

TOWNSEND ANNUAL AND SPECIAL TOWN MEETING

MINUTES

MAY 1, 2018

The Special and Annual Town Meetings were held on May 1, 2018. We had 164 voters and 16 visitors in attendance. Moderator, John Barrett, announced there was a quorum present. He introduced Shirley Coit, TEMA Director, who spoke about pet care during emergencies. The Moderator asked those in attendance to please stand for the Pledge of Allegiance which was led by Boy Scouts Christopher Bjornson, Justin Carter, and Alex Candow Troop 81.

The Moderator requested all visitors and non-voters to sit in the front rows. The practice has been to allow visitors to speak unless there is an objection from the floor, however, the Moderator reserves the right to allow the visitor to speak if he feels the visitor has pertinent information to the article on the floor.

At this point the Moderator introduced himself and thanked the audience for their vote, the Town Clerk Kathleen Spofford, the Selectmen Sue Lisio and Wayne Miller, the Town Administrator James Kreidler and Town Counsel David Jenkins. He went on to introduce the Finance Committee members who were present: Jerilyn Bozicas, Donna Pinkerton, and Joseph Sciacca. Selectman Cindy King arrived

Gene Rauhala was elected Deputy Moderator by the floor. The Moderator reviewed some of the rules followed at Town Meeting which is ruled by Town Meeting Time. If you want to speak, wait until you are recognized, raise your hand and the Moderator will call on you. After you have been called upon, wait for the microphone, then state your name and address. This is being recorded and shown to the people at home who have cable TV. Please direct all comments and questions to the chair. All motions must be in writing and brought to the Town Clerk. If a matter has been voted on tonight, to be reconsidered tonight would take a majority vote, but if the meeting goes into a second night, to be reconsidered would take a 9/10 vote. If a vote count is questioned by (7) seven people, the counters will be called otherwise the count is by the Moderator's determination and the counters may be called forward. You may make a point of privilege if you cannot hear the speaker or there is something affecting your ability to hear what is going on. If there is a question of procedure, please rise and say "point of order, Mr. Moderator", you will be called on to make your point. In order to do this, you may interrupt the speaker. One other point is a motion to move the question. When this motion is made you must be recognized to speak, it cuts off all debate, it is not debatable, that motion must be voted on to proceed with the discussion or to end the discussion and vote on the motion on the floor. If someone makes a motion to move the question too early, I may rule out of order and allow the discussion to continue. The Moderator appointed counters, Hirk Fortin, John Stonefield, Cheryl Rideout and Veronica Kell and they were sworn in by the Town Clerk. The Moderator requested the reading of the warrant, which was done by the Town Clerk.

The Town Meeting was called to order at 7:02 p.m. The Moderator asked for a motion to adjourn the Annual Town Meeting and to go into the Special Town Meeting.

A motion was made to adjourn the Annual Town Meeting to go into the Special Town Meeting and when the Special Town Meeting dissolves to return to the Annual Town Meeting. The motion was seconded.

READ BY: Wayne Miller

VOTED: Passed Unanimously

SPECIAL TOWN MEETING
May 1, 2018

The Special Town Meeting was called to order at 7:13 p.m. The return of the warrant was read by the Town Clerk, Kathleen Spofford.

ARTICLE 1

I move that the Town vote to take no action. (Article 1 read as follows: To see if the Town will vote to borrow or transfer from available funds in the treasure the sum of \$_____ for the purpose of paying prior fiscal year bills; or take any other action in relation thereto.)

SUBMITTED BY: Board of Selectmen

READ BY: Wayne Miller

VOTED: Passed Unanimously

ARTICLE 2

I move that the Town vote to transfer from free cash the sum of **\$152,300.71** for the purpose of offsetting FY18 Snow and Ice Deficits under the provisions of Massachusetts General Laws Chapter 44, Section 31D.

SUBMITTED BY: Board of Selectmen

READ BY: Sue Lisio

VOTED: Passed Unanimously

ARTICLE 3

I move that the Town vote to transfer from Water Department Enterprise retained earnings the sum of **\$18,000.00** for the purchase and implementation of new utility billing software for the water department and any other related expenses.

SUBMITTED BY: Board of Water Commissioners

READ BY: Nathan Mattila

VOTED: Passed by Majority

Motion to dissolve the Special Town Meeting was made and seconded.

Motion passed unanimously.

The Special Town Meeting was dissolved at 7:19 p.m.

ANNUAL TOWN MEETING
May 1, 2018

The Annual Town Meeting was reconvened at 7:19 p.m.

ARTICLE 1

I move that the Town vote to authorize the Board of Selectmen to appoint all Town Officers unless other provisions are made by Massachusetts General Law, by Town Charter, or by vote of the Town.

SUBMITTED BY: Town Clerk

READ BY: Wayne Miller

VOTED: Passed Unanimously

ARTICLE 2

I move that the Town vote to hear reports of any Committees, Boards or Commissions.

SUBMITTED BY: Board of Selectmen

READ BY: Sue Lisio

VOTED: Passed Unanimously

ARTICLE 3

I move that the Town vote to choose a committee of three (3) West Townsend residents to serve as members of the James H. Tucker Fund in accordance with the bequest, for the sole purpose to keep the curbing, grave stones, and monuments in good order.

SUBMITTED BY: Cemetery and Parks Commission

READ BY: Wayne Miller

Pam Haman nominated Ken Gerken, Pam Haman and Michael Marchand. Motion seconded. Point of order was made by the Town Clerk stating Michael Marchand is no longer a resident of West Townsend, he is now a resident of Townsend Center. Lisa Lewand volunteered and the nomination was changed to include Lisa Lewand.

VOTED: Passed Unanimously

ARTICLE 4

I move that the Town vote pursuant to the provisions of G.L. c.44, §53E½, as most recently amended, to: amend Chapter 104, §104-1(f) of the General Bylaws by inserting the following text:

9	Police	Police Chief	NMRSD Receipts	School Resource Officer
10	Conservation	Conservation Commission	Forest Cutting Proceeds	Conservation Purposes
11	Fire/EMS	Fire EMS Chief	Hazardous Materials Supplies Reimbursement	Hazardous Materials Supplies Replacement

And to vote to set the following expenditure limits for each revolving fund for fiscal year 2019:

	REVOLVING FUND	AUTHORITY TO SPEND FUND	REVENUE SOURCES	USE OF FUNDS	SPENDING LIMITS
1	Recycling	Board of Health	Collection of recyclables	Operating costs associated with recycling	\$ 20,000.00
2	Recreation Programs	Recreation Commission	Recreation programs	Operating costs associated with programming	\$ 52,000.00
3	Facilities Maintenance	Facilities Coordinator	Fees from Meeting Hall rental	Operating costs of the Meeting Hall	\$ 4,000.00
4	Cemetery	Cemetery and Parks Commission	Fees from burials	Operating and capital costs for cemeteries	\$ 28,000.00
5	Fire Alarm	Fire Chief	Fire alarm fees	Operating and capital costs for the fire alarm system	\$ 4,000.00
6	Animal Care Program	Animal Control Officer	Fees for emergency care of animals	Expenses for injured or abandoned animals	\$ 1,000.00
7	Inspectional Services	Building Commissioner	Fees from North Middlesex Regional High School building project	Expenses for inspections re: the NMRHS building project	\$ 75,000.00
8	Fire/EMS	Fire Chief	Fees from community events/fire watch	Expenses associated with Fire/EMS services	\$ 5,000.00
9	Police	Police Chief	NMRSD Receipts	School Resource Officer	\$ 80,000.00
10	Conservation	Conservation Commission	Forest Cutting Proceeds	Conservation Purposes	\$ 20,000.00
11	Fire/EMS	Fire EMS Chief	Hazardous Materials Supplies Reimbursement	Hazardous Materials Supplies Replacement	\$ 10,000.00

SUBMITTED BY: Board of Selectmen

READ BY: Sue Lisio

VOTED: Passed Unanimously

ARTICLE 5

I move that the Town vote to raise and appropriate and transfer from the following available funds in the treasury-

FUND:	PURPOSE:	AMOUNT:
Comcast Government Access	Operating Costs of the MIS Department	\$175,000.00
Title 5 MWPAT	Supplement to MWPAT Debt Repayment	\$ 27,538.00
West Townsend Reading Room	Supplemental Funding to Operate the WTRR	\$ 2,900.00
Ambulance Receipts Reserved	Supplemental Funding to Operate the EMS	\$450,000.00
Recreation Receipts	Supplemental Funding to Operate Recreation	\$ 20,000.00
Water Enterprise Fund	Supplemental Funding to Cover Water Overhead	\$233,820.30

such sums that may be necessary to defray the charges and expenses of the Town for Fiscal Year 2019 for a budget totaling **\$22,317,465.00** as follows:

FUNCTIONAL SEGMENTS	
General Government-	\$1,559,881.00
Public Safety-	\$3,193,032.00
Education-	\$12,927,970.00
Streets and Highways-	\$718,930.00
Solid Waste-	\$669,284.00
Human Services	\$392,922.00
Culture and Recreation	\$386,817.00
Debt Service-	\$507,432.00
Insurances-	\$1,961,196.00

SUBMITTED BY: Board of Selectmen

READ BY: Wayne Miller

VOTED: Passed by Majority

ARTICLE 6

I move that the Town vote to fix the salaries and compensation of all elected Officers of the Town as provided by Massachusetts General Laws Chapter 41, Section 108, as amended, and as appropriated in this warrant.

SUBMITTED BY: Board of Selectmen

READ BY: Sue Lisio

VOTED: Passed by Majority

ARTICLE 7

I move that the Town vote to appropriate the sum of **\$985,129.00** from Water Enterprise revenues to operate the Water Department for fiscal year 2019, and in order to fund the cost of inter-municipal expenses that **\$233,820.30** of this sum be appropriated in the general fund.

SUBMITTED BY: Board of Water Commissioner

READ BY: Nathan Mattila

VOTED: Passed Unanimously

ARTICLE 8

I move that the Town vote to approve the FY2018 Capital Plan and transfer from:

Capital Stabilization-

Police and Fire/EMS Radios and Communications Equipment	\$149,820.00
Highway Department Brush Mower/Sidewalk Plow	\$100,000.00

Ambulance Receipts-

Fire/EMS 3 rd Year Lease Payment	\$ 67,870.00
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Water Enterprise Funds-

Generator 540 Main Street	\$ 30,000.00
Pump Station Bridge Replacement	\$ 40,099.52

SUBMITTED BY: Capital Planning Committee

READ BY: Cindy King

VOTED: Passed Unanimously

ARTICLE 9

I move that the Town vote to transfer from free cash the sum of \$25,180.00 for the purpose of funding equipment, upgrades, and repairs to the Town's public safety communications infrastructure system.

SUBMITTED BY: Board of Selectmen

READ BY: Sue Lisio

VOTED: Passed Unanimously

ARTICLE 10

I move that the Town vote to appropriate by borrowing the sum of **\$981,200.00** to pay costs of engineering, construction, and other related expenses to replace a section of water main on Main Street, between 512 Main Street and Wheeler Road and, that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount under and pursuant to M.G.L. c 44, §8(5) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Although any bonds or notes issued by the Town constitute general obligations of the Town and a pledge of its full faith and credit, debt service on the bonds or notes authorized by this vote shall be paid, in the first instance, from water enterprise fund revenues. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

SUBMITTED BY: Board of Water Commissioners

READ BY: Paul Rafuse

VOTED: Passed Unanimously

ARTICLE 11

I move that the Town vote to transfer from free cash in the treasury the sum of **\$5,000.00** to defray the charges and expenses for the planning and execution of the Town's 300th Anniversary Celebration to be held in the year 2032.

SUBMITTED BY: Karen Clement and the Board of Selectmen

READ BY: Wayne Miller

VOTED: Passed by Majority

ARTICLE 12

I move that the Town vote to transfer from free cash the sum of **\$22,000.00** for the purpose of funding the hiring of consultants to assist the Master Plan Committee (appointed under the Planning Board) with such areas as economic development, community meeting facilitation, research, survey analysis and other related topics as required and voted on by the Master Plan Committee.

SUBMITTED BY: Master Plan Committee

READ BY: Kym Craven

VOTED: Passed Unanimous

ARTICLE 13

I move that the Town vote to transfer from free cash the sum of **\$4,000.00** for the purpose of funding the Assessors' FY19 Periodic Inspections and Property Data Verification Program as mandated by the Massachusetts Department of Revenue, Bureau of Local Assessments.

SUBMITTED BY: Board of Assessors

READ BY: Cindy King

VOTED: Passed Unanimously

ARTICLE 14

I move that the Town vote to transfer from free cash the sum of **\$1,500.00** for the purpose of funding a secure shredding contractor to dispose of documents and files that have exceeded their required retention.

SUBMITTED BY: Town Accountant

READ BY: Wayne Miller

VOTED: Passed Unanimously

ARTICLE 15

I move that the Town vote to transfer from free cash the sum of **\$21,000.00** to the Conservation Land Fund.

SUBMITTED BY: Town Administrator

READ BY: Sue Lisio

VOTED: Passed by Majority

ARTICLE 16

I move that the Town vote to transfer all funds within the Cemetery Improvement Fund into the Sale of Lots Receipts Reserved Fund per the direction of the Massachusetts Department of Revenue, Bureau of Local Assessments.

SUBMITTED BY: Town Accountant

READ BY: Wayne Miller

VOTED: Passed Unanimously

ARTICLE 17

I move that the Town vote to transfer from overlay surplus the sum of **\$30,000.00** for the purpose of supplementing the stabilization fund, as allowed under MGL Chapter 40, Section 5B.

SUBMITTED BY: Board of Selectmen

READ BY: Sue Lisio

VOTED: Passed Unanimously

ARTICLE 18

I move that the Town vote to authorize the Board of Water Commissioners to hire legal counsel.

SUBMITTED BY: Board of Water Commissioners

READ BY: Paul Rafuse

VOTED: Passed by Majority

ARTICLE 19

I move to take no action. (Article 19 read: I move that the Town vote to amend the General Bylaws to add a new Chapter (to be numbered sequentially by the Town Clerk):

PROHIBITED DRIVING AND PARKING BYLAW

Section 1.

For the purposes of preserving and protecting the historic, aesthetic and natural resources of the Town Common, the Board of Selectmen, or its designee, is hereby authorized to prohibit driving and/or parking of vehicles, of whatever nature, within the Town Common. The Board of Selectmen may adopt regulations consistent herewith to implement such prohibition. Said restrictions shall in no event restrict vehicles conducting official Town of Townsend business.

Section 2.

Upon the adoption of this prohibition, the Board of Selectmen, or its designee, shall cause the posting of suitable signs to give notice to the public of such prohibition on driving, parking or standing of vehicles. Such signs shall conform to any local sign regulations and shall be historically appropriate. The Board of Selectmen, or its designee, shall give notice of the intention to implement prohibition by publication for two successive weeks in a newspaper of general circulation in the Town, final publication to be not less than seven days prior to implementation.

Section 3.

The Board of Selectmen, or its designee, is authorized to impose a fine for violation of regulations established for a restricted parking zone under the Town's Non-criminal Disposition authority.

Section 4.

In the event any provision of this bylaw or of any regulation adopted by the Board of Selectmen, or its designee, shall be held illegal or unenforceable, the remainder of this bylaw or regulation not held illegal or unenforceable shall remain in full force and effect.)

SUBMITTED BY: Sue Liso

READ BY: Sue Liso

VOTED: Motion to take no action Passed by Majority

ARTICLE 20

I move that the Town vote to accept the Nashua, Squannacook, and Nissitissit Rivers Stewardship Plan developed by the Nashua River Wild and Scenic River Study Committee, together with its recommendation to seek Wild and Scenic River designation.

SUBMITTED BY: Nashua River Wild and Scenic River Study Committee

READ BY: Wayne Miller

VOTED: Passed by Majority

ARTICLE 21

I move that the Town vote to amend Chapter 6 Automatic Fire Alarm Systems General Bylaw of the Code of Townsend as follows:

Replace the word "master" with "radio" throughout the bylaw.

§ 6-2. Definitions.1

AUTOMATIC FIRE ALARM SYSTEM — Insert "or private monitoring service."

§ 6-2. Restrictions on Tape Dialers and similar automatic telephone devices.

Delete this section in its entirety.

§ 6-5. Alarm system malfunctions; fines –

Define allowable alarm malfunctions as "per calendar year."

Increase fourth offense fine from \$50 to \$250, increase fifth and subsequent fines to \$300.

Delete Paragraph "C" in its entirety

Delete Paragraph "D" in its entirety

SUBMITTED BY: Fire/EMS Chief, Mark Boynton

READ BY: Sue Liso

VOTED: Passed Unanimously

ARTICLE 22

I move that the Town vote to adopt Massachusetts General Law Chapter 60, section 23B to allow the Treasurer Collector to change the cost of a Municipal Lien Certificate (MCL) to the fee schedule set forth in said statute.

SUBMITTED BY: Treasurer/Tax Collector

READ BY: Wayne Miller

VOTED: Passed Unanimously

ARTICLE 23

I move that the Town vote to accept the twelfth paragraph of Massachusetts General Law Chapter 41, section 81U to allow the Planning Board to take and hold deposits to secure the performance of an obligation by an applicant for a license or permit.

SUBMITTED BY: Town Accountant

READ BY: Sue Lisio

VOTED: Passed Unanimously

ARTICLE 24

I move that the Town vote to authorize the Board of Selectmen to issue a Request for Proposals (RFP) for the sale of the Squanicook Hook and Ladder Center Fire Station and the Harbor Fire Station for adaptive reuse.

SUBMITTED BY: Board of Selectmen

READ BY: Wayne Miller

I move to amend the current motion on Article 24 to include a citizen's committee of five (5) to review the RFP's, to include a preference for citizens that have a previous connection to the fire department.

READ BY: Kelly Kelly

VOTED: Motion did not pass

VOTE ON THE MAIN MOTION: Did not pass.

ARTICLE 25

I move that the Town vote to authorize the Tax Collector to hold a tax title auction on tax title properties held by the Town.

SUBMITTED BY: Tax Collector

READ BY: Sue Lisio

VOTED: Passed Unanimously

ARTICLE 26

I move that the Town vote to authorize the Conservation Commission to accept a certain parcel of land totaling 8.8 acres to be held for conservation purposes.

SUBMITTED BY: Conservation Commission

READ BY: Mike Turgeon

VOTED: Did not pass.

Fire Chief Boynton was recognized by the Moderator. He asked to review Article 8 because a piece of equipment he requested was not in the Capital article that was voted on. He believed the Capital Planning Committee approved a Paramedic Intercept Vehicle for

\$66,380 but it is missing in the warrant and he wanted to correct the information if possible. The moderator explained that if it was not in the article or in the motion, it would have to be considered at another town meeting. Town Administrator asked if it could be reconsidered where the motion was to approve the Capital Plan and if that item was omitted by accident, could it be done then. The Moderator asked for a motion to reconsider.

I move to reconsider Article 8.

READ BY: Kelly Kelly

A point of order was called and a quorum was asked for. Counters came out and counted 68 voters in attendance. We did not meet the quorum required and therefore unable to reconsider article 8.

Motion to dissolve the meeting was seconded and passed unanimously.

The meeting was dissolved on May 1, 2018 at 10:32 p.m.

Respectfully Submitted,

Kathleen M. Spofford, CMC
Town Clerk