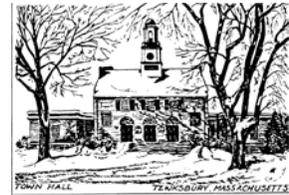




# Town of Tewksbury

TOWN HALL  
1009 MAIN ST  
TEWKSBURY, MASSACHUSETTS 01876



## OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC  
TOWN CLERK

Tewksbury Memorial High School  
320 Pleasant Street  
Special Town Meeting  
June 24, 2020

Phone: 978-640-4355

Fax: 978-851-8610

[dgraffeo@tewbury-ma.gov](mailto:dgraffeo@tewbury-ma.gov)

Moderator Todd Johnson opened the June 24, 2020 Special Town Meeting at 7:00 PM given that a quorum of voters was present and a properly served and returned warrant was in possession.

On Wednesday, June 24, 2020, there were 87 voters and 7 visitors in attendance.

Moderator Johnson made the following introductory comments:

*My name is Todd Johnson and it is my privilege to serve as your Town Moderator. These are unusual times due to the pandemic, but we will do our best to make this Town Meeting a familiar experience, although with some extra precautions. Let me outline a few of those now:*

- *Voters are strongly advised to either wear a mask or facial covering at Town Meeting. A limited supply of masks is available in the check-in area for anybody that needs one.*
- *Hand sanitizer has been placed at the entrance and exit of the building.*
- *All areas have been suited for a one-way traffic flow to avoid face-to-face encounters and maintain a six-foot separation of voters and staff.*
- *Directional and spatial arrows have been taped to the floor or walls as well as on certain seating areas to indicate six foot intervals.*
- *Microphones will be sanitized after each speaker.*
- *Efforts will be made to reduce crowding as the meeting adjourns and we will direct staggered exit times by row using multiple exits points.*
- *Trash/recycling bins will be placed at exits to dispose of used PPE, handouts, etc.*
- *Socialization in the parking lot post-meeting is discouraged.*

*Take note of the exits at the front and the back of the gym. Restrooms are located in the rear.*

Moderator Johnson led the Assembly in the Pledge of Allegiance and made the following introductory comments:

*Welcome to Special Town meeting. I ask now that everyone silence your phones. I request that everyone up here, out of respect for all of you, not to be texting during the meeting. And I ask that you not text them during the meeting so they aren't tempted.*

*As we begin our meeting, I want to take a moment to outline our ground rules. Town Meeting is the legislative body for our community, where we work together to debate the merits of the articles within the warrant before you. Please refer to the Glossary of Terms at the back of your warrant. Because Tewksbury has an Open Town Meeting, each registered voter is eligible to vote on fiscal issues, zoning changes, bylaw amendments, and other matters affecting the town as presented in the warrant.*

*Visitors may attend the meeting and sit only in the reserved-for-visitors section. Members of the media may sit in the visitors' section or at the press table.*

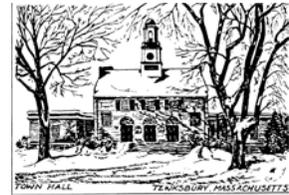
*This meeting is being recorded. As we move through the articles, presenters on the articles will be allowed to speak first on the article before I open the floor to debate. A voter desiring to speak should approach the microphone before me, await recognition by me, and identify oneself by name and street address for the record. I ask members of all boards to do the same.*



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*Each speaker is allowed up to five minutes to speak on an article. Please speak clearly into the microphone so the body can hear you. I will let you know when you have 30 seconds left. When you hear me, it is your signal to wrap up your remarks. You may not speak a second time until all other attendees have spoken.*

*Speakers may disagree with any official, with any other voter, volunteer, or any board. However, we have a strong tradition in Tewksbury of maintaining a respectful dialogue during Town Meeting. I will do everything I can to ensure that each speaker is shown respect and that your questions are answered. I ask that all town meeting attendees kindly do the same. Residents refusing to conduct themselves in a manner befitting this body will be asked to cede the floor, and potentially be escorted from the meeting in egregious cases. I hope I don't have to enforce that rule. Let's work together to address the issues before this body fairly and efficiently, and perhaps learn some things about our town and fellow residents in the process.*

*I will accept a motion to move the question, however, I reserve the right to make sure we at least have had some dialogue about the motion. All questions on the floor are to be directed to the Moderator. In Tewksbury, we have a tradition of not requiring a second to any motion as we presume that the moderator seconds all motions. If you are amending an article, we will take action and vote on the amendment first. Amendments must be presented to the Town Clerk in writing. If the amendment passes it will then become part of the Main Motion and we will discuss it. If the amendment does not pass, then we go back to the Main Motion as it written in the warrant.*

*Residents were previously mailed a warrant. When you came in tonight you were offered the warrant again with the articles we will be discussing tonight, a handout with the Finance Committee recommendations, another with Planning Board recommendations, and a supplemental handout from the Town Manager with detailed explanations for a number of articles and funds. Scriveners' errors, if any, are also noted in that document.*

*Please be sure your voter ribbon is showing so that counters can see it when we take standing counts.*

*Counters – please go to your sections. Ladies and gentlemen – please take note of the counter for your section. When we do a standing count it is important that no one be standing in the gym and there will be no entering or exiting the gym while the vote is in process unless there is an emergency. It is critical that you pay attention to your counter and sit down once counted – your counter will nod at you when you are counted.*

*If there is anyone new to Town Meeting here tonight, we welcome you to Town Meeting and hope that you enjoy this process. For all of you that come faithfully, I thank you for your continued presence this evening (especially in light of these unusual times) and your commitment to our community.*

The Moderator introduced the Chairman of the Finance Committee, Rob Kocsmierski. Mr. Kocsmierski will make the first motion on every Article unless the Finance Committee is deferring to another board. Mr. Kocsmierski motioned to Waive the Reading of the Warrant Articles and this motion was Adopted

7:08 PM 6/24/20

Mr. Kocsmierski motioned to admit non-resident appointed members of any town or regional committee or task force, non-voting employees of the Town of Tewksbury including Tewksbury Public Schools, and Town Counsel including Assistant Town Manager Steve Sadwick, Fire Chief Mike Hazel, Superintendent of Schools Chris Malone, School Business Manager David Libby, DPW Superintendent Brian Gilbert, Town Engineer Kevin Hardiman, Town Counsel Kevin Feeley, and others, some of whom may be asked to answer resident questions and this motion was Adopted.

7:09 PM 6/24/20

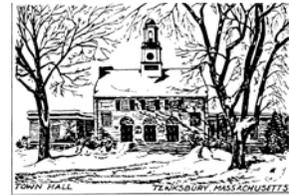
Finance Committee Chairman, Rob Kocsmierski, motioned to Adjourn the June 26, 2020 Special Town Meeting Sine Die, and this motion was Adopted.

7:27 PM 6/24/20



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### APPROPRIATION CERTIFICATE - SPECIAL TOWN MEETING – JUNE 24, 2020

Chief Assessor, Finance Director, Treasurer, Collector, Town Manager, Board of Selectmen, and Finance Committee: Pursuant to Section 15A, Chapter 41, Massachusetts General Laws, I hereby certify to the funds appropriated at the Special Town Meeting, convened by proper Warrant, on June 24, 2020.

	ARTICLE	FREE CASH	TRANSFER FROM OTHER AVAILABLE FUNDS	MEMO
1	FY20 BUDGET TRANSFERS		126,274.00	
2	TMHS ATHLETIC FIELD IMPROVEMENTS REALLOCATION		220,000.00	ARTICLE 10 2017 ATM
3	STABILIZATION FUND REALLOCATION		630,000.00	ARTICLE 10 2017 ATM
4	DPW SNOW AND ICE OPERATIONS	373,604.00		
5	TOWN ONE TIME ITEMS	226,396.00		
6	OUTSTANDING BILLS		7,962.41	
	TOTAL	600,000.00	984,236.41	

<b>Free Cash</b>	<b>\$600,000.00</b>	
<b>Transfers</b>		<b>\$984,236.41</b>

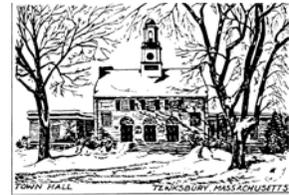
ATTEST:

DENISE GRAFFEO



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### ARTICLE 1

To see if the Town will vote to transfer funds into the Following FY2020 Departmental Budgets; or take any action related thereto:

DEPT	ACCOUNT		BUDGET
	ORG	OBJECT	SHORTFALL
Town Hall Energy Utilities	1011922	5210	10,000
Town Hall Leases and Contracts	1011922	5270	39,000
Town Hall Repairs and Maintenance	1011922	5240	3,119
Computer Services Computer Equipment	1011362	5429	9,000
Town Interest on Bond Anticipation Notes	1127522	5926	10,649
Town Facilities and Grounds Salaries	1096301	5111	4,657
Town Facilities and Grounds All Other	1096302	5423	14,200
Solid Waste Disposal	1074252	5292	10,000
Town Medicare Tax	1109152	5740	15,800
Middlesex Retirement System	1109102	5721	9,849
<b>TOTAL SHORTFALL</b>			<b>126,274</b>

Said sum to be transferred from the following available funds:

DEPT	ACCOUNT		BUDGET
	ORG	OBJECT	SURPLUS
Town Group Insurance	1109142	5711	59,000
Town Property and Liability Insurance	1109452	5760	45,730
Essex North Shore Agricultural and Tech. School District	10858402	5652	21,544
<b>TOTAL SURPLUS</b>			<b>126,274</b>

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$126,274 for the purpose of the article

Vote: Article 1 was Adopted Unanimously 7:10 PM 6/24/20

**Executive Summary:** This article transfers funds from accounts with a projected surplus to accounts with a projected deficit or to accounts to allow for the purchase of needed items or services.

### ARTICLE 2

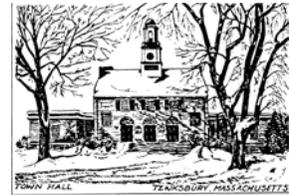
To see if the Town will vote to re-allocate \$220,000 from the original appropriation of \$850,000.00 as approved at the May 1, 2017 Annual Town Meeting, Article 10 for the purpose of purchasing temporary locker rooms, temporary field lights and to construct a permanent press box at the Tewksbury Memorial High School; or take any action relative thereto.

Town Manager



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Motion: Town Manager, Richard Montuori offered an Amendment to Article 2  
The Finance Committee motioned to Adopt; transfer \$220,000 for the purpose of the Article  
Lorna Garey motioned for Indefinite Postponement  
Town Manager, Richard Montuori spoke in support of Article 2

Vote:	The Amendment was Adopted	7:18 PM	6/24/20
	Indefinite Postponement Failed	7:19 PM	6/24/20
	Article 2 was Adopted (55 Yes/15 No – 2/3 Required = 46)	7:22 PM	6/24/20

**AMENDMENT:** To see if the Town will vote to re-allocate \$220,000 from the original appropriation of \$850,000.00 as approved at the May 1, 2017 Annual Town Meeting, Article 10 for the purpose of purchasing temporary locker rooms, temporary field lights and to **purchase, lease or** construct a ~~permanent press box~~ multimedia platform for all activities at the Tewksbury Memorial High School; or take any action relative thereto.

**ARTICLE 2 AS AMENDED:** To see if the Town will vote to re-allocate \$220,000 from the original appropriation of \$850,000.00 as approved at the May 1, 2017 Annual Town Meeting, Article 10 for the purpose of purchasing temporary locker rooms, temporary field lights and to purchase, lease or construct a multimedia platform at the Tewksbury Memorial High School; or take any action relative thereto.

**Executive Summary:** At Annual Town Meeting on May 1, 2017, \$850,000 was transferred from the Stabilization Fund to replace the current Doucette Field bleachers, new restrooms, press box, and fencing. Since that project is not taking place, this re-allocation of funds will be used to purchase temporary locker rooms, temporary field lights and to construct a permanent press box at Tewksbury Memorial High School for High School Sports.

### ARTICLE 3

To see if the Town will vote to transfer the remaining \$630,000 from the original appropriation of \$850,000.00 that was approved at the May 1, 2017 Annual Town Meeting, Article 10 back into the Stabilization Fund which was the original funding source for; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$630,000 for the purpose of the article

Vote:	Article 3 was Adopted (61 Yes/4 No – 2/3 Required = 43)	7:25 PM	6/24/20
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**Executive Summary:** At Annual Town Meeting on May 1, 2017, \$850,000 was transferred from the Stabilization Fund to replace the current Doucette Field bleachers, new restrooms, press box, and fencing. Since that project is not taking place, and only \$220,000 is needed for Article 2, the remaining \$630,000 balance can be transferred back to the Stabilization Fund.

### ARTICLE 4

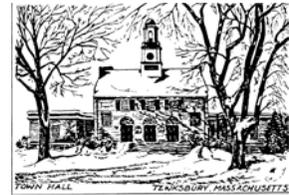
To see if the Town will vote to transfer \$373,604 into the FY2020 DPW Snow & Ice Budget as follows; or take any action relative thereto.

Department	Account	Amount
DPW Snow & Ice-Salaries	1064231-5130	70,864
DPW Snow & Ice-Operating	Various Accounts	302,740
DPW Snow & Ice-Capital Outlay	1064233-5890	-
<b>Total Transfers In</b>		<b>373,604</b>



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Said sum to be transferred from the following available funds:

Fund	Account	Amount
July 1, 2019 Certified Free Cash (Surplus Revenue)	1-3590	<b>373,604</b>
<b>Total Transfers Out</b>		<b>373,604</b>

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$373,604 for the purpose of the article

Vote: Article 4 was Adopted Unanimously 7:26 PM 6/24/20

**Executive Summary:** This article utilizes Free Cash certified as of July 1, 2019 to fund Department of Public Works - Snow and Ice due to the amount of snow and ice events during the winter which exceeded the amount budgeted.

### ARTICLE 5

To see if the Town will vote to transfer \$226,396 from Free Cash to fund the following items; or take any action relative thereto.

Fire Administrative Car	45,000
Resurface Basketball and Tennis Courts Livingston Recreation complex	26,736
Assessors Software	44,000
Design and Engineering Traffic Lights Pleasant Street and Main Street Intersection	<u>110,660</u>
<b>Total</b>	<b>226,396</b>

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$226,396 for the purpose of the article

Vote: Article 5 was Adopted Unanimously 7:26 PM 6/24/20

**Executive Summary:** This article utilizes Free Cash certified as of July 1, 2019 to fund various one-time Town Capital expenditures.

### ARTICLE 6

To see if the Town will vote to transfer from the sum of \$7,962.41 from Town Property and Liability Insurance to pay for the following outstanding bill from the previous year; or take any action relative thereto.

Middlesex Retirement System	7,962.41
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Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$7,962.41 for the purpose of the article

Vote: Article 6 was Adopted Unanimously (9/10 Required) 7:27 PM 6/24/20

**Executive Summary:** According to Massachusetts General Laws Chapter 44 § 64, bills that are late must be approved by Town Meeting before payment. This article authorizes the charges to be paid.

Finance Committee Chairman, Rob Kocsmierski motioned to Adjourn the June 24, 2020 Special Town Meeting Sine Die, and this motion was Adopted. 7:27 PM 6/24/20

RESPECTFULLY SUBMITTED:  
DENISE GRAFFEO, TOWN CLERK