



**BOARD OF SELECTMEN
TOWN OF TEWKSBURY
TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876**

TODD R. JOHNSON, CHAIRMAN
SCOTT WILSON, VICE CHAIRMAN
BRUCE PANILAITIS, Ph.D., CLERK
DAVID H. GAY
JAMES D. WENTWORTH

TEL (978) 640-4300
FAX (978) 640-4302

**MEETING MINUTES
MARCH 24, 2015**

Scheduled Items

Executive Session—Contract Negotiations

The Chair called the meeting to order at 6:00 p.m. to conduct discussion on contract negotiations and collective bargaining. Because discussion of these matters in open session would be detrimental to the town's interest, the chair requested a motion to move to executive session.

MOTION: Mr. Gay made the motion for the Board to enter into Executive Session; Mr. Wentworth seconded the motion, and on a roll call vote Mr. Wentworth, Mr. Gay, Mr. Mr. Panilaitis, and Mr. Johnson vote in favor. The motion was unanimous at 6:01 pm.

Mr. Wilson was not present at the beginning of the meeting, but arrived shortly after the vote.

MOTION: Mr. Gay made the motion for the Board to exit Executive Session at 7 p.m.; Mr. Wilson seconded, and on a roll call vote Mr. Wentworth, Mr. Gay, Mr. Wilson, Mr. Panilaitis, and Mr. Johnson vote in favor for a unanimous vote.

Chairperson Todd Johnson called the regular session portion of the meeting to order at 7:05 p.m. Present for the Board of Selectmen meeting were Scott Wilson, Vice Chair; Bruce Panilaitis, Clerk and Board Member, David Gay. Richard Montuori, Town Manager was also present. Board Member James Wentworth and Attorney Charles Zaroulis were not present.

Senator L'Italien

In general things are going at a slow pace due the new governor met with historic levels of snow (as everyone needed to contend with). Committee assignments have happened and she is currently sitting on several which include Joint Committee on Municipalities and Regional government, Elder Affairs, Intergovernmental Affairs, Education, Higher Education, Redistricting, Health Care Financing, and Community Development and Small Businesses and allot of work. Bills have not been sent over to committee yet; however, budgeting for the bills will take place at the usual time on the last week in April and the last week in May.

- 1. Route 38 improvements with regard to infrastructure and economic development; transportation bond bill appropriation & access to those funds.**

Response: \$10M placed in transportation bill; although it is not guaranteed a portion these funds are allocated to Tewksbury. Administration and Finance is needed to authorize this information. It would be important for Senator L'Italien, if possible, for the Selectmen to come up with increments of the entire project in order to prioritize and get some momentum going to initiate improvements to Route 38. She also mentioned setting up a meeting with Kristen Lepore and a meeting with the transportation secretary.

The selectmen have found out via NMCOG that there is a communication disconnect as to who should do the assessment work for these types of projects. It has been advised the assessment work needs to come from the Department of Transportation. Mr. Gay commented on the excitement of a new project but then it never seems to materialize. The Selectmen are desperate to get revitalization done on Route 38 mainly for the purpose of economic development. Senator L'Italien stressed the town does need a tireless advocate who will continue to push this topic.

2. Local aid—maintaining current levels in FY15 and improving the picture of FY16; specifically, c.90 and c.70 as well as circuit breaker improvements for out of district special education and transportation reimbursement.

Response: The circuit breaker is coming in at a 67% reimbursement rate which will apply for retroactive reimbursement. This percentage is down from 72% to 75% last year and due to the budget being level funded. Senator L'Italien strongly feels transportation should be kept in the circuit breaker. She also recommended a software programs for transportation shared routes. This is an extremely helpful way communities can keep down transportation costs.

Today there was movement on per pupil expenditure; currently the most reasonable option would be to raise it by \$5 to \$25, which would mean an additional \$18,000 for Tewksbury additional. The proposed range does go up to \$50 per pupil would be a significant at a \$100,000 increase.

There is a Warrant article for town meeting with requests \$725,000 from the stabilization fund to be transferred to the school budget to accommodate the current shortfall due to the escalated cost of special education and out of district placement.

On the Education Committee part of the mission is to understand why pupils go out of district. In some cases it is understandable in the case of special education, but for others it is not so clear. The Selectmen feel this is a reality for the budget process to address—do not want to single out any special education need, however a long-term solution is needed.

3. Legislative assistance and executive based steps to finalize Livingston Street and Tewksbury Cemetery land transfers

Response: Senator L'Italien will call DCAM tomorrow on Livingston street transfer. The Tewksbury Cemetery is being covered by Senate Document 1496, which she distributed, and requested will need to be approved by Town Meeting. Once this is complete it can be put through the Rules Committee. Mr. Montuori noted this item was included in the current Warrant.

4. Potential mitigation of public safety expenses/resources for activities at Tewksbury State Hospital through budget process or special legislation

Response: Senator L’Italien requested a quantification of what is needed for Tewksbury. She felt she could help and would be very glad to work on this on behalf of the community. She also suggested working with the administrator at the Tewksbury State Hospital to find ways to work together on the financial items—not to take away from her budget but to help the hospital and the community. She is committed to fight to keep the \$2.2M which could be cut and work with the hospital to keep their budget intact. An offline meeting may also be necessary to understand history of this request.

5. Potential cost mitigation for communities and taxpayers for improving sewer & water infrastructure

Response: Senate docket 1568 was distributed to the Selectmen; this docket reopens Representative Miceli’s work on \$2,000,000 for sewer work and earmarks Tewksbury for \$200,000. It won’t solve all issues with improving sewer and water finances, but it is a means to chip away at the bottom line.

6. Library certification/waiver—change of process & fund level requirements

Response: Senator L’Italien asked on a yearly basis how much is needed to meet compliance. Mr. Montuori stated the amount was \$1,218,660. Senator L’Italien made note of a similar case in the Town of Saugus; she will go back and do some research on this story. At a very minimum her intention would be to have a meeting with the Library Board of Commissioners as this has not happened. Tewksbury’s Library Director has had allot of communication with the Board, but not an in person meeting.

The Selectmen made it a point that the investment in a teen librarian will not count towards that certification but is a significant impact on the \$200,000 deficit needed to qualify for a certification.

Senator L’Italien thought it may be time to also consider online licenses as a valuable investment.

Before 2:00 p.m. tomorrow she will need a breakdown on Tewksbury State Hospital. The Senator also committed to follow through on other obligations. She is open to a follow-up meeting in another couple months or on a regular basis, but will leave this to discretion of the Selectmen to decide.

AECOM—Water Treatment Plant Presentation

There is a warrant article for an upgrade on the water treatment plant in amount of \$13.1M. AECOM performed a feasibility study for the town. The plan has been in front of the town for approval several times. Present for this discussion was Mr. Pieter Hartford, Project Manager of MPH Environmental, Inc. who has been working with Lou Zediana, Chief Operation Engineer at the Tewksbury Water Treatment Department. Mr. Zediana was also present. Mr. Brian Gilbert, Tewksbury Superintendent of Public Works; Mr. Donald Chelton, Vice President at AECOM; and Mr. Stephen DeFrancesco, Senior Program Director for Water at AECOM were also present.

This project started in 2009-2010 when the town received a notice of non-compliance. At the time the town assessed its water treatment process and the treatment plant that was 27 years old. Tonight’s presentation is an update on the original project and the cost associated.

Plant was constructed in 1988 and with a total capacity of 3.5 million gallons per day (mgd). The plant was expanded in 2000 to a total capacity of 7 mgd. Sludge dewatering was added in 2005. The facility has never been refurbished.

Capacity is not an issue at this time. Process enhancements will improve the water treatments. The overall equipment and facility needs to be upgraded.

Sludge holding tank is a concern as there is a system in place to treat the sludge, but the tank has aged. There is an emergency relief valve, but it has aged as well. Lowell Sewer will no longer accept sludge from Tewksbury.

Equipment and facility improvements are needed due to their age of 27 years old. The town can continue to run on the equipment but eventually it is going to breakdown and can't be depended on.

Improvements include:

- Chemical storage and feed systems
- Emergency generator
- Instrumentation and control system
- Flow measurement
- Raw and finished water pumps and speed control
- Filtration system
- Facilities:
 - Laboratory
 - HVAC
 - Sprinkler and fire alarm systems need facility wide
 - Telephone system
 - Housings for clarifier and electrical equipment
 - Window and door replacement
 - Masonry and concrete repairs

The goal of the project is when all equipment replaced that the town will will have a treatment plant it can rely on for the next 20 years.

The plan is at 90% level of design AECOMs opinion of cost is as follows:

Construction	\$9.82M*
Allowance of system integrator	\$0.65M
Engineering and construction contingency	<u>\$2.65M</u>
<i>Total Cost</i>	<i>\$13.1M</i>

**Based on midpoint construction in May 2016 (for every 6 months add \$700K)*

The town would need to bid the project this year to keep this schedule.

The treatment plant building is staying the same, but the laboratory will expand slightly. A conference room/break room will be expanded. The Selectmen asked if installing solar panels etc. would be beneficial to control operating costs. AECOM have proposed some energy efficiencies to reduce costs, but have not looked into solar panels.

Construction time is estimated at 22 months. The town's water capacity should not change at all.

A copy of the presentation is attached to the minutes as an addendum

Residents

Mr. Johnson opened the meeting up for public comment; no one present came forward to speak.

New Business

Town Clerk Denise Graffeo—Additional Election staff

Mr. Montuori presented on behalf of Denise Graffeo, Town Clerk, a list of additional Election Staff to be appointed by the Board of Selectmen through August 2015. The positions are necessary to fill vacancies that occurred after the Selectmen made appointments for the 2014-2015 Election Staff. All nominated are Tewksbury residents and all are registered voters. The list is as follows:

Precinct	Position	Name	Address
1A	Warden	Karla Branchaud	
1A	Clerk/Deputy Warden	Jennifer Kocsmiersky	
1A	Inspector/Deputy Clerk	Doreen Cronin	
3A	Inspector	Diane Kushmerek	
	Alternate	Priscilla N. Quinton	
	Alternate	Dorothy R. Dixon	

MOTION: Mr. Wilson made the motion to approve the election workers as presented; seconded by Mr. Gay and the motion carried 4-0.

Keno to go Request—White Dove Pantry

No action was taken on this application from the Board of Selectmen. No objections were raised. The Police Chief has no objections to this application.

Town Manager

School Department—Statement of Interest

The Chair read the motions into the record as required.

North Street School, 133 North Street, Tewksbury, Massachusetts

Resolved: Having convened in an open meeting on March 24, 2015, prior to the closing date, the Board of Selectmen of Tewksbury, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 12, 2015 for the North Street School located at 133 North Street, Tewksbury, Massachusetts, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building

Authority in the future for (Priority #7) replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements; built in 1952, the North Street School infrastructure systems are original to the building, with inadequate heating and ventilation systems, insufficient electrical services, un-insulated *exterior* envelope, no fire protection sprinkler systems, undersized classrooms, and the 1975 modular addition appears to be inadequate for current educational purposes; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building authority, or commits the Town of Tewksbury to filing an application for funding with the Massachusetts School Building Authority.

Loella F. Dewing School, 1469 Andover Street, Tewksbury, Massachusetts

Resolved: Having convened in an open meeting on March 24, 2015, prior to the closing date, the Board of Selectmen of Tewksbury, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 12, 2015 for the Loella F. Dewing School located at 1469 Andover Street, Tewksbury, Massachusetts, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future for (Priority #5) replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems to increase energy conservation and decrease energy related costs in a school facility; built in 1968, the Loella F. Dewing School infrastructure systems are original to the building, with inadequate heating and ventilation systems, insufficient electrical services, no fire protection sprinkler systems, undersized classrooms, the main corridor of the school is three (3) feet lower than the entry level vestibule, two classroom wings were built at lower levels, and the ramps which connect the classrooms exceed the allowable slope limits for accessibility; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building authority, or commits the Town of Tewksbury to filing an application for funding with the Massachusetts School Building Authority.

Louise Davy Trahan School, 12 Salem Road, Tewksbury, Massachusetts

Resolved: Having convened in an open meeting on March 24, 2015, prior to the closing date, the Board of Selectmen of Tewksbury, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 12, 2015 for the Louise Davy Trahan School located at 12 Salem Road, Tewksbury, Massachusetts, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future for (Priority #7) replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements; built in 1954, the Louise Davy Trahan School infrastructure systems are original to the building, with inadequate heating and ventilation systems, insufficient electrical services, un-insulated exterior envelope, no fire protection sprinkler systems, undersized classrooms, and the 1957 and 1973 modular additions appear to be inadequate for current educational purposes; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building authority, or commits the Town of Tewksbury to filing an application for funding with the Massachusetts School Building Authority.

Heath Brook School, 165 Shawsheen Street, Tewksbury, Massachusetts

Resolved: Having convened in an open meeting on March 24, 2015, prior to the closing date, the Board of Selectmen of Tewksbury, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 12, 2015 for the Heath Brook School located at 165 Shawsheen Street, Tewksbury, Massachusetts, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future for (Priority #7) replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements; built in 1956, the Heath Brook School infrastructure systems are original to the building, with inadequate heating and ventilation systems, insufficient electrical services, un-insulated exterior envelope, no fire protection sprinkler systems, undersized classrooms, and the 1975 modular addition appears to be inadequate for current educational purposes; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building authority, or commits the Town of Tewksbury to filing an application for funding with the Massachusetts School Building Authority.

1. Approval to Submit a Statement of Interest for the Loella F. Dewing School:

Mr. Wilson moved the Board of Selectmen to submit a Statement of Interest for the Loella F. Dewing School based on Priority 5, seconded by Mr. Gay and on a roll call vote Mr. Wilson, Mr. Panilaitis, Mr. Gay and Mr. Johnson all vote in favor for a unanimous vote. Mr. Wentworth was not present for this vote.

2. Approval to Submit a Statement of Interest for the Heath Brook School:

Mr. Wilson moved the Board of Selectmen to submit a Statement of Interest for the Heath Brook School based on Priority 7, seconded by Mr. Gay and on a roll call vote Mr. Wilson, Mr. Panilaitis, Mr. Gay and Mr. Johnson all vote in favor for a unanimous vote. Mr. Wentworth was not present for this vote.

3. Approval to Submit a Statement of Interest for the North Street School:

Mr. Wilson moved the Board of Selectmen to submit a Statement of Interest for the North Street School based on Priority 7, seconded by Mr. Panilaitis and on a roll call vote Mr. Wilson, Mr. Panilaitis, Mr. Gay and Mr. Johnson all vote in favor for a unanimous vote. Mr. Wentworth was not present for this vote.

4. Approval to Submit a Statement of Interest for the Louise Davy Trahan School:

Mr. Wilson moved the Board of Selectmen to submit a Statement of Interest for the North Street School based on Priority 7, seconded by Mr. Panilaitis and on a roll call vote Mr. Wilson, Mr. Panilaitis, Mr. Gay and Mr. Johnson all vote in favor for a unanimous vote. Mr. Wentworth was not present for this vote.

5. Priority School Vote:

Mr. Wilson moved the Board of Selectmen to indentify the Louis Davy Trahan School as the priority school for Tewksbury Public Schools, seconded by Mr. Panilaitis and on a roll call vote Mr. Wilson, Mr. Panilaitis, Mr. Gay and Mr. Johnson all vote in favor for a unanimous vote. Mr. Wentworth was not present for this vote.

**Todd J. Johnson, Chairman
Tewksbury Board of Selectmen**

Date

The votes were signed and executed on March 24, 2015.

The Board has done this in the past and these nominations are reviewed by Massachusetts School Building Association to get the buildings in the cue for funding. The town’s major intent is still the same; and the school superintendent feels this is a good opportunity for Tewksbury.

Senior Town Counsel Invoice—January 2015

MOTION: Mr. Gay made the motion to approve payment for Senior Town Counsel’s invoice from January 2015 in the amount of \$10,556.49; seconded by Mr. Wilson and the motion carried 4-0.

Town Counsel Invoice—February 2015

MOTION: Mr. Wilson made the motion to approve payment for Town Counsel’s invoice from February 2015 in the amount of \$2,890 and \$3,570; seconded by Mr. Panilaitis and the motion carried 4-0.

Water & Sewer Rates

Mr. Montuori announced this will be put on the agenda for April 7th.

Outstanding Minutes: February 24, 2015 (regular session); March 10, 2015 (regular session)
Board of Selectmen Clerk Minutes: February 24, 2015 (executive session), March 10 (executive session)

MOTION: Mr. Panilaitis made the motion to approve the minutes for February 24, 2015 and March 10, 2015, regular and executive sessions for both meetings; seconded by Mr. Wilson and the motion carried 4-0.

Board Member Reports

Scott Wilson:

- Beautification committee will meet next week

- Town Clean-up Day is scheduled for May 2; hoping to have times for groups to collect trash, but if residents cannot make their time they can complete their assignment anytime during that weekend
- Moving forward with artwork on electrical boxes project
- Adopt An Island guidelines have been finalized
- Asked Mr. Montuori to check on his position with the Beautification Committee as he will not be able to be a voting member once his term is up; and also to check on the Town Center Master Plan Committee as he was appointed as a resident –not sure if needs to step down

Todd Johnson:

- Sunday, March 29th at 9 a.m. is annual Megan McCarthy Road Race at TMHS
- Economic Development Process Review Committee met last Monday night; pleased to report two new members attended

James Wentworth:

- Not present for regular session

Bruce Panilaitis:

- Town Center Committee meeting was held on Monday to review the five responses to proposal received; the committee decided to interview all responders on April 9 and April 16 at TMHS in the evening. Confirmations have been received from all to attend the interview; will be a public meeting
- Economic Development Committee will meet this Thursday at 7:30 a.m. It will be Mr. David Plunkett's last meeting and would like to express his appreciation of all his years of service.
- Rail Trail public information meeting will be held at TMHS from 6:30-8:00 this Thursday
- Kinder Morgan has published more detailed maps and how the pipeline will pass through Tewksbury and the region; go to the FERC website

David Gay:

- Attended the Lowell St. Patrick's Day dinner; Governor Baker was a speaker and was excellent
- David Plunkett was at his last meeting NMCOG for where he served for 20 years

The next meeting will be held on April 7, 2015 at 7:00 p.m.

Adjournment

MOTION: Mr. Gay made the motion for the Board to adjourn at 9:05 p.m.; Mr. Wilson seconded, and the motion carried 4 to 0.

Approval ratified by the Board of Selectmen on April 7, 2015