



TOWN OF TYNGSBOROUGH

Office of the Selectmen

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APPROVED

Board of Selectmen Meeting Minutes

Monday February 8, 2010

6:00 P.M.

Town Offices

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

Staff Members Present: Interim Town Administrator Norman Thidemann and Admin Assistant Therese Gay.

Finance Committee Members Present: John Griffin, Kenneth Times III, Jacqueline Schnackertz, and Robert Mullin. Member Absent: Colleen Gabriel

Chairman Lemoine called the meeting to order. The Finance Committee voted 4-0 to open their meeting on a motion by Member Times, second by Member Mullin. The Board of Selectmen and the Finance Committee were introduced. Selectwoman O'Neill read the agenda.

1. 6:00 P.M. Entertainment License Request – Tyngsboro Sports Center, 18 Progress Ave. In reviewing the documents it was discovered that the Center already has a Weekday and Sunday Entertainment Licenses. Their Attorney withdrew the application.

2. 6:15 P.M. Review of the Town Department Budget Requests – Selectmen Finance Committee Members:

6:15 P.M.	Accountant	7:05 P.M.	Police
6:25 P.M.	Planning Board	7:35 P.M.	Fire
6:35 P.M.	Recreation Department	8:05 P.M.	Highway
6:45 P.M.	Library	8:35 P.M.	Sewer
6:55 P.M.	Council on Aging	9:05 P.M.	Capital Asset Management Committee

The Board of Selectmen and the Finance Committee Members met with the various Department Managers to discuss their budget. Each Department Manager presented a level funded budget. Because of the uncertainty of the State's financial woes the Board will be working with the various departments about budget cuts as needed. The Board of Selectmen and the Finance Committee Members thanked the Department Managers for their presentation. The Finance Committee adjourned their meeting at 8:05 P.M. on a motion by Member Kenneth Times, second by Member Robert Mullin.

3. Citizen/Business Time

Mrs. Rose Mitchell came forward to lend her support to the School Department. She had watched the Superintendent's presentation and supports the level service budget he presented. These are hard economic times, and recognizes that everyone is doing the best they can.

4. Review and Sign the Tuesday, March 2, 2010 Special Town Meeting Warrant for Posting

A. Request to place an Article on Special Town Meeting Warrant - EEACCommittee

The Board voted unanimously on a motion by Selectwoman Puleo, second by Selectman Jackson to approve the signing and posting of the March 2nd 2010 Special Town Meeting Warrant.

5. Other Business

A. Approve/Release Minutes – Release Approved Executive Session Minutes of 2006, 2007, 2008 and January to May of 2009.

The Board voted unanimously on a motion by Selectwoman O'Neill, second by Selectwoman Puleo, to release the Approved Executive Session Minutes of 2006, 2007, 2008 and the January to May of 2009.

Approve the Minutes of November 30, 2009, December 14, 2009, December 21, 2009 and January 11, 2010, January 25, 2010, January 26, 2010 and January 29, 2010, February 1, 2010.

The Board voted unanimously on a motion by Selectwoman O'Neill, second by Selectwoman Puleo, to approve the Minutes of November 30, 2009, December 14, 2009, December 21, 2009 and January 11, 2010, January 25, 2010, January 26, 2010 and January 29, 2010, February 1, 2010. Selectwoman O'Neill abstains from voting on the Minutes December 14, 2009 and January 25 and 26, 2010.

C. Renew Common Victualler License – Tyngsboro General Store, 130 Middlesex Road

The Board voted unanimously on a motion by Selectwoman O'Neill, second by Selectwoman Puleo, to renew the Tyngsboro General Store a Common Victualler License.

D. Renew Automatic Amusement License – American Legion Post #247

The Board voted unanimously on a motion by Selectwoman O'Neill, second by Selectwoman Puleo, to renew the Automatic Amusement Devices License.

6. Correspondence

A. Copy of the 780 CMR Appendix 120 AA – Stretch Code was enclosed for the Board to review before the Public Hearing to be held on Monday, February 22, 2010.

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

7. Selectmen's Notes

Selectwoman announced the Democratic Caucus for election of delegates will be held on Saturday, February 13, 2010 at 10AM at the Multi Service Center. And a Chamber of Commerce Representative will be at the Town Hall on Friday, February 12 from 9AM to 10AM. Selectman Jackson informed the viewers that the School Committee's presentation is on the Web Page for all to see. Selectwoman Puleo commented on the budgets that were submitted that here is no where to cut since the cuts from last year were so drastic, but cuts will come again to help level fund the FY2011 budget. The Town needs to hold a public hearing to show the residents what is cut and how we make it work. Selectman Lemoine referenced that at the last Annual Town Meeting the town voted to supplement the Council on Aging with funds from

the Town Street Light Account. The Selectmen then had to go to the Finance Committee for a Reserve Fund Transfer to replenish the Street Light Account.

8. Town Administrator's Notes

A reminder that the Shurfine pre-demo meeting is set for Friday at 10AM at the Town Offices. The Administrator informed the School Committee that the Health numbers came in at 11%, it is a higher rate than previously thought. The previous Administrator had entered 8½% in the proposed budget numbers. The Administrator thanked the School Committee for their presentation.

Selectman Lemoine read from a prepared statement addressing the issue of the release of the Monday, January 11, 2010 Executive Session. The minutes can be release with minimal liability or subsequent recourse on to the town from other parties. On advice from Counsel the documents from the Police internal-affairs file are not to be released due to three primary important factors that continue to safeguard and reduce the liability of the town. The Board believes that releasing the internal-affairs investigation results and separation agreement at this time may 1) violate an employee's privacy rights; 2) negatively impact the Police Department's ability to conduct an internal investigation while maintaining the confidentiality of the persons making the complaint; and 3) the town does not want to violate any agreement it has entered into. The Board voted unanimously on a motion by Selectwoman Puleo, second by Selectman Jackson to approve and release the revised Executive Session Minutes of Monday, January 11, 2010.

9. Executive Session (if needed)

The Board of Selectmen voted on a motion by Selectwoman O'Neill, second by Selectman Jackson to enter into Executive Session to discuss collective bargaining and personnel issues and to return to open session only to adjourn. Roll Call Vote: Selectwoman Elizabeth Coughlin, yes; Selectwoman Karyn Puleo, yes; Selectwoman Ashley O'Neill, yes; Selectman Robert Jackson, yes; Selectman Rich Lemoine, yes. The Board entered into Executive Session at 9:30 P.M.

10. Adjournment

The Board voted unanimously on a motion by Selectman Jackson, second by Selectwoman O'Neill to adjourn the meeting. The meeting adjourned at 11:20 P.M.

Respectfully submitted by

Therese Gay,
Admin Assistant

Approved on _____