.

Date: 1/23/19

THE LOCAL LICENSING AUTHORITIES



SEE ATTACHED CONDITIONS OF LICENSE

2.3
TOWN OF TOWNSEND
272 MAIN STREET, TOWNSEND, MA 01469

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BEVERAGES, TO BE DRUNK ON THE PREMISES**
Under Chapter 138, Section 14, of the Liquor Control Act.

In conjunction with a "Wedding Reception" to be held on April 6, 2019 with sale
hours from 12:00P.M. to 04:00P.M.

The license is granted in conformity with the Statutes and ordinances relating thereto
and expires 04/06/2019 unless sooner suspended or revoked.

Date: 1/23/19

THE LOCAL LICENSING AUTHORITIES

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SEE ATTACHED CONDITIONS OF LICENSE

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TOWN OF TOWNSEND
272 MAIN STREET, TOWNSEND, MA 01469

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**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 "Fundraiser" to be held on **June 1, 2019** with sale hours from
06:00P.M. to 10:00P.M.

The license is granted in conformity with the Statutes and ordinances relating thereto
and expires **06/01/2019** unless sooner suspended or revoked.

Date:

1/22/19

THE LOCAL LICENSING AUTHORITIES

[Signature]

[Signature]

SEE ATTACHED CONDITIONS OF LICENSE



TOWNSEND HIGHWAY DEPARTMENT

177 Main Street, Townsend, MA 01469
(978) 597-1712 jsmith@townsend-ma.gov

2.5

Date: January 8, 2019
To: Board of Selectmen
From: James Smith
Subject: Holder Tractor Recommendation

After reviewing the four quotes for a new municipal multi-function tractor on behalf of the Townsend Highway Dept., I recommend that the town purchase the Holder model C-270 tractor from Chadwick-Baross. The Highway Dept. currently has a Holder tractor with many attachments that are interchangeable with the new Holder unit. It would be a great benefit and cost effective if we continue to use Holder products as we already have the extra attachments, operators are familiar with the machine, and we have found the equipment to be reliable.

Highlights of the new unit include:

- 67 hp Kubota engine
- All-wheel drive
- Corrosion protection
- Current attachments will fit

Additionally we have found the vendor, Chadwick-Baross, to be very easy to do business with as they have a local presence, parts are readily available and their team is responsive. They are the only Holder tractor dealer in Massachusetts.

In closing, I strongly recommend that we move forward and purchase the unit as I believe it is in the best interests of the town and Highway Department.

Respectfully,

James Smith



Chadwick-BaRoss

EQUIPMENT SALES ORDER

Legal Name of Purchaser TOWNSEND Dept of Public Works

d/b/a _____

Address 272 MAIN ST. TOWNSEND MASS. 01469
(Street) (City/Town) (County) (State) (Zip Code)Customer #
102
PO #

Mailing Address (if different) _____ Telephone _____

Make 170100R 270 DESCRIPTION OF EQUIPMENT 212001808
270 Model HOLDERR S/N 2013 Item # _____Attachments and Options Hi Flow / BLOWER / FINDER ARM Item # _____
Item # _____
Item # _____
Item # _____

(Collectively, the "Equipment")

Requested Delivery Date on customer Request Delivery Arranged by ☐ Seller ☐ Purchaser

SALE

Selling Price \$ 142,695.00
Rentals Applied: \$ _____
Trade Allowance: \$ _____

Trade allowance is based upon conditions of the trade-in property as of the date Purchaser signs this order. Purchaser agrees to repair or replace the trade-in property if damage beyond normal wear occurs before delivery.

Balance \$ 142,695.00
Sales Tax: \$ _____
Other: \$ _____
Freight: \$ _____
TOTAL DUE: \$ 142,695.00

TRADE-IN PROPERTY

Make: _____

Model: _____

S/N: _____

Description: _____

_____Attachments: _____
_____Is property free and clear of all liens? ☐ YES ☐ NO

Lienholder: _____

Principal Balance Due: \$ _____ As of _____

PAYMENT TERMS: With Order \$ _____ On Delivery \$ _____ Balance \$ _____

Balance payable as follow: _____

WARRANTY: ☐ Manufacturer's Standard - Expires on _____ or at _____, whichever occurs first.
(Date) (Hours)
☐ No Warranty Expressed or Implied
☐ Other _____**ALL FIELD SERVICE WARRANTY WILL INCUR A \$100.00 FIELD SERVICE CHARGE PER CALL**
SEE PARAGRAPH 5 ON REVERSE SIDE FOR FURTHER WARRANTY INFORMATION, LIMITATIONS AND DISCLAIMERS.

This agreement shall not be binding upon Seller until accepted and approved by an officer of Seller, in writing, below.

PURCHASER HAS READ AND ACKNOWLEDGES ADDITIONAL TERMS AND CONDITIONS ON REVERSE SIDE.

CHADWICK-BARROSS, INC. SELLER

By: [Signature]
Sales RepresentativeBy: _____
Sales Manager

Accepted and approved on: _____

By: _____

Title: _____

Corporate Officer

PURCHASER

By: [Signature]

Title: _____

Date: _____



THE PLANNING BOARD
272 Main Street
Townsend, Massachusetts 01469
978-597-1722
bfaxon@townsend.ma.us

2.6

Lance J. McNally, Chairman Laura Shifrin, Vice Chairman Veronica Kell, Clerk
Charles Sexton-Diranian, Member Jerrilyn T. Bozicas, Member

Date: January 7, 2019

To: Jim Kreidler, Town Administrator
Board of Selectmen

From: Planning Board

Beth Faxon
Planning Board Administrator

Subject: Petition for Recreational Marijuana general zoning bylaw 2019 Town Election ballot question.

cc: Town Clerk's Office

At their meeting of 12/17/18 the Planning Board discussed petitioning the Board of Selectmen to put a general bylaw on the ballot, currently scheduled for April 22, 2019, to permit or restrict/ban recreational marijuana establishments in the Town of Townsend.

Assuming the ballot question passes, the ballot question will go to the town meeting, currently scheduled for May 7, 2019. Upon passing at the town meeting, recreational marijuana establishments will be restricted/banned in the Town of Townsend.

Following discussion, the Board voted unanimously to support petitioning the Board of Selectmen to include the Recreational Marijuana restriction/banning general bylaw question on the Annual Town Election Ballot.

With the approval of the Board of Selectmen, the Planning board will work with Town Counsel to draft the ballot question.

DATE _____ RECEIVED
JAN 04 2019
BOARD OF SELECTMEN

To the Townsend Board of Selectmen:

My husband, John Lord and I are renting the house on 89 Wallace Hill Rd, Townsend. The owner of the property are George and Cindy King. It has been brought to our attention that a complaint has been made regarding the car situation at 89 Wallace Hill Rd. There appears to be some confusion as to what vehicles are registered and so on.

I deeply apologize for the delay in addressing the situation. There has been someone with severe health issues in my family.

This is a detailed accounting as to the cars on the property of 89 Wallace Hill Rd., Townsend.

The following cars are registered:

1. 2005 Toyota Camry
2. 2010 Honda Fit
3. 1990 Cutlass
4. 2004 Hyundai Elantra
5. Black VolksWagon

3.3

There are other vehicles currently on the property. Here is a listing of the other vehicles, and what the plan is for said vehicles:

1. White Porsche- have been looking for someone to haul away car, but no one wanted to take it without a title.
2. Green VolksWagon-have been looking for someone to haul away car, but no one would take it without a title.

We have had great difficulty in finding someone to come and take cars away without the titles. It is simply not financially feasible to obtain new titles. However, we have located someone that would haul the Porsche away without a title. I have to call and see if the person will also take the remnants of the Green Volkswagon, too. I am making the call on Monday, January 7, 2019 to see if those arrangements are viable and if so, then we will make immediate plans to have both Porsche and Volkswagen hauled away ASAP. If the company will not take away the Green Volkswagon body, then we will have to consider another alternative, regarding this, seeing as the Green Volkswagen body is located right in back of the white Porsche. The white Porsche is blocked in completely by the Volkswagen body.

3. Blue Hyundai Elantra -I have a daughter that is taking driving lessons. She will be needing a car, so this is the car that she will be driving. Once she completes her driving lessons, then this car will be registered.
4. Gray Stratus-this is not registered, This might be the one car that we are allotted as unregistered. We are considering selling said vehicle. Currently it is not running, and would have to be worked on to be running again. We would need a little bit of time to do so. As the weather is unpredictable, I request that further time to work on getting this running.

Thank you so much for your understanding in this matter.

Sincerely,

Sandra L. Lord

Sandra L. Lord

3.1

nd, MA
7, 2019

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 making such substitution, the Board shall consider the recommendation of the respective board, committee, commission or department declining the appointment. The remaining two members shall be 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;
- C. Findings of site visits, engineering studies, and environmental assessments;
- D. A post-acquisition management plan to ensure ongoing property maintenance;

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.



Safety Programs for the Public Sector

Safety and health programs for private sector employers

Each employer is responsible for providing a safe workplace. This page contains sample and template policies to support the creation of safety and health programs.

Sample safety and health programs

Each employer is responsible for providing a safe workplace. Sample and template policies to support the creation of safety and health programs are listed below:

- [Bloodborne Pathogens Exposure Control Plan \(/media/814806\)](/media/814806)
- [BBP Exposure Control Plan for Healthcare Workers \(/media/1670756\)](/media/1670756)
- [Emergency Action Plan \(/media/1208986\)](/media/1208986)
- [Fire extinguishers \(/media/1670761\)](/media/1670761)
- [Fire Prevention Plan \(/media/1005811\)](/media/1005811)
- [Confined Space General Overview \(/media/930781\)](/media/930781)
- [Model Confined Space Entry Policy and Procedure \(/media/976451\)](/media/976451)
- [Hazard Communication Sample Program \(/doc/hazard-communication-sample-program\)](/doc/hazard-communication-sample-program)
- [Hearing Conservation Program \(/media/945996\)](/media/945996)
- [Lockout /Tagout \(/media/947111\)](/media/947111)
- [Respiratory Program \(/media/1148416\)](/media/1148416)
- [Personal Protective Equipment Hazard Assessment \(/media/1051846\)](/media/1051846)
- [Worksheet for Selecting PPE \(/media/1489396\)](/media/1489396)
- [PPE - Selection Chart Generic \(/media/843786\)](/media/843786)

- **Trench Template Program and Worksheet** (</doc/trench-template-program-and-worksheet>)
- **Trench Daily Inspection Checklist** (</doc/trench-daily-inspection-checklist-for-dpws>)
-

Safety Programs for School Departments

- **Personal Protective Equipment Assessment - Schools 2016**
(</doc/personal-protective-equipment-assessment-schools-2016/download>) (Required)
- **Emergency Action Plan** (</doc/emergency-action-plan/download>) (Required)
- **Fire prevention plan** (</doc/fire-prevention-plan/download>) (Required)
- **Hazard Communication Sample Program** (</doc/hazard-communication-sample-program>)
(Required, formerly Right-to-Know)
- Ladder Inspection (Required to perform, but written program not required)
- **Lockout Tagout Sample plan** (</doc/lockout-tagout-sample-plan/download>) (Required)
- Machine guards on equipment (Required to perform, but written program is not required)
- **Personal Protective Equipment Assessment - Schools 2016**
(</doc/personal-protective-equipment-assessment-schools-2016/download>) (Required)
- Power tools and equipment (ie saws, chainsaws, mowers, woodchippers. Written program not required)
- Pre-trip Vehicle Inspections (Required to perform, but written program not required)
- Preventive Maintenance (Recommended)

Safety Programs for Fire Departments and EMS

M.G.L. c149 §6-1/2 requires compliance with OSHA regulations, and does not require compliance with NFPA consensus standards. The OSHA standard 29 CFR 1910.156(c) requires that employees are trained commensurate with their duties and functions.

- **Bloodborne Pathogen Plan for Police, Fire, and EMS**
(</doc/bloodborne-pathogen-plan-for-police-fire-and-ems/download>) (Required)

- **Emergency Action Plan** (</doc/emergency-action-plan/download>) (Required for fire station)
- **Fire prevention plan** (</doc/fire-prevention-plan/download>) (Required for fire station)
- **Hazard Communication Sample Program** (</doc/hazard-communication-sample-program>) (Required, formerly Right-to-Know)
- Ladder Inspection (Required to perform, but written program not required)
- **Lockout Tagout Sample plan** (</doc/lockout-tagout-sample-plan/download>) (Required for fire station)
- Medical clearance for respirator use (Required, but contained in Respirator Program)
- **Personal protective equipment** (</media/1727626/download>) (Required)
- Pre-trip Vehicle Inspections (Required to perform, but written program not required)
- Respirator Program for Fire/EMS (Required)
- **Respirator Protection Program template for Firefighters**
(</doc/respirator-protection-program-template-for-firefighters/download>)
- Technical Rescue: Confined Space, Trench, Diving (Required for employees assigned to these tasks)

Safety Programs for Police

- **Bloodborne Pathogen Plan for Police, Fire, and EMS**
(</doc/bloodborne-pathogen-plan-for-police-fire-and-ems/download>)
- **Emergency Action Plan** (</doc/emergency-action-plan/download>) (Required for Police Station building)
- Firearm Safety (Required)
- Firearm Range Safety Program (Required if employer operates a range)
- **Hazard Communication Sample Program** (</doc/hazard-communication-sample-program>) (Required, formerly Right-to-Know)
- Ladder Inspection (Required to perform, but written program not required)
- **Lockout Tagout Sample plan** (</doc/lockout-tagout-sample-plan/download>) (Required for station facility maintenance staff)
- **Personal Protective Equipment Hazard Assessment**
(</doc/personal-protective-equipment-hazard-assessment/download>) Assessment (Required)

- Pre-trip vehicle inspections (Required to perform, but written program not required)
- Respirator Program for Police (Required if employees are issued respirators)
- **Workzone Safety** (</doc/workzone-safety/download>) for Traffic Detail Officers (Required to perform, but written program not required)

Sample safety and health programs for Public Works

- **Aerial Lift template** (</doc/aerial-lift-template>)
- **Emergency Action Plan** (</doc/emergency-action-plan>)
- **Fire prevention plan** (</doc/fire-prevention-plan>) (Required)
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Safety Programs for Police

[\(/doc/bloodborne-pathogen-plan-for-police-fire-and-ems/download\)](/doc/bloodborne-pathogen-plan-for-police-fire-and-ems/download)

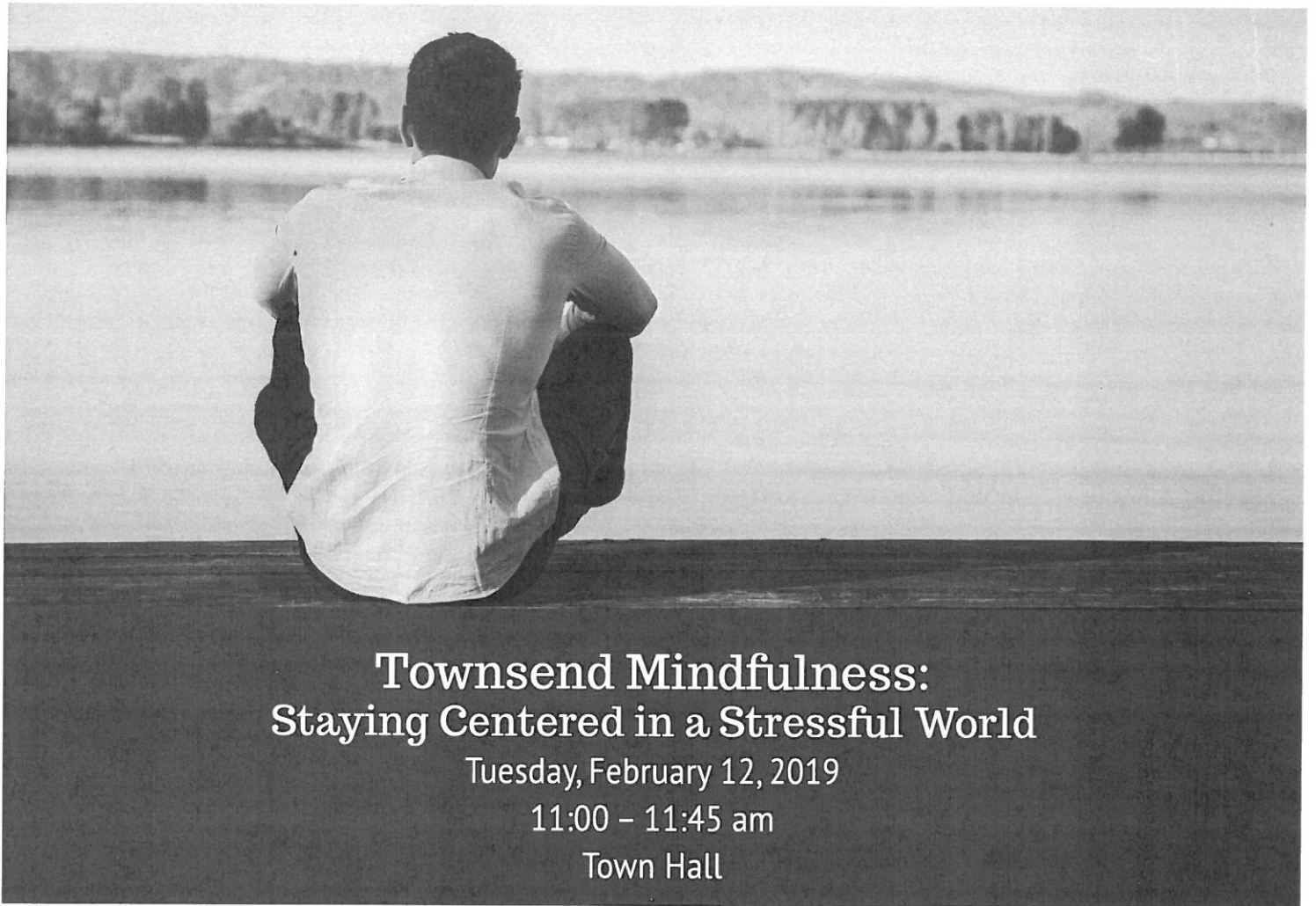
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☐ Yes ☐ No

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SEND FEEDBACK



Townsend Mindfulness: Staying Centered in a Stressful World

Tuesday, February 12, 2019

11:00 – 11:45 am

Town Hall

Learn How Mindfulness Can Help You Live a Happier, Healthier Life

Life today can be stressful and overwhelming. Sometimes it starts to feel as if there isn't a moment of peace. There are so many thoughts and concerns on our minds.

- Do you worry about your health or financial situation?
- Do your thoughts keep you awake at night?
- Do you sometimes dwell on things you have done in the past? Or worry about the future?
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If you answer yes to any of the above questions, please join us and begin to bring peace and calm into your life.

For many, getting out of your head and into your heart and into the present moment can create a more fulfilling, meaningful life.

This free program is open to all **Town of Townsend** employees and their spouses.

Leader: Leslee Kagan, Nurse Practitioner and Mind Body Specialist

No registration is necessary for this program.



The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Feeney

by the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act addressing workplace bullying, mobbing and harassment, without regard to protected class status.

PETITION OF:

NAME: <i>Paul R. Feeney</i>	DISTRICT/ADDRESS: <i>Bristol and Norfolk</i>
--------------------------------	---

SENATE DOCKET, NO. 1355 FILED ON: 1/17/2019

[in Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2448 OF 2017-2018.]

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(2019-2020)**

An Act addressing workplace bullying, mobbing and harassment, without regard to protected class status.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

The General Laws are hereby amended by inserting after chapter 151E the following chapter:-

Chapter 151G The Healthy Workplace

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abusive work environment, an employment condition when an employer or one or more its employees, acting with intent to cause pain or distress to an employee, subjects that employee to abusive conduct that causes physical harm, psychological harm or both;

“Adverse employment action”, an outcome which negatively impacts an employee, including but not limited to: a termination, demotion, unfavorable reassignment, failure to promote, disciplinary action or reduction in compensation.

“Constructive discharge”, an adverse employment action where:

- (1) the employee reasonably believed he or she was subjected to an abusive work environment;
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“Psychological harm”, the impairment of a person’s mental health, as established by competent evidence.

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Section 2. (a) No employee shall be subjected to an abusive work environment.

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Section 3. (a) An employer shall be vicariously liable for a violation of section 3 of this chapter committed by its employee.

(b) Where the alleged violation of said section 3 does not include an adverse employment action, it shall be an affirmative defense for an employer that:

- (1) the employer was not aware of a violation of said section 3;
- (2) the employer exercised reasonable care to prevent and correct promptly any actionable behavior; or,
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Section 4. (a) An employee may be individually liable for a violation of section 3 of this chapter.

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Section 5. It shall be an affirmative defense that:

(a) The complaint is based on an adverse employment action reasonably made for poor performance, misconduct or economic necessity; or,

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Section 6. (a) Where a party is liable for a violation of section 3 of this chapter, the court may enjoin the defendant from engaging in the unlawful employment practice and may order any other relief that is deemed appropriate, including, but not limited to: reinstatement, removal of the offending party from the complainant's work environment, back pay, front pay, medical expenses, compensation for pain and suffering, compensation for emotional distress, punitive damages and attorney's fees.

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(b) The remedies provided in this chapter shall be in addition to any remedies provided under any other law, and nothing in this chapter shall relieve any person from any liability, duty, penalty or punishment provided by any other law, except that if an employee receives workers' compensation for medical costs for the same injury or illness pursuant to both this chapter and the workers' compensation law, or compensation under both this chapter and that law in cash payments for the same period of time not working as a result of the compensable injury or illness or the unlawful employment practice, the payments of workers' compensation shall be reimbursed from compensation paid under this chapter.

Report of the Town Administrator

January 22, 2019

1. Personnel Updates-

- a. Trainings- On January 23, 2019 we are conducting a specialized training session for the new requirements that municipalities follow OSHA regulations through the Office of Workplace Safety and Health Program. Monitoring is done through the Massachusetts Department of Labor Standards. The training is being performed, free of charge, by a local resident who is a certified trainer. This will be a general overview and we will be seeking training funds in the FY20 budget to be able to provide the more specialized trainings by department.

On February 12, 2019, as the next in the series of our quarterly trainings, we will be holding a training session entitled "Stay Centered in a Stressful World-Townsend Mindfulness" at our monthly department head meeting.

We anticipate that our next training will be centered around the Healthy Workplace Bill with a focus on "bullying, mobbing and harassment, without regard for protected status."

- **Board Action Requested-** None requested.

- b. Landuse Coordinator- The position of Landuse Coordinator has been advertised now since the first of the year. We have it advertised on our physical bulletin board, on our website, on the MMA website and on the North Central Mass Hire website through the Massachusetts Division of Employment and Training. (ads enclosed) We have received five applicants to date.

- **Board Action Requested-** None Requested.

- c. New Treasurer-Collector- Our new Treasurer-Collector, Ms. Anna Noyes, has officially started with us as of last week. We are all very excited to have Anna join our team. If you have an opportunity it would be nice to have you stop by to say hello and welcome.

- **Board Action Requested-** None Requested.

- d. Set Up Work Sessions- I've been asked to work to schedule stand-alone work sessions for the following issues:

- Budget Related

1. Discuss Budget Summit
2. Schedule Review Of Department, Board And Committee Budgets
3. Budget Assistance To Elected Boards
4. Discuss Revenue and Expense Projections
5. February 13, 2019- School Committee Budget Meeting with All Towns

- Personnel Related

1. Review Job Descriptions as they may impact budget matters
2. Review and discuss comparable communities At your last meeting you referenced an interest in updating the comparable communities list that the town has operated under since 2012. I have enclosed a copy of that list of communities for discussion.

3. Review and Discuss Exempt vs. Non-Exempt Positions- I have enclosed a document that describes the distinction between these two types of positions.
 4. Discuss Employee Training Needs.
 5. Discuss Longevity Benefits
- Project Related
 1. Pavement Plan and Finances
 2. Any Other Projects with Budget impacts
 - **Board Action Requested-** Please have your calendars so we can schedule these meetings.
- e. Comparable Communities-
- **Board Action Requested-** Let's Discuss.

2. Financial Updates-

- a. Community Compact Grant Funding- Our next available opportunity to seek funding under the Community Compact Program is this summer in the "Best Practices" round. Pursuant to one of the Board's stated goals, I recommend that we apply for a complete rewrite of our Personnel Policies and Procedures Manual.

Some Sample Human Resource Best Practices Are:

Best Practice: Cost-Out Collective Bargaining proposals so that the impact of the total package is known. This provides the municipality with a clear understanding of both short-term and long-term budgetary impacts.

Best Practice: Develop a Workplace Safety program so that the risk of on-the-job injuries is minimized.

Best Practice: Develop a formal Wage and Classification Plan that details, at a minimum, job descriptions, employee grades, and salary ranges, thereby providing the municipality with a tool to make pay decisions that are reasonable in comparison to similar work being carried out in all areas of city/town government.

Best Practice: Develop Employee Policies and Procedures for things such as discrimination, sexual harassment, information technology use, drug and alcohol, use of social media, and town-owned vehicles. (My recommendation)

Best Practice: Manage employee benefit costs such as health insurance, dental insurance, unemployment insurance, and worker's compensation/111F; includes eligibility review and evaluation of insurance choices.

Best Practice: Prepare a Succession Plan to help address the pending wave of retirements that will challenge a municipality's ability to maintain service levels and utilize expertise and experience of mature workers through consulting or mentorship programs.

Best Practice: Explore Centralized Human Resources/Personnel Operations to improve service delivery and build efficiencies.

Board Action Requested- Please review the opportunities and let me know your wishes so I can write and file the grant.

- b. **FY20 Budget-** With the sole exception of the Water Department budget, all departmental budgets were submitted on time and are in hand. The finance team has been working on keeping the revenue-expense tool updated with each new piece of information as we receive it. We expect to hear what the Governor will be presenting for Municipal Local Aid this weekend so I should know more by meeting time.

Board Action Requested- None requested.

3. **Project Updates-**

- a. **Pavement Management Plan Update-** Consistent with the funding approved at the special town meeting last month we have begun the process of updating our 2015 Town-wide Pavement Management Plan. The target date for the completion of the report is early spring which would allow us to utilize the findings to inform our paving work plan moving forward.

Board Action Requested- None requested.

4. **Miscellaneous Updates-**
None.



Safety Programs for the Public Sector

Safety and health programs for private sector employers

Each employer is responsible for providing a safe workplace. This page contains sample and template policies to support the creation of safety and health programs.

Sample safety and health programs

Each employer is responsible for providing a safe workplace. Sample and template policies to support the creation of safety and health programs are listed below:

- [Bloodborne Pathogens Exposure Control Plan \(/media/814806\)](/media/814806)
- [BBP Exposure Control Plan for Healthcare Workers \(/media/1670756\)](/media/1670756)
- [Emergency Action Plan \(/media/1208986\)](/media/1208986)
- [Fire extinguishers \(/media/1670761\)](/media/1670761)
- [Fire Prevention Plan \(/media/1005811\)](/media/1005811)
- [Confined Space General Overview \(/media/930781\)](/media/930781)
- [Model Confined Space Entry Policy and Procedure \(/media/976451\)](/media/976451)
- [Hazard Communication Sample Program \(/doc/hazard-communication-sample-program\)](/doc/hazard-communication-sample-program)
- [Hearing Conservation Program \(/media/945996\)](/media/945996)
- [Lockout /Tagout \(/media/947111\)](/media/947111)
- [Respiratory Program \(/media/1148416\)](/media/1148416)
- [Personal Protective Equipment Hazard Assessment \(/media/1051846\)](/media/1051846)
- [Worksheet for Selecting PPE \(/media/1489396\)](/media/1489396)
- [PPE - Selection Chart Generic \(/media/843786\)](/media/843786)

</doc/trench-template-program-and-worksheet>)

- **Trench Daily Inspection Checklist** (</doc/trench-daily-inspection-checklist-for-dpws>)

Safety Programs for School Departments

- **Personal Protective Equipment Assessment - Schools 2016**
(</doc/personal-protective-equipment-assessment-schools-2016/download>) (Required)
- **Emergency Action Plan** (</doc/emergency-action-plan/download>) (Required)
- **Fire prevention plan** (</doc/fire-prevention-plan/download>) (Required)
- **Hazard Communication Sample Program** (</doc/hazard-communication-sample-program>)
(Required, formerly Right-to-Know)
- Ladder Inspection (Required to perform, but written program not required)
- **Lockout Tagout Sample plan** (</doc/lockout-tagout-sample-plan/download>) (Required)
- Machine guards on equipment (Required to perform, but written program is not required)
- **Personal Protective Equipment Assessment - Schools 2016**
(</doc/personal-protective-equipment-assessment-schools-2016/download>) (Required)
- Power tools and equipment (ie saws, chainsaws, mowers, woodchippers. Written program not required)
- Pre-trip Vehicle Inspections (Required to perform, but written program not required)
- Preventive Maintenance (Recommended)

Safety Programs for Fire Departments and EMS

M.G.L. c149 §6-1/2 requires compliance with OSHA regulations, and does not require compliance with NFPA consensus standards. The OSHA standard 29 CFR 1910.156(c) requires that employees are trained commensurate with their duties and functions.

- **Bloodborne Pathogen Plan for Police, Fire, and EMS**
(</doc/bloodborne-pathogen-plan-for-police-fire-and-ems/download>) (Required)

- **Fire prevention plan** (</doc/fire-prevention-plan/download>) (Required for fire station)
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- Ladder Inspection (Required to perform, but written program not required)
- **Lockout Tagout Sample plan** (</doc/lockout-tagout-sample-plan/download>) (Required for fire station)
- Medical clearance for respirator use (Required, but contained in Respirator Program)
- **Personal protective equipment** (</media/1727626/download>) (Required)
- Pre-trip Vehicle Inspections (Required to perform, but written program not required)
- Respirator Program for Fire/EMS (Required)
- **Respirator Protection Program template for Firefighters**
(</doc/respirator-protection-program-template-for-firefighters/download>)
- Technical Rescue: Confined Space, Trench, Diving (Required for employees assigned to these tasks)

Safety Programs for Police

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- Pre-trip Vehicle Inspections (Required to perform, but written program not required)
- Respirator Program for Police (Required if employees are issued respirators)
- **Workzone Safety** (</doc/workzone-safety/download>) for Traffic Detail Officers (Required to perform, but written program not required)

Sample safety and health programs for Public Works

- **Aerial Lift template** (</doc/aerial-lift-template>)
- **Emergency Action Plan** (</doc/emergency-action-plan>)
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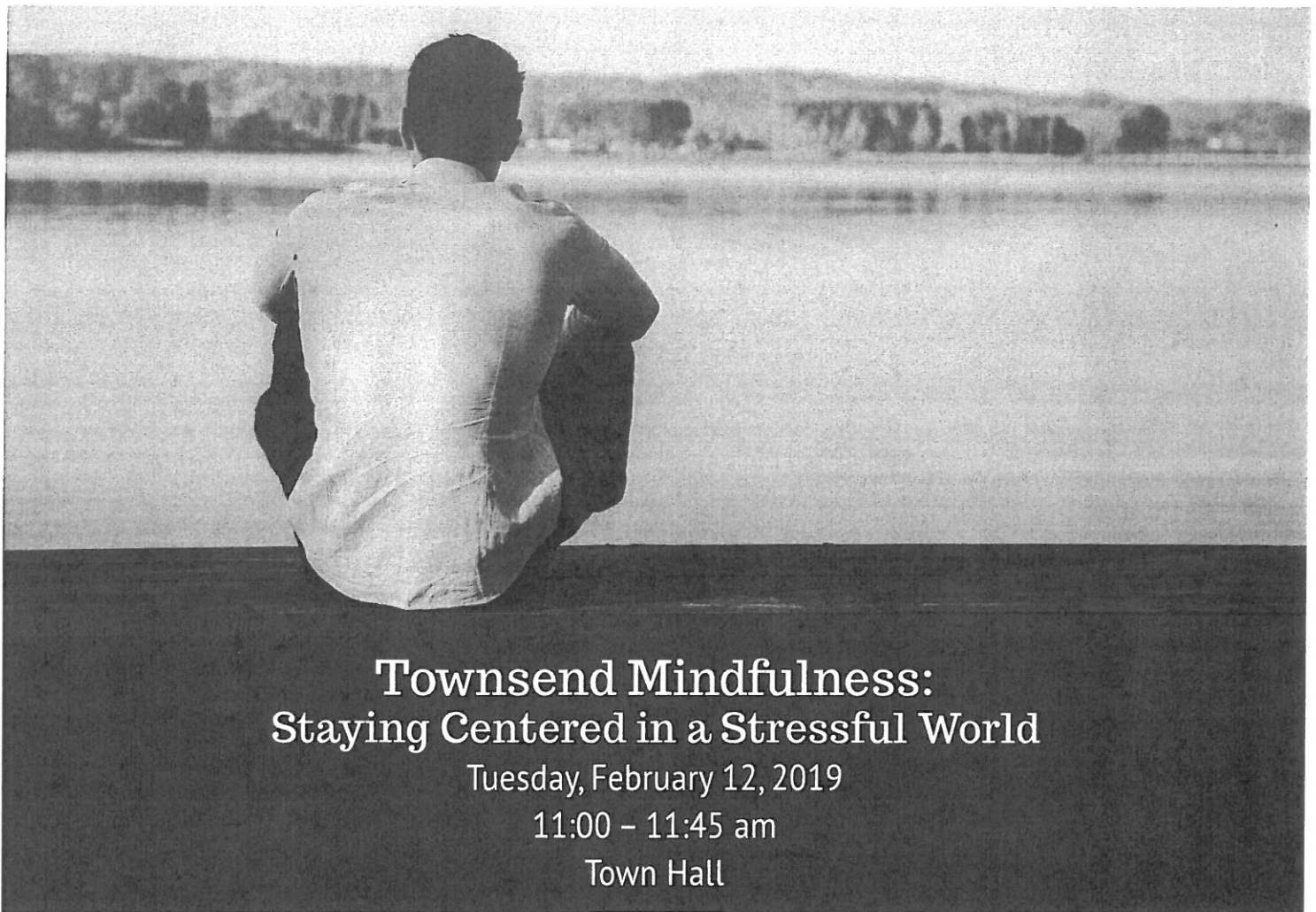
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4.1

Apply for the best practice program

Please review the application instructions below. You will then be asked to enter your passcode at the bottom of the page to fill out the application.

Apply for the best practice program

(https://massgov.formstack.com/forms/fy19_ccc_bp)

CONTACT

Community Compact / Division of Local Services

Phone

Call Sean Powers:

(617) 626-2345 (tel:6176262345)

Online

Email Sean Powers:

powersse@dor.state.ma.us

(mailto:powersse@dor.state.ma.us)

THE DETAILS

What you need

Beginning on August 15, applications for Year 4 of the CCC Best Practice program can be submitted by those municipalities who did not apply in FY18 for either a first or second Compact. Applications are accepted on a rolling basis and will be reviewed within one month of submission. Eligible applicants can choose up to two best practices and enter into a FY19 Compact. A complete set of best practices have been developed and are available [here](/info-details/community-compact-best-practice-areas) (/info-details/community-compact-best-practice-areas).

You will need a passcode to fill out the form below. If you do not have a passcode, please contact DLS by sending an email to Sean Powers at powersse@dor.state.ma.us (mailto:powersse@dor.state.ma.us).

How to apply

Online

https://massgov.formstack.com/forms/fy19_ccc_bp (https://massgov.formstack.com/forms/fy19_ccc_bp)

Next steps

Review Process

Upon submission, applications will be reviewed by the Senior Deputy Commissioner of Local Services. The purpose of the review is to ensure that the best practice(s) chosen reflect needed areas of improvement. After review, the Division of Local Services will reach out to the community regarding next steps.

More info

All municipalities that enter into a Compact maintain their “Compact Community” status through FY19. Cities and towns that entered into Compacts in FY16 or FY17 are eligible to enter into another Compact, but are not required to do so in order to maintain the “Compact Community” status.

Instructions

Step 1 – Municipal Designation: Identify as a City or Town.

Step 2 – City or Town Name: Choose your community from the dropdown list.

Note: Each community is allowed to submit one application. Once a community submits an application, that community will no longer appear in the dropdown menu. If your community does not appear, then your community is not eligible in FY19. If you have questions as to your eligibility, contact Sean Cronin, Senior Deputy Commissioner for Local Services, at croninse@dor.state.ma.us (mailto:croninse@dor.state.ma.us).

Step 3 – Contact Information: Include the contact’s name, phone, and email. This should be the person who can be reached if there are questions about the Compact application.

Step 4 – Compact Signatory: Identify the compact signatory. For a city, the signatory should be the Mayor or City Manager; in a town it should be the Chair of the Board of Selectmen; if a town with a town council, it should be the Town Manager/Administrator. These guidelines also apply to any application choosing Education as a best practice area.

Step 5 – Best Practice: Communities may apply for up to two best practices. Choose a best practice category from the dropdown and the best practice options will appear. After choosing a best practice, you will need to explain why you chose the best practice and what assistance you would need to accomplish it. If you are applying for a best practice with other communities, you will be asked to list the other participating communities. After you enter all required information for your first best practice, you will have the option to apply for an additional best practice.



Efficiency & Regionalization grant program

The Efficiency & Regionalization grant program provides financial support for entities interested in implementing regionalization and other efficiency initiatives.

The purpose of the Efficiency and Regionalization (E&R) competitive grant program is to provide financial support for governmental entities interested in implementing regionalization and other efficiency initiatives that allow for long-term sustainability. These grants will provide funds for one-time or transition costs for municipalities, regional school districts, school districts considering forming a regional school district or regionalizing services, regional planning agencies and councils of governments interested in such projects.

The E&R grant program will be available on January 15, 2019, with applications due by February 15, 2019.

OFFERED BY

Community Compact Cabinet (</orgs/community-compact-cabinet>)

What would you like to do?

Top tasks

(/how-to/apply-for-a-efficiency-and-regionalization-grant)

What you need to know

Efficiency and Regionalization grant program FAQ

(/info-details/efficiency-and-regionalization-grant-program-faq)

FY17 Efficiency and Regionalization grant recipients

(/service-details/fy17-efficiency-and-regionalization-grant-recipients)

FY18 Efficiency and Regionalization grant recipients

(/service-details/fy18-efficiency-and-regionalization-grant-recipients)

Image credits: Town Hall, Greenfield, Massachusetts (Flickr, J. Stephen Conn)

Did you find what you were looking for on this webpage? *

☐ Yes ☐ No

If you need to report child abuse, any other kind of abuse, or need urgent assistance, please click here (/info-details/report-abuse-or-request-urgent-assistance).

SEND FEEDBACK

PROPOSED COMPARABLE COMMUNITIES

4, 1
1

Mass. Community	EQV/Per Capita (2010)	Population (2008)	INCOME\Per Capita (1999)	Operating Budget (rounded) (in millions – FY 2010)	Average Tax Bill (2010)
<i>Ashburnham</i>	\$112,273	5,974	\$21,659	\$15M	\$3,683
<i>Ashby</i>	\$118,116	2,927	\$21,648	\$5M	\$3,308
<i>Athol</i>	\$66,866	11,584	\$16,845	\$19M	\$2,101
<i>Groton</i>	\$152,190	10,632	\$33,877	\$32M	\$6,371
<i>Lancaster</i>	\$129,984	7,015	\$21,010	\$17M	\$4,974
<i>Leicester</i>	\$93,463	10,990	\$20,822	\$27M	\$2,726
<i>Littleton</i>	\$180,262	8,711	\$31,070	\$36M	\$5,415
<i>Lunenburg</i>	\$133,811	9,946	\$26,986	\$28M	\$3,991
<i>Pepperell</i>	\$111,386	11,382	\$25,722	\$23M	\$3,788
<i>Rutland</i>	\$107,637	7,899	\$23,311	\$16M	\$3,462
<i>Shirley</i>	\$81,272	7,904	\$20,556	\$17M	\$3,573
<i>Sterling</i>	\$140,628	7,865	\$28,844	\$21M	\$4,449
<i>Templeton</i>	\$84,884	8,013	\$21,994	\$14M	\$2,306
<i>Westminster</i>	\$115,675	3,806	35,063	\$9M	\$2,645
<i>W. Boylston</i>	\$113,084	8,277	\$22,899	\$23M	\$4,192
Townsend	\$100,862	9,400	\$22,658	\$18M	\$3,804

Budget Hearing Scheduled:

4.1
#3

February 5th

TEMA

February 19th

Town Clerk
Fire-EMS Department
Highway Department

March 5th

Recreation Commission

March 19th

Library Trustees
Council on Aging

4.1
12

Fact Sheet #17A: Exemption for Executive, Administrative, Professional, Computer & Outside Sales Employees Under the Fair Labor Standards Act (FLSA)

This fact sheet provides general information on the exemption from minimum wage and overtime pay provided by Section 13(a)(1) of the Fair Labor Standards Act as defined by Regulations, 29 CFR Part 541.

The FLSA requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455* per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

See other fact sheets in this series for more information on the exemptions for executive, administrative, professional, computer and outside sales employees, and for more information on the salary basis requirement.

Executive Exemption

To qualify for the executive employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary basis (as defined in the regulations) at a rate not less than \$455* per week;
- The employee's primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise;
- The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and
- The employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight.

Administrative Exemptions

To qualify for the administrative employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455* per week;
- The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
- The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

Professional Exemption

To qualify for the **learned professional** employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455* per week;
- The employee's primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment;
- The advanced knowledge must be in a field of science or learning; and
- The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

To qualify for the **creative professional** employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455* per week;
- The employee's primary duty must be the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor.

Computer Employee Exemption

To qualify for the computer employee exemption, the following tests must be met:

- The employee must be compensated **either** on a salary or fee basis (as defined in the regulations) at a rate not less than \$455* per week **or**, if compensated on an hourly basis, at a rate not less than \$27.63 an hour;
- The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below;
- The employee's primary duty must consist of:
 - 1) The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
 - 2) The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
 - 3) The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
 - 4) A combination of the aforementioned duties, the performance of which requires the same level of skills.

Outside Sales Exemption

To qualify for the outside sales employee exemption, all of the following tests must be met:

- The employee's primary duty must be making sales (as defined in the FLSA), or obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer; and
- The employee must be customarily and regularly engaged away from the employer's place or places of business.

Highly Compensated Employees

Highly compensated employees performing office or non-manual work and paid total annual compensation of \$100,000 or more (which must include at least \$455* per week paid on a salary or fee basis) are exempt from the

FLSA if they customarily and regularly perform at least one of the duties of an exempt executive, administrative or professional employee identified in the standard tests for exemption.

Blue Collar Workers

The exemptions provided by FLSA Section 13(a)(1) apply only to “white collar” employees who meet the salary and duties tests set forth in the Part 541 regulations. The exemptions do not apply to manual laborers or other “blue collar” workers who perform work involving repetitive operations with their hands, physical skill and energy. FLSA-covered, non-management employees in production, maintenance, construction and similar occupations such as carpenters, electricians, mechanics, plumbers, iron workers, craftsmen, operating engineers, longshoremen, construction workers and laborers are entitled to minimum wage and overtime premium pay under the FLSA, and are not exempt under the Part 541 regulations no matter how highly paid they might be.

Police, Fire Fighters, Paramedics & Other First Responders

The exemptions also do not apply to police officers, detectives, deputy sheriffs, state troopers, highway patrol officers, investigators, inspectors, correctional officers, parole or probation officers, park rangers, fire fighters, paramedics, emergency medical technicians, ambulance personnel, rescue workers, hazardous materials workers and similar employees, regardless of rank or pay level, who perform work such as preventing, controlling or extinguishing fires of any type; rescuing fire, crime or accident victims; preventing or detecting crimes; conducting investigations or inspections for violations of law; performing surveillance; pursuing, restraining and apprehending suspects; detaining or supervising suspected and convicted criminals, including those on probation or parole; interviewing witnesses; interrogating and fingerprinting suspects; preparing investigative reports; or other similar work.

Other Laws & Collective Bargaining Agreements

The FLSA provides minimum standards that may be exceeded, but cannot be waived or reduced. Employers must comply, for example, with any Federal, State or municipal laws, regulations or ordinances establishing a higher minimum wage or lower maximum workweek than those established under the FLSA. Similarly, employers may, on their own initiative or under a collective bargaining agreement, provide a higher wage, shorter workweek, or higher overtime premium than provided under the FLSA. While collective bargaining agreements cannot waive or reduce FLSA protections, nothing in the FLSA or the Part 541 regulation relieves employers from their contractual obligations under such bargaining agreements.

Where to Obtain Additional Information

For additional information, visit our Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).

When the state laws differ from the federal FLSA, an employer must comply with the standard most protective to employees. Links to your state labor department can be found at www.dol.gov/whd/contacts/state_of.htm.

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

U.S. Department of Labor
Frances Perkins Building
200 Constitution Avenue, NW
Washington, DC 20210

1-866-4-USWAGE
TTY: 1-866-487-9243
Contact Us

Note (added January 2018):

* The Department of Labor is undertaking rulemaking to revise the regulations located at 29 C.F.R. part 541, which govern the exemption of executive, administrative, and professional employees from the Fair Labor Standards Act's minimum wage and overtime pay requirements. Until the Department issues its final rule, it will enforce the part 541 regulations in effect on November 30, 2016, including the \$455 per week standard salary level. These regulations are available at: <https://www.dol.gov/whd/overtime/regulations.pdf>

Early Releases or Emergency Building Closures

In the event of a building closure due to a State or Local declared emergency, the Department Supervisor and/or designee will notify its employees of such closure.

Non-essential personnel will be paid for their regularly scheduled work hours for any workday that a town building is closed under a Governor's State of Emergency or a Local State of Emergency as declared by the Chairman of the Board of Selectmen or other authorized designee and defined by Article I, Section 1 – Definitions, Emergency Closures.

Employee time sheets shall reflect the employee having received pay for an emergency day.

Employees, including but not limited to the following list of employees that are covered by this plan shall be considered "exempt" employees for the purpose of the Fair Labor Standards Act (FLSA):

- Town Administrator;
- Town Accountant;
- Fire Chief;
- Police Chief & Police Lieutenant;
- Water Department Superintendent;
- Town Treasurer;
- Tax Collector;
- Town Clerk;
- Building Commissioner;
- Highway Superintendent;
- Any other employee whose status should be exempt under the FLSA.

All other employees shall be considered "Non-Exempt" employees for the purpose for the FLSA.

Carolyn Smart

From: Scott Percifull <SPercifull@masshirenorthcentralcc.com>
Sent: Thursday, January 10, 2019 1:23 PM
To: Carolyn Smart
Subject: RE: Job Posting

Hi Carolyn,

Sure, I'll get this in the system today.

Best regards,
Scott

Scott Percifull
Business Service Representative

100 Erdman Way
Leominster, MA 01453

T 978.534.1481

F 978.534.1375

MassHireNorthCentralcc.com

Please note our new name – MassHire North Central Career Center, formerly the North Central Career Center, part of the Massachusetts One Stop Career Centers.



From: Carolyn Smart [mailto:csmart@townsend.ma.us]
Sent: Wednesday, January 09, 2019 3:38 PM
To: Scott Percifull <SPercifull@masshirenorthcentralcc.com>
Subject: FW: Job Posting

Hi Scott: Hoping we could post another vacant position with you, please see attached.

From: Carolyn Smart [mailto:csmart@townsend.ma.us]
Sent: Friday, November 30, 2018 2:23 PM
To: 'Scott Percifull' <SPercifull@masshirenorthcentralcc.com>
Subject: RE: Job Posting

Great, thank you. I hope you have a nice weekend as well.

From: Scott Percifull [mailto:SPercifull@masshirenorthcentralcc.com]
Sent: Friday, November 30, 2018 1:58 PM

To: Carolyn Smart <csmart@townsend.ma.us>

Subject: RE: Job Posting

Hi Carolyn,
Sure – I'll get this in the system today.

I hope you have a great weekend,

Scott Percifull

Business Service Representative

100 Erdman Way

Leominster, MA 01453

T 978.534.1481

F 978.534.1375

MassHireNorthCentralcc.com

Please note our new name – MassHire North Central Career Center, formerly the North Central Career Center, part of the Massachusetts One Stop Career Centers.



From: Carolyn Smart [<mailto:csmart@townsend.ma.us>]

Sent: Friday, November 30, 2018 12:35 PM

To: Scott Percifull <SPercifull@masshirenorthcentralcc.com>

Subject: Job Posting

Hi: Could we please have the attached posting put on your website?

Thank you

Carolyn Smart

Executive Assistant to the Town Administrator

Board of Selectmen's Office

272 Main Street, Townsend, MA 01469

(978) 597-1700 ext 1719

csmart@townsend.ma.us

www.townsend.ma.us

If this email is received by a multi-member public board, commission or committee please take care to never "respond to all" as you may inadvertently create a violation of the open meeting law.

This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message. In Massachusetts, the term "public record" is broadly defined to include all documentary materials or data



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Municipal
Association

SEARCH



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Municipal Career Opportunities

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The MMA publishes employment classified ads in its monthly news publication, The Beacon, as well as here on the MMA website.

[Post a job ad](#)

Keyword



SEARCH

TITLE		POSTED ON
Chief Administrative and Financial Officer	City of Methuen	Jan 17, 2019
Conservation Agent	City of Gloucester	Jan 17, 2019
Assistant Superintendent of Water	City of Attleboro	Jan 17, 2019
Town Administrator	Town of Millville	Jan 16, 2019
Part Time Planning Agent	Town of Winchendon	Jan 16, 2019
Associate Project Coordinator Prevention & Outreach Program	Natick Health Department	Jan 16, 2019
Payroll/HR Benefits Specialist	Town of Cohasset	Jan 16, 2019
Water Treatment Plant Manager	Town of Lincoln	Jan 16, 2019

Director of Planning and Economic Development	Town of Fairhaven	Jan 16, 2019
Water & Sewer Foreman- Licensed Drinking Water Operator	Town of Stoneham	Jan 16, 2019
Computer Technician	Town of Avon	Jan 16, 2019
Director of Elder Affairs	Town of Cohasset	Jan 16, 2019
Fire Dispatcher	City of Nashua, NH	Jan 16, 2019
Public Health Director	Town of Lexington	Jan 15, 2019
Town Manager	Town of Tolland, CT	Jan 15, 2019
Water and Sewer Superintendent	Town of Meredith, NH	Jan 15, 2019
Town Administrator	Town of Dudley	Jan 15, 2019
Asst. Park, Recreation & Aquatics Director	Town of Sudbury	Jan 15, 2019
Senior Planner	Town of Swampscott	Jan 15, 2019
HVAC Technician/ Craftsperson	City of Lowell	Jan 15, 2019
Director, Assessing Department	City of Cambridge	Jan 14, 2019
Director of Planning and Development	Town of Ipswich	Jan 14, 2019
Town Engineer	Town of Yarmouth	Jan 14, 2019
Community and Economic Development Planner	Merrimack Valley Planning Commission	Jan 14, 2019
Library Director	Town of Wenham	Jan 14, 2019
HR Manager	Town of Wayland	Jan 14, 2019
Treasurer/Collector	Town of Wayland	Jan 14, 2019
Housing Rehabilitation Specialist	City of Leominster	Jan 14, 2019
Staff Assistant - Zoning Board of Appeals, PT	Town of Weston	Jan 14, 2019
Town Manager	Town of South Windsor, CT	Jan 11, 2019
IT Operations Specialist	City of Woburn	Jan 11, 2019
Facilities/IT Coordinator	City of Woburn	Jan 11, 2019
Visitor & Tourism Manager	Town of Concord	Jan 11, 2019

Confidential Administrative Assistant to School Business Administrator	Greater Lowell Technical High School	Jan 11, 2019
Economic Development Coordinator	Town of Southborough	Jan 11, 2019
Principal Office Assistant- Town Clerks Office	Town of Stoneham	Jan 11, 2019
Communications Officer	Town of Falmouth	Jan 11, 2019
Executive Director	Marlborough Community Development Authority	Jan 11, 2019
Health Agent	Town of North Attleboro	Jan 11, 2019
Engineering Designer	Town of Barnstable	Jan 11, 2019
Health Inspector	Town of North Andover	Jan 10, 2019
CDBG Program Manager	Community Opportunities Group, Inc.	Jan 10, 2019
Town Treasurer/Collector	Town of Wellfleet	Jan 10, 2019
Junior Civil Engineer	City of Malden	Jan 10, 2019
Land Use Coordinator	Town of Townsend	Jan 10, 2019
Youth & Family Services Director	Town of Hopkinton	Jan 09, 2019
Highway Superintendent	Town of Blandford	Jan 09, 2019
Principal Planner	Town of Hopkinton	Jan 09, 2019
Public Health Nurse	Town of Andover	Jan 09, 2019
Library Director	Town of Andover	Jan 09, 2019
Fire Chief	Town of Uxbridge	Jan 09, 2019
Member Services Analyst	Essex Regional Retirement System	Jan 09, 2019
PEG Cable Access Station Manager	Town of Concord	Jan 09, 2019
Director of Elder Services	Town of Hingham	Jan 09, 2019
Fire Chief	Town of Oxford	Jan 09, 2019
Administrative Assistant - Licensing	Town of Brookline	Jan 09, 2019
Director of Human Resources	City of Chicopee	Jan 09, 2019
Water Systems Maintenance Trainer	Town of Norwell	Jan 08, 2019

Administrative Assistant	Malden Redevelopment Authority	Jan 08, 2019
Interim Fire/EMS Chief	Town of Berlin	Jan 08, 2019
Payroll & Benefits Coordinator	Town of Wilmington	Jan 08, 2019
FT Police Dispatcher	City of Newburyport	Jan 08, 2019
Assistant Town Administrator	Town of Harwich	Jan 08, 2019
Assistant Director of Management Information Systems	City of North Adams	Jan 08, 2019
Assistant Superintendent of Water Division	Town of Scituate	Jan 08, 2019
Director of Public Health (Revised)	Town of Scituate	Jan 08, 2019
Administrative Assistant III - Benefits Coordinator	Town of Shrewsbury	Jan 08, 2019
Assistant City Engineer	City of Chelsea	Jan 07, 2019
Fire Chief	Town of Southborough	Jan 07, 2019
Engineering Intern - DPW Administration & Technical Support	Town of Barnstable	Jan 07, 2019
Director of Human Resources	Town of East Longmeadow	Jan 07, 2019
Highway Superintendent	Town of Pepperell	Jan 05, 2019
Assistant Superintendent for Finance and Operations	Lexington Public Schools	Jan 04, 2019
Board of Health Director	Town of Saugus	Jan 04, 2019
Chief of Police	City of North Adams	Jan 04, 2019
Public Health Clinic Nurse	City of Lowell	Jan 04, 2019
Police and Fire Communications Officer	Town of Groton	Jan 04, 2019
Public Health School Nurse	City of Lowell	Jan 04, 2019
Veterans Services Officer	Town of Watertown	Jan 04, 2019
GIS Coordinator	City of Medford	Jan 03, 2019
Tree Climber	Town of Wellesley	Jan 03, 2019
Finance Director	Town of Peterborough, NH	Jan 03, 2019
HR Director	Town of Dedham	Jan 03, 2019



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[Home](#) > Jobs & Postings

Jobs & Postings

COMMITTEE OPENINGS:

The Town has numerous opportunities for individuals interested in serving on a board or committee. Individuals interested in serving should submit a [Volunteer Response Form](#) to the Board of Selectmen. [Click here to apply.](#)

JOB OPENINGS: ([Employment Application](#))

- [Police Officer](#) (Job description can be found under Police Dept)
- [Land Use Coordinator](#)

PROCUREMENT: (BIDS, RFP, RFQ)

- [Grant Administration for CDBG](#)

BOARD/COMMITTEE OPENINGS:

- [300th Anniverary Committee](#)
- [Captial Planning Committee](#)
- [Zoning Board of Appeals](#)
- [Girls' School Commemorative Committee](#)
- [Planning Board Associate Member](#)
- [Town Properties Committee](#)
- Commission on Disability (formed by Town Meeting Vote)

Source URL: <https://www.townsend.ma.us/home/pages/jobs-postings>



4.5

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 DECEMBER 4, 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 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 was being tape recorded and queried the audience.

1.4 Chairman's Additions or Deletions.

SL moved to add: 3.20 Approve/Sign letter of support for the Council on Aging and 3.21 Discussion; setting new date for the Special Town Meeting and approval of the warrant.

1.5 Public Comment Period.

Rick Fowler of Turnpike Road expressed concern in regards to the Comcast cable contract and his inability to receive internet and cable service. SL relayed that Counsel has been retained in an effort to assist in the Cable Commission with compliance issues within the contract.

John Page of Smith Street inquired as to why the town is not having the Special Town Meetings in the fall. SL explained it was dependent upon the certification of free cash.

Rick Fowler of Turnpike Road inquired as the cutting of the trees from Unutil.

II. APPOINTMENTS AND HEARINGS - VOTES MAY BE TAKEN:

2.1 6:05 P.M. Public Hearing, RE: FY19 Tax Levy.

SL opened the public hearing at 6:10P.M. A sign-in sheet was circulated to all audience members.

WM read the legal notice into the record - please see attached. Ms. Tidman, Chief Assessor explained to the audience the recommendation to tax all properties equally without a split rate. SL queried the audience for support and non-support of the recommendation.

WM moved to adopt a commercial/residential factor of 1.0 as recommended by the Board of Assessors. CK seconded. Unanimous vote. SL moved to close the public hearing.

III. MEETING BUSINESS - VOTES MAY BE TAKEN:

3.1 Consideration of designating the Town website as the official meeting posting location.

SL explained the Board of Selectmen, by right, can change the official posting site. WM moved the Board of Selectmen designate the calendar as the official posting site pending approval of the

Secretary of State. WM amended the motion to "any spot on the website". CK seconded. Unanimous vote.

3.2 Discussion, RE: Finance Team Representative.

SL inquired as to the revenue projections. Mr. Kreidler explained the process and the documentation used for revenue and budgetary projections. Mr. Kreidler suggested after all budgets are received, the Board schedule a work session to review the requests.

SL addressed added agenda items: 3.21 STM Warrant

The Board agreed to change the date for the Special Town Meeting to December 20, 2018. Reasons for the change were discussed outlining: free cash as yet to be certified by DLS due to heavy demand and the need to have the Special Town Meeting prior to December 31st because of the marijuana moratorium and zoning proposal. Mr. Kreidler explained why it was necessary to extend the moratorium if there's no zoning bylaw in place.

WM moved to cancel the Special Town Meeting scheduled for December 13, 2018 in Memorial Hall. CK seconded. Unanimous vote.

WM moved to re-post the Special Town Meeting warrant as corrected by Town Counsel for December 20, 2018 at 7:00P.M., Memorial Hall, 272 Main Street. CK seconded. Unanimous vote.

SL requested an email blast be sent out through the website advising folks of the change.

3.20 The Board reviewed the letter as submitted by the Council on Aging, requesting support for additional transportation. WM read the letter into the record – please see attached. WM moved the Board of Selectmen sign the letter of support for the Council on Aging. CK seconded. Unanimous vote.

3.3 Review/Approve Change of Manager for the VFW Post #6538 for Geraldine P. Armstrong. The Board reviewed the application as submitted.

WM moved to approve the change of manager application for the VFW Post #6538 to Geraldine P. Armstrong. CK seconded. Unanimous vote.

3.4 WM moved to approve and sign Review/Approve/Sign the 2019 renewal for a Wine & Malt Retail Package Store liquor license #00011-PK-1286 for Girish Patel, dba Old Brick Store, 440 Main Street, Townsend, MA. CK seconded. Unanimous vote.

3.5 WM moved to approve and sign the 2019 renewal for an All Alcoholic Restaurant Package Store liquor license #00009-PK-1286 for Ranjitaben Patel, Townsend Package Store, 224 Main Street, Townsend, MA. CK seconded. Unanimous vote.

3.6 WM moved to approve and sign the 2019 renewal for an All Alcoholic Restaurant liquor license #00014RS-1286 for Chung Wai Yu, Season's Palace, #3 Inc., dba YEE's Village, 350 Main Street,

Townsend, MA., contingent upon a valid certificate of inspection. CK seconded. Unanimous vote.

- 3.7 WM moved to approve and sign the 2019 renewal for an All Alcoholic Restaurant liquor license #00018RS-1286 for Albert S. Mariano, Jr., Bailey's Bar & Grille, LLC, 18 Main Street, Unit 109, Townsend, MA., contingent upon a valid certificate of inspection. CK seconded. Unanimous vote.
- 3.8 WM moved to approve and sign the 2019 renewal for an All Alcoholic Restaurant liquor license #00020RS-1286 for Albert S. Mariano, Jr., 40 Scales Lane, Townsend, MA., contingent upon a valid certificate of inspection. CK seconded. Unanimous vote.
- 3.9 WM moved to approve and sign the 2019 renewal for an All Alcoholic Restaurant liquor license #00001RS-1286 for Robert Dickhaut, dba Townsend House Restaurant, 2 Depot Street, Townsend, MA., contingent upon a valid certificate of inspection. CK seconded. Unanimous vote.
- 3.10 WM moved to approve and sign the 2019 renewal for an All Alcoholic Package Store liquor license #00010-PK-1286 for Chanchetha Un, Chanchetha Corporation, dba The Wine Nook, 18 Main Street, Townsend, MA. CK seconded. Unanimous vote.
- 3.11 WM moved to approve and sign the 2019 renewal for an All Alcoholic Club License #00005-CL-1286 for Terri Roy, V.F.W. Post #6538 of the US, 491 A Main Street, Townsend, MA., contingent upon a valid certificate of inspection. CK seconded. Unanimous vote.

- 3.12 WM moved to approve and sign the following 2019 Common Victualler Renewal License Applications:

Kenneth Saucier	South Fitchburg Hunting & Fishing Club	60 Warren Road
Frank J. Catalano	Dunkin Donuts	28 Main Street
Steve Catalano	Dunkin Donuts	17 Elm Street
Robert Dickhaut	Townsend House Restaurant	2 Depot Street
Albert S. Mariano, Jr.	Bailey's On The Green, LLC	40 Scales Lane
Albert S. Mariano, Jr.	Bailey's Bar & Grille, LLC	18 Main Street
David Yee	McDonalds Restaurants	20 Main Street
Judy Knapp	Hannafords Supermarket	18 Main Street
Terri Roy	VFW Post #6538 of the US	491A Main Street
Mohamed Eldardir	Gourmet Donuts	210 Main Street
Chung Wai Yu	Yee's Village	350 Main Street

CK seconded. Unanimous vote.

- 3.13 WM moved to approve and sign the following 2019 Entertainment Renewal License Applications:
- | | | |
|-------------------------|----------------------------|-------------------|
| Robert Dickhaut | Townsend House Restaurant | 2 Depot Street |
| Albert S. Mariano, Jr., | Bailey's On The Green, LLC | 40 Scales Lane |
| Albert S. Mariano, Jr., | Bailey's Bar & Grille, LLC | 18 Main Street |
| Terri Roy | V.F.W. Post #6538 | 491 A Main Street |
| Chung Wai Yu | Yee's Village | 350 Main Street |

CK seconded. Unanimous vote.

- 3.14 WM moved to approve and sign the following 2019 Sunday Entertainment Renewal License Applications:

Albert S. Mariano, Jr.,	Bailey's On The Green, LLC	40 Scales Lane
Albert S. Mariano, Jr.,	Bailey's Bar & Grille, LLC	18 Main Street
Terri Roy	V.F.W. Post #6538	491 A Main Street
Chung Wai Yu	Yee's Village	350 Main Street

CK seconded. Unanimous vote.

- 3.15 WM moved to approve and sign a 2019 Renewal for a Class I license application for Thomas J. Cleary, Townsend Sales & Service, dba Townsend Fore, 340 Main Street, Townsend, MA. CK seconded. Unanimous vote.
- 3.16 WM moved to approve and sign a 2019 Renewal for a Class II license application for Roy D. Shepherd, Inc., dba Shepherd's Sales & Service, 55 Main Street, Townsend, MA. CK seconded. Unanimous vote.
- 3.17 WM moved to approve and sign a 2019 Renewal for a Class III license application for Roy D. Shepherd, Inc., dba Joe's Auto Body, 55 Main Street, Townsend, MA. CK seconded. Unanimous vote.
- 3.18 Review/Approve the 2019 Holiday Schedule.
The Board reviewed the schedule – please see attached. WM moved to approve the 2019 Holiday Schedule. CK seconded. Unanimous vote.
- 3.19 Authorize the Highway Department to install HEARTsafe Community signs on both ends of Route 119 and 13 contingent upon permission from MassDOT.
The Board reviewed the request as submitted by the Fire-EMS Chief, Mark Boynton. WM moved to authorize the Highway Department to install HEARTsafe Community signs on both ends of Route 119 and Route 13 contingent upon permission from MassDOT. CK seconded. Mr. Kreidler informed the Board of the work Marty Scott did on behalf of the town to receive the designation. The Board thanked Mr. Scott for his work. Unanimous vote.
- 3.20 Approve/Sign letter of support for an application on behalf of the Council on Aging to the Lowell Regional Transit Authority.
SEE ABOVE, items 3.20 & 3.21 addressed after 3.1
- 3.21 Discussion: set new date for the Special Town Meeting and approve/sign the warrant.
SEE ABOVE, items 3.20 & 3.21 addressed after 3.1

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

- 4.1 WM moved to appoint Laura Shifrin to the Town Properties Committee as the Planning Board Representative effective December 4, 2018 to February 28, 2019. CK seconded. Unanimous vote.

V. WORK SESSION – VOTES MAY BE TAKEN:

- 5.1 Town Administrator updates and reports.
- FY19 Goals Updates

- Department Head Meeting Update.
- Community Compact forum.
- Appointments to multiple Boards/Committees.

Mr. Kreidler updated the Board as follows: Department Head meeting and discussion of goals. Mr. Kreidler stated he informed the Departments during budgetary process to be sure the requests are in line with the Selectmen's goals.

Community Compact forum to be held in Townsend Deputy Chief Cronin from DLS.

Mr. Kreidler explained what MGL Chapter 41 Section 4A meant as inquired by a resident via correspondence received. Mr. Kreidler read the law into the record. Discussion regarding the West Meadow Road bridge update, SL commenting she would like to have Town Counsel handle the issue.

5.2 Board of Selectmen announcements, updates, and reports.

WM informed the Board that he attended his first Capital Planning Meeting, adding the Highway Department request to amend the Capital Plan was approved and the Committee is still waiting for submittal from the Water Department.

5.3 Clerk of the Board announcements for events - None.

5.4 Board Correspondence - None.

5.5 WM moved to approve the Meeting Minutes for October 23, 2018. CK seconded. Unanimous vote.

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

VI. 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 regarding the Clerical, Fire, Supervisors and Police Union and to adjourn from executive session. The Chair declared. Roll Call Vote: SL (YES), CK (YES), and WM (YES).

Respectfully submitted by,

Carolyn Smart, Executive Assistant to the Town Administrator

Voted to approve the meeting minutes for the meeting of December 4, 2018, by the Board of Selectmen this _____ day of _____, 2019.



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 DECEMBER 13, 2018 6:00 P.M.
SELECTMEN'S CHAMBERS, TOWN HALL, 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 Chairman's Additions or Deletions.
SL deleted 2.4 and V Executive Session from the agenda.
- 1.5 Public Comment Period. - None

II. MEETING BUSINESS - VOTES MAY BE TAKEN:

- 2.1 WM moved to approve and sign a one-day Special License for Terri Roy, V.F.W. Post #6538 on December 22, 2018 with sale hours from 5:00P.M. to 11:00P.M. in conjunction with a Christmas Party. CK seconded. Unanimous vote.
- 2.2 WM moved to approve and sign the following 2019 Common Victualler Renewal License Applications as listed:

Cherry Hill Ice Cream Too	Glen Shepherd	53 Main Street
Pizza Pizzaz	Ashraf Soliman	26 Main Street
Rainbow Preschool & Childcare	Ronald Kirwood	27 Main Street
Townsend Rod & Gun Club	Wayne Aquaro	46 Emery Road
Mr. Mike's Mini Mart	Andrew Slifica	238 Main Street

CK seconded. Unanimous vote.

- 2.3 Discussion, RE: MPO (Montachusetts Metropolitan Planning Organization) Representative.
Mr. Kreidler explained what the MPO does. CK explained the differences between what the MPO and the MRPC does, further explaining the region Townsend belongs to. CK explained this is a process to decide who would be chosen to sit on the MPO.

WM moved that Sue Lisio be the Representative for the MPO. CK seconded. Unanimous vote.

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

- 3.1 WM moved to appoint Michael MacGregor to the Townsend Fire-EMS Department as a per-diem Firefighter/Paramedic contingent upon the passing of a medical exam and CORI check with a one year probationary period. CK seconded. Unanimous vote.

- 3.2 WM moved to appoint Nicholas Girard to the Townsend Fire-EMS Department as a paid on-call Firefighter contingent upon the passing of a medical exam and CORI check with a one year probationary period. CK seconded. Unanimous vote.

IV. WORK SESSION – VOTES MAY BE TAKEN:

4.1 Town Administrator updates and report

- IT Upgrade: progress and timeline for completion.

Mr. Kreidler explained a side issue regarding spam email being sent to residents from what appears to be town email addresses. Bassem Awad, IT Director explains in the attached memorandum what spoofing is. Mr. Kreidler explained it was not coming from the town email servers.

Last update was on October 23rd, which ended in Town Meeting authorization needed. With Town Meeting fast approaching for the appropriation. SL expressed concern with what has been spent thus far and what has been done. Mr. Kreidler explained the town was awaiting the money to be transfer from the State for the IT grant and that was just received a few weeks ago. Mr. Kreidler stated there are a number of emails between Bassem and the State Bid list vendor chosen and he will forward those along to the Board members.

Mr. Kreidler discussed the legal expense appropriation request, further, relaying the information regarding the situation and need for the appropriation. Mr. Kreidler suggested letting Town Counsel handle any questions that may arise regarding the warrant article at Town Meeting.

4.2 Board of Selectmen announcements, updates, and reports.

CK thanked everyone that came out to the public hearing for the Planning Board regarding the bylaw for marijuana.

WM reminded folks that the school band concert season was here and the information for dates can be found on the North Middlesex website.

4.3 Clerk of the Board announcements for events – None.

4.4 Board Correspondence – None.

4.5 WM moved to approve the meeting minutes for November 6, 2018. SL seconded. CK was not in attendance for that meeting and abstained from the vote. Unanimous vote.

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

V. ADJOURNMENT:

WM moved to adjourn the meeting at 6:33P.M. CK seconded. Unanimous vote.

Respectfully submitted by,

Carolyn Smart, Executive Assistant

Voted to approve the meeting minutes for the meeting of December 13, 2018, by the Board of Selectmen this _____ day of _____, 2019.



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 DECEMBER 20, 2018 6:00 P.M.
SELECTMEN'S CHAMBERS, TOWN HALL, 272 MAIN STREET, TOWNSEND, MA

I. PRELIMINARIES - VOTES MAY BE TAKEN:

- 1.1 SL called the meeting to order at 6:00P.M.
Roll call vote 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 Chairman's Additions or Deletions - None.
- 1.4 Public Comment Period.
John Page announced that Natalie Call would be taping. John Page voiced concerned regarding a post on social media.

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

- 2.1 WM moved to appoint Barbara Bourdon to the Townsend Cultural Council for a term effective December 20, 2018 to June 30, 2021. CK seconded. Unanimous vote.
- 2.2 WM moved to appoint Anna Noyes as the Treasurer/Collector for Townsend effective December 20, 2018 contingent upon the passing of a medical exam and CORI check and successful contract negotiations. Mr. Kreidler read his memorandum into the record - please see attached. The Chair suggested bringing to the full Board for discussion. Mr. Kreidler reminded the Board of the five-month process and how we previously lost applicants.

WM moved to appoint Anna Noyes as the Treasurer/Collector for Townsend effective December 20, 2108 contingent upon the passing of a medical exam and CORI check and successful contract negotiations. CK seconded. Mr. Kreidler informed the Board the Finance Team was impressed and expressed confidence in Ms. Noyes abilities. Unanimous vote.

III. MEETING BUSINESS - VOTES MAY BE TAKEN:

- 3.1 WM moved to accept a grant in the amount of up to \$11,000.00 for the Townsend Police Department for the purpose of enforcement efforts of motor vehicle laws from the Executive Office of Public Safety and Security Highway Safety Division. CK seconded. Unanimous vote.
- 3.2 WM moved to accept a grant for the Townsend Police Department providing child safety seats for eligible residents equal in value to \$3,000.00. CK seconded. Unanimous vote.
- 3.3 WM moved to vote to issue non-criminal fines for unregistered vehicles by designating a member of the Board of Selectmen or a designee to issue the fines. CK seconded. SL would like to amend to have the Police Chief. WM amended motion to name the designee as the Police or Deputy Chief. CK seconded. Unanimous vote.

- 3.4 Review/Discuss Special Town Meeting motions.
- 3.4.1 Chairman to assign motions to other members of the Board.
The Board received the motions as assigned.
- 3.4.2 Discussion, RE: Free Cash.
SL 5.1.1% of last year's budget as free cash. Mr. Kreidler confirmed that is what is generally considered average. The Board reviewed the year end expenditure (see attached).
Additional discussion included special articles carry forward and release of article money.
- IV. WORK SESSION - VOTES MAY BE TAKEN:
- 4.1 Town Administrator updates and report.
- IT Update.
Mr. Kreidler gave a response to the most recent update for the IT upgrades, noting at the last meeting, discussion regarding what the appropriation would be used for, was a concern. Mr. Kreidler explained the chosen vendor has put together a proposal and will be updating it if the appropriation is passed this evening.
- Tree Removal Update.
Current section of concern is town owned land on Route 119 going toward McDonalds. Mr. Kreidler is trying to find out why so many trees are being removed. Mr. Kreidler stated he spoke with the Conservation Agent and he will look into any wetland concerns and report back.
- 4.2 Board of Selectmen announcements, updates, and reports.
SL: Community Compact Meeting and volunteer to work on the arrangements.
- 4.3 Clerk of the Board announcements for events.
No announcements.
- 4.4 WM moved to approve the meeting minutes for November 20, 2018. CK seconded. Discussion: SL would like the volunteer response form discussed at the next meeting. SL would like the contracts and union agreements to be followed up on with Town Counsel for review. SL would like to schedule discussions on the goals one at a time. Unanimous vote.
- V. EXECUTIVE SESSION:
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 the Clerical, Fire, Supervisors and Police Union and will reconvene in open session to recess to the Special Town Meeting. CK seconded. Roll call vote SL (YES), CK (YES) and WM (YES).
- WM moved to adjourn from executive session at 6:45P.M. and to recess to the Special Town Meeting in Memorial Hall. CK seconded. Roll call vote taken: SL (YES), CK (YES), and WM (YES).
- VI. RECESS TO THE SPECIAL TOWN MEETING IN THE GREAT HALL.

WM moved to recess to the Special Town Meeting. CK seconded. Unanimous vote.

Respectfully submitted by,

Carolyn Smart, Executive Assistant to the Town Administrator

*Voted to approve the meeting minutes for the meeting of December 20, 2018, by the Board of Selectmen this
_____ day of _____, 2019.*

