



SELECT BOARD
TOWN OF TEWKSBURY
TOWN HALL
1009 MAIN STREET
TEWKSBURY, MASSACHUSETTS 01876

TODD JOHNSON, ESQ., CHAIR
JAMES F. MACKEY, III, VICE-CHAIR
MARK KRATMAN, CLERK
JAY KELLY, MEMBER
JAYNE E. WELLMAN, MEMBER

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February 15, 2023 – Meeting Minutes

A regular meeting of the Select Board was called to order by Mr. Todd R. Johnson, Esq., Chair at approximately 7:00 p.m. Also participating in the meeting were Mr. James F. Mackey, III, Vice Chair; Mr. Jay Kelly, Board Member; and Ms. Jayne E. Wellman, Board Member.

Also present was Mr. Richard Montuori, Town Manager

SCHEDULED ITEMS

1. 99 Restaurants of Boston, LLC – Change of Manager

Mr. Constantine Chachus, General Manager, 99 Restaurants of Boston, LLC was present on behalf of the application. He said he would be the Manager at the Tewksbury location.

Chair Johnson asked if there were questions or comments. There were none.

MOTION: Vice-Chair Mackey made a motion to approve the request for a Change of Manager application. Board Member Kelly seconded the motion.

MOTION CARRIED: 4 – 0 – 0.

Recorder's Note: Board Member Wellman was not present for the above vote but arrived at approximately 8:00 p.m.

RESIDENT COMMENTS

There were no comments made.

NEW BUSINESS

1. FY24 Enterprise Funds and FY24 Capital Improvement Plan Presentation

The presentation, in its entirety, can be found at the below URL:

<https://www.tewksbury-ma.gov/DocumentCenter/View/3531/FY22-Water-Sewer-and-CIP-Presentation-2-15-2023?bidId=>

Telemedia Department Budget

Major Budget Changes Include:

Salaries: Adjustment for 2.25% cost of living and step increases.

Operating: The fund will be used to address equipment maintenance and operations for programs and broadcasting needs. Operating expenses increased by \$28,100.

Repairs and Maintenance decreased by \$2,600 specifically fuel for the Van there is less use.

Professional Services Increased for the cost of \$18,000 for Special Counsel to negotiate the renewal of the Comcast License and there was a cost increase moving Property and Liability Insurance into this line item.

All Other Supplies and Expenses decreased by \$4,000 due to less demand for promotional materials and healthy inventory.

Other Equipment decreased by \$5,000 due to efficient past equipment investments and satisfactory inventory.

Travel and Staff Development increased \$2,800 for the increased cost of training and conference travel.

Capital Outlay: \$30,000 Install a MAM system that would allow us to edit and store media remotely without relying on external hard drives.

Indirect Expenses: Allocations increased by \$1,552. There is a 5% increase in health insurance premiums and Medicare Tax is based upon the total payroll.

Capital Expense: Decreased by \$229,500 and there will be a Capital request to upgrade the TMHS Studio will be a Warrant Article to transfer \$200,000 from retained earnings.

Future Capital Improvements Fiscal Year 2024 - Fiscal Year 2028: \$200,000

FY24: \$200,000 – Tewksbury Memorial High School Studio Upgrade (Cable Retained Earnings) Balance
Cable Retained Earnings: \$2,425,977.00

Comcast Franchise Fee and Capital Collected in FY22: \$227,019 Verizon Franchise Fee Collected in
FY22: \$391,143

Total Cable TV Revenue FY22: \$618,162

Water Enterprise Fund Budget

Major Budget Changes: Salaries: Salary increases include a cost of living increase of 2.25%, step increases, and longevity changes. There is also \$40,950 to fund Terminal Leave for a retiring employee.

Operating: Overall operating increased by \$14,082 due to the cost of general supplies and services increasing.

Capital Outlay: There is an increase of \$200,000 to purchase and install replacement meter registers on existing meters (approximately 400). This request shall be an annual ongoing request as meter replacements have increased and they have come to the end of useful life.

Water Filtration Budget

Major Budget Changes: Salaries: Salary increases include a cost of living increase of 2.25%, step increases, and longevity changes.

Operating: Energy and Utilities increased by \$90,000 based upon the cost of gas and electricity and increased pumping of water.

Repairs and Maintenance increased by \$7,711 due to the cost of services and supplies. Leases and Contracts increased by \$36,000 for contract services of lab testing.

All Other Supplies and Equipment decreased (\$35,600) since we reduced in-house testing supplies and contracted the services. Residual Disposal cost increased by \$12,820 based upon the cost to dispose of the treatment plant sludge and the need for a consultant to assist in proper disposal.

Capital Outlay: There is no appropriation in FY24.

Combined Water Enterprise Budgets

Indirect Expenses: Allocations increased by \$127,616. There is a 5% increase in health insurance premiums, a 10% increase in Property and Liability Insurance, an 8.9% or \$72,587 increase in Retirement Assessment based on recent system valuation and Medicare Tax is based upon total payroll. OPEB Assessment decreased (\$111,934) based upon recent valuation.

Capital Improvements

Fiscal Year 2024 - Fiscal Year 2028: \$28,121,000

\$23,700,00 - Water Distribution Design and Improvement (3 miles of water main Installation per year)

\$2,900,000 – Water Treatment Plant and Tank Maintenance/Upgrades

\$725,000 - Hydrants Replacement

\$796,000 - Vehicle Replacement

Capital Improvements Fiscal Year 2024: \$7,556,981

\$2,100,000 - Water Distribution Improvement (Borrowing)

\$125,000 - Hydrants Replacement (Water Retained Earnings)

\$2,100,000 - Water Plant Maintenance and Upgrades (Water Retained Earnings)

\$195,000 - Vehicle Replacement (Water Retained Earnings)

Over the next five years the plan is to spend retained earnings, Water Stabilization Fund and borrow funds to pay for Capital Projects.

Current Balance Retained Earnings: \$1,567,763

Balance Water Stabilization: \$1,904,388

In addition to the \$23,700,000 for FY24-FY28, another \$27,000,000 will be needed for water distribution upgrades from FY29-FY33 totaling \$50,700,000 over the next 10 years which will address 40% of the water mains in need of replacement.

Water Enterprise Fund: Water Rates

Impacts and Assumptions FY24 Water Rates:

Water rates will increase in FY24. Rates have not increased in 3 years and only once in the past 5 years.

Water usage for revenue projections was based upon actual usage in August 2021, December 2021, and, April 2022, billing cycles.

Annual water usage is projected to be 649,350,523 gallons, a decrease from the previous fiscal year projection of (10,621,477)

Collection Rate 95%.

Rate projections include all Capital Improvements within the five (5) year CIP and annual funds for water distribution upgrades.

Mr. Kevin Hardiman, Director of Public Works, addressed the Board and said the plan was to resurface the roads after checking the infrastructure to ensure that they did not have to dig up the road after it was freshly resurfaced.

Board Member Kelly commented that they may have to push some projects into the future so that the rates did not increase too much. Mr. Montuori replied that he felt it was important to note that the rates would still increase because of the cost of the treatment plant and distribution. He added that the cost of chemicals had increased significantly over the past few years.

Sewer Enterprise Fund Budget

Major Budget Changes:

Salaries: Salary increases include a cost of living increase of 2.25%, step increases, and longevity changes. Terminal Leave increased by \$27,300 due to an employee retiring in FY24.

Operating: Utilities which increased by \$23,380 includes gas for nine (9) generators and electricity for the 47 pump stations based upon historic and projected usage; Lowell Sewer is increased by \$338,830 since the allocable costs that Lowell uses to assess Tewksbury is estimated to be higher than FY22. OPEB Assessment decreased (\$31,850) based upon recent valuation.

Capital Outlay: No change Indirect Expenses: Allocations: There is a 5% increase in health insurance premiums, a 10% increase in Property and Liability Insurance, Retirement Assessment decreased (\$33,114) based upon recent system valuation and Medicare Tax is based upon total payroll.

Future Capital Improvements:

Fiscal Year 2024 – Fiscal Year 2028: \$3,646,000
\$1,450,000 - Inflow and Infiltration I/I control
\$1,400,000 - Sewer Pump Station Improvements
\$796,000 - Fleet/Equipment Replacement

Capital Improvements Fiscal Year 2024: \$495,000

\$50,000 - Inflow and Infiltration I/I control (Sewer Retained Earnings)
\$250,000 - Sewer Pump Station Improvements (Sewer Retained Earnings)
\$195,000 – Fleet/Equipment Replacement (Sewer Retained Earnings)

All Capital from 2024-2028 is projected to be funded by the Sewer Retained Earnings.

Sewer Retained Earnings Balance is \$6,164,106 and will be utilized over the next five years to implement Sewer Capital and offset Debt Service costs.

Balance Sewer Stabilization Fund \$3,852,643

Sewer Enterprise Fund: Sewer Rates

Impacts and Assumptions FY24 Sewer Rates:

Sewer rates will increase in FY24 for both in-town and out-of-town/exempt properties. Rates have not increased in 5 years.

Sewer usage for revenue projections was based upon actual usage in, August 2021, December 2021, and, April 2022, billing cycles.

Projected sewer usage for FY24 is 526,051,150 gallons a decrease of (2,651,450.0) gallons.

Collection Rate 95%

Mr. Montuori stated that approximately 78% of the residents are within 55,000 gallons of annual usage and approximately 53% of that percentage is within 25,000 gallons of annual usage. 90,000 gallons per year is the State's average annual use. There were approximately 7,551 residential users.

Stormwater Enterprise Fund Budget

The Stormwater Budget will continue to address Stormwater Permit compliance and maintenance and repairs.

The stormwater fee will remain at \$75 per residential equivalent unit. The surplus in FY22 closed at the end of the fiscal year and was part of Certified Retained Earnings.

Tewksbury charges a flat fee for residential parcels with three or fewer units. The stormwater fee is based upon a billing metric known as an Equivalent Residential Unit (ERU).

An ERU is used to compare the impact on the stormwater system across different land use types.

In Tewksbury, the ERU would equal the median impervious surface of a residential parcel with three units or less.

The ERU in Tewksbury is 4,443SF which the Fee is based upon.

The current annual flat fee/ERU is \$75 per year and will remain the same in FY24.

Residential ERUs which is projected to generate an estimated \$693,900 in revenue.

Large Residential and Commercial ERUs which is projected to generate an estimated \$415,407 in revenue.

Additional revenue is projected to come from Previous Years' Rates - \$15,000, Interest - \$5,000 Liens - \$10,000 for a total of \$30,000.

Future Capital Improvements

Fiscal Year 2024 - Fiscal Year 2028: \$2,565,000

\$2,150,000 - Drains (Stormwater Fee)

\$415,000 - Project Development (Stormwater Fee)

Capital Improvements Fiscal Year 2024: \$505,000

\$450,000 – Drains: Culvert Replacement - Pringle Street Culvert; Drainage System Improvement - Woburn Street and Felker Street neighborhood.

\$55,000 – Project Development: Drainage System Improvement Design - Van Buren Road drainage system.

All capital is projected to be funded by the Stormwater Fee, Retained Earnings, and Grants Stormwater

Retained Earnings: \$294,674

Capital Improvement Plan FY2024-FY2028

Mr. Montuori reviewed the Capital Improvement Plan.

Future Needs to be Addressed at October Special Town Meeting

Use of Free Cash and other available funds or new revenue.

Address FY24 Town and School operating budget needs/priorities that were not funded during the budget process or that may occur after May Town Meetings.

Fund Capital Equipment and Improvements not addressed in Facilities and Grounds projects which include Sidewalks- \$250,000 and Water Treatment Plant Upgrades for Residuals Handling \$1,500,000. All will be addressed in October.

Set aside \$600,000 from Free Cash for possible FY24 snow ice deficit.

After Free Cash is certified on July 1st, the plan will be to use that Free Cash to replenish the Stabilization Fund with the \$1,502,865 used for Capital Items at May Annual Town Meeting and as always, the priority will be to transfer more than that amount.

Use available funds to address Town and School Facilities, Equipment, and Infrastructure needs that may occur or be identified after May Town Meetings.

2. Municipal Employees' Disclosure Forms

Chair Johnson explained that there were several firefighters who were employed by the Town of Tewksbury who were also interested in providing Traffic Control services. He read the list of employees into the record as indicated below:

Mr. Scott Austin
Mr. Shawn Bradley
Mr. Jay Fagone
Mr. John Fowler
Mr. David Giasullo
Mr. Blake Hery
Mr. Justin Hubbard
Mr. Robert Keddie
Mr. Peter Smith
Mr. Jonathan Tammaro
Mr. Christopher Teixeira
Mr. Michael Willey
Mr. Dan Kasprzak

MOTION: Board Member Wellman made a motion to accept the above-listed names as formal disclosures. Vice-Chair Mackey seconded the motion.

MOTION CARRIED: 5 – 0 – 0.

3. Marijuana Regulations

Chair Johnson explained that the Select Board had met in a Working Session the prior week where they discussed the process by which they would follow to allow up to three Marijuana establishments in the town in terms of license approvals. He said the regulations had been previously adopted. He added that prospective applicants should make every effort to file their site plan review before the Planning Board and the Select Board would not schedule any public hearings until the applicants started that review.

TOWN MANAGER

1. Town Counsel Invoice – January 1, 2023, through January 15, 2023 (\$3,145.00)

MOTION: Board Member Kelly made a motion to approve the Town Counsel invoice in the amount of \$3,145.00 for the period of January 1, 2023, through January 15, 2023. Board Member Wellman seconded the motion.

MOTION CARRIED: 5 – 0 – 0.

2. Minutes from October 3, 2022

MOTION: Board Member Kratman made a motion to approve the minutes of the October 3, 2022, meeting, as submitted. Vice-Chair Mackey seconded the motion.

MOTION CARRIED: 5 – 0 – 0.

BOARD MEMBER REPORTS

Board Member Kratman

There were no reports to share.

Board Member Kelly

There were no reports to share.

Vice-Chair Mackey

There were no reports to share.

Board Member Wellman

- The Tewksbury Diversity, Equity, and Inclusion Advisory Committee showed its' first movie in honor of Black History Month film series and said it was well attended.
- The second movie, Black Panther, Wakanda Forever would be shown on Thursday, February 23rd at the high school auditorium at 6:00 p.m. She added it was free of charge.
- Regarding the Front Line Initiative, a grant had been submitted to Winchester Hospital and the first part of the grant was "LBGTQ Listening Sessions" in March.
- The Elementary School Building Committee had met the prior week where they discussed the fact that the gymnasium floor was drying out faster than anticipated and they were looking at ways to mitigate the situation.

Chair Johnson

There were no reports to share.

ADJOURNMENT

At approximately 8:42 p.m. Vice-Chair Mackey made a motion to adjourn. Board Member Wellman seconded the motion.

MOTION CARRIED: 5 – 0 – 0.

APPROVED BY THE SELECT BOARD ON APRIL 4, 2023

Documents Presented and/or Discussed:

- 99 Restaurant of Boston, LLC – Change of Manager
- FY 24 Enterprise Funds and FY24 Capital Improvement Plan Presentation
- Municipal Employees' Disclosure Forms
- Marijuana Regulations
- Town Counsel Invoice: January 1, 2023, through January 15, 2023
- Minutes from October 3, 2022

Next Selectmen Meeting Date: March 7, 2023

Respectfully Submitted,

Trish Gedziun
Recording Secretary