



**BOARD OF SELECTMEN
TOWN OF TEWKSBURY
TOWN HALL, 1009 MAIN STREET
TEWKSBURY, MASSACHUSETTS 01876**

JAY KELLY, CHAIRMAN
JAYNE E. WELLMAN, VICE CHAIRMAN
JAMES F. MACKEY, III, CLERK
TODD R. JOHNSON, ESQ.
ANNE MARIE STRONACH

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March 8, 2022 – Meeting Minutes

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

Also present was Mr. Richard Montuori, Town Manager

SCHEDULED ITEMS

1. Rare Hospitality International, Inc. d/b/a LongHorn Steakhouse – Change of Directors Application

Attorney Elizabeth Pisano from Upton, Connell, & Devlin was present on behalf of the applicant. She explained the application was regarding the replacement of officers from Joseph Kern to Lindsay Koren as Vice President & Secretary, and Angela Simmons replacing William White as Director, President, & Treasurer.

MOTION: Board Member Johnson made a motion to approve the request for the Change of Director as presented. Board Member Wellman seconded the motion.

MOTION CARRIED 5 – 0 – 0.

2. Market Al Fresca, LLC – New Wine and Malt Off-Premises Liquor License Application – Public Hearing

MOTION: Board Member Wellman made a motion to waive reading the public notice into the record. Board Member Mackey seconded the motion.

Board Member Johnson noted for full transparency that his son was an employee of the owner of Market Al Fresca. He said he did not feel he needed to recuse himself from hearing the item.

Attorney George Malonis and Mr. Mark Angluin were present representing the applicant. He said they were present to request that the Board approves a beer and wine license for off-premises sales. He said the property was adjacent to the existing market on Main Street and wanted to expand the market.

Chair Kelly asked if members of the Board had questions or comments.

Board Member Wellman asked if the applicant had any experience selling liquor off-premises. Mr. Angluin replied that it would be the first time he would be selling liquor off-premises.

Board Members Stronach pointed out that the applicant would still have to get approval from the (ABCC) Alcoholic Beverage Control Commission.

Chair Kelly asked if members of the public had questions or comments. There were none.

MOTION: Board Member Wellman made a motion to close the public hearing. Board Member Johnson seconded the motion.

MOTION CARRIED 5 – 0 – 0.

MOTION: Board Member Johnson made a motion to approve the request for the Wine and Malt Off-Premises Liquor License application and to designate Mr. Mark Angluin as the manager or record. Board Member Wellman seconded the motion.

MOTION CARRIED 5 – 0 – 0.

RESIDENT COMMENTS

There were no comments made.

NEW BUSINESS

1. Supplemental Poll Works Submission for Approval

Chair Kelly reviewed a memo from Ms. Denise Graffeo, Town Clerk regarding a list of additional election staff, to be appointed by the Select Board through August 2022, with one *disclosure.

Board Member Johnson said the list was being presented to fill vacancies that had occurred since the last appointment for the upcoming elections.

MOTION: Board Member Johnson made a motion to approve the list of additional election staff as recommended by Ms. Denise Graffeo, Town Clerk. Board Member Mackey seconded the motion.

MOTION CARRIED 5 – 0 – 0.

***MOTION:** Board Member Stronach made a motion to approve the disclosure for Ms. Meredith Fahey. Board Member Wellman seconded the motion.

MOTION CARRIED 5 – 0 – 0.

2. Salem Five Charitable Contribution to the Police Department Acceptance

Mr. Montuori stated the Salem Five was donating \$600 in sponsorship of the patches for Autism Awareness by the Flutie Foundation. He said the Select Board had to approve the donation prior to the police department utilizing the funds.

MOTION: Board Member Wellman made a motion to accept the donation of \$600 from the Salem Five to be used to sponsor the purchase of patches for Autism Awareness, with the Board's sincere gratitude. Board Member Stronach seconded the motion.

MOTION CARRIED 5 – 0 – 0.

3. Property Exemptions Article

Mr. Montuori said the Select Board had been talking for quite some time about different avenues that could be taken to assist **seniors and veterans** regarding tax relief. He said those seniors who were eligible for exemption under MGL (Massachusetts General Law) Chapter 59, §5, Clause 17D had the most need. He further said the town was seeking to allow the town to increase the exemption amount under Chapter 59, §5, Clause 17D from \$175.00 to the sum of \$500.00, and to change the age of seventy (70) to sixty-five (65) for people who have owned and occupied the domicile and allow the town to increase the whole estate, real and personal, of such spouse, person or minor that would not exceed in value from the sum of \$40,000 to \$55,000. Further, the town will be allowed to increase both the exemption amount and the whole estate, real and personal, of such spouse, person, or minor by a percent not-to-exceed 5% as determined by the Select Board.

Mr. Montuori said the town was also seeking a new petition to allow the town to increase the exemption amount under MGL (Massachusetts General Law) Chapter 59, §5, Clause 22 from the sum of \$00 to \$600. Further, the Town will be allowed to increase both the exemption amount and the whole estate, real and personal, of such spouse, person, or minor by a percent not-to-exceed 5% as determined by the Select Board.

Board Member Johnson commented that he felt the issue was statewide and should be addressed as such. He asked Mr. Montuori to explore the expiry on home rule petitions with town counsel.

Board Member Stronach suggested that the item become a part of the budget process.

The Board collectively stated they were all in favor of assisting the seniors and the veterans with the issue.

MOTION: Board Member Wellman made a motion to bring both articles forward to Spring Town Meeting in May 2022, with the stipulations that the last line in both articles is stricken, the words “Board of Selectmen” be changed to “Select Board” throughout, and it is reviewed by town counsel. Board Member Mackey seconded the motion.

MOTION CARRIED 5 – 0 – 0.

Chair Kelly noted that the Select Board had unanimously voted to extend Mr. Montuori’s contract from 2022 through 2025 with an increase in salary of 2.25%, and amended the contract to reflect that he had 430 hours of unused and accrued vacation time to carry over for future use with no end date.

TOWN MANAGER

1. Hanover/MassHousing Update

Mr. Montuori noted on February 17, 2022, the town received a letter from MassHousing that indicated approval for off-site eligibility for Hanover’s 40B project located at 300 Ames Pond. He said the approval included an application from Hanover who planned on building 300 units of rental housing on approximately 114 acres. He also noted the next step would be for Hanover to submit an application to the Zoning Board.

2. Town Counsel Invoice:

- January 16, 2022 – January 31, 2022: \$3,060.00

MOTION: Board Member Stronach made a motion to approve Town Counsel's invoice for the period of January 16, 2022 – January 31, 2022, in the amount of \$3,060.00. Board Member Wellman seconded the motion.

MOTION CARRIED 5 – 0 – 0.

- February 1, 2022 – February 15, 2022: \$2,295.00

MOTION: Board Member Wellman made a motion to approve Town Counsel's invoice for the period of February 1, 2022 – February 15, 2022, in the amount of \$2,295.00. Board Member Stronach seconded the motion.

MOTION CARRIED 5 – 0 – 0.

Mr. Montuori said there would be a meeting with Mass DOT regarding the upcoming construction on Route 38 on March 22, 2022, at 6:00 p.m. in the Tewksbury Town Hall.

MINUTES

- February 15, 2022 (Regular Session)

MOTION: Board Member Mackey made a motion to approve the minutes from the February 15, 2022, meeting, as presented. Board Member Johnson seconded the motion.

MOTION CARRIED 5 – 0 – 0.

Board Member Reports

Board Member Wellman

- NMCOG (Northern Middlesex Council of Governments) meeting would hold a final set of interviews for the position of Executive Director on March 24th from 7:00 p.m. – 9:00 p.m.
- LRTA (Lowell Regional Transit Authority) – The VA Hospital in Bedford approached the LRTA and asked to create a transportation corridor between Lowell and the VA Hospital that was rejected because it was outside of the service area. She said she spoke with the VA Agent as well as Mr. Montuori who both agreed there was a need for the service and she was following up.
- Forwarded a report from state auditors on state-owned land "PILOT" ((Payment in Lieu of Taxes) program. She had mentioned pursuing a PILOT for the land and the buildings at the Tewksbury State Hospital which they could then designate to fund the second ambulance as well as the police department. She asked if the Board would be in support of an official letter being sent to ask for legislative relief and said she would bring a draft copy of the letter to a future meeting.

Board Member Stronach

- The Events Committee had met, and the Fall Festival would be held on October 2nd, but they were discussing perhaps holding it on Saturday, October 1st.

- The Elementary Building Committee would meet on Thursday, March 10th. She the Select Board had toured the school the previous week and would schedule an additional tour in the near future.
- Thursday at 5:30 p.m. there would be an outreach for the people at the Ryan School.

Board Member Johnson

- Regarding potholes, he thanked the DPW for their great efforts in filling them.

Board Member Mackey

- The Economic Development was working on what their mission would be moving forward. The website concerns had been addressed and the outreach and the creation of a database or single source of open locations in town had been addressed.
- Ensured that the DPW was included in the review of the placement of telephone poles.
- The Town of Tewksbury suffered a very well-coordinated and sophisticated “spear-phishing” attack.

Chair Kelly

- Received correspondence regarding traffic safety on North Billerica Road and suggested the item be placed on a future agenda for discussion.

At approximately 8:02 p.m. Board Member Mackey made a motion to adjourn. Board Member Wellman seconded the motion.

MOTION CARRIED 5 – 0 – 0.

Approved by the Board of Selectmen on April 5, 2022

Documents Presented and/or Discussed:

- Rare Hospitality International, Inc. d/b/a LongHorn Steakhouse – Change of Director's Application
- Market Al Fresca, LLC – New Wine and Malt Off-Premises Liquor License Application
- Supplemental Poll Workers Submission for Approval
- Salem Five Charitable Contribution to the Police Department Acceptance
- Property Exemptions Article
- Hanover/MassHousing Update
- Town Counsel Invoice: January 16th – January 31st, 2022
- Town Counsel Invoice: February 1st – February 15th, 2022
- Minutes from February 15, 2022 (Regular Session)

Next Selectmen Meeting Date: March 29, 2022

Trish Gedziun
Recording Secretary