

**BOARD OF SELECTMEN
MINUTES**

**Joseph F. Bilotta Meeting Room, Town Hall
December 4, 2018**

Board of Selectmen: Jamie Toale, Chairman; Damon McQuaid, Clerk; Phyllis Luck, Member; Katey Adams, Member

Also Present: Heather Lemieux, Town Manager; Jack Rodriquez, DPW Director; Karen Brochu, Finance Director

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

Mr. Toale announced in accordance with the requirements of Open Meeting Law, the meeting was being recorded and broadcast over the Lunenburg Public Access channel.

PUBLIC COMMENT:

Ms. Luck reminded everyone that the Lions' Club pancake breakfast at Eagle House Senior Center will be on December 12th. She thanked all the people who came out last weekend to decorate the Town center and the gazebo. Special thanks to Mark Flagg who came out with his bucket truck.

Tom Alonzo, 284 Lancaster Ave, wanted to say how much he enjoyed serving on the Board with Bob Ebersole. He applauded his service as Selectman as well as all the other positions he held. He was a true historian of the town and a public servant in every regard.

He also was at the tree lighting; it was a wonderful event.

As Vice Chair of the Board of Directors of Lunenburg Boys and Girls Club, he wanted to announce that yesterday was the first day of the 12 Days or So Before Christmas Raffle.

We raffled off a Christmas tree from Pierce Tree Farm. Today we raffled off a gift certificate to Ixtapa Restaurant. He wanted to thank these sponsors for doing that. He listed the next few day's raffles. He noted people can still enter online at <http://bgcluboflunenburg.org>. Drawings are each weekday live at the club. The grand prize is December 18th at \$2500.00.

REORGANIZATION OF THE BOARD

Due to Mr. Ebersole's resignation from the Board, **Ms. Luck nominated Damon McQuaid as Vice Chairman, Mr. Toale seconded. Vote: All in Favor**

Mr. McQuaid nominated Ms. Luck as Clerk. Mr. Toale seconded the motion.

Vote: All in Favor

Continuation of Tax Classification Hearing as required by M.G.L. Ch. 40 § 56 on issue of allocating the local property tax levy among the four classes of real and personal property.

Mr. Toale noted this is a continuation from the last meeting. Regional Assessor Harald Scheid introduced Josh Gendron, Associate Assessor, to the meeting. Mr. Scheid explained the classification hearing takes up the question of a potential shift in tax burden.

Lunenburg, historically, has chosen not to shift the tax burden and maintaining a uniform tax rate across all classes of property. You have done that because Lunenburg's commercial/industrial sector carries a relatively low value. For that reason, The Board of Assessors recommends that the Board of Selectmen adopt a single tax rate to be applied to all classes of property in Lunenburg. This year as is required in all communities we had to undergo a periodic triennial audit of our valuations and the methods that we employ in

developing those valuations. The audit is almost a year long process starting back in February. As part of that study they perform a data quality review. There are several sources of revenue that fund the Town budget. We get local receipts; this includes everything from licenses, fees, motor vehicle excise taxes and other miscellaneous revenue sources. We also receive state aid from the Commonwealth. Property taxes are the largest source of revenue funding all of the services that benefit Lunenburg citizens, including schools, Police and Fire, etc. This year we are going to levy for fiscal year 2019 the amount of \$26,941,205.00. Included in that calculation is new growth revenue which came in higher than we expected; \$472, 536.00. This year we are actually leaving some revenue on the table; \$60,442 which we could have raised under Proposition 2 1/2 but opted not to.

Tax Rates

Based on the shift factors, the Board of Assessors has calculated the following tax rates needed to raise the tax levy:

<u>Property Class</u>	<u>Residential</u>	<u>Commercial</u>	<u>Industrial</u>	<u>Personal Property</u>
FY 2019	18.68	18.68	18.68	18.68
FY 2018	19.70	19.70	19.70	19.70

Mr. Scheid noted we are actually projecting a reduction in Lunenburg's tax rate going from \$19.70 per thousand going to \$18.68 per thousand. Valuations are on the increase; coming out of the revaluation, we are calculating residential values are going to increase 6- 9 % and commercial values will increase around 6 or 7% increase. So we are predicting for the average residential home an increase of \$195 in taxes.

Examples of Typical Residential Tax Changes

<u>Residential Class</u>	<u>Average FY18 Value</u>	<u>Avg. Tax</u>	<u>Average FY19 Value</u>	<u>Avg. Tax</u>	<u>Change</u>
Single Family Homes	\$282,996	\$5,575	\$308,864	\$5,770	\$195

Ms. Luck asked about the excess levy capacity of \$60,442; what does that mean? Mr. Scheid stated the maximum allowable tax levy that Lunenburg can raise under Proposition 2 1/2; that amount came in higher than was budgeted, mostly in new growth that was estimated. Ms. Lemieux noted the Assessors provided an estimate on what new growth would be for Annual Town Meeting, which was based on historical numbers for new growth. Only personal property new growth had been certified by then. estate had been certified in November.

Ms. Luck asked if this means we have to raise taxes by 2 1/2 percent tonight? Mr. Toale stated that was decided at Annual Town Meeting. The new growth came in higher than what was presented at Town Meeting. Ms. Luck asked if we decided not to increase taxes by 2 ½ percent, when would that happen?

Mr. Scheid stated that would occur during the budget planning process. You start with an estimate of the revenues that you will have in the coming year.

Mr. Toale asked for any further public comment and there was none.

Motion: D. McQuaid

2nd: P. Luck

That the Lunenburg Board of Selectmen votes in accordance with M.G.L., Ch. 40, Sec. 56, as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2019 tax rates and set the Residential Factor at 1.0, with a corresponding CIP shift of 1.0, pending approval of the town's annual tax recap by the Massachusetts Department of Revenue.

Vote: All in Favor

The Board thanked Mr. Scheid and Mr. Gendron.

Town Manager Appointments

Ms. Lemieux requested the Board ratify the following two appointments:

DPW Mechanic-James Stickler

DPW Assistant Mechanic-Patrick Brodmerkle

Motion: D. McQuaid

2nd: P. Luck

That the Board ratifies the DPW Mechanic and DPW Assistant Mechanic appointments as presented

Vote: All in Favor

TOWN MANAGER REPORT

Summer Street Project Update from MassDOT:

The Contractor will most likely be wrapping up the construction season by the end of December. They paved the skim/level course in Leominster last week to try to keep that section of roadway intact over the winter. The curbing has been installed on the right side of the road coming from the intersection of John Fitch Highway and Summer Street to the Baker's Brook Bridge and will be pouring the concrete for sidewalks behind the curbing, weather permitting. They do not anticipate installing the curb on the left side this construction season due to weather concerns. Three drainage crews are scheduled to be on site this week to continue installing catch basins in Lunenburg and Leominster with the goal of having all the catch basins installed before the winter shutdown occurs. All work is based on the weather.

Recycling Education and Outreach (TM Goal #1):

On November 26th I met with Tessa David, the Director of MassToss Cooperative, and the DPW Director Jack Rodriquez to discuss the next steps for a curbside recycling education campaign in an effort to reduce our contamination rates and recycle better. An informational handout from MassDEP that lists acceptable items to put in recycling and items that cannot go into recycling will be mailed out with the upcoming tax bills as the first step in the process. Below is a timeline for this curbside recycling education campaign:

1. Request recycling residual/contamination detail report with audit date from Casella – December 2018
2. Remind/confirm Casella uses OOPS tags for unacceptable recycling – December 2018
3. Send MassDEP's Recycle Smart sheet as a tax bill insert – End of December 2018
4. Publish single issue notifications through various communication channels – Monthly 2019
5. Request recycling residual/contamination detail report with audit & collection date from Casella to compare against baseline report in December – April 2019
6. Refocus single issue notification posts based on April audit results – Monthly 2019
7. Conduct curbside residual/contamination audit – May/June/July 2019 (depending on staff or volunteers available, spring or summer)

925 Mass Ave:

Land Use Director Adam Burney, Town Counsel, and I met regarding the next steps for 925 Mass Avenue and will be proceeding with the Tax Title process in order to gain legal entry onto the property to conduct a Phase I assessment. I am currently looking into applying for grant funds for the assessment costs through MassDevelopment's Brownfields Redevelopment Program.

Town Facilities (TM Goal #2):

- Town Hall Handicapped Accessible Bathroom: I have asked Monty Tech to take

- on this as a possible project between the carpentry, electrical, and plumbing trades and will be meeting with the Director of the trade school in the near future.
- **Ritter Building Shutters:** The shutters at the Ritter Memorial Building have been removed by the DPW and they will be obtaining prices for both repairing the existing shutters or replacing them with vinyl shutters.

MassDOT's Safe Routes to Schools:

As previously reported at a prior Selectmen's meeting, the Primary School is listed on MassDOT's list of schools enrolled in the Safe Routes to Schools program, which makes that school eligible for pedestrian and bicycle safety education and infrastructure funds that promote safer routes to schools for children that walk or ride bikes to school. I have forwarded information on how the Turkey Hill Elementary and Middle Schools could enroll in this program to Superintendent Burnham and that our regional planning agency could assist in that application.

FY20 Budget Schedule and Finance Tool Enhancements:

Attached is a draft of the important dates related to the FY20 budget schedule. The schedule outlines dates such as the date budget submissions from departments to the Town Manager are due, the presentation of the Five Year Financial Forecast, the Capital Plan presentation, the opening of the warrant for Annual Town Meeting, the dates the Finance Committee will meet with the various departments, and the Public Hearing on the budget. This will also be reviewed with the Finance Committee at their December 13th meeting.

We will also be rolling out a new dashboard with financial data (ClearGov) on our website that will allow users to compare our revenues and expenditures by category against other communities and will provide demographic information. The goal of this tool is to provide transparency about the budget and uses visuals to show how tax dollars are spent in an easy to understand manner. The Finance Director and I will also be working on rolling out a new budget software that will be used internally to send out the FY 2020 budget documents and tracks any changes by the end user and different versions of the proposed budget.

Attendance at Meetings and other announcements:

- **Town Counsel Office Hours:** Monday, December 17th 8 am-12 pm.
- **Capital Planning Conference:** I attended a Capital Planning Conference in Stowe on Friday, November 30th put on by the Lincoln Institute of Land Policy and the UMass Collins Center for Public Management. The topics that I attended included innovations in Capital Planning, Advanced Capital Planning, and Communicating with the Public about Capital Needs and Costs.
- **Central Mass Municipal Recycling Coordinators Annual Lunch Celebration & MassToss Meeting:** The DPW Administrative Assistant and I attended the Central Mass Municipal Recycling Coordinators and MassToss meeting that included a tour of the Gardner Transfer Station, an update on recycling markets from MassDEP, a discussion on organics collection, city compost, the 2020 Master Plan, and DEP's new recycling website titled RecyclingSmart.org. Lunenburg received an award for our Outstanding Solid Waste Program with each participating household averaging less than 1000 pounds of trash a year.

- **Massachusetts Certified Public Purchasing Official (MCPPO) Real Property Transactions under Ch. 30B:** I will be attending a procurement training on Wednesday, December 5th that is all about acquisitions and dispositions of real property under MGL Chapter 30B. This class provides credits towards maintaining my certification and will be a useful refresher on real property.

Vacancies:

The following paid positions are currently posted:

- Building Commissioner
- Local Inspector
- Assistant Mechanic

The following is a list of vacancies on the following committees:

- Agricultural Commission (1 regular member, 2 alternate member vacancies)
- Architectural Preservation District Commission (1 vacancy for a design professional/craftsperson)
- Cultural Council (multiple vacancies)
- Green Communities Task Force (1 vacancy-Citizen at Large position)
- Public Access Committee (2 vacancies)
- Zoning Board of Appeals (2 Associate vacancies)

CURRENT BUSINESS

1. Board of Selectmen Charter Review Committee appointment

Mr. Toale reported the current draft of changes to the Town Charter is complete. It has three colors, the first is for minor changes of typographical errors, the next is for non-controversial changes that are to make the Charter consistent with Massachusetts General Law and the last is changes, that may or may not be controversial to the Charter. We have some new members and will have another after tonight. The committee decided early on that they wanted a supermajority vote on the charter changes before we suggest any to the public. Their next meeting is December 12th in the Ritter Building and we will be scheduling a public hearing on January 9th. Each of the recommended changes can be voted on individually. There will be also a “pros and cons” statement on each ballot vote. With Mr. Ebersole’s resignation, we have lost a Selectman member and the Chair. We will reorganize at the next Charter Committee meeting. Ms. Adams stated she would be happy to rejoin the Charter Committee as a member. She did attend their last meeting. Ms. Luck stated she was also willing to participate.

Motion: D. McQuaid

2nd: J. Toale

To nominate Ms. Luck as the Selectmen representative on the Charter Committee

Discussion: Ms. Adams stated she had served previously on the committee with perfect attendance and the only reason she left was that when elected as Selectman she was creating a quorum of the Board of Selectmen at the Charter meetings. Now that Mr. Ebersole has resigned, she would be proud and happy to resume her work on the committee. Mr. Toale noted the reason she left the Board was because you were the School Committee designee and they changed their appointment. The Selectmen had two representatives on the Board. Mr. McQuaid stated he believed Ms. Luck has more experience serving on various boards. Further discussion ensued. Mr. Toale asked if there were any other nominations. Ms. Adams nominated herself and Mr. Toale seconded.

Mr. Toale took the nominations in order. He called for a vote in favor of appointing Ms. Luck.

Vote: 3 in favor, 1 against (Adams)

2. Annual License Renewals for 2019

Ms. Lemieux read aloud the list of alcohol licenses up for renewal for 2019.

LICENSEE NAME	D/B/A	ADDRESS
A.A.G. LLC	Kindred Spirits	324 Electric Avenue, Unit #4
American Graffiti, Inc	American Graffiti	113 Summer Street
PP GROUP LLC	Bangkok Hill	177 Massachusetts Avenue
Central Mass Garden Center, Inc.	Central Mass Gardens	621 Chase Road
Elena's Gourmet Grocery, Inc.	Elena's Gourmet Grocery	1 Main Street
		1353 Massachusetts Avenue
Genghis Inc.	Jaxx Country Variety	1 Main Street
Lunenburg Zeda's Inc.	Bad Larry's	134 Leominster-Shirley Road
Global Montello Group Corp.	Honey Farms #3829	308 Massachusetts Avenue
Red Pepper, Inc.	Ixtapa Cantina	1 Main Street
Aayan Corporation	Hilltop Farms	310 Massachusetts Avenue
Melendez Magana Inc.	Dario's	994 Northfield Road
Settlers Crossing Enterprises, Inc.	Settler's Pub	423 Electric Avenue
Carol & Henry Baker	Baker's Whalom Variety	333 Massachusetts Avenue
Victory Distributors, LLC	Hannaford Food and Drug	5 Electric Avenue
Jiang Jun Lou, Inc.	Asian Imperial Garden	96 Lakefront Drive
JK Waterfront Inc	On The Rocks	84 Lakefront Drive
KJ Waterfront Inc	Embers Pizzeria	449 Whalom Road
449 Corp	Lakeview Club	433 Electric Avenue
Sarjudas LLC	Lunenburg Liquors	

Motion: D. McQuaid

2nd: P. Luck

To approve the 2019 list for alcohol licenses as presented

Mr. Toale inquired about some businesses not listed. Ms. Lemieux stated some owe taxes and will be scheduled for renewal on the December 18th agenda.

Vote: All in Favor

Ms. Lemieux read aloud the list of common victualler licenses up for renewal for 2019.

Lakeview Club	449 Whalom Road
Kindred Spirits	324 Electric Avenue, Unit #4
American Graffiti	113 Summer Street
Hilltop Farms	1 Main Street
Baker's Whalom Variety	423 Electric Avenue
Conrad's Drive In	835 Massachusetts Ave.

Settler's Pub
 Dragonfly Garden Café
 Jaxx Country Variety
 Honey Farms #3829
 Shady Point Beach & Campground
 Asian Imperial Garden
 On The Rocks
 Kabob-e-Licious
 Embers Pizzeria
 Lanni Orchards
 Bad Larry's
 Dario's
 Dunkin Donuts
 Lunenburg Exxon
 Dippin Donuts
 Bangkok Hill
 Presto Pizza
 Ixtapa Cantina
 Lunenburg Liquors
 Stella's Coffee Shop
 Hannaford Food and Drug
 Whalom Kitchen
 1 Whalom Road
 Cherry Hill Ice Cream

994 Northfield Road
 3 Lancaster Ave.
 1353 Massachusetts Avenue
 134 Leominster-Shirley Road
 701 Reservoir Road
 5 Electric Avenue
 96 Lakefront Drive
 165 Massachusetts Avenue
 84 Lakefront Drive
 294 Chase Road
 1 Main Street
 310 Massachusetts Avenue
 134 Leominster-Shirley Road
 453 Massachusetts Avenue
 455 Massachusetts Ave.
 177 Massachusetts Avenue
 429 Electric Avenue
 308 Massachusetts Avenue
 433 Electric Avenue
 466 Electric Avenue
 333 Massachusetts Avenue
 324 Electric Avenue
 1 Whalom Road
 826 Leominster Road

Motion: D. McQuaid
To approve the 2019 list of common victualler licenses as presented

2nd: P. Luck
Vote: All in Favor

Ms. Lemieux read aloud the automatic amusement devices renewal list.

Kindred Spirits	324 Electric Avenue, Unit #4
Bad Larry's	1 Main Street
American Graffiti	113 Summer Street
Baker's Whalom Variety	423 Electric Avenue
Lakeview Club	449 Whalom Road
Whalom Gas	1 Whalom Road

Motion: D. McQuaid
To approve the 2019 list of automatic amusement devices licenses as presented

2nd: P. Luck
Vote: All in Favor

Ms. Lemieux read the jukebox licenses up for renewal for 2019.

Kindred Spirits	324 Electric Avenue, Unit# 4
American Graffiti	113 Summer Street
On The Rocks	96 Lakefront Drive
Bad Larry's	1 Main Street
Lakeview Club	449 Whalom Road

Motion: D. McQuaid
To approve the 2019 list of jukebox licenses as presented

2nd: P. Luck
Vote: All in Favor

Ms. Lemieux read the 2019 weekday entertainment licenses up for renewal.

Kindred Spirits	324 Electric Avenue, Unit# 4
Dargonfly Garden Cafe	324 Electric Avenue
American Graffiti	113 Summer Street
Bad Larry's	1 Main Street, Unit #4

Motion: D. McQuaid
To approve the 2019 list of weekday entertainment licenses as presented

2nd: K. Adams
Vote: All in Favor

Ms. Lemieux read aloud the list of miscellaneous licenses up for renewal for 2019

Kabob-e-Licious	165 Massachusetts Ave.	BYOB permit
Lakeview Driving Range	15 Carr Ave.	Base license
Lloyd's Limousine	P O Box 502	Limousine
First Choice Limousine	555 Chase Road	Limousine

Motion: D. McQuaid
To approve the 2019 list of miscellaneous licenses as presented

2nd: P. Luck
Vote: All in Favor

Ms. Lemieux read aloud the various auto dealer licenses up for renewal for 2019.

North End Mazda	Class I	747 Chase Road
Central Mass Power Sports	Class I	19 Massachusetts Ave.
Chapdelaine Truck Center, Inc.	Class I	199 Massachusetts Ave.
Daewoo North	Class I	30 Summer Street
North End Subaru	Class I	757 Chase Road
Baker's Towing	Class II	421 Electric Avenue
Mass Ave Motors , Inc.	Class II	381 Massachusetts Avenue
PMK Motor Sales	Class II	36 Summer Street
The Auto Barn	Class II	53 Chase Road

J.G. Service	Class II	346 Electric Avenue
North End Subaru	Class II	44 Chase Road
R.C. Motors	Class II	9 Kirby Ave. & 480 Electric Ave.
P & S Trucks and Parts, Inc.	Class II	571 Chase Road
P & S Trucks and Parts, Inc.	Class III	571 Chase Road
Chapdelaine Auto Salvage	Class III	RR 199 Massachusetts Avenue

Motion: D. McQuaid

To approve the 2019 list of auto dealer licenses as presented

2nd: P. Luck

Vote: All in Favor

3. Discussion re: Calling a Special Town Election for Vacant Selectmen seat

Mr. Toale stated the Town Charter and Massachusetts General Law state the Selectmen *may* call for an election and *will* call for an election if they receive a petition from 200 citizens. Further research shows it costs the Town between \$4,500 and \$5,200 to run an election. 57 days' notice must be given to the Town Clerk by the Board and any special election has to occur 100 or more days prior to when a regularly scheduled election would be. Given all that, if we were to vote the election could only occur between January 31st and February 7th. Ms. Adams could not justify spending that amount of money to place a person in office for just a few months. Mr. Toale agreed. Mr. McQuaid stated he would not want to put a person through the election process to only serve for a short time.

Motion: K. Adams

To remain with four Board members until the Annual Election

2nd: D. McQuaid

Vote: All in Favor

4. Request from Senator Tran's Office re: Proposed Legislation to support/not support

Ms. Lemieux stated this was to let Senator Tran know any issues they would like him to advocate for, or not. Mr. Toale asked Ms. Lemieux to look into the Muni-Choice Bill, which allows new municipal electric utilities to be established and allows towns and cities to have a choice for electricity distribution.

5. MPO Subregion #3 Representative/Alternate

Mr. Toale reported he just was elected to replace Ms. Bertram's former seat for Subregion #3. They are now beginning the process of selecting new representative and alternates for 2019. The job entails attending a one-hour meeting once a month. It does involve a lot of reading in preparation for the meeting; such is the bureaucracy behind the Transportation Improvement Plan (TIP). Mr. Toale volunteered to be the representative in lieu of anyone else being able to attend the 1:00 p.m. Wednesday meeting time.

6. Minutes/ Warrants/ Action File Issues

Minutes of October 16, 2018 were approved. The Board signed an accounts payable warrant in the amount of \$711,848.40, a payroll warrant in the amount of \$778,991.13 and a deductions warrant in the amount of \$249,171.88.

Action Issue: Mr. McQuaid suggested holding a workshop meeting with the Historical Commission and the Architectural Preservation District Commission to request their opinions on issues because they are important to building consensus about anything we are going to do. He added it would be nice to include the Historical Society too. Ms. Lemieux will invite them to attend in January.

7. Committee Reports

Ms. Luck reported the Storm Water Task Force met on November 27th. They are challenged with a lot of procedural documentation required for maintenance which have to be created and in place by June 29, 2019. We will meet again in December and then in January with the Town Manager.

Ms. Adams reported she has been attending the Planning Board meetings since they began their work on the marijuana regulations. At every meeting they have a public discussion portion on each marijuana item. Public attendance has been low. MRPC meets this Thursday.

Mr. McQuaid stated Capital Planning met earlier to begin prioritizing requests. The biggest challenge this year is the Engine 4 pumper truck replacement which is \$685,000. It is in really tough shape. They are going to put \$10,000 into it to get by for another year.

Mr. Toale reported Open Space Committee is requesting a letter of support for their Open Space and Recreation Plan 2019-2026. It will be an upcoming agenda item.

Upcoming Meetings will be December 11th (workshop) and on December 18, 2018.

PUBLIC COMMENT: There was none.

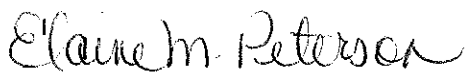
Motion: D. McQuaid

To adjourn the meeting at 8:36 p.m.

2nd: P. Luck

Vote: All in Favor

Respectfully submitted,



Elaine M. Peterson

Executive Assistant to the Town Manager

RECEIVED & FILED

JAN 23 2019

**LUNENBURG TOWN
CLERK OFFICE**