



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, November 17, 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 (entered the meeting at 6:07 PM)

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. **6:05 PM FY 2015 Tax Classification Hearing**

Assessor's present: Mr. Phil O'Brien, Assistant Assessor Lauren Woekel.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to open the Tax Classification Hearing, the Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to waive the reading of the legal notice. The Board asked the Chairman of the Board of Assessors to come forward and give a presentation. The Board of Assessors returned to open session from their meeting earlier. Member Phil O'Brien, Member Ann Marie Conant and Member Mark Welch were present as was Assistant Assessor Lauren Woekel and Town Accountant Catherine Gabriel. The Board came forward and Ms. Woekel presented the Tax Classification as required by law prior to the Assessors setting the tax rate. The purpose of this meeting is to inform the public of the options available and ultimately, for the Selectmen to determine whether or not to shift the tax rates among the various classes of property. Tyngsborough has always maintained a residential factor of "1", Therefore, the tax rate has been the same for each type of property, whether residential, commercial, industrial or personal property. The Assessors recommend that the tax rate remain at a factor of 1, to not shift the rate, because Tyngsborough does not have a large percentage of non-residential properties.

The Chairman open the floor for comment to any resident who wishes to speak. No one came forward.

The Chairman asked if the Board had any questions and or comments on the classification. None were voiced.

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

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to approve a tax classification factor of "1" for Fiscal Year 2015.

3. **Meeting Minutes**





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

A. Regular Session Meeting Minutes for Review/Approval

i. Monday, October 6, 2014

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to approve the Minutes of Monday, October 6, 2014.

ii. Wednesday, October 8, 2014

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to approve the Minutes of Monday, October 8, 2014.

iii. Thursday, October 16, 2014

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

iv. Monday, October 20, 2014

This item has been deferred to the next scheduled Selectmen Meeting.

v. Monday, October 27, 2014

This item has been deferred to the next scheduled Selectmen Meeting

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

i. Monday, October 6, 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, October 6, 2014.

ii. Monday, October 20, 2014 (2nd Executive Session)

This item has been deferred to the next scheduled Selectmen Meeting.

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.

Mr. Charles Doughty stepped forward to discuss with the board the possibility of having all of the boards, commissions and committee meetings telecast and to have all of the meeting minutes updated. The Chair responded that it is an item that the Board is currently working on and with the cooperation of everyone one day soon it will happen.

5. Alcoholic Beverage License Request – Manager Change – GMRI, Inc. DBA Bahama Breeze #3048, 413 Middlesex Road

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to open the hearing. No legal notice, nor notification to abutters is required. The application for the manager change is in order, the background check was conducted and stated no negative findings. The Chairman invited the new manger to come forward, Mr. Dolk came forward and introduce himself and outlined his qualifications.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to approve the change in Manger from Tristen Jones to Aaron Dolk as requested by GMRI, Inc. dba Bahama Breeze.

6. Old Town Hall Use Requests – Private Events on November 30, 2014 & January 10, 2015





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

On November 20, 2014 the Board received an application by a resident to rent the Old Town Hall, the date is available and the Assistant Town Administrator has coordinated with Ms. Page, Recreation Director such that this will not conflict with the Festival of Trees planning/set-up, Mr. Ernie Roy is available to host the event. Ms. Sword was not present, did send in a request for the waiver of the liability requirement as she will not be requesting a liquor license.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to approve the use of the Old Town Hall on Sunday, November 30, 2014 for a private event, waiving the liability insurance, as printed in the Hall User Agreement and Liability Waiver, and that no alcohol may be served.

The Board received a request to use the OTH for a private event on January 10, 2015, no liquor license is requested. Mr. Laforge was in attendance but did not present the request as this is a surprise 80th birthday party for Mrs. Helen Laforge. Mr. Laforge requested in writing that the Board waive the liability insurance.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to approve the use of the Old Town Hall on Saturday, January 10, 2014 for a private event, waiving the liability insurance, and as printed in the Hall Use Agreement and Liability Waiver, and that no alcohol may be served.

7. Executive Session

The Board voted in favor on a motion by Selectwoman Puleo, second by Selectman Reault to enter into Executive Session at 6:33pm to discuss the following Exemptions.

- A. Exemption Two – To conduct strategy sessions in preparation for negotiations with nonunion personnel or conduct contract negotiations with nonunion personnel – Town Administrator and Town Administrator benefits
- 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, Highway Union, and Police Union: Collective bargaining strategy/working conditions.
- C. 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
- D. 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
- E. Exemption Seven - To comply with, or act under the authority of, any general or special law (M.G.L. Chapter 214, Section 1B).

and to return into open session only to adjourn. Roll Call Vote – Selectman Gramer, yes; Selectman Lambert, yes; Selectman Reault, yes; Selectman Jackson, yes; Selectwoman Puleo, yes.





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 exited the executive session and returned to open session at 7:25 P.M.

8. New Business

A. Town Administrator – Ratify Contract

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to ratify the Employment Agreement between the Town of Tyngsborough and Curt T. Bellavance, Town Administrator, this 17th day of November, Mr. Bellavance's start date is Monday, December 1, 2014 at a salary of \$115,000.00.

B. Police Superiors Union, Mid-Managers, Highway Union – Ratify Contract

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to ratify the Memorandum of Agreement between the Town of Tyngsborough and the New England Police Benevolent Association, Inc., Local 8B, Superior Officers Union, dated July 1, 2014 through June 30, 2017.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Gramer to ratify the Memorandum of Agreement between the Town of Tyngsborough and the SEIU, Local 888, Tyngsborough Mid Managers Chapter dated July 1, 2014 through June 30, 2017.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to ratify the Memorandum of Agreement between the Town of Tyngsborough and the SEIU, Local 888, Tyngsborough Highway Chapter dated July 1, 2014 through June 30, 2017.

C. Highway Department Seasonal Employee – Appoint

The Highway Department is requesting approval from the Board to recall the Seasonal Employee, Michael Gagnon, back into service for this coming snow season, December 1, 2014 through March 31, 2015. Mr. Gagnon's wages will be at the previous rate of \$23.18/hr. The Highway Union's Memorandum of Agreement covers the temporary assistance during snow season.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to approve the recall of the seasonal employee, Mr. Michael Gagnon back into service for this coming snow season, December 1, 2014 through March 31, 2015, at the rate of \$23.18 an hour, per the union's MOA.

D. Board of Registrars – Appoint Member

The Board received a letter from the Democratic Town Committee Chairman recommending the appointment of Juli Rogers as a Registrar to the Board of Registrars to fill a vacancy.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert, to appoint Ms. Juli Rogers as a member of the Board of Registrars per the recommendation of the Democratic Town Committee for a term ending on June 30, 2015.

E. Historical Commission – Appoint Alternate Member

The Board received a letter of interest to serve on the Historical Commission as an alternate member from Ms. Ashley Makevich, Effective April 2, 2014, MGL c. 40 Sub. Sec 8D was amended and now includes a provision for Alternate Members. The Historical Commission has sent a letter recommending Ms. Makevich's appointment.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to advertise the position of Historical Commission, Alternate Member beginning on approximately Tuesday, November 18th for a period of 3 weeks, with letters of interest and resumes, if available, due by Friday, December 5th to the Board of Selectmen's Office, c/o Therese Gay, Admin Assistant.

F. Planning Board – Accept Letter of Interest/Advertise





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 a letter of interest to serve on the Planning Board as an Alternate Member from Mr. Patrick Sands. In accordance with section 1.16.00 of our Zoning By-law and MGL c. 40A Sub Section 9, the Town may provide for one associate member. With regard to the subsequent MGL reference which states that "(a)... town which establishes the position of associate member shall determine the procedures for filling such position."

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert, to advertise the position of Planning Board, Alternate Member beginning on approximately Tuesday, November 18th for a period of 3 weeks, with letters of interest and resumes, if available, due by Friday, December 5th to the Board of Selectmen's Office, c/o Therese Gay, Admin Assistant.

G. Executive Office of Elder Affairs Grant – Sign Contract

The Commonwealth's Standard Contract Form which is administrative in nature, requests that the Town sign a contract with the Commonwealth of Massachusetts for the state to be able to allocate \$13,032 to the Council on Aging for the annual formula grant which they provide the Town.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert, to authorize the Assistant Town Administrator to sign a contract with the Commonwealth of Massachusetts for a grant from the Executive Office of Elder Affairs.

H. Massachusetts Cultural Council Grant – Sign Contract

The correspondence from the Massachusetts Cultural Council, which is administrative in nature, requests that the Town sign a contract with the Commonwealth of Massachusetts for the state to be able to allocate \$4,300 to the Tyngsborough Cultural Council.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert, to authorize the Assistant Town Administrator to sign a contract with the Commonwealth of Massachusetts for a grant from the Massachusetts Cultural Council.

I. District Local Technical Assistance (DLTA) Funding – Request for Proposals by NMCOG

After correspondence with Jay Donovan, Assistant Director of NMCOG by Selectman Reault and the Assistant Town Administrator, along with two other communities, will be attending a presentation by Mr. Barry Bluestone, Urban and Regional Policy Director of Northeastern University on Tuesday, November 18th at NMCOG's offices to receive a presentation regarding the option to have an Economic Development Self-Assessment Tool (EDSAT) completed by Northeastern under the DLTA program.

After the presentation the intent is to submit under the attached DLTA VIII's Request for Proposals, dated October 31, 2014 a request for \$4,250 to cover the remaining cost of the EDSAT program.

Selectman Reault, and the Assistant Town Administrator, Ms. Nazarian, will be discussing with NMCOG other requests in the categories for Planning Ahead for Housing, and Planning Ahead for Growth and Regional Services, which the Town could submit in response to the RFP,

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert, to authorize the Assistant Town Administrator enter into the attached two agreements, pending Town Counsel's review to have an Economic Development Self-Assessment Tool completed.

J. Littlefield Library Roof Repair – Discuss

The Historical Commission is seeking Community Preservation Funds to repair the aging roof on the Littlefield Library Building. The Community Preservation Committee sets aside a sum of money for the preservation of historic buildings.

The CPC will be meeting on Wednesday, November 19, 2014 at 7:00 PM to address the request.

K. Notice of Risk of Cancellation for Non-Use of Liquor Licenses – Discuss





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 office has sent to the following licensee's notifying them the board may take action relative to license renewals for 2015, for which we are aware that the license is not currently being used at the advice of Town Counsel. Town Counsel provided a Memorandum of Municipal Law with regard to Non-Use Alcoholic Beverage License and MGL c.138 s77, Town Counsel recommends that if the Board wants to take further action on the above license holders, the Board is recommended to first give a warning to the Licensee entitled: "Notice of Risk of Cancellation".

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to authorize the Assistant Town Administrator to prepare with Town counsel and send a Notice of Risk of Cancellation to all the above entities, should they submit a renewal.

L. Address Open Meeting Law Complaint by the Lowell Sun

The Board received an Open Meeting Law Complaint by the Lowell Sun. The Sun is waiting for a response by the Town. Town Counsel provided a comment to the Chairman to address this evening's evening. The Chairman read the following from a prepared response supplied by Town Counsel. Chairman Jackson, "During the final phase of the selection process for a new Town Administrator, one member of the Board of Selectmen referred to a candidate as unqualified; and another member was concerned that the statement could result in litigation and requested executive session. Because the Chairman of the Board of Selectmen consulted with Town Counsel, Charles J. Zaroulis, before Ms. Amelia Pak-Harvey filed her complaint on November 3, 2014, and immediately ordered the executive session minutes to be prepared and ordered that such minutes be released at the following meeting of October 27, 2014, the Board of Selectmen acted in good faith; and the executive session of October 20, 2014, cannot be considered an intentional violation of law under M.G.L. c.30A, s23(g) and 940 CMR 29.02. The executive session minutes were released on October 27, 2014, before any complaint was filed. The prompt release of the minutes was the appropriate remedy.

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectwoman Puleo that any discussions be done between the Chairman and Town Counsel.

9. Old Business

A. Frost Road & Westford Road Traffic Studies

i. Review Draft Report

The Assistant Town Administrator presented the Frost Road and the Westford Road Intersection Safety and Operations Assessment for the school intersections. The Final recommendations of the Town's consultant for the two intersections have remained the same after a second review:

1. Westford Road at the TES Driveway – installation of enhanced school zone signs and pavement markings, including two school speed limit (20 mph) assemblies with flashing beacons; and
2. Frost Road at Norris Road – installation of a full traffic control signal.

ii. Frost Road at Norris Road – Discuss Design Funding

The Assistant Administrator discussed the schedule for the Frost at Norris Road intersection to complete the installation of a traffic light. The project time-line narrowly gets the project completed prior to the start of the next school year. In order to try to maintain this already aggressive time-line, the survey work would have to begin nearly immediately.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert, to authorize the Assistant Town Administrator to enter into the attached Agreement with VAI,. Pending





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

review by Town Counsel, and to authorize the expenditure of up to \$48,000 (\$43,000 for Phase I, plus a contingency of 10% which is \$4,300) in Chapter 90 funding, pending approval of the state.

10. 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.

11. 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.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to accept the correspondence as presented.

12. Review of Weekly Warrants

The Assistant Town Administrator read the following warrants: Warrant #17B for \$548,914.81 on 10/27/2014; Warrant #17S for \$376,449.47 on 10/27/2014; Warrant #18B for \$1,240,399.70 on 11/03/2014; Warrant #18P for \$837,071.86 on 11/3/2014; Warrant #18V for \$8,409.46 on 11/3/2014; Warrant #19B for \$213,303.65 on 11/10/2014; Warrant #20B for \$759,007.82 on 11/17/2014; Warrant 20P for \$831,074.60 on 11/17/2014.

13. Town Administrator's Report

- Response to Selectmen's Requests

Unit 16-C at Merrimack Landing which was discussed at the board's October 20th meeting, has been re-advertised for sale with reduced limitations. Following the Board's last meeting Selectman Reault and our financial staff worked to identify a funding source so that the unit could be listed on MLS, however given that the Town has not established an Affordable Housing Trust, we were unable to move forward with that option.

Attached you will find letters of thanks submitted to recently appointed Town Board volunteers.

- Budget – NONE
- Departmental Information

Attached is an e-mail correspondence with a resident who lives in the Town Beach area regarding the locking of the Town Beach gate between Labor Day and Memorial Day. It is my understanding that several residents in that area have inquired on this subject and would like to see the area open for a longer period of time, given the new playground equipment. The Recreation Director and Committee will be working with Town Counsel to prepare proposed modifications of the Rule and Regulations, if any, to the Board of Selectmen for discussion at a future date.

Correspondence sent to the Board of Assessors regarding the 2014 Senior Tax Work-off Program. Our Office has requested and received from that departments completed Program Evaluation forms which will be used in evaluating the current program as we move forward into the next Tax Work-off season. I anticipate a discussion of the Board at an upcoming BoS 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

A Chapter 90 Local Road Funding Survey. I will work with Mr. Jim Hustins to complete and return the survey by November 21, 2014.

- Contracting/Procurement

As the Board knows, the Westford Road at Dunstable Road intersection work has been completed on time and under budget.

- Other

Several inquiries which the office has been receiving regarding Solar Net Metering.

An approved Town Facility Use Application for the use of the Littlefield Library on Thursday, November 20th.

The OTH Procedures which were put together by our Temporary Old Town Hall host.

Copies of the letter templates which were used in a mail merge for notification to abutters to the streets accepted at the May 2014 ATM, Please note that there was an error identified with regard to the notification for Patriot Road abutters, which was rectified by a 2nd mailing to that neighborhood. I will be attending the Middlesex 3 Coalition meeting on Friday, November 21st in Lowell City Hall at 9:00 AM.

Additionally the Assistant Town Administrator, Selectman Lambert, and Selectmen Gramer will conduct interviews candidates for the Media Program Coordinator via phone on November 20th, 2014.

14. Selectmen's Reports

Selectman Lambert was pleased to see the Flint's corner intersection completed and the signals are up and running. Selectman Lambert wished everyone a happy Thanksgiving.

Selectman Jackson announced that at Media Program Director will be on board soon and some of the items that needs addressing will be discussed with the Media Director to begin to catch up on the backlog.

Selectwoman Puleo informed the viewers that the Government Study Committee meeting of November 10th is till airing to inform the citizens what the committee is trying to accomplish. The Festival of Trees dates and time were announced as was the joint meeting with the School, Selectmen and Fin Com about the accelerated school project. The Board will hold a work session on Monday December 1st and is open to the public, the Board's next meeting is Monday December 8, 2014.

15. Executive Session (if needed) – No additional Executive Session was needed this evening.

- 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, and Police Union: Collective bargaining strategy/working conditions.
- 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





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

- X. 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
- Δ. Exemption Seven - To comply with, or act under the authority of, any general or special law (M.G.L. Chapter 214, Section 1B).

16. Adjournment

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

The meeting adjourned at 8:30 P.M.

Approved on: Monday December 8, 2014

Respectfully submitted by

Therese Gay
Administrative Assistant



Correspondence - Monday November 17, 2014

Date	Author	Subject	In Packet?
11/7/2014	Town Counsel	Charles George Reclamation Trust Landfill	11/14/2014
11/6/2014	Conservation Director	Charles George Reclamation Trust Landfill	11/14/2014
11/7/2014	Mass Housing	Merrimac Landing	11/14/2014
10/24/2014	Resident	Bike-a-thon Event	11/14/2014
11/14/2014	ABCC	Approved Form 43 for Double D Pub	11/14/2014
10/22/2014	Board Chair	Notes used at BOS Meeting	11/14/2014
10/30/2014	NMCOG	Tennessee Pipeline	11/14/2014
11/10/2014	Tennessee Gas Pipeline Company	Re Project Open House	11/14/2014
11/12/2014	Environment Massachusetts	Solar Energy	11/14/2014
11/14/2014	Assistant TA	RE License Renewals	11/14/2014
11/3/2014	AG's Office	RE Open Meeting Law Complanit	11/14/2014
11/10/2014	xfinity	Installation Rates	11/14/2014
11/13/2014	Cons Comm	Abutter Notification	11/14/2014
10/21/2014	Dept of Agricultural Resources	Annual ACO Meeting	11/14/2014
10/21/2014	Assistant TA	Deputy Fire Chief Promotion	11/14/2014
10/27/2014	Town Counsel	Monthly Report	11/14/2014
11/14/2014	COA	Newsletter	11/14/2014
10/29/2014	School Committee	Minutes	11/14/2014
11/14/2014	Rec Dept	5 th Annual Festival of Trees	11/14/2014
11/10/2014	GLTHS	Supt Social Invite	11/14/2014
10/30/14	MVHP	House Buying Video	11/14/14
11/06/14	MEDC	Annual Meeting	11/14/14
10/23/14	Mass DEP	Mass Electric Vehicle Program	11/14/14
11/07/14	Lowell Womer's Week	Nominations	11/14/14
11/13/14	ZBA	Req for Comm/Chris Black/41 Phalanx St	11/14/14
10/31/14	ZBA	Req for Comm/R&F Holding/241 Lakeview Ave	11/14/14
10/31/14	ZBA	Req for Comm/John Ausevich/5 Riverbend Rd	11/14/14



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

Revised 11-17-2014

Board of Selectmen Meeting Notice

Monday, November 17, 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. 6:05 PM FY 2015 Tax Classification Hearing

3. Meeting Minutes

A. Regular Session Meeting Minutes for Review/Approval

- i. Monday, October 6, 2014
- ii. Wednesday, October 8, 2014
- iii. Thursday, October 16, 2014
- iv. Monday, October 20, 2014
- v. Monday, October 27, 2014

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

- i. Monday, October 6, 2014
- ii. Monday, October 20, 2014 (2nd Executive Session)

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. Alcoholic Beverage License Request – Manager Change – GMRI, Inc. DBA Bahama Breeze #3048, 413 Middlesex Road

6. Old Town Hall Use Requests – Private Events on November 30, 2014 & January 10, 2015

7. Executive Session

A. Exemption Two – To conduct strategy sessions in preparation for negotiations with nonunion personnel or conduct contract negotiations with nonunion personnel – Town Administrator and Town Administrator benefits

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-





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

Managers Union, Highway Union, and Police Union: Collective bargaining strategy/working conditions.

- C. 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
- D. 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
- E. Exemption Seven - To comply with, or act under the authority of, any general or special law (M.G.L. Chapter 214, Section 1B).

8. New Business

- A. Town Administrator – Ratify Contract
- B. Police Superiors, **Mid-Manager's, and Highway Union's** – Ratify Contracts
- C. Highway Department Seasonal Employee – Appoint
- D. Board of Registrars – Appoint Member
- E. Historical Commission – Appoint Alternate Member
- F. Planning Board – Accept Letter of Interest/Advertise
- G. Executive Office of Elder Affairs Grant – Sign Contract
- H. Massachusetts Cultural Council Grant – Sign Contract
- I. District Local Technical Assistance (DLTA) Funding – Request for Proposals by NMCOG
- J. Littlefield Library Roof Repair – Discuss
- K. Notice of Risk of Cancellation for Non-Use of Liquor Licenses – Discuss
- L. Address Open Meeting Law Complaint by the Lowell Sun

9. Old Business

- A. Frost Road & Westford Road Traffic Studies
 - i. Review Draft Report
 - ii. Frost Road at Norris Road – Discuss Design Funding

10. 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.

11. 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.

12. Review of Weekly Warrants





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

13. **Town Administrator's Report**

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

14. **Selectmen's Reports**

15. **Executive Session (if needed)**

- 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, and Police Union: Collective bargaining strategy/working conditions.
- 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
- C. 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
- D. Exemption Seven - To comply with, or act under the authority of, any general or special law (M.G.L. Chapter 214, Section 1B).

16. **Adjournment**

Future Meetings

**Tuesday, January 18, 2014 (Jointly with School Committee and Finance Committee),
Tyngsborough Town Offices, 25 Bryants Lane**

**Monday, December 1, 2014 (Work Session in Meeting Room 1), Tyngsborough Town Offices,
25 Bryants Lane**

Monday, December 8, 2014 Tyngsborough Town Offices, 25 Bryants Lane

Monday, December 22, 2014 at Tyngsborough Town Offices, 25 Bryants Lane

