

Chairmen Gill called the meeting to order 7:00 PM at the Town Hall Auditorium with members Charles Coldwell, Joseph Gill, John Mackey, Jerome Selissen and John Ryan present. Town Manager Dave Cressman, Town Counsel Charles Zaroulis and Recording Secretary Heather Tecce were also present.

Police Dept. Budget

Chief Donovan and Deputy Chief Layne appeared before the Board presenting their department budget for FY07. Mr. Mackey asked if your budget needed to be cut by 10% what cuts would you have to make? The Chief replied this would have devastating effects. He could have to close down the Midnight Shift and there would be no specialty services, including drug officers, this would be a public safety issue. Mr. Ryan said this Board would not allow a roll back or cut of any officers.

Fire Dept. Budget

Chief Mackey, Capt. Ryan, Rick Hamm and Al Vassas appeared before the Board to present their department's budget for FY07. Chief Mackey reviewed the importance of the North Street Station. Mr. Ryan said we will not let the North Street Fire Station close. Mr. Coldwell is glad to hear that he is still trying to fully staff the South Station. Mr. Selissen would like to have projection of revenues and also if there is any long-term plan for the Shawsheen and East due to railroad. He suggested maybe talking with railroad about alarms on the gates. Mr. Mackey asked where a 10% cut would come from; Chief Mackey replied all cuts would have to come from salaries. Mr. Ryan said with 600 new units in North Tewksbury we should be thinking about increasing the staff not cutting down. Rick Hamm spoke about the two public programs; (1). File for life (2) Adopt a Hydrant Program

Independent Audit

Appearing before this Board was Donna Walsh, Richard Sullivan and Romena Mali. Mr. Sullivan highlighted the report and it being consistent with the last 4 years. He cautioned about using one-time reserves. Mr. Selissen received clarification of public safety seemed to go down \$900,000.00 but it is only because of way it is disbursed. Mr. Ryan, this Board and Mr. Sullivan agreed that FY08 balancing would be quite difficult.

DPW Budget

Appearing before this board was Toma Duhani, DPW Superintendent to present his department's budget. He would like the DPW to become a proactive entity rather than reactive. Mr. Duhani has put in requests for several items and positions needing to be filled to make this department run properly. Mr. Ryan said that the subcommittee would continue to work with the Town Manager to get this department what it needs. Mr. Selissen has concerns about the Enterprise Fund. Mr. Gill asked the Town Manager to present this board with clarification at the March 21, 2006 meeting to alleviate any confusion about the Enterprise Fund. Mr. Coldwell agreed the DPW is currently understaffed. Mr. Mackey asked what effect a 10% cut would have in your budget? Mr. Duhani said this would have a huge effect and we couldn't take any more cuts.

J.Rags - Hearing

Chairman Gill read the public notice. Appearing before this board is Robert Pendergast, his Atty. Richard O'Neill, Chief Donovan and Detective Harrington. Atty. O'Neill began by stating that the issues are in the parking lot not the bar itself and that he and his client have sat down with Chief Donovan and have agreed to get a detail on Friday and Saturday night between the hours of 9:30 PM and 1:30 AM. Atty. Zaroulis received clarification that the owner would stipulate that the facts in the police report are in fact the case and an evidentiary hearing will not be necessary. There was discussion about a smoke shop no alcohol allowed to keep patrons inside. Jim Morello of 24 Colonial Drive requested that the detail be present on Thursday nights also. Atty. O'Neill said that this would not be possible. Chief Donovan said it would be possible to change to Thursday and Friday instead of Friday and Saturday. Atty. Zaroulis advised this Board not to give an opinion because they are in the middle of a hearing. Mr. Ryan thinks the establishment should be able to operate without a detail. Mr. Selissen asked if possible for exiting traffic to be forced to take a right not a left onto Colonial.

Motion by Mr. Coldwell second by Mr. Mackey to continue until 7:30 May 16, 2006 after a detail has been there on Thursday and Fridays from 9:30 PM to 1:30 AM for eight week period of time and the board voted unanimously.

Car Nation - Change of d/b/a

Appearing before this board was Jorge Noya, President requesting Change in D/B/A. There was some confusion of what was on what property address at 2185 and 2195 also a resident David Gay had brought some pictures of what appears to be the beginning of a junkyard behind one of the properties. This board is requesting that the Building Commissioner survey the property and report back to this board as so they can decide on DBA. Motion by Mr. Ryan second by Mr. Selissen to continue until March 21, 2006 at 8:45 PM and the board voted unanimously.

Residents

Elise Howell appeared before this board stating that she felt the new cell tower in South Tewksbury is a disgrace and she has submitted a letter.

Jackie Leszczak Stone representing the Garden Club in brief the Club is appalled at the construction of the new cell tower and she submitted a letter.

Labor Counsel Invoice

Motion by Mr. Ryan second by Mr. Selissen to pay invoice of Feb. 2, 2006 and the board voted unanimously.

NIMS

Motion by Mr. Ryan second by Mr. Mackey to move that the Town of Tewksbury adopt the principals and policies of the National Incident Management System (NIMS) as the local standard for incident management, and as such, adopt the Incident Command System as the Town of Tewksbury's official incident response system and the board voted unanimously.

Alarm Systems

Motion by Mr. Mackey second by Mr. Coldwell to approve (later withdrawn)
Mr. Selissen asked for clarification whether or not the actual fee should be in the By-law.
Atty. Zaroulis will look at the statue and get back to the board March 21, 2006.

Police Officer Appointments

The following intermittent Police officers are now appointed as permanent Police Officers, James Biewener, Robert Bjorkgren, Douglas Pratt, Joseph Kelley, David Godin, Mark Harrington, Dennis Peterson, Brian Farnum and Brian O'Neill.

East and Chandler Traffic Lights

If Chapter 90 will not pay for the light correction Town Manger will seek a Reserve fund transfer of \$2900.00 to accomplish this.

South Street Station Cell Tower

Mr. Coldwell excused himself from the table and any discussion. Mr. Cressman gave a report on the chronological order of the events leading to construction of South Street Cell Tower. Motion by Mr. Mackey second by Mr. Ryan that if and when the town receives another application array to have the tower moved to somewhere else on the property and the board voted unanimously.4 in favor (Mr. Coldwell did not vote).

Towing Admin Fee

Motion by Mr. Ryan second by Mr. Selissen to table and bring back shortly with a recommendation to the board and the board voted unanimously.

Youth Baseball

Mr. Cressman spoke on the Youth Baseball Association Supplemental and this board requested if be put on the TV Community Page and the School TV Page.

DPW Employee/Police Dept.

Mr. Cressman reported that there was a leak on Andover Street and that the DPW and Police Dept worked with very difficult conditions to get this completed over the past couple of days.

Executive Session

**Superior Officers Negotiations
IBPO Negotiations**

Reports

Mr. Selissen reported that there would be a Water/Sewer meeting March 1, 2006 with 800 Residents.

Mr. Coldwell thanked the DPW and Police for the good job with the leak on Andover Street.

Read Across America

Motion by Mr. Coldwell second by Mr. Mackey to approve and sign proclamation and the board voted unanimously.

Dunkin Donuts

Motion by Mr. Ryan second by Mr. Selissen to approve Common Victualler License and the board voted unanimously.

Fresh Express

Motion by Mr. Mackey second Mr. Coldwell to approve Common Victualler License and the board voted unanimously.

Piezano's Pizzeria

Motion by Mr. Mackey second Mr. Coldwell to approve Common Victualler License and the board voted unanimously.

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Community Preservation Act

Motion by Mr. Mackey second by Mr. Coldwell to approve the ballot question and the board voted unanimously.

The next Board of Selectmen meeting will be March 7, 2006 at 7:30 PM Town Hall Auditorium

Motion by Mr. Ryan second by Mr. Selissen at 10:40 PM and unanimously voted to go into Executive Session. Polled all yes.

John R. Mackey, Clerk