



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 **APPROVED**

Monday, March 7, 2016 at 6:00 P.M.

Community Room, Town Offices, 25 Bryants Lane

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

Member Absent: Selectman William Gramer

Staff Present: Town Administrator Curt Bellavance, Admin Assistant Therese Gay.

Staff Absent: Assistant Town Administrator Matt Hanson

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 Acting Chair opened the meeting followed by the Pledge of Allegiance and the Board and staff was introduced.

2. Meeting Minutes

A. Regular Session Meeting Minutes for Review/Approval

i. Monday, February 22, 2016

The Board voted 3-0-1 on a motion by Selectman Jackson, second by Selectman Lambert, to approve the minutes of Monday February 22, 2016 (with the following amendment the vote on 5c should read 4-1). (Selectman Lambert abstains from voting).

Members of the Finance Committee present were Member Marie Lambert, Member Christopher Mellen, Member Paul Morin, and Member Darryl Wickens.

3. JOINT Budget and Annual Town Meeting Workshop with Finance Committee

A. Budget information

The Town Administrator has given meeting materials for this evening's presentation of the FY 17 annual budget. The budget is made up of general government, public safety, education public works, human services, culture and recreation, and debt service. The budget outlines salary and wages, as well as annual operating budget. 1) FY17 Department Budget Summary – requests operating budget for general government services. This does not include several areas in which we are still waiting for estimated and final costs. This excludes education, debt service, health care costs, insurance, and other assessments. Also other documents include the following supporting information pertaining to the FY 17 budget. 2) Free Cash Calculation – The Department of Revenue, Division of Local Services, certified our free cash, both for the municipal budget and the sewer enterprise fund. 3) Free Cash Draft Proposal – Recommendation use for Free Cash. This is based on input from the financial team and the Free Cash Policy Subcommittee recommendations from 2013. 4) - 3B Capital Asset - FY 17 Capital Request Summary – Outline of capital requests





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submitted by general government departments. This does not include the school department or sewer department. The sewer department typically uses retained earnings to support their capital projects. 5) FY 2017 Local Aid Estimates – Governor Baker released his budget proposal. The legislature is currently reviewing this request and will most likely make modifications to local aid summary. The Governor’s budget shows a slight increase from last year’s local aid estimates by approximately \$102,000.

B. Capital Asset – 3A Budget Information.

C. Town Meeting Warrant – draft 1

i. Deadline to submit articles is Wednesday, March 16

The Administrator reviewed the draft annual town meeting warrant. Article 1 is the election article, Articles 2 and 3 are standard articles, Article 4 sets the stipends for elected officials. During discussions of Article 4, the \$1.00 stipend for an Assessor, it is no longer needed, and would like to review the stipend for the Town Collector as he is retiring and would like to give the same stipend to a newly elected official. Article 5 is the Town’s operating budget, discussions with departments are on-going. Articles 6 to article 11 are standard operational articles. Article 12 is funding from Capital requests and Article 13 is the Sewer Enterprise Operational Budget. Article 14 is an article requesting to fund the Ambulance Enterprise Fund for FY17. Article 15 acceptance of Chapter 90 funds and Article 16 is the town department’s revolving accounts. Article 17 is to establish a Traffic Police Detail revolving account. Article 18 allows the Board of Selectmen to enter into Lease/Purchase Agreements for up to five years, Article 19 transfers funds from Stabilization Fund for Debt and Debt Assessment. Article 20 and 21 are the CPC’s appropriation of funds. Article 22 is amount requested by the Tax Collector for moneys for the Tax Collector’s planned retirement. The Board supports so long as there is due diligent on the calculation to ensure the amount is correct. Article 23 is placed on the warrant in the event the Town would vote to authorize the sale of surplus property. And, Article 24 is to amend the Personnel Bylaw, it has not been updated since the 1990s. The Board has not received any citizen’s petitions as of this date.

4. PUBLIC HEARING

A 6:30 PM – Special Permit for Pawsitively Yummy

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Lambert to open the hearing.

The Board voted 4-0 on a motion by Selectman Jackson, second by Select Lambert to waive the reading of the abutters list.

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Lambert to waive the reading of the notice.

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Lambert to open the evidentiary portion of the hearing.

Presentation by Ms. Lisa Shapiro presently operates the retail store Pawsitively Yummy, it sells pet food and supplies located at 440 Middlesex Road. The store is divided into 2 sections, approx. 2300 sf is for a retail selling space and 1200 sf is used for storage. Ms. Shapiro is requesting to take about 700-750 sf of the storage area and convert it into a doggy daycare area. The daycare will be limited to small dogs (approx. 25 lbs. or less). This area will be able to support 14-15 dogs. When not in use for daycare this room could be used for dog training, education of humans (e.g. pet first aid) and other events. Ms. Shapiro has permission from the landlord and the terms were added to the lease extension, Improvements will be to construct non-load bearing walls per the sketch. An





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architectural drawings will be done and all required building and electrical permits will be obtained and pass all required inspections. Ms. Shapiro will install soundproofing to insure the neighbors on either side are not bothered by barking dogs. There will also add a ventilation system to dissipate doggy odors. A rubberized paint put on the floor to prevent sliding. The expected daycare hours of operation are 7am-7pm, no overnight guests.

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Lambert to continue the hearing to Monday, March 14, 2016 at 6:45 PM at the Town Offices, 25 Bryants Lane.

5. New Business

A. Comment on Land-use Boards:

i. Board of Appeals – 57-58 Althea Avenue

The Zoning Board of Appeals is seeking comment from the Board of Selectmen on particular matters brought to their boards and commissions.

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Lambert to take no action on the request for comment as presented this evening.

ii. Board of Appeals – 89 Coburn Road

The Zoning Board of Appeals is seeking comment from the Board of Selectmen on particular matters brought to their boards and commissions.

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Nocco to take no action on the request for comment as presenting this evening.

B. CHAPA – Right of First Refusal

The Administrator received a letter from Citizen's Housing and Planning Authority, Inc. (CHAPA) in regards to property on Steinbeck Street. CHAPA is the monitoring agent on behalf of the Maple Ridge project. When an owner is looking to sell their property the monitoring agent manages the sale as outlined in the deed rider. Also outlined in the deed rider is the option for the Town to purchase the property. The Town has 30 days under the "right of first refusal" to purchase the affordable unit, to either manage or re-sell.

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectmen Lambert to waive the town's right to purchase the property.

6. Adjournment

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Lambert, to adjourn the meeting. The meeting adjourned at 7:30 PM.

Respectfully submitted

Therese Gay
Admin Assistant

Approved on Monday, March 14, 2016

