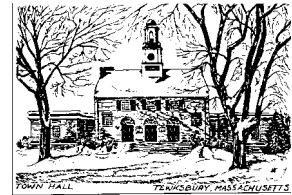


Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876



OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Phone: 978-640-4355

Fax: 978-851-8610

dgraffeo@tewbury-ma.gov

Tewksbury Memorial High School
320 Pleasant Street
Special Town Meeting
October 4, 2016

Moderator Jerome Selissen called to order the October 4, 2016 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.

The Moderator designated the visitors section and reminded the voters to display their voting ribbons. He also reminded those who have cell phones or pagers to turn them off or to put them on vibrate.

On Tuesday, October 4, 2016, there were 169 voters and 17 visitors in attendance.

The Moderator made the following announcements:

- On Tuesday, October 25th at 5:00 PM at the Tewksbury Country Club, the Tewksbury Lions Club and Tewksbury Sons of Italy will be hosting a spaghetti dinner in support of the Tewksbury Community Pantry. Tickets are \$10 and may be purchased at various locations. Specifics may be found online @ Your Tewksbury Today.
- Tewksbury Education Foundation 5th Annual Silent & Live Auction is on Friday, November 18th at the Tewksbury Country Club. This year's proceeds will be donated to the Tewksbury Public Schools in the advancement of STEAM – Science, Technology, Engineering, Art and Math. The Auction Tickets can be purchased at the upcoming Harvest Fall Festival (on October 9th), the TMHS Applefest (on October 29th), the Community Service Office at the Center School or on-line at community pass. The tickets are \$20 per person in advance or \$25 at the door. The foundation is asking if you have any new collectible items, gift certificates, gift baskets, event tickets, vacation time shares/home that you'd like to donate to the auction, please contact the School Department and they will get you in touch with the TEF board.
- For the November 8th General Election the first choice you'll make is which day to vote. Town Clerk, Denise Graffeo would like to inform all Town of Tewksbury registered voters that you can early vote at Town Hall, located at 1009 Main Street, beginning October 24th to November 4th, Monday through Friday from 7:30AM to 4:30PM with extended hours on Saturday, October 29th from 9AM to 1PM

Moderator Selissen called for a Moment of Silence in remembrance of Mr. Warren R. Carey , “a man who loved this community with all his heart.”

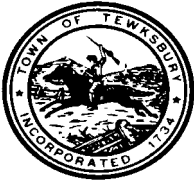
Moderator Selissen welcomed Senator Barbara L’Italien and invited her to speak to the Assembly regarding current issues that she is working on ..

Mr. David Aznavoorian, Chairman of the Finance Committee, will make the first motion on every article unless the Finance Committee is deferring to another board.

Finance Committee Chairman, David Aznavoorian, motioned to Waive the Reading of the Warrant Articles and this motion was Adopted Unanimously 7:07 PM 10/4/16

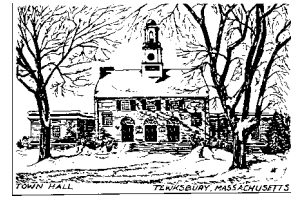
Moderator Selissen announced that he will step aside for discussion on Article 24, due to a conflict of interest. Board of Selectmen Chair, Bruce Panilaitis presided over Article 24 pursuant to MGL Chapter 39, Sec. 14.

Finance Committee Chairman, David Aznavoorian, motioned to Adjourn the October 4, 2016 Special Town Meeting Sine Die, and this motion was Adopted. 8:12 PM 10/4/16



Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876



OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Phone: 978-640-4355

Fax: 978-851-8610

dgraffeo@tewbury-ma.gov

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 Annual Town Meeting, convened by proper Warrant, on October 4, 2016.

APPROPRIATION CERTIFICATE – SPECIAL TOWN MEETING –OCTOBER 4, 2016

ARTICLE	RAISE & APPROPRIATE	TRANSFER FROM FREE CASH	CPA UNDESIGNATED FUND	SPECIAL ED RESERVE	ENTERPRISE FUNDS	WATER ENTER RETAINED	SEWER ENTER RETAINED	MEMO
1	FY17 Budget	1,146,027						
2	Outstanding FY16 Bills	1,300						
3	Reduce FY17 General Fund Exempt Principal Maturing Debt	(98,956)						
4	Reduce FY17 Sewer Enterprise Fund Lowell Sewer				(246,203)			
4	Increase FY17 Sewer Enterprise Debt				98,956			
5	Town Capital Expenditures		763,890					
6	School Capital Expenditures		460,000					
8	Special Education Reserve Fund			725,000				From Article 15 2015 ATM
9	School Dept Circuit Breaker		275,420					
10	Water Distribution Improvements					710,000		
11	Senior/Veteran Tax Relief		25,000					
12	OPEB		350,000					
13	Stabilization Fund		2,442,051					
14	Rehab WWII Veteran Memorial			6,800				
15	TMHS Tennis Courts Drainage			9,500				
16	Rehab Tewksbury Hospital Cemetery			125,000				
TOTALS		1,048,371	4,316,361	141,300	725,000	147,247	710,000	0

Raise & Appropriate \$1,048,371.00

Transfer From Free Cash \$4,316,361.00

CPA Undesignated Fund \$141,300.00

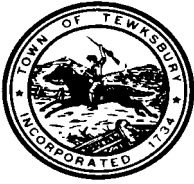
Special Education Reserve \$725,000.00

Enterprise Funds \$147,247.00

Water Enterprise Retained \$710,000.00

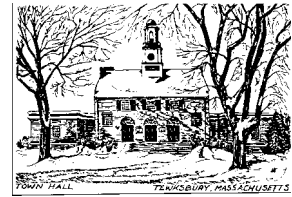
Sewer Enterprise Retained \$0.00

ATTEST: DENISE GRAFFEO, TOWN CLERK



Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876



OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Phone: 978-640-4355
Fax: 978-851-8610
dgraffeo@tewksbury-ma.gov

ARTICLE 1

To see if the Town will vote to raise and appropriate the sum of \$1,146,027 to fund the following Fiscal Year (FY2017) Budgets; or take any action relative thereto.

School Budget Salaries	302,000
School Budget Operating	275,616
School Budget Capital Outlay	50,000
School Budget Health Insurance	60,000
Board of Selectmen Operating	20,000
Administrative Services Salaries	3,339
Administrative Services Operating	7,600
Elections and Town Meetings Salaries	1,951
Elections and Town Meetings Operating	900
Community Development Salaries	48,006
Community Development Capital Outlay	10,880
Building Department Salaries	21,366
Health Department Operating	2,270
Police Capital Outlay	95,819
Fire Capital Outlay	72,252
DPW Administration Capital Outlay	30,000
DPW Engineering Capital Outlay	20,000
DPW Fleet Maintenance Capital Outlay	37,000
Parks Salaries	4,035
Parks Operating	23,000
Parks Capital Outlay	16,500
COA Operating	18,493
Veteran's Services Operating	25,000
Total Town Raise and Appropriate	1,146,027

Town Manager

Motion: The Finance Committee motioned to Adopt; raise and appropriate \$1,146,027 for the purpose of the article

Vote: Article 1 was Adopted Unanimously 7:08 PM 10/4/16

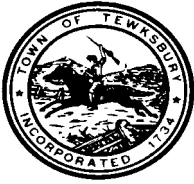
Executive Summary: This article raises and appropriates funds to FY2017 Budgets. The additional funds are available since State and Local revenue will be higher than projected.

ARTICLE 2

To see if the Town will vote to raise and appropriate the sum of \$1,300 in order to pay for the following outstanding bills from the previous year; or take any action relative thereto.

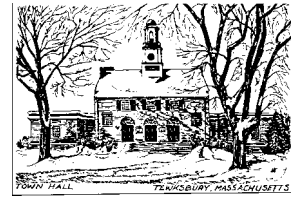
Krochmal Farms	1,300
Total	1,300

Town Manager



Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876



OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Phone: 978-640-4355
Fax: 978-851-8610
dgraffeo@tewbury-ma.gov

Motion: The Finance Committee motioned to Adopt; raise and appropriate \$1,300 for the purpose of the article
Vote: Article 2 was Adopted Unanimously (9/10 Required) 7:09 PM 10/4/16

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.

ARTICLE 3

To see if the Town will vote to amend Article 4 of the May 2, 2016 Annual Town Meeting, the General Fund Budget and reduce the FY2017 General Fund Exempt Principal Maturing debt by \$98,956; or take any action thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt
Vote: Article 3 was Adopted Unanimously 7:09 PM 10/4/16

Executive Summary: After the Fiscal year 2017 budget was approved at Annual Town Meeting on May 2, 2016 the assessment for Lowell Sewer was reduced which allowed the amount of debt service being transferred to the tax levy to also be reduced. This Article reflects that change.

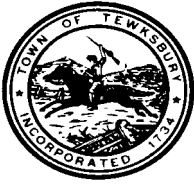
ARTICLE 4

To see if the Town will vote to amend Article 5 of the May 2, 2016 Annual Town Meeting, the Sewer Enterprise Fund Budget and reduce the FY2017 Sewer Enterprise Fund Lowell Sewer by \$246,203 and increase FY2017 Sewer Enterprise Fund Debt by \$98,956; or take any action thereto.

Town Manager

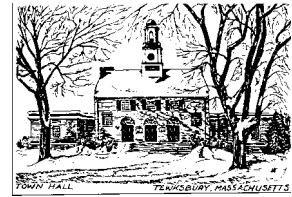
Motion: The Finance Committee motioned to Adopt
Vote: Article 4 was Adopted Unanimously 7:10 PM 10/4/16

Executive Summary: After the Fiscal year 2017 budget was approved at Annual Town Meeting on May 2, 2016 the assessment for Lowell Sewer was reduced, and that reduction is reflected above. In addition, the Lowell Sewer reduction allows for less debt to be shifted to the General Fund, which is reflected in the amount increased for sewer debt.



Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876



OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Phone: 978-640-4355
Fax: 978-851-8610
dgraffeo@tewksbury-ma.gov

ARTICLE 5

To see if the Town will vote to transfer from the certified General Fund Free Cash a sum of \$763,890 to be expended by the Town Manager to fund the following; or take any action relative thereto.

Engineering and Construction Demolition 984 Main Street	160,000
Engineering and Construction new Floor at the Senior Center	30,000
Engineering and Construction Roof Replacement Police Station	125,000
Fire Department Breathing Apparatus Air Compressor System	20,000
DPW Sidewalk Improvements	250,000
DPW Stormwater Mapping	90,000
Park Department Tractor with Ballfield Groomer and Attachments	40,014
Park Department F-350 4x4 Platform Truck with Snowplow	48,876
Total	763,890

Town Manager

Motion: The Finance Committee motioned to Adopt ; transfer \$763,890 from certified free cash for the purpose of the article

Vote: Article 5 was Adopted Unanimously 7:10 PM 10/4/16

Executive Summary: This article transfers certified free cash for the demolition of a vacant home at 984 Main Street; replacement of the Police Station roof which is 18 years old and was damaged from ice. The cost of the roof is being supplemented with insurance proceeds received from damage during the winter of 2015. This Article will also supplement the cost of replacing the floor in the Senior Center Main Hall, Fire Department air breathing compressor system for self-contained breathing apparatus, improve sidewalks, conduct stormwater mapping in accordance with the Town’s permit and purchase needed vehicles and equipment for the Park Department.

ARTICLE 6

To see if the Town will vote to transfer from the certified General Fund Free Cash the sum of \$460,000 for School Department Capital Expenditures; or take any action relative thereto.

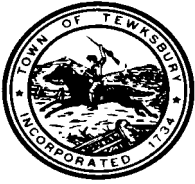
Technology	265,000
Building and Maintenance	150,000
Maintenance Utility Truck	45,000
	460,000

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$460,000 from certified free cash for the purpose of the article

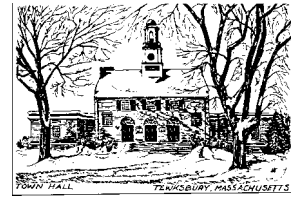
Vote: Article 6 was Adopted Unanimously 7:11 PM 10/4/16

Executive Summary: Funds will be used to fund Technology improvements at the Schools such as: Mobile Device Initiative with Professional Development; Restructure Central Office; Head End HVAC Room at TMHS - Software Upgrade. They will also be used for School Building and Maintenance improvements that include modifications and updates to the Fitness Center at the High School; Storage Container at the High School; Improvements to the Ryan Courtyard / Front area; THMS Pavers Design; new Maintenance Utility Truck.



Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876



OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Phone: 978-640-4355
Fax: 978-851-8610
dgraffeo@tewbury-ma.gov

ARTICLE 7

To see if the Town will accept the provisions of Chapter 40, § 13E of the Massachusetts General Laws establishing a Special Education Reserve Fund; or take any other action relative thereto.

School Committee

Motion: The Finance Committee motioned to Adopt

Vote: Article 7 was Adopted Unanimously 7:11 PM 10/4/16

Executive Summary: Chapter 40, § 13E allows a school district which accepts this section, by a majority vote of the School Committee and a majority vote of the legislative body to establish a reserve fund to be utilized in the upcoming fiscal years, to pay, without further appropriation, for unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation.

Funds shall only be distributed from the reserve funds after a majority vote of the School Committee and a majority vote of the Board of Selectmen.

ARTICLE 8

To see if the Town will vote to transfer \$725,000 from Article 15 Annual Town Meeting 2015 to the new Reserve Fund established under MGL Chapter 40 Section 13E; or take any action relative thereto.

School Committee

Motion: The Finance Committee motioned to Adopt

Vote: Article 8 was Adopted 7:12 PM 10/4/16

Executive Summary: Article 15 at Annual Town Meeting 2015 transferred \$725,000 from the Stabilization Fund for unforeseen costs related to Special Education Out-of-District Tuition. Those funds have not been expended and this Article seeks to transfer the \$725,000 to the new Reserve Fund established under MGL Chapter 40 Section 13E which purpose is consistent with Article 15 at the Annual Town Meeting 2015.

ARTICLE 9

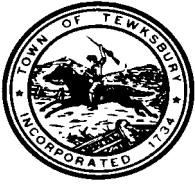
To see if the Town will vote to transfer from the certified General Fund Free Cash the sum of \$275,420 to the Fiscal Year 2017 School Department Circuit Breaker Fund; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$275,420 from certified free cash for the purpose of the article

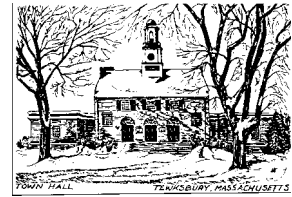
Vote: Article 9 was Adopted Unanimously 7:12 PM 10/4/16

Executive Summary: Funds from the School Department Circuit Breaker Fund were closed and turned back to General Fund at the end of Fiscal Year 2016. This Article returns those funds to the account.



Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876



OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Phone: 978-640-4355
Fax: 978-851-8610
dgraffeo@tewbury-ma.gov

ARTICLE 10

To see if the Town will vote to transfer the sum of \$710,000 from Water Enterprise Fund Retained Earnings for the following purposes; or take any action relative thereto.

Water Distribution Improvements	700,000
Mobile Light Tower	10,000
Total	710,000

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$710,000 from water enterprise fund retained earnings

Vote: Article 10 was Adopted Unanimously 7:13 PM 10/4/16

Executive Summary: This article allows the Town to utilize funds from Water Retained Earnings that were available as of July 1, 2016 for the installation of a new water main on Carter Street, and if funds remain, they will be used for other priority locations in Town. Funds will also be used for the purchase of a mobile light tower that is used for water breaks that occur in the evening and night hours.

ARTICLE 11

To see if the Town will vote to transfer from certified General Fund Free Cash the sum of \$25,000 to be expended by the Town Manager to fund a Senior Tax Relief Work Program and a Veterans Tax Relief Program; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt ; transfer \$25,000 from certified free cash for the purpose of the article

Vote: Article 11 was Adopted Unanimously 7:14 PM 10/4/16

Executive Summary: This article allows the Town to utilize funds from certified free cash to fund a Senior Tax Relief Program/Veterans Tax Relief Program that allows eligible Senior Citizens /Veterans of the Town to work for Town and School offices and receive a reduction in their property tax bill.

ARTICLE 12

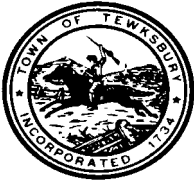
To see if the Town will vote to transfer from the certified General Fund Free Cash the sum of \$350,000 to the Other Post Employment Benefit (OPEB) Account; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt ; transfer \$350,000 from certified free cash for the purpose of the article

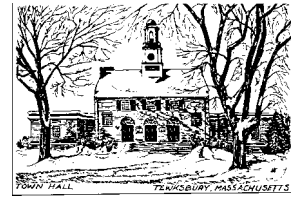
Vote: Article 12 was Adopted Unanimously 7:15 PM 10/4/16

Executive Summary: Funds will be transferred from Free Cash certified as of July 1, 2016 into the Other Post Employment Benefit Account to fund the Town's outstanding unfunded liability of \$166 million for Retiree Health Insurance.



Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876



OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Phone: 978-640-4355
Fax: 978-851-8610
dgraffeo@tewbksbury-ma.gov

ARTICLE 13

To see if the Town will vote to transfer the sum of \$2,442,051 from certified General Fund Free Cash to the Town Stabilization Fund; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$2,442,051 from certified free cash for the purpose of the article

Vote: Article 13 was Adopted Unanimously (2/3 vote required) 7:16 PM 10/4/16

Executive Summary: This article seeks approval to set aside these funds in the Stabilization Fund to be used for future emergencies or one time purchases or projects.

ARTICLE 14

To see if the Town of Tewksbury will vote to appropriate and transfer from the Tewksbury Community Preservation Undesignated Fund Balance the sum of \$6,800.00 to rehabilitate an historic resource, the Mico Kaufman Memorial to World War II Veterans on the Town Common pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority, said funds are to be expended under the direction of the Community Preservation Committee; or to take any other action thereon.

Community Preservation Committee

Motion: The Finance Committee motioned to Adopt; appropriate and transfer \$6,800 from Community Preservation Undesignated fund for the purpose of the article

Vote: Article 14 was Adopted Unanimously 7:17 PM 10/4/16

Executive Summary: The CPC seeks approval for these CPA funds to refurbish the weather worn bronze WWII Veterans Memorial on the Town Common. The Memorial is an historic resource listed on the Massachusetts Cultural Information System.

ARTICLE 15

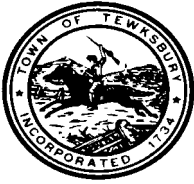
To see if the Town of Tewksbury will vote to appropriate and transfer from the Tewksbury Community Preservation Undesignated Fund Balance the sum of \$9,500.00 to install a drainage system near the shed at the High School Tennis Courts, a CPA funded project; pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority, said funds are to be expended under the direction of the Community Preservation Committee; or to take any other action thereon.

Community Preservation Committee

Motion: The Finance Committee motioned to Adopt; appropriate and transfer \$9,500 from Community Preservation Undesignated fund for the purpose of the article

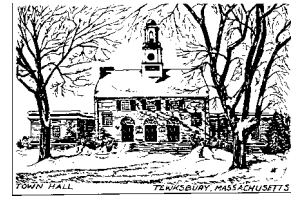
Vote: Article 15 was Adopted Unanimously 7:17 PM 10/4/16

Executive Summary: The CPC seeks approval for these CPA funds to install a drainage system and associated site work near the shed to prevent erosion and damage to the shed area and facilities. The Friends of Tewksbury Tennis have \$500 in donations to also be used for this work, which will complete the existing tennis court project.



Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876



OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Phone: 978-640-4355
Fax: 978-851-8610
dgraffeo@tewbury-ma.gov

ARTICLE 16

To see if the Town of Tewksbury will vote to appropriate and transfer from the Tewksbury Community Preservation Undesignated Fund Balance the sum of \$125,000 for the historic rehabilitation of the State Hospital Cemetery between Livingston St and the Wynn Middle School; pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority, said funds are to be expended under the direction of the Community Preservation Committee; or to take any other action thereon.

Community Preservation Committee

Motion: The Finance Committee motioned to Adopt; appropriate and transfer \$125,000 from Community Preservation Undesignated fund for the purpose of the article

Vote: Article 16 was Adopted Unanimously 7:18 PM 10/4/16

Executive Summary: The CPC seeks approval for these CPC funds to rehabilitate and secure the existing State Hospital Cemetery. The Tewksbury State Hospital and the State Division of Capital Asset Management are in the process of perfecting the land transfer for the Saunders Recreational Facility. The work at this cemetery is a prerequisite of the Commonwealth transferring title of the Livingston Street recreation fields to the Town.

ARTICLE 17

To see if the Town will accept the provisions of Chapter 90, §17C of the Massachusetts General Laws allowing the Board of Selectmen to establish a speed limit of 25 miles per hour in thickly settled or business districts; or take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt

Vote: Article 17 was Defeated (56 Yes/ 59 No) 7:23 PM 10/4/16

Executive Summary: Currently to change the speed limits a town needs to conduct a traffic study. Chapter 90, §17C is a newly adopted law that allows the Board of Selectmen to establish a speed limit of 25 miles per hour in thickly settled or business districts without a study.

ARTICLE 18

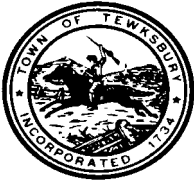
To see if the Town will accept the provisions of Chapter 90, §18B of the Massachusetts General Laws allowing the Board of Selectmen to establish "Safety Zones" having a speed limit of 20 miles per hour; or take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt

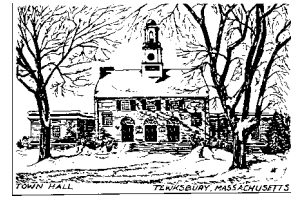
Vote: Article 18 was Defeated (55 Yes/ 66 No) 7:28 PM 10/4/16

Executive Summary: Currently to create a "Safety Zone" and change the speed limits a town needs to conduct a traffic study. Chapter 90, §18B is a newly adopted law that allows the Board of Selectmen to take such actions without a study.



Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876



OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Phone: 978-640-4355
Fax: 978-851-8610
dgraffeo@teWKsbury-ma.gov

ARTICLE 19

To see if the Town will vote to authorize the Board of Selectmen to accept a gift of land or interests in land from Donald P. Quinn, Trustee, ITYLO Trust, Map- 41, Parcel 24 as shown on the current Assessor's Map, for municipal purposes; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt

Vote: Article 19 was Adopted Unanimously 7:30 PM 10/4/16

Executive Summary: This article allows the Board of Selectmen to accept a gift of land of approximately 1.16 acres on Merrimac Drive abutting the Town's Water Treatment Plant for municipal purposes.

ARTICLE 20

To see if the Town will vote to amend the actions taken by May 2, 2016 Annual Town Meeting, article 34 which placed restrictions on the development of 1057 South Street, Map 109 Parcel 71, as shown on the current Assessor's Map to allow for no more than three houses on the lot for affordable housing purposes; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt

Vote: Article 20 was Adopted Unanimously 7:37 PM 10/4/16

Executive Summary: This article amends the actions taken at May 2, 2016 Annual Town Meeting, Article 34. The restriction that was placed upon the development of the property stated that the lot may be divided, provided that each lot is no less than one full acre. Each lot (no more than two) shall have a maximum of one single family residence on it. This Article amends that action asking for no more than three houses on the lot. The parcel is approximately 2.86 acres.

ARTICLE 21

To see if the Town will vote to amend the Town's General By-laws by deleting the words that are stricken out and adding the words in bold print.

2.04.010 Schedule established ...

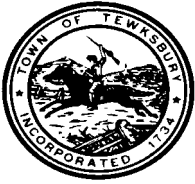
C. The Annual Town Meeting shall be divided into three sections.

Section One:

Article 1. Annual Town Election – Accomplished in April.

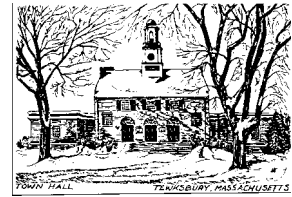
Section Two shall begin on the first Monday in May at 7:30 P.M. and shall include the following Articles:

- Article 2. Elected official salaries
 - Article 3. Consent calendar
 - Article 4. Budget article
 - Article(s) Budget related articles
 - Article(s) Amend Personnel bylaws
 - Article(s) Amend Town by-laws**
- General Articles**



Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876



OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Phone: 978-640-4355
Fax: 978-851-8610
dgraffeo@teWKsbury-ma.gov

If Section Two is completed before 11:00 P.M., the Annual Town Meeting shall adjourn to Wednesday at 7:30 P.M. to act on Section Three articles.

Section Three:

- Amend zoning bylaws
- ~~Amend town bylaws~~
- ~~General articles~~

or take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt

Vote: Article 21 was Adopted Unanimously 7:38 PM 10/4/16

Executive Summary: The purpose of this Article is to move Town by-Law Articles and General Articles to Section One and allow them to be acted upon on the first night of town meeting if time allows.

ARTICLE 22

To see if the voters of the Town of Tewksbury will vote to amend the Tewksbury by-laws, Chapter 2.16 Council on Aging by deleting words that are stricken out and adding the words that are in bold print, as follows:

2.16.020 Membership.

MEMBERSHIP OF COUNCIL: The Council shall consist of eleven (11) members ~~who shall serve for as three (3) year term;~~ **appointed by the Board of Selectmen who shall serve for a three (3) year term.** ~~The Board of Selectmen shall appoint five (5) members of the Council. The remaining six (6) Council members shall be appointed by the Council chairperson from interested and representative community groups and individuals. (Art. 34 ATM 2014; rt. 34, ATM 2002; Art. 39 (part) ATM 1982; By Laws Art. IV § 5B)~~

2.16.050 Appointment of new members.

APPOINTMENT OF NEW MEMBERS: The Board of Selectmen shall, each year, prior to June 30th ~~each year~~ appoint persons to fill any vacancies ~~among their five (5) appointments and each appointee to serve a three (3) year term~~ **on the Council on Aging**, each appointed **member** to serve a three (3) year term. All newly appointed members shall commence their terms on July 1st. ~~(Art. 34 ATM 2014; Art. 39 (part) TM 1982; By laws Art. IV § 5E)~~

or take any other action relative thereto.

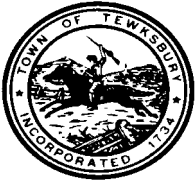
Board of Selectmen

Motion: The Finance Committee deferred to the Board of Selectmen
The Board of Selectmen recommended Adoption
Board of Selectmen Chairman, Bruce Panilaitis motioned to Withdraw

Point of Order: Elizabeth Carey pointed out that the Moderator did not declare the vote "Unanimous" and she believed it should have been. Upon consideration, several voters spoke out that they voted in opposition to Article 22

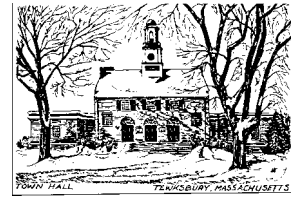
Vote: Article 22 was Withdrawn by a Majority vote 8:05 PM 10/4/16

Executive Summary: Currently the bylaw gives sole appointment authority to the Council on Aging Chairperson for 6 out of 11 members of the Council on Aging (COA). The remaining 5 members are appointed by the Board of Selectmen. The purpose of this Article is to give the Board of Selectmen appointment authority for all members of the COA; consistent with other appointed Boards, Commissions & Committees in Town.



Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876



OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Phone: 978-640-4355
Fax: 978-851-8610
dgraffeo@tewbury-ma.gov

ARTICLE 23

To see if the voters of the Town of Tewksbury will vote to amend the Tewksbury Town By-Laws, Chapter 3.04 Revenue and Finance by deleting the wording stricken as follows:

3.04.010 Duty of Tax Collector to report negligent parties.

The Tax Collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the Tax Collector, shall ~~annually~~ furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges ~~for not less than a twelve (12) month period~~, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the Appellate Tax Board. (Art. 8 (part), STM 1989: By-Laws Art. III § 1A)

or take any other action relative thereto.

Board of Selectmen

Motion: The Finance Committee motioned to Adopt

Vote: Article 23 was Adopted Unanimously 8.09 PM 10/4/16

Executive Summary: Currently the State Law and the town By-Law requires taxes to be owed for a 12 month period before a license or permit can be revoked or not issued. The State Law has been changed to eliminate the 12 month period and this amendment allows the By-law to be consistent with State Statute avoiding any conflicts.

ARTICLE 24

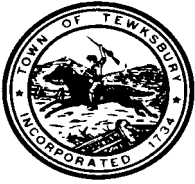
To see if the Town will vote pursuant to Massachusetts General Laws Chapter 82, Sections 21-24, as amended, and any other applicable statutes, to accept the laying out as a town way by order of the Board of Selectmen:

A certain parcel of land situated in Tewksbury, Middlesex County, Massachusetts shown as Settlers Way shown on a plan entitled, "Street Acceptance Plan, Settlers Way, Tewksbury, MA dated April 11, 2016 prepared by Civil Design Consultants, Inc. 30 River Street Methuen, MA 01844", a copy of which plan has been filed with the office of the Town Clerk and the Department of Community Development; and such plan is referred to for more particular description and to authorize the Board of Selectmen to take by eminent domain, an easement, or in fee; or take any other action relative thereto.

Matthew Ginsburg and Others

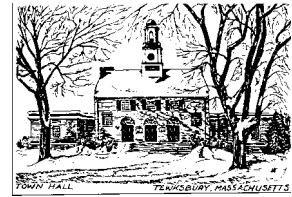
Motion: The Finance Committee motioned to Adopt

Vote: Article 24 was Adopted Unanimously 8:11 PM 10/4/16



Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876



OFFICE OF TOWN CLERK

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Phone: 978-640-4355

Fax: 978-851-8610

dgraffeo@tewbury-ma.gov



Finance Committee Chairman, David Aznavoorian motioned to Adjourn the October 4, 2016 Special Town Meeting Sine Die, and this motion was Adopted. 8:12 PM 10/4/16

RESPECTFULLY SUBMITTED:
DENISE GRAFFEO, TOWN CLERK