



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 14, 2015 at 6:00 P.M.

Community Room, Town Offices, 25 Bryants Lane

Members Present: Selectman Rick Reault, Selectman Robert Jackson, Selectman Corliss Lambert.

Members Absent: Selectman William Gramer, Selectman Steven Nocco.

Staff Present: Town Administrator Curt Bellavance, 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 Selectman Jackson

2. Meeting Minutes

A. Regular Session Meeting Minutes for Review/Approval

i. Monday, August 24, 2015

The Board voted 3-0 on a motion by Selectman Jackson, second by Selectman Lambert, to approve the minutes of Monday August 24, 2015.

3. 6:05 PM Public Hearings

A. The Liquor Shop (continued Public Hearing from August 10)

The Board voted to transfer the All Alcohol Package Store license from The Liquor Shop to a new location at #24 Middlesex Road at a previous meeting. That transaction is now complete and approved by the ABCC. Because the transfer has been approved, the hearing should be closed and take no action.

The Board voted 3-0 on a motion by Selectman Jackson, second by Selectman Lambert to close the public hearing and to take no action on the revocation of The Liquor Shop Tyngsboro, Inc. license.

4. New Business

A. Request for Planning Board Comment

i. 138 Middlesex Road – raze existing building and construct new

The Board voiced a no comment on the Planning Board's request for comment.

B. Appointment – Felix Concepcion as Special Officer

Chief Howe, asks that the Board appoint Felix Concepcion as a "special" officer of the Tyngsborough Police Department. As a special officer, Officer Concepcion's only role will be to work details that are not filled by full time and reserve officers of the department. As you know, the Town is experiencing a significant increase in road construction and anticipate that this trend will continue over the next few years. The advantage of filling the details "in-house" is the 10% surcharge will go to the town.

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The Board voted 3-0 on a motion by Selectman Jackson, second by Selectman Lambert to appoint Felix Concepcion as a Special Police Officer of the Tyngsborough Police Department.

C. Chief Howe – Regional Dispatch

The Chief is asking the Board to withdraw from the Regional dispatch center plan. The Chief cites a significant public safety issue that threatens not only our police and fire personnel but will result in delayed emergency services for our residents. Secondly, the dispatch center dispatches for all our emergency services police, fire and rescue, essentially this service will be the responsibility of a 3rd party. Thirdly, the town will lose direct managerial control of communications. Fourthly, the town will lose all their 911 equipment, if realized later that the cost are higher it will be too late to back out and the replacement of the 911 equipment will range in the thousands. Fifthly/Sixthly, the department will need to hire civilian personnel to answer business line calls and there will be not personnel at the front desk to assist walk-ins. And lastly, our dispatchers know our community, its emergency personnel and have a vested interest in the safety of our community.

The Board voted 3-0 on a motion by Selectman Jackson, second by Selectman Lambert, the Board of Selectmen, in the Town of Tyngsborough vote to withdraw from the Regional Dispatch Center Plan.

D. Date for Special Town Meeting – discussion

The Town Administrator presented information for the setting of a Special Town Meeting and discussion with the Board ensued. The engineering plan for Mascuppic Trail should be complete by mid-October and ready for acceptance at a Special Town Meeting. The Administrator has calculated that a Special Town Meeting could be held on Tuesday, November 17th. The Board will have a couple of meetings before that date. The town meeting warrant articles deadline for submission will be October 15th.

The Board will vote to set the date for the Special town Meeting at the next Selectmen's meeting.

5. Old Business

A. School Committee member vacancy

This item was deferred to the Board's next scheduled meeting. The Board and the School Committee if not able to meet in a joint session will support the School Board's vote to appoint a new member. The Selectmen will invite the new member at their next meeting for their support of the appointment.

B. Flint Pond: sub-committee and mission statement

The Administrator with the Conservation Director, at the Selectmen's request work together to form a Flint Pond Study sub-0committee, the Con Com Director has identified several individuals that are interested in participating in the committee. They are Chaz Doughty, Maura Amrich, Ed Smith (Conservation Commission Member) Kerry Sheehan and a Selectmen member or Planning Board member.

The Board voted 3-0 on a motion by Selectman Jackson, second by Selectman Lambert to appoint Chaz Doughty, Maura Amrich, Kerry Sheehan, Ed Smith and Selectman Lambert to the Flint Pond Study sub-committee.

C. Update: inclusion of Sherburne Road for roadway repairs

The Administrator updated the Board on the borrowing for roadway construction that was approved at Special Town Meeting and subsequently a ballot vote. Working with both the Finance Coordinator and Town Accountant his office verified with bond counsel and the Department of

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Revenue that the funding we borrowed for roadway repairs was not specified for the initial roadways we discussed. Bond Counsel, whom authored the article and motion, stated that this is best practice throughout the State. Furthermore, the DOR stated that they prefer communities don't limit borrowing to specific roads and use best management practices to accomplish any intended improvements because project costs often change. As identified earlier this month, our office is working with the Highway Department and the selected contractor Brox to use savings in asphalt costs and pavement management in order to provide paving on additional roads.

D. Update: sale of Town Property – #5 Industrial Way and Willowdale Road

An RFP in progress for the sale of 5 Industrial Way, the Administrator has reached out to other departments to see if they were interested in the property, and then would need an appraiser for a value, a schedule for October 14th is set. For Willowdale Road he reached out to a property owner abutting the property and asked if they are still interested in the parcel and they are still interested in purchasing the parcel.

6. 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.

The Chairman of the Historical Committee was attended the meeting to work with the Board on the emergency repairs for the First parish Meeting House that the Town just purchased. There is a need to stabilize the steeple, and to repair some broken boards so that birds did not continue to enter the building. Mr. Allgrove submitted a list of emergency repairs and has procured a contractor to do the work as a permanent fix. The Board is in agreement that the repairs need to be done sooner rather than later but does want to talk to Mr. Lawson who he has contacted to help put together an RFP. The Old Town Hall Committee has not been dissolved and it is the hope that the members will work with Mr. Lawson and Mr. Dupras who was the OPM during the old town hall renovation. The Board voted 3-0 on a motion by Selectman Jackson, second by Selectman Lambert to empower the Town Administrator to lead the efforts while following the appropriate laws along with Mr. Lawson and Mr. Dupras, to do the emergency repairs before winter.

7. Correspondence

The Board review the 4 pieces of correspondence received and voted 3-0 on a motion by Selectman Jackson, second by Selectman Lambert to accept the 4 pieces of correspondence.

8. Review of Weekly Warrants

The Administrator read the following warrants: Warrant # 9B for \$820,905.72 on 8/31/2015; Warrant # 9(332) for \$557,854.48 on 8/31/2015; Warrant #9VET for \$3,615.86 on 8/31/2015; Warrant #9S for \$192,497.45 on 8/31/2015; Warrant #10B for \$1,103,365.33 on 9/8/2015; Warrant #10VET for \$7,283.76 on 9/08/2015; Warrant #10P for \$859,452.27 on 9/07/2015; Warrant #11B for \$60,402.48 on 9/14/2015; and Warrant #11VET for \$715.31 on 9/14/2015.

9. Town Administrator's Report

- Response to Selectmen's Requests





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In response to a request to check on the posting of the agenda for the Government Study Committee, there are two places to post, on web, on the media station, and the posting on the front door. The meeting venue had changed and was notated. Regarding the First Parish Meeting House, all the utilities are now under the town's name. I have spoken to Mr. Lawson and he will inspect the First Parish building.

- Budget

I have started the budget process and will have a first meeting with the Capital Asset Management Committee and from there will ask the departments to start putting their budget together.

- Departmental Information
- Contracting/Procurement

Net Metering, working with Citizen's Energy getting 25%, a letter of intent will be ready for the next meeting. Reviewing the pilot proposal, which will be back to the Board after a plan is proposed. Meeting with the awarded vendor for the repair of the light pole at the town Hall parking lot. The Insurance Company is paying for the repairs and will use some of the FEMA monies to pay the deductible, along with the air condenser and fence. The RFP for the carpet replacement is done and will go out within the next few weeks. The Department of Labor has received a complaint on the carpet, they will be out this week and will also bring some brochures. The Administrator and Superintendent met to discuss a RFQ for a media studio housed at the Middle School. For electrical and plumbing services Town Counsel has drafted an RFP to cover services/contract persons. The Purchase of gas pumps at the highway Department has funding approve to replace the gas pumps. Will be looking at the surplus vehicles and put a list together to sell.

- Other

There are 25 applicants so far for the position of Assistant Town Administrator, the deadline for the applicants to submit is next week.

The TA was contacted by the Habitat for Humanities' personnel, the facility will have a ribbon cutting ceremony on October 16th at 10 AM.

On the media studio proposal, a Selectman voiced an opposition on the creation of a media studio at an education facility. The PEG funds are to be used by the residents and would not be able to access an education facility.

10. Selectmen's Reports

Selectman Jackson, the celebration at the First Parish Meeting House was well attended the Senator and Representative attended as well. Want to thank Alison Page and Curt Bellavance for their help in organizing the event of opening the First Parish Meeting House for the residents to view.

11. Executive Session

The Board voted 3-0 on a motion by Selectman Jackson, second by Selectman to enter into executive session to discuss exemption two (2) and three (3) as stated below, and to return to open only to adjourn. Roll Call Vote Selectman Corliss Lambert, yes; Selectman Rick Reault, yes; Selectman Robert Jackson, yes. The Board entered into Executive Session at 7:37 PM to discuss the following:

- A. Exemption Two. To conduct strategy sessions in preparation for negotiations with nonunion personnel – Police Admin Asst.





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- B. Exemption Three. To discuss strategy with respect to collective bargaining because an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares – Mid-Managers, Highway Union, Clerical

12. Adjournment

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer, to adjourn the meeting. The meeting adjourned at 9:00 PM.

Respectfully submitted

Therese Gay
Admin Assistant

Approved on Monday, September 28, 2015

