



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

Monday, June 16, 2014 at 6:00 P.M.

Community Room, Town Offices, 25 Bryants Lane **APPROVED**

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

Staff Present: Town Administrator Michael Gilleberto, Assist Town Administrator Nina Nazarian, 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 - 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 Chair opened the meeting followed by the Pledge of Allegiance; the introduction of the Board and the reading of the Agenda by Selectwoman Puleo.

2. **Meeting Minutes**

A. Regular Session Meeting Minutes for Review/Approval

1. Monday, June 2, 2014

The Board received and reviewed the Minutes of Monday, June 2, 2014. The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to approve the Minutes of Monday, June 2, 2014.

B. Executive Session Meeting Minutes for Review/Approval/Not Release

1. Thursday, May 29, 2014

The Board received and reviewed the Executive Session Minutes of Thursday, May 29, 2014. The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to approve but not release the Executive Session Minutes of Thursday, May 29, 2014.

3. **Citizen/Business Time – No one came forward**

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.

4. **6:05 PM Alcoholic Beverage License Hearing – Ramoura Corp. DBA O'Conley's Pub** (continued from June 2, 2014)

The Board closed the evidential portion at the hearing on Monday, June 2, 2014 and continued the decision portion of the hearing to Monday, June 16, 2014, at 6:05 PM at the Tyngsborough Town Offices, 25 Bryants Lane.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, I move upon all evidence that the Board find: 1) Ramoura Corp., d/b/a O'Conley's Pub (the Licensee) has

Town of Tyngsborough
Massachusetts



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

not had a lease to 24 Middlesex Road, Tyngsborough, since on or about November 27, 2011; 2) Licensee has not used its Common Victualler's All Alcoholic Restaurant License since on or about November 27, 2011; 3) Licensee failed to notify the Licensing Authority in writing that it ceased to conduct the licensed business; 4) The Licensing Authority has allowed more than ample time for the Licensee to relocate its License; 5) To date, the Licensee has not entered into any agreement to relocate its License; 6) The License has not been used since on or about November 2011, to the present; 7) The Licensee is in violation of M.G.L. c. 138, section 77, for cessation of a licensed business since November 27, 2011, to the present; 8) The Licensee is in violation of the Town's Alcoholic Beverages Regulations, Section 7, for cessation of a licensed business from November 27, 2011, to the present, and for failure to give the Licensing Authority timely written notice on or about the date the licensed business ceased.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert, Based on the above findings, I move that the Common Victualler's Alcoholic Beverages License granted to the Licensee be canceled.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to close the hearing. The hearing closed at 6:13 P.M.

5. Old Business

A. 2014-2015 Meeting Schedule – Review/Approve

The Board received and reviewed the 2014-2015 Meeting Schedule. The Board voted 5-0-0 on a motion by Selectman Lambert, second by Selectwoman Puleo to accept the Board of Selectmen meeting schedule for 2014-2015.

B. Old Town Hall User Policy – Review/Approve

The Board received and reviewed the newer version of the Old Town Hall User Policy. The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to approve the Old Town Hall User Policy as revised.

C. Annual Appointments – Continue Review

The Board deferred this agenda item to Monday, June 30, 2014.

D. Town Buildings Master Plan – Review Draft

The Board received the draft of the Town Buildings Master Plan. Mr. Ken Best from DRA was present and reviewed his findings and recommendations with the Board. The brief review were on the existing Town Hall/Library; the Police Department Building, the Fire Dept. Buildings 1,2,and 3. The Old Town Hall Buildings has been newly renovated and the existing Senior Center Bldg will be vacant when the new building is occupied. The Board and Mr. Best discussed the pros and cons of having the public involved at this time, the Board would like to see a plan that would show how the buildings could be used for and the cost estimate associated with the conversion. Mr. Best will return to the Board's July 21st meeting with a few building plans for discussion.

6. 7:00 PM New Business

A. Alcoholic Beverage License Request – Manager Change - Carrabba's Restaurant, 386 Middlesex Road.

The Board received a request from Carrabba's Restaurant for a Change in Manager at 386 Middlesex Road. Mr. Alex Johnson was present to introduce himself and to answer any questions





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

the Board may have. The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to approve the request to change the Manager of Record to Mr. Alex Johnson.

B. Adams Barn – Review Design

The Town Administrator has met with the design committee and gave a summary of what was discussed. The Architect was task with modifying the design to fit the appropriation. Once the new plans are complete the plan will be presented to the Board, it will be sometime down the road.

C. Sustainable Water Management Initiative – Discuss and Review Letter

The Board reviewed and signed a letter commenting on the water management regulations to DEP, regarding the proposed regulations that is part of the state's Sustainable Water Management Initiative. The Board is concerned that the proposed regulations may have an adverse impact upon Tyngsborough ratepayers and economic development in town.

The Board voted 5-0-0 on a motion by Selectman Lambert, second by Selectwoman Puleo to authorize the Town Administrator to send the letter to DEP, and to copy the State Senator and the State Representative.

D. Basic Life Support Ambulance

The Administrator and the Fire Chief have met with Trinity Ambulance to discuss a possible extension of the existing Basic Life Support ambulance contract. We are in the fourth year of a possible five year agreement. While the Board of Fire Engineers is requesting a study of potential Town-run BLS ambulance service, at this time it is the recommendation of the Fire Chief and the Town Administrator to extend the BLS ambulance agreement through June 30, 2015. This will mark the last possible extension under the existing agreement. Additionally, attached is a proposed study committee for Town-run BLS ambulance service for the Board's review and/or approval.

1. Trinity Contract – Approve Extension

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to extend the current contract with Trinity Ambulance effective July 1, 2010 to expire on June 30, 2015.

2. Fire Engineers Study Committee Proposal – Review/Approve

The Board received and reviewed the Fire Engineers Study Committee's proposal for a Town-run BLS ambulance service. The Board asked of Mr. Michaud to return to the Board on Monday June 30th with a mission statement and a recommendation for a committee.

E. NMCOG Toxic Use Reduction Institute Grant – Review/Approve Letter

The Board received a request to partner for a grant proposal by NMCOG for the Toxic use Reduction Institute (TURI) Community Grant program. The grant would provide funding to hold organic lawn care training sessions for municipal staff, with the goal of reducing pesticides and herbicide used at municipally owned public spaces such as playing fields, parks, commons spaces and artificial turf. A sample letter was provided for review.

The Board voted 5-0-0 on a motion by Selectman Lambert, second by Selectman Reault to authorize a letter of support to be sent to NMCOG.

F. Hunter/Norton License (Tyngsborough Water District) - Review Extension Request

The Board received a request from the Tyngsborough Water District to extend their agreement. The initial site investigation on the parcel known as the Hunter/Norton Property, proved to be a positive location for future Town wells. The district would like to extend the agreement to conduct further site investigation. The letter request to extend the license agreement pertaining to the land shown on Assessors Map 19, Lot 35 and Map 19, Lots 50 and 51 for the period of two years (730 days), the





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

two year period is time needed for permits as the Districts proceeds. The Board voted 5-0-0 on a motion by Selectman Puleo, second by Selectman Reault to extend the Hunter/Norton License to the Tyngsborough Water District for a period of 30 days until August 10, 2014 so that representatives of the Tyngsborough Water Districts can come before the Board for a discussion.

G. Lakeview Avenue/Coburn Road Intersection Assessment – Review and Set Public Hearing

The Assistant Town Administrator met with the Senior Working Foreman, the Chief of Police and the Deputy Police Chief and all parties are in agreement with the recommendation by Vanesse and Associates to select Alternative 2, which is a Multi-Way Stop-Sign controlled intersection. If the Board would like to set a public hearing date to propose Alternative 2 at its first meeting in July, a vote to set the hearing would be needed. Selectwoman Puleo asked if crosswalks could be included at all four sides of the intersection.

The Board voted 5-0-0 on a motion by Selectman Lambert, second by Selectman Reault to support the recommended Alternative 2, the Assistant Town Administrator will speak to the engineer regarding the crosswalks and will bring the plan back to the Board for an update.

H. Frost Road & Westford Road Traffic Signals – Review Recommendation for Study

Traffic control at the Westford Road/Elementary School and the Frost Road at Norris Road intersection on the short term has been assisted by the Police Department for the commencement/dismissal hours. As we review the potential long term solution, we may need to work out a solution with the Chief to determine if a Police Department presence can be arranged for the next school year. LONG TERM: After a meeting between the police department, school department, Vanesse and Associates, Inc., (VAI), the Town Administrator and the Assistant Town Administrator to discuss the need for a long term solution at the intersection, the Administrator and the Assistant Administrator solicited a proposal for traffic engineering services related to the intersections of Westford Road at the Elementary School and Frost Road at Norris Road from VAI. The Board received and reviewed the proposal from VAI to evaluate the above referenced intersections for the potential installation of traffic control devices. Funding is available through Chapter 90 as recent projects, specifically road reconstruction projects from last year, were under budget.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to authorize the use of Chapter 90 funding for up to \$7,000, and the Town Administrator to sign a contract with VAI to complete an Intersection Safety and Operations Assessment for Westford Road at the Tyngsborough Elementary School Driveway and Frost Road at Norris Road.

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

8. **Correspondence**

A list of correspondence will be included with approved meeting minutes per the requirements of the Massachusetts Open Meeting Law. Copies of correspondence may be requested from the Office of the Board of Selectmen.





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

The Board received and reviewed the correspondence. The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to accept the correspondence for discussion. Selectman Reault voiced his support for the k-9 program has no issues, and Selectwoman Puleo voiced she has no issue on the k-9 program. Selectwoman Puleo acknowledged the Town Administrator's resignation letter and will discuss on how to move forward at the Board's meeting of June 30th; and to place the correspondence for the Tennessee Pipeline as an agenda item.

9. Review of Weekly Warrants

The Administrator read the following warrants: Warrant # 50B for \$511,848.41 on 6/9/2014; Warrant #50S for \$231,845.41 on 6/9/2014; Warrant #51P for \$843,195.08; Warrant #51B for 689,832.58 on 6/16/2014; Warrants #1 through #5 are teachers/nurse summer pay and are as follows: Warrant #1 for \$384,815.73 on 6/18/2014; Warrant #2 for \$384,815.73 on 6/18/2014; Warrant #3 for \$384.815.73 on 6/18/2014; Warrant #4 for \$384,815.73 on 6/18/2014; and Warrant #5 for \$379,211.12 on 6/18/2014.

10. Town Administrator's Report

A. Response to Selectmen Requests

Attached are copies of correspondence sent from the Town's Special Counsel to Community Housing, Inc. with respect to affordable housing regarding the resale of an affordable unit at The Village at Merrimack Landing. As discussed at the last Board meeting, the purpose of the letter is to demonstrate the Board's position to preserve the status of the unit as affordable.

B. Budget – None

C. Departmental Information

Attached is correspondence from the Police Chief as a follow up to the Stop/Yield Sign Request discussed at last week's meeting. The recommendation is to consider stop/yield signs in a comprehensive discussion and therefore the installation of signage has been withdrawn. Attached is a copy of the Tyngsborough Public Library Community Survey which as you may have seen has been published in the June Neighbor to Neighbor Newsletter. This survey will be used in the Library's Strategic Planning Process.

D. Contracting/Procurement

The Littlefield Library is in need of roofing repairs. In conjunction with the Historical Commission, and the Supervisor of Buildings and Grounds, we are working to solicit prices/an estimate for the roof repair. Funding for the repair may be available through a special appropriation. This will be brought back to the Board at a future date.

The Highway Department is advertising the attached Annual Invitation for Bids on road materials and services including Winter Sand, Cold Patch, Bituminous Concrete (at plant and in place), Street Sweeping, Road Side Mowing, Catch Basin Cleaning, and Line Painting beginning on June 18th, with a bid opening date of July 10th.

Attached is correspondence sent to the Office of Transportation Planning which provides for the proper filing of accepted streets from the May 20, 2014 Annual Town Meeting to become incorporated into the Town's miles of roads accepted for Chapter 90 funding purposes.

Attached please find an e-mail sent to 3 engineering firms for transportation planning/engineering services to complete the required initial stages to get the reconstruction of Sherburne Avenue on the regional Transportation Improvement Program.





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

Attached is the 100% Design Plans and a cost estimate for the Westford Road at Dunstable Road intersection. The Senior Working Foreman and I will first review and comment on the design and specifications, then pending any necessary changes, advertise the project for bid, with plans to maintain completion of the project in the fall.

E. Other

Attached is a copy of the current draft for the Winslow School and Littlefield Library National Register of Historic Places Registration Form. Completion and subsequent filing of this registration would entail an additional meeting with the Historical Commission and a letter of support by the Board of Selectmen.

Attached is a summary of a discussion between the owner of 422 Middlesex Road and the Administrative Assistant of the Planning Board. The owner has requested to be placed on the Planning Board agenda of June 19th with an intent to have an informal discussion regarding prospective uses of the property.

11. Selectmen Reports

Selectman Jackson asked if the Board would consider discussing the water fees with the Tyngsborough Water District, they charge the Town a fee as an example the Elementary School field, and to discuss the potential of a pilot program, the Dracut Water Supply district pays a fee in lieu of taxes. He would like to see some dialogue in sharing with the community. The Board has asked the Town Administrator to reach out to the Tyngsborough Water District. The Board is in support.

12. Executive Session

The Board voted 3-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert 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
- B. Exemption Six – To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body
- C. Exemption Seven – To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements

only to come out to adjourn. Roll Call Vote: Selectwoman Karyn Puleo, yes; Selectman Robert Jackson, yes; Selectman Rick Reault, yes; Selectman Corliss Lambert, yes; and Selectman William Gramer, yes. The Board entered into Executive Session at 8:17 PM.

13. Adjournment

The Board voted 5-0-0 on a motion by Selectman Puleo, second by Selectman Lambert to adjourn the meeting.





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

The meeting was adjourned at 9:23PM.

Respectfully submitted

Therese Gay
Admin Assistant

Approved on: Approved Monday, June 30, 2014





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, June 16, 2014 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
 1. Monday, June 2, 2014
 - B. Executive Session Meeting Minutes for Review/Approval/Not Release
 1. Thursday, May 29, 2014
3. **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.
4. **6:05 PM Alcoholic Beverage License Hearing – Ramoura Corp. DBA O’Conley’s Pub**
(continued from June 2, 2014)
5. **Old Business**
 - A. 2014-2015 Meeting Schedule – Review/Approve
 - B. Old Town Hall User Policy – Review/Approve
 - C. Annual Appointments – Continue Review
 - D. Town Buildings Master Plan – Review Draft
6. **7:00 PM New Business**
 - A. Alcoholic Beverage License Request – Manager Change - Carrabba's Restaurant, 386 Middlesex Road
 - B. Adams Barn – Review Design
 - C. Sustainable Water Management Initiative – Discuss and Review Letter
 - D. Basic Life Support Ambulance
 1. Trinity Contract – Approve Extension
 2. Fire Engineers Study Committee Proposal – Review/Approve
 - E. NMCOG Toxic Use Reduction Institute Grant – Review/Approve Letter
 - F. Hunter/Norton License (Tyngsborough Water District) – Review Extension Request
 - G. Lakeview Avenue / Coburn Road Intersection Assessment – Review and Set Public Hearing





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

- H. Frost Road & Westford Road Traffic Signals – Review Recommendation for Study

7. 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.

8. Correspondence

A list of correspondence will be included with approved meeting minutes per the requirements of the Massachusetts Open Meeting Law. Copies of correspondence may be requested from the Office of the Board of Selectmen.

9. Review of Weekly Warrants

10. Town Administrator's Report

- A. Response to Selectmen's Requests
- B. Budget
- C. Departmental Information
- D. Contracting/Procurement
- E. Other

11. Selectmen's Reports

12. Executive Session

- 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
- B. Exemption Six – To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body
- C. Exemption Seven – To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements

13. Adjournment

Future Meetings

Monday, June 30, 2014 at 6:00 PM at Tyngsborough Town Offices, 25 Bryants Lane





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

Monday, July 21, 2014 at 6:00 PM at Tyngsborough Town Offices, 25 Bryants Lane

