



TOWN OF TYNGSBOROUGH

Office of the Selectmen

25 Bryants Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

Selectmen's Meeting Minutes

Monday April 24, 2006

6:00 P.M.

Town Offices

Members Present: Selectman Jay Booth, Selectman Rich Lemoine, Selectman Kevin O'Connor, Selectwoman Karyn Puleo, Selectwoman Jacqueline Schnackertz, Rosemary Cashman, Town Administrator and Therese Gay, Administrative Assistant.

The Chair offered the Boards sympathies to the families of Alison McNamara and Warren Allgrove on the loss of a family member.

The meeting was called to order. The Clerk read this evening's agenda.

The Chair welcomed the Finance Committee and thanked the Committee for attending the meeting this evening. The Board has invited the petitioners who submitted a warrant article for town meeting to come in and give a brief description of their article(s) and Chair invited the Finance Committee to attend so that they may hear the explanations and ask questions if needed.

1. Town Meeting Warrant Discussion

6:00 P.M. to 6:15 P.M. was scheduled for the Board of Health to discuss their article to ask to enter into an intermunicipal agreement with other area Boards of Health as part of the emergency response program. No one from the Board attended but the Health Admin did provide some back up material for the Board to review.

6:15 P.M. – 6:30 P.M. Mr. Henry Jungman was present to give a brief explanation as to why this petition was brought forward. Mr. Jungman started when the land was purchased, no Conservation Restrictions were put in place, no one took notice until there was talk of subdividing and selling lots. The restrictions would be a way of preserving open space. The Board thanked Mr. Jungman for coming in tonight.

6:30 P.M. - 7:00 P.M. Attorney Peter Nicosia presented the zoning changes proposal requested by citizen's petition. All of the requests were presented to the Planning Board. The Planning Board held hearings and submitted their recommendations. The Planning Board voted favorable in support of the articles. One petition will be withdrawn at town meeting as there is no longer a need for the article. The Board thanked Attorney Nicosia for coming in and explaining the zoning changes being requested.

7:00 P.M. – 7:15 P.M. The Planning Board Chairman came forward and gave his explanation on the zoning language governing the Major Business Complex. The Board wanted to make clear the intent of the by-law. The Board thanked Mr. Wickens for coming this evening.

7:15 P.M. – 7:45 P.M. Officers Georges, and Goulet with their Attorney Gary Nolan were before the Board to discuss the two articles that the police department has petitioned to place on the warrant. The first article #35 refers to the retirement and the retirees' opportunity to buy back the service time the individual served on the fire department as a part time firefighter. Being able to buy back the service time would add additional monies to the retirees' retirement benefit. Article #36 refers to civil service. The article would be a benefit to the officers who would be laid off from duty. If the lay offs do occur the officers would be able to apply to the neighboring communities for employment. There were discussions on the pros and cons of having civil service in this community. The Board thanked everyone for coming in and has asked the officers to gather and forward more information to the Board.

7:45 P.M. – 8:15 P.M. Mr. Corliss Lambert presented the citizens' petition referencing the second bridge crossing. The petition asked that town meeting to advise the Board of Selectmen on the location of the second crossing. During discussions the Board referenced the Board's vote a couple of years ago placing the second crossing at the southerly end of Middlesex Road. The Board thanked Mr. Lambert for coming in.

8:15 P.M. – 8:30 P.M. The School Committee, members being present, Diana Koehane, Chair, Diane Kablik, Burt Buchman, Donna Hollowell, Barry Dick, Superintendent Dave Hawkins and Financial Director Joe Messina. Article #27 is housekeeping article about monies returned to the school for special needs children. Article 28 is for the construction of an in house bank to be run and used by the students. The Planning Board will have the hearing and vote on May 4th. Article 29 is for the sale of shop tools; the funds will help to restructure a science class room. Article 30 is for funds for the design bid to the repair of the Early Childhood Center roof. The Board thanked the School Committee members for coming out to discuss the warrant articles.

The Board voted a five minutes recess.

Motion by Selectwoman Puleo to recess for 5 minutes, second by Selectman O'Connor.
Vote – Unanimous

Motion by Selectwoman Puleo to reconvene the meeting, second by Selectman O'Connor.
Vote - Unanimous

The Board do not vote to recommend articles 1 to 3. The Board will vote to/or not to recommend articles 4&5 on Monday May 1.

The Chair read the articles and the motions were made by Selectwoman Puleo, second by Selectman O'Connor to recommend articles 6 to article 33 unanimously.

The CPC articles 21, 22, and 23 amounts are \$72,165.00. Article 24 is \$504,670.00. Article 25 is the field agreement and articles 26 is the cost associated with the agreement \$675,000.

Article 31 the amount is for \$56,000 and the \$21,000 reimbursement for phase 1 of the school roof bid.

The Board will vote on article 34 on May 1st.

Motion by Selectwoman Puleo to not recommend article 35, second by Selectman O'Connor,
Vote – Unanimous

The Board will vote on articles 36 and 37 on May 1st the Board is waiting for more information from the police department.

Motion by Selectwoman Puleo to not recommend article 38, second by Selectman O'Connor.
Vote – Unanimous

The Board motioned by Selectwoman Puleo, second by Selectman O'Connor voted unanimous to recommend articles 39 to 44, and article 46. Article 45 will be withdrawn at town meeting.

Motion by Selectwoman Puleo to include the Highway article, second by Selectman O'Connor,
Vote – Unanimous

Article 47 will be voted on May 1st and will remove article 46 and 48 till the fall town meeting.

Motion by Selectwoman Puleo to accept the Annual Town Meeting and the Special Town Meeting for posting, second by Selectman O'Connor.
Vote – Unanimous

The Selectmen will vote on the Special Town Meeting articles on May 1st.

Motion by Selectman O'Connor to incorporate the 9 pieces of mail into this evening's minutes, second by Selectwoman Puleo.
Vote – Unanimous

There are neither Selectmen's notes, nor Town Administrator's notes this evening.

Motion by Selectwoman Puleo to enter into Executive Session to discuss Collective Bargaining and Pending Litigation and to exit Executive Session only to adjourn, second by Selectman O'Connor.

Roll Call Vote - Selectman Jay Booth, yes; Selectman Rich Lemoine, yes; Selectman Kevin O'Connor, yes; Selectwoman Karyn Puleo, yes; and Selectwoman Jacqueline Schnackertz, yes.

2. Executive Session (If Necessary)

The Selectmen entered into Executive Session at 9:10 P.M. to discuss briefly the terms of the Highway Union Contract. The Board is offering a 2.5% for three years and will offer \$25.00 clothing allowance and no extra personal days. Motion by Selectwoman Puleo to offer 2.5% and an additional \$25.00 on clothing allowance and no extra personal day, second by Selectman Lemoine,
Vote – Unanimous

The Selectmen's representative brought the Board up to date on the ESBC litigation. The Town Administrator and Selectmen's representative met with the Attorneys and ECI; they had a good dialogue and both parties agreed to wait for the AEC report which will parallel with the surety report. The Board having no further business voted to exit Executive Session and adjourned.

Motion by Selectwoman Puleo to exit Executive Session only to adjourn, second by Selectman O'Connor.

Roll Call Vote - Selectman Jay Booth, yes; Selectman Rich Lemoine, yes; Selectman Kevin O'Connor, yes; Selectwoman Karyn Puleo, yes; and Selectwoman Jacqueline Schnackertz, yes.

3. Adjournment

Motion by Selectwoman Puleo to adjourn the meeting, second by Selectman O'Connor.
Vote - Unanimous

The meeting adjourned at 9:30 P.M.

Respectfully submitted

Therese Gay
Admin Assist.