



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
JAMES D. WENTWORTH

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MEETING MINUTES
DECEMBER 1, 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.

The Chair asked the Town Manager to give a brief updated on the Town Hall move. All offices moved from the temporary town hall to the newly renovated town hall last week. It is the first week in business for the departments. He is pleased to report that all offices are operational with phones and computers operational. The premises are still slightly unorganized due to unpacking. The audio visual is being worked on. The new hall and large hall furniture are in the process of being delivered. Other than punch list items the work is complete. The elevator will be inspected tomorrow. Residents are welcome to come in and view the newly renovated town hall. A ribbon cutting will be held next week. All went fairly smoothly.

Tewksbury Wilmington Elks –Change of Manager Request:

There was no representative who came forward when called, so the Chair tabled this item for a few minutes to see if a representative be present for this discussion.

Outstanding Minutes: October 27, 2015 (regular and executive session) and November 3, 2015 (regular session), and November 17, 2015

The minutes for October 27 and November 3 were distributed. The minutes for November 17 were not finalized by today's meeting date and were tabled until the next meeting.

MOTION: Mr. Gay made the motion to approve the minutes of October 27, 2015 (regular and executive session) and November 3, 2015 (regular session) as presented; seconded by Mr. Panilaitis and the motion carried 5-0.

Meghan McCarthy Road Race:

The race is proposed to take place on Sunday, April 17, 2016 at 9:00 a.m. A map and communication from public safety Officer Jennie Welch were presented.

MOTION: Mr. Gay made the motion to approve the Meghan McCarthy Road Race for Sunday, April 7, 2016 at 9:00 a.m. as presented; seconded by Mr. Wentworth and the motion carried 5-0.

Council on Aging Revolving Fund

Mr. Montuori explained to the Selectmen, that Town Meeting limits the amount to spend from the council on Aging Revolving fund to \$50,000 per year. He requested the Board to increase the amount of revenue and expenditures for the Council on Aging Revolving Fund from \$50,000 to \$150,000 since they have more programs being offered. This increase would be granted on a temporary basis until the next town meeting. The Selectmen along with the Finance Committee can vote to increase the amount without town meeting on a temporary basis. Mr. Montuori clarified the Council on Aging is not adding funds to their budget.

MOTION: Mr. Gay made the motion to authorize expenditures up to \$150,000 from the Council on Aging Revolving Fund; seconded by Mr. Kratman and the motion carried 5-0.

The Town Manager will bring this to the Finance Committee at their next regular scheduled meeting.

Pete's Variety and Package Store—Transfer of Wine and Malt License

This is a public hearing for a transfer of a Wine and Malt License. The Chair read the public notice into the record stating that Pete's Variety and Package Store, Inc. by Harold Stalker, President will transfer the license to Nikeeta, Inc. d/b/a Andy Convenience by Pragnesh Patel, President on premises describe as one floor located at 420 Woburn Street.

Arthur Pearlman, legal representative of Pargnesh Patel and Nikeeta Inc. was present for this discussion. He made note that Mr. Patel owns/runs several stores and will spend 40 hours per week at this business. Allowable sale hours will be 8 a.m. to 12 a.m. and on Sunday at 12 p.m. to 8 p.m.; however the applicant is requesting a 10 a.m. opening on Sundays. Employees are certified. Mr. Gay asked if other liquor stores open at 10 a.m. in Tewksbury. Mr. Johnson recalled some applications coming in for this request but was not positive the outcomes.

MOTION: Mr. Gay made the motion to approve the transfer of license for Pete's Variety and Package Store to Andy Convenience located at 420 Woburn Street; seconded by Mr. Kratman and the motion carried 5-0.

The Chair once again called for a representative from the Tewksbury Wilmington Elks and no one came forward to speak. The Selectmen agreed to wait and call again later in the meeting.

Residents

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

2015 License Renewals

The Chair requested to table certain licensees to be tabled until the next Selectmen's meeting due to outstanding debts to the town. All parties were contacted and number did pay. It is the intention that administrative staff of the Selectmen's office to reach out again and give another opportunity for resolution.

Licensees for all license classes to be tabled were:

1. Maverick's Restaurant and Lounge
2. French's
3. Orange Leaf
4. Cappellini's

MOTION: Mr. Wentworth made the motion to table all license holders named as stated in the minutes of December 1, 2015 until the next regular scheduled Selectmen's meeting on December 15, 2015; seconded by Mr. Panilaitis and the motion carried 5-0.

Renewal 2015 Liquor Licenses

*A complete listing of all license holders is attached as Appendix A of the December 1, 2015 minutes.

Restaurant All Alcoholic

The quota allowed is 30, Tewksbury has issued 26 and 4 licenses are available.

MOTION: Mr. Panilaitis made the motion to approve the Restaurant, All Alcoholic Licenses, as presented subject to the renewal application and payment received in the Office of the Board of Selectmen on or before November 30, 2015 and payment of all real estate taxes, water and sewer bills are current; the motion was seconded by Mr. Wentworth and the motion carried 5-0.

Restaurant Wine and Malt

The quota allowed is 6, Tewksbury has issued 6; there are none available.

MOTION: Mr. Gay made the motion to approve the Restaurant Wine and Malt as presented, subject to the renewal affidavit and payment received in the office of the Board of Selectmen on or before November 30, 2015 and payment of all real estate taxes, water and sewer bills are current; the motion was seconded by Mr. Kratman and the motion carried 5-0.

Clubs

There are six license holders in Tewksbury for Clubs.

MOTION: Mr. Panilaitis made the motion to approve the Club Licenses as presented, subject to the renewal affidavit and payment received in the office of the Board of Selectmen on or before November 30, 2015 and payment of all real estate taxes, water and sewer bills are current; the motion was seconded by Mr. Gay and the motion carried 5-0.

All Alcoholic Retail Package Goods

The quota allowed is 6, Tewksbury has issued 6 licenses and 0 licenses are available.

MOTION: Mr. Gay made the motion to approve the All Alcoholic Retail Package Goods Licenses as presented, subject to the renewal affidavit and payment received in the office of the Board of Selectmen on or before November 30, 2015 and payment of all real estate taxes, water and sewer bills are current; the motion was seconded by Mr. Panilaitis and the motion carried 5-0.

Wine and Malt Retail Package Goods

The quota allowed is 6, Tewksbury has issued 6 licenses and 0 licenses are available.

MOTION: Mr. Wentworth made the motion to approve the Wine and Malt Retail Package Goods Licenses as presented, subject to the renewal affidavit and payment received in the office of the Board of Selectmen on or before November 30, 2015 and payment of all real estate taxes, water and sewer bills are current; the motion was seconded by Mr. Panilaitis and the motion carried 5-0.

Renewal 2015 Common Victualler Licenses

MOTION: Mr. Gay made the motion to approve the Common Victuallar Licenses as presented, with the exception of any named parties previously tabled. These licenses are subject to 1) payment of all real estate taxes, water and sewer bills are current; and 2) food service permit from Board of Health has been received; the motion was seconded by Mr. Wentworth and the motion carried 5-0.

Renewal 2015 Amusement Devices Licenses

MOTION: Mr. Panilaitis made the motion to approve the Amusement Licenses as presented (total of 11), with the exception of the named parties previously tabled. These licenses are subject to 1) current payment of all real estate taxes, water and sewer bills; and 2) a favorable inspection by the Police Department has been completed; the motion was seconded by Mr. Gay and the motion carried 5-0.

Renewal 2015 Entertainment Licenses

MOTION: Mr. Wentworth made the motion to approve the Entertainment Licenses as presented, with the exception of the named parties previously tabled; these licenses are subject to current payment of all real estate taxes, water and sewer bills; the motion was seconded by Mr. Panilaitis and the motion carried 5-0.

Renewal 2015 Class Licenses

MOTION: Mr. Kratman made the motion to approve the Class I, Class II and Class II Licenses as presented, with the exception of the named parties previously noted. These licenses are subject to 1) renewal affidavits received in the Office of the Board of Selectmen on or before November 30, 2015; 2) payment of all real estate taxes, water and sewer bills are current and 3) a favorable inspection by the Building Department has been conducted; the motion was seconded by Mr. Wentworth and the motion carried 5-0.

2016 Selectmen Meeting Dates

MOTION: Mr. Gay made the motion to approve the 2016 Board of Selectmen Meetings as drafted; seconded by Mr. Panilaitis, and the motion carried 5-0.

The Chair made one final call for a representative from the Tewksbury Wilmington Elks, and no one from the audience came forward.

MOTION: Mr. Gay made the motion to table the Change of Manager Request from the Tewksbury Wilmington Elks until December 15, 2015 at 7:00 p.m.; seconded by Mr. Kratman, and the motion carried 5-0.

FY17 Budget Process Update

The Town Manager reported that a communication has gone out to all departments, including the schools. At budget worksheet has been sent to departments requesting a submission no later than December 16th. This is one week ahead of schedule and should keep the process on track. All contracts are in place regarding salary increases, personal by-laws, step increases, contracts, and longevity have all been worked out this year. The operating budgets for all departments have been requested to submit a service-level budget, i.e. to provide a budget with the funding to provide the same level of service currently providing-- a little different than previous years. Departments should fill all vacancies and these positions will be reviewed. No new staffing will be allowed unless it is part of the priorities for the department requesting a new position. Each department submitted two priorities. All budgets are contingent upon state aid Tewksbury receives and that economic conditions remain stable. There are no other major changes to the process. The budget process continues to run smooth. The Town Manager will still submit his goals, but department heads will submit their goals once budget is set for following fiscal year.

Board Member Reports

James Wentworth

- Community Preservation Annual Meeting took place and reorganized. Officers voted were Nancy Reed, Chair; Tom Churchill, Vice Chair and the next meeting will be in December. The focus of the team is Long Pond as the depth is shrinking. A consultant will be hired to help with a plan to access remediation and a maintenance plan. If does nothing, the pond will be lost.

David Gay

- Tree lighting and holiday celebration will be this Friday night back at Town Hall beginning at 6:00 p.m. and ending at 7:30 p.m. when the Congregational Church will hold their annual Pie Social and a short performance of 'twas the Night before Christmas will be held.
- Thanked the Town Crier for promoting the tree lighting event.
- Thanked Jim Lyons who donated Christmas tree that will be lit during the tree lighting event.

Mark Kratman

- Next meeting of Beautification Committee will be held on December 7, and he encouraged all to attend. The coming is seeing ideas of what areas of town need to be cleaned up and how to promote the Adopt an Island program.

- Received a letter from a member of the Beautification Committee, Mr. Doug Sears, who is resigning due to time constraints.

Bruce Panilaitis

- Town Center Master Plan Committee will be meeting soon, and consultants are working on draft plan after a spirited meeting was held recently.
- Economic Development Committee just met and also had one resignation.
- Habitat for Humanity project house is complete. The State Street home dedication will take place soon; there was tremendous participation from at the community build and some very generous donations.

Todd Johnson

- Zoning Bylaw Committee and Open Space Committee application process is open for residents to serve. The Selectmen did receive electronically an application for Audrey Kelly to serve on Beautification Committee and also from Don Martel for the Recycling Committee. These will be put these on the agenda for next regular meeting. The Board agreed if there is more than one application for one opening, they will conduct interviews.
- Finance Committee had another resignation; there are currently two openings on the committee
- The Town is seeking old photographs residents might have of Tewksbury to use throughout the town hall building. Calling residents to participate to use as artwork at the hall.
- Selectmen will gather for a holiday celebration on Friday; and Mr. Johnson made clear there will be no business discussed
- Festival of Trees will be held on Friday at 6:00 p.m.

The Tewksbury Boy Scout Troop from St. Williams was present. Board will take some time before entering into Executive Session to answer questions from the troop. The Selectmen took a brief recess to speak to Boy Scouts who were present.

MOTION: Mr. Gay made the motion for the Board to enter into Executive Session; Mr. Kratman seconded the motion, and on a roll call vote Mr. Wentworth, Mr. Gay, Mr. Kratman, Mr. Panilaitis, and Mr. Johnson vote in favor. The motion was unanimous.

MOTION: Mr. Wentworth made the motion for a brief recess before going into Executive Session; seconded by Mr. Kratman, and the motion carried 5-0 at 7:57 p.m.

When the discussion ended with the Boy Scouts, the Selectmen entered into Executive Session. The purpose of Executive Session was to discuss an item of potential litigation. Discussion of these matters in open session would be detrimental to the town’s interest. **The Chair called executive session to order at 8:11 p.m.**

MOTION: Mr. Kratman made the motion for the Board to exit Executive Session at 8:32 p.m.; Mr. Wentworth seconded, and on a roll call vote Mr. Wentworth, Mr. Gay, Mr. Kratman, Mr. Panilaitis, and Mr. Johnson vote in favor for a unanimous vote.

No other open business was discussed by the Selectmen at the conclusion of executive session.

The next regular scheduled Selectmen's meeting will be held on December 15, 2015 at 7:00 p.m.

Adjournment

MOTION: Mr. Wentworth made the motion to adjourn at 8:33 p.m.; Mr. Gay seconded, and the motion was unanimous.

Approved by the Board of Selectmen on December 15, 2015

QUOTA: ALLOWED-30 - ISSUED -26 AVAILABLE -4	
Restaurant, all alcoholic	Section 12 \$2,500.00
Al Fresca Ristorante	
1768 Main Street - # 3	
Angelina's Italian Restaurant & Pizzeria	
1866 Main Street	
Applebee's Neighborhood Grill and Bar mail: Apple New England LLC	
85 Main Street P.O. Box 507, West Linn, Oregon, 97068	
Cappellini's	
896 Main Street	
Chopsticks Express Chinese Restaurant	
910 Andover Street	
Deli King	
885 Main Street	
Jade East Restaurant	
433 Main Street	
Jon Ryan's Pub	
1795 Main Street	
Kyoto of Tewksbury, Inc.	
1487 Main Street	
Longhorn Steak House (mail renewal: PO Box 695016, Orlando, FL 32869)	
1900 Andover Street	
Luna Rossa	
1699 Shawsheen Street	
Mangoes Thai Cuisine	
2171 Main Street	
Mavericks Restaurant & Lounge	
2212 Main Street	
99 Restaurant and Pub	renewal ATTN: License Compliance
401 Main Street	3038 Sidco Drive, Nashville, TN 37204
Oscar's Pinata's, Inc.	
346 Main Street	

All Alcoholic Retail Package Goods- QUOTA 6, ISSUED 6, 0 AVAILABLE
Section 15 \$1,800
Aubut's Liquors, Inc. 1768 Main Street
JC Spirits 1699 Shawsheen Street
Main Street Liquors, Inc. 391 Main Street
Oakdale Liquors 1900 Main Street
Smitty's Liquors 1091 Main Street
Stadium Liquor Mart 10 Main Street
Wine and Malt Retail Package - QUOTA 6, ISSUED 6, 0 AVAILABLE
Section 15 \$1,200
Crystal General Store 1120 Main Street
Hobart's Country Store 2514 Main Street
Pete's Variety and Package Store 420 Woburn Street
Sam's Variety 2316 Main Street
Tewksbury Convenient Store 156 Shawsheen Street
White Dove Pantry 910 Andover Street

2016 Common Victualler Renewal List	\$50.00 Fee	Date Paid
Al Fresca Ristorante		
1768 Main Street – Unit #3		
Angelina's Italian Restaurant & Pizzeria		
1866 Main Street		
Anthony's Roast Beef		
1921 Main Street		
Applebee's Neighborhood Grill & Bar, mail: P.O. Box 507, West Linn OR 97068		
85 Main Street	Attn: Cheryl Mills	
Bradford Lantern Cafe		
853 Main Street		
Brave Troops Buffet		
1777 Main Street		
Burger King Restaurant		
1965 Main Street		
Burger King		
85 Main Street		
Café Sicilia		
1300 Main Street		
Cappellini's		
896 Main Street		
Chopsticks Chinese Restaurant		
910 Andover Street		
Corporate Chef's Inc.		
2 Highwood Drive	mail: 22 Parkridge Rd, Haverhill, 01835	
Cracker Barrel		
1795 Andover Street	P.O. Box 787, Lebanon TN 37088 – Marsha Slider	
Dandilyons		
2119 Main Street		
Disabled American Veterans Club		
180 Pond Street		
Donna's Donuts, Inc.		
2106 Main Street		
Dunkin Donuts	PO Box 189, Chelmsford, 01824	
1992 Main Street		
Dunkin Donuts	PO Box 189, Chelmsford 01824	
1973 Main Street		
Dunkin Donuts	PO Box 189, Chelmsford 01824	
1699 Shawsheen Street		
Dunkin Donuts	PO Box 189, Chelmsford 01824	
381 Main Street		

Dunkin Donuts	PO Box 189, Chelmsford 01824
1220 Main Street	
Dunkin Donuts	PO Box 189, Chelmsford 01824
1700 Shawsheen Street	
Dunkin Donuts	P.O. Box 189, Chelmsford, MA 01824
1910 Andover Street	(Hess)
ExxonMobil Mart Station #01-JFA	
2 Main Street	
Frenchs	
825 Main Street	
Fresh Express	
1700 Shawsheen Street	(M113,L6)
Green's Frozen Yogurt	
2297 Main Street	
Giovanni's Roast Beef & Pizza	
2144 Main Street	
Hobart's Country Store	
2514 Main Street	
Holiday Inn (Tewksbury Hotel Associates d/b/a)	
4 Highwood Drive	
Hunan Wok Restaurant	
2290 Main Street	
IHOP Restaurant	
95 Main Street	
Jade East Restaurant	
433 Main Street	
Jimbo's Famous Roast Beef and Seafood	
616 Main Street	
Jon Ryan's Pub	
1795 Main Street	
Knights of Columbus	
2068 Main Street	
Kyoto Japanese Steak House	
1487 Main Street	
Lifes Too Short, Inc. (ExxonMobil)	
1785 Andover Street	
Lisa's Family Pizzeria	
2312 Main Street	
Longhorn Steak House	Attn Licensing, PO Box 695016, Orlando, FL 32869
1900 Andover Street	
Long's Kitchen	
1866 Livingston Street	

Long Meadow Golf Club	(165 Havilah Street, Lowell)
939 Andover Street	
Luna Rossa	
1699 Shawsheen Street	
Mac's Dairy Farm	
1863 Main Street	
Main Street Pizza & Seafood Restaurant	
1268 Main Street	
Mangoes Thai Cuisine	
2171 Main Street	
Mavericks Restaurant and Lounge	
2212 Main Street	
McDonald's Corp.	
1928 Main Street	(McCoy Rest. Group)
McDonald's Corp.	
1915 Andover Street	
Meadowland Ice Cream	(mail to Priscilla Partyka, 35 Nob Way Lowell 01852)
328 North Billerica Road	
Merrimack Valley Pavilion	
2087 Main Street	
Mirabella's Bakery	
836 Main Street	
99 Restaurant & Pub	
401 Main Street	
North End Diner & Pizzeria	
910 Andover Street	
Orange Leaf Frozen Yogurt	
345 Main Street – Unit A-1	
Oscar's Pinata's Inc.	
349 Main Street	
Origin Thai Bistro	
1699 Shawsheen Street, Unit #2	
Papa Gino's	
1900 Main Street	
Papa Gino's	
553 Main Street	
Piezano's Pizzeria	
2290 Main Street	
Pizza Mia - Paul Huebner	
1475 Main Street	
Perfecto's Caffè	(Caffè 38, Inc.)
1900 Main Street – Unit #2	

Residence Inn Boston - Tewksbury (Marriott)
1775 Andover Street
Route 38 Cafe
2493 Main Street
Sal's Just Pizza
2500 Main Street
7-Pantry
1699 Shawsheen Street
Skewer's Wood Grill
1060 Main Street
Subway (Summit Food Corp. dba)
333 Main Street
Subway
1700 Shawsheen Street
Subway
1899 Main Street
Sky Box
553 Main Street
Tedeschi Food Shops
2280 Main Street
Tessi's Pizza & Roast Beef
910 Andover Street
Tewksbury Convenient Food Market
156 Shawsheen Street
Tewksbury Country Club Events, Inc.
1880 Main Street
Tewksbury Mobil
940 Andover Street
Tewksbury Deli King
885 Main Street
Tewksbury House of Pizza and Seafood
2254 Main Street
Tewksbury Shell
1975 Main Street
Tewksbury State Hospital Cafe ATTN: Mark Richard-Café Manager)
365 East Street (Sodexo USA, Inc.)
Tewksbury/Wilmington Elks
777 South Street
Tewksbury V.F.W. Post #8164
87 Vernon Street (mail PO Box 328)
TJ Callahan's
1475 Main Street

2016 Automatic Amusement Device License Renewal		
Following are \$75.00 per device		
Breakaway Ice LLC		
20 Carter Street	9 machines	
		\$675.00
DAV Chapter 110		
180 Pond Street	6 machines	\$450.00
Knights of Columbus		
2068 Main Street	1 machine	\$75.00
Oscar's Pinata		
346 Main Street	1 video bowling machine, 1 video machine	\$150.00
Mavericks		
2212 Main Street	one golf game, one car game	\$150.00
Merrimack Valley Pavilion		
2087 Main Street	18 machines	\$1350.00
Skybox		
		\$225.00
553 Main Street	3 video machines	
TJ Callahan's		
1475 Main Street	2 video games	\$150.00
Tewksbury/Wilmington Elks		
		\$375.00
777 South Street	5 machines	
V.F.W. Post #8164		
		\$375.00
87 Vernon Street	5 machines	
Wamesit Entertainment Center, Inc.		
434 Main Street	56 Amusement machines	-\$4,200.00

2016 Entertainment License Renewal List	\$25.00 Fee	Date Paid
Angelina's Italian Restaurant & Pizzeria		
1866 Main Street		
Applebee's		
85 Main Street		
Café Sicilia		
1300 Main Street		
Cappellini's		
896 Main Street		
Deli King		
885 Main Street		
Disabled American Veterans Club		
180 Pond Street		
Holiday Inn		
Four Highwood Drive		
Jon Ryan's Pub		
1795 Main Street		
Knights of Columbus		
2068 Main Street		
Kyoto Japanese Steak House		
1487 Main Street		
LongHorn Steakhouse		
1900 Andover Street		
Long Meadow Golf Club		
435 Andover Street (mail 165 Havilah Street, Lowell)		
Mavericks Restaurant and Lounge		
2212 Main Street		
Oscar's Pinata's Inc.		

349 Main Street
Papa Gino's
1900 Main Street
Skybox
553 Main Street
Tewksbury Country Club Events, Inc.
1880 Main Street
Tewksbury/Wilmington Elks
777 South Street
Tewksbury V.F.W. Post #8164
87 Vernon Street (mail PO Box 328)
TJ Callahan's
1475 Main Street
Wamesit Entertainment Center, Inc.
434 Main Street

2016 Class I, II, III Renewals Fee \$100.00

Class I

Atamian Volkswagen, Inc.	150 Main Street
AutoFair Nissan of Tewksbury	623 Main Street
Danvers-TII, Inc. d/b/a Ira Toyota II/Ira Scion II	468 Main Street
McDevitt Trucks, Inc.	939 and 939A East Street

Class II

A & B Automotive Inc.	1258 Main St
Advanced Auto Sales, LLC	818 Main Street
AutoFair Nissan of Tewksbury	623 Main Street
Bay-4 Motor Sports, Inc.	1615 Shawsheen Street, Unit 4
Boutiette's Auto Body, Inc.	2115 Main Street
Domenic Germano	975 East Street, mail 1830 Main Street
Lowell Transportation Inc.	911-913 East Street
New England Collision Service Center, Inc.	11 Kittredge Avenue
M C Raad Realty, LLC	1 Main Street
Tewksbury Auto Mall	2195 Main Street
Tewksbury Automotive Repair Company, LLC	820 Livingston Street – Unit 12
Vitale Family Auto, Inc.	2185 Main St.(mail: 21 Shawsheen Ave, Wil.)
VKD Corporation	1875B Main Street
Wing's Used Auto Parts, Inc.	1628 Shawsheen Street

Class III

Penny's Auto Body	11 Kittredge Avenue
Wing's Used Auto Parts, Inc.	1628 Shawsheen Street