



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 Minutes

APPROVED

Monday, January 6, 2014 at 6:00 P.M.

Community Room, Town Offices, 25 Bryants Lane

Members Present: Selectman Rick Reault, Selectwoman Karyn Puleo, Selectman Robert Jackson, Selectman Corliss Lambert.

Member Absent: Selectman Allen Curseaden,

Staff Present: Town Administrator Michael Gilleberto, Assist Town Administrator Nina Nazarian, 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. "Chairman Puleo read the following: "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 - tyngsboroughma dot 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."

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

The Chairman opened the meeting and the Board voted to enter into Executive Session and returned to open session at the conclusion of Executive Session at 6:20 PM to continue the open meeting agenda followed by the Pledge of Allegiance; the introduction of the Board and the reading of the Agenda by Selectman Reault.

2. Executive Session

The Board voted 4-0-0 on a motion by Selectman Reault, second by Selectman Jackson to enter into Executive Session at 6:07 PM to discuss the following :

- A. Exemption Two – To conduct strategy sessions in preparation for negotiations with nonunion personnel or conduct contract negotiations with nonunion personnel – Deputy Police Chief.

And to return to open session at the conclusion of the executive session. Roll Call Vote: Selectman Rick Reault, yes; Selectwoman Karyn Puleo, yes; Selectman Robert Jackson, yes; Selectman Corliss Lambert, yes.

The Board voted 4-0-0 on a motion by Selectman Reault, second by Selectman Lambert to exit the executive session and return to open session (6:20PM). Roll Call Vote: Selectman Rick Reault, yes; Selectwoman Karyn Puleo, yes; Selectman Robert Jackson, yes; Selectman Corliss Lambert, yes.

3. 6:20 PM Common Victualler License Request/Pizza Pizzaz and The Pines

Mr. Thomas Kotarakos came before the Board to request a Common Victualler License for his establishment *Pizza Pizzazz*, a take-out pizzeria. The Board voted 4-0-0 on a motion by Selectman Reault, Second by Selectman Lambert to approve the request for a Common Victualler License for *Pizza Pizzazz* to operate Mon – Sat 11AM to 9PM and Sunday 12PM – 9PM.

Mr. Jeffrey Adams came before the Board to request a Common Victualler License for his establishment known as *The Pines*, Mr. Adams is also seeking to change the name of the restaurant





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to Hole in One Hundred Diner and Mr. Adams expressed interest in renovating the existing miniature golf adjacent to the restaurant. The Board voted 4-0-0 on a motion by Selectman Reault, second by Selectman Jackson to approve the request for a Common Victualler License for Hole In One Hundred Diner for Sunday – Saturday 6AM – 2PM.

4. Special Permit Request – 28 Westford Road continued

This agenda item was deferred to Monday January 13, 2014 Agenda.

5. Meeting Minutes

A. Regular Session Meeting Minutes for Review/Approval

1. Monday, December 16, 2013 – Regular Session

The Board voted 4-0-0 on a motion by Selectman Reault, second by Selectman Jackson to approve the minutes of Monday December 16, 2013 minutes as submitted.

6. New Business

A. Deputy Police Chief Contract – Ratify

The Board voted 4-0-0 to ratify the Board's approval of the employment contract with Christopher Chronopoulos effective January 7, 2014 to January 31, 2016 for the position of Deputy Police Chief.

B. Police Promotions – Appoint

The Police Chief and Deputy Police Chief came before the Board to request an appointment to fill a vacancy left by the appointment of the Deputy Chief. The Chief recommended Sgt. Bryan Nasworthy to the position of Lieutenant effective January 12, 2014. The Board voted 4-0-0 on a motion by Selectman Reault, second by Selectman Lambert to appoint Bryan Nasworthy to the position of Lieutenant effective January 12, 2014.

C. Greater Lowell Regional Vocational Technical High School Permit Fee Request – Review/Discuss

The Greater Lowell Regional Vocational Technical High School delegation were present this evening to support the request for the Board's vote on their request of a blanket permit fee of \$400,000. The Administrator informed the Board of the meeting last week which the Building Commissioner, Treasurer, Town Administrator and the GLRVTHS delegation to discuss the permit fees associated with the renovation of the building, after some discussion everyone came to a consensus on the blanket fee that was proposed. The Board voted 4-0-0 on a motion by Selectman Reault, second by Selectman Jackson to approve a blanket permit fee of \$400,000.00 for the GLRVTHS's entire renovation project.

D. ZBA Request for Comment – Tavern Hill Group, 19 Norris Road

The Board reviewed the request and voted 4-0-0 on a motion by Selectman Jackson, second by Selectman Reault to submit a no comment response.

E. ZBA Request for Comment – Route 3A Gas & Tyngsborough Realty Trust, 257 Middlesex Road

The Board reviewed the request and voted 4-0-0 on a motion by Selectman Jackson, second by Selectman Lambert to submit a no comment response.

F. ZBA Request for Comment – 77 Frost Road

The Board reviewed the request and voted 4-0-0 on a motion by Selectman Jackson, second by Selectman Lambert to submit a no comment response.





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G. Snow and Ice Removal Funding

The Board has received a request for additional snow and ice funding, The Board reviewed and voted 4-0-0 on a motion by Selectman Reault, second by Selectman Lambert approve the additional funding in accordance with Chapter 44, section 31D, Massachusetts General Laws we the Board of Selectmen, do hereby authorize the Town Accountant to issue warrants and the Town Treasurer to pay such warrants in excess of funds for snow and ice removal, such warrants not to exceed \$50,000.00. Expenditures made under this authority shall be certified to the Board of Assessors and included in the next annual tax rate.

7. Citizen/Business Time – No one came forward this evening.

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.

8. Old Business

A. Old Town Hall Facility Use Policy – Review Draft

The Board reviewed the draft policy and offered some suggestions. The Town Administrator will bring a final document for the Board to approve at the Monday, January 13 meeting.

B. License Renewal Requests – Continue Review

The Administrator updated the status of the pending hearings for the two establishments that have been closed. The hearings are scheduled for Monday January 27th.

The hearing for the entertainment license for Duke's Bar and Grille is set for Monday January 13th.

9. Review of Weekly Warrants

The Town Administrator read the following Warrants: Warrant #27B for \$831,125.05 on 12/30/2013; Warrant #27P for \$810,880.48 on 12/30/2013; Warrant #28B for \$286,056.38 on 01/06/2014; and Warrant #28S for \$181,133.88 on 01/06/2014.

10. Town Administrator's Report

The Administrator brought forward a disclosure form by Mr. Sands. The Board voted 4-0-0 on a motion by Selectman Jackson, second by Selectman Lambert to accept and sign the disclosure approval. The Administrator will post an ad for additional vendors. The application has a list of needed documents attached. The recycling is in its second of its two pick-ups next week the rules are back to normal, recycling is in the blue toter and all trash toters are to be closed. Christmas trees are being collected at the COA parking lot. The old recycling carts the ones issued by the Town can be dropped off, the old recycle bins can also be broken down and placed in the recycle toters. Please make sure that all ornaments are removed from Christmas trees and the Highway personnel will be chipping the trees. The applications for the Senior Tax Work Off Program as available in the Town Offices. On January 23 the Administration will be revisiting the 5 year capital plan for the street acceptance and road repair. The Administration will be looking at the 22 roads that are unfunded and will identify the number of residents and road accessibility. The Chair asked





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if the office had received any response from the letter the Board sent to the Governor on funding for road repair.

11. Selectmen's Reports

Chairman Puleo gave a quick update - the budget form will be out distributed this week and there is a potential revision on the Capital Asset forms. Selectman Lambert acknowledges the Town Administrator and the Assistant Town Administrator for all the work they have done in the past two weeks. Thank you to the Highway Dept. for making all of the streets in Town safe and wishing the Board and all a Happy New Year. Selectman Reault was interested in seeing if any other communities were in the same situation as us in school population or comes close to the school population in Tyngsborough. Selectman Reault is asking the Board's permission to work with the Town Administrator in sending a letter appealing to everyone at the State level for additional funding assistance. The Board voted 4-0-0 on a motion by Selectman Jackson, second by Selectman Lambert to have Selectman Reault work with the Town Administrator in drafting a letter to the state delegation for additional assistance. The Board supports Selectman Reault's endeavor and to forward data to support the request.

12. Executive Session

The Board voted 4-0-0 on a motion by Selectman Reault, second by Selectman Jackson to enter into Executive Session to discuss the following :

- A. Exemption Three – To discuss strategy with respect to collective bargaining and litigation because an open meeting may have a detrimental effect on the bargaining and litigation position of the Board, and the Chair so declares –Clerical Union; Mid-Managers Union; Police Union

and to exit executive session only to adjourn. Roll Call Vote: Selectman Rick Reault, yes; Selectwoman Karyn Puleo, yes; Selectman Robert Jackson, yes; Selectman Corliss Lambert, yes. The Board entered into Executive Session at 8:15PM.

13. Adjournment

The Board voted 4-0-0 on a motion by Selectman Reault, second by Selectman Jackson to adjourn the meeting at 8:50PM.

Respectfully submitted

Therese Gay
Admin Assistant

Approved on: Monday January 13, 2014





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- B. Police Promotions – Appoint
- C. Greater Lowell Regional Vocational Technical High School Permit Fee Request – Review/Discuss
- D. ZBA Request for Comment – Tavern Hill Group, 19 Norris Road
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- G. Snow and Ice Removal Funding

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8. Old Business

- A. Old Town Hall Facility Use Policy – Review Draft
- B. License Renewal Requests – Continue Review

9. Review of Weekly Warrants





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10. **Town Administrator's Report**

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

11. **Selectmen's Reports**

12. **Executive Session**

- A. Exemption Two – To conduct strategy sessions in preparation for negotiations with nonunion personnel or conduct contract negotiations with nonunion personnel – Deputy Police Chief.
- B. Exemption Three – To discuss strategy with respect to collective bargaining and litigation because an open meeting may have a detrimental effect on the bargaining and litigation position of the Board, and the Chair so declares – Clerical Union; Mid-Managers Union; Police Union

13. **Adjournment**

Future Meetings

Monday, January 13th, 2014 at Tyngsborough Town Offices, 25 Bryants Lane

Monday, January 20th, 2014 Town Offices Closed in Observance of Martin Luther King Day

Monday, January 27th, 2014 at Tyngsborough Town Offices, 25 Bryants Lane

