



**BOARD OF SELECTMEN
MINUTES**

**Joseph F. Bilotta Meeting Room, Town Hall
March 5, 2019**

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

Others present: Heather Lemieux, Town Manager; Adam Burney, Land Use Director; Jim Marino, Police Chief

The meeting opened at 7:00 p.m. with the Pledge of Allegiance. Mr. Toale announced in accordance with the requirements of the Open Meetings Law, please be advised that this meeting is being recorded and broadcast over the Lunenburg Public Access channel.

PUBLIC COMMENT:

Mr. Toale announced the town is seeking a color photograph for the cover of the 2018 Annual Report. Photos can be submitted via email to epeterson@lunenburgonline.com or you can call the Board of Selectmen office at 978-582-4144 for more information. Please submit a photo, if you are interested, by March 11th.

The Town Caucus is Monday, March 11 at Turkey Hill Elementary School at 7:00 p.m. Anyone interested in running for an elected office in the May 18, 2019 election should attend in order to get the town caucus nomination. There are two open Selectmen seats; one is Bob Ebersole's seat and the other is the position that Mr. Toale now holds. Mr. Toale announced he would not be seeking a third term as Selectman, it has been his honor and privilege to serve the citizens of Lunenburg for the last six years and he thanked everyone for their confidence and support during his tenure. He will continue to fulfill his obligations during his current term and will serve until the May 18 election.

Mr. McQuaid thanked Mr. Toale for his service to the Town; adding we will be losing a great asset and I will be losing a great friend sitting next to me.

Ms. Luck thanked Mr. Toale for all his contributions during the six years. You definitely will be missed.

Ms. Luck stated she was surprised to learn while watching the Town Manager's February 14 budget presentation to the Finance Committee that there are two new hires included in this year's preliminary budget. She looked forward to hearing clear justification for identification for all costs related to the proposed hiring of an Assistant Town Manager and a part-time or full-time Recreation Director.

Mike Clark, 275 Cross Road, introduced Senator Dean Tran and Republican State Committeewoman Susan Smiley who are here on behalf of deceased Cemetery Commissioner Lance May. Senator Tran stated he was here to celebrate the life of Lance May, who loved and was committed to the Town of Lunenburg. On behalf of the Senate, he presented an adjournment to Mr. May's family. The family member, Donna, thanked the Senator and the Town for their support. Ms. Smiley presented a citation from the Governor and Lt. Governor's office to the family in recognition of Lance May's 48 years of dedicated service to the Town of Lunenburg,

including the Board of Selectmen, the Housing Authority, Park Commission, Cable Advisory Committee and Cemetery Commission. She added he was the epitome of civic service. Dave Rodgers, 82 Highland Street, related an anecdote about Mr. May, adding he was a good guy and a lot of fun and he will be missed.

Helen Obermeyer Simmons, 323 Northfield Road, stated she was an artist and had read through the special event permit guidelines. She questioned if an artist wanted to hold an open studio event, would that fall under the special permit? She also had questions about the number of people attending, the liability insurance requirement and the annual limit of four special events. Daron Massey, 300 Holman Street, following on Ms. Obermeyer Simmons' remarks, asked the Board to have some provision in the special permit to exclude people having less than a certain number people for run of the mill events so they don't have to be required to go through the special permitting process and to provide some flexibility to determining what is required.

APPOINTMENTS

Joint Appointment with Planning Board to fill vacancy created by David Prokowiew's resignation until the May 2019 Annual Town Election

This was passed over due to no candidates coming forward. Mr. Toale encouraged any who is interested in the seat to come forward.

Earth Removal Permit #14 renewal for P J. Keating Co.

Mr. Toale stated this is a continuation of the earth removal permit renewal process which has been continued since August 2018. Land Use Director Burney stated he was here for Interim Building Commissioner Rhodes and referred the Board to the site plans submitted by Keating's engineer. He stated the land listed under permit #14 is adjacent to land listed on permits #18 and #42. Permits #18 and #42 had been renewed until August 31, 2019. Mr. Rhodes recommended revoking all three permits and reissuing a new permit with a new number that encompasses all three permits. The plans that were submitted were satisfactory to both Mr. Rhodes and Mr. Burney. Mr. Rhodes had recommended incorporating the following conditions from all three of the permits:

1. A 100-foot buffer from both Leominster/Shirley and Fort Pond Road. The buffer zone, with the exception of the entrance driveway shall be kept in a natural state. Markers and signage shall be installed at the limits of the buffer.
2. Reasonable effort be exerted to curtail noise and dust with emphasis on safe and orderly flow of traffic by the said company. P.J. Keating Co. shall address all such complaints as may occur as directed by the Town of Lunenburg.
3. This permit allows the P.J. Keating Co. to cross Fort Pond Rd. and Leominster-Shirley Road with any and all of its vehicles associated with earth removal, stone processing and stone handling operations.
 - A. This is an industrial operation that requires passage over town roads to obtain access from one Keating owned property to another; the nature of this industrial business requires these to be typically "off road" heavy construction vehicles. As a result, they are unregistered, oversized, and overweight as it pertains to conventional over the road vehicular traffic.
 - B. These vehicles shall be covered with general liability insurance as required by law.
 - C. P.J. Keating Co. shall assume the sole liability for the public safety of its operations on these town roads.

- D. P.J. Keating Co. shall assume the responsibility of the repair of these roads as it relates to any degradation of these roads as a result of its industrial operation.
 - E. P.J. Keating Co. will under the Lunenburg Police Department's jurisdiction take all reasonable measures to assure public safety where its operations affect these town roads.
4. The site plan shall be updated every two years showing current conditions. The first updated site plan shall be provided for the renewal on August 31, 2021.

Ms. Luck asked how high the quarry currently is. Mr. Burney stated 35 feet from the base and another 35 feet from the road level. Discussion about moving the permitting process to the Planning Board ensued.

Motion: K. Adams

2nd: P. Luck

To approve earth removal permit #14 until August 31, 2019 and combine with earth removal permits #18 and 42 to create a new permit encompassing the entire area as shown on site plan prepared by S.J. Mullaney Engineering Inc., titled "Site Plan of Proposed Earth Removal in Lunenburg, Massachusetts located on Leominster-Shirley & Fort Pond Roads" and dated 12/26/2018 and to include the above listed conditions

Discussion: Ms. Luck suggested the buffer be more than 100 feet. Mr. McQuaid stated you can't see into the pit while driving down the road except through the entrance and adding distance of another 100 feet isn't going to affect the view. He added the applicant should be able to access their material. Ms. Adams agreed. Mr. Toale did not see any advantage to adding additional buffer. Ms. Lemieux requested changing the permit number to avoid confusion in the future when reviewing all the earth removal permits.

Ms. Adams amended her motion to change the permit number to a new number on the combined permit. Ms. Luck amended her second.

Vote: 3 in favor, 1 opposed (Luck)

Bring Your Own Bottle (BYOB) Permit Application- Whalom Kitchen-324 Electric Avenue

Owner Chris Lyons stated things are going well at Whalom Kitchen and he is interested in getting a Bring Your Own Bottle permit as some customers had inquired. We generally are a breakfast and lunch venue but we are going to do a fish fry on Fridays for the seven weeks of Lent. We think this could enhance our business. He did come up with a list of some rules. He is going to limit the size of containers brought into the restaurant. He wanted to ensure they could open wine and champagne bottles for patrons; when people leave, we want to make sure everything is sealed. He has already purchased clear sealable bags. His daughter, who is also his Assistant Manager and a part-time bartender, has recommended placing a copy of the receipt inside the bag in case anyone is pulled over they can show where they were and why they had it. She is also TIPS certified. Mr. Lyons and his wife are in the process of getting TIPS certified too. We will be checking ids. We will be posting these rules in the restaurant for the patrons to understand what they are doing.

Currently they are open from 7:00 a.m. to 2:00 p.m., Monday through Saturday and from 7:00 a.m. to 1:00 p.m. on Sundays. He stated he was not looking to work nights but they will be doing the fish fry for Lent from 5:00 to 9:00 p.m. on Fridays and possibly some evenings during the summer. We are going to see how it goes over the next six weeks.

He stated when he was going to implement this is still undecided, they are having a management meeting tomorrow. Mr. Lyons asked if he could restrict the BYOB hours for his business. The Board confirmed that.

Ms. Adams asked how many BYOB permits have been issued. There is one other BYOB permit issued to Kabob-e-licious.

Motion: D. McQuaid

2nd:P. Luck

To approve the BYOB permit for Whalom Kitchen at 324 Electric Avenue

Discussion: Ms. Adams requested to place hours on the permit and she had concerns about people showing up with large containers of liquor. Mr. Lyons stated management has discussed and they will be discouraging anyone coming in with a lot of alcohol. They will be limiting the container sizes to a liter and will be keeping an eye on patrons.

Ms. Adams asked about restricting the type of alcohol being brought in. Ms. Lemieux stated the Board can place conditions on the permit. Mr. Toale clarified this is not an alcohol license, it is to allow patrons to bring something in for themselves and be supervised by someone who is TIPS certified. Mr. Lyons assured the Board he would not be allowing his restaurant to be a place people come to drink because his business is family oriented. He noted there is a full service bar, Kindred Spirits, in the same location as his business.

Vote: All in Favor

Draft Special Event Permit

Land Use Director Adam Burney stated he has received comments about the draft permit regarding the cost of liability insurance and number of allowed events per year and deferred them to the Board. He requested to add an amendment on page 2 under Tents/Sleeping Trailers: to add "over 200 square feet" after the word Tents. This would eliminate requiring inspections of smaller personal sized tents. Discussion ensued on types of trailers.

Mr. Burney changed the definition of a special event to any event/activity held on public property or an event open to the general public on private property. We dropped the "50 people or more," wording.

Ms. Adams noted the wording under Exemptions on Sporting events held in conjunction with Lunenburg Public Schools might not cover every sports group. Mr. Burney offered to change it to "with permission from LPS or Lunenburg Parks Department," in case it is an outside group. Under Timing, Ms. Luck preferred changing the start time from 6:00 a.m. to 7:00 a.m. Mr. Burney deferred this decision to the Board members. Under Traffic, Mr. Burney stated this is regulated by bylaw and added the following wording, "Traffic and Parking plans shall not violate Chapter 332 of the code of Lunenburg. "

Ms. Luck asked if fireworks are licensed in Lunenburg. Mr. Burney stated one could apply for a professional fireworks permit from the Fire Department which is covered under state regulations. Mr. Burney stated we talked about what was reasonable for a buffer zone and he had changed it to 100 feet from an abutting residential property. Ms. Luck believed the words "under reasonable circumstances," added to the second sentence of the buffer zone section was not needed. Ms. Adams did not agree and thought it defined how the Board should act at their discretion. She preferred consistency. Mr. McQuaid stated discretion is needed as circumstances for each event will vary. Ms. Lemieux suggested "may reduce the distance based on the size and scope of the event." Mr. Burney offered to remove "at their discretion," and replace it with Ms. Lemieux's wording.

Mr. Burney stated the final thing he added was a small flow chart to show the process. After some discussion about timelines, Mr. Burney moved on to previous comments from the public regarding the draft. Open studio artists meet this criteria in some ways, but by using a room or room in their house to produce their work that they are selling, this becomes a home occupation. Inviting the public in to the home is an extension of that. It is not a gathering of sorts. Open houses are not specifically having an event either; you are inviting people in to view your home. He did not believe these constituted a special event. Mr. Toale agreed with him about the home occupation but asked what about an artist in a totally residential location where it is inappropriate and they want to do this once or twice a year? Can they get around the zoning part of that? Mr. Burney stated we allow home occupations anywhere in town. We allow two people who don't reside at the location to be employed there.

Discussion turned to what constitutes requiring a special permit. Mr. Burney stated his recollection was that the Board wanted to review the draft one more time and then hold a public hearing on it. He can have a clean copy to Ms. Lemieux by this Thursday, the 7th. Mr. Burney asked if he was removing the word "sporting" from the second exemption listed on page one. Mr. Toale was comfortable excluding sporting events because the Board of Selectmen does not have jurisdiction over school property or parks properties. But taking that word out says *all* events that have anything to do with any of those groups, and he was not comfortable with that. Mr. Burney stated the other concern that was brought up was the liability insurance requirements. This is a standard requirement in most towns. Mr. Toale wanted to ensure the Town would not be held liable if it approved an event where something happened and someone was seeking payment for damages. Ms. Lemieux stated they could insert an indemnification clause in the application. Town counsel will be consulted.

Dave Passios, 56 Whiting Street, applauded the special event permit being brought forward. He believed this criteria should be kept for all events. He referred to page two under Tents/Sleeping Trailers, what is the criteria for the permits? A trailer owner is going to need three permits from three different departments, and you are going to add a fee to each one of those permits at some point. You don't identify what the criteria are for those permits and you are listing the elected Board of Health in Lunenburg, not Nashoba Valley Associated Boards of Health. This is the first I have seen this.

TOWN MANAGER REPORT

Announcement: MassDOT Small Bridge Program Grant Award

The DPW Director had submitted an application to MassDOT's Municipal Small Bridge Program to reconstruct the Pleasant Street Bridge over Pearl Hill Brook back in June of 2017. Since then the Director, the Engineer, our state legislators, and I have all been in contact with MassDOT representatives to find out the status of the application and advocate for its approval. The DPW Director recently received notification from MassDOT that the application has been approved for \$379,000. I applaud the DPW Director for going after funding for this structurally deficient bridge that is an important emergency route for our public safety responders to all the residents of Pleasant Street. This grant equates to \$379,000 less in local taxpayer dollars and avails the Town to spend this on other necessary capital projects.

As the timeline of this project becomes known, there will be more information made public, including detour routes. As with any detour, there will be some inconveniences, but the reconstruction of this bridge is vital to the public's safety.

Permitting Guidebook (TM Goal #3, Actionii)

The Land Use Director uploaded the digitized version of the Permitting Guidebook onto the website under the Planning Board's page. The Permitting Guidebook was created to assist customers with the process in obtaining a permit or a license in an easy to comprehend guidebook.

Citizens' Town Caucus

Ms. Lemieux noted the updated caucus listing has added the third Planning Board seat to the list of open seats.

Pay As You Throw Trash Bags Complaint

Chairman Toale forwarded me a complaint from a resident about the quality of the Pay As You Throw Bags, which was given to the bag vendor WasteZero, to both document the complaint and is necessary for them to know which production run generated faulty bags. Faulty bags will be replaced by WasteZero by sending a replacement sleeve. For anyone that experiences faulty bags, please contact WasteZero Customer Service at 1-800-866-3954 and provide the 5-7 digit code stamped on the bag.

Senior Work Off Program Regulations

The Senior Work Off Committee discussed at their last meeting the possible proposal to amend the current regulations that determine a senior's eligibility to participate in the Senior Work Off Program. Selectman Luck had brought up at a previous Selectmen's meeting that she learned at the MMA Conference of a town that allows an approved representative work on behalf of a disabled senior. The Senior Work Off Committee and I are currently researching the mechanics of how that would work including who would file the W-4 and if another town meeting vote is required since the town initially approved this law in May of 2000, when that provision of the law did not apply. The Senior Work Off Committee will also look at changing the income requirements and increasing the hourly rate as allowed under the relevant MGL. The Committee meets later this month.

Contract Review Process and Centralization of Procurement Files (TM Goal #5, Actionii)

In order to streamline the process for procurement and that the engagement of services has gone through all the proper procedures, departments were notified of a few changes that took effect immediately. Any department that contracts out for services, software, or other projects, were told that those contracts will need to be reviewed and signed off by the Town Manager and a copy given to the Finance Director prior to engaging with a vendor/contractor.

Also, our auditing firm has denoted in our last two management letters that the Town's supporting documentation for procurements (i.e. bids, quotes and contracts) are being kept by individual departments instead of in a centralized location. As the Chief Procurement Officer, the logical centralized location for these files is in the Town Manager's Office. Departments were told that all files related to procurement of goods and services, building projects, design services, and public works projects will now need to be provided to the Town Manager's Office.

Walkability and Parking Study

Montachusett Regional Planning Commission will be commencing the Walkability and Parking Study shortly. This will include speaking to the various stakeholders.

Fiscal Year 2020 Active Employee Health Insurance Rates and other optional benefit changes

We received terrific news last week from our insurance company, MIIA, on the rate renewals for active employee health insurance for Fiscal Year 2020. At the beginning of the budget process, we were told by MIIA to estimate an 8% increase in health insurance for Fiscal Year 2020 and this past month MIIA released the rate ranges with a maximum increase of 5%. We received our actual renewal rates and it will be a 2.45% **decrease** for Fiscal Year 2020! To receive a decrease in our annual renewal is unprecedented and this equates to roughly a \$60,000 decrease from my preliminary budget recommendation that had a 5% increase for health insurance.

This will positively impact the School budget as well. The reduction in rates is attributable to the surplus that the MIIA Trust that was redistributed to all the member communities. Another benefit of the insurance trust is that large loss claims get pulled out and the cost gets spread across the trust.

Changes to Employee Optional Insurance Coverages

Our health insurance consultant, the Payroll/Benefits Coordinator, our new optional insurance broker through Boston Mutual and I met with the Public Employee Committee in February and will be offering an improved Voluntary Term Life Insurance, new accident insurance, and enhanced coverage for short and long term disability for benefited employees. The changes will provide employees with more coverage for less money. As these are optional, employees will have a choice to enroll or continue coverage during the open enrollment period in May.

Save the Date! Dementia Friendly Kick Off Event

Monday, May 20th at 6:00 p.m. at the Public Library

This will be the big kick-off event for announcing that Lunenburg is in the process of becoming a recognized Dementia Friendly Community. Town officials, public, and legislators will be invited to attend, as well as an invitation to the Governor's Office and the Mass Council on Aging and Executive Office of Elder Affairs.

Community Solar

As a follow-up to our conversation about Nexamp's Community Solar available to Lunenburg residents, the project at Northfield Road is the only community solar project owned by Nexamp in Lunenburg, but there is also a community solar project in Fitchburg that is also open to both Fitchburg and Lunenburg residents. Both projects have plenty of availability for residents to sign up for discounted electricity. I have a call with Nexamp this week to discuss putting a joint promotional mailer to increase awareness about the program.

Department Head Meeting Updates:

Some highlights from the February Department Head Meeting:

DPW: Summer Street Road Reconstruction project is ahead of schedule and installed posts are directional signs that are federal/state standard requirements for signage. There will be two large culvert projects that will begin after school gets out on Sunset Lane and Northfield Road. Once the winter season ends the DPW will begin continuing the pavement management plan and doing about \$1-1.8 million in paving from spring until fall. DPW workers have been working long hours with the snow/ice season.

Finance Director: The Finance Director is in the process of finalizing the ClearGov data and once all the FY20 budget data is inputted the department heads will receive a training on how they will submit their budgets next year for fiscal year 2021.

COA: The COA has a number of events coming up including Ted Reinstein, a reporter for Chronicle on Monday, May 6th at 7 pm; the St. Patrick's Luncheon on Friday, March 8th at noon; Dementia Friendly Kick-off event on Monday, May 20th at 6 pm at the Lunenburg Library.

Cable: A new monitor will be installed in the corner next to the right of the stage for audience viewers to view presentations easier and the wireless microphones will be back in working condition at meetings since the transmitter has been fixed.

Treasurer/Collector: Motor Vehicle Excise bills have been sent out and are due on March 25th. The Treasurer is planning on doing another Tax Lien Sale and an updated list will be sent out well in advance for all relevant committees/boards to review.

Land Use: The Planning Board held their Public Hearing on Adult Use Recreational Marijuana on February 25th and their next meeting on this topic will be March 4th. The Planning Board will be reviewing the parking bylaw shortly.

Library: The Library Board of Trustees conducted interviews and appointed Muir Haman to replace Martha Moore as the Library Director upon her retirement at the end of the month.

Upcoming Meetings:

- Charter Review is holding their second Public Hearing tomorrow at 7:30 p.m. in the Joseph Bilotta Meeting Room in Town Hall.
- Finance Committee has budget meetings with the Sewer Commission and Monty Tech this Thursday starting at 7:00 p.m. in the Joseph Bilotta Meeting Room in Town Hall.
- MMPA Meeting: I will be attending a MA Municipal Personnel Association meeting this Thursday.

CURRENT BUSINESS

1. Discussion of the Town Manager Evaluation Process and Timeline

Mr. Toale stated he sent a copy of last year's Town Manager review form to each of the members this afternoon. There are certain items that we need to assign some dates. He requested Ms. Lemieux provide a copy of the previous year's goals to them and for her to begin thinking about completing a self-evaluation.

Each member should schedule a meeting with Ms. Lemieux and begin to complete the review form. All of this begins after the April 15 start of the review process calendar.

Each Selectman will provide a copy of their input to the Chair. The Chair will compile all into a composite without discussion with any of the board members. The Board will review the composite at an open meeting. The individual reviews will become part of the Town Manager's personnel file and are not public.

Ms. Luck noted last year that members rated “exceeds expectations,” without any examples being provided. She believed this was inappropriate. Mr. Toale stated you can ask, but we can’t force other members to do so. A good evaluation is one you share with the Town Manager so he/she understands your perception of performance and results against goals and I personally would provide as much narrative as I could to support that.

Finally, we all come together at a public meeting and discuss in a public meeting if there is any needed editing as a result of that meeting, we would make the changes. After the process is over, we should hold a workshop to develop next year’s goals for the Town Manager and Board of Selectmen.

Ms. Luck stated she felt her input last year was not represented equally in the composite. How can that be addressed if I feel that way again? Mr. Toale replied each of our input is one fourth of the composite. We agreed two years ago to not make it a mathematical exercise but more of a narrative exercise. Discussion about the review process ensued. It was decided to discuss further on a future agenda after getting Town counsel’s opinion on how it would affect the Open Meeting law.

Filing of Demolition Delay Permit for old Primary School Building

Ms. Lemieux reported this was an action item after the last meeting. I have a question out to Town counsel now that we have just received approval of last year’s Special Town meeting from the Attorney General’s office. There was a warrant article that had an amendment to Chapter 134, entitled “Demolition Delay” that modified section 134-4.D and what is the subsequent impact on us.

Mr. McQuaid believed the Demolition Delay bylaw does not apply to the Architectural Preservation District Commission (APDC) and it gives them unequivocal ability to say “no” forever. So there is no demolition delay to file for, just a permit. We would have to prove to them we tried to do something but there is no way out.

Mr. Burney clarified the way that the APD bylaw reads, the APDC in the Architectural Preservation District (APD) takes the power of the demolition delay from the Historical Commission, but they reserve the right to permanently deny demolition. He confirmed Mr. McQuaid’s statement that the Board needs to demonstrably prove to APDC that the building isn’t salvageable for future reuse.

Update on Feasibility Study for Regional Animal Control Building

Ms. Lemieux directed the Board to the study prepared that was part of a grant of \$42,000, that we received through the Efficiency and Regionalization Grant under the Community Compact Program. The project was reviewed for animal control for the towns of Townsend and Lunenburg. We put out a Request for Proposals (RFP) in March 2018 and it was awarded to Roy S. Brown, Architects, in May 2018. He met with Police Chief Marino, the Townsend Police Chief, the Townsend Animal Control Officer and our ACO, Kathy Comeau. He performed a necessary space needs study on what was required based on how many animals we take in every year. The land behind the Public Safety Building was identified as the best site for the ACO facility, which has its own challenges. We need to hire a geotechnical engineer to do site borings because some ledge was found in the area.

Based on the design, the cost for the facility is \$1.6 million and meets the space needs of both towns. She could not with a clear conscience recommend to voters to fund this building given all our other building needs. She did not believe Townsend would vote to approve this as well.

She and the Chief wanted to propose to explore purchasing the property in front of the Public Safety Building, which is up for sale. We could use the existing building for animal control because right now the ACO keeps all the animals at her residence. We are not going to be fortunate to be in that scenario forever and there will be a cost to the Town. It would also provide a second means of egress to the Public Safety Building land. It is up for sale for \$700,000. Chief Marino reported there is a two-car garage, the house and a shed on the property. Chief Marino noted the ACO officer would like to retire, but she does this out of the goodness of her heart, for the animals.

Mr. Toale stated he understands the situation, but they would need to discuss this further. Ms. Lemieux stated selling other town property such as the West Street property could offset the cost of purchasing the Mass Ave. property. We could clean up the existing building that is there. Ms. Lemieux stated she has reached out to Townsend.

Minutes/ Warrants/ Action File Issues

The Board approved Minutes of January 22 and February 5, 2019. Mr. Toale noted they had a letter addressed to the Town Clerk to notify her of the Planning Board vacancy created by David Prokowiew's resignation so she could place the seat on the annual election ballot.

Motion: D. McQuaid

2nd: P. Luck

To notify the Town Clerk of the Planning Board vacancy

Vote: All in Favor

The Board signed a payroll warrant in the amount of \$798,973.32; a payroll deductions warrant in the amount of \$585,204.71 and an accounts payable warrant in the amount of \$622,084.95.

OLD BUSINESS

1. Sign Council on Aging Contract with MART

Motion: D. McQuaid

2nd: P. Luck

To approve the Transportation Services Agreement with MART

Vote: All in Favor

2. Discussion on FY20 Budget Priorities

Ms. Lemieux stated this was a follow up item from the last meeting where there was discussion about the DPW fuel tanks and the Finance Committee meeting where a lot of that discussion took place about the Capital Plan. She also wanted to add to the fiscal year '20 budget priorities list based on a meeting held with Representatives Benson and Hay.

List of FY2020 Budget Priorities for Legislators

- \$220,000 for the installation of new fuel tanks at the Department of Public Works (in FY20 Capital Plan)
- \$755,000 for abatement of asbestos at the TC Passios (in Capital Plan FY20 not funded)
- \$45,000 for an HVAC upgrade at the Senior Center (in Capital Plan for FY22)
- \$27,000 for the replacement of the handicap ramp at the Town Hall (In Facilities Bond Bill)
- \$40,000 for the installation of new LED lighting fixtures at the Library (In Facilities Bond Bill)
- \$50,000 for planning assistance to update the Town's outdated ADA Self-

Evaluation and Transition Plan (Grant application through MOD that was not funded)

The School Superintendent and Chief Marino discussed the need for additional security infrastructure at the schools, including bidirectional amplifiers at Turkey Hill Elementary and the Primary School.

Chief Sullivan had highlighted the need for self-contained breathing apparatus which is listed on the Capital Plan and the DPW Director spoke about the need to address the intersection near Turkey Hill Elementary School and Northfield Road. As always, we advocated for more Chapter 70 and 90 funding and unrestricted local government aid.

Ms. Luck believes there needs to be improvements to the Capital Planning process. She thought there should have been more information presented on the request for \$220,000 for gas tank replacements at DPW. There was no presentation on possible alternatives. Mr. Toale stated the people who are experts on our DPW and our tanks and the Fire Chief brought it to Capital Planning who spent time reviewing it and compared it with other priorities and made their decision. Then someone stated their opinion that they heard of something Fitchburg is doing that may or may not work. The quality work was done by Capital Planning and if someone wants to go sit at one of their meetings and provide input, that's fine. He stated he was at the Finance Committee meeting and thought that discussion was a waste of an hour and a half and it was total conjecture from people who have no expertise on the matter. Mr. McQuaid stated as far as the Capital Planning process; we have Department heads come to us. They are the experts on fuel tanks and public safety and public works. We did not just say here you go, part of the conversation was should we just fund the engineering this year to get the actual cost of construction. We thought it would be best to expedite the process, if it costs less than that, great. It was an important request as it is in the Mulpus Brook area. We should not have leaky tanks sitting around. We can only rely on our Department heads, who are Department heads for a reason, to give us the information. We make the best decision we can on that. We are not just volunteers; I am an architect. Who am I to second guess his day to day business when he is the one making the recommendation? Ms. Lemieux stated in response to the question; DPW, Police and Fire have spent a lot of time researching that program as an alternative and what it looks as a cost benefit analysis to our fuel system and that data will be presented at a future meeting. She stated she does agree with the concept that we hire professionals to give their recommendations and that is why we hire them.

Motion: K. Adams

2nd: P. Luck

To add to the list of FY2020 budget priorities for legislators, a request to seek funding for the safety items, the bidirectional amplifiers and the breathing apparatus

Discussion: Mr. Toale stated we have talked about these lists and we have people who are the requestors for these lists. We have a role to play in terms of prioritizing these lists. We have to build them into our own Capital Plan whether we spend the money on them, whether we raise the money here or get it from the state.

Vote: 3 in favor, 1 opposed (Toale)

Motion: P. Luck

2nd: K. Adams

To remove the request for \$220,000 for replacement of the DPW fuel tanks from the budget priorities list

Discussion: Mr. McQuaid noted this item is listed on the Capital Plan and will go to Town Meeting. Ms. Luck stated it can be removed from the Capital Plan, we are in the budget process. New ideas have come up and there is new information available.

Vote: 2 in favor, 2 opposed (McQuaid and Toale) Motion fails.

Due to the time and a scheduled Executive Session, Mr. Toale suggested the Board discuss the Town Meeting warrant articles at the next meeting.

PUBLIC COMMENT:

Dave Passios, 56 Whiting Street, stated he believed if the ACO facility is not going to go behind the Public Safety Building, it would be a better location for the fuel tanks. Regarding the demolition permit, he thinks it should go forward. The process should be begun simultaneously with everything else you are doing.

Mr. Toale requested a Motion to enter Executive Session

Motion: D. McQuaid

2nd: K. Adams

To enter Executive Session under MGL c. 130, §21, Reason #3, to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body as declared by the Chair (Police) and not return to Open Session upon adjournment

Vote: Ms. Adams- aye, Ms. Luck-aye, Mr. McQuaid- aye, Mr. Toale-aye

*****EXECUTIVE SESSION MINUTES ARE SEPARATE*****

The meeting adjourned at 9:59 p.m.

Respectfully submitted,



Elaine M. Peterson

Executive to the Town Manager