

JUN 07 2017

LUNENBURG TOWN
CLERK OFFICE
**BOARD OF SELECTMEN
MINUTES****Joseph F. Bilotta Meeting Room, Town Hall
May 16, 2017**

The Board of Selectmen met in the Bilotta Meeting Room with Jamie Toale, Chairman; Robert Ebersole, Vice Chairman; Tom Alonzo, Clerk; Paula Bertram, Member; Phyllis Luck, Member and Town Manager Heather Lemieux.

The meeting commenced at 7:00 p.m. with the Pledge of Allegiance.

Public Comment:

Mr. Alonzo reported the Cable License Public Hearing that was scheduled for this Thursday has been postponed. It has been tentatively rescheduled for June 15th.

The Boys and Girls Club of Lunenburg "Are You Smarter Than Our Sixth Graders?" game show has been rescheduled for Friday, June 2nd at 7:00 p.m. in the Middle/High School Auditorium. Mr. Alonzo thanked all involved with the Lunenburg Pops Concert on Friday. It was first rate and worth the performance.

Mr. Ebersole stated the Architectural Preservation District Commission (APDC) has presented their regulations and guidelines for reuse in the Village District in the center of town. He encouraged people to look at them at the Town Clerk office. They are holding a hearing on them tonight. Mr. Ebersole clarified his position on the Annual Town Meeting articles concerning the reuse of the municipal buildings. He stated he opposed the articles because he wasn't ready for them to be turned over to the Board of Selectmen but he still supports the Building Reuse Committee's concept of selling the properties to developers for appropriate reuse in the center of town.

Dave MacDonald, 155 Island Road, Building Reuse Committee member, thanked Mr. Alonzo for everything he has done for the Town and noted his volunteerism for several organizations. He thanked all the people who attended Town Meeting and noted only 1% of the Town showed up. He stated a person there asked what the Board was going to do to revitalize the town center. The Town has adopted the Village District bylaw and he is proud of the Planning Board's work. If you look at the town center, you have two landlords; one is the Town and the other is the gentleman who owns everything else. That is a monopoly and shuts off a chance for opportunities. He stated another person at town meeting indicated she wanted green space in the center. That is good too but green space comes at a price. If you want to tear down Passios, it will cost the Town \$1+ million based on estimates from two years ago. If you tear down the old Primary School, it will cost around \$250,000 because that building has black mold inside it, which has to be removed first. Brooks House would cost around \$45,000 to tear down. Total cost to the Town over \$1.25 million. The Town does not have funding for that; that would be an override situation. If you tear down those three buildings, that leaves Town Hall and the Ritter Building. If you look at the report we have, to remodel Ritter would be between \$2.5 and \$3 million and that is not a full remodel. To renovate Town Hall, an engineering estimate from 2013 quoted \$2.1 million. At this past town meeting, the Town approved \$90,000 to paint Town Hall which he supports. The building has to be maintained but if we turn everything over to green space, we are losing a great deal of money. To ask voters to pass an override to spend money to create green space doesn't make any sense. Last year we approved the biggest budget ever. It also detracts from the work that everyone has done over the last four years which was to create opportunity. He urged everyone to call the Selectmen and Town Manager and tell them what they want. Look at the reports we have on file. He reminded everyone that Election Day is this Saturday and urged all to exercise their right to vote.

Damon McQuaid, 49 Brookview Terrace, thanked Mr. Alonzo for all his years of service.

Katie Adams, 45 Williams Drive, stated she spoke out about green space at town meeting. She has done extensive community outreach before and after town meeting and she believed some things are priceless. She did not think you could put a price on a field where people can have fairs and farmers markets. If you sell the land to a developer, who really profits off it? The developer, another landlord who we aren't able to control.

APPOINTMENTS

State Representative Jennifer Benson, Senator Jennifer Flanagan and Representative Stephan Hay

Mr. Toale introduced the delegation and asked them to indulge him while he acknowledged Tom Alonzo. Tom and his wife Chriztine have lived in town since 1998. He served on the Finance Committee from 2003- 2005; has been a member of the Board of Selectmen since 2005 and served as Chairman four times. Tom served on the Town Charter Review Committee (2006-2007), Municipal WebTask Force (2011), Cable Advisory Committee and is a Town Hall Clockwinder. He serves on the Boys and Girls Club of Lunenburg Board of Directors and he is the game show host for their "Are You Smarter Than Our Sixth Graders?" He is on the School Building Committee (2015- present) and was a founding member of the Lunenburg Civic Forum. He congratulated Tom and thanked him for his service to the Town.

Representative Benson presented a joint citation on behalf of the House and Senate to Mr. Alonzo in recognition of his years of service to the Town of Lunenburg. She stated it takes a very dedicated person to volunteer so much time on so many boards. Town Manager Lemieux presented a bouquet of flowers as a small token of appreciation from the Board and on behalf of the Town for all his years of service. She added he was an example of what public service is all about.

Mr. Alonzo related how he got involved in town government on a public activist committee and here he is twelve years later. He thought of this as going through twelve years of school and not so much as his retirement but more as a graduation. Some years are harder than others, some are easier and some subjects require homework. You meet your share of friends and adversaries. Every once in awhile you meet a bully but all in all there have been great mentors and teachers. In looking back, there have been successes and disappointments and the successes far outnumbered the latter. He believed the Selectmen's job is to help townspeople make decisions and you do that by keeping people informed and engaged.

Mr. Alonzo thanked the past and present Board members, department heads, town employees and every elected and appointed board, commission and committee members. Everybody has brought their perspective. He also wanted to thank all the citizens of Lunenburg. This has been one of the most rewarding experiences of his life. He thanked his wonderful wife, Chriztine for her support, endless patience and her unwavering encouragement. He thanked everyone for showing up and everyone for their continued support.

Updates from Delegation

Representative Benson reported Representative Hay and herself have worked on the House budget. You have the numbers from that.

Senator Flanagan stated the budget came out today from the Senate; the numbers are not what we are expecting. We are looking at lower numbers than what the House had. Beginning this afternoon our staff will be analyzing what that means for our cities and towns. It is going to be tricky to address many of the needs that communities have. Once the Ways and Means Committee meets and gets the two documents they have to rectify them, they are going to have to make some serious decisions. Representative Benson stated our number one goal is to get the money out to the cities and towns. She is the Chair of the Consumer Protection and Professional Licensure Committee which covers basically the old government regulations committee. They do everything from all kinds of licensing issues to all the alcohol laws, lottery, horse racing and a lot of consumer protection issues. They have a lot of bills in committee and are holding meetings on those bills. Many people have asked her if the state could go back to the health care reform that was in place before the Affordable Care Act. That is not going to be possible if what the Republicans pass through the House stands because they are changing Medicaid and we had partnered with the federal government to fund that. Without that funding we are looking at possibly a billion dollars leaving the state budget that supports health care. It's really going to impact us. There are a lot of other areas like environmental and transportation funding that could impact the Transportation Improvement Plan (TIP). We are looking at losing 15,000 jobs in the state if there are cuts in that program.

Representative Hay reported he is on the Joint Committee of Higher Education, Joint Committee on Municipalities and Regional Government, Joint Committee on Economic Development and Emerging Technologies and the Joint Committee on Marijuana Policy.

The Committee on Marijuana Policy has held five public hearings across the state. We have travelled to cities and towns and heard over 30 hours of testimony from constituents regarding their ideas and opinions on what we should do with recreational marijuana. There are a variety of issues that we will be addressing such as the marketing and packaging of edibles and the makeup of the commission. There is a priority for medical companies who already growing and selling to have a foot up in the permitting process. That raises a question of equity. There are questions about the farmers and agricultural people having the ability to grow and sell and make a profit. There is the driving while impaired question, the tax rate, the amount of homegrown that people can have. The opt out process for cities and towns is very cumbersome and we are looking at that. The expunging of criminal records has also been a big issue. The goal is to have something to the Governor by July 1st. He stated he has already arranged a meeting with Ms. Lemieux and the Police and Fire Chiefs on this topic. On May 8th, he held a district public hearing at Fitchburg State University just for his constituents.

Senator Flanagan reported she chairs the Mental Health Substance Use and Recovery Committee and the Children, Families and Persons with Disabilities Committee, she is Vice Chair of the Public Health Committee and the Public Service Committee. She also sits on the Consumer Protection and Professional Licensure Committee and the State Administration Committee. She talked about the increase in opioid overdoses and the impact on hospitals, emergency rooms and towns and cities.

Mr. Alonzo asked if there was any uncertainty about state numbers. Rep. Hay stated the revenue projections this year are off by two percent. That makes a difference and we have to figure out how to balance that for the rest of this year. Next year's revenue projections will be held on a tight leash because we came up short this year. Rep. Benson stated we are constantly trying our best to figure out where the needs are and balance things as well as we can. The last thing we want to do is 9C cuts, required when projected revenues are less than projected spending; the absolute last resort. Our goal is to be more conservative. We do our best to try to fit as best as we can. Mr. Toale thanked them for coming in and stated they were welcome any time. The delegation exited the meeting.

Street Cut Replacement Moratorium- Dept. of Public Works Director Rodriquenz

Ms. Lemieux reported the draft policy before the board was created by DPW Director Rodriquenz. He presented an overview of a 5-year moratorium he is recommending be written into a formal policy. Simply put, if the road is paved, no one can cut into the road for five years. Because we realize there are emergencies and unforeseen infrastructure expansions, the draft goes into detail as to what happens when that is allowed.

Suggestions made to add a statement that the DPW will notify property owners by mail prior to paving of their road of the 5-year moratorium requirements; to state the DPW will notify residents on affected roads six months in writing and under "Definitions," to be clear about what criteria constitute an exemption. It was decided to have Town counsel review it before a vote by the board is taken. Mr. Rodriquenz thanked the board for their feedback.

Ms. Bertram stated she attended the MPO special meeting last week which was soliciting projects from communities for the Transportation Improvement Plan (TIP) due to excess funding. Two projects did come forward, however they are not ready. Although this year is off the table, there are three other available years eligible for funding. He thanked her and stated he was starting to look at projects. One thing they will have to identify is funding for engineering design.

Entertainment License Hearing Unifier Roots Gathering (cont.)

Jason Cohen and Greg Jones returned to address issues brought up at the May 2nd hearing. Mr. Cohen stated they met with the Board of Health last night and felt it was a good meeting. They have also spoken with Police and Fire Chiefs, Conservation and the Land Use Director and they believe they have been given a confidence by all the groups.

Motion: P. Bertram

2nd:P. Luck

To approve the Entertainment license for the Unifier Roots Gathering at 300 Holman Street on the condition they meet all the requirements of all Lunenburg Town departments

Vote: All in Favor

Land Use Director Burney reported this event will need electrical and plumbing permits which are not addressed in the current fee schedule. Upon consulting with the inspectors it was recommended the fees be set at \$150.00 each. Plumbing is still indeterminate until the sight is seen. This would be a one-time amendment to the fee schedule for this event. This will be addressed at another meeting. Mr. Burney will put together a proposal for the next meeting.

The Summer Street vote on property acquisitions and award of damages agenda item was postponed to a later date.

Hadwen Market package store license 0003-PK-0636- Vote to return license to Ole Ahad

Ms. Lemieux reported the buyer and seller could not come to terms on the purchase and sale agreement for the Hadwen Market package store license located at 1 Main Street. The Alcoholic Beverages Control Commission has advised Executive Assistant Peterson that the Board needs to vote for the license to be transferred back to the original seller, complete the Local Licensing Authority Summary Form, enclose letters from the buyer and seller detailing the sale never went through, and return all to them.

Motion: T. Alonzo

2nd: P. Bertram

To return the package store license #0003-PK-0636 to Old Ahad, d/b/a Hadwen Market

Vote: All in Favor

Mr. Toale announced the appointment of the Assistant Town Clerk would be postponed until the May 23 meeting.

Minutes/ Warrants/ Action File Issues

The Board signed an accounts payable warrant in the amount of \$223,297.13, a payroll warrant in the amount of \$752,557.36, a payroll deductions warrant in the amount of \$164,257.61 and a Middle/High School project warrant in the amount of \$140,153.47

The Board signed Minutes of April 18 and May 9, 2017.

Action File: Ms. Luck requested to know where the flood plain survey and flood plan mitigation plan in place for the Town are located. Ms. Lemieux reported there was not one in the office or the Conservation Commission office. There is a hazard mitigation plan that mentions flood maps only. Ms. Luck will research it further. She reported at the Storm Water Task Force (SWTF) meeting we discussed a goal of trying to get more rain barrels into the community. Since we have established a revolving fund for placing revenue from sales of compost bins and rain barrels at cost and we are able to get a \$5,400 annual grant to assist with that, we would like to offer a reduced price if we sell both items at the same time for \$80.00 to encourage more people to buy them. This will be a future agenda item.

Mr. Alonzo asked for an update on the larger size PAYT trash bags. Ms. Lemieux proposed buying a limited number of bags as a test run.

Ms. Bertram requested a status report on the Lake Shirley dam inspection.

Committee Reports:

Ms. Luck reported the SWTF met on May 11 and voted on the specific tasks to be included in the Community Compact. Land Use Director Burney will work with the Town Manager to get that submitted. He offered to research literature aimed at controlling pollution from cars that ends up in stormwater runoff to have available at the Cruise Night event in June. SWTF meets again on May 25.

The School Committee met on May 3rd and signed the new teachers' contract for FYs' 18 - 20 with the Lunenburg Education Association. It is estimated it will increase the school budget by 6% over the life of the contract.

Ms. Bertram reported on the MPO meeting earlier in this meeting. Planning Board discussed the Use Table and Regulations.

Mr. Alonzo reported Cable Advisory met last night but did not have a quorum. They did discuss a tentative new date of June 15 for the cable license hearing. It is this Board's responsibility to schedule and hold the hearing. He offered to remain on Cable Advisory Committee until the renewal of the cable license is completed. He offered the same for the School Building Committee but he did not think they would be meeting except for closure.

Town Manager Report

Ms. Lemieux reported the DPW Director has coordinated a Casella dumpster to be delivered for May 24th to Town Hall so departments can begin reviewing records and cleaning out the basement. Records that must be kept will be placed in a trailer for future mold remediation. The approximate cost for disposal will be \$700.00. We continue to have a problem with insects and rodents in Town Hall that we will rely on facilities department to handle.

Ms. Lemieux and Mr. Toale met with Richard Murphy, Executive Director of FLAAC regarding the Passios Building. They will be moving out of the building on August 8th. Going forward we will be monitoring the cost to operate the Passios and other municipal buildings.

In March, we were notified that the grant request submitted by Fitchburg, the lead community along with Townsend and Lunenburg was awarded \$42,257 for the design and construction of a regional animal shelter. However, Fitchburg has decided to pursue another avenue for animal shelter services and asked the Commonwealth if this grant can be transferred to the Town of Lunenburg. The Commonwealth agreed. Lunenburg will become the lead community. It will remain a regional grant because Townsend will be included. Both Clerical and Firefighters collective bargaining agreements expire on June 30th. We have requested to begin bargaining with both unions through labor counsel. We have a meeting scheduled on May 23rd and are awaiting a date from the Clerical Union.

Mr. Toale announced the next meeting will be a workshop and not televised. There is no meeting on May 30th. He reminded all that Memorial Day Observance will be on May 29th at 10:00 a.m. at Veterans Memorial Park across from the Eagle House Senior Center. In case of rain, it will be inside the Senior Center.

Our next televised meeting will be on June 6th. He reminded everyone to vote in the Annual election on May 20th.

Quarterly Financial Report

Town Accountant Karen Brochu presented a summary of revenues and expenditures up to March 31st. Everything is on target; revenues were at 77.06 % of the estimates for FY'17. Through March 31, we have collected 85.43% of the FY'17 local receipt estimates. She presented a breakdown of the local receipts. School departmental revenues, licenses and permits, motor vehicle excise taxes, special assessments and miscellaneous non-recurring revenue collected were all above what was estimated. Fines and forfeits and the local option meals tax were below estimates. We have collected 75.93 % of the levy. We have collected what we anticipated under state aid at 74%. Under expenditures, 68.4% of what was budgeted has been expended or encumbered. Most issues were addressed at annual town meeting for the FY'17 budget. The Reserve Fund was reduced by \$98,000, Town Manager salary line was reduced by \$7,000 and we had a small surplus of \$1750 in the annual audit line. We increased the Council on Aging budget by \$3,100 due to changes in the MART reimbursement process and contract changes. We increased the animal control officer budget by \$6,100 due to extended care of two abused pit bulls. There is going to be a surplus in the Monty Tech assessment of \$9,209 at the close of the fiscal year due to changes in the assessment. In snow removal we did a supplemental appropriation of \$166,000 at town meeting. There is still a small deficit that can be addressed internally in the DPW appropriation. Veterans benefits were reduced by \$45,000 at annual town meeting. Health insurance was reduced by \$31,100 and unemployment was reduced by \$8,000. The majority of our reductions were used to offset snow and ice deficit.

PUBLIC COMMENT: There was no further public comment.

Mr. Toale stated they would be entering Executive Session under MGL c. 30A, §21, 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).

Motion: P.Bertram

2nd: T. Alonzo

To enter Executive Session and adjourn afterwards

Vote; Ms. Luck-aye, Mr. Bertram –aye, Mr. Alonzo- aye, Mr. Ebersole- aye, Mr.Toale- aye

The meeting adjourned at 9:55 p.m.

Respectfully submitted,



Elaine M. Peterson

Executive Assistant to the Town Manager