



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

TODD R. JOHNSON, CHAIRMAN
BRUCE PANILAITIS, Ph.D., VICE CHAIRMAN
MARK S. KRATMAN, CLERK
DAVID H. GAY
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MEETING MINUTES
FEBRUARY 23, 2016

The Chair opened the meeting for regular session at 7:01 p.m. Present for the Board of Selectmen were Todd Johnson, Chair; Bruce Panilaitis, Vice Chair; Mark Kratman, Clerk; David Gay, Board Member and Richard Montuori, Town Manager. James Wentworth, Board Member, was not present due to business travel.

Cumberland Farms—Continued Gasoline Storage Hearing

Chair read the hearing notice in to the record. In accordance with MGL Ch 148, Sec 13 that a public hearing will be conducted on the application of Cumberland Farms, Inc. 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 on property owned by Marc P Ginsburg and Sons, Inc.

Attorney John Smolak was present for this hearing. The Selectmen acknowledged they received Attorney Smolak's correspondence at the previous meeting to postpone this hearing until tonight.

In addition to Attorney Smolak, Mr. Phil Henry was present as he is part of the project design group. The application is for a flammable storage license. Over the past year, Attorney Smolak has met with town department heads to review the plan and has also met with the Planning Board and Board of Appeals for the redevelopment of site located at 265 Main Street to a Cumberland Farms. The underground fuel tanks proposed are state-of-the-art leak detection systems. An overhead canopy will contain environmental controls, etc. There is one outstanding matter with the Board of Appeals, but it is about to be resolved as an agreement has been approved and the paperwork needs to be processed.

The compartment tanks will consist of two (2) 20,000 gallon tanks and one (1) 12,000 for gasoline and one 8,000 gallon tank for diesel. In January 2016, the team reviewed the plan for underground storage with Captain Viscione, and he gave his approval.

A copy of the abutters list was presented and all have been formally notified of tonight's hearing.

Correspondence from the owner of the property, Marc Ginsburg, was presented stating this he is the current owner and is authorizing the use as described in documentation dated October 3, 2014.

The Selectmen asked if there would be a need for blasting in the area. Mr. Henry noted this is undetermined, but feel some minor blasting work may be needed as there is has some unlevel areas of ledge.

The vehicular access point where the Wal-Mart intersection will create a forth leg of the intersection. The team will submit a traffic plan to the Department of Transportation for a full signal plan. Approval could take up to 6 to 9 months. A site plan was presented to the Selectmen with the location of the storage tanks, store front and gas pumps. All were explained and presented to the Selectmen.

The Chair opened to the public and there were no residents present who wished to speak on this matter.

MOTION: Mr. Kratman made the motion to approve the gasoline storage license for 265 Main Street as presented; seconded by Mr. Panilaitis and the motion carried 4-0, with Mr. Wentworth not present for the vote.

Attorney Smolak noted the permitting process was very easy and a good process with the town. He added he has worked with Cumberland Farms for 20 years and has presented in about 100 towns in Massachusetts. The interdepartmental meeting held early in the process with Tewksbury is very instrumental in the process and helps to resolve issues early on.

Residents

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

New Business

Gonzalo M. Rubalcaba—Mass Cultural Committee Application

MOTION: Mr. Gay made the motion to approve the application for Gonzalo M Rubalcaba for the Mass Cultural Committee for the term as specified by the Selectmen’s office; seconded by Mr. Panilaitis and the motion carried 4-0.

Town Manager

Senior Town Counsel Invoice—January 2016 Invoice

MOTION: Mr. Panilaitis made the motion to approve the Senior Town Counsel Invoice for January 2016 in the amount of \$7,133.64 on the recommendation of the Town Manager; seconded by Mr. Kratman and the motion carried 4-0.

Town Counsel Invoice—January 1 through January 15, 2016 and January 16 through 31, 2016

MOTION: Mr. Panilaitis made the motion to approve the Town Counsel Invoice from Feeley & Brown, P.C. in the amount of \$1,232.50 for services rendered through January 1 through January 15, 2016 and in the amount of \$2,252.50 for services

rendered through January 16 through 31, 2016 on the recommendation of the Town Manager; seconded by Mr. Gay and the motion carried 4-0.

Outstanding Minutes: February 3, 2016 (reg. & exec. sess.) and February 9, 2016 2016 (reg. & exec. sess.)

MOTION: Mr. Kratman made the motion to approve the minutes of February 3, 2016 (regular & executive session) and the minutes of February 9, 2016 (regular session) as presented; seconded by Mr. Panilaitis and the motion carried 4-0.

Board Member Reports

Bruce Panilaitis

- Town Center Master Plan Committee will meet next week on March 1
- Economic Development Committee will schedule a meeting for the week after

James Wentworth

Not present

David Gay

- Public Events and Celebrations Committee will hold a spring event on April 22nd; it will be a comedy night and all proceeds will benefit the Fall Festival

Mark Kratman

No report this evening

Todd Johnson

- Budget update
 - Finance Committee had 2 meetings to review the budget and process is going very well; took a break last week and will pick up meeting this week to discuss Finance Department; Town Clerk's Office and General Fund budgets—no surprises no major issues
 - First meeting in March planning to present enterprise and capital budgets; may have sooner but close to being complete this week
- Extreme cold weather and effects on public buildings
 - Senior Center had a brief interruption of service and is no open again with exception of catering—this is taking place at the Rod and Gun Club—the kitchen is closed
 - Entire floor will need to be torn up and still drying out some items in basement
 - Storage container is in place to store items not damaged
 - Met this past Monday, and election will be held there for primary next Tuesday and for town election in April
 - Police Station kitchen had a fair amount of water; just finalized from last winter's water damage; station is fully functional

- Recreation Center pipe burst but caught in time and will be available for elections
- All buildings will be repaired and will install better insulation and monitoring
- We are not the only town this is happening in; others have elementary schools one of which may not open again this year
- Televising meetings: close to finishing but made decision to swap microphones in Great Hall; Verizon and Comcast have completed what is needed on their end and ProAv will work on microphones.

The next regular scheduled Selectmen's meeting will be held on March 8, 2016 at 7:00 p.m.

Adjournment

MOTION: Mr. Panilaitis made the motion to adjourn at 7:34 p.m.; Mr. Kratman seconded, and the motion was unanimous.

Approved by the Board of Selectmen on March 8, 2016