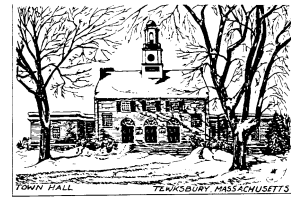


# Town of Tewksbury

TOWN HALL  
1009 MAIN ST  
TEWKSBURY, MASSACHUSETTS 01876

## OFFICE OF TOWN CLERK



Phone: 978-640-4355

Fax: 978-851-8610

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

DENISE GRAFFEO, CMC/CMMC  
TOWN CLERK

Tewksbury Memorial High School  
320 Pleasant Street  
Special Town Meeting  
October 6, 2020

Moderator Todd Johnson called to order the October 6, 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 Tuesday, October 6, 2020, there were 73 voters and 7 visitors in attendance.

Moderator Johnson made the following introductory comments:

*The hour of 7:00 PM having arrived, and a quorum of voters being present, it is my distinct pleasure to call to order the 2020 Town of Tewksbury Fall Special Town Meeting. My name is Todd Johnson and I am honored to serve as your Town Moderator this evening.*

*These continue to be 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:*

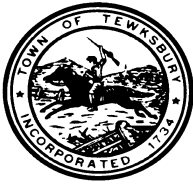
- *Voters are strongly advised to either wear a mask or facial covering at Town Meeting. A limited supply of masks is available in the check-in area for anybody that needs one.*
- *Hand sanitizer has been placed at the entrance and exit of the building.*
- *All areas have been suited for a one-way traffic 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.*

To honor our Nation and our flag, Moderator Johnson led the Assembly in the Pledge of Allegiance and a Moment of Silence to remember all those affected by the Coronavirus, especially those throughout our country, and here locally who have succumbed to the virus.

*Once again ladies and gentlemen, welcome to your 2020 Fall Special Town meeting. I ask now that everyone take a moment to 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.*

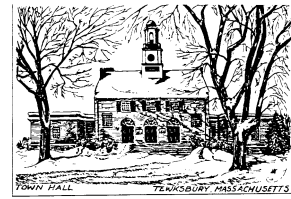
*As we begin our meeting, I want to take a moment to talk about our ground rules. Town Meeting is the legislative body for our community, where we work together to debate the merits of the articles within the warrant before you. Please take a moment to refer to the Glossary of Terms at the back of your 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.*



# Town of Tewksbury

TOWN HALL  
1009 MAIN ST  
TEWKSBURY, MASSACHUSETTS 01876

## OFFICE OF TOWN CLERK



Phone: 978-640-4355

Fax: 978-851-8610

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

DENISE GRAFFEO, CMC/CMMC  
TOWN CLERK

*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.*

*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 on your time by tapping the podium. When you hear tapping, it is your signal to wrap up your remarks.*

*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 there are proposed amendments to an article, we will take action and vote on the amendments 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 containing the articles we will be discussing tonight, a handout with the Finance Committee 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.*

*I want to call your attention to the Supplemental Handout for information on a scrivener's error in Article 6:*

*Article 6: In the first paragraph, fourth line, "Amendments" should be capitalized. Also add "the" before "Massachusetts" and in last paragraph, first line after the word "laws" "a" should read "as."*

*In addition, I anticipate that an amendment will be offered to Article 5 as follows:*

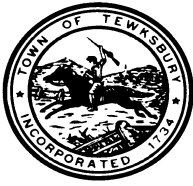
*(Deleted language shown with strikethrough and added language in bold)*

*Article 5: To see if the Town will vote to transfer the sum of ~~money~~ **\$1,855,815** from certified General Fund Free Cash to the Town Stabilization Fund; or take any other action relative thereto.*

*I will point these out again when we take up the respective articles, but wanted to give you all forewarning on these changes.*

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

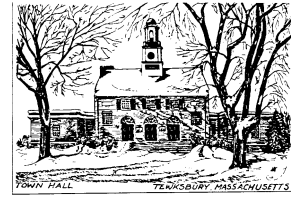
*Counters – please go to your sections. Ladies and gentlemen – please take note of the counter for your section. When we do a standing count it is important that no one be standing in the gym and there will be no entering or*



# Town of Tewksbury

TOWN HALL  
1009 MAIN ST  
TEWKSBURY, MASSACHUSETTS 01876

## OFFICE OF TOWN CLERK



Phone: 978-640-4355

Fax: 978-851-8610

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

DENISE GRAFFEO, CMC/CMMC  
TOWN CLERK

*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.*

*Is there 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.*

*Sitting up here to my left and right are the various boards of the Town with elected and appointed members such as Selectmen, Town Counsel, Planning Board, Board of Health, Department Heads, Finance Committee, School Committee, Library Trustees, Shawsheen Tech School Committee, and Housing Authority.*

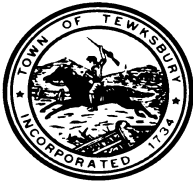
*Let me introduce Mr. Rob Kocsmiersky, the Chairman of the Finance Committee. The sole job of the Finance Committee is to advise Town Meeting. Mr. Kocsmiersky will present motions on most articles, except where a petitioner, or another board, is the appropriate party.*

Finance Committee Chairman, Robert Kocsmiersky, motioned to Waive the Reading of the Warrant Articles, and this motion was Adopted Unanimously 7:10 PM 10/6/20

*Mr. Kocsmiersky, may I now have a motion to allow non-resident elected officials, committee members, and town employees to speak on issues when recognized by the Moderator?*

Finance Committee Chairman, Robert Kocsmiersky motioned to admit Assistant Town Manager Steve Sadwick, Fire Chief Mike Hazel, Superintendent of Schools Chris Malone, School Business Manager Dave Libby, DPW Superintendent Brian Gilbert and Town Engineer Kevin Hardiman, and other non-resident employees to speak to answer residential questions, and this motion was Adopted Unanimously 7:12 PM 10/6/20

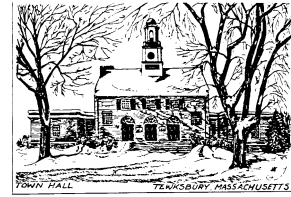
---



# Town of Tewksbury

TOWN HALL  
1009 MAIN ST  
TEWKSBURY, MASSACHUSETTS 01876

OFFICE OF TOWN CLERK



Phone: 978-640-4355

Fax: 978-851-8610

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

DENISE GRAFFEO, CMC/CMMC  
TOWN CLERK

## APPROPRIATION CERTIFICATE – SPECIAL TOWN MEETING – OCTOBER 6, 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 October 6, 2020.

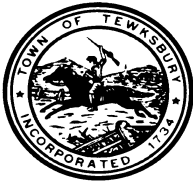
ARTICLE		RAISE & APPROPRIATE	TRANSFER FROM FREE CASH	TRANSFER FROM OTHER AVAILABLE FUNDS	MEMO
1	FY21 DEPARTMENTAL BUDGETS			525,442.00	TREASURER UNCLASSIFIED PRINCIPAL MATURING DEBT
2	REDUCE FY21 BUDGET	(839,533.00)			
3	OUTSTANDING FY20 BILLS	79,472.35			
4	SIDEWALK DESIGN		850,000.00		
5	STABILIZATION FUND		1,855,815.00		
<b>TOTALS</b>		<b>(760,060.65)</b>	<b>2,705,815.00</b>	<b>525,442.00</b>	

**Raise & Appropriate (\$760,060.65)**

**Transfer From Free Cash \$2,705,815.00**

**Transfer From Other Available Funds \$525,442.00**

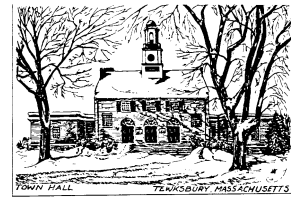
ATTEST: DENISE GRAFFEO  
TOWN CLERK



# Town of Tewksbury

TOWN HALL  
1009 MAIN ST  
TEWKSBURY, MASSACHUSETTS 01876

## OFFICE OF TOWN CLERK



Phone: 978-640-4355

Fax: 978-851-8610

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

DENISE GRAFFEO, CMC/CMMC  
TOWN CLERK

### ARTICLE 1

To see if the Town will vote to transfer funds into the Following FY2021 Departmental Budgets; or take any action related thereto:

Department and Line Item	Account Number	Budget Shortfall
Sick Leave Buy-Back	1002191-5170	\$120,000
Town Manager Operating Professional Services	1011232-5310	\$27,500
Town Clerk Operating Office Supplies	1011612-5420	\$800
Administrative Services Postage	1011532-5345	\$30,000
Elections and Town Meetings Salaries Temporary Part-Time	1011621-5120	\$19,500
Elections and Town Meetings Salaries Overtime	1011621-5130	\$4,500
Elections and Town Meetings Operating Office Supplies	1011622-5420	\$5,000
Police Department Capital Outlay	1012103-5819	\$100,000
Town Facilities and Grounds Repairs and Maintenance	1096302-5240	\$36,600
Town Facilities and Grounds Capital Outlay	1096302-5833	\$50,000
Town Unemployment	1109132-5750	\$5,000
School Unemployment	1053002-5750	\$75,000
Street Lights	1064242-5210	\$51,542
<b>Total Shortfall</b>		<b>\$525,442</b>
Department and Line Item	Account Number	Budget Surplus
Treasurer Unclassified Principal Maturing Debt	1127102-5910	\$525,442
<b>Total Surplus</b>		<b>\$525,442</b>

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$525,442 for the purpose of the article

Vote: Article 1 was Adopted Unanimously 7:12 PM 10/6/20

**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 reduce the following FY21 Budget Line Items in the following FY2021 Departmental Budgets; or take any action related thereto:

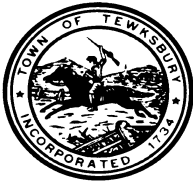
Department and Line Item	Account Number	Amount
Treasurer Unclassified Interest Maturing Debt	1127512-5915	\$564,975
Treasurer Unclassified Principal Maturing Debt	1127102-5910	\$274,558
<b>Total Surplus</b>		<b>\$839,533</b>

Town Manager

Motion: The Finance Committee motioned to Adopt; reduce budget line items by \$839,533

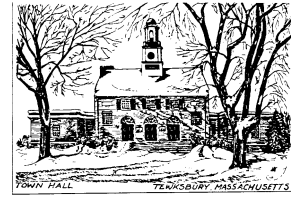
Vote: Article 2 was Adopted Unanimously 7:13 PM 10/6/20

**Executive Summary:** This article reduces funds from budget line-items to allow the FY21 Budget to be balanced.



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

### ARTICLE 3

To see if the Town will vote to raise and appropriate the sum of \$79,472.35 to pay for the following outstanding bills from the previous year; or take any other action relative thereto.

Middlesex Retirement	\$ 9,265.23
Charles J. Zaroulis	\$ 2,328.33
Unemployment Tax Management Corporation	\$ 61,048.22
National Grid Electric	\$ 5,313.89
Big Top Party Rental	\$ 613.00
The Country Press	\$ 903.68
<b>Total</b>	<b>\$ 79,472.35</b>

Town Manager

Motion: The Finance Committee motioned to Adopt; raise and appropriate \$79,472.35 for the purpose of the article

Vote: Article 3 was Adopted Unanimously (9/10 Required) 7:14 PM 10/6/20

**Executive Summary:** According to M.G.L. c. 44 § 64, bills that are late must be approved by Town Meeting before payment. This article authorizes the charges to be paid.

### ARTICLE 4

To see if the Town will vote to transfer from the certified General Fund Free Cash \$850,000 to be expended by the Town Manager to fund Sidewalk design, installation and improvements; or take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$850,000 for the purpose of the article

Vote: Article 4 was Adopted Unanimously 7:18 PM 10/6/20

**Executive Summary:** This article transfers certified free cash for specific one time capital expenditures.

### ARTICLE 5

To see if the Town will vote to transfer the sum of money from certified General Fund Free Cash to the Town Stabilization Fund; or take any other action relative thereto.

Town Manager

Motion: Town Manager, Richard Montuori motioned to Amend Article 5  
The Finance Committee motioned to Adopt Article 5 as Amended, transfer \$1,855,815 for the purpose of the article

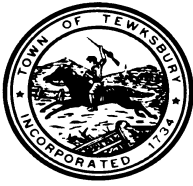
Vote: The Amendment was Adopted 7:19 PM 10/6/20  
Article 5 was Adopted as Amended Unanimously 61 Yes/0 No (2/3 Required) 7:22 PM 10/6/20

**AMENDMENT:** To see if the Town will vote to transfer the sum of ~~money~~ \$1,855,815 from certified General Fund Free Cash to the Town Stabilization Fund; or take any other action relative thereto.

**ARTICLE 5 AS AMENDED:** To see if the Town will vote to transfer the sum of \$1,855,815 from certified General Fund Free Cash to the Town Stabilization Fund; or take any other action relative thereto.

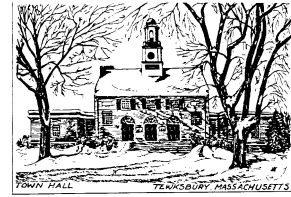
**Executive Summary:** This article seeks approval to set aside these funds in the Stabilization Fund to be used for future emergencies or one time purchases or projects.





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

### ARTICLE 6

To see if the Town will vote to transfer to the Tewksbury Conservation Commission, to be held under the care, custody and control of the Conservation Commission for conservation purposes, for the promotion and development of natural resources, and for the protection of the watershed resources of the Town of Tewksbury, under the provisions of M.G.L. c. 40 §8C, as it may hereafter be amended and of Article XCVII (97) of the Articles of the Amendments to the Massachusetts Constitution, the following parcels of land

Address	Assessors Map and Block	Parcel Acreage	Parcel Designation Use
900 Chandler Street ("Chandler Well Fields")	43-84	118.11	Passive
Behind 170 Judith E Drive	57-239	25.55	Passive
Off Patricia Drive	71-21	14.25	Conservation
Whipple Road ("Long Pond")	31-10	1.1	Active

And, further, to authorize the Board of Selectmen to petition each branch of the General Court to enact such laws as required by said Article XCVII (97), or take any other action relative thereto.

Town Manager

The Moderator noted the following Scrivener's Error in Article 6 of the Warrant - and there were no objections:

In the first paragraph, fourth line, "Amendments" should be capitalized. Also add "the" before "Massachusetts" and last paragraph, first line after the word "laws" "a" should read "as."

Motion: The Finance Committee motioned to Adopt

Vote: Article 6 was Adopted Unanimously 61 Yes/0 No (2/3 Required) 7:25 PM 10/6/20

**Executive Summary:** The purpose is to place the parcels under the control of the Conservation Commission to promote and protect en perpetuity watershed resources, open space, and wildlife habitat.

---

Finance Committee Chairman, Robert Kocsmiersky, motioned to Adjourn the October 6, 2020 Special Town Meeting Sine Die, and this motion was Adopted. 7:25 PM 10/6/20

RESPECTFULLY SUBMITTED:

DENISE GRAFFEO, TOWN CLERK