



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

SCOTT WILSON, CHAIRMAN
DOUGLAS W. SEARS, VICE CHAIRMAN
JAMES D. WENTWORTH, CLERK
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MEETING MINUTES
APRIL 8, 2014

Chairperson Scott Wilson called the meeting to order at 7:01 p.m. Present for the Board of Selectmen meeting were Scott Wilson, Vice Chair; Bruce Panilaitis, Clerk and Board Members, David Gay and James Wentworth. Richard Montuori, Town Manager and Attorney Charles Zaroulis were also present.

Scheduled Items

Reorganization

Mr. Gay made the motion to nominate Mr. Todd Johnson for the office of CHAIR to the Board of Selectmen; seconded by Mr. Wentworth.

Mr. Wilson made the motion to close nominations; seconded by Mr. Wentworth.

VOTE: On the motion to nominate Mr. Todd Johnson as Chair, the roll call vote of Mr. Wentworth, Mr. Gay, Mr. Panilaitis, Mr. Wilson and Mr. Johnson vote in the affirmative for a unanimous vote of 5-0.

Mr. Johnson called for nominations to the office of VICE CHAIR.

Mr. Wentworth made the motion to nominate Mr. Scott Wilson for the office of Vice Chair to the Board of Selectmen; seconded by Mr. Johnson.

Mr. Gay made the motion to close nominations; seconded by Mr. Panilaitis.

VOTE: On the motion to nominate Mr. Scott Wilson as Vice Chair, the roll call vote of Mr. Wentworth, Mr. Gay, Mr. Panilaitis, Mr. Johnson and Mr. Wilson vote in the affirmative for a unanimous vote of 5-0.

Mr. Johnson called for nominations to the office of CLERK

Mr. Gay made the motion to nominate Mr. Bruce Panilaitis for the office of Clerk to the Board of Selectmen; seconded by Mr. Wentworth.

Mr. Wilson made the motion to close nominations; seconded by Mr. Gay.

VOTE: On the motion to nominate Mr. Bruce Panilaitis for the office of Clerk, the roll call vote of Mr. Johnson, Mr. Panilaitis, Mr. Gay, Mr. Wentworth, and Mr. Wilson vote in the affirmative for a unanimous vote of 5-0.

The Board took a brief recess to reset the table.

Mr. Johnson acknowledged the service of Mr. Wilson for his year as a Chair of the Board of Selectmen; and welcomed Mr. Panilaitis to the Board. He also expressed his gratitude to his colleagues for nominating him to the position of Chair.

Jerry Selissen—Wounded Warrior Project

Mr. Selissen presented a fundraiser sponsored by the Tewksbury Country Club for a 5K Fun Run/Walk at the club’s golf course. All proceeds will go to benefiting the Wounded Warrior Project. The intention is to make this an annual event. Check-in begins at 7:00 a.m. and runners will begin at 8 a.m. with walkers beginning at 8:30. All sponsorship levels are welcome and the group is looking to get more as 100% of all sponsorship fees as well as 100% of all entrance fees will go to the Wounded Warrior Project. Wounded Warrior is opening a Boston office and there is a direct local impact for this fundraising effort. This fundraiser is registered on-line with the national Wounded Warrior Project organization located in Jacksonville, Florida.

The Selectmen fully support this event and requested Mr. Selissen, on behalf of the Board, to inform Mr. Ginsberg of their support for his work on this fundraiser and so many charitable events in our community which he contributes to.

Beverly Woods, NMCOG—Route 38 Corridor Study

Beverly Woods, Executive Director and Justin Howard, Transportation Coordinator Manager of Northern Middlesex Council of Governments presented to the Board of Selectmen.

Route 38 Corridor study; transportation study was funded by Massachusetts Department of Transportation at no cost to the town. The purpose was to evaluate transportation conditions within the Route 38 corridor such as traffic conditions, bicycle safety, and pedestrian access to roads. The goal was to assess existing and future operation conditions, identify deficiencies and needs, and outline recommendations to address existing and anticipated transportation needs.

Route 38 is a state-owned roadway and will need to engage the Commonwealth for repairs as needed. It is 6.3 miles, contains 431 parcels, and is zoned as follows:

- Commercial 270 parcels (51.73% land area)
- Industrial 51 parcels (4.05%)
- Residential 40-86 parcels (28.18%)
- Multi-Family 8 parcels (14.59%)
- Transitional 14 parcels (1.18%)
- Municipal 2 parcels (0.27%)

According to the output from the land characteristics analysis, there is currently 8 acres of potentially developable or residential open land which could be used at this time.

The study included an evaluation of existing traffic operations, future traffic conditions, and a recommendation for improvements. The segments of roadway was mapped out and consisted of the following segments:

- Lowell City Line to Astle/Pike Street
- Astle/Pike Street to Pleasant Street
- Pleasant Street to Chandler Street
- Chandler Street to Victor Drive
- Victor Drive to Shawsheen Street
- Shawsheen Street to South Street
- South Street to Wilmington Town Line

The study also included intersections at:

- Main Street at I-495 (2 ramp intersections)
- Main Street and Old Main Street
- Main Street and Walmart Plaza
- Main Street at Astle/Pike/Veranda
- Main Street at Pleasant/East Street
- Main Street at Chandler Street
- Main Street at Victor Drive
- Main Street at Post Office Drive
- Main Street at Livingston Street
- Main Street at Shawsheen Street
- Main Street at South Street

An assessment of average daily traffic volumes was presented as well as existing operation conditions at the study area intersections. Level of Service (LOS) was explained to be graded A to F with a D category as acceptable in a community similar to Tewksbury.

The crash study data is the most current which could be received, however the Department of Transportation DOT is typically behind in this data analysis. The identification of high crash locations consisted of four locations

• Main and Shawsheen	69 crashes	13 injuries
• Main at Astle/Pike/Veranda	58 crashes	6 injuries
• Main at Pleasant	26 crashes	7 injuries
• Main at Capital Ave	32 crashes	4 injuries

When the study began Ocean State Job Lot was not open, but volumes have been adjusted for this. Traffic volumes have been projected to 2022 with potential development activity. With this development there will be a few intersections not be functional and have the potential to be in the F category.

Two-way left turn lanes would improve safety at the four high-impact locations located on the map provided in the study.

Tewksbury will need to establish a partnership with the Department of Transportation for access management. Specifically the study outlined 1) limiting the number of conflict point at driveway location; 2) separate conflict points; 3) reduce the interference of the through traffic—two-way left

turn lanes; 4) provide adequate on-site circulation and storage in parking areas; 5) provide adequate vehicle stacking for drive through lanes.

Other recommendations included

Transportation Demand Management:

- Encouraging businesses to promote transit to employees
- Adopt a Transportation Demand Policy for the town
 - Encourage use of transit, ridesharing, bicycling, walking or travel off-peak periods
 - Participation in a Transportation Management Association
 - Alternative Work Programs—encourage telecommuting/flextime
 - Work towards providing ADA compliant sidewalks, bicycle facilities, land use policies that encourage mixed-use development, and enhance streetscaping and pedestrian amenities

Corridor-wide traffic signal optimization:

- Coordination of traffic signals
 - Post Office Drive to Shawsheen Street
 - I-495 Interchange area from Clark Road to Old Main Street
- Signal phasing modifications at Main Street and South Street

Need for increased capacity at some locations:

- Main Street at Livingston: add a westbound Livingston Street right turn lane and a northbound Main Street through lane
- Main Street at Astle/Pike Streets: add a southbound Main Street right turn lane and a northbound exclusive through lane
- Main Street at Shawsheen Street: additional northbound and southbound Main Street through lanes
- Widen main Street to four lanes between Livingston Street and Shawsheen Street

Bicycle and Pedestrian facilities:

- Where possible, include a 5-foot shoulder to accommodate bicycles
- Where 5-foot shoulders are not possible, install “share the road” markings (Sharrows)
- Encourage the inclusion of bicycle storage facilities
- Develop a continuous ADA compliant sidewalk network
- Develop performance criteria relative to transportation for inclusion in the Town’s Zoning Bylaws

Mr. Johnson made note that all town boards are focusing on improvement of Route 38. Shawsheen and Main is problematic and is also the most recent intersection revised in town. Ms. Woods indicated that challenges involve potential property takings at the time and this was not desirable to some abutters. Over time as traffic has grown the flow has deteriorated and will continue to see this as traffic grows further. The town will need to begin developing a case with state. A possible solution could be to have two phases in proceeding. Completing a stem to stern redevelopment will be very costly. It was suggested for the town to prioritize economic development and safety issues to begin with. NMCOG only has \$5M to 6M per year to take care of 9 communities. To revamp all of Route 38 would cost approximately \$30M.

Mr. Panilaitis asked about the South and Main intersection, and it was explained that South Street can be changed fairly easily by changing the light timing as to when cars go and stop. It was recommended to establish a laundry list with NMCOG's advice to make light changes as needed in phased approach. Signal changing and timing doesn't cost money and could be done in a reasonable time.

On the item of sidewalks, some money could be donated by local businesses. Expanding sidewalks is about a \$2M project and could take up to 10 to 15 years for funding. Additional jobs significant projects could apply for funding through Housing and Economic Development.

Mr. Montuori noted that NMCOG has been very good about meetings taking place and coordinating the process as much as possible. He will continue to find ways to identify funding; and will likely need to meet with our local Congressman to see if Tewksbury can be identified as a community for regional funding.

It was unknown at the time of this meeting when the last time Route 38 was paved. Projects already started could still get funding, but would need to apply soon for grants, etc.

Katie Way Street Acceptance Hearing

Mr. Johnson read the public hearing notice into the record. The hearing was for the purpose of accepting the layout of Katie Way and by accepting the layout of Katie Way, the town will be allowed to expend Chapter 90 monies to make improvements to this road.

The DPW Superintendant was not present for this hearing but Mr. Montuori spoke on his behalf. There were some outstanding issues with the developer and the DPW is still working with him on those items. The Planning Board did accept the layout of the way subject to DPW requirements and addressing any issues with the developer. This is currently a Warrant Article and there has been progress since the last meeting with the Selectmen

Mr. Johnson opened the hearing up for the public to speak.

Raju Datla of 61 Katie Way came forward to speak. He did not have anything to add; he received the notice of the hearing and wanted to hearing what was happening.

Mr. Steve Sadwick confirmed the outstanding items are more in progress with this staff to verify what has been submitted is work that is completed. His staff needs to take a look at to be sure all the criteria have been met. Most reaming tasks are administrative not physical.

MOTION: Mr. Wentworth made the motion to accept the layout of Katie Way pending the approval of the DPW Superintendant and the Community Development Director that all issues have been addressed; seconded by Mr. Wilson and the motion carried 5-0.

Residents

Mr. Johnson opened the hearing up to the public.

Anne Marie Stronach of the Friends of the Patriotic Activities Committee made a public announcement for the raffle currently being run. This is for a trip for two to Bermuda and drawing will be held April 15. The Friends still have 50 tickets left to sell and are only selling 200 total

tickets. The trip will include a \$400 ship credit and ship gratuity. Go online to Tewksbury PAC to register or see a committee member for your ticket.

New Business

Annual Town Meeting Warrant—to be signed

Annual Town Meeting will be held on Monday, May 5, 2014 at 8 p.m. The meeting will take place at Tewksbury Memorial High School.

MOTION: Mr. Wentworth made the motion for the Board of Selectmen to execute the Annual Town Meeting Warrant as presented; seconded by Mr. Wilson and the motion carried 5-0.

Special Town Meeting Warrant—to be signed

Special Town Meeting will be held on Wednesday, May 7, 2014 at 7 p.m. The meeting will take place at Tewksbury Memorial High School.

MOTION: Mr. Gay made the motion for the Board of Selectmen to execute the Special Town Meeting Warrant as presented; seconded by Mr. Wilson and the motion carried 5-0.

Strongwater Farm—Spring Fling Trail Ride—requests the Board’s support

In a letter dated April 1, 2013, Mr. David Wahr of Strongwater Farm requested the support of the Board of Selectmen for this event. There were no comments from Selectmen on this matter.

Beautification Committee—request additional appointment

In a letter dated March 25, 2014, Ms. Jackie Stone, Chair of the Tewksbury Beautification Committee wrote to the Selectmen requesting Susan Boucher of 71 School Street to be nominated as an additional member of the committee. The approval of Ms. Boucher’s application will increase the membership of committee. If approved, the Selectmen will need to also approve an expansion of the Beautification Committee members.

MOTION: Mr. Gay made the motion to expand the Beautification Committee by two members for a total of 9 members; seconded by Mr. Wentworth and the motion carried 5-0.

MOTION: Mr. Wilson made the motion to appoint Susan Boucher to the Beautification Committee effective immediately through June 30, 2014; seconded by Mr. Gay and the motion carried 5-0.

Mr. Johnson made note that the applications for appointment for the Beautification Committee were discussed by the Selectmen on October 22, 2013, however, on the application of Dan Elliman, the meeting minutes of his appointment failed to include Mr. Elliman’s name. As a result of this scrivener’s error, the motion needs to be ratified by the board.

MOTION: Mr. Wilson made the motion to ratify the motion of October 22, 2013 for Mr. Dan Elliman to be appointed to the Tewksbury Beautification Committee through June 30, 2014; seconded by Mr. Gay and the motion carried 5-0.

The Public Events would like to increase from seven members to nine members; with eight residents at large and one member of the Board of Selectmen. Both Susan Boucher and Erin Knyff both have applications on record with the Selectmen.

MOTION: Mr. Gay made the motion to expand the Public Events Committee by two members for a total of 9 members; seconded by Mr. Wilson and the motion carried 5-0.

MOTION: Mr. Gay made the motion to appoint Susan Boucher and Erin Knyff effective immediately through June 30, 2014; seconded by Mr. Wilson and the motion carried 5-0.

With the departure Mr. Sears, the board will need to take action on who will take his place on his assigned committees. No action was taken tonight. At the next meeting the Chair will outline specific openings and would ask for his colleagues to volunteer to fill these positions.

Town Manager

Sewer Enterprise Budget

Massachusetts General Law allows for communities to shift water/sewer debt to the tax levy for the fiscal year. Mr. Montuori presented three options for consideration representing shifting 100% to 50% of the debt to the tax levy for FY15. The Selectmen discussed at length the shift of \$640,000 to the tax levy as this is the entire amount of the debt needed to be made up. All scenarios have a positive impact and shift to allow all tax payers to share in paying the debt down. All information has been given to Finance Chair all members have been able to study the information including Mr. Panilaitis.

Mr. Wilson agreed with the \$640,000 as it will act as a savings for a few years.

Mr. Panilaitis agreed the shift of \$640,000 is fair, however he favors the \$480,000 shift as it would not set a good precedent to have no increase at all. He also noted this would impact property taxes for Senior Citizens in their application for property tax exemptions.

Mr. Gay complemented Mr. Montuori as this shows the town leadership wants to keep budget solvent.

Mr. Wentworth put forth several scenarios of numbers he ran independently. He did agree with Mr. Montuori for sewer users only to pay for majority of the debt would not be fair as all residents will eventually use the sewer system. It is right for all to share in the debt.

Once voted the shift stays in place for 13 years and can end whenever is voted on again. Once the debt is retired the shift will be eliminated or dropped off. All projections are based on assumptions and the Board can address the debt as the assumptions change. With no shift the average increase to sewer bills would be 13%.

Mr. Montuori also explained the problem with the debt is it is not a declining debt—the amount is paid more at the end of the debt cycle. In summary, the Selectmen support the shift in order to create consistency amongst all residents. The exercise proved more reliability in the rates and

ending the debate about Tewksbury's sewer rates. This is a recalibration of the debt shift the town previously supported. It was suggested to instruct the Town Manager to make the debt shift part of an annual review to revisit the shift as a mandatory exercise.

The Selectmen unanimously agreed to engage in an annual review and to engage state delegation to get relief for seniors on fixed income relative to property taxes.

MOTION: Mr. Wilson made the motion to shift some amount of debt to the tax levy and, if adopted, a formal policy/process should be established for the Board to review annually; seconded by Mr. Gay and the motion carried 5-0.

MOTION: Mr. Gay made the motion to support a \$640,000 debt shift as proposed by the Town Manager, seconded by Mr. Wilson and the motion carried 5-0.

MOTION: Mr. Wentworth, on behalf of the Board of Selectmen, in accordance with Massachusetts General Law Chapter 59, Section 5, Claus 52 in Section 21CN, that the Board vote to transfer \$640,000 to Sewer Debt Service to Town's Property Tax Levy for all taxpayers, seconded by Mr. Wilson and the motion carried 5-0.

The Chair requested for a policy to be drafted relative to the first motion proposed by Mr. Wilson and that the policy is incorporated into the Town Manager's annual review of the Sewer Enterprise Budget to the Board of Selectmen.

MOTION: Mr. Panilaitis made the motion to ask the state delegation to explore improving the thresholds for Senior Citizens to participate in tax advantages, seconded by Mr. Wilson and the motion carried 5-0.

Other Business

The Board requested a letter to be drafted regarding clarification from Senator Finegold and Representative Miceli on their votes regarding local aid; copies were distributed for review to the Board tonight and the Town Manager requested for to take a vote to execute and send the letter as presented. Mr. Wilson and Mr. Wentworth both saw Senator Finegold and alerted him about the letter forthcoming. Neither had the opportunity to see Representative Miceli as of tonight to alert him. Mr. Panilaitis was concerned about getting into too much detail in legislation and questioning individuals on amendment votes and would likely abstained from the voting on sending the letters. No vote was taken tonight on sending these letters.

Approval of Minutes March 25, 2014 (regular session)

MOTION: Mr. Wentworth made the motion to approve the minutes of March 25, 2014; seconded by Mr. Wilson and the motion carried 4-0-1 with Mr. Panilaitis not voting.

Board Member Reports

Bruce Panilaitis:

- Thanked the Board and Town Manager for walking him through the process; and Mr. Sears for his service
- Community event at the Congregational Church, is a free event for kids to take their picture with Easter Bunny

Scott Wilson:

- Thanked Board for his time as chair
- Town Center Committee putting together framework and will be setting into high gear very soon

David Gay:

- Thanked Mr. Wilson for service last year and welcomed Mr. Johnson back as chair
- Economic Development Committee met tonight and discussed Route 38 as presented at tonight's meeting; group would like more outreach and economic target areas established to see how Tewksbury can market themselves better
- Public Events And Celebrations Committee—carnival may move to September

James Wentworth:

- Thanked Mr. Wilson and welcomed Mr. Panilaitis to the Board; thanks all who ran for office and to the residents who came out to vote. Congratulations to those who were elected to office

Todd Johnson

- After meeting with NMCOG and Massachusetts DOT, he would like to hold a joint meeting of, Planning Board, Community Development, Board of Selectmen and the Town Manager to discuss how to meet financial needs through Massachusetts DOT; a more specific coordinated effort on a plan for Route 38 is needed
- Green committee meets Thursday, April 10
- Economic Development Review Committee will meet the following week
- Requested for the Town Manager to investigate the local authority for state lottery; what level of authority does local government have to control lottery within the towns boards
- Thanked all who ran for office and although it was not a highly competitive race the Selectmen benefited from new member

The next regularly scheduled Selectmen's Meeting following Town Meeting will be held on Tuesday, April 29, 2014 at 7:00 p.m.

Adjournment

MOTION: Mr. Gay made the motion for the Board to adjourn at 9:26 p.m.; Mr. Wilson seconded, and the motion carried 5 to 0.

Approved by the Board of Selectmen on May 20, 2014