



**BOARD OF SELECTMEN
MINUTES**

**Via zoom
April 7, 2020**

Members present: Tom Alonzo, Chairman; Phyllis Luck, Vice Chairman; Damon McQuaid, Clerk; Katey Adams, Michael-Ray Jeffreys

Also present: Heather Lemieux, Town Manager; Karen Brochu, Finance Director; James Marino, Police Chief; Frank Serreti and Ben Adsit of Powers & Sullivan, LLC; Rebecca Lantry, Historical Commission Chair

The meeting commenced at 7: 01 p.m.

Mr. Alonzo announced this was the April 7th Board of Selectmen meeting. In accordance with the requirements of the Open Meeting Law, please be advised this meeting is being recorded and broadcast over the Lunenburg Public Access channel and also being recorded as a zoom meeting.

The Town of Lunenburg, in response to the COVID-19 (Corona Virus) is currently following the guidance from the Lunenburg Board of Health, Massachusetts Department of Public Health and the CDC regarding the virus and steps communities can take to prevent the spread and all town facilities are currently closed to the public.

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, all public meetings are being conducted remotely. This meeting will be broadcast live through local access cable, on FacebookLive on the Public Access Facebook page (<https://www.facebook.com/Lunenburg-Public-Access-Cable-157427270975305/>) and will be able to be found on the LunenburgAccess YouTube channel within 24 hours after the meeting.

The following information is also provided for members of the public that would like to participate in the meeting remotely:

To Participate Remotely: From a computer, please use the link below to join the public meeting webinar: <https://zoom.us/j/9091740347> or from a telephone, dial the toll free number (888) 475-4499 and enter Webinar ID: 909-174-0347 #

If you have not registered with Zoom you will be asked for your name and an e-mail address. Note: No participant ID is needed, just press # when asked. Telephone users may dial *9 to request to speak after joining the meeting. Computer and app users may use the "raise hand" feature to request to speak.

Mr. Alonzo announced he would be in control of all the mutes for the Zoom meeting to prevent Zoom "bombing."

PUBLIC COMMENT

Mr. Jeffreys stated he was driving on Lancaster Avenue and noticed the large amounts of trash on the side of the road. He went back home and picked up trash for about 500 yards on Mass. Ave. near his house and came back with five full trash bags. 90% of it was recyclables. He suggested with everyone being home, this would be a good time to go out with your gloves and masks and pick up some trash adding it could be a family activity. He encouraged everyone to help keep the town clean.

APPOINTMENTS

Meeting with Police Chief to vote to amend the Traffic Rules and Orders for additional stop signs

Chief Marino was here to request approval of two stop signs according to MGL c. 40, §22:

To Schedule IV- Isolated Stop Signs

Add--Thomas C. Passios Building access road @ Memorial Drive for the westbound Traffic.

Add - Joslin Street@ Burke Street for the Northbound Traffic

Motion: M. Jeffreys

2nd: P. Luck

To approve the two stops signs as presented

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

Alonzo- aye

Mr. Alonzo asked Chief Marino if he had anything he wanted to say to the public regarding the current situation.

Chief Marino following up on Mr. Jeffreys' public comment, stated he has noticed discarded masks on the ground. There has been an uptick in a few incidents but nothing remarkable.

He asked everybody to comply with the Governor's stay at home orders.

FY 2019 Audit Report from Powers and Sullivan, LLC

Ms. Lemieux introduced Frank Serreti and Ben Adsit to present their findings after the audit. Mr. Serretti stated Mr. Adsit has worked on the audit for the town for the past couple of years and thought he should attend a BOS meeting. Adsit works with Ms. Brochu during the process. Serreti thanked the Town Manager and the Finance team because they had received cooperation and assistance from them. We were able to issued an unmodified opinion on the financial statements, which is good. All reporting deadlines were met and the information we received was accurate. We received timely responses to our questions and we did not note any internal deficiencies or weaknesses that we need to be concerned about. We look very closely at cash controls. In Lunenburg, we have always experienced very good controls on cash and receivables. There is a monthly reconciliation and they are accurate. That is always very good to see. The Town is always timely with its reporting and accurate. We tested over 100 transactions and found no issues. The Town maintained its AA+ credit rating. You have good healthy reserves. Your general stabilization funds total 1.9 million dollars and that has steadily increased since 2013. You have a zoning stabilization fund with \$229,000 in it and you also have a vehicle equipment stabilization fund with \$644,000.

Your collection rates still continue to be strong at 98% of your commitment. From a budgetary standpoint, you ended the year with a surplus of \$12,000 even though you had budgeted a decrease of \$663,000. Revenues came in \$81,000 over budget and expenses came in \$38,000 under budget. The only overexpenditure was due to state and county charges which you have no control over.

Mr. Serreti reviewed Enterprise funds, OPEB fund amounts, and other miscellaneous account balances, noting everything has increased at a healthy rate.

From a debt standpoint, you have 2.1 million dollars in short term debt outstanding and that was for the school construction project. That debt will be paid off when you get your final payment from the MA School Building Authority. They will make that payment once they finish their final review of the project. Any final additional funding that is needed will probably be funded by long term debt. He went on to cover bonds and general debt service.

Mr. Serreti reviewed the Federal Awards Fund report which is required when an entity spends more than \$750,000 in federal funding in a fiscal year. The Town expended \$835,000; \$173,000 was on school lunches and \$630,000 was on education grants. We were required to

test the special education grants and we had no findings. We saw no weaknesses on internal controls or any deficiencies. Very good result for that. He moved on to the Management Letter. This is critical in nature, but there are no material weaknesses or deficiencies. These are suggestions to improve, there were nine total comments and three new this year.

Current Year Comments

OLD OUTSTANDING CHECKS

Comment We noted that the bank reconciliation for the vendor account reported outstanding checks greater than three months old totaling \$125,270, some going back to 2010, as reconciling items. In most instances, checks not cashed timely after the issue date indicates that the checks were either reissued, lost or are being held. As part of internal controls over cash disbursements and expenditures, the aging of outstanding checks should be monitored to ensure they are true outstanding checks.

Recommendation

We recommend that management establish a formal, written policy concerning uncashed checks based on current State laws. Such a policy should specify aging milestones with required actions. For example, this policy might specify that when checks are past 60 days old, the payee should be contacted. After 90 days, the checks should be moved to the tailings account or written off.

ABANDONED PROPERTY - TAILINGS

Comment

The Treasurer's Office does not currently maintain a comprehensive and up to date listing of all items considered to be tailings. We also noted there has been no activity within the tailings liability account in the current year and the Town has not completed the requirements related to the final disposition of tailings as stipulated in the Massachusetts Abandoned Property Laws in the past few years.

Recommendation

We recommend that the Treasurer analyze the items that are being carried as part of the tailings balance. We further recommend that the Treasurer follow the Massachusetts Abandoned Property Laws, as applicable to municipalities, to determine the most appropriate course of action to arrive at a final disposition tailings liability.

SUPPORTING DOCUMENTATION FOR HEALTH INSURANCE PLANS

Comment

When an employee enrolls in the Town's health insurance plan, a member enrollment form is completed and turned into the Town's Human Resource department. We noted during this process that birth certificates are requested for employees, but marriage certificates, spouse and dependent birth certificates are not. Proper source documentation should be retained throughout employment for active employees and throughout the life of retirees and surviving spouses to ensure that any insurance benefits and corresponding liability are properly supported.

Recommendation

We recommend that the Human Resource department maintain marriage licenses and birth certificates for all spouses and dependents that are receiving benefits through

Town plans.

PRIOR YEAR COMMENTS

DEVELOP A REIMBURSEMENT POLICY AND FORMALIZE PROCEDURES

Prior Year Comment

The Town has not adopted formal policies and procedures related to reimbursement of employees' business expenses. Although supporting documentation is currently required in order for an employee to be reimbursed, the Town does not utilize a standardized reimbursement request form. We believe that utilizing a standardized reimbursement request form and standardizing procedures would strengthen the current process. The lack of formal policies and procedures increases the risk that an ineligible expenditure may be reimbursed.

Current Status

In 2019, the Town developed and adopted a reimbursement policy and formal procedures.

DOCUMENTATION OF INTERNAL CONTROLS OVER FEDERAL GRANTS

Prior Year Comment

In December 2013, the U.S. Office of Management and Budget (OMB) issued *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) in an effort to (1) streamline guidance for federal awards while easing the administrative burden and (2) to strengthen oversight over the expenditure of federal funds and to reduce the risks of waste, fraud and abuse.

The Uniform Guidance supersedes and streamlines requirements from eight different federal grant circulars (including OMB Circular A-133) into one set of guidance. Local governments were required to implement the new administrative requirements and cost principles for all new federal awards and to additional funding to existing awards made after December 26, 2014 (fiscal year 2016).

Management is responsible for internal controls and to see that the entity is doing what needs to be done to meet its objectives. Governments have limited resources and constraints on how much can be spent on designing, implementing, and conducting systems of internal control. The COSO Framework can help management consider alternative approaches and decide what action it needs to take to meet its objectives. Depending on circumstances, these approaches and decisions can contribute to efficiencies in the design, implementation, and conduct of internal control. With the COSO Framework, management can more successfully diagnose issues and assert effectiveness regarding their internal controls and, for external financial reporting, help avoid material weaknesses or significant deficiencies.

Current Status

Management has completed a draft report on internal controls over federal awards in accordance with the COSO Internal Control Framework.

There are four other old comment. One relates to Receivable Balances. The Town is carrying old receivable balances in motor vehicle excise and personal property taxes that are greater than fifteen years old, dating back to 2003 and 2000, respectively. As a result of maintaining these old receivable balances and the detailed reports associated with them, the reconciliation process is made more cumbersome and time consuming.

Current Status

The Board of Assessors has reviewed the Town's receivables for collectability and is in the process of writing-off receivables that are deemed to be uncollectible.

Continuing Recommendation

We continue to recommend that the Town evaluate the collectability of receivables and write off accounts if they are deemed to be uncollectible.

Similar comment for the ambulance receivables:

WRITE-OFF UNCOLLECTIBLE AMBULANCE RECEIVABLES

Prior Year Comment

In the prior year, we recommended that the Town actively pursue the collection of past-due ambulance billings or write them off if they are deemed to be uncollectible. The existence of large past-due receivables impedes cash flow and increases the risk that these receivables will be uncollectible. The ambulance receivables increased by \$16,000 in 2018 and totaled \$760,000 at year-end.

Current Status

In 2019, the Board of Selectmen voted to write-off ambulance receivables that were determined to be uncollectible. This reduced the outstanding receivable balance from \$760,000 to \$567,000, of which \$476,000 (84%) has been outstanding for 180 days or more.

There is a comment about **FRAUD RISK ASSESSMENT**. The Town is still considering its options. There may be an outside party that complete that for them.

Prior Year Comment

In the prior year, we indicated that the opportunity to commit and conceal fraud exists when there are assets susceptible to misappropriation and controls are inadequate to prevent or detect fraud. To address this risk, we recommended that the Town perform a risk assessment to identify, analyze, and manage the risk of asset misappropriation. Risk assessment, including fraud risk assessment, is one element of internal control. Thus, ideally, the Town's internal control should include performance of this assessment, even though our annual financial statement audits include consideration of fraud.

Current Status

The Town did not complete and document a fraud risk assessment in 2019.

Continuing Recommendation

We continue to recommend that the Town conduct and document a risk assessment to identify, analyze, and manage the risk of asset misappropriation.

Finally the last comment. Mr. Serreti believed it is being worked on.

DOCUMENT KEY ADMINISTRATIVE AND FINANCIAL FUNCTIONS

Prior Year Comment

In the prior year, we indicated that there are limited written policies and procedures for key administrative and financial functions of the Town. Because there is a limited number of staff supporting key positions, a formal manual that identifies and documents key areas of administration and operations would reduce the risk to the Town in the event that personnel have extended absences. We recommended that the Town document all key managerial and financial functions in manuals that include, among other items, 1) daily, monthly, and yearly work procedures; and 2) other specific information relative to the function being documented.

Current Status

The Town did not document key administrative and financial functions during 2019

Continuing Recommendation

We continue to recommend that the Town document daily, monthly and yearly key administrative and financial functions as indicated above.

Mr. Alonzo thanked them for their report and opened it up for questions. There were none. He thanked the Town Manager and Finance Director and their teams for keeping everything in order. Mr. Adsit and Mr. Serreti exited the meeting.

CURRENT BUSINESS

1. Town Manager Update on COVID-19

COVID-19 in Lunenburg and Board of Health Notices:

The Board of Health will be issuing weekly updates every Tuesday. The update received today is dated April 3rd and has been put on the COVID-19 Information Center page on the town website. As of today, there are nine confirmed positive cases in Lunenburg.

The COVID-19 Information Center page can be found [here](#).

Information and Resources for Businesses due to COVID-19:

I consolidated all the relevant information and resources for our local businesses and sent this to the Lunenburg Business Association and it is now posted on the COVID-19 Information Center page on the town website.

Closure of Town Facilities, Schools, Town/School Playgrounds and School Fields :

All town facilities, schools, town and school playgrounds and school fields are currently closed until May 4th.

Communications with Town Departments:

Most staff is working remotely but continues to monitor their phone lines and e-mail. Please contact us if you have questions, we are here to help if at all possible.

If you need to contact a particular department, please visit the town's website at <https://www.lunenburgma.gov/> and each individual department's web page includes contact information, including the phone number and e-mail address.

Board/Committee/Commission Meetings:

Please check the town website calendar for the schedule of meetings at <https://www.lunenburgma.gov>.

Senior Center Updates:

As with other town facilities, the Eagle House will be closed to the public until May 4th and this includes all activities at the Senior Center and off-site. Eagle House staff is working remotely but is still performing outreach, delivery of Meals on Wheels, and other vital services to our seniors. The COA Director has a variety of programs and updates that she has been sharing through the Eagle House Facebook Page. Van Transportation Service has been cancelled until further notice. The Eagle House staff is delivering the Meals on Wheels to households. Deliveries are made on Mondays and Wednesdays only, with meals for multiple days. Clients are being asked to put a cooler outside their door to place meals in so there is no contact when the delivery is made.

There is also another meal delivery service called Heart to Home Meals for Seniors aged 60 and older. Their contact information is hearttohomemeals.com or call 508-658-3000. Due to an increase in requests for the Salvation Army food boxes for seniors, Salvation Army will be

delivering 25 more food boxes.

The COA Director also worked with the Lions Club to add additional food items to the boxes and add toilet paper. Thank you to both the Salvation Army and Turkey Hill Lions Club!

For any questions related to senior services, please contact COA Director Sue Doherty at (978) 582-4166 or sdoherty@lunenburgonline.com

Salvation Army Food Pantry:

The Salvation Army Food Pantry is also operating at their 739 Water Street in Fitchburg by appointment only. To make an appointment call 978-342-3300. Pickups are scheduled Monday thru Friday 9-11 a.m.

Public Safety Department Request for PPE Donations:

The Police and Fire Departments are accepting donations of personal protective equipment that can be delivered to the Public Safety Building lobby. This includes gloves, disposable gowns, masks and goggles.

Curbside Trash and Recycling: Casella is still on their normal schedule of picking up trash and recycling.

Information on Town Meeting and Town Elections:

- The Special State Election will be held on Tuesday, June 2, 2020.
- The Annual Town Meeting will be held on Saturday, June 13th beginning at 9 a.m.
- The Annual Town Election will be held starting at 7 a.m. on Saturday, June 20th at the TC Passios. Due to the Court Order that was filed on Thursday, April 2nd to extend the deadline for the submittal of nomination papers and was granted by the judge on Friday, April 3rd, the deadline for the submittal of nomination papers to the Board of Registrars is now 5 p.m. on May 1st.

Update on Municipal Relief Bill signed into Law

After weeks of deliberation and multiple versions through the legislature an, "Act to Address Challenges Faced by Municipalities and State Authorities Resulting from COVID-19," was signed into law by the Governor on Friday, April 3rd. The Act is now known as Chapter 53 of the Acts of 2020. Note that an earlier provision allowing a waiver of town meeting quorum requirements was not included in the final law. Here is a summary of the Act:

- **Town Meeting Delay beyond June 30.** Allows Town Meetings to be delayed beyond June 30 if Governor has declared a state of emergency related to public health or safety. (Section 1).
- **Recess and Continuance of Town Meeting.** Allows the Moderator to recess and continue an already-called Town Meeting during (and until 5 days after) a public health, safety or weather emergency for upto 30 days, renewable for up to 30 days at time during the emergency, but not to a date more than 30 days following the rescission of the state of emergency. If a town does not have a moderator, the Select Board may recess and continue Town Meeting accordingly. A public safety or public health official designated by the Select Board shall submit a report to the Attorney General providing justification for the recess and continuance. These changes are effective as of March 10, 2020. (Sections 2, 3 and 4).
- **Adoption of Temporary Fiscal 2021 Budgets.** If Town Meeting is unable to adopt an annual budget by June 30 due to a declared emergency, the Select Board shall notify the Director of Accounts at DLS, and the Director may approve expenditures from any

appropriate fund or account of an amount sufficient for the operations of the Town during the month of July of not less than 1/12 of the total budget approved in the most recent fiscal year, pursuant to a plan approved by the Select Board, with such authority continuing for each successive month that the emergency prevents the adoption of a budget by Town Meeting. (Section 5).

- **Use of Free Cash and Undesignated Fund Balances.** If a Town is delayed from adopting an annual budget due to the COVID-19 emergency, the Director of Accounts may authorize the Town to appropriate (for use in fiscal 2021) from the available undesignated fund balance or free cash certified by DLS as of July 1, 2019, including undesignated fund balances in enterprise funds or special revenue accounts. (Section 6).
- **Amortization of Fiscal 2020 Deficits.** Allows cities and towns to amortize its fiscal 2020 deficit resulting from the COVID-19 emergency over fiscal years 2021 to 2023, to be funded in equal or more rapid installments, such amortization to be adopted prior to setting the fiscal 2021 tax rate. (Section 7).
- **Use of Revolving Funds.** Allows cities and towns that are unable to adopt their fiscal 2021 annual budget due to the COVID-19 emergency to expend amounts from revolving funds not to exceed the authorized expenditure in fiscal 2020. The legislative body shall vote on the total amount to be expended from each revolving fund when the annual budget is adopted. (Section 8).
- **Tolling Required Action on "Chapter" Lands.** Suspends the time period that municipalities are required to act, respond, effectuate or exercise an option to purchase Chapter 61 forest land, Chapter 61A agricultural land, or Chapter 61B recreational land until 90 days after the governor's March 10, 2020 emergency declaration is terminated. (Section 9).
- **Option to Delay Property Tax Due Date to June 1.** Allows the municipal chief executive to delay the due date for municipal property tax bills to June 1. (Section 10).
- **Option to Waive Interest and Penalties for Late Payments.** Allows the municipal chief executive to waive the payment of interest and other penalties on late payments that were due after March 10, 2020 and paid before June 30, 2020, for any excise, tax, betterment assessment, water or sewer bill, or other charge added to a tax. (Section 11).
- **Non-termination of Services to Residents Due to Late Payment.** Cities and towns shall not terminate an essential service of a resident, including water, trash collection or electricity, for nonpayment of taxes or fees due on or after March 10, 2020 and paid after the due date but before June 30, 2020, if the nonpayment resulted from a demonstrated inability to pay due to the COVID-19 outbreak or the March 10, 2020 emergency declaration by the governor, provided that the inability to pay shall include a demonstrated financial hardship of a resident, including but not limited to loss of employment, serious illness or death of someone within the home. (Section 11).
- **State Income Tax Deadline Delayed.** Postpones the deadline for filing Massachusetts state income tax returns and payments from April 15, 2020 to July 15, 2020. (Section 12).
- **Sale of Alcohol by Take-Out Restaurants.** Allows restaurants licensed to sell alcoholic beverages on- premises may sell sealed containers of alcoholic beverages for off-premises consumption as part of take-out food transactions. (Section 13).
- **Facilitating Return to Service by Retirees.** Allows state and municipal employees to return to work for the state or a municipality regardless of mandatory retirement ages or a statutory limit on hours worked and earnings received, to help with workforce needs. Those on disability retirement are not eligible. (Section 14).
- **Remote Meetings for Shareholder Corporations.** Allows public corporations (private shareholder entities) to hold annual or special meetings of shareholders

remotely for up to 60 days after the termination of the March 10, 2020 state of emergency. (Section 15).

- **Provisions for Nonprofit Corporations.** Allows nonprofit entities (incorporated under Chapter 180) to conduct or postpone necessary business and meet remotely for up to 60 days after the termination of the March 10, 2020 state of emergency. (Section 16).
- **Tolling Municipal Requirements on Permits and Quasi-Judicial Public Meetings and Hearings** (the “constructive approval” issue). Tolls required municipal actions on permits until 45 days after the termination of the COVID-19 emergency, and no permit shall be considered granted, approved or denied, constructively or otherwise due to the failure of a permit granting authority to act within timelines that would otherwise be in effect. This section also clarifies that permit granting authorities may conduct meetings and public hearings remotely during the COVID-19 emergency, consistent with the Governor’s March 12 Executive Order regarding the Open Meeting Law. This section also applies to the conduct of public meetings, public hearings or other actions taken in a quasi-judicial capacity by all local boards and commissions during the emergency declaration by the governor. (Section 17).

Ms. Lemieux reported next week the Board will be discussing the option to delay personal property taxes and sewer bills until June 1st and waive any penalties or interest on those.

Ms. Adams requested further clarification on the sale of alcohol by takeout from restaurants. Ms. Lemieux stated any on premise restaurants can sell alcohol (beer and wine only) in the original container.

Ms. Luck asked if the delay of personal property taxes was the only item on this list that the BOS would discuss next week. She added we could also delay town meeting as well? Ms. Lemieux stated believed only if the Governor’s state of emergency was still active but she will confer with Town Counsel.

Tax Payments:

Tax payments should not be left in the box outside of Town Hall due to staff working limited hours in the building and working remotely. Tax payments should only be mailed to the town’s lockbox or can be paid online. The online bill payment link is

<https://www.lunenburgma.gov/departments/resident-services/online-services> and the lockbox address is: Town of Lunenburg, Department 1260, P.O. Box 986500 Boston, MA 02298-6500. For any questions, please contact the Treasurer/Collector Myleen Mallari at (978) 582-4130 x 135 or mmallari@lunenburgonline.com.

Unitil Customer Assistance and Recovery Effort (U-Care) Fund:

Unitil announced the creation of the Unitil Customer Assistance and Recovery Fund (U-CARE) by working with the local Community Action Program (CAP) agencies to create a fund in an effort to aid Unitil customers who have been economically impacted by COVID-19. Unitil has committed \$150,000 to this fund, plus an additional \$75,000 to COVID-19 related programs at the United Way and other local agencies. Customers with financial challenges should reach out to their local CAP Agency or Unitil’s representative at 1-888-301-7700.

COVID-19 in Massachusetts (as of 4/6/20):

As of April 6th there are 13,837 COVID-19 cases and 260 deaths. 76,429 patients have been tested to date by the MA State Public Health Laboratory, hospitals and commercial laboratories. On our weekly briefing with the Lieutenant Governor today, we should

expect to see the surge in Massachusetts between April 10th- 20th.

The Governor extended the closure of all non-essential businesses, stay at home advisory and prohibition of gatherings of more than 10 people until May 4th. A list of FAQs that addresses issues that needed clarity and further guidance on construction activities and an updated list of essential businesses is available at <https://www.mass.gov/covid19>.

A further order regarding limiting grocery stores to 40% of their maximum occupancy level, including customers and employees, was issued today. The state is asking the local Boards of Health to address complaints and that they should try to resolve them with the local stores instead of punitive measures.

More information is on the town website at <https://www.lunenburgma.gov/> and in the Lunenburg Ledger.

Mr. Jeffreys stated a couple of people have reached out to him asking about unemployment. I relayed back to them that the state website states that the federal government has not issued their guidance yet on the new law, The Cares Act, that has passed. Currently all those extra provisions for contractors and Uber or Lyft drivers and such still cannot file for unemployment yet. He suggested people should continue to check the Dept. of Unemployment website for updates.

Mr. Alonzo took agenda item # 3 as Chairman Lantry was present.

2. Proposed ballot question for the Annual Town Election regarding Adoption of the Community Preservation Act (CPA)

Ms. Lemieux noted Ms. Lantry had provided information and it was in their meeting packet. Ms. Lantry stated I am from the Lunenburg Historical Commission and our Commission has placed the Community Preservation Act ("CPA") on the town warrant. We are placing the CPA on our warrant because the Town of Lunenburg needs money to solve the problems of our aging governmental infrastructure. We also need to preserve and create recreation space for our Town in order to enjoy the great outdoors. Additionally, we hope to serve our community's need for affordable housing for low-income earners—including both young families and the elderly—so that they can continue to live in Lunenburg. We need to provide money to adapt housing for handicap accessibility, whether it is a wheelchair ramp or grab bars in a bathroom or shower. We believe the Community Preservation Act is the vehicle of government to get this done. Since 2000, the CPA has provided funding for 176 other communities in Massachusetts. Lunenburg last attempt at CPA was in 2008. This presentation hopes for Lunenburg to once again pursue CPA funding.

The Town of Lunenburg

Lunenburg was established as a town in 1728. This means our town nearly goes back to before the starting of our nation. Quite old! We have old buildings for municipal government. Our town center and beyond into our community is historic, all adding to the character and beauty of our Town.

Currently, there is a committee already formed to study the logistics and cost of moving our town's government to T. C. Passios Elementary school. This would abandon the Town Hall, and the Ritter Building in the center of Town. It is important to ask whether this makes sense for our Town. Ultimately this will be a matter for the people of

Lunenburg to decide. We live in modern times with high speed internet and want buildings to be accessible, with parking for all. Those are the facts. However, my concern is for the historic buildings that may will be left behind. With no plans and no money, will they become another victim of demolition by neglect like the Old Primary building? In that case, our Town Government shut the door, turned off the heat (but not the water) and deferred both maintenance and security indefinitely. We can all agree that the Old Primary building has become a wasted resource in our Town.

Consequently, this is why we need the Community Preservation Act. We need to be pro-active. We need to be the change that puts our money into a savings account for the future, doubling our returns with a match from the State. We should pair with other state and preservation grants to get the most for our community. Change is coming but, if we don't reimagine what we do with our historic buildings and how we plan to readapt them for community needs going forward, they will become an eyesore. I am tired of wringing my hands. I am showing you the money. I am showing you a way forward. Will you get on Board?

So let's get to the specific: To do that lets spell it all out with the "who, what, when, where and how."

Who - The Community Preservation Committee:

If this bylaw passes, we will need to set-up a town Community Preservation Committee ("CPC"). The CPC will require between 5-9 members; the length of their terms will need to be determined; and the method of selecting committee member will either be by designation, election, appointment or both. Our local government will help in each of these organizational decisions. According to the CPA, our CPC must include one member from each of the following: the local conservation commission, board of park commissioners, historical commission, planning board, and housing authority. If our Town has not established one or more of these boards or commission, a representative serving in a similar capacity can be appointed to the committee.

What is the Community Preservation Committee charged with doing?

The CPA will come up with projects that will go back to the Town Meeting for the people of Lunenburg to decide which projects to apply our CPA funds to. If the people of Lunenburg vote yes, funds get spent. If the people vote no, the money goes back in the pot, gains interest and waits for another viable recommendation from the CPC that majority of people of Lunenburg deem worthy to spend the money. The control of the money lies with the people of Lunenburg at the Town meeting.

What kind of projects will the CPC fund?

First, not less than 10% of the money is to be set aside for open space. An "open space" "shall include, but not be limited to, land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, streams, lake and pond frontages, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserves and land for recreational space."

Second, not less than 10% of CPA funds must be used for historic space. A

“historic space” is defined as “a building, structure, vessel real property, document or artifact that is listed on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of the town of Lunenburg.”

Finally, not less than 10% of CPA funds shall be used for community housing. “Community housing” is defined as “low & moderate income housing for individuals and families, including low or moderate income senior housing.” Support of community housing “shall include but not be limited to, programs that provide grants, loans, rental assistance, security deposit, interest –rate write down or other forms of assistance directly to individuals and families who are eligible for community housing, or to an entity that owns, operates or manages such housing, for the purpose of making housing affordable.”

Any remaining funds may be used for recreational use or rehabilitation projects. “Recreational use” is defined as “active or passive recreational use, but not limited to, the land for community gardens, trails, and non-commercial youth and adult sports, and the use of land as a park, playground or athletic field.” However, “recreational use” shall not include “horse racing or dog racing or use of land for a stadium, gymnasium or similar structure.”

A “rehabilitation” project is defined as “rehabilitation, capital improvements, or making of extraordinary repairs, to historic resources, open space, lands for recreational use and community housing for the purpose of making such historic resources, open spaces, lands for recreational use and community housing functional for their intended uses, including, but not limited to, improvements to comply with the American Disabilities Act and other federal, state or local or access codes; provided with respect to historic resources.” Furthermore, “rehabilitation” projects shall “comply with the Standards of Rehabilitation stated in the United States Secretary of the Interior’s Standards for Treatments of Historic Properties.” Additionally, with respect to land for recreational use, “rehabilitation” shall include the replacement of playground equipment and other capital improvements to the land or the facilities thereon which make the land or the related facilities more functional for the intended recreational use.”

How does CPA funding work?

Half of the money will come from the residents of Lunenburg through the “imposition of a surcharge of not more than 3% of the tax levy against real property.” This does not raise the tax rate for our Town. Rather, we will “assess a surcharge on property tax bills after they have been calculated based on the community’s current tax rate.” Our contribution will be calculated according to the Distribution Formula (see link below). Depending on our contributions, the other half of the fund has the potential to be matched up to 100% by the State of Massachusetts.

Example: Home Assessment = \$380,000

First, subtract the first \$100,000 in residential property value (assuming the community adopts an optional CPA exemption).

$\$380,000 - \$100,000 = \$280,000$ as the value to be surcharged. Then, apply the town’s tax rate.

$\$280,000 \times (18.12/\$1000) = \$5,074$. Finally, apply the elected CPA surcharge. We’ll

assume a 3% surcharge in this example. $\$5,074 \times (3\%) = \$152.22$. This \$152.22 amount would be transferred to the town's Community Preservation Fund and will be matched 100% by the state.

Important Considerations

- Our Town will decide at what rate to set the CPA surcharge. This surcharge rate may range from 0.5% -3%. However, a 100% match will only be given if the full 3% rate is applied.
- Our Town will also decide the initial exemption amount to be applied. Traditionally, an initial \$100,000 exemption is applied to all properties. However, an additional pro-rated exemption may be applied to qualified individuals.

Where Does CPA Funding Come From? <https://www.communitypreservation.org/funding>

Understanding the Distribution Formula

<https://www.communitypreservation.org/distribution-formula>

This concludes my presentation. I'm happy to take questions at this time.

Ms. Luck asked about the distribution formula, Round One. Ms. Lantry stated her understanding was in Round One they give out 80% of the funds to the 3% communities and each of the CPA communities will receive the same percentage match to funds raised locally with their CPA surcharges. If a community's CPA surcharge is less than 3%, it is not eligible to advance to the second and third round. Then there are other rounds to other communities under 3%.

Mr. McQuaid thanked Ms. Lantry for bringing this forward. It will be interesting to see what the reaction at town meeting. You say it is not a tax, but it raises the taxes. Ms. Lantry stated you need to look at this as a savings account for the town to spend on things we have already spent money on in the past. We are only going to spend that money if the town agrees to spend it and we will only spend half of the money rather than all.

Mr. Jeffreys broadly supported the concept. He stated next week we will be discussing postponing tax payments for a month and then in June we are going to vote on whether there is going to be a 3% on everyone's tax bill. I think for some people who are going through a difficult time right now that no matter what they are going to vote no on that. He asked about the community housing conditions and how seniors would be eligible. Ms. Lantry stated it is based on income. He asked what the threshold is that would qualify a person. Ms. Lantry replied it is based on the same formula used for the current senior housing in town. Mr. Jeffreys stated it would be beneficial if people could know what the threshold is in order to get favorable votes. What has the town done in the last five years that would have qualified?

Ms. Lantry stated the Town Hall being painted, the handicap access ramp to Town Hall, purchasing the Lane Property. Even with the low income housing at TriTown would have qualified. He suggested having numbers in order to

sell this article. Ms. Lantry stated that is a good point. Ms. Alonzo pointed out the purchase of the Saliba property would have qualified. He was completely behind this and was in favor of trying to pass it again. Sometime in April, a vote will be needed.

Information will be placed on the Town website. Ms. Luck requested how many communities are getting the 3%. Ms. Lantry directed her to the CPA website for that information. It lists all 176 communities and the percentages they are at. Mr. Alonzo thanked her for her presentation.

3. Review of Annual Town Meeting warrant articles

Ms. Lemieux recommended removing the four First Right of Refusal (ROFR) article and the purchase of land located at 635 Massachusetts Avenue. She did not believe it was fiscally prudent to purchase the 635 Mass. Ave. property. Ms. Luck agreed with Ms. Lemieux on removing that article.

Motion: P. Luck

2nd: D. McQuaid

To remove the warrant article (DD) that would approve purchasing 635 Mass. Ave. property

Ms. Luck- aye, Mr. McQuaid- aye, Ms. Adams- aye, Mr. Jeffreys- nay, Mr. Alonzo –aye

Mr. Jeffreys asked if this would eliminate the option to purchase for the future, Ms. Lemieux stated no but we should not be borrowing at this time.

Motion: P. Luck

2nd: D. McQuaid

To remove the four ROFR articles (EE-HH) from the Annual Town meeting warrant

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

Alonzo –aye

Discussion about reducing amounts on other articles ensued.

4. Approval of Minutes:

- November 19, 2019,
- December 10, 2019
- December 19, 2019
- January 7, 2020
- January 14, 2020
- January 21, 2020

Motion: D. McQuaid

2nd: P. Luck

To approve the minutes as listed

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

Alonzo –aye

5. Mr. Alonzo announced he signed the following warrants on behalf of the BOS:

Payroll #20 P 20: \$810,649.65
A/P# 50 20: \$263,083.03
A/P #51 20: \$60,188.65
Deductions #51 20: \$48,397.68

6. Action Items: Ms. Adams asked what became of the hunting requests from the Conservation Commission after this board denied it. Ms. Lemieux will follow up.

7. Committee Reports: there were none.

OLD BUSINESS

1. Vote on Right of First Refusals for the following Chapter 61 properties:
 - a) 10.5 acres at 322 Flat Hill Road
 - b) $\leq$ 8 acres on Holman Street and Northfield Road
 - c) .006 acres on Howard & W. Townsend Road
 - d) 2.523 acres at 57 & 63 Cross Road

Mr. Alonzo noted that Conservation Commission was not interested in any of the above properties. Ms. Lemieux stated they had not heard from any other boards to date. It was noted that on the Holman Street and Northfield Road property the 8 acre parcel (Tract A) was not delineated well on the Assessors' map that was submitted with the notice. Mr. Alonzo asked if the location was important if no one is interested in purchasing it.

Ms. Adams stated the Planning Board had some other reservations about the property. Mr. Jeffreys referred to part of a memo in their packet, page 2, from the Land Use Director stating the Planning Board was not interested in three of the properties but regarding the Holman St and Northfield property...

"The Planning Board was concerned about the following items in relation to the packet provided by the applicant.

1. **There appears to be a significant number of contingencies included in the Purchase and Sale. The most concerning is 24(h) and the obligation of the seller to provide additional land to the buyer in the event that a suitable well is not available on the land included in the agreement. The Board is concerned that providing this additional land may change their analysis of whether to exercise the ROFR.**
2. **The packet submitted does not include a plan stamped by a Registered Professional Land Surveyor. The Planning Board is concerned that it is difficult to adequately review the proposal without having an accurate depiction of what land is proposed to be removed.**
3. **There was no property meets and bounds description included in the submitted packet.**

The Planning Board expressed concern that not having this information left too many unknown aspects to the proposed removal from the chapter and left them unable to render any recommendation to the Board of Selectmen."

Mr. Jeffreys pointed out Town Counsel Adam Costa had provided an opinion, "that while there are several contingencies within the P&S, none of these are related to the final purchase price, which is the threshold for an offer to be bona fide. In 2006 the Chapter 61 statute was amended to include language that defined a bona fide offer, this language reads: 'For the purposes of this chapter, a bona fide offer to purchase shall mean a good faith offer, not dependent upon potential changes to current zoning or conditions or contingencies relating to the potential for, or the potential extent of, subdivision of the property for residential use or the potential for, or the potential extent of development of the property for industrial or commercial use, made by a party unaffiliated with the landowner for a fixed consideration payable upon delivery of the deed.'"

Discussion ensued on whether to wait to hear from the Conservation Commission when two boards are already of the opinion that they were not interested.

Motion: M. Jeffreys

2nd: D. McQuaid

To not exercise the Right of First Refusal for the four properties presented

Discussion: Ms. Adams asked to amend the motion to remove Holman Street & Northfield Road until other issues were addressed.

Mr. Jeffreys amended his motion to all but the Holman Street parcel Mr. McQuaid said yes, but the motion is to not exercise the right of first refusal. After more discussion, Mr. McQuaid stated yes.

Vote: Ms. Luck- aye, Mr. McQuaid- aye, Ms. Adams- aye, Mr. Jeffreys- aye, Mr. Alonzo –aye

Further discussion ensued about getting more clarification on the Holman St and Northfield Road parcel. It will be discussed again at another meeting.

2. Discussion on the Town Manager Performance Evaluation process and timeline

Ms. Lemieux stated she had considered the offer to move her evaluation up and appreciated it, but wanted to try to meet the original deadline.

3. Discussion on Fiscal Year 2021 Budget, FY21 Capital Plan, Five Year Financial Forecast and Annual Town Meeting Warrant articles

No discussion occurred.

TOWN MANAGER REPORT

Announcement on Existing Vacancies:

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

- Agricultural Commission (2 alternate vacancies)
- Americans with Disabilities Act Commission (1 vacancy)
- Architectural Preservation District Commission (1 design professional; crafts person or building contractor familiar with historic renovation)
- Finance Committee (1 position appointed by the Finance Committee Appointing Committee)
- Open Space Committee (1 vacancy-citizen at large)
- Planning Board (1 position appointed by the remaining members of the Planning Board and the Board of Selectmen until the next Annual Town Election in May)
- Zoning Board of Appeals (2 Associate vacancies)

Talent bank forms can be obtained on the Town Website and forwarded to the Board of Selectmen's Office.

Update on Saliba Property Grant Requirements:

The deadlines for the LAND and PARC grants that the Town received towards the purchase of the Saliba property on Northfield Road will not be extended beyond the June 20 deadline. We are on track for a May closing date on the property and are in the process of doing the following:

- I coordinated the hiring of an environmental consultant to perform an environmental assessment on the property and this will be completed by the end of April;
- The Conservation Administrator will coordinate the purchase of a sign designating the name and how it was cooperatively purchased with the Commonwealth;
- The Conservation Administrator will create a management plan that will need to be submitted to the State;

- The Open Space Chairman, Brandon Kibbe, will send an updated Open Space and Recreation Plan to the State, as this is a requirement of the grant as well.

Employee Dental Insurance:

Through our insurance broker Cook & Company, we solicited proposals from our current dental insurance company Altus and through MIIA for Blue Cross Blue Shield Dental Blue. Our original proposal through Altus came in at a 7% increase over FY20's rates and after both companies submitted competing proposals and two conference calls with members from the Public Employee Committee, all agreed that switching to MIIA's BCBS Dental Blue Plan would benefit employees the most. The proposal from MIIA was a 5% increase over the FY20 rates and locks in the rate for 2 years, provides added features, and a larger provider network. This information will be sent out to employees at the end of the month in time for the Open Enrollment period during May and will go into effect on July 1st. This is a completely employee-funded optional insurance.

Green Communities Competitive Grant:

Prior to the closing of town facilities, the Green Communities Task Force had been meeting to discuss various projects to submit for this year's Competitive Grant including LED lighting project at the Middle School, replacement of appliances with energy efficient appliances at Turkey Hill, replacement of appliances at various town buildings with energy efficient appliances, and funds towards the purchase of hybrid police cruisers. I am working on trying to get estimates related to a Retro-commissioning Report that was done during the last Green Communities Grant that had a number of recommendations to be done at the Public Safety Building that would result in energy savings. We have until May 1st to submit an application.

Neighborhood Clean-up of Roadside Trash:

The DPW is providing regular trash bags to volunteers that wish to participate in helping clean up their neighborhoods by picking up roadside trash. Once the bags are full, volunteers can contact the DPW to pick up the bags at an identified location. Please contact the DPW to request bags at 978-582- 4160.

FY 2020 Updates:

The Finance Director and Treasurer/Collector put together a projection of revenues for the remainder of this fiscal year and based on their projections using FY19 revenue figures, which would be conservative for the remainder of the third quarter and the entire fourth quarter of FY20, there would be a positive cash flow for the remainder of the fiscal year.

FY 2021 Financial Updates:

There was a virtual economic roundtable scheduled for this morning with the Chairs of the House and Senate Committees on Ways and Means, the Secretary of the Executive Office of Administration and Finance and other guests such as the State Treasurer, President of the Boston Federal Reserve, the MA Taxpayers Foundation, and others to discuss the impact of the current public health crisis on the Massachusetts economy. Due to technical issues with the broadcasting system, it is being postponed until next week to ensure that the system is fixed and they are able to broadcast a live feed. Based on today's weekly briefing with the Lieutenant Governor, the Senior Deputy Commissioner of the Division of Local Services Sean Cronin, and officials from MEMA and the Department of Public Health, the State has not formalized any revenue projections and they are continuing to monitor, plan and advise as they develop their analysis.

As I relayed to the Finance Committee at their meeting on Thursday, my approach to revamping the FY 2021 budget will be to reassess our revenue projections and FY21 expenditures as follows:

- I have asked RRG, our assessing services firm, to work with the Land Use Director and Building Department to review the projected New Growth figure, even though that has been reduced twice during the development of the FY21 budget.
- To use a level funded amount from FY20 for State Aid;
- To use a level funded amount from FY20 for Local Receipts and examine if these need to be pulled back further.

- To postpone the hiring of additional staff and additional hours for certain positions and health insurance costs;
- To review the Capital Plan and possibly reduce the available amount for the Capital Plan in order to reallocate the tax revenue portion towards the operating budget.
- At the Finance Committee meeting on March 12th I had indicated we could reduce the Allowance for Abatements/Exemptions amount in FY 2021 and this would create an additional \$55,000 available for the operating budget.
- Overall, the approach will be a conservative approach on our revenue estimates so we can possibly readjust at the Fall Special Town Meeting after seeing how the first quarter revenues of FY21 come in.

Other Department Updates:

The Assistant Town Manager and I are assisting the Assessors Department in putting together a Request for Proposals for Tax Assessment Services as well as drafting a position description for a Principal Assessor. The plan is to go out to bid for Principal Assessing Services at the same time as advertising for a Principal Assessor and based on the response to both the RFP and to the Principal Assessor position, determine the best course of action for that department.

Due to the notice from Solid Waste Sewer Services that they are terminating their contract with the Town, the DPW Director secured a new firm that will provide this service until June 30th. In the interim, a RFP is being developed by the DPW Director and Sewer Business Manager that will go out to bid and secure a firm for the start of the new fiscal year on July 1st.

Meetings, Events and Other Announcements:

- Town Counsel is holding his office hours via Zoom tomorrow with everyone that signed up through the Doodle Poll and office hours in May will be on May 20th; 12-4 p.m.
- Disposal of Yard Waste at the old landfill off of Youngs Road will commence Saturdays from 9 a.m. until 4 p.m. on April 11th until May 16th.
- I will participate in the Board of Assessors meeting tomorrow, Wednesday, April 8th at 1 p.m. via Zoom.
- The School Committee is meeting tomorrow, Wednesday, April 8th at 7:00 p.m. via a Zoom meeting.
- I will participate in the Finance Committee will be meeting on Thursday, April 9th at 7:00 p.m. via Zoom.
- I will participate in the Sewer Commission's meeting on Tuesday, April 14th at 3 p.m. via Zoom.

UPCOMING MEETING/EVENT SCHEDULE

This Board meets again on April 14 and April 21.

PUBLIC COMMENT

Dave Passios, 56 Whiting Street, was disappointed the BOS voted without input from the Open Space Committee on the ROFR properties.

Motion: K. Adams

2nd: P. Luck

To adjourn the meeting at 9:07 p.m.

Vote: Mr. Jeffreys-aye, Mr. McQuaid-aye, Ms. Luck-aye, Ms. Adams-aye, Mr. Alonzo-aye

Mr. Alonzo thanked all the participants of this evening's meeting.

Respectfully submitted,

Elaine M. Peterson

Elaine M. Peterson

Executive Assistant to the Town Manager