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LUNENBURG TOWN
CLERK OFFICE

BOARD OF SELECTMEN

MINUTES

Joseph F. Bilotta Meeting Room, Town Hall

April 3, 2018

Board of Selectmen: Jamie Toale, Chairman; Robert Ebersole, Vice Chairman; Paula Bertram, Clerk; Phyllis Luck, Member; Damon McQuaid, Member

Others present: Susanna Jewell, Jason Ahearn, Jeremy Madore, Rhonda Lisio, Jim LaVeck, Steve Walker, Meredith Weiss, David Tocki, Matt Furman, Carl Strathmeyer, David Passios, Greg Bittner, Katey Adams

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

PUBLIC COMMENT:

Ms. Luck announced the Lunenburg Farmers Market "Poop-a-palooza," on Saturday, April 7th from 8:00 a.m. to 2:00 p.m. Composted manure from a variety of farm animals will be available for sale in various locations in town. Pick up your map and 5 gallon bucket, with a \$5.00 donation, available at H & M Farm located at 188 Flat Hill Road.

John Baker, 53 Chase Road, thanked Selectman Paula Bertram for her 12 years of service to the town.

Kim Mayhew, 684 Flat Hill Road, informed all that the Lunenburg 4-H Club will be hosting the first Lunenburg Earth Day Celebration at Wallis Park on Sunday, April 22nd from 1:00 -4:00 p.m. There will be local vendors, activities with chalk, bubbles and recycling.

Tom Alonzo, 284 Lancaster Avenue, announced the Lunenburg Boys and Girls Club 6th Annual, "Are You Smarter than Our Six Graders?" fundraiser on Friday, April 13th at the Lunenburg High School Auditorium. He encouraged everyone to come out for the event.

Susan Whalen, 377 Flat Hill Road, presented with concerns about excessive stormwater and flooding issues on her road that she has been dealing with over several years. She presented a handout to the Selectmen listing some of the concerns. Ms. Luck noted she had walked the area recently and it is very saturated. The first coating of pavement laid last year has already eroded on one side of the and two feet into the road are cracks in that are several hundred feet long. Ms. Bertram suggested this item be placed on the next available agenda and to request DPW Director Rodriquenz attend. Mr. Ebersole suggested Town Manager Lemieux check with the Planning Board for any drainage plans etc. for the area as well.

Greg Bittner, 129 Pleasant Street, suggested if Ms. Lemieux had any further information, he could have it added to the next Planning Board agenda.

APPOINTMENTS:

Liquor License Violation Hearing –MIJ,Inc. d/b/a J & M's Sports Bar, 5 Summer Street, #10

Mr. Toale opened the hearing, asked for representatives for the business and the Town and informed all on how the hearing would proceed. He swore in owner Melissa Thibodeua and Lunenburg Police Sergeant Hebert.

Sgt. Hebert reported he pulled into the parking lot at approximately 1:04 a.m. and noticed a man in a silver Jeep Cherokee leaning over. He ran the registration plate number and noticed the owner photo did not match the man in the Jeep. He drove around the side of J & M's Sports Bar and noticed the actual Jeep owner entering the side door after closing time with another female. He continued around the parking lot and back towards the front and found the man in the Jeep passed out in the front seat. He woke him up and determined his name was David.

David could not tell him anything else. David was actually driving a blue Jeep Wrangler and had gotten into the wrong vehicle. He was taken into protective custody and blew a .238 blood alcohol test at the station 45 minutes later. Before he went back to the station Hebert went to talk to the bartender on duty, Lisa Boivon. She admitted this gentleman was in earlier however how much he had consumed, how long he was in there was unclear as he was getting different answers from Boivin. He informed her if the man showed up in that condition, she should have called the Police Dept. and not served him at all. That is the first violation. The

second violation would be having patrons in the bar after the 12:45 a.m. closing time. There was another male inside the building after closing in addition to the Jeep Cherokee owner who was identified as Ms. Boivon's boyfriend, who was a DJ that night. He told Hebert he was done and was waiting for Boivin to close up. We discussed locking the back door which has a crash bar.

Ms. Thibodeau stated she talked to her bartender and she did shut him off because he was intoxicated. She stated we have no idea how long he was outside, we can't be inside and outside at both times. He had been gone at least an hour. As far the patrons coming back in the bar, it was because somebody was in their vehicle and they were waiting to get help from an officer. Ms. Luck asked Thibodeau what is your policy when someone is in your bar and is obviously intoxicated. Thibodeau stated they get shut off. Ms. Luck asked do you allow them to leave intoxicated? Thibodeau stated no, if they need a ride home, we give them a ride. Ms. Luck noted it sounds like you just said we can't monitor them, is that your procedure? Thibodeau stated we don't encourage people to drive home intoxicated. Ms. Luck stated you let this intoxicated person leave. Is that your usual habit? Thibodeau stated we do everything possible to make sure people get home safely. Ms. Luck asked what did you do to make sure this person got home safely? Thibodeau stated the bartender did what she was supposed to do by not letting him drink. Ms. Bertram asked how long had he been in the bar prior to being shut off. Thibodeau stated not long at all; he came in and asked for drink. The bartender realized he was intoxicated and took the drink back. Ms. Bertram asked if the bartender was here this evening. Thibodeau replied no, she is working at the bar. Ms. Bertram noted Sgt. Hebert said there were varying stories from the bartender on what actually occurred. Without the individual telling us, as you said you were not there; this is a very serious incident. To have someone in the parking lot with a .238 BA is absolutely unacceptable. Ms. Bertram stated we are lucky he is still alive and did not drive off. Ms. Luck pointed out he was intoxicated when you let him leave the building and she understood that is a license violation. Discussion ensued on what the procedure should be to deal with an intoxicated person. Sgt. Hebert noted it is the business who should have a policy; other places in town have called us and asked for us to give them a ride home or called a cab or called someone to come get them. Normally they don't just shut someone off and let them walk out the door.

Ms. Lemieux noted the establishment does not currently have insurance coverage. Ms Thibodeau when asked to address that, stated that is a surprise to her. Mr. Toale noted it is in the letter that was sent to you, in fact there have been several letters sent to you. Ms. Bertram added as well as phone calls, attempted phone calls, emails. Mr. Toale noted this was in the letter that was sent to you. Ms. Bertram asked Thibodeau what her email was. Thibodeau confirmed it was the one on file with the Selectmen office yet denied receiving any emails from the office.

Mr. Toale stated it was noted in the letter sent to you that you have failed to pay for and pick up your safety certificate. Thibodeau stated the only thing she has gotten was notification of an audit. Mr. Toale asked who is Andrea Fraticelli; that is who signed for the certified letter. Thibodeau stated that is our day bartender. Ms. Bertram asked you never got the letter stating your insurance has lapsed and you need to supply the new information in order to keep your license in good standing? Thibodeau stated she never saw any of that.

Mr. Ebersole read aloud from the letter: **1.03 Admission to the Premises (g)** Licensees shall refuse entrance to the premises to a person who appears intoxicated or unruly and shall evict such a patron except that in such a case the licensee should call the police and should offer assistance to an intoxicated person when possible; and **1.03 Admission to the Premises (k)** Licensees shall not allow any patron or any guest or any employee who is not working that shift to enter the premises after the closing hour posted on the license or prior to the opening hour posted on the license, and **1.04 (a) Hours of Operation** The hours of operation shall be restricted to those set by the Licensing Authority and stated on the face of the license. No patrons shall be on the premises before the official opening hours or after the official closing hours. Last call is a minimum of thirty minutes prior to closing time. Customers must be up and out once the closing hour of the licensed premise is reached. No drinks shall be consumed after closing hours; **1.13 Other Causes for Revocation, Suspension and Modification (a)** (1) Violation by the licensee of any provision of the relevant General Laws of the Commonwealth, [M.G.L. Chapter 138, § 12]; and of the regulations of the Alcoholic Beverages Control Commission or of the regulations of the Licensing Authority; specifically,

1.13 Other Causes for Revocation, Suspension and Modification (4) Failure or refusal of the licensee to furnish or disclose any information required by any provision of the General Laws or by any rule or regulation of the Alcoholic Beverage Control Commission or any regulation of the Licensing Authority, [Failure to

provide proof of liquor liability and workers compensation insurance coverage and to pay the fee for and obtain the safety inspection certificate mandated by the Commonwealth of Massachusetts].

All of those were in the notice. Ms. Bertram stated the insurance has been an ongoing issue. She added it is not the responsibility of the local licensing authority to chase down these documents on your behalf. It happened last year and again this year. Discussion ensued on the expiration dates of the insurance coverage. The Board pointed out insurance coverage is required every day of the year, not just at renewal time. Ms. Bertram asked she picked up her safety certificate at the Building Department. Ms. Thibodeau stated she did not know anything about that.

Ms. Bertram returned to the two individuals being inside the bar after hours; they came back inside because they saw the person in the Jeep Cherokee? Thibodeau repeated the bartender made sure everybody was out at closing. Mr. Ebersole stated regulations state licensees shall not allow any patron or any guest or any employee who is not working that shift to enter the premises after the closing hour. It does not give excuses for why people are coming back in.

Sgt. Hebert reported the Jeep Cherokee owner and his girlfriend were on the side of the building where people typically smoke and there is a large exterior cooler there. The Jeep owner couldn't see his vehicle from there. He did not know somebody was in his vehicle until he approached me and I asked him if that was his vehicle and to go through it to make sure nothing was taken. He did not know someone was in the vehicle until well after 1:00 a.m. There were no further questions. Ms. Bertram stated it was extremely unfortunate that the bartender did not appear tonight to answer specific questions because she was concerned about the level of intoxication of the patron in the parking lot and not knowing the sequence of events leaves way too many unanswered questions. Mr. Toale closed the hearing.

Motion: R. Ebersole

2nd: P. Luck

That the Board finds violations of 1.03 (k) Admission to the Premises; shall not allow any patron or any guest or any employee who is not working that shift to enter the premises after the closing hour posted on the license; **1.04 (a) Hours of Operation;** No patrons shall be on the premises after the official closing hours (12:45 a.m.); **1.13 Other Causes for Revocation, Suspension and Modification (a) (1)** Violation by the licensee of any regulations of the Alcoholic Beverages Control Commission or of the regulations of the Licensing Authority; [Failure to provide proof of liquor liability and workers compensation insurance coverage and to pay the fee for and obtain the safety inspection certificate mandated by the Commonwealth of Massachusetts]

Discussion: Sgt. Hebert was asked to repeat his testimony regarding the patrons reentering the bar at 1:04 a.m.

Vote: All in Favor

The Board discussed possible sentencing options considering this was the third violation hearing. Ms. Bertram noted they should be closed immediately until the insurance certificates are furnished. We cannot allow the business to run without the necessary insurance.

Motion: R. Ebersole

2nd: P. Bertram

To issue a fourteen day suspension starting Sunday, May 6

Discussion ensued about requesting full year coverage from December 31 to December 31.

Mr. Ebersole amended his motion to require the above. Ms. Bertram amended her second.

Ms. Bertram stated again the business needs to be closed immediately.

Vote: All in Favor

Victory Distributors LLC d/b/a Hannaford Supermarket & Pharmacy – Change of Beneficial Interest/Beneficial Interest Holders

Lunenburg Assistant Store Manager Jason Ahearn presented on behalf of the license amendment. He stated there was a change of officers last year and this is to update the license.

Motion: R. Ebersole

2nd: P. Bertram

To approve the Change of Beneficial Interest/Beneficial Interest Holders as requested

Vote: All in Favor

Donald E. Lyons d/b/a Settlers Pub- Change of Alcohol License Class from Seasonal to Annual and Change of Corporate Name to Settlers Crossing Enterprises LLC

Donald Lyons appeared on behalf of the license amendment. He stated he was advised to change to the business name by his lawyer rather than have it in a personal name for tax filing purposes. They also would like to hold events all year versus seasonally.

Motion: R.Ebersole

2nd: P. Bertram

To approve the change of license class to annual and change of corporate name to Settlers Crossing Enterprises LLC

Vote: All in Favor

Weekday Entertainment License – Dragonfly Garden Café- 3 Lancaster Ave.

Owner Joslin Schneider presented on behalf of the weekday entertainment license application. They have been holding an open mic on the first Friday of the month and have been getting more interest from other entertainers. Mr. Ebersole asked if this would occur inside the building. Schneider stated yes. He asked what their hours of operation were. Schneider replied they offer counter services Friday, Saturday and Sunday from 7:30 am to 3:30 pm and started offering light catering to offices and gyms in the area that want fresher options. They are also working with the local farmers to do a First Friday Farm Share. Pickup would be at our location. We would like to hold open mike from six to nine p.m. on the first Friday of the month.

Motion: R.Ebersole

2nd: P. Bertram

To approve the weekday entertainment license with hours not to exceed 9:30 p.m. Monday through Saturday

Vote: All in Favor

Cable Advisory Committee re: Acceptance of new Comcast License Agreement

Mr. Toale recused himself from the discussion due to the fact his significant other is an employee of Lunenburg Public Access. He requested Mr. Ebersole chair the discussion. Ms. Bertram noted she is also a member of the Cable Advisory Committee.

Tom Alonzo, 284 Lancaster Ave., returned to the podium as the Cable Advisory Committee Chair. He reported they have come to agreement with Comcast on the 10 year contract.

Highlights:

- A capital amount of \$170,000; 50% paid in year 1; 25% paid in year 2; 25% paid in year 3
- Subscriber fees which fund the PACC operation will go from 2.5% to 5%
- There will be construction of a fiber video return line to the Middle/High School, location to be determined
- We will convert a current Leominster channel to the third Lunenburg (education) channel within 2 years

There are three side letters; not part of the contract, but able to be revisited. The first is the ability for us to go to high definition and that will be revisited sometime after two years have passed. The second talks about getting an electronic program guide for Lunenburg programming, which is currently a technical issue for Comcast; as it is hard to provide one for just Lunenburg when they have other towns in their territory. If that becomes available we will be discussing that. Lastly, a senior discount for subscribers, another issue not under contract, but could be open for future discussion.

Mr. Alonzo reported at their meeting on March 26th, the Cable Advisory Committee voted unanimously to recommend this contract be signed by the Board of Selectmen. He asked if there were any questions.

Ms. Luck asked if you go with high definition will there be an additional cost? Mr. Alonzo stated since it is not negotiated it is hard to know. Ms. Bertram added it would need to be discussed at the time if and when it became available. Ms. Luck asked if there would be a cost for the electronic program guide. Mr. Alonzo noted again it is not available so the definitive answer is I don't know. Ms. Luck asked if \$170,000 is all the Lunenburg subscribers pay now? Ms. Bertram stated they pay the franchise fee as well. Mr. Alonzo stated on average it will be a fee change of an additional \$2.80 per month; or a percentage of the franchise fee, collected from Lunenburg subscribers.

Further discussion ensued about the cost to subscribers, cable services survey results and the public hearing.

Motion: P. Bertram

2nd: D. McQuaid

To approve the proposed Comcast cable license agreement

Vote: Ms. Bertram- aye, Mr. Ebersole- aye, Mr. McQuaid- aye, Ms. Luck- nay, Mr. Toale- abstain

Mr. Ebersole returned the Chair to Mr. Toale.

Joint meeting with School Committee to interview candidate for vacant School Committee seat & Joint Appointment

School Committee Chair Heather Sroka called their meeting to order at 8:17 p.m. Present were Ms. Sroka, Meredith Weiss, Wendy Bertrand and Jim LaVeck.

Carol Archambault, 662 Page Street, was present to interview for the vacancy. Mrs. Archambault has lived in town for 29 years. She is a retired teacher from the Nashoba School district. Her two children went to Lunenburg public schools. She would like to offer something back to the community that supported her children during their school careers.

Ms. Sroka asked Mrs. Archambault if she would be willing to run for election when the time came for the School Committee in 2019. Mrs. Archambault stated if everything went well, yes; part of the reason for filling in is to try it out. Further discussion ensued about the time commitment. School committee member Jim LaVeck asked if she had a vision for the position coming into it. Mrs. Archambault stated she does not have any agendas; she spent a lot of time teaching in a very high quality school district and she knows what that requires. Ms. Weiss inquired about how she would gain the background knowledge to begin her first steps on the committee. Other than that she stated she did not have the background knowledge to say anything is a driving force to take the position right now. She planned to review the minutes, check policies, the vision and mission statements, etc. and get up to speed. As issues arise she would have to investigate and talk to parents, teachers and other committee members. She added we all need to work together. Ms. Bertrand asked about what she hopes to bring to the committee in terms of qualities and strengths. She believed her past experience as a teacher, working with teachers and serving on committees provided a good foundation for being on the school committee and knowing what a school's needs are. Mr. Ebersole thanked the School Committee for their insightful questions to Mrs. Archambault.

Motion: R.Ebersole

2nd: H. Sroka

To appoint Carol Archambault to the one year term for the School Committee and the next election

Vote: Ms. Sroka –aye, Ms. Weiss- aye, Ms. Bertrand- aye, Mr. LaVeck- aye, Ms. Luck- aye, Mr. McQuaid- aye, Ms. Bertram –aye, Mr. Ebersole- aye, Mr. Toale- aye.

The Board congratulated Ms. Archambault. The School Committee adjourned their meeting at 8:27 p.m.

Constable Appointment- John H. Godek

John Godek, 321 Pearl Street, Fitchburg was applying for a Constable appointment. He was previously a canine officer handling both attack and narcotics dogs for the state of Massachusetts. He noted there is a need for civil process that isn't handled by the local Police department and he was willing to do so.

Motion: R.Ebersole

2nd: P. Bertram

To appoint John Godek as Constable with a term to expire June 30, 2018

Vote: All in Favor

Animal Inspector- Kathleen Comeau- term May 1, 2018 – April 30, 2019

Ms. Lemieux reported animal inspectors make regular and thorough inspections of all neat cattle, sheep and swine located within their town limits. They provide an annual report to the Commonwealth.

Motion: P. Bertram

2nd: P. Luck

To appoint Kathleen Comeau as Animal Inspector with a term of May 1, 2018 through April 30, 2019

Vote: All in Favor

Resignation- Maureen Dupuis from Agricultural Commission effective March 15, 2018.

Ms. Dupuis has resigned effective immediately due to family obligations.

Motion: R.Ebersole

2nd: P. Bertram

To accept the resignation

Vote: All in Favor

Mr. Toale encouraged anyone interested in applying for the vacancy on the Agricultural Commission to submit a talent bank form. Ms. Lemieux noted the vacancy has been advertised and we have two applicants that will be interviewed at the April 17th Selectmen meeting.

TOWN MANAGER REPORT

District Local Technical Assistance from Montachusett Regional Planning Commission:

We received formal notification that the MA Department of Housing and Community Development (DHCD) gave the final approval for our request for District Local Technical Assistance from Montachusett Regional Planning Commission (MRPC). The District Local Technical Assistance from the staff at MRPC will include:

- Expansion of the "Formation of a Business/Town Partnership" report to include how each recommendation is implemented, the responsible parties included in the implementation process, and the estimated time frame that each recommendation can reasonably be accomplished.
- Preparation and Distribution of a Promotional Tourism Brochure that would promote the local businesses and be used on the town website to highlight Lunenburg's resources to visitors. The creation and distribution of this type of information will assist both our residents in locating local businesses and our local business owners. Currently there is no central location where this information can be sought and often residents use social media to solicit information on certain services. This tool would also be used to show the town's recreational resources, historic locations, and promote our natural resources. As referenced in MRPC's December 2017 report "Formation of a Business/Town Partnership", recreation, history, arts and culture are also economic development activities that will draw visitors to Lunenburg, but they also foster a sense of community.
- Creation of a Permitting Guidebook to assist customers with projects of any type and scale or need to obtain any permit. The Town is in the process of moving to electronic permitting software to create greater efficiencies in the permitting process and ease of use by the applicant. A permitting guidebook will complement this process by outlining the requirements for applicants and also address how they can file their application online and view the status remotely as well.

The Land Use Director and I have a meeting with MRPC staff on Tuesday, April 10th to discuss next steps.

Annual Town Meeting Warrant and Request for Ballot Question on Annual Town Election Warrant:

Due to the deadline to provide the finalized Annual Town Meeting warrant booklet to the printer to mail to every household according to the Charter/Town Bylaws, there is insufficient time for a ballot question for a debt exclusion for the demolition of the old Primary School to get on the Annual Town Election warrant. The Annual Town Election warrant is included in the booklet that is mailed out and is among the warrants to be signed by the Board tonight. The alternative would be that the Selectmen call a Special Election no later than September 15th to include a ballot question that would request exempt borrowing for the demolition of the old Primary School. This would require a 2/3 vote of the entire Board to place an exclusion question on the ballot (G.L. Ch. 59 §21C (i)(2), (j), (k)). A contingent vote that is passed at Annual Town Meeting has until September 15th to be passed on a referendum vote on the ballot or the appropriation vote at town meeting is null and void.

Economic Development: Mini-Workshop with Agricultural Commission and Planning Board:

The Agricultural Commission and Planning Board have been invited to the Selectmen's meeting on April 10th to discuss economic development in relation to our agricultural resources and farms. The second half of the meeting will be dedicated to a workshop format on this topic.

Dental Insurance:

Last month I requested our insurance broker to seek quotes on dental insurance for Fiscal Year 2019. Our current provider, Altus Dental, responded with a significant reduction to the monthly premium and a rate that is guaranteed until June 30, 2020. Currently the rates are as follows:

- Employee + 1 Monthly Rate: \$76.48 Employee Monthly Rate: \$48.04
- Employee + 1 Monthly Rate: \$96.08
- Family Monthly Rate: \$168.17
- The new rates, which will retroactively go into effect on March 1, 2018 are as follows:
- Employee Monthly Rate: \$38.24
- Family Monthly Rate: \$133.86

This equates to a savings of approximately \$117.60/year for an individual plan, \$235.20/year for an individual plus one plan, and \$411.72/year for a family plan. Employees contribute 100% of the dental premium, so this does not affect any town appropriation or OPEB since this is not a cost borne by the Town.

CURRENT BUSINESS

1. Final Vote on all Annual Town Meeting (ATM) Warrant Articles

Ms. Lemieux reported one article was removed from the warrant at the request of the Sewer Commission. The articles were then renumbered accordingly.

Article 1. Reports from Committees

Motion: R.Ebersole

2nd: P. Bertram

To recommend approval of Article 1

Vote: All in Favor

Article 2. Amends the general by-laws of Town by adding a new section to establish and authorize revolving funds for use by certain town departments, boards, committees, agencies or officers under Massachusetts

General Laws Chapter 44, § 53E½

Motion: R.Ebersole

2nd: P. Bertram

To recommend approval of Article 2

Vote: All in Favor

Article 3. Authorizes revolving funds for various departments, boards, committees, agencies or officers pursuant to Massachusetts General Law Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2018 to be expended in accordance with the by-law heretofore approved

Motion: R.Ebersole

2nd: P. Bertram

To recommend approval of Article 3

Vote: All in Favor

Article 4. Will vote to raise and appropriate, or transfer from available funds, a sum of money for payment of prior year expenses; Note: at this time there are no prior year expenses.

Motion: R.Ebersole

2nd: P. Bertram

To make a recommendation at Town Meeting

Vote: All in Favor

Article 5. Will vote to transfer from available funds, all sums of money necessary to amend the amounts voted for the Town's FY 2018 Budget, under Article 8 of the May 6, 2017 Annual Town Meeting and Article 1 of the November 28, 2017 Special Town Meeting

Motion: R.Ebersole

2nd: P. Bertram

To make a recommendation at Town Meeting

Vote: All in Favor

Article 6. Will vote to raise and appropriate, borrow, or transfer from available funds a sum of money for the FY 2019 Capital Plan, as appearing in the Capital Planning Committee Report

Motion: R.Ebersole

2nd: P. Bertram

To recommend approval of Article 6

Vote: All in Favor

Article 7. Will vote to raise and appropriate or transfer from available funds, a sum of money to defray the charges and expenses of the Town for FY 2019 and to fix the salaries and compensation of all elected officials of the Town and any other items included in the budget of the Town Manager;

Motion: R.Ebersole

2nd: P. Bertram

To recommend approval of Article 7

Vote: All in Favor

Article 8. Will vote to raise and appropriate or transfer from available funds, a sum of money to the Stabilization Fund; (Recommended amount is \$87,000.)

Motion: R.Ebersole

To recommend approval of Article 8

2nd: P. Bertram
Vote: All in Favor

Article 9. Will vote to raise and appropriate or transfer from available funds, a sum of money into the Special Purpose Stabilization Fund; (Recommendation is \$200,000 from Free Cash.)

Motion: R.Ebersole

To recommend approval of Article 9

2nd: P. Bertram
Vote: All in Favor

Article 10. Will vote to raise and appropriate or transfer from available funds, a sum of money into the OPEB Trust Fund that was created at the November 10, 2010 Special Town Meeting; (Recommendation is \$100,000 from Free Cash and \$656.00 from Sewer Retained Funds)

Motion: R.Ebersole

To recommend approval of Article 10

2nd: P. Bertram
Vote: All in Favor

Article 11. Will vote to raise and appropriate or transfer from available funds, a sum of money to operate the Sewer Enterprise Fund for FY 2019

Motion: R.Ebersole

To recommend approval of Article 11

2nd: P. Bertram
Vote: All in Favor

Article 12. Will vote to transfer from available funds a sum of money into the Sewer Capital Reserve Stabilization Fund; (Recommendation is \$29,000.)

Motion: R.Ebersole

To recommend approval of Article 12

2nd: P. Bertram
Vote: All in Favor

Article 13. Will vote to raise and appropriate or transfer from available funds a sum of money to operate the Solid Waste Disposal Program Enterprise Fund for FY 2019; (Recommendation is \$292,000.)

Motion: R.Ebersole

To recommend approval of Article 13

2nd: P. Bertram
Vote: All in Favor

Article 14. Will vote to raise and appropriate or transfer from available funds a sum of money to operate the Water Department/Water Enterprise Fund for FY 2019; (Recommendation is \$25,000.)

Motion: R.Ebersole

To recommend approval of Article 14

2nd: P. Bertram
Vote: All in Favor

Article 15. Will vote to appropriate from Public Educational Governmental (PEG) Access and Cable Related Fund Revenues, a sum of money to fund the FY 2019 PEG Access Committee operating budget and capital budget; (Recommendation is \$192,600.)

Motion: R.Ebersole

To recommend approval of Article 15

2nd: P. Bertram
Vote: All in Favor

Article 16. Will vote to appropriate a sum of money from the Sale of Cemetery lots account to be used for the care and improvement and embellishment of the Town Cemeteries; (Recommendation is \$20,000.)

Motion: R.Ebersole

To recommend approval of Article 16

2nd: P. Bertram
Vote: All in Favor

Article 17. Will vote to rescind the sum of \$838,675, the remaining borrowing authorization, from Article 25 of the May 3, 2014 Annual Town Meeting for sewer construction;

Motion: R.Ebersole

To recommend approval of Article 17

2nd: P. Bertram
Vote: All in Favor

Article 18. Will vote to rescind the sum of \$300,000, the remaining borrowing authorization, from Article 38 of the May 2, 2015 Annual Town Meeting for sewer construction

Motion: R.Ebersole

To recommend approval of Article 18

2nd: P. Bertram

Vote: All in Favor

Article 19. Will vote to rescind the sum of \$256,000, the remaining borrowing authorization, from Article 15 of the May 3, 2014 Annual Town Meeting for the purchase of the Lane Property

Motion: R.Ebersole

To recommend approval of Article 19

2nd: P. Bertram

Vote: All in Favor

Article 20. Will vote to authorize the Board of Selectmen to convey the building known as the Brooks House, located at 1033 Massachusetts Avenue, shown on Assessor's Map 060, Lot 055 from the Board of Selectmen for general purposes to the Board of Selectmen for the purpose of conveyance, and to authorize the Board of Selectmen to sell the building situated thereon, and take any legal action necessary to effectuate the sale of said building situated thereon;

Motion: R.Ebersole

To recommend approval of Article 20

2nd: P. Luck

Discussion: Mr. Ebersole noted the Architectural Preservation District Commission has jurisdiction over demolition or removal of a building. Ms. Bertram stated there is not a comprehensive plan for the buildings as a whole and taking them piecemeal is not an option she would support. Mr. McQuaid stated we need to find out if someone actually wants the building first and that feeds into the plan. If we are going to knock it down that is part of the process too by showing the APDC that we tried to do something with it. Ms. Bertram understood the rationale but stated this Board had not had any prior conversations about this. Mr. Ebersole believed to try to tie every single building together is going to make every effort fail. Ms. Bertram disagreed and thought all the buildings are tied together. This Board talked about a town center plan and we have diverged from that.

Vote: 4 in favor, 1 against (Bertram)

Article 21. Will vote to authorize the Board of Selectmen to convey to Hickory Hills Landowners Inc., the owners of the property located at 199 Townsend Harbor Road, Assessors Map 042 Parcel 01, 285 Townsend Harbor Road, Assessors Map 043 Parcel 03 and to Ryan and Marley Dixon, the owners of the property located at 307 Townsend Harbor Road, Assessors Map 043 Parcel 01, and their successors, a perpetual easement along and upon portions of the Town owned property along Townsend Harbor Road from 169 Townsend Harbor Road to 307 Townsend Harbor Road, approximately 12' feet wide by 1900' long, for the purpose of installing overtopping protection along Hickory Hills Dam, and maintenance thereof, on such terms and conditions which the Board of Selectmen may determine; (This is a citizens' petition).

Discussion: Mr. Toale recommended that due to the fact three Board members are residents in Hickory Hills that the Board not make a recommendation on this article. Ms. Bertram noted she filed a Notice of Appearance of Conflict of Interest as a member of the Hickory Hills Dam Committee and was advised by Town counsel that she could represent them as long as she filed the form. Mr. Ebersole stated he supported this article because this is work to make sure the dam does not fail in the event of catastrophic additional water and other issues.

Article 22. Will vote to authorize the Board of Selectmen to convey the property located at 161 Gilcrest Street, shown on Assessor's Map 031 Parcel 0010 from the Board of Selectmen for general purposes to the Board of Selectmen for the purpose of conveyance on such terms and conditions and for such consideration as the Board of Selectmen deems appropriate, and to take any legal action necessary to effectuate the same; and to authorize the Board of Selectmen to acquire, in partial or full consideration of the 161 Gilcrest Street property that other property located at 171 Gilcrest Street, shown on Assessor's Map 031 Parcel 0011, for the purpose of conservation land and in order to obtain meaningful access to the Lane Conservation property

Motion: R.Ebersole

To recommend approval of Article 22

2nd: P. Bertram

Vote: All in Favor

Article 23. Will vote to transfer its right, title, and interest to the land at 174 Northfield Road Rear shown on Assessors Map 41 Block 3 Lot 0 from the Board of Selectmen for which said property is held to convey all of such property to Hickory Hills Landowners Inc. on such terms and conditions, and for such consideration, as the Board of Selectmen deems appropriate. Ms. Lemieux noted this is a citizen's petition. No recommendation was made at this time.

Article 24. Will authorize demolition and removal of the building and all related structures, and site cleanup, of the Town owned property known as the Old Primary Building, located at 30 School Street in the town of Lunenburg, the property further identified on: Assessors Map 071.0 Block 0076 Parcel ID# 162/071.0-0076-0000.0, including the payment of all costs incidental and related thereto; and raise and appropriate the sum of \$400,000.00, or some other sum or sums; and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, be authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that the Board of Selectmen be authorized to take any other action necessary to carry out this project; and further, to see whether such vote will be contingent upon a vote by ballot at the annual town election to exclude the amounts necessary to repay the debt service on any such borrowing from the property tax limitation provisions of Chapter 59, Section 21C of the General Laws (Proposition Two and One Half) Ms. Lemieux noted this is a citizen's petition and the petitioner was here tonight.

Dave Passios, 56 Whiting Street, stated this petition was the result of citizens getting together over the past two months. It does separate this building out from the other five buildings. He stated it would help enhance open space and provide an area for a farmer's market, band concerts, small performance events and festivals in a safer location. It opens up more parking spaces for that area. It would be like a town park not for sports venues.

Further discussion ensued on the pros and cons of demolishing the building, possible additional unforeseen costs and the resulting impact on real estate tax bills and the capital plan, current maintenance of the building, current maintenance of the existing Town green spaces, a lack of a comprehensive plan for all the affected municipal buildings, as well as the area being on a dead end street with lack of visibility from the road.

Motion: D. McQuaid

To not recommend approval of Article 24

2nd: P. Luck

Vote: All in Favor

Mr. Passios stated he felt he did his due diligence as best he could with the data available and intended to take this to town meeting floor. We will also debate it there with the townspeople and his hope is they will agree with our group. He thanked the Board.

Article 25. Will vote to amend the Sewer Service Area Map, adding Tilton Avenue to the Lunenburg Sewer Service Area and Sewer Service Zone (parcel ID's 75-18, -19, -20, -21, -22, -23, -24, -25, -26, -27, a total of 10 parcels);

Mr. Ebersole noted this was a parcel that was excluded when the town service area map was done. They have determined that that it was should go back into it, partly because of the needs of the residents. The article that was removed was to do a betterment to put a sewer in. They did not get the 2/3rd required vote to support it. There are some people at the initial part of the road that would qualify to do a private sewer extension if this was included in the service area.

Motion: R. Ebersole

To recommend approval of Article 25

Following further discussion, Mr. Ebersole withdrew his motion.

Motion: P. Luck To recommend approval of Article 25 There was no second.

Motion: R. Ebersole To make a recommendation at Town Meeting

2nd: P. Bertram

Vote: 4 in favor, 1 opposed (Luck)

Article 26. To eliminate Chapter 127 Cigarettes, to eliminate Chapter 127-1 Sale and Display Restricted, to eliminate Chapter 127-2 Violation and Penalties, and to allow the sale of cigarette rolling paper. (This is a citizens petition).

Motion: R. Ebersole

2nd: P. Bertram

To make a recommendation at Town Meeting

Vote: All in Favor

Article 27. Votes to authorize the Board of Selectmen to petition the General Court for the enactment of a special legislation revising the Lunenburg Home Rule Charter adopted at the Town Election held in 1999 and filed in the office of the archivist of the commonwealth as provided in section 12 of chapter 43B of the General Laws, and amended by the town on May 3, 2008 and enacted by the Senate and House of Representatives of the General Court on October 8, 2009, in the following manner:

1. Change the name of the board of selectmen to select board.
2. Change the manner of selection of the town clerk from elected to appointed by the town manager subject to ratification by the select board.
3. Providing that persons appointed to town committees be residents registered to vote in town.
4. Providing for a second annual town meeting in the fall, the time and date of which to be set by by-law.
5. Providing that conduct of town meeting to be governed by "Town Meeting Time".
6. Clarify and confirm the appointment powers of the select board and town manager to provide for appointment of various department heads be appointed by the town manager subject to ratification by the select board.
7. Clarifying the duties of the town manager relating to personnel management, jurisdiction over town facilities, property and day to day operations, the budget process and enforcement of charter provisions and town by-laws.
8. Providing more specifics in the process for removal and suspension of the town manager.
9. Make certain other grammatical and phrasing changes that do not alter the meaning or intent of existing provisions, as well as updating requirements of the open meeting law to comply with state law.,

and to authorize the charter review committee to submit to the General Court for enactment as the Revised Charter of the Town of Lunenburg the proposed legislation contained in the Final Report of the Charter Review Committee 2018, copies of which were placed on file in the office of the Board of Selectmen and the office of the Town Clerk and copies of which were made available for public distribution at the office of the Board of Selectmen, the office of the Town Clerk at the Town Hall, at the main circulation desk of the Lunenburg Public Library and on the town website forthwith following such filing. Said Charter Review Committee is further authorized to consult with the members of the General Court and is hereby authorized to approve such changes or alteration to the draft text of the special legislation as may be suggested by the General Court if any;
(Submitted by the Charter Review Committee)

Mr. Ebersole noted there is a public hearing on this Thursday for the charter changes.

Motion: R. Ebersole

2nd: P. Luck

To make a recommendation at Town Meeting

Discussion ensued about protocol for any changes to the charter after posting the warrant article

Vote: All in Favor

Ms. Bertram requested further discussion occur at a Board before Annual Town Meeting. Mr. Ebersole encouraged feedback on the proposed changes from residents.

Article 28. Votes to amend the Town of Lunenburg Code, Chapter 81 Town Meetings, as follows:

In 81-2 Meeting and election dates to add the word "first" before the words "Annual Town Meeting" and to add the following sentence at the end of the section: The second Annual Town Meeting shall be held on the second Tuesday in November commencing at 7:00 p.m., so that the section reads as follows:

The first Annual Town Meeting shall be held on the first Saturday in May commencing at 9:00 a.m., and all required reports shall be made at that time. The Annual Town Election shall be held on the third Saturday in May commencing at 7:00 a.m. and ending at 5:00 p.m. The second Annual Town Meeting shall be held on the second Tuesday in November commencing at 7:00 p.m.; and

in 81-3 Closing of Warrant to insert the words "first or second" before the words "Annual Meeting" both times that it appears so that the section reads as follows:

All requests for the insertion of subjects in the warrant for the first or second Annual Meeting shall be submitted on or before 4:00 p.m. on the 42nd day before the date of the first or second Annual Meeting. The requests shall be filed in the office of the Selectmen and the date of filing shall be noted on the request. No subject, the insertion of which is requested after the time herein designated, shall be inserted in the warrant; (Submitted by the Charter Review Committee)

Mr. Ebersole noted the Charter Review Committee discussed attendance and the difficulty keeping a quorum at town meeting. One of the options was to have a time certain in the fall that items such as zoning and general bylaw articles and budget adjustment articles will automatically move to that which then would make the town meeting in the spring a shorter time period. We believed if voters knew the two dates for the meeting they would not schedule other things during that time period. This could be approved regardless of what happens with the previous article. The other reason we were talking about a second annual town meeting was to not follow the rules of the special town meeting as special town meeting requires a 2/3rd vote for money articles. This would not be the case with a second annual town meeting.

Motion: R. Ebersole

2nd: P. Bertram

To make a recommendation at Town Meeting

Vote: All in Favor

Ms. Bertram asked if this would be discussed before the annual town meeting also. She also requested the cost of holding an annual town meeting. Over the last ten years how many times have we had to hold a special town meeting?

Article 29. Votes to amend the Code of Lunenburg, Chapter 70 entitled "Salary Administration Plan" as follows: the position of Outreach Coordinator be added and assigned Grade 7; amend the title of Outreach Worker, Grade 6, to Outreach Assistant; and to amend §70.2, 70.18, and 70.26 as shown on a document entitled "Amendments to the Salary Administration Plan Bylaw," dated April 10, 2018, with additions to the Bylaw underlined and deletions ~~stricken-through~~ therein, the entire text of which is on file at the office of the Town Clerk and Board of Selectmen's Office; or take any other action relative thereto. (Submitted by the Personnel Committee)

Motion: R.Ebersole

2nd: P. Bertram

To recommend approval of Article 29

Vote: All in Favor

Article 30. Votes to amend the Code of Lunenburg, Chapter 12, Article VIII, §12-22 by inserting the bold text as follows:

Article VIII Agricultural Commission

Section 12-22 Membership and appointment; terms

"The Commission shall consist of five members, **and two (2) alternate members**, appointed by the Board of Selectmen at the recommendation of the Town Manager. A majority of the membership shall be substantially engaged in the pursuit of agriculture. Members shall be appointed to serve three-year terms, except that the initial terms of office shall be staggered at the discretion of the Board of Selectmen, so that the approximately 1/3 of the terms shall expire each year. The appointing authority shall fill any vacancy based on the unexpired term being vacated at the recommendations of the standing Commission." (Submitted by the Agricultural Commission)

Agricultural Commission Chair Jeffrey Mendoza, 162 Lancaster Avenue, stated getting a quorum for meetings can be difficult during certain times of the year. This would allow us to continue the commission's work.

Motion: R.Ebersole

2nd: P. Bertram

To recommend approval of Article 30

Vote: All in Favor

Article 31. Votes to amend the Code of Lunenburg, Chapter 250, § 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, and 4.17, which are Sections of the Protective Bylaw, regarding permitted and prohibited uses, generally, as well as the specific use provisions of the Residence and Outlying Districts, Recreation District, Limited

Business/Residential District, Retail Commercial District, Commercial District, Office Park and Industrial District and Village Center District, as shown on a document entitled "Uses Regulations by Zoning District," dated April 10, 2018, with additions to the Bylaw underlined and deletions ~~stricken through~~ therein, the entire text of which is on file at the office of the Town Clerk, Board of Selectmen, and Planning Board; (Submitted by the Planning Board)

Motion: R.Ebersole

2nd: P. Bertram

To make a recommendation at town meeting and request Land Use Director Burney and the Planning Board come to a meeting to talk about all the zoning articles

Vote: All in Favor

Article 32. To see if the Town will vote to amend the Code of Lunenburg, Chapter 250, § 4.9-4.14, which are Sections of the Protective Bylaw, regarding the use provisions of the Water Supply Protection District, Route 2A Overlay District, Lake Whalom Overlay District, Tri-Town Smart Growth District and Summer Street Revitalization Overlay District, as shown on a document entitled "Overlay Districts," dated April 10, 2018, with additions to the Bylaw underlined and deletions ~~stricken through~~ therein, the entire text of which is on file at the office of the Town Clerk, Board of Selectmen, and Planning Board; or take any action relative thereto. (Submitted by the Planning Board)

Motion: R.Ebersole

2nd: P. Bertram

To make recommendations at town meeting for articles 32, 33, 34, 35; all zoning articles

Vote: All in Favor

2. Sign the Annual Town Meeting Warrant

Ms. Lemieux presented the five warrants for legal posting around town. These do list any recommendations by the Board.

Motion: R.Ebersole

2nd: P. Bertram

To sign the Annual Town Meeting warrant

Vote: All in Favor

3. Request by Citizen for debt exclusion question on Annual Town Election Ballot

Dave Passios, 56 Whiting Street, returned to the podium and stated part of the process to get the funding for the article involves exempted borrowing outside of Proposition 2 1/2. This is not the same as an override as the extra amount on the real tax bills goes away after the short term borrowing is paid off. Massachusetts General Law dictates the placing of a question on the election ballot following annual town meeting. He stated he had requested it be placed on the ballot on March 22nd and Town Manager had called him this evening and informed him there was a problem with the time frame. It would have to go to a special election if the article is approved. He stated he did his due diligence and requested an accommodation be made to get this question on the election ballot. Right now he was being told it would have to go on a special election ballot and therefore adding another cost for the Town. He did talk with the DPW Director and received a cost of \$1000 annually for utilities for the old Primary School building maintenance.

Ms. Lemieux confirmed the warrant needs to go to the printer in order to be mailed in time to meet legal posting requirements. Discussion ensued about process for town meeting.

Motion: P. Bertram

2nd; P. Luck

To place the election ballot question as written

Discussion: Ms. Luck wanted to be assured the Town would not go over the requested amount of \$400,000.

She was informed that you can't do that. Mr. Ebersole noted the article states including "the payment of all costs associated incidental and related" Town meeting could limit it to \$400,000 but if the final number came in at \$500,000, we would have to return to town meeting to revote. But you would not have a second vote at the election ballot because you voted to exempt the borrowing purposes.

Mr. Passios noted the wording of the article and the election question were drafted by an experienced municipal attorney. Tom Alonzo, 284 Lancaster Avenue, wanted to remind people that Prop. 2 1/2 laws governed by the state strictly say that citizen petitions can't demand one so the power of putting one on the warrant is within the Board of Selectmen's purview. When there is talk of an accommodation there's no expectation that it would go on the ballot to begin with. It is clear why the legislation is read that way; putting a \$400,000 item on the warrant that is going to increase people's taxes and then say we are going to wait potentially until town meeting,

like that should govern what the decision of this Board is to put on the ballot really is to preclude what the power of putting something on the ballot is. There are 6700 registered voters, we get 200 people to attend town meeting on a good day; that is really not a good sampling of why you should put it on there. You should decide to either put it on the ballot or not, not wait to see what town meeting does because it does not have the power to put something on the ballot; only the Board of Selectmen can.

Mr. McQuaid stated it's up to the townspeople; if they want to vote on it then they should be able to vote on it. He did want to express concern of the pattern of "shooting from the hip" on town meeting floor with these last minute articles that haven't been completely vetted by the whole process. It is troubling that we are going down this road so consistently. Ms. Luck agreed because she did not trust the numbers and felt if they are put it on the ballot we're giving our stamp of approval and not enough work has been done.

Katey Adams, 45 Williams Drive, stated a lot of communities encourage citizen's petitions and see them as a healthy process because in open town meeting government, the town is the legislative body. When she hears Mr. Alonzo talking about it being up to the Board on what's on the ballot, it may be true, but it doesn't represent how we should be treating another.

Mr. McQuaid stated there needs to be a plan; everything we do feeds into a plan, a budget; what are we going to do next? The one shot citizen's petitions don't participate in that plan. The people have the right to vote on it but he was concerned with the trend. We can't keep doing these one shot things; everything should be part of the plan. Come in earlier in the process and go to the Capital Planning Committee meetings, go to the Finance Committee meetings, get involved in the process. He was concerned that things that are important are going to be left behind as a result, that's not the right way to operate a town.

Mr. Ebersole asked if town counsel reviewed the article. Ms. Lemieux confirmed he did but because it is a citizen's petition the wording can't be changed. Ms. Luck was not in favor of more tax increases. She had asked that there be a discussion about taxes being raised every year and was told it would be discussed at budget time. We have not had a discussion at all about this. Ms. Bertram requested the vote be taken on her motion.

Vote: 4-1 not in favor (Bertram voted in favor)

It was noted if town meeting votes in favor of the article it would return to the Board of Selectmen. Ms. Bertram expressed frustration at not continuing to hold charrettes, discussions, etc. She got the impression that only a couple hundred people responded to the survey and the consensus was their opinions don't count.

Mr. Toale stated people have a right, a duty and an obligation and they are welcome. But there is a Capital Plan process with priorities and just because there is a special interest group that is not subject to Open Meeting law comes up with an idea and has a couple of people that support it, doesn't mean they get to jump the line.

Further discussion ensued about moving forward. Ms. Lemieux suggested the May workshop agenda address town facilities; hold another charrette or discuss options for a long term plan for the buildings. We also discussed inviting the Parks Commission as far as their piece on the town facilities and infrastructure.

The first step after receiving all that Vertex data is moving that into the Capital Plan. We need to look at that data and see how we spread that cost out and prioritize each of those costs. Ms. Bertram disagreed with that approach; we have to decide as community what our plan is.

Mr. Ebersole noted no one is going to support anything unless they know the costs. That is why we have been asking for more information, doing more research. We did not get into the over one year, it's been going on for years and we have to do it with a plan and it is going to take time. There have to be parallel tracks. He appreciated the citizen involvement and just because we disagree with you doesn't mean we don't welcome you. Ms. Lemieux stated the Capital Plan is a working document. As priorities change you update it. So if the decision to demolish the old Primary School is approved, we will put it in the Capital Plan.

4. Minutes/ Warrants/ Action File Issues

Minutes of March 20 and March 29, 2018 were approved. An accounts payable warrant in the amount of \$225,732.44; a payroll warrant in the amount of \$783,303.16; a payroll deductions warrant in the amount of \$549,405.76 and a payroll/workers compensation warrant in the amount of \$2007.66 were presented.

The May 19, 2018 Annual Election warrant was presented for signatures.

5. Committee Reports

Ms. Luck reported the School Superintendent Calmes presented the budget to the Finance Committee. In response to a question about the new teachers' contract, Calmes confirmed that three steps have been added to fiscal year 19 of \$1,900 for teachers who have taught 15-19 years; \$3,800 for teachers who have taught 20-24 years and \$5,700 for teachers who have taught for 25 years. In FY19 those payments total \$129,206 for eight teachers receiving \$5,700, ten teachers receiving \$3,800 and twenty-eight teachers receiving \$1,900. In FY18 the increase was 2% and added almost \$300,000. Even though FY19 is a 1% increase, because of the additional steps, it totals over \$400,000. In FY20, there will be a 1.5% increase totaling another \$300,000. The last teacher's contract adds an increase over the three years of \$1,002,735.

Mr. Ebersole attended the Lunenburg Water District annual meeting last Saturday. Dave Rodgers was reelected as moderator and Mark Bursch was reelected to the commission.

Ms. Bertram reported Montachusett Planning Organization (MPO) met on March 28th and started talking about the 2019-2023 Transportation Improvement Plan (TIP). There are limited funds available and many projects. They did come up with a scenario that they will recommend at their next meeting. They discussed the United Planning Work Program (UPWP) and the Lunenburg walkability and parking study is currently included in the draft. This study will complement the town's Complete Streets prioritization plan. One of the UPWP's tasks is pavement management systems; specifically looking at the federal aid eligible roadways within the region. Lunenburg has around 25 federal eligible roads. There will be an inventory of the roads using Road Manager software. She is hoping we can utilize that data to complement our pavement management plan. She recommended the DPW Director keep in contact with Brad Harris on that specific task because Lunenburg could benefit and not have to duplicate efforts.

Ms. Bertram announced the passing away of Nicki Tischler, aged 29, the MassDOT Boston liaison to MPO. due to a brain aneurism. She will be sadly missed.

Mr. McQuaid announced the Planning Board public hearings on their warrant articles will be on April 9th.

Mr. Ebersole announced the Charter Review Committee will be holding their public hearing on proposed Town Charter changes on April 5th here at 7:00 p.m. It will be televised and they welcome written comments in advance sent to the Town Manager but people are welcome to make comments personally as well.

Mr. Toale announced the April 10th meeting will have a discussion on social media and we will also meet with the Agricultural Commission and the Planning Board to discuss economic development.

PUBLIC COMMENT

Katey Adams, 45 Williams Drive, stated she likes consistency and pointed out that Article 5 on the November 2017 meeting was a citizen petition warrant and the Board of Selectmen voted to endorse it even though it did not go through the process. So there is an inconsistency of choosing some to endorse and some to not endorse. Jeremy Madore, 98 Old Farm Road, stated he just moved to town and referred to the earlier public comment about the Flat Hill Road flooding. He stated when he was growing up their basement flooded. They decided to plant a garden and all of the sudden the flooding stopped. It occurred to him while Ms. Whalen was talking that the nearby field that was previously used may have settled and is causing the water runoff.

In regards to the Public Access Channel, he questioned what is the actual viewership and whether or not the subscriber fees increase to 5% are actually worth it or is it more of a public relations basis or if it is actually being utilized because the viewership has created a demand.

Dave Passios, 56 Whiting Street, noted the article for the demolition of the Primary School is moving forward to town meeting. He asked the citizens of Lunenburg to tell us at town meeting if you agree or disagree. He questioned the timeframe of a special election if the article passes. Ms. Lemieux stated it would be 90 days from the vote or September 15th.

Dave Rodgers, 82 Highland Street, when asked to identify himself initially stated his name was Jose Jimenez and then corrected it to his actual name. He stated the Wallis Park playground build is going to take place on the 3rd and 4th of May and should be completed by May 15th. Jeffrey Mendoza, 162 Lancaster Ave., stated he found the Jose Jimenez crack to be offensive.

Mr. McQuaid noted the Wallis Park project did involve extensive community involvement, not just a citizen's petition warrant article. There was money raised ahead of the article coming forward and it was a longer more involved process with community and town discussion. So he would put the other citizen's petition in a

different category. He added at the time we approved it, he did warn of his concerns of the one shot town meeting articles.

Motion: R. Ebersole

2nd: P. Bertram

To enter Executive Session, under M.G.L c. 30 §21, Reason #3; To discuss strategy with respect to collective bargaining or litigation, if an open meeting may have a detrimental effect on the government's bargaining or litigating position, and the Chair declares so. (Settlers Solar LLC v. Town of Lunenburg, et al.) and not to return to public session

Vote: Mr. McQuaid- aye, Mr. Ebersole- aye, Ms. Bertram- aye, Ms. Luck- aye, Mr. Toale – aye

The public session adjourned at 10:53 p.m.

*******Executive Session Minutes are Separate*******

Respectfully submitted,



Elaine M. Peterson

Executive Assistant to the Town Manager