



BOARD OF SELECTMEN
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, BOARD MEMBER
JAYNE E. WELLMAN, BOARD MEMBER

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April 25, 2022 – Meeting Minutes

The regular meeting was called to order by Mr. Todd R. Johnson, Esq., Chair at approximately 7:10 p.m. Also participating in the meeting were Mr. James F. Mackey, III, Vice-Chair; Mr. Mark Kratman, Clerk; and Mr. Jay Kelly, Board Member.

Participating via Telephone: Ms. Jayne E. Wellman, Board Member

Also present was Mr. Richard Montuori, Town Manager

SCHEDULED ITEMS

1. Cracker Barrel Liquor License Application (Public Hearing)

MOTION: Board Member Kratman made a motion to waive the reading of the public notice into the record. Board Member Kelly seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, 5
Vice-Chair Mackey, Board Member Wellman,
& Chair Johnson

Nay: 0

MOTION CARRIED 5 – 0 – 0.

Attorney John Mooradian, Demakis Law Offices, P.C., was present on behalf of the applicant. He said Mr. Kyle Kimmel was the Manager of Record and was requesting permission to sell wine and malt beverages as a common victualler on premises located at 1795 Andover Street, Tewksbury, MA. He also noted the hours of alcohol service would be Monday through Saturday from 11:00 a.m. through 10:00 p.m., and 10:00 a.m. through 10:00 p.m. on Sundays.

Board Member Kratman expressed his concern regarding underage drinking. Board Member Kelly said he felt it was very important that the restaurant request ID's from anyone ordering alcohol. Board Member Mackey suggested that the restaurant purchase an ID scanner.

Chair Johnson asked if there were members of the public who had questions or comments. There were none.

MOTION: Board Member Kratman made a motion to close the public hearing. Board Member Kelly seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, 5

Vice-Chair Mackey, Board Member Wellman,
& Chair Johnson

Nay: 0

MOTION CARRIED 5 – 0 – 0.

MOTION: Board Member Kelly made a motion to approve the liquor license application for the Cracker Barrel restaurant, as presented. Board Member Kratman seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, 5
Vice-Chair Mackey, Board Member Wellman,
& Chair Johnson

Nay: 0

MOTION CARRIED 5 – 0 – 0.

2. Tewksbury Deli King Restaurant/Mikes on Main Street - Canceled

Attorney Mooradian, Demakis Law Offices, P.C. was present and stated the transfer had been approved by the ABCC (Alcoholic Beverages Control Commission) but prior to consummation, the deal had fallen through, and the license never changed hands, so they were seeking a reversal.

MOTION: Vice-Chair Mackey made a motion to approve the rescission of the prior action. Board Member Kelly seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, 5
Vice-Chair Mackey, Board Member Wellman,
& Chair Johnson

Nay: 0

MOTION CARRIED 5 – 0 – 0.

3. Aaronap Cellars – Farmer’s Market Liquor License Application

Mr. Noel Powell, Owner, of Aaronap Cellars, was present to speak in favor of the application. He said his business did approximately 70% of its business selling the product through farmer’s markets. He also said he was invited to join the Tewksbury Farmer’s Market.

Board Member Kelly asked what the dates of the license would be. Chair Johnson replied that the license would be valid from June 16th through September 29th of 2022.

MOTION: Board Member Kelly made a motion to approve the liquor license application as presented. seconded the motion. Board Member Mackey seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, 5
Vice-Chair Mackey, Board Member Wellman,
& Chair Johnson

Nay: 0

MOTION CARRIED 5 – 0 – 0.

RESIDENT COMMENTS

There were none.

NEW BUSINESS

Chair Johnson said the Annual Town Meeting would be held on May 2nd at 7:30 p.m.

1. Warrant Articles

Warrant Article 1: Results of the Annual Town's Election

Warrant Article 2: Salaries of Certain Elected Town Officials

Discussion:

Board Member Kelly shared that he was planning to offer an amendment at Town Meeting. He said there was a huge discrepancy in what the boards were paid. He noted that each board's Chair received extra due to the roles and responsibilities. He proposed that 16 elected officials would make \$4,945.25 totaling \$31,124.00, and the four Chairpersons would make an additional \$500.00 with each of them making \$2,445.25 totaling \$9,781.00.

Warrant Article 3: Consent Calendar which contained:

- Article 3-25 – To Accept Various Town Reports
- Article 3-26 – Allow the Town Manager to Enter into Lease(s) or to Purchase Equipment for Various Town Departments Subject to Annual Appropriations
- Article 3-27 – Annual Article Authorization the use of Chapter 90 Funds
- Article 3-28 – Identifies Numerous Revolving Funds that Need to be Approved Annually

Warrant Article 4: General Fund Budget

Mr. Montuori said the budget had been presented to the Select Board in January and the bottom-line budget number had not changed. He said the Finance Committee conducted its review of the budget from January through the end of March and the budget was approved as presented. He said the budget, prior to allocations, was \$129,294,483 which was an increase of \$3,054,717. Further, Mr. Montuori said the town's budget would increase (prior to allocations) to \$1,591,028 and the school's budget would increase by \$1,464,255.

Warrant Article 5: Sewer Enterprise Fund Budget

Warrant Article 6: Water Enterprise Fund Budget

Warrant Article 7: Stormwater Enterprise Fund Budget

Warrant Article 8: Cable TV Enterprise Fund Budget

Warrant Article 9: To Allow the Town to use Funds from the Stabilization Fund for Capital Equipment and Improvements, and One-Time Expenditures.

Mr. Montuori said there was currently \$11.3 million in the Stabilization Fund and if the Article were approved \$9.6 million would remain in the fund.

Warrant Article 10: To Allow the Town to use Funds from Sewer Retained Earnings for Capital Equipment.

Warrant Article 11: To Allow the Town to use Funds from Water Retained Earnings for Capital Equipment and Improvement.

Warrant Article 12: To Authorize the Town to Borrow Funds for the Cost, Inspection, Upgrading, Improvements, and Cleaning of the Astle Street Water Tank in the amount of \$1.8 million.

Warrant Article 13: To Allow the Transfer of Funds Available from Bond Premiums to Reduce the Amount of Exempt Debt Service Principal in the Amount of \$44,833.

Warrant Article 14: To Allow for the Purchase of New Benches for the Town Common in the amount of \$28,000.

Board Member Kelly noted that the Community Preservation Committee voted in favor of Warrant Article 14 with a vote of 4 – 0.

Warrant Article 15: To Allow \$157,000 from the Community Preservation Fund for Improvements to the Skate Park at Saunders Recreation Complex on Livingston Street.

Board Member Kelly noted that the Community Preservation Committee voted in favor of Warrant Article 15 with a vote of 4 – 0.

Mr. Montuori added that a resident had donated money for a piece of equipment in memory of his son.

Warrant Article 16: To Allow \$45,000 from the Community Preservation Fund for Improvements for New Bleachers at the Football Field at the Saunders Recreation Complex.

Warrant Article 17: To Allow the Town to Utilize Funds Considered Surplus from the Assessor's Overlay Reserve to Fund the Senior Tax Relief Work Program & Veterans Tax Relief Work Program in the amount of \$25,000.

Warrant Article 18: To Establish the Tewksbury Affordable Housing Trust Fund Allocations.

Warrant Article 19: Community Preservation Committee Budget.

Warrant Article 20: To seek Approval from Town Meeting to File a Home Rule Petition Allowing the Town of Tewksbury to Increase the Exemption for Eligible Seniors from \$175 to \$500 Based on Asset Eligibility Requirements.

Warrant Article 21: To seek Approval from Town Meeting to File a Home Rule Petition Allowing the Town of Tewksbury to Increase the Exemption for Veterans from \$400 to \$600.

Warrant Article 22: Allows the Select Board to Accept a New Sewer Easement at 935 Main Street. The cost of Relocating the Sewer Main was the Responsibility of the Grantee and not the Town.

Warrant Article 23: The Termination of an Easement on 935 Main Street.

Warrant Article 24: To Increase Safety on Public Roadways and Removal of any Vehicle being Stored on Public Roadways. (Privately Sponsored - Pertaining to Recreational Storage Overnight)

Warrant Article 29: Zoning Bylaw Amendment (Required a two-thirds vote)

Warrant Article 30: Zoning Map (Attached to the Zoning Bylaw should Warrant Article 29 pass)

Warrant Article 31: Withdrawn

MOTION: Board Member Kelly made a motion to table Warrant Article 24 and Warrant Article 31. Board Member Kratman seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, 5
Vice-Chair Mackey, Board Member Wellman,
& Chair Johnson

Nay: 0

MOTION CARRIED 5 – 0 – 0.

MOTION: Vice-Chair Mackey made a motion to recommend the adoption of all other Warrant Articles. Board Member Kratman seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, 5
Vice-Chair Mackey, Board Member Wellman,
& Chair Johnson

Nay: 0

MOTION CARRIED 5 – 0 – 0.

MOTION: Board Member Kelly made a motion to take Warrant Article 24 from the table. Board Member Kratman seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, 5
Vice-Chair Mackey, Board Member Wellman,
& Chair Johnson

Nay: 0

MOTION CARRIED 5 – 0 – 0.

MOTION: Board Member Kelly made a motion to take no action on Warrant Article 24. Vice-Chair Mackey seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, 5
Vice-Chair Mackey, Board Member Wellman,
& Chair Johnson

Nay: 0

MOTION CARRIED 5 – 0 – 0.

MOTION: Board Member Kratman made a motion to take Warrant Article 31 from the table. Board Member Kelly seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, 5
Vice-Chair Mackey, Board Member Wellman,
& Chair Johnson

Nay: 0

MOTION CARRIED 5 – 0 – 0.

MOTION: Vice-Chair Mackey made a motion to take no action. Board Member Kratman seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, 5
Vice-Chair Mackey, Board Member Wellman,
& Chair Johnson

Nay: 0

MOTION CARRIED 5 – 0 – 0.

Chair Johnson said the Special Town Meeting would be held on May 4, 2022, beginning at 7:00 p.m. at the high school.

Warrant Article 1: The Transfer of Funds from Accounts with a Surplus to Accounts with a Projected Deficit. Total Funds being Transferred were \$576,000.

Warrant Article 2: Request at Town Meeting to Utilize Free Cash in the amount of \$600,000 for Winter Snow/Ice Removal.

Warrant Article 3: Late Bill Article (Five Bills Totaling \$2,861.08)

MOTION: Vice-Chair Mackey made a motion to recommend the adoption of the Special Town Meeting Warrant Articles 1, 2, & 3. Board Member Kratman seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, 5
Vice-Chair Mackey, Board Member Wellman,
& Chair Johnson

Nay: 0

MOTION CARRIED 5 – 0 – 0.

2. Elementary School Building Committee Appointments

Mr. Keith Sullivan, Appointed as a Member of the Committee
Ms. Shannon Demos, Appointed as a School Committee Designee
Ms. Anne Marie Stronach, Appointed as a Member of the Committee

MOTION: Vice-Chair Mackey made a motion to approve the appointments stated above. Board Member Kelly seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, 5
Vice-Chair Mackey, Board Member Wellman,
& Chair Johnson

Nay: 0

MOTION CARRIED 5 – 0 – 0.

In the form of a motion, Board Member Wellman volunteered to serve as the Select Board's representative on the Elementary School Building Committee.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, 5
Vice-Chair Mackey, Board Member Wellman,
& Chair Johnson

Nay: 0

MOTION CARRIED 5 – 0 – 0.

TOWN MANAGER

1. Town Council Invoice: March 16, 2022 - March 31, 2022 (\$3,230.00)

MOTION: Board Member Kratman made a motion to approve the Town Council invoice in the amount of \$3,230.00 for the period of March 16, 2022 – March 31, 2022. Board Member Kelly seconded the motion.

A roll call vote was taken, which resulted as follows:

Yea: Board Member Kratman, Board Member Kelly, Vice-Chair Mackey, Board Member Wellman, & Chair Johnson	5
Nay:	0

MOTION CARRIED 5 – 0 – 0.

MINUTES

There were none.

Board Member Reports

Board Member Wellman

There were no reports to share.

Board Member Kratman

There were no reports to share.

Vice-Chair Mackey

There were no reports to share.

Board Member Kelly

- Would add items regarding two traffic studies as a future addenda item. (Shawsheen Street and Arlington Street)

Chair Johnson

- Encouraged the public to attend or view the next Zoning Bylaw Committee the following Thursday.

At approximately 8:38 p.m. Vice-Chair Mackey made a motion to adjourn. Board Member Kelly seconded the motion.

MOTION CARRIED 5 – 0 – 0.

Approved by the Board of Selectmen on September 13, 2022

Documents Presented and/or Discussed:

- Cracker Barrel Liquor License Application
- Tewksbury Deli King Restaurant/Mike's on Main – Sale Canceled
- Aaronap Cellars – Farmer's Market Liquor License Application
- Warrant Articles
- Elementary School Building Committee Appointments
- Town Counsel Invoice: March 16, 2022 – March 31, 2022

Next Selectmen Meeting Date: May 18, 2022

Respectfully Submitted,

Trish Gedziun
Recording Secretary