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, April 25, 2016 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.
Member Absent: Selectman Steven Nocco.
Staff Present: Town Administrator Curt Bellavance, Assistant Town Administrator Matt Hanson 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 at 6:10 pm, 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, April 11, 2016

The Board voted 3-0-1 on a motion by Selectman Jackson, second by Selectman Gramer, to approve the minutes of Monday, April 11, 2016. (Selectmen Lambert abstains from voting).

3. New Business

A. Request – Tyngsborough Water District seeking extension for well testing

The Tyngsborough Water submitted a request to extend the license agreement pertaining to the land shown on Assessors Map 19, Lot 35 and Map 50 and 51 for the period of two years (730 days), with possible extensions; the reason for the two year period is time needed for permits as we proceed. In 2014, the Tyngsborough Water District completed the initial site investigation on the parcel known as the Hunter Property. The test proved to be a positive location for future Town wells.

The Board deferred this item to the Monday, May 2, 2016 meeting.

B. Appointments: Education Fund, Recreation Committee

i. Education Fund

The Tyngsborough Education Fund committee has three vacancies. The Fund is a collection of donations through the real estate tax bill. The Fund Committee is looking to review the possibility of distributing some funds through the program. The Treasurer and Superintendent are permanent members of the five-person committee. The Treasurer and the Superintendent have recommended the following three candidates: Nancy Christie, Diane Seltz and Michael Flanagan.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to appoint, Nancy Christie, Diane Seltz, and Michael Flanagan to the Tyngsborough Education Fund Committee.

ii. Recreation Committee

The Recreation & Park Committee has a vacancy for one of the alternate positions. Ms. Mary Mt. Pleasant submitted a letter of interest asking to be considered for appointment to the committee and serve as an alternate member.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Gramer to appoint Mary Mt. Pleasant to the Recreation & Parks Committee for a three-year term expiring June 30, 2019.

C. Request – Special Permit extension for Blue Wave Solar, 50 Westford Road

Mr. Pierson, Director of Project Development for Blue Wave Capital, LLC request an Extension for a Special Permit and an Order of Conditions for a Solar Facility at 50 Westford Road for two years. A special permit was issued by the Board of Selectmen on June 7th, 2010 to Westford Road Development, LLC. An order of condition was issued by the Conservation Commission on October 12th, 2010 to Westford Road Development. LLC. Blue Wave requires this additional time for the following: 1) securing SREC and Net Metering allocation, which both depend on future legislative action whose timeline is uncertain; 2) secure financing for the project, which directly depends on certainty regarding SREC and Ne Metering allocation and 3) procure an engineering, procurement, and construction contractor, which cannot occur without financing.

The Board deferred this item to a future meeting.

D. Potential Article – Billboard for 120 Westford Road/Rec Dept. site

The Assistant Town Administrator presented Article 14 a request for authorization to enter into and all necessary agreements to let and/or lease the property for the construction, installation and operation and maintenance of a billboard on such terms and conditions as the Board of Selectmen deem appropriate, the following property: The property known as 120 Westford Road. It is the hope that with the leasing of advertising space on a billboard would bring in additional monies needed to maintain recreational fields. A plan of the location of the sign was shown. The leasing of 120 Westford would need Town meeting approval if the Selectmen wish to enter into a lease of more than three years. The Placement and Specifications to be determined by the Zoning board of Appeals, the Conservation Commission and the Massachusetts Office of Outdoor Advertising. Lease terms, including lease payments, length of leased, bonding and insurance requirements, allowable content etc., to be approved by the Board of Selectmen. Then the Board of Selectmen would release a Request for Proposals (RFP) for advertising companies to lease a portion of the property. The Selectmen select the most advantageous proposal, the chosen applicant applies to Zoning Board of Appeals (ZBA) and the Conservation Commission (ConCom). Public hearing will be conducted, if approval is granted the applicant applies to Massachusetts Office of Outdoor Advertising for final approval. The applicant must then meet the strict guidelines outlined in MassDOT regulations. The timeline would be late fall or spring of 2017. The Assistant Administrator outlined the estimated lease revenue the Town would receive, and the history of billboards in Tyngsborough. The sign will be V shaped and will have access down a dirt road.

4. Old Business

A. Freedom Alley Shooting Sports – Special Permit decision

After much discussion on the level of lead in the firing lane. The petitioner will follow the guidelines from OSHA and the federal and state guidelines. The Board discussed adding also local regulations, at this time the town has no regulations, would like to have verbiage that references local regulations in the event the Town adopts such regulations. The petitioner's attorney has

signed off and Town Counsel reviewed and was accurate with some changes to correct typos, two areas of finding of fact to form and not substance. Selectman Lambert voiced his concern for the young children being exposed to the level on lead and would like to see a standard the mirrors the standard for school shift to the gun range. The Board will continue discussions next Monday.
The Board voted 4-0 on a motion by Selectman Lambert, second by Selectman Jackson to continue the hearing to Monday, May 2, 2016 at 7:00 PM at the Tyngsborough Town Offices, 25 Bryants Lane.

B. Contracting and Bids:

i. 5 Industrial Way – accept bid

Bids for the sale of 5 Industrial Way were opened on April 19th, two bids were received. The low bid was $50,000, the high bid was $355,000 from Mr. Guy V. Faretra and Craig D. Faretra, who currently own Chelmsford Crane Service, Inc. They plan to relocate their business in Tyngsborough. If you accept this proposal, the applicant will have 180 days to pursue a variance and/or special permit, if needed. They town reserves the right to extend this deadline. Minuteman Appraisals, Inc. appraised the property at $250,000.
The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to accept the proposal from Guy V. Faretra and Craig D. Faretra, dated April 18, 2016, in the amount of $355,000 for the disposition of surplus property located at 5 Industrial Way, identified on the Tyngsborough Assessor's Map 21, Block 2D.

ii. Energy Aggregation – authorization

Article 29 at the Annual Town Meeting of June 2, 2015 authorized the Board of Selectmen to enter into a contract to aggregate the electricity load of the residents and business in the Town. This is a lengthy process which requires approval from the Department of Public Utilities and the Department of Energy Resources prior to soliciting bids from energy suppliers. While energy, consulting services are exempt from State procurement statutes, our office conducted a request for Proposal (RFP) process to ensure a fair process was followed and the most qualified consultant was chose. The Town Administrator, Assistant Town Administrator and the Finance Director reviewed proposals from three consulting companies. Colonial Power Group scored "Highly Advantageous" in all review categories and possesses the following experience: 1) only licensed consultant/broker licensed by Commonwealth of Massachusetts with a successful 10-year track record; 2) The largest provider of municipal aggregation service in Massachusetts; 3) 28 State approved aggregation and contracted with 14 more communities, total lf 42; 4) Only company servicing 100% municipal Aggregations, no other energy services; 5) First consultant to have community take revenue stream to support Energy Management initiatives; 5) Awarded in this area: Tewksbury, Methuen, Lowell, Marlborough, Burlington, Haverhill, and Merrimack Planning Commission; 6) is member of the Mass utility EBT Working Group and has the ability to handle data transfers (enrollment, etc.) with the Local Distributor using EDI protocol; and 7) All key employees; bother partners, financial controller, program manager, municipal process and community outreach advisor are located in Marlborough, MA, Attorney located in Boston.
The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer, to approve the proposal from Colonial Power Group to provide Electric Aggregation consulting services for the development of the Town's Electricity Aggregation Plan and related services as presented.

C. Lakeview Avenue – surplus land

The Assistant Administrator is close to having a motion, the motion needs tweaking but should be ready for the next agenda.

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5. Joint Meeting with Finance Committee

A. Budget – review

The Town Administrator summarized Article 5, the financial team is still working with revenues and expenses. Our insurance carrier MIIA is expected to increase next year, also working with our health insurance carrier. Met with the finance team on Friday and working on Article 5 for the Town Meeting vote. Waiting for final numbers from the Dept. of Revenue. The Assistant Assessor prepared a new growth document for the Boards to review. The Administrator has e-mailed in draft form the assessment of the operating budget that will be available at the next meeting. There will be a reduction in Veterans' benefits but that is due only with the reduction in the number of clients. Discussion on the increase in the budget due to new positions starting next fiscal year. A brief discussion on the school budget, the School Committee is presenting their budget at their next scheduled meeting.

B. Warrant – review

GENERAL ARTICLES:

Article 1. To bring in their votes by ballot for 1 Selectmen for the term of three years, 1 Assessor for the term of three years, 1 Board of Health Member for the term of three years, 1 Board of Health for the term of two years, 1 Cemetery Commissioner for the term of three years, 1 Cemetery Commission for the term of two years, 1 Cemetery Commissioner for the term of one year, 2 Finance Committee Member for the term of three years, 2 Library Trustees for the term of three years, 2 School Committee Members for the term of three years, 1 Sewer Commissioner Member for the term of three years, 1 Tax Collector for the term of three years, 1 Planning Board Member for the term of five years, 1 Tyngsborough Housing Authority Member for the term of five years. Article 1 is the election warrant prepared by the Town Clerk.

Article 2: Reports of the Town Officers and Committees. To see if the Town will vote to accept the reports of the Town Officers and Committees as printed, or take any other action relative thereto. Submitted by: Board of Selectmen

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place article 2 on the warrant.

Article 3: Choose all officers not named. To see if the Town will choose all officers not named in Article 1 of the Annual Town Election Warrant, or take any other action relative thereto. Submitted by: Board of Selectmen

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place article 3 on the warrant.

FINANCIAL ARTICLES:

Article 4: Compensation of Elected Officials. To see if the Town will vote to fix the salary and compensation of elective officers of the Town as provided by Section 108 of Chapter 41 of the Massachusetts General Laws, as amended, for the Fiscal Year 2017 (July 1, 2016 - June 30, 2017), or take any other action relative thereto.

Salaries of the Elected Officials are included in the Department Appropriations to be submitted within Article 5.

	SALARIES 7/01/15 6/30/16	REQUEST SALARIES 7/01/16 6/30/17	RECOMMENDED 7/01/16 6/30/17
Elective Town Officers			
Moderator	$ 0	$ 0	$ 0
Selectmen Members (5)	$ 0	$ 0	$ 0

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Chairman	$ 0	$ 0	$ 0
Tax Collector	$ 64,627	$ 0	$ 0
Town Clerk	$ 59,242	$ 60,427	$ 0
Assessors (3)			
Chairman	$ 0	$ 0	$ 0
Member (1)	$ 0	$ 0	$ 0
Member (1)	$ 0	$ 0	$ 0
Board of Health			
Chairman	$ 0	$ 0	$ 0
Members (4)	$ 0	$ 0	$ 0
Tree Warden	$ 0	$ 0	$ 0
Cemetery Commissioners (3)	$ 0	$ 0	$ 0
School Committee (7)	$ 0	$ 0	$ 0
Library Trustees (6)	$ 0	$ 0	$ 0
Sewer Commissioners (3)			
Chairman	$ 1,500	$ 1,500	$ 0
Member (1)	$ 1,500	$ 1,500	$ 0
Member (1)	$ 1,500	$ 1,500	$ 0
Planning Board (5)			
Chairman	$ 0	$ 0	$ 0
Members (4)	$ 0	$ 0	$ 0
Finance Committee (5)	$ 0	$ 0	$ 0
Constables (2)	$ 0	$ 0	$ 0
Greater Lowell Technical HS (1)	$ 0	$ 0	$ 0

Submitted by: Board of Selectmen and Finance Committee

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 4 on the warrant. Discussion: the salary for the Tax Collector is also place in the department's salary line. The Administrator is looking into elected officials receiving a stipend.

Article 5: Appropriation – General Fund for Fiscal Year 2017. To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be necessary to fund town expenses for Fiscal Year 2017 (July 1, 2016 - June 30, 2017), or take any other action relative thereto.
Submitted by: Board of Selectmen and Finance Committee

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 5 on the warrant.

Article 6: Transfer of Funds. To see if the Town will vote to appropriate by transfer from the Billboard Stabilization Fund the sum of $20,000.00 to be expended by the Board of Selectmen to be used to stabilize the tax rate for Fiscal Year 2017 by funding recreational, public safety, or other public purposes, or take any other action relative thereto. Submitted by: Board of Selectmen

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 6 on the warrant.

Article 7: Transfer of Funds. To see if the Town will vote to appropriate by transfer the sum of $5,000.00 from the Wetland Protection Fund to stabilize the tax rate for FY 2017, or take any other action relative thereto.
Submitted by: Board of Selectmen and Finance Committee

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 7 on the warrant.

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Article 8: Transfer of Funds. To see if the Town will vote to appropriate by transfer the sum of $242,140.00 from the PEG Fund to stabilize the tax rate for FY 2017, or take any other action relative thereto.
Submitted by: Board of Selectmen and Finance Committee

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 8 on the warrant.

Article 9. Transfer to Stabilization. To see if the Town will vote to appropriate by transfer the sum of $576,656.06 from Free Cash to the following funds, or take any other action relative thereto.

Transfer from:	Free Cash	$576,656.06
Transfer to:	Stabilization Fund	$326,771.77
	Capital Asset Stabilization Fund	$249,884.29

Submitted by: Board of Selectmen and Finance Committee

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 9 on the warrant.

Article 10. Transfer of Funds. To see if the Town will vote to appropriate by transfer the sum of $100,914.81 from Free Cash to the following funds, or take any other action relative thereto.

Transfer from:	Free Cash	$100,914.81
Transfer to:	Other Post-Employment Benefits Liability Trust Fund	$52,860.14
	Compensated Absence Fund	$48,054.67

Submitted by: Board of Selectmen and Finance Committee

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 10 on the warrant.

Article 11: Appropriation – Capital Improvements for Fiscal Year 2017. To see if the Town will vote to transfer from available funds the sum of $283,523.00, and that the Town be authorized to accept any available grant dollars, for the following purposes:

Department	Project	Amount Not to Exceed	Expended by
Fire Department	Portable Radios	$24,000	Selectmen
Police Department	Portable Radios	$30,676	Selectmen
Highway	¾-Ton Truck with Plow	$50,000	Selectmen
Selectmen	Town Offices Improvements	$62,847	Selectmen
Information Tech.	Town Hall Phone system	$21,000	Selectmen
School	Technology Replacement	$50,000	School Committee
School	Maintenance vehicle	$45,000	School Committee
		$283,523 or a total of $283,523.00,	

or take any other action relative thereto. Submitted by: Board of Selectmen and Capital Asset Management Committee

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 11 on the warrant.

Article 12: Appropriation – Sewer Enterprise Fund for Fiscal Year 2017. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be expended by the Sewer Commission to operate the Sewer Enterprise for Fiscal Year 2017 as follows:
That the following sums be appropriated:

SHOWN IS FY16

Salaries & Stipends	$ 195,554.00
Expenses	$ 727,404.00
Capital Outlay	$ 863,750.00
Debt	$ 75,318.00

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Subtotal	$ 1,862,026.00
Indirect Costs to General Fund	$ 114,819.00
Total	**$ 1,976,845.00**

That $1,862,026 be appropriated from the Sewer Enterprise fund

Department receipts	$ 1,209,715.00
Retained Earnings	$ 767,130.00
Total	**$ 1,976,845.00**

That $114,819.00 be included in appropriations from the General Fund for indirect costs and be allocated to the Sewer Enterprise for funding, or take any other action relative thereto. Submitted by: Sewer Commissioners

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 12 on the warrant. The Sewer Commissioners are meeting on Thursday evening and some of the numbers may change.

Article 13: Appropriation – Ambulance Enterprise Fund for Fiscal Year 2017. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be expended by the Board of Selectmen to operate the Ambulance Enterprise for Fiscal Year 2017 as follows:

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 13 on the warrant.

Article 14: Authorization of the Board of Selectmen Regarding Contracts in Excess of Three Years. To see if the Town will vote to authorize the Board of Selectmen to enter into Lease/Purchase Agreements up to five years to purchase equipment for Town Departments. Said contracts shall be subject to annual appropriations, or take any other action relative thereto. Submitted by: Board of Selectmen

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 14 on the warrant.

Article 14b: Authorization of the School Committee Regarding a Transportation Contracts in Excess of Three Years. To see if the Town will vote to authorize the School Committee to enter into an Agreement up to five years to provide transportation services for the school department. Said contracts shall be subject to annual appropriations, or take any other action relative thereto. Submitted by: School Committee

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 14b on the warrant.

Article 14c: Authorization for the Board of Selectmen to lease property for a Billboard. To see if the Town will vote to authorize the Board of Selectmen to enter into any and all necessary agreements to let and/or lease the property for the construction, installation, operation and maintenance of a billboard, on such terms and conditions as the Board of Selectmen deem appropriate, property identified as 120 Westford Road, shown as Assessors' Parcel 22-1-0,containing approximately 14.61 acres of land, zoned Industrial 1 Light (I-1), recorded in Middlesex North Registry of Deeds in Book 2652, Page 722, or take any other action relative thereto. Submitted by: Board of Selectmen

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 14c on the warrant.

Article 15: Authorization to Accept Chapter 90 Funds. To see if the Town will vote to accept the State Grant of Chapter 90 Highway Funds and authorize the Board of Selectmen to expend said funds for Highway purposes in accordance with the terms of said grants; or take any other action relative thereto. Submitted by: Board of Selectmen

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 15 on the warrant.

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Article 16: Continue and Approve Revolving Funds. To see if the Town will vote to authorize pursuant to the authority granted under Massachusetts General Laws Chapter 44, Section 53E½ the following revolving funds for the purpose of receiving fees and making disbursements in connection with the duties of the following town entities or as so specified below, and that any surplus revenue accumulated in FY2016 and FY2017 shall remain in the revolving accounts for each of the following town entities:

Fund	Programs and Purposes	Departmental Receipts	Authorization	Max. Annual Expenditure
Fire Department	Fire programs and materials	Hazmat fees	Board of Fire Engineers	$10,000.00
Ambulance	Ambulance programs and materials	Fees	Board of Fire Engineers	$50,000.00
Recreation Committee	Recreational programs and activities	Fees collected from participants	Board of Selectmen	$120,000.00
Old Town Hall	Old Town Hall operation and maintenance	Fees	Board of Selectmen	$25,000.00
School Field Use Committee	Field maintenance	Field use fees	School Field Use Committee	$50,000.00
Recycling Committee	Recycling programs and materials	Fees collected from participants	Board of Health	$7,000.00
Board of Health	Collection and disposal of bulky items and appliances	Fees collected from participants	Board of Health	$35,000.00
Board of Health	Reimbursement program for Medicare Plan members	Medicare reimbursements	Board of Health	$6,000.00
Conservation Commission	Conservation Commission activities	Fees from local Wetland Protection By-law	Conservation Commission	$5,000.00
Sealer of Weights and Measures	Inspection activities	Fees collected from participants	Board of Selectmen	$3,000.00

or take any other action relative thereto. Submitted by: Town Entities as shown

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 16 on the warrant.

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Article 17: Establish a Police Detail Revolving Fund. To see if the Town will vote to establish a Traffic Police Detail Revolving Fund as authorized by Chapter 44, §53E½ of the Massachusetts General Laws. This fund shall be funded by citations and other traffic violations charged. These funds may be expended without further appropriation for wages and expenses related to traffic and roadway safety. The Board of Selectmen may expend from this account an amount not to exceed $30,000 for the fiscal year beginning July 1, 2016, or take any action in relation thereto.
Submitted by: Board of Selectmen

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 17 on the warrant.

Article 18: Transfer Funds. To see if the Town will vote to transfer an amount in FY16 from Stabilization Fund for Debt & Debt Assessment and said funds be used by the Treasurer to be used towards the payment of debt principal and interest for the Early Childhood Center (ECC) Roof, 135 Coburn Road, and the Greater Lowell Technical High School for Debt Assessment; or to take any other action relative thereto.

Transfer from:	Stabilization Fund for Debt & Debt Assessment	$59,645.00
Transfer to:	Long Term Debt Principal	$50,000.00
	Long Term Debt Interest	$ 9,645.00
Transfer from:	Stabilization Fund for Debt & Debt Assessment	$69,378.00
Transfer to:	Vocational School Assessment	$69,378.00

Submitted by: Board of Selectmen

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 18 on the warrant.

Article 19: Appropriation from Community Preservation Committee Fund. To see if the Town will vote a sum of money to be appropriated or reserved from estimated annual revenues of the Community Preservation Fund for the fiscal year 2017, with each item to be considered a separate appropriation, for the payment of administrative expenses of the Community Preservation Committee, debt service, community preservation projects, and all other necessary and proper expenses,

Description	Amount	Fund Category
Administrative Expenses	$25,000.00	Administrative
Lake Mascuppic Weed Control Program	$7,000.00	Open Space/Rec
Flint Pond Restoration	$35,000.00	Open Space/Rec
First Parish Fence	$9,913.75	Open Space/Rec
Winslow School	$30,000.00	Historic
Artifact Display Cabinet	$4,000.00	Historic
Tyngsborough Housing Authority Study	$30,000.00	Housing
Pay off Red Pine Housing debt	$299,909.90	Housing
	$100,090.10	Undesignated
	$400,000.00	TOTAL
Pay off First Parish Meeting House debt	$348,867.40	Historic
	$121,132.60	Undesignated
	$470,000.00	TOTAL
Long Term Debt Services	$_____	
Interest on Long Term Debt	$_____	
Interest on Short Term Debt	$_____	
Total CPC Appropriations	$_____	
Reserve for Historic Preservation	$_____	
Reserve for Affordable Housing	$_____	
Reserve for Open Space	$_____	
FY 2017 Budgeted Reserve	$_____	

or take any other action relative thereto. Submitted by: Community Preservation Committee

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The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 19 on the warrant.

Article 20: Vote to close-out Balances. To see if the Town will vote to close the following account of the Community Preservation Fund by transferring the remaining balance of the account to the Community Preservation Account from which the funds were originally transferred as listed below or take any other action relative thereto. ???????

FROM:	Acct. #230-183-6202-000	CPC project	$1,000.00
TO:	Acct. #230	CPC Reserve for Open Space	$1,000.00

Submitted by: Community Preservation Committee

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 20 on the warrant if needed.

Article 21: Transfer of Funds for Town Collector Retirement. To see if the Town will vote to raise and appropriate or transfer from available funds $_____ for the Town Collector's planned retirement in May 2016, or to take any other action thereto.

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 21 on the warrant. The final number will be on the article for next week.

Article 22: Transfer of Funds. To see if the Town will vote to appropriate by transfer from available funds $30,000.00 from the funds received through the Charles George landfill back tax settlement to be used for the cleanup of weeds and the restoration of Flint Pond and Lower Flint Pond, or to take any other action relative thereto.
Submitted by: Board of Selectmen

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to not place Article 22 on the warrant. The money is not in free cash and cannot expend the funds until the funds are received.

MISCELLANEOUS ARTICLES

Article 23: Authorization to Sell Surplus Property To see if the Town will vote to authorize the sale of surplus property, identified as Lakeview Avenue _____.

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 23 on the warrant.

Article 24: Amend the Wetland Bylaw. To see if the Town will vote to amend the Wetlands Bylaw, Article XXXIII, Section 5.1 by amending the following language by deleting the underlined words and replacing them with the **BOLDED** words;

> 5.1 Any person filing a permit application or a RDA with the Commission at the same time shall give written notice thereof, by <u>certified mail (return receipt requested)</u> **Certificate of Mail** or hand delivered, to all abutters at their mailing addresses shown on the most recent applicable tax list of the assessors," or to take any other action relative thereto

Submitted by: Conservation Commission

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 24 on the warrant.

CITIZEN PETITIONS:

Article 25: Citizen Petition to Amend the Zoning Bylaw. To see if the town will vote to amend the zoning map from Business (B3) to Industrial One (I1) with respect to a certain <u>portion</u> of land situated in Tyngsborough, Middlesex County,

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Massachusetts, known as 324 Middlesex Road and being shown on a Zoning Extension Plan dated April 5, 2016 prepared by LandPlex Civil Engineering & Surveying containing the following metes and bounds:

Beginning at a point on the southerly side of a twenty-five foot wide Right of Way known as Chisholm Road, at the northwest corner of the premises;
Thence running N 78°51'57"E along the southerly side of said Right of Way a distance of 164.54' ;
Thence running S 26°36'40"E a distance of 1,046.05' ; Thence running S 63°23'20"W a distance of 328.66' ;
Thence running N 38°08'52"W a distance of 70.89' ; Thence running along a curve to the right of radius 600.00' a length of 120.72' ; Thence running N 26°37'11"W a distance of 227.19' ; Thence running N 44°01'59"E a distance of 118.46' ;
Thence running N 19°00'27"W a distance of 639.76' to the point of beginning. The remaining portion of the property shall remain zoned as currently designated. The property is more particularly described in a deed to Tyngsboro D.J.D., LLC recorded at Book 29698, Page 69 on December 29, 2015 in the North Middlesex District Registry of Deeds, or to take any other action relative thereto. Citizen Petition

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 25 on the warrant.

TOWN OF TYNGSBOROUGH
SPECIAL TOWN MEETING WARRANT - May 17, 2016 -7:30 PM

Article 1: Transfer from Available Funds. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, and/or appropriate by transfer from one or more municipal government accounts a sum of money to supplement various municipal government groups for fiscal year 2015, or take any other action relative thereto.
Petition of the Board of Selectmen

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 1 on the warrant.

Article 2: Approve Payment of Prior Year Unpaid Bills. To see if the Town will vote to appropriate by transfer from Fiscal Year 2016 departmental appropriations the following amounts to pay prior years' bills, or to take any other action relative thereto.

Prior Year	Invoices/Vendor	Amount	Department
FY15	The Lowell Publishing Co.	266.64	Planning Board
FY15	The Lowell Publishing Co.	266.64	Planning Board

Submitted by: Board of Selectmen

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 2 on the warrant.

Article 3: Transfer of Funds. To see if the Town will vote to appropriate by transfer from Free Cash (available funds) the sum of $139,965.56 to supplement the Tyngsborough School Budget for fiscal year 2016 to be expended by the School Committee. Said amount represents reimbursements made through June 30, 2015 from the Municipal Medicaid Program for school services provided to eligible residents, or take any other action relative thereto.
Submitted by: Board of Selectmen and School Committee

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to place Article 3 on the warrant.

Article 4: Transfer of Funds Free Cash. Transfer from Free Cash to Snow and Ice (if needed)
Petition of the Board of Selectmen

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to not place Article 4 on the warrant.

town of tyngsborough massachusetts

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

Article 5: Transfer from Sewer Enterprise. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, and/or appropriate by transfer from one or more municipal government accounts an amount to be expended by the Sewer Commissioners, or to take any other action relative thereto.
Petition of the Sewer Commissioners
The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Gramer to not place Article 5 on the 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 4-0 on a motion by Selectman Jackson, second by Selectman Gramer, to accept the correspondence as read.

8. Review of Weekly Warrants
The Town Administrator read the following warrants: Warrant #42P for $865,337.08 on 4/18/2016; Warrant #42SPI for $6,100.00 on 4/18/2016; Warrant #42S for $168,177.36 on 4/18/2016; Warrant #42S(332) for $36,722.36 on 4/18/2016; Warrant #42B for $749,093.31 on 4/18/2016; Warrant #43VET for $10,525.07 on 4/25/2016; Warrant #434SPI for $65,045.18 on 4/25/2016; Warrant #43B for $539,981.29 on 4/25/3016.

9. Town Administrator's Report

- Budget

The Administrator reviewed the budget in item 5A.

- Contracting/Procurement

The RFP is out for the First Parish Meeting House, there was a walk through last week. The bids are due on5/14 and the final 5/18 and the project will start in June.

- Other

The Administrator updated the board on the Candidates Night forum hosted by the Lowell Sun. The uncontested candidates will give a brief opening comment; and the positions that are contested will have a question and answer session. Tyngsborough Telemedia will be broadcasting live.
The Administrator announced the retirement party for the Tax Collector, he is not seeking reelection, and invited everyone to stop by on Monday, May 2, 2016 from 3PM to 6PM. Refreshments will be served.

10. Selectmen's Reports
Selectman Lambert has noticed that the Capital Asset Management Committee varies from year to year, no need to change at the moment but he would like to see the committee use the DOR format.
Selectman Jackson announced the following meeting, the Capital Asset Management Committee is meeting Thursday, April 28 at 6 PM and the Government Study Committee will meet at 7 PM.

Selectman Reault mentioned the great work of the Middlesex Council of Government's Director Beverly Woods did to suspend the progress of the Kinder Morgan Pipeline.

11. Executive Session – No executive session this evening.

12. Adjournment

The Board voted 4-0 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 Assist.

Approved on Monday, May 16, 2016