



# 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, September 8, 2014 at 6:00 P.M.

Community Room, Town Offices, 25 Bryants Lane

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

Staff Present: Assistant 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. "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. 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:

- 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

and to come out to open session to continue open session agenda. 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 6:07 PM. The Board exited the Executive Session and returned to open session at 6:30 PM.

## 3. Meeting Minutes

- A. Regular Session Meeting Minutes for Review/Approval

- i. Monday, August 25, 2014

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to approve the minutes of Monday, August 25, 2014.

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

- i. Monday, August 25, 2014

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to approve but not to release the minutes of Monday, August 25, 2014.

## 4. 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





## 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

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.

### 5. **New Business**

#### A. Ratification of Union Contracts – Clerical Union

Deferred a vote

#### B. ZBA Requests for Comment

##### i. 7-23 Middlesex Road

The Board voted 4-0-1 on a motion by Selectwoman Puleo, second by Selectman Lambert in opposition to any variance from the Zoning sign By-Law regarding LED signs.

##### ii. 45 Mascuppit Trail

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to voice no comment.

##### iii. 212 Massapoag Road

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to voice no comment.

#### C. Old Town Hall Revolving Account

The Town Treasurer/Finance Coordinator researched and gathered the information for the required action to establish an Old Town Hall Rental Revolving Fund.

The Board reviewed the information and voted 5-0-0 on a motion by Selectwoman Puleo and second by Selectman Lambert to authorize the establishment of the Old Town Hall Rental Revolving Fund, as provided for under MGL Chapter 44 Section 53E1/2 for the purpose of depositing funds received in connection with the temporary rental of the Old Town Hall. It is the intent that a warrant article will be submitted for inclusion on the FY16 Annual town Meeting Warrant for a vote to authorize the annual use of the Old Town Hall Rental Revolving Fund for receipts and expenditures related to the temporary rentals of the building.

#### D. Old Town Hall Host – Discuss

The Board received and reviewed the draft advertisement and job description for the position of Old Town Hall Host. The job description would accommodate Old Town Hall Host to work in conjunction with any appointed Tax Work-Off participants appointed by the Board to the OTH. The Board voted 5-0-0 on a motion by Selectwoman Puleo and second by Selectman Lambert to advertise the position of Old Town Hall Host for a three month temporary position not to exceed \$15.00 an hour and for a 19 hours a week as needed.

The Administrator noted that Ms. Steed has asked if she could review and make suggestions on the Senior Tax Work-Off Program Regulations. Ms. Steed has been asked to proceed and plans to discuss the revisions with the Board for potential future revisions to the program regulations.

### 6. **6:30 PM – Middlesex 3 Coalition – Presentation**

The Board welcomed Ms. Cronin, Executive Director for the Middlesex 3 Coalition (The Coalition) and presented the opportunity to join The Coalition. Ms. Cronin stated that the Coalition has discussed the cost of “Municipal Membership” to be \$2,000 per year for the communities which they are inviting to join (Tyngsborough, Westford, Tewksbury, and Lexington). A “Board Membership” which Bedford, Billerica, Burlington, Chelmsford and Lowell hold is \$5,000 per year.





# 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

Ms. Cronin showed the Board the PowerPoint presentation and the benefits of the Coalition's Municipal Membership and ways to work together. This would include 1) Promoting the communities through marketing, website, social media, events (i.e., upcoming advanced manufacturing event) etc.; 2) Expansion of available transportation resources for area businesses and community members (i.e., shuttle services, emergency ride home resources, transportation management association – TMA); 3) Participation with grant resources (i.e., CIC Grants, etc. for transportation and workforce development); 4) Participation with Utility Development Conference (with local officials and area businesses) as well as with Workforce Development Committee and Real Estate/Infrastructure Committee (including possible CoStar usage); 5) Involvement in membership meetings for businesses and municipalities (i.e., retail best practices workshop for storefront businesses, social media seminar, etc.).

The Board thanked Ms. Cronin for coming and for the presentation. Ms. Cronin will gather more information and will return in a couple of weeks with more information.

The Board voted 4-0-1 to join the Middlesex 3 Coalition as a Municipal Member.

Selectman Gramer abstain from voting, he asks what the benefits will be considering the community does not have voting capabilities.

## 7. Old Business

A. Frost Road & Westford Road Traffic Signals – Review Draft Report/Discuss Funding  
The Board has received a draft copy of the Intersection Safety and Operations Assessment for the school intersections. The recommendation of the engineering firm for the two intersections are as follows: 1) Westford Road at the Tyngsborough Elementary School Driveway (TES) - installation of enhanced school zone signs and pavement markings, including two school speed limit (20mph) assemblies with flashing beacons; and 2) Frost road at Norris road – installation of a full traffic control signal.

After a meeting with the Administrator, Chief Howe, Supt. Ciampa, Mr. Trearchis and Mr. Hustins, the group plans to pose questions of the engineering firm regarding the engineer's study, specifically for the Westford Road at the TES Driveway Portion, to ensure that all information/statistics have been considered, given that the firm has indicated that a traffic control signal is not warranted. The Administrator supports the effort to ensure that the statistics are accurate and will work to get this information before the Board and the engineering firm. The Administrator is still doing fact findings. It is not proper to discuss funding at this time, still need data. The Board will meet with the School Committee, Finance Committee, the Chief of Police and the Consultant. The Administrator will print the information and request for comment to send to all before the meeting.

## 8. 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.

## 9. 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 voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to accept the correspondence as received. A few items worthy of mention. 1) Road Scholar Achievement - Recognition Senior Foreman James Hustins and Working Foreman Richard Gill; 2) Attorney General Communication: Article 32 – Pedestrian Safety By-law addition – Decision due date by AG extended to November 25, 2014; Article 33 – Streets and Sidewalks By-law amendment – approved; Article 34 – Mandatory Recycling By-law amendment – Approved; Article 36 – Special Requirements for Registered Marijuana Dispensaries – Procedural defect, but we have already taken steps to make corrections and will keep on the item until it is addressed fully. Required re-advertising; Section 37 – Re-Zoning of 7-23 Middlesex Road – Procedural defect, but we have already taken steps to make corrections and will keep on the item until it is addressed fully. Requires re-advertising; 3) Greater Lowell Technical High School, Revised Budget – The town Treasurer/Finance Coordinator does not recommend that the Debt Service savings be considered as one-time available funds and that the savings be transferred out, after next year's Certification of Free Cash, and be voted at Town Meeting to be placed into a separate account for future debt on the vocational school; 4) Recommendation for Reserve Officer Appointments – Chief Howe has submitted recommendations for the appointment of two reserve officers to fill the former positions of Edward Cassie and Evan Donnelly, this is planned to come before the Board at its next meeting; 5) Phase I West Project – Sewer Commission announcement of the Public Meetings at the OTH on Wednesday, September 10<sup>th</sup> and Tuesday, September 16<sup>th</sup> at 7:00 PM.; 6) Merrimack 10K Swim – Taking place on Sunday, September 14<sup>th</sup>.

## 10. Review of Weekly Warrants

The Administrator read the following weekly warrants: Warrant #9B for \$285,586.29 on 9/2/2014; Warrant # 10B for \$974,917.05 on 9/8/2014; Warrant 10S for \$192,767.25 on 9/8/2014; and Warrant 10P for \$833,617.65 on 9/8/2014.

## 11. Town Administrator's Report

- Response to Selectmen's Requests

At the Board's last meeting of August 22, 2014, a question whether or not the Highway Department could facilitate the recommended improvements to the Lakeview Avenue at Coburn Road intersection (All-Way Stop Sign Control, modification to the blinking light, ADA wheel chair ramps, tree trimming) in this construction season. After speaking with Jim Hustins, Senior Foreman, given projects/work it is our joint recommendation that this item be planned for the 2015 construction season.

Attached are copies of the cover letters sent to Town Counsel requesting that he file the Order of Street Layout, Acceptance and Taking at the Registry of Deeds, land Court Section for Descheneaux Land and Ducharme Lane.

- Budget - None
- Departmental Information

Roadway Improvements – Enclosed are the notices delivered to residents of Old Stonehill Road, and Joco Drive (in the affected area) and Kendall Road (also in the affected area) regarding the planned roadway improvements. An initial schedule is also attached.





# 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

Phase I West Mass Works Grant Support Letter – Attached is a copy of the letter supplied to the Sewer Commission, per a vote of the Board supporting the grant funding application presented by the Sewer Commission.

MSBA Accelerated Repair Project – Attached is a letter sent to the MSBA in advance of the September 4<sup>th</sup> milestone deadline.

- Contracting/Procurement - None
- Other

Attached are the appointment letters for the Town's newly appointed Media Associates, Mr. Patrick Snow and Mr. David Machado, Jr.

Attached is an approval for an extension (now due September 23<sup>rd</sup>) of the response to Mass Housing Regarding their request for comment on the proposed Tyng Village 40B project.

## 12. Selectmen's Reports

Selectman Lambert attended the Dunstable Pipeline meeting, in attendance was the Vice-President of Kinder Morgan and approximately 60 residents, Kinder Morgan representative presented the information well and answered questions quickly. This meeting was a fact finding meeting and Selectman Lambert will continue to collect information and will forward any new information to the Board.

Selectwoman Puleo reminded the Board they will be serving breakfast to the Seniors on September 18 commencing at 8:15 AM.

Selectman Jackson will be discussing the November 3<sup>rd</sup> meeting at the next Selectmen's meeting on October 22<sup>nd</sup>.

## 13. 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:

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

and to come out to open session only 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 8:03 PM.

## 14. Adjournment

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to exit Executive Session and to adjourn the meeting at 9:15 PM.

The meeting adjourned at 9:15 PM.





# 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

Respectfully submitted

Therese Gay  
Admin Assistant

Approved on: Monday October 6, 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, September 8, 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. 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

**3. Meeting Minutes**

- A. Regular Session Meeting Minutes for Review/Approval
  - i. Monday, August 25, 2014
- B. Executive Session Meeting Minutes for Review/Approval/Not Release
  - i. Monday, August 25, 2014

**4. 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.

**5. New Business**

- A. Ratification of Union Contracts – Clerical Union
- B. ZBA Requests for Comment
  - i. 7-23 Middlesex Road
  - ii. 45 Mascuppic Trail
  - iii. 212 Massapoag Road
- C. Old Town Hall Revolving Account
- D. Old Town Hall Host – Discuss

**6. 6:30 PM – Middlesex 3 Coalition – Presentation**

**7. Old Business**

- A. Frost Road & Westford Road Traffic Signals – Review Draft Report/Discuss Funding

**8. 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





# 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

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.

## 9. 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.

## 10. Review of Weekly Warrants

## 11. Town Administrator's Report

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

## 12. Selectmen's Reports

## 13. 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; Highway Union
- B. Exemption Three – To discuss strategy with respect to litigation because an open meeting may have a detrimental effect on the litigation position of the Board, and the Chair so declares

## 14. Adjournment

### Future Meetings

**Monday, September 22, 2014 at Tyngsborough Town Offices, 25 Bryants Lane**

**Monday, October 6, 2014 at Tyngsborough Town Offices, 25 Bryants Lane**

**\*Special Town Meeting: Wednesday, October 8, 2014 at 7 PM at the Tyngsborough Elementary School, 205 Westford Road**

**Monday, October 20, 2014 at Tyngsborough Town Offices, 25 Bryants Lane**

