



BOARD OF SELECTMEN
TOWN OF TEWKSBURY
TOWN HALL
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TEWKSBURY, MASSACHUSETTS 01876

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MEETING MINUTES
JANUARY 26, 2016

The Chair opened the meeting for regular session at 7:03 p.m. Present for the Board of Selectmen were Todd Johnson, Chair; Bruce Panilaitis, Vice Chair; Mark Kratman, Clerk; James Wentworth, Board Member; David Gay, Board Member and Richard Montuori, Town Manager.

Executive Session

The executive session planned for this evening was cancelled. No business was conducted under executive session.

Cumberland Farms—Gasoline Storage Hearing

The proponent has requested a continuance on this hearing. Mr. Johnson read the notice into the record stating that the hearing is based on the application of Cumberland Farms, Inc. 100 Crossing Boulevard, Framingham, MA by Kathleen A. Sousa, Senior Pipeline Manager, to store 32,000 gallons of gasoline and 8,000 gallons of diesel in two underground compartment tanks located at 265 Main Street, Tewksbury, Massachusetts, on property owned by Marc P. Ginsburg and Sons, Inc.

Correspondence was received by the Board of Selectmen's office from Attorney John Smolak of Smolak & Vaughan LLP stating applicant has requested the Selectmen open the public hearing but continue it until February 23, 2016.

The Chair opened the public hearing up to the public. No one came forward to speak on this matter.

MOTION: Mr. Kratman made the motion to continue the public hearing for Cumberland Farms Gasoline Storage to February 23, 2016 at 7:00 p.m.; seconded by Mr. Panilaitis and the motion carried 5-0.

National Grid—Merrimack Valley Reliability Project Petition for Franchise Rights for North Street, International Place, and Andover Street

The Chair read notice into the record stating the public hearing is for the petition of National Grid, Merrimack Valley Reliability Project, Petition for Franchise Rights as presented. The locations petitioned are as follows:

<u>Public Way</u>	<u>Owners of Abutting Property</u>	<u>Map/Lot</u>
1. North Street	495 BC Acquisitions LLC	52-1
	Massachusetts Electric Company	52-13
2. International Place	North Tewksbury Commons V LLC	52-27
	North Tewksbury Commons LLC	53-1
	EHB Properties-Tewksbury LLC	53-38
	Tewksbury FFI LLC	53-41
3. Andover Street	New England Power Company	53-7
	Yvon Cormier Construction Corp.	53-29
	CSMA 2007-C5 FFI Hotel Portfolio LLC	53-37
	EHB Properties-Tewksbury LLC	53-38
	Wendys Old Fashioned Hamburgers of New York, Inc.	53-40

The center line of the proposed transmission line across said public ways to be located not over thirty (30) feet from the approximate location of the center line of the proposed transmission line shown on the plans attached hereto entitled “PLAN TO ACCOMPANY PETITION FOR HIGHWAY CROSSING JN TEWKSBURY, MASSACHUSETTS” Plan Nos. 247801P007D-001, 247801P007D-002, and 247801P007D-003, which plans are incorporated herein by reference; the power wires to be strung not less than twenty-three (23) feet from the ground above said public way, and not over eight (8) wires per line to be strung from each structure across said public way.

Mr. Joshua Lee Smith of Bowditch & Dewey LLP, the attorney representing National Grid; and Brian Hudock, Project Manager for National Grid, were both present for this hearing.

Attorney Smith began the discussion noting that his client has filed a petition with the Town of Tewksbury for franchise rights for the Merrimack Valley Reliability Project. The project is an overhead transmission line project which is extending through the towns of Tewksbury, Andover and Dracut, and was discussed with local town officials. Some of these transmission lines will extend into towns of New Hampshire. The project starts at Tewksbury substation 22A. National Grid has met with several Tewksbury town officials including but not limited to the Building Commissioner, Mr. Steve Sadwick, Director of Community Development; the Town Engineer, and the Conservation Commissioner. National Grid is going through the permitting process with the Commonwealth and Department Of Public Utilities, and anticipates receiving final approval soon. Lastly, National Grid has filed with the town the request for franchise rights and has provided legal notices to all direct abutters. There has been significant outreach with the abutters regarding the overall project.

Mr. Smith clarified the project covers an existing utility right of way where lines will be replaced and additional new lines will be installed to improve service. All abutters have been notified of this request. There are no residential abutters, only commercial, in the project area. No comments have been received from abutters or any municipal officials or employees. Mr. Montuori confirmed no comments have been received.

The benefit to rate payers in endorsing this project will be its part of a larger regional reliability project at the request of ISO New England , who have researched this area and discovered a potential area in need of

upgrades. This project also insures better reliability for entire area/region. It will also provide incremental property tax revenue to the town.

The Chair opened the public hearing up to the public. No one came forward to speak on this matter.

The timeline for the work will be to finish permitting in Massachusetts in May of 2016. Permitting for New Hampshire will come a bit later. Construction will begin in October of 2016. Construction will run from October, 2016 to December, 2017. Construction will take place in Tewksbury for the total of 15 months as described.

MOTION: Mr. Wentworth made the motion to approve the franchise rights to National Grid for the Merrimack Valley Reliability Project as presented; seconded by Mr. Kratman and the motion carried 5-0.

MOTION: Mr. Panilaitis made the motion to adopt the order as drafted and submitted; seconded by Mr. Wentworth and the motion carried 5-0.

James Kenney—Tewksbury Habitat Build

James Kenney was present along with representatives of Tewksbury Habitat Build, Inc. The team requested time with the Selectmen to bring forward information on this newly formed 501c (3) Nonprofit Organization, and how its mission will help with affordable family housing in the town. In November, 2014 over 100 residents showed up to hear about the first Habitat for Humanity build in Tewksbury. Many residents have been supportive of this project. It was also realized through this project the great need for affordable housing in Tewksbury. The Tewksbury Habitat Build formed their own corporation in order to create more of a focus on Tewksbury's needs. It is 100-percent focused on Tewksbury.

The team is currently working on its second round of fundraising. They will hold a Harlem Wizards game and have already sold some tickets. Tewksbury Habitat Build will continue to partner with Habitat for Humanity. As a smaller group the team may be able to focus more on rehab work in parallel with new builds. The goal is to add another house this year. Current members of the organization have donated money to become board members. The Town of Tewksbury also donated land and the \$50,000 in back taxes for the Habitat project on State Street. Currently there is not a target house in town the organization is focusing on, but the team is beginning the search to find the next property. For information on Tewksbury Habitat Build, please visit www.tewksburyhabitatbuild.org.

Residents

The Chair called for residents to come before the Selectmen. There were no residents in the audience who came forward to speak.

New Business

Town Clerk Denise Graffeo—Election Staff Appointments

Town Clerk, Denis Graffeo, sent a memo on January 19, 2016 to the Board of Selectmen requesting additional election staff to be appointed through August, 2016. These positions are necessary to fill vacancies which have occurred after roster approved by the Board. The two positions are

Inspector/Deputy Inspector in Precinct 1A. Kelley Ciampa of 21 Susan Drive and Lauren MacNeil of 14 March Road have been nominated.

MOTION: Mr. Gay made the motion to appoint Kelley Ciampa and Lauren MacNeil as election staff through August, 2016; seconded by Mr. Wentworth and the motion carried 5-0.

Town Manager

Senior Town Counsel Invoice—December, 2015

MOTION: Mr. Panilaitis made the motion to approve the Senior Town Counsel Invoice for December 2015 in the amount of \$6,053.20 on the recommendation of the Town Manager; seconded by Mr. Kratman and the motion carried 5-0.

Town Counsel Invoice—December 16 through 30, 2015

MOTION: Mr. Wentworth made the motion to approve the Town Counsel Invoice from Feeley & Brown, P.C. in the amount of \$1,955 for services rendered through December 16, 2015 through December 31, 2015 on the recommendation of the Town Manager; seconded by Mr. Gay and the motion carried 5-0.

Annual and Special Town Meeting Article Deadline

MOTION: Mr. Gay made the motion to open the Annual and Special Town Meeting Warrant effective immediately and close both warrants on February 26, 2016 at 4:30 p.m.; seconded by Mr. Kratman and the motion carried 5-0.

Police Department Child Passenger Safety Grant

Mr. Montuori gave praise to the town's Police Department on their aggressive work in applying and receiving grants. The town was awarded a Child Passenger Safety (CPS) Equipment Grant in the amount of \$2,000 to be received in FY2016. Car seats and other child safety equipment will be purchased and given to families in need in Tewksbury.

The Fire Department also received a grant in the amount of \$4,087 for student awareness programs and \$2,917 for a Senior Safe Grant. Rick Hamm, who happened to be present for another agenda item, was commended by Mr. Montuori on a good job as he was active in the application process with the Fire Department.

Reconstitute Green Committee

The Green Committee was originally established in 2011, and achieved almost \$600,000 in grants during its tenure. There is a current need to have this function reinitiated within the town operations as our facilities are learning and growing in this area. Mr. Kyle Boyd will spearhead grant writing for this committee and will be backed up by a consultant.

Members of this committee will consist of:

- Two residents appointed by the Selectmen
- Two Town Staff members appointed by the Town Manager
- One School facilities representative appointed by the Superintendent of Schools

Annual appointments will be through June 30th of the current year. Mr. Montuori will present applications at the next meeting.

MOTION: Mr. Gay made the motion to reconstitute the Green Committee effective immediately; seconded by Mr. Wentworth and the motion carried 5-0.

A request for applications will be posted on the town website.

Outstanding Minutes: December 15, 2015 (reg. & exec. sess.); January 12, 2016 (reg. & exec. sess.)

The January 12, 2016 minutes were not finalized and will be presented at next meeting on February 9th.

MOTION: Mr. Kratman made the motion to approve the minutes of December 15, 2015 (regular & executive session) as presented; seconded by Mr. Wentworth and the motion carried 5-0.

Board Member Reports

Mark Kratman

- No report this evening

James Wentworth

- The Community Preservation Commission are working on Long Pond upgrades and funding for Livingston Street maintenance; there is not enough funding to complete fencing around the entire area of Livingston Street Recreation area so the Town Manager will look to prioritize certain sections. The committee is still working through the Pike House location. An individual came with some interest to move the Pike House, but funding is still being worked out, as well as other ideas to salvage the house.

Bruce Panilaitis

- Town Center Master Plan Committee met on January 19th and reviewed the draft final plan; the next meeting will provide a final report. Good public attendance was had at this meeting. Next steps for this plan, once finalized, is to present to the Selectmen—which will be a public presentation. No public comment has been received formally on the project; however at this last meeting there was informal feedback. One other area of discussion will be how the Center Fire Station will impact the Town Center.
- Economic Development Committee meeting will be held on February 2nd.
- Congressman Moulton was at the Tewksbury Public Library on January 16th; many residents were present and he answered questions from national to local subjects. Mr. Kratman and Mr. Panilaitis were present for this meeting and raised questions regarding economic development and the gas pipeline. Mr. Panilaitis will get in contact with a member of Congressman Moulton's staff who focuses solely on Economic Development.

David Gay

- Next meeting with LRTA is this Thursday; the Public Events and Celebrations Committee will meet one week from tonight—no updates to report tonight.

Todd Johnson

- Notified this week by Representative Lyons office the home rule petition relative to residence requirements for the Town Manager, which will require a change to the Town Charter, has gone to the House for a third reading on the bill—making progress
- Requested an update on the budget process; Mr. Montuori is fine tuning the numbers and meeting with the Selectmen individually. His intention is the present to the Selectmen, the Finance Committee and the public Wednesday, February 3rd, and to Department Heads on February 4th. Following this the Finance Committee will begin the budget process, meeting every Thursday for reviews. In early March Mr. Montuori intends to present the enterprise budgets. After the presentation on February 3, the budget will be posted on the town’s website, with paper copies available at the Public Library, Senior Center, Town Clerk and Town Manager’s office
- The budget presentation will be in the Great Hall; Verizon and Comcast should be in operation next week and new equipment will be in use
- Punch list items for Town Hall have been going well. New carpet and flooring have been installed, signage was installed, and lighting is getting adjusted. Mr. Montuori reminded the public that some lights in the building need to be left on due to public building codes—people are not occupying offices at all hours and nothing is being left on without reason. A new keypad will be installed to the entry door. Anyone who would like to request to use the building can call the Town Manager’s office to request this.

Next meeting will be the FY17 Budget Presentation on February 3, 2016 at 7:00 p.m. and a tentative executive session may be held at 5:30 p.m.

The next regular scheduled Selectmen’s meeting will be held on February 9, 2016 at 7:00 p.m.

Adjournment

MOTION: Mr. Gay made the motion to adjourn at 8:06 p.m.; Mr. Panilaitis seconded, and the motion was unanimous.

Approved by the Board of Selectmen on February 9, 2016