

# 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

SELECTMEN'S MEETING MINUTES FOR FEBRUARY 26, 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 showed 2 members present: Chairman, Sue Lisio (SL) and Clerk, Wayne
  Miller (WM). Absent Vice-Chairman Cindy King (CK)
- 1.2 Pledge of Allegiance
- 1.3 SL announce that the meeting is being tape recorded.
- 1.4 There were no Chairman's additions or deletions.
- 1.5 Public Comment Period No Comments from the Audience.
- II. APPOINTMENTS AND HEARINGS VOTES MAY BE TAKEN:
- 2.1 6:10P.M. Kathleen Spofford, Town Clerk, RE: #1 Dog Tag

Jessica Funaiole, Assistant Town Clerk picked number 494 for the dog tag contest. Kathleen Spofford, Town Clerk stated the owner is Ann Wilson. Ms. Spofford announced the late fee for dog licenses will begin on March 1, 2019.

Kathleen Spofford, Town Clerk RE: FY20 Budget

The Board reviewed the Budgets under the Town Clerk (please see page 4 of the attached) Mr. Kreidler explained there's nothing plugged in for collective bargaining agreement, other personnel there's a plug for 2.5 cola and a step. Noting nothing has been voted, just drafted into the budget for perspective. Mr. Kreidler noted the Assistant Town Clerk is a union position so there's has not been anything added. SL stated she was not sure how she wanted to budget to reflect any raises whether negotiated or not. WM stated he prefers a lump sum article so negotiations can be done. SL stated the only down side is it would be difficult to tell how individual budgets are impacted. SL asked about the election budget estimate. Kathleen Spofford explained it's budgeted for a Presidential Primary in March and the Annual Town Election in April. Joe Sciacca, Finance Committee member suggested budgeting for a possible debt exclusion election for road repairs. Mr. Kreidler stated that would be for this current fiscal year and would need a year end transfer. SL inquired about training. Kathleen Spofford explained it's budgeted within line 142. Joe Sciacca, Finance Committee member stated the Finance Committee has reviewed and approved the Town Clerk budget.

2.2 6:30P.M. Jim Smith, Highway Superintendent, RE: FY20 Budget

The Board met with the Highway Superintendent, James Smith and reviewed the Highway Budget. Mr. Smith has decided to re-establish the position of foreman and noted line 551 has increased for additional admin support for 30 hours per week. Mr. Smith explained the Administrative Assistant is performing the majority of the grant paperwork and compliance reporting, explained she did much of the Bridge Incentive Grant to help with the repairs of the Greenville Road Bridge. In addition she completed the storm response grant for \$28,000. Mr. Smith stated there was a full time Administrative Assistant prior and feels it is necessary to bring back the position. Mr. Smith explained the uniform allowance increase is for the new truck driver that was hired, increase of energy cost are at 9%. Jim Smith explained why he increased energy to 9% and the reason for the additional funds in professional services. Further discussion included additional \$3500.00 for vehicle inspections, the fire alarm and backflow testing, fire extinguishers, etc., additional hours for the Admin Assistant and shared grant writing, snow & ice increase, clarification of municipal building clean-up for winter weather events, additional funds for line painting, and overgrowth clean-up.

## 2.3 6:45P.M. Mark Mercurio, Facilities Supervisor, RE: FY 20 Budget

The Board met with Mr. Mercurio and reviewed budget page 46 line 233 – see attached. Mr. Kreidler informed the Board he would be breaking down the cost by the building. Discussion ensued regarding the HVAC issues with the Library Senior Center. Mr. Mercurio and Mr. Kreidler informed the Board once the repairs are finished, there's an interest in hiring an outside vendor to come in and give a full assessment and condition report. Mr. Mercurio asked for additional admin support line for 10 hours of the Highway Superintendents Administrative Assistant time to provide support for facilities. This additional time would bring the Highway Admin to 40 hours per week. WM stated would like a job description and position review with the additional duties added. SL would like the Energy Committee to review and discussion regarding the 10 additional hours put toward a grant writer. The additional documentation requirements for the Highway Department were discussed to include the Chapter 90 paperwork, bridge repair, complete streets and the new requirements for OSHA compliance. Mr. Kreidler stated he would be willing to sit with Mr. Mercurio and Mr. Smith to discuss the needs further and bring the information back to the Board.

## 2.4 7:00P.M. Townsend Housing Authority, RE: FY20 Budget

Chaz Sexton-Diranian, member of the Townsend Housing Authority met with the Board and stated this is the first time the THA has developed a budget. Mr. Sexton-Diranian stated they are requesting \$15,000.00 for an estimated 17 hours per week in Administrative support. Mr. Sexton-Diranian stated the \$35,000.00 in professional services will be re-submitted as a warrant article, noting the rest is self-explanatory, travel, mileage etc. WM asked what the 17 hours would be used for. Mr. Sexton-Diranian explained it would be to assist in portions of the housing plan and applying for grant DLTA, etc. Mr. Kreidler explained that GIS falls under the Assessors, noting the pervious Land Use Coordinator incorporated it under her responsibilities.

Additional discussion included: Mr. Kreidler highlighting education on page 52, noting the budget is concerning noting they are seeking an additional \$500,000.00. Mr. Kreidler explained what an E & D fund is and the over certification of E & D to Townsend is approximately \$250,000.00.

Revenue projection page - #59 bottom four lines changed to zero; noting free cash not reflected in operating budget in the last three years.

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

3.1 WM moved to appoint Ryan Lapierre to the Townsend Water Department as a Water Foreman contingent upon the passing of a CORI check and medical exam with a one-year probationary period. SL seconded. Unanimous vote. Mr. Kreidler informed the Board the Water Superintendent wished to bring the person higher than the class plan – higher step. Grade 8 level 6. WM moved to offer starting salary Grade 8 level 6 \$30.48 per hour. SL seconded. Unanimous vote.

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

- 4.1 Review response from the ABCC Investigator regarding the Change of Manager for the VFW Post #6538 and review/approve draft letter to notify.

  WM moved to sign and send letter from the ABCC. (see attached) SL seconded. Unanimous vote.
- 4.2 Discuss one day special license requests for the VFW Post #6538 in consideration of correspondence received from the ABCC Investigator.
  After discussion, the Board agreed to contact the ABCC investigator and Town Counsel regarding the request to issue one day special licenses.
- 4.3 Review request to designate a Representative to the MBTA Advisory Board.

  SL explained the annual assessment from the MBTA and explained it was Townsend's part to keep trains and public transportation running in Leominster and Fitchburg.
  - WM moved to designate SL to the MBTA Advisory Board and Mr. Kreidler as the alternate. SL seconded. Unanimous vote.
- 4.4 Board discussion to review and/or revise/approve the Town Administrator job description consistent with the Town Charter. (Continued from 2.15.19 meeting)
  - This agenda item was tabled.
- 4.5 WM moved to declare Water Technician position vacant and authorize the Water Superintendent to post for the vacancy. SL seconded. Unanimous vote.
- 4.6 Notice of Award, RE: Community Opportunities Group for CDBG Grant Administration Services.
  - Mr. Kreidler explained the town was awarded an \$800,000.00 Community Block Grant with the condition the town could not use MRPC to administer the grant. Mr. Kreidler explained the town

went out to bid twice to solicit a grant administrator. The Board reviewed the proposal (see attached).

WM moved to authorize Town Administrator to execute a standard form contract with Community Opportunities Group for Grant Administration Services and any sub-grantee agreements under said grant. SL seconded. Unanimous vote.

- 4.7 Vote to authorize the Town Administrator to execute a standard form contract with Community Opportunities Group for Grant Administration Services and any sub-grantee agreements under said grant. This agenda item was addressed under 4.6
- 4.8 Open/Close the annual and special Town Meeting Warrant. All annual warrant articles are due by March 1, 2019 in accordance with 124-8 of the Townsend Bylaws.

WM moved to set the Special and Annual Town Meeting dates as May 7, 2019 at 7:00P.M. in the Memorial Hall, 272 Main Street Townsend MA and to set deadlines for warrant articles March 1, 2019 for the annual town meeting per bylaw and April 2, 2019 for the special town meeting and to post for the Annual and Special Town Meeting on April 23, 2019 and to hold a mock special and annual town meeting on April 3, 2019. SL seconded. Unanimous vote

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

5.1 WM moved to approve the updated policy for Use of Legal Counsel (second reading). SL seconded. Unanimous vote.

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

- 6.1 Town Administrator updates and report
  - Greenville Road/Walker Brook Bridge #T07015
  - Update on unregistered vehicle complaints.
  - Goals discussion, Road finance plan, IT Implementation, Human Resources and Regionalization.

Mr. Kreidler read an update from the IT Manager into the record. SL authorized WM to meet with Bassem discuss/decide on direction and review bids.

- Board of Selectmen legislative priorities.

SL stated should be addressed within the next couple of weeks, short notice given. Mr. Kreidler together with the Board of Selectmen reviewed the report (please see attached).

6.2 Board of Selectmen announcements, updates, and reports.

Sue Lisio: Discussion, RE: Warrant article to create a five-member Board of Selectmen.

SL requested the Board put a place holder on the warrant article for five member Board of Selectmen.

- 6.3 Clerk of the Board announcements for events None
- 6.4 Board Correspondence.
  - District School Committee Appointment.
  - MMA State Essay Contest for 8th Graders.
  - MMA's Legislative Breakfast Meetings.

- 6.5 WM moved as to sign the payroll and bills payable warrants out of session. SL seconded. Unanimous vote.
- VII: EXECUTIVE SESSION VOTES MAY BE TAKEN:

WM moved to enter as 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 (Strategy session in preparation for negotiations for all collective bargaining contracts and personal services contracts). The Chair declared and executive Session pursuant to GL c. 30A, s. 21(a)(3) to discuss strategy with respect to non-union personnel, RE: MOU Deputy Police Chief and executive session pursuant to GL c. 30A, s. 21(a)(3, to discuss strategy with respect litigation if an open meeting may have a detrimental effect on the bargaining position or litigating position and the chair so declares and 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. and to adjourn from executive session. SL seconded. Roll call vote WM (YES) SL (YES).

Respectfully sulmitted by,

Carolyn Smart

Executive Assistant to the Town Administrator

Voted to approve the meeting minutes for the meeting of February 26, 2019 by the Board of Selectmen this 2n + 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 Office (978) 597-1701

Fax (

(978) 597-1719

POLICY #2-2018

**BOARD OF SELECTMEN** 

Purpose:

To allow for appropriate public participation at Board of Selectmen

meetings.

Policy:

PUBLIC COMMENT POLICY

As your representatives in your government we value input from residents and look forward to hearing your questions, comments or concerns. While offering public input, it is important that the Board of Selectmen is also allowed enough time to conduct its other business. The following guidelines have been established to make the best use of time at Board of Selectmen meetings.

While welcomed, it should be understood that public comment is not a discussion, debate, or dialogue between or among citizens and the Board of Selectmen. Rather, it is intended to offer citizens an opportunity to express their opinion on issues of Town business.

The following process will govern the Public Comment period at Board of Selectmen meetings.

- The Board of Selectmen will have a 15-minute Public Comment period at each meeting, which shall generally be scheduled at the beginning of the meeting, according to the following guidelines:
  - M.G.L. c. 30A, § 20 states that "no person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting and if the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting." The Board of Selectmen Chair, as presiding officer, will recognize and invite those speakers wishing to address the Board and those speakers shall follow the procedure specified below.

- 1. Any person recognized to speak must identify him or herself by name and address, prior to addressing the Board.
- 2. There will be a time limit of 3 minutes per person, which will be enforced by the Chair of the meeting. If the number of people wishing to speak exceeds 5, the Chair may, at his/her discretion, limit individual comments.
- 3. The amount of time allocated for the session will be a maximum of 15 minutes.
- 4. Topics presented must be relevant to the business of the Board of Selectmen as a whole. Items addressed to individual members will not be allowed.
- 5. Discussion of individual personnel issues will be strictly prohibited.
- Negative remarks or disparaging comments directed towards public officials or employees will not be allowed and any such behavior will immediately terminate the discussion.
- 7. Votes by the Board will not be taken during Public Comment.
- 8. Responses to concerns will be made at the Chair's discretion.
- 9. If the Board would like to further discuss the petitioner's issue, a future agenda item may be scheduled.
- 10. Should the Chair believe that an issue falls outside the purview of the Board of Selectmen; s/he may request that citizens direct it to the appropriate person or body so that the matter is given proper consideration.
- 11. The Chair of the meeting may terminate any individual's privilege of address for inappropriate conduct or statements.

ADOPTED BY THE BOARD OF SELECTMEN ON JULY 10, 2018.

Sue Lisio, Chairman

Cindy King, Vice-Chair

Wayne Miller, Clerk

## **Carolyn Smart**

From: waterdepartment <water@townsend.ma.us>

Sent: Thursday, February 21, 2019 10:47 AM

To: csmart@townsend.ma.us

Subject: FW: Foreman Starting Rate

Attachments: Ryan LaPierre-Foreman Position-Application.pdf

3

Hi Carolyn:

Thanks for checking.

Attached is the information regarding Ryan LaPierre, candidate for Water Foreman's position.

Terry

From: Paul Rafuse [mailto:prafuse@townsend.ma.us]

**Sent:** Wednesday, February 20, 2019 9:59 AM **To:** James Kreidler < jkreidler@townsend.ma.us>

Cc: 'Lance Lewand' <lance.lewand@gmail.com>; 'waterdepartment' <water@townsend.ma.us>

Subject: Foreman Starting Rate

Jim,

The Board of Water Commissioners voted at their meeting last night to award the Foreman position to Ryan Lapierre (application and resume attached). Taking into consideration what his current salary is, his desired salary, and the grade you rated the position at, we would like to start him off at Grade 8 Level 6 at \$30.48/hr.

Please let me know at your earliest convenience if that rate is satisfactory. I will notify Ryan that we have awarded him the position but, just waiting on approval of starting rate and final approval from the Board of Selectmen. When is the next Selectmen's meeting?

Thanks

Paul Rafuse Superintendent

Paul Rafuse

Townsend Water Department

540 Main St.

West Townsend, MA 01474

Tel: 978-597-2212 Fax: 978-597-5611

E-mail: prafuse@townsend.ma.us

This electronic message is confidential and intended for the named recipient only. Any dissemination, disclosure or distribution of the contents of this communication is unlawful and prohibited. If you have received this message in error, please contact by return email or telephone (978-597-2212), and delete the copy you received. Thank you.

x Her

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## WATER TECHNICIAN (TRAINEE OR ENTRY LEVEL)

## **Position Purpose:**

The purpose of this position is to perform skilled manual and technical work in connection with the Town's water distribution system construction and maintenance. Provides assistance to all water department personnel. Assists with the installation, repair, and maintenance of water services, and water mains and their appurtenances. Reads water meters. Assists with the maintenance and repair of water treatment process and water pumping stations. Performs periodic collection of water quality samples. Performs all other related work as required.

### Supervision:

Supervision Scope: Perform a variety of skilled and semi-skilled tasks which require the exercise of judgement and initiative while performing duties within established guidelines.

Supervision Received: Works under the general direction of the Water Superintendent. The position is subject to review and evaluation according to the Town's personnel plan.

Supervision Given: None.

## Job Environment:

Work is performed indoors and outdoors at which time the employee may be exposed to weather extremes of hot and cold temperatures and inclement weather. The employee is required to traverse uneven terrain. The employee is subject to working with chemicals associated with cleaning and the repair and maintenance of tools and equipment. The employee is subject to working with caustic chemicals associated with water treatment. Work environment is frequently very loud.

Operates light trucks, heavy equipment, hand/power/pneumatic tools, a computer, telephones, and standard office machines as needed.

Interacts frequently with other Town department employees, and the general public. On a less frequent basis has contact with vendors. Communication is generally in person and by phone and involves an information exchange dialogue.

Errors in judgement may impose undue and substantial expense recovering from errors, result in delays or loss of service, cause damage to buildings and/or equipment and injury to others.

### **Essential Functions:**

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

Performs basic routine repairs and maintenance on pumps and equipment.

Townsend, MA Water Technician Trainee FLSA: Non-Exempt Page 1 Installs repairs and maintains water mains. Installs, repairs and maintains water services. Installs, maintains, and repairs fire hydrants. Performs emergency repairs to distribution system.

Installs, and repairs water meters. Reads water meters and records readings.

Operates all heavy and light equipment and trucks and other equipment necessary for completion of projects; performs labor incidental to the work of operating assigned equipment or other laboring tasks. Repair street cuts as necessary.

Perform routine inspections of all pumping facilities, reservoirs and standpipes noting any irregularities and reports any observations to the Water Superintendent.

Assists in the periodic flushing of mains as directed by the Water Superintendent.

Collects water samples from pre-determine points and transports same to appropriate testing facility for analysis when requested by the Superintendent.

Operate a riding and push mower, trimmers, and brush cutters associated in the care and maintenance of Water Department properties.

Removes snow and ice from Water Department facilities and pumping stations. Maintains grounds at all water department facilities.

Perform repairs or replace chemical treatment equipment using protective equipment to avoid coming in contact with caustic chemical.

Enters pumping and water quality data into computer.

Provides on-call services on a rotating basis, requiring availability to respond to emergencies during nights, weekends, and holidays.

Must follow town and department safety policies and guidelines at all times.

Must attend periodic seminars or classes to accrue required educational or training credits in order to acquire or retain proper licensing in the distribution and treatment of a public water system.

Record daily work performed by manually entering in a log book or entering into a computer.

Create and maintain accurate diagrams for all services and mains, revising as necessary when repairs or replacements are performed.

Perform basic routine maintenance to vehicles and equipment

Performs similar or related work as required.

Townsend, MA Water Technician Trainee FLSA: Non-Exempt Page 2

## Recommended Minimum Qualifications:

## Education, Training and Experience:

High school graduation; 6 months experience in municipal water supply operations and/or a technical field or trade; or any equivalent combination of education and experience.

### Special Requirements:

Must possess or acquire within 2 year from the date of hire a Massachusetts Drinking Water D2, and T1 Licenses in distribution and treatment. Within 2 years from the date of hire must possess or acquire Massachusetts Drinking Water D2 license in distribution.

Possession of a valid Class D drivers license.

Possession of a valid restricted 2B Hoisting license.

OSHA construction safety and health certificate required.

### Knowledge, Ability and Skill:

Knowledge: Working knowledge of the materials and methods used in the operation of a water distribution system and pumping station. Working knowledge of the occupational hazards and safety precautions of the trade. Requires working knowledge of state and federal regulations that affect water system operations.

Ability: Ability to carry out oral and written instructions. Ability to follow proper methods, procedures and safety precautions. Mechanical ability. Must possess the ability to work effectively with others and maintain good working relationships. Requires the ability to be familiar with the layout of streets and water distribution system within a reasonable amount of time. Requires the ability to communicate with the public with tact in a respectful, patient, and courteous manner in answering questions and or resolving issues.

Skill: Skill in operating above mentioned equipment.

### Physical Requirements:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Moderate physical effort is generally required which involves frequent lifting of up to 30 pounds and occasionally lifting up to 100 pounds. Employee is required to drive medium or light duty equipment for long periods of time during all types of weather conditions. When performing the duties of this job the employee is frequently required to talk, hear, stand, walk, bend, stoop, crawl, kneel, reach, lift, climb, and/or balance. Works for extended periods of time as required by emergency situations. Occasionally works in confined/cramped quarters and exposed to loud noise.

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

Townsend, MA Water Technician Trainee FLSA: Non-Exempt Page 3

## **Carolyn Smart**

From:

Jim Kreidler < jkreidler@townsend.ma.us>

Sent:

Wednesday, February 13, 2019 9:40 PM

To:

Adam J. Costa

Cc:

Carolyn Smart

Subject:

Re: Club License

So no liability attached to the town if they continue to operate under the current license with what we know to be the case re: the listed manager?

Jim

Sent from Jim's iPhone

On Feb 13, 2019, at 8:26 PM, Adam J. Costa <a href="mailto:adam@mtclawyers.com">adam@mtclawyers.com</a> wrote:

Jim:

Thanks for the follow-up; and I am sorry if I neglected to address that issue.

What I'd typically recommend in these circumstances is that enforcement action be undertaken. Such action would include notifying the Licensee that it is not operating in accordance with its license (or the representations made in its application therefor); a hearing thereon; suspension or revocation of the License; etc.

But the means of rectifying the violation would be to designate a new Manager: which, of course, is what the Licensee has attempted to do, already, but with an improper vote, i.e. of corporate officers different than those approved by the ABCC. The most expedient way to proceed, I'd think, is therefore for the Licensee to submit an Application to Change Corporate Officers, followed or accompanied by resubmittal of the Change of Manager Application, as the Investigator's Report instructs. That accomplishes what an enforcement action would ideally incentivize; but probably faster.

If the Licensee refuses to cooperate, of course, enforcement action is the alternative.

<image002.png>Adam J. Costa Mead, Talerman & Costa, LLC 30 Green Street · Newburyport, Massachusetts · 01950 Phone 978.463.7700 · Fax 978.463.7747 adam@mtclawyers.com · www.mtclawyers.com

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<image004.jpg>

From: Jim Kreidler < jkreidler@townsend.ma.us > Sent: Wednesday, February 13, 2019 7:30 PM To: Adam J. Costa < adam@mtclawyers.com > Cc: Carolyn Smart < csmart@townsend.ma.us >

Subject: Re: Club License

Adam,

What obligation do we have, if any, given our knowledge of the fact that the currently listed and long time manager is no longer an employee or agent under the current license?

Jim

Sent from Jim's iPhone

On Feb 13, 2019, at 6:26 PM, Adam J. Costa <a href="mailto:adam@mtclawyers.com">adam@mtclawyers.com</a> wrote:

Carolyn:

I'd recommend that you notify the Licensee of the Investigator's Report and Comments; and that you provide a copy to the Licensee. (I suspect that a copy was already sent by the ABCC to the Licensee.) There is nothing to go before the Board as of yet. The Board should be made aware of the document received and what it requires. The obligation is now the Licensee's to make the further filing directed by the Report, i.e. an Application to Change Corporate Officers, followed by resubmittal of the Change of Manager Application.

<image002.png>Adam J. Costa Mead, Talerman & Costa, LLC 30 Green Street · Newburyport, Massachusetts · 01950 Phone 978.463.7700 · Fax 978.463.7747 adam@mtclawyers.com · www.mtclawyers.com

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If you have received the above transmittal in error, please delete the message and any attachment(s) hereto from your e-mail system and notify us immediately.

<image004.jpg>

From: Carolyn Smart <<u>csmart@townsend.ma.us</u>>
Sent: Wednesday, February 13, 2019 2:14 PM
To: Adam J. Costa <<u>adam@mtclawyers.com</u>>
Cc: 'Jim Kreidler' <<u>ikreidler@townsend.ma.us</u>>

Subject: FW: Club License

Hi Adam: The Board approved a chance of manager for the Club License for the local VFW back in early December. The package was sent to the ABCC and I received this back today. (see attached)

Looking for some guidance here, the current club license is in the former manager's name who has not worked there since early December. She has come into the office on numerous occasions upset the licenses are still in her name because of some concerns she has with how the VFW is operating.

So, what should I do about this? Should I put in front of the Board, should I contact the VFW?

From: scanner@townsend.ma.us [mailto:scanner@townsend.ma.us]

Sent: Wednesday, February 13, 2019 3:36 PM

To: <a href="mailto:csmart@townsend.ma.us">csmart@townsend.ma.us</a>
<a href="mailto:subject: Message from KM\_454e">Subject: Message from KM\_454e</a>

This email has been checked for viruses by AVG antivirus software. www.avg.com

RECEIVED

## RECOMMENDATION OF THE INVESTIGATOR FEB 13 7019

Licensee: Townsend Post 6538 VFW of the US	City/Town BOARD OF SELECTMEN TOWNSEND
Chose Transaction  Change Manager  Chose Transaction	Chose Transaction
I have reviewed the Application and recommend:	Other
	RN NO ACTION
CORI CHECK COMPLETE: No Criminal Rec	cord Found See CORI that indicates criminal history
Investigator Comments	
The licensee has applied for a change of manager for the above appointment of the individual applying as manager, the corporate officers that have not been approved by this comporate officers prior to resubmitting this Manager Application.	orate vote authorizing said application and appointment was issued nmission. The licensee should submit an application to change
All required documentation must be resubmitted to the local I approval will forward to the ABCC.	licensing authority. The local licensing authority, upon review and

Investigator Dennis Keefe

Date

2/5/19



## The Commonwealth of Massachusetts Alcoholic Beverages Control Commission

For Reconsideration

## LICENSING AUTHORITY CERTIFICATION

-Cm			Townsend		grando e e contra de contr		00	0005-CL-128	6
				y /Town	_	Laurenan	AB	CC License N	lumber
RANSACTION TYPE The license applic	(Please check al cant petition	I relevant transacti s the Licensing A	ons): outhorities to a	pprove the fol	lowing trans	actions:			
New License		Change of Location	Cha	inge of Class (i.e. Anni	ual / Seasonal)		Change Cor	porate Structi	ure (i.e. Corp/L
Transfer of Lice	nse /	Alteration of Licensed	Premises Cha	inge of License Typ	e (i.e. člub / restauran	1)	Pledge of C	ollateral (i.e. Lice	ense/Stock)
Change of Man	ager 🔲 (	Change Corporate Nar	ne Cha	inge of Category (i.e	. All Alcohol/Wine, Ma	olt)	Manageme	nt/Operating	Agreement
Change of Offic Directors/LLC N	fanagers (	Change of Ownership LLC Members/ LLP Pa Trustees)		ance/Transfer of St	ock/New Stockh	older	Change of E		
PPLICANT INFORM	ATION								
lame of Licensee	Townsend Post	5538 VFW of the US			DBA	e y de-roundamentario de desembro de como de c			
treet Address	491 A Main Stree	et Towsend, MA 01	469						
Manager (	Geraldine P. Arm	strong					Granted un Special Leg If Yes, C	islation?	s No
§12 Veterans Club	)	Annual	All Alcoho	lic Beverages		-	of the Act	L	
<u>Type</u> (i.e. restaurant, pack	age store)	Class (Annual or Seas	onal) (i.e.	<u>Category</u> Wines and Maits / All	Alcohol)		or the rec		
ESCRIPTION OF PRI	TRAISTS C.	omplete description	on of the license	nd premises					
Wood Frame Build	ding one area t	wo floors, other o		quare fottage is	6,800 sq ft. S	eating and	d seving ca	pacity equa	als 100.
OCAL LICENSING AL	JTHORITY INFO	RMATION							
pplication filed wit	h the LLA:	Date	11/26/201	.8 Tir	ne	10:30A	.M.		
dvertised	fes 🗌 No 🗵	Date Published	•	PL	blication				
butters Notified: \	Yes 🗌 No 🛭	Date of Notice							
Date APPRO\	VED by LLA	December 4,	2018	Decision of t	he LLA App	roves this i	Application		
additional remarks of E.g. Days and hours	White head and the control of the co			1			HEIL	IRN NO H.L.	ACTIO
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he Local Licensing Au	thorities By:					Ai		ges Control Cor h Sacramone	nmission

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

February 26, 2019

Geraldine Armstrong Manager V.F.W. Post #6538 P.O. Box 207 Townsend, MA 01469

RE: Club License, Change of Manager

Dear Ms. Armstrong:

Attached is the recommendation of the Investigator received from the ABCC. Unfortunately, at this time your application was not approved. An application to change Corporate Officers was never received nor approved prior to submittal for a Change of Manager.

Please consider this letter as notification that you are not operating in accordance with the current club license, nor in compliance with the license requirements. A hearing to suspend or revoke such license may be scheduled and you will notified of the date.

The most expedient way to proceed would be to submit an application to Change Corporate Officers followed by a resubmittal of the Change of Manager Application, as the attached comments from the Investigator report instructs.

Thank you for your immediate consideration.

Sincerely yours,
THE TOWNSEND BOARD OF SELECTMEN

Sue Lisio, Chairman

Cindy King, Vice-Chair

Wayne Miller, Clerk

c.f. Richard Bailey, Police Chief

## **Carolyn Smart**

From:

dgaul@mbtaadvisoryboard.org

Sent:

Tuesday, February 12, 2019 12:20 PM

To:

dgaul@mbtaadvisoryboard.org

Subject:

MBTA Advisory Board Membership Update Letter

4.3

Attachments:

2019 Membership Update Request Form.docx

Importance:

High

Chapter 161A of the Massachusetts General Laws list all the communities that are assessed for MBTA service and as a result are members of the MBTA Advisory Board. Each Mayor or Chair of the Board of Selectmen may attend Advisory Board meetings or appoint a designee, to attend meetings for them.

We are sending correspondence to the email address we have on file for your City/Town. We are in the process of updating our records.

Please fill out the attached form and fax it to Deborah Gaul, Office Manager at 617-451-2054.

To appoint a designee, we must have a letter on your official letterhead. Please direct the letter to:

Paul Regan, Executive Director
MBTA Advisory Board
177 Tremont St.
4<sup>th</sup> Floor
Boston, MA 02111



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4.8

## ANNUAL AND SPECIAL TOWN MEETING DATES

I move that the Board vote the following:

- To Set Special and Annual Town Meeting dates:
  - May 7, 2019 at 7:00pm in the Memorial Hall, 272 Main Street, Townsend, MA
- To Set deadlines for warrant articles:
  - March 1, 2019 for annual town meeting per town bylaw
  - o April 2, 2019 for special town meeting
- To Post for Special and Annual Town Meetings on April 23, 2019.
- To hold a mock STM/ATM (new for us here, if you wish)
- To hold the STM/ATM on May 7, 2019.

## Report of the Town Administrator

## February 26, 2019

1. Personnel Updates- None.

### 2. Financial Updates-

a. <u>FY20 Budget-</u> I will present a verbal update so that I can provide you with the most current information available at the time of the meeting.

I will be setting up budget review opportunities for the Board and the Finance Committee each Saturday morning from 9:00 am to 11:00 am and each Tuesday from 4:00pm to 6:00pm between now and town meeting.

### Board Action Requested. None requested.

### 3. Project Updates-

a. Greenville Road Bridge Project- We own the bridge in question and it is in a significant state of disrepair and must be replaced. Please see enclosed photographs. The estimated cost of replacement is between \$778,000 and \$846,000. To the great credit of Highway Superintendent Jim Smith and Leigh Reddin, his administrative support staff member, we have been awarded a \$500,000.00 grant toward this bridge replacement project. There is a balance of \$278,000 and \$346,000 remaining. This is an exceptional opportunity to have 60%+ of the project paid for by the state. We will need to discuss this as a potential special article on the annual town meeting warrant.

## Board Action Requested- Your thoughts, please?

b. <u>Pavement Management Plan Update-</u> The target deliverable date for the Updated Pavement management Plan has been moved up and is now due next week..

## Board Action Requested. None requested.

## 4. <u>Miscellaneous Updates</u>

- a. <u>Road Finance Plan Discussion-</u>The pavement management funding plan as it is currently laid out involves:
  - i. \$500,000 Chapter 90 (est.)
  - ii. \$250,000 Free Cash Allocation
  - iii. \$ 50,000 Excise Tax Allocation \$800,000 on hand available effective July 1, 2019

This annual amount would be grown each year by an additional allocation of \$50,000 from excise receipts until it caps out at \$250,000.

We will need to know the costs detailed in the report we are receiving next week to determine how much, if any at all, of a debt exclusion we would need to seek to fund

the plan moving forward. This subject will be ripe for a more detailed discussion at your next meeting.

- b. <u>IT Implementation Discussion</u> Our IT Director Bassem Awad will be on hand to discuss this subject.
- c. <u>Board Legislative Priorities</u>-Senator Tran has reached out to solicit requests from the Board for its priorities for the next legislative session. It would be most helpful for members to create their own list of priorities and bring them to the meeting for discussion, vote and forwarding to the Senator.

Board Action Requested- Your thoughts, please?

d. <u>Unregistered Motor Vehicle Update</u>- I will have the most updated information for you on Tuesday night.

**Board Action Requested.** None requested.



## **TOWNSEND HIGHW**

177 Main Stree (978) 597-1712 j

6.1

February 20, 2019

RECEIVED

FEB 2 0 2019

BOARD OF SELECTMEN

To: James Kreidler, Town Administrator

RE: Greenville RD / Walker Brook Bridge #T07015

Good Afternoon Mr. Kreidler,

We are pleased to report that we have been awarded a \$500,000 grant through the MassDOT Municipal Small Bridge program to replace the bridge located on Greenville Rd at Walker Brook. Our engineering firm, Green International, has provided a Total Cost estimate for this project of \$676,500 based on their anticipated design, permitting and construction costs. They recommend a 15% contingency factor (\$101,475) to cover any unanticipated costs bringing the total estimate to \$777,975; this figure excludes the cost of an optional, on-site Resident Engineer which is estimated to add another \$68,000 to the project cost. Both scenarios are broken-out below:

without Resident Engineer		with Resident Engineer	
Total Project Estimate	\$661,500.00	Total Project Estimate	\$661,500.00
<b>Estimated Permitting Costs</b>	\$ 15,000.00	<b>Estimated Permitting Costs</b>	\$ 15,000.00
Estimated Total	\$676,500.00	Estimated Total	\$676,500.00
15% Contingency	\$101,475.00	15% Contingency	\$101,475.00
n/a	\$ -	Optional Resident Engineer	\$ 68,000.00
Total Project Costs	\$777,975.00	Total Project Costs	\$845,975.00
Grant Award	\$500,000.00	Grant Award	\$500,000.00
Funding Needed	\$277,975.00	Funding Needed	\$345,975.00

Attached are copies of Scope of Work from Green International as well as a copy of the grant application for your review. Please do not hesitate to contact me for additional information.

Sincerely,

James Smith Highway Superintendent



## 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 Office (978

(978) 597-1701

Fax (978) 597-1719

POLICY #1-2019 REPLACE POLICY: #4-2018

**BOARD OF SELECTMEN** 

Purpose:

The Board of Selectmen and Town Administrator agree to establish a

consistent process for use of Legal Counsel.

Policy:

USE OF LEGAL COUNSEL

General Legal Services. In an effort to provide broader access to legal services, general Town Counsel services, with the exception of labor and litigation matters, are covered under a monthly retainer. This retainer covers telephone and email communication with counsel, monthly office hours held in the Town Hall and occasional attendance at Board or Commission meetings. This access is available to all town department heads, employees with prior approval of their supervisor and individual members of Boards and Commissions.

For a formal written legal opinion, Boards and Commissions, other than the Board of Selectmen, must have a vote authorizing the request before authorization will be provided.

A request for legal services form must be filled out and returned to the Selectmen's office before legal counsel can be accessed on any general Town Counsel matter.

This process for general Town Counsel access is not an approval but is necessary in order to track usage and for budgeting purposes.

This form must be submitted to the Board of Selectmen's office and authorization must be obtained from the Town Administrator and/or their designee.

<u>Labor and Litigation Legal Services</u> A request for legal services form must be filled out and returned to the Selectmen's office before legal counsel can be accessed on any labor or litigation Town Counsel matter.

This process for labor or litigation Town Counsel access is an approval and is necessary in order to track usage and for budgeting purposes.

This form must be submitted to the Board of Selectmen's office and authorization must be obtained from the Town Administrator and/or their designee.

The sole exceptions to this policy are for the Board of Selectmen and are as follow:

- 1. The Chair of the Board of Selectmen, or the Board of Selectmen through a majority vote, shall have direct access to request Town Counsel to attend a meeting of the Board.
- 2. Any member seeking legal advice on a matter shall have direct access to Town Counsel.
- 3. All members of the Board of Selectmen requesting Ethics Opinions (Conflict of Interest Law) shall have direct access to Town Counsel. They do not need to copy the Chair of the Board of Selectmen on such inquires and Town Counsel shall respond to the member directly without copies to other members of the Board.
- 4. Members of the Board shall notify the Town Administrator of each contact for budget purposes, however are not required to explain content.

ON 2/26, 2019.	ADOPTED BY THE BOARD OF SELECTMEN C
Sue Lisio, Chairman	
Cindy King, Vice-Chair	
12-2	
Wayne Miller, Clerk	

## **Carolyn Smart**

From: Sent: Jim Kreidler <jkreidler@townsend.ma.us> Tuesday, February 12, 2019 1:04 PM

To: Subject: csmart@townsend.ma.us Fwd: Research please



Sent from Jim's iPhone

Begin forwarded message:

From: Select < sml412@comcast.net>

**Date:** February 12, 2019 at 11:52:38 AM EST **To:** James Kreidler < jkreidler@townsend.ma.us >

Subject: Re: Research please

I didn't even remember discussing this... thanks.

Please put it in folder for the next meeting on 2/26 as I will try to get the ball rolling again by asking that it be on the ATM warrant.

Thank you, Sue

On Feb 12, 2019, at 10:18 AM, James Kreidler < jkreidler @townsend.ma.us > wrote:

Sue,

From the charter.

3-2 Composition and Term of office.

A Board of Selectmen, three members elected for three years each, arranged so that the term of one member expires each year.

The composition of the Board may change from three (3) to five (5) members as determined by a two-thirds vote of an Annual Town Meeting, provided that such vote is ratified by the voters of the Town at the next Annual Town Election. A five (5) member Board would have three (3) year overlapping terms, so arranged that as nearly an equal number of members as possible

shall expire each year.

Jim

----Original Message----

From: Select [mailto:sml412@comcast.net] Sent: Tuesday, February 12, 2019 8:58 AM

To: jkreidler@townsend.ma.us

Subject: Research please

When you (or Carolyn) have some time, could you look up the TM Article and the process by which we move to a Five member Board please. I seem to remember an ATM vote in the affirmative being followed in the following spring needing affirmation by ballot. I know there was a delay of some sort. But regardless, I would like to pursue/request a warrant article on it again.

Discussion/vote next meeting if you are able to research by then please.

Thank you.

Sue



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## Nashoba Valley TECHNICAL SCHOOL DISTRICT

COMMENTS:

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

**Dr. Denise P. Pigeon** Superintendent

BOARD OF SELECTMEN

Date:

February 11, 2019

### **MEMORANDUM**

To:

Townsend Town Moderator

From:

Dr. Denise P. Pigeon

Subject:

District School Committee Appointment

This is a reminder that the position of alternate member representing the town of Townsend remains open for Nashoba Valley Technical District School Committee. The current term will expire on March 31, 2019.

As outlined in our District Agreement members of the Nashoba Valley Technical School District Committee shall be appointed by an Appointing Committee comprised of the Town Moderator, Selectmen, and the local School Committee. The Moderator shall serve as Chairman of the Appointing Committee.

This appointment is made for a three-year term commencing April 1, 2019 through March 31, 2022.

cc: Chairman, Board of Selectmen

Chairman, North Middlesex Regional District School Committee





One Winthrop Square, Boston, MA 02110 617-426-7272 • 800-882-1498 • fax 617-695-1314

Commence Commence

FEB 1 S 7619

BOARD OF SELECTMEN

February 5, 2019

Dear Chief Municipal Official,

The Massachusetts Municipal Association is pleased to announce the return of the annual **MMA Statewide Essay Contest** for **8th Graders**. This contest was created to raise awareness among students about local government, and to encourage students to take an active interest in their hometown government.

### What:

The MMA invites 8th grade students in your community to participate in this year's essay contest. We are sending this letter to the chief municipal official (CMO) in each community and asking that the CMO complete the attached commitment form, giving the MMA permission to contact the schools in your community to invite them to participate. Participation by your schools is optional.

### Who:

All 8th graders in your public schools will be invited to participate. Prizes will be awarded to winning entries, and the first-place essay writer will be invited to attend the Municipal Month Celebration at the State House in Boston in May.

#### When:

Please complete the enclosed commitment form and return it to the MMA by **Monday**, **February 25, 2019**. The MMA will send you, your superintendent, and the building principals the contest rules and information. Students will be able to access contest materials via our website, <a href="https://www.mma.org">www.mma.org</a>. The contest deadline for students is **Friday**, **March 22, 2019**.

### Why:

The essay contest is fun for students, demands little time or preparation from the teacher, and invites students to think critically about local government issues. It is viewed as an independent student project but can be incorporated into a teacher's lesson plan. The MMA is available as a resource to any teacher, school or municipal official.

If you have any questions, please contact our Contest Coordinators, **Alandra Champion or Lisa Adams, at (617) 426-7272**. We are excited to engage and encourage students to think creatively about local government. We hope that you will join our effort by signing up your community today! Thank you for your time, interest, and leadership.

Sincerely,

Geoff Beckwith

Executive Director & CEO

Massachusetts Municipal Association



### MMA 8<sup>th</sup> Grade Essay Contest RULES & INFORMATION

Thank you for your participation in the Massachusetts Municipal Association's 8<sup>th</sup> Grade Essay Contest! The purpose of this contest is to raise awareness and interest among 8<sup>th</sup> grade students about local government issues and to encourage participation in local government and Massachusetts communities.

Local government affects every resident in every state, region, city and town. Schools, housing, waste collection and recycling, roads, parks and recreation, the library, police and fire stations are all run by local government. As a resident in your city or town you have a voice and an opportunity to affect change on a local level.

In Massachusetts, cities are governed by mayors and city councils. Towns are governed by select boards whose members are elected to one or two-year terms. For your essay, select one political or community issue that impacts people in your city or town. If you were the Mayor or a member of the Select Board in your city or town, how would you bring positive change to this issue? You may consider financial limitations, the size of your city or town and available resources. Include examples of the changes that you would make as the Mayor or a member of the Select Board and how those changes would impact your chosen issue.

### **Essay Contest Rules:**

- Only current 8th graders in Massachusetts are eligible to participate.
- Word limit: 750 words or less, excluding the title.
- Well-organized, with an introduction, a body and a conclusion.
- Typed and double-spaced in size 12 Times New Roman font.
- Printed on one side of paper only.
- Include two (2) copies. (No submissions will be returned.)
- The student's name, school, and city or town must be at the top of the page.
- If students are participating as part of a class or school project, each student must submit an individual essay. Only one essay per student.
- Mail your essay to: MMA Essay Contest, One Winthrop Square, Boston, MA 02110.
- Essays will be judged on originality, content, grammar and spelling, and understanding of local government. All decisions of the judges are final.
- Cash prizes will be awarded to the first (\$500), second (\$250) and third (\$150) place winners, and the first-place essay writer will be invited to attend the Municipal Month celebration at the State House in May.
- Winners will be notified in April.
- All contestants agree to publication on the Massachusetts Municipal Association's website. Winners may be asked to provide a photo to appear with their published essay.
- Please direct any questions to Alandra Champion: achampion@mma.org.

Deadline: Essays must be postmarked by March 22, 2019.



### I Commit My Community Today!

As the chief municipal official (CMO), our community will support the participation of our eighth-grade students in the MMA's 2019 Statewide Essay contest.

Name:		
Municipal Position:		
Municipality:		
Phone Number:		
Email:		
My community is in a regional sch		

Please complete this form and send it to: Alandra Champion, Massachusetts Municipal Association, One Winthrop Square, Boston, MA 02110; by fax to 617-695-1314; or by email to achampion@mma.org.

Deadline is Monday, February 25, 2019.



### RECEIVED

FEB 2 0 7019

# MMA's Legislative Breakfast Meetings set for OF SELECTMEN March 22, March 29 and April 5

Please Register Today for the Latest Info on FY20 Budget Bills and Key Legislative Initiatives!

February 15, 2019

Dear Local Official,

The MMA's Annual Spring Legislative Breakfast series will start next month as work begins at the State House on the FY20 state budget, and legislative priorities take shape for the for the new session.

The MMA's regional meetings are scheduled for three Friday mornings (March 22, March 29 and April 5) in six cities and towns across the state. We hope that you will join us at a meeting near you to talk about key issues and municipal priorities with area legislators, your municipal colleagues from the region, and MMA's legislative staff. With the new session underway, we expect a lively discussion!

The Spring Legislative Breakfast meetings take place as the House and Senate begin their work on the FY20 state spending plan, with important decisions to be made on municipal and school accounts, with a starting place based on House 1, the budget recommendation filed by the Governor in January. The new legislative session will feature re-starts on important public policy initiatives from the last session, including zoning and housing production, Chapter 70 and charter school finance, and solid waste and recycling. There are also new bills that would impact local government, ranging from marijuana policy, the public records law, climate change, and benefits for public employees and retirees.

These springtime meetings are a great time to connect with colleagues and legislators on the key local government issues of the day as deliberations get underway at the State House.

There's a lot to talk about this Spring! Please register online at <a href="www.mma.org">www.mma.org</a>, or complete the attached registration form and mail it to: Alandra Champion, Massachusetts Municipal Association, One Winthrop Square, Boston, MA 02110, or by fax to: 617-695-1314, or by email to: achampion@mma.org.

Sincerely,

Geoffrey C. Beckwith Executive Director & CEO



# **2019 Spring Legislative Breakfast Meetings**Please Register Now!

Please register online at <a href="www.mma.org">www.mma.org</a>, or complete this registration form and mail it to: Alandra Champion, Massachusetts Municipal Association, One Winthrop Square, Boston, MA 02110, or by fax to: 617-695-1314, or by e-mail to: achampion@mma.org

Registr	rant's	Name:
Munici	ipality	:
Job Tit	le:	
Phone	Numb	per:
Email A	Addres	ss:
Breakfa	ast Lo	cation (Please check the meeting you will attend):
March	22 <sup>nd</sup>	
		Andover, Old Town Hall, 20 Main Street
		Mansfield, Town Hall Meeting Room, 6 Park Row
March	29 <sup>th</sup>	
		Athol, Public Library Program Room, 568 Main Street
		Millbury, Asa Waters Mansion, 123 Elm Street
April 5	th	
		North Adams, Massachusetts College of Liberal Arts, Murdock Hall, 375 Church St.
		Springfield, Carriage House at the Barney Estate, 200 Trafton Road

While the meetings are free, attendees are asked to pre-register so the planners can have an accurate count. All legislative breakfast meetings will begin at 8:00 a.m. and end by 10:00 a.m.

THANK YOU FOR REGISTERING - WE LOOK FORWARD TO SEEING YOU THERE!

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