



TOWN OF TYNGSBOROUGH

Office of the Board of Selectmen

Town Offices | 25 Bryants Lane

Tyngsborough, MA 01879

Tel: (978) 649-2300 Ext. 100 | Fax: (978) 649-2320

Board of Selectmen Meeting Notice

Monday, February 22, 2016 at 6:00 P.M.

Community Room, Town Offices, 25 Bryants Lane

The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law.

1. 6:00 PM Open Meeting/Pledge of Allegiance/Board Introduction/Read Agenda

2. Meeting Minutes

- A. Regular Session Meeting Minutes for Review/Approval
 - i. Tuesday, February 16, 2016
- B. Executive Session Meeting Minutes for Review/Approval/Not Released
 - i. Tuesday, February 16, 2016

3. 6:30PM PUBLIC HEARINGS:

- A. Proposed 40R project at Frost & Lakeview – Applicant is Christopher Cox and represented by Attorney Peter Nicosia
- B. 40 & 44 Cummings Road – Applicant is Freedom Alley Shooting Sports and represented by Attorney Peter Nicosia

4. New Business

- A. Stephanie Cronin – Middlesex 3
- B. CHAPA – right of first refusal
- C. Contract Authorization – new photocopier lease

5. Old Business

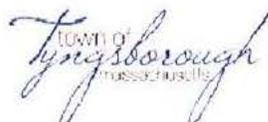
- A. Veterans Sign – request to install parking lot sign
- B. Ratify Agreement – SEIU Highway Unit
- C. Surplus property – RFP for #5 Industrial Way

6. Citizen/Business Time

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

7. Correspondence

8. Review of Weekly Warrants





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9. Town Administrator's Report

- Response to Selectmen's Requests
- Budget
- Departmental Information
- Contracting/Procurement
- Other

10. Selectmen's Reports

11. Executive Session

1. Nothing scheduled.

12. Adjournment

Future Meetings

Monday, March 7, 2016 BUDGET/TOWN MEETING WORKSHOP

Monday, March 14, 2016 at Tyngsborough Town Offices, 25 Bryants Lane

Monday, March 28, 2016 at Tyngsborough Town Offices, 25 Bryants Lane





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Board of Selectmen Meeting Minutes

DRAFT

Tuesday, February 16, 2016 at 6:00 P.M.

Community Room, Town Offices, 25 Bryants Lane

Members Present: Selectman Rick Reault, Selectman Robert Jackson, Selectman William Gramer, Selectman Corliss Lambert. Selectman Steven Nocco.

Staff Present: Town Administrator Curt Bellavance, Assistant Town Administrator Matt Hanson, and Admin Assistant Therese Gay

The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law. "The following meeting is being recorded and broadcast through our local cable access channels on Comcast and Verizon FIOS. A recording of this meeting will also be available for viewing on our town's website – www.tyngsboroughma.gov. Also, after instruction from the State Fire Marshall and the Tyngsborough Fire Chief, in the event of an emergency, there is an exit to my left and directly across from me, along the back wall."

The meeting scheduled for Monday, February 8, 2016 was cancelled due to the inclement weather, the Board rescheduled the meeting for Tuesday, February 16, 2016.

1. 6:00 PM Open Meeting/Pledge of Allegiance/Board Introduction/Read Agenda

The Chair opened the meeting followed by the Pledge of Allegiance; the introduction of the Board and the reading of the Agenda by Selectman Jackson

2. Meeting Minutes

A. Regular Session Meeting Minutes for Review/Approval

i. Monday, January 25, 2016

The Board voted 4-0-1 on a motion by Selectman Jackson, second by Selectman Gramer, to approve the minutes of Monday January 25, 2016. (Selectman Lambert abstains from voting).

3. PUBLIC HEARINGS:

A. 6:05 PM: 40 & 44 Cummings Road (Applicant: Freedom Alley Shooting Sports)

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to continue the hearing to Monday, February 22, 2016 at 30 PM at the Town Offices, 25 Bryants Lane.

B. 6:45 PM: Pole Petition on Middlesex Road (at/near #65 Tyng Road)

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to open the hearing, and to waive the reading of the legal notice and the list of abutters. The Chairman invited Mr. Bill Wallace to come forward, Mr. Wallace is representing Verizon and is before the Board on a petition requesting permission for Verizon to place one pole on Middlesex Road at the Tyng Road intersection to service the new development located at 65 Tyng Road.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to close the evidentiary portion of the hearing and to approve the request as presented.

4. New Business

A. Smokey Bones – change of Manager

Barbeque Integrated, Inc. corporate office has petitioned the Board to approve the manager change at the Smokey Bones Restaurant at 440 Middlesex Road. The Manager is changing from Mr. Jason





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Goodin to Mr. Andrew Guthrie. Mr. Guthrie attended the meeting to introduce himself and to present the petition. Mr. Guthrie is aware of the past issues which resulting in several violations, is aware of the remediation list from his management, and has spoken to the Deputy Police Chief on the matter.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to approve the manager change from Mr. Goodin to Mr. Guthrie as petitioned.

B. Appointment – Media Program Coordinator

The Administrator with Selectman Lambert, Assistant Matt Hanson and Mr. David Machado, former IT/Media Director, have for the last several weeks reviewed and interviewed the candidates. The screening committee has chosen Mr. Stephen Brogan as the best candidate for the position. This position is a non-union, exempt, salaried position with benefits as outlined in the personnel by-law. Pending a successful CORI check and the completion of the state-mandated Conflict of Interest training, it is the committee's recommendation that Mr. Brogan be appointed as the Media Program Coordinator with a starting salary of \$56,500. There is a probationary period of six months at which time a 5% increase, would be implemented upon a positive review.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to appoint Stephen Brogan to the position of Media Program Coordinator as outlined above with a start date no later than March 7, 2016.

C. Phase I West Sewer – signature for loan documents

Ms. Kerry Colburn-Dion, Finance Coordinator/Treasurer is requesting the Board of Selectmen approve the Interim Loan documents pertaining to the Phase I West Sewer Project at Tuesday, February 16, 2016 board of Selectmen's Meeting. The \$7,893,819 Interim Loan will be in the form of a Note, which will be drawn down on a monthly basis as expenditures occur. Interest at the rate of .13% per annum will incur on the interim loan, which will be paid when the loan becomes permanently financed in approximately 18 months.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectmen Gramer as follows:

I, the Clerk of the Board of Selectmen of the Town of Tyngsborough, Massachusetts, certify that at a meeting of the board held February 16, 2016, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

Voted: (1) That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$8,782,500 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and a vote of the Town passed June 2, 2015 (Article 14), which authorized a total borrowing of \$8,834,000, for the construction of sewers and other water pollution control facilities identified in such votes (the "Project"); (2) that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed \$8,782,500; (3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Clean Water Trust (the "Trust") at a price determined pursuant to the Financing Agreement; (4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Financing Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds or Notes; (5) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or





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agreement by the Treasurer, are hereby ratified, approved and firmed; and (6) that the Treasurer and the other appropriate Town Officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreement(s) and the Project Regulatory Agreement(s) relating to the Project.

I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date, time and agenda of the meeting (which agenda included the adoption of the above vote) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decisions in connection with the sale of the Bonds or Notes were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L c.30A, sections 18-25, as amended, I further certify that the vote has not been amended, supplemented or revoked and remains in effect on this date.

D. Police Chief Howe

i. Proposed Revolving Fund

The Chief is requesting that the board authorize the establishment of a revolving fund in the Police Department, in which fifty percent (50%) of the amounts received from fines relating to motor vehicle offenses would be deposited and used for a program to increase traffic enforcement by hiring special details and purchasing special traffic enforcement equipment. Mass General Laws c.44, s53E ½ authorizes the establishment of a revolving fund in a specified department for the receipt and expenditures of funds, for a specified program. The Chief further cited an enormous amount of traffic flow daily due to the town being centrally located between the cities of Lowell, MA and Nashua, NH, two cities with population over 100,00. The majority of the traffic that comes through our town is not our residents but traffic passing through. The traffic is further exasperating by Rt. 3, which intersects through our Town, which is often backed up during the morning and afternoon commute, a significant amount of traffic cuts through portions of town as well. He also stated that the establishment of this fund would allow our department to better focus on traffic enforcement and use funds received for motor vehicle violations specifically to enhance our ability to improve the safety of our roadways.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to support the Chief on his request.

ii. Request to hire additional police officer

The Chief is recommending that the Board hire a patrol officer effective March 20, 2016. He is basing this recommendation on two factors, significant financial savings and public safety. The Chief continued with his explanation as to why it would be a great savings and best for the town's public safety. It would add an additional Officer to the department and the officer in mind already paid for his attendance to the police academy. With an extra officer, the department will be saving on the use of overtime coverage. In addition, the department will already have a full time officer to fill a vacancy with the expected retirement of a Sergeant.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to appoint an officer as requested by the Chief of Police.





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E. Senior Tax Work-off – appointment

At the request of the Building Department, it is recommended that Margaret Skamarycz is appointed to the Senior Tax Work-Off Program. Ms. Skamarycz has worked in the Building Department through the Senior Tax Work-off Program in the past and her knowledge of the permitting process has proved to be a valuable asset to the department. The Administrator has confirmed with Ms. Roche, Council on Aging Director, that additional hours are expected to become available over the course of the year as some of the current seniors will not complete all of the hours available to them. For that reason, the appointment of Ms. Skamarycz to the Senior Tax work-off Program was recommended. Ms. Skamarycz is to work at the discretion of the Council on Aging Director and the Assistant Town Administrator, as hours become available.

The Board of Selectmen voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to appoint Ms. Margaret Skamarycz to the Senior Tax Work-off Program, to work at the discretion of the Council on Aging Director and Assistant Town Administrator, as hours become available.

F. Town Facility Condition Assessment – update on RFQ process

The purpose of this Facility Condition Assessment is to study and make recommendations on the future needs and costs associated with all major building systems such as HVAC, electrical, plumbing, and security, for the three main school buildings, the Lakeview School, and the Town Offices/Library building. This project is being funded through an \$80,000 capital appropriation from the April 20, 2014 Annual Town Meeting. Six bids were received; the six bids were opened on January 25, 2016. The RFQ review Committee, identified three finalists who have were called back for interviews. The RFQ review committee intends to have a recommendation prepared shortly and will work with the selected firm to enter into a contract. The School Committee is the awarding authority for the contract so no action is needed by the Board at this time.

G. Surplus property – #5 Industrial Way

Article 21 of the May 21, 2013 Annual Town Meeting authorized the Board of Selectmen to sell a 3.11 acre of industrial-zoned land, identified as 5 Industrial Way. In order to facilitate the disposition of this property through a formal Request for Proposals (RFP) process, the Town Administrator's office was required to complete an appraisal of the property. Minuteman Appraisals, Inc. completed an appraisal. The property value was appraised at \$250,000, slightly higher than the assessed value of \$196,300 (FY16). The next step is for the Board to vote to accept the appraisal. The Board may also wish to set a minimum bid amount for the RFP, I would recommend at least \$200,000, or appraised value of \$250,000. If the appraisal is approved, the Board may still approve a potential sale for less than \$250,000, as long as they make a determination in writing. Discussion ensued on the possibility of leasing the property and the Board would also like to see the advertisement prior to voting.

H. Service Contracts – authorization for Plumbing/General Contracting

The office released Invitation for Bids (IFBs) on December 23, 2015, for three services; plumbing, electrical, and general building service and construction. The purpose of these IFBs is to secure a set hourly rate for small projects, maintenance, and repair work, for both an as needed basis and emergency basis. Multiple bids were received the low bidders are identified as Boston Mechanical, Inc.; Watermark; and Gone Green Electric.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to authorize the Town Administrator to enter into a contract with Boston Mechanical Inc. of Arlington for general plumbing services; Watermark of Lowell for general building services and construction; and Gone





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Green Electric of Rockland, MA for electrical services, for one year, with two optional one year extensions at the sole discretion of the town.

5. Old Business

A. Government Study Committee update – Karyn Puleo

The Government Study Committee (GSC) Members: Mr. Robert Mercier, Ms. Karyn Puleo, Chairman, Mr. Donald Lampron, Mr. Burt Buchman, Ms. Jacqueline Schnackertz, Ms. Paula Derby, (Ms. Diana Keohane was not able to attend), attended this evening's meeting to update the board on the progress of the Committee on drafting charter articles. The GSC was before the Board in November of 2015 to update the Board and to include a draft organizational chart, SWOT analysis, minutes of meetings, a chart of election trends and a form of government comparison to other towns. The articles have not been reviewed by Town Counsel and the GSC fully expects to have changes to the articles as drafted based on the input of Town Counsel. The last two times the GSC was before the Board their recommendations include changing some boards from elected to appointed, moving the appointment of some key employees to the Town Administrator, and bringing all paid personnel, elected and appointed, under the personnel by-law or the direct supervision of the Town Administrator. One of the key components of this charter is to move to an organized DPW. Following the receipt of edited articles from Town Counsel, the GSC plans to host a joint GSC/BOS meeting where both groups ask questions and learn together the opinions of Town counsel regarding the draft proposed articles. Following additional edits that may be needed from that meeting, public input meetings would occur that may further amend the articles. The kick-off to the public information meetings would occur at Annual Town Meeting where data and information would be available to residents regarding the charter process and the planned dates of public information sessions. Information sessions would be planned at various sites and times from June through September to ensure interactive, collaborative input from multiple demographics across town. A brief discussion on how best to inform the public ensued. In addition to public input sessions, the intent is to continue engagement with all stakeholders on their input. As significant edits are made to the articles, they will be included in correspondence to the BOS. A planned timeline based on what will occur and will culminate in a Special Town Meeting in October. The GSC is requesting a vote from the BOS to support the GSC moving forward from fact finding to public input sessions ending in providing a draft charter to the BOS. The Board expressed that they would like to meet with the GSC prior to the charter articles being reviewed by Town Counsel, as well as after Town Counsel has reviewed them. Selectman Lambert would like to see a list of how the town is operating currently so that the residents can see why there are changes to the way we do business. Selectman Gramer asked what is changing; Ms. Puleo will highlight the current operations as well as what the charter articles change.

The Board voted 4-0-1 to extend the Government Study Committee's continued efforts on the proposed Charter until such time of an Annual Town Meeting or a Special Town Meeting when the final options are voted on.

B. Flint Pond Study Committee update – Chaz Doughty

Mr. Chaz Doughty was present to update the Board on the activities of the Flint Pond Committee (FPC). Mr. Doughty has provided the following information: 1) the Flint Pond Committee's Mission Statement – The Flint Pond Subcommittee created by the Tyngsborough Board of Selectmen, is established to conserve, restore and enhance Flint Pond and Lower Flint Pond (a unique asset to the town center) and its natural ecosystems while promoting wildlife diversity and recreational





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opportunities for present and future generations to enjoy; 2) list of bullet point summary – The BOS created the FPC to address weed overgrowth; History – Charles George landfill contaminated pond and poisoned wells, \$2.1 M Charles George settlement was not spent addressing Flint Pond Contamination; and 2015 EPA report says Flint Pond is clean. Cleanup Costs – Estimated cost of first year chemical treatment of pond = \$30K and Annual treatment of pond = \$5K. Funding Recommend using \$30K of Charles George back tax settlement to fund initial cleanup of pond; and recommend annual preservation costs of \$5K from Charles George PILOT fees. Benefits – Environmental, removal from DEP (303d) list, stopping spread of invasive water chestnut weed; Health – mosquito control; Safety – remove danger of weed entanglement and drowning; Recreation – increased usage will result from restoration; Aesthetics – backdrop to town center; Financial – potential increased revenue to local business; 3) A letter from Aquatic Control Technology; 4) A letter of support from the Conservation Commission; 5) A draft warrant articles – to transfer \$30,000 from the \$212,000 received from the Charles George landfill back tax settlement to be used for the cleanup of weeds and the restoration of Flint Pond; and 6) minutes from November meeting. The Board thanked Mr. Doughty and the committee for their work. The Chairman related that we cannot count on the funds right now but soon the money may become available. Selectman Jackson stated that the FPC has done great work and using the Charles George settlement is a good place to start, and he supports the committee's work moving forward. Selectman Gramer does not object. Selectman Lambert complimented the group for being insightful and productive; the presentation went well. Selectman Nocco stated it was a great presentation and he gave some insight on the contribution that boats have on the spreading of weeds. Chairman Reault offered the assistance of the Town Administrator and the Assistant Town Administrator to work with the financial office on the use of the CPC funds or other potential funding sources and what the restrictions may be.

6. Citizen/Business Time - No one came forward this

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7. Correspondence

The Board voted 5-0 on a motion by Selectmen Jackson, second by Selectman Gramer to accept the correspondence as read by the Clerk. The Board commented on the proposed signage for reserved parking spaces for veterans at public buildings; this is a great way to honor our Veterans and details on locations should be discussed in further detail.

8. Review of Weekly Warrants

The Administrator read the following warrants: Warrant #31VET for \$342.98 on 2/1/2016; Warrant #331B(SPI) for \$1,000.00 on 2/1/2016; Warrant #31B for \$158,861.10 on 2/1/2016; Warrant #32P for \$867,497.95 on 2/8/2016; Warrant #32S for \$167,656.18 on 2/8/2016; Warrant #32B(SPI) for \$12,700.00 on 2/8/2016; Warrant #32VET for \$9,462.10 on 2/8/2016; Warrant #32B for \$800,082.64 on 2/8/2016; Warrant #33B for \$128,053.45 on 2/16/2016;





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9. Town Administrator's Report

- Response to Selectmen's Requests
- Budget
- Departmental Information
- Contracting/Procurement
- Other

10. Selectmen's Reports

11. Executive Session

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to enter into executive session to discuss exemption three (3) and six (6) as stated below, and to return to open session only to adjourn. Roll Call Vote, Selectman Nocco, yes; Selectman Corliss Lambert, yes; Selectman Gramer, yes; Selectman Rick Reault, yes; Selectman Robert Jackson, yes. The Board entered into Executive Session at 8:40 PM to discuss the following:

1. Exemption 3. To discuss strategy with respect to collective bargaining because an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares – SEIU/Highway; NEPBA/Local 8A
2. Exemption 6. To consider the purchase, exchange, lease or value of real property because an open meeting may have a detrimental effect on the negotiating position of the public body and the chair so declares – Scribner Road

12. Adjournment

The Board voted 5-0 on a motion by Selectman Gramer, second by Selectman Jackson, to adjourn the meeting. The meeting adjourned at 9:10 PM.

Respectfully submitted

Therese Gay
Admin Assistant

Approved on





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Board of Selectmen Executive Session Minutes

DRAFT

Tuesday, February 16, 2016 at 6:00 P.M.

Community Room, Town Offices, 25 Bryants Lane

Members Present: Selectman Rick Reault, Selectman Robert Jackson, Selectman William Gramer, Selectman Corliss Lambert. Selectman Steven Nocco.

Staff Present:, Town Administrator Curt Bellavance, Assistant Town Administrator Matt Hanson, and Admin Assistant Therese Gay

Executive Session

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to enter into executive session to discuss exemption three (3) and exemption six (6) as stated below, and to return to open session only to adjourn. Roll Call Vote, Selectman Nocco, yes; Selectman Corliss Lambert, yes; Selectman Gramer, yes; Selectman Rick Reault, yes; Selectman Robert Jackson, yes. The Board entered into Executive Session at 8:40 PM to discuss the following:

1. Exemption 3. To discuss strategy with respect to collective bargaining because an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares – SEIU/Highway; NEPBA/Local 8A

The Administrator informed the Board that the SEIU/Highway members were acceptable with the agreement. The language that was in question is now fine and the members will accept. The Board will vote to ratify the agreement in open session at the next meeting.

2. Exemption 6. To consider the purchase, exchange, lease or value of real property because an open meeting may have a detrimental effect on the negotiating position of the public body and the chair so declares – Scribner Road

There was a piece of property that was foreclosed on, it is a chapter 61A parcel, the Board of Assessors met and voted to refuse to purchase the parcel. The issue has not been resolved as of yet.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to exit the executive session and to return to open session only to adjourn. Roll Call Vote, Selectman Nocco, yes; Selectman Corliss Lambert, yes; Selectman Gramer, yes; Selectman Rick Reault, yes; Selectman Robert Jackson, yes. The Board exited Executive Session at 9:10 PM.

Respectfully submitted

Therese Gay
Admin Assist.

Approved on:





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03B

January 4, 2016

Town of Tyngsborough
Legal Notice

The Board of Selectmen, Acting as the Special Permit Granting Authority will hold a public hearing on Monday, February 16, 2016 at 6:05 p.m. at the Tyngsborough Town Hall, 25 Bryants Lane.

The hearing is at the request of the Freedom Alley Shooting Sports, LLC, for a Special Hearing under section 2.11 table of uses of the Tyngsborough Zoning By-laws, for a proposed 36,300-sf indoor gun range facility, with accessory retail, office, classroom, and gym space with a separate 5,000-sf shipping and receiving building and site improvements, at 40 & 44 Cummings Road.

TUESDAY, FEBRUARY 9, 2016 – Original hearing date was February 8, 2016
THE SELECTMEN'S MEETING OF MONDAY, FEBRUARY 8 WAS CANCELLED DUE TO THE INCLEMENT WEATHER.

THE HEARING IS RESCHEDULED TO TUESDAY, FEBRUARY 16, 2016 AT 6:05 PM AT THE TOWN OFFICES, 25 BRYANTS LANE.

The Hearing was continued to Monday, February 22, 2016 at 6:30 PM

1st Publication Date – Monday, January 18, 2016

2nd Publication Date – Monday, January 25, 2016



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TO: Board of Selectmen

FROM: Curt Bellavance, Town Administrator *CB*

DATE: February 22, 2016

RE: Overview- Special Permit Application, Freedom Alley Shooting Sports, LLC

Applicant Name: Freedom Alley Shooting Sports, LLC
 Owner Name: Massachusetts Union Real Estate, LLC
 Name of Business: Freedom Alley Shooting Sports, LLC
 Business Address: 40 & 44 Cummings Road

SUMMARY:

This application is for a proposed 36,300-sf. indoor gun range facility, with accessory retail, office, classroom, and gym space, as well as a separate 5,000-sf shipping and receiving building and site improvements.

The subject property is zoned Industrial 1 Light (I-1), Under section 2.11.30 Table of Uses in the Tyngsborough Zoning By-Laws, a Rifle Range (Outdoor) is permitted by a Special Permit from the Board of Selectmen in an I-1 zone. The Zoning By-Laws define a Rifle Range as follows: "Any facility enclosed or open designed and intended for the safe discharge of firearms for the purpose of sport, practice, or training."

The applicant is not the owner of the property but the applicant has obtained the necessary Owner Affidavits to apply for any and all State, Federal and local permit applications as they pertain to site improvements. A site plan has been provided by the applicant. Comments have been provided by the Building Commissioner, Zoning Board of Appeals, Conservation Director, Fire Department and Police Department.

The proposed project is under consideration by the Conservation Commission for both an Order of Conditions and a Stormwater Permit, and by the Planning Board for Site Plan Review Special Permit & Business Use Special Permit.

A certified abutters list was generated to inform abutters of the date and time of the Public Hearing and advertisements were placed in the Lowell Sun newspaper on Monday, January 18, 2016, and Monday, January 25, 2016.

CONSIDERATION:

The two areas that the Board should consider are based on Sections 1.16.14 and 1.16.15 of the Zoning Bylaw. The Board should determine if the applicant has demonstrated that they have met





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the mandatory findings. If the Board believes the applicant has met the mandatory findings, you should consider which conditions, if any, would be placed on a special permit if approved by the Board.

1.16.14 Mandatory Findings by Special Permit Granting Authority

The Special Permit Granting Authority shall not issue a special permit unless without exception it shall find that the proposed use:

1. Is in harmony with the purpose and intent of this By-law.
2. Will not be detrimental or injurious to the neighborhood in which it is to take place.
3. Is appropriate for the site in question.
4. Complies with all applicable requirements of this By-law.

1.16.15 Special Permit Conditions - The Special Permit Granting Authority may impose such conditions, safeguards and limitations as it deems appropriate to protect the neighborhood or the Town including, but not limited to:

1. Dimensional requirements greater than the minimum required by this By-Law
2. Screening of parking areas or other parts of the premises from adjoining premises or from the street by specified walls, fences, plantings or other devices;
3. Modification of the exterior features or appearances of the structure(s);
4. Limitation of size, number of occupants, method and time of operation, and extent of facilities;
5. Regulation of number, design and location of access drives, drive-up windows and other traffic features;
6. Requirement of off-street parking and other special features;
7. Requirement for performance bonds or other security; and
8. Installation and certification of mechanical or other devices to limit present or potential hazard to human health, safety, welfare or the environment resulting from smoke, odor, particulate matter, toxic matter, fire or explosive hazard, glare, noise, vibration or any other objectionable impact generated by any given use of land.
9. Requirement of an as-built plan and certification by the applicants' engineer regarding a project's completion prior to issuance of an occupancy permit.

CHARLES J. ZAROULIS LAW OFFICES

1565 Main Street, Building 1, Suite 1F, Tewksbury, Massachusetts 01876

Telephone (978) 458-4583

Facsimile (978) 937-0950

E-mail charles.zaroulis@verizon.net

February 18, 2016

Mr. Richard Reault, Chairman
Board of Selectmen
Town Hall
25 Bryants Lane
Tyngsborough, MA 01879

VIA ELECTRONIC MAIL & USPS

File: Tyngsborough

**Re: Freedom Alley Shooting Sports, LLC,
40-44 Cummings Road
Applicant for a Special Permit**

2016 FEB 19 AM 10:14
BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

Dear Chairman Reault and Board Members:

Please reference my letter of February 9, 2016. I am informed that my letter or comments were referred to the applicant's attorney. Kindly advise as to if and when any response is made by the applicant regarding my comments.

As to certain substantive issues, the plans submitted to me are not readable, so I cannot determine the structural qualities of the buildings with regard to security. Note well that the undated letter from Keach-Nordstrom Associates, Inc., refers to several items such as "Natural Environment" to "Ventilation." Significantly, however, security of the buildings is not addressed. In addition, under "Economics" it is unclear whether "retail" will include firearm sales. Reference is made to "gunsmithing." According to the Planning Board application, there is to be the retail sale of firearms.

Also, reference is made to a "VIP lounge," and I am informed that the plans show a "café." There is no information whether the applicant will or will not be seeking a liquor license.

Please call me if you have any questions or to discuss.

Sincerely yours,

Charles J. Zaroulis
Town Counsel

CJZ/jrz

Tyngs/Freedom Alley Letter 2

DAVID E. ROSS ASSOCIATES, INC.

Civil Engineers, Land Surveyors, Environmental Consultants

February 16, 2016

Town of Tyngsborough Planning Board
25 Bryants Lane
Tyngsborough, MA 01879-1003

RE: Special Permit Application Review
Freedom Alley – 40 & 44 Cummings Road
DERA Project # 31199

Dear Members of the Board:

Based on our previous letter to the Board dated January 29, 2016 regarding this project, the Applicants engineer has submitted the following information:

- Site Plans entitled “Non-Residential Site Plan – Freedom Alley, Map 13 Lots 18 & 20, 40 & 44 Cummings Road, Tyngsboro, Massachusetts” prepared for Freedom Alley Shooting Sports LLC, Inc. by Keach-Nordstrom Associates, Inc. last revised February 9, 2016.
- “Freedom Alley Gun Range”, Architectural Plans prepared by Port One Architects.
- “Stormwater Management Report – Freedom Alley, Map 13 Lots 18 & 20, 40 & 44 Cummings Road, Tyngsboro, Massachusetts” prepared for Freedom Alley Shooting Sports LLC, Inc. by Keach-Nordstrom Associates, Inc. last revised February 9, 2016.
- Letter to David E. Ross Associates, dated February 10, 2016, with responses to each of the individual comments provided in our review letter to the Board

We have conducted a review of the submitted information and at this time have no further comment and are satisfied with the responses provided.

Please feel free to contact me should you have any questions or require any additional information.

Very truly yours,
DAVID E. ROSS ASSOCIATES, INC.



Robert E. Oliva
Senior Project Manager

DAVID E. ROSS ASSOCIATES, INC.

Civil Engineers, Land Surveyors, Environmental Consultants

January 29, 2016

Town of Tyngsborough Planning Board
25 Bryants Lane
Tyngsborough, MA 01879-1003

RE: Special Permit Application Review
Freedom Alley – 40 & 44 Cummings Road
DERA Project # 31199

Dear Members of the Board:

At the request of the Board, we have conducted a review of the Special Permit application, Site Plans, Stormwater Management Report, and other supporting documents for the proposed construction at 40 & 44 Cummings Road. The proposed construction includes a 36,300 S.F. building which will include indoor gun ranges, retail, office, classroom, gym, and gathering spaces. The project will require a Special Permit and Site Plan Review under the Major Business Complex zoning regulations. The following materials were reviewed for compliance with the Town of Tyngsborough Zoning Bylaws, MassDEP Stormwater Handbook requirements, and standard engineering practices:

- Special Permit application package dated December 31, 2015.
- Site Plans entitled “Non-Residential Site Plan – Freedom Alley, Map 13 Lots 18 & 20, 40 & 44 Cummings Road, Tyngsboro, Massachusetts” prepared for Freedom Alley Shooting Sports LLC, Inc. by Keach-Nordstrom Associates, Inc. dated December 21, 2015 (16-Sheets).
- ANR Plan entitled “Lot Line Adjustment Plan – Map 13 Lots 18 & 20, 40 & 44 Cummings Road, Tyngsboro, Massachusetts” prepared for Freedom Alley Shooting Sports LLC, Inc. by Keach-Nordstrom Associates, Inc. dated January 7, 2016 (1-Sheet).
- “Freedom Alley Gun Range”, Architectural Plans prepared by Port One Architects, dated December 14, 2015.
- “Stormwater Management Report – Freedom Alley, Map 13 Lots 18 & 20, 40 & 44 Cummings Road, Tyngsboro, Massachusetts” prepared for Freedom Alley Shooting Sports LLC, Inc. by Keach-Nordstrom Associates, Inc. dated December 28, 2015.

At this time I have the following comments and concerns, with the relevant Section of the Bylaw noted in [...]:

1. The plans indicate that the project would include a second lot which was to be divided out of the existing parcels. Based on conversations with the project Engineer, it is my understanding that the Applicant will now be combining the two existing parcels to form one new parcel and will not be creating the second lot. Revisions to the plan set should indicate this change.

22. Recommend collecting rooftop runoff on the parking sides of the buildings, and discharging into storm system, rather than allowing runoff to flow over sidewalks.
23. The catch basin detail should have a 4' sump to meet DEP requirements for deep sump basins.
24. The plans should indicate the location of a gravel access to the infiltration basin for maintenance.
25. Recommend minimum 4' inside dimension on outlet control structure for ease of cleaning/maintenance.
26. The grading of the infiltration basin at the western side of the lower infiltration area does not provide the required 2' groundwater offset. The bottom elevation is 185 and the groundwater elevation is 184 based on the existing contour at 188.

Stormwater Management Report

27. The Stormwater Report should include sizing calculations for the sediment forebay.
28. The analysis states that the area of the infiltration basin is within an area of sandy loam soils. The test pit logs show that the testing in the basin was noted to be loamy sand, suggestive of HSG A soils that the soils map indicates. The calculations for recharge volume and water quality volume should use the 1" rule as required by the Stormwater Standards. Use of the Rawls Rate of 2.41 in/hr would be acceptable for infiltration in the analysis.
29. Subcatchments 2S and 7S should be combined and Subcatchments 3S and 8S should be combined into single subcatchments, respectively. The time of concentration T_c in the pre-development analysis should be based on an actual flow path through each watershed (particularly 2S/7S) as the assumed 6 minute time appears to be too small for the size of the watershed and a much longer T_c was used under the post-development conditions. Using each area and curve number with the actual T_c , HydroCAD will calculate the flows appropriately.
30. A minimum pipe velocity of 3 fps for the ten year storm event should be provided within the storm system to accommodate pipe cleaning. At DMH 33, DMH 200, CB 34, CB 201, CB 202, and CB 310 the velocities are all less than 3 fps.
31. The storm system should be flowing less than full under normal conditions. The analysis shows that for the ten year storm event many of the drain lines will be flowing under full conditions.
32. The Operation and Maintenance Plan should include the following items:
 - a. A schedule for sweeping of the driveways and parking areas.
 - b. A BMP Locus plan that highlights the locations of all components of the stormwater system that will require regular inspections and maintenance.
 - c. An estimated budget for annual inspections/maintenance.

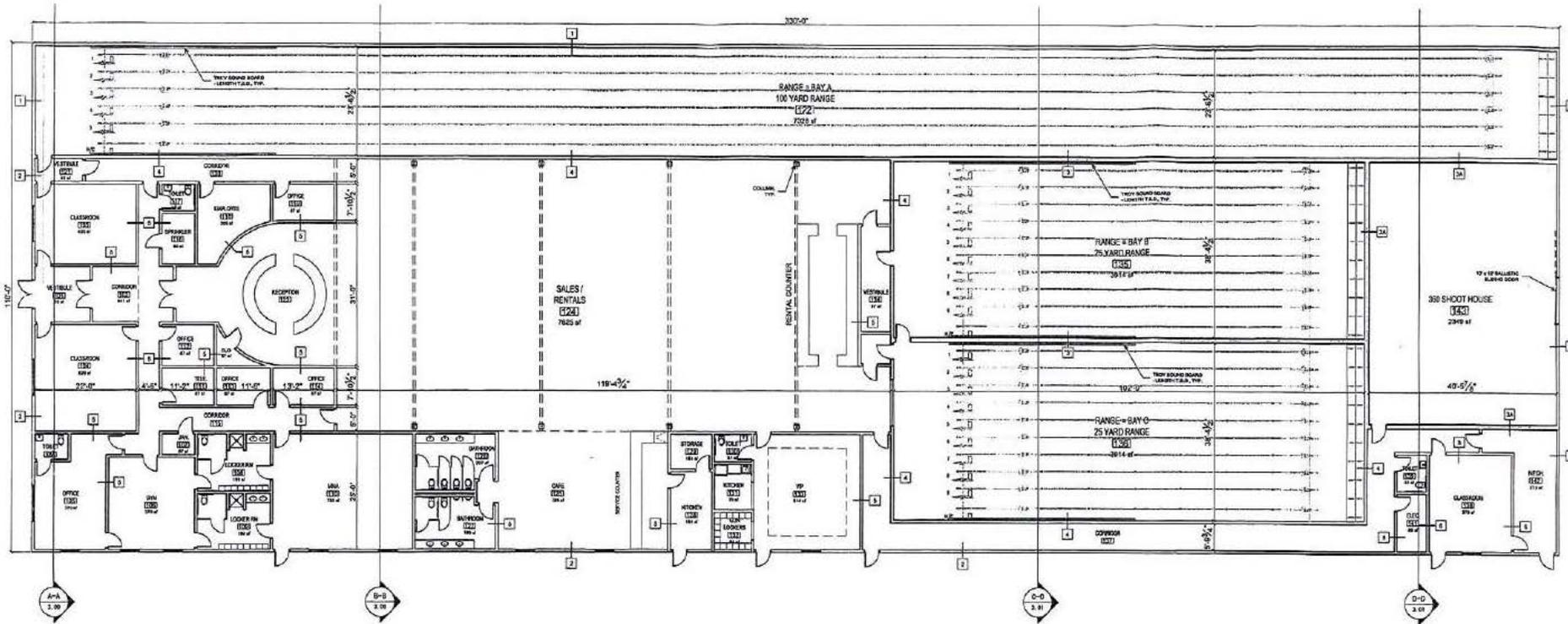
Please feel free to contact me should you have any questions or require any additional information.

Very truly yours,
DAVID E. ROSS ASSOCIATES, INC.

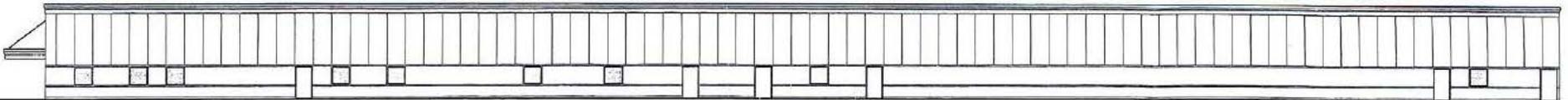


Robert E. Oliva
Senior Project Manager

DAVID E. ROSS ASSOCIATES, INC.

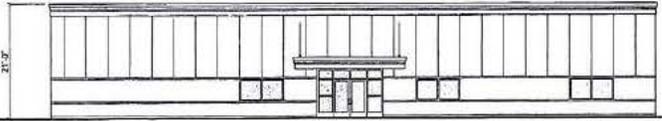


1 FLOOR PLAN
SCALE: 3/32" = 1'



2 SOUTH EXTERIOR ELEVATION
SCALE: 3/32" = 1'

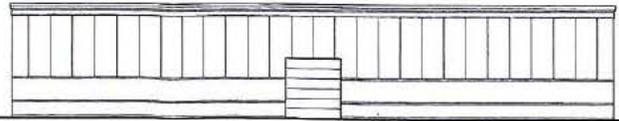
FREEDOM ALLEY GUN RANGE
TYNGSBOROUGH, MA



3 WEST EXTERIOR ELEVATION
SCALE: 3/32" = 1'

JEWETT
CONSTRUCTION CO., INC.
DESIGN BUILDERS
2010 PINE STREET
436 New St., P.O. Box 141 • Plymouth, NH 03071
603 895-2422 • www.jewettconstruction.com

PORTLINE ARCHITECTS
959 Kilington Street
Portsmouth, NH 03801
603 438-8811
info@portline.com



4 EAST EXTERIOR ELEVATION
SCALE: 3/32" = 1'



Town of Tyngsborough

Police Department
20 Westford Road
Tyngsborough, Massachusetts 01879-0549



Richard D. Howe
Chief of Police

Phone (978) 649-7504

Fax (978) 649-2324

Comments regarding the proposed gun range facility, Freedom Alley Shooting Sports LLC;

- 1) Facility needs to have extensive interior and exterior security cameras
- 2) Facility needs to have hardened security measures such as; concrete or block walls, windows with steel reinforcement, roof secured with motion detectors/alarm activation notification
- 3) Exterior lighting
- 4) Injury response plan
- 5) Noise/Decibel level suppression
- 6) Employee training/Employee background checks; suicide prevention training
- 7) Zero light status meaning no ballistics to exit the building. This can be accomplished by shooting range having concrete walls. The ceiling portion should be AR-500 steel baffle system or have ceiling concreted bridge panels. Need to know if range is a static range or dynamic range. A static range shooters stay stationary at the firing line and the targets move forward, backward or side to side. A dynamic range would allow the shooters to move about the firing range.

Richard D. Howe
Chief of Police

REQUEST FOR COMMENT FORM

2016 JAN 21 AM 9:38
BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

To: All Departments, Boards, Commissions and Committees
From: Board of Selectmen
Date: 12 / 28 / 2015
Re: Request for Comment on a proposed gun range facility

TYPE OF Permit: Special Permit under Section 2.11.30 Tables of Uses,
Tyngsborough Zoning By-laws.

APPLICANT(S) NAME: Freedom Alley Shooting Sports, LLC

OWNER(S) NAME: Massachusetts Union Real Estate, LLC

NAME OF BUSINESS: Freedom Alley Shooting Sports, LLC

BUSINESS ADDRESS: 40 & 44 Cummings Road

Dear Departments/Boards/Commissions/Committees:

The Board of Selectmen will consider at the hearing whether to grant a special permit for the proposed indoor firing range, retail sales, office space and gym.

If your Agency Must take action prior to issuance of this license please so indicate action.

COMMENTS: _____
_____ *OK* _____

Prepared by: _____ (Print) Date: ___ / ___ / ___
Signature: _____

Department Head: *Tim Madde* (Print) Date: *1/20/15*
Signature: _____

-
- | | | |
|---|--|---|
| Cc: <input type="checkbox"/> ACO | <input type="checkbox"/> Collector | <input type="checkbox"/> Sewer Comm. |
| <input type="checkbox"/> Assessors | <input checked="" type="checkbox"/> Conservation | <input checked="" type="checkbox"/> TFD |
| <input checked="" type="checkbox"/> ZBA | <input type="checkbox"/> DPW | <input checked="" type="checkbox"/> TPD |
| <input checked="" type="checkbox"/> Health | <input type="checkbox"/> Historical | <input type="checkbox"/> Town Clerk |
| <input checked="" type="checkbox"/> Bldg. Comm. | <input checked="" type="checkbox"/> Planning Bd. | <input checked="" type="checkbox"/> Tyngs Water Dist. |

REQUEST FOR COMMENT FORM

To: All Departments, Boards, Commissions and Committees
From: Board of Selectmen
Date: 12 / 28 / 2015
Re: Request for Comment on a proposed gun range facility

2015 JAN 20 AM 11:39
BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

TYPE OF Permit: Special Permit under Section 2.11.30 Tables of Uses, Tyngsborough Zoning By-laws.

APPLICANT(S) NAME: Freedom Alley Shooting Sports, LLC

OWNER(S) NAME: Massachusetts Union Real Estate, LLC

NAME OF BUSINESS: Freedom Alley Shooting Sports, LLC

BUSINESS ADDRESS: 40 & 44 Cummings Road

Dear Departments/Boards/Commissions/Committees:

The Board of Selectmen will consider at the hearing whether to grant a special permit for the proposed indoor firing range, retail sales, office space and gym.

If your Agency Must take action prior to issuance of this license please so indicate action.

COMMENTS: *No Comments at this time.*

Prepared by: *Paul Welton* (Print) Date: ___ / ___ / ___
Signature: *[Signature]*

Department Head: _____ (Print) Date: ___ / ___ / ___
Signature: _____

-
- Cc: ACO Collector Sewer Comm.
 Assessors Conservation TFD
 ZBA DPW TPD
 Health Historical Town Clerk
 Bldg. Comm. Planning Bd. Tyngs Water Dist.

REQUEST FOR COMMENT FORM

To: All Departments, Boards, Commissions and Committees
From: Board of Selectmen
Date: 12 / 28 / 2015
Re: Request for Comment on a proposed gun range facility

TYPE OF Permit: Special Permit under Section 2.11.30 Tables of Uses, Tyngsborough Zoning By-laws.

APPLICANT(S) NAME: Freedom Alley Shooting Sports, LLC

OWNER(S) NAME: Massachusetts Union Real Estate, LLC

NAME OF BUSINESS: Freedom Alley Shooting Sports, LLC

BUSINESS ADDRESS: 40 & 44 Cummings Road

BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

2016 JAN 15 AM 10:46

Dear Departments/Boards/Commissions/Committees:

The Board of Selectmen will consider at the hearing whether to grant a special permit for the proposed indoor firing range, retail sales, office space and gym.

If your Agency Must take action prior to issuance of this license please so indicate action.

COMMENTS: Proposed Project is Under
Consideration For Both an Order of Conditions
& Stormwater Permit.

Prepared by: Mauro M.S. (Print)
Signature: [Signature]

Date: 1 / 12 / 16

Department Head: Mauro M.S. (Print)
Signature: [Signature]

Date: 1 / 12 / 16

- | | | |
|---|--|---|
| Cc: <input type="checkbox"/> ACO | <input type="checkbox"/> Collector | <input type="checkbox"/> Sewer Comm. |
| <input type="checkbox"/> Assessors | <input checked="" type="checkbox"/> Conservation | <input checked="" type="checkbox"/> TFD |
| <input checked="" type="checkbox"/> ZBA | <input type="checkbox"/> DPW | <input checked="" type="checkbox"/> TPD |
| <input checked="" type="checkbox"/> Health | <input type="checkbox"/> Historical | <input type="checkbox"/> Town Clerk |
| <input checked="" type="checkbox"/> Bldg. Comm. | <input checked="" type="checkbox"/> Planning Bd. | <input checked="" type="checkbox"/> Tyngs Water Dist. |

REQUEST FOR COMMENT FORM

To: All Departments, Boards, Commissions and Committees
From: Board of Selectmen
Date: 12 / 28 / 2015
Re: Request for Comment on a proposed gun range facility

BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

2016 JAN 15 AM 10:23

TYPE OF Permit: Special Permit under Section 2.11.30 Tables of Uses
Tyngsborough Zoning By-laws.

APPLICANT(S) NAME: Freedom Alley Shooting Sports, LLC

OWNER(S) NAME: Massachusetts Union Real Estate, LLC

NAME OF BUSINESS: Freedom Alley Shooting Sports, LLC

BUSINESS ADDRESS: 40 & 44 Cummings Road

Dear Departments/Boards/Commissions/Committees:

The Board of Selectmen will consider at the hearing whether to grant a special permit for the proposed indoor firing range, retail sales, office space and gym.

If your Agency Must take action prior to issuance of this license please so indicate action.

COMMENTS: No Comments at this time (ZBA)

Prepared by: Joseph A. Polin (Print) Date: 1-14-2016
Signature: _____ Date: 1/14/2016

Department Head: _____ (Print) Date: ___ / ___ / ___
Signature: _____

- | | | |
|---|--|---|
| Cc: <input type="checkbox"/> ACO | <input type="checkbox"/> Collector | <input type="checkbox"/> Sewer Comm. |
| <input type="checkbox"/> Assessors | <input checked="" type="checkbox"/> Conservation | <input checked="" type="checkbox"/> TFD |
| <input checked="" type="checkbox"/> ZBA | <input type="checkbox"/> DPW | <input checked="" type="checkbox"/> TPD |
| <input checked="" type="checkbox"/> Health | <input type="checkbox"/> Historical | <input type="checkbox"/> Town Clerk |
| <input checked="" type="checkbox"/> Bldg. Comm. | <input checked="" type="checkbox"/> Planning Bd. | <input checked="" type="checkbox"/> Tyngs Water Dist. |

Abutters List

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
13 18 0	44 CUMMINGS RD	MASS UNION REAL ESTATE LLC		159 WHARTON ROW	GROTON	MA	01450
13 20 0	40 CUMMINGS RD	BCH NOMINEE TRUST	HUNTER B E A A BOUR S TF	40 CUMMINGS RD	TYNGSBOROUGH	MA	01879
13 22 0	56 CUMMINGS RD	WARREN KENNETH S		56 CUMMINGS RD	TYNGSBOROUGH	MA	01879
13 23 0	33 CUMMINGS RD	TYSON CHARLOTTE RLE	HUNTER ALLAN M	41 CUMMINGS RD	TYNGSBOROUGH	MA	01879
13 23A 0	39 CUMMINGS RD	MCPADDEN TRACIE &	JAMES	39 CUMMINGS RD	TYNGSBOROUGH	MA	01879
13 24 0	41 CUMMINGS RD	TYSON CHARLOTTE RLE		41 CUMMINGS RD	TYNGSBOROUGH	MA	01879
13 35 0	6 PROGRESS AV	PREFERRED BUSINESS SOLU LLC		6 PROGRESS AVE	TYNGSBOROUGH	MA	01879
13 36 0	12 PROGRESS AV	12 PROGRESS AVENUE LLC		12 PROGRESS AV	TYNGSBOROUGH	MA	01879
13 37 0	18 PROGRESS AV	TYNGSBORO SPORTS REALTY TR		18 PROGRESS AVE	TYNGSBOROUGH	MA	01879-0081
13 37A 0	PROGRESS AV	PROGRESS PROPERTIES LLC		92 MIDDLESEX RD, UN 3	TYNGSBOROUGH	MA	01879
13 49 0	90 PROGRESS AV	HEP PROPERTIES LLC		92 MIDDLESEX RD UNIT 3	TYNGSBOROUGH	MA	01879
13 50 1	87 01 PROGRESS AV	WATERSHED PROPERTIES LLC		92 MIDDLESEX RD, UN 3	TYNGSBOROUGH	MA	01879
13 50 2	87 02 PROGRESS AV	TYNGSBOROUGH WATER DISTRIK		87 PROGRESS AV., UN 2	TYNGSBOROUGH	MA	01879
13 50 3	87 03 PROGRESS AV	WATERSHED PROPERTIES LLC		92 MIDDLESEX RD, UN 3	TYNGSBOROUGH	MA	01879
13 51 0	73 PROGRESS AV	HUNTERS POND LLC		92 MIDDLESEX RD, UNIT 3	TYNGSBOROUGH	MA	01879
13 52 0	61 PROGRESS AV	BOSCH INTERNATIONAL REALTY		711 FOSTER ROAD	ASHBY	MA	01431
13 53 0	31 PROGRESS AV	MASALEHDAN EBI	C/O MASALEHDAN EBRAHIM	54 MONARCH PATH	GROTON	MA	01450
13 55 0	11 PROGRESS AV	GC LOGAN REALTY LLC		30 PROGRESS AVE	TYNGSBOROUGH	MA	01879
13 56 0	5 PROGRESS AV	PROGRESS PROPERTIES LLC		92 MIDDLESEX RD, UN 3	TYNGSBOROUGH	MA	01879

End of Report

Freedom Alley
 notice of Change of Hearing date
 sent regular mail on 2/9/2016.
 T.G.

**THE SELECTMEN'S MEETING
SCHEDULED FOR THIS EVENING
FEBRUARY 8, 2016
HAS BEEN CANCELLED
DUE TO THE INCLEMENT
WEATHER
THE MEETING IS RESCHEDULED
TO TUESDAY, FEBRUARY 16, 2016
AT 6:00 PM**

BOARD OF SELECTMEN
LYNGSBOROUGH, MA.
2016 FEB - 8 PM 1:37

Class

102 Autos for Sale

2006 Chevy Malibu
4 CYL. AT. 105K. 2 new
tires & new brakes
\$3200
603-493-0038

132 Wanted Will Buy Autos

John's Truck & Auto Salvage
Paying up to \$1000 for
junk cars & trucks.
Call 800-884-4361

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Junk Vehicles Wanted
We also buy scrap metal
\$100 Cash and up!
Please call for prices.
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WANTED! Pay Up to \$300

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ahowadaydrywall.com
REG. 118510

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use
EZPAY
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978.459.1300

GROTON MEDICAL ASSOCIATES

Medical Secretary

Medical Secretary Needed for busy Internal Medicine/Rheumatology practice. Qualified candidate should be a reliable and professional with excellent interpersonal skills. Should be able to handle busy telephone service, have strong computer skills, excellent customer service skills and who enjoys teamwork. Experience in Internal Medicine with GE Centricity, Athena is helpful. Would consider training candidate with strong aptitude.

306 Independent Contractors

HANDYMAN SERVICES
Electrical, plumbing, carpentry. Our prices are at least 30-50% lower. Call us last and best! No job too small!
We Build Handicap Ramps
978-653-8875

315 Landscaping & Trees

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Tree Removal,
Snow Removal
FULLY INSURED BEST PRICES
All Credit Cards Accepted
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or 978-851-4330

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QUALITY PAINTING
PAPER HANGING
WALL PAPER REMOVAL
HIVEN & SON
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FREE ESTIMATES!
Veterans & Senior Disc.
16+ YEARS IN THE SUN

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603-930-0118

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1014 Cool St. 1014
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2 BR Apts.
gas cooking, off on-site laundry
includes a coin. Staying at \$1,050
78-957-2141

separated Rooms & Finest in Lowell
laundry, private th. All units
6-458-2552

Notice

Bank Protection
Alien of Parental
& Guardians By
Publication
No. 15CP0105LO
In the Commonwealth of Massachusetts
County of Essex
Circuit Court
at the County Clerk's Office,
100 State Street
Lowell, MA 01862
78-441-2850
Emanuel E. Perez
J.D. Perez
has been pre-ordered to this court by
writing, as to the total
child, Adrian Perez
Vintarsaid child be
in need of care and
in and committed
Department of Child
and Families. The
may dispense the
of the person named,
to receive notice of
consent to any legal
action affecting the
custody, or
relationship or other
disposition of the
child named herein, if
it is in the best
interest of the child.
I, in need of care and
person and that the
affidavits of the
person would be served
and disposition. You
are hereby ORDERED to
appear in this court, at the
first address set forth
on 02/22/2016,
9 AM Motion Stamps.
You may bring an attorney
with you. If you have
a lawyer and if the court
determines that you
are indigent, the court
will appoint an attorney to
represent you. If you fail to
appear, the court may
take any action that it
deems appropriate.

Public Notice

TOWN OF CHELMSFORD REQUEST FOR PROPOSALS FY17 REEVALUATION UPDATE OF COMMERCIAL/ INDUSTRIAL PROPERTIES
The Town of Chelmsford, MA will receive proposals for FY17 Reevaluation Update of Commercial/ Industrial Properties at the Office of the Town Manager, Town Offices, 50 Bluntice Road, Chelmsford, MA 01824 until February 9, 2016 at 3:00 p.m. Requests for Proposals may be obtained on the Town website at www.townofchelmsford.us. The Town reserves the right to cancel any and all bids if it is deemed to be in the best interest of the town to do so.
Paul E. Cohen, Town Manager

January 25, 2016
Commonwealth of Massachusetts
The Trial Court
Probate and Family Court
Middlesex Division
Docket No. M15P7019EA
INFORMAL PROBATE PUBLIC NOTICE
Estate of Wanda Olga Hedrick, also known as Wanda D. Hedrick
Date of Death October 16, 2015
To all persons interested in the above captioned estate, by Petition of Petitioner Shirley D. Garvey of Dracut, MA a Will has been admitted to informal probate. Shirley D. Garvey of Dracut, MA has been informally appointed as the Personal Representative of the estate to serve without surety on the bond. The estate is being administered under informal procedure by the Personal Representative under the Massachusetts Uniform Probate Code without supervision by the Court. Inventory and accounts are not required to be filed with the Court, but interested parties are entitled to notice regarding the administration from the Personal Representative and can petition the Court in any matter relating to the estate including

Public Notice

Town of Tyngsborough Legal Notice
The Board of Selectmen, Acting as the Special Permit Granting Authority will hold a public hearing on Monday, February 8, 2016 at 6:00 p.m. at the Tyngsborough Town Hall, 25 Bryants Lane. The hearing is at the request of the Freedom Alley Shooting Sports, LLC, for a Special Hearing under section 2.11 (b) of the Tyngsborough Zoning By-Laws, for a proposed 36,300-sq-ft indoor gun range facility with accessory retail, office, classroom, and gym space. With a separate 6,000-sq-ft shipping and receiving building and site improvements, at 40 & 44 Cummings Road.

January 18, 2016
Request for Proposals for the Update Program to Maintain Comparable Assessments for Fiscal Year 2018. Interim Adjustments for Fiscal Years 2017 & 2018 within the Town of Dracut, Massachusetts
The Town of Dracut, Massachusetts is undertaking a program to update all real property for the Fiscal Year 2018 and interim adjustments for fiscal years 2017 & 2018 pursuant to the General Laws of the Commonwealth of Massachusetts. Contractor will also inspect the Building Permits each year. Contractors interested in providing the services described and further defined in the Specifications are invited to deliver one (1) copy each separate price and non-price proposals to the Town Managers Office, 62 Arlington Street, Dracut Town Hall no later than February 11, 2016, 2:00 P.M., at which time and place such proposals will be opened and read. All proposals shall be sealed, addressed to the Town Managers Office as marked: Town of Dracut - Reassessment Program (Price Proposal) Town of Dracut - Reassessment Program (Non-Price Proposal)

December 31, 2015

Town of Tyngsborough
Board of Selectmen
25 Bryants Lane
Tyngsborough, Massachusetts 01879

RE: Freedom Alley – Non-Residential Site Plan
40 & 44 Cumming Road
Tyngsborough, Massachusetts
KNA #15-0826-3

2015 DEC 30 PM 3:00
BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

RECEIVED
2015 DEC 30 PM 3:04
TOWN CLERK
TYNGSBOROUGH, MA.

Ms. Therese Gay:

Attached, please find an executed Special Permit Application and associated design material for the properties located at 40 & 44 Cummings Road for the above referenced project. The application is for a proposed 36,300-sf indoor gun range facility, with accessory retail, office, classroom, and gym space, as well as a separate 5,000-sf shipping and receiving building and site improvements.

Also enclosed with this letter is three complete copies of the following material:

1. Special Permit Application Form;
2. Special Permit Narrative;
3. Notarized Owner Affidavits (both properties);
4. Copy of both property deeds;
5. Application fees, calculated as follows:
 - Filing Fee = \$350.00
 - Review Fee = \$1,000.00
 - Postage = \$127.87

o Total = \$1,477.87
6. Current abutters list; and
7. Full size plans of the proposed site plan with architectural elevations and floor plans.

We trust that the enclosed material will make this project eligible for the February 8th, 2016 Board of Selectmen agenda. Please do not hesitate to contact me should you need further material or have questions regarding this application.

Best regards,



Paul Chisholm, PE, LEED AP ND
Project Engineer
Keach-Nordstrom Associates, Inc.

Enclosures

Civil Engineering

Land Surveying

Landscape Architecture

10 Commerce Park North, Suite 3B

Bedford, NH 03110

Phone (603) 627-2881

Fax (603) 627-2915

APPLICATION FOR SPECIAL PERMIT BY THE
TYNGSBOROUGH BOARD OF SELECTMEN
ACTING AS
SPECIAL PERMIT GRANTING AUTHORITY

Name of Applicant Freedom Alley Shooting Sports, LLC

Address of Applicant 404 Middlesex Road, Tyngsborough, MA 01879

Tel # of Applicant (978) 649-4867

Address/Location of Subject Property 40 & 44 Cummings Road, Tyngsborough, MA

Assessors Map #(s) 13 Lot #(s) 18 & 20

Present Zoning District(s) of Subject Property Industrial 1 Light (I-1)

Type of Use Applied For Indoor Firing Range, Retail Sales, Office Space, Gym
(be specific)

Under Section 2.11.30. Table of Uses of the Zoning By-laws

Characteristics of Subject Property # of Lots Two (2) Lots

Area of Lot(s) Existing: Lot 18- 176,963 Lot 20- 88,720 in Square Feet

Present Use Residential

Is Applicant the Owner of the Property? Lot 18 - No; Lot 20 - No

Is Applicant the Operator, Proprietor, or Manager of the Proposed Activity?
 Yes No Not Applicable

If Applicant is not the owner and operator (if no is checked on item 6 and/or 7)
evidence of authority by affidavit or other legal instrument must be attached. ~~Is~~
~~such evidence attached?~~ Yes No.

I, the applicant, have reviewed the applicable section(s) of the Town's Zoning
By-law as most recently amended? Yes No.

I, the applicant, have reviewed the Rules and Regulations of the Special Permit
Granting Authority as most recently amended? Yes No.

Signature of Applicant

I hereby certify that the information given above and included with the application pursuant to the Rules and Regulations so promulgated by the Board of Selectmen acting a Special Permit Granting Authority is correct and to the best of my knowledge complete and accurate.

I hereby request a hearing before the Special Permit Granting Authority pursuant to the matter of and disposition of the application and agree to pay all fees so required.

Name Daniel J. Whitman
Date 12/29/15

Signature of the Town Clerk

As Town Clerk, I hereby certify that I have received this application for a Special Permit.

Name Therese May
Date 12/30/15

Application received in Selectmen's Office

Name Therese May
Date 12/30/15

Fourteen copies (~~7~~³) of the Application packet Received by SPGA

Date 12/30/15 by Therese May

Application Fee(s) Received

Date 12/30/15 by Therese May

Postage Fees Received

Date 12/30/15 by Therese May

Project Review Fee(s) Received

Date 12/30/15 by Therese May
Amount \$ 1000.⁰⁰

CERTIFIED LIST OF PARTIES IN INTEREST

SPECIAL PERMIT

(Must be submitted with Special Permit Application)

November 12, 2015

To the Board of Selectmen of the Town of Tyngsborough

The undersigned, being an applicant for approval of the special permit for the land shown on Assessors Map No. 13 as Lot No. 18 & 20 submits the following sketch of the land listing the names of the adjoining owners in their relative positions and indicating the address of each party in interest in a separate list. Parties in interest include owners of land in question, owners of land which lie within 300 feet of a boundary or part thereof of the land in question, owners of land directly opposite any public or private street or way; all as they appear in the most recent applicable tax list notwithstanding that the land of any such owner is located in another town or another state, the Planning Boards of abutting town in Massachusetts or in New Hampshire and the Tyngsborough Building Inspector as prescribed in MGL Chapter 40A Section 11.

Signature of Applicant

Donald J. R. [Signature]

Address

464 Middlesex Rd Ste 5

Date

12/29/15

To the Board of Selectmen of the Town of Tyngsborough:

This is to certify that at the time of the last assessment for taxation made by the Town of Tyngsborough, the names and addresses of the parties in interest to the parcel of land shown above were as above written, except as follows:

Certified: _____

Assistant Assessor,
Town of Tyngsborough

Abutters List

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
13 18 0	44 CUMMINGS RD	MASS UNION REAL ESTATE LLC		159 WHARTON ROW	GROTON	MA	01450
13 20 0	40 CUMMINGS RD	BCH NOMINEE TRUST	HUNTER B E A A BOUR S TF	40 CUMMINGS RD	TYNGSBOROUGH MA		01879
13 22 0	56 CUMMINGS RD	WARREN KENNETH S		56 CUMMINGS RD	TYNGSBOROUGH MA		01879
13 23 0	33 CUMMINGS RD	TYSON CHARLOTTE RLE	HUNTER ALLAN M	41 CUMMINGS RD	TYNGSBOROUGH MA		01879
13 23A 0	39 CUMMINGS RD	MCPADDEN TRACIE &	JAMES	39 CUMMINGS RD	TYNGSBOROUGH MA		01879
13 24 0	41 CUMMINGS RD	TYSON CHARLOTTE RLE		41 CUMMINGS RD	TYNGSBOROUGH MA		01879
13 35 0	6 PROGRESS AV	PREFERRED BUSINESS SOLU LLC		6 PROGRESS AVE	TYNGSBOROUGH MA		01879
13 36 0	12 PROGRESS AV	12 PROGRESS AVENUE LLC		12 PROGRESS AV	TYNGSBOROUGH MA		01879
13 37 0	18 PROGRESS AV	TYNGSBORO SPORTS REALTY TR		18 PROGRESS AVE	TYNGSBOROUGH MA		01879-0081
13 37A 0	PROGRESS AV	PROGRESS PROPERTIES LLC		92 MIDDLESEX RD, UN 3	TYNGSBOROUGH MA		01879
13 49 0	90 PROGRESS AV	HEP PROPERTIES LLC		92 MIDDLESEX RD UNIT 3	TYNGSBOROUGH MA		01879
13 50 1	87 01 PROGRESS AV	WATERSHED PROPERTIES LLC		92 MIDDLESEX RD, UN 3	TYNGSBOROUGH MA		01879
13 50 2	87 02 PROGRESS AV	TYNGSBOROUGH WATER DISTRIK		87 PROGRESS AV., UN 2	TYNGSBOROUGH MA		01879
13 50 3	87 03 PROGRESS AV	WATERSHED PROPERTIES LLC		92 MIDDLESEX RD, UN 3	TYNGSBOROUGH MA		01879
13 51 0	73 PROGRESS AV	HUNTERS POND LLC		92 MIDDLESEX RD, UNIT 3	TYNGSBOROUGH MA		01879
13 52 0	61 PROGRESS AV	BOSCH INTERNATIONAL REALTY		711 FOSTER ROAD	ASHBY MA		01431
13 53 0	31 PROGRESS AV	MASALEHDAN EBI	C/O MASALEHDAN EBRAHIM	54 MONARCH PATH	GROTON MA		01450
13 55 0	11 PROGRESS AV	GC LOGAN REALTY LLC		30 PROGRESS AVE	TYNGSBOROUGH MA		01879
13 56 0	5 PROGRESS AV	PROGRESS PROPERTIES LLC		92 MIDDLESEX RD, UN 3	TYNGSBOROUGH MA		01879

End of Report

Freedom Alley
40 & 44 Cummings Road
Tyngsborough, MA 01879

Special Permit Narrative

The Freedom Alley project consists of a new indoor gun range facility with programming for 100-yard ranges, 25-yard ranges, retail, classrooms, office space, a gym, and VIP lounge. An adjacent smaller building is proposed for shipping, receiving, storage, and gunsmithing. The project is located on two parcels, Tax Map 13, Lots 18 and 20, at 40 and 44 Cummings Road in Tyngsborough.

Site improvements include the demolition and removal of the existing residential buildings and the construction of new 36,300-sf and 5,000-sf buildings, domestic and fire protection water services, sanitary sewer services, 77 space parking lot, stormwater management system, and landscaping and lighting improvements. Two new driveways are proposed onto Cummings Road, one of which is intended to be a shared driveway for a future development on Lot 18.

Natural Environment

The proposed project should not adversely affect the natural environment. During construction, the project will be subject to Federal, State, and Local regulations, and require a Stormwater Pollution Prevention Plan in accordance with the latest USEPA Construction General Permit. After construction, the site's stormwater management system will collect and treat stormwater runoff in accordance with State and Local regulations. A full stormwater management report has been prepared for this project which outlines the system in greater detail.

Public Services

The proposed project should not adversely affect traffic safety or congestion and the site has been designed in accordance with the Tyngsborough Zoning Ordinance. The proposed buildings will utilize adjacent water, sewer, natural gas, and electric mains for the utility services. The project will be coordinated with the local sewer and water commissions prior to final approval to ensure the design is in compliance with current regulations and design standards.

Economics

The project proposes a unique use (gun range) that will be combined with retail and gym spaces, shipping, receiving, and gunsmithing to form a multifaceted business. It is expected that the business will draw people from all over the New England region, given the

Civil Engineering

Land Surveying

Landscape Architecture

uniqueness of the programming. Once complete, the business will require well trained full and part time staff to manage and operate the facility. In total, the project anticipates the creation of about 90 direct full and part time jobs.

Visual Environment

The project is designed in a manner that blends in with the adjacent industrial and commercial uses. The design follows local regulations and features a full landscaping and lighting design in accordance with the Zoning Ordinance. Building elevations have been developed for the property by Port One Architecture.

Safety

The safety and security of our customers and staff are held in the highest regard, and with that comes the responsibility of ensuring that level of safety through the development and implementation of policies and procedures. All Freedom Alley staff members will be at least cross trained at the level of Range Safety Officer. The level of Range Safety Officer is only obtained through the successful completion of the NRA Range Safety Officer Course, as well as 40 hours of pre-employment training, and a written policy compliance exam.

Policies and procedures specifically developed for range settings will enforce the compliance of all safety standards in a controlled, polite, and informative manner. Strict guidelines pertaining to the firing line, loading and unloading of firearms, as well as safe gun handling will be imposed on to all customers. Customers will receive a detailed safety briefing upon their arrival as well as an orientation during their first visit and any other subsequent visits in which a time period greater than 60 days between visits has elapsed or if the Range Master deems it necessary.

Safety Plans will be developed and implemented to prevent accidents through inspection programs including but not limited to range safety, health, occupational safety, and emergency response equipment. Tactical Plans will further be developed to combat specific accidents should they occur. Specific responses will be outlined for each emergency instance and will clearly illustrate any and all responsibilities of staff should an accident occur no matter its level of severity.

It will be the overwhelmingly high level of alertness, attention to detail, tact, and customer service, which the staff at Freedom Alley Shooting Sports will possess, that will prove to be invaluable to the safety and security of all of our customers.

Sound Control

Noise control is an important issue in the facility. Each gun range and the 360 shoot house are constructed with 8" & 12" reinforced, solidly-grouted masonry block walls with a 10" thick reinforced concrete. This construction type effectively reduces noise transmission, and

Civil Engineering

Land Surveying

Landscape Architecture

10 Commerce Park North, Suite 3B

Bedford, NH 03110

Phone (603) 627-2881

Fax (603) 627-2915

range walls that are also exterior walls have additional layers of insulation and metal siding to further reduce noise transmission outside the walls of the facility.

Within each range there are acoustical sound panel installed to reduce decibels and improve communications between shooter and range officials.

Ventilation

The supply and exhaust air systems are critical for the health and welfare of people inside the facility. Each range and the 360 shoot house will have their own specialized, mechanical systems necessary to avoid inhalation of health hazardous lead fumes and dust, and carbon monoxide released during firing.

Owner Affidavit

I Daniel J. Whitman, authorized representative of Massachusetts Union Real Estate, LLC, owner of the property referenced as Tax Map 13; Lot 18 located at 44 Cummings Road, Tyngsborough, Massachusetts, hereby verify that we have authorized Keach-Nordstrom Associates, Inc. to submit on our behalf, any and all applicable State, Federal and local permit applications as they pertain to improvements on said property required by or otherwise associated with the redevelopment of the property.

Additionally, we authorize Keach-Nordstrom Associates, Inc. to aid in the representation of these applications throughout the approval process.

Signature of Owner:

Daniel J. Whitman

Address of Owner: 159 Wharton Row
Groton, MA 01450

Date:

12/29/15

STATE OF MASSACHUSETTS
MIDDLESEX COUNTY

This instrument was acknowledged before me on the 29th day of December, 2015 by Daniel J. Whitman, an authorized representative of Massachusetts Union Real Estate, LLC.

Christopher S. Dias
Justice of the Peace / Notary Public
My commission expires:



CHRISTOPHER S. DIAS
Notary Public
Commonwealth of Massachusetts
My Commission Expires
July 3, 2020

Owner Affidavit

Paula Hamel, authorized representative of BCH Nominee Trust, owner of the property referenced as Tax Map 13; Lot 20 located at 40 Cummings Road, Tyngsborough, Massachusetts, hereby verify that we have authorized Keach-Nordstrom Associates, Inc. to submit on our behalf, any and all applicable State, Federal and local permit applications as they pertain to improvements on said property required by or otherwise associated with the Freedom Alley Shooting Sports' potential redevelopment of the property.

Additionally, we authorize Keach-Nordstrom Associates, Inc. to aid in the representation of these applications throughout the approval process.

Signature of Owner: Paula Hamel

Address of Owner: 40 Cummings Road

Tyngsborough, MA 01879

Date: 12-29-15

STATE OF MASSACHUSETTS
MIDDLESEX COUNTY

This instrument was acknowledged before me on the 29th day of December, 2015 by

Paula Hamel as trustee of BCH Nominee Trust.

Christopher S. Dias

Justice of the Peace / Notary Public

My commission expires:



CHRISTOPHER S. DIAS
Notary Public
Commonwealth of Massachusetts
My Commission Expires
July 3, 2020

Property Address:
44 Cummings Road, Tyngsborough,
Massachusetts 01879



Bk: 29519 Pg: 99 Page: 1 of 1
Recorded: 10/21/2015 11:44 AM

MASSACHUSETTS EXCISE TAX
Middlesex: North ROD #14 001
Date: 10/21/2015 11:44 AM
Citr# 063997 05371 Doc# 00048125
Fee: \$1,985.60 cons: \$435,000.00

Deed

We, James S. Twining and Faith E. Twining, of 44 Cummings Road, Tyngsborough, Massachusetts 01879 in consideration of Four Hundred Thirty-Five Thousand and 00/100 Dollars (\$435,000.00) grant to Massachusetts Union Real Estate, LLC, a Massachusetts Limited Liability Company, having a principal place of business of 159 Wharton Row, Groton, Massachusetts 01450

with QUITCLAIM COVENANTS

The land and buildings in Tyngsborough, MA being shown as Lot 24 on a plan entitled "Definitive Subdivision Plan, Applewood Commerical Park, Tyngsborough, Massachusetts, dated May 30, 1997", Owned by Earl H. Hunter, prepared by Diversified Civil Engineering recorded with Middlesex North District Deeds in Plan Book 194 Plan 31.

Said premises are further conveyed subject to and with the benefit of rights, restrictions and easements of record, insofar as the same may be in force and applicable.

Conveying and intending to convey property conveyed to Grantors by deed recorded March 23, 2005 and recorded in Book 18529 Page 293.

The signatories herein, James S. Twining and Faith E. Twining hereby release all rights of homestead in the within described premises and attest under pains and penalties of perjury that no other individual has any claim of such rights in the premises.

Executed as a sealed instrument this 21st day of October, 2015.

James S. Twining

Faith E. Twining

Commonwealth of Massachusetts Middlesex, ss:

On this 21st day of October, 2015, before me, the undersigned notary public, personally appeared James S. Twining and Faith E. Twining, proved to me through satisfactory evidence of identification, which were Driver's License; State ID; Passport; Other Government Issued ID; Other, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

Christopher E. Coleman, Notary Public
My Commission Expires: September 16, 2022



Deed

LOCUS: 44 Cummings Road, Tyngsborough, MA

MS



2008 00002828
Bk: 21880 Pg: 282 Page: 1 of 5
Recorded: 01/23/2008 08:32 PM

40 Cummings Rd, Tyngsboro, MA

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that we, Allan M. Hunter, a single person, presently of 16 Bow Mills Road, Center Barnstead, New Hampshire and Linda G. Connell, a married person, presently of Cummings Road, Tyngsboro, Massachusetts and Shirley A. Rancourt, a single person, presently of 4 Abbot Street, Nashua, New Hampshire and Paula R. Hamel, a single person, presently of Fox Farm Road, New Ipswich, New Hampshire and Susan D. Bourdeau, a single person, presently of 347 Bear Hill Road, Loudon, New Hampshire and Lisa M. Hunter, a single person, presently of 17 Brook Street, Nashua, New Hampshire and Faith E. Twining, a married person, presently of 44 Cummings Road, Tyngsboro, Massachusetts and Arthur H. Hunter, a single person, presently of 51 River Road, Tyngsboro, Massachusetts, for consideration paid of \$1.00, grant to Byrl C. Hunter and Earl H. Hunter and Allan M. Hunter and Susan D. Bourdeau and Arthur H. Hunter, as Trustees of BCH Nominee Trust, a Massachusetts trust established pursuant to a trust agreement dated May 2, 2007, with Byrl C. Hunter and Earl H. Hunter as Grantors and Byrl C. Hunter and Earl H. Hunter and Allan M. Hunter and Susan D. Bourdeau and Arthur H. Hunter as Trustees, and having an address of 40 Cummings Road, Tyngsboro, Massachusetts, said trust recorded herewith at Middlesex North District Registry of Deeds at Book _____, Page _____, and to Earl H. Hunter and Byrl C. Hunter and Allan M. Hunter and Susan D. Bourdeau and Arthur H. Hunter, as Trustees of EHH Nominee Trust, a Massachusetts trust established pursuant to a trust agreement dated May 2, 2007, with Earl H. Hunter and Byrl C. Hunter as Grantors and Earl H. Hunter and Byrl C. Hunter and Allan M. Hunter and Susan D. Bourdeau and Arthur H. Hunter as Trustees, and having an address of 40 Cummings Road, Tyngsboro, Massachusetts, said trust recorded herewith at Middlesex North District Registry of Deeds at Book _____, Page _____, in equal proportion and as tenants in common, all of our right, title and interest in and to the following, with Quitclaim Covenants:

A certain tract or parcel of land, together with the buildings thereon, situated in Tyngsboro, County of Middlesex, Commonwealth of Massachusetts, and being more particularly described as follows:

All of the property owned by the Grantors at 40 Cummings Road, Containing 2.40 acres, more less, and described by the Town of Tyngsboro as Map 13, Block 20, Lot 0, and shown on a deed at the Middlesex North District Registry of Deeds in Book 14422, Page 25. Also shown as Lot 23 on a plan of land for Applewood Construction, recorded in said registry in Plan Book 194, Plan 31.

EM

LH
lc
SK
AH
SB

Meaning and intending to convey the same premises as conveyed to Faith E. Twining as Trustee of The Hunter Family Irrevocable Trust, by Quitclaim Deed of Earl H. Hunter and Byrl C. Hunter, said deed dated March 7, 2005, and recorded with Middlesex North District Registry of Deeds at Book 18530, Page 11.

WITNESS our hands and seals this ____ day of May, 2007.

Allan M. Hunter
Allan M. Hunter

Linda G. Connell
Linda G. Connell

Shirley A. Rancourt
Shirley A. Rancourt

Paula R. Hamel
Paula R. Hamel

Susan D. Bourdeau
Susan D. Bourdeau

Lisa M. Hunter
Lisa M. Hunter

Faith E. Twining
Faith E. Twining

Arthur H. Hunter
Arthur H. Hunter

Dori J. Helm
Witness Dori J. Helm

Gene R. Spickler
Witness Gene R. Spickler

William W. ...
Witness

William W. ...
Witness

Dori J. Helm
Witness Dori J. Helm

Gene R. Spickler
Witness Gene R. Spickler

Jeanine Hopkins
Witness Jeanine Hopkins

Dori J. Helm
Witness Dori J. Helm

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

Personally appeared the above named Allan M. Hunter, known to me or satisfactorily proven to be the persons whose name is subscribed to the within instrument, and acknowledged the foregoing instrument to be his free act and deed. Before me this 1st day of May, 2007.

Fred J. Forman
Justice of the Peace / Notary Public
My commission expires:

FRED J. FORMAN, Justice of the Peace
My Commission Expires June 12, 2007

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF Middlesex

Personally appeared the above named Linda G. Connell, known to me or satisfactorily proven to be the persons whose name is subscribed to the within instrument, and acknowledged the foregoing instrument to be her free act and deed. Before me this 7th day of May, 2007.

[Signature]
Justice of the Peace / Notary Public
My commission expires: Nov 6 2009

Massachusetts
STATE OF ~~NEW HAMPSHIRE~~
COUNTY OF Middlesex

Personally appeared the above named Shirley A. Rancourt, known to me or satisfactorily proven to be the persons whose name is subscribed to the within instrument, and acknowledged the foregoing instrument to be her free act and deed. Before me this 21st day of May, 2007.

Diane Welch
Notary Public
My Commission Expires
May 22, 2009

[Signature]
Justice of the Peace / Notary Public
My commission expires:

STATE OF ~~NEW HAMPSHIRE~~ MASSACHUSETTS
COUNTY OF Middlesex

Personally appeared the above named Paula R. Hamel ~~Paul R. Hamel~~, known to me or satisfactorily proven to be the persons whose name is subscribed to the within instrument, and acknowledged the foregoing instrument to be her free act and deed. Before me this 9th day of May, 2007.

[Signature]
Justice of the Peace / Notary Public
My commission expires: Nov 6 2009

J.R.
A H L.H.
SB la
2.8 A.H.

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

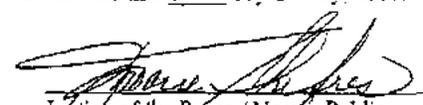
Personally appeared the above named Susan D. Bourdeau, known to me or satisfactorily proven to be the persons whose name is subscribed to the within instrument, and acknowledged the foregoing instrument to be her free act and deed. Before me this 2nd day of May, 2007.


Justice of the Peace / ~~Notary Public~~
My commission expires:

FRED J. FORMAN, Justice of the Peace
My Commission Expires June 12, 2007

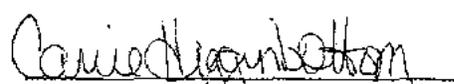
STATE OF ~~NEW HAMPSHIRE~~ Massachusetts
COUNTY OF Middlesex

Personally appeared the above named Lisa M. Hunter, known to me or satisfactorily proven to be the persons whose name is subscribed to the within instrument, and acknowledged the foregoing instrument to be her free act and deed. Before me this 7th day of May, 2007.

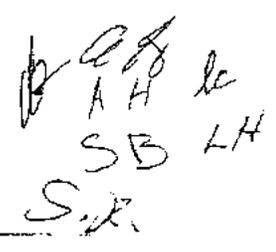

Justice of the Peace / Notary Public
My commission expires: Nov 6 2009

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF Middlesex

Personally appeared the above named Faith E. Twining, known to me or satisfactorily proven to be the persons whose name is subscribed to the within instrument, and acknowledged the foregoing instrument to be her free act and deed. Before me this 24 day of May, 2007.


Justice of the Peace / Notary Public
My commission expires:

Carrie Higginbottom
Notary Public
My Commission Expires October 5, 2012
Commonwealth of Massachusetts


A H le
SB LH
S.R.

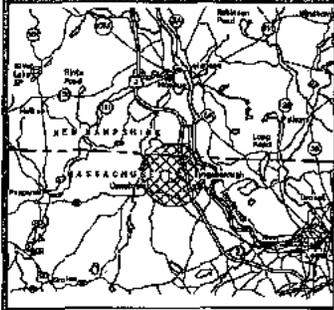
STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

Personally appeared the above named Arthur H. Hunter, known to me or satisfactorily proven to be the persons whose name is subscribed to the within instrument, and acknowledged the foregoing instrument to be his free act and deed. Before me this 7th day of May, 2007.

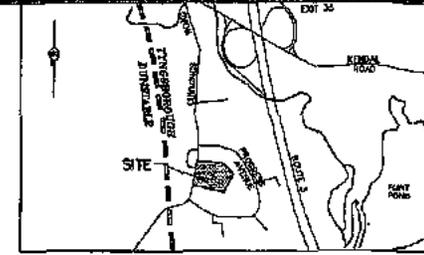

Justice of the Peace / Notary Public
My commission expires:

FRED J. FORMAN, Justice of the Peace
My Commission Expires June 12, 2007

CB
* AH
SB
SA. L.H.



VICINITY PLAN
NOT TO SCALE



LOCATION MAP
SCALE: 1" = 1,000'

NON-RESIDENTIAL SITE PLAN FREEDOM ALLEY

MAP 13 LOTS 18 & 20 40 & 44 CUMMINGS ROAD TYNGSBOROUGH, MASSACHUSETTS

APPLICANT:

FREEDOM ALLEY SHOOTING SPORTS, LLC
404 MIDDLESEX ROAD
TYNGSBOROUGH, MASSACHUSETTS 01879

OWNER OF MAP 13 LOT 18:

MASSACHUSETTS UNION REAL ESTATE, LLC
159 WHARTON ROW
GROTON, MASSACHUSETTS 01450

OWNER OF MAP 13 LOT 20:

BCH NOMINEE TRUST
40 CUMMINGS ROAD
TYNGSBOROUGH, MASSACHUSETTS 01879

PREPARED BY:

KEACH-NORDSTROM ASSOCIATES, INC.
10 COMMERCE PARK NORTH, SUITE 3
BEDFORD, NEW HAMPSHIRE 03110
(603) 627-2881



KN KEACH-NORDSTROM ASSOCIATES, INC.
Civil Engineers and Surveyors
10 Commerce Park North, Suite 3, Bedford, NH 03110 Phone: (603) 627-2881

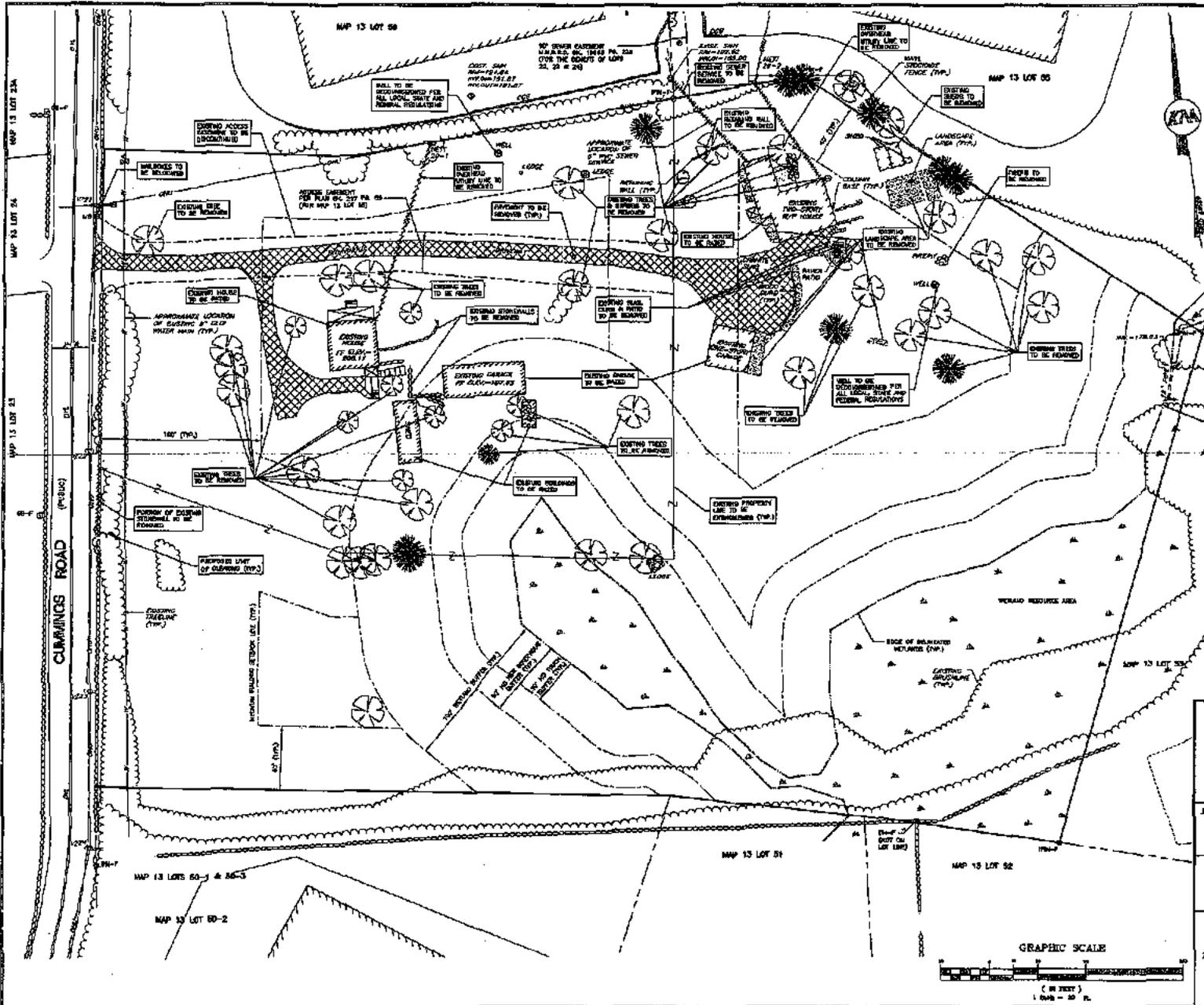
DECEMBER 21, 2015
PROJECT NO. 15-0826-3

SHEET TITLE

SHEET No.

EXISTING CONDITIONS PLAN	1
REMOVALS/DEMOLITION PLAN	2
NON-RESIDENTIAL SITE LAYOUT PLAN	3
GRADING AND DRAINAGE PLAN	4
EROSION CONTROL PLAN	5
UTILITY PLAN	6
LIGHTING PLAN	7
DRAINAGE PROFILES	8
SEWER PROFILES	9
CONSTRUCTION DETAILS	10 - 15
TEST PIT LOGS	16

L:\projects\150826\Freedom Alley\150826-3.dwg 12/21/15 10:18 AM



- REMOVALS/DEMOLITION NOTES:**
1. ITEMS TO BE REMOVED AND REPOSESSOR IS TO BE RESPONSIBLE WITH THE TOWN OF TYNGSBOROUGH AND STATE OF MASSACHUSETTS RESIDENTS, UNDER SUPERVISION OF ARCHITECT.
 2. ALL EXISTING PAVEMENT WITHIN THE CROSS HATCHED AREA IS TO BE REMOVED DURING THE DEMOLITION PHASE OF THE PROJECT. EXISTING ASPHALT FROM THESE AREAS SHALL BE APPROPRIATELY DEPOSITED OR STORED BY AN APPROVED METHOD.
 3. THE REPOSESSOR SHALL OBTAIN ALL NECESSARY PERMITS FROM THE RELEVANT PHASES OF THE PROJECT BEFORE COMMENCING WORK ON THE SITE.
 4. ANY MATERIALS INCLUDING BRICKS, CONCRETE SHALL NOT BE RECYCLED BY THE REPOSESSOR AT THE SITE. CONTAINERS FOR SUCH MATERIALS SHALL BE PROVIDED FOR COLLECTION "ON SITE" AT THE END OF EACH WORKING DAY.
 5. ALL MATERIALS REMOVED FROM THE SITE SHALL BE DEPOSITED IN AN APPROVED MANNER ALL LOCAL, STATE AND FEDERAL REGULATIONS.
 6. ALL STUMP, ROOTS, BRANCHES, LIMBS AND OTHER REMAINING MATERIALS REMOVED FROM THE CLEARING AND GRADING OPERATIONS SHALL BE DEPOSITED BY AN APPROVED METHOD.



LEGEND

1/8" = 1'	STONE PAVED ROAD	---	ADDITION LINE
1/4" = 1'	GRAVEL PAVED ROAD	---	PROPERTY LINE
1/2" = 1'	PAVEMENT	---	SETBACK
3/4" = 1'	WHITE POLE	---	STORMWATER FENCE
1" = 1'	WOOD POLE	---	OVERHEAD UTILITIES
1 1/4" = 1'	CONCRETE	---	BOUNDARY LINE
1 1/2" = 1'	ASPHALT	---	WELL
1 3/4" = 1'	GRAVEL	---	FOUNDATION
2" = 1'	BRICK	---	FOUNDATION WALL
2 1/4" = 1'	CEMENT	---	EDGE OF PAVEMENT
2 1/2" = 1'	CONCRETE	---	STORMWALL
2 3/4" = 1'	BRICK	---	BOUNDARY SETBACK
3" = 1'	CONCRETE	---	EXISTING CURB/CHALK
3 1/4" = 1'	BRICK	---	PROPERTY TO BE REMOVED

REMOVALS/DEMOLITION PLAN
FREEDOM ALLEY
 MAP 13 LOTS 18 & 20
 40 & 44 CUMMINGS ROAD
 TYNGSBOROUGH, MASSACHUSETTS
 MIDDLESEX COUNTY

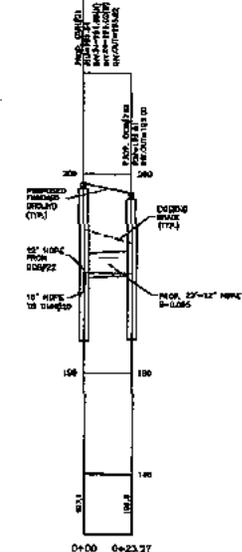
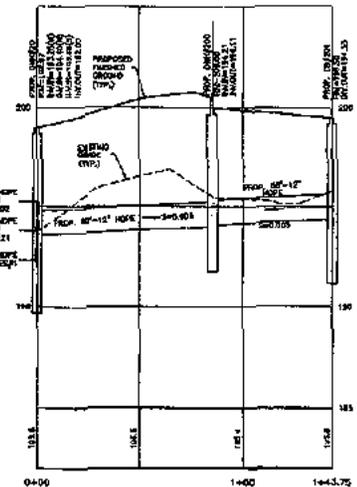
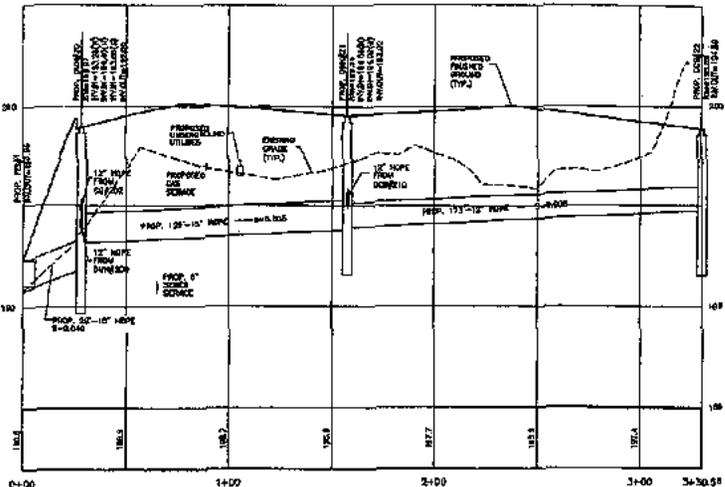
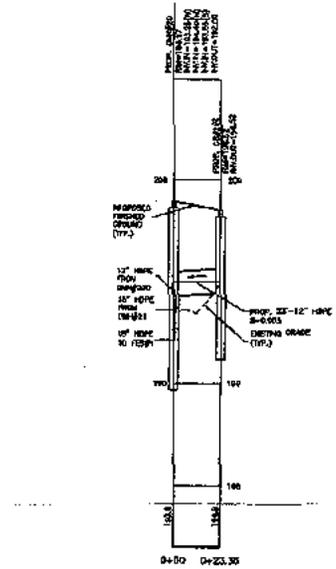
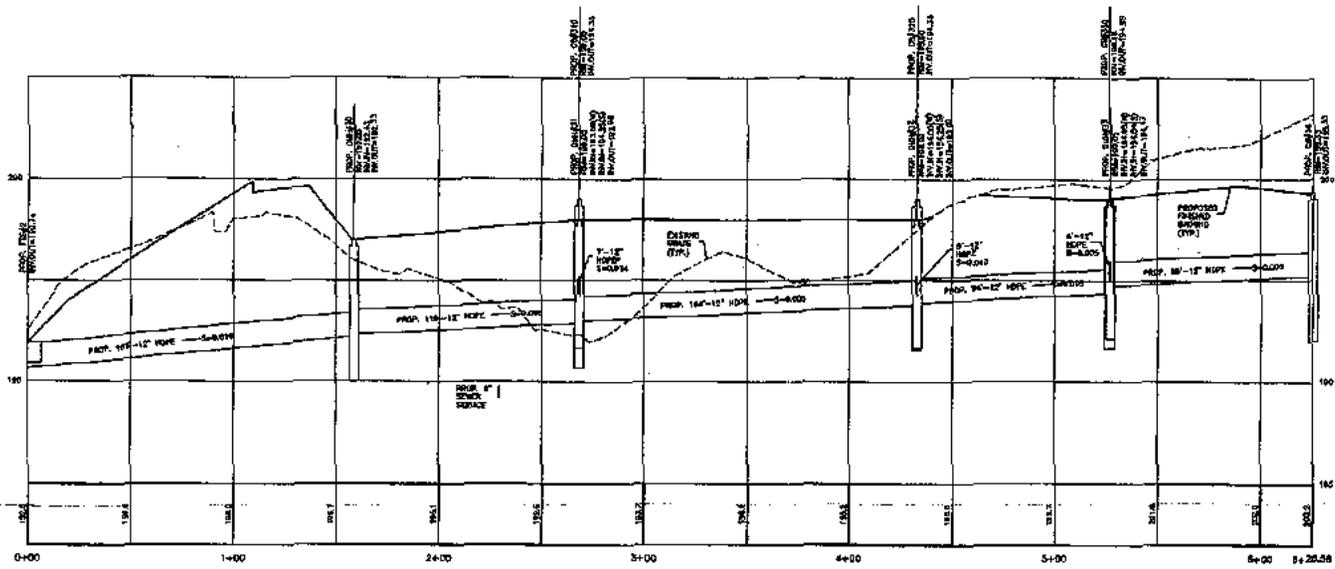
OWNER: MAP 13 LOT 18 MASSACHUSETTS UNION FOCA ESTATE, INC. 150 WASHINGTON ROAD GROTON, MA 01460 BX: 2300 P.O. 00	OWNER: MAP 13 LOT 20 DON HUMBER TRUST 40 CUMMINGS ROAD TYNGSBOROUGH, MA 01876 BX: 2100 P.O. 202	APPLICANT: FREEDOM ALLEY SHOOTING SPORTS, LLC 404 MIDDLESEX ROAD TYNGSBOROUGH, MA 01876
---	---	---

KAA
 KENNY-ANDERSON ASSOCIATES, INC.
 Civil Engineers and Architects, Landscape Architects
 20 Commercial Street, Suite 2, Tyngsboro, MA 01876 (978) 487-4941

REVISIONS		
No.	DATE	DESCRIPTION

DATE: DECEMBER 21, 2019
 PROJECT NO.: 15-0025-3
 SCALE: 1" = 30'
 SHEET: 2 OF 16





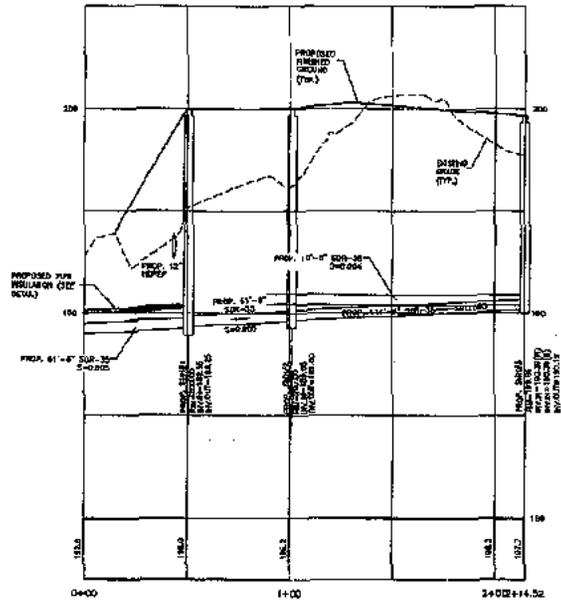
DRAINAGE PROFILES
FREEDOM ALLEY
 MAP 13 LOTS 18 & 20
 40 & 44 CUMMINGS ROAD
 TYNGSBOROUGH, MASSACHUSETTS
 MIDDLESEX COUNTY

OWNER MAP 13 LOT 18 MASSACHUSETTS UNIV REAL ESTATE, LLC 150 WARTON RD GROTON, MA 01450 BK. 2048 PG. 20	OWNER MAP 10 LOT 20 DICK HUNTER TRUST 40 CUMMINGS ROAD TYNGSBOROUGH, MA 01779 BK. 2108 PG. 202	APPRAISER FREEDOM ALLEY SHOOTING SPORTS, LLC 304 MODLERS ROAD TYNGSBOROUGH, MA 01779
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KMA KENNEBEC-DRAINAGE ASSOCIATES, INC.
 100 High Street, Suite 200, Tyngsboro, MA 01779
 40 Cummings Road, Suite 202, Tyngsboro, MA 01779

NO.	DATE	DESCRIPTION	BY

DATE: DECEMBER 21, 2016 SCALE: AS SHOWN
 DRAWING NO: 15-0628-3 SHEET 6 OF 16



EXIST. SMH TO PROP. SMH'S
 SCALE: 1" = 30'(HORIZ.)
 1" = 3'(VERT.)



SEWER PROFILES
FREEDOM ALLEY
 MAP 13 LOTS 18 & 20
 40 & 44 CUMMINGS ROAD
 TYNGSBOROUGH, MASSACHUSETTS
 MIDDLESEX COUNTY

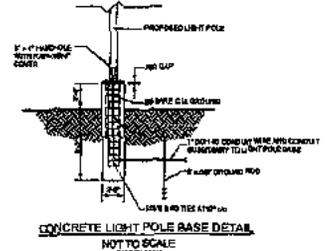
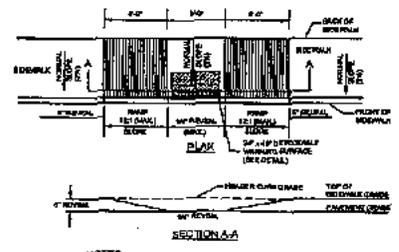
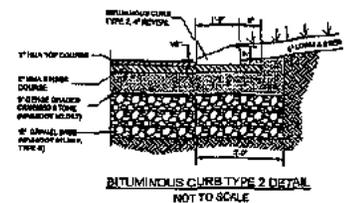
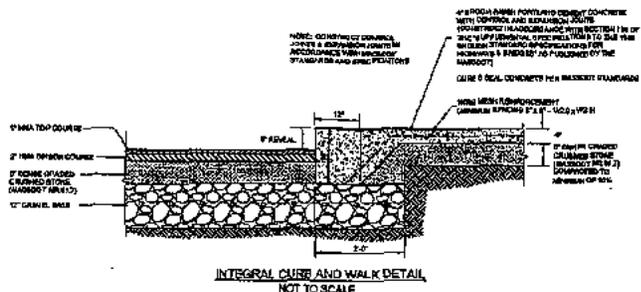
OWNER MAP 13 LOT 18: MASSACHUSETTS UNION REAL ESTATE, LLC 155 SHAWMUT RDW GRUEN, MA 01450 BX 2828 PB. 04	OWNER MAP 13 LOT 20: BOH NOMBER TRUST 40 CUMMINGS ROAD TYNGSBOROUGH, MA 01870 BX. 21899 PG. 282	APPLICANT: FREEDOM ALLEY SHOOTING SPORTS, LLC 404 MIDDLESEX ROAD TYNGSBOROUGH, MA 01875
---	---	---

KMA
 KENNA-KUNSTROM ASSOCIATES, INC.
 Civil Engineers Land Surveyors Landscape Architects
 10 Cummings Park North, Suite 2, Tyngsboro, MA 01870 Phone (508) 477-0000

REVISIONS			
No.	DATE	DESCRIPTION	BY

DATE: DECEMBER 21, 2010 SCALE: AS SHOWN
 PROJECT NO. 13-0304-3 SHEET 9 OF 16

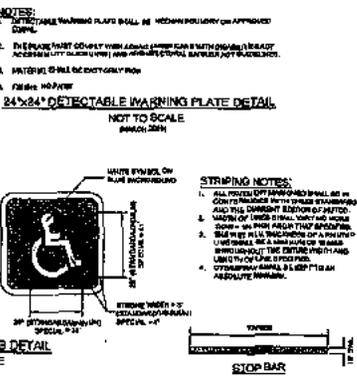
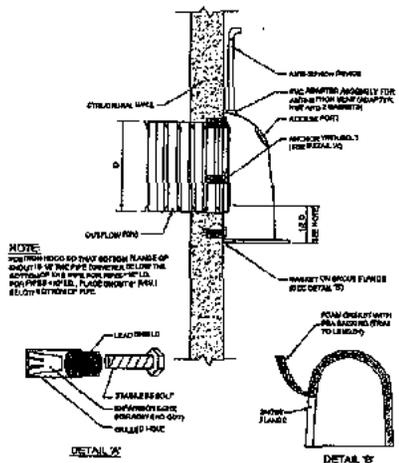
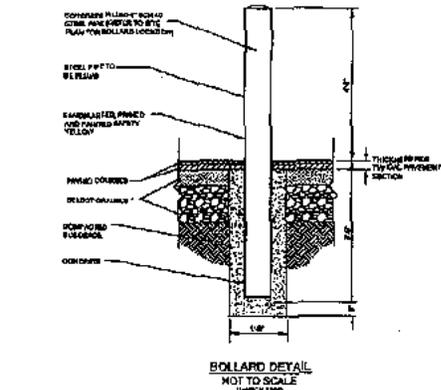
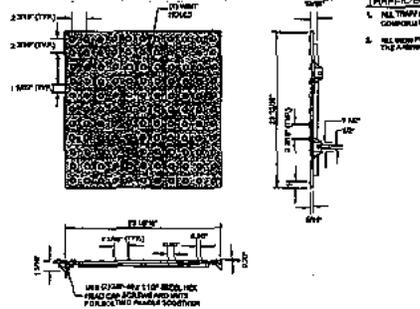
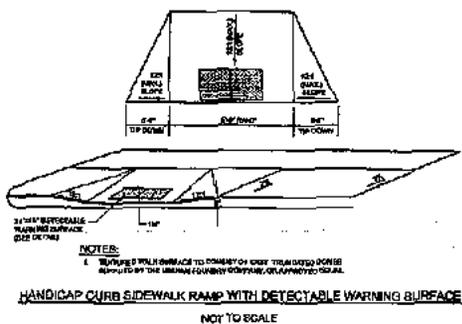
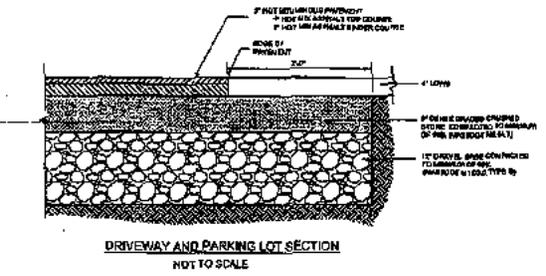
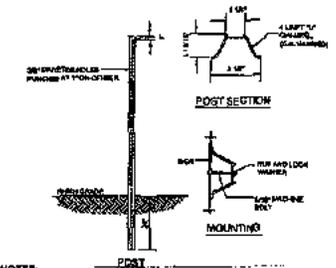
C:\p01\130304\130304.dwg (12/21/10) 11:23:41 AM



NOTES:

1. DETECTABLE WALK SURFACE TO COMPLY WITH ADA REQUIREMENTS SHALL BE THE HILTI/POURDY COMPANY, DA APPROVED CURB.
2. A BRUSH PUSH BROOM TO THE SURFACE OF THE RAMP SHALL BE USED ON FLAT OR GENTLY SLOPING SURFACES.
3. MATCH WITH THE NORMAL PAVEMENT THROUGHOUT THE RAMP AREA.
4. MAINTAIN A MINIMUM GAP OF CURB REVEAL AT THE RAMP SECTION A-A.

SIDEWALK RAMP WITH DETECTABLE WARNING SURFACE
NOT TO SCALE



CONSTRUCTION DETAILS

FREEDOM ALLEY
MAP 19 LOTS 18 & 20
40 & 44 CUMMINGS ROAD
TYNGBOROUGH, MASSACHUSETTS
MIDDLESEX COUNTY

OWNER: MAP 19 LOT 20 CLASSIFIED UNDER REAL ESTATE, LLC 150 SHAWNOT ROAD BOSTON, MA 02140 DR. DAISY P. DE	OWNER: MAP 19 LOT 20 828 KENNEDY TRUST 40 CUMMINGS ROAD TYNGBOROUGH, MA 01878 EC 21989 PG. 202	APPRAISER: FRED O'ALLEY SHOOTING SPORTS, LLC 404 MIDDLESEX ROAD TYNGBOROUGH, MA 01878
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STOP SIGN DETAIL
NOT TO SCALE

RESERVED PARKING SIGN DETAIL
NOT TO SCALE

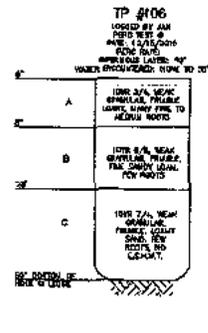
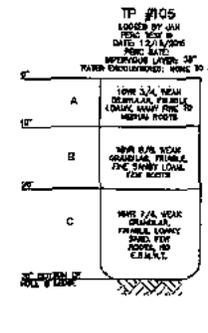
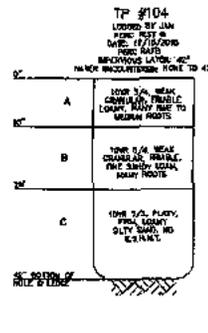
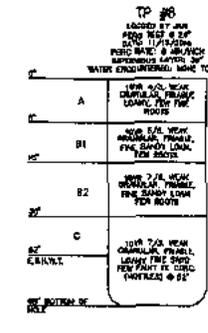
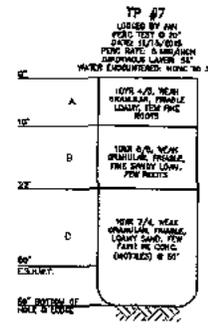
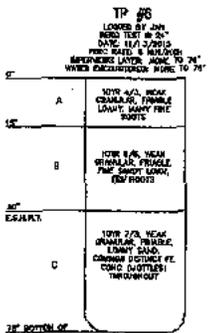
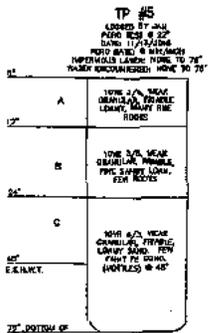
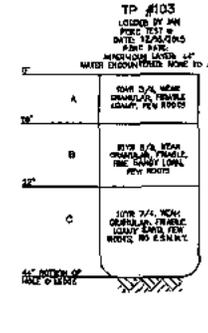
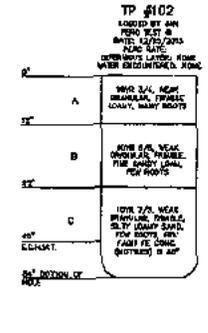
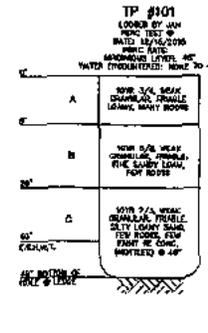
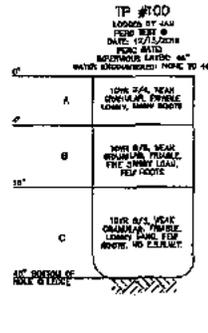
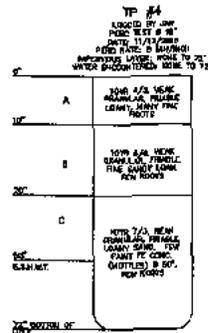
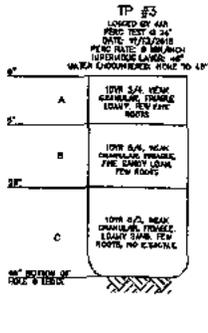
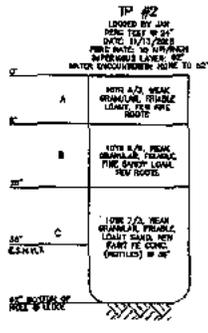
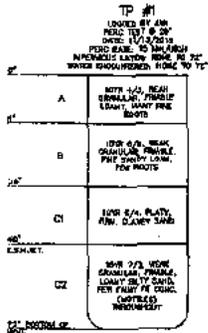
STOP BAR

STRIPING NOTES:

1. ALL STRIPING SHALL BE IN ACCORDANCE WITH THE MASSACHUSETTS REGULATIONS AND THE LATEST EDITION OF MUTCD.
2. STRIPING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF MUTCD.
3. STRIPING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF MUTCD.
4. STRIPING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF MUTCD.
5. STRIPING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF MUTCD.

DATE: DECEMBER 21, 2016
SCALE: AS SHOWN
PROJECT NO: 15-0828-3
SHEET 10 OF 16

DATE PLOTTED: 12/21/16 10:00 AM



TEST PIT LOGS
FREEDOM ALLEY
 MAP 13 LOTS 18 & 20
 40 & 44 CUMMINGS ROAD
 TYNGSBOROUGH, MASSACHUSETTS
 MIDDLESEX COUNTY

OWNER: MAP 13 LOT 20
 MASSACHUSETTS UNICH
 REAL ESTATE, INC.
 156 WASHINGTON ST
 ORTON, MA 01450
 BK. 25318 PG. 90

APPLICANT:
 BOB MUMFORD VOLLEY
 40 CUMMINGS ROAD
 TYNGSBOROUGH, MA 01778
 BK. 11080 PG. 202

KM KELLY-WORRSTROM ASSOCIATES, INC.
 Civil Engineering Land Planning Landscape Architecture
 10 Commerce Park North, Suite 3, Andover, MA 01810 Phone: (978) 887-2844

DATE: DECEMBER 21, 2016
 DRAWING No: 13-022-3

REVISIONS

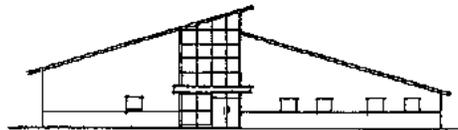
No.	DATE	REVISIONS	BY

SCALE: NOT TO SCALE
 SHEET: 15 OF 16

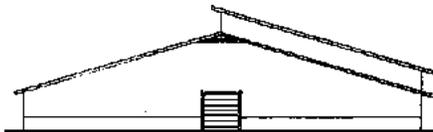
1. I:\projects\13022\13022.dwg, 12/21/16, 10:21:16 AM, 10/21/16, 10:21:16 AM, 10/21/16, 10:21:16 AM



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"

Freedom Alley Gun Range
44 Cummings Road
Tyngsborough, MA

MAIN BUILDING

Jawett Construction Co., Inc.
Raymond, NH

Port One Architects Inc.
Framingham, MA



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



South Elevation
SCALE: 3/8" = 1'-0"



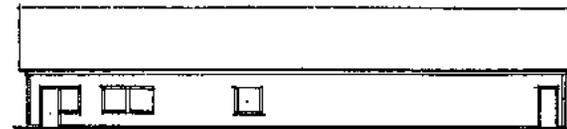
West Elevation
SCALE: 3/8" = 1'-0"

Freedom Alley Gun Range
44 Cummings Road
Tyngsborough, MA

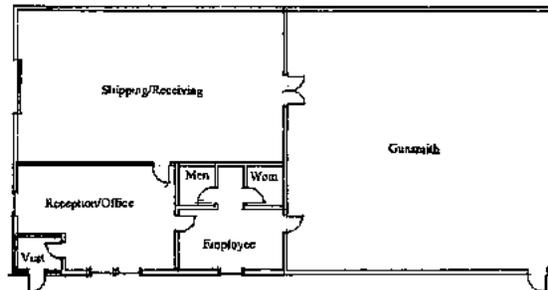
ANNEX BUILDING

Jewett Construction Co., Inc.
Rumford, NH

Part One Architects Inc.
Boston, MA



North Elevation
SCALE: 3/8" = 1'-0"



FLOOR PLAN
SCALE: 3/8" = 1'-0"



East Elevation
SCALE: 3/8" = 1'-0"

04A



TOWN OF TYNGSBOROUGH

Office of the Town Administrator

Town Offices | 25 Bryants Lane

Tyngsborough, MA 01879

Tel: (978) 649-2300 Ext. 100 | Fax: (978) 649-2320

TO: Board of Selectmen

FROM: Curt Bellavance, Town Administrator

DATE: February 19, 2016

RE: Middlesex 3

Ms. Stephanie Cronin, Executive Director for the Middlesex 3 Coalition, wanted to come before the Selectmen and update the Board on what regional projects and activities have been taking place over the past year since Tyngsborough became a member.

The Middlesex 3 Coalition consists of several municipalities including Bedford, Billerica, Burlington, Chelmsford, Lexington, Lowell, Tewksbury, and Westford.



04B



TOWN OF TYNGSBOROUGH

Office of the Town Administrator

Town Offices | 25 Bryants Lane

Tyngsborough, MA 01879

Tel: (978) 649-2300 Ext. 100 | Fax: (978) 649-2320

TO: Board of Selectmen

FROM: Curt Bellavance, Town Administrator 

DATE: February 19, 2016

RE: Right of First Refusal

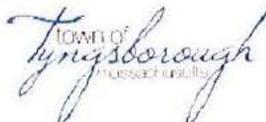
My office received a letter from Citizens' Housing and Planning Association, Inc. (CHAPA) in regards to #1 Hemingway Road. CHAPA is the monitoring agent on behalf of the Maple Ridge project.

When an owner is looking to sell their property the monitoring agent manages the sale as outlined in the deed rider. Also outlined in the deed rider is the option for the Town to purchase the property. The Town has 30 days under the "right of first refusal" to purchase the affordable unit, to either manage or re-sell.

This procedure is common with most affordable homeowner projects. At this time I would recommend that the Town waive their right and allow CHAPA to market and manage the sale of the property. CHAPA hires a broker to sell the property on their behalf.

I would be happy to answer any questions the Board may have about the process or provide any additional information.

Attached: CHAPA notice letter





C H A P A

Citizens' Housing and Planning Association, Inc.

2016 FEB -8 PM 12:11

BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

February 4, 2016

President
Jeanne Pinado

Mr. Curt T. Bellavance
Town Administrator
Town Hall

Vice President
Charleen Regan

25 Bryants Lane
Tyngsborough, MA 01879

Treasurer
Joseph Flatley

Clerk
Naomi Sweitzer

Dear Mr. Bellavance:

Executive Director
Brenda Clement

This letter is sent to the Town of Tyngsborough on behalf of Dawn E Hammel, the current owner of an affordable property under Chapter 40B, to inform you of the owner's intent to sell her affordable unit. The unit is located at 1 Hemingway Rd. and is part of Maple Ridge, a Chapter 40B project for which Citizens' Housing and Planning Association (CHAPA) serves as the Monitoring Agent.

Based on the affordable housing deed rider for 1 Hemingway Rd, CHAPA has determined that the Maximum Resale Price for the above-referenced unit is \$214,000.00. This letter is to notify the Town of Tyngsborough of its right of first refusal with respect to this unit. As described in the deed rider, "right of first refusal" means that the Town of Tyngsborough has 30 days to determine if it would like to purchase the unit from the homeowner at the resale price. This 30 day period will commence on February 4, 2016 and end on March 4, 2016.

Please consider this letter notification of the the Town of Tyngsborough's 30-day "right of first refusal" period. As you may expect, the homeowner is anxious to hear back from the Town and move forward in selling her property. *If we do not hear from you within the right of first refusal period, we will assume you do not wish to exercise your right of first refusal.*

If the Town of Tyngsborough chooses not to exercise its right of first refusal, CHAPA will assist the homeowner in locating an Eligible Purchaser. As explained in the deed rider, CHAPA and the homeowner have 120 days to market the unit in order to locate an Eligible Purchaser. If an Eligible Purchaser fails to buy the unit within 120 days, the current owner of the property could sell the unit on the open market for the fair market value. However, any gain above the resale price must be given directly to the Town of Tyngsborough to be used for affordable housing activities. The seller is not permitted to keep the difference between the fair market value of the home and the affordable resale price.

When a new Eligible Purchaser buys an affordable unit, a new deed restriction is signed and recorded and the unit remains on the Town of Tyngsborough's subsidized housing inventory. However, please note that *if the homeowner is unable to sell the property during the affordable marketing period and instead sells on the open market, the unit will no longer be deed-restricted and therefore will no longer be counted on the Town's subsidized housing inventory.* We welcome any efforts the Town can offer in making potential eligible buyers aware of the unit's availability during the affordable marketing period.

Please feel free to contact me at 617-742-0820 with any questions regarding this matter or if the Town of Tyngsborough is interested in purchasing the unit. On behalf of Dawn E Hammel, we look forward to hearing back from you soon and working with you during this process.

Sincerely,

Elizabeth Palma-Diaz
Program Manager

cc: Dawn E Hammel
Joseph Polin, Zoning Board of Appeals



04C



TOWN OF TYNGSBOROUGH

Office of the Town Administrator

Town Offices | 25 Bryants Lane

Tyngsborough, MA 01879

Tel: (978) 649-2300 Ext. 100 | Fax: (978) 649-2320

TO: Board of Selectmen

FROM: Curt Bellavance, Town Administrator *CB*

DATE: February 19, 2016

RE: Authorization to sign contract – Photocopier lease

The existing lease for our town hall photocopiers is expiring next month. Jason Bulger, IT Administrator, has been working several companies and getting quotes. The baseline for quotes is from the State bid list. Mr. Bulger used those prices to secure a rate less than the State bid listed prices.

Attached is the proposed lease for three (3) Toshiba photocopiers. The three copiers would replace the existing copiers in the administration, finance, and inspectional offices. The town currently uses Toshiba copiers and has been satisfied with the product and service. The lease will include maintenance for the life of the lease as well as one-time additional toner supplies.

It would be my recommendation that the Board **vote to authorize the town administrator to sign the three-year lease agreement with Toshiba Business Solutions (USA) Inc. for the replacement of three office photocopiers as outlined in the attached documents.**



OFF32 Photocopiers, Facsimile/Multifunctional Equipment and Digital Duplicators Confirmation Form

This form **must** be used for Category 1 Photocopiers and Category 3 Digital Duplicators and attached to each **purchase, lease or rental** encumbrance document to confirm the selection of equipment covered under the Statewide Contract number OFF32 on file at OSD. All of the terms and conditions of the Statewide Contract, OFF32 are incorporated herein and made a part hereof. Conflicting or additional terms, conditions or agreements included in or attached to this form, which conflict with the terms of the Statewide Contract shall be considered to be superseded and void. *This form is strongly recommended for Category 2 Facsimile Leases, Purchases or Rentals.*

P.O. or Encumbrance Document Number:

Fiscal Year: 2016

ELIGIBLE ENTITY: Town of Tyngsborough Contact Person: Jason Bulger Phone: 978-649-2300 Fax: E-mail: jbulger@tyngsboroughma.gov Billing Address: 25 Bryants Lane Tyngsborough, MA. 01879 Contact: Jason Bulger Phone: 978-649-2300 X140 Delivery Address: (If different from Billing Address Above) SAME	CONTRACTOR: Toshiba Business Solutions (USA) inc Contact Person: Joseph Carey Phone: 978-570-1773 Fax: 978-570-1853 E-mail: joseph.carey@tbs.toshiba.com Contractor Address: 200 Minuteman Rd., Suite #101 Andover, MA. 01810 If applicable: Leasing Company: CIT BANK, NA Authorized Dealer: Toshiba Business Solutions <input checked="" type="checkbox"/> Term Lease: # Months 36 Is there a Buyout?: <input type="checkbox"/> Rental (Not to exceed 6 months) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Purchase If Yes, MUST attach Buyout form to this Confirmation Form
Check off the applicable box(es) for equipment sub-category: Photocopiers: <input checked="" type="checkbox"/> 1B <input checked="" type="checkbox"/> 1C <input type="checkbox"/> 1BP <input type="checkbox"/> 1CP Faxes: <input type="checkbox"/> 2F Digital Duplicators: 3D1 <input type="checkbox"/> 3D2 <input type="checkbox"/> 3D3	

EQUIPMENT MODEL NUMBER	EQUIPMENT DESCRIPTION (e.g. Digital Black & White 35cpm)	QUANTITY	MONTHLY LEASE, PURCHASE OR RENTAL EQUIPMENT COST	TRADE-IN ALLOWANCE	MONTHLY NET TOTAL LEASE, PURCHASE OR RENTAL EQUIPMENT COSTS	MAINTENANCE PLAN SELECTED A, B OR C Non-Network or Networked (e.g. Networked)
Administration						
Toshiba E Studio 4555c	45PPM Color	1	\$302.82	\$	\$	
Toshiba E Studio 4555c	45PPM Color	1	\$281.13	\$	\$	
Toshiba e457	45PPM Black & White	1	\$154.76	\$	\$	
				\$	\$	
				\$	\$	
	TOTAL PAYMENT:		\$738.71	\$	\$	

Special Instructions/Additional Information (e.g. equipment model traded, supplies exchanged):

Proposed Lease - Page 2

NOTE: Contractors are required to provide the following start-up supplies for all equipment. Paper items necessary to operate the equipment are excluded.

Categories 1 and 2

- must include 3 each black toners (Categories 1-B, 1-BP & 2)
- must include 1 each black, magenta, cyan and yellow toners (Categories 1-C & 1-CP)
- must include 1 developer, if applicable
- must include 5000 staples for photocopiers and production equipment (Category 1 only)
- ESP Power Protection Unit (if required)

Category 3

- Five (5) Master Rolls (all equipment models)
 - Five (5) Black Ink (all equipment models)
 - One (1) Standard Spot Color *(if applicable for equipment model)
- *Standard Spot color will be determined by the Eligible Entity when order is placed
- ESP Power Protection Unit (if required)

Eligible Entity and Contractor signatures below acknowledge ONLY that the equipment order has been placed pending delivery, installation, start-up supplies and training.

<p>ELIGIBLE ENTITY:</p> <p>X: _____ (Signature)</p> <p>NAME: _____</p> <p>TITLE: _____</p> <p>DATE: _____</p>	<p>CONTRACTOR:</p> <p>X _____ (Signature)</p> <p>NAME: Joseph Carey</p> <p>TITLE: Account Executive</p> <p>DATE: _____</p>
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Eligible Entity and Contractor signatures below acknowledge completion of the four (4) items below to the Eligible Entities satisfaction in addition to the payment start and termination dates.

Eligible Entity must initial all four (4) items below acknowledging completion prior to final approval.

- | | |
|----------------|---|
| <u>Initial</u> | 1) Equipment delivered undamaged from the Contractor. |
| _____ | 2) Received start-up supplies (as shown above) and the ESP Power Protection (if required). |
| _____ | 3) Equipment is installed and operational and power management features are enabled. |
| _____ | 4) Received satisfactory training from the Contractor including instructions on how to use power management features. |

Lease, Rental or Purchase payment terms do not begin until the appropriate items above have been approved by the Eligible Entity.

<p>Start Date of this Lease, Purchase or Rental Agreement:</p> <p>Month _____ Day _____ Year _____</p> <p>Payment Start Date:</p> <p>Month _____ Day _____ Year _____</p>	<p>Termination Date of this Lease or Rental Agreement</p> <p>Month _____ Day _____ Year _____</p> <p>Payment End Date:</p> <p>Month _____ Day _____ Year _____</p>
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<p>ELIGIBLE ENTITY:</p> <p>X: _____ (Signature)</p> <p>NAME: _____ (Print)</p> <p>TITLE: _____</p> <p>DATE: _____</p>	<p>CONTRACTOR:</p> <p>X: _____ (Signature)</p> <p>NAME: _____ (Print)</p> <p>TITLE: _____</p> <p>DATE: _____</p>
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The above signatures are authorized by their respective organizations to bind the said organization to the terms and conditions of the above agreement.

Form Revision Date: September 26, 2011

*Town of Tyngsborough, MA.
25 Bryants Lane
Tyngsborough, MA. 01879*



Town Administrator - Toshiba E Studio 4555c (Color)

Toshiba E Studio e4555c (45 Pages Per Minute Black & White & Color)
MR3025 RADF Feeder
(2) 550 Sheet Paper Cassette's
MJ1107 Console Finisher / Stapler
MJ6104 Hole Punch
KD1031 Large Capacity Paper Deck
Network Color Printing & Full Color Scanning
GD1320NX Fax Board
Delivery, Installation, Network Assistance & Training

Monthly Lease Pricing

36 Month FMV Lease Payment = \$302.82 Per Month

Service Pricing

Includes 3 Years Free Service & 1 Full Set of Toshiba Color Toner

Toshiba E Studio 457 #1 (B&W)

Toshiba E Studio e457 (45 Pages Per Minute Black & White)
MR3028 ARDF Feeder
(2) 550 Sheet Paper Cassette's
MJ1107 Console Finisher / Stapler
MJ6104 Hole Punch
KD1026 Large Capacity Paper Deck
Network Printing & Full Color Scanning
GD1350 Fax Board
Delivery, Installation, Network Assistance & Training

Monthly Lease Pricing

36 Month FMV Lease Payment = \$154.76 Per Month

Service Pricing

Includes 3 Years Free Service & 3 Full Sets of Toner

Finance - Toshiba E Studio 4555c (Color)

Toshiba E Studio e4555c (45 Pages Per Minute Black & White & Color)
MR3025 RADF Feeder
(2) 550 Sheet Paper Cassette's
MJ1036N Inner Finisher / Stapler
KD1031 Large Capacity Paper Deck
Network Color Printing & Full Color Scanning
GD1320NX Fax Board
Delivery, Installation, Network Assistance & Training

Monthly Lease Pricing

36 Month FMV Lease Payment = \$281.13 Per Month

Service Pricing

Includes 3 Years Free Service & 1 Full Set of Toshiba Color Toner

TOTAL 36 MONTH LEASE PRICE FOR ALL 3 TOSHIBA SYSTEMS = \$738.71



TOSHIBA
BUSINESS SOLUTIONS

- > Up to 50 PPM
- > Color MFP
- > Med/Large Workgroup
- > Copy, Print, Scan, Fax
- > Secure MFP



There's more to Toshiba color than ever before.

Now you can copy, print, scan and fax with an MFP that's smaller, quieter, sleeker, and faster than ever. The new e-STUDIO5055c series from Toshiba is designed to replace black and white printing with affordable full color, while still offering high quality black and white.

Color options to match your needs.

For all those times you want to print in color but settle for black and white, there's the e-STUDIO5055c series. It's designed to make color more efficient and accessible. Whether you want to spruce up a presentation with color produced at a remarkable 45/50 pages per minute or print crisp, clear black and white, you'll be impressed with all that the e-STUDIO5055c series has to offer. Unique features like the e-BRIDGE Universal Print Driver, the only driver needed for multiple users, allowing you to switch between PS and PCL. It includes plug-ins so you can add features.

More compact with more impact.

Even though it's chock-full of extraordinary features, the e-STUDIO5055c series has one of the smallest footprints of any MFP in its class. So, it can be used wherever space is limited. It's lighter, too, which makes it easier to ship and move around the

office. Even the noise level has been reduced, with a quieter drive motor, fan motor and clutch. And none of these efficiencies affect the output. In fact, image quality is incredible, thanks to a new low temperature color toner that increases the color gamut.



A new standard has officially been set.

Multiple functions, innumerable benefits and millions of colors have never been more accessible. The e-STUDIO5055c series is easily integrated, customizable and solutions ready, with an open platform. You'll also appreciate cloud and mobile printing and scanning along with a host of other benefits.

Easy integration

Includes flexible customization, new EEMS device management and system software upgraded by patch, cloning and F.W updates



Open platform

Take advantage of flexible integration into solution applications, output management interface, and an embedded Web browser that can be registered in a template



Cloud, internet, and mobile printing/scanning

Enjoy mobile convenience with e-BRIDGE support for new cloud computing and mobile applications as well as internet browsing and printing from the internet



Universal print driver

One driver works for all users, tandem print comes standard, and additional optional plug-ins can be put directly into the driver



Impressive image quality

Low temperature color toner increases range of colors. Other benefits include high gloss output, e-BRIDGE Color Profiler and spot-on color matching



AquaAce specialty paper support

Achieve brilliant color that's water, weather and fade resistant. It's like laminated paper without the lamination, in legal and letter sizes. Banner printing can be done using paper up to 12" x 47"



Compact and lightweight

It has one of the smallest footprints of any comparable MFP. It's 37% lighter than before and substantially quieter.



Low power consumption

New energy saving technologies have been incorporated, resulting in reduced power consumption



Improved serviceability

The replacement of process units is easier and can be performed without a screwdriver. Automatic detection and initialization of a new unit has been added.



High security

A unique Self Encrypting Drive (SED) includes Toshiba's proprietary Wipe Technology along with a suite of security functions that create a level of data protection that's unequalled.



Your data has never been more secure.

Toshiba knows that security is a high priority for businesses today. That's why we've put leading innovation to work and developed security measures that are unsurpassed.

Wipe Technology – it's like the data was never there.

It makes perfect sense. The best way to keep your data secure is to use a method no one else has replicated. That's just what we've done at Toshiba with our proprietary Wipe Technology. The e-STUDIO5055c series offers Toshiba's proprietary Self-Encrypting Drive equipped with our Wipe Technology as well as a suite of impressive security functions to keep data protected. If the HDD is taken from the MFP and installed into another device, all of the data is automatically erased. However,

if it's taken out and then returned to the same MFP, the data is not erased and can be accessed immediately as needed. There is also an encryption key that's securely stored on the HDD.

Security taken to the next level.

Additional security features include a secure PDF encryption feature with up to 128-bit AES, IP/MAC address filtering, Role Based Access Control, an SNMPv3 protocol for enhanced security administration and an optional IPSec protocol, to name a few. In all, the features permit a security mode that complies with the extremely high security level—IEEE2600.1.

- > Self Encrypting Drive
- > IPSec Enabler (optional)
- > Common Criteria EAL 3+
- > IP Filtering
- > Network Port Control
- > Secure PDF
- > Private Print



secure™



Benefits include a 2-in-1 front assembly, (including an optional 4-in-1 panel) for print, scan, copy, and faxing.



Manage, capture, and deliver documents with simple one-touch control using the large, 5" color control panel. It's designed to be easy to read and use.

Environmentally friendly as well as user friendly.

At Toshiba, we work hard to make certain our products minimize environmental impact. Many of our leading innovations include new ways to save energy and save the environment.

Saving energy and saving you money.

An added benefit to our new energy-saving technologies is that they save you money, too. Take, for instance, our new low temperature fusing toner. Color reproduction is improved while energy consumption is reduced. Energy consumption is reduced even further, thanks to a dramatic reduction in the power usage during sleep mode. Other ways in which Toshiba puts environmental responsibility into action include a recycling program, reduction of CO₂ emissions, and the recycling of plastics. Reduction or elimination of hazardous materials such as lead and mercury enable the series to comply with environmental standards around the world. Everything together qualifies the series for the new EPEAT certification.



Print professional looking, full-color newsletters and brochures using an optional saddle-stitch or staple finisher.

Doing more for our planet.

From our zero-waste-to-landfill toner recycling to greener manufacturing, Toshiba is a recognized environmental leader. At Toshiba we're investing in programs that help both our business and yours to better reduce, reuse and recycle.



A-ST-1000E with Saddle-Stitch Finisher



A-ST-1000E with Paper Trimmer



A-ST-1000E with Large Capacity Feeder

e-STUDIO 4555c/5055c

TOSHIBA
Leading Innovation >>



- Color MFP
- Up to 50 PPM
- Medium/Large Workgroup
- Copy, Print, Scan, Fax
- Secure MFP

Specifications

Copying Process	Indirect Electrostatic Photographic Transfer System with Internal Transfer Belt
Copying Type	LED Head Printing
Copy/Print Resolution	600 x 1200 dpi (PS Driver)
Copy/Print Speed	45/45, 50/50 PPM Color/B&W
Warm-Up Time	Approx. 27 Seconds
First Copy Out Time	6.1/4.7 Seconds Color/B&W
Max Duty Cycle	200K/225K Copies
Multiple Copying	Up to 999 Copies
Acceptable Paper Size and Weight	Cassette: ST-R to LD (16 lb Bond - 140 lb Index) Bypass: 3.9" x 5.8" to LD (14 lb Bond - 100 lb Cover) S1-R to 12" x 47" Banner (17 lb-100 lb) PPF: ST-R to LD (16 lb Bond - 140 lb Index) LCF: LT (17 lb - 28 lb Bond)
Memory (Max)	Main Memory: 2 GB HD: 160 GB (Security SED Drive)
Reduction/Enlargement	25% to 400%
Bypass	100-Sheet "Smart" Bypass (14 lb Bond - 100 lb Cover)
Control Panel	Color 9" LCD Touch Panel
Paper Supply	Up to 3,200-Sheet Input Capacity Standard 2 x 550-Sheet Cassettes 100-Sheet Bypass 1 x 550-Sheet PFP (3rd Cassette). 1 x 550-Sheet Cassette (4th Cassette) for PFP Optional 1 x 2,000-Sheet LCF
Duplex	Standard Automatic Duplex Unit (16 lb Bond - 140 lb Index)
Dimensions	Approx. 23" x 25.3" x 31" (W x D x H)
Weight	Approx. 166.4 lbs.
CMYK Toner Yield	CMY: 28K, BK: 32K
Power Supply	120 V, 15 Amps
Power Consumption	Maximum 1.5 kW

Print Specifications

PDL Support	PCL6 and PostScript 3, XPS
Operating Systems	Netware 6.5, Windows XP, Vista, 7, Windows Server 2003, 2008, 2008R2, Citrix MetaFrame, Macintosh, Linux, UNIX, AS400, SAP
Protocol Support	IPX/SPX, TCP/IP, AppleTalk, NetBIOS Over TCP/IP, LPR/LPD, IPP, SMB, SNMP, Netware, Port 9100
Drivers	Server 2003/2008/2008R2/2012, Windows XP, Vista, 7/8, Macintosh 10.2/10.3, 10.4, 10.5, 10.6, 10.7, AS400 LPR & Port 9100, SAP R/3, Unix Filter
Connectivity	10/100/1000BaseTX Ethernet, 802.11b/g/n
Device Management	TopAccess
Certification	Windows (Vista, 7, 2008, 2008R2, 2012) (WHQL) Novell, HPOS (Dazel), Citrix

Scan Specifications

Scan Resolution	100 dpi, 150 dpi, 200 dpi, 300 dpi, 400 dpi, 600 dpi
Scan Speed	73 SPM Color/73 SPM B&W (@ 300 dpi)
File Format	TIFF, PDF, Secure PDF, JPEG, XPS (with HDD)

Facsimile Specifications

Compatibility	Super G3
Data Compression	MH / MR / MMR / JBIG
Transmission Speed	Approx. 3 Seconds Per Page
Fax Modem Speed	33.6 Kbps
Memory Transmission	100 Jobs (with HDD), 2,000 Destinations Max. 400 Destinations /Job
Scan Speed	.7 Seconds Per Page, Maximum 73 SPM

E-Filing Specifications

Operation Method	Color Touch Screen Control Panel or Client PC
Number of Boxes	1 Public Box, 200 Private User Boxes
Capacity of Boxes	100 Folders Per Box, 400 Documents Per Folder 200 Pages Per Document

Security (Standard)

Data Encryption	256 Bit AES (SED Hard Drive)
Authentication	LDAP, SMTP, Windows Server Domain, Local

Accessories (Options)

Additional Paper Options

Platen:	KA1640PC
RADF: 100 Sheets	MR3025
Paper Feed Pedestal: 550-Sheet Pedestal, Statement-R to Ledger	KD1032N
Cassette Module :550-Sheet Pedestal, Statement-R to Ledger	MY1039
Large Capacity Feeder (LCF): 2,000-Sheet Drawer, Letter	KD1031

Finishing Options

Saddle-Stitch Finisher:	MJ1108
Tray 1 Stack Capacity: 3,000 Sheets + 250 Sheet Stationary Tray (Lt)	
Staple Capacity: 50 Sheets	
60 Pages (15 Sheets) SS Booklets	
Multi-Position Hole Punch Unit for Saddle-Stitch Finisher	MJ6104
Multi-Position Console Finisher:	MJ1107
Tray 1 Stack Capacity: 2,000 Sheets (Lt)	
Staple Capacity: 50 Sheets	
Multi-Position Hole Punch Unit for Console Finisher	MJ6104

Connectivity/Security Options

Bridge Kit Required with MJ1108 and MJ1107	KN2550
Fax Board	GD1320NX
2nd Line Fax	GD1260F
Wireless LAN Adapter	GN1060
Wireless Antenna	GN3010
Meta Scan Enabler for e-CONNECT	GS1010
IP Sec Enabler	GP1080
Advanced Scanning (ReRite)	GB1280V8
SharePoint Connector	GB1440
Exchange Connector	GB1450
Google Docs Connector	GB1540

Miscellaneous Options

Accessible Arm Handle	KK2550
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Corporate Office

9740 Irvine Blvd., Irvine, CA 92618-1631
Tel: 949-462-6000

East Coast

959 Route 46 East, 5th Floor, Parsippany, NJ 07054
Tel: 973-316-2700

Midwest

8770 W. Bryn Mawr Ave., Suite 700, Chicago, IL 60631
Tel: 773-380-6000

South

2037 Bakers Mill Rd., Dacula, GA 30019
Tel: 678-546-9385

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9740 Irvine Blvd., Irvine, CA 92618
Tel: 949-462-6000

Web Site

www.business.toshiba.com

Designs and Specifications subject to change without notice. For best results and reliable performance, always use supplies manufacturer or designated by Toshiba. Not all options and accessories may be available at the time of product launch. Please contact a local Authorized Toshiba Dealership for availability. Toner yields are estimates based on 6% coverage, letter-size page. Driver and connectivity feature support varies by client/network operating system.

TOSHIBA
Leading Innovation >>

- > Black & White MFP
- > Up to 50 PPM
- > Small/Med. Workgroup
- > Copy, Print, Scan, Fax
- > Secure MFP
- > EPEAT Registered



e-STUDIO 357/457/507

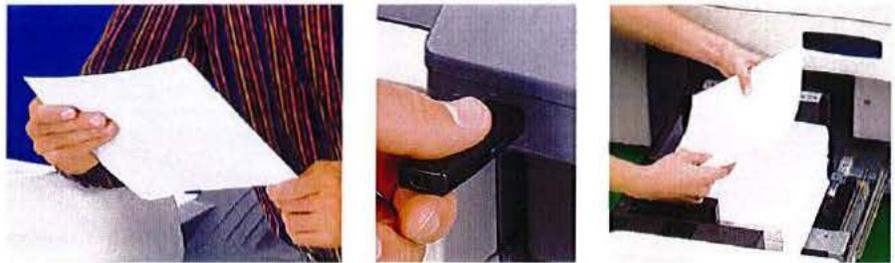


Exceed expectations in powerful ways.

The e-STUDIO507 series from Toshiba has been designed to bring small and medium workgroups the same power and performance typically reserved for larger businesses. It's easy to use, allowing you to create professional looking documents without extensive training or experience.

Expand your possibilities.

Toshiba has taken the performance and functionality of larger monochrome MFPs and designed a smaller, more compact version. Introducing the e-STUDIO507 series. In addition to copying, faxing, printing and color scanning, it handles even the most challenging jobs quickly and easily. You'll be impressed with handy features like a walk-up USB printing port and a crisp 9" color touch screen that gives you instant access to all sorts of other possibilities.



Get more done in less time with advantages like USB printing and paper that can be added midstream.

Less work and more flow.

Start with a 20-second warm-up and a first copy out time of 3.7 seconds. Output is produced at the speed that fits your needs – from 35 to 50 pages per minute. Image quality is outstanding at 2,400 x 600 dpi. Need a lot of copies? You can opt for up to a 3,200-sheet capacity. And, its modular design allows you to get the most paper in the sizes you need, with a tandem LCF or 4-drawer configuration.



It's the business of helping businesses.

At Toshiba, we realize the challenges that businesses face every day. The new e-STUDIO507 series is the perfect solution for small to medium size businesses looking for a high quality, fully functional MFP to help them meet those challenges.

Relax and let technology handle it.

Because the e-STUDIO507 series has incorporated the latest e-BRIDGE technology, business applications and vendor solutions are easily integrated. With 320GB of safe and secure storage, frequently used documents can be stored right on the MFP by using the convenient e-Filing feature and then printed as needed. Settings such as finishing selections can be saved with a job or changed on the fly to ensure accurate reproduction every time.

User friendly and eager to please.

The e-STUDIO507 series can handle jobs with ease, even large volumes of various types of documents. Take advantage of up to a 150,000 monthly copy volume and a 36,600 toner yield at 6%. Also, there are several finisher options including a space saving 50-Sheet Inner Finisher or a High-Capacity Finisher with Saddle-Stitch, plus 2/3-Hole Punch. You'll be impressed from start to finish.

- > Superb Image Quality
- > e-BRIDGE Technology
- > Universal Print Driver
- > Fast First Copy Out Times
- > Up to 3,200 Capacity
- > Service Module Design
- > Saddle Stitch Finisher
- > 2/3 Hole Punch



TOSHIBA
Leading Innovation >>>

Protection for your business and the planet.

As the need for tougher data security and improved environmental protection continue to increase, Toshiba is prepared to answer the call. Much of our R&D is spent in these areas. That's because your concerns are our concerns.



Data security and peace of mind.

Protecting your data means you're protecting your entire business. Fortunately, the e-STUDIO507 series has been designed to preserve the integrity and confidentiality of all your data. A new 320GB FIPS 140-2 Validated Self-Encrypting Drive (SED) with Data Overwrite are standard. An IPsec option to encrypt data being sent to or from the MFP, and Hard Copy Security are also available to keep your data right where it belongs.

Eco-consciousness.

At Toshiba, we realize we're responsible for helping our planet thrive. Whether it's our products, our company, or worthwhile environmental projects in your communities, we put green into action. The Toshiba e-STUDIO507 series has a low power sleep mode that meets the stringent requirements of Energy Star Tier 2. It is also RoHS compliant, and uses recycled plastics. Because of this and other eco-friendly features, the Toshiba e-STUDIO507 series is EPEAT Registered in the greener electronics global registry developed to help purchasers choose products that reduce environmental impact. Together we can reduce, reuse and recycle in meaningful ways.

There's a configuration that is just right for every business need. And all of them are secure and EPEAT Registered.





Small and compact yet feature rich.

The Toshiba e-STUDIO507 series has features and benefits galore. You'll be impressed to find so much in such a compact footprint.



Efficient printing

Choose your speed at 35, 45, or 50 pages per minute. Also, first copy out times are as fast as 3.7 seconds.



Broad paper handling

Use up to a 3,200-sheet paper capacity and up to 110 lb index. You can select from a variety of paper sizes with 4 drawers or a tandem LCF.



Ease of use

A large 9" tilting touch panel is easy to read and use. A context sensitive help button that will provide you with whatever instructions you might need. Scanning or printing can be done on the go using a convenient USB port.



Reliability

The monthly copy volume goes up to 150,000 with a toner yield of 36,600 at 6% coverage and toner that can be changed on the fly. A compact service module design allows for surprisingly faster and easier periodic maintenance.



Connectivity and functionality

PCL6, PostScript3, and XPS as well as a Universal Printer Driver means you only need one driver across your entire fleet.



Innovative technology

Gigabit Ethernet support, e-filing for frequently reprinted jobs and an automatic OCR option for expert scanning are just a few of our leading innovations.



Latest e-BRIDGE platform

Toshiba's proprietary platform improves connectivity, security and fleet management. Take advantage of access to third-party solutions like PaperCut, Docuware and more.



Advanced finishing options

There is a convenient Inner Finisher, 50-Sheet High-Capacity Finisher, and a High-Capacity with Saddle-Stitch plus 2/3-Hole Punch.



Expert security

A 320GB FIPS 140-2 Validated Self-Encrypting Drive (SED) with Automatic Data Invalidation and Data Overwrite come standard. Also, an IPsec option encrypts data, and Hard Copy Security prevents the copying of sensitive documents.



Environmentally responsible

The e-STUDIO507 series is RoHS Compliant, Energy Star Tier 2 rated and EPEAT Registered (as part of the definitive global registry for greener electronics).



- > Black & White MFP
- > Up to 50 PPM
- > Small/Medium Workgroup
- > Copy, Print, Scan, Fax
- > Secure MFP
- > EPEAT Registered

Specifications

Copying Process/Type	IEPM (Dry Process)/Laser Technology
Original Reading Method	CCD Line Sensor
Copy/Print Resolution	2400 x 600 dpi (with Smoothing)
Copy/Print Speed	35/45/50 PPM
Warm-Up Time	Approx. 20 Seconds
First Copy Time	3.7 Seconds
Duty Cycle	125K/150K/150K
Multiple Copying	Up to 999 Copies
Standard Paper Supply	2 x 550-Sheet, 100-Sheet Stack Feed Bypass
Maximum Paper Supply	Up to 3,200 Sheets
Acceptable Paper Size	Cassette: Statement-R to Ledger (17-28 lb), Bypass: Statement-R to Ledger (17-110 lb), LCF: Letter (17-28 lb)
Memory	2GB RAM, 320 GB FIPS 140-2 SED
Reduction/Enlargement	25% to 400%
Bypass Tray	100-Sheet Stack Feed Bypass
Control Panel	9" Wide VGA Color Touch-Screen
Dimensions	Approx. 23" x 23" x 30" (W x D x H)
Weight	Approx. 132 lb
Power Supply	115 Volts, 15 Amps
Power Consumption	Maximum 1.5kW
PM Cycle	125K/150K/150K
Black Toner Yield	36.6K Impressions @ 6%

e-BRIDGE Print Specifications

PDL Support	PCL6, PostScript 3, XPS
Operating Systems	Windows Server 2003, 2008, 2012, Vista SP2, 7, 8, NetWare 6.5, Citrix, Macintosh 10.4-10.9, Solaris v10, 11, HP-UX V11.1v3, AIX 7.x, Linux, SCO
Protocol Support	Windows Printing (SMB1.0/2.0), LPR/LPD, IPP (Ver.1.1) w/Authentication, NetWare P-SERVER w/NDS, Binary, Novell NDPS Gateway, or LPD w/ iPrint, Apple Talk PAP or EtherTalk, Port 9100 (bi-directional), WS Print, FTP
Drivers	Windows Server 2003, 2008, 2012, Vista SP2, 7, 8, Macintosh OS 10.4-10.9
Connectivity	10/100/1000BaseTX Ethernet, 802.11b/g/n, Wireless LAN, USB
Wireless Device	AirPrint, e-BRIDGE Print & Capture Application on iOS and Android (Available via Apple App Store or Google Play)
Device Management	Top Access, eFMS 6.0 (e-BRIDGE Fleet Management Software)
Certification	Windows 7, 8, 8.1, 2008R2, 2012, 2012 R2, WHQL, Novell, Citrix

Scan Specifications

Scan Speed	57 SPM LT-Size @ 300 dpi, 45 SPM LT-Size @ 600 dpi (When Copying), 43 SPM LT-Size @ 300 dpi (Color Scanning)
Scan Resolution	Up to 600 dpi
File Format	TIFF, PDF, Slim PDF, JPEG, XPS, MS Word, MS Excel, Searchable PDF w/Adv. Scanning Option

Facsimile Specifications

Compatibility	Super G3, G3
Data Compression	MH/MR/MMR/JBIG
Transmission Speed	Approx. 3 Seconds Per Page
Fax Modem Speed	33.6 Kbps
Fax Memory	Transmission and Reception 1GB (HDD), Backup Permanent (HDD)
Memory Transmission	100 Jobs, 2,000 Destinations Max, 400 Destinations/Job
Scan Speed	0.7 Seconds Per Page, 50 Scans Per Minute
Other Fax Functions	Internet Fax, Network Fax

e-Filing Specifications

Operation Method	Color Touch Screen Control Panel or Client PC
Number of Boxes	1 Public Box, 200 Private User Boxes
Capacity of Boxes	100 Folder Per Box, 400 Documents Per Folder, 1000 Pages Per Documents

Security (Standard)

Data Encryption	256 Bit AES
HDD Overwrite Authentication	Meets Department of Defense (DoD) Standard 5220.22M LDAP, SMTP, Windows Server Domain

Accessories (Options)

Input Options	
100-Sheet RADF	MR3028
Platen Cover	KA1640PC

Additional Paper Options

550-Sheet Paper Pedestal	KD1025
2,000-Sheet Large Capacity Feeder	KD1026
550-Sheet Paper Feed Unit	MY1033

Finishing Options

Job Separator	MJ5006
Work Tray	KK4550
Bridge Kit for Finisher	KN2520N
50-Sheet Inner Finisher	MJ1032N
Saddle-Stitch Finisher (High Capacity)	MJ1108
Saddle-Stitch Finisher (Low Capacity)	MJ1033
50-Sheet Staple Console Finisher	MJ1107
2/3-Hole Punch Unit for MJ1032N	MJ6007
2/3-Hole Punch Unit for MJ1107 and MJ1108	MJ6104
2/3-Hole Punch Unit for MJ1033	MJ6008

Connectivity/Security Options

Fax Kit	GD1350
2nd Line Fax	GD1260F
IPsec Enabler	GP1080
Wireless LAN Adapter	GN1060
Antenna	GN3010
Meta Scan Enabler	GS1010
Advanced Scanning	GB1280T
Harness Kit for Coin Controller	GQ1180



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Midwest	8770 W. Bryn Mawr Ave., Suite 700, Chicago, IL 60631 Tel: 773-380-6000
South	2037 Bakers Mill Rd., Dacula, GA 30019 Tel: 678-546-9385
West Coast	9740 Irvine Blvd., Irvine, CA 92618 Tel: 949-462-6000
Web Site	www.business.toshiba.com

Designs and specifications subject to change without notice. For best results and reliable performance, always use supplies manufactured or designated by Toshiba. Not all options and accessories may be available at the time of product launch. Please contact a local Authorized Toshiba Dealership for availability. Toner yields are estimates based on 6% coverage, letter-size page. Driver and connectivity feature support varies by client/network operating system.



OFF32 Photocopiers, Facsimile/Multifunctional Equipment and Digital Duplicators Confirmation Form

This form **must** be used for Category 1 Photocopiers and Category 3 Digital Duplicators and attached to each **purchase, lease or rental** encumbrance document to confirm the selection of equipment covered under the Statewide Contract number OFF32 on file at OSD. All of the terms and conditions of the Statewide Contract, OFF32 are incorporated herein and made a part hereof. Conflicting or additional terms, conditions or agreements included in or attached to this form, which conflict with the terms of the Statewide Contract shall be considered to be superseded and void. *This form is strongly recommended for Category 2 Facsimile Leases, Purchases or Rentals.*

P.O. or Encumbrance Document Number: _____ **Fiscal Year:** _____

ELIGIBLE ENTITY: Tyngsborough, Town of Contact Person: Michael P. Gilleberto Phone: (978) 649 - 2300 Fax: (978) 649 - 2320 E-mail: mgilleberto@tyngsboroughma.gov Billing Address: 25 Bryants Lane Tyngsborough, MA 01879 <i>ADMIN OFFICE</i> Contact: Michael P. Gilleberto Phone: _____	CONTRACTOR: Toshiba Business Solutions Contact Person: Matthew J. Miller Phone: (978) 361 - 7900 Fax: _____ E-mail: Matt.Miller@TBS.Toshiba.com Contractor Address: 800 Research Drive Wilmington, MA 01887
Delivery Address: (If different from Billing Address Above)	If applicable: Leasing Company: <u>CCC FINANCIAL</u> Authorized Dealer: _____ <input checked="" type="checkbox"/> Term Lease: # Months <u>36</u> Is there a Buyout?: <input type="checkbox"/> Rental (Not to exceed 6 months) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Purchase If Yes, MUST attach Buyout form to this Confirmation Form
Check off the applicable box(es) for equipment sub-category: Photocopiers: Faxes: Digital Duplicators: <input checked="" type="checkbox"/> 1B <input checked="" type="checkbox"/> 1C <input type="checkbox"/> 1BP <input type="checkbox"/> 1CP <input type="checkbox"/> 2F 3D1 <input type="checkbox"/> 3D2 <input type="checkbox"/> 3D3	

EQUIPMENT MODEL NUMBER	EQUIPMENT DESCRIPTION <small>(e.g. Digital Black & White 35cpm)</small>	QUANTITY	MONTHLY LEASE, PURCHASE OR RENTAL EQUIPMENT COST	TRADE-IN ALLOWANCE	MONTHLY NET TOTAL LEASE, PURCHASE OR RENTAL EQUIPMENT COSTS	MAINTENANCE PLAN SELECTED A, B OR C <small>Non-Network or Networked (e.g. Networked)</small>
e-Studio 456	45 PPM Black and White	2	\$ 276.27	\$	\$	
e-Studio 4540c	45 PPM Black and White / Color	1	\$ 318.49	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
Total			\$594.76	\$	\$	

Special Instructions/Additional Information (e.g. equipment model traded, supplies exchanged):



Town of Tyngsborough

Veterans' Office

25 Bryants Lane 2016 JAN 26 PM 3:36

Tyngsborough, MA 01879-1003

veteransagent@tyngsboroughma.gov

1005
TYNGSBOROUGH, MA

Tel: 978-649-2300

Ext. 131

Fax: 978-649-2320

Christopher Dery
Veterans' Agent

January 26, 2016

To: Board of Selectmen

SUBJECT: Veterans' Parking

I would like to present to the Board of Selectman on behalf of Beth Craig and the service learning class at Tyngsborough High School a request for "Veteran Parking Only" signs to be placed at any/all town owned property. I have worked with many students in Ms. Craig's class and I am proud of all the Veteran projects they have created over the past four years. This placard is just another example of how thoughtful and caring the students of Tyngsborough High School are about our community.

The "Veteran Parking Only" signs allow us to honor our Veterans and show our support for their service to our Nation. Tyngsborough has always been a pioneer in leading the way for Veteran support and this is just another example to express our gratitude. For our building, a sign would be placed outside the secondary entrance directly in front of the Veterans office. I will continue to work with Town management, Curt and Matt to coordinate other locations for the placards to be put into place.

I hope you will join me in supporting this request and approve a "Veterans Parking Only" sign for our town hall parking lot and any other lots throughout our town.

Any questions can be directed to the undersigned.

Sincerely,

Christopher W. Dery
Veterans Agent



**VETERAN
PARKING
ONLY**

**THANK YOU
FOR YOUR SERVICE**

05B



TOWN OF TYNGSBOROUGH

Office of the Board of Selectmen

Town Offices | 25 Bryants Lane

Tyngsborough, MA 01879

Tel: (978) 649-2300 Ext. 100 | Fax: (978) 649-2320

TO: Board of Selectmen

FROM: Curt Bellavance, Town Administrator

DATE: February 19, 2016

RE: Ratify Settlement Agreement
Highway Chapter of SEIU, Local 888

The Highway Chapter of SEIU, Local 888 has endorsed the attached settlement agreement. The Board should vote **to ratify the Settlement Agreement between the Highway Chapter of SEIU, Local 888 and Town of Tyngsborough.**

Settlement Agreement Between
Town of Tyngsborough and Tyngsborough
HIGHWAY Chapter of SEIU, Local 888

WHEREAS, the Tyngsborough Highway Chapter of SEIU, Local 888 ("Union") filed an unfair labor practice charge with the Department of Labor Relations on or around July 30, 2015 against the Town of Tyngsborough ("Town"), which has been docketed as MUP-15-4739 and is pending;

WHEREAS, the Union alleges that the Town changed its practice of paying certain snow related overtime assignments;

WHEREAS, the Town and the Union wish to mutually and amicably resolve the pending dispute;

BE IT THEREFORE RESOLVED, that

(1) The parties agree that certain employees will be paid retroactively the difference in wages for certain overtime assignments that occurred in FY 2015 as delineated and specified in the list attached hereto as Exhibit A, for a total sum of \$5,464.79. There will be no additional retroactive payments made by the Town.

(2) The parties agree to implement the following procedure, effective December 1, 2015, and amend the parties' collective bargaining agreement as follows:

"Effective December 1, 2015, all work in excess of twelve (12) consecutive hours in one day, including the regular work day, will be paid at the rate of double time.

During an employee's regularly scheduled working hours, the employee will also receive the regular work day rate for any hours worked that occur during the employee's regularly scheduled work day.

An employee cannot work more than sixteen (16) consecutive hours without a mandatory 4-hour break, at which time the employee will remain on the clock and will continue to be paid at the rate of straight time, provided that the employee is needed to return to work and does return to work immediately upon the conclusion of the mandatory 4-hour break or is regularly scheduled to work immediately upon the conclusion of the mandatory 4-hour break. If the employee stops working because of the mandatory 4-hour break and is scheduled to work immediately upon the conclusion of the mandatory break, the employee will get paid at the rate of double time upon the employee's return to work and the regular work day rate for any hours worked that occur during the employee's regularly scheduled work day. If the overtime assignment has concluded before the beginning of the employee's regularly scheduled working hours but the employee already began or is still required to take a mandatory 4-hour break that overlaps with the employee's regularly scheduled shift, the employee will be paid straight time for the mandatory break and only straight time after returning to his regular shift immediately after the mandatory break has concluded. Once the overtime shift has concluded, for the purposes of tracking consecutive hours worked, the employee's consecutive hours would begin anew when the

employee returns to work from his mandatory break or from his regularly scheduled time off.

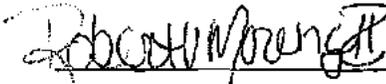
An employee can only work two 16-hour periods before having to take a mandatory 8-hour non-paid break. If this mandatory break overlaps with the employee's regularly scheduled hours, the employee will get paid straight time for any regularly scheduled work hours that overlap with the mandatory 8 hour break.

Both parties agree that safety is of the utmost importance, as such, the Town Administrator or his designee has the sole discretion to order an employee off the job if the Town Administrator or his designee feels that the employee is not sufficiently rested."

(3) The Union agrees to withdraw the above-referenced unfair labor practice charge with prejudice and waives their respective rights with prejudice to file a complaint, grievance, demand for arbitration or claim of any kind under the parties' collective bargaining agreement and/or with any Court, Administrative Agency, including the Department of Labor Relations, or the American Arbitration Association concerning any of the facts or issues involved in the above-referenced charge of prohibited practice and/or regarding any of the terms contained in this agreement.

(4) This agreement is without precedent for all parties. Nothing in this agreement shall be construed as an admission of any fact, interpretation or of any wrongdoing by any party. No party hereto admits or concedes any facts, positions or arguments, which may have arisen in this or any other matter between the parties. The terms of this agreement are not admissible in any forum for any reason, other than for the enforcement of its terms.

FOR THE HIGHWAY UNION:


Dated: 12-16-15


Dated: 12-16-15

Dated: _____

Dated: _____

Dated: _____

FOR THE TOWN OF TYNGSBOROUGH:

Dated: _____

Dated: 12/22/15

Dated: _____

Dated: 12/21/15

Dated: 12-22-2015

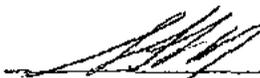

Dated: 12/23/2015

EXHIBIT A

**Town of Tyngsborough
Highway Department
Double Time Retro**

	1/27/15	2/2/15	2/5/15	2/9/15	2/10	Total Hours	Hourly Rate	Retro Amount
Michael Bergeron	8	.5	4	2.5	8	23	25.88	595.24
Joshua Clancy	8	.5	4	2.5	8	23	23.99	551.77
Thomas Feeny	8	.5	4	2.5	8	23	23.99	551.77
Michael Gagnon	8	.5	4	2.5	8	23	23.99	551.77
Richard Gill	8	.5	4	2.5	8	23	27.60	634.80
James Hustins	8	.5	4	2.5	8	23	29.74	684.02
William Lannan	8	.5	4	2.5	8	23	27.60	634.80
Robert Lareau	7					7	22.44	157.08
Robert Morency	8	.5	4	2.5	8	23	23.99	551.77
William Wilson	8	.5	4	2.5	8	23	23.99	551.77
	79	4.50	36	22.50	72.00	214		5,464.79

EXHIBIT A

05C



TOWN OF TYNGSBOROUGH

Office of the Town Administrator

Town Offices | 25 Bryants Lane

Tyngsborough, MA 01879

Tel: (978) 649-2300 Ext. 100 | Fax: (978) 649-2320

TO: Board of Selectmen

FROM: Curt Bellavance, Town Administrator 

DATE: February 19, 2016

RE: RFP – #5 Industrial Way

Attached is the draft RFP for the sale of town owned property located at #5 Industrial Way. This is for the Board to review and provide any feedback or comments prior to the administration moving forward and releasing the document and soliciting any bids.

There was some discussion in regards to leasing the property. One option would be to amend the RFP to include "sale or lease". Ultimately the Town would want to secure the best deal possible and this option may encourage a broader response.

NOTICE

SALE OF REAL PROPERTY
TOWN OF TYNGSBOROUGH BOARD OF SELECTMEN

LOCATION: 5 INDUSTRIAL WAY
TYNGSBOROUGH, MASSACHUSETTS

REQUEST FOR PROPOSALS

Sealed proposals for the sale of Town real property situated at 5 Industrial Way, Tyngsborough, Massachusetts 01879 and shown on Assessors Map 21, Parcel 2D, will be received by the Town at the office of the Town Administrator, Town Hall, 25 Bryants Lane, Tyngsborough, MA 01879 up to _____, 2016, at _____ p.m.; and at that time and place, the bids will be publicly opened and read aloud.

The specifications and agreement documents are available for examination at the above address, Monday through Thursday from 8:30 a.m. to 4:00 p.m. and on Friday from 8:30 a.m. to 12 noon, except for holidays. Such documents are available on the Town's website www.tyngsboroughma.gov.

Proposers requesting such documents by mail shall deliver a non-refundable check payable to the Town of Tyngsborough in the amount of \$15.00 for each set to cover the cost of handling and mailing. The Town will E-mail the documents at no cost.

The proposal and award are pursuant to M.G.L. c. 30B. The Town reserves the right, in its absolute and sole discretion, to waive any informality or to reject any or all proposals if deemed to be in its best interest.

CURT T. BELLAVANCE
TOWN ADMINISTRATOR
TYNGSBOROUGH, MASSACHUSETTS

TOWN OF TYNGSBOROUGH, MASSACHUSETTS
SALE OF REAL PROPERTY

REQUEST FOR PROPOSALS
PURSUANT TO M.G.L. C. 30B

LOCATION OF PROPERTY: 5 Industrial Way, Tyngsborough, Massachusetts

INSTRUCTIONS TO PROPOSERS AND GENERAL CONDITIONS

Article 1. Acceptance or Rejection of Proposals

- a. Town of Tyngsborough, Massachusetts (Town), acting through its Town Administrator, reserves the right in its absolute and sole discretion, to reject any or all proposals and to accept any proposal or waive any minor informality which it considers to serve the best interest of the Town.
- b. Any proposal which is not completed according to the prescribed form, is not properly signed, or is otherwise contrary to instruction may be rejected by the Town.
- c. More than one proposal from the same Proposer, whether or not the same or different names appear on the signature page, shall not be considered. Reasonable proof for believing that any Proposer is interested in more than one proposal shall cause the rejection of such proposals made by such Proposer directly or indirectly.
- d. Any or all proposals shall be rejected if there is reason to believe that collusion exists among the Proposers.

Article 2. Mailing or Delivery of Proposals

- a. Proposals which are mailed or delivered shall be addressed to Curt B. Bellavance, Town Administrator, Town Hall, 25 Bryants Lane, Tyngsborough, Massachusetts 01879.
- b. Regardless of the cause of delay, no proposals received by the Town after the terminal time shall be given any consideration. The Proposer is responsible for filing the proposal before [time] A.M./P.M., on [Month, Day, Year], the terminal time.

Article 3. Identification of Sealed Envelopes

- a. Proposals shall be placed in sealed envelopes that are marked appropriately on the outside with the name and address of the Proposer, the title of the proposal, and the scheduled date for the opening of the proposals. No responsibility will be attached to the Town for the premature opening of proposals that are not properly identified. After the terminal time, proposals become the property of the Town.

Article 4. Price Proposal Form

- a. Proposals shall be submitted on the Price Proposal Form prepared by the Town in order to avoid errors, misconceptions, or ambiguities.

Article 5. Price Proposal

- a. Proposals submitted on the Price Proposal Form shall remain firm for a period of 90 days after the time set for the opening of proposals. A proposal award will be made by the Town within 90 days of the proposal opening.
- b. The price proposal shall be written both in numbers and words.

Article 6. Signatures on the Price Proposal Form

- a. If a proposal is submitted by an individual, the full name and post office address of this person shall be designated.
- b. If a proposal is submitted by a firm or partnership, it shall be signed by a person having the legal authority to execute such a document on behalf of the Proposer. The person signing the Price Proposal Form shall indicate his or her title or position, in addition to the full name and address of the firm or partnership.
- c. If a Proposer is submitted by a corporation, it shall state the name and title of the official or officials of the corporation, by whom the Agreement can be legally signed, and be accompanied by a copy of the corporate vote granting such authority, certified by the clerk of the corporation.

Article 7. Modification of Proposal

- a. No modification of any proposal will be considered by the Town unless received by the Town prior to the terminal time.

Article 8. Withdrawal of Proposal

- a. Any proposal may be withdrawn on written request dispatched by a Proposer in time for delivery in the normal course of business prior to the terminal time.

Article 9. Subletting of Award

- a. No assignment of the Purchase and Sale Agreement shall be made without written consent of the Town.

Article 10. Breach of Agreement

- a. Where the successful Proposer fails to comply with these specifications and/or the Purchase and Sale Agreement, the Town reserves the right to terminate the Agreement and enter into other agreements to complete the sale; and the Town shall nevertheless have the right to retain the deposit as damages for breach of Agreement.

Article 11. Description of the Property

- a. Each Proposer shall carefully examine the information available and all conditions which may affect proper execution of the written Agreement. The purpose of this Request for Proposals is to provide the Town with the highest price for this property.
- b. The property is located at 5 Industrial Way, Tyngsborough, Massachusetts, Assessors Map 21, Parcel 2D, and contains approximately 3.11 acres of land. See Middlesex North Registry of Deeds, Plan Book 161, Page 4, being Lot 3.

Article 12. Proposer Responsibility

- a. Each Proposer shall indicate that the Proposer has carefully examined the specifications and that the Proposer proposes and agrees to enter into a written Purchase and Sale Agreement with the Town to purchase the property in accordance with these specifications.
- b. The successful Proposer shall be responsible for the preparation and filing of any documents required by the laws of the Commonwealth and federal government.

Article 13. Proposal Deposit

- a. Each Proposer shall include with its proposal a bank or cashier's check in the amount of ten percent (10%) of its proposal payable to the Town of Tyngsborough.

Article 14. Compliance With Other Laws and Regulations

- a. The successful Proposer must comply with all federal, state and local laws and regulations pertaining to the purchase of Town real property.

Article 15. Certification of Tax Compliance Pursuant to M.G.L. c. 62C, § 49A, and Certificate
Good Faith and Non-Collusion.

- a. Each Proposer shall submit a Certification of Tax Compliance and a Certificate of Non-Collusion which shall be attached with the proposal.

Article 16. Basis for Determining Award

- a. Award shall be made to the eligible Proposer showing the highest price on its Price Proposal Form.

Article 17. Forms to be Attached and Submitted

- a. Price Proposal Form
- b. Certification Regarding Disclosure, Exhibit A
- c. Certification Regarding Fire Fraud, Exhibit B
- d. Acknowledgement of RFP Requirements, Exhibit C
- e. Release Regarding Hazardous Materials, Exhibit D

- f. Certificate of Non-Collusion, Exhibit E
- g. Certificate of Tax Compliance, Exhibit F
- h. Internal Revenue Service W-9 Form, Exhibit G

Article 18. Purchase and Sale Agreement

- a. The successful Proposer shall execute a Purchase and Sale Agreement with the Town within fourteen (14) days of notice by the Town of the approval to sell the property. The Town reserves the right to waive or extend this deadline. In the event that the successful Proposer fails, through no fault of the Town, to consummate the purchase, meet all requirements of the Request for Proposals, or enter into the attached sample Purchase and Sale Agreement (see Exhibit A, Sample Purchase and Sale Agreement) for the subject property, the Town will retain the proposal deposit as liquidated damages.
- b. The successful Proposer shall purchase the property within sixty (60) days of executing the Purchase and Sale Agreement, time is of the essence. The Town reserves the right to waive or extend this deadline.

Article 19. Other Conditions

- a. The successful Proposer agrees to purchase the property "AS IS" except that the successful Proposer, at its expense, may conduct an M.G.L. c. 21E inspection.
- b. A review of the successful Proposer's property tax history will be made by the Town; and if the successful Proposer is delinquent in the payment of taxes on any property in the Town, the subject property will not be sold unless the successful Proposer becomes current or is in a pre-existing repayment agreement with the Town Tax Collector's Office. The successful Proposer shall also state whether he, she, or it ever has owned property on which the Town foreclosed and the circumstances leading to the foreclosure(s).
- c. The Town makes no representation of any kind whatsoever regarding the title to the property or as to any zoning issues or requirements. In the event a variance is required for any zoning frontage requirements, the Town will agree that the successful Proposer may petition the Zoning Board of Appeals, and the conveyance of the property shall be subject to the grant of such variances by the Zoning Board of Appeals.
- d. Prospective Proposers who have any questions regarding the Request for Proposals may contact the Town Administrator's Office by telephone at (978) 649-2314.

CURT T. BELLAVANCE
TOWN ADMINISTRATOR
TYNGSBOROUGH, MASSACHUSETTS

EXHIBIT A
M.G.L. CHAPTER 7, SECTION 40J
CERTIFICATION REGARDING DISCLOSURE OF BENEFICIAL INTEREST
DISCLOSURE STATEMENT ACQUISITION OR DISPOSITION OF REAL PROPERTY

For acquisition or disposition of Real Property by _____ the undersigned states, for the purpose of disclosure pursuant to M.G.L. c. 7, § 40J, of a transaction relating to real property as follows:

Real Property Description: 5 Industrial Way, Tyngsborough, Massachusetts 01879, with approximately 3.11 acres of land, Assessors Map 21, Parcel 2D

Type of Transaction: Property Disposition

Seller: The Town of Tyngsborough

Buyer: _____

Names and Addresses: Names and addresses of all persons who have or will have a direct or indirect beneficial interest in the real property described above:

Name	Address
_____	_____
_____	_____
_____	_____

None of the above mentioned persons is an employee of the Division of Capital Asset Management or an official elected to public office in the Commonwealth except as listed below.

This section shall be signed by the individual(s) or organization(s) entering into this real property transaction with the public agency named above. If this form is signed on behalf of a corporation or other legal entity, it shall be signed by a duly authorized officer of that corporation or legal entity. The undersigned acknowledges that any changes or additions to items 3 and or 4 of this form during the term of lease or rental will require filing a new disclosure with the Division of Capital Asset Management and Maintenance within thirty (30) days following the change or addition.

The undersigned swears under the pains and penalties of perjury that this form is complete and accurate in all respects.

Signature: _____ Print Name: _____

Title: _____ Date: _____

M.G.L. Chapter 7, Section 40J. Disclosure statements of persons having beneficial interest in real property

Section 40J. No agreement to rent or to sell real property to or to rent or purchase real property from a public agency, and no renewal or extension of such agreement, shall be valid and no payment shall be made to the lessor or seller of such property unless a statement, signed, under the penalties of perjury, has been filed by the lessor, lessee, seller or purchaser, and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in said property with the commissioner of capital asset management and maintenance. The provisions of this section shall not apply to any stockholder of a corporation the stock of which is listed for sale to the general public with the Securities and Exchange Commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation. In the case of an agreement to rent property from a public agency where the lessee's interest is held by the organization of unit owners of a leasehold condominium created under chapter one hundred and eighty-three A, and time-shares are created in the leasehold condominium under chapter one hundred and eighty-three B, the provisions of this section shall not apply to an owner of a time-share in the leasehold condominium who (i) acquires the time-share on or after a bona fide arms length transfer of such time-share made after the rental agreement with the public agency is executed and (ii) who holds less than three percent of the votes entitled to vote at the annual meeting of such organization of unit owners.

A disclosure statement shall also be made in writing, under penalty of perjury, during the term of a rental agreement in case of any change of interest in such property, as provided for above, within thirty days of such change.

Any official elected to public office in the commonwealth, or any employee of the division of capital asset management and maintenance disclosing beneficial interest in real property pursuant to this section, shall identify his position as part of the disclosure statement. The commissioner shall notify the state ethics commission of such names, and shall make copies of any and all disclosure statements received available to the state ethics commission upon request.

The commissioner shall keep a copy of each disclosure statement received available for public inspection during regular business hours.

EXHIBIT B
M.G.L. CHAPTER 60, SECTION 77B
CERTIFICATION REGARDING FIRE FRAUD

_____ certifies that he/she has never been convicted of a crime involving the willful and malicious setting of a fire or of a crime involving the aiding, counseling or procuring of a willful and malicious setting of a fire, or a crime involving the fraudulent filing of a claim for fire insurance; and is not delinquent in the payment of real estate taxes to the Town of Tyngsborough.

Executed under the pains and penalty of perjury on the _____ day of _____, 2016.

SIGNATURE

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this ____ day of _____, 2016, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, (oath or affirmation of a credible witness,) (Personal knowledge of the undersigned,) to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it as their free act and deed.

, Notary Public

My commission expires:

EXHIBIT C
ACKNOWLEDGMENT OF RFP REQUIREMENTS

I/We _____
(Name and Title)

Of _____
(Address)

acknowledge that I/we fully understand the terms, conditions and requirements contained within the Request for Proposals for the disposition of the Town Owned property located at 5 Industrial Way, Tyngsborough, Massachusetts.

Name

Date

Title

Name

Date

Title

EXHIBIT E

CERTIFICATE OF NON-COLLUSION

The undersigned certifies under the penalties of perjury that this Proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signature of Individual Submitting the Proposal

EXHIBIT F
MASSACHUSETTS TAX COMPLIANCE STATEMENT

FROM: _____

FEDERAL ID OR SOCIAL SECURITY NUMBER: _____

I certify under the penalty of perjury that the above named organization or person, to the best of my knowledge, has filed all State tax returns and paid all State taxes required under law.

SIGNED THIS DATE: _____ **BY** _____

Name: _____

Title: _____

***Note:** Your Federal Identification number will be furnished to the Commonwealth of Massachusetts - Department of Revenue to determine whether all tax filing and tax payment obligations have been met. Under M.G.L. c. 62C, § 49A, providers of goods or services who fail to correct a tax filing or tax payment delinquency will not have a Contract or other agreements issued, renewed or extended.

**EXHIBIT G
W-9 FORM**

Form **W-9**
(Rev. January 2011)
Department of the Treasury
Internal Revenue Service

**Request for Taxpayer
Identification Number and Certification**

Give Form to the
requester. Do not
send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification (required): <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate	
	<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____	
	<input type="checkbox"/> Other (see instructions) ▶ _____	
Address (number, street, and apt. or suite no.)		Requester's name and address (optional)
City, state, and ZIP code		
List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)	
Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I Instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> on page 3.	Social security number _ _ - _ _ - _ _ _ _
Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.	Employer identification number _ _ - _ _ _ _ _

Part II Certification	
Under penalties of perjury, I certify that:	
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and	
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and	
3. I am a U.S. citizen or other U.S. person (defined below).	
Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.	
Sign Here	Signature of U.S. person ▶ _____ Date ▶ _____

General Instructions
Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form
A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.
Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

EXHIBIT H

SAMPLE PURCHASE AND SALE AGREEMENT

TOWN OF TYNGSBOROUGH, SELLER

AND

, BUYER

1. **DEFINITIONS:**

- a. **BUYER:** _____, or its nominee, of _____

- b. **SELLER:** The Town of Tyngsborough, a municipal corporation duly organized pursuant to the provisions of the Massachusetts General Laws, with a usual place of business at 25 Bryants Lane Tyngsborough, Massachusetts.

- c. **PREMISES:** The land at 5 Industrial Way, Tyngsborough, Middlesex County, Massachusetts, described in a deed recorded with the Middlesex North District of Deeds in Book _____, Page _____.

- d. **CLOSING CONDITIONS:** Those matters set forth in this Agreement, including but not limited to the following, failing any of which this Agreement shall become void:
 - (1) BUYER understands and agrees that the SELLER is selling and conveying the property in "as is" condition as of this date. The SELLER makes no representations or warranties of any sort regarding the condition of the property.

 - (2) A certified copy of the vote of the Tyngsborough Board of Selectmen authorizing the transfer will be provided by the SELLER at closing, to be recorded at BUYER's expense.

 - (3) The failure by the BUYER to comply with any provision or condition contained in the Request for Proposals and its response, including but not limited to the following requirements:
 - (a) **CLOSING DATE:** On or before _____, 2016.
Time is of the essence of this Agreement.

(b) CLOSING TIME: 10:00 A.M. on or before _____, 2016,
at the offices of SELLER's attorney.

2. **PURCHASE PRICE:** BUYER agrees to pay to SELLER the Purchase Price of _____ THOUSAND DOLLARS (\$00,000.00) by Treasurer's check, certified check, bank check, attorneys check or wire transfer for the Premises on the Closing Date.
3. **DEPOSIT:** A deposit of _____ DOLLARS (\$) is required to be made ~~hereunder~~ by BUYER upon execution of this Agreement by both parties, and will be held in escrow by the attorney for the SELLER. In the event that the BUYER, through no fault of the SELLER, fails to consummate the purchase of the subject property, the BUYER waives any claim for the return of the Proposal deposit.
4. **TITLE STANDARD:** The Premises are to be conveyed to BUYER by a good and sufficient Quitclaim Deed in fee simple running to the BUYER conveying clear record marketable title, free from encumbrances, excepting only the following:
 - a. Applicable laws and regulations of any governmental authority in effect on the date of the Deed; and
 - b. Any liens for municipal betterments assessed after the Closing Date.

The BUYER shall give SELLER written notice (the "Buyer's Title Notice") containing all of the BUYER's objections to the title not later than _____, 2016. Notwithstanding the above provisions, the BUYER shall be obligated to take title to the property subject to all liens, encumbrances and other matters of record with the exception only of (a) any matters of record specifically mentioned in the BUYER's Title Notice, and (b) any matters of record which arise after the date of the BUYER's Title Notice. If the BUYER does not give the BUYER's Title Notice by _____, 2016, then the BUYER shall have no right to raise any objections to the SELLER's title.

5. **DELIVERY OF POSSESSION:** Full possession of the Premises is to be delivered at the Closing Time on the Closing Date, free from tenants and occupants, the Premises then to be (i) in the same condition as exists as of this date; and (ii) not in violation of any of the provisions of Paragraph 4, above. SELLER shall allow BUYER access to the property prior to the closing for the purpose of assessing the premises in order to comply with the time frames referred to in paragraph _____ above upon notice to the SELLER twenty-four hours in advance. No construction or other work on the premises by BUYER will be allowed prior to closing. The BUYER agrees to indemnify and hold harmless the SELLER from any and all liability including personal injury or property damage arising out of BUYER'S exercise of the right of access.

6. **CLOSING:** The Closing shall occur at the Closing Time on the Closing Date, unless otherwise agreed by the parties in writing, provided that the Closing Conditions shall have occurred. Time is of the essence in this Agreement.

7. **INABILITY OF SELLER TO PERFORM:**
 - a. If SELLER shall be unable to give title or to make conveyance, or to deliver possession of the Premises, all as here stipulated, or if at the time of the delivery of the deed the premises do not conform with these provisions, then the SELLER shall use reasonable efforts to remove any defects in title, or to deliver possession as here provided, or to make the said premises conform to the provisions, as the case may be, in which event the SELLER shall give written notice to the BUYER at or before the time for performance, and thereupon the time for performance shall be extended for a period of thirty (30) days. The term "reasonable efforts" shall not require the SELLER to expend more than ONE THOUSAND DOLLARS (\$1,500.00).
 - b. If at the expiration of such extended time the SELLER shall have failed so to remove any defects in title or deliver possession, as the case may be, all as here agreed, then any payments made under this Agreement shall be refunded and all other obligations of the parties shall cease, and this Agreement shall be void without recourse to the parties.
 - c. The BUYER shall have the election, at either the original or any extended time for performance, to accept such title as the SELLER can deliver to the said premises in their then condition and to pay therefore the purchase price without deduction, in which case the SELLER shall convey such title.

8. **FULL PERFORMANCE:** The acceptance of the Deed by BUYER shall be deemed to be a full performance and discharge of every agreement and obligation here contained or expressed.

9. **CONDITION OF PREMISES:** The BUYER acknowledges that the SELLER has made no representations or warranties regarding the condition of the Premises and that the Premises are accepted in their "as is" condition. Buyer may, at its expense, conduct a Chapter 21E inspection within twenty (20) days of the date of this Agreement.

10. **ADJUSTMENTS:** Any water and sewer charges and real estate taxes shall be apportioned as of the Closing Date in accordance with M.G.L. chapter 44 section 63A, and other applicable statutes. SELLER shall comply with M.G.L. Chapter 7, Section 40J.

11. **NOTICES:** All notices required or permitted to be given hereunder shall be in writing and delivered by hand, mailed postage prepaid, by registered or certified mail, or transmitted via telefax provided a copy of the notice is sent by one of the other methods stated herein addressed in the case of SELLER to:

Curt T. Bellavance, Town Administrator
Town Hall
25 Bryants Lane
Tyngsborough, Massachusetts 01879

and in the case of the BUYER to:

12. **EXECUTION:** This Agreement has been executed by representatives of BUYER and SELLER, each in a representative capacity, and neither shall be personally liable for any obligation herein expressed or contained.
13. **NON-ASSIGNABILITY:** BUYER represents that it will accept title to the Premises in the name of the BUYER, or its nominee, and BUYER and SELLER warrant to each other that neither party will assign any of its rights nor obligations set forth in this Agreement to any other person or entity, without the written consent of the other.
14. **ENTIRE AGREEMENT:** This Agreement is to be construed as a Massachusetts contract, is to take effect as an instrument under seal, sets forth the entire agreement of the parties, expressly supersedes any previous oral or written statements with respect to the obligations of BUYER or SELLER here contained, and shall be binding upon and inure to the benefit of their respective successors and assigns. This Agreement may not be amended, canceled, modified or assigned except in a written instrument of like tenor executed by the Parties.
15. **SIGN DOCUMENTS:** At the closing, SELLER agrees to sign documents required of SELLER by BUYER'S mortgagee or its attorney provided the same are reasonable and customary.
16. **MASSACHUSETTS CONVEYANCER'S CLAUSE:** Any matter which is the subject of a title standard or practice standard of the Massachusetts Conveyancers Association at the time for delivery of the deed shall be governed by said standard to the extent the same is applicable.

IN WITNESS WHEREOF, this Agreement is executed this _____ day of _____, 2016.

TOWN OF TYNGSBOROUGH (Seller)

BY: _____
Curt T. Bellavance, Town Administrator
By vote of the Board of Selectmen dated _____, 2016

_____ (Buyer)

BY: _____

TOWN OF TYNGSBOROUGH, MASSACHUSETTS

SALE OF REAL PROPERTY

Town Assessor's Map 21, Parcel 2D

Location: 5 Industrial Way

Tyngsborough

Price Proposal Form

The Undersigned declares that the Proposer has carefully examined the Request for Proposals for 5 Industrial Way, Tyngsborough, Massachusetts, owned by the Town of Tyngsborough, and submits this proposal.

Price Proposal Amount: _____ \$ _____
(Words) (Figures)

Name of Proposer: _____

Business Address of Proposer: _____

Telephone No. of Proposer: _____

The Undersigned acknowledges receipt of Addenda(s) numbered: _____

A bank or cashier's check in the amount of 10% of the price proposal shall be attached to the proposal.

Proposer agrees to enter into a Purchase and Sale Agreement in accordance with the specifications.

Signature and Printed Name of Individual Authorized to Submit Proposal Price:

Signature (Must be signed in ink.) Printed Name Date

06. Citizens and Business Time



Town of Tyngsborough
Board of Fire Engineers
TYFD PO Box 52
Tyngsborough, Massachusetts 01879
Office: (978) 649-7671

2016 FEB 11 AM 10:13
BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

MINUTES OF BOARD OF FIRE ENGINEERS' MEETING

September 22, 2015

Members Present: Arthur Michaud – Chair
Raymond Ledoux – Vice Chair
Wilfred D. Mercier – Recording Clerk
Timothy Madden – Fire Chief
James Doster – Member
Donald Singleton – Member

Also in Attendance: None

Members Absent: None

7:00 p.m. - Meeting called to order.

Agenda Item #1 – Review and approve previous meeting minutes

Discussion:

Raymond Ledoux: Motion to approve the minutes of 3 June 2015 as written.
James Doster: 2nd the motion
Vote: 4-0-2 Passed

Agenda Item #2 – Pay raise for Fire Chief.

Discussion: Firefighters received a 2% increase July 1, 2015

Donald Singleton: Motion to increase Fire Chief's pay 2% retroactive from 1 July 2015.
James Doster: 2nd the motion
Vote: 5-0-1 Passed

Agenda Item #3 – Elect Board Of Fire Engineers Recording Clerk.

Discussion: None

Donald Singleton: Motion to nominate Wilfred D. Mercier to be Recording Clerk.
Timothy Madden: 2nd the motion
Vote: 6-0-0 Passed

Agenda Item #4 – Elect Board of Fire Engineers Chairman

Discussion: None

Donald Singleton: Motion to nominate Arthur Michaud to be Chairman.

Wilfred D. Mercier: 2nd the motion

Vote: 6-0-0 Passed

Agenda Item #5 – Elect Board of Fire Engineers Vice Chairman

Discussion: None

Donald Singleton: Motion to nominate Raymond Ledoux to be Vice Chairman.

Wilfred D. Mercier: 2nd the motion

Vote: 6-0-0 Passed

Agenda Item #6 – Blue Card Training

Discussion: Firefighter Blue Card Training @ \$400.00 each.

Donald Singleton: Motion for 3 Firefighters to attend.

Raymond Ledoux: 2nd the motion

Donald Singleton: Amended the motion to 4 Firefighters to attend.

Raymond Ledoux: 2nd Amended motion

Vote: 6-0-0 Passed

Agenda Item #7 – Ambulance Feasibility Study Review

Discussion: Have a consultant review the Ambulance Feasibility Study

Donald Singleton: Motion for \$5,000.00 towards a consultant to review the
Ambulance Feasibility Study.

Raymond Ledoux: 2nd the motion

Vote: 6-0-0 Passed

Agenda Item #8 – Motion to adjourn

Discussion: None

Timothy Madden: Motion to adjourn

Arthur Michaud: 2nd the motion

Vote: 6-0-0 Passed

Adjourned at 8:35p.m.

Minutes respectfully submitted by

Wilfred D. Mercier

Recording Clerk

Senior Center
Hours of Operation:
Monday thru Friday
8:00 to 4:00

Bus Hours of Operation:
Monday thru Friday
8:30 -3:00

MARCH 2016

COUNCIL ON AGING - SENIOR CENTER



169 Westford Rd • Tyngsborough, MA 01879

Mail Address: 25 Bryant Lane

E-mail: broche@tyngsboroughma.gov

Phone 978-649-9211, Fax 978-649-9533

councilonaging@tyngsboroughma.gov

News & Tyngs



We have been so busy here at the new center. The new sign is up on Westford Road. Thank you to the students from The Greater Lowell Vocational School and their cluster chair, Dan Hamel, and all the other departments who helped out, for the great sign. Also, a big shout out to Denomme Plumbing. They came in and plumbed the new ice maker and did not charge us. We are very fortunate to have such a great community.

Great News!!! Meals on Wheels are coming back to Tyngsborough effective end of February. This is a great program. We are looking for volunteer drivers to help deliver the meals. Call the center and let me know.

Here are the upcoming events in March:

- Trivial Pursuit Rematch on Wednesday, March 9th.
- Wizard Music on Monday, March 14th.
- Annual St. Patrick's Day Party on Wednesday March 16th. Cost is \$10.00 per ticket. You must sign up by March 9th.
- Highway Appreciation Luncheon on Wednesday, March 23rd at 11:30. Cost is \$2.00. You must sign up by March 16th.

REMINDER: It would be very much appreciated if you please remember to sign up for all events by the deadlines stated. It is unfair to those who have signed up if we do not have enough food for everyone!! Also, the sponsors need to plan accordingly. Thank you!

Enjoy every day! Barbara.

"Nothing is worth more than this day. You cannot relive yesterday. Tomorrow is still beyond our reach."
- Johann Wolfgang Von Goethe

STAFF

Barbara Roche - Director
Tracy Pecora - Administrative Assistant
Bernie Mercier - Program Coordinator
Midge Poirier - Meal Site Coordinator
Tom Tiano - Custodian
Rose McGarry - Outreach Worker

COUNCIL ON AGING

Robert McCarthy - Chairperson
Roger Downing - Vice Chair
Patricia Quinn - Secretary
Claire Downing
Charlene Muscato
Fred French
Maryjo Tatseos
Michael Knight
Mildred Poirier
Theresa Martineau
Jean Jacoppi

SENIOR LIAISON OFFICER

Thomas Walsh

CORE SERVICES

Bus Transportation
Daily Meals
Exercise
Wellness Programs

Newsletter Index

Page 1 - Director's Message
Page 2, 3 - Activities/Programs
Page 4 - In Case You Didn't Know
Page 5 - Calendar
Page 6, 7 - Bus/ Health Wellness
Page 8 - Aging-Health News

ONGOING ACTIVITIES

TAI CHI

Instructor Lesley Mathews

Both Mind and Body

Every Monday 9:00...

NO Tai Chi March 28th...April 4th

space available. Cost \$3.00

BINGO

Bingo Caller Donna Doulamis

Every Tuesday 12:30-3:00

This activity keeps your mind stimulated. Not only that, you will have plenty of fun and excitement. Come join us.

EXERCISE CLASSES

Instructor Elaine Corsetti

Tuesdays & Thursdays 10:30-11:30

Space available. Cost \$3.00

CRYSTAL BOWL MEDITATION

First Monday of each month 1:00-2:30

Cost \$ 3.00 March 7th

LINE DANCING

Instructor: Marcella.

Every Monday, 10:00-11:00 \$3.00

FREE, Every Wednesday, 12:30-1:30

Every Thursday, 9:00-10:00 \$3.00

WII BOWLING TOURNAMET

Everyone Welcomed

Thursday March 10th

Main Hall of the Senior Center

12:00-2:00

There will be a prize giving to the top 2 bowlers.

Pizza will be served along with dessert.

\$3.00 Donation accepted

Don't forget to bring your bowling shoes!

Elder-Chair Yoga

Instructor Lynda Gambale

Every Wednesday 9:00... \$3.00

It includes relaxation for body and mind, as well as gentle stretches to release tension from various areas of the body.

OIL PAINTING CLASS

Instructor: Michael Vieira

Every Friday 12:30-2:30

FOCUS ON DRAWING

Instructor: Michael Vieira

Every Tuesday 1:00-3:00

Space limited Cost \$5.00 per class.

BONE BUILDERS # 1

Wednesdays 10:00/ Fridays 9:00

BONE BUILDERS # 2

Mondays / Wednesdays 11:15

Bone Builders is a national program that provides seniors aged 60 and up with FREE twice-a week group fitness sessions.

Registration required. Classes currently full.

Wait list available.

GAMES (No fee)

Mon. 10:00 Dominoes

Tues. 10:00 Cribbage

Weds. 12:30 Pinochle

Fri. 12:30 Rummy Cube

ZUMBA Gold

Instructor Leslie Jarvis

Wed.1:45 / Fri.10:30

Space Available Weds.

Cost \$4.00

SPECIAL PROGRAMS for MARCH

FREE TAX ASSISTANCE

Mondays ONLY, starting February, 9:00am
Harry Gong, AARP volunteer tax preparers will be available to assist you with your taxes on **Mondays only** starting February, through April 11th 2016. Call the Senior Center to schedule, an appointment. 978-649-9211.

ISSUES AND CONCERNS

Monday, March 7th, 10:30-11:30
Mary Gail Martin, Legislative Aide from the office of Representative Colleen Garry is available here every 1st Monday of the month to hear your concerns.

TRIVIAL PURSUIT GAME DAY

Wednesday, March 9th, 12:00
Test your brain's recollection with trivia. Sign up by March 7th for a nutrition lunch, then stay for the trivia.

ZOUNDS HEARING TEST

"FREE" {Ears to Hear} Exam
Thursday, March 10th, 1:00-3:30
Don't be left out of the conversation. Hearing better is living better. Our hearing is integral to keeping us connected with the world around us, and to those we love.

WIZARD MUSIC:

Monday, March 14th, 11:00am to 1:00pm
John Kienzle from Wizard Music will provide keyboard melodies for easy listening. Come in for lunch, relax and enjoy some Irish Songs.

ST. PATRICK'S DAY CELEBRATION

Wednesday, March 16th at 11:30
Entertainment provided by the Tyngsborough High School Students. **Tickets are \$10.00** for a traditional corned beef and cabbage dinner. Catered by Bianco's. **LAST DAY FOR SIGN UP IS WEDNESDAY MARCH 9TH**
Must have a ticket to attend. (See Greeter)

CHAIR MASSAGE

Wednesday, March 23rd, 11:00
Given by Tanya Moran. Massage therapy can relieve pain, manage stress and provide emotional release. Fee \$15.00 for 15 minutes.

HIGHWAY DEPARTMENT "THANK YOU LUNCHEON"

Wednesday, March 23rd, 11:30
Come and join us for lunch to thank the Tyngsborough Highway Department. They work hard taking care of our town and their generosity provided free bus rides this winter for many of our seniors. **Tickets \$2.00. LAST DAY FOR SIGN UP IS WEDNESDAY MARCH 16TH**

SPECIAL PROJECT AFGHAN

KNITTERS and CROCHETERS Mondays 1:00-2:30

This project is sponsored by
Friends of the Tyngsborough Council on Aging

We are looking for help filling tote bags for *The Battered Women's and Children's Shelter*.

Come learn how to knit items for the shelter with the Monday group, or, knit or crochet at home. If you need FREE yarn we have it available at the Tyngsborough Council on Aging.

Donations of yarn, toiletries, and gently used board games for children will also be accepted.

You can drop off your donation in the box in the coatroom at the Tyngsborough Council on Aging, 169 Westford Rd. Contact Jean Jaccopi for any more info on Mondays at the COA.

IN CASE YOU DIDN'T KNOW

COA Board Meeting March 15th 3:30

Our goal is to help Tyngsborough Elders age safely in place with dignity and independence in the home and community they helped build...because there is no place like home!!!

SNAP (Supplemental Nutrition Assistance Program) benefits may be available to you. The maximum amount of SNAP benefits could be \$194/month to help with your food. For the handbook, download [ncoa.org/SNAP Handbook](http://ncoa.org/SNAP_Handbook). To find the application visit BenefitsCheckup.org/MCOA. To get help in applying please contact the senior center and our outreach worker Rose can help you file the application. Call 978-649-9211

Prescription Drug Costs too High?

Look into the **Extra Help** program from the Social Security Administration! You maybe eligible to apply for **Extra Help** in meeting prescription drug costs...and you can be a homeowner and still *potentially* qualify for this program.

Benefits for 2016 includes drug co-payments as low as \$2.95 for generics and \$7.40 for brand names drugs. An **Extra Help** application can be completed anytime during the year. If you want assistance or want to apply, contact the SHINE program at you COA or Senior Center.

Extra Help	Monthly Income Limits	Asset Limit
Individual	\$1.49 / month	\$13,640
Couple	\$ 2,011	\$27,250

You can call the Tyngsborough Council on Aging to set up an appointment to come in and speak with our SHINE Counselor, Chuck Kluga. 978-649-9211

FUEL ASSISTANCE

If you have not received Fuel Assistance in the past but you want to apply this year you need to make an appointment with Tracy at the Tyngsborough COA or go to Community Teamwork in Lowell.

Opening enrollment applications will be accepted starting October 1, 2015 until April 2016. You can schedule your appointment with Rose McGarry by calling 978-649-9211, and you will be told what to bring.

CELL PHONE INFO

If you dial 911 from your Cell Phone it **WILL NOT** bring you to your home town, it goes to the main dispatching center, then from there the dispatcher will ask you where you are and then connect you to the emergency station in that town. This process could be time consuming in an emergency. Tyngsborough Emergency Number for Cell Phones, 978-649-7111

CLASSIFIED SECTION

DONATIONS NEEDED:

- * Cold Cups & Hot Cups - 8 oz.
- * Coffee
- * Sm/Lg Paper Plates, and Bowls
- * Holiday Plates
- * Plain Napkins
- * Old Newspapers
- * Yarn

Thank you for all who have donated in the month of February !!

MARCH 2016

MON	TUES	WED	THURS	FRI
	<p>1</p> <p>9:30 Wellness Clinic 10:00 T.J Max Plaza..1hr 10:00 Cribbage 10:30 Exercise Class 11:30 LUNCH- 12:30 Bingo 1:00 Drawing Class</p>	<p>2</p> <p>9:00 Yoga 10:00 Bone Builders 1 10:30 Wal-Mart 11:15 Bone Builders 2 11:30 LUNCH- 12:30 Line Dancing 12:30 Pinochle 1:45 Zumba Gold</p>	<p>3</p> <p>9:00 Line Dancing 10:00 Bowling 10:30 Exercise Class 11:30 LUNCH- 12:30 Quilt Museum</p>	<p>4</p> <p>AM.. Food Shopping Wal-Mart 9:00 Bone Builders 1 10:30 Zumba Gold 11:30 Lunch Friday - Pick of the Day 12:30 Rummy Cube 12:30 Paint Class</p>
<p>7</p> <p>9:00 Tai Chi 9:00 FREE TAX PREP 10:00 Mexican Dominoes 10:00 Line Dancing 10:30 Issue and Concerns 11:15 Bone Builders 2 11:30 LUNCH- 1:00 Quilting/ Knitting 1:00 Crystal Bowl Meditation</p>	<p>8</p> <p>10:00 T.J Max Plaza..1hr 10:00 Cribbage 10:30 Exercise Class 11:30 LUNCH- 12:30 Bingo 1:00 Drawing Class</p>	<p>9</p> <p>9:00 Yoga 10:00 Bone Builders 1 10:30 Day of Beauty 11:15 Bone Builders 2 11:30 LUNCH- 12:00 Trivial Pursuit 12:30 Line Dancing 12:30 Pinochle 1:45 Zumba Gold</p>	<p>10</p> <p>8:00 SHINE 9:00 Line Dancing 10:00 Wii Bowling Tournament 10:30 Exercise Class 10:30 Shopping @ Goodwill 11:30 LUNCH- 1:00 Zounds Hearing</p>	<p>11</p> <p>AM.. Food Shopping Wal-Mart 9:00 Bone Builders 1 10:30 Zumba Gold 11:30 Lunch Friday - Pick of the Day 12:30 Rummy Cube 12:30 Paint Class</p>
<p>14</p> <p>9:00 Tai Chi 9:00 FREE TAX PREP 10:00 Mexican Dominoes 10:00 Line Dancing 11:15 Bone Builders 2 11:30 LUNCH- 11:00 Wizard Music 1:00 Quilting/ Knitting</p>	<p>15</p> <p>10:00 T.J Max Plaza..1hr 10:00 Cribbage 10:30 Exercise Class 11:30 LUNCH 12:30 Bingo 1:00 Drawing Class 3:30 COA Meeting</p>	<p>16</p> <p>9:00 Yoga 10:00 Bone Builders 1 11:15 Bone Builders 2 11:30 St. Patrick's Day Dinner 12:30 Line Dancing 12:30 Pinochle 1:45 Zumba Gold</p>	<p>17</p> <p>9:00 Line Dancing 10:00 Bowling 10:30 Exercise Class 11:30 LUNCH-</p> <div style="text-align: center;">  </div>	<p>18</p> <p>AM.. Food Shopping Wal-Mart 9:00 Bone Builders 1 10:00 Footcare Clinic 10:30 Zumba Gold 11:30 Lunch Friday- Pick of the Day 12:30 Rummy Cube 12:30 Paint Class</p>
<p>21</p> <p>9:00 Tai Chi 9:00 FREE TAX PREP 10:00 Mexican Dominoes 10:00 Line Dancing 10:30 Pheasant lane Mall 11:15 Bone Builders 2 11:30 LUNCH- 1:00 Quilting/ Knitting</p>	<p>22</p> <p>10:00 T.J Max Plaza..1hr 10:00 Cribbage 10:30 Exercise Class 11:30 LUNCH- 12:30 Bingo 1:00 Drawing Class</p>	<p>23</p> <p>9:00 Yoga 10:00 Bone Builder 1 11:00 Chair Massage 11:15 Bone Builder 2 11:30 H/W Dept. Celebration 12:30 Line Dancing 12:30 Pinochle 1:45 Zumba Gold</p>	<p>24</p> <p>8:00 SHINE 9:00 Line Dancing 10:00 Bowling 10:30 Exercise Class 11:30 LUNCH-</p>	<p>25</p> <p>AM.. Food Shopping Wal-Mart 9:00 Bone Builders 1 10:30 Zumba Gold 11:30 Lunch Friday- Pick of the Day 12:30 Rummy Cube 12:30 Paint Class</p>
<p>28</p> <p>NO TAI CHI 9:00 FREE TAX PREP 10:00 Mexican Dominoes 10:00 Line Dancing 11:15 Bone Builders 2 11:30 LUNCH- 1:00 Quilting/ Knitting</p>	<p>29</p> <p>10:00 T.J Max Plaza..1hr 10:00 Cribbage 10:30 Exercise Class 11:30 LUNCH- 12:30 Bingo 1:00 Drawing Class</p>	<p>30</p> <p>9:00 Yoga 10:00 Bone Builder 1 11:15 Bone Builder 2 12:30 Line Dancing 12:30 Pinochle 1:45 Zumba Gold</p>	<p>31</p> <p>9:00 Line Dancing 10:00 Bowling 10:30 Exercise Class 11:30 LUNCH-</p>	

Bus Info/Regular Programs

BUS DRIVERS

Louanne Brady , Jerry Richall, Will Mercier
Mike Knight, Art Boyle

REGULAR PROGRAMS AT THE CENTER IN MARCH

Lunch is served promptly @ 11:30 everyday
must make reservations 2 days in advance
BEFORE 11:00 AM call 978-649-9211

\$2.00 for seniors & \$4.50 for non-seniors

BUS NOTICE / OFFSITE TRIPS

OFF-SITE BUS TRIPS Pick up times.

- * Food Shopping/Wal-Mart : **Friday Mornings**
P/U starts at 9:30am Drop off 10:30 and bus will return at 12:00
- * T.J Max Plaza, Fantastic Sam's **Every Tuesday**
pick up starts 9:45am –bus will return one hour after drop off.
- * Wal-Mart, Wed. March 2nd, 10:30-12:30
- * New England Textile Museum, Thurs. March 3rd,
12:30 Exhibit is called "Quilt Japan". **Ticket \$8.00**
- * Day of Beauty Wed. March 9th, 10:30-1:00
We will be going to Nashoba Valley Tech in Westford this year.
- * Good Will, Thurs. March 10th 10:30-12:00
- * Pheasant Lane Mall, Mon. March 21st, 10:30 - 12:30

Monday.....

Tia Chi	9:00-10:00
Line Dancing	10:00-11:00
Mexican Dominocs	10:00-1:00
Issues and Concerns... 3/7	10:30-11:30
Bone Builders #2	11:15-12:15
Knitting Group	1:00-2:30
Crystal Bowl Meditation 3/7	1:00-2:30

Tuesday.....

Wellness Clinic... 3/1	9:30-12:00
Cribbage	10:00-12:30
Exercise Class	10:30-11:30
Bingo	12:30-2:30
Drawing Class	1:00-3:00

Wednesday.....

Yoga	9:00-10:00
Bone Builders # 1	10:00-11:00
Bone Builders # 2	11:15-12:15
Chair Massage... 3/23	11:00-12:30
Free Line Dancing	12:30-1:30
Pinochle	12:00-1:00
Zumba Gold	12:30-2:30

Thursday.....

SHINE...3/10-3/24	8:00-12:00
Line Dancing	9:00-10:00
Exercise Class	10:30-11:30
Wii Bowling	10:00-11:30

Friday.....

Bone Builders #1	9:00-10:00
Footcare Focus... 3/18	10:00-2:00
Zumba Gold	10:30-11:15
Rummy Cube	12:00-2:30
Paint Class	12:30-2:50

BUS NOTICE

Due to the high volume of passengers using the bus, scheduled trips are subject to change. We will try our best to inform you of such changes. If the bus arrives at your home and its not the exact time that you were told, and you send the bus away because you are not ready, the bus will not return. The bus has an hour window to pick a passenger up for there appointment. Please read below.

Also; Our drivers have been doing a tremendous job with the high volume of passengers, some are new and still are learning, please give them the respect that they deserve.

- * Please be ready an hour before your appointment time. The bus could come anytime between 1 hour to 30 minutes before your appointment, depending how busy the schedule is. If you are not ready when the bus arrives the bus cannot backtrack for you. **YOU MUST BE READY.** The driver will ONLY wait 5 mins before leaving.
- * The bus driver will also not make extra stops other than your regular scheduled stop that is on the route sheet. So please don't ask for a special trip unless it is confirmed through the office.

HEALTH AND WELL BEING/ UPCOMING PROGRAMS

FOOTCARE CLINIC

Tyngsborough Council on Aging
169 Westford Rd 978-649-9211

Sarah Kinghorn / Christine Quiriy, BSN RN CFCN

Footcare Focus

As a Registered Nurse and Certified Foot care Nurse we offer specialized nursing in a clinic setting at the Tyngsborough Council on Aging, or your own home if you are housebound. Call the Council on Aging at 978-649-9211 to set up your appointment.

Every third Friday of the month. Next appointment, Friday March 18th 10:00-2:00

Pricing

- ◆ Clinic Appointment: \$30.00 / Home Visit: 60.00
- ◆ Clinic appointments are 30 minutes.
- ◆ Ending with a relaxing foot massage. Can't beat the treatment.
- ◆ **Checks made payable to Footcare Focus.**

WELLNESS CLINIC

Tyngsborough Council on Aging
169 Westford Rd 978-649-9211

Nancy Harding, RN, from the
Circle Home, Inc.



- ◆ **Tuesday, March 1st, 9:30-12:00.**
Blood Pressure Readings, weight checks and medication reviews. First come first served.

**WELLNESS CLINIC at
ELDERLY HOUSING**
Nancy Harding, RN, from the
Circle Home, Inc.

- ◆ **Red Pines Elderly Housing**, the third Tuesday of each month from **8:30 - 9:30.**
- ◆ **Brinley Terrace Elderly Housing**, the fourth Tuesday of each month **8:30-10:00.**

UPCOMING in APRIL

HIGH SCHOOL SPRING CONCERT

Tuesday, April 5th, 11:45-1:30

Tyngsborough High School will be having their annual Spring Concert. If you would like to get out and enjoy a good time, relax, listen to some music and enjoy a Free lunch, drop by or call to sign up. 978-649-9211. **LAST DAY FOR SIGN UP IS TUESDAY MARCH 29TH**

PAMPERED CHICK DAY

Wednesday, April 6th, 9:00 - 2:00

Ladies: come to the Senior Center for a day of **FREE** pampering, relaxation, enjoyment, and a light lunch. We have a schedule that will keep you educated, pampered and entertained all day. "This is your day". Everyone is welcomed. **LAST DAY FOR SIGN UP IS WEDNESDAY MARCH 30TH**

VOLUNTEER APPRECIATION DAY

Wednesday, April 13th 11:00-1:00

All Volunteers will be sent a complimentary invitation. If you are not a volunteer and would like to help us recognize our wonderful volunteers, tickets will be sold at the greeters desk. (\$15.00) Space is limited so please sign up early. **LAST DAY FOR SIGN UP IS WEDNESDAY APRIL 6TH**

EARTH DAY

Wednesday, April 20th, 11:30

sign up for lunch and dessert to help celebrate the Earth Day. **LAST DAY FOR SIGN UP IS WEDNESDAY APRIL 13TH**

SENIOR/VETERAN BREAKFAST

Thursday, April 21st, 8:30

Sponsored by Rotary Club "FREE"

Come by and start your day with a healthy breakfast. Speaker: Director of Rehab from Northwood, Adam Chambers. **LAST DAY FOR SIGN UP IS APRIL 14th.**

SHINE

**Thursday, March 10th, 24th..
8:00-12:00**

Serving Health Insurance Needs of Everyone. Our Counselor Chuck Kluga, will be holding office hours at the Center every other Thursday. Call 978-649-9211 to schedule an appointment.



Aging - Health News

Why We Love Betty White

Why We Love Betty White



Active in her career and passionate about animal welfare, Betty White has been a household name for over 70 years. She's genuine and proud of her age, and she gives us much to admire.

Betty White is not only an animal activist, award-winning actress, former model, Guinness World Record holder and social networking icon, but the oldest person to host "Saturday Night Live" and to receive an Emmy nomination.

What's more, is that on January 17th, she will turn 94. In honor of her birthday, here are the reasons why we love Betty White.

10 Reasons Why A Place for Mom Loves Betty White

Betty White's entertainment career began in 1939 and is still going strong today. A health-conscious, sharp-witted and gracious persona, her love for life comes across clearly in interviews and television appearances.

In an interview with ABC News, White expressed the importance of celebrating life. She says that even though we suffer losses, it's better to have a good attitude and "accentuate the positive," especially as we get older. It's our mental attitude that leads us to dread aging, and, as she calls it, a "waste of a lovely life." Instead, people should embrace their age and make the most of it.

As if her attitude isn't enough, here are 10 other reasons why Betty White is easy to love.

- 1. One of the first female producers in Hollywood:** Betty White had creative control (along with George Tibbles) of her 1950s television series "Life with Elizabeth."
- 2. Animal rights activist:** She's one of the country's leading activists on animal rights and has donated her time and millions of dollars to the animal charities that she supports.
- 3. Guinness World Record holder:** With an entertainment career spanning 74 years and counting, White holds the Guinness World Record for Longest TV Career for an Entertainer (Female).
- 4. Social networking phenomenon:** She uses Twitter and became a social media sensation in 2010 when a group of fans started a campaign in support of her hosting "Saturday Night Live."
- 5. Oldest person to host "Saturday Night Live."** Those Facebook fans saw their wish come true in May 2010.
- 6. Only woman to have won an Emmy in all performing categories:** She's won once for Lead Actress in a Comedy Series ("The Golden Girls"); twice for Supporting Actress in a Comedy Series ("The Mary Tyler Moore Show"); and twice for Guest Actress in a Comedy Series ("The John Larroquette Show" and "Saturday Night Live").
- 7. Oldest person to have been nominated for an Emmy:** She was nominated at age 90 for Outstanding Host for a Reality or Reality-Competition Program for "Betty White's Off Their Rockers."
- 8. Author:** White has written several books, including memoirs on her observations about life and her years in television. She's also authored books on animal welfare and the benefits zoos provide for animals, people and the environment.
- 9. Health-conscious:** White says she's taken care of her health her entire life. She does crossword puzzles to keep her mind sharp, stays socially active, keeps current in what's going on in the world, pays attention to her balance and has a two-story house with a set of stairs that help her stay strong.
- 10. She loves her job:** When asked if she planned to retire soon, White said, "'Why should I retire from something I love so much?' She's active, healthy and sought after and says she can't imagine finding something outside of her profession that would be

Editor
 Assistant Editor
 Advertising Director
 Circulation Director
 Publisher 1945 - 1955
 Publisher 1955 - 1991
 Editor 1991 - 2000
 Publisher 2000 - 2004
 July 17 2016, No. 41



*Ann Caste
 Bellevance*

Marijuana Business

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LETTERS TO THE EDITOR

Gys will boost GOP on state committee

When you go to vote in the March 1 presidential primary on the Republican ballot in the 1st Middlesex District (Lowell, Groton, Westford, Pepperell, Dunstable or Tyngsboro), you will have the option to vote for the Republican State Committee.

As a young Republican, I have seen my generation drift away from our party. There is one candidate who can reverse the decline of our party among young people and that's Jordan Gys.

If we are to build up the party and include more younger voters to ensure our future success, we will need a charismatic, energetic Republican committeeman to make it happen. That candidate is Jordan Gys.

He has received the endorsement of both Gov. Baker and Lt. Gov. Páto. It's important to know the endorsement of our party's leaders is earned, not handed out. Jordan worked tirelessly as deputy field director of operations for the Merrimack Valley on the Baker-Páto campaign while attending classes at UMass Lowell. I have never met a harder worker than Jordan Gys.

The job of the Republican State Committee is to build up and strengthen the party, and support candidates at all levels of government. This means it's their job to help us win.

I hope you will all join me in pulling a Republican ballot March 1 and voting for Jordan Gys. It is of the utmost importance that we as a party and as a community make the right decision, and the right decision is without a doubt Jordan Gys.

MATT VIEIRA
 Lowell

Seniors grateful for volunteers' support

There are so many who do so much for our wonderful Tyngsboro seniors and I would like to bring attention to a few in the hopes that it will renew faith in the goodness of mankind.

Last week the Tyngsboro Police Union donated a superb Valentine's Day Luncheon from Biancos to our seniors. A few officers even served the meal, which gave us the opportunity to personally express our gratitude to those who put their lives on the line each and every day.

Our highway department works with individuals and

organizations to raise money for homebound seniors to have free bus rides for doctor's appointments, shopping, and more.

A not-for-profit group, Power of Flowers Project, donated beautiful floral centerpieces to our elders. To see the joy in their faces as they held their beautiful flowers was awe-inspiring.

The Friends of the Council on Aging is an outstanding fund-raising organization helping the COA fully function.

The Tyngsboro Fire Department has also helped with events, and we are at peace knowing they are always there for us.

There are outstanding volunteers who help each and every day. They give so much and expect nothing in return. Our employees are the most devoted group of individuals I have had the privilege of knowing.

There are many, many others in this wonderful town who occasionally drop by to offer gifts as simple as paper plates or as complex as giving their time.

To each and every one of you, thank you from the bottom of my heart.

BARBARA ROCHE
 Director of Elder Services

GU-AL-P1
(10-2015)



UNITED STATES DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. Census Bureau

Washington, DC 20233-0001
OFFICE OF THE DIRECTOR

2016 FEB -8 PM 12:12

ID 25310614300000 902 1700 00 7 GUAL 253
SEQ001-43775

BOARD OF SELECTMEN
TYNGSBOROUGH, MA.



TYNGSBOROUGH TOWN
ATTN: CHAIRPERSON
25 BRYANT LN
TYNGSBORO MA 01879-1042

A message from the Director, U.S. Census Bureau...

The U.S. Census Bureau will be conducting the 2016 Government Units Survey (Form GUS-1) in preparation for the 2017 Census of Governments. In a few weeks, we will send a formal request to all county, municipal, township, and special district governments to participate in this survey. This survey gathers information on the basic characteristics of all local, general purpose, and special district governments. Government analysts use this information to update the universe of all county, municipal, township, and special district governments and produce the official count of local governments in the U.S. This survey is an integral part of maintaining the frame from which all public sector surveys are drawn. Responding to this survey in a timely manner helps us process data more efficiently, and save taxpayer money by reducing follow-up contacts.

The Census Bureau conducts and requests your voluntary assistance under the authority of Title 13 U.S.C., Section 161; and Title 13 U.S.C., Section 193. We estimate this survey to take an average of 15 minutes to complete. On the back of this letter you will find disclosure descriptions regarding the Office of Management and Budget number; authority and confidentiality; and burden estimate statement. **When you receive the formal request, please read the instructions and complete your survey online by the due date on the log-in screen. You can complete the form and return it.**

Information you provide compiled from or customarily provided in public records are exempt from confidential treatment as cited in Title 13 U.S.C., Section 9(b).

Thank you in advance for participating in the 2016 Government Units Survey. If you feel that this letter has reached you in error or if you have any other questions, please call (1-888) 369-3613 and choose option 4, or contact us by email at esmd.gus.psfcb@census.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "John H. Thompson".

John H. Thompson
Director



OMB Number and Expiration

You are not required to respond to this collection of information if it does not display a valid approval number from the Office of Management and Budget (OMB). The eight-digit OMB number is 0607-0930 and appears in the upper right corner of the report form/login screen.

Authority and Confidentiality

Title 13 U.S.C., Section 161; and Title 13 U.S.C., Section 193 authorizes the Census Bureau to conduct this collection and to request your voluntary assistance. Information provided in this collection tool compiled from or customarily provided in public records are exempt from confidential treatment as cited in Title 13 U.S.C., Section 9(b).

Burden Estimate Statement

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: ECON Survey Comments 0607-0930, U.S. Census Bureau, 4600 Silver Hill Road, Room EMD-6K064, Washington, DC 20233. You may e-mail comments to ECON.Survey.Comments@census.gov. Be sure to use ECON Survey Comments 0607-0930 as the subject.



February 12, 2016

2016 FEB 16 PM 1:54

Board of Selectmen
Town of Tyngsborough
25 Bryants Lane
Tyngsborough, MA 01879

BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

Dear Chairman and Members of the Board:

As you know, we announced a multi-year plan to reinvent the customer experience. Transforming the customer experience is our #1 goal and we're 100% committed to making it happen. We are looking at everything through a customer lens and making incremental investments and changes to make it easier to do business with us. We wanted to make you aware of one such change as it relates to simplifying our installation billing practices and pricing.

Starting March 7, 2016, we will simplify our installation charges in your community by introducing a single Professional Installation charge of \$79.99, inclusive of installation fees (excludes applicable taxes and fees). This single installation charge will include the standard installation of XFINITY TV, XFINITY Internet and XFINITY Voice on all TVs in the customer's home at time of initial installation in addition to fees related to Installation, Activation and Relocation of each Additional Outlet, Connection of DVR equipment, Voice Service Activation and Wireless Networking On-Site Professional Set-Up. Today these additional fees are billed separately from the installation charge. Customers will be able to order service, schedule a Professional Installation, and inform our technician the rooms they want their services to be installed, all for one price! The charge does not apply to the installation of XFINITY TV only, XFINITY Home or Gigabit Pro Internet Service.

The Professional Installation fee will replace the Two Product and Three Product Installation charges in addition to the other fees previously charged during an initial installation of service as described above. We will continue to charge Wired/Unwired Installation fees for XFINITY TV only installations.

Customers are receiving notice of this change with their bill statement starting February 6, 2016. If you have any questions about this change, please feel free to contact me at (978) 927-5700 x43024.

Sincerely,

Jane M. Lyman

Jane M. Lyman, Sr. Manager
Government & Regulatory Affairs





Town of Tyngsborough Conservation Commission

25 Bryants Lane
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 119
Fax: (978) 649-2301

2016 FEB 19 AM 9:42

BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

AGENDA

February 23, 2016
Community Room
7:00pm

7:00pm **40 & 44 Cummings Rd. (M13, P18 & 20, L0) – Notice of Intent/Stormwater Management Permit, DEP# 309-0891** for the proposed construction of a new 36,000 s.f. indoor gun range facility with office space, and a 5,000 s.f. shipping/receiving storage building with associated utilities. *Advertised in the Lowell Sun, Tuesday January 19, 2016. Continued from February 9, 2016.*

Director's Reports

1. 77 Kendall Rd. Enforcement Order
2. Proposed By-Law Change (Mailings) & Regulation Addition (Buffer Zone)

Discussion

- Sherburne Nature Center/Trails Committee Report
- Open Space Update

Administrative

1. **Minutes:** Approve the minutes from the February 9, 2016 meeting.
2. **Old Business:**
3. **New Business:**
4. **Sign the following forms:** 57 Althea Ave. & 47 Mascuppic Trail Orders or Conditions, Vendor Bill Schedules

TOWN OF TYNGSBOROUGH
HISTORICAL COMMISSION
252 Middlesex Road
Tyngsborough, MA 01879
Tel: (978) 649-2300 Ext. 100 | Fax: (978) 649-2320

2016 FEB 19 AM 9:13

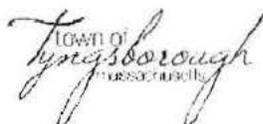
BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

Historical Commission Meeting Notice

Tuesday, February 23, 2016 at 7:00 P.M.
Littlefield Library, 252 Middlesex Road

AGENDA

1. **7:00 PM Open Meeting**
2. **Old Business**
 - National Register of Historic Places Application - Update**
 - Waldo House**
3. **New Business**
4. **Adjournment**





Northern Middlesex Council of Governments

February 16, 2016

Matthew A. Beaton, Secretary
Executive Office of Energy and Environmental Affairs
Attention: MEPA Office
100 Cambridge Street
Suite 900
Boston, MA 02114-2509

2016 FEB 19 AM 10:24
BOARD OF SELECTMEN
TYNGSBOROUGH, MA

A Multi-Disciplinary
Regional Planning
Agency Serving:

RE: EOEEA #15467/NMCOG #649-Environmental Notification Form for the
Tyngsboro Crossing project, Tyngsborough, MA

Billerica
Chelmsford
Dracut
Dunstable
Lowell
Pepperell
Tewksbury
Tyngsborough
Westford

Dear Secretary Beaton:

The Northern Middlesex Council of Governments has reviewed the Environmental Notification Form (ENF) for the proposed Tyngsboro Crossing project located on Middlesex Road in Tyngsboro. The proponent initially filed an ENF for a 120-unit 40B housing project. However, at the January 21, 2016 Consultation Meeting, the proponent disclosed that he is also developing a 60-unit 40B project (Merrimac Commons) on a contiguous parcel under common ownership. In light of MEPA's anti-segmentation rule, the cumulative impacts of both projects must be considered. Therefore, additional documentation was subsequently submitted to the MEPA office on February 2nd and provided to the distribution list.

Based on the revised ENF, the project meets or exceeds the following MEPA review thresholds:

- 11.03(1)(b)(2)-Creation of five or more acres of impervious surface;
- 11.03(1)(b)(4)-Conversion of land in active agriculture;
- 11.03(5)(b)(3)(c) - Construction of new sewer main ½ mile or more in length; and
- 11.03 (6)(b)(13)-Construction of 150 or more new parking spaces.

Philippe Thibault
Chair

Beverly A. Woods
Executive Director

40 Church Street
Suite 200
Lowell, MA
01852-2686

TEL: (978) 454-8021

FAX: (978) 454-8023

www.nmcog.org

The project will require an Access Permit from MassDOT, an Order of Conditions from the Tyngsborough Conservation Commission and a potential Superseding Order from DEP. The Order of Conditions for Merrimac Commons has already been issued by the Conservation Commission, while the order for Tyngsboro Crossing is pending.

Completion of the two contiguous projects will result in the alteration of 17.44 acres of land and will create 7.35 acres of impervious surface. Construction will also result in the permanent alteration of 13,880 sf of riverfront, and will have temporary impacts to 83,850 sf of riverfront area. In addition, the project will impact 73,600 sf of buffer zone. Furthermore, approximately 1,053 new vehicle trips will be generated. The proposed 180 units of housing will utilize 53,700 gallons per

day of drinking water and generate 40,590 gallons per day of wastewater. It is also noted that portions of the site were previously in agricultural use.

The Merrimac Commons project will consist of 60 rental units, while Tyngsboro Crossing will be comprised of 120 ownership units, resulting in 180 housing units arranged in 90 duplex-style buildings. The MEPA process requires that the proponent provide an analysis of alternatives, keeping in mind that the objective of the MEPA process is to avoid or minimize damage to the environment. Neither the original ENF filing nor the supplemental information provided on February 2nd contains any meaningful analysis of design alternatives considered to minimize environmental impact, particularly with regard to the amount of impervious surface (7.35 acres) or impacts to the riverfront area and wetland buffer zone. Similarly, with the exception of the stormwater management techniques outline in the Stormwater Management Plan, there is no information on mitigation commitments to offset the project impacts. Therefore, it is difficult to determine whether full consideration has been given to avoiding, minimizing and mitigating the cumulative impacts of both projects.

If you have any questions regarding the above NMCOG staff comments, please feel free to contact me directly at 978-454-8021, extension 120.

Sincerely,



Beverly Woods
Executive Director

CC: Town of Tyngsborough: Board of Selectmen
Town Administrator
Planning Board
Conservation Commission
NMCOG Councilors
Middlesex Land Holdings, LLC

08. Weekly Warrant

9. Town Administrator's Report

10. Selectmen's Report

11. Executive Session

Nothing is Scheduled

12. Adjournment