

**BOARD OF SELECTMEN**  
**Meeting Minutes**  
**October 23, 2007**

Chairperson Jerome Selissen called the meeting to order at 7:05 PM. Present at the meeting were Anne Marie Stronach, Clerk; and Board Members, David Gay and Edward Dick. Todd Johnson, Vice Chair, was unable to attend tonight's meeting.

**1. Planning Board—Appointment of a Member**

Three individuals have applied for this position. They were Hugh Fitzpatrick of 40 Prospect Hill Drive, Scott Padden of 361 Whipple Road, and Sal Torname of 55 Leisa Drive.

Mr. Selissen called Mr. Fitzpatrick forward to speak. Mr. Fitzpatrick noted as a resident and as a real estate attorney in town, he would offer his experience in real estate and a fresh new perspective to the Planning Board. His past experience on the Conservation Commission would be useful to the board as well. Mr. Dick asked how long Mr. Fitzpatrick served on the Conservation Commission, and Mr. Fitzpatrick's response was approximately six months as a member had resigned and he took this place for the remainder of the term. No other members had questions.

Mr. Selissen then called Mr. Padden forward to speak. Mr. Padden noted he is a current resident in Tewksbury, and has past experience on the Planning Board in Everett, of which he was appointed by the Mayor. He was also part of the School Building Commission from 2002 to 2003, which was subsequent to building problems in Everett at that time and he helped to resolve many of those issues. Mr. Padden felt he had good experience to bring to the board. Mr. Gay asked how long Mr. Padden was on the Planning Board, and Mr. Padden responded one year. Mr. Selissen asked how long he was a resident, and Mr. Padden responded four years. No other members had questions.

Mr. Selissen finally called Mr. Torname forward to speak. Mr. Torname noted he has been a resident for many years, and has been a member of the Conservation Commission for 14 years. He was also the Planning Board Chair in Lawrence. He stated he is actively involved in the town and is looking for a change in serving the town, which moving to the Planning Board would be a natural progression. Mr. Dick had no questions, but commented that he observed Mr. Torname on the Conservation Commission, and felt Mr. Torname had reputation of digging for answers to help an issue at hand rather than put up "roadblock". Mrs. Stronach agreed with this comment, and also noted Mr. Torname's strengths in cost analysis. No other members had questions.

The Planning Board in its entirety came forward. Present were Robert Fowler, Chair; David Plunkett, Vice Chair; Vincent Spada, and Nancy Reed. Mr. Selissen asked the Planning Board to choose someone they feel comfortable working with, as this new member will be on the board for six months, and then will have to run for reelection if desired. The Planning Board has the Selectman's full support on how they wish to proceed.

Mr. Fowler stated he felt there are three very good candidates before them as all of these individuals bring particular qualities to the Planning Board. Mr. Fowler was concerned about the problems with the Conservation Commission as there are members who don't attend the meetings, and he hoped the Selectmen would look into resolving that issue, as if Mr. Torname was selected he would not want to upset that board. Currently, Mr. Torname is acting as Chairperson of the Conservation Commission.

Mr. Plunkett stated he felt it was a good sign to have applicants to choose from, and also commented on the qualities each individual could bring to Planning. He too was concerned about the impact on Conservation with Mr. Torname's application, but felt with 14 years experience and other Planning Board experience; he should be given the opportunity as presented tonight to take on this challenge.

Mrs. Reed commented that Mr. Torname could bring his experience in working on the Master Plan Committee, as many of those projects are being executed presently. She too was concerned about the future of the Conservation Commission. She reminded the public, there is allot of opportunity to serve the town and hoped residents would consider volunteering.

Mr. Spada felt there were three very good candidates as well. He would be looking at the experience of the three candidates in evaluating who would be the best choice. Mr. Torname has had several years experience serving the town. He too had been in Mr. Torname's position in wanting a new challenge to serve the town on a different board, and understood Mr. Torname's desire to move on.

Mr. Selissen requested for a vote from the Planning Board for their candidate; and a second from the Board of Selectmen. Mr. Fowler agreed.

**MOTION: Mr. Fowler made the motion for a nomination to the vacancy in the Planning Board. Mr. Spada made the motion to nominate Mr. Sal Torname, and Mrs. Stronach seconded, and the motion carried 8-0, unanimously between the Planning Board and the Board of Selectmen.**

Mr. Carey came forward to request a point of procedure that each individual member should be polled for their vote. Mr. Selissen agreed and polled the voters. In a roll call vote Mr. Spada, Mrs. Reed, Mr. Plunkett, Mr. Fowler, Mrs. Stronach, Mr. Dick, Mr. Gay, and Mr. Selissen all vote in favor of Mr. Torname's nomination to the Planning Board.

*The Board recessed for 5 minutes.*

When the board returned to session Mr. Selissen, Mrs. Stronach, and Mr. Gay all congratulated Mr. Dick on his election to the Board of Selectmen.

Mr. Selissen explained the previous portion of the meeting was not recorded, however he wanted to announce to the public that Mr. Sal Torname has been unanimously voted to the Planning Board through April 2008.

## **2. I-93/Simon – Update**

Mr. Rod *Vosper*, Vice President of New Development with Simon Property Group located at 115 West Washington Street, Indianapolis, IN was present as well as Mr. Steve Sadwick, Director of Community Development. Mr. Selissen asked for an update on Simon's intent for the project going forward. He also noted that the town had a very good relationship with the previous developer for this project, and he hoped the same level of communication would be possible for this project. Mr. Vosper explained Simon is very interested in expanding its property to the Boston area. They are not in a position today to layout a project proposal. He did bring some information on Simon Property Group complete with information from some of their recent projects, and although the look of the project would be different in the Northeast; the company feels confident there is a tremendous opportunity for a mixed use development at this location. A closing on the property has not yet taken place, and they are optimistic it will happen before year end. Considerations have been made to an open-air retail space and to hotel/office and potentially residential if it makes sense for zoning. Simon is looking forward a great working relationship with Tewksbury.

Mr. Selissen was very interested in a good working relationship with Simon. Mr. Dick, Mr. Gay, and Mrs. Stronach all welcomed Simon as this is a wonderful opportunity for the town, and they would hope the same type of high-quality project would come forward. Mrs. Stronach confirmed whether this is the same project as what Mills Corporation had proposed. Mr. Vosper agreed and stated Mills Corporation had a very unique product that Simon is not in the business of designing. Simon is more about full-line retail rather than outlet stores.

Mr. Selissen added there is allot of interest in the community for this project. He requested Simon to come back in January or February of 2008 to give another update. Mr. Sadwick suggested there be a subcommittee for zoning changes between the Planning Board and the Board of Selectmen, as this would need to be done in time for the warrant for the Annual Town Meeting in the Spring of 2008. The warrant closes in January. He added since the last Board of Selectmen's meeting, there have been five meetings regarding the interchange development area. A great deal of this land has been associated with the environmental impact report. Mass Highway has selected a consultant to put this together for the interchange so money is in place and studies of this area are moving forward. Mr. Cressman agreed for a subcommittee to be put together. Mr. Selissen asked to have Mr. Cressman as a representative for the Board of Selectman, and requested Mr. Fowler (who was in the audience) to select his representative for the next session.

## **3. Hanover Group. Lodge at Ames Pond – Update**

Mr. Richard O'Neill, Mr. Brandt Bowden, and Mr. David Hall all represent the Hanover Company. Mr. Bowden reported Hanover is currently in the process of negotiating with REF. It has been a very successful zoning process with the town. At the end of the approval process, the project was appealed by REF on access issues. All parties are operating in good faith on the issues at hand, and are looking to have an agreement and resolution within the next 30 days. Hanover does need to have Mass Housing approval which is a 45-day process. They would like to submit this request for approval prior to the appeal being adjudicated to

speed up this process. Civil engineers are almost finished with drawings, and the architect is within a couple months of completing the full architectural drawings. If all goes to plan, the project will begin in January of 2008. With many decisions waiting for resolution, this date could be pushed off, but it is the intention of Hanover to begin within the first quarter of 2008.

Mr. Dick requested an overview package for him to review and get up to speed with the recent events. Mr. O'Neill agreed to supply this information from history to an update of where the project is today, as many of the current members are new to the Board. He stated this is a high quality project, and Hanover has been very cooperative in delivery an outstanding project, especially in still continue to work on all aspects within the appeal process with REF. Mr. Dick suggested more communication needs to be made available to the public, as there are alot of concerns about this project. There really needs to be an education process for all. Mr. O'Neill agreed to make that happen. Mr. Gay asked how many units are going to be credited to the affordable housing inventory. Mr. Bowden stated 25% of the 364 units are affordable. The town will receive a 10% credit by the state on all 364 units. Mr. O'Neill stated 49% of the units are one-bedroom, 40% of the units are two-bedrooms, and 10% are three-bedrooms. Mr. Gay asked how close that brings Tewksbury to their quota. Mr. O'Neill stated Mr. Sadwick would have the exact numbers, however he estimated it would double the current allotment; however because this project was 300+ units the town receives the right for the next two years to select which of the 40B projects applied for will be permitted. Mr. Selissen requested a white paper from Mr. Sadwick to give the board a white paper on the breakdown of the how the credit towards affordable housing will work. Also, he requested after January 1 for the delegation to come to a board meeting to discuss revisions to 40B.

Mr. Dick asked if Hanover is keeping in contact with the abutters. Mr. Bowden expressed the major abutters are not residential, and they are in touch with the business owners in the area. Mr. O'Neill stated there is very much natural capacity to maintain and preserve with this project and the developers will be looking to preserve it as much as possible.

#### **4. CDM - Update**

Michael Walsh, Vice President; Michael Guidice, Associate and lead design engineer; and Michael Retzky, who is heading up field activities for the sewer program. Mr. Walsh began by stating tonight's presentation is focusing on cost of the program. The reason for this is the "perfect storm" of cost factors, many of which have hit the construction industry and together cause a dramatic effect. Pipe has been put in the ground on a fast track schedule within a short period of time. This part of the project is staying on schedule; and 800 additional connections will be in place by the end of next month. On the upside residents are able to connect to sewer readily, and many residents are still connecting into the system from older projects. The problem the project is having is cost. There are several factors contributing to this situation, they are 1) the way pricing estimates are determined due to the rise of cost of construction in the last couple of years; estimates were reasonable to carry as prices were predictable at a standard rate of a 4% increase; 2) energy costs have doubled which immediately effects materials especially asphalt; 3) material demand rising, and 4) hurricanes hitting plants that produce PVC resin for the pipes in the program. When the project began

in April of 2003 costs were at \$100 per foot and projected them to increase at 4% per year, however, the actual increase has been closer to 8%. It was hoped this was a spike in pricing and the rates would come down somewhat, but with subsequent bid opening we have realized this is a new clear trend going forward.

Another major factor in the increase in cost is the rock quantities. As pipe is being laid in the ground there has been an increase in rock and ledge in the ground. In estimating what the cost for this would be, CDM looked at contracts 2 to 20 and used this as a benchmark. Apparently in constructing the project in the western part of Tewksbury there has been an increase in the amount of shallow rock, due to this area being just different geologically, which could not have been predicted.

Lastly, unplanned water main replacement required for sewer installation has been higher than normal. Tewksbury has had many old water mains that have been difficult to save with pipe conflicts. Typically a project estimate for water main replacement is around 3%; however, in Tewksbury's case it has been at 6% which is \$1.8M in unpredicted costs. Mr. Walsh also noted that Town Meeting has approved funding for a number of water main replacement projects, all of these have been completed. This unexpected cost is independent of these approvals—this is water main work that needs to be completed in order to put pipe in the ground.

Additional improvements have utilized budget contingencies, as it made sense to do these individual projects. These improvements include addition of sew pipe to eliminate existing pump stations, railroad track improvements, DPW garage sewer service, services for Rocco Landfill, Shady Lane access road and water upgrade, and additional paving/road improvements. These costs totaled \$2.6M. The paving/road improvements are not a usual cost, however there were several instances where improving the road made sense to do road reconstruction instead of an overlay.

Because of the above factors, in order to complete the program as originally envisioned, it would cost Tewksbury \$98.6M of which \$81.2M was appropriated, leaving a \$17.3M deficit in the program. The \$17.3M will be used to complete the project in Phase 11. Construction prices are approximately \$20M higher than predicted. The engineering for the project is on budget. The contingency funds are over \$3.5M.

Mr. Walsh further explained there is an idea the Board could consider is to bid the three remaining contracts for Phase 11 and by next May will have actual costs to complete this phase. If this is done, then the Board can go to Town Meeting with actual numbers to request to continue the project. He then opened up to hear feedback from the Board.

Mr. Selissen asked why it took so long to figure this out. Mr. Walsh explained as stated in his graphs shown this was due to costs rising higher than projected, and reminded Mr. Selissen this is not a spike in price, but a new trend in price. Mr. Walsh also stated CDM knew in February when bids opened on Contract 31 that cost was going to be a bigger problem than anticipated. Also, the unexpected rock was discovered just this past construction season. Mr. Selissen said he was concerned that oil prices have not sustained

and are still rising. Given this fact, what costs does CDM anticipate moving forward, as this report is an estimate of cost to complete the project? Mr. Walsh agreed that anything could affect the cost of completion, but in bidding the last phase, real numbers can be produced. Mr. Selissen concluded he was disappointed it took CDM so long to get to this point.

Mrs. Stronach asked what would happen to the sewer rate if \$14M was borrowed to pay for the deficit. She felt given what the town is looking at for a deficit town wide for this year in addition to this deficit, things are quite frightening. She is also concerned with more rock ledge being discovered. Lastly she asked if there will be more additional improvements to be made. Mr. Walsh commented the additional improvements would be under the planned budget. He also stated that subsurface explorations have taken place in the areas left to put in pipe in Tewksbury, and these areas are not as bad as the preceding work. Mrs. Stronach asked if this subsurface exploration had been done in the previous contract. Mr. Walsh responded stating his company used previous contracts (Contracts 1 to 20) to estimate these costs. At the time the estimates were taking place, the town was not in a position to spend money on surveys, etc. for this work so the estimates were based on paper history and CDM's experience in doing this work in the surrounding communities.

Mrs. Stronach asked what the Sewer Advisory Committee stood on their recommendation. Mr. Selissen asked Mr. Dunfey to come forward. Mr. Dunfey clarified there are two committees, the Water Rate Sewer Committee and the Sewer Advisory Committee, and he is not the Chair for the Sewer Advisory Committee; however it was his understanding that committee members understood what happened and because the town is into the project, there are very few options except to proceed; and to stop the process would not be favorable, as many residents will see a major jump in their current rate. If the project waits, then the deficit will increase due to inflation. Mr. Dunfey's opinion was to proceed with a known projected deficit and stay on top of costs going forward. The rate subcommittee will meet Friday, October 26<sup>th</sup> on how best to move forward, and the committee is anticipating going back to Town Meeting in the spring.

Mrs. Stronach then asked how many people are currently connected. Mr. Guidice answered the town started with just under 4,000 residents under the current system, and now the project has added approximately 800 to 900 to the system.

Mrs. Stronach asked if the labor costs have been steady. Mr. Walsh stated the labor has more than likely gone up, but he had not done an analysis on this specifically. The labor was increased at the same 4% for inflation as the other areas of the project.

Mrs. Stronach asked if the town did not move forward to appropriate the additional \$17M, what part of the town would be affected by contract 34 to 36. Mr. Guidice responded these will include for contract 34 Whipple Road, Pine Street to Billerica line, Chandler and neighborhoods to the East of Chandler; then in contract 35 will include all the side streets off Whipple in this same area; and in contract 36 it will include all the sporadic areas in town. Mrs. Stronach asked what would happen if the hook ups dropped off. Mr. Walsh stated the rate of hook ups will affect the success of the program based on the user rate. Rates will increase if not enough residents connect.

Mr. Dick stated he was totally amazed the geographical testing was not done to anticipate the amount of rock in west Tewksbury, especially with CDM's history in doing work for the town. He did not feel the company did right by the residents for not looking further into this. He is very concerned there will not be enough connections to sustain the program; and is concerned about rate increases and this will drive residents away from connecting. There is an obligation to the residents to finish the project, but he hoped the next series of contract all the details will be assessed. Mr. Dick was also disappointed in some of the paving. He felt the residents were owed better service, and it seems there is no accountability in this situation. Mr. Dick stated he has always been a supporter of this project, however it was his opinion the supporters have been lead to believe this project would be cost effective for the town—and how can this be presented again at Town Meeting with large unexpected costs. It is very disappointing, and he is worried how this will finish out—the \$17M is very excessive. Mr. Walsh responded stated when estimates were made, clearly the estimates were off. This is why he would recommend having numbers in hand before going back to Town Meeting in the Spring. Mr. Guidice further explained the issue of rock. At the time the project came forward for estimates there was 92 miles of pipe to be laid in. Clearly it would not have been cost effective to drill for 92 miles. He wanted to be clear that CDM did not go in and pay contractors blindly, as this needed to be removed. Mr. Dick accepted Mr. Guidice's explanation, but he still believed there should have been some indication of what was as had in this area of town.

Mr. Gay agreed with all the comments made tonight, but he firmly believed we needed to move forward, as to wait would only make the situation more costly than already presented.

Mr. Selissen asked Mr. Walsh the probability of the \$17M sustaining, and Mr. Walsh suggested it was 70 to 80 percent likely, but will go up once Contract 33 is in process. He felt this was not overly conservative, and was reasonable at \$17M. Mr. Selissen asked if Mr. Walsh could give a number at this time, and Mr. Walsh estimated \$17M with the borings already completed. Mr. Selissen requested to have the rate impact suggested, and to have the opinion of the Sewer Advisory Committee to complete Contracts 34 and 35 done one year at a time. He also asked for the tiered rate is considered for the sewer rates. Mr. Selissen requested CDM to do quarterly reviews with the Board of Selectmen. Additionally, through Mr. Cressman, Mr. Selissen requested the Sewer Water Rate Committee address is developing an incentive program to encourage residents to hook up to the sewer program. Lastly, not to suggest any negative actions, but Mr. Selissen felt it would be in everyone's best interest to do an audit of this project with an independent assessment. All the Board members agreed. Mr. Selissen noted there was a decision to have the town pave the roads for Phase 6 and 7, and this was a cost of \$1.7M. He requested through Mr. Cressman if there was a possibility to do an offset of Chapter 90 funds, if that was possible.

Mr. Stronach noted for the record that in the seven years of work that has been done on this project, the costs that could be controlled were controlled. She wanted to be sure that residents understood this is a tremendously long project, and the completion of this project is 2010. Mr. Selissen agreed with Mrs. Stronach and in the original Master Plan this project was to be done of 15 years—the reality is if the original plan was followed, this project

would not be able to come close to where we are today.

Mr. Cressman noted every year this project is delayed the amount to add to the current deficit is \$700,000 at a 4% increase; but if you look at the construction increases this is more likely to be \$900,000 at a 6% increase. Finally in clarifying the connections, he felt the town will be very close if not ahead of the connection forecast by the end of 2008. The delay factor is wrapping up a contractor in Phase 8, which has been very slow to construct a sewer pump station.

## **5. Residents**

Mr. Warren Carey came forward to speak, stating he was very disappointed not to see the appointment the new Planning Board member. He was also upset to see the list of selectman did not include Mr. Edward Dick. He requested that two-week old information be taken off the channel; and in general he felt this channel is not being properly maintained, and the quality of the television is not very good. The bottom line is to please keep a concentrated effort to do this in order to keep the residents informed.

Mr. Dennis Francis of 45 Seneca Road came forward to present as a member of the Town Meeting Review Committee. This committee was asked to draft a document regarding a charter change. The last meeting was in March, and the report is almost complete. The committee is in need of a member of the Board of Selectmen to oversee this committee, as Mr. Ryan has resigned. Mr. Selissen thanked Mr. Francis for reminding him. Mr. Ron Hall of 3307 Archstone Avenue came forward and indicated his recommendation would be to have Mrs. Carey come forward to make the presentation. Mr. Selissen volunteered to join the committee as the Board of Selectmen representative.

## **Town Manager Report**

### **6. Labor Counsel Invoice**

**MOTION: Mrs. Stronach made the motion to approve the labor counsel invoice in the amount of \$1,400; Mr. Gay seconded, and the motion carried 4-0.**

### **7. Deputy Fire Chief Exam**

Mr. Cressman advised the Board he will request an exam in preparation of Deputy Chief Ryan retiring in July of 2009.

Mrs. Stronach asked when the exam would take place, and Mr. Cressman responded Spring or Fall of 2008; and the results should be in within three months thereafter.

### **8. Town Counsel Invoice**

**MOTION: Mr. Dick made the motion to approve the labor counsel invoice in the amount of \$16,428; Mrs. Stronach seconded, and the motion carried 4-0.**

## 9. Police Staffing

Mr. Cressman noted a new list from civil service list will be available November 1, 2007. He has gone through the rehire list, and no one has expressed an interest in a position with the town, and so the next step is to go to the intermittent list. There will be nine positions available, and eight of these positions can be filled by this list. This will allow the Chief to send individuals to the academy. This is the procedure used in 2003 when there was a considerable amount of retirements. Mr. Cressman further recommended having a temporary lieutenant position made available. Mr. Selissen did not agree with having the lieutenant's position as the prosecuting officer position had been downgraded from a lieutenant to a sergeant position. Mr. Selissen also noted with what is going on with the police department and in the town in general, a review should be done on the staffing levels and make an honest effort to get officers on the street, namely sergeants, and having less personnel inside the station. Mr. Dick asked if these positions were covered under collective bargaining, which Mr. Cressman confirmed. Since this is the case, Mr. Dick felt it was imperative to schedule a meeting with the Chief on this. Mrs. Stronach asked what the cost impact with permanent intermittent staff. Mr. Cressman noted there are three budgeted vacancies in the department today. He then suggested to the Board to go forward with the intermittent staff and then have the lieutenant position discussion at another time. Mrs. Stronach wanted to make clear that one police officer had not been replaced and the three open positions are over and above the cuts the department already took for this year. The overtime amount is taking up any of the savings in the budget due to understaffing.

Mrs. Stronach asked about the Chief's report on staffing levels, dated October 15, 2007. The report in August had some discrepancies from the current report with the two lieutenants and the disability dates. Mr. Cressman was not sure on this information, and would get back to Mrs. Stronach.

Mr. Gay agreed with the other Board members.

All Board members agreed to move forward with the intermittent staff.

## 10. Teacher Salary Deferral

**MOTION: Mrs. Stronach made the motion to send a letter to the Department of Revenue concerning the Teacher Salary Deferral; Mr. Dick seconded, and on a roll call vote, Mr. Gay, Mr. Dick, Mrs. Stronach, and Chairperson Selissen vote in favor; the motion carried 4-0.**

## 11. Town Manager's Goals and Objectives

These had been given to the Board, and the Mr. Cressman advised if there are any changes to please address them with him within the next two weeks. Mr. Selissen confirmed this is for the calendar year; and felt there may be more goals and objectives through the Task Force. Mr. Cressman agreed.

## **12. Old Stage Coach Road Order of Taking**

Mr. Cressman requested the Board to perform the Order of Taking and execute the document for Town Counsel.

**MOTION: Mr. Gay made the motion to approved the Order of Taking for Old Stage Coach Road; Mrs. Stronach seconded; the motion carried 4-0.**

### **Executive Session**

#### **13. Town Manager's Contract**

#### **14. Police Transfers Policy**

The Executive Session was tabled until the end of the Regular Session.

#### **15. Approval of the Minutes of October 2, 2007 (regular session)**

Mr. Selissen made note to table this until the November 6, 2007 meeting for Mr. Johnson's approval.

#### **16. Reports**

##### **Board Members**

Mr. Gay reported he attended a Board of Health meeting with other residents regarding the pig farm at Krochmal. The two concerns are the strong odor and possible health concerned. There are 463 signatures on a petition to resolve this issue. He suggested having a similar-type meeting like the cell town meeting at the Trahan School so that residents can have their say in this situation with the Board's approval. He will be viewing the pig farm on the 29<sup>th</sup> with Lou-Ann Clement. Mr. Cressman suggested having Mr. Selissen attend the next Board of Health meeting to discuss this issue and support them in resolution of this issue.

Mr. Dick reported back in 1994 when he was Chair of the School Committee there was a roof collapse at the Heath Brook School; and as a result took a study on the roofs and applied for federal money to replace many of the roofs in the schools. He did not believe the town has received any of this money to date, and read recently in the Lowell Sun there had been a payment received on an older project in another town. He would like to make a motion for the Town Manager to send a letter to the delegation to look into the FDA performing on the 70% of the \$5.3M for this project. Mr. Selissen requested to have Mr. Cressman draft the letter, have the Board sign it; and then alert the School Committee of this action. Mr. Dick agreed.

Mrs. Stronach had the minutes from the Financial Planning Task Force. She reported the task force had been meeting with the department heads and has a timeline stating that a plan can be presented at the January 7, 2008 and subsequently have a Board of Selectmen and a School Committee joint meeting on January 22, 2008. Mr. Selissen asked if the entire meeting for January 22, 2008 should be blocked. Mrs. Stronach agreed. Mr. Selissen requested a letter be

sent to the School Committee and Financial Planning Task Force to invite them to this meeting. Mr. Selissen suggested to hold the meeting at the Wynn Middle School. Mrs. Stronach read a request from the Chair of the Financial Planning Task Force and stated, "The Financial Planning Task Force at its meeting on October 1, 2007 voted to request that your board institute a hiring and discretionary spending freeze. While we have not completed our analysis, it appears the presents spending level will not be sustainable for FY 2009. Employees not hired will not have to be paid unemployment next summer. Funds not spent in FY 2008 will be available later. We understand that some positions must be filled as vacancies occur. Most of the recommendations we are considering are long term and will have not impact on the FY 2009. We believe that prudent action is time to take now. Thank you for your support and cooperation." She then asked the Board vote on this, and noted the School Committee voted to adopt this policy at their last meeting. Mrs. Stronach also noted this will add to free cash, however free cash is not a bad thing; we just need to anticipate it.

**MOTION: Mrs. Stronach made the motion to adopt the hiring and discretionary spending freeze as designed by the Chair of the Financial Planning Task Force, i.e. there should be no funds spent unless there is an emergency need and the discretion of the Town Manager and the Department Head as appropriate; Mr. Dick seconded, and the motion carried 4-0.**

Mr. Cressman advised to invite the delegation to the Board of Selectmen's meeting on January 22, 2008. He also agreed with Mrs. Stronach's opinion on discretionary spending.

Mrs. Stronach also made note from the Financial Planning Task Force as follows, dated October 18, 2007, "at a recent meeting of the Sewer Advisory Committee, we were informed that Contract 32 is about to be signed. The Finance Director is formulating the plans to borrow the final \$14M of the \$80,000 approved for this project in the near future. The final four contracts 33 through 36 are either in design stage or being surveyed by CDM. Additionally, we were told that as of the end of July 2007, there were four contracts in various overlapping stages of construction (28 through 21 with completion dates from 142 days for Contract 29 to 438 days for Contract 31). We ask the Board look for the impact on the sewer rates by borrowing the additional \$14M at this time versus delaying or stretching out the borrowing and starting dates of the remaining contracts over a longer period of time." She thought this is what Mr. Selissen had requested of CDM tonight. Mr. Selissen agreed and reiterated to look at the rates before moving forward on the sewer project.

Mr. Selissen reported he received a memo from Mrs. Carey stating because of the combining of the voting elections recently the town saved \$21,000 versus doing this on different days. This is a credit to the Town Clerk's office which did an outstanding job.

**MOTION: Mrs. Stronach made the motion to thank the Town Clerk's office and the volunteers who worked on the elections for September 4 and October 16, 2007; Mr. Dick seconded, and the motion carried 4-0.**

Mr. Selissen also announced tickets for the Veteran's Day dance on November 9<sup>th</sup> at The Tewksbury Country Club from 8 p.m. to midnight are still on sale.

On November 3<sup>rd</sup> at 10 a.m. will be the dedication of the new water tower and all residents are invited to attend.

Mr. Cressman noted the traffic work between Old Boston Road and Main Street. The documents have been submitted to Mass Highway, and allegedly there was a settlement between the parties at Shawsheen place, which could be a source of funding.

### **Unfinished Business**

#### **17. Appointments to be made**

##### *Historic Commission*

**MOTION:** Mrs. Stronach made the motion to nominate Mr. Keith Rauseo as a member of the Historic Commission; Mr. Dick seconded, and the motion carried 4-0.

##### *Scholarship and Education Fund Committee*

**MOTION:** Mrs. Stronach made the motion to nominate Mr. Keith Rauseo and Ms. Gail Tressler for the Scholarship and Educational Fund Committee; Mr. Dick seconded, and the motion carried 4-0.

##### *275<sup>th</sup> Anniversary Committee*

**MOTION:** Mrs. Stronach made the motion to nominate Ms. Heather Tecce and Ms. Nancy Reed as a member of the 275<sup>th</sup> Anniversary Committee; Mr. Dick seconded, and the motion carried 4-0.

### **New Business**

#### **18. Halloween**

**MOTION:** Mrs. Stronach made the motion for Halloween Trick or Treating be held on Wednesday, October 3, 2007 from 6 p.m. to 8 p.m.; Mr. Dick seconded with pleasure, and the motion carried 4-0.

#### **19. Financial Planning Task Force – discretionary spending freeze**

This item was already addressed during Board Members Reports.

#### **20. Elections Division – Census Liaison**

**MOTION:** Mrs. Stronach made the motion to have the Town Clerk be named as the local census liaison; Mr. Dick seconded, and the motion carried 4-0.

**21. Common Victualler's License – to be approved**

**MOTION: Mr. Dick made the motion to have the Common Victualler's License be approved; Mr. Gay seconded, and the motion carried 4-0.**

**Executive Session and Adjournment**

Mr. Selissen announced following the Executive Session the meeting will be adjourned.

**MOTION: Mr. Gay made the motion for the Board to go into Executive Session at 10:30 p.m. Mr. Dick seconded and on a roll call vote, Mr. Gay, Mr. Dick, Mrs. Stronach, and Chairperson Selissen vote in favor, and the motion carried 4-0.**

Approved: \_\_\_\_\_  
Ann Marie Stronach, Clerk