



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

BRUCE PANILAITIS, PH.D., CHAIRMAN
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MEETING MINUTES
JULY 19, 2016

Mr. Panilaitis opened the meeting for public session at 6:10 pm to conduct interviews for residents who submitted Citizen Activity Forms to volunteer for Board(s) / Committee(s). Present were Bruce Panilaitis, Mark Kratman, Todd Johnson and Anne Marie Stronach. Those interviewed were Scott Garland, George Ferdinand, Karla Branchaud, Tania Sullivan (Notified board via email noting she was unable to attend, provided information and continued interest.) for the Vision Committee. Joseph Cobuccio for Cable Access and Public Events and Celebrations Committee, and Vision Committee. Stephaine Frick also interviewed for Vison Committee or any other open committees. Interviews concluded at 7:00 p.m.

The Selectmen took a brief recess before the public session began.

Mr. Panilaitis then opened the meeting for public session at 7:04 p.m. Attendees were Bruce Panilaitis, Mark Kratman, Anne Marie Stronach, Todd Johnson, and Richard Montuori. David Gay and Charles Zaroulis were not present.

National Grid Pole Petition; Scenic Drive

Mr. David Boucher of National Grid with offices located at 1101 North Turnpike Street, Andover, was present for this hearing. Mr. Panilaitis read the public notice into the record stating the petition is for two 3” conduits across Catamount Road from Pole 19 to Scenic Drive to feed electricity to three new homes. The lot has been cleared for these new homes and National Grid will provide the electricity. It will be an underground service. Pole 19 may need to be replaced. No poles are being eliminated.

Mr. Panilaitis opened the hearing for public comment.

Mr. Larry Bairstow of 138 Catamount Road came forward questioning the notice as the notice states electricity will be installed to three homes, but he understood there will be five homes. Mr. Bairstow also asked if Scenic Drive had been recognized as a public roadway.

Mr. Boucher noted the plan is for three homes to be connected. Scenic drive not currently listed as a street in Tewksbury. He also stated the work will start as soon as possible if approved. Excavation for the project will take up to one week. During excavation one lane of Catamount will remain open with a police detail, and emergency vehicles will have access to the site and local residents during construction.

Mr. Bairstow reminded the Selectmen the location as discussed is referred to as the “castle property” near Catamount and there is no throughway to the back side of the property.

MOTION: Mrs. Stronach made the motion to approve the access to Catamount Road for National Grid as described in the public notice presented; Mr. Kratman seconded and the motion passed unanimously.

Saffron Indian Grill Restaurant Liquor License Hearing

Mr. Sukhvinder Singh, applicant and owner of the Saffron Indian Grill, was present for this hearing. Mr. Panilaitis read the public notice into the record stating Saffron Indian Grill was petitioning to sell all alcoholic beverages at their location of 1921 Main Street. Mr. Singh noted he would have preferred to have only a beer and wine license but there were no licenses available. The only way to sell beer and wine in town is to apply for a full liquor license. Mr. Singh has had experience serving alcohol prior to this application, as he held a license in San Diego, California. He plans to hire a bartender.

Mr. Panilaitis opened up the hearing for the public to comment. There were no residents present who wished to speak on this matter.

There was one piece of written correspondence received by the Selectmen's office in opposition of the license being granted. It was from Mrs. Ida M. Mulhare of 556 Shawsheen Street. Mrs. Mulhare stated in the letter that she felt there were enough places in Tewksbury selling alcohol and an additional restaurant serving is not needed.

The Selectmen acknowledged these comments and thanked Mrs. Mulhare for submitting them.

MOTION: Mr. Kratman made the motion to approve the liquor license for Saffron Indian Grill located at 1921 Main Street as presented; Mr. Johnson seconded and the motion passed unanimously.

Mavericks, Change of Manager, New Officers, Directors and Stockholders

Attorney Doug Sears, Richard Proctor and Mark Proctor were all present for this hearing. Attorney Sears stated the application is for a change of manager for Mavericks Restaurant and Lounge which is a family-owned business. He went on to explain to the Selectmen the outstanding tax matters have been agreed to by Ms. Kelly Odoms today. In a handwritten statement submitted to the Board of Selectmen, the agreement stated, "I, Richard Proctor will pay all outstanding real estate tax bills no later than August 15, 2016; and the water bill will be paid down by \$10,000. An arrangement will be made to pay the balance thereafter." This document was submitted to the Chair for the record.

Mr. Montuori advised the Board the application submitted is not filled out properly and cannot be approved until fully completed and should be completed this week. Some of the documentation Mr. Sears submitted to the ABCC is confusing as the Board Members of the corporation is not updated and the recording of stock percentages need to be corrected as Renee Proctor is still listed and is deceased. The processing of this application has been going on since March/April timeframe. Additionally, the tax payments are a reoccurring problem for the Town. Mr. Montuori recommended the Board of Selectmen set a date; to schedule a revocation of license.

Mrs. Stronach was concerned if an August date for revocation would be too soon. Mr. Montuori felt it was incumbent upon the applicant to be sure the ABCC takes action on the application. Mr. Sears suggested a September date would be a workable schedule for the application to be completed.

Mr. Johnson strongly urged the applicant to stick to dates as promised to the Town for payments of the taxes. He recommended September 13, 2016 as a date certain for a revocation hearing if it was acceptable to his colleagues.

Mr. Panilaitis stated there are two issues impacting the application 1) back taxes and 2) the utilities payment. He recommended the Board to schedule a revocation hearing on September 13, 2016 to take appropriate action if necessary.

MOTION: Mr. Johnson made the motion to move the matter of Route 38 Entertainment d/b/a Maverick Restaurant and Lounge Change of Manager Application and schedule a public hearing on the subject of revocation of all licenses issued by the Town of Tewksbury for September 13, 2016 at 7:00 p.m.; Mrs. Stronach seconded and the motion passed unanimously.

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

Richard Cuoco; Disclosure by Non-Elected Municipal Employee

A disclosure was submitted by Mr. Cuoco regarding his position as an appointed member of the Zoning By-Law Committee. He is a professional registered land surveyor who prepares applications and appears before the Town's Planning Board, Conservation Commission and Zoning Board of Appeals.

MOTION: Mrs. Stronach made the motion to recommend the Board of Selectmen accept the disclosure by Mr. Richard Cuoco as presented; Mr. Kratman seconded and the motion passed unanimously.

Switch Box Art Project

In a letter from Paige Impink, on behalf of the Tewksbury Beautification Committee, a request was made to include the large green utilities cabinet located on the Town Common in the Switchbox Art Project. All guidelines of the project would apply. Mr. Montuori confirmed the Town owns and manages the box. It is a power supply for the common and has been in place for a long time. Mr. Kratman confirmed the box would be primed to paint and an artist from the public will come up with a concept.

MOTION: Mr. Johnson made the motion to approve the utility box as described to be included in the Switchbox Art Project; Mr. Kratman seconded and the motion passed unanimously.

Hackney Rules and Regulations for approval

Chief Sheehan and Officer Welch together with Town Counsel Feely have worked on revising and have reviewed the draft of the town's Hackney Rule and Regulations. The existing rules were approved by the Selectmen back in 1965. Having our safety department and legal counsel review the current standards

was necessary, and both Chief Sheehan and Attorney Feeley have approved the draft. Board members will need to sign a copy in the office.

MOTION: Mr. Johnson made the motion to approve the Hackney Rules and Regulations as presented; Mrs. Stronach seconded and the motion passed unanimously.

St. Williams—Road Race Approval

A letter was received by the Selectmen's office requesting permission to hold a walk/run event on Saturday, September 24, 2016 at 9:00 a.m. This is a reoccurring event. All documentation has been received by the Selectmen's office as well as approval from all safety departments.

MOTION: Mr. Kratman made the motion to approve the Friends of the Poor Walk/Run on Saturday, September 24, 2016 at 9:00 a.m. as presented; Mrs. Stronach seconded and the motion passed unanimously.

Mr. Johnson requested the Town Manager to ask public safety to review what a better day for road races is. Saturday is a huge traffic day around town, and he does not recall if races have typically been held on Sunday as opposed to Saturday. He would like to know if there is a policy, however he has no issue if there is not one in place.

Liquor License Hours

This item was on the agenda at the June 7th meeting and was tabled for the Selectmen's office to process the request. Mr. Alpesh Patel of Main Street Liquors submitted a letter to the Board of Selectmen on May 20, 2016 requesting Sunday hours to be changed for closing at 11:00 p.m. Currently Tewksbury's Sunday hours for package stores end at 8:00 p.m. The Selectmen's office researched other community's hours and also asked other owners if they preferred to have these hours extended. Of the five other stores survey, they had no issue to keep current hours closing at 8:00 p.m. on Sundays. Mr. Patel was present in the meeting room and was recognized by the Board.

Mrs. Stronach commented in her opinion extending the hours should not be established as Tewksbury is in the midpoint of closing times at 8:00 p.m.

Mr. Johnson commented Tewksbury has one of the earlier opening times at 8:00 a.m. during the weekdays, and owners can use hours at discretion. No residents have expressed any desire to expand liquor store hours.

Mr. Panilaitis closed the discussion by stating the liquor license hours are currently set. The Board could take action or no action. No motion will equal no action and no changes to the hours. He called for a motion, and there was no motion presented.

Mr. Patel asked of the owners asked, who was in opposition, as he felt that he had the support of other owners and all were in favor of this change. Of the six package store license holders, including Mr. Patel, five are comfortable with the hours that exist.

Interviews and Appointments

Vision Committee 7 members, 1 year appointment

MOTION: Mr. Johnson made the motion to appoint Scott Garland, George Ferdinand, Karla Branchaud, Tania Sullivan, Patrick Lawlor and James Wentworth to the Vision Committee through June 30, 2017 and a companion motion to appoint Stephanie Frick for through June 30, 2017 contingent on receiving her formal application; seconded by Mr. Kratman and the motion passed unanimously.

Public Events and Celebrations 9 members, 1 year appointment

MOTION: Mr. Johnson made the motion to appoint Joseph Cobuccio to the Public Events and Celebrations through June 30, 2017; seconded by Mr. Kratman and the motion passed unanimously.

Elementary School Building Committee 3 members + 1BOS + 1FC +2 SC + 2 Staff; term at end of project; appointments specific position.

The Selectmen received notification from the current School Superintendent requesting Brenda Regan to be part of the Elementary School Building Committee. The committee is now waiting on a School Principal nomination.

Mr. Johnson's opinion on appointing the Elementary School Building Committee members was to wait until a school principal was nominated, as the committee had a quorum without a full committee in place. Mr. Panilaitis was concerned these appointment need to be made by August 8th. Mr. Montuori is meeting with the School Superintendant on July 21st and will discuss this topic with him then.

Mr. Panilaitis and Mr. Johnson came to an agreement to nominate the applicants as intended by the Selectmen as the interviews had taken place a number of months ago. Mr. Johnson stated he was not opposing any individuals; but were preferred to appoint the entire committee at one time.

MOTION: Mr. Panilaitis made the motion the Board of Selectmen intend to appoint Jonathan Ciampa, Christopher Modica and Shannon Demos to the Elementary School Building Committee; seconded by Mr. Johnson and the motion passed unanimously.

Town Manager

Bond Issue

On July 5; the Town borrowed a total of \$56,095,000, of this amount \$54,977,000 was refinanced in sewer debt; \$399,500 was refinanced in water debt; and \$718,500 was refinanced in general fund expenses. This borrowing was very beneficial to the Town as the interest rate received was 1.56%. On average, notes that are refinanced have rates between 4.0 to 4.5%. By refinancing these debts the savings incurred will be \$9,300,000 in sewer expenses; \$27,728.28 in water expenses; and \$111,871.53 in general fund expenses; for a total savings of \$9,439,600. In additional, the town borrowed \$4.1 million for Sutton Brook and there is an anticipated savings over the life of the project of \$500,000 to \$1,000,000.

This savings will impact water and sewer rates and taxes as the Board voted to shift sewer debt to the tax rate, but because of the savings, much of the sewer debt will not need to shift to the tax levy.

It was the second largest borrowing in the country; a mid-west public school had the first. Mr. Johnson noted the rates are not just the timing of the banking market; but all the hard work Mr. Montuori has put into the towns financial picture.

Mrs. Stronach requested that the Town Manager place information on the Town Website for residents Mr. Montuori agreed. He will verify all the numbers and summarize a one-page fact sheet for the town's website.

October Special Town Meeting Date

MOTION: Mr. Johnson made the motion to set the October Special Town Meeting date to October 4, 2016 at 7:00 p.m.; seconded by Mr. Kratman and the motion passed unanimously.

October Special Town Meeting Warrant

MOTION: Mr. Johnson made the motion to open the Special Town Meeting Warrant on July 20, 2016 through August 19, 2016 at close of business 4:30 p.m.; seconded by Mrs. Stronach and the motion passed unanimously.

Other Business

REMINDER to residents, please do not put trash in recycling carts; a second recycling cart is free to all residents.

Brian Pena, has accepted the position as Assistant Superintendent for the Sewer and Water Department.

Outstanding Minutes: June 21 (regular session); and July 6, 2016 (regular session)

MOTION: Mrs. Stronach made the motion to approve the minutes for June 21 (regular session); and July 6, 2016 (regular session) presented; seconded by Mr. Kratman and the motion passed unanimously.

Board Member Reports

Todd Johnson

- Town was fortunate to receive a Green Community Grant for \$187,000 for continued energy efficiency; the grant will be used to replace the hot water heater at the DPW and to repair heating at the Public Library

Anne Marie Stronach

- Applications for CPC projects has passed, as July 1 was the deadline

- Attending the viewing at the Public Library to see the Demoulas movie and it was packed; all the activities around town; updates from website have been wonderful. Residents should take advantage, sign up for alerts and attend all the great events in town.

David Gay

Mr. Gay was not present this evening.

Mark Kratman

- Beautification Committee met June 27
- A few Adopt an Island sites are still available
- Economic Development Committee has not met

Bruce Panilaitis

- Town Center Master Plan Committee has not met
- Mr. Gay not in attendance tonight due to an illness in the family. He wished him and his family well.

Mr. Montuori reminded residents that the town will seek Adopt an Island applications for Wamesit Park. The rehabilitation of this park is beautiful; help will be needed to care for it.

Also noted was **Vinny Beaumo** has accepted the position of Facilities Manager for the Town, He will be reporting to Mr. Montuori.

The next regular scheduled Selectmen's meeting will be held on August 16, 2016 at 7:00 p.m.

Adjournment

MOTION: Mrs. Stronach made the motion to adjourn; Mr. Kratman seconded, and the vote was unanimous at 8:38 p.m.

Approved by the Board of Selectmen on August 16, 2016