



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

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JAMES D. WENTWORTH, CLERK
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MEETING MINUTES
JULY 22, 2013

Chairperson Scott Wilson called the meeting to order at 7:05 p.m. Present for the Board of Selectmen meeting were Douglas Sears, Vice Chair; James Wentworth, Clerk and Board Members, David Gay and Todd Johnson. Richard Montuori, Town Manager and Attorney Charles Zaroulis were present.

1. Western Mass Gaming Ventures, LLC (Penn National Gaming, Inc.)

Mr. Montuori announced a call for a special election for the referendum question regarding the Western Mass Gaming Ventures, LLC, a subsidiary of Penn National, on September 21, 2013. The statute states the special election cannot be held sooner than 60 days from the host agreement being executed by the parties, but not more than 90 days after execution. The special election will be held during normal voting hours from 8 a.m. to 8 p.m.

MOTION: Schedule Special Town Election. Mr. Sears made the motion for a special election to be held on September 21, 2013 from the hours of 8:00 a.m. to 8:00 p.m. for a vote on the referendum question which will be submitted by Western Mass Gaming Ventures, LLC, and is consistent with the Commonwealth of Massachusetts Gaming Commission's language and the request to call an election. Such an election shall be filed on record by the Town Clerk's Office of Tewksbury and certified as received. Any cost associated with a special election will be paid for by Western Mass Gaming Ventures, LLC. The motion was seconded by Mr. Gay and the motion passed with a vote of 5-0.

Mr. Montuori also announced a Special Town Meeting to address the zoning change for the proposed site. In order to build, Western Mass Gaming Ventures, LLC, needs to change the zoning to allow the use of a gaming establishment.

MOTION: Schedule a Special Town Meeting. Mr. Sears made the motion to schedule a Special Town Meeting for August 20, 2013, to be held at Tewksbury Memorial High School at 7:00 p.m.; seconded by Mr. Gay; and the motion passed with a 5-0 vote.

MOTION: Open the Warrant for Special Town Meeting. Mr. Sears made the motion to open the warrant for Special Town Meeting; seconded by Mr. Johnson and the motion carried 5-0.

MOTION: Accept Town Zoning Bylaws. Mr. Sears made the motion to accept the Town Zoning Bylaws as presented tonight to the Board of Selectmen with authorization from Board members that any changes by Town Counsel or the Planning Board can be done before the Special Town Meeting to be held on September 21, 2013, as necessary; seconded by Mr. Gay and the motion carried 5-0.

MOTION: Close the Warrant. Mr. Sears made the motion to close the warrant for the September 21, 2013, Special Town Meeting; seconded by Mr. Gay and the motion carried 5-0.

MOTION: Approval of the Host Community Agreement. Mr. Sears for the Board of Selectmen to ratify the approval of the motion from July 18, 2013, to include a description of property in exhibit A; seconded by Mr. Johnson and the motion carried 5-0.

The website will be updated with the corrected Exhibit A as described. A copy of a summary of the host community agreement that has been drafted and approved by Town Counsel will also be posted.

2. Approval of the minutes for July 18, 2013 (regular and executive session)

MOTION: Mr. Wentworth made the motion to approve the minutes for July 18, 2013 (regular and executive session) as presented; seconded by Mr. Gay and the motion carried 5-0.

The Board took a brief recess for the next presentation.

3. Town Hall Renovation Presentation from Kan Associates

At 7:30 p.m. the chair called the meeting back to order. At the request of the audience this portion of the meeting was not televised as it was considered a working session and not a presentation.

Ms. Kaffee Kang of Kang Associates, along with members of the Community Preservation Committee, the Planning Board, and members of town staff were present.

Ms. Kang made a presentation on three options to begin the discussion.

She noted there are a lot of restrictions being put on the design so the need to work with existing structure in the most cost effective manner was difficult, but manageable. Certain specifications were as follows:

- The vault for the Town Clerk in order to meet Secretary of State's requirements needs to be ground support—nothing underneath. The Town Clerk does not want to be in basement as she feels she needs to be positioned as patrons enter into the main entrance of the town hall.
- Maintain the arched windows from Main Street. The windows on parking lot side are not as public and could be modified if needed. The intent is not to change front façade.

- Preserve the lobby and two stairways
- Preserve the meeting hall. This is a split opinion of the committee. It would seem more reasonable to develop this space into offices and a second floor. A natural place for an addition would be on the south side (parking lot side of building).

Ms. Kang received space needs which included input from department heads and staff, input from the Historical Commission, from Community Preservation Committee and from the owner's project manager hired separately by the town.

The three options of floor plans were presented all with an addition to the building. One with developing the town hall meeting room into all office space; the second with the town hall meeting room with some office space and the remaining meeting space and the third preserving the entire meeting space.

The Board raised questions following the presentation. The following facts were given about the plans:

- The largest meeting room would be for 50 people
- The goal from the Town Manager's perspective is to have all administrative town staff in the same location
- Community Preservation funds should be used for preserving the lobby or any historical or artistic artifacts in the lobby.
- Kang noted the building is not on the Commonwealth's historical registry; and, in her opinion to preserve it is not a good design as it is a large space not utilized often.
- Roughly 3000 sq feet of difference between all plans; and to be conservatively the cost would be \$250/sq ft to develop

The chair then opened the hearing up to the public to speak.

Mrs. Reed came forward to discuss how the plans came forth for to tonight; and she noted that in a previous meeting in 2008 all town boards and committees came together to discuss the essence of the auditorium being preserved. She also noted the vault and elevator cannot be paid by CPC funds.

Mr. Carey noted the town meeting vote was taken because the people of the community feel the town hall is historic. He also expressed all town staff cannot be put in one building. His opinion was the presentation was a terrible and called for public input on the project.

The Chair explained the input is being conducted now as this meeting is scheduled as a working session to bring together all groups and review the different designs. All options were being presented tonight simultaneously to all town committees and boards.

The Town Manager also explained he may move the school department to the Annex. The Annex would not be an empty building.

Several individuals present voiced their concerns about different artifacts in the hall. In particular one individual noted the time capsules and the town seal as items to preserve. It was also suggested to sell lights in the room for residents to purchase.

Historic Committee members would like to have another working session with prepared documents to review. Mr. Montuori will put the plans on the website and send to all chairs of committees present as well as the press.

Mr. Deakcoff stated losing the hall would be heartbreaking.

Mrs. Donna Pelczar asked for clarification on the columns to support the addition as they need to carry load of middle floor. She also inquired about increased parking; and if someone knew on averages the number of visitors who come to town employee sites for permits, paperwork or official business. It was not known at the time.

Mrs. Reed clarified how the architect money was funded and some history on the project. She is concerned whether this is the current plan is right path to spend CPC funds.

Argument came from a participant at the meeting that the current plan was recommended at town meeting and is consistent with what the vision of town meeting had voted.

The selectmen asked Mrs. Reed if any plans presented would be difficult to have CPC funds pay for. Mrs. Reed responded it would depend on the historic resource argument for the Town, and personally she did feel it would be difficult to justify because resources are determined by historic commission. She also felt that Plan B in particular would be a problem using CPC funds; as it would eliminate the historic resource which is the hall, and could open the article up for an appeal by any citizen. Mr. Montuori and Mrs. Reed were requested to take this discussion offline to discuss how to spend the funds appropriately.

Members of the Historic Commission argued that the Town Hall is registered as an historic building. The architect did not find it on the website. Members also would have liked to come prepared and assumed they would be involved in the process of the plans and could have come tonight with more valuable input if had been brought into the process earlier.

Mr. Wilson explained once again that the plans are begin presented tonight for the first time with everyone else in the room. This is an initial meeting there is no time frame for a decision. The Board is looking for open discussion and feedback and will not take any votes nor are they ready to take any decision or make comment until a future meeting.

Mr. Keith Rauseo, stated as a former chair of the historic commission, he reminded the board of a letter written to them on behalf of the historical commission. When he looks at two of three plans it does not appear to be a rehabilitation of the historic nature of the auditorium or the lobby. He quoted from the state's statutes for interior regulations of historic buildings. Mr. Wilson will research this with Town Counsel.

Mr. David Plunkett noted the Town Hall is very much intertwined in the town's identity and would like to see it preserved.

The Chair stated there clearly was confusion for what tonight's meeting was supposed to accomplish. He thanked the architect for coming to present so the committee's present could have the opportunity for input. The bottom line goal was to provide information.

The question was raised as to what body has the majority vote for this project. The question was taken under advisement as the answer was unknown.

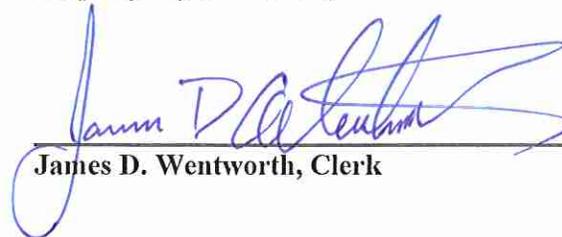
Mr. Johnson stated he felt the Board of Selectmen was unfairly criticized. The Selectmen were expecting to be televised with microphones, but out of respect of a request to not televise did so. Many came to the podium tonight and presumed wrong of the Board of Selectmen's intent. Furthermore, Board members also expressed their disappointment in the tone of the meeting as the guest speaker, Kang Associated deserved more respect.

The next regularly scheduled Selectmen's Meeting following Town Meeting will be held on Tuesday, August 13, 2013 at 7:00 p.m.

Adjournment

MOTION: Mr. Gay made the motion for the Board to adjourn at 9:15 p.m.;
Mr. Sears seconded, and the motion carried 5 to 0.

Respectfully submitted,



James D. Wentworth, Clerk

8/13/13

Date