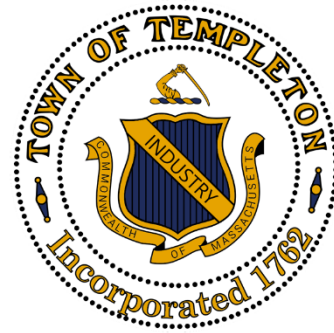


MEMORANDUM – OFFICE OF THE TOWN ADMINISTRATOR

TO: Board of Selectmen
FROM: Carter Terenzini, Town Administrator
RE: Administrator's Weekly Report
DATE: June 20, 2019
CC: All Departments

Carter



Important Notice to All Departments

Business Meeting or Workshop: This is where we add material that supplements memorandum or reports or provides the information needed if such is missing or not justified on the basis of brevity.

5. b The Sewer Commission has been reminded to post this as a Joint Meeting and been asked to present their nominee; Mr. Thomas Hurd of 39 Dudley Rd, a registered voter. We have no other applications or nominations as of this writing.

5. c The CPC has been reminded to post this as a Joint Meeting and been asked to present their nominee; Ms. Joanna Burdin of 299 Royalston Rd, a registered voter. We have no other applications or nominations as of this writing.

5. d. We have not any additional response from persons seeking reappointment nor new applications as of this writing. Should you have nominations you are free to do so. We include the vacancy list once again for your nominations and use.

5. f. As of this writing; we have not had any formal response from the NRSD relative to scheduling a new vote. We continue to work through various cut scenarios with Department Heads awaiting their new action. I should be able to have an updated proposal out to you by CoB tomorrow.

5. g. As of this writing we do not have any need for Interdepartmental Transfers.

6. a. Bob has viewed the areas in question and has been pursuing the matter with the hope we can make a verbal, if not formal, report for you on 06/26.

6. b. In considering the appointments to the Scout Hall Re-Use Committee a question was raised as to whether or not the appointment of a BoS member would run afoul of CH. 268A. In a legal opinion dated April 23, 2018, Town Counsel advises that it would not:

“We have reviewed your question regarding appointments of Selectmen to other Town committees and prior counsel's opinion. As described below, we believe that a bylaw amendment is generally not necessary to allow such appointments.

In your question to prior counsel (a copy is attached), you stated that the Town had

interpreted G.L. c. 268A, §21A, to not apply in these circumstances where the Board of Selectmen received recommendations from, but did not exercise control over, the relevant committee. This interpretation is consistent with the decisions of the courts and the Massachusetts Ethics Commission regarding Section 21A as well as its counterparts for state and county employees, Sections 8A and 15A.

In EC-COI-04-1 (attached), the Ethics Commission held that a county commission could appoint one of its own members to the Nantucket Steamship Authority. After reviewing its own prior decisions and Court decisions, the Commission determined that the threshold for finding "supervision" requires more than the authority to select and remove members of a board or committee. Supervision, for purposes of this prohibition, requires that the appointing board has the power to "coordinate, direct, and inspect continuously and at first hand," the appointee's activities. In EC-COI-92-30, the Commission similarly held that supervision existed where the appointee was subject to the "detailed direction and oversight activities, amounting to an agency relationship." "Supervision," therefore, must be something more than the power to appoint and remove before the statutory prohibition is implicated - the appointing board must have the power to direct the appointee's activities.

As described in your question to prior counsel, the committees at issue make recommendations to the Selectmen but are not subject to oversight or direction by Selectmen in the performance of their duties. As such, it is our opinion that these appointments do not fall under the prohibition set forth in Section 21A."

Unlisted; Coming out of the Workshop in early June, we asked the engineer to put together a fourth option (a one-way bridge per Mr. Henshaw's inquiry and the engineering cost to get to the next simplest permit/design steps). As of this writing we have the former but not the later. Unfortunately, this means we need to defer action on this item to July 10th.

Miscellaneous update: Jeff was correct last meeting when he asked about the proper name for the Recreating Committee. We have made the appropriate changes to the records at our end.

Weekly Report: Carter, Bob Szocik and Gary Young met with the residents of Stephens Way to discuss the matter of and options on becoming a public way. After discussion, it will continue as a private way for now and the residents will make repair to the road as needed so the Highway Department can continue plowing and sanding for them. Adam continues updating job descriptions as part of his summer project while working with all the town departments and attending all the town committees/boards throughout the summer.

Administration & Finance

Town Accountant: Worked with Sewer on accounting issue and are now resolved. Reconciling the AR between the Accounting and Collector. Finalized the reconciliation of the withholding accounts for the end of year. Have several other tasks that I am working on one by one. Nichole finished Payroll and the Warrant and is working on a statistical report that are due Unemployment.

Treasurer/Collector: Cheryl attended the Cape Conference this week. This is a yearly conference for all Treasurer and Collectors. DOR and DLS come in and speak, they update us

on any new or possible tax or legislative changes that we should be aware of. They also had courses geared toward tax title and land of low value issues. I found them to be very informative. It was a great conference. FY20 property tax bills have been prepared and sent to the printer, they should be mailed next week.

Assessor: Out of the office.

Town Clerk: Nothing reported.

Public Works

Highway Department: Cleaning catch basins on Baldwinville Road. Street sweeping has been completed. South Road three old tree butts were cut down. Tree's in Templeton Center and Commons were cleaned up. DPW Director attended a two-day class on Massachusetts all preparedness conference. Working on moving sand pile in yard in preparation of new salt shed to be in place.

Building & Grounds: The cemetery and parks and recreation departments met for their monthly meeting. Several lot locations were identified where shrubs were past their prime and recommended for removal. One resident submitted a request for removal on their family lot and another requested trimming be done so the stone could be professionally cleaned. Crews been keeping up with mowing and trimming of all cemeteries, Town Commons and buildings. ChrissCheyl has been working on realigning some grave stones that were not properly placed. They also assisted in clean-up of tree's at Templeton Center Commons.

Sewer Department: Nothing reported.

Public Safety

Templeton Police Department: Nothing reported.

Templeton Fire/EMS: Nothing reported.

Development Services

Director/Board of Health: Director scheduled inspection 6/24/19 at 29 Sawyer with Asst. Atty. General for Abandoned Housing Initiative; issued a violation order for water turn off at 113 Elm, owner immediately had water turned back on; phone conference with Joan Hamlett, Leominster Tobacco Alliance with regard to an issue at Patriots Package during a routine annual survey, issue resolved; final septic inspection at Hubbardston, Lot 3 & 4, 293 South, and 119 French, phone conference with representative from City Compost; reviewed and approved septic as-built plans for 219 South; attended MHOA seminar on mobile food units, inspected mobile food unit at Country Fest at Templeton Fish & Game, no issues or violations; perc at 145 Brooks, to wet to run perc, deep holes recorded.

Planning Board: Administrative Assistant prepared for meeting scheduled for June 25, continuation of two site plan reviews for Bunny's Ice Cream and Valley View Farm, both for gravel parking lots.

ZBA: Administrative Assistant prepared for hearing scheduled for July.

Conservation: Nothing to report at this time.

Building Department: Five building permits were issued, three for single family new builds on Branch, Cook, and Brooks, two for renovations; Administrative Assistant worked with homeowner at 26 High filing a complaint against New Pro Windows, a tub and window were installed; continued complaints filed by parties living on French, no violations noted at this time; two electrical and two plumbing permits issued, construction of Templeton Elementary is near completion, the Plumbing Inspector has issued his final sign off for the plumbing.

Agricultural Commission: –Nothing to report at this time.

Community Services

Community Services Director: The Farmers Market debuted with three vendors, and many enthusiastic visitors. I updated the Community Calendar and worked on gathering business listing information for the website. I attended the MassAccess Spring Conference with Shawn from TCTV.

Senior Center: Nothing reported.

Community TV: This week TCTV recorded and broadcast the Conservation Commission meeting of June 17, the TESBC meetings of June 18, the Board of Selectmen meeting of June 19 and planned to do the same with the Advisory Committee meeting of June 20. Meetings are also posted to YouTube and TCTV's Facebook page. In recent weeks TCTV has been finishing school year productions, a Memorial Day ceremonies video, and has started Farmers Market videos. A new media assistant is working on video production at the Library, and another was hired to start soon. He will work out of a space at the EMS/CERT building. Jackie Prime and Shawn Lampert attended the MassAccess conference for PEG stations, which took place in Norwood. Shawn will attend a 4-day broadcast video course in July. A marketing plan and fee schedule is being developed for some TCTV services.

Library Director: Story Hour concluded with 2 celebrations. Karen Johnson and I planted the many donated flowers in the library garden. It is looking wonderful! The girl scout troops who use the library for their meetings also planted many flowers, as well as placing a handmade birdbath in the garden. I was invited to read to the children attending the Historical Society's Fairy Tea. We are compiling the schools' required summer reading materials to be made available. We are finalizing our Summer Reading activities and incentives, to begin July 1. I have set up some additional CWMars training for the 3 of us, The June materials order was compiled, processed and made available. Circulation continues to increase, and general visitation is brisk.

Important Dates to Remember

Town Administrator's Office Days next week: Tuesday, Wednesday & Thursday
Selectmen's Business Meeting–Wednesday, June 26, 2019, 6:30 p.m.
Staff Meeting, Thursday, June 27, 2019, 8:30 a.m.