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LUNENBURG TOWN
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**BOARD OF SELECTMEN
MINUTES**

**Joseph F. Bilotta Meeting Room, Town Hall
April 4, 2017**

The Board of Selectmen met in the Bilotta Meeting Room, with Jamie Toale, Chairman; Robert Ebersole, Vice Chairman; Paula Bertram, Member; Phyllis Luck, Member and Town Manager Heather Lemieux
Not present: Tom Alonzo, Clerk

The meeting commenced at 6:00 p.m. with the Pledge of Allegiance.

PUBLIC COMMENT

Ms. Luck thanked Town caucus for her nomination as Selectman for a second term. It has been her honor to serve the citizens of Lunenburg for the past three years. She has thoroughly enjoyed working with her fellow Board members and admires each one's commitment and their tireless efforts on Lunenburg's behalf. She thanked them. She hoped to be able to sit in their company for the next three years. She added she has learned a great deal from attending school committee meetings, working with the Storm Water Task Force, MART, the Council on Aging and the Central Mass Regional Stormwater Coalition. Town personnel have been very kind to the new kid on the block and she thanked them also. A municipality has so many moving parts and there is so much work to be done. It has been a wonderful learning experience and she hoped to continue it for another three years.

Mr. Toale announced the last day to register to vote in the 2017 Annual Town Meeting and Town Election, (Saturday, May 6th and Saturday, May 20th) is Tuesday, April 18, 2017 at the Town Clerk's Office, 17 Main Street from 8:00 a.m. to 8:00 p.m.

A Memorial Day ceremony is being planned for Monday, May 29th at 10:00 a.m. at Veterans Park. Anyone who would like to volunteer should contact the Board of Selectmen office at 978-928-4144.

CURRENT BUSINESS

1. Review of draft Annual Town Meeting articles

Ms. Lemieux reported there were initially 49 warrant articles. Some can be removed due to various reasons, such as not being needed or not a local acceptance requirement. She noted the "Consent Calendar" is not present as all the current revolving accounts have been combined into one chart under Article 2.

Article 1 is to see if the Town will vote to hear/accept the regular written reports of the Town Officers and Committees.

Motion: R. Ebersole

2nd:P. Bertram

To recommend approval of Article 1: to hear reports of Town officers and committees

Vote: All in Favor

Mr. Ebersole asked if the limits on the revolving accounts were the same. Ms. Brochu stated the Ambulance billing amount was increased.

Motion: R. Ebersole

2nd:P. Bertram

To recommend approval of Article 2; approval of existing revolving accounts

Vote: All in Favor

Ms. Lemieux reported Article 3 is a new Storm Water Task Force revolving fund to take in monies from sale of rainwater barrels and compost bins with a limit of \$5000 per year.

Motion: R. Ebersole

2nd:P. Bertram

To recommend approval of Article 3 to establish a Storm Water Task force revolving account

Ms. Bertram asked if the DPW would be administering this account. Ms. Luck reported they store and sell the items and turnover the money collected.

Vote: All in Favor

Ms. Lemieux reported Article 4 is another new revolving fund in which to deposit collected gas/plumbing and electrical inspection fees, not to exceed \$46,000 per year. Historically the electric account has been over-expended annually. These inspection fees have been removed from the appropriation and placed into the revolving account and 82.5% (wiring) and 80% (gas/plumbing) of fees collected will be paid to the inspectors.

Motion: P. Bertram

2nd: R. Ebersole

To recommend approval of Article 4; establishing a new revolving account for electric/gas/plumbing fees

Vote: All in Favor

Article 5 addresses prior fiscal year expenses. \$21,410.96 will be transferred from Free Cash due to a teacher being on active military duty over five years and Town-side retirement deductions that need to be paid into the retirement system based on what he would have been earning if he was teaching.

Motion: R. Ebersole

2nd:P. Bertram

To recommend approval of Article 5; prior year expenses

Vote: All in Favor

Article 6 amends the following FY'2017 budget appropriations:

Article <u>5/6/17 ATM - FY17 Budget Adjustments</u>					
Line #	Appropriation	Reason for Adjustment	Amended Appropriation 11/22/16	5/6/17 ATM Adj	Amended Appropriation
3	Interest - Temporary Loans	Short Term Interest On Sewer Ban Issued Dec 2016	\$ 1,184.00	\$ 150.00	\$ 1,334.00
6	Health Insurance	Not As Many Changes In Overall Enrollment	\$ 1,907,185.00	\$ (31,100.00)	\$ 1,876,085.00
13	Reserve Fund	No Pending Commitments	\$ 127,993.00	\$ (98,000.00)	\$ 29,993.00
14	Unemployment Expense	No Open Claims	\$ 10,000.00	\$ (8,000.00)	\$ 2,000.00
17	Annual Audit	Monies For OPEB Funding Consultant Not Used	\$ 48,500.00	\$ (1,750.00)	\$ 46,750.00
21	Town Manager Salary	Short Term Vacancy In Position/Replacemet of Former Employee	\$ 127,500.00	\$ (7,000.00)	\$ 120,500.00
49	Wiring Inspector	Increased Permit Activity	\$ 20,000.00	\$ 11,000.00	\$ 31,000.00
53	Animal Control	Care/Custody Of Pit Bulls Pending Court Case	\$ 40,000.00	\$ 10,600.00	\$ 50,600.00
70	Snow Removal	Snow Removal Cost Above Existing Appropriation	\$ 275,000.00	\$ 166,000.00	\$ 441,000.00
74	Council on Aging	Changes In Reimbursements Received From MART	\$ 111,945.00	\$ 3,100.00	\$ 115,045.00
75	Veteran's Benefits	Not As Many Benefit Eligible Applicants	\$ 99,275.00	\$ (45,000.00)	\$ 54,275.00
Subtotal FY17 Omnibus Budget Adj			\$ 2,766,582.00	\$ -	\$ 2,766,582.00

Ms. Lemieux noted the snow removal amount has increased to an estimated \$177,776. Anything over the \$166,000 will be paid by interdepartmental transfers.

Motion: R. Ebersole

2nd:P. Bertram

To recommend approval of Article 6; FY 17 budget adjustments amounting to \$177,776

Vote: All in Favor

Ms. Lemieux requested Article 7 which funds the FY17 PACC budget be removed as it is not needed.

Motion: R. Ebersole

2nd:P. Bertram

To remove Article 7 which amends the FY'17 PACC budget from the ATM warrant

Vote: All in Favor

Article 8 funds the FY'2018 Capital Plan. Capital Planning Committee has requested \$633,317. Ms. Lemieux reported initially funding was coming from Free Cash, but we will now be able to raise and appropriate more than half of that and provide the remainder from Free Cash. There are some other warrant articles that will using Free Cash so there is a recommendation to close out a portion of this year's Certified Free Cash so it can be made available for next fiscal year's Free Cash. Ms. Lemieux directed the Board to a breakdown of their request.

CIP Tracker	Priority	Item	Cost	Cumulative Cost
FM16-09	1	Senior Center Painting	\$ 18,300	\$ 18,300
-	1	Town Hall Painting	\$ 87,750	\$ 106,050
FM17-10	1	Fuel Tank - DPW Building	\$ 110,000	\$ 216,050
-	1	Playground Project	\$ 12,000	\$ 228,050
DPW16-07	1	GMC Dump Truck	\$ 53,767	\$ 281,817
FD16-14	1	Command Car	\$ 60,000	\$ 341,817
PD16-10	1	Tasers (8)	\$ 10,500	\$ 352,317
PD16-13	1	Police Vehicles (2) cars	\$ 111,000	\$ 463,317
LPS16-19	1	Turkey Hill Asbestos	\$ 145,000	\$ 608,317
-	1	Police Fingerprint System	\$ 25,000	\$ 633,317

Motion: R.Ebersole

To recommend approval of Article 8; funding the FY2018 Capital Plan

2nd: P. Bertram

Vote: All in Favor

Article 9 funds the FY2018 Omnibus Budget. Ms. Bertram suggested including funding for land maintenance for the Conservation Commission properties in the future. Ms. Lemieux stated it would be addressed in next year's budget.

Motion: R. Ebersole

To recommend approval of Article 9 (the FY'2018 omnibus budget)

2nd: P. Bertram

Vote: All in Favor

Article 10 places funding in the Stabilization Fund in the amount of \$84,523 from Free Cash.

Motion: P. Bertram

To recommend approval of Article 10

2nd: R. Ebersole

Vote: All in Favor

Article 11 creates a Special Purpose Stabilization Account and transfers \$200,000 from Free Cash for future large capital requests, specifically vehicles/equipment.

Motion: R. Ebersole

To recommend approval of Article 11

2nd: P. Bertram

Vote: All in Favor

Article 12 creates an OPEB (Other Post-Employment Benefits) Trust Fund and transfers funds into it.

Motion: R. Ebersole

To recommend approval of Article 12 that creates an OPEB Trust Fund

2nd: P. Bertram

Vote: All in Favor

Article 13 raises and appropriates funding for the FY2018 Sewer Enterprise Fund. The Sewer Commission will be finalizing the monetary amount at their meeting tonight.

Motion: R.Ebersole

To make a recommendation at Town Meeting on Article 13

2nd: P. Bertram

Vote: All in Favor

Article 14 transfers a sum of money into the Reserve Capacity Stabilization Fund

Motion: R. Ebersole

To make a recommendation for the article transferring funding into the Reserve Capacity Stabilization Fund at Town Meeting

2nd: P. Bertram

Vote: All in Favor

Ms. Lemieux reported Article 15, 16 and 17 can be removed from the warrant as they will be addressed within the motion for the budget.

Motion: R. Ebersole

To remove Articles 15, 16 and 17 from the Town Meeting Warrant

2nd: P. Bertram

Vote: All in Favor

Article 18 creates a Capital Reserve Stabilization Fund for Sewer and transfers funding into it.

Motion: P. Bertram

2nd: R. Ebersole

To make a recommendation on the CRSF at Town Meeting

Vote: All in Favor

Article 19 funds the Solid Waste Disposal Program Enterprise Fund for FY2018 in the amount of \$292,000.

Motion: R.Ebersole

2nd: P. Bertram

To recommend approval of Article 19 that funds the Solid Waste Disposal Program Enterprise Fund

Vote: All in Favor

Article 20 funds the Water Dept./Water Enterprise Fund for FY'2018 in the amount of \$25,000 from Water Enterprise Revenues.

Motion: R.Ebersole

2nd: P. Bertram

To recommend approval of Article 20 that funds the Water Dept./Water Enterprise Fund for FY'2018 in the amount of \$25,000

Vote: All in Favor

Article 21 funds Public Educational Government (PEG) Access and cable related fund revenues in the amount of \$162,800 for the 2018 operating budget and capital budget.

Motion: P. Bertram

2nd: R.Ebersole

To recommend approval of the PEG Access operating budget

Vote: All in Favor

Article 22 appropriates \$84,200 from the Sale of Cemetery lots account to be used for care and improvement and embellishment of the Town cemeteries. Ms. Bertram asked for an accounting of the use of the funds.

Motion: R.Ebersole

2nd: P.Bertram

To make a recommendation at town meeting on Article 22

Vote: All in Favor

Article 23 appropriates all or a portion of the net premium paid to the Town upon the sale of the Town's \$2,580,000 General Obligation Municipal Purpose Loan of 2017 Bonds dated January 25, 2017, to pay costs of the capital projects financed by such bonds and to reduce the amount authorized to be borrowed for such projects by a like amount, and/or to reserve all or a portion of the net premium to be appropriated for future capital projects. Ms. Brochu reported the bond was issued in January 2017 for a portion of the Pavement Management Plan, the artificial turf field and a small portion of the sewer project. We netted all the costs against the premium and this is what is left after all costs are paid. This article will apply \$25,678.25 of the premium to the Pavement Management project, \$10,000 of turf field surplus amount will be applied to that project; this will reduce the borrowing on those two items in the same amounts. Also, \$6,350.40 remaining from the turf field will be placed in a special revenue fund and those monies can be used to fund future capital.

Motion: R.Ebersole

2nd: P. Bertram

To recommend appropriation of the net premium as detailed

Vote: All in Favor

Article 24 rescinds the sum of \$223,915, the remaining borrowing authorization, from Article 15 of the May 3, 2014 Annual Town Meeting for the purchase of the Lane Property.

Motion: P. Bertram

2nd: R.Ebersole

To recommend approval of Article 24 rescinding the remaining borrowing authorization for the Lane Property

Vote: All in Favor

Article 25 amends Article XV of the Town's bylaw entitled "Salary Administration Plan" of the Town of Lunenburg as follows: the position of Board Clerk/Secretary be added and assigned Grade 6.

Motion: P. Bertram

2nd: R.Ebersole

To make a recommendation at Town Meeting on amending the Salary Administration Plan

Vote: All in Favor

Article 26, 27, 28, 29 and 30 are related to the municipal buildings: T.C. Passios, Ritter Building, Brooks House, Town Hall and the old Primary School; and transfers the care, custody, and control of the land and/or

buildings from the Board of Selectmen for general municipal purposes to the Board of Selectmen for general municipal purposes and for the purpose of conveyance, and to authorize the Board of Selectmen to convey a fee simple interest or any portion thereon, or to lease the property, on such terms and conditions as the Board of Selectmen deem to be in the best interest of the Town, and to execute any and all agreements and documents to effectuate said sale or lease of any of the properties and any portion thereof and to authorize and /or reauthorize the Board of Selectmen to sell and /or lease the parcel and/or buildings situated thereon, and/or subdivide in any manner said parcels and/or buildings situated and /or take any legal action necessary to effectuate the sale, lease, subdivision, and/or transfer of said land and buildings situated thereon.

Mr. Toale reported the Building Reuse Committee met last night and they believe they have completed their charge. The committee recommends the use of T.C. Passios as a municipal office building and community center; proposes placing these town meeting warrant articles on the municipal buildings as "surplus" designation to generate further discussion and marketing of them and determining the funding for the move to Passios. The municipal consolidation is now a Town Manager task. There are several reasons for that; we are about to lose one of the major tenants in T.C. Passios and revenue will decrease, the committee members' terms are ending and will not be serving past June 30th and they believe the execution would be more of a municipal operation. We would drop the T.C. Passios article and make a general presentation on the buildings at annual town meeting.

Motion: R. Ebersole

2nd: P. Bertram

To make a recommendation on the articles concerning the municipal buildings at town meeting

Vote: All in Favor

Article 31 authorizes the Board of Selectmen to negotiate and enter into a payments in lieu of tax agreement ("PILOT") pursuant to the provisions of M.G.L. Chapter 59, Section 38H (b), and Chapter 164, Section 1, or any other enabling authority, between the Town and Nexamp, Inc. or its successors or assigns, for real property and /or personal property attributable to solar photovoltaic facilities to be installed and operated in the Town of Lunenburg on land located at Northfield Road and as shown on Assessor's Map 97, Parcel 90 for a term of 20 years and on such terms and conditions and for such consideration as the Board of Selectmen deems appropriate and further to authorize the Board of Selectmen to take such action as may be necessary to carry out the vote taken hereunder. This proposal is scheduled for presentation later this evening.

Motion: P. Bertram

2nd: R.Ebersole

To make a recommendation at town meeting on the PILOT

Vote: All in Favor

Article 32 accepts the provisions of MGL Chapter 90, Section 20A½ for the designation or appointment of a parking clerk. Ms. Lemieux reported the Town had accepted Section 20 previously.

Motion: R. Ebersole

2nd: P. Bertram

To recommend approval of Article 32 for designation of parking clerk

Vote: All in Favor

Article 33 accepts the provisions of MGL Chapter 40, Section 21 but it is being researched by Town counsel and needs to be removed or replaced with a bylaw change; local acceptance is not needed.

Motion: R.Ebersole

2nd: P. Bertram

To remove this article from the ATM warrant

Vote: All in Favor

Article 34 accepts the provisions Chapter 40, Section 58 of the General Laws to impose a "municipal charges lien" on real property for unpaid Sewer Connection fees, Sewer Reserve Capacity fees, Sewer Reconnection fees and Sewer Grease Trap permit fees owed the Town, in the manner as provided for by MGL Chapter 40, Section 58, which lien may include any related charges, penalties, or fees, including interest relating to the unpaid fees, and all costs to record said lien(s) in the appropriate Registry of Deeds.

Motion: R. Ebersole

2nd:P. Bertram

To recommend approval of Article 34 regarding municipal charges lien for Sewer Dept. fees

Vote: All in Favor

Ms. Lemieux reported Article 35 and 36 are not needed as they do not need local acceptance.

Motion: R. Ebersole
To remove Article 35 and 36 from the ATM warrant

2nd: P. Bertram
Vote: All in Favor

Article 37 amends Article II, Section 16(a) and (b) of the General Bylaws of the Town by inserting the bold text and deleting the strikethrough text as follows:

(a) The tax collector or other municipal official responsible for records of all ~~Town taxes~~ **municipal taxes**, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually, **and may periodically**, 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, **including amounts assessed under the provisions of MGL c.40 Section 21D or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments, or any other municipal charges**, ~~for not less than a twelve-month period~~ for a period of ___ days, 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.

(b) The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector **or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector**; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the licensing authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges payable to the Town as of the date of issuance of said certificate.

Ms. Lemieux reported the existing bylaw states anything delinquent over 12 months warrants denying, revoking or suspending a license. The Municipal Modernization Act changes the time period to be less. Town counsel suggested 90 days but it is at the Board's discretion.

Motion: R.Ebersole
To recommend approval of the article regarding delinquent taxpayers and licensing and to set the time period at 60 days

2nd: P. Bertram
Vote: All in Favor

Ms. Lemieux reported local acceptance is not required for Article 38, so she recommended removing it from the warrant.

Motion: R. Ebersole
To remove Article 38 from the town meeting warrant

2nd: P. Bertram
Vote: All in Favor

Article 39 accepts provisions of MGL c. 60 section 2, to provide for abatement if the tax collector is satisfied that an unpaid tax on land committed to the collector was assessed on a valuation insufficient to meet the charges of collection, or if any other committed tax is unpaid and less than \$25.

Motion: R. Ebersole
To recommend approval of Article 39

2nd: P. Bertram
Vote: All in Favor

Ms. Lemieux reported Article 40 does not need local acceptance so should be removed from the warrant.

Motion: R. Ebersole

2nd: P. Bertram

To remove Article 40 from the town meeting warrant

Vote: All in Favor

Article 41 amends the Zoning Bylaw, Section 6.0, General Provisions Affecting All Districts, by deleting Section 6.2 Lot Monuments as denoted by the strikethrough as written, and further to amend the Table of Contents to remove said section; or take any action relative thereto. (Submitted by the Planning Board) (Board of Selectmen will make recommendation at Town Meeting) (Finance Committee reports no direct financial impact)

~~6.2 Lot Monuments~~

~~6.2.1 No building permit shall be approved for a new dwelling unit until existing permanent or new permanent monuments, a minimum of thirty (30) inches in length, have been installed defining a lot.~~

Article 42 amends the Zoning Bylaw, Section 6.4, Driveways And Entrances by adding 6.4.3.e).11 by inserting the bold text as follows:

11. Not more than two (2) primary dwellings may maintain one (1) common entrance and/or driveway. Said driveway shall be located through the frontage or access strip of both lots equally, including lots with reduced fifty (50) percent frontage. Such driveway should be permitted only after issuance of a building permit and shall relate to the design and construction standards as for 6.4.3.a), 6.4.3.c), and 6.4.7.a)

a. Such driveway shall not provide potential access to lots not shown on an accepted plan.

b. If such a common driveway cannot be located as determined above, a determination may be made by the Planning Board and Building Official for other acceptable locations.

Motion: P. Bertram

2nd: R. Ebersole

To make a recommendation at town meeting on Article 41 and 42

Vote: All in Favor

Article 43 amends the Zoning Bylaw, to add Section 4.18 Temporary Moratorium on the Sale and Distribution of Recreational Marijuana and amends the Table of Contents to insert Section 4.18 Temporary Moratorium

Motion: P. Bertram

2nd: P. Luck

To make a recommendation at town meeting on Article 43

Vote: All in Favor

Article 44 amends the Town Bylaws to address typographical errors, corrections, repeal of obsolete bylaws and for the enumeration of Articles.

Motion: R. Ebersole

2nd: P. Bertram

To recommend approval of Article 44 amending Town Bylaws

Mr. Ebersole suggested we need to have clear items that people can see what we are actually changing. Ms. Luck asked who determines what is obsolete. Mr. Ebersole noted we have bylaws that either repeat or contradict our Charter. The Charter supersedes our bylaws. The Bylaw Review Committee has identified those items. Further discussion about the article ensued.

Mr. Ebersole amended his motion

2nd: P. Bertram

To make a recommendation on Articles 44 and 45 at town meeting

Vote: All in Favor

Ms. Lemieux reported Articles 46, 47, 48 and 49 all relate to the codification of the Town bylaws and zoning bylaws. There is a redline version of these that is about 300 pages long available and is on file with the Town Clerk.

Motion: R. Ebersole
To recommend approval of Articles 46- 49

2nd: P. Bertram
Vote: All in Favor

CURRENT BUSINESS (cont.)

2. MRPC Traffic Count Location Recommendations

DPW Director Rodriquenz presented his recommendations for proposed traffic count locations. He had previously recommended them for the intersection of Northfield Road and Oak Avenue and the intersection of Northfield Road and Main Street. One other spot would be Pleasant Street off Route 2A.

The Planning Board also recommended Oak Ave. at Northfield Road, as well as Northfield Road at Chase Road, The Lane at Mass. Ave, Whalom Road between Lesure Ave. and Pratt St., Whalom Road at Youngs Road and Whalom Road at Graham Street.

Ms. Lemieux stated MRPC is allowing five locations per municipality. Ms. Bertram reported MRPC/MPO announced they do have availability for more. David Passios, 56 Whiting Street, stated he attended the Planning Board meeting recently and one of their concerns is these counts are traditionally done during the summer, so it does not count school traffic. He suggested requesting the Oak Ave location count be done in spring or fall. The DPW Director's recommendations were preferred if only some can be done.

APPOINTMENT

Nexamp Solar Project, 994 Northfield Road

Chris Clark of Nexamp reported they are in the process of installing a ground-mounted solar project at 994 Northfield Road. He was here to inquire about a PILOT agreement with the Town. The project is a portion of a 90+ acre parcel to the north of Northfield Road, adjacent to Settler's Golf Course. There is minimal abutter impact. The project capacity is 2.0 to 5.0 MW AC and a system impact study is being conducted with Unitil. Final size will be determined at the site. Permitting is anticipated for late spring and early summer of 2017; they will be meeting with Conservation Commission and Planning Board. He was here tonight to request consideration of a warrant article for a PILOT for the Annual Town Meeting in May. Discussion on appearance, energy supply benefits for the Town, the PILOT agreement and the wording of the warrant article ensued. Ms. Lemieux stated the Board would not make a recommendation tonight but requested Nexamp make a brief presentation at Town Meeting. The Board thanked Mr. Clark and he exited the meeting.

Net Metering Credits Distribution Recommendations

John Londa, Facilities Director, returned with amended recommendations for a 50/50 split for the Clean Footprint net metering project; 3% Senior Center, 3% Streetlights, 27% Town Hall, 7% Town Garage, 11% Public Library, 17% Primary School, 16% Turkey Hill Elementary School and 17% to Lunenburg Middle/High School. Sewer Department (pump stations), T.C. Passios and Brooks House and all of the small town accounts are not receiving any net metering distribution. He noted the distribution can be revised every six months. He reported the Green Community Task Force's next grant submission could be seeking funding for the Public Safety Building for interior LED lighting and possibly street lights.

Motion: P. Bertram

2nd: R. Ebersole

To approve the distribution recommendations presented by John Londa

Mr. Toale thanked Mr. Londa for revising the credits distribution.

Vote: All in Favor

Summer Street Project Status Update

Trish Domigan of Vanasse Hangen Brustlin (VHB) presented an update of the Summer Street construction project status. They will be submitting a final design plan to MassDOT on April 14th. The project advertisement was scheduled for August but they have been asked to move it up to June. The design fee for Lunenburg is \$545,271.57 out of the total of \$741,280.09. The construction cost is a little shy of \$10 million. We have been in touch with District 3 to make sure our numbers match with MPO's TIP amount. This does not include construction phase services. Ms. Bertram requested some amount so the town could provide the construction phase funding when needed. The right of way (ROW) certificate is the next and last step. Mr. Rodriquenz has been helping out and they have been going out to meet the residents and business owners on Summer Street. An appraiser has been hired and determined temporary and permanent easements amounting to \$30,910,

except for MBTA property. Written offers are the next step; certified letters have been sent to those affected. They have 30 days to respond. This Board would vote to award damages to property owners, record the taking plans and written instrument, sometime in May. Another letter will be sent to the affected property owners notifying them of the acquisition and award of damage. The order of taking/plans will then be recorded at the Land Registry. Payments will be issued to property owners and the ROW sent to MassDOT for review and approval. Everything should be done in June for the advertisement.

MBTA easements are different. Three temporary and two permanent are required. The license application for the temporary easements was sent in January 2017 and there is a 60 day review period. There is a \$25,000 (plus \$5,000 application) fee for MBTA permanent easements. Ms. Domigan reported she has been talking to the real estate people at MBTA and they recommended using a Use and Occupancy license for permanent easements to streamline the process. It's an annual license agreement and the Town will pay the MBTA \$1,000 annually for perpetuity. Ms. Domigan suggested talking to our state delegates and asking them to request the fee be waived by MBTA. The Board suggested Ms. Lemieux contact Representative Benson about requesting the waiver. Mr. Rodriquenz recommended getting the permitting going as soon as possible. Mr. Ebersole suggested asking Town Counsel to add wording that allows being able to apply for the permanent easement at a later date. The Board thanked Ms. Domigan for coming in tonight.

Ms. Bertram exited the meeting at 7:58 p.m.

3. Signatures for Agreement between Town and IBPO Local 353, AFL-CIO

Motion: R.Ebersole

2nd: P. Luck

To sign the agreement between the Town of Lunenburg and the International Brotherhood of Police Officers Local 353, AFL-CIO effective July 1, 2016 through June 30, 2019

Vote: All in Favor

Minutes/Warrants/Action File Issues

The Board signed March 14 and March 21, 2017 minutes. The Board signed the May 20, 2017 Annual Election warrant for posting. They signed a \$100,361.51 accounts payable warrant; a \$531,246.30 payroll deductions warrant and a payroll warrant in the amount of \$754,971.19.

Committee Reports:

Ms. Luck reported the Storm Water Task Force (SWTF) met on March 9th. There was discussion on the filing of the Ms4 permit due on April 30th. DPW Director Rodriquenz reported Weston and Sampson had assisted with the filing of the permit report in prior years for around \$2200 per filing. He recommended that Mike Clark (Design Consultants, Inc.) and Ed Himlan (MA Watershed Coalition) complete the final filing under the original Ms4 permit. Mr. Clark stated they could file for less than \$2200. They also discussed the potential stormwater remediation needs associated with the Pavement Management Plan. Rodriquenz explained why he feels mapping the locations of the Town's stormwater system including catch basins, drainage, manholes, pipes and culverts to provide a complete picture of the system is essential for the planning and management of the accelerated pavement management plan. Mr. Clark presented a proposal for three tasks; project coordination and management, mapping and stormwater consulting for \$42,300. The SWTF voted to move forward with this work. Public education, outreach and public participation were discussed. They meet again on April 15th and will continue discussion on minimal control measure requirements and construction site, stormwater control program, stormwater management and new development and redevelopment. These will call for some bylaw changes which will involve the Conservation Commission and Planning Board.

Town Manager Report:

IT Grant Submission:

Ms. Lemieux submitted a grant application under the IT Grant in the amount of \$111,500 for E-permitting software, training and devices for field services. She and Land Use Director Burney will be meeting with the pertinent department heads to discuss their needs, concerns and ideas for a potential migration to the software if we are awarded the grant.

DLTA Grant Submissions:

Ms. Lemieux submitted two District Local Technical Assistance grant applications to MRPC. One to inventory all brownfields, vacant and underutilized properties and the other to facilitate meetings between the business community, appropriate town officials and recreational groups to foster growth of our existing businesses, recreation and attract new businesses and tourism.

Building Commissioner Position

The position is being advertised in the Metro West Building Officials Association, the MA Federation of Building Officials and MA Building Commissioners and Inspectors Association. They expire on April 24th and are no cost to the Town.

Assistant Town Clerk Position

This is currently being advertised in –house per the collective bargaining agreement for 5 days which expires April 6th. We will proceed with outside advertising if there are no qualified internal applicants.

Other Follow Up Items:

At the April 11th meeting, the Board will have a followup discussion on the results of the reference checks for Town Counsel and a tabulation of how the Board members rated each firm on their non-price proposal. The Board will meet with the four finalists again on April 18th starting at 6 p.m. to hear presentations on their price proposals.

DPW Director Rodriquez, Land Use Director Burney, Mr. Toale and Ms. Lemieux met last week to discuss the proposed policy for Complete Streets and will be bringing this to the Board on April 11th.

The Treasurer/Tax Collector and Ms. Lemieux will be preparing to continue the Tax Title and Foreclosure discussion with the Board on March 7th to be followed up at the first or second Selectmen's meeting in May.

Appointment- Animal Inspector and Alternate Animal Inspector – Kathy Comeau and Mike Fallon, D.V.M.

Ms. Lemieux reported the Animal Inspector position is the only appointment this evening. For information only, Dr. Fallon is an alternate in case Ms. Comeau is not available.

Motion: P. Luck

2nd: J. Toale

To appoint Kathy Comeau as Animal Inspector Vote: 2 in favor (Luck, Toale); 1 opposed (Ebersole)

Storm Water Task Force Resignation

Mr. Toale read Sarah Cammer's letter of resignation aloud. Mr. Toale thanked her for her service on the SWTF.

Mr. Toale reviewed the upcoming meeting schedule for the Board.

There was no further Public Comment at this time.

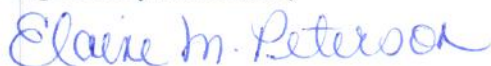
Motion: R. Ebersole

2nd: P. Luck

To enter Executive Session to conduct strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair declares so. (Professional Firefighters Local 4358A; AFSCME Council 93, Municipal Employees Union; Pending litigation) and to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining session or contract negotiations with non-union personnel (Finance Director contract) Vote: Ms. Luck- aye, Mr. Ebersole- aye, Mr. Toale –aye

The meeting adjourned at 8:09 p.m.

Respectfully submitted,



Elaine M. Peterson

Executive Assistant to the Town Manager