



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 MARCH 26, 2019 AT 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 2 members present and 1 member absent: Chairman Sue Lisio (SL), Clerk Wayne Miller (WM) and absent was Vice-Chairman Cindy King (CK).
  - 1.2 Pledge of Allegiance
  - 1.3 Announce that the meeting is being tape recorded.
  - 1.4 Chairman's Additions or Deletions.  
SL added correspondence regarding unregistered vehicles and the School Resource Officer update.
  - 1.5 Public Comment Period  
Kathleen Spofford asked the Chair to address 5.1.4. SL agreed and address the election schedule for the debt exclusion.
- II. APPOINTMENTS OF OFFICIALS/PERSONNEL - VOTES MAY BE TAKEN:
  - 2.1 WM moved to nominate for appointment John King as the Animal Inspector for barn book inspections in accordance with Massachusetts General Law Chapter 129, section 15 & 16 effective May 1, 2019 to April 30, 2020. SL seconded. Unanimous vote.
  - 2.2 WM moved to nominate for appointment Mary Letourneau as the Animal Inspector for quarantines in accordance with Massachusetts General Law Chapter 129, section 15 & 16 effective May 1, 2019 to April 30, 2020. SL seconded. Unanimous vote.
- III. MEETING BUSINESS - VOTES MAY BE TAKEN:
  - 3.1 Review/Comment Planning Board mandatory referral, RE: Accessory Apartment Zoning Bylaw.  
The Board reviewed the referral - please see attached. The Board agreed to send no comment with appreciation for the referral.
  - 3.2 Review/Comment Planning Board mandatory referral, RE: OSPP Special Permit.  
The Board reviewed the referral - please see attached. WM agreed to send the same as 3.1.
- IV. OLD BUSINESS - VOTES MAY BE TAKEN:
  - 4.1 Discussion, RE: Selectmen Liaison Responsibilities.  
The Board reviewed the listing - please see attached. SL offered to take the Planning Board until the election.
  - 4.2 Town Administrator Evaluation Discussion.

SL thanked Mr. Kreidler for updating the form, noting he added the goals to the form. Further discussion as to how the Board will complete the composite evaluation, agreeing to post on the website with the agenda so not to violate the open meeting law.

- 4.3 Discussion of Policy/Bylaw for Code of Conduct & Social Media.  
The Board briefly reviewed - please see attached. WM felt some items need to be polished. Mr. Kreidler noted there were two samples in the packet, one from KP Law. SL would be interested to know if there's one Adam's firm uses. Mr. Kreidler stated the firm does have one and will be emailing it over for the Board to review. SL voiced concerned that some of the departments have their own facebook page, however, the town has no regulations over that and voiced concern it could be a liability. WM would like to see the school's policy.
- 4.4 Cable Contract System Extension, RE: Update from Town Counsel.  
Mr. Kreidler informed the Board he received correspondence from Kate Feoderoff and she has received the documentation and a contact from Comcast.
- 4.5 Review of Job Descriptions continued from March 19, 2019.  
SL stated they were in the process of reviewing the Town Administrator and Executive Assistant. WM would like to see the job descriptions prioritized in terms of need. SL not ready to do now. Mr. Kreidler stated he understand the Boards points, however the Executive Assistant position has been previously been on the agenda and in furtherance of those discussions is when the file showed the position was previously graded higher. SL stated the job description needs to be completed and then we can deal with the financing then. SL would like the consultant to come in and complete and SL would like to view the R.F.P. that is going out. WM moved to table until the HR Consultant is hired. SL seconded. Unanimous vote.
- 4.6 Board discussion and development of a list of specific expectations for the Town Administrator position.  
Discussion regarding the evaluation process with dates/times.

V. WORK SESSION - VOTES MAY BE TAKEN:

5.1 Town Administrator updates and report.

5.1.1 Personnel Updates:

- Land Use Coordinator Vacancy Update.  
Mr. Kreidler informed the Board; three interviews schedule are later in the week.
- Human Resources Consultant.  
Mr. Kreidler stated the RFP will be sent to the Board for review prior to posting.
- Town Accountant Vacancy Update.  
SL inquired how many resumes were received. Mr. Kreidler informed the Board, there's been less than five and only one with municipal experience.
- Accounting Interim and/or Consulting Services.  
Discussion regarding the hiring of a consultant and assisting with transition.

5.1.2 Financial Updates:

- FY20 Budget, Discussion of any changes since the meeting on March 19, 2019.  
The part time grant writer position was discussed. Mr. Kreidler informed the Board, the HR consultant has been moved to expenses. The Board noted the increase for the Accountant position is within market rate as approved at the Saturday Board meeting. Mr. Kreidler stated the legal expenses has been increased to \$55,000. Mr. Kreidler stated there's



been a significant change to the facilities budget and how it's organized within the budget. Further discussion included increased cost in the public safety and the schools.

- Update regarding regional towns and the North Middlesex Regional School budget.

- FY20 Capital Planning Report Update.

Mr. Kreidler gave an update to the Board on the progress of the Capital Plan.

5.1.3 Town Meeting Warrant discussion:

- Pavement Management bylaw.

Mr. Kreidler informed the Board he drafted a bylaw and is having Town Counsel review.

- Funding Sources for proposed financial articles.

Mr. Kreidler reviewed a draft of the articles with the proposed funding sources with the Board of Selectmen. Mr. Kreidler reviewed the balances of the stabilization funds with the Board. SL stated a meeting should be scheduled for the joint meeting with the Selectmen and Finance Committee to recommend the warrant articles/budget. Mr. Kreidler opted for April 16, 2019 for the joint meeting.

5.1.4 Miscellaneous Updates:

- Pavement Management Plan.

Mr. Kreidler reviewed the draft plan with the Board of Selectmen – please see attached. Mr. Kreidler informed the Board; the vendor will be coming in to present the entire program.

- Dates for Special Election for debt exclusion.

The Board agreed to tentatively schedule the special election for June 18, 2019.

- Recreation use of back field and grant application.

Recreation to come into the next meeting for a presentation.

5.2 Board of Selectmen announcements, updates, and reports.

Unregistered vehicle update: Mr. Kreidler informed the Board, the office received correspondence from a neighbor of one of the complainants, expressing frustration with the process. Mr. Kreidler informed the Board, the non-criminal disposition fines to be issued through the Police Department.

5.3 Clerk of the Board announcements for events.

5.4 Board Correspondence.

WM received correspondence the SRO is out and he would like a plan is while the Officer is out. Mr. Kreidler informed the Board the Officer will return next week and will have the Chief/Deputy come to the next meeting to explain. Collective bargaining will be begin soon so any issues with SRO can be addressed through the contract.

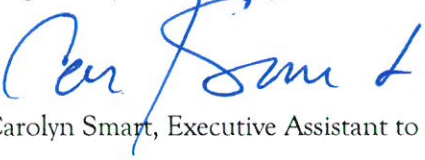
SL read the Comcast correspondence – please see attached.

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

VI. ADJOURNMENT:

WM moved to adjourn the meeting at 7:40P.M. SL seconded. Unanimous Vote.

Respectfully submitted by,



Carolyn Smart, Executive Assistant to the Town Administrator

Voted to approve the meeting minutes for the meeting of March 26, 2019 by the Board of Selectmen this 21 day  
of May, 2019.

# THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114  
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lt. Governor

MATTHEW A. BEATON  
Secretary

JOHN LEBEAUX  
Commissioner

RECEIVED

MAR 11 2019

BOARD OF SELECTMEN

March 6, 2019

### RE: NOMINATION OF INSPECTOR OF ANIMALS

Nominating Authority:

Enclosed is the nomination form for the Inspector of Animals for your city or town. **This form is due back to the Division of Animal Health by April 1, 2019.** The appointment will run from May 1, 2019 until April 30, 2020. If more than one inspector was appointed for your city or town, there is a separate form provided for each. If you are nominating the same inspector(s) this year, **be sure that all of the contact information is complete and still correct.** Any corrections should be made in the space provided on the right. If you will be nominating a new inspector, that person's information should be entered in the space provided on the right. Submit a separate form for each inspector nominated. Also, be sure that all of your (nominating authority) information is complete and correct. Any changes to your information should be made in the space provided to the right.

Once all of the contact information is confirmed to be correct, all that is needed is to **have the nominee sign the form**, accepting the nomination and swearing to faithfully perform the duties of that office. **The nominee's signature must be notarized.** In many cases the city or town clerk is a notary.

After the nominee's signature has been notarized, simply **return the form to the Division of Animal Health at the address listed at the top of the form.** The Division of Animal Health will send back confirmation of the inspector's appointment. **Please note that regardless of when the most recent appointment was made, it is only valid through April 30, 2019.** This nomination will cover the year starting May 1, 2019 and run until April 30, 2020.

If you have any questions, please call Elsie Colon at (617) 626-1810

Thank you,

Michael Cahill, Director  
Division of Animal Health







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

MEMORANDUM

DATE: May 23, 2018  
TO: All Appointed/Elected Officials and Department Heads  
FROM: Carolyn Smart, Executive Assistant

At the meeting of the Board of Selectmen held on May 22, 2018 the Board reorganized their responsibilities as Department Representatives with respects to their position on the Board as follows:

Sue Lisio, Chairman	General Government
Cindy King, Vice-Chairman	Highway & Landfill, Elected Boards
Wayne Miller, Clerk	Public Safety

Representatives have been designated to assist departments, boards, committees or commissions with issues requiring immediate attention until action can be taken by the entire Board of Selectmen and to assist with budget items and issues arising during the fiscal year. Representatives report to the full Board at Selectmen's meetings. The intent of this procedure is to keep the lines of communication open between the Board and the various departments, boards, committees or commissions.

Please see the attached sheet for your department representative. As always, if you should have any questions please do not hesitate to contact this office. Thank you.

cc: Board of Selectmen

## SELECTMEN REPRESENTATIVES

### Sue Lisio, Chairman - General Government

Town Accountant  
Treasurer/Collector  
Conservation Commission  
West Townsend Reading Room  
Land Use  
    Conservation Commission  
    Zoning Board of Appeals  
Memorial Day  
Band Concert Coordinator  
Amanda Dwight Entertainment Fund  
Abraham French Fund Committee

Council on Aging/Senior Center  
Veterans' Agent  
MRPC  
Energy Committee  
Masterplan Committee  
Finance Committee  
Historic Commission  
Cultural Committee  
Facilities

### Cindy King, Vice- Chairman - Highway/Landfill & Elected Officials

Highway Department  
Board of Health  
Assessor's Office  
Town Clerk/Registrars  
Planning Board  
Library  
Water Department  
North Middlesex Regional High School  
Nashoba Valley Technical High School

Cemetery & Parks  
Landfill Operations  
Recreation Commission  
Trust Fund Commissioners  
Planning Board/Masterplan  
Trustees of Soldiers Memorials

### Wayne Miller, Clerk - Public Safety

Police Department  
TEMA  
Fire Department  
Fence Viewer  
Animal Control Officer  
Building Department including Safety Inspectors  
MIS Director/IT

Dispatch  
Burial Agent  
Ambulance  
Inspector of Animals  
Tree Warden  
Parking Clerk



Sue Lisio, Chairman	Sue Lisio	Sue Lisio (sml412@comcast.net)
<b>General Government</b>		
Town Accountant		
Treasurer/Collector	Anna Noyes	<a href="mailto:anoyes@townsend.ma.us">anoyes@townsend.ma.us</a>
Conversation Agent/Commission	David Henkles	<a href="mailto:dhenkles@townsend.ma.us">dhenkles@townsend.ma.us</a>
West Townsend Reading Room	Lois Rearick	<a href="mailto:lrearick@comcast.net">lrearick@comcast.net</a>
Land Use/Zoning Board	Beth Faxon	<a href="mailto:bfaxon@townsend.ma.us">bfaxon@townsend.ma.us</a>
Memorial Day/Band Concert	Betty Mae Tenney	
Amanda Dwight Entertainment		
Abraham French Fund	Renee Fossey	<a href="mailto:rsfossey@yahoo.com">rsfossey@yahoo.com</a>
Council on Aging/Senior Center	Karin Moore	<a href="mailto:kmoore@townsend.ma.us">kmoore@townsend.ma.us</a>
Veterans' Agent	Joe Mazzola	<a href="mailto:jmazzola@townsend.ma.us">jmazzola@townsend.ma.us</a>
MRPC		
MBTA		
<b>Energy Committee</b>	<b>Brent Carney</b>	<a href="mailto:brcarney1015@gmail.com">brcarney1015@gmail.com</a>
Masterplan Committee	Kym Craven	
Capital Planning	Lindsay Morand	
Finance Committee	Andrea Wood	<a href="mailto:andrea_wood1@verizon.net">andrea_wood1@verizon.net</a>
Historic Commission		
Housing Authority (by request)	Lauri Shifrin	<a href="mailto:laurie@townsendcenterrealty.com">laurie@townsendcenterrealty.com</a>
North Middlesex (by request)		

Cindy King, Vice Chairman	Cindy King	<a href="mailto:selectmencindyking@gmail.com">selectmencindyking@gmail.com</a>
<b>Public Works and Elected Boards/Commissions/Officials</b>		
Recreation Commission	Emy Hoff	<a href="mailto:ehtownrec@yahoo.com">ehtownrec@yahoo.com</a>
Town Clerk/Registrars	Kathleen Spofford	<a href="mailto:kspofford@townsend.ma.us">kspofford@townsend.ma.us</a>
Highway Department	Jim Smith	<a href="mailto:jsmith@townsend.ma.us">jsmith@townsend.ma.us</a>
Tree Warden	Don Massucco	<a href="tel:(978)602-7597">(978) 602-7597</a>
Cemetery & Parks Department	Roger Rapoza	<a href="mailto:cemetery@townsend.ma.us">cemetery@townsend.ma.us</a>
Facilities Maintenance/Memorial Hall	Mark Mercurio	<a href="mailto:mmercurio@townsendpd.org">mmercurio@townsendpd.org</a>
Water Department	Paul Rafuse	<a href="mailto:paulr@townsend.ma.us">paulr@townsend.ma.us</a>
Board of Health	Carla Walter	<a href="mailto:boardofhealth@townsend.ma.us">boardofhealth@townsend.ma.us</a>
Planning Board	Beth Faxon	<a href="mailto:bfaxon@townsend.ma.us">bfaxon@townsend.ma.us</a>
Treasurer-Collector	Barbara Tierney	<a href="mailto:btierney@townsend.ma.us">btierney@townsend.ma.us</a>
Solid Waste/Landfill	Carla Walter	<a href="mailto:boardofhealth@townsend.ma.us">boardofhealth@townsend.ma.us</a>
Trust Fund Commissioners		
Trustees of Soldiers Memorials		
Library Trustees	Stacy Schuttler	<a href="mailto:sschuttler@cwmar.org">sschuttler@cwmar.org</a>
Nashoba Tech		
Wayne Miller, Clerk	Wayne Miller	<a href="mailto:wmillerBOS@gmail.com">wmillerBOS@gmail.com</a>
<b>Public Safety</b>		

Police/Communications Department	Richard Bailey	<a href="mailto:rbailey@townsendpd.org">rbailey@townsendpd.org</a>
Fire-EMS Department	Mark Boynton	<a href="mailto:mboynton@townsendpd.org">mboynton@townsendpd.org</a>
Inspectional Services	Richard Hanks	<a href="mailto:rhanks@townsend.ma.us">rhanks@townsend.ma.us</a>
Animal Control Officer	Mary Letourneau	<a href="mailto:aco.at@verizon.net">aco.at@verizon.net</a>
Inspector of Animals	John King	<a href="mailto:johnkimking@verizon.net">johnkimking@verizon.net</a>
Emergency Management (TEMA)	Shirley Coit	<a href="mailto:mamacoit@aol.com">mamacoit@aol.com</a>
IT/MIS	Bassem Awad	<a href="mailto:bawad@townsend.ma.us">bawad@townsend.ma.us</a>
Parking Clerk	Kathleen Spofford	<a href="mailto:kspofford@townsend.ma.us">kspofford@townsend.ma.us</a>
Burial Agent	Kathleen Spofford	<a href="mailto:kspofford@townsend.ma.us">kspofford@townsend.ma.us</a>



The office of  
**THE PLANNING BOARD**  
272 Main Street  
Townsend, Massachusetts 01469  
978-597-1700 x1722  
MDecoteau@townsend.ma.us

RECEIVED

MAR 15 2019

BOARD OF SELECTMEN

**Date:** February 7, 2017

**To:** Assessor's Office  
Board of Selectmen  
Board of Health  
Building Inspector  
Conservation Commission  
Fire Department  
Highway Department

Historic District Commission  
Housing Authority  
Land Use Coordinator  
Police Department  
Town Clerk  
Water Department  
Zoning Board of Appeals

In accordance with the provisions of MGL Chapter 40A, Section 5 and 11, and Zoning Bylaw, Article XII, Section 145-69, the Townsend Planning Board will hold a public hearing **April 8, 2019, at 6:45 PM** in Memorial Hall, 272 Main St. The purpose of the hearing is to solicit public comment on a petition to see if the Town will vote to amend the Town's Zoning By-law by adding an affordable accessory apartment program, reducing the allowable lot size, including detached structures and, changes to procedures and requirements of the application process and review proposed amendments to the Zoning Bylaw, as follows:

**-§145-36 Accessory Apartments in residential district.**

Parties wishing to speak in support of, or in opposition to, these amendments may do so in writing prior to the hearing, or at the hearing in person or represented by an agent or attorney. Copies of this application are available for review in the offices of the Town Clerk and Land Use Office during business hours.

Respectfully submitted, Lance J. McNally, Chairman

**Publish in the Sentinel & Enterprise: March 18, 2019 & March 25, 2019**

COMMENTS \_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NO COMMENT \_\_\_\_\_

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_







Office of  
**THE PLANNING BOARD**  
272 Main Street  
Townsend, Massachusetts 01469  
978-597-1700 x 1722

RECEIVED

MAR 19 2019

BOARD OF SELECTMEN

**Date:** ~~February 13, 2018~~ March 18, 2019

<b>TO:</b>	Zoning Board of Appeals	Police Chief
	Board of Health	Fire Chief
	Conservation Commission	Highway
	<b>Board of Selectmen</b>	Water Department
	Building Inspector	Assessors

### Mandatory Referral Notice

Please Review the attached application and relay to the Planning Board any questions or concerns you may have. This referral is required under §§145-46, 145-65, and 145-40 of the Townsend Zoning Bylaw. Under MGL Ch. 40A, Sec. 11, comments should be provided within 35 days. Failure to make recommendations shall be deemed lack of opposition. Ch. 40A also requires you to notify the applicant of your comments.

**APPLICANT:** Townsend Hill Realty Trust  
**LOCUS ADDRESS:** 187 and 199 North End Road  
**PARCEL ID:** Assessor's Map 46, Block 3, Lot 0 & Map 46, Block 2, Lot 2

**Date of Hearing:** April 8, 2019 at 5:30 p.m.

**Legal ad:** Sentinel & Enterprise: March 22, and April 1, 2019

The Applicants are requesting an amendment to the OSPD Special Permit to increase the size of the open space from 28.95 Acres to 57 Acres. The original application was for 187 North End Road. The special permit also includes 199 North End road and encompasses 6 Lots. Lot 1 was endorsed as an ANR plan on January 14, 2019. Lot 6 is an existing lot with the addition of Parcel A as shown on the plans. The additional 28.05 Acres will be included with the conveyance to the Commonwealth of Mass. Dept. of Fish and Game and will provide permanent protection of the land.

**COMMENTS:**

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**NO COMMENT** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_ **DATE:** \_\_\_\_\_





March 11, 2019

Board of Selectmen  
Town of Townsend  
272 Main Street  
Townsend, MA 01469

Dear Chairman and Members of the Board:

In accordance with M.G.L.c.166A §9, attached please find the 2018 license fee payment for your Community. This payment is equal to \$0.50 per subscriber and reflects 2664 subscribers as of December 31, 2018.

Also enclosed is information regarding our Internet Essentials program which provides access to low-cost broadband service for \$9.95 a month – no activation fees and no equipment rental fees; the option to purchase a low-cost computer at initial enrollment for just \$150; and free digital literacy training available in print, online and in-person<sup>1</sup> to families with children eligible for the National School Lunch Program (NSLP – Free & Reduced) or receiving HUD-housing assistance.

Please do not hesitate to contact me should you have any questions or would like additional information regarding Internet Essentials. For your convenience, I can be reached at 508.884.2326.

Very truly yours,

*Robert F. Sullivan*

Robert F. Sullivan, Sr. Manager  
Government & Regulatory Affairs

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<sup>1</sup> Restrictions apply. Subject to Internet Essentials program terms and conditions.





# LEARN MORE. DO MORE. SHARE MORE.

**Internet Essentials<sup>SM</sup> from Comcast** brings affordable, high-speed Internet to your home and greater access to what's important to you. You may qualify if you have at least one child who is eligible for the National School Lunch Program or if you receive HUD housing assistance.

## \$9.95

PER MONTH + TAX

**NO TERM CONTRACT  
NO CREDIT CHECK  
NO INSTALLATION FEE  
IN-HOME WiFi INCLUDED**

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**1-877-592-2050**

  
**COMCAST**

**INTERNET  
ESSENTIALS**  
from Comcast

Restrictions apply. Not available in all areas. Limited to Internet Essentials service for new residential customers meeting certain eligibility criteria. Advertised price applies to a single outlet. Actual speeds may vary and are not guaranteed. After initial participation, if a customer is determined to be no longer eligible for the program but continues to receive Comcast service, regular rates will apply. Subject to Internet Essentials program terms and conditions. Call 1-855-846-8376 for restrictions and complete details, or visit InternetEssentials.com. © 2016 Comcast. All rights reserved. IE\_UMB\_FLY\_0816







**Town of Townsend**

**BOARD OF SELECTMEN  
DEPARTMENT SUPERVISOR PERFORMANCE EVALUATION**

Name: James M. Kreidler, Jr.

Title: Town Administrator

Person Performing Evaluation:

RATING SCALE		
<u>1</u>	/	<u>2</u> / <u>3</u> / <u>4</u> / <u>5</u>
1 – Unsatisfactory		2 – Below Expectations
		3 – Meets Expectations
		4 – Exceeds Expectations
		5 – Outstanding
		N/A – Not Applicable

**PERFORMANCE EVALUATION CRITERIA**

1. Legislative Relations: 1 / 2 / 3 / 4 / 5

- Responsiveness to and communications with:
  - Board of Selectmen
  - School District (Superintendent/School Committee)
  - Town Officials
  - State Legislative Representatives
- Provides meeting information when requested
- Quality of response to various Board's needs and concerns
- Timeliness of reporting and replies to Board members

Comments:

2. Public Relations/Communications: 1 / 2 / 3 / 4 / 5

- Relations with media
- Handling public information requests/complaints
- Relations with other public groups and organizations
- Public presentations
- Communication with Town departments relative to town operations including but not limited to state and federal regulations, local general bylaws and Town charter.

Comments:

3. Budget Preparation and Administration: 1 / 2 / 3 / 4 / 5

- Clarity and accuracy of budgetary information
- Responsiveness to indicated Town needs and policy goals
- Creativity in developing budgetary alternatives/options
- Monitoring of budget administration during the year

Comments:

4. Managerial Skills: 1 / 2 / 3 / 4 / 5
- Organization and planning
  - Written communications/reports
  - Exercises sound judgement during decision making
  - Ability to develop alternative options and courses of action
  - Creativity/innovation
  - Decisiveness

Comments:

5. Direction/Supervision of Town Organizations: 1 / 2 / 3 / 4 / 5
- Leadership provided to employees who he/she as directs supervision over.
  - Coordination of programs/activities when applicable
  - Adheres to Town/Departmental Policies and other Regulations
  - Staff development, growth and recruitment

Comments:

6. Personal and Prof. Growth of the Administrator 1 / 2 / 3 / 4 / 5
- Continuing professional education and development
  - Attendance at professional meetings, seminars, and conferences
  - Active membership in state and national professional associations

Comments:

7. Productivity and Reliability 1 / 2 / 3 / 4 / 5
- The extent to which the Supervisor is able to complete required tasks in a timely manner.
  - The extent to which the Supervisor can be relied upon regarding task completion and follow up work.
  - The level of quality of the work performed

Comments:

8. Job Knowledge and Initiative 1 / 2 / 3 / 4 / 5

Comments:

9. Goals and Objectives 1 / 2 / 3 / 4 / 5
- The extent to which the Supervisor was able to meet the established goals and objectives.

Comments:

10. Overall Rating:

1 / 2 / 3 / 4 / 5

**General Comments:**

BOARD OF SELECTMEN

ACKNOWLEDGED BY:

\_\_\_\_\_  
Member, Board of Selectmen

\_\_\_\_\_  
Town Administrator

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_



## CONTRACT

### TOWN ADMINISTRATOR

#### **Position Purpose:**

Performs professional management work overseeing activities of town departments under the jurisdiction of the Board of Selectmen and in accordance with federal, state, local laws and regulations. Is responsible to the Board of Selectmen for the administration of all town affairs placed in his/her; provides executive leadership for the Town in areas of policy formulation, fiscal affairs, labor relations, and organizational development. Performs all other related work as required.

#### **Supervision:**

*Supervision Scope:* Performs highly responsible work of a complex nature, requiring the exercise of considerable independent judgment. Provides professional advice to a variety of officials, departments, boards and committees concerning the development, implementation and administration of the policies, goals, regulations, and statutory requirements related to the administration and operation of the Town. Analyzes difficult administrative problems and recommends solutions, managing diverse projects, recommending long and short range goals, motivating and coaching managers, and coordinating the activities of many independent boards, commissions, and departments.

*Supervision Received:* Works under the policy direction of the Board of Selectmen with considerable latitude for independent judgment and action. Assumes responsibility for developing and achieving the department's goals and objectives. Questions are referred to supervisor only when clarification of town policy is needed. Works under the jurisdiction of federal, state and local laws and procedures. Works under the orders and directives received from town meeting.

*Supervision Given:* Supervises and directs the administration of town departments and offices for whose function he/she is responsible. Incumbent is responsible for the day-to-day management of the entire work force under the control of the Board of Selectmen and as otherwise authorized by Board. Hires staff, provides daily direction, and counsels and disciplines staff consistent with town policies.

#### **Job Environment:**

Work is generally performed under typical office conditions. Required to work outside of normal business hours and attend frequent evening meetings. Also, may be contacted at home at any time to respond to important situations and emergencies. Incumbent is required to attend numerous meetings with various town boards and committees and is expected to attend social and civic events to represent the Town.

Operates an automobile, computer, telephone, and standard office machines.

Makes frequent and direct contact with local, county, state, regional and federal agencies and officials, the media, community leaders, town employees and department heads, local civic and

Townsend, MA  
Town Administrator  
FLSA: Exempt  
Page 1



## CONTRACT

special interest groups, and the general public. Contacts are in person, by telephone, in writing and via internet. Contacts require considerable persuasiveness, resourcefulness, discretion, and negotiating skills to influence the decisions and behavior of other parties. Contacts involve attendance at meetings and conferences. Incumbent is recognized as a spokesperson for the Town.

Has access to an extensive amount of highly confidential information relating to the Town of Townsend, the disclosure of which may cause serious repercussions. Confidential information may include, but is not limited to, police investigations, labor negotiations, personnel records, contract development, and information about citizens.

Errors in judgment could have continuing adverse effect on the Town's ability to deliver services, result in loss of municipal revenues, have far-reaching legal and financial ramifications, and cause significant adverse public relations.

### **Essential Functions:**

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

Is Chief Administrative Officer of the Town of Townsend, directly responsible to the Board of Selectmen for the administration of all town affairs placed in his/her charge by the Board. Assists the Board of Selectmen with the formulation of policy and execution of its directives. Manages and supervises departments and offices of the Town to achieve goals within available resources. Plans and organizes workloads and staff assignments. Exercises administrative authority over town departments, commissions, boards, committees, and officers under the jurisdiction of the Board. Trains, motivates and evaluates assigned staff.

Supervises department heads appointed by the Board of Selectmen; provides assistance in program planning, grantsmanship, personnel management, and budget development; makes recommendations to the Board of Selectmen in conjunction with department heads regarding departmental operations.

Establishes and maintains appropriate administrative procedures for the conduct of all affairs under the Board of Selectmen's jurisdiction, and when appropriate, to facilitate the coordination of all town activities.

Provides leadership and direction in the development of short and long range plans; gathers, interprets, and prepares data for studies, reports, and recommendations; coordinates department activities with other departments as needed.

Attends all regular meetings of the Board of Selectmen, and has a voice but not a vote in all of its deliberations. Prepares agendas, sets meetings and correspondence priorities. Brings to the

Townsend, MA  
Town Administrator  
FLSA: Exempt  
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## CONTRACT

attention of the Board all information relevant to the performance of the Office of the Selectmen. Provides professional advice to the Board of Selectmen and department heads. Makes presentations to boards, commissions, civic groups and the general public. Communicates official plans, policies and procedures to staff and the general public.

Administers the Selectmen's Office by receiving and making appropriate disposition of all correspondence and communications. In conjunction with the Chairperson of the Board, makes all procedural and substantive preparation for the meetings of the Board. Anticipates the needs of the Board for information and background material for setting policy and decisions made by the Board. Ascertains that all decisions of the Board are carried out.

Responds to inquiries, complaints and problems, and provides assistance to department directors, town staff, local and state officials, and business and community leaders, citizens, the news media, and the general public. Resolves the more difficult customer service requests.

Acts as the Board of Selectmen's liaison to town building committees on town-wide construction and other capital projects. Coordinates and supervises the employees and processes of municipal departments under the jurisdiction of the Board of Selectmen who have direct responsibility and accountability in municipal construction projects. Those municipal departments may include, but is not limited to, procurement, public safety, public works, planning, zoning, and inspectional services. May also coordinate efforts with Town Counsel and Town Accountant.

Informs the Board and any other appropriate boards/committees of all relevant statutory and regulatory changes.

May serve as Chairperson of many statutory and *ad hoc* committees; may serve as the Board of Selectmen's designee on other committees and boards.

Engages in a variety of public relations and town-wide coordination activities to ensure support from appropriate public and private constituencies and other institutions and government entities; works with local, county, state, and federal officials to identify and resolve problems, gain support or exchange information.

Informs and advises the Board of Selectmen of trends, problems and activities as appropriate to facilitate policy making; recommends policy, guidelines and operational strategies to board; implements policy options as directed by the Board.

Shapes the policies of the Town's financial plan. Prepares the budget and presents the financial plan to the Board of Selectmen and Finance Committee. Responsible for the development and updating of the capital improvement program. Maintains policy boards' awareness of the Town's financial condition and financial needs. Serves as the Board of Selectmen's representative to the Finance Committee.

*Townsend, MA  
Town Administrator  
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## CONTRACT

Responsible for the preparation of annual and special town meeting warrants and annual town report. Attends all sessions of the town meeting and provides Selectmen with information to address questions from voters of the Town.

Supervises, directs and coordinates town services under the jurisdiction of the Board of Selectmen; coordinates and cooperates with the Planning Board, Appeals Board, Conservation Commission, Board of Health, and other boards, commissions, and committees.

Coordinates all labor negotiations and grievance procedures as directed by the Board of Selectmen, acts as collective bargaining agent; evaluates and renders advisory decisions to the Board on grievances by employees as required. Mediates grievances and complaints from town employees; represents the Town in grievances and lawsuits.

Serves as the Town's personnel officer; consults with the department heads regarding personnel issues and policies; may propose modifications to Personnel Policies. Makes recommendations regarding vacancies in town offices, department head positions, committees, commissions and boards to be filled by the Board of Selectmen; in cooperation with department heads, recommends hiring and firing and disciplining of town employees.

Works with town boards and commissions in an advisory capacity; provides reports on various town projects; works with regional and state agencies.

Administers procedures for licenses and permits issued by the Board of Selectmen.

Coordinates departmental operational policies, rules, regulations, and procedures, and submits them to the Selectmen for approval.

Coordinates litigation and legal opinions between the Selectmen, Town Counsel, and various boards, departments, committees, and commissions.

Ensures that projects and programs are effectively coordinated by supervising the projects and programs, ensuring that communications are defined amongst officials and employees involved, and reporting to Selectmen on problems encountered.

Conducts regular staff meetings with department heads; reviews program goals and objectives with department heads.

Sees to it that the provisions of general laws, votes of town meetings and of the selectmen, which require enforcement by him/her or officers subject to his/her direction and supervision are faithfully carried out.

## CONTRACT

Reviews budget reports, financial statements, requests for proposals, and other documents; makes recommendations and forwards documents for further action as required. Composes letters, memos, e-mail documents and other materials; writes reports.

Attends county, regional, state, and federal meetings as the representative of the Selectmen.

Maintains knowledge of practices and trends in local government management by attending professional seminars and conferences.

Performs similar or related work as required.

### **Recommended Minimum Qualifications:**

#### Education, Training and Experience:

Master's degree in public administration, business management or closely related field; five years of experience as a municipal administrator; experience with town meeting process; or any equivalent combination of education, training and experience.

#### Special Requirements:

Valid Massachusetts driver's license.

#### Knowledge, Ability and Skill:

*Knowledge:* Thorough knowledge of the principles and practices of public finance, budget management, personnel management, collective bargaining, and intergovernmental relations. Comprehensive knowledge of the functions of municipal government. General understanding of the interaction between local government, state government, and federal government. General knowledge of Massachusetts General Laws as they apply to municipal government. Working knowledge of public administration, practices, and general office procedures. Sufficient knowledge of emerging technologies to recognize its value to the Town.

*Ability:* Ability to plan, organize and direct the preparation of reports, analyze problems, and formulate recommendations. Ability to speak and write effectively. Ability to establish and maintain effective working relationships with all town employees, board/committee members, officials and the general public. Ability to conceptualize and put into operation department and town-wide goals and objectives. Ability to plan, organize, evaluate and control the administration of town programs.

*Skill:* Excellent fiscal and supervisory skills. Skill as a strategic thinker experienced in bringing divergent perspectives to agreement around key public policies and programs. Professional skills related to customer services. Basic skill in utilizing personal computers.

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### Physical Requirements:

*The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Lifts/moves objects weighing up to 10 pounds, files, and types on a keyboard at a moderate speed. Operates automobile to perform in-town and out-of-town travel to transact town business; travel to night meetings are common place in order to confer with the Board of Selectmen and other town bodies. Regularly conveys information to the public.*

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



## Chapter C. Charter

### Article 4. Town Administrator

#### Section 4-1. Appointment; Qualification; Term

The Selectmen shall appoint a Town Administrator and shall fix the compensation for such person, annually, within the amount appropriated by the Town. The Town Administrator shall be appointed solely on the basis of demonstrated executive and administrative qualifications. The Town Administrator shall be a person especially fitted by education, training and or previous experience in public administration to perform the duties of the office. The Town Administrator need not be a resident of the Town at the time of appointment or at any time during the period of such service. The Town Administrator shall not have served in an elective position in Town government for at least twelve months prior to appointment. The Town may from time to time establish by By-law such additional qualifications as seem necessary and appropriate. The Town Administrator shall not hold any other public office, elective or appointive. The Board of Selectmen shall provide for an annual review of the job performance of the Town Administrator which shall, at least in summary form, be a public record.

#### Section 4-2. Powers and Duties

The Town Administrator shall be the chief administrative officer of the Town, directly responsible to the Board of Selectmen for the administration of all Town affairs for which the office of Town Administrator is given responsibility by or under this Charter. The powers and duties of the Town Administrator shall include, but are not intended to be limited to, the following:

- (a) To supervise, direct and be responsible for the efficient administration of all functions and activities for which the office of Town Administrator is given authority, responsibility or control by this Charter, by By-law, Town Meeting vote, vote of the Board of Selectmen, or otherwise.
- (b) To see that the personnel policies and practices, rules and regulations are equally administered for all Town employees. If a union or other personnel contract differs from the general policies, the Town Administrator will see that these are administered according to the contract, with the exception of the Town Administrator's contract which will be overseen and administered by the Board of Selectmen.
- (c) To attend all regular and special meetings of the Board of Selectmen, unless unavailable for reasonable cause, and shall have a voice, but no vote, in all proceedings.
- (d) To keep the Board of Selectmen fully advised at a public meeting or in writing as to the needs of the Town and all Agencies and to make recommendations to the Board of Selectmen of actions required to resolve the situation.
- (e) To prepare the budgets which fall directly under the Board of Selectmen. To oversee the budgets for the Agencies under the supervision of the Selectmen, and in addition the Town Administrator will present to the Selectmen the budgets of elected Agencies and the Capital Plan in such a manner that the Selectmen have an understanding of the total budget. The Town Administrator will also work with the Finance Committee, the Accountant and the Treasurer to develop a plan for the funding of appropriations.
- (f) The Town Administrator will be responsible for Central Purchasing.
- (g) To see that all of the provisions of the laws of the Commonwealth, of this Charter, Town Bylaws, other votes of Town Meeting, and votes of the Board of Selectmen which require enforcement by the Town Administrator or other officers subject to the direction and supervision of the Town Administrator, are faithfully executed, performed or otherwise carried out.

Agency, its officers or employees under the jurisdiction of the Board of Selectmen.

- (i) To attend all sessions of all Town Meetings and to be prepared to answer all questions raised by voters which relate to warrant articles and to matters over which the Town Administrator exercises any supervision.
- (j) To coordinate the activities of all Town agencies serving under the office of Town Administrator and the office of the Board of Selectmen with those under the control of other officers and multiple member bodies elected directly by the voters. For this purpose, the Town Administrator shall have the authority to require the persons so elected, or their representatives, to meet with the Town Administrator, at reasonable times, for the purpose of effecting coordination and cooperation among all agencies of the Town.
- (k) To perform any other duties that are required to be performed by the Town Administrator by By-laws, Administrative Code, vote of the Town Meeting or votes of the Selectmen, or otherwise.

## Section 4-3. Delegation of Authority

The Town Administrator may authorize any subordinate officer or employee to exercise any power or perform any function or duty which is assigned to the office of Town Administrator, provided, however, that all acts performed under any such delegation shall at all times be deemed to be the acts of the Town Administrator.

**TOWN OF TOWNSEND  
CONTRACT OF EMPLOYMENT  
TOWN ADMINISTRATOR**

This Contract of employment (Contract) made this 17<sup>th</sup> day of October 2017, by and between the Town of Townsend and James M. Kreidler, Jr.

**WITNESSETH THAT:**

1. **EMPLOYMENT:** The Town, by and through its Board of Selectmen (the "BOARD" or the "TOWN") hereby appoints, employs and contracts James M. Kreidler, Jr. as Town Administrator of the Town (the "TOWN ADMINISTRATOR"), pursuant to Massachusetts General Law, Chapter 41, Section 108N and Article 4 of the Townsend Charter.
2. **TERM:** The term of this Contract shall be for a four and three quarter (4  $\frac{3}{4}$ ) year period ("Term") commencing October 17, 2017 and ending June 30, 2022.
3. **HOURS OF WORK:** The TOWN ADMINISTRATOR agrees to devote that amount of time that is reasonably necessary to faithfully perform the duties of the position of TOWN ADMINISTRATOR. It is recognized that the TOWN ADMINISTRATOR must devote a great deal of time outside of normal office hours to the business of the Town, and to that end, the hours of work for the TOWN ADMINISTRATOR shall not be specified.
4. **COMPENSATION:** The TOWN ADMINISTRATOR and the Board agree that the position of TOWN ADMINISTRATOR is hereby removed from the Town's non-union compensation and classification plan. The Town shall pay the TOWN ADMINISTRATOR during the term of this Contract on the following basis:
  - a) **For the balance of fiscal year 2018:** Annual base salary of \$125,242.70.
  - b) **For each fiscal year thereafter:** Annual base salary shall be based upon performance and shall be determined by negotiation of the parties. In no event shall the base be increased by anything less than the increase received by any non-union subordinate(s) in the organization.<sup>1</sup>
5. **INSURANCE BENEFITS:** The TOWN ADMINISTRATOR shall be entitled to all

<sup>1</sup> The TOWN ADMINISTRATOR hereby agrees to forfeit his right to a base salary increase of not less than the Fire Chief's base salary increases for FY18 and FY19.



health, life and dental benefits to which other Town employees are entitled on at least the same terms.

**6. INDEMNIFICATION:**

To the extent permitted by law, the Town shall defend, save harmless and indemnify the TOWN ADMINISTRATOR against any tort, professional liability, claim or demand, or other civil legal action, whether groundless or otherwise arising out of an alleged act or omission occurring in the performance of his duties as TOWN ADMINISTRATOR, even if said claim has been made following his termination from employment, except an intentional violation of the civil rights of any person, provided that the TOWN ADMINISTRATOR acted within the scope of his duties. The Town shall pay the amount of any settlement or judgment rendered thereon. The Town may compromise and settle any claim or suit and will pay the amount of any settlement or judgment rendered thereon without recourse to the TOWN ADMINISTRATOR.

The Town shall have the discretion to determine whether or not to assign counsel or reimburse the TOWN ADMINISTRATOR for his reasonable attorneys' fees and costs in connection with such claims or suits involving the TOWN ADMINISTRATOR in his professional capacity, provided that the TOWN ADMINISTRATOR acted within the scope of his duties. Separate counsel will be assigned to the TOWN ADMINISTRATOR in the case of a conflict of interest between the TOWN and the TOWN ADMINISTRATOR'S interests in any such matter.

The provisions of Section 6 shall not apply to disputes between the TOWN and the TOWN ADMINISTRATOR regarding the termination or other separation of his employment, or concerning any of the terms and provisions of this Agreement.

This section shall survive the termination of this Agreement.

**7. ANNUAL VACATION, SICK, PERSONAL AND BEREAVEMENT LEAVE:**

- a) The Town Administrator shall be entitled to a grant of twenty-five (25) days annual vacation leave for FY17, thirty (30) days in FY18 and thirty-five (35) days in FY19 and each year thereafter. In recognition of the demands serving as TOWN ADMINISTRATOR the TOWN ADMINISTRATOR may sell back two weeks of accrued but unused vacation time in each fiscal year.
- b) The TOWN ADMINISTRATOR shall be entitled to a grant of four (4) personal days per year, non-cumulative, for the purpose of transacting or attending to personal, business, or household matters.
- c) The TOWN ADMINISTRATOR shall be entitled to a grant of sick leave in the amount of 15 days per year of this contract and any successor contract, in advance for a total of 45 days covering FY17-18-19 and then a grant of 15 days per fiscal year thereafter. At any given time the TOWN ADMINISTRATOR may accumulate a

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maximum of one-hundred-fifty (150) days. Further, this contract acknowledges that sick time has no monetary value, and as such, any sick time remaining at the time of the TOWN ADMINISTRATOR'S retirement or other separation from employment will be forfeited at no cost to the Town.

- d) The TOWN ADMINISTRATOR shall receive up to three (3) consecutive working days leave with full pay for making arrangements and attending the funeral upon the death of a family member of his immediate family, which shall include the following persons: wife, children, mother, father, brother, sister, mother-in-law, father-in-law, grandparents. All other relatives who do not fall into this category, bereavement time shall be one (1) day.

8. **HOLIDAYS:** The following days or days observed as such, shall be recognized as paid holidays:

New Years Day	Thanksgiving Day	Memorial Day
Washington's Birthday	Independence Day	Christmas Day
Columbus Day	Veterans Day	Labor Day
Martin Luther King Day	Patriot's Day	

9. **AUTOMOBILE MILEAGE STIPEND:** In lieu of a Town-owned and maintained vehicle for use by the TOWN ADMINISTRATOR the Town shall provide the TOWN ADMINISTRATOR an auto mileage stipend of \$300.00<sup>2</sup> per month for the TOWN ADMINISTRATOR to use his personal vehicle in all matters related to his employment. The TOWN will, however, reimburse the TOWN ADMINISTRATOR for all business related travel expenses (e.g. tolls, parking).

Effective July 1, 2019 the auto mileage stipend will increase to \$500.00 per month.

10. **RETIREMENT BENEFITS:** The TOWN ADMINISTRATOR shall be eligible to participate in the Town's retirement program in accordance with chapter 32 of the Massachusetts General Laws.

11. **DUTIES:** The TOWN ADMINISTRATOR shall perform the duties as detailed in section 4 of the Townsend Charter and in the job description for the position of TOWN ADMINISTRATOR attached hereto and to perform other legally permissible and appropriate functions and duties as the BOARD shall from time to time assign. The TOWN ADMINISTRATOR shall be the Chief Administrative Officer of the TOWN, pursuant to the Townsend Charter.

12. **PROFESSIONAL DEVELOPMENT:** The TOWN agrees that the TOWN ADMINISTRATOR shall be given adequate opportunities to develop his skills and abilities as a public administrator; accordingly, with the prior permission of the TOWN

<sup>2</sup> The Town Administrator reserves the right to have this payment converted to weekly "regular compensation" with all appropriate deductions for retirement purposes, provided the same is consistent with law and approved by the appropriate Retirement Board(s).





the TOWN ADMINISTRATOR will be allowed to attend professional conferences each year without loss of vacation or other leave, and will be reimbursed by the TOWN for all expenses (including travel expenses) incurred while attending or traveling to the aforementioned conferences.

The TOWN also agrees, with the prior approval of the TOWN, to pay for reasonable travel and related expense of the TOWN ADMINISTRATOR for short courses, institutes, and seminars that, in the TOWN ADMINISTRATOR'S reasonable judgment, are necessary for his professional development.

The Town shall reimburse the TOWN ADMINISTRATOR for reasonable expenses incurred in connection with his attendance at professional management development courses and/or seminars, including, but not limited to, tuition for one college level course per semester at a college of the TOWN ADMINISTRATOR'S choice, subject to the prior approval of the TOWN and subject to appropriation.

**13. DUES AND SUBSCRIPTIONS DUES AND SUBSCRIPTIONS:** The TOWN agrees to budget an amount of \$1,500.00 subject to appropriation, and to pay for the professional dues and subscriptions of the TOWN ADMINISTRATOR, subject to the approval of the TOWN, for his continuation and full participation in national, regional, state and local associations and organizations necessary and desirable for his continued professional growth and advancement, and for the good of the TOWN.

**14. RESIGNATION-DISCIPLINE - REMOVAL - TERMINATION:**

The Town may discipline the TOWN ADMINISTRATOR by oral reprimand, written reprimand, suspension or removal. The TOWN ADMINISTRATOR shall not be removed, suspended, reprimanded or otherwise disciplined in any way, except for just cause and by a unanimous vote.

- a) Reprimand or Suspension- The Town may serve an oral or written reprimand upon, or suspend, the TOWN ADMINISTRATOR only for just cause.
- b) Removal- The Town may remove the TOWN ADMINISTRATOR for just cause by a unanimous vote of the members of the Board after a hearing. The TOWN ADMINISTRATOR shall have the option of choosing whether or not any such hearing shall be closed to the public or held as an open or public hearing. A vote of removal may be appealed by the TOWN ADMINISTRATOR to the American Arbitration Association and such vote of removal shall not be deemed final until the decision of the arbitrator. The TOWN ADMINISTRATOR shall be placed on paid administrative leave with no loss in pay or benefits under this contract until his appeal is exhausted. If an arbitrator cannot be agreed upon, the parties will both submit the matter to the American Arbitration Association for selection in accordance with its procedures. The cost of any arbitration shall be split equally between the parties.

The parties hereby agree that the decision of the Arbitrator shall be deemed final and binding upon the parties and that the parties may only appeal the arbitrator's decision to the Superior Court of the Commonwealth of Massachusetts on a point of law.

- c) In any disciplinary action brought against him, the TOWN ADMINISTRATOR shall have the right to be represented by counsel at his own expense.
- d) In all phases of disciplinary action the TOWN ADMINISTRATOR shall be given at least ten (10) business days prior written notice, which will include an explanation of the action being contemplated, the just cause therefore, the date(s) and time(s) of all alleged offenses or violations of the contract, and the date and time of the hearing. After any hearing, the TOWN must make a written report of the evidence presented and its findings of fact. No evidence may be relied upon which was not produced, and allowed to be responded to, during the disciplinary process.
- e) Either party as provided below may terminate this Contract.
  - i) Mutual written agreement- signed by the TOWN and the TOWN ADMINISTRATOR, upon such terms and conditions as may be acceptable to both parties at the time of termination.
  - ii) Non-Renewal- Unless the TOWN provides written notice to the TOWN ADMINISTRATOR of a unanimous vote of its intention to not renew this contract no less than twelve (12) months prior to the end of its initial or any extended terms ("notice period"), this Contract shall automatically be extended on the then applicable terms and conditions for an additional term.

The parties mutually agree that terms and conditions of this or any successor contract shall remain in full force and effect during any subsequent negotiations unless and until changes, if any, are agreed upon, are reduced to writing and executed by the parties. The parties may mutually agree to negotiate any terms and conditions of this Contract at any time.

iii) In the event the TOWN ADMINISTRATOR'S contract is not renewed or in the event TOWN ADMINISTRATOR elects to resign following a formal suggestion by the TOWN that he resign, before the expiration of the then applicable term of employment the TOWN agrees to pay the TOWN ADMINISTRATOR a lump sum severance payment equal to twelve (12) months' salary and benefits.

iv) In the event the TOWN ADMINISTRATOR intends to resign voluntarily before the natural expiration of any term of employment, then the TOWN ADMINISTRATOR shall give the TOWN thirty (30) days written notice in advance, unless the parties otherwise agree in writing. Provided such notice is given or the parties otherwise agree in writing, the TOWN ADMINISTRATOR will be entitled to receive pay for any accrued but unused vacation leave.





v) Upon resignation in good standing or retirement, the TOWN ADMINISTRATOR shall receive severance pay equal to one week for each year of service up to a maximum of twelve (12) weeks to be paid as a lump sum cash payment within thirty (30) days of the date of resignation or retirement.

The Town recognizes its obligation to provide the TOWN ADMINISTRATOR with periodic performance evaluations. Each year, on or before December 31, the BOARD shall review and evaluate the performance of the TOWN ADMINISTRATOR utilizing an evaluation instrument to be developed and approved by the parties, all in conformance with the Public Records and Open Meeting Law. Performance shall be presumed satisfactory if no evaluation is conducted.

**15. RESIDENCY:** The TOWN ADMINISTRATOR need not be a resident of Townsend to hold this position.

**16. GENERAL PROVISIONS:**

- a) The TOWN agrees that it shall not at any time during the term of this Contract reduce the salary, compensation or other benefits of the TOWN ADMINISTRATOR, except to the extent that such reduction is evenly applied across-the-board for all employees of the TOWN.
- b) This writing constitutes the complete agreement of the parties as of the date of execution, and any supplemental or additional agreement or amendment to this Contract shall be effective only if in writing and signed by the TOWN and the TOWN ADMINISTRATOR.
- c) If any provision of this contract or any portion thereof is held unconstitutional, invalid, or unenforceable, the remainder of this Contract shall not be affected and shall remain in full force and effect.
- d) For any clause of this contract which provides that a certain benefit to the TOWN ADMINISTRATOR shall be subject to appropriation, the TOWN understands and acknowledges that it shall be responsible to budget and support any such appropriation at any and all town meetings.
- e) Governing Law: This Agreement shall be governed by and construed in accordance with the Charter of the Town of Townsend and the laws of the Commonwealth of Massachusetts.
- f) A failure to appropriate an amount sufficient to fund all of the provisions of this contract shall be deemed to be a breach of contract and shall obligate the TOWN to pay the severance provision detailed in Section 14 e) iii) above or the cash value of the salary and benefits of the balance of the contract, whichever is greater.

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**FOR THE TOWN OF TOWNSEND**

**By: Its Board of Selectmen:**

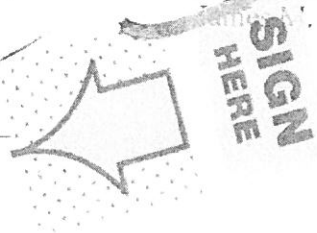
Gord N. Clark  
Gordon Clark, Chair

Cindy King  
Cindy King, Vice-Chair

Sue Lisio  
Sue Lisio, Clerk

**By: Town Administrator**

William W. Kreidler, Jr.



W. Kreidler, Jr.





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

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

Cindy King, *Vice-Chairman*

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

POLICY #9-2018

BOARD OF SELECTMEN

**Purpose:** To Facilitate Responsible Use of Social Media

**Policy:** Social Media

## I. INTRODUCTION

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

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

## II. DEFINITIONS

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



2. A “social media identity” is a specific user identity or account that has been registered on a third party social media site.
3. A “blog” (an abridgement of the term web log) is a town of Townsend website with regular entries of commentary, descriptions of events, or other material such as graphics or video.
4. A “moderator” is an authorized town of Townsend official (appointed or elected) or employee, who reviews, authorizes and allows content submitted by the town officials, employees and public commentators to be posted to a town of Townsend social media site or sites.

### III. POLICY

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

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



15. No [City/Town] or department social media site can endorse or otherwise cite (either with approval or disapproval) vendors, suppliers, clients, citizens, co-workers or other stakeholders.

16. Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

#### IV. employee GUIDELINES for use of social media sites

1. **Electronic Communications and Computer Usage Policy.** All employees are responsible for understanding and following the [City/Town]'s Electronic Communications and Computer Usage Policy, in addition to this Policy.

2. **First Amendment Protected Speech.** Although the [City/Town] can moderate the social media sites that accept comments from the public (such as blogs and wikis) to restrict speech that is obscene, threatening, discriminatory, harassing, or off topic, employees cannot use the moderation function to restrict speech with which the [City/Town] merely disagrees (i.e. subject matter restrictions). Users have some First Amendment rights in posting content to public social media sites hosted by municipalities. Moderators must respect those rights by posting all comments other than those excluded for specific legitimate reasons, as referenced above.

3. **Copyright Law.** Employees must abide by laws governing copyright and fair use of copyrighted material owned by others. Never reprint whole articles or publications without first receiving written permission from the publication owner. Never quote *an* excerpt of someone else's work *without acknowledging the source*, and, if possible, provide a link to the original.

4. **Conflict of Interest.** *Employees are prohibited from using social media to engage in any activity that constitutes a conflict of interest for the Town or any of its employees, as defined by G.L. c. 268A.*

5. **Protect Confidential Information.** Never post legally protected personal information that you have obtained from the [City/Town] (e.g., information that is not public record under the Public Records Law, G.L. c.66, §10 and G.L. c. 4, §7(26), or whose dissemination is restricted under applicable Federal or State privacy laws or regulations). Ask permission to publish or report on conversations that occur within the [City/Town]. Never post information about policies or plans that have not been finalized by the [City/Town], unless you have received explicit permission from your supervisor to post draft policies or plans on the department's social media sites for public comment.

6. **Consider Your Content.** As informal as social media sites are meant to be, if they are on a government domain or a government identity, they are official government communications. Social media sites will be sought out by mainstream media – so a great deal of thought needs to go into how you will use the social media in a way that benefits both the [City/Town] and the public. Employees should not comment about rumors, political disputes, or personnel issues, for example.

7. **Handling Negative Comments.** Because the purpose of many social media sites, particularly department blogs and wikis, is to get feedback from the public, you should expect that some of the feedback you receive will be negative. Some effective ways to respond to negative comments include:

- a) Providing accurate information in the spirit of being helpful;
- b) Respectfully disagreeing; and
- c) Acknowledging that it is possible to hold different points of view.

8. **Respect Your Audience and Your Coworkers.** Do not use ethnic slurs, personal insults, obscenity, or engage in any conduct that would not be acceptable in your department's workplace. Do not be afraid to be yourself, but do so respectfully. This includes not only the obvious (no ethnic slurs, personal insults, obscenity, threats of violence, etc.) but also proper consideration of privacy and of topics that may be considered objectionable or inflammatory—such as party politics and religion. Do not use your department's social media presence to communicate among fellow [City/Town] employees. Do not air your differences with your fellow [City/Town] employees on your department's social media's sites.

9. **Use the Social Media Site or Identity Only to Contribute to your Department's Mission.** When you contribute to your department's social media site or identity, provide worthwhile information and perspective that contribute to your department's mission of serving the public. What you publish will reflect on the [City/Town]. Social media sites and identities should be used in a way that contributes to the [City/Town]'s mission by:

- a) Helping you and your co-workers perform their jobs better;
- b) Informing citizens about government services and how to access them;
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- d) Creating a forum for the receipt of candid comments from residents about how government can be improved; and
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10. **Mistakes.** The [City/Town] policy is that once something is posted, it should stay posted. Only spelling errors or grammar fixes should be made without making the change evident to users. If you choose to modify an earlier post, make it clear that you have done so—do not remove or delete the incorrect content; provide the correct information and apologize for the error. Ways to accomplish this include:

- a) Strike through the error and correct; or
- b) Create a new post with the correct information, and link to it from the post you need to correct or clarify.

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

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

12. **Personal Comments.** Make it clear when you are speaking for yourself as a resident or stakeholder, and not on behalf of the [City/Town] of \_\_\_\_\_. If you publish content on any website of the [City/Town] and it has something to do with the work you do or subjects



associated with the [City/Town], use a disclaimer such as this: "The postings on this site are my own and don't necessarily represent the [City/Town's] positions or opinions."

**13. Employee or Official Profile.** If you identify yourself as a [City/Town] employee or official, ensure your profile and related content is consistent with how you wish to present yourself to colleagues, residents and other stakeholders.

**14. Defamation.** Be aware that employees acting in their individual capacity (not on behalf of the [City/Town]) are not immune from defamation claims. Under Massachusetts law, defamation is established by showing that the defendant published a false, non-privileged statement about the plaintiff to a third party that either caused the plaintiff economic loss or was of the type that is actionable without proof of economic loss. Some statements, like imputation of a crime, are defamatory per se. Avoid statements that may be interpreted as defamatory.

**15. Records Retention.** Social media sites will contain communications sent to or received by [City/Town] officials and employees, and are therefore Public Records. Ensure that the [City/Town] or department retains a copy of the social media content in accordance with Public Records Retention Schedules. Review the third party social media service provider's terms of service for its record retention practices. Note that while third party social media providers will most likely save your content for some period of time, they generally will not save it indefinitely. To the extent their policies are inconsistent with Public Records Retention Schedules, the [City/Town] or department should retain copies of social media posts such as by printing or otherwise storing periodic "snapshots" of the social media sites.

**16. Open Meeting Law.** Be aware of the Open Meeting Law and possible violations for improper deliberations outside of a posted meeting. A series of individual postings on a social media site cumulatively may convey the position of a quorum of a governmental body regarding a subject within its jurisdiction, and may constitute improper deliberation among the members of a board or committee.

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### SOCIAL MEDIA POLICY

This acknowledges that I have received and reviewed the Social Media Policy, with attachments, of the [City/Town] of \_\_\_\_\_("Policy"). By signing this form, I agree to abide by the Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I recognize that the law and associated Policy regarding use of Social Media are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*To be included in employee's personnel file.*

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

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

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

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

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

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





## **The Open Meeting Law and Social Media — Potential Pitfalls**

The Open Meeting Law (OML) prohibits a quorum of a public body from deliberating outside of a properly posted public meeting about matters within the jurisdiction of that body. When the OML was revised in 2010, “deliberation” was expressly defined to include exchanges by email. There is ample precedent from the Attorney General’s Division of Open Government (“Division”) that a violation of the OML occurs when a quorum emails about official business. It is less clear, however, how the OML applies to social media, such as Facebook, Twitter or Instagram, where communication is typically less direct. In fact, there are an ever increasing number of social media formats that leave a record of written posts or other communications that could lead to OML violations. While there is no clear answer, members of multiple member bodies should approach the issue proactively, exercising caution to avoid social media exchanges that could result in a written exchange between a quorum of members in violation of the OML.

The Division found a violation of the OML when one board member sent an email to the other members expressing her opinion on a matter within the jurisdiction of that board, even though none of the other members responded. See OML 2012-93. In that case, the Division concluded that a single member had violated the OML by sharing her opinion with a quorum outside of a posted meeting. Trying to anticipate how this ruling would apply to exchanges on social media, consider the result if a board member posts a comment on her Facebook page concerning a pending application for a permit, and a majority of her fellow board members are Facebook “friends”. Is the fact that a quorum may have read the post enough to violate the OML? In the only formal determination concerning a Facebook post, the Division found no violation when a board of selectmen chairman posted an opinion on a matter before the board on his Facebook page, but the Division also specifically noted that the other Selectmen did not follow the chairman on Facebook. See OML 2013-27. This holding suggests that the Division could have found a violation if the other board members had access to each other’s Facebook pages, and that such a finding would have been even more likely if the other members posted comments in response to the original post.

Community social media platforms are often a constructive means for residents to exchange opinions and share ideas, and elected or appointed municipal board members may wish to similarly share their expertise, insight, and opinions. The Division recognizes that certain action taken by members of a multiple-member body may be “political” in nature, and has concluded that discussions between members of a public body may not violate the OML if they relate to a political statement. See OML 2012-10. However, the Division cautions that members of a board or committee must be “conscious, when formulating such statements, of the need to limit discussion to the political statement and avoid discussing matters that are within the public body’s jurisdiction”. The repercussions for making a mistake in this regard are potentially severe, ranging from an order that all posts be made part of a meeting record, to invalidating a vote or decision made by a board, or even imposing a fine for repeat offenses.

While the Division has not yet issued much formal specific guidance on this topic, here are some issues members of a public body should consider when using social media:

1. The safest course is to avoid “friending” or “following” members of your board or committee, and further to refrain from commenting on “friends of friends” posts on other members’ pages or sites as to any matter within the jurisdiction of your board or committee.
2. If you do choose to “friend” or “follow” other members, avoid posting with respect to applications, hearings or other specific matters that are pending or likely to be pending before your board. Note that in addition to avoiding OML issues, this proactive approach will also protect the public body from a charge that the body has violated the due process rights of the applicant.
3. If you do choose to post concerning municipal matters, such posts should be made in a broad fashion so as to address the remarks to the public, i.e., all followers or “friends”, rather than targeting just fellow board members. We anticipate that the Division would look to whether the member’s comments were intended to reach the quorum, similar to an email addressed to a quorum, as opposed to reaching everyone with access to the social media site. In other words, while simply posting a comment may not violate the OML, even if a quorum of board members are “friends”, calling them out in the post, and/or sending a direct message, would be likely to do so.
4. If you see a post from a fellow board member on a specific pending matter, do not write a comment or reply in any way. If needed, you may request that the chair include the topic on the notice for a properly posted meeting.
5. Comments made to a closed listserve format, where the member is presumably aware that their fellow board members will “receive” the comments, if challenged, would likely pose a significant risk of a violation for improper deliberation.

In summary, members of boards and committees do not cede all of their first amendment rights when they take office. However, great caution should be exercised when using any social media platform to discuss matters within a board member’s official jurisdiction, particularly if the board member is “connected” with a quorum of members of their multiple-member body. Such “discussions” occurring in the context of a public hearing or other quasi-judicial process may also create a very real risk of due process claims. Finally, if social-media statements are made by elected or appointed officials concerning municipal matters, ensure that it is clear such statements are made in the political context, such as using a “campaign” page or the like.

Please contact Attorney Brian W. Riley ([briley@k-plaw.com](mailto:briley@k-plaw.com)) or any member of the firm’s Government Access and Information Group at 617.556.0007 with further questions on the Open Meeting Law and social media.

Disclaimer: This information is provided as a service by KP Law, P.C. This information is general in nature and does not, and is not intended to, constitute legal advice. Neither the provision nor receipt of this information creates an attorney-client relationship with KP Law, P.C. Whether to take any action based upon the information contained herein should be determined only after consultation with legal counsel.

**THE LEADER IN PUBLIC SECTOR LAW**

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# **SAMPLE SOCIAL MEDIA POLICY**

## **I. INTRODUCTION**

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

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

## **II. DEFINITIONS**

1. “Social media sites” and “social networking sites” refer to websites that facilitate user participation, networking, and collaboration through the submission of user generated content. Social media in general includes tools such as: blogs, wikis, microblogging sites, such as Twitter; social networking sites, such as Facebook and LinkedIn; video sharing sites, such as YouTube; and bookmarking sites such as Del.icio.us.
2. A “social media identity” is a specific user identity or account that has been registered on a third party social media site.
3. A “blog” (an abridgement of the term web log) is a [City/Town] of \_\_\_\_\_ website with regular entries of commentary, descriptions of events, or other material such as graphics or video.
4. A “moderator” is an authorized [City/Town] of \_\_\_\_\_ official (appointed or elected) or employee, who reviews, authorizes and allows content submitted by the [City/Town] officials, employees and public commentators to be posted to a [City/Town] of \_\_\_\_\_ social media site or sites.

## **III. POLICY**

1. All [City/Town] social media sites shall be:
  - a) approved by \_\_\_\_\_ [insert title of appropriate official]; and
  - b) published using social media platform and tools approved by the Information Technology Department (“IT”).



2. The official posting for the [City/Town] will be done by \_\_\_\_\_ [insert title of appropriate official] or their designee.
3. Departments have the option of allowing employees to participate in existing social media sites as part of their job duties, or allowing employees to create social media sites as part of their job duties. Department Heads may allow or disallow employee participation in any social media activities in their departments.
4. All [City/Town] social media sites shall adhere to applicable state, federal and local laws, regulations and policies including the Public Records Law, Public Records retention schedules, Open Meeting Law, Copyright Law and other applicable [City/Town] policies.
5. Public Records Law and e-discovery laws and policies apply to social media content. Accordingly, such content must be able to be managed, stored and retrieved to comply with these laws. Furthermore, once such content is posted on a social media site, it should stay posted, unless it is removed for one of the reasons set forth below in paragraph Numbers 10 or 11, or it is changed to fix spelling or grammar errors.
6. All social media sites and entries shall clearly indicate that any content posted or submitted is subject to public disclosure.
7. Each [City/Town] social media site shall include an introductory statement which clearly specifies the purpose and topical scope of the blog and social media/network site. Where possible, social media sites should link back to the official [City/Town] of \_\_\_\_\_ Internet site for forms, documents and other information.
8. Each [City/Town] social media site shall indicate to users that the site is subject to a third party's website Terms of Service. Furthermore, each [City/Town] social media site shall indicate that: the social media site provider could collect personal information through user's use of the social media site; and that this personal information may be disseminated by the third party; and that such dissemination may not be governed or limited by any state, federal or local law or policy applicable to the [City/Town].
9. All social media sites shall clearly indicate they are maintained by the [City/Town] of \_\_\_\_\_ and shall have the [City/Town] of \_\_\_\_\_ contact information prominently displayed.
10. The [City/Town] reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law.
11. [City/Town] social media content and comments containing any of the following forms of content shall not be allowed for posting:
  - a) **Comments or content** not topically related to the particular site or blog article being commented upon;
  - b) Profane, obscene, or vulgar language or content;



- c) *Comments or content* that promotes, fosters or perpetuates discrimination on the basis of race, color, gender, gender identity, national origin, religion, ancestry, age, sexual orientation, disability, maternity leave, genetic information, or active military status;
- d) *Comments or content that is threatening or harassing;*
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12. All [City/Town] social media moderators shall be trained regarding the terms of this policy, including their responsibilities to review content submitted for posting to ensure compliance with the policy.

13. Where appropriate, [City/Town] IT security *and/or computer use* policies shall apply to all social media sites and articles.

14. Officials (elected or appointed) and employees representing the [City/Town] via social media sites must conduct themselves at all times as a representative of the [City/Town] and in accordance with all applicable rules, regulations, and policies (including personnel policies) of the [City/Town] of \_\_\_\_\_. See Section IV, Employee Guidelines for Use of Social Media Sites.

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4. **Conflict of Interest.** *Employees are prohibited from using social media to engage in any activity that constitutes a conflict of interest for the Town or any of its employees, as defined by G.L. c. 268A.*

5. **Protect Confidential Information.** Never post legally protected personal information that you have obtained from the [City/Town] (e.g., information that is not public record under the Public Records Law, G.L. c.66, §10 and G.L. c. 4, §7(26), or whose dissemination is restricted under applicable Federal or State privacy laws or regulations). Ask permission to publish or report on conversations that occur within the [City/Town]. Never post information about policies or plans that have not been finalized by the [City/Town], unless you have received explicit permission from your supervisor to post draft policies or plans on the department's social media sites for public comment.

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Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

***To be included in employee's personnel file.***



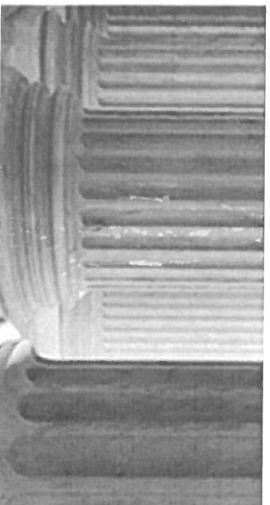


# LEGAL (AND PRACTICAL) CONSIDERATIONS: RISKS AND BENEFITS OF SOCIAL MEDIA

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Massachusetts Selectmen's Association  
2018 Fall Conference  
Lauren F. Goldberg, Esq.

KP | LAW



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ATTORNEYS AT LAW

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# What To Think About Before Jumping Into Social Media – Institutional and Personal Use

- Facebook, Twitter, Instagram, etc. – which, if any, makes sense to use?



- **Issues to consider:**
  - Terms of Service – are they consistent with needs of municipality? Records retention issues?
  - Purpose for use of site? Communication? Information? Advocacy?



# What To Think About Before Jumping Into Social Media, Cont. – Municipal Sites

- **Adopt a social media policy**
  - Develop a policy that will set forth clear expectations and guidelines for the use of social media by employees in their official capacities
  - Interplay with municipality's regulation of use and public employees' rights under First Amendment and collective bargaining issues
  - Draft policy can be found here: <http://www.k-plaw.com/pdf/Sample%20social%20media%20policy.pdf>

Lauren is quoted here: <http://quincy.wickedlocal.com/news/20170416/social-media-presents-opportunities-challenges-for-massachusetts-communities>

- **Releases**
  - Consider requiring releases before posting pictures on social media sites



# What To Think About Before Jumping Into Social Media, Cont. – Municipal Sites

- Consider adoption by municipality of Communication Plan establishing general rules for use of social media by officials and employees— see the plan adopted by the Town of Garner, NC here: <http://www.garnernc.gov/home/showdocument?id=4649>



# What To Think About Before Jumping Into Social Media – Municipal Sites

- **Determine social media administrators – only certain people should have access to and be authorized to post on municipal social media sites**
- **Provide training to social media administrators**
- Administrators/moderators need to have an understanding of the legal considerations so that posts do not run afoul of relevant laws and the municipal policies
- Also important legal considerations when reviewing content/comments posted by the public

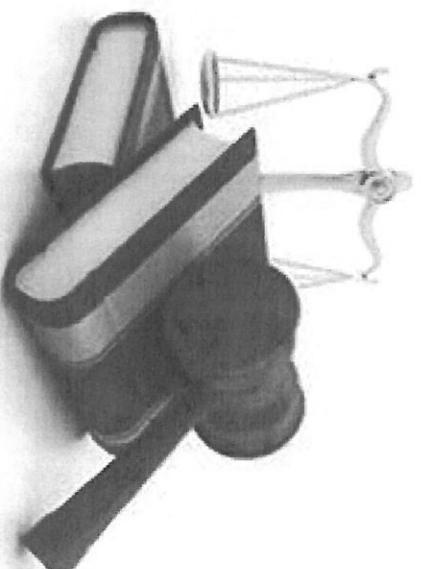
## For example:



# What To Consider Once Municipality Has Established A Social Media Presence

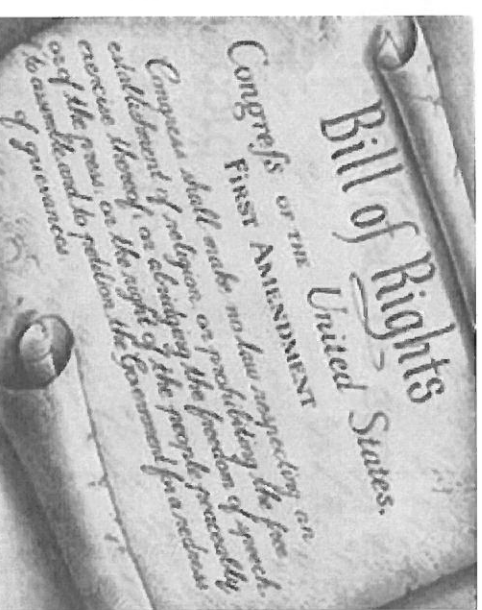
- **Public Records Law, G.L. c.66, §10**
  - Records retention
  - Policy to retain copies of social media pages and posts
  - Do not post information that is not public record
- **Open Meeting Law, G.L. c.30A, §§18-25**
  - Communications among a quorum of board members on social media can constitute an open meeting law violation
  - Click here for a discussion of the OML and social media: <http://www.k-plaw.com/wp-content/uploads/2017/01/Open-Meeting-Law-and-Social-Media-Potential-Pitfalls.pdf>
- **Copyright Law\***

\*All the clipart used in this Powerpoint is free to use commercially



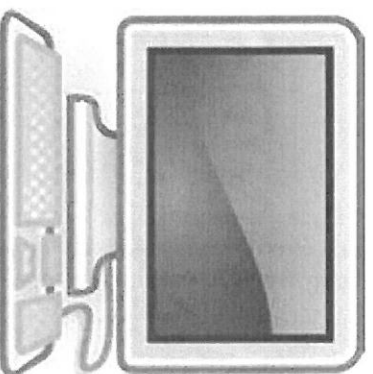
# What To Consider Once A Municipality Has Established A Social Media Presence, cont.

- **The First Amendment**
  - Cannot restrict comments by private individuals based on the content of the speech
  - Can impose content-neutral restrictions
- **Risk of a defamation claim**



# Personal Use Of Social Media – On the job...

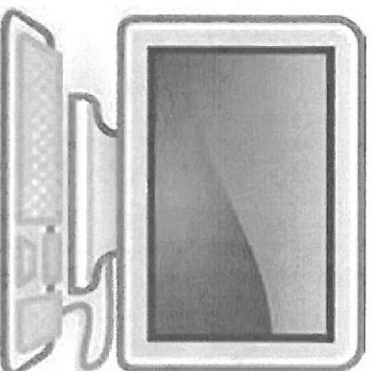
- **Municipality may consider adopting an Acceptable Use Policy**
  - Public use of internet/social media
  - Personal use of internet/social media
- **No right to privacy**
  - Consider stating in the Acceptable Use Policy and/or employee handbook that employees have no right to privacy with the municipality's technology devices, information systems and electronic communications, and all are subject to monitoring and inspection by municipal administrators





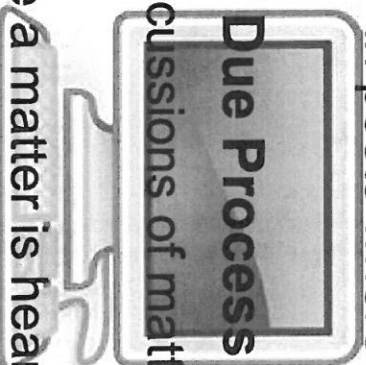
# Personal Use Of Social Media – Benefits

- Timely Communication
- Real-time information for constituents
- Increased public participation, especially by those more likely to use social media
- Build support for projects or positions
- Provide information about important meetings, events or initiatives
- Communicate important information related to public health and safety



# Personal Use Of Social Media – Risks

- **Beware - Violations of the Open Meeting Law**
  - Do not directly reference other Board members
  - Do not “reply” to posts by other Board members
  - Consider not “engaging” in posts where other Board members have responded
- **Beware - Violations of Due Process**
  - Do not participate in discussions of matters that are or may be pending before the Board
  - Taking a position before a matter is heard can lead to claims of bias
- **Beware - Discrimination**
  - Americans with Disabilities Act
  - Failure to provide “equal access” to government; not all people have internet access



# Personal Use Of Social Media – Practical Steps

- If you will use social media, make sure to differentiate between any “official site” you might use, and a “private” site, such as a campaign site
- If you post on social media in your “personal” capacity, make sure you so indicate
- Use your municipal e-mail address rather than a private e-mail address for “official business”
- Use social media in your “official capacity” for public announcements, emergency alerts, event reminders
- DO NOT debate or discuss matters with members of the public if such matters are or could be pending before the Board

# Personal Use Of Social Media – Practical Steps

- Establish clear rules for constituents and post them on the page
- Monitor page for improper use by the public and ensure that matters that could constitute violations of state and federal law are deleted
- Consult with counsel if there are concerns about a particular participant's use of the page
- Consider building "new" page for project specific issues
- Consider asking municipality to build a page if matter becomes too controversial or there are too many issues raised
- Remember that as a member of a multiple member body you cannot "speak for" the body unless you are authorized by a majority of the members to do so!!



# CONTACT INFORMATION

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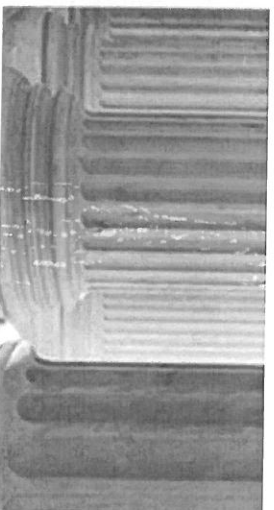
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THE LEADER IN PUBLIC SECTOR LAW  
ATTORNEYS AT LAW

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4.3

Office of the  
BOARD OF SELECTMEN  
272 Main Street Townsend, Massachusetts 0146

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

Cindy King, Vice-Chairman

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

POLICY #9-2018

BOARD OF SELECTMEN

**Purpose:** To continue efforts to provide a positive and pleasant work environment with clear expectations for all.

**Policy:** Code of Conduct Policy

**I. PURPOSE:**

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

**II. POLICY:**

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

- I. Employees are expected to use reasonable judgement in dressing appropriately for a workplace environment. This includes personal hygiene, grooming, and wearing clothing that is appropriate for a business setting or employee's role with the Town. Supervisors should make expectations clear to their employees when it comes to appropriate work attire.

### III. ROLES AND RESPONSIBILITIES:

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

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

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

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

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





## ARTICLE 9

### 9. STANDARDS OF CONDUCT

The Town of Townsend strives to create and maintain a positive work environment. The Town stresses courteous and respectful behavior towards your fellow employees and the public. An employee should have a responsible attitude. The following standards will assist in clarifying differences in judgment. These standards simply outline general principles on which employees are expected to base their behavior. The examples are not meant to be all-inclusive. In general, employees can anticipate that actions harmful to another employee or to the Town are cause for disciplinary procedures or possible dismissal. Employees are expected to respect the individual rights and privacy of others.

#### **Standards**

Employees are expected to perform all duties assigned by their department head or designee regardless of your title, unless deemed to be illegal or unethical.

If anyone is injured, notify the department head or designee immediately. All claims must be reported to the Town Administrator and as applicable to the appropriate Insurance Carrier. A Supervisor's Report of Injury must be completed and submitted to the Board of Selectmen's office.

Property belonging to the Town, its customers, vendors or employees shall not be defaced or damaged, nor shall Town equipment or property be used without authorization or for personal matters.

#### **Dress code Standards**

The Town of Townsend has a recognized interest in promoting a favorable public image by ensuring that its employees with customer contact are presentable and reflect positively on the image of town government.

#### **Violations of Standards**

The following are considered violations of town policy for which disciplinary action, such as immediate suspension and possible termination may occur:

Reporting to work under the influence of drugs or alcohol, possession or use of alcohol or illegal drugs during working hours.

Fighting or any belligerent behavior or misconduct that endangers the life or property of others.

Any security violation involving a willful intent to defraud (such as theft).

Possession of dangerous weapons.



Flagrant insubordination such as leaving a work location contrary to direct instructions, refusal to do assigned tasks.

### **Conflict of Interest**

The Massachusetts Conflict of Interest Law, Chapter 268A of the General Laws, prohibits public employees from soliciting or accepting gratuities for or because of, their official duties. This law prohibits certain activities, which could result in a conflict of interest or create the appearance of a conflict of interest. If you have any questions, please contact the Town Administrator. Pamphlets providing information on the Conflict of Interest statute are available from the Treasurer, the Town Clerk and the Town Administrator.

### **Special Municipal Employees**

Generally municipal employees are prohibited from holding more than one paid position or contracting with the same city or town. However, special municipal employee status can be assigned to certain municipal positions by vote of the Board of Selectmen. Several specific municipal positions are automatically designated as “special” under the law. Employees are eligible to be designated as a special municipal employee provided that:

The employee is not paid; or

The employee holds a part-time position that allows them to work at another job during normal working hours; or

The employee was not paid by the town for more than 800 working hours (approximately 20 weeks full-time) during the preceding 365 days.

It is the municipal position that is designated as having special status, not the individual. Therefore, all employees holding the same office or position must have the same classification as special. Refer to State Ethics Commission Fact Sheet No. 4 entitled “Special Municipal Employees”, copy of which is available from the Board of Selectmen’s office. An employee needs further clarification on any issue you have regarding the Conflict of Interest Law, please feel free to call the State Ethic’s Commission’s Legal Division at 617-727-0060.

### **Gifts & Contributions**

Employees are prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loan or any other item of substantial value (\$50 or more) from anyone with whom they have or are likely to have official dealings. Massachusetts Conflict of Interest Law Chapter 268A of the General Laws addresses this issue in detail. The Town of Townsend takes this issue seriously. Violators face potential prosecution under the law.

### **Release of Public Records or Disclosure of Confidential Information**

The Town of Townsend has contact with many organizations including state, county and federal governments, private businesses, news media and citizens. In many cases the Town is dealing with issues that are of a confidential and sensitive nature. Employees must be cautious not to disclose confidential or sensitive information which could lead to legal and financial repercussions for the Town, poor public relations and/or bad employee morale.





The Massachusetts Public Records Law provides that any person has the right of access to public information. This right of access includes the right to inspect, copy or have copies of records provided upon the payment of a reasonable fee. A guide to the Public Records Law is available from the Office of the Town Clerk.



## EXECUTIVE ASSISTANT TO THE TOWN ADMINISTRATOR

### ESSENTIAL FUNCTIONS

Provide administrative assistance to the Town Administrator. Work closely with the Town Administrator to determine priority issues; review and react to initial options. Answer all routine correspondence and keep the Town Administrator informed on issues that should be brought to his/her attention. Produce documents and reports for the Town Administrator and Board of Selectmen; schedule appointments and meetings and maintain the Town Administrator's calendar; establish and maintain department files; maintain office files and provide other related services as required.

Assist in the preparation of Town Administrator's and Board of Selectmen's budgets; maintain records related to departments' budgets; process accounts payable; prepare purchase orders for office supplies and equipment.

Coordinate preparations for Town Meeting and related warrants, articles, reports and motions. Assist with preparation of the Town Administrator's Recommended Budget, Capital Improvement Program and Finance Committee Report. Place appropriate legal notices for public hearings; arrange for posting of warrants.

Responsible for the preparation of the Town's Annual Report; edit reports from department heads, boards, committees and commissions and prepare a camera-ready final document for printing.

Assists the Town Administrator with executive business functions and daily office management.

Coordinates activities of the Town Administrator with others. Assists in administrative and budget management, personnel activities to include distribution of performance evaluations to department heads, office record keeping, and any official business of the Town.

Investigates and answers complaints or, if necessary refers to the Town Administrator or proper department head. Provides information and assists Town Administrator on policy matters; offers recommendations on all matters affecting office operations.

Handles special projects as assigned by Town Administrator.

Assists individual members of the Board of Selectmen.

Provides high-level clerical support to the Board of Selectmen, preparing agenda information and gathering background files for action items; prepares all necessary correspondence and follow-up actions resulting from Board meetings.

Addresses needs and questions as they arise in the absence of the Town Administrator.

Administers payroll and processes accounts payable invoices and prepares weekly vouchers.

Compares expenditures with appropriation amounts; identifies and refers issues to Town Administrator.

Handles and refers department mail.

Explains procedures, regulations and/or policies based on knowledge of Town Government.

Oversees and administers the Town's risk management and insurance programs to include Liability, Property, Workers' Compensation and Fleet. Reviews all insurance contracts and bills, handles all workers' compensation audits, claims management activities and communications in the absence of Human Resources Manager.

Prepares and advises department heads on procurement issues, bid specifications and R.F.P.'s as needed.

Plans, coordinates, and calendars meetings and events.

Administers procedures for licenses (i.e. alcoholic beverages, common victualler, special events etc.) under jurisdiction of Board of Selectmen; reviews applications for completeness; schedules and advertises hearings within the required deadline; prepares approvals for appropriate signatures and issues approved licenses. Maintains records of all licenses issued by the Board mails renewal reminders, receives fees and maintains accounting records.

Orders supplies for Town Administrator, Selectmen, Town Hall copy machines, and as needed for committees and boards without clerical support. Maintains and responds to Town Hall contracts (i.e. phones, copy machines); coordinates any repair requests with vendors.

### **PHYSICAL ENVIRONMENT**

Work is performed in a municipal office setting, with frequent interruptions from the public and other town employees. The employee operates standard office equipment. The employee is required to stand, walk, sit, talk, listen and use hands to operate equipment. Regular lifting and carrying of files, documents, records, etc. standardly not to exceed 25 pounds. Vision requirements include the ability to read routine documents and view a computer monitor. Work intensity is variable with periods of extreme activity occurring several times a year. Normal office environment, not subject to extremes in temperature, noise, odors, etc. May spend extended periods at a terminal, on the telephone, or operating other office machines requiring eye-hand coordination and finger dexterity. Regular lifting and carrying of files, documents, records, etc.

### **KNOWLEDGE, SKILLS AND ABILITIES**

#### **Knowledge:**

- Knowledge of local and state government, Town Charter, pertinent local policies and procedures and by-laws, departmental operations and practices, etc.
- Knowledge and understanding of the issues within the Town of Townsend, and the ability to present information to others in a positive, discrete, and informative way.
- Comprehensive knowledge of municipal functions and office procedures, practices, forms and equipment.
- Knowledge of state and local laws pertaining to various permits.

- Knowledge of Town Charter and bylaws, as well as other policies and current legislation which may affect the Town operations.
- Knowledge of bidding procedures, requests for proposals, and central register filings as required by procurement law.
- Knowledge of standard office procedures, practices, forms and equipment; superior secretarial skills.

**Skills:**

- Skilled with excellent customer service and public relations.
- Skilled at multi-tasking and managing special projects that are assigned by the Town Administrator.
- Skilled at an intermediate or expert level ability in word processing, publishing, spreadsheet and website applications (i.e. MS Office, town website administration).

**Abilities:**

- Ability to work independently and with others to analyze complex issues to develop recommendations for the Town Administrator and Board of Selectmen.
- Ability to exercise judgment and a high degree of tact and diplomacy in responding to and resolving issues and problems on behalf of the Town Administrator.
- Ability to prepare routine to complex correspondence and reports utilizing all features of Microsoft Office.
- Ability to understand, learn, interpret and explain policies and procedures, and to apply such guidelines appropriately to different situations.
- Ability to interact effectively and tactfully with a wide variety of individuals elected officials, department/division heads, staff, union officers and the public.
- Ability to communicate clearly and concisely with others, both verbally and in writing.
- Ability to prioritize multiple tasks and deal effectively with interruptions.
- Ability to perform detailed work accurately and efficiently within strict deadlines.
- Ability to recognize Town-wide priorities and work cooperatively to support their accomplishment as part of the Town Administrator's administrative/management team.
- Ability to plan, organize and direct the preparation of routine to complex correspondence and reports.
- Ability to work independently.
- Ability to formulate recommendations.
- Ability to handle highly sensitive and/or political matters discreetly and confidentially.
- Ability to understand, learn, interpret, and explain policies and procedures.
- Ability to deal effectively and tactfully with citizens, town employees, town officials, business and political leaders, and the news media.
- Ability to coordinate work with other departments.
- Ability to perform detailed work accurately and efficiently within strict deadlines.

**EDUCATION AND EXPERIENCE**

**Education:** Associates Degree in business or public administration or a related field or two (2) years secretarial, para legal or business school; five (5) to seven (7) years of experience of related senior



office management or municipal administrative experience; or an equivalent combination of education and experience.

### **PROBLEM SOLVING**

This position performs complex administrative, analytical and professional work in support of the Town Administrator, and the Board of Selectmen through the Town Administrator. Manages and coordinates the Town's official executive business functions, including administrative and budget management, record keeping, accounts payable, insurance programs and any official business of the Town. Must be able to independently evaluate new information or circumstances, synthesize this information, evaluate alternative outcomes, apply and direct the correct response.

### **PHYSICAL SKILLS**

Essential functions of the job are largely mental rather than physical but may require one or more combination of physical strength, stamina and agility.

### **INTERACTIONS WITH OTHERS**

Provide first-line assistance to internal and external customers of the Town, including the public, residents, Town staff, department heads, board and committee members, etc. Greet visitors, explain office procedures and government processes; respond to questions within level of expertise and authorization; and work with town department heads and staff to resolve issues and problems on behalf of the Town Administrator and Board of Selectmen. Issues vary widely from routine information to very complex and confidential information.

Answers inquiries, routes requests and addresses complaints from the general public, providing information and making referrals to the Town Administrator and other departments as necessary.

Communicates via telephone, E-Mail, and in person on a frequent basis with citizens, elected and appointed officials, department heads, co-workers, business officials, vendors, and representatives from the news media or other local and state agencies.

Provides explanation or interpretation of practices, procedures, regulations or guidelines in order to render service, plan or coordinate work efforts, or resolve operating problems.

### **CONFIDENTIALITY**

The employee has regular access to confidential information in accordance with the State Public Records law on a department-wide basis, including CORI information, personnel files, collective bargaining, bid documents, vendor contracts, health, liability and workers' compensation insurance agreements, lawsuits, client and department records.

### **OCCUPATIONAL RISK**

Duties do not generally present any occupational risk. Minor injuries (e.g. bruises, minor cuts or muscle strains) could occur.

**COMPLEXITY**

High level executive administrative support duties and work consisting of varied and extensive assignments requiring the practical application of a variety of concepts, practices and specialized techniques relating to a professional and highly technical administrative field.

**SUPERVISION RECEIVED /GIVEN / SCOPE**

This position is under the day to day administrative direction of the Town Administrator and works from standard operating policies and procedures. Employee functions independently and generally establishes own work plan and priorities to complete work assignments. Refers specific problems to Town Administrator only where clarification, interpretation, or exception to municipal policy may be required. Provide supervision and guidance to other employees in same or similar classification. Supervision is limited to explanation and guidance unless otherwise directed.

**JUDGEMENT AND INITIATIVE**

Exercises considerable judgement and initiative in coordinating the activities of the Town Administrator's and Selectmen's Office, in assisting the Town Administrator, and in responding to inquiries and situation that may not clearly be defined by precedent or established procedures. Addresses needs and questions as they arise in the absence of the Town Administrator.

**ACCOUNTABILITY**

Responsible to independently produce accurate work, coordinate work products with others, meet deadlines and assist others in job completion. Most work is not independently verified or checked. Consequences of errors, missed deadlines, or poor judgement could result in delay or loss of services, monetary loss, legal repercussions, and adverse public relations.



## EXECUTIVE ASSISTANT TO THE TOWN ADMINISTRATOR

### **Position Purpose:**

The purpose of this position is to provide professional and executive level administrative and technical support for the Selectmen's/Town Administrator's Office. Responsible for highly confidential and time sensitive materials. Performs a wide variety of complex duties. Work involves extensive public contact and office management duties. Employee is responsible for managing and researching critical data and providing various reports containing specialized information. Performs all other related work as required.

### **Supervision:**

*Supervision Scope:* Performs varied and responsible duties requiring a thorough knowledge of municipal operations and the exercise of judgment and initiative to carry out assignments independently, analyzes situations and conditions, and determines appropriate course of action from among many alternatives. A wide degree of creativity and latitude is expected.

*Supervision Received:* Work is performed under the administrative direction of the Town Administrator. Work is performed independently requesting assistance with unusual situations which do not have clear precedents.

*Supervision Given:* None

### **Job Environment:**

A majority of work is performed under typical municipal office conditions; noise level is moderate.

Regularly operates a computer, telephone, copier, facsimile machine and other standard office equipment.

Makes frequent contacts with various boards and committee members, town officials, town employees, Attorneys, Federal, State and Local Officials, surrounding town and city officials, contractors, businesses and organizations. Contacts are in person, in writing, and by telephone and require considerable persuasiveness and resourcefulness to influence the behavior of others.

Has access to department confidential information and personnel information. The application of appropriate judgment, discretion and professional office protocols is required.

Errors could result in significant confusion and delay, loss of department services, financial repercussions; errors could cause exposure for the town to certain legal liabilities.



**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.)*

Responsible for the efficient day-to-day administrative operations of the Selectmen's/Town Administrator's Office. Provides executive level administrative and technical support for the Town Administrator and the Board of Selectmen, which includes all correspondence, meeting scheduling, compiling reports, filing, answering phone calls and handling citizen requests, processing daily mail, and other related tasks. Responds to and resolves problems and inquiries.

Under the direction of the Town Administrator, performs work in administering certain personnel programs. Works closely with the Town Administrator to establish and realize organization's goals. Prepares employee packets for orientations. Maintains personnel files. Schedule physicals, and maintain confidential medical files. Processes annual paperwork for sexual harassment. Performs administrative work related to EAP program. Works in conjunction with Treasurer's office for employee benefits. Maintains union contract documents.

Assists the Town Administrator with hiring processes, preparing and advertising job announcements, and posting positions.

Performs administrative work related to Town insurances. Responsible for insurance processing to include claims, renewals, distribution of materials to departments relating to Workers Compensation, Disability, Auto and Property & Casualty. Updates on an annual basis insurance needs and requirements for the Town. Prepares vehicle reports and requirements.

Acts as liaison between Town Administrator, the public, town departments and officials to maintain flow of information and communications.

Performs duties related to town meetings. Schedules posting of warrants, process payments to constable, notify school to post on bulletin boards. Assists in the preparation of Town Meeting material, whether printed or electronic.

Compiles information and prepares various reports, minutes, correspondence, annual town report and other documents. Performs research in preparation of warrants, budgets, policy issues and other similar matters. Assists the Town Administrator in the preparation and dissemination of information for various meetings. Collects reports from the town departments and prepares annual Town Report.

Prepares election warrant for the Selectmen's signature, schedule posting warrant; process payment to the constable; notify school to advertise on bulletin board.

Prepare weekly payroll for signature by the Town Administrator; process to Treasurer.

Track and assign all keys to Memorial Hall.



Prepare bills payable for signature by the Town Administrator.

Track and record all transactions for budgets under the Selectmen via financial software; reconcile with Accountant. Reconcile petty cash with Accountant.

Maintains and orders supplies for all departments.

Assists Facilities Manager in meeting the maintenance needs of facilities.  
Assists the Town Administrator and the Town Accountant with procurement.

Oversees all agreements for copying machines located in Town hall; schedules repairs.

Monitors budgetary allocations. Reviews and processes bills for payment.

Types a variety of reports and documents from rough copy or transcription; drafts routine documents and correspondence; utilizes word processing, spreadsheet, financial and database software applications.

Performs similar or related work as required.

**Recommended Minimum Qualifications:**

**Education, Training and Experience:**

Associates Degree and three to five years of progressively responsible experience in administrative work in Municipal government, including working with the public, supervisory experience, office management and experience in the operation of computer-driven word processing, spreadsheet and file maintenance programs preferred; training and experience in municipal personnel administration desirable; or any equivalent combination of education and experience.

**Knowledge, Ability and Skill:**

*Knowledge:* Thorough knowledge of office procedures, practices and terminology. Thorough knowledge of town operations. Knowledge of office equipment and the operation of contemporary computer software applications for word processing, spreadsheet, database, presentation, Email and Internet, and desktop publishing. Knowledge of personnel practices in local government. General knowledge of municipal accounting, personnel administration and public administration.

*Ability:* Ability to prioritize and complete multiple tasks at one time with frequent interruptions. Ability to establish and maintain effective and harmonious working relationships with town officials and departments, state agencies and the general public including high-stress situations. Ability to communicate effectively in written and oral form. Ability to maintain detailed records.

Ability to handle inquiries and/or complaints tactfully and effectively. Ability to maintain confidentiality.

*Skill:* Excellent customer service and interpersonal skills. Skill in operating computers and utilizing appropriate software applications. Excellent organizational skills. Office management skills. Skill in all of the above listed tools and 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.*

While performing the duties of this job, the employee is frequently required to work at a desk; regularly convey information to employees and the public; regularly move about inside the office to access file cabinets and office machinery. The employee must occasionally lift and/or move objects weighing up to 25 pounds, such as supplies, folders, and books. Ability to operate a keyboard and calculator at efficient speed and to view computer screens for extended periods of time.

*(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.)*

**HRS**

**HUMAN RESOURCES SERVICES, INC.**

*Management Consultants to Local Government*

RECEIVED  
MAR 27 2017

TOWN OF TOWNSEND  
TOWN CLERK

**MUNICIPAL POSITION CLASSIFICATION AND RATING MANUAL**

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# MUNICIPAL POSITION CLASSIFICATION AND RATING MANUAL

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# MUNICIPAL POSITION CLASSIFICATION AND RATING MANUAL

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## INTRODUCTION

Similar Point Factor Evaluation Systems have been used successively by many State and Local governments. This system has been developed to specifically include an emphasis on customer service, the increased use of information technologies, and a higher level of demand and complexity for municipal positions. The logical relationships between the descriptive categories have also been strengthened.

Position Evaluation is the formal procedure of appraising the value of each job in relation to other jobs in an organization based on an analysis of job content.

The *Municipal Position Classification and Rating Manual* is a "Point Factor Method" which is a quantitative method of position evaluation. Jobs are evaluated several times, once for each job factor. This is done by comparing the job's content on one factor (e.g., its complexity) with a descriptive measurement scale and repeating the process for all other factors. Each scale contains degree levels describing increasingly higher levels of the relevant factor. Each degree level carries with it a specific number of points. An evaluator (or rater) determines which degree level definition best describes the content of the job. Points awarded on each factor scale are then added together to determine the job's overall point score. The total score determines the pay grade to which a job will be assigned.

The process described in this manual increases the uniformity and objectivity in the application of judgements about positions. Five categories and fourteen (14) widely accepted factors with degrees of applicability are the basis for determining job worth. These are as follows:

### *Physical Environment of the Job*

- Physical Environment

### *Requisite Capabilities*

- Basic Knowledge, Training & Education
- Problem Solving Skills & Effort
- Physical Skills and Effort
- Experience

### *Job Characteristics*

- Interactions with Others
- Confidentiality
- Occupational Risks
- Complexity

### *Supervisory Relationships*

- Supervision Received
- Supervision Given
- Supervision Scope

### *Responsibility*

- Judgement and Initiative
- Accountability



Position rating is not an exact science; however, this procedure introduces an element of objectivity in the evaluation process. A position should be rated without consideration to the qualifications of the present employee and the salary or wage rate being paid.

In evaluating positions, the rater is strongly urged to use the points assigned to the factor degrees. Any deviation from consistent application of the manual will compromise the validity of the process.

Ideally, position evaluation should be performed by more than one person. A Human Resource Director and Department Head are good choices because one has intimate knowledge of the position and the other has comprehensive knowledge of all positions in the organization. An outside job rating analyst is also useful because the analyst's perceptions are not affected by knowledge of incumbent employees. In any event, the final rating should be the result of pooled judgments.

The use of this manual is a four step process:

- (1) Prepare a copy of the *Position Rating Summary Sheet* for each position to be rated. A copy of this sheet appears in the back of the manual. The best source of information on each job is a position description which is the culmination of a recent job analysis. Position descriptions should be standardized among all the municipal positions.
- (2) In each of the fourteen rating categories select the paragraph (degree level) that most closely matches the position's requirements. You will find some selections are easier to make than others because each descriptive paragraph is a general statement intended to cover a broad range of positions. You may find that certain elements in the particular paragraph may not apply to the position. Use your judgement in making a selection based upon the overall intent of the paragraph as it applies to the position being rated. There is a level of discretionary judgement used throughout the entire process by the rater. This is appropriate as long as the judgement of the rater is applied in a consistent manner. Once having selected a "best first" paragraph, enter the number of the corresponding degree into the matching box on the rating sheet.
- (3) Once all the degree levels have been selected and assigned, use the *Points Assigned to Factor Degrees* scoring sheet to translate the degree selected to a corresponding score. When two or more raters are evaluating a position they should discuss their reasons for making different degree level choices. Usually it is possible to come to an agreement. Each rater should work to achieve consensus with the others. Rating differences are discussed and resolved, and a preliminary assignment of positions to grades is made on the basis of agreed-upon point totals.
- (4) Compare the final score to the score ranges listed in the *Grade Determination Scale*. A position rating score will always fall within a score range on the *Grade Determination Sheet*. This score range corresponds to a grade level appearing in the right hand column. This grade level in turn corresponds to a compensation grade on the compensation plan. The compensation steps and/or rates applicable to the grade apply to the position.

In rating positions for the first time, the grades form the basis for a classification structure. In maintaining a pay and classification structure, the *Grade Determination Scale* indicates where a new position should be placed and whether a current position should be upgraded or downgraded.

Remember, every position is evaluated in relation to each factor and according to the degree of applicability as defined within this manual. Positions are evaluated without regard to the qualifications of the current employee(s) in the position or the compensation rates being paid. Compensation reviews are a separate process. The relative “fit” of each position within the overall plan is also reviewed so that position ranking includes other considerations unique to a particular municipality.

## Municipal Position Classification And Rating Factors

### **1. PHYSICAL ENVIRONMENT**

This factor measures the totality of the surroundings and/or circumstances under which the job must be performed, the degree of difficulty which this imposes, and their representative or exceptional nature. The degree to which these factors hinder the employee's ability to perform assigned responsibilities are considered.

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- 1<sup>st</sup> Degree** Typical office and climate controlled working conditions with few distractions, loud noises or other unpleasant elements and which are generally maintained in a neat and clean condition.
- 2<sup>nd</sup> Degree** Good working conditions, but periodically subject to significant air temperature fluctuations, odors and/or fumes, dust and temporary exposure to weather. Work is generally performed in climate-controlled conditions as in an office, corridors, assembly area, or a light or medium duty maintenance shop; outside activities may have to be suspended during inclement weather.
- 3<sup>rd</sup> Degree** Acceptable working conditions which may involve some risks, discomforts or unpleasantness. May have occasional exposure to inclement weather, dirt, grease or other adverse elements; some high levels of noise; some exposure to smoke, fumes, irritating chemicals; working around machinery and its moving parts; occasional chance of injury or attack, possible exposure to communicable diseases; occasional work at heights, or prolonged pressure during emergencies. Special safety precautions or protective clothing such as gowns, coats, gloves, shields, or boots may be required.
- 4<sup>th</sup> Degree** The work involves high risks or discomforts on a continuing or regular basis. Many perform work outdoors regardless of the weather, recurring chance of physical injury or attack; frequent work at great heights or with high voltage equipment. Work involves the exposure to several adverse elements on a continuing and prolonged basis.
- 5<sup>th</sup> Degree** The work involves high risks with exposure to potentially hazardous or dangerous conditions. Work requires high degree of tolerance to combinations of extremely unpleasant elements. May involve working at great heights during extreme weather conditions. Employee must be relieved at frequent intervals in order to protect physical well-being and/or safety. Extreme care and safety precautions are required.

## 2. BASIC KNOWLEDGE TRAINING AND EDUCATION

This factor measures the basic knowledge or "scholastic content" however it may have been acquired, essential as background or training to perform the job. This background may have been acquired through formal education, outside study, technical training, skills and capabilities learned on jobs of a lesser degree, or by any combination of these approaches. This factor is expressed below both in terms of knowledge and equivalent education.

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- 1<sup>st</sup> Degree** Basic knowledge of arithmetic, American English and grammar. Accuracy in checking, posting and counting. Duties require the ability to communicate. The incumbent must be able to follow simple instructions. Equivalent to elementary/middle school education.
- 2<sup>nd</sup> Degree** Ability in bookkeeping, posting and filing functions and/or advanced computational skills and units of measure. Operational ability with basic office equipment such as typewriters, adding machines, calculators, facsimile machine, telephone, and copier. Utilization of personal computer primarily for word processing or job specific applications. Ability to operate a motor vehicle. Apprenticeship or basic knowledge of crafts or trades. Must be able to communicate routine information, and work reliably from written instruction. Equivalent to high school education.
- 3<sup>rd</sup> Degree** Work involves use of complex procedures requiring special knowledge or ability, e.g., operation of business equipment; utilization of personal computers including intermediate knowledge of department applications and/or word processing, database, and spreadsheet applications, data entry terminals, and transcribing equipment; essential functions may require working familiarity with technical terminology, basic laboratory procedures, shop machinery, and a variety of precision measuring instruments and/or some training generally applicable to a particular field. Journeyman ability in trades or crafts. Ability to operate specialized heavy motor equipment such as a large truck, grader, backhoe, etc. Equivalent to high school plus additional broad specialized training equal to one to two years of advanced training or college.
- 4<sup>th</sup> Degree** Intensive knowledge of a specialized field such as education, government, civil, electrical, or mechanical engineering; nursing, accounting, finance, information technology (e.g., CAD, GIS, Statistics) or a specific construction field or other trade, as well as general knowledge of related fields; or knowledge of major municipal functions or activities. Equivalent to college or university education or master ability in trades or crafts.
- 5<sup>th</sup> Degree** Work requires advanced theoretical or technical knowledge of a highly specialized professional field (e.g. business administration, public administration, library science, public health, engineering). Equivalent to one to two years work in a graduate school at the Master's level.
- 6<sup>th</sup> Degree** Essential functions demand knowledge equivalency of a Doctoral degree in an advanced and highly specialized field such as public policy, education, law or medicine.

### 3. PROBLEM SOLVING SKILLS AND EFFORT

This factor measures the type and range of problem solving which the position consistently requires. Consider the analysis, evaluative, creativity, and reasoning skills required; consider the ability to make conclusions and the body of knowledge required.

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- 1<sup>st</sup> Degree** Requires the ability to successfully perform assigned tasks and coordinate work with others. Work is usually performed at a moderate pace and follows established and routine procedures.
- 2<sup>nd</sup> Degree** Requires an understanding of spatial, mechanical and/or conceptual relationships, cause and effect relationships between tasks and job completion, and the independent ability to identify and complete required tasks. Must be able to successfully apply basic literacy skills. Work requirements are varied and require the ability to adjust the work pace and/or task sequences to complete assigned jobs.
- 3<sup>rd</sup> Degree** Requires having full command of representative job knowledge, the ability to analyze common job related problems, acquire or develop new information from varied sources, independently develop and successfully apply problem solutions. Work requirements are varied and may be unpredictable. Requires the ability to develop alternative ways for successfully completing the important work within externally imposed constraints.
- 4<sup>th</sup> Degree** Requires a strong understanding of and the ability to successfully apply complex concepts from a body of knowledge or specific discipline. Frequently the meaning and implications of concepts and their application must be explained and clearly communicated to others. Routinely requires that work be organized, methodologies adapted to varied circumstances, and that associated tasks be efficiently and effectively accomplished producing completed work. Requires good interpersonal skills.
- 5<sup>th</sup> Degree** Requires advanced training, experience and understanding of a complex body of knowledge or intellectual discipline including the ability to independently evaluate new information, events or circumstances, synthesize this information, evaluate alternative outcomes, apply and direct the successful application of varied resources. Requires strong interpersonal and communication skills with individuals and groups.
- 6<sup>th</sup> Degree** Requires a highly developed knowledge of and experience with complex bodies of knowledge and disciplines including advanced analytical and evaluative skills and their successful application. Must synthesize information from multiple sources and disciplines, develop and successfully apply informed judgements to continuously varied circumstances. Requires well-reasoned and immediate decision making skills. Requires excellent interpersonal, communication, and presentation skills.



**7<sup>th</sup> Degree** Requires highly trained and practiced evaluative skills, understanding of multiple disciplines and related theory or highly complex concepts, their relevance, application and both near and long term implications. May require the ability to add to professional and discipline specific knowledge and the ability to successfully apply newly acquired or developed complex information and ideas to resolve institutional or other far-reaching problems. Requires excellent interpersonal, communication, and presentation skills appropriate to highly varied individuals and audiences under many different circumstances. Requires decisive and affective action.

#### **4. PHYSICAL SKILLS AND EFFORT**

This factor measures the degree of physical effort or exertion required in the performance of essential work functions under regular conditions. Consider the physical activities of manual labor, standing, walking, etc. as well as the exertion of physical force for intermittent or short period.

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- 1<sup>st</sup> Degree** Requires little or no physical effort. Work effort involves sitting to do the work with intermittent periods of stooping, walking, standing, reaching or lifting.
- 2<sup>nd</sup> Degree** The essential functions of the job are largely mental rather than physical, but the job may occasionally require one or a combination of physical strength, stamina, and agility for activities such as standing, walking, climbing stairs, moving objects, operating a computer or other office equipment, keyboarding and filing, and operating a motor vehicle.
- 3<sup>rd</sup> Degree** Work requires physical strength, stamina and agility to move around construction sites, playing fields or over rough terrain, to stand, sit or stoop for extended periods of time without interruptions, to lift occasionally moderately heavy items (i.e., weights of up to 50 lbs.), to do some stretching to return or retrieve material. May be required to stand or walk for extended periods of time. Also involves manual dexterity and regular hand and eye coordination (computer application work, data entry, constant typing) or ear, eye and hand coordination (operation of motor vehicle) on a regular basis. Other examples include using hand and power tools, climbing a ladder, and preparing scale drawings.
- 4<sup>th</sup> Degree** Essential functions require moderate physical strength to regularly lift moderately heavy items (e.g., items weighing 50 lbs or more), to stand and/or be active physically for extended periods, to perform moderate manual labor for long periods; to push and shove heavy objects; or to periodically exert strenuous effort; or the essential functions require periods of physical demand to pursue on foot over at times varying terrain or barriers, to subdue persons with moderate force.
- 5<sup>th</sup> Degree** The work involves frequently recurring assignment requiring heavy strenuous effort to perform such work as lifting and carrying objects over 100 lbs. Or heavy manual labor effort on a continuous basis.

## 5. EXPERIENCE

Experience measures the length of time usually or typically required for the position, with the specified "basic knowledge, training and education" to perform the essential work functions effectively under normal supervision. The length of time required to become proficient at a job requires previous qualifying experience in a related or less responsible position either with the organization or outside the organization.

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| <b>1<sup>st</sup> Degree</b> | Up to three months of related experience.                              |
| <b>2<sup>nd</sup> Degree</b> | Over three months up to and including one year of related experience.  |
| <b>3<sup>rd</sup> Degree</b> | Over one year up to and including three years of related experience.   |
| <b>4<sup>th</sup> Degree</b> | Over three years up to and including five years of related experience. |
| <b>5<sup>th</sup> Degree</b> | Over five years up to and including seven years of related experience. |
| <b>6<sup>th</sup> Degree</b> | Over seven years up to and including ten years of related experience.  |
| <b>7<sup>th</sup> Degree</b> | Over ten years of related experience.                                  |

## **6. INTERACTIONS WITH OTHERS/CUSTOMER SERVICE**

This factor measures the relative level of human interaction and the responsibility which goes with the job for meeting, dealing with, and influencing other persons. In rating this factor, consider how often the contacts are made, whether they involve furnishing or obtaining information only, or whether they involve influencing others. This factor measures interpersonal skills required in work relationships and their importance to the success of the work.

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- 1<sup>st</sup> Degree** Employee works alone most of the time or has little or no interaction with others except with immediate co-workers and own supervision.
- 2<sup>nd</sup> Degree** Cooperative work interactions with employees in the department or other municipal offices incidental to the purpose of the work involving giving and receiving factual information about the work; there may be occasional contacts with the public. Ordinary courtesy and tact are required.
- 3<sup>rd</sup> Degree** Interactions with others involve explanation, discussion or interpretation of what is required in order to render service, plan or coordinate work effort, or resolve operating problems. Contacts are with service recipients, the general public and employees of outside organizations such as other agencies, vendors or banks. More than ordinary courtesy, tact and diplomacy may be required to resolve complaints or deal with customers.
- 4<sup>th</sup> Degree** Interaction with groups or individuals such as civic leaders, contractors, peers from other municipalities, representatives of government agencies, the news media, representatives of professional organizations when the employee serves as a spokesperson or recognized authority for the department or municipality in matters of substance or considerable importance; or person-to-person interactions with dangerous persons, where gaining concurrence, cooperation or control is achieved through persuasion, motivating, influencing, or similar skills and/or where the use of force may be required to obtain the desired effect.
- 5<sup>th</sup> Degree** The position requires considerable persuasiveness, resourcefulness, discretion, and negotiating skills to influence the decisions and behavior of personnel in multiple departments or organizations, the general public, vendors, and representatives of the governments. Resolves the more difficult customer service requests.
- 6<sup>th</sup> Degree** Relationships with high ranking officials from outside the municipality such as State Legislators, the Governor, Congress, executives of Federal or State agencies or others who have a significant impact on the policies and program of the department or municipality to justify, defend, negotiate or settle matters involving significant or controversial matters, or litigation where the decisions will have a substantial impact on municipal policy. Employee must possess high degrees of diplomacy and judgment and must be able to work effectively with and influence all types of persons. The essential work functions of this position require a well-developed sense of strategy and timing in representing the municipality effectively in critical and important situations which may influence the well-being of the municipality.

## 7. CONFIDENTIALITY

This factor measures the discretion and integrity required by those positions which have access to privileged information handled or obtained in the normal performance of duties. In rating this factor, consider the nature of the information, the full significance and meaning of the confidential information, and whether disclosure would compromise the municipality or the public, or constitute a breach of security.

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| <b>1<sup>st</sup> Degree</b> | Has no exposure to confidential information  |
| <b>2<sup>nd</sup> Degree</b> | Has access to some confidential information where the effect of any disclosure would probably be negligible or where the full significance would not be apparent in the work performed.  |
| <b>3<sup>rd</sup> Degree</b> | Works with limited confidential information such as organization personnel records, bid proposals, citations, occasional litigation, computer system networks and/or security, etc., which, if disclosed, might adversely effect operations, employee morale, create adverse public relations or otherwise be legally inappropriate. |
| <b>4<sup>th</sup> Degree</b> | Has regular access to departmental information and/or a wide variety of confidential information such as criminal investigations, negotiating positions, development proposal details, public assistance related client details, etc. or confidential information relating to inter-departmental project plans and programs.         |
| <b>5<sup>th</sup> Degree</b> | Has full and complete access to municipal-wide confidential information. The disclosure of such information would cause very serious legal, operational, financial or other repercussions for the municipality.  |



## 8. OCCUPATIONAL RISKS

This factor measures the relative degree of exposure to hazards which might cause injury on the job. In rating this factor, consider both the probability of injury as well as the severity of injuries, if any accident actually occurred.

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| <b>1<sup>st</sup> Degree</b> | Duties of the job present little or no potential for injury  |
| <b>2<sup>nd</sup> Degree</b> | Duties generally do not present any occupational risk. Minor injury could occur, however, through employee failure to follow safety procedures. Examples of injury include minor bruises from falls, minor cuts or burns, or muscular strains from lifting or carrying heavy equipment or materials. |
| <b>3<sup>rd</sup> Degree</b> | Duties present potential risk of minor injuries which could result in loss of time from work. Examples of injury include sprains, burns from chemicals, steam or fire, muscular strains from working with heavy materials and illness from exposure to communicable disease.                         |
| <b>4<sup>th</sup> Degree</b> | Duties may involve frequent exposure to hazardous conditions involving the possibility for serious injury or occasional exposure to conditions which could result in total and permanent disability or loss of life.   |
| <b>5<sup>th</sup> Degree</b> | Duties involve frequent exposure to hazardous conditions; injuries could result in total and permanent disability or loss of life.   |

## 9. COMPLEXITY

This factor considers how difficult it is to perform the essential functions of the job. Jobs are made more difficult by the range and diversity of the assignment of duties, various uses of information technology, the specificity and relevance of guidelines for performing the work, and the nature or thinking challenge required to accomplish the work.

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- 1<sup>st</sup> Degree** The work consists of simple, routine or repetitive tasks, operations or procedures with some variations in the established routine.
- 2<sup>nd</sup> Degree** The work consists of varied duties involving generally standardized practices, procedures or processes. The work sequence or procedures used vary as a result of differences in field conditions, the particular facts, transactions, entry of the information involved.
- 3<sup>rd</sup> Degree** The work consists of varied and extensive assignments requiring the practical application of a variety of concepts, practices and specialized techniques relating to a professional, highly technical or administrative field. Assignments typically involve evaluation and interpretation of factors, conditions or unusual circumstances; inspecting, testing, or evaluation compliance with established standards or criteria; gathering, analyzing and evaluating facts or data using specialized fact finding techniques; or determining the means to accomplish the work.
- 4<sup>th</sup> Degree** The work consists of a broad range of assignments employing many different concepts, theories, principles, techniques and practices relating to a professional or administrative field. Assignments typically concern such matters as studying trends in the field for application to the work; assessing services and recommending improvements; planning projects; devising new techniques for application to the work, recommending policies, standards, or criteria; and solving typical occupational problems.
- 5<sup>th</sup> Degree** The work consists of managerial and administrative assignments involving broad functions and processes such as planning, organizing, controlling, coordination, evaluating, integrating activities and programs.

## **10. SUPERVISION RECEIVED**

This factor evaluates the nature of the instructions, directions, control and/or monitoring which a position receives.

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- 1<sup>st</sup> Degree**      Receives general and procedural instructions prior to performing most jobs. Is asked to achieve specific task results and work is periodically checked to verify correctness.
- 2<sup>nd</sup> Degree**      Receives general work instructions and is expected to satisfactorily complete routine tasks with minimal or no instruction. For occasional or special work assignments receives general and procedural instructions. Once job comprehension and correctness are verified receives minimal performance monitoring.
- 3<sup>rd</sup> Degree**      Once assigned or after job requirements are mastered, nearly all work is performed with minimal instruction or monitoring. Work may be verified for accuracy or correctness.
- 4<sup>th</sup> Degree**      Has responsibility for developing and recommending work requirements. Is given general objectives and may be monitored for progress, coordination and completion.
- 5<sup>th</sup> Degree**      May receive general guidance, but has responsibility to develop program and/or operating objectives. Is expected to coordinate work with others, report the project results achieved and may be given additional follow up assignments.
- 6<sup>th</sup> Degree**      May receive some general guidance, but the position is expected to be self-directing. Periodic progress reports may be given, but otherwise review is given only or primarily to the ends results.

## 11. SUPERVISION GIVEN

In rating supervision given, a number of factors should be considered: (1) type of supervision (functional, technical, direct, administrative, etc.); (2) accountability measured in terms of responsibility for specific results, operation costs and methods; (3) responsibility for personnel actions (hiring, discipline, termination, orientation, training, developing policies and procedures, etc.); and (4) budget development and control through subordinates.

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| <b>1<sup>st</sup> Degree</b> | None.  |
| <b>2<sup>nd</sup> Degree</b> | May provide immediate functional or technical direction and monitoring to other employees in the same or a closely related classification where the work of the supervised employee(s) is essentially the same as the work of the supervisor or crew leader. Supervision is limited to explanation and guidance. May assume relief responsibility for a supervisor. Has little or no responsibility for total costs, methods or personnel. |
| <b>3<sup>rd</sup> Degree</b> | Provides immediate direction, control and monitoring over a functional unit or section with time spent assigning, explaining, checking progress and reviewing routine work. Supervisory responsibilities include direct accountability for quantitative and qualitative results, but do not extend to personnel hiring or firing or budgetary control. May act as division or department head during absences.                             |
| <b>4<sup>th</sup> Degree</b> | Provides direction, control and monitoring of a major division, highly technical section, multiple operating divisions or a department. Includes responsibility for service delivery results, personnel actions, workforce and job planning, budget administration and cost control.   |
| <b>5<sup>th</sup> Degree</b> | Has general supervisory responsibility for a department or division of a major department, including all personnel actions, work force planning, all phases of budget management and cost control.   |
| <b>6<sup>th</sup> Degree</b> | Directs and coordinates the operations of a major department or two or more departments through subordinate supervisors who are responsible for supervision over individual departments. May assume temporary responsibility for the entire municipality in the chief executive's absence.   |
| <b>7<sup>th</sup> Degree</b> | Directs, coordinates, plans, organizes the overall operation of the municipality conforming to the general objectives and directives established by the governing body.  |

## 12. SUPERVISION SCOPE

This factor is used to evaluate the extent, breadth and depth of direction, monitoring and review given.

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| <b>1<sup>st</sup> Degree</b> | Is not required to provide basic job instructions to others or control projects.  |
| <b>2<sup>nd</sup> Degree</b> | Is required to provide only basic job instructions, coordination and review of work quality and progress.   |
| <b>3<sup>rd</sup> Degree</b> | Is required to provide most job instructions, directions, coordinates multiple activities, jobs or projects and may provide training in basic job skills. Regularly reviews job performance, task and/or job coordination and the quality of the work performed. May develop work requirements and has responsibility to assure jobs or projects are complete.  |
| <b>4<sup>th</sup> Degree</b> | Regularly develops job and task requirements. Is responsible for all aspects of job or task completion and may direct and monitor other supervisors and the results achieved. Has job quality, personnel performance evaluation and cost control responsibilities.  |
| <b>5<sup>th</sup> Degree</b> | Regularly develops programs, job requirements, and operational goals. Assigns objectives and/or projects for others to manage and complete within budgetary constraints. Is responsible for department or municipal-wide accomplishments and budgets. Regularly evaluates employees and/or the performance of other supervisors.  |
| <b>6<sup>th</sup> Degree</b> | Has municipal-wide management and service delivery responsibilities for all phases of operations including budget and personnel. Develops required service levels, long term strategies, priorities, resources requirements to accomplish missions. Provides general guidance in the tactical application of resources, modifies their allocation, monitors goal attainment and holds subordinates accountable for the results achieved.                                    |
| <b>7<sup>th</sup> Degree</b> | Has total municipal-wide responsibility for developing a shared vision, an understanding of missions, strategies, and the results to be achieved. Evaluates, approves and holds subordinates accountable for the attainment of organizational objectives. Reviews, modifies and approves priorities established by subordinates. Obtains or substantially influences securing the necessary resources to accomplish municipal missions and objectives and their allocation. |



### 13. JUDGMENT AND INITIATIVE

This factor measures the degree of independent action required by the position and the extent to which duties are dictated by standard practice or the exercise of judgement. Consider criteria such as the creative effort used in devising new methods, techniques, policies and procedures and the degree of participation in the formulation of long- and short- range plans and policies.

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| <b>1<sup>st</sup> Degree</b> | Essential work functions involve performance of repetitive functions, requiring the use of definite procedures and little individual judgment since the work is either done under immediate supervision or involves little choice as to the method of performance.   |
| <b>2<sup>nd</sup> Degree</b> | Repetitive or routine duties which are well defined by procedure and limited in scope, but which may involve the choice of two or more alternative approaches thus requiring the use of some judgment or minor decision making.  |
| <b>3<sup>rd</sup> Degree</b> | Duties may involve the performance of specialized procedures requiring comprehensive knowledge of division/department functions and techniques or the exercise of technical expertise in applying standard professional techniques. May be required to exercise judgment in the analysis of facts or circumstances surrounding individual problems in order to determine the appropriate course of action. |
| <b>4<sup>th</sup> Degree</b> | Duties require comprehensive knowledge of activities of a functional area of the municipality and considerable judgment to work independently to formulate decisions regarding policies, procedures, operations, and plans at the division/department level.   |
| <b>5<sup>th</sup> Degree</b> | Difficult work on highly technical projects or involved administrative problems which require a sophisticated degree of professional judgment, conceptual thinking and individual initiative; may participate in the development of technical processes and/or management plans and programs at municipal-wide level.  |
| <b>6<sup>th</sup> Degree</b> | Expected to plan, lead, organize, initiate, implement and coordinate the operations of a major functional segment or department; involves the ability to deal with technical, interpersonal and administrative problems in the functional area.  |
| <b>7<sup>th</sup> Degree</b> | Expected to plan, lead, organize, initiate and coordinate the total operations of municipality in conformance with general directives and objectives set forth by the governing body; seeks the advice and counsel of governing body only on matters of major importance.  |

#### **14. ACCOUNTABILITY**

In every position there inherently exists the possibility of error, whether through omission, commission, or direction. In rating this factor, consider the following: the likelihood of errors; the possibility of error detection; and the probable effect of errors based on the degree to which the work is checked, either by the procedures themselves, by supervision, or by succeeding operations. Results of errors can be measured in damage to buildings and equipment, labor and material costs for correction, jeopardy to the municipality's programs, monetary loss, personal injury, danger to public health and safety, etc.

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- 1<sup>st</sup> Degree** Is responsible for basic accuracy and/or task execution in a timely manner. The basic nature of the work means that probable errors can be readily detected and usually by the employee. Potential consequences from errors may result in minor confusion, rework involving minimal time and expense to correct.
- 2<sup>nd</sup> Degree** Is responsible for accuracy, thoroughness, coordination and task completion. The nature of supervision and thoroughness of review assures that probably errors are usually detected in succeeding operations. Potential consequences include time loss, rework, and reduced efficiency in completing routine work. Errors are generally confined to a single department or series of interrelated tasks.
- 3<sup>rd</sup> Degree** Is responsible to independently produce accurate work, coordinate work products with others, meet deadlines and assist others in job completion. Most work is not independently verified or checked or involves the operation of large, complex or potentially dangerous equipment increasing the scope and magnitude of errors. Potential consequences include monetary losses due to delays in processing important information, waste of individual or work group time and/or materials, damage to buildings and equipment, or minor personal injuries.
- 4<sup>th</sup> Degree** Is responsible for the accuracy, thoroughness, timely and cost effective completion of individual and group work. Must coordinate work products or projects with other individuals or teams. The nature of work (e.g. specialized technical procedures, extensive analysis, etc.) means that errors in judgment or techniques would probably be difficult to detect. Potential consequences may result in excessive costs (e.g., the purchase of unsuitable equipment and/or materials, following inaccurate or otherwise inappropriate procedures), delay of service delivery, or direct financial loss or adverse legal repercussions.
- 5<sup>th</sup> Degree** Responsible for organization or department-level operations, their operating and/or technical procedures, service delivery, contributions to cross organizational or municipal department plans and objectives, and financial and other resource management including buildings, equipment and manpower. Potential errors could severely jeopardize departmental operations or have direct financial or negative legal repercussions.

- 6<sup>th</sup> Degree** Responsibilities include those outlined in the 5<sup>th</sup> degree but for a major functional department or segment of the municipal government or enterprise. Is responsible for determining or recommending service levels and or policies to achieve governance objectives. Potential errors in judgement could have an immediate or long term adverse effect on the municipality's operations.
- 7<sup>th</sup> Degree** Responsibilities involve major responsibility for overall planning, establishing, directing, monitoring and evaluating municipal governance, operations and enterprises; potential errors in judgment could have very negative and far-reaching effects upon municipal operations, costs, its ability to meet established goals and objectives and upon the quality of work.

Sequence No: \_\_\_\_\_

### Position Rating Summary Sheet

Position Classification Title: \_\_\_\_\_

#### Evaluators' Points

	<u>Factors</u>	One	Two	<u>Final Rates</u>	<u>Final Points</u>
1.	Physical Environment				
2.	Knowledge, Training, Education				
3.	Problem Solving Skills & Effort				
4.	Physical Skills & Effort				
5.	Experience				
6.	Interactions with Others/Customer Service				
7.	Confidentiality				
8.	Occupational Risks				
9.	Complexity				
10.	Supervision Received				
11.	Supervision Given				
12.	Supervision Scope				
13.	Judgment and Initiative				
14.	Accountability				
	<b>Total Points:</b>				

Evaluator 1: \_\_\_\_\_ Date: \_\_\_\_\_

Evaluator 2: \_\_\_\_\_ Date: \_\_\_\_\_

Date Finalized: \_\_\_\_\_

Sequence No: \_\_\_\_\_

### Position Rating Summary Sheet

Position Classification Title: \_\_\_\_\_

#### Evaluators' Points

	<u>Factors</u>	<u>One</u>	<u>Two</u>	<u>Final Rates</u>	<u>Final Points</u>
1.	Physical Environment				
2.	Knowledge, Training, Education				
3.	Problem Solving Skills & Effort				
4.	Physical Skills & Effort				
5.	Experience				
6.	Interactions with Others/Customer Service				
7.	Confidentiality				
8.	Occupational Risks				
9.	Complexity				
10.	Supervision Received				
11.	Supervision Given				
12.	Supervision Scope				
13.	Judgment and Initiative				
14.	Accountability				
	<b>Total Points:</b>				

Evaluator 1: \_\_\_\_\_

Date: \_\_\_\_\_

Evaluator 2: \_\_\_\_\_

Date: \_\_\_\_\_

Date Finalized: \_\_\_\_\_



Sequence No: \_\_\_\_\_

## Position Rating Summary Sheet

Position Classification Title: \_\_\_\_\_

<u>Evaluators' Points</u>					
	<u>Factors</u>	One	Two	<u>Final Rates</u>	<u>Final Points</u>
1.	Physical Environment				
2.	Knowledge, Training, Education				
3.	Problem Solving Skills & Effort				
4.	Physical Skills & Effort				
5.	Experience				
6.	Interactions with Others/Customer Service				
7.	Confidentiality				
8.	Occupational Risks				
9.	Complexity				
10.	Supervision Received				
11.	Supervision Given				
12.	Supervision Scope				
13.	Judgment and Initiative				
14.	Accountability				
<b>Total Points:</b>					

Evaluator 1: \_\_\_\_\_ Date: \_\_\_\_\_

Evaluator 2: \_\_\_\_\_ Date: \_\_\_\_\_

Date Finalized: \_\_\_\_\_

Sequence No: \_\_\_\_\_

### Position Rating Summary Sheet

Position Classification Title: \_\_\_\_\_

#### Evaluators' Points

	<u>Factors</u>	<u>One</u>	<u>Two</u>	<u>Final Rates</u>	<u>Final Points</u>
1.	Physical Environment				
2.	Knowledge, Training, Education				
3.	Problem Solving Skills & Effort				
4.	Physical Skills & Effort				
5.	Experience				
6.	Interactions with Others/Customer Service				
7.	Confidentiality				
8.	Occupational Risks				
9.	Complexity				
10.	Supervision Received				
11.	Supervision Given				
12.	Supervision Scope				
13.	Judgment and Initiative				
14.	Accountability				
	<b>Total Points:</b>				

Evaluator 1: \_\_\_\_\_ Date: \_\_\_\_\_

Evaluator 2: \_\_\_\_\_ Date: \_\_\_\_\_

Date Finalized: \_\_\_\_\_

### Point Assigned to Factor Degrees

<b><u>Factors</u></b>	<b><u>1<sup>st</sup> Degree</u></b>	<b><u>2<sup>nd</sup> Degree</u></b>	<b><u>3<sup>rd</sup> Degree</u></b>	<b><u>4<sup>th</sup> Degree</u></b>	<b><u>5<sup>th</sup> Degree</u></b>	<b><u>6<sup>th</sup> Degree</u></b>	<b><u>7<sup>th</sup> Degree</u></b>
<b><u>Job Physical Environment</u></b>							
1. Physical Environment	5	10	15	20	25		
<b><u>Requisite Capabilities</u></b>							
2. Knowledge, Training, Education	15	30	45	60	75	100	
3. Problem Solving Skills & Effort	5	10	18	26	34	42	50
4. Physical Skills and Effort	10	20	30	40	50		
5. Experience	5	10	20	40	60	80	100
<b><u>Job Characteristic</u></b>							
6. Interactions with Other/ Customer Service	5	10	15	20	40	55	
7. Confidentiality	5	10	15	20	25		
8. Occupational Risks	5	10	15	20	25		
9. Complexity	5	10	15	20	25		
<b><u>Supervisory Relationships</u></b>							
10. Supervision Received	5	10	20	30	40	60	
11. Supervision Given	0	5	10	20	40	60	80
12. Supervision Scope	5	10	20	40	60	80	100
<b><u>Responsibility</u></b>							
13. Judgement and Initiative	15	30	45	60	75	90	105
14. Accountability	5	10	20	30	40	60	80

# CUSTOM GRADE DETERMINATION SCALE

developed for the

TOWN OF TOWNSEND, MASSACHUSETTS

<u>SCORE RANGE</u>	<u>GRADE</u>
149 and below .....	1
150-174 .....	2
175-199 .....	3
200-224 .....	4
225-249 .....	5
250-274 .....	6
275-299 .....	7
300-324 .....	8
325-349 .....	9
350-399 .....	10
400-499 .....	11
500-649 .....	12
650 and up .....	13





	BEGINNING BALANCES	FREE CASH	CAPITAL STAB	RECREATION	OVERLAY SURPLUS	STABILIZATION	EXCISE RECEIPTS	CEMETERY RECEIPTS
STM2	Snow and Ice (est.)	\$ 640,005.23	\$ 133,664.00	\$ 30,000.00	\$ 20,000.00	\$ 1,295,010.00	\$ 50,000.00	
STM3	Legal	\$ (150,000.00)						
STM4	Fin Com	\$ (15,000.00)						
STM5	Line Painting	\$ (15,000.00)						
STM6	COA Equip	\$ (9,500.00)						
STM7	BOH Wood	\$ (9,500.00)						
STM8	Recreation Grant	\$ (10,000.00)		\$ (30,000.00)				
ATM1	Into Capital Stab	\$ (100,000.00)	\$ 100,000.00					
ATM2	Out Cap Plan		\$ (200,000.00)					
ATM3	Cemetery Equip.							
ATM4	Pavement Plan	\$ (250,000.00)					\$ (50,000.00)	
ATM5	300th Anniversary	\$ (5,000.00)						
ATM6	Assessor's				\$ (20,000.00)			
ATM7	Stabilization	\$ (50,000.00)				\$ 50,000.00		
ENDING BALANCES		\$ 26,005.23	\$ 33,664.00	\$ -	\$ -	\$ 1,345,010.00	\$ -	

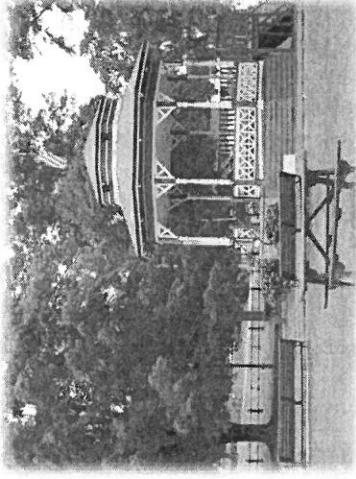


# Townsend, Massachusetts

Special and Annual Town Meeting Warrants

Fiscal Year 2020 Budget Book

Voter's Guide to Open Town Meeting



## TOWN MODERATOR

John Barrett, Esquire

## TOWNSEND BOARD OF SELECTMEN

Sue Lisio, Chair

Cindy King, Vice Chair

Wayne Miller, Clerk

## TOWN ADMINISTRATOR

James M. Kreidler, Jr.

Photo credit: <http://freedomsway.org/about-town/our-communities/townsend-ma/>



## TABLE OF CONTENTS

[HERE]





# The Commonwealth of Massachusetts

## SPECIAL TOWN MEETING

### MIDDLESEX SS.

To either of the Constables of the Town of Townsend in the County of Middlesex, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the legal voters of the Town of Townsend, qualified to vote at Town Meetings for the transaction of Town affairs, to meet at the Memorial Hall, 272 Main Street, Townsend, MA for the Special Town Meeting on May 7, 2019, at 7:00 PM, then and there to act on the following articles:

### PRIOR FISCAL YEAR FINANCIAL ARTICLE (9/10<sup>th</sup> Vote)

#### ARTICLE 1

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury 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

DESCRIPTION: This article is required to pay any bills from a prior fiscal year.

### CURRENT FISCAL YEAR FINANCIAL ARTICLES (MAJORITY VOTE)

#### ARTICLE 2

To see if the Town will vote to transfer from available funds in the treasury, the sum of \$\_\_\_\_\_ for the purpose of offsetting FY19 Snow and Ice Deficits under the provisions of Massachusetts General Laws Chapter 44, Section 31D, or take any other action in relation thereto.

SUBMITTED BY: Board of Selectmen



ARTICLE 3

To see if the Town will vote to transfer from available funds in the treasury, the sum of \$\_\_\_\_\_ for the purpose of supplementing FY19 legal budget, or take any other action in relation thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 4

To see if the Town will vote to transfer from available funds in the treasury, the sum of \$\_\_\_\_\_ for the purpose of supplementing FY19 Finance Committee Reserve Fund budget, or take any other action in relation thereto.

SUBMITTED BY: Finance Committee

ARTICLE 5

To see if the Town will vote to transfer from available funds in the treasury, the sum of \$9,500.00 to perform line painting on public ways for public safety purposes, or take any other action in relation thereto.

SUBMITTED BY: Highway Superintendent

ARTICLE 6

To see if the Town will vote to transfer from available funds in the treasury, the sum of \$9,500.00 for the purpose of purchasing office equipment and furnishings for the Council on Aging, or take any other action in relation thereto.

SUBMITTED BY: Council on Aging

ARTICLE 7

To see if the Town will vote to transfer from available funds in the treasury, the sum of \$10,000.00 for the purpose of woody debris from the recycling center, or take any other action in relation thereto.

SUBMITTED BY: Board of Health

ARTICLE 8





To see if the Town will vote to transfer from available funds in the treasury, the sum of \$\_\_\_\_\_ for matching funds toward a grant [recreation field], or take any other action in relation thereto.

SUBMITTED BY:      Recreation Commission

And you are directed to serve this Warrant, by posting up attested copies thereof at MEMORIAL HALL, 272 Main Street at the Center, WEST TOWNSEND FIRE STATION, 460 Main Street in West Townsend, POLICE/COMMUNICATIONS CENTER, 70 BROOKLINE ROAD, NORTH MIDDLESEX REGIONAL HIGH SCHOOL, 19 MAIN STREET, and HARBOR CHURCH, 80 MAIN STREET in said Town, at least FOURTEEN (14) days before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of the meeting, as aforesaid.

Given under our hands this \_\_\_\_\_ day of April, in the year TWO THOUSAND NINETEEN.

SELECTMEN OF TOWNSEND

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

\_\_\_\_\_  
Cindy King, Vice Chairman

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

A true copy. ATTEST:

\_\_\_\_\_ CONSTABLE



MIDDLESEX, SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of TOWNSEND by posting up attested copies of the same at: MEMORIAL HALL, 272 MAIN STREET AT THE CENTER, WEST TOWNSEND FIRE STATION, 460 MAIN STREET IN WEST TOWNSEND, POLICE/COMMUNICATIONS CENTER, 70 BROOKLINE ROAD, NORTH MIDDLESEX REGIONAL HIGH SCHOOL, 19 MAIN STREET, and HARBOR CHURCH, 80 MAIN STREET, AT LEAST FOURTEEN (14) DAYS BEFORE THE DATE OF THE MEETING, AS WITHIN DIRECTED.

CONSTABLE OF TOWNSEND

\_\_\_\_\_  
SIGNATURE

LOCATION	TIME	MONTH	DAY	YEAR
MEMORIAL HALL	_____	_____	_____	_____
WEST TOWNSEND FIRE STATION	_____	_____	_____	_____
NORTH MIDDLESEX REGIONAL HIGH SCHOOL	_____	_____	_____	_____
POLICE STATION	_____	_____	_____	_____
HARBOR CHURCH	_____	_____	_____	_____









# The Commonwealth of Massachusetts ANNUAL TOWN MEETING

MIDDLESEX SS.

To the Constables of the Town of Townsend in the County of Middlesex,

## GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the legal voters of the Town of Townsend, qualified to vote at Town Meetings for the transaction of Town affairs, to meet at the Memorial Hall, 272 Main Street, Townsend, MA for the Annual Town Meeting on May 7, 2019, at 7:00 PM, then and there to act on the following articles:

## APPOINTMENTS AND REPORTS (MAJORITY VOTE)

### ARTICLE

To see if the Town will 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, or take any other action in relation thereto.

SUBMITTED BY: Town Clerk

### ARTICLE

To see if the Town will vote to hear reports of any Committees, Boards, Commissions, etc., or take any other action in relation thereto.

SUBMITTED BY: Board of Selectmen

### ARTICLE

To see if the Town will 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, or take any other action in relation thereto.

SUBMITTED BY: Cemetery and Parks Commission



## USUAL AND CUSTOMARY REVOLVING FUND ARTICLE (MAJORITY VOTE)

### ARTICLE

I move that the Town vote pursuant to the provisions of G.L. c.44, §53E½, as most recently amended, to: (1) establish the following revolving funds for Fiscal Year 2020 specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, fiscal year spending limits such bylaw to provide as follows:

FUND	AUTHORITY TO SPEND	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 and capital costs associated with recreation programs	\$ XX,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 Comm.	Fees from burials	Operating and capital costs for cemeteries	\$ 28,000.00
5 Fire Alarm	Fire Chief	Fire alarm fees	Operating and capital costs- fire alarm system	\$ 4,000.00
6 Animal Care Program	Animal Control Officer	Fees for emergency care of animals	For injured or abandoned animals	\$ 1,000.00
7 Fire/EMS	Fire Chief	Fees from community events/fire watch	Expenses associated with Fire/EMS services	\$ 5,000.00
8 Police	Police Chief	NMRSD Receipts	School Resource Officer	\$ 80,000.00
9 Conservation	Conservation Commission	Forest Cutting Proceeds	Conservation Purposes	\$ 20,000.00
10 Fire/EMS	Fire EMS Chief	Haz. Materials Supplies Reimbursement	Haz. Materials Supplies Replacement	\$ 10,000.00

SUBMITTED BY: Board of Selectmen

DESCRIPTION: Revolving funds provide departments with flexibility to expend and replenish funds throughout the course of the year for tightly defined purposes as detailed in the chart above.



## FY20 OPERATING BUDGET (MAJORITY VOTE)

### ARTICLE

To see if the Town will vote to raise and appropriate and transfer from available funds\* in the treasury, such sums that may be necessary to defray the charges and expenses of the Town for Fiscal Year 2020 pursuant to a detailed budget totaling \$ \_\_\_\_\_, or take any other action in relation thereto.

*FUND:	PURPOSE:	AMOUNT:
Comcast Government Access	Operating and Capital-Cable Access Program	\$ 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	\$ 475,000.00
Recreation Receipts	Supplemental Funding to Operate Recreation	\$ 40,000.00
Water Enterprise Fund	Supplemental Funding to Cover Water Overhead	\$ 281,399.52

DESCRIPTION: Usual and customary Town budget fiscal year 2020, which begins on July 1, 2019. As is customary you will be voting the total for each of the following functional segments:

FUNCTIONAL SEGMENTS	
General Government-	1,639,337
Public Safety-	3,391,993
Education-	13,500,903
Streets and Highways-	746,365
Solid Waste-	701,400
Human Services	445,222
Culture and Recreation	424,365
Debt Service-	483,438
Insurances-	1,991,855
<b>Grand Total-</b>	<b>23,324,878</b>

The Omnibus Budget, or salary and expense budget by department and above listed functional segment can be found on page \_\_\_\_\_.  
The Line Item Detail Budget can be found on page \_\_\_\_\_





**ARTICLE**

To see if the Town will 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, or take any other action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

**DESCRIPTION:** This article is legally required to set the Town Clerk's budgeted salary.

**FY20 WATER ENTERPRISE DEPARTMENT BUDGET  
(MAJORITY VOTE)**

**ARTICLE**

To see if the Town will vote to appropriate the sum of \$\_\_\_\_\_ from Water Enterprise Fund revenues to operate the Water Department for Fiscal Year 2020, and in order to fund the cost of inter-municipal expenses that \$\_\_\_\_\_ of this sum be appropriated in the general fund; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Water Commissioners

**DESCRIPTION:** This is the article to fund annual operating budget for the Water Department including inter-municipal expenses carried in the General Fund budget.

**DEBT EXCLUSION ARTICLES  
(TWO-THIRDS VOTE)**

Paving  
Nashoba valley tech

**CAPITAL FINANCIAL ARTICLES  
(MAJORITY or TWO-THIRDS VOTE)**



**ARTICLE**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum or sums of \_\_\_\_\_ for the purpose of funding the FY20 Capital Plan as voted by the Capital Planning Committee as detailed below; or take any other action in relation thereto.

**SUBMITTED BY:** Capital Planning Committee

**DESCRIPTION:** This is the annual article submitted by the Capital Planning Committee. It lists all of the capital projects or items being proposed for FY20 and further lists the funding source for each project or item.

**ARTICLE**

Greenville Road/Walker Bridge

**ARTICLE**

Water Dept. – Pay down for BAN

**ARTICLE**

Cemetery Equipment

**GENERAL FINANCIAL ARTICLES  
(MAJORITY VOTE)**

**ARTICLE**

Pavement Plan- \$50K raise and appropriate + \$250k free cash (to add to debt exclusion if it passes)

**ARTICLE**

PILOT for solar project

**ARTICLE**

35k for Housing Authority Study

**ARTICLE**



To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of 5,000.00 to defray the charges and expenses for the planning and execution of the Town's 300<sup>th</sup> Anniversary Celebration to be held in the year 2032; or take any other action in relation thereto.

SUBMITTED BY: Karen Clement-Amanda Dwight Fund

DESCRIPTION: This is an article to begin funding the Town's 300<sup>th</sup> Anniversary Celebration.

#### ARTICLE

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$10,000.00 for the purpose of funding the Assessors' FY20 \_\_\_\_\_ as mandated by the Massachusetts Department of Revenue, Bureau of Local Assessments, or take any other action in relation thereto.

SUBMITTED BY: Board of Assessors

DESCRIPTION: This is an article to fund the Assessors' FY20 \_\_\_\_\_ as mandated by the Massachusetts Department of Revenue.

### STABILIZATION ARTICLES (TWO-THIRDS VOTE)

### GENERAL BUSINESS, GENERAL Bylaws and adoptions (MAJORITY VOTE)

#### ARTICLE

Three to Five Selectmen

#### ARTICLE

Delete current and add-  
§ 90-1 Adoption and application of personnel policies and procedures.





Personnel policies and/or procedures of the Town, as may be adopted by the Board of Selectmen from time to time, shall be applicable to all Town employees, except where a particular topic is specifically referenced in a union or personal services contract, in which case the union or personal services contract term(s) shall prevail.

**ARTICLE**  
Pavement Management Plan Bylaw

**ARTICLE**  
Delete current recycling bylaw and replace it

## **ZONING BYLAWS AND ADOPTION ARTICLES (TWO-THIRDS VOTE)**

**ARTICLE**  
Accessory Apartment bylaw

**ARTICLE**  
Adult Use Marijuana

## **SPECIAL LEGISLATION ARTICLES (MAJORITY VOTE)**

**ARTICLE**  
Charter Review Report

**ARTICLE**  
Police Chief Employment beyond 65

## **CITIZEN PETITION ARTICLES (MAJORITY VOTE)**

**ARTICLE**  
Petition Article for Charter Amendment- Water Dept.



**ARTICLE**

Petition Article for Charter Amendment-Recall Act

**ARTICLE**

Petition Article Plastic Bag ban.

And you are directed to serve this Warrant, by posting up attested copies thereof at MEMORIAL HALL, 272 Main Street at the Center, WEST TOWNSEND FIRE STATION, 460 Main Street in West Townsend, POLICE/COMMUNICATIONS CENTER, 70 BROOKLINE ROAD, NORTH MIDDLESEX REGIONAL HIGH SCHOOL, 19 MAIN STREET, and HARBOR CHURCH, 80 MAIN STREET in said Town, at least SEVEN (7) days before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of the meeting, as aforesaid.

Given under our hands this \_\_\_\_<sup>th</sup> day of April in the year Two Thousand-Nineteen.

SELECTMEN OF TOWNSEND

\_\_\_\_\_  
Sue Listo, Chairman

\_\_\_\_\_  
Cindy King, Vice Chairman

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

A true copy. ATTEST:

\_\_\_\_\_  
CONSTABLE



MIDDLESEX, SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of TOWNSEND by posting up attested copies of the same at: MEMORIAL HALL, 272 MAIN STREET AT THE CENTER, WEST TOWNSEND FIRE STATION, 460 MAIN STREET IN WEST TOWNSEND, POLICE/COMMUNICATIONS CENTER, 70 BROOKLINE ROAD, NORTH MIDDLESEX REGIONAL HIGH SCHOOL, 19 MAIN STREET, and HARBOR CHURCH, 80 MAIN STREET, AT LEAST SEVEN (7) DAYS BEFORE THE DATE OF THE MEETING, AS WITHIN DIRECTED.

*Constable* TOWNSEND

SIGNATURE

LOCATION	TIME	MONTH	DAY	YEAR	
MEMORIAL HALL					
WEST TOWNSEND FIRE STATION					
NORTH MIDDLESEX REGIONAL HIGH SCHOOL					
POLICE/COMMUNICATIONS CENTER					
HARBOR CHURCH					





# Town Administrator Proposed Budget Fiscal Year 2020

**MUST REWRITE**



May 1, 2019

Dear Taxpayers and Voting Citizens of the Town of Townsend:

This is my fourth full budget cycle working for you, the taxpayers citizens of the Town of Townsend. I am proud to say that as a result of another year of the leadership of your Board of Selectmen, the discipline of your Finance Committee and the hard work of your public employees, we are in a strong financial position. We have made tremendous progress over the past two years and our fiscal house is all the better for it.

[BUDGET MESSAGE GOES HERE]

Sincerely,

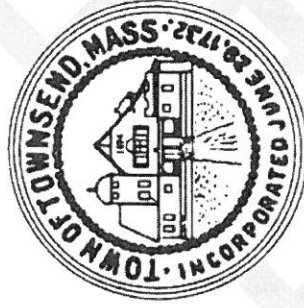
James M. Kreidler, Jr.  
Town Administrator



## Town of Townsend, Massachusetts Community Profile

### Brief History

What is today the Town of Townsend was settled in the late decades, several boundaries changed and the Town's existing Townsend, since Townsend honored an English politician Industry developed during the 19<sup>th</sup> century, including the tanning. The Town also had substantial agricultural land. A 20<sup>th</sup> century, manufacturing and agricultural were in decline, as Townsend: Sterilite, which produces plastic housewares. the small-town, rural aesthetic.



1600s and incorporated as the Town of Townsend in 1732. Over the ensuing several boundaries were established. During the American Revolution, Townsend became which was in opposition to the patriotic sentiments of the times. production of textiles, cooperage (production of wooden vessels such as barrels), and railroad allowed industry and agriculture to develop. However, by the middle of the was common across the Commonwealth. Today, there is one major manufacturer in Overall, the Town is considered a residential community and residents highly value



### Location and Geography

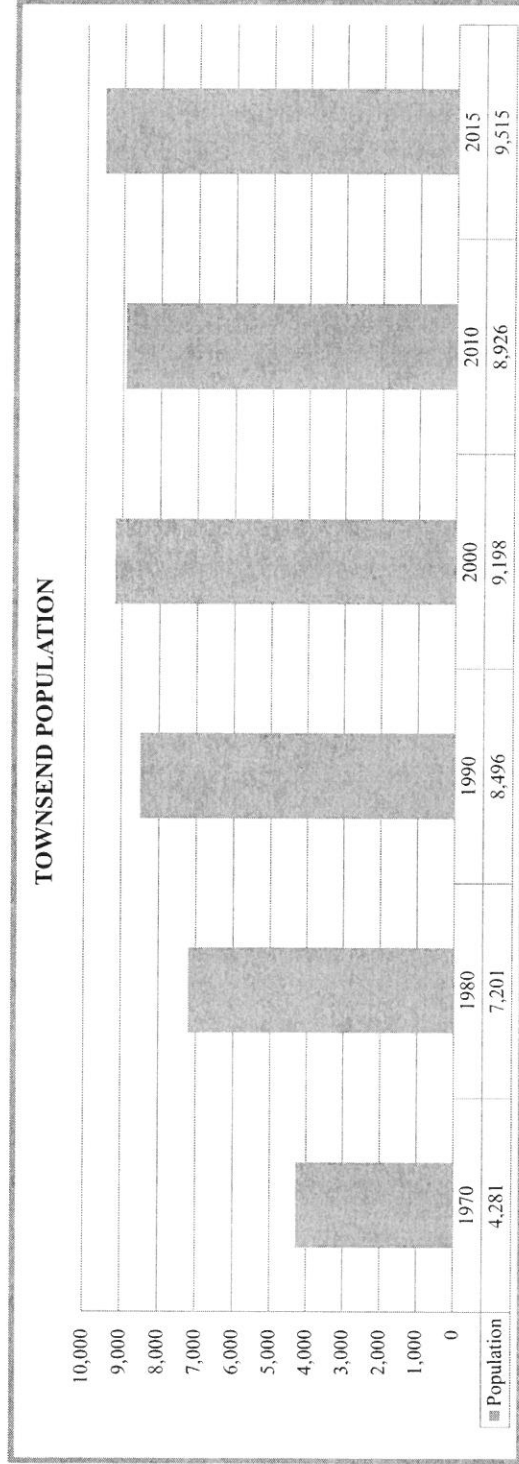
Townsend is located in the extreme north of Central Massachusetts, bordering the the southeast, Lunenburg to the south, and Ashby to the west. The closest major cities are Worcester, Boston, Nashua, NH, and Manchester, NH.

The Town consists of approximately 33 square miles, with significant natural resources, including rivers, ponds, wetlands, swamps, and other wildlife areas. A substantial portion of Town land is protected and residents and visitors can enjoy ample opportunities for passive recreation activities such as hiking, biking, fishing, and swimming. For example, two popular amenities are Townsend State Forest and Willard Brook State Forest.

### Demographics and Local Businesses

The Town of Townsend had approximately 9,515 residents living in 3,370 households in 2015, according to census data. The population grew steadily between 1970 and 2000, but has been relatively stable since then.





According to the 2012 Economic Census of the U.S., which provides the most recent available data, there are 108 business establishments in Townsend. They range from small businesses serving local residents and a regional audience, such as attorneys, accountants, plumbers, daycare providers, restaurants, and small retailers, to regional and national businesses, such as banks/credit unions, grocery stores, and Sterilite Corporation.

### Government

The Town is governed by the Townsend Home Rule Charter. Under the Charter, the Town's executive powers are vested in a three-member Board of Selectmen, which appoints a Town Administrator to handle day-to-day management of the Town. The Board is the licensing authority for the Town and has substantial personnel-appointing powers according to the Town Charter. Town Meeting is the legislative body in Townsend. The Town has an open Town Meeting, which means that any registered voter in Town may participate. Residents are served by various elected and appointed boards and commissions, in addition to employees of the Town's various departments and agencies. The Townsend Home Rule Charter can be found at this link: <https://www.ecode360.com/12119279>





**Elected**  
**Boards/Commissions/Committees/Positions**

- Amanda Dwight Entertainment Committee
- Board of Assessors
- Board of Health
- Board of Selectmen
- Board of Water Commissioners
- Cemetery & Parks Commission
- Democratic Town Committee
- Library Trustees
- Town Moderator
- NMRSD School Committee
- Planning Board
- Republican Town Committee
- Town Clerk
- Townsend Housing Authority
- Trust Fund Commission
- Trustee of Soldier's Memorial

**Appointed**  
**Boards/Commissions/Committees**

- Abram S. French Fund Committee
- Agriculture Committee
- American Flag Committee
- Board of Registrars
- Capital Planning Committee
- Charter Review Committee
- Conservation Commission
- Council on Aging
- Energy Committee
- Finance Committee
- Historic District Commission
- James H. Tucker Fund
- Licensing Authority
- Meeting Hall Gallery Committee
- Townsend Emergency Management Authority
- Townsend Cultural Council
- West Townsend Reading Room
- Zoning Board of Appeals



## REVENUE AND EXPENDITURE FORECAST INTRODUCTION

The object of the Town of Townsend's financial forecast<sup>1</sup> is to conservatively project revenues and expenditures five years into the future (FY2020-FY2024).

The forecast is intended to provide policymakers with the information they need to make informed decisions around the Town's financial strategies and policies, long-term financial and capital planning, and long-term contracts or obligations.

Revenue and expenditure forecasting is a powerful financial planning tool that can be used to isolate the impact of particular future events and determine their effects on the Town's financial picture. The forecasting model is designed using reasonable assumptions about a wide variety of future events and, by using these assumptions along with known facts, a comprehensive view of the Town's fiscal outlook emerges.

Though potential exists that any one item in the forecast may be less than accurate, when taken as a whole, a well-built model presents a fair representation of the Town's future finances.

The approach used in the forecast model for the Town of Townsend assumes that current service levels will be maintained in the future years of the forecast. The model also assumes that existing Massachusetts General Laws and regulations will remain unchanged over the forecast period. However, as new information becomes available here forward, the assumptions and estimates used in the current projections will need to be regularly re-evaluated by Town officials to determine if they are still appropriate and reasonable.

The forecast is structured as a series of Excel worksheets. The totals from the detailed Revenue Projections and Expenditure Projections worksheets flow into a "Summary" worksheet which reveals projected future operating surpluses or deficits. A series of worksheets calculate the impacts of cost-of-living and step increases (COLA and Wages), employee benefits (Benefits), and labor, benefit, overhead and operating expenses for the water enterprise fund (Enterprise Funds), all of which tie to the projections worksheets.

In addition, static prior year or current data is available for more in-depth analysis of issues like new growth (Growth), debt service (Debt and Debt Detail), and local receipts (Revenue History).

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<sup>1</sup> The town thanks and acknowledges the Baker-Polito Administration for the invaluable assistance provided through the Community Compact grant through which this financial forecasting tool was developed. Additional acknowledgement goes to the Edward J. Collins, Jr. Center for Public Management at UMass Boston for their efforts in working with the towns elected and appointed personnel to create the document.



## DESCRIPTION OF WORKSHEETS

Summary – This worksheet rolls up from the Revenue and Expenditure forecast details to provide a quick overview of the five-year plan.

Revenue Projections – This worksheet is used to list the details of the various revenue categories and the assumptions that are used in the projections. The Final Recap column will require manual data entry each year to input actual revenues collected. Future year projections are calculated utilizing the straight-line percentage change column on the far right. If no growth is expected, a 0 should be input in the “percentage projection” column. If a revenue is not projected to grow linearly, the revenue expectations should be input manually into the forecast. Once the final tax recap is approved, any changes in the revenue detail must be made in this worksheet.

New Growth – This worksheet is a summary of the new growth taxes that the Town has raised in the past 10 years and is used, in part, to estimate new growth in future years. After the final growth amount is calculated by the Assessors each year, the Selectmen set the tax rate, and the tax recap is approved by the State. At this point, the final amounts will need to be added to the worksheet. When updating the forecast each year, the Financial Team should discuss any changes in the growth projections.

Expenditure Projections – This worksheet lists the details of the various departments and other expenses categories that are in the Town budget warrant article. In addition, it lists all the financial appropriation warrant articles for Town Meeting. Finally, it lists other expenditure categories that do not require Town Meeting approval but that are expenses that must be included in the tax rate setting process. The wage line for each department is automatically changed when the user enters information into the COLA and Wages worksheet. The user must also enter manually or use the cost increase straight-line factor for the other cost items listed.

COLA and Wages – This worksheet provides the user with multiple “what if” scenarios on COLA and step increases. Factors entered into the COLA and/or step cells automatically update the department wage line in the Expenditure Projections detail.

Benefits – This worksheet allows the user to calculate the cost of a variety of employee benefits including county retirement, health insurance, unemployment compensation, etc. Given the volatility of some of these benefits, the forecast allows for different growth factors to be input in different years.

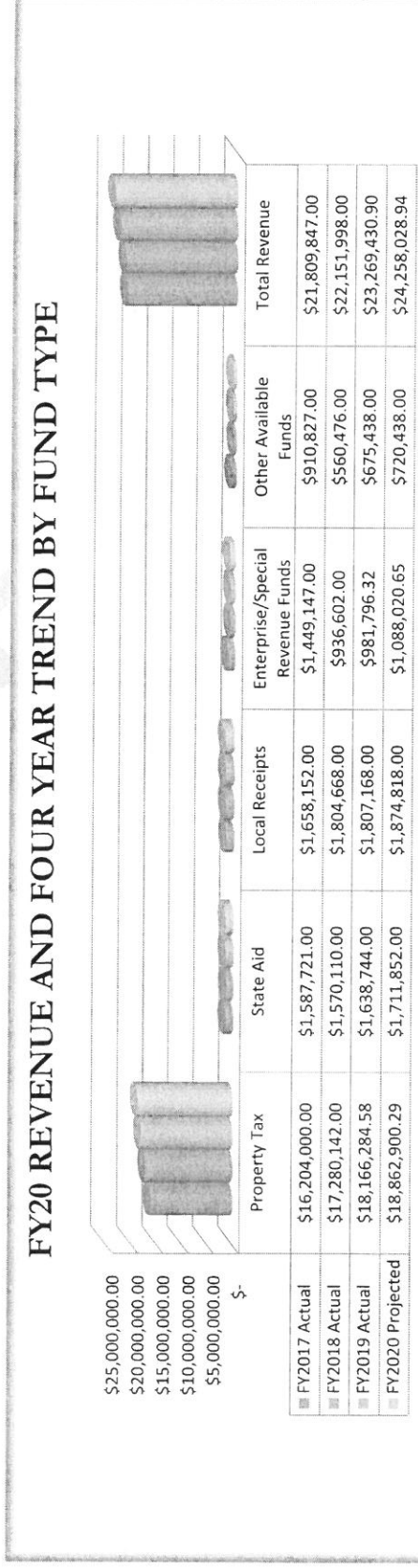
Debt and Debt Detail – These worksheets summarize the Town’s debt service by fiscal year for debt that is funded by the General Fund within the limits of Proposition 2 / 12 (Non-exempt) or approved by the voters via a debt exclusion (Exempt). The cost information includes existing and anticipated debt. The Debt Detail worksheet must be updated whenever the Town issues permanent debt and/or adds new debt authorizations approved by Town Meeting.

Enterprise Funds – This worksheet projects the salary, operating, debt, benefit and indirect costs for the Water Enterprise fund.



## REVENUE PROJECTIONS

The Town of Townsend receives revenue from a variety of sources, including property taxes, state aid, local receipts, enterprise funds and what are classified as other available funds. In FY2017, through a grant from the State, the Town retained a consultant to craft a formal five-year financial forecast. That forecast provides the basis for the revenue projections contained within this FY20 budget.

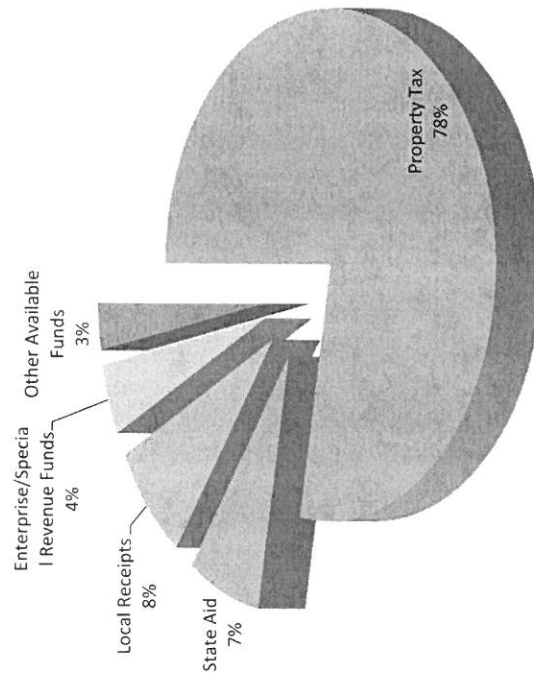


Generally, the financial forecast takes a conservative approach to projecting revenues and is designed using reasonable assumptions about a wide variety of future events. The approach used in the forecast model assumes that current service levels will be maintained. The model also assumes that existing Massachusetts General Laws will remain unchanged.

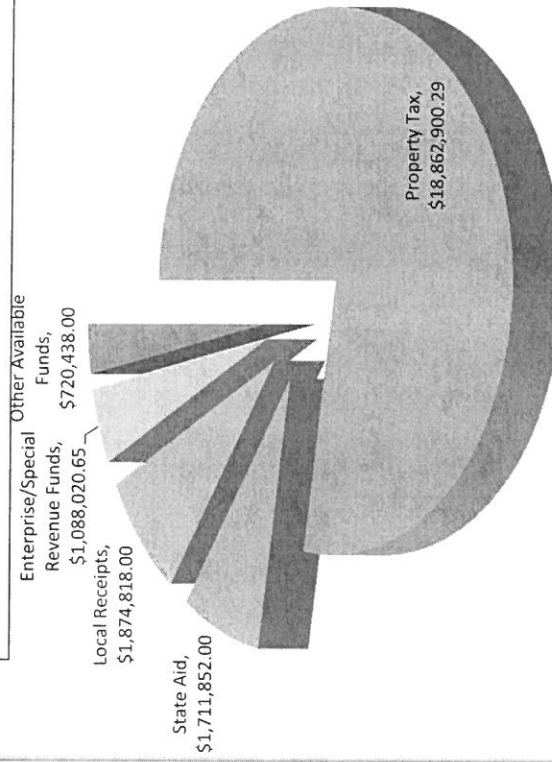




### FY20 REVENUE PERCENTAGE BY FUND TYPE



### FY20 REVENUE DOLLAR BY FUND TYPE





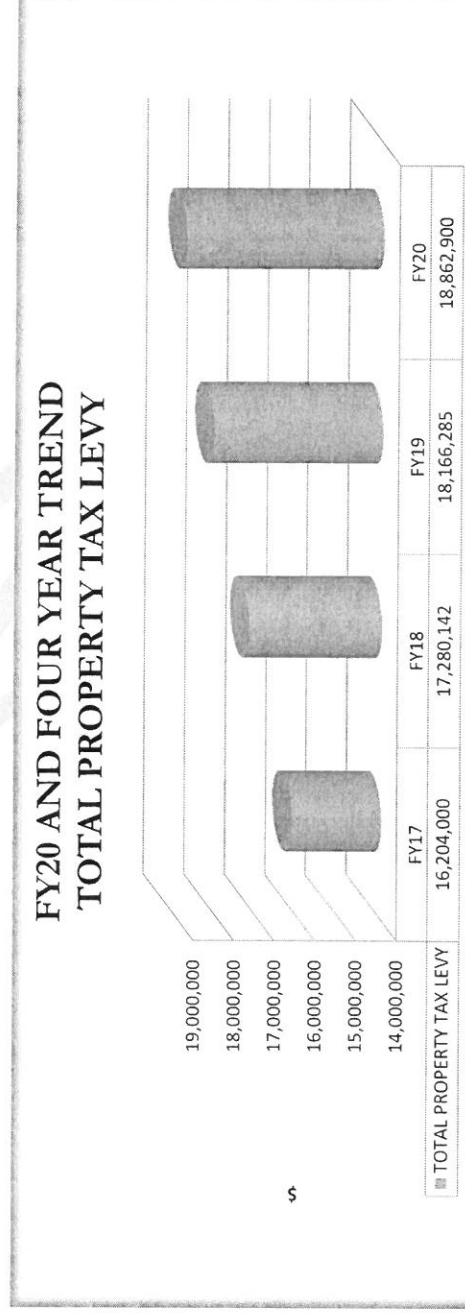
## PROPERTY TAX LEVY

Property taxes are the most significant municipal budgeting revenue source by far. This is typical of many cities and towns in Massachusetts. Property taxes are assessed on real property (e.g. land and buildings) as well as personal property (e.g. merchandise and machinery). An individual's personal effects are exempt from the personal property tax.

The Board of Assessors and assessing staff are responsible for assessing the full and fair cash value of real and personal property in Townsend. Every five years, a full revaluation must be performed in accordance with State law. Townsend's next revaluation is 2019.

Property tax revenue for FY19 is projected at \$18,166,285.00, or 78% of all local revenue. Annual tax levy growth is constrained by Proposition 2 1/2 %, the Massachusetts General Law that limits the annual growth in a municipality's total tax levy to 2 1/2 % percent, plus an allowance for certain new construction and other additions to the tax rolls.

The law also allows a city or town to increase taxes beyond this levy limit with voter approval. An override of this limit by voters becomes a permanent part of the tax levy calculation in future years and is best used for recurring expenses in the regular operating budget. A debt exclusion may also be approved by voters to increase the levy limit temporarily to fund capital projects. Generally, these projects are financed by borrowing and the annual debt service is added to the levy limit each year until the project is paid off.





The FY2019 property tax projection is made using the following 'Annual Calculation':

FY20 PROPERTY TAXES	
Prior Year Tax Levy Limit	\$ 16,610,301
2.5% Increase	\$ 415,258
Prop 2 1/2 Override	
Certified New Growth	\$ 148,238
Levy Limit Total	\$ 17,173,796
Non-School Debt Exclusions	\$ 218,138
NMRHSD Portion of Debt Exclusion	\$ 1,394,632
NVTHSD Debt Exclusion	\$ 76,334
Maximum Allowable Levy	\$ 18,862,900
Unused Taxing Capacity	0
<b>TOTAL</b>	<b>\$ 18,862,900</b>

The financial forecast anticipates that the Town will fully utilize its taxing capacity throughout the forecast period. The property tax levy projection for FY2020 is \$18,862,900, which is also the maximum allowable levy.

Explanation of the 'Annual Calculation' shown above:

Annual tax levy growth is constrained by Proposition 2 1/2, the Massachusetts General Law that limits the annual growth in a municipality's total tax levy to 2.5%, plus an allowance for certain 'new growth' in construction and other additions to the tax rolls.

The law also allows a city or town to increase taxes beyond this levy limit with voter approval. An operating override of this limit by voters becomes a permanent part of the tax levy calculation in future years and is best used for recurring expenses in the regular operating budget. The Town does not anticipate any Prop 2 1/2 operating overrides. A debt exclusion





override may also be approved by voters to increase the levy limit temporarily to fund capital projects. Generally, these projects are financed by borrowing and the annual debt service is added to the levy limit each year until the project is paid off. Non-school related debt-excluded projects taken into account in the above calculation include building improvements, land acquisition and landfill closure. These current excluded projects will be included in the property tax levy through FY2024.

**REWRITE** The Town is also responsible for a portion of debt exclusions for the regional school districts. The North Middlesex Regional School District (NMRSD) borrowed \$12.5 million in FY17 and an additional \$25 million recently. Both over a 25-year period. This year there is also an additional \$160 thousand split across 4 Bond anticipation notes. These are for the Maintenance articles approved at the last Annual Town meeting. Townsend is responsible for 38.80% of the High school debt assessment and 35.3% of overall School debt. As the project was approved as a debt exemption, the annual debt service is also added to the levy. In addition, the Nashoba Valley Technical High School (NVTHS) has debt which has to be exempt from the annual levy limit.

The FY20 property tax new growth revenue projection is made using a conservative five-year historical average adjusted by 2 1/2 %. New growth is new development in Town or changes to properties that result in higher assessed value; it does not include increased value due to revaluation. New growth is influenced by economic factors, and the Town does not anticipate any special development other than normal in FY20. New growth is projected to add approximately \$148,238 to the tax levy in FY20.

This projection is the 5-year average new growth figures.

NEW PROPERTY TAX GROWTH BY PROPERTY CLASS- FIVE YEAR AVERAGE ADJUSTED BY 2.5%				
FY	RESIDENTIAL	COMMERCIAL	PERSONAL PROPERTY	TOTAL
2015	84,936	6,323	16,783	108,042
2016	120,808	5,169	13,874	139,851
2017	118,701	1,016	40,385	160,102
2018	84,821	5,348	40,489	130,658
2019				184,459
5 YEAR AVERAGE	78,756	3,139	29,952	144,622
[UPDATE 2020]				
				FY20 PROJECTED NEW GROWTH \$148,238

Debt costs for projects approved via debt exclusion will be covered by property tax dollars outside the limits of proposition 2 1/2 and are therefore reflected in both the Revenue Projections and the Expenditure Projections tabs.



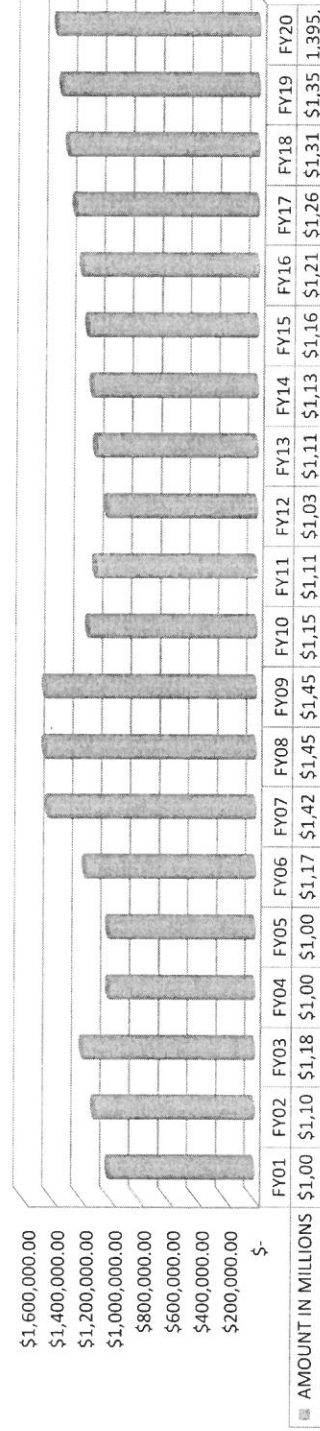
## STATE AID CHERRY SHEET

State aid represents approximately 7% of the Town's annual revenue in FY2020. State aid is broken down into several categories, the largest of which (for Townsend) is Unrestricted General Government Aid (UGGA). It is approximately 80% of all state aid.

Unfortunately, UGGA has yet to recover to pre-recession levels and inflation has further eroded the value of this revenue source. UGGA has been forecast to grow at a conservative 1% per year. In fact, for FY20 we are slated to receive \$60,000+/- fewer dollars from the Commonwealth than we received 12 years ago and according to the Bureau of Labor Statistics when adjusted for inflation each dollar that we do receive is only worth 86¢.

Unrestricted General Government Aid (UGGA) -UGGA represents the largest portion (80%) of State aid to the Town of Townsend. In FY20 this category is projected in the Governor's initial budget to be increased by 2.7%, or \$49,000+/- . It is projected to increase by a conservative 1% per year throughout the period of the forecast. In recent years, when new aid has been added to this account by the State, it has been distributed based on the proportion of existing aid received by a community relative to the total amount of aid to all communities. For example, if a community's existing UGGA represents 2 percent of the total amount statewide, any new distribution to this community will be 2 percent of the amount added to the state total.

### UNRESTRICTED GENERAL GOVERNMENT REVENUE (UGGR) STATE AID 20 YEAR TREND





The other state aid categories: Chapter 70, Veterans Benefits, Exemptions for Veterans and Elderly, Aid to Public Libraries and State-Owned Land are to be level-funded from the previous year.

- Chapter 70 – This is state aid for education. The Town of Townsend is a member of the North Middlesex Regional School District and the Nashoba Valley Technical School District. As such, the Town receives no Chapter 70 or other education-related State aid.
- Veterans Benefits: The State reimburses municipalities for 75% of authorized amounts spent for veterans' financial, medical, and burial benefits. In FY20, the Town will receive \$55,712.00 in reimbursements. This forecast conservatively anticipates no increase over the five-year period.
- Exemptions for Veterans, Elderly, Etc.: The State reimburses property tax exemptions for qualifying veterans, seniors, surviving spouses, and the blind. In FY20, the Town will receive \$55,229.00.
- Aid to Public Libraries: This item is a Cherry Sheet offset and may be spent without an appropriation by the Town's library. This account has no real impact on the forecast since it is also raised on the expenditure side, essentially pulling these revenues out of the general revenue mix for direct use by the library department without appropriation. State-Owned Land: The State reimburses the Town for foregone tax revenue due to certain types of tax exempt state-owned land. In FY20 the amount is \$16,500.00.
- State-Owned Land: This item is for payment-in-lieu-of-taxes (PILOT) for State-owned land. In FY2020, the Town will receive \$188,883.00 for State-owned land. The forecast assumes level funding.

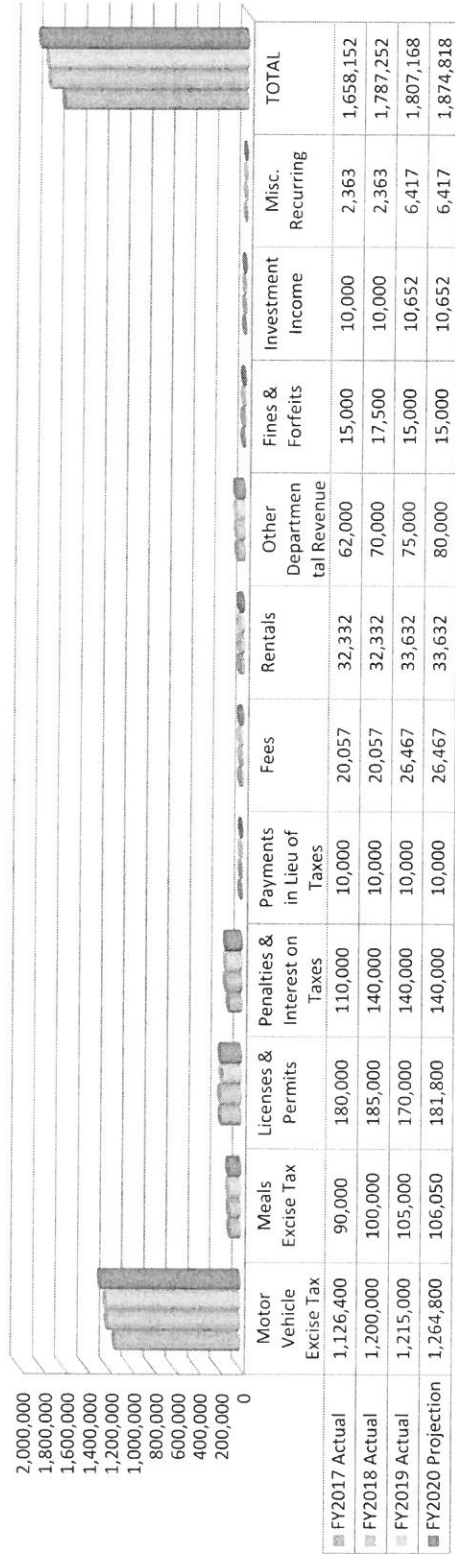
The report the Town receives that details the level of state aid we are to receive is referred to as the "Cherry Sheet." This stems back to a time when the notice was printed on cherry pinkish colored paper. To keep cherry sheet accounts up to date, Town officials will need to monitor the local aid estimates published by the Division of Local Services at each juncture of the State budget process: <http://www.mass.gov/dor/local-officials/municipal-databank-and-local-aid-unit/cherry-sheets/>. The first of these estimates will come after the release of the Governor's FY2020 budget in late January of 2019 (House 1) followed by the House Ways and Means Committee budget in mid-April, the final House budget in late April, the Senate Ways and Means budget in mid-May, and final Senate budget in late May. The Conference Committee's budget, which resolves differences in the two legislative versions of the budget, is typically issued in late June. Final cherry sheets reflect any vetoes by the Governor and/or any legislative overrides of these vetoes.



## ESTIMATED LOCAL RECEIPTS

Estimated local receipts are locally generated revenues, other than real and personal property taxes. Examples include motor vehicle excise, investment income, payments in lieu of taxes, penalties and interest on taxes, departmental revenue, fines, and permit fees. Projected growth in local receipts is shown in the Revenue Projections tab while prior year information can be found in the Revenue History tab.

### FY20 ESTIMATED LOCAL RECEIPTS AND FOUR YEAR TREND



Going forward, Town officials will need to closely monitor actual receipts as compared to budget estimates and update the forecast accordingly.

For the major sub-categories of local receipts, the following FY20 projections are made:

- Motor vehicle excise revenue (\$1.264 million in FY20) is the Town's largest local receipt category, constituting about 67% of the total estimated receipts. This revenue stream is dependent upon the value of vehicles owned by Town residents. The value is set according to the vehicle's make, model, and year. When economic times are good, people tend to buy newer cars more often, which results in higher receipts. Conversely, when economic times are challenging, such as during the Recession, receipts may fall if people wait to replace their vehicles. Taking a conservative approach, it is anticipated that this revenue will grow by approximately 1% per year during the remaining years of the forecast.





Beginning in FY20 \$50,000.00 from motor vehicle excise revenue will be segregated into the pavement management plan and that amount will grow by \$50,000.00 per year until an amount of \$250,000.00 from motor vehicle excise revenue is annually applied to the town's roadway infrastructure.

- Revenue from the meals tax is projected to reach \$106,050 in FY20 and then grow by 1% thereafter.
- Revenue from licenses and permits represents 6% of local receipts. Licenses and permits are issued for various reasons, such as electrical permits, liquor licenses, common victualler license (for preparing/selling food), building permits, dog licenses, and firearms permits. This revenue is expected to grow modestly at 1% per year.
- Penalties & Interest on Taxes are expected to raise approximately \$140,000 annually based on historical trends.
- Other significant local receipts include investment income, Payments in Lieu of Taxes or PILOTs, fees, rentals, fines and forfeits, and departmental revenue. Together these receipts total \$300,000 of the Town's FY20 total revenue. Taking a conservative approach, no growth estimated in these revenues streams.
  - PILOTs: Payments in Lieu of Taxes are collected from Atwood Acres and Townsend Elderly Residences.
  - Rentals: This category of revenue consists of rental fees from the Town's Cell Tower Lease, Townsend residents and businesses use of the West Townsend Reading Room for events, etc.
  - Fees: Recouped Tax Title fees.
  - Fines and Forfeits: This would include fines for parking and moving violations, among others.
  - Other Departmental Revenue: This category includes miscellaneous department revenue such as photocopying fees and recreation fees.

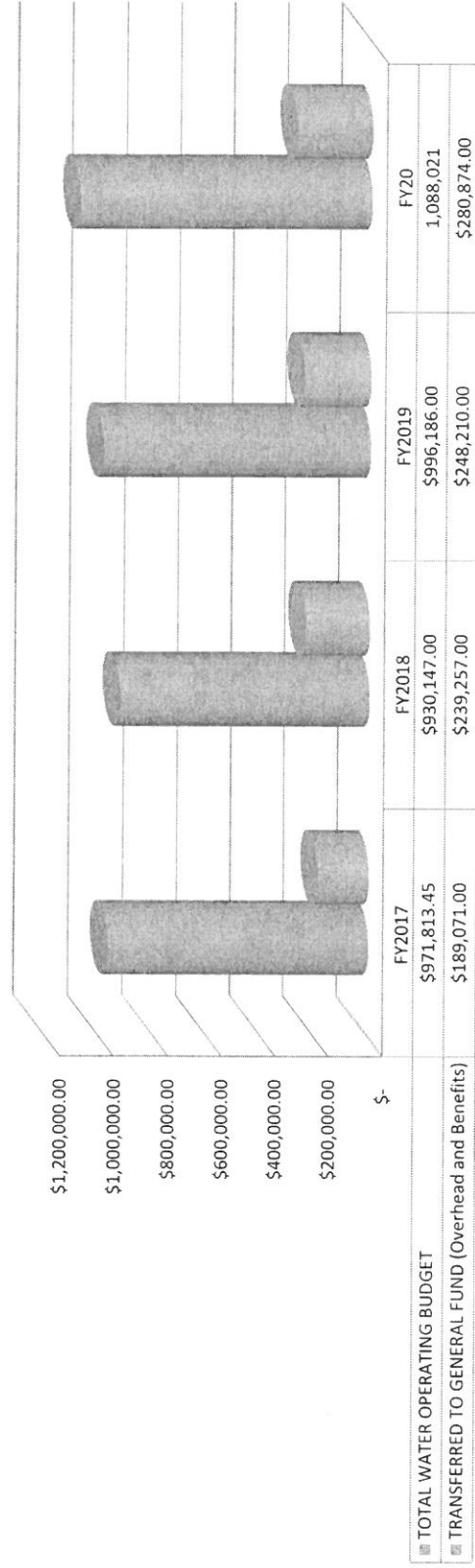
## ENTERPRISE FUNDS

Townsend operates an enterprise fund for its potable water system. An enterprise fund is an accounting and financial reporting mechanism whereby all expenditures and revenues for a particular business-type activity (in this case, the provision of potable water) are segregated into a special fund. However, the enterprise fund does not establish a separate, autonomous entity from the municipal government. The principal revenues for the enterprise fund are customer charges for water sales and related services. In Townsend, these revenues are forecasted to cover the cost of operating the water department.

Water revenue is anticipated to be \$1,088,048.00 in FY20. Approximately \$281,400.00 of the water revenue is used to fund employee benefits and the water fund's share of various insurances and a percentage of the town's financial and MIS offices. The remaining \$806,648.00 supports direct Water Department services, including salaries, operating expenses, and debt service. Personnel costs are projected to increase by 2.5% between FY19 and FY20, and by 2.5% thereafter, while 1% growth is projected in operating expenses for each year in the forecast.



## FY20 WATER ENTERPRISE-4 YEAR REVENUE TREND



## OTHER AVAILABLE FUNDS

The sources of all other available funds projected for FY20 include: West Townsend Reading Room (WTRR) receipts reserved, PEG Cable Access receipts, Recreation receipts, and Ambulance receipts. These combined sources represent a total of \$720,438.00 in FY20. These sources are recognized as revenues, and are level-funded during the period of the forecast.

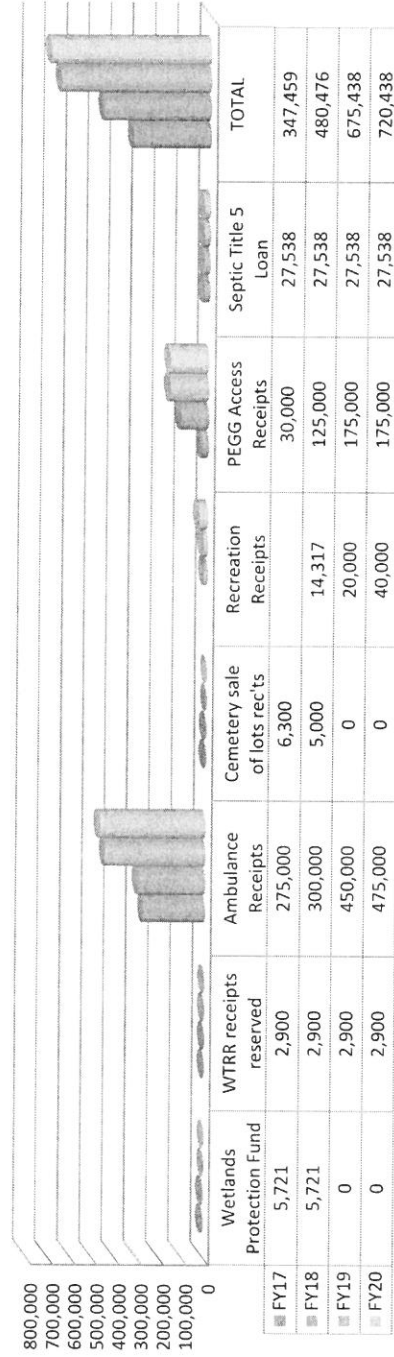
- WTRR receipts reserved. These are receipts from the rental of the West Townsend Reading Room.
- Townsend also collects receipts from the operation of its ambulance service in a special revenue fund. These revenues are reserved for offsetting the expense of running the ambulance and for the purchase of ambulance related capital items. Ambulance revenue has been budgeted at \$475,000 in FY2020.
- Cable access license receipts: The Town collects revenue as part of the public access cable license agreement that it grants.
- Septic Title 5 Loan: The State offers 0% loans to communities, which in turn provide low-interest betterment loans to eligible homeowners with failed septic systems.



Free cash is the remaining, unrestricted funds from operations of the previous fiscal year including unexpended free cash from the previous year, actual receipts in excess of revenue estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items. Free Cash had been used by Townsend as a source of funding for special warrant articles, snow deficits and other minor issues. As a best practice, since FY16, the Town has not used free cash for ongoing operations.

It is projected that the Town will use approximately \$600,000 in free cash each year for general stabilization, capital stabilization, and snow and ice reserves.

### OTHER AVAILABLE FUNDS- FOUR YEAR TREND



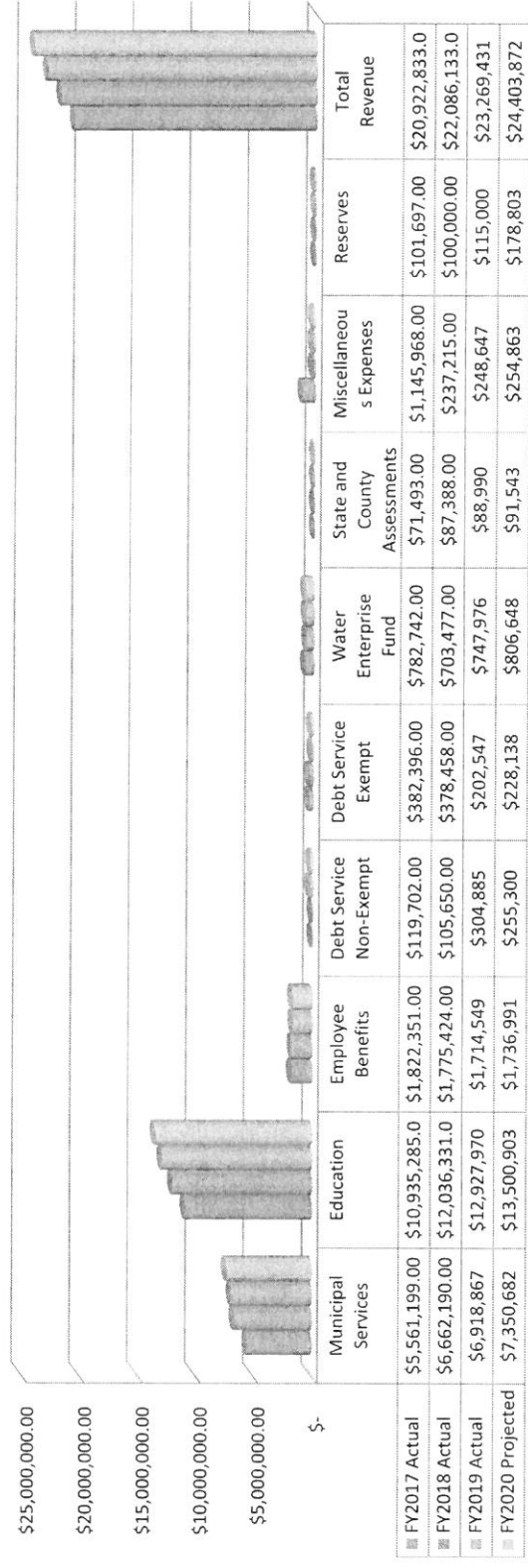




## EXPENDITURE PROJECTIONS

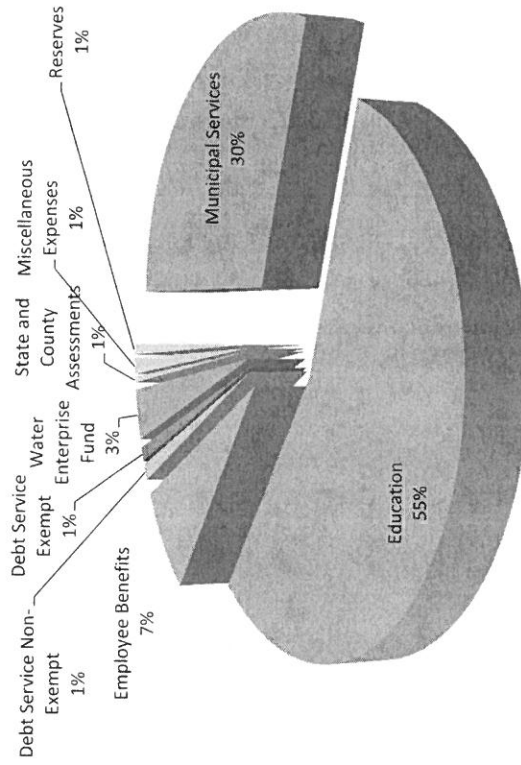
Detailed projections are contained in six "Expenditure" worksheets, including Expenditure Projections, COLA and Wages, Enterprise Funds, Benefits, Debt, and Debt Detail. Each of these pages ties into the FY20 Line Item Operating Budget. The FY20 Line Item Operating Budget is then consolidated into a best practices Omnibus Budget document for review, consideration and vote at the Annual Town Meeting.

### EXPENDITURES- FOUR YEAR TREND BY FUND TYPE

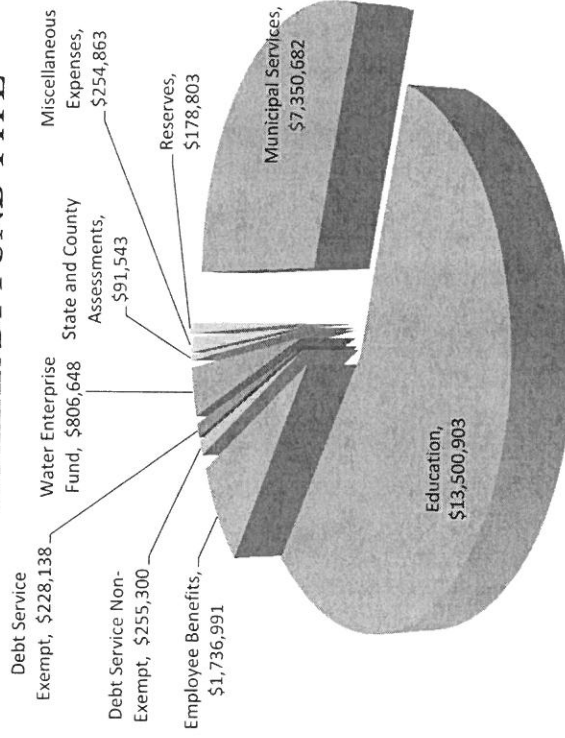




### FY20 EXPENSE PERCENTAGE BY FUND TYPE



### FY20 EXPENSE DOLLAR BY FUND TYPE





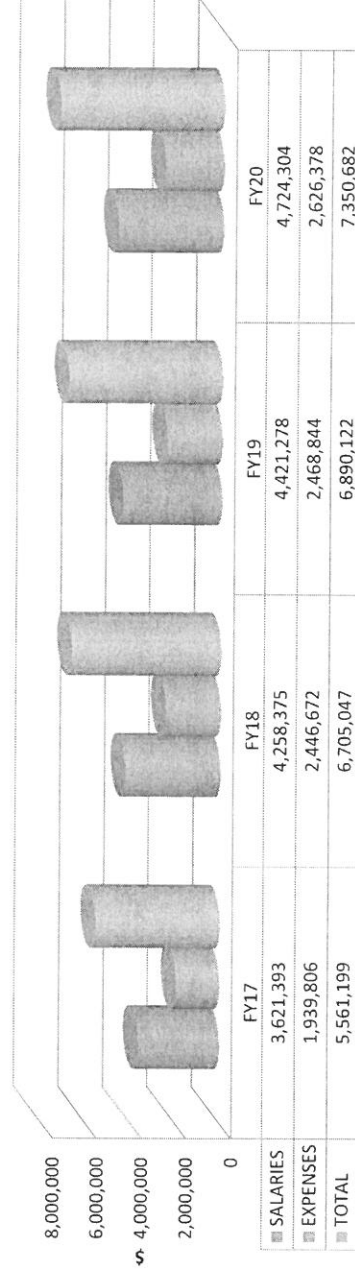
## MUNICIPAL DEPARTMENTS

In the forecast, Town departments have been grouped by two major categories, salaries and expense, consistent with best practices and town and state expenditure reporting. Additional detail is provided separating expenditures in the general categories of General Government, Public Safety, Education, Streets and Highways, Solid Waste, Human Services, Culture and Recreation, Debt Service, and Insurances.

For projection purposes, the forecast utilizes a 2 1/2 % wage adjustment, but this is intended as an example of cost impact moving forward and not a recommendation for any wage settlements. As the Town's detailed budget is prepared, this cost factor will be modified based on the actual employees eligible for a step increase. Cost impacts have been included in the Expenditure Projections worksheet within each Salary and Wages line item. The COLA and Wages worksheet allows for simulation of other wage agreements and step amounts.

Expenses have been projected to increase by 1 percent per year, although the forecast does allow for different rates of growth for different departments.

### MUNICIPAL SALARIES AND EXPENSES FOUR YEAR TREND





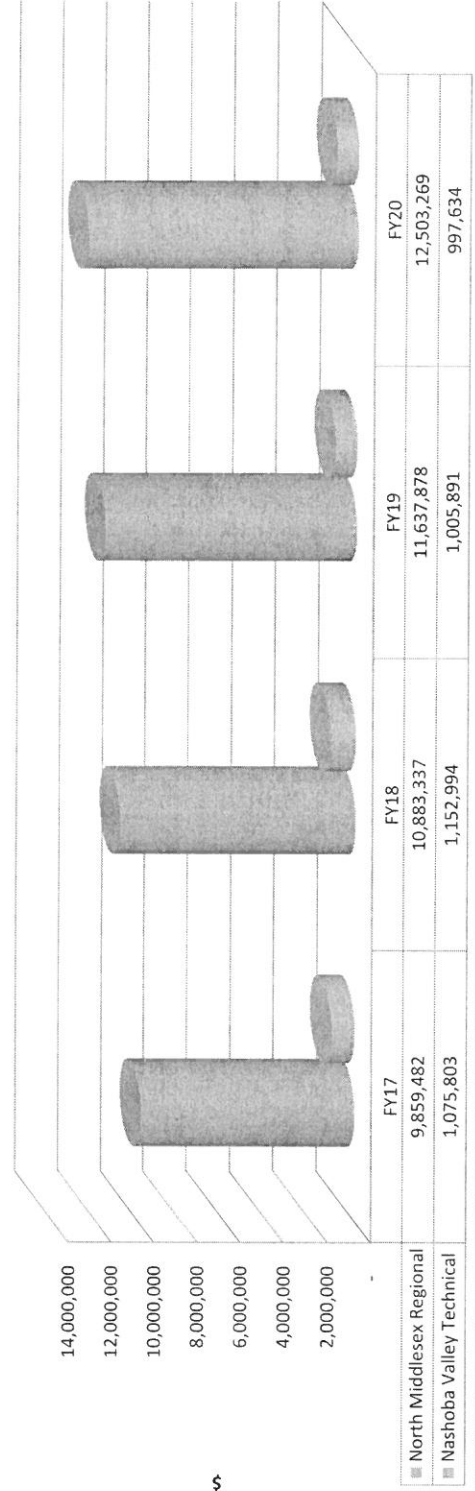
## EDUCATION

Townsend participates in two regional school districts. The first and largest of these districts is the North Middlesex Regional School District (NMRSD). The Town's preliminary operating assessment, which is the general and transportation assessments, for FY20 is \$11,050,000.00. This amount represents a 4.8% increase over the FY19 assessment. There is a continuing effort being made by all parties to reduce this number as it is not at all sustainable for the Town of Townsend. Additionally, the town has a FY20 NMRSD Debt Assessment of \$1,394,632.00, which is a driven nearly entirely by the previously authorized new high school project.

The second regional school district is Nashoba Valley Technical High School (NVTHS). The Town's operating assessment for FY20 is \$921,300.00, or level funded from FY19.

The General and Transportation Assessments have been combined and projected to increase by 3.5% during future years of this forecast. The Debt service is based upon twenty-five-year term borrowing. Funding for Bond Anticipation Notes (BANs) are projected in FY2020 based upon future capital projects.

### EDUCATION EXPENDITURE FOUR YEAR TREND



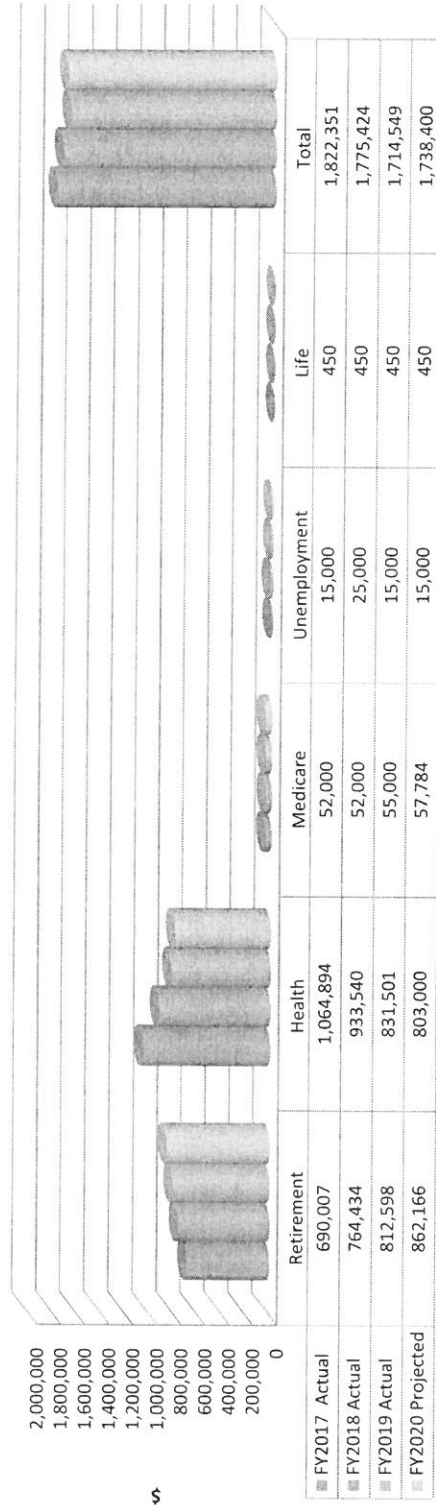




## EMPLOYEE BENEFITS

Employee benefits, including Retirement, Unemployment, Health Insurance, Life Insurance and Medicare are big budget drivers.

Employee Benefits- 4 Year Trend



Retirement - Town pension costs are projected based on the estimated appropriations issued by the Public Employee Retirement Administration Commission (PERAC) for Middlesex County. The appropriation letter from PERAC breaks down the assessments to the member towns, school districts, and housing authorities and shows the percentage of the total borne by each entity.

The forecast applies this percentage to the future appropriation amounts identified by PERAC as necessary to maintain the pension funding schedule going forward. The prior year actuary included an inflation factor of 6.5% through FY 2020 and a 4% increase thereafter. There will likely be changes to these projected pension costs for Townsend and therefore they should be monitored in future years to reflect any revisions in the necessary funding. Pension costs for FY 20 are \$812,598, or 43% of the overall personnel benefits cost.



Health Insurance— The Town receives its health insurance through the Massachusetts Interlocal Insurance Association (MIIA), a health insurance program representing many Massachusetts communities. The Town regularly puts the health insurance out to public bid in an effort at obtaining better pricing if available.

Actual health insurance expenses are projected to be down for FY20. As a result of excellent loss ratio over the past two years, the town is projected to realize no increase in premium expense for FY20. This is on top of the FY18 and FY19 expense reduction that was tied to the negotiated change in the percentage split between the employees and the town from 85%-15% to 75%-25% and then significant plan design changes. In an effort to further fine tune the health insurance expense, the Town conducted an annual subscriber audit to make sure we were appropriately budgeting for the correct number of subscribers for FY20.

The projected expense reflects the number of current subscribers as well as a buffer to cover any potential new subscribers that may come on during the fiscal year.

For the purpose of the forecast, health insurance expenses have been projected to grow each year, but by a declining percentage each year (e.g. 7% for FY2021, and 6% for FY2022). Health insurance expense for FY20 is projected to be \$803,000.

Medicare— Medicare has been forecast to increase to \$56,375 in FY20, or 3% of the overall personnel benefits cost. This is projected to increase by 2.5% annually.

Unemployment/Life Insurance— Unemployment is funded at \$15,000 for FY19 reflecting the fact that the Town has not incurred significant unemployment costs as a result of layoffs in recent years. Life Insurance is level funded at \$450 each year of the forecast.

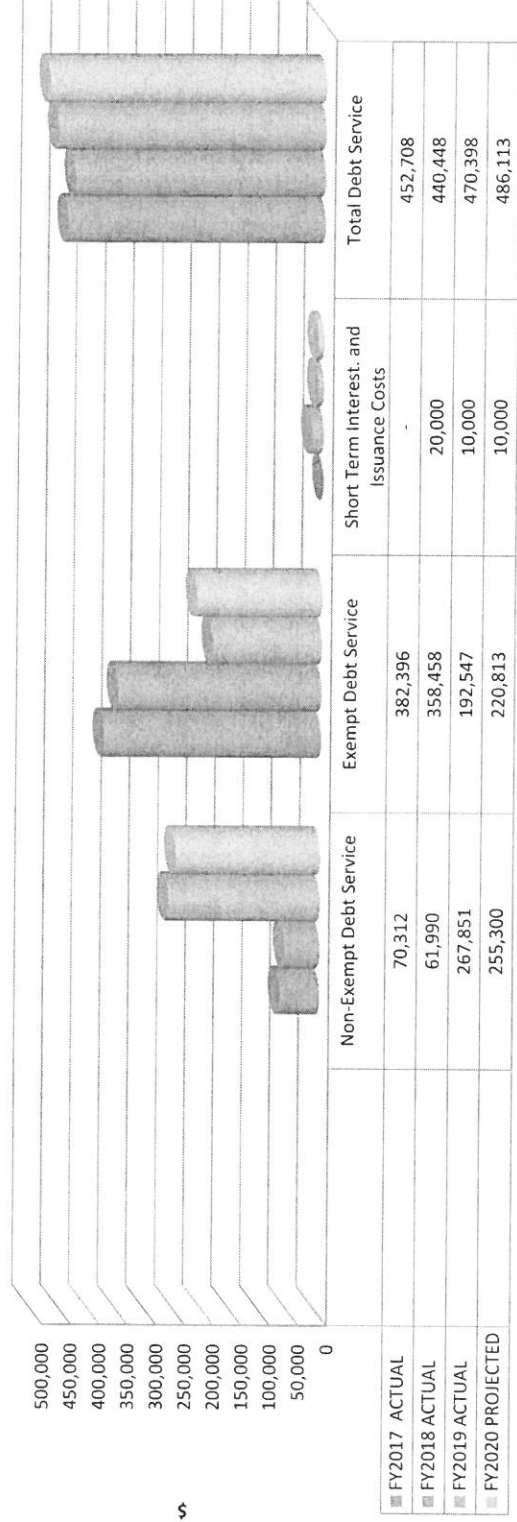


## DEBT SERVICE

General Fund Non- Excluded - Debt Service costs in this category are funded within the limits of Proposition 2 1/2, i.e., they are funded within the Town's annual operating budget. Projects funded from non-excluded resources include the landfill closure, part of a fire truck, West Townsend Fire Station, and Fire Pumper truck (see Debt Detail tab.) At present, existing non-excluded debt service will increase in FY20 to \$255,300. After this, debt service for these projects will decline annual until they are fully paid in FY2038.

General Fund Prop 2 1/2 Excluded - Debt Service costs in this category are approved by the voters and are funded outside the limits of Proposition 2 1/2 via a debt exclusion. Approved projects include land acquisition, landfill closure, and Public building. Excluded debt is raised via an increase in property tax and is acknowledged on the Revenue Projections and Expenditure Projections tabs. (See also Debt Detail tab.) School debt service, including excluded and non-excluded are grouped with the Education Services appropriation category. Water debt service is grouped within the Water Enterprise appropriation category.

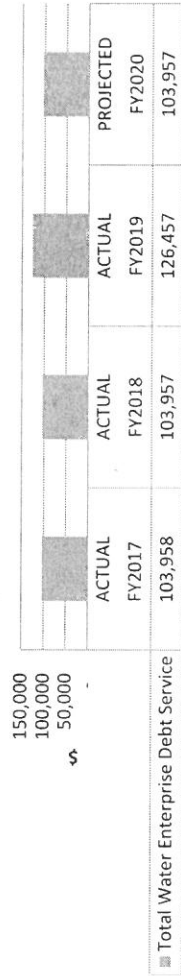
### General Government Debt Service- 4 Year Trend



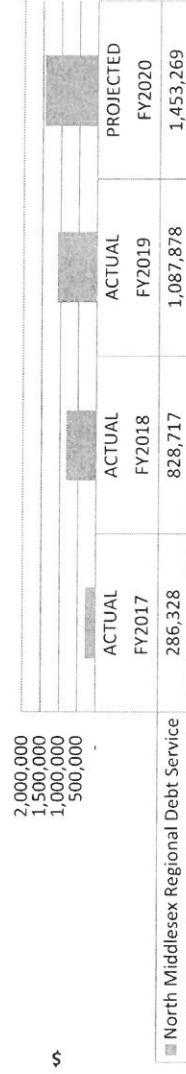




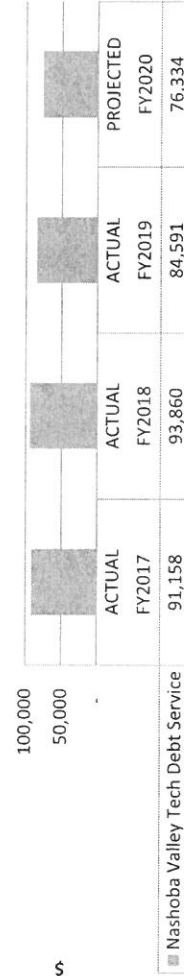
### Total Water Enterprise Debt Service- 4 Year Trend



### North Middlesex Regional Debt Service- 4 Year Trend



### Nashoba Valley Tech Debt Service- 4 Year Trend





## ENTERPRISE FUNDS

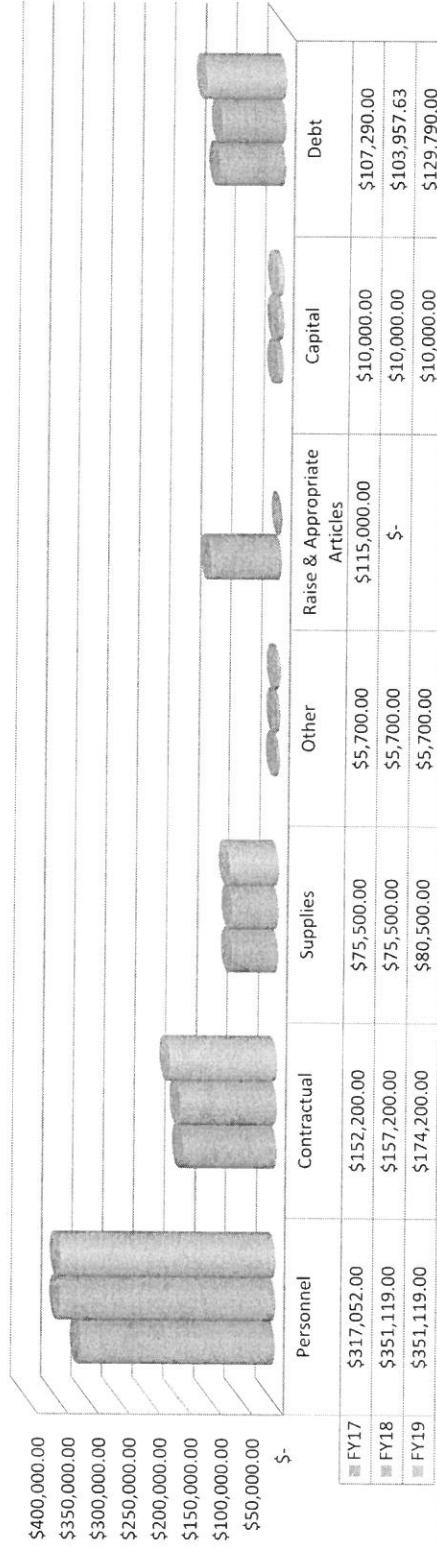
The Town has established an enterprise fund for all Water Department activities. This full cost recovery program is estimated to be \$1,088,048 for FY20.

The costs associated with this revenue are broken down into two categories. 'Water-Only' or direct service costs include personnel, contractual, supplies, other, capital and debt service expenses and 'Transfer to Town' for employee benefits and other overhead charges. These charges include Retirement, Health Insurance, Medicare, and Workers Compensation, general insurance and a percentage of the town's finance and MIS offices and are reimbursed to the Town as best practices in municipal finance.

The 'Water-Only', or direct service costs, for FY20 equal \$806,648, or 76% of the overall expenses while the Transfer to Town, or employee benefit and overhead charges, for FY20 equals 24% of the total budget or \$281,400.00.

The forecast includes a 2.5% increase in personnel to account for steps, COLA, and other related personnel costs. Contractual services, supplies, and other are inflated by 1% annually. Capital is level funded at \$10,000 annually while debt service is matched against a specific debt service schedule.

### WATER ENTERPRISE EXPENSE- THREE YEAR TREND





## STATE AND COUNTY ASSESSMENTS

All State assessments included in the forecast are based on the Cherry Sheet estimates in the Governor's House 1 version of the FY20 budget. This cost center represents an extremely small 0.4% of the overall budget. The most significant of the State assessments in Townsend are Regional School Transportation, the MBTA, RMV Non-Removal, and Air Pollution.

Similar to the Cherry Sheet state aid accounts on the revenue side, Town officials will need to monitor the State budget process for FY20 and follow the release of local assessment estimates until the State budget process concludes with the issuance of final FY20 Cherry Sheets and local assessments. All assessments other than the RMV expense are forecast to increase by 2.5% annually.

## MISCELLANEOUS EXPENSES

Property/Liability/Workers Compensation Insurance - This insurance covers municipal buildings and contents, motor vehicles, public official liability and workers compensation insurance. The projection is forecasted to grow modestly at 4.5% in each year of the forecast thereafter.

Cherry Sheet Offset - The cherry sheet offset in Townsend is for Library services is forecast to remain stable. As an offset, however, any change has no impact on the budget as these receipts are earmarked for library spending without appropriation. As such, any growth in this revenue is offset on the expenditure side of the forecast to essentially remove this aid from the Town's general revenues.

## RESERVES/OTHER

Overlay - Reserves/Other includes the annual allowance for abatements and exemptions (Overlay). The overlay has been projected at a goal of 0.75% of the annual tax levy per year. However, in a revaluation year, a community typically has more abatement requests, so a good practice is to increase the overlay to reflect the risk of additional abatements.

General and Capital Stabilization - The forecast anticipates that a goal of \$200,000 will be deposited each year in the Town's General Stabilization Fund and Capital Stabilization Fund, for a total of \$400,000, from free cash generated in the prior fiscal year, subject to available funding. This practice will allow the Town to increase both reserve funds - the first to be used in the event of an emergency and the second to be used to establish an annual allocation of funding to address capital needs.

Snow and Ice Deficit - The forecast anticipates that the Town will deposit \$200,000 from free cash into a snow and ice deficit fund that will provide funding for unanticipated expenses in the Town's response to snow and ice conditions.



[INSERT FY20 BUDGET WORKSHEETS]





# TOWN OF TOWNSEND

## A VOTER'S GUIDE TO TOWN MEETING

### INTRODUCTION:

The purpose of this document is to explain to the voters of Townsend what goes on at our Open Town Meeting and why. By so doing, we hope to encourage all of you to attend and participate, because after all it is "your" Town and it is "your" Meeting<sup>2</sup>.

### A BRIEF HISTORY OF OPEN TOWN MEETING:

All throughout New England, in some thousand small towns, people participate in the oldest and what some call the truest form of local government: the Open Town Meeting. With only slight variations, it is the kind of government that the Massachusetts Bay Colony set up in contrast to Europe, where feudal government came from the top down, but it does have its genesis in the folk moot of the Anglo Saxons... It is government of and for the people, but mostly it is a government by the people. It is now, as it was some hundreds of years ago, true democracy at work. At these meetings, the town's business is conducted by you.

### THE PRACTICES OF OPEN TOWN MEETING:

The agenda for Town Meeting is set out in a document called a warrant, and each item of business in the warrant is numbered and is referred to as an article. There are both financial and non-financial articles that are voted on at Town Meeting.

Financial Articles: The voters can allocate funds to all town departments to fund their operating expenses for the following fiscal year by voting on financial articles in the warrant. Requests for the purchase of capital equipment for various departments, such as trucks and police cruisers, are usually separate articles called either "special" or "capital" articles. These types of articles must be voted on individually on their own merits.

At the close of Town Meeting, all departments are bound by your votes.

<sup>2</sup> This document is based on the Voter's Guide for the Town of Winchendon which was created in a collaborative effort by the Moderator, the Board of Selectmen and the Town Manager. A great debt is owed to Mr. Warren E. Turner, Moderator of the Town of West Bridgewater, Massachusetts whose valuable guidebook was used as a format. The Townsend Moderator, Board of Selectmen and the Town Administrator would like to acknowledge and thank the foregoing for making this guide possible for Townsend.



It is a popular misconception that the Selectmen or School Committee "control" the spending of your tax dollars. This is not true. They only get to spend what you give them at Town Meeting. This is why it is so vitally important that you become informed and attend the meeting to vote.

Non-Financial Articles: As referenced above, non-financial decisions are also reached at Town Meeting. These decisions also affect your day to day living. All zoning by-laws proposals and revisions, street acceptances, license fees, and penalties must be by your vote at Open Town Meeting.

In summary, there is very little that goes on in town government that is not affected by the actions of the Open Town Meeting. It should rank in importance second only to your vote at the annual Town Election where you choose the people who handle the responsibilities to carry out the wishes of the town as expressed to them by the Open Town Meeting vote.

#### **CAST OF CHARACTERS:**

As you face the front of the hall at Town Meeting, you will see a person standing at a lectern, a number of people seated at a long table on the stage, and others seated at a table on the floor to the left front of the stage facing you. These are the people who have been either elected or appointed to help you decide how to spend your tax money. All are intimately familiar with the issues before you and have reviewed every article.

#### **TOWN COUNSEL:**

Seated on the far left end of the table on the stage, as you see it from the floor, sits the Town Counsel. He or she is a lawyer employed by the Town to represent the town in all legal matters that may arise and, when asked by the Selectmen or Moderator, to advise town boards as to the law on various issues. His/her function at Town Meeting is to answer specific questions about the legality of a motion or amendment brought before the meeting. He/she will respond only when queried by the Moderator or Selectmen, and will not participate in the discussion of the merits of an issue, but only on its legality.

#### **TOWN ADMINISTRATOR:**

Moving from your left to right, the next person you see is the Town Administrator. Our home rule charter provides for this position. This person is appointed by the Board of Selectmen to conduct the day to day operations of the town. Because we have Selectmen who are not in the Town Hall on a full-time basis, and because they all have other responsibilities outside of the Town Hall, we have a full time professional municipal manager in the Town Hall who is aware of all of the relevant state and federal laws that govern towns and who can assure that the policies of the Board are implemented on a day to day basis. At Town Meeting, the Town Administrator is a resource for the Board and the meeting to help answer complicated questions of finance and how state rules impact on town operations. He/she will frequently contribute to discussions. He or she need not be a resident.

#### **BOARD OF SELECTMEN:**

The elected Board of Selectmen sits at the center of the stage. This three person elected board constitutes the highest level of executive responsibility in the Town and is charged with setting town wide policy. All of the articles on the Town Meeting warrant have been previously reviewed by the Selectmen, and except those brought by initiative petition, have been approved to be included on the warrant by the Board. They may or may not approve of an article brought by initiative petition, but have voted to bring the issue to the floor of Town Meeting for you to decide. The Selectmen will make many of the motions and participate in much of the discussion during the evening.



#### TOWN CLERK:

To your right of the Board of Selectmen is the elected Town Clerk. It is his/her responsibility to record the proceedings of the Town Meeting. This record becomes the only true and legal record of the meeting. The meeting will open with the Town Clerk reading a copy of the Notice of the Posting of the Warrant, which states that the meeting has been properly posted by the Constables and everything is in order. From that point on his/her function is that of record keeper.

#### MODERATOR:

The elected Moderator is the person behind the lectern to your right on the stage. It is the responsibility of the Moderator to "run" the meeting. He or she presents each article to the voters in turn and accepts a motion (see "Making a Motion" later in this document) and a second to bring it to the floor for discussion. The Moderator controls the flow and order of the discussion, and all who speak must first be recognized by the Moderator. Town Meeting Time, a compendium of the rules of parliamentary procedure generally observed by the New England town meetings over the last three centuries, are the rules by which the meeting is conducted.

It is critical that the Moderator be neutral and unbiased on all issues before the meeting. It is his or her responsibility to see that all who wish to express an opinion or have a question on an article have the opportunity to speak, at the same time to balance this with limiting repetitive rhetoric and frivolous comment. It is also critical that he or she limit the discussion to that which deals directly with the article at hand and not the subject in general. The Moderator then calls for a vote on the article and relays the results of the vote to the Town Clerk. (See "Taking a Vote" later in this document)

#### FINANCE COMMITTEE:

To your left, seated at the table in front of the stage, sits the Finance Committee. This is a Board of seven, appointed by the Moderator, who are chosen for their interest in town government and who possess a certain level of financial expertise. It is the responsibility of the Finance Committee to review all warrant articles and all budget requests that appear on the warrant. The Finance Committee will frequently meet with departments and/or with the Board of Selectmen to review budget proposals. The Town Administrator serves as a technical resource to the Finance Committee. The Finance Committee holds public meetings on all matters to be put before the town meeting. The Finance Committee develops a recommendation prior to Town Meeting that either approves or disapproves the requests contained within the various articles. This recommendation, along with the recommendation of the Board of Selectmen, is your guide at a Town Meeting, but you are not bound by their recommendation. If you disagree with a recommended financial item you may move to amend dollar value requested (see how to amend a motion later in this document). You must keep in mind, however, that the budget and associated financial articles that are being considered at Town Meeting are all part of a larger balanced town budget, and when the Town Meeting's work is done that the Town must have a balanced budget. Therefore, any changes in the amounts of the financial articles will have either a positive or a negative impact on the bottom line of the overall town budget.

The Finance Committee also has control of the Reserve Fund which is an amount of money appropriated at Town Meeting to be used for emergency expenditures during the fiscal year. (see Reserve Fund in the glossary later in this document)





### **PARLIAMENTARY PROCEDURE (OR, HOW THE MEETING IS RUN):**

The book of rules for Townsend's Open Town Meeting is a book of parliamentary procedures called "Town Meeting Time" and it is available in book stores and at the Public Library. These rules and procedures, though somewhat intimidating and confusing to the uninitiated, are not very difficult to learn. They are very important, however, in that they provide the backbone and the framework for the conduct Town Meeting.

The following will be a general overview of the types of rules and statements of action or "motions" that you will most likely hear at Open Town Meeting. This is intended to be an illustrative, but not a definitive, sampling of typical Town Meeting actions.

If you have any questions about this information before the town meeting please feel free to contact the Moderator, the Town Clerk, the Board of Selectmen or the Town Administrator. If you have any questions about the proceedings during the town meeting you can rise and call out for a "Point of Information". Once the Moderator recognizes you, you are free to ask your question about the proceedings.

### **THE BEGINNING:**

The meeting cannot legally begin until there is a quorum of voters present. A quorum is a pre-determined number of voters that is set by the town bylaw. In the town of Townsend the quorum is seventy-five (75) voters.

After the meeting has been called to order by the Moderator and the Town Clerk has read the posting of the warrant, usually the scouts will lead the Town in the Pledge of Allegiance, and then the Moderator will make introductions of the Selectmen, Town Administrator, Town Counsel and Finance Committee, and review some of the rules of the meeting. Occasionally, some brief pertinent information will be announced and then the articles of the warrant are considered in order.

### **DISCUSSION:**

Each article is typically read by the Moderator. If an article is very long, the Moderator may ask that the Town, by majority vote to waive the reading of the article by the Moderator. The Moderator will ask for a motion on the article before the meeting and someone will then make the motion followed by a second. It is important to listen carefully to the motion to see if it varies from the printed article. As each article is presented, any registered voter (and certain guests with permission of the Moderator) may rise to speak to the subject. The accepted practice of the Townsend Town Meeting is for a speaker to rise and raise their hand. All speakers must state their name and address, and must use a microphone (as the meeting is being transmitted by cable TV to people at home), and then wait to be recognized by the Moderator. Further, the Moderator reserves the right to recognize speakers who have not yet spoken on the motion on the floor over those who already have.

Care should be taken that all questions and comments deal directly with the article under consideration. All questions will be addressed through the Moderator, and one will speak only when recognized by the Moderator. All voters are encouraged to ask relevant questions to their satisfaction, and need not fear being ridiculed or heckled by the audience. Remember the old saying, "The only stupid question is one that isn't asked."

### **AMENDING A MOTION:**

If the article under consideration is not worded to the satisfaction of a voter, the voter may seek to be recognized to offer an amendment.



**EXAMPLE:** "Mr. Moderator. (wait for acknowledgment) I would like to offer an amendment to the motion on buying widgets for the town widget department that is on the floor of the meeting. I would like to amend the article by striking out the dollar figure \$5,000.00 and inserting in its place the dollar figure \$6,000.00. I offer this amendment because I know that the price of widgets went up and to get the number of widgets being requested we would need to appropriate the additional money."

If the amendment is seconded, discussion and a vote will be held on the amendment as offered. If the amendment passes, discussion will return to the original motion, as amended, and finally to a vote. If it fails, other amendments may be considered, or discussion and a vote on the original motion will follow. Please note that if a motion or an amendment is outside the scope of the article, it could be ruled out of order.

All motions, original or amendments, must be put in writing.

#### MOVING THE QUESTION:

Once in a while, when discussion seems to be repetitive or going nowhere, a Town Meeting member may "Move the Question". If the call to "Move the Question" is made by a voter that is recognized by the Moderator and then seconded by another voter, the motion to "Move the Question" cannot be ignored because it is a legal call to terminate debate. A call to "Move the Question" cannot, however, interrupt a speaker.

This type of motion to terminate debate requires a two-thirds recognized or counted vote and can be made at any time. Unlike most motions, this motion is not debatable and must be acted upon immediately. Most fair and just Moderators may not recognize a motion to "Move the Question" when there are voters waiting to speak, or if it appears that moving the questions too early would stifle informed debate. Treating each other in a civil manner is paramount in Town Meeting procedure. The Moderator will rule out of order a motion to move the question unless the motion to move the question is made by itself, and not made after the speaker has had his or her say in the discussion, and so try to get the last word, by moving the question.

It should be understood that a vote to "Move the Question" is just a vote to terminate debate. If the motion to "Move the Question" is successful then a separate vote on the motion on the floor will be taken.

MOTION TO TAKE NO ACTION: From time to time, the Moderator's reading of an article will be greeted by a "Motion to Take No Action" usually from the Selectmen. This is often an indication that the maker of the original request for the article no longer deems it necessary to make the request. It may be that the conditions have changed or the presenter is not ready to make his/her case for the request. The Moderator usually allows a brief explanation of the circumstances before calling for the vote. The "Motion to Take No Action" is a debatable motion.

#### POINT OF INFORMATION:

Anytime a voter has a question about the proceedings of Town Meeting he or she can rise a call out "Point of Information". This will be recognized by the Moderator and the voter will be allowed to ask his or her question.



#### POINT OF PRIVILEGE:

Any time a voter can't hear the speaker or wished to raise some concern about conditions in the hall, they may interrupt the speaker to make a point of privilege. The voter must rise and call out Mr. Moderator, then state his or her point of concern, where upon the Moderator will take such action as deemed necessary.

#### POINT OF ORDER:

Once in a while the Moderator may do something that a voter considers to be incorrect or at the very least that the voter thinks deserves explaining. In this case, the voter may rise and call out "Point of Order". This requires immediate attention by the Moderator and the voter will be immediately offered an opportunity to explain what it is that is bothering him. The Moderator must then respond by defending or explaining his/her action or decision. The voter is not allowed to further debate the point. The only appeal in Townsend's practice is to the courts or an issue of law, although the Moderator may, but is not obligated to put the issue to the meeting.

#### MOTION TO RECONSIDER:

A "Motion to Reconsider" an article that has been previously accepted requires a majority vote,, if raised on the original night that the original article was voted on. If a motion to reconsider an article passed at a part of the meeting held on a previous day, the motion must be approved by 9/10<sup>th</sup> of the voters.

A "Motion to Reconsider" can be made at any time after an article passes, and because an article can only be moved for reconsideration once you may hear a voter who just voted on the prevailing or winning side of a vote on a previous motion rise and call for a "Motion to Reconsider" the motion that just passed in an attempt to "finalize" or to "lock in" the vote. While some towns require that the person making the motion to reconsider( who honestly has second thoughts about the matter) must have voted with the prevailing side in the original vote, because of the difficulty in determining this, Townsend 's practice usually allows anyone to make this motion. If a motion to reconsider is being used to frustrate the proceedings of the meeting the Moderator may rule it out of order.

#### TAKING A VOTE ON AN ARTICLE:

In an Open Town Meeting there are three ways to take a vote on an article before the body.

#### VOICE VOTE:

After discussion has been terminated, or if there appear no further questions, the Moderator may repeat the article to be voted upon, or simply call for a vote, he or she will ask "That all who are in favor say AYE" and then "those who are opposed say NO". It then becomes a judgment call on the part of the Moderator as to which side prevailed. If, in the opinion of the Moderator, it was "too close to call" he may ask the meeting to vote again or ask his counters (persons pre-selected to do actual head counts on votes) for a counted standing vote.

If seven (7) voters disagree with the decision of the Moderator on a voice vote, they rise and may ask for a standing vote. The Moderator will then call the counters forward and a standing counted vote will be taken.



#### **STANDING COUNTED VOTE:**

At every Town Meeting, there are people selected by the Moderator to act as "counters". In the event that the voice vote on an article is "too close to call" or the request for a counted vote by 7 voters, then the counters are called forward and assigned areas of the hall to record the standing vote. These counters work in pairs and must agree on the vote for their assigned section. Certain votes always require a counted vote including bonded debt and paying bills from a prior fiscal year, unless unanimous. All votes requiring a two-thirds vote will be counted by the counters, unless the Moderator determines the vote clearly passed by more than two-thirds.

#### **BALLOT VOTE:**

On very rare occasions, a ballot or secret vote is requested. This may be determined by the Selectmen, the Moderator, or may be called for from the floor by a voter who would state either during or after discussion, "Mr. Moderator, I move that when a vote is taken on this matter that it be taken by secret ballot." That request would then be voted by the assembly and would pass if it is supported by a majority of the voters present. A ballot vote requires all voters to come forward as directed by the counters and in turn cast a YES or NO paper ballot vote for the issue at hand. The counters then tally the results and report it to the Moderator. This is a time consuming process; however, to avoid the intimidation of a public vote on a controversial issue, many voters seem to prefer it. If you think a paper or secret ballot vote may be needed, you should inform the Moderator and the Town Clerk before the meeting.

Early in the meeting, usually as early as article 7 comes an article called the "OMNIBUS BUDGET" article.

For convenience, all recommended appropriations for operating budgets for various town departments and boards are gathered together in one article called the Omnibus budget or the budget displaying salary and expenses by department and by functional segment budget. The normal procedure is for voters to read through the recommended amounts in this article, one budget at a time, the Moderator will ask if anyone has any questions. If there are no questions or amendments after a reasonable time for review, a Moderator will ask for a vote on that section of the budget. If approved by the majority, then the meeting will proceed to the next section. If there are changes, some additional time is necessary for the accountant to calculate the effect of the change.

After the Omnibus Budget article, the rest of the warrant will be considered in order. Rarely it may be acceptable, however, to make a motion that an article be taken "out of sequence". In order to do so a voter must move to "Suspend the Rules" to take an article out of order, which requires a second, is non-debatable, and requires a vote of two-thirds of the assembly. On occasion, there may be a guest or visitor present (sometimes a consultant) or other extenuating circumstances that would make this desirable. The maker of the motion will be allowed to make his/her case for moving the article and a vote will be taken on the motion to take the article "out of sequence". A two-thirds vote will prevail.

If the hour of the evening is getting late, the Moderator may entertain a motion to Fix a Date and Time to Adjourn". If the motion carries, the meeting will reconvene when directed.

#### **OTHER POINTS OF CONSIDERATION:**

Citizen groups may submit an article for consideration at Town Meeting by drafting an article and collecting 10 valid signatures (or for a special TM, 10% of the voters), on a petition form available from the Town Clerk. This must be done before the Selectmen close the warrant for any given Town Meeting.





## The operative word for Open Town Meeting is **OPEN**.

**It is the desire of all Town Officials that as many voters attend Town Meeting as possible.**

Every effort will be made to allow your opinions to be heard and your questions to be answered. In an effort to keep the proceedings orderly and dignified, rude and intimidating questions will not be permitted, and personal attacks are a cause for a voter to be ejected.

Every year we spend in excess of ----- million (\$-----,000,000.00) dollars at Town Meetings, of which an average ----- comes from each household. All Town Meetings are posted at four locations in town and on the Town's website, and usually announced in the local newspapers in advance of the meeting. The Annual Town Report is usually available at Memorial Hall( Town hall)in the weeks prior to the annual town meeting. The warrant is published on the town website and available at Memorial Hall at least one week prior to the meeting.

We hope that each of you would want to have an input and vote on how your money is spent, and how your town operates.

May we humbly suggest that you plan your schedule to permit your attendance at Town Meeting.

After all, it's your money we are spending, and if you choose not to attend, then more power (literally and figuratively) to those who do.



## **GLOSSARY OF TOWN MEETING AND MUNICIPAL FINANCE TERMS** **[MERGE THESE TWO LISTS OF TERMS]**

The following is a glossary of terms that are used in connection with Town Meeting. Any time someone uses a term at Town Meeting that you do not understand you may rise to a "Point of Information" and ask for an explanation or definition.

ABATEMENT: A complete or partial cancellation of a levy imposed by a government unit; applicable to tax levies and special assessments.

APPROPRIATION: An authorization by Town Meeting to make payments and to incur obligations for a specific purpose.

ASSESSED VALUATION: The value set on real or personal property by the Board of Assessors as a basis for setting tax rate.

AUDIT: Work done by accountants in examining financial reports, reviewing compliance with applicable laws and regulations.

BALANCE SHEET: A statement that discloses the assets, liabilities reserves and equities of a government unit on a specified date.

CAPITAL BUDGET: A multi-year plan of spending for large capital items requested by the Town Departments. These items are voted on as a package in the same manner as the Omnibus Budget article.

CAPITAL EXCLUSION: A vote to exclude from the levy limit the cost of a capital project. This exclusion only affects the levy limit for the year in which the project was undertaken.

CHERRY SHEET: A form from the Massachusetts Department of Revenue showing all the State and County charges and reimbursements to the Town as certified for the following year.

DEBT EXCLUSION: A vote to exclude from the levy limit the cost of debt service for capital projects. The exclusion remains in effect for the life of the project,

DEBT SERVICE: Payment of interest and principle to holders of the Town's debt instruments.

ENTERPRISE FUND: An entity with a self-balancing set of accounts that is utilized to account for a governmental service when it is the intent to recover the total costs of the service.

FISCAL YEAR: A 12-month period, commencing July 1, to which the Annual Budget applies. The monies appropriated at the May Town Meeting are for the next "fiscal year" starting July 1st.

FREE CASH: Free cash is neither free nor cash. This is a dollar value, usually certified by the State in late summer, which represents unspent and unencumbered income and receivables from the previous year. Once certified, this money may be appropriated at a Town Meeting as a one-time revenue source.

GENERAL FUND: The major town fund created with town receipts and tax revenues from which the majority of town expenses are met.

GROWTH REVENUE: The amount of property tax revenue that the town can add to its allowable tax levy as a result of new construction in the town. These are tax dollars added to the tax base.



OPERATING BUDGET: A plan of proposed spending and the means of paying for it for the next fiscal year. The towns request of an amount of funds to operate all departments for the next fiscal year.

OVERLAY ACCOUNT: An amount, raised by the assessors, in taxes to be used for potential abatement of property taxes. The Overlay Surplus is that money left not spent from the previous year's account.

OVERIDE: A vote to increase the amount of property tax revenue that may be raised over the levy limit.

PROPERTY TAX LEVY: The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed per thousand dollars of assessed valuation.

For example	House value	\$150,000.00
	Tax rate	\$10.00 (which means \$10 dollars per thousand)
	Levy	\$10.00 multiplied by \$150,000 and divided by 1,000
	Result	\$1,500

RESERVE FUND: A fund appropriated each year to be used by the Finance Committee to meet "extraordinary or unforeseen expenditures" that do not warrant the calling of a Special Town Meeting.

REVOLVING FUND: Monies, usually derived from fees or tuition, that may be used without formal appropriation for special use. The School and the Police Departments, among others, maintain "revolving funds".

STABILIZATION FUND: A "rainy day" fund set aside to meet future emergency expenses in the town. Funds can be appropriated to this fund at a town meeting by a majority vote and can only be spent from by a 2/3 vote.

TAX LEVY: The amount of dollars assessed in property taxes imposed by the town each fiscal year

WARRANT: A list of items to be voted on at Town Meeting.

CMR: The Code of Massachusetts Regulations; Massachusetts state agencies issue regulations, which are compiled in the Code of Massachusetts Regulations (CMR).

Debt Exclusion: An action taken by a community through a referendum vote to raise the funds necessary to pay debt service costs for a particular project from the property tax levy, but outside the limits under Proposition 2½. By approving a debt exclusion, a community calculates its annual levy limit under Proposition 2½, then adds the excluded debt service cost. The amount is added to the levy limit for the life of the debt only and may increase the levy above the levy ceiling.

Enterprise Fund: An enterprise fund, authorized by MGL Ch. 44 §53F½, is a separate accounting and financial reporting mechanism for municipal services for which a fee is charged in exchange for goods or services. It allows a community to demonstrate to the public the portion of total costs of a service that is recovered through user charges and the portion that is subsidized by the tax levy, if any. With an enterprise fund, all costs of service delivery--direct, indirect, and capital costs--are identified. This allows the community to recover total service



costs through user fees if it chooses. Enterprise accounting also enables communities to reserve the "surplus" or net assets unrestricted generated by the operation of the enterprise rather than closing it out to the general fund at year-end. Services that may be treated as enterprises include, but are not limited to, water, sewer, hospital, and airport services. See DOR IGR 08-101

Excess Levy Capacity: The difference between the levy limit and the amount of real and personal property taxes actually levied in a given year. Annually, the board of selectmen or city council must be informed of excess levy capacity and their acknowledgment must be submitted to DOR when setting the tax rate.

Equalized Valuation/EQV: The determination of an estimate of the full and fair cash value (FFCV) of all property in the Commonwealth as of a certain taxable date. EQV's have historically been used as a variable in distributing some state aid accounts and for determining county assessments and other costs. The Commissioner of Revenue, in accordance with MGL Ch. 58 §10C, is charged with the responsibility of biannually determining an equalized valuation for each city and town in the Commonwealth.

Fiscal Year (FY): Since 1974, the Commonwealth and municipalities have operated on a budget cycle that begins July 1 and ends June 30. The designation of the fiscal year is that of the calendar year in which the fiscal year ends. Since 1976, the federal government fiscal year has begun on October 1 and ended September 30.

Free Cash: Remaining, unrestricted funds from operations of the previous fiscal year including unexpended free cash from the previous year, actual receipts in excess of revenue estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items. Unpaid property taxes and certain deficits reduce the amount that can be certified as free cash. The calculation of free cash is based on the balance sheet as of June 30, which is submitted by the community's auditor, accountant, or comptroller. Free cash is not available for appropriation until certified by the Director of Accounts.

General Fund: The fund used to account for most financial resources and activities governed by the normal town meeting/city council appropriation process.

Indirect Costs: Costs of a service not reflected in the operating budget of the entity providing the service. An example of an indirect cost of providing water service would be the value of time spent by non-water department employees on water related business. A determination of these costs is necessary to analyze the total cost of service delivery. The matter of indirect costs arises most often in the context of enterprise funds.

Levy: The amount a community raises through the property tax. The levy can be any amount up to the levy limit, which is re-established every year in accordance with Proposition 2½ provisions.

Levy Limit: A levy limit is one of two types of levy (tax) restrictions imposed by MGL Ch. 59 §21C (Proposition 2½). It states that the real and personal property taxes imposed by a city or town may only grow each year by 2½ percent of the prior year's levy limit, plus new growth and any overrides or exclusions. The levy limit can exceed the levy ceiling only if the community passes a capital expenditure exclusion, debt exclusion, or special exclusion.

Local Aid: Revenue allocated by the Commonwealth to cities, towns, and regional school districts. Estimates of local aid are transmitted to cities, towns, and districts annually by the "Cherry Sheets." Most Cherry Sheet aid programs are considered general fund revenues and may be spent for any purpose, subject to appropriation.





Local Receipts: Locally-generated revenues, other than real and personal property taxes. Examples include motor vehicle excise, investment income, hotel/motel tax, fees, rentals, and charges. Annual estimates of local receipts are shown on the tax rate recapitulation sheet.

Motor Vehicle Excise (MVE): A locally-imposed annual tax assessed to owners of motor vehicles registered to an address within the community, in accordance with MGL Chapter 60A. The excise tax rate is set by statute at \$25.00 per \$1000 of vehicle value. Owner registration and billing information is maintained by the State Registry of Motor Vehicles and is made available to a city or town, or to the Deputy Collector who represents it.

New Growth: The additional tax revenue generated by new construction, renovations and other increases in the property tax base during a calendar year. It does not include value increases caused by normal market forces or by revaluations. New growth is calculated by multiplying the assessed value associated with new construction, renovations and other increases by the prior year tax rate. The additional tax revenue is then incorporated into the calculation of the next year's levy limit.

PILOT/ Payment in Lieu of Taxes: An agreement between a municipality and an entity not subject to taxation, such as charitable or educational organizations, in which the organization agrees to make a voluntary payment to the municipality. By law, a city or town must make such a payment to any other community in which it owns land used for public purposes.

Proposition 2½: A state law enacted in 1980, Proposition 2½ regulates local property tax administration and limits the amount of revenue a city or town may raise from local property taxes each year to fund municipal operations.

Revaluation: The assessors of each community are responsible for developing a reasonable and realistic program to achieve the fair cash valuation of property in accordance with constitutional and statutory requirements. Every three years, assessors must submit property values to the DOR for certification. Assessors must also maintain fair cash values in the years between certifications so that each taxpayer in the community pays his or her share of the cost of local government in proportion to the value of his property.

Recap Sheet/Recap/Tax Rate Recapitulation Sheet: A document submitted by a city or town to the Massachusetts Department of Revenue (DOR) in order to set a property tax rate. The recap sheet shows all estimated revenues and actual appropriations that affect the property tax rate. The recap sheet should be submitted to the DOR by September 1 (in order to issue the first-half semiannual property tax bills before October 1) or by December 1 (in order to issue the third quarterly property tax bills before January 1).

Schedule A: A statement of revenues, expenditures and other financing sources, uses, changes in fund balance and certain balance sheet account information prepared annually by the accountant or auditor at the end of the fiscal year. This report is based on the fund account numbers and classifications contained in the Uniform Massachusetts Accounting System (UMAS) manual.

Special Revenue Fund: Funds, established by statute only, containing revenues that are earmarked for and restricted to expenditures for specific purposes. Special revenue funds include receipts reserved for appropriation, revolving funds, grants from governmental entities, and gifts from private individuals or organizations.

Stabilization Fund: A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose (MGL Ch. 40 §5B). Communities may establish one or more stabilization funds for different purposes and may appropriate into them in any year an amount not to exceed ten percent of the prior year's tax



levy. The total of all stabilization fund balances shall not exceed ten percent of the community's equalized value, and any interest shall be added to and become a part of the funds. A two-thirds vote of town meeting or city council is required to establish, amend the purpose of, or appropriate money into or from the stabilization fund. (See DOR IGR 04-201)

Senior Work-Off Program: The board of selectmen, town council or mayor with the approval of the city council in a community that has accepted G.L. Ch. 59 §5K may establish a property tax work-off program for taxpayers over 60 years old. Under the program, participating taxpayers volunteer their services to the municipality in exchange for a reduction in their tax bills.

User Charges / Fees: A municipal funding source where payment is collected from the user of a service to help defray the cost of providing the service. Any increases in the fees must satisfy the three tests set forth in the so called Emerson case. (See Emerson College v. Boston, 391 Mass. 415 (1984))

*Many definitions were adapted from the Massachusetts Department of Revenue's Municipal Finance Glossary (May 2008). For additional definitions, please see:  
<http://www.mass.gov/dor/docs/dls/publ/misc/dlenfig>*



A		B		C	D
1	Category	Topic		Priority	Date
34	TA Report	Reschedule of meeting with DLS for a date after Town Meeting (in May?)			
35	TA Report	Presentation of Road plan, roads not money			
36	TA Report	TC Opinion on payments to probationary employee/contract	1		03/26/19
37	TA Report	Unitil - Update on replacement plantings and timeline & 2019 tree trimming plans (Tree Warden process)	1		03/26/19
38	TA Report	Update on payment to union (per Union email)?	3		
39	TA Report	Update: letter informing Sen Fran and Rep Harrington of our wish for sidewalks from HS to Harbor, Additional Crosswalk lights	1		03/26/19
40	TA Report	Warrant Articles Review - timeline for TC Review and recommendations if any	1		03/26/19
41	TA Report - Budget	Accounts expended to date 2019 report in Excel to BOS and FinCom	1		03/26/19
42	TA Report - Budget	Accounts expended to date report in Excel	1		03/26/19
43	TA Report - Budget	Available Free Cash	1		03/26/19
44	TA Report - Budget	Available levy	1		03/26/19
45	TA Report - Budget	Capital plan	1		03/26/19
46	TA Report - Budget	Final Budget worksheet - due date for Budget Packet	1		03/26/19
47	TA Report - Budget	Final electronic version to BOS due date	1		03/26/19
48	TA Report - Budget	Operating Budget, updates, changes, reductions/additions	1		03/26/19
49	TA Report - Budget	Pepperell and Ashby school numbers and our comparable assessment number final	1		03/26/19
50	TA Report - TM Articles	Articles Review amounts and funding sources by article	1		03/26/19
51	TA Report - TM Articles	Date for special election for Roads debt exclusion ( does Kathy have to add to her budget?)	1		03/26/19
52	TA Report - TM Articles	Date to close warrant	1		03/26/19
53	TA Report - TM Articles	Other Articles - changes/updates since last meeting	1		03/26/19
54	TA Report - TM Articles	Review Financial Articles - Amounts and funding sources	1		03/26/19
55	TA Report - TM Articles	Road funding bylaw article	1		03/26/19
56			1		03/26/19



A		B		C	D
1	Category	Topic		Priority	Date
2	Appointment	Dog park - <i>Adder Town Meeting</i>		3	05/21/19
3	Appointment	Recreation Exercise Field - <i>Updated on T/A 3.26.19</i>		3	05/21/19
4	Appointment Accountant	Appointment with Town Accountant - Report and Discussion <i>April 3rd, 2019</i>		1	03/26/19
5	Appointment Accountant	Cash accounts, policies		1	03/26/19
6	Appointment Accountant	General recommendations for efficiencies, needs		1	03/26/19
7	Appointment Accountant	Overview of Comp time tracking, policies	<i>Study April</i>	1	03/26/19
8	Appointment Accountant	VADAR custom report capabilities		1	03/26/19
9	Appointment Counsel	Cable Access Update - Town Counsel	✓	1	03/26/19
10	BOS Business	Liaison Discussion/Vote - BOH, Accounting, Planning, Highway	✓	1	03/26/19
11	BOS Business	Nomination of Animal Inspector (John King & Mary Letourneau) - (why nomination?)	✓	1	03/26/19
12	BOS Business	Planning Board mandatory referral (Accessory Apartments)	✓	1	03/26/19
13	BOS Business	Planning Board mandatory referral (OSPD permit)	✓	1	03/26/19
14	BOS Business	TA Evaluation Process TC Opinion Discussion/Vote	✓	1	03/26/19
15	BOS Business	TA, Exec Assistant Job Descriptions - discussion of timeframe/process	✓	1	03/26/19
16	BOS Work Session	Discuss and set Board Business Priorities for March/April	<i>NA</i>	1	03/26/19
17	BOS Work Session	TA Expectations - discussion of timeframe/process	✓	1	03/26/19
18	Exec Session	All Contract Strategy for 2020 Negotiations			03/26/19
19	Exec Session	Clerical Union Negotiations			03/26/19
20	Exec Session	Criminal Complaints			03/26/19
21	Exec Session	Litigation Updates			03/26/19
22	Exec Session	Supervisor Union			03/26/19
23	Policy WorkSession	Code of Conduct Town Departments/Boards/Employees/Officials(Ask Town Counsel should this be a bylaw and can we get a draft?)		1	03/26/19
24	Policy WorkSession	Review/Discussion of Annual Performance Review Policy (below)		1	03/26/19
25	Policy WorkSession	Snow day policy		3	05/19/19
26	Policy WorkSession	Social Media Use by Town Departments/Boards/Employees/Officials (Ask Town Counsel should this be a bylaw and can we get a draft?)		1	03/26/19
27	TA Pending	TC Opinion on payments to probationary employee/contract	---	1	03/26/19
28	TA Pending	TC Opinion on TA evaluation process		1	03/26/19
29	TA Report	Accountant Interim		1	03/26/19
30	TA Report	Accountant Position - Interim Update		1	03/26/19
31	TA Report	HR Consultant and work plan		1	03/26/19
32	TA Report	LUC Position - internal interest?		1	03/26/19
33	TA Report	MOA for union (per Union email)?		1	03/26/19





## Carolyn Smart

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**From:** Select <sml412@comcast.net>  
**Sent:** Thursday, March 14, 2019 7:40 AM  
**To:** jkreidler@townsend.ma.us  
**Cc:** csmart@townsend.ma.us  
**Subject:** Re: Items for 3/26 agenda

Sorry, meant to copy Carolyn on this.

On Mar 13, 2019, at 11:43 AM, Sue412 Selectman Account Lisio <[sml412@comcast.net](mailto:sml412@comcast.net)> wrote:

so far

1. TA Evaluation

2. Town Accountant Report:

a. Comp time, review policies, tracking methods - can Town Account give her views on the "process" used and recommend any efficiencies/improvements?

b. Other suggestions for improvements?

c. Vadar customized report capabilities

3. Town Hall Snow Day policy review

4. Personnel bylaw/recommendation for TM Article to amend



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