



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, June 30, 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, Selectman William Gramer.

Staff Present: Town Administrator Michael Gilleberto, Admin Assistant Therese Gay.

Absent: Assist Town Administrator Nina Nazarian,

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 16, 2014

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to approve the Minutes of Monday, June 16, 2014 with correction.

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

1. Monday, June 16, 2014

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to approve but not release the Minutes of Monday, June 16, 2014.

3. **6:05 PM Police Patrolman Swearing In**

The Board held a swearing in ceremony for the newly appointed Patrolman Edward Cassie, Jr. The Chief of Police introduced Patrolman Cassie and the Town Clerk performed the oath of office.

4. **6:15 PM POW/MIA Table and Chair Presentation**

The Commander, Robert Desrosiers, of the American Legion, partnered with State Representative Garry and our Veterans' Agent to present a symbolic tribute of remembrance of the members of our armed forces who are missing from our ranks. We call your attention to the small table which occupies a place of dignity and honor in our lobby. It is set for one symbolizing the fact that members of our armed forces are missing from our ranks. They are referred to as POW's and MIA's. The remembrances goes as such :

We call them Comrades. They are unable to be with their families, so we join together to pay humble tribute to them, and to bear witness to their continued absence. The Table is small. It symbolizes the frailty of one prisoner, along against his or her suppressors.





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The Tablecloth is white, symbolic of the purity of their intentions to respond to their country's call to arms.

The Single Rose in the vase signifies the blood they may have shed in sacrifice to ensure the freedom of our beloved United States of America. The rose also reminds us of the family and friends of our missing comrades, who keep faith, while awaiting their return.

The Red Ribbon in the vase represents the red ribbon worn on our lapels of the thousands who demand, with unyielding determination, a proper account of our comrades who are not among us.

A Slice of Lemon on the plate reminds us of their bitter fate.

The Salt sprinkled on the plate reminds us of the countless fallen tears of families as they wait.

The Glass is inverted. They cannot toast with us at this time.

The Chair is empty, they are not there.

The Candle is reminiscent of the light of hope, which lives in our hearts to illuminate their way home, away from their captors, to open arms of a grateful nation.

The American Flag reminds us that many of them may never return and have paid the supreme sacrifice to ensure our freedom.

Let us pray to the Supreme Commander that all of our comrades will soon be back within our ranks.

Let us remember and never forget their sacrifice.

May God forever watch over them and protect them and their families. And this is why we place the table in their honor tonight.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to support placing the Table and Chair Remembrance in the foyer of the Town Hall.

5. **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.

6. **6:30 PM Joint Meeting with Finance Committee**

A. FY 2014 End-of-Year Transfers

The Finance Committee Members were Member Darryl Wickens, Burt Buchman and Paul Morin. The Committee was not in session, the Committee will meet on Thursday July 10th at 7:00 P.M. To review and to discuss the MSBA project at the High School. The Capital Asset Management Committee will also meet on Thursday at 6:00 P.M to discuss the MSBA project. The Treasurer/Finance Coordinator presented the end of year transfers from one department to offset the shortfall in other Departments. The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to move the funds for the FY 2014 End of year Transfers as presented. The Board along with the Superintendent, the Board, the Finance Committee, briefly discussed the funding source used for the project. The Finance Committee will discuss at their meeting as will the Capital Asset Management Committee, everyone expressed their support of the project.

B. High School MSBA Project

The Committee was not in session, the Committee will meet on Thursday July 10th at 7:00 P.M. To review and to discuss the MSBA project at the High School. The Capital Asset Management





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Committee will also meet on Thursday at 6:00 P.M to discuss the MSBA project. Superintendent of Schools, Donald Ciampa announced that the MSBA has invited the Town of Tyngsborough into the Accelerated Repair Program to collaborate with the MSBA in conducting a Feasibility Study at the Tyngsborough High School for a potential roof and/or boiler replacement project.





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7. 7:00 PM Cable Television

A. Comcast Cable Franchise Agreement – Approve/Sign

Attorney William Hewig attended the meeting and gave a brief presentation of his Executive Summary of the Proposed Cable Television Renewal License. The proposed term is for 10 years from June 30, 2014 to June 29, 2014, PEG Access provider; Protection for Town/Public Rights, FRC Past Overcharges and License Enforcements. Selectman Lambert who was part of the negotiating team indicated the summary was accurate.

The Board voted 5-0-0 on a motion by Selectman Lambert, second by Selectwoman Puleo to approve and sign the Comcast Franchise Agreement. The Board

B. Media Associate Position

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to support the 2 additional positions for up to 15 hour staff for non-benefit position

C. Meeting Space Cameras

Cameras are needed for the broadcasting of meetings in Meeting Room 1 and in the Inspectional Department. The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to support the additional cameras.

8. 7:15 PM Alcoholic Beverage License Status – Lil Lobster Boat, LLC, DBA Lil Lobster Boat, 440 Middlesex Road.

Attorney Nicosia, representing the owners of the Lil Lobster Boat Restaurant, is asking for a 3 month extension to be able to market the license to another location. A broker has been hired to help market the license. The Board voted 5-0-0 on a motion by Selectman Lambert, second by Selectwoman Puleo to extend the hearing for 3 months.

9. 7:20PM Alcoholic Beverage License Status – Liquor Shop Tyngsboro, Inc., DBA the Liquor Shop, 440 Middlesex Road.

Attorneys Nicosia and Curtis were before the Board to update the Board on the status of the license. The license transfer application is forthcoming, an agreement has been signed and the request for transfer will be filed timely to be placed on the July 21st agenda. The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectman Lambert to support a brief extension.

10. 7:25 PM Alcoholic Beverage License Hearing/Manager Change Request – Vesper Country Club, Inc., DBA Vesper Country Club, 185 Pawtucket Blvd/Island Road.

The Board received a request for a Manager Change at the Vesper Country Club, the application is complete and the CORI check showed no issues. The Board voted 5-0-0 on a motion from Selectwoman Puleo, second by Selectman Lambert to approve the transfer as requested.

11. 7:30 PM Alcoholic Beverage License Violation Hearing – Dracut Food Service, Inc. DBA Thirsty's, 25 Parham Road.

The Board voted 5-0-0 on a motion by Selectman Puleo, second by Selectman Lambert to open the hearing at 7:30 PM. The Clerk of the Board, Selectman Puleo read the letter of notice as follows: The letter sent certified mail, hand delivered and sent first class to Mr. Thien Dang, Manager of





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Dracut Food Service, Inc. DBA Thirsty's at 25 Parham Road, Tyngsborough, MA 01879. Regarding Dracut Food Service, Inc. DBA Thirsty's for a Violation of Town and State Regulations and Massachusetts General Laws. Dear Mr. Dang, You are notified that the members of the Board of Selectmen, acting in their capacity as the Local Licensing Authority, will conduct a hearing on charges made by the Tyngsborough Police Department regarding certain violations of Massachusetts General law (M.G.L.), the State's Alcoholic Beverages Control Commission (ABCC) Regulations, and the Town of Tyngsborough's Alcoholic Beverages Regulations (TABR) to wit: **1)** After Hours Sale or Delivery, of Alcoholic Beverages to Approximately Five Individuals Sitting at the Bar and Consuming Alcoholic Beverages After Closing Hour. Date of Offense: Sunday, March 16, 2014; Time of Offense: Approximately 3:10 A.M.; Violation: M.G.L. c. 138, sec 12; ABCC Regulations, 204 CMR 2.05(2) and TABR, Sections 5, 12, 13, 20 and 21; **2)** Serving Alcoholic Beverages to an Intoxicated Person. Date of Offense: Sunday, March 16, 2014; Time of Offense: Approximately 3:10 A.M. Violation: M.G.L. c. 138 sec 69; ABCC Regulations, 20 CMR 2.05(2). The Clerk waived the reading of the remaining portion of the notice. Town Counsel informed the Board that he received from the Licensee a letter stipulating that the violations did occur at his establishment Thirst's. The Board Clerk, Selectman Puleo read the following Stipulation of Tram Dang, into the record. IN RE: Dracut food Service Corporation D/B.A Thirsty's Violation of Alcoholic Beverages Law and Regulations Service of Intoxicated Person(s) and Allowing Consumption After Closing Hour. Stipulation of Tram Dang. I, Thien Dang, stipulate to the following: 1) The truth of all the facts contained in the police report by Sgt. Michael Cassella, approved, and dated March 17, 2014, attached, and the report by Lt. Bryan V. Nasworthy to Chief Howe, undated, attached. 2) the following facts: a) The Licensee's closing hour is 1:00 a.m. b) Three males and two females were sitting at/or standing behind the bar with several opened Bud Light bottles in their possession with liquid in each bottle at approximately 3:10 a.m. On Sunday, March 16, 2014. c) Each person slurred his or her words and appeared to be intoxicated. d) The person's names are Armand Chasse, Kevin Chasse, Robert Busby, Tracy Bellefeuille, and Carrie-Ann Roy. e) Tracy Bellefeuille is an employee of the Licensee and was in control of the premises from 1:00 a.m. To approximately 3:30 a.m. On Sunday, March 16, 2014. f) The Licensee permitted an illegality by serving intoxicated persons. g) the Licensee failed to ensure that no disorder would arise by allowing patrons to be on the premises fifteen minutes after the official closing hour and by serving and consuming alcoholic beverages and by serving intoxicated persons. 3) The acknowledgment of the following: a) After hours sale or delivery of alcoholic beverages in violation of M.G.L. c. 138, s12. Alcoholic Beverages Control Commission (ABCC Regulations, 204 CMR 2.05(2), and Tyngsborough Alcoholic Beverages Regulations (TABR) sections 5.12, 5.13, 5.20 and 5.21. b) Serving intoxicated person(s) in violation of M.G.L. c. 138, s 69, ABCC Regulations 204 CMR 2.05(2), and TABR sections 5.12, 5.20, and 5.21. Signed June 30, 2014, for Dracut Food Service Corporation by Thien Dang.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to accept Mr. Dang's Stipulation.

The Board asked chief Howe for a recommendation. The Chief came forward, he had two questions for Ms. Dang. The Chief asked Ms. Dang why the incident happened and what has she changed to correct the violation. Ms. Dang was not on the premises at that time, the bar was closed and everyone left. The bar manager returned at 1:30AM turned off the alarm and the cameras, she and her friends had a few drinks and did not want to go home. Ms. Dang has suspended the bartender





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and has terminated the bar manager. Chief Howe because this was a serious violation and Ms. Dang terminated the employee, his recommendation would a one day suspension of license on a Friday or Saturday. The Board suggested that Ms. Dang hold a training session before and after and always have the employees sign the Rules and Regulation after reading them. Ms. Dang would go over the rules and regulations as part of the day to day operations, she has taken steps to show that the behavior is not tolerated. The PD should have the TIPS Certifications, Sgt. Nasworthy will be asking for the signed certification.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to issue a three (3) day suspension with one 1 to be served on Friday July 4th with the remaining two days suspended. The Police Department will keep a watch on the establishment. The ABCC will be notified of the Board's decision.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to close the hearing.





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12. 8:15 PM **Alcoholic Beverage License Violation Hearing – Barbeque Integrated, Inc., DBA Smokey Bones BBQ, 431 Middlesex Road.**

Attorney Peter Nicosia, representing Barbeque Integrated, Inc. has received the notice on short notice and asked the Board to continue the hearing. The Board continued the hearing to July 21, 2014.

13. **Citizen/Business Time** – No One Came Forward

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14. **Old Business**

A. Animal Control – Approve Contract and Appoint

The Town received one response to its Request for Proposals for animal control and inspection services. After review of the proposal, Selectman Lambert, Chief Howe, and Town Administrator recommend the contract be awarded to David Robson. Of note is the following: 1) The Animal Control Officer will now report to the Police Chief and will file reports through the Police Department reporting system; 2) The Animal control Officer will now have a formal backup Plan; 3) The contract cost will be level as budgeted in FY 2015 at \$38,275, but will increase to \$40,000 in FY 2016 and 2017.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to authorize the Town Administrator to execute a three year contract with David Robson for Animal Control Services for FY 2015 -2018.

B. Annual Appointments

The Board received the list of appointees.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to reappoint the following individuals to the following boards/commission/committees for terms expiring June 30, 2017:

David Robson	Animal Control Officer and Inspector of Animals
Cheryl M. Bradley	Board of Appeals
Colleen Gabriel	Board of Registrars
Warren W. Allgrove, Jr.	Community Preservation Committee (Historical)
Steven Nocco	Community Preservation Committee (Planning)
Lucille N. Gertz	and J. Jeffrey Kablik - Conservation Commission
Guy Gill and Raymond Reekie	- Constable
Fred French, Michael H. Knight, Robert McCarthy, Charlene Muscato, and Mary Jo Tatseos	- Council on Aging
Pauline S. Knight	Elderly and Disabled Taxation Aid Committee
Bryan Nasworthy, Shaun Wagner and Shaun Woods	- Police Lieutenants
Mark J. Bourque, Micahel Cassella, John J. Manning, Steven J. Manning	- Police Sergeant
Det. Sgt. Cynthia (Weeks) Shay	- Police Sergeant, Criminal Investigation
John Colburn, Robert V. Cote, Stephen Desilets, Kenneth Healy, Peter Kulisich, Christopher Rider, Charles Rubino, Thomas Walsh, and Daniel Whitman	- Police Patrolman
Michael J. Knight, Heather McGaffigan and Dennis Stewart	- Recreation and Parks Commission





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Edward Johnson – Sealer of Weights and Measures

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to reappoint the following individuals to the following boards/commission/committees for terms expiring June 30, 2015:

Robert J. Pelletier - Burial Agent

Scott Hammer – Capital Asset Management Committee (Finance Rep)

Karen Puleo – Capital Asset management Committee (BoS Rep)

Eric J. Estochen, Alison Page and George Trearchis – Field Use Committees

Wesley Russell – Emergency Management Director, Station I

Michael Cassella – Deputy Emergency Management Director

Timothy Madden – Emergency Preparedness Committee, Board of Fire Engineers, Fire Chief/Forest Warden/Right to Know Officer

Richard Howe – Emergency Preparedness Committee

James Doster, Raymond Ledoux, and Arthur Michaud – Board of Fire Engineers

Jason Newton – Temporary Deputy Fire Chief

Wilfred Mercier – Assistant Chief

Christopher Newton – Captain, Fire Station 1

Andrew McAllister – Lieutenant, Fire Station 1

Dana Coccozzello, Doug Latulippe – Lieutenants, Fire Station 2

Patrick Sands – Captain, Fire Station 3

Laval Blanchette – Lieutenant, Fire Station 3

Rick Reault – NMCOG BoS Representative

Gene Spicker, Town Collector – Parking Clerk

Paul Welcome – Permitting Authority

Glenna Greenslade – E-911 Municipal Coordinator; Police Matron, Communication Specialist

Walesca Gomez, John Martin, Jose Martinez, and Bonnie Murray – Communication Specialists

Jamie Weinberg – Communication Specialist; Police Matron

Kimberly Desmarais, Pollyanna Leung – Part-Time Communication Specialists, Police Matron

M. Michael Johnson, Matthew Leung – Part-Time Communication Specialist

Kathie Comer and Walesca Gomez – Police Matron

Paul Patalano, Daniel Campbell, Jason Kushmerek, Timothy Sullivan – Reserve Police Officers

Carlos Borges, Joseph P. Pivrotto, Michael Jelley, Scott Reidy – Special Police Officers

Kerry Colburn-Dion, Donald Ciampa – Town Education Fund Committees

Kerry Colburn-Dion, Richard Howe, Christopher Dery, Barbara Roche – Trust Fund Committee

Christopher Dery – Director of Veterans' Services/Veterans' Agent/Veterans' Grave Officer and Burial Agent

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to appoint the Dunstable Police Officers as Tyngsborough Special Police Officers as follows:

James G. Downes, III, Police Chief, Shawn Drinkwine, James W. Dow, Lieutenant, Sean Ready, Darrell

Gilmore, Sergeant, John Koyutis, Erik Hoar, Gregg Sanborn, Nicholas Papageorgiou, Jeffrey Swift, Charles

Chaprales, Matthew Sech, Matthew Tully, Daniel Adams.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to appoint the Groton Police Officers as Tyngsborough Special Police Officers as follows:

Chief Donald L. Palma, Jr.





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Lt. James A. Cullen, III, Det. Cory E. Waite, Sgt. Derrick J. Gemos, Sgt. Edward P. Sheridan, Sr., Sgt. Paul R. Connell, Sgt. Jason M. Goodwin, Ptl. Nicholas C. Beltz, Ptl. Kevin T. Henehan, Ptl. Robert L. Breault, Ptl. Michael A. Lynn, Ptl. Peter S. Breslin, Ptl. Rachel E. Mead, Ptl. Gordon A. Candow, Ptl. Irmin L. Pierce, III, Ptl. Omar A. Connor, Ptl. Dale P. Rose, Ptl. Timothy Cooper, R. O. Edward Bushnoe, R. O. Gregory W. Steward, R. O. Stephen McAndrew, R. O. Patrick Timmins, R. O. Victor Sawyer, R. O. Kathleen Newell, R. O. Bethany Evans-Bonczar, R. O. Michael Ratte.

15. New Business

A. Annual Audit – Approve Contract

The Town's current three year audit agreement with R. E. Brown and Company, Certified Public Accountants, ends effective with the completion of the Town's FY 2014 audit. R. E. Brown and Company has proposed a three year audit agreement for Fiscal Years 2015 through 2017 for \$24,000 per year, the price the Town has paid for the past three years. Both the Town Accountant and the Town Treasurer strongly recommend that the Town extend the agreement for audit services with R. E. Brown and Company. The firm's auditors are professional, thorough and capable. In addition, Mr. Brown is always available to provide a prompt response to our questions and to provide fiscal guidance throughout the year.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to renew the audit agreement with R. E. Brown and Company, Certified Public Accountants for 2015, 2016, and 2017.

B. Tennessee Gas Pipeline Coalition – Discuss

The Administrator has spoken to Mr. Moak, and he clarified that the role of the coalition would likely be to advocate, mitigate, and/or manage the impact of the pipeline; that said, the coalition would ultimately determine it's course. Any cost is anticipated to be negligible. This item is proposed for the agenda for Monday's meeting, and I am holding time on my calendar to attend the coalition meeting on Tuesday in the event the Board determines it wants to participate.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to support Selectman Lambert as the Board's liaison and to join the Coalition to gather information while remaining neutral. Selectman Lambert would like to stand in for the Board and will defer the Administrator to attend the Coalition Meeting schedule in Groton.

X. Town Collector's Clerk – Appoint

This item was deferred to a later agenda.

Δ. Police Patrolman – Appoint

The Chief of Police, Richard Howe, sent a letter of recommendation to fill a patrol officer vacancy, he recommends Reserve Officer Evan Donnelly to fill the position, Officer Donnelly is a man who has a strong character and a great work ethic and will be a positive addition to our Police Department. The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to appoint Reserve Officer Evan Donnelly as a Patrolman effective July 17th for a one year probationary period per the Chief's recommendation.

E. TES Driveway and Culvert – Approve Engineering Contract

The Administrator presented the TES Driveway and Culvert at the Tyngsborough School Driveway Culvert needs to be replaced with a culvert that is sized to more adequately handle stormwater flow in the area. Also the grant funding of approximately \$92,000 is available through the Federal





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Emergency Management Agency (FEMA)/Massachusetts Emergency Management Agency (MEMA) to fund part the replacement cost of the culvert. Attached is an engineering contract to prepare and design the bid specifications/plans for the replacement of the culvert. At this time, the Board is asked to approve and authorize the Town Administrator to enter into a contract with Whitman & Bingham for engineering services at the Elementary School Driveway Culvert for up to \$11,000, of which \$7500 will be funded by the FEMA/MEMA grant and the balance to be funded through the so called "Remediation Funds".

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to approve and authorize the Town Administrator to enter into a contract with Whitman & Bingham for engineering services at the Elementary School Driveway Culvert for up to \$11,000.

Φ. Town Administrator Position

1) Review List of Ongoing and Future Items; 2) Discuss Transition; 3) Review Job Description and Draft Posting.

The Administrator recommends the Board - 1) Review and discuss any modifications to the listing; 2) Determine its plans for day-to-day oversight in the Town Offices beginning August 4th (at the latest) through appointment of a permanent successor; 3) Review and modify or approve job description draft posting; and 4) Discuss the potential formulation of a screening committee. The Committee could include up to two Selectmen, and you may wish to consider broad community representation (employee, school representation, board/commission representation, citizen-at-large representation, etc).

The Board has no changes to the Town Administrator's Job Description. The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to approve the job description. The Chairman made a recommendation for the screening committee, his recommendation is to have 2 Selectmen Ms. Puleo and Mr. Gramer and to have Kerry Colburn-Dion, the Town Treasurer/Finance Coordinator to serve as the screening committee Selectman Reault and Selectman Lambert support the recommendation, Selectwoman Puleo accepts and support Selectman Gramer and Kerry Colburn-Dion, Selectman Gramer accepts and supports Selectwoman Puleo and Kerry Colburn-Dion. Town Treasurer/Finance Coordinator, Kerry Colburn-Dion accepts the nomination. The Board voted 5-0-0 on a motion by Selectman Jackson, second by Selectman Lambert to support Selectwoman Puleo, Selectman Gramer and Treasurer/Finance Coordinator Kerry Colburn-Dion as Members of the Screening Committee.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to post the Job Ad on the MMA Site and to start review of the applications within 3 weeks.

The Board is in support of having the Assistant Town Administrator step into the position of Town Administrator until such time a successor is named. The Assistant town Administrator works well with the employees and works closely with the Town Treasurer/Finance Coordinator. The Board voted 5-0-0 on a motion by Selectman Jackson, second by Selectman Lambert to appoint the Assistant Town Administrator to work in the position of Town Administrator during the search.

16. 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.





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The Board voted 5-0-0 on a motion by Selectman , second by Selectman to accept the correspondence as listed.

17. Review of Weekly Warrants

The Administrator read the following warrants: Warrant #52S for \$249,316.51 on 6/23/2014; Warrant #52B for \$1,629,493.31 on 6/23/2014; Warrant #53B for \$528,029.76 on 6/30/2014; Warrant 53P for \$399,362.19 on 6/30/2014.

18. Town Administrator's Report

A. Response to Selectmen's Requests

Attached is a memorandum relative to potential sidewalks at the Lakeview/Coburn intersection.

B. Budget

Transfer requests are pending under separate cover.

X. Departmental Information

George Trearchis has secured a quote to perform repairs to the Littlefield Library roof using a prior appropriation for historical building repair, authorized to be expended by the Historical Commission. Unless the Board disagrees, we will seek authorization from the Historical Commission at its next meeting to expend these funds. A not is attached. The bulkhead repair is proposed to be funded from the annual Public Buildings and Properties budget.

Δ. Contracting/Procurement

Attached is a copy of an ad to be placed for summer paving to occur on Old Stonehill and Joco Roads.

E. Other

Attached is a copy of correspondence on the TURI grant per the Board's vote at the last meeting.

19. Selectmen's Reports

Selectman Lambert attended the ground breaking at Red Pine Terrace for the construction of two duplexes.

The Board having no further open session business to conduct moved to enter into executive session.





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20. **Executive Session**

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to enter into Executive Session to discuss the following:

Exemption Three – To discuss strategy with respect to litigation because an open meeting may have a detrimental effect on the bargaining and litigation position of the Board, and the Chair so declares

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.

21. **Adjournment**

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

The meeting was adjourned at 9:23PM.

Respectfully submitted

Therese Gay
Admin Assistant

Approved on: Monday, July 21, 2014





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Board of Selectmen Meeting Notice

Monday, June 30, 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 16, 2014
 - B. Executive Session Meeting Minutes for Review/Approval/Not Release
 1. Monday, June 16, 2014
3. **6:05 PM Police Patrolman Swearing In**
4. **6:15 PM POW/MIA Table and Chair Presentation**
5. **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.
6. **6:30 PM Joint Meeting with Finance Committee**
 - A. FY 2014 End-of-Year Transfers
 - B. High School MSBA Project
7. **7:00 PM Cable Television**
 - A. Comcast Cable Franchise Agreement – Approve/Sign
 - B. Media Associate Position
 - C. Meeting Space Cameras
8. **7:15 PM Alcoholic Beverage License Status – Lil Lobster Boat, LLC, DBA Lil Lobster Boat, 440 Middlesex Road.**
9. **7:20PM Alcoholic Beverage License Status – Liquor Shop Tyngsboro, Inc., DBA the Liquor Shop, 440 Middlesex Road.**
10. **7:25 PM Alcoholic Beverage License Hearing/Manager Change Request – Vesper Country Club, Inc., DBA Vesper Country Club, 185 Pawtucket Blvd/Island Road.**





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

11. 7:30 PM Alcoholic Beverage License Violation Hearing – Dracut Food Service, Inc. DBA Thirsty’s, 25 Parham Road.

12. 8:15 PM Alcoholic Beverage License Violation Hearing – Barbeque Integrated, Inc., DBA Smokey Bones BBQ, 431 Middlesex Road.

13. Citizen/Business Time

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14. Old Business

- A. Animal Control – Approve Contract and Appoint
- B. Annual Appointments

15. New Business

- A. Annual Audit – Approve Contract
- B. Tennessee Gas Pipeline Coalition – Discuss
- X. Town Collector’s Clerk – Appoint
- Δ. Police Patrolman – Appoint
- E. TES Driveway and Culvert – Approve Engineering Contract

- Φ. Town Administrator Position
 - 1. Review List of Ongoing and Future Items
 - 2. Discuss Transition
 - 3. Review Job Description and Draft Posting

16. 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.

17. Review of Weekly Warrants

18. Town Administrator’s Report

- A. Response to Selectmen’s Requests
- B. Budget
- X. Departmental Information
- Δ. Contracting/Procurement
- E. Other

19. Selectmen’s Reports





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20. Executive Session

- i. Exemption Three – To discuss strategy with respect to collective bargaining 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
- ii. Exemption Three – To discuss strategy with respect to litigation because an open meeting may have a detrimental effect on the bargaining and litigation position of the Board, and the Chair so declares
- iii. 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
- iv. Exemption Seven – To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements

21. Adjournment

Future Meetings

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

Monday, August 11, 2014 at 6:00 PM at Tyngsborough Town Offices, 25 Bryants Lane

