



# BOARD OF SELECTMEN

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

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BRUCE PANILAITIS, Ph.D., VICE CHAIRMAN  
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## MEETING MINUTES NOVEMBER 3, 2015

The Chair opened the meeting for regular session at 7:15 p.m. Present for the Board of Selectmen were Todd Johnson, Chair; Bruce Panilaitis, Vice Chair; Mark Kratman, Clerk; David Gay, Board Member; James Wentworth, Board Member; and Richard Montuori, Town Manager.

### **2015 Tax Classification Hearing**

Present for this hearing on behalf of the Town of Tewksbury were Joanne Foley, Chief Assessor and Karen Kucala, Finance Director.

Mrs. Foley thanked the Board of Selectmen for their endorsement last year to enter into a pilot program with the Commonwealth to set tax rates earlier than normal. It has greatly reduced the workload for year end.

In compliance with Chapter 79 of the Acts of 1983 amending Chapter 797 of the Acts of 1919 and Chapter 40, Section 56 of the Massachusetts General Laws, notice is hereby given that a public hearing will be conducted by the Board of Selectmen prior to their determination on the following issues:

1. Allocating the local property tax levy among the five property classes for the next fiscal year and selection of a Minimum Residential Factor.
2. Whether to allow a residential exemption and, if so; at what percentage of the residential factor.
3. Whether to allow a small commercial exemption, and if so, at what percentage.
4. Whether to allow a discount of up to twenty five percent (25%) for property classified as Open Space.

In addition to allocating the tax levy and selecting the minimum residential factor, the Selectmen will need to decide if they will establish a residential exemption which now is in effect in 11 of the 353 municipalities in the state. Historically the Board has voted no on this.

The Selectmen will also need to decide if they will establish a small business exemption. Five towns use this in Massachusetts. Historically the Board has voted no on this also.

And finally the Selectmen will need to decide whether to allow a discount of up to twenty-five percent (25%) discount for property classified as Open Space. Historically the town has not granted a discount for property classified as Open Space.

What is the shift? Shifting the tax rate moves the tax burden to be raised from the Residential/Open Space Classes to the Commercial, Industrial and Personal Property Classes (CIP).

Property is divided into 5 classes:

- Residential
- Open Space
- Commercial
- Industrial
- Personal

2015 Classes by Total Valuation at 100%

- Residential = 81.82% (0.93)
- Commercial = 8.94% (-0.50)
- Industrial = 5.03% (-0.43)
- Personal Property = 4.21% (0.01)

2016 Classes by Total Valuation at 100%

- Residential = 82.38% (0.56)
- Commercial = 8.55% (-0.39)
- Industrial = 4.76% (-0.27)
- Personal Property = 4.31% (0.10)

Also presented to the Selectmen were the following charts explaining values, rate shifts, tax burden comparisons, and the tax levy for the town.

	FY15 VAL	FY15 TAX	FY16 VALUE	FY16 TAX	% VAL CHG	FY16 TAX CHG @ 1.50
<b>AVERAGE SINGLE FAMILY</b>	\$327,145	\$5,355	\$343,424	\$5,615	5.0	\$260
<b>AVERAGE RES. CONDO</b>	\$224,859	\$3,681	\$244,435	\$3,997	8.7	\$316
<b>AVERAGE COMMERCIAL</b>	\$740,100	\$20,442	\$745,568	\$20,473	0.7	\$31
<b>TAX LEVY</b>	\$71,444,252		\$75,017,835			

FY15 Res Rate \$16.37

FY15 CIP Rate \$27.62

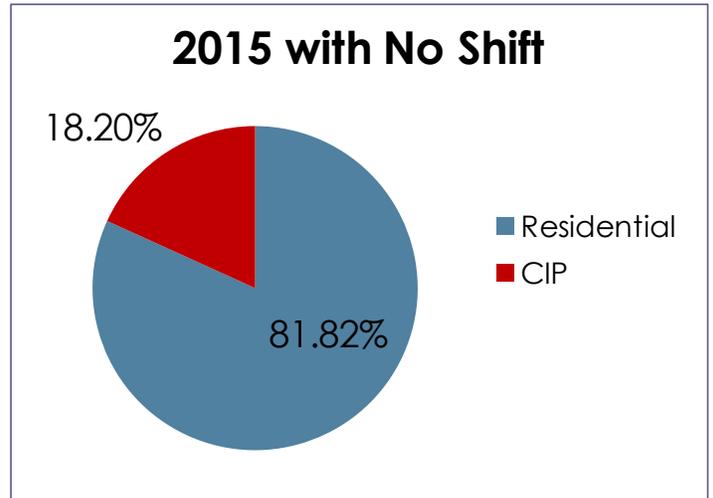
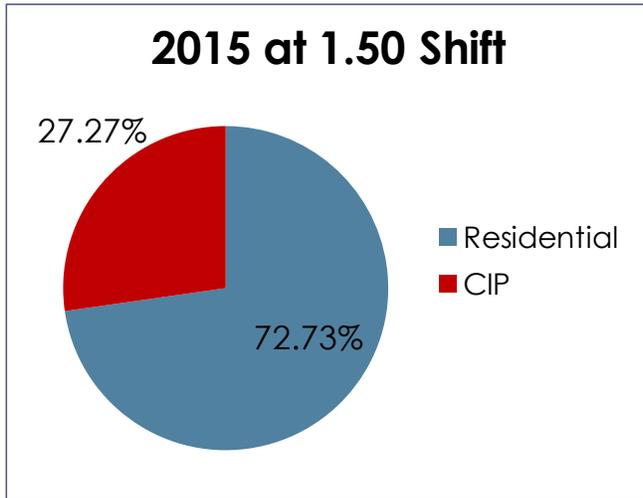
**FY2016 RATE SPLIT OPTIONS**

CIP SHIFT	RES FACTOR	TAX RATES		SINGLE FAMILY HOMES	RESIDENTIAL CONDOS	COMMERCIAL
		REST TAX RATE	C/I TAX RATE	AVERAGE TAX BILL	AVERAGE TAX BILL	AVERAGE TAX BILL
1	100	18.31	18.31	\$6,288	\$4,476	\$13,651
1.45	90.374500	16.55	26.55	\$5,684	\$4,045	\$19,795
1.46	90.160600	16.51	26.73	\$5,670	\$4,036	\$19,929
1.47	89.946700	16.47	26.91	\$5,656	\$4,026	\$20,063
1.48	89.732800	16.43	27.10	\$5,642	\$4,016	\$20,205
1.49	89.518900	16.39	27.28	\$5,629	\$4,006	\$20,339
1.50	89.305000	16.35	27.46	\$5,615	\$3,997	\$20,473

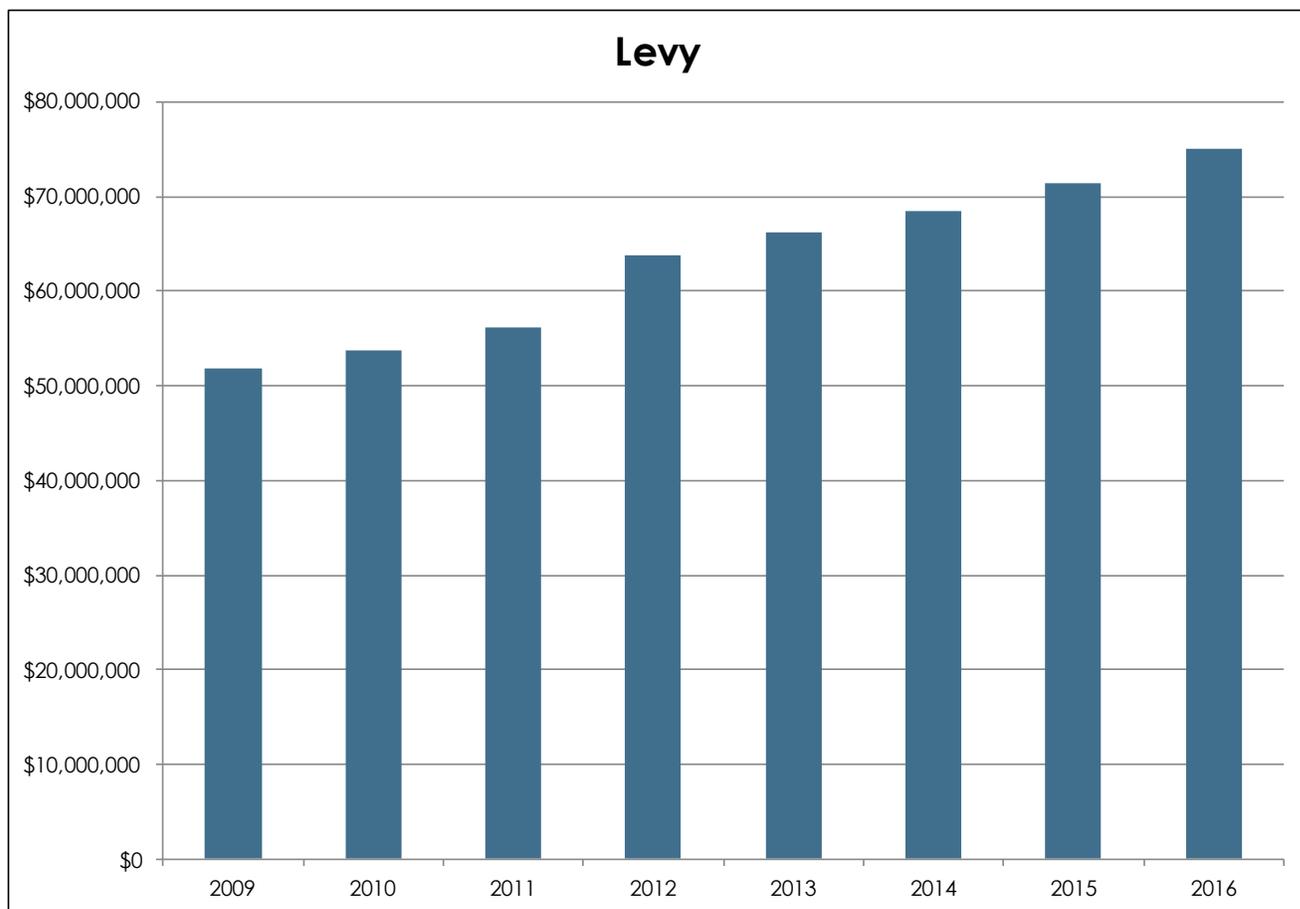
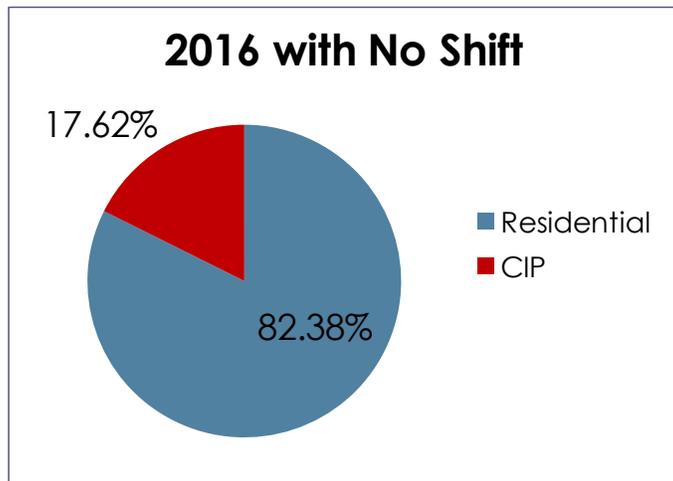
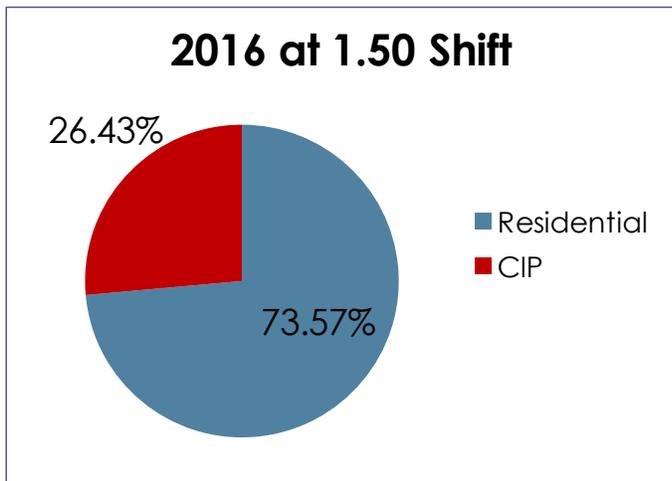
The maximum allowable split is 1.5.

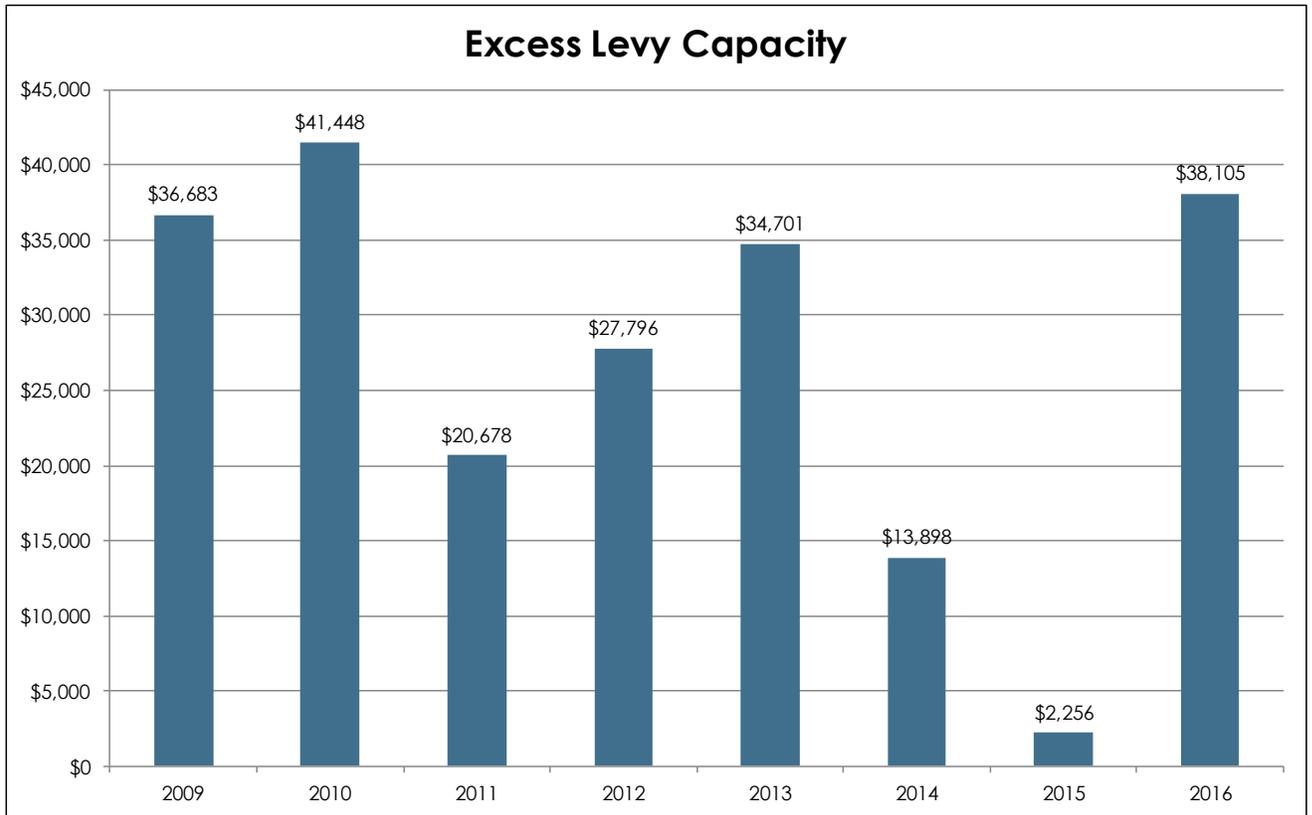
*\*Town Manager's recommended shift in Yellow (1.50)*

**2015 Shift Tax Burden**



**2016 Shift Tax Burden**





- It is up to the Board of Selectmen to determine whether or not the tax burden should be shifted.
- If the decision is made in favor of shifting the burden, by means of shifting the tax rate, a decision must be made to determine how much the burden will be shifted.
- The recommended shift is 150% (MRF 0.893050).

Mrs. Foley thanked her staff who did an incredible amount of work especially while many of them are still very new to the job.

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

The Selectmen asked questions about the pilot program to set the tax rate early. Mrs. Foley noted 13 communities entered into the accelerated program and 9 were successful in establishing the rates early. Mrs. Foley felt it was a tremendous help to establish the rate early. She also explained that once the rate is established it will be entered into the Gateway program with the Commonwealth and then the finance department will begin to recap the process.

Both the residential and commercial owners will have a decreased the rate for 2016. This would be the first decrease in 6 years and the first increase in home valuations in 6 years.

2016 is a revaluation year for Tewksbury. This is a state process and town will hire a consultant to make sure valuations are correct. Last year, approximately 10 residential bills were appealed and just a few commercial properties.

If the Board votes to move the shift to 1.50, this would move as much of the burden away from the homeowner as possible.

**MOTION: Mr. Gay made the motion to allocate the local property tax levy among the five property classes for the fiscal year 2016 and selection of a Minimum Residential Factor 0.893050 (1.50); seconded by Mr. Wentworth and the motion carried 5-0.**

**No motion was made on whether to allow a residential exemption for fiscal year 2016. This is a negative action by the Board of Selectmen. A residential exemption will not be allowed.**

**No motion was made on whether to allow small commercial exemption for fiscal year 2016. This is a negative action by the Board of Selectmen. A small commercial exemption will not be allowed.**

**No motion was made on whether to allow a discount of up to twenty five percent (25%) for property classified as Open Space for the fiscal year 2016. This is a negative action by the Board of Selectmen. A discount for property classified as Open Space will not be allowed.**

Mrs. Foley requested signatures for the documents to be submitted to the state.

#### **Public Events and Celebrations Committee—Update**

Mrs. Cheryl Gay and the members of the Public Events Committee were present.

The committee is very proud to bring back the Annual Tree Lighting to the town hall at the town center now that the construction is complete. The same activities will be organized as in previous years, but will be scaled back slightly due to space. The committee presented the flyer to the Selectmen. They also asked for permission to have a tree put up and decorated in the gazebo located at the town center. One committee member Susan Boucher was excited about this idea and contacted Chief Hazel, who verbally approved. The committee is seeking Selectmen approval tonight.

Activities will include the Tewksbury High School Drama Club performing a condensed version of 'Twas the Night before Christmas. The group will use the Congregational Church as a backup if the weather is too cold. Photo opportunities with Mr. and Mrs. Clause and their elves will be available. Pictures are free and guests can take their own pictures. Fire barrels have been approved by Chief Hazel and Market Basket is donating the sticks and marshmallows. Harrows contacted the committee and will serve samples—they are still working to get their permit in order. The Wamesit Masons will provide balloons and hot chocolate.

The parking plan is adequate. The event will need a detail officer to help with crossing on Main Street. Advertising for the event is on the town's Facebook page, flyers will be distributed, and tented boards will be updated with the new location. The committee asked the Town Manager Montuori for permission to display on the electronic boards and the town center board. Mr. Montuori agreed to discuss with the DPW Superintendant. Electronic boards aren't usually used for advertising event, but will make exceptions for town events. He will check with Mr. Brian Gilbert to be sure this would not be an issue.

The committee reminded all residents that the Congregational Church invites all to come to the pie social. There is a small donation to attend.

Mr. Wentworth asked if a consideration has been made to close Pleasant Street to Dewey Street. Mr. Montuori felt it would be difficult and may cause a worse traffic problem. Mr. Wentworth acknowledged this and requested the DPW to put lights out on the streets similar to Fourth of July fireworks.

Mr. Johnson recapped the requests of the committee tonight to be 1) approval for a tree to be lit in the town center gazebo; 2) use of the electronic message boards in town for advertising of the event; 3) request for a police detail during the event for crossing on Main Street.

The Selectmen had no issue with any requests made by the Public Events and Celebrations Committee and considered them acted upon in the spirit of Christmas.

Mr. Johnson commented on the town hall being in the home stretch of construction and will soon be reopened, and Mr. Montuori commented he is comfortable with the current status. Also asked if there are any restrictions on the use of the gazebo; and Mr. Montuori had no concerns.

### **Tewksbury Beautification Committee; Switchbox Art Project Recognition**

Mrs. Paige Impink, Chair of the Committee Ms. Jackie Stone, Ms. Tracy Clements, and Mrs. Jeanette Waugh, Artist and Subcommittee Member were all present.

Switchbox Art Project was a huge success. The committee thanked the Selectmen for approving and taking a chance on it. The mission statement was reiterated that this is public art project, supported by the Tewksbury Community of Artists and the Tewksbury Beautification Committee for the purpose of promoting public art in our community with the celebration the history, past, present and future of Tewksbury.

The committee publicly thanked their sponsors Enterprise Bank and the Tewksbury Cultural Council. In a presentation to the Selectmen photos of the boxes before and after were shown and explained. At the intersection of Chandler Street and East Street a rendering of the TewMac Airport painted by Michelle Mello. At the intersection of Livingston Street and East Street a rendering of the Tewksbury State Hospital, the Farm Stand and Tewksbury Youth Baseball Fields was painted by Jessica Newcomb, a student at Innovation Academy. At the intersection of North Street and International Drive, which is near Raytheon, a major hotel and is on a school bus route is a painting of Captain Trull's march by Eric Pestana & Friends. At the intersection of Andover Street and North Street, a painting by Jeannette Waugh captures the Carnation Capital of the World as Tewksbury was deemed in 1976.

There is one more box waiting at the intersection of Radcliff Road and Andover Street near Route 495. The committee is investigating to see if guy-wire can be removed.

The selectmen asked how these beautiful creations could be protected. The artists are applying butcher's wax to repel water and paint.

Not all artists could make tonight's meeting. Mr. Johnson read the citations and the board presented them to the artists that were present. The remaining citations were given to Mrs. Impink to present to the other artists.

The Selectmen also presented a citation to Enterprise Bank; and to the Tewksbury Beautification committee for the initiation of this project.

### **Residents**

There were no residents present who wished to come forward to speak.

## **New Business**

### **Vitale Family Auto—request approval for name change**

**MOTION:** Mr. Gay made the motion to approve the name change of Vitale Family Auto located at 2185 Main Street from Vitale Family Auto Inc. to Vitale Family Auto as presented; seconded by Mr. Kratman and the motion carried 5-0.

### **Mahoney's Garden Center—request One Day Beer & Wine License**

The Selectmen received a request from Mahoney's Garden Center for a one-day beer and wine license. This is an annual request for an event which will be held on November 18<sup>th</sup> from 4 to 7 p.m. for a Ladies Night Out and would like to serve wine during the event. Mr. John Monroe from Boston's Best Bartending Services would be the server and is TIPS certified. All forms and documents have been submitted and approved by appropriate departments. There have not been any complaints or concerns on this event.

**MOTION:** Mr. Kratman made the motion to approve the one-day beer and wine license requested by Mahoney's Garden Center for November 18, 2015 from 4:00 p.m. to 7:00 p.m.; seconded by Mr. Panilaitis and the motion carried 5-0.

**Stephen Powers—Disclosure by Municipal Employee-Snow Plowing**

Mr. Stephen Spencer, a non-elected official as a Tewksbury Firefighter is disclosing his contract to snowplow for the Tewksbury Department of Public Works. These services will be provided outside his normal working hours as a municipal employee, the services are not required as part of his regular duties as a municipal employee, and he will not be compensated for more than 500 hours during a calendar year.

**MOTION: Mr. Panilaitis made the motion to accept the disclosure provided by Mr. Stephen Spencer as presented; seconded by Mr. Kratman and the motion carried 5-0.**

**Lisa Puccia—requests appointment-Special Municipal Employee**

In a letter dated September 25, 2015, Mrs. Puccia notified the Board of Selectmen she is seeking status of a Special Municipal Employee. She has provided information from the state ethics commission. Mrs. Puccia serves as a member of the Shawsheen Vocational School Committee and also is seeking to work as an Educational Advocate, who attends IEP meetings for students with special needs. The vote from the Selectmen is to declare all committee members from the Town of Tewksbury to be Special Municipal employees.

Mrs. Puccia was present for this discussion. Realizing this is not a matter taken without due consideration, she humbly requested the approval by the Board of Selectmen.

No motions made on this matter and it was considered a negative action by the Board of Selectmen.

**Town Manager**

**Town Hall – Dedication Plaque**

Mr. Montuori sent the board 2 options to adopt. The board voted the first version and there was no further discussion. The plaque will read:

Tewksbury Town Hall  
Addition and Renovations  
Made possible through the generosity of the  
Residents of Tewksbury  
November 2015

**MOTION: Mr. Kratman made the motion adopt the language as presented for the Town Hall dedication plaque; seconded by Mr. Wentworth and the motion carried 5-0.**

**Route 38 Update**

Mass DOT has sent an update to Mr. Montuori dated November 3, 2015 from Broc industries. This is a biweekly report and the Selectmen requested it to be put up on the town website.

**Other items**

There will be limited parking at the town hall due to paving over next couple weeks. The town offices are still on scheduled to move back to the town hall the week of Thanksgiving.

Thursday morning will be meeting with town management and the financial management teams with Standard & Poor’s review of the town’s bond rating. The town’s goal is to refinance of old debt and

hope to move our rating from an AA to AA+. The water treatment plant borrowing will also take place on this date.

**Outstanding Minutes: October 27, 2015 (regular and executive session)**

These minutes are in progress and will be presented at the next meeting.

**Board Member Reports**

**Todd Johnson**

- Gave some clarity on the concerns about the Selectmen's vote to pursue the status of an intervenor with FERC. It was reported incorrectly that the Selectmen took a vote to oppose the pipeline and this was not the case. The Selectmen are clearly stating they have not taken a position on the pipeline.
- Veteran's Day will be on the November 11, 2015 at 11 a.m. at the Town Common.

**James Wentworth**

- Annual meeting for Community Preservation Committee is being planned
- Noted a meeting is needed with DCAM regarding activity at Livingston Street

**David Gay**

- Christmas Tree Lighting event will be held on December 4<sup>th</sup> at the Town Hall
- Attended with the Lowell Regional Transportation Authority the Salvation Army Christmas Castle breakfast fundraiser which helps with food baskets for families for the holidays

**Mark Kratman**

- No report

**Bruce Panilaitis**

- Economic Development Committee meeting will be held next Monday night
- Town Center Master Plan Committee will meet this Thursday to prepare for a public presentation of draft plan; a public meeting with the committee will be held on November 12, 2015, 7:30 p.m., at the Senior Center

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The next regular scheduled Selectmen's meeting will be held on November 17, 2015 at 7:00 p.m.

***Adjournment***

**MOTION: Mr. Gay made the motion to adjourn at 8:57 p.m.; Mr. Wentworth seconded, and the motion carried 5 to 0.**

***Approved by the Board of Selectmen on November 17, 2015***