



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

SCOTT WILSON, CHAIRMAN
DOUGLAS W. SEARS, VICE CHAIRMAN
JAMES D. WENTWORTH, CLERK
DAVID H. GAY
TODD R. JOHNSON

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MEETING MINUTES
MARCH 25, 2014

Chairperson Scott Wilson called the meeting to order at 7:04 p.m. Present for the Board of Selectmen meeting were Doug Sears, Vice Chair; James Wentworth, Clerk and Board Members, David Gay and Todd Johnson. Richard Montuori, Town Manager and Attorney Charles Zaroulis were also present.

Café Sicilia – continued Entertainment License Hearing

Mr. Sears recused himself from this hearing as applicant is a client of his.

A hearing was conducted with Joseph Mazolla, Manager of Café Sicilia, for the purposes of applying for an entertainment license to consist of musical instruments (flute, mandolin, guitar, etc.) seven days per week, including outside licensed area, on premises located t 1300 Main Street, Unit B.

Mr. Wilson opened the hearing up for public comment and no residents came forward to speak on this matter.

Mr. Wentworth suggested in summer months the music could end at 9:00 p.m. as the sun sets around 8:30 p.m. Mr. Gay noted he is in favor of this license and is encouraged that there are no residents present this evening that are in opposition. In his opinion, this type of entertainment sounds like a nice change in the community. Mr. Johnson is in support of his colleagues to approve this application and would suggest the Board create an effort to make guidelines as there is a concern about entertainment in a residential neighborhood; however, it seems to have worked out. Specific language should be included in the motion for no outdoor amplification.

MOTION: Mr. Gay made the motion to approve the entertainment license for Café Sicilia, including the outside licensed area, to begin at 2:00 p.m. and ending at 9:00 p.m. for acoustic music with no amplification only; seconded by Mr. Wentworth and the motion carried 4-0-1 with Mr. Sears not voting.

Residents

Mr. Wilson opened the hearing up to the public, no one present came forward to speak.

New Business

Town Clerk – election staff appointments

Mrs. Denis Graffeo, Town Clerk provided the Selectmen with a list of additional Election Staff to be appointed through August 2014. These positions are necessary to fill vacancies which have occurred

after the Selectmen's original appointment of the 2013-2014 Election Staff. All listed are Tewksbury residents and are register voters.

MOTION: Mr. Johnson made the motion to approve the additional election staff, effective immediately through August 30, 2014, as presented by the Town Clerk in a letter dated March 21, 2014; seconded by Mr. Wentworth and the motion carried 5-0.

Vitale Family Auto, LLC – change of name

Vitale Family Auto, LLC d/b/a Auto Nation is requesting approval to change the name of the business. The request is to change the name to Vitale Family Auto, LLC and will not be using the designation of “doing business as”.

There were no questions or comments from the Selectmen.

Mr. Gay is an abutter of this business and did not vote on the matter.

MOTION: Mr. Sears made the motion to approve the name change for Vitale Family Auto, LLC as presented; seconded by Mr. Johnson and the motion carried 4-0-1 with Mr. Gay not voting.

Great Dog Rescue New England 5K road race request

A detailed package has been received by the Selectmen on this proposed race. There were no comments of concern from public safety on this proposal. The race is proposed to be held on Sunday, April 27 beginning at 10:00 a.m.

Mr. Johnson noted this is a proposal from a resident for an out of town group. He would like to see how many races have been approved and if there has been an impact to traffic and/or safety issues in this area. Officer Welch did note a potential safety concern as to the start time of this race. If there are impacts, then he suggested the Board create some guidelines and limit to how many races are approved during the year. Mr. Wentworth agreed and noted the Public Events Committee is planning for a Zombie Walk/Run with the Tewksbury Rotary Club, and Officer Welch now has a template for groups to use with a designated start time of 9:00 a.m.

MOTION: Mr. Johnson made the motion to approve the Great Dog Rescue New England Road Race as presented on Sunday, April 27 beginning at 10:00 a.m.; seconded by Mr. Sears and the motion carried 5-0.

Town Manager

Town Counsel Invoice, February, 2014

MOTION: Mr. Sears made the motion to approve Town Counsel Invoices for February 2014 in the total amount of \$30,107.83 as recommended by the Town Manager; seconded by Mr. Wentworth and the motion carried 5-0.

School Department—Statement of Interest

One year ago the town submitted a statement of interest for the schools noted and was not approved. In order to stay in the running for repairs and renovations, the town will need to resubmit. This will not guarantee the town anything, but does open up opportunity to discuss the needs of our schools.

The vote was taken as follows:

Resolved: having convened in an open meeting on March 25, 2014, **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 April 1, 2014 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.

Mr. Johnson moved the Board of Selectmen to submit a Statement of Interest for the Loella F. Dewing School based on Priority 5, seconded by Mr. Wentworth; and on a roll call vote Mr. Sears, Mr. Gay, Mr. Wentworth, Mr. Johnson and Mr. Wilson vote in favor for submission.

Resolved: having convened in an open meeting on March 25, 2014, **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 April 1, 2014 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.

Mr. Johnson moved the Board of Selectmen to submit a Statement of Interest for the Heath Brook School based on Priority 7, seconded by Mr. Wentworth; and on a roll call vote Mr. Sears, Mr. Gay, Mr. Wentworth, Mr. Johnson and Mr. Wilson vote in favor for submission.

Resolved: having convened in an open meeting on March 25, 2014, **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 April 1, 2014 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.

Mr. Johnson moved the Board of Selectmen to submit a Statement of Interest for the North Street School based on Priority 7, seconded by Mr. Gay; and on a roll call vote Mr. Johnson, Mr. Sears, Mr. Gay, Mr. Wentworth, and Mr. Wilson vote in favor for submission.

Resolved: having convened in an open meeting on March 25, 2014, **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 April 1, 2014 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.

Mr. Johnson moved the Board of Selectmen to submit a Statement of Interest for the Louis Davey Trahan School based on Priority 7, seconded by Mr. Sears; and on a roll call vote Mr. Wentworth, Mr. Gay, Mr. Sears, Mr. Johnson, and Mr. Wilson vote in favor for submission.

Mr. Johnson moved the Board of Selectmen to identify the Louis Davey Trahan School as the priority school for Tewksbury Public Schools, seconded by Mr. Sears; and on a roll call vote Mr. Johnson, Mr. Sears, Mr. Gay, Mr. Wentworth, and Mr. Wilson vote in favor.

Farmer's Market

The 2014 Tewksbury Farmer's Market has been decided to be held every week starting on June 7, 2014 and run through September 27, 2014 on Saturdays from 10:00 a.m. to 1:00 p.m. at the same Livingston Street location in front of the playground.

A schedule will be planned and a fee scheduled will be issues. The fee will go to a revolving fund to help pay staff for setup, breakdown, and to pick up trash. All other town fees will be waived with exception of the rental of space. Mr. Montuori gave an sample of the vendor agreement and requested the board to formally adopt tonight. The Selectmen commented on how great this activity is for the community, commended Mrs. Jeanine Tamboli for her involvement in this tremendous undertaking. The documentation in setting this up is a good model, and they appreciated the level of detail that went into building this program. I was suggested for a markup of an insurance binder page with the language the town requires be added to the package so that vendors have what is needed by the town.

MOTION: Mr. Sears made the motion to accept the policies, schedule and proposed fees for the Tewksbury Farmer's Market as presented by the Town Manager; seconded by Mr. Wentworth and the motion carried 5-0.

Sewer Enterprise Fund

Mr. Montuori presented a possible solution and noted he was not looking for a formal decision tonight from the Selectmen.

Sewer Enterprise Fund Budget FY15



Sewer Enterprise Budget

	FY2014	FY2015	Increase(Decrease)
Salaries	304,474	322,549	18,075
Operating	381,550	390,050	8,500
Lowell Sewer	1,280,000	1,330,000	50,000
Capital Outlay	-	-	-
Debt P&I	3,684,682	3,656,318	(28,365)
Capital R&A	-	-	-
Indirect Expenses	440,492	482,559	42,067
	6,091,198	6,181,476	90,277
Prior Year Deficit	-	-	-
Total amount to Raise	6,091,198	6,181,476	90,277

Increase of \$90,277 is the normal salary increase of 2%; will be hiring one seasonal employee to clean up pump station sites. One large increase for FY15 is for Lowell Sewer at \$50,000—this is a projection of flow under the new contract. Indirect costs includes other employees time, such as Treasurer/Collector, DWP, Town Manager, retirement costs, etc.

Sewer Enterprise Fund Budget FY15



- Future Capital Improvements
Fiscal Year 2015 - Fiscal Year 2019: 2,685,500
 - 2,130,000 - Inflow and Infiltration Investigation and Repair
 - 200,000 - Sewer Pump station Upgrades
 - 355,500 - Fleet and Equipment

All Capital is Projected to be funded by Sewer Retained Earnings. *Sewer Retained Earnings Balance 3,151,988:*

Sewer pump station upgrades includes funding for generators at stations to avoid backups during power outages. Fleet and equipment will be funded through retained earnings totaling, \$3,151,988. To fix stations could be more than \$3.1M.

Sewer Enterprise Fund Budget FY15



- Capital Improvements
Fiscal Year 2015: 320,000
 - 50,000 - Inflow and Infiltration
 - 150,000 - Sewer Pump Station Upgrades
 - 120,000 - Fleet and Equipment Replacement Program

Mr. Montuori noted the town will not be able to purchase 47 generators to accommodate all locations, but will need a couple generators to be mobile in order to go site to site.

Sewer Enterprise Fund Budget FY15



Debt Service as percent of Sewer Budget:

- | | | |
|--|--------------|-----|
| • FY2014 | 3,684,682.33 | 60% |
| • FY2015 | 3,656,317.55 | 59% |
| • FY2016 | 3,621,108.68 | 58% |
| • FY2017 | 3,590,154.09 | 57% |
| • FY2018 | 3,694,638.90 | 56% |
| • FY2019 | 3,934,592.75 | 57% |
| • <i>In FY2021 Debt Service will peak at 4.364 million</i> | | |

The Town is currently at 50% of sewer debt of note. In 2017 will have the ability to refinance but not sure if would work in our favor due to regulations. Next year the town will try to refinance some smaller debt. Mr. Montuori and the finance group is working with the town's financial advisor to research and smooth out principal on current debt.

Sewer Enterprise Fund Budget FY15



Projected Revenues

	Fiscal Year 2014	Fiscal Year 2015	Inc.(Dec)
Total User Fees	5,066,188	5,797,554	731,366
90% Collection	4,559,569	5,217,799	658,229
New Connections	50,558	63,901	3,343
Sewer Liens/Interest/Fees	500,000	500,000	-
Sewer Connection Liens	-	-	-
Connection Fees	815,652	172,800	(642,852)
Application Fees	7,000	7,000	-
Investment Income	-	-	-
Prior Year Surplus	-	-	-
Transfer from the GF	268,721	263,794	(4,927)
Total Projected Revenue	6,201,501	6,225,294	23,793

Currently at 90% collection at this time by \$5.2M in user fees. Connection fees (642,852) and needs to be made up in the budget and connections tap off. Total revenue of \$6,225,294 is an increase of \$23,793. Note: 65% residents are now sewer users.

Sewer Enterprise Fund Budget FY15



Sewer Budget/Revenue:

	Budget	Revenue
FY08	5,081,727	5,852,178
FY09	6,552,728	7,548,167
FY10	8,036,304	7,182,548
FY11	8,123,336	8,508,415
FY12	5,801,543	7,886,458
FY13	6,086,796	6,756,716
FY14 (Projected)	6,091,198	6,201,501
FY15 (Projected)	6,181,476	6,225,294

In FY11 1,437,375 was used from Sewer Retained Earnings to balance the budget

Sewer Enterprise Fund Budget FY15



- Proposed Sewer Rate

In-Town :

Current Tier	Current Rate (\$)	Proposed Rate (\$)
0-35 gals	7.07 per 1000	7.99 per 1000
35-70	9.10 per 1000	10.28 per 1000
70-140	12.45 per 1000	14.07 per 1000
140+	14.57 per 1000	16.46 per 1000

- Proposed Sewer Rate

Out of Town and Exempt Property:

Current Tier	Current Rate (\$)	Proposed Rate (\$)
0-35gals	15.65 per 1000	18.00 per 1000
35-70	19.43 per 1000	22.34 per 1000
70-140	24.92 per 1000	28.66 per 1000
140+	27.41 per 1000	31.52 per 1000

Sewer Enterprise Fund Budget FY15



Usage	Current Rate	Proposed Rate	\$ Increase
25,000	176.75	199.75	23.00
35,000	249.48	281.94	32.46
55,000	431.48	487.54	56.06
65,000	522.48	590.34	67.86
75,000	630.23	712.09	81.86
90,000	816.98	923.14	106.16
100,000	941.48	1,063.84	122.36
150,000	1,585.18	1,791.24	206.06
250,000	3,042.18	3,437.24	395.06
300,000	3,770.68	4,260.24	489.56
400,000	5,227.68	5,906.24	678.56
500,000	6,684.68	7,552.24	867.56

Approximately 55,000 gallons is the Town average use and approximately 90,000 gallons per year is the State average use.

Average user is 55,000 gallons for an average increase per year of \$56.06. State average usage is 90,000 gallons with an increase of \$106.16 per year.

Sewer Enterprise Fund Budget FY15



- **Comparison Other Communities**
 - Based on 90,000 Gallons per year
 - State Average 690 (2012)
 - State Range 210-1,440 (2012)
 - State Median 646 (2012)
 - MWRA Average 823 (2012)
 - Tewksbury (current) 817 (2014)
 - Tewksbury (proposed) 923 (2015)

Tewksbury is higher than state average, but many communities not on sewer in their entirety

Possible option is a debt shift from enterprise fund onto the tax levy, which is possible without going on the ballot. Mr. Montuori would like to discuss this further with the Selectmen for consideration. A shift would mean no increase to residential or commercial sewer rates for FY15, but will increase the tax rate approximately \$0.15 per thousand. It was not clear if it will work long term, so numbers will need to be researched more. This type of shift was used when communities were switching from town sewer to MWRA. It would not mean a reduction in costs, however it would spread the debt across the community. The amount shifted can be changed each year depending on needs of the budget. Mr. Montuori will review this with Town Counsel to be sure this MGL hasn't changed.

The presentation will be posted on the town website for residents to review

Approval of the minutes for March 11, 2014 (regular session)

MOTION: Mr. Wentworth made the motion to approve the minutes for March 11, 2014 (regular session) with a Scribner's errors to be corrected as Mr. Sears is not an abutter of Café Sicilia; Café Sicilia is a client of his; seconded by Mr. Sears and the motion carried 5-0.

Board Member Reports

Tonight was Mr. Sears last meeting as a Selectmen, and he was presented with a citation.

Douglas Sears:

- Thanks to all who have been supportive of the board and of him in this capacity and gave highlights of his time served on the Board of Selectmen and other committees within the town; he is appreciative of the way the board has changed to be more collaborative.

Todd Johnson:

- The Historical Commission would is working on a project to place granite posts marking militia routes; the Town Manager is aware of the project; and wanted to acknowledge the project and take any action if needed.
- Chair of the Board of Selectmen received correspondence from Senator Feingold's office that two bills filed; Bill 1484 for Livingston Street title of land has passed the Senate and has been referred to the House Ways and Means Committee; and the second bill 1485 for the sewer easement at the Wynn Middle school is reported to be very close to going to the Senate floor--headway being made.
- Requested to clarify an area of discussion as he personally feels poorly about; the Selectmen did the Town Manager a disservice by drafting the correspondence to the State Representatives from the Town Manager, however it was the collectively the words of the Board of Selectmen. This was not made clear the initial correspondence was at the directive of the Selectmen and any assertion these were Mr. Montuori's words is inaccurate. The same applies for agenda created two weeks ago. Mr. Johnson made it clear that Mr. Montuori is not speaking independently of the board and publicly apologized to him for putting him in that position.

David Gay:

- NMCOC hired a Transportation Planner and is looking forward to working with this new member of the team
- Public Events and Celebration Committee had a great meeting last night. Jayne Miller, Chair of the Rail Trail Committee presented and a representative from Fiesta Shows presented ideas for a carnival to fundraise for fireworks in town. Also a Fall Harvest is being planned and efforts are being made to have a permanent tree at library to continue tree lighting there.

James Wentworth:

- Wanted to ask more questions regarding House Bill 3951 concerning excess lottery revenues; and Senate Bill 2039--would like the board to write a letter to the delegation and ask what was it about amendments and bills which persuaded them to vote against the local aid distribution.

MOTION: Mr. Wentworth made the motion for the Town Manager to write a letter on their behalf asking the delegation for clarification on their votes concerning the House Bill 3951 and Senate Bill 2039; seconded by Mr. Gay, and the motion carried 5 to 0.

Scott Wilson:

- Appreciated the Board's handling of the meeting a couple weeks back and will continue to push forward. What to gain support from delegation as the town is in need of support on certain issues.
- Town Center Committee continuing to meet and making progress.
- Thanked Mr. Sears for his years of service to the community.

The next regularly scheduled Selectmen's Meeting will be held on Tuesday, April 8, 2014 at 7:00 p.m.

Adjournment

MOTION: Mr. Sears made the motion for the Board to adjourn at 9:03 p.m.; Mr. Gay seconded, and the motion carried 5 to 0.

Approved by the Board of Selectmen on April 8, 2014