



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 28, 2015 at 6:00 P.M.

Community Room, Town Offices, 25 Bryants Lane

Members Present: Selectman Rick Reault, Selectman Robert Jackson, Selectman Corliss Lambert, Selectman William Gramer, Selectman Steven Nocco.

Staff Present: Town Administrator Curt Bellavance, and Admin Assistant Therese Gay, Town Counsel Charles Zaroulis joined the meeting at approximately 7:30pm

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, September 14, 2015

The Board voted 4-0-1 on a motion by Selectman Jackson, second by Selectman, to approve the minutes of Monday September 14, 2015. (Selectman Lambert abstained from voting on the minutes)

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

i. Monday, September 14, 2015

The Board voted 4-0-1 on a motion by Selectman Jackson, second by Selectman, to approve, but not release the executive session minutes of Monday September 14, 2015. (Selectman Lambert abstained from voting on the executive session minutes)

3. New Business

A. Request for One Day Special License:

i. Greater Lowell Tech Superintendents Scholarship Fundraising Event

The Greater Lowell Technical High School is requesting a One Day Special License to host their annual Superintendent Scholarship Fundraising Event, on October 21, 2015 from 5PM to 11PM at the Greater Lowell Technical High School, 250 Pawtucket Blvd.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to grant the One Day Special License to the Greater Lowell Technical High School, for the Superintendent Scholarship Fundraising Event, on October 21, 2015 from 5PM to 11PM.

B. Vote to surplus vehicles and equipment

The Administrator, Highway Department and Sewer Department have been working together to identify vehicles and equipment that are no longer needed. Some have been replaced and other have become nonoperational. After carefully reviewing the items they have been identified listed as

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surplus vehicles and equipment. The Administrator will follow the requirements outlined in MGL c.30B for the disposal of surplus supplies.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to surplus vehicles and equipment listed on the list and to allow the Town Administrator to dispose of the surplus supplies in a manner consistent with MGL c.30B.

C. Appointments:

i. Steve Kirby as a member to the Parks/Recreation Committee

The Recreation and Park Committee has a vacancy for one of the 3-year terms. The Committee usually assigns its members to specific programs to assist and volunteer with coordinating those programs. Mr. Steve Kirby has asked to be appointed to the committee and serve as the member who would help with the basketball program. Our office has posted the open position on the website and asked residents to submit a letter of interest to the Administrator's Office, Mr. Kirby was the only applicant.

The Board voted 5-0 on a motion by Selectman, second by Selectman, to appoint Steve Kirby to the Recreation & Park Committee for a three year term expiring June 30, 2018.

ii. George Sansoucy as a Special Employee

The Board received a letter from Mr. George Sansoucy, asking the Board to appoint him as a "special municipal employee". Mr. Sansoucy not only provides expert appraisal for the Town of Tyngsborough but also for the Department of Revenue. And since his work with the DOR, the Town has an interest in the work he performs for DOR. The State has already designated Mr. Sansoucy as a "special state employee".

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to appoint/not appoint Mr. Sansoucy as a Special Municipal Employee position in the Town of Tyngsborough.

D. Halloween recommended Hours

The Chief of Police is recommending that the Halloween activities for this year's trick or treating be set between the hours of 5-7pm on Saturday October 31st. Moving to an earlier time reduces the chances of intoxicated drivers being on the roadway which statistically go up the later it is. In the past, trick or treat has been held 6-8pm to accommodate people's work schedule and the heavy traffic that occurs as people and coming home from work.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to set the Halloween trick or treat night hours to 5-7pm on Saturday October 31st.

E. Fill position: ratify appointment of Library Technician

The Administrator and the Library Director has been working together over the past several weeks to fill a vacant position at the Library. The Library Trustees filled the position by promoting a Library Technician into the role of Senior Library Technician, leaving open the Library Technician position to be filled. The Board of Library Trustees voted to ratify the appointment of Naomi Needle to the position of Library Technician at their monthly meeting on September 17, 2015.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to ratify the appointment of Naomi Needle to the position of Library Technician to a 35-hour per week hourly position at Grade 5 (Step 1) with an hourly rate of \$15.47, with a start date of October 1, 2015.

4. Old Business

A. Citizens Energy: Net Metering Letter of Intent & Authorization to apply





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The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to authorize the Town Administrator to sign a letter of intent between Town of Tyngsborough ("Buyer") and Tyngsborough Landfill Solar, LLC ("Seller"). The Seller intends to sell net metering credits from the Tyngsborough Landfill Solar project. Furthermore, the Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to apply as a Town to the Commonwealth of Massachusetts for the Net Metering classification.

B. Vote to support amended Special Act to authorize the town of Tyngsborough to grant additional licenses for the sale of alcoholic beverages

The Administrator was contacted by Senator Donoghue's office regarding Article 9 requesting a special act relative to authorizing the Board to issue additional alcohol licenses. The Senator's legal counsel modified the language slightly to fit within typical MGL language.

The Board, after review of the modified language, voted 5-0 to accept the minor changes to the special act and forward to Senator Donoghue's office for final approval by the Legislature.

C. Ratify nonunion pay increase

The Board in a recent executive session voted to adjust the salary of the Executive Assistant to the Chief of Police. This was due as part of the modified job description, educational requirements and additional responsibilities associated with the position. The job functions have changed to include accountability of managing information technology, grant administration, and financial recording. The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to ratify the salary increase of \$2,500 for the position of Executive Assistant to the Chief of Police.

D. Review list of unaccepted roadways

The Administrator reviewed the list of unaccepted roadways with the Board. The Board asked the Administrator to put together a list for acceptance at the next Town Meeting.

E. Government Study Committee's update

The Committee's Chairperson Ms. Puleo and member Ms. Keohane attended the meeting to update the Board on their progress so far and to ask the Board's support in the Committee going forward to propose government structure, to gather public input and feedback for potential changes to the structure. At the Committee's last meeting on September 15, 2015 the Committee voted to move forward with the recommendation of a Special Act Charter for the Town of Tyngsborough. The Special Act Charter will be the culmination of eighteen (18) months of interviews with elected officials and town employees, research of other town's organizational structures, and consultation with Town Counsel and the MMA. The goal of a Special Act Charter will be to improve efficiencies and accountabilities within town government. The next step would be to develop an organizational chart which will support a more efficient and effective form of government. The Committee recommendation may include changing some boards from elected to appointed, moving the appointment of some key employees to the Town Administrator and bringing all paid personnel, elected and appointed, under the personnel by-law or the direct supervision of the Town Administrator. Following discussions the Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to support the Government Study Committee to go forward through December 2015.

5. Citizen/Business Time – Mo 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





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Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

6. Correspondence

The Board review the 15 pieces of correspondence received and voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to accept the 15 pieces of correspondence.

7. Review of Weekly Warrants

The Administrator read the following Weekly Warrants: Warrant @ 12B for \$811,682.62 on 9/21/2015; Warrant # 128(332) for \$ 582,015.38 on 9/21/2015; Warrant # 12S for \$342,683.65 on 9/21/2015; Warrant #12P for \$827,961.17 on 9/21/2015; Warrant #13Vet for \$6, 959.72 on 9/28/2015; Warrant #13B for \$765,259.68 on 9/28/2015.

8. Town Administrator's Report

▪ Response to Selectmen's Requests

The Administrator informs the Board that Mr. Wayne Lawson was scheduled to bring the lift on Tuesday to inspect the rood and steeple at the First Parish Meeting House. They will be on site at 8:00 AM.

The School Committee requested to meet in a joint meeting with the Board to appoint a new committee member on Monday, October 5.

▪ Departmental Information

The Administrator informs the Board that our Media/IT person, Dave Machado has tendered his resignation, he has accepted a position at UMass at Lowell. Moving forward with the Media position and to fill differently the IT position. TA would like to place the ad for the hiring of a Media person and work separately on IT position as soon as possible. The Board supports the Administrator to gather as much info to get the best and get the ad out. Selectman Lambert has offered to help but will not slow down the process.

▪ Contracting/Procurement

The RFP for the replacing of the carpet has been advertised in the Central Register and the Lowell Sun. A walk through is scheduled for mid-October, then a bidder will be selected.

▪ Other

The AD for the Assistant Town Administrator's position is closed, we received 48 applications, Selectman Reault and Selectman Lambert to reviewed the applicants and once they have selected 6 each will meet and select from the 18 applicants brought forward.

The Special Town Meeting date is set for December 8, 2015.

The Administrator will start the Senior Tax Work Off program and will have the seniors submit letters of interest. Will ask the Assessor's Board to review if the program can be extended.

9. Selectmen's Reports

Selectman Jackson is asking for a few things that MassDot should remove the construction signs around the bridge and to fix the light that is out and has been out since the installation. Also to check to see who could cut back the scrub trees and the growing weeds and to clean up the site. Secondly the Board has had some residents come in and say they don't know what is going on, he

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would like to suggest to send the agenda go the residents. And to post the agenda and meeting packet on the website for the residents to review.

10. Executive Session

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to enter into executive session to discuss exemption two (2) and three (3) as stated below, and to return to open session only to adjourn. Roll Call Vote, Selectman Steven Nocco, Selectman Corliss Lambert, yes; Selectman William Gramer, Selectman Rick Reault, yes; Selectman Robert Jackson, yes. The Board entered into Executive Session at 7:37 PM to discuss the following:

- A. Exemption 2. To conduct strategy sessions in preparation for contract negotiations with nonunion personnel.
- B. Exemption 3. To discuss strategy with respect to litigation because an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares

11. Adjournment

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer, to adjourn the meeting. The meeting adjourned at 9:40 PM.

Respectfully submitted

Approved on Monday, October 5, 2015

Therese Gay
Admin Assistant

Town of Tyngsborough
Massachusetts