



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, March 23, 2015 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
 - i. Monday, March 9, 2015
 - B. Executive Session Meeting Minutes for Review/Approval/Not Release
 - i. Monday, February 23, 2015
 - ii. Monday, March 9, 2015
- 3. 6:05 PM Continued Public Hearing:** The Liquor Shop Tyngsboro, Inc. DBA the Liquor Shop
- 4. 6:30 PM Public Hearing – Frost Road at Norris Road, Intersection Improvements**
- 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. New Business**
 - A. Road Race Application – Connor’s Celtic Warrior Ride
 - B. Smokey Bones – new manager
 - C. Common Victualler – 130 Middlesex Road
 - D. Planning Board Request for Comment – 4 Middlesex Road
 - E. Senior Tax Work-off: appoint participants
 - F. Nomination of Inspector of Animals – Dave Robson
 - G. Media Associate – Appoint
 - H. Superior Officers – Ratify Memorandum of Agreement
- 7. Old Business**
 - A. Annual and Special Town Meeting Warrant – update
 - B. Legislative Priorities – discuss board member’s items
 - C. Budget Schedule
 - D. Building Master Plan – update





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

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 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

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. Adjournment

Future Meetings

Monday, March 30, 2015 (Budget Meeting) at Tyngsborough Town Offices, 25 Bryants Lane

Monday, April 13, 2015 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

Board of Selectmen Meeting Minutes

APPROVED

Monday, March 23, 2015 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: Town Administrator Curt Bellavance, 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 will be aired on 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 Boards, and the reading of the Agenda by Selectwoman Puleo.

2. Meeting Minutes

A. Regular Session Meeting Minutes for Review/Approval

i. Monday, March 9, 2015

The Board voted 4-0-1 on a motion by Selectwoman Puleo, second by Selectman Reault, to approve the Minutes of Monday, March 9, 2015. Selectman Lambert abstains.

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

i. Monday, February 23, 2015

This item was deferred to the next scheduled meeting.

ii. Monday, March 9, 2015

The Board voted 4-0-1 on a motion by Selectwoman Puleo, second by Selectman Reault, to approve but not release the Executive Session Minutes of Monday, March 9, 2015. Selectman Lambert abstains.

3. 6:05 PM Continued Public Hearing: The Liquor Shop Tyngsboro, Inc. DBA the Liquor Shop
The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to continue the Liquor Shop Tyngsborough, Inc. hearing to Monday, April 27, 2015 at 6:05 PM at the Town Offices, 25 Bryants Lane.

4. 6:30 PM Public Hearing – Frost Road at Norris Road, Intersection Improvements

The Assistant Administrator working with Vanese and Associates, Inc. the Town's Engineer consultant on the Frost Road/Norris Road intersection improvements has coordinated the public hearing to inform the residents in the area of the proposed improvements.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to open the hearing. (6:35PM). The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to waive the reading of the notice and the reading of the abutters' list.



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

Mr. Jeffrey Dirk, representing Vanese Associates Inc., was present. Mr. Dirk was hired to look at the intersection for safety improvements. The study conducted took into consideration the peak hours of travel and the speed at which the vehicles were traveling. With study complete the use of traffic signals was the better solution offering the most flexibility for the Town. All of the improvement work will be done in the Town's right of way. Sidewalks will be ADA compliant. The Chair inquired if there were any questions from the audience and from the Board.

Mr. Dirk was asked he did not use the alternative of using flashing lights on Frost Road, Mr. Dirk stated the law does not allow flashing lights if they are not directly on Norris Road where the school is actually located.

Residents Mr. Stevenson, and Mr. Anderson came forward to ask about the types of lights and when they would be operational. Mr. Dirk explained how the lights will function. The project will start in mid-April and will be completed by September. Ms. Sides came forward and asked if the lights will have some sort of shading so as not to impact her residence, the house faces directly into the traffic lights. Mr. Dirk said that the lights will not impact her house and that there are sensors in the road so that the lights turn green as she exits her driveway. Mr. Provencher is not impacted and he supports the project. Mrs. Kathleen Spaeth of 1 Minuteman Drive, asked what funds will be used to do the improvements, the Assistant Town Administrator explained the use of Chapter 90 funds for the project.

The Chairman thanked everyone for attending this evening's hearing and for their input and/or support. The Chairman thanked Mr. Dirk for his presentation.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to close the hearing. (7:45PM).

5. 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.

6. New Business

A. Road Race Application – Connor's Celtic Warrior Ride

The Board has received an application for a road race sponsored by a non-profit corporation, the Connor's Celtic Warrior Ride. The time is 10:00 AM to 2:00 PM starting at 205 Westford Road and ending at 205 Westford Road it is a ten mile ride and 40 mile ride.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to approve the road race as requested.

B. Smokey Bones – new manager

The Board has received a request from Barbeque Integrated, Inc. DBA Smokey Bones, for a change in manager. The new manager Jason Goodin introduced himself and gave a brief overview of his qualifications and experiences as a restaurant manager.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to approve the manager change for Barbeque Integrated, DBA Smokey Bones from Melissa Simpson to Jason Goodin.

C. Common Victualler – 130 Middlesex 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

The Board received an application for a common victualler license from Mr. Bhardwaj. Bhardwaj is opening a convenient store at 130 Middlesex Road. The hours of operation are Monday through Sunday from 7AM to 10PM.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to issue the common victualler license to Mr. Bhardwaj as submitted.

D. Planning Board Request for Comment – 4 Middlesex Road

The Board received a request from the Planning Board to comment on the project proposed on 4 Middlesex Road. The Board has no comment on this project.

E. Senior Tax Work-off: appoint participants

The Assistant Town Administrator is overseeing the Senior Tax work-off Program and has interviewed the applicants. Based on the qualifications, meetings/interviews/prior participation, and ongoing departmental projects/unique positions, the 15 applicants are recommended for appointment. After discussing with each department, it is anticipated that this complement will match the anticipated workload.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to appoint the following applicants to the respective departments:

Raeanne Bowden, Donna Doulamis, Clair Downing, Rachel Gray, Claudette Rondeau, and Mary (Toni) Sculos to the Council on Aging. James Burns, Nancy Lundgren, Barbara Nowak, Grace Ann Steed to the Library, and Karl Molander as the IT at the Library. Eric Spear to the Assessors/Town Administrators, David Presberg as the IT Assistant, Norman Lombardi to the Inspectional services, and Ernie Roy as the Old Town Hall Host.

F. Nomination of Inspector of Animals – Dave Robson

The Division of Animal Health appoints a municipal animal inspector for each and every city and town in the Commonwealth. The primary duty of the Animal Inspector has recently become rabies control in the domestic animal population. Municipal Animal Inspectors are also responsible for barn inspections and may be called to assist with domestic animal disease quarantines in the event of an outbreak. The Town has a signed contract with David Robson to serve in this capacity.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to nominate David Robson as the Town's Inspector of Animals.

G. Media Associate – Appoint

The Assistant Town Administrator with the Town's Media Program Director has interviewed seven candidates for the position of Media Associate, after a successful CORI check, the Board is requested to appoint Ms. Julia Coughlin as the Media Associate.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to appoint Ms. Julia Coughlin to the position of Media Associate for up to 19 hours per week, for a wage of \$15.00 per hour.

H. Superior Officers – Ratify Memorandum of Agreement

This item has been deferred to a future meeting.

7. Old Business

The Town Administrator has provided the Board with a copy of the annual/special town meeting schedule and a draft copy of the annual/special town meeting warrant for the Board to review and discuss. A scaled down copy of the Legislative Priorities for review and a copy of the budget schedule.

A. Annual and Special Town Meeting Warrant – update



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 following is the scheduled dates for the submission of articles and the meetings to review. February 23, 2015 the Warrant opens; March 30, 2015 the deadline to submit the articles; and the warrant articles sent to Town Counsel for initial review; April 13, 2015 deadline to submit Citizen Petitions; and draft Warrants reviewed by Selectmen and Finance Committee; April 20-24, 2015 Patriot's Day Holiday and school vacation week; April 27, 2015 draft warrant reviewed by Selectmen and Finance Committee, Selectmen sign the Annual Town Election Warrant; May 1, 2015 final warrant approval by Town Counsel; May 4, 2015 final town meeting warrants approved and signed by Selectmen; May 5, 2015 Deadline for posting ATM and STM warrants copies of town meeting warrants, report of Finance Committee, Capital Asset Management Committee plan and the Annual Town Report; May 12 Annual Town Election and May 19, 2015 the Annual (7:00PM) and Special (7:30PM) Town Meeting.

Draft of the Warrant Articles is as follows: Article 1 is the election article that takes place on Tuesday, May 12, 2015; Article 2. Accept reports and Article 3 choose all officers not named in Article 1 are standard articles. Article 4. To authorize BOS to enter into lease/Purchase Agreements; Article 5. To accept the layout and/or relocation of certain Town ways Mascuppic Trail; Article 6. Accept MGL Ch. 59 Senior Tax Work-Off; Article 7. Mosquito control, after a brief discussion this article will be remove. Article 8. Compensation for elected Officials; Article 9. Fund town expenses for FY16; Article 10. Transfer funds from the Billboard Stabilization Fund; Article 11. Transfer funds from the Wetland Protection Fund; Articles 12 to 15 are transfers from free cash to the following funds, Stabilization Fund, Capital Asset Stab; OPEB Trust Fund and the Compensated Absence Fund; Article 16 Raise and Appropriate or Transfer funds to Compensate Absence Fund; Article 17 Capital Asset Committee; Article 18 Sewer Commission; Article 19. Chapter 90 apportionment; Article 20 Revolving Funds and Article 21 CPC funds. Miscellaneous Articles – Article 22 government Study?; Article 23 Energy Aggregation?; Article 24 Special Acts – Warrants; Article 25 P.I.L.O.T. Agreement Citizens Energy (Charles George) Article 26 Citizen Petition #1 and Zoning Articles Article 27.

B. Legislative Priorities – discuss board member's items

The Administrator has proposed the following letter of legislative priorities 1) Review formula regarding State aid the distribution of funding through the "cherry Sheet" (a) Geographic location (border of New Hampshire), (b) Number of high schools and (c) lottery sales as compared to other communities. 2) Consider moving forward for legislation a petition relative to payments in lieu of taxation of organizations exempt from the property tax. (3) Generally, funded mandates as they pertain to education, and 4) having charter schools, vocational schools, etc. held to the same standards (21/2 prop). The Board members will reach out to the Administrator with any changes before March 30th.

C. Budget Schedule

The budget schedule has not changed, the Board will meet on March 30th with The Finance Committee with the Sewer Dept., Town Clerk, and will discuss Health Insurance and Revenues.

D. Building Master Plan – update

The Administrator has met with the various departments but has not worked on it, but hopes to have more on the subject soon.

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.

Mrs. Spaeth came forward to ask for clarifications on the budget presentation from the board's first joint meeting to discuss budgets, the Chairman answered Mrs. Spaeth's questions. Mrs. Spaeth thanked the Chairman for the clarification.

9. Correspondence

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to accept the 10 pieces of correspondence as submitted. Discussion on the Verizon rate increases and the NMCOG regional transportation plan meeting is planned for this Thursday.

10. Review of Weekly Warrants

The Administrator read the following warrants: Warrant #37B for \$56,914.88 on 3/16/2015; Warrant #VET for \$8,311.91 on 3/23/2015; Warrant #38P for \$814,532.92 on 3/23/2015; Warrant #38B for \$1,076,602.79 on 3/23/105; Warrant #38S for \$271,809.50 on 3/23/2015.

11. Town Administrator's Report – No report this evening.

The Town Administrator received notice that MASSDOT has informed the Administrator the town was awarded \$60,000 in winter recovery funds as part of reimbursement for winter snow removal and road repairs.

12. Selectmen's Reports

Selectman Lambert has had a question from some constituents in regards to a programming schedule for time and dates when programs will be airing. Mr. Machado, Media Program Coordinator, addressed the concern, a program schedule can be implemented as early as this week. Selectman Reault update on the progress at the new Senior Center and starting the coordination for the move. Town Counsel is finalizing the paperwork and should be ready for signature at the Monday, April 13 Selectmen's meeting.

Selectwoman Puleo would like to place on the agenda Indian Lane at a future meeting. Ms. Puleo has asked that the work signage be cleared from the road. Ms. Puleo was at the Old Town Hall for an event and said that the curtains worked well, there was one comment made about curtains on the stage the actors/users of the stage say it is not a good idea as the stage area is small and the curtains will make it smaller.

13. Adjournment

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault, to adjourn the meeting. The meeting adjourned at 8:45 PM.

Respectfully submitted

Approved on: Monday, April 13, 2015

Therese Gay
Admin Assistant

--	--	--	--