



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 23, 2015 at 6:00 P.M.

Community Room, Town Offices, 25 Bryants Lane

Members Present: Selectman Rick Reault, Selectman William Gramer, Selectman Robert Jackson, Selectman Corliss Lambert, 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 - www.tyngsboroughma.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, November 16, 2015

The Board voted 4-0-1 on a motion by Selectman Jackson, second by Selectman Gramer, to approve the minutes of Monday November 16, 2015. (Selectman Lambert abstained from voting on the minutes)

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

i. Monday, November 16, 2015

The Board voted 4-0-1 on a motion by Selectman Jackson, second by Selectman Gramer, to approve, but not release the executive session minutes of Monday November 16, 2015. (Selectman Lambert abstained from voting on the executive session minutes)

3. 6:05PM Public Hearing: Roadway Acceptance

A. Roadway Layout for Mascuppic Trail

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to open the street acceptance public hearing.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to waive the reading of the legal notice sent to the Mascuppic Trail residents.

The Town Administrator spoke briefly on the process. The Town hired the firm of David E Ross Associates to draw plans and sent to WorldTech for the drawing of the drainage. The Planning Board held a hearing as required to place the article on the warrant for special town meeting. After town meeting and once the plan is completed the Town will go to bid and the drainage and paving should be done by end of summer.

The Chairman asked if the board members had any comments or questions, none were stated.

The Chairman asked if the residents of Mascuppic Trail had any comments questions or concerns, Mr. Ed Derby of 71 Mascuppic ask a question on the public easement and would it affect his

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property, the Engineer explained that the drainage line will follow the existing road way, the easement is only for maintenance purposes.

The Chairman seeing that there was no further discussion entertained a motion to close the hearing.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to close the hearing.

The Board voted 5-0 on a by Selectman Jackson, second by Selectman Gramer to approve the following motion: Having complied with statutory requirements by conducting a public hearing after notice to abutters, the Board of Selectman, pursuant to M.G.L. c. 82, sections 21 through 24, and M.G.L. c. 79 sections 1 and 2, lays out Mascuppic Trail as shown on plan of land entitled "Mascuppic Trail Street Acceptance Plan of Land in Tyngsborough MA" prepared by David E. Ross, Associates, Inc., dated November 2015, 4 sheets, as public ways and accepts said ways and any related drainage, water ro sewer facilities or easements, which plans and profiles have been deemed satisfactory. Further move that the laying out of this way be filed with the Town Clerk in advance of requested Town Meeting action at the December 8, 2015 Special Town Meeting.

4. New Business

A. Ratify stipend increase – Building Maintenance oversight

At a recent executive session the Board voted to increase the stipend of George Trearchis, because of his assistance with building maintenance support related to town owned buildings, including Old Town Hall, First Parish Meeting House, Council on Aging buildings (Lakeview Ave and Westford Rd), Winslow School and others where necessary.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to increase the stipend for building maintenance support by Mr. George Trearchis by an amount of \$2,500.

B. Ratify NEBPA Local 8a Agreement – Communications Specialists Assistant Supervisor

At a recent executive session the Board voted to create a new rank within the communications division and to appoint Walesca Gomez to the rank of Communications Specialist Assistant Supervisor effective immediately.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to ratify the creation of a new rank within the communication division and to appoint Walesca Gomez to the rank of Communications Specialist Assistant Supervisor effective immediately.

C. Appointment – seasonal employee for Highway Department

The Administrator presented the Memorandum of Agreement to memorialize the use of winter help. This arrangement has been in place for six winter seasons and allows for temporary addition of non-benefitted Highway employees for winter snow and ice removal operations.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to approve the Memorandum of Agreement.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer, to appoint Michael Gagnon, Robert Pelletier, Robert Wood, Dennis Sintiris and Sean O'Connell to the position of Seasonal Winter Employee for the 2015-2016 winter season.

D. Discussion – Rate change for contracted snowplow drivers

The Administrator received a request from Mr. Hustins Highway Supervisor, to increase the snow plow vendor pay rates. The rates have been in place since 2008 and have not been increase for seven (7) years.

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The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to approve the new snow plow vendor rate increases as proposed by the Highway Supervisor.

5. Old Business

A. Government Study Update: Ms. Karyn Puleo

Ms. Karyn Puleo attended the Selectman's meeting to update the Board on the progress of the Government Study Commission. The last time the Commission met with the Selectmen was on September 28 and provided an update to the status of the Gov't Study Commission including the by the commission to support a special act charter. As we noted at that time the Charter will be culmination of eighteen plus months of interviews with elected officials and town employees, research of other towns' 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. As noted at our meeting, the next step of the Commission was to develop an organizational chart which will support a more efficient and effective form of government. To that end, we have developed an organizational chart for discussion that we have used to meet with representatives from several of the elected town boards, department heads and employees. Last week, we finished our meetings with these groups and plan to spend December working on a draft report and charter for presentation to the BOS and at public meetings to residents of the town. As we noted the last time we were before the BOS our recommendations 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. We continue to look at the towns who have recently gone through similar changes to learn from there experience. The Government Study Commission received a very specific vote at the September 28 BOS which supported the Gov't Study Commission continuing through December 2015 at which time we would come back to you with a report. As you can see by the items provided you this evening, the minutes to meetings, the SWOT analysis, the comparison of area towns, the organizational chart and the comparison of area towns, we have been busy. We continue to move forward with our mission but with the holidays and the BOS calendar, will not have the report complete to be presented prior to year-end. Therefore, we request that the BOS support the following timeline: 1) January 2016 – proposed structure and justification to the BOS; 2) January and February 2016 – public input and feedback meetings for potential changes to the structure; 3) March and April 2016 – final feedback meetings and any changes to structure; 4) Annual Town Meeting 2016 – Special Act Charter vote.

The Board of Selectmen voted 4-0-1 on a motion by Selectman Jackson, second by Selectman Gramer to extend the December 2015 deadline to January 2016 for the Government Study Commission to bring forth their final report.

B. MMA Priorities – review for Governor's Listening Tour

The Town Administrator will be attending the "Listening Tour" the Governor is hosting to gather information from municipalities pertaining to "ways to ease state regulation of local government". The Administrator will represent the Town and carry forward any comments or suggestions the Board wishes to bring forward to the Governor's office. The Administrator reviewed some of the legislative priorities that the Board has commented on in past meetings: 1) Review formula regarding State aid the distribution of funding through the "cherry sheet". 1a) geographic locations (border of New Hampshire); 1b) number of high schools; 1c) lottery sales as compared to other

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communities. 2) Consider moving forward for legislative petition relative to payments in lieu of taxation of organizations exempt from the property tax. 3) Generally, unfunded mandates as they pertain to education and 4) Review or create legislation that limits or restricts charter and vocational schools from increasing their budgets greater than 2 1/2% on an annual basis.

C. Budget Process – draft schedule

The Administrator presented to the Board the proposed schedule for the FY 17 Budget process. Starting with the distribution of the FY 17 Operating budgets on December 2, 2015; the Capital Asset Management Committee meeting on January 13, 2015

D. Special Town Meeting – VOTE & SIGN Warrant

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to vote to sign and post the Special Town Meeting Warrant.

The Administrator presented the STM Warrant changes, Article 1 has been pulled, the free cash has not been certified and the article was pulled, the article will be placed on the spring special town meeting warrant. Superintendent Ciampa has been notified.

Selectman Jackson has informed the Board that there is a change in the wording of Article 6 to read as follows the 24th line from the top of the article shall read “serve in the offices previously elected to until the next Town election, further provided such elected Assessors shall be eligible to serve until such Assessors term expires.”

The Board voted 4-0-1 on motion by Selectman Jackson, second by Selectman Gramer to add the following wording to Article 6 to read as follows the 24th line from the top of the article shall read “serve in the offices previously elected to until the next Town election, further provided such elected Assessors shall be eligible to serve until such Assessors term expires.” (Selectman Lambert abstained from voting).

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to place articles 1, 2, 3, 4, 5, 7, 8, on the Special Town Meeting Warrant as printed.

The Board voted 4-0-1 on a motion by Selectman Jackson, second by Selectman Gramer to place article 6 on the Special Town Meeting Warrant as amended.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to place article 9 on the Special town Meeting Warrant as written. This article was submitted by a citizen's petition.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to sign and post the Special Town Meeting Warrant.

6. 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.

7. Correspondence

The Board voted on a motion by Selectman Jackson, second by Selectman Gramer to accept the 2 pieces presented to the Board this evening. The announcement of the festival of trees and additional information from the Government Study Committee.

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8. Review of Weekly Warrants

The Administrator read the following Weekly Warrants: Warrant #21S(332) for \$311,195.07, on 11/23/2015; Warrant #21S for \$274,709.97 on 11/23/2015; Warrant #21VET for \$3,050.42 on 11/23/2015; Warrant #21B for \$815,143.81 on 11/23/2015.

9. Town Administrator's Report

- None at this time

10. Selectmen's Reports

No reports this evening.

11. Executive Session (tentative) – No Executive Session this evening.

- A. Exemption 3. 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 – SEIU/Highway

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 7:15 PM.

Respectfully submitted

Therese Gay
Admin Assistant

Approved on Monday, November 30, 2015





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- A. Roadway Layout for Mascuppic Trail

4. New Business

- A. Ratify stipend increase – Building Maintenance oversight
- B. Ratify NEBPA Local 8a Agreement – Communications Specialists Assistant Supervisor
- C. Appointment – seasonal employee for Highway Department
- D. Discussion – Rate change for contracted snowplow drivers

5. Old Business

- A. Government Study Update: Ms. Karyn Puleo
- B. MMA Priorities – review for Governor's Listening Tour
- C. Budget Process – draft schedule
- D. Special Town Meeting – **VOTE & SIGN Warrant**

6. Citizen/Business Time

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7. Correspondence

8. Review of Weekly Warrants

9. Town Administrator's Report

- None at this time

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12. Adjournment

Future Meetings

Monday, November 30, 2015 at Tyngsborough Town Offices, 25 Bryants Lane

Monday, December 7, 2015 (Tentative)

Monday, December 14, 2015

Special Town Meeting:

December 8, 2015 at 7:00 PM, Tyngsborough Elementary School, 205 Westford Road

