



TOWN OF TYNGSBOROUGH

Office of the Selectmen

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Selectmen's Meeting Minutes

Monday September 28, 2009

6:00 P.M.

Town Offices

Members present: Selectwoman Elizabeth Coughlin, Selectman Robert Jackson, Selectwoman Ashley O'Neill, Selectman Rich Lemoine, Selectwoman Karyn Puleo.

Staff Present: Town Administrator Rosemary Cashman, and Admin Assist. Therese Gay

Selectwoman Puleo called the meeting to order. The Board was introduced. Selectwoman O'Neill read this evening's agenda.

1. 5:30 P.M. Photos in the Library Garden

The Media Director is taking pictures of the Selectmen and town staff for a photo frame to place in the lobby of the town hall.

Students from the Bishop Guertin's Civic Class were present to observe how government works. The Board welcomed the class.

2. 6:05 P.M. Liquor License Hearing – Three Middlesex Tyngsboro, Inc.,
384 Middlesex Road

Selectwoman O'Neill read the legal notice and all corresponding letters. The Board voted unanimously on a motion by Selectman Lemoine, second by Selectwoman O'Neill to open the hearing. Attorney Nicosia, representing the petitioners, Mr. and Mrs. Shanahan in their request for a transfer of location for the liquor license they possess. The license for was the restaurant Jazzwine Grill at 361 Middlesex Road. The restaurant closed and the Shanahans tried to sell the license but were unsuccessful. They now hold a license without a location and wish to transfer it to their existing restaurant at 384 Middlesex Road. The restaurant serves breakfast and lunch from 6:00 A.M. to 2:00 P.M. and would like to serve the dinner crowd from 5:00 P.M. to 10:00 P.M. The staff will be TIPS Certified and will comply with all State regulations. The Chairman asked if there were any abutters present who wished to speak in favor of the license or speak against the license. No one came forward. The Board voted unanimous on motion by Selectman Lemoine, second by Selectwoman O'Neill to close the public portion of the hearing. The Board voted unanimously on a motion by Selectman Lemoine, second by Selectwoman O'Neill to grant the license as presented.

3. 6:30 P.M. Special Permit, Class III Hearing – Michael Ing, 47 Middlesex Road

The Board voted unanimously on a motion by Selectman Lemoine, second by Selectman Jackson to open the hearing. Selectwoman O'Neill read the legal notice and motioned to waive the reading of the abutters' list, second by Selectman Lemoine, the Board voted unanimously. Attorney Nicosia representing Mr. Conway, and Attorney Arcanian representing Mr. Ing were before the Board to present the petition to transfer the Class III License from Mr. Conway to Mr. Ing. It was determined that the Board of Selectmen did not have the jurisdiction on the multi use of the property at 47 Middle sex Road. The Board of Selectmen issue the Class III license and the Zoning Board of Appeals issue the special permit for the use at 47 Middlesex Road. Mr. Ing wants to continue the repair of motor vehicle and salvage, a Class III license.

The ZBA will determine the suitable use of the business at their hearing. Mr. Ing will operate the business as it is presently operated; he will not increase the use, and will comply with all necessary regulations. The Board voted unanimously on a motion by Selectman Lemoine, second by Selectman Jackson to close the public portion of the hearing. The Board voted unanimously on a motion by Selectwoman O'Neill, second by Selectman Jackson to allow the petitioner to apply for a Special Permit from the Zoning Board of Appeals. The board voted unanimously on a motion by Selectwoman Coughlin, second by Selectwoman O'Neill to grant the Class III License to operate a salvage yard at 47 Middlesex Road.

4. 7:30 P.M. Street Light Discussions

The Board met with Mr. George Woodbury for his presentation on the acquisitions of street lights. The Board and Mr. Woodbury discussed the possibility of acquiring the street light, the maintenance if the does acquire and the funding needed to proceed. The Board voted unanimously on a motion by Selectman Lemoine, second by Selectwoman O'Neill to request a Reserve Fund Transfer from the Finance Committee to fund the line item of Street Lights to keep the lights on and work on a cost benefit for next year.

5. Citizen's Time

No one came forward

6. Other Business

A. Energy & Environmental Affairs Committee – By-Law Change

The request for the by-law change was deferred till the next Selectmen's meeting.

B. Appointment – Energy & Environmental Affairs Committee

The Board voted unanimously on a motion by Selectman Jackson, second by Selectman Lemoine to appoint Jeff Kablik, Conservation Commission Representative, to the Energy & Environmental Affairs Committee.

7. Correspondence

The Board voted unanimously on a motion by Selectwoman O'Neill, second by Selectman Jackson to accept the correspondence as submitted.

8. Selectmen's Notes

Selectman Jackson announced that all the Selectmen now have an e-mail address on the web site, he reminded everyone that Sunday is the Tyngsboro 5K Trot. He is asking that the agenda include a spot for business time. Selectwoman Coughlin acknowledged the CTI heroes. She has explained why some matters have more questions than others. Selectwoman O'Neill clarified issues of her representation, she had a conflicting schedule but has since resolved it.

9. Town Administrator's Notes

The Town Administrator updated the Board on the various issues; 1) campground, the contractor is proceeding with the work on this park creation. 2) the strategic financial planning, the committee is developing information of estimated budgets for the next 3 years, including health insurance costs. 3) Personnel, the town has several vacancies. The status is: a) Admin Assist for Bldg. ZBA and Other Departments, during the past 2 weeks, interviews were held for this position. There were more than 40 applicants. We hope to fill the position soon, b) Chief Assessor, 10 resumes have been received. Interviews will begin tomorrow. The Board of Assessors makes this appointment, c) Assessor's Assistant's position has been advertised, d) Town Treasurer, the position has been advertised, e) Highway Clerk, the position has been advertised, f) Highway Admin Assist, the position has been advertised. 4) Flu Clinic. The Health Department is working with various department heads on setting up an

immunization clinic for the H1N1 flu clinic. A tentative date of Saturday, November 14 at the High School has been scheduled. But this date could change as the State has not yet confirmed the date for arrival of the vaccine.

10. Executive Session

A. Collective Bargaining - Personnel

The Board voted 5-0 on a motion by Selectwoman O'Neill, second by Selectman Jackson to enter into Executive Session to discuss Collective Bargaining and to return open session only to adjourn. Roll Call Vote: Selectman Robert Jackson, yes; Selectwoman Elizabeth Coughlin; yes; Selectwoman Ashley O'Neill, yes; Selectman Rich Lemoine, yes; Selectwoman Karyn Puleo, yes. The Board entered into Executive Session at 9:15 P.M.

The Board voted on a motion by Selectman Lemoine, second by Selectman Jackson to appoint Donna MacPartlan as the Administrative Assistant to the Building Dept., ZBA and other departments. Roll Call Vote: Selectman Robert Jackson, yes; Selectwoman Elizabeth Coughlin; yes; Selectwoman Ashley O'Neill, yes; Selectman Rich Lemoine, yes; Selectwoman Karyn Puleo, yes.

The Board voted on a motion by Selectman Lemoine, second by Selectman Jackson to appoint Guy Denommee as the Interim Plumbing/Gas Inspector on as needed and to still use Ken Kleynen, Roll Call Vote: Selectman Robert Jackson, yes; Selectwoman Elizabeth Coughlin; yes; Selectwoman Ashley O'Neill, yes; Selectman Rich Lemoine, yes; Selectwoman Karyn Puleo, yes.

The Board voted on a motion by Selectman Lemoine, second by Selectwoman O'Neill to allow the Friends of the Council on Aging to provide funding to the Council On Aging, Roll Call Vote: Selectman Robert Jackson, yes; Selectwoman Elizabeth Coughlin; yes; Selectwoman Ashley O'Neill, yes; Selectman Rich Lemoine, yes; Selectwoman Karyn Puleo, yes.

The Board voted 5-0 on a motion by Selectwoman Coughlin, second by Selectman Lemoine to exit the Executive Session and to return to open session to adjourn. Roll Call Vote: Selectman Robert Jackson, yes; Selectwoman Elizabeth Coughlin; yes; Selectwoman Ashley O'Neill, yes; Selectman Rich Lemoine, yes; Selectwoman Karyn Puleo, yes. The Board exited Executive Session at 10:00 P.M.

11. Adjournment

The Board voted 4-0 on a motion by Selectwoman O'Neill, second by Selectman Jackson to adjourn. The Board adjourned at 10:00 P.M.

Respectfully submitted

Therese Gay
Admin Assistant

Approved on: _____