

Chairman Coldwell called the meeting to order 7:30 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.

Notes to be signed

Janet Smith, Treasurer and Donna Walsh, Finance Director appeared before the Board to have the Borrowing Notes signed. Donna Walsh briefed the Board about the “State House Note”. The total amount of notes signed was \$573,941.00. The Board members signed notes.

Recycling Committee – Annual Update

Appearing before this Board was Kristina Rogers, Marcy Rizzo, Sandy Barbeau. Loretta Ryan and Shawn Czarniecki members of the Recycling Committee to present their annual report, highlighting Environmental Day, Monthly Collections, Scholarship Award, School Recycling, State Grants and Projects currently under construction. Clarification was received that the amount (10%) Tewksbury recycles is percentage of weight not homes. This Board was in agreement that they have done a good job and thanked them for their continued effort.

Resident – No one appeared

Labor Counsel Invoice

Motion by Mr. Selissen second by Mr. Ryan to approve labor counsel invoice and the Board voted unanimously.

Sewer Contract #30

Motion by Mr. Selissen second by Mr. Ryan to sign and approve Order of Taking – Sewer Easements Phase 9 Contract #30 and the Board voted unanimously.

Minutes

Motion by Mr. Gill second by Mr. Ryan to approve minutes of 10-17-06 with a change on page 7 to Kevin Donnelly from Kevin Donahue and the Board voted unanimously.

Road Race

Motion by Mr. Ryan second by Mr. Gill to approve the 10th Annual Run A Pleasant Mile and the Board voted unanimously.

Board Members

Mr. Gill to the Town Manager with a winter storm arriving tomorrow are the generators and possible shelter ready for resident? The town managers reported yes.

Mr. Gill requests opinion from Town Counsel: **Motion** by Mr. Gill second by Mr. Selissen for Town Counsel's opinion on the land whether it was deeded to the Town and not Library Trustees and the Board voted unanimously.

Martino's Pasta Grill

Appearing before this Board was Richard Losanno and Wayne Pastel representing Tusk, Inc. DBA Martino's Pasta Grill. They are requesting change of hours to restore license until 1:00 AM closing. Attorney Zaroulis explained that since the ABCC ruling is not back yet it is suggested to Tusk, Inc. to withdraw or to have continued. This board can vote tonight deny or continue. Tusk was granted a brief recess to discuss. Tusk wishes to go forward tonight and have the Board vote on the modification of their license. Tusk explained that during the 5 years Mr. Losanno held the license it was without incident. They continued to explain the huge financial burden and it is necessary to promptly resolve this matter. Mr. Losanno will be meeting with the neighbors within 60 days of reopening. Mr. Ryan sees no sufficient reason to change. Mr. Selissen would like to see the ABCC resolution first. Mr. Gill presented a letter with over 30 residents signatures who oppose the request to change. He also received confirmation from Mr. Losanno that if the license is not changed back to 1 AM it would be financially impossible to reopen. Mr. Coldwell suggested that meeting with the residents should have been done prior to now and not 60 days after reopening.

Attorney Zaroulis explained the Boards options; modify, deny modification or continue until the March 2007 meeting. **Motion** by Mr. Ryan, second by Mr. Gill to deny change of license change and the Board voted unanimously.

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Motion by Mr. Gill, second by Mr. Ryan to authorize Assistant to Town Manager to post notice of public hearing for the remand hearing and DBA Notification Hearing Number 138 section 12 Public Need for Hours of Establishment at 1721 Main Street. This Board voted unanimously.

The next Board of Selectmen meeting will be March 6, 2007 at 7:30 PM Town Hall Auditorium

Motion by Mr. Gill second by Mr. Selissen at 8:45 PM and unanimously voted to adjourn.

John Ryan, Clerk