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BOARD OF SELECTMEN
MINUTES
Via zoom
June 9, 2020

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

Also Present: Town Manager Heather Lemieux,

Finance Committee members present: Teri Burchfield, Chair, Jay Simeone, Peter Beardmore, Dave Passios, John Henshaw

Others present: Todd Dwyer, Dave Blatt

Chairman Alonzo called the meeting to order at 7:00 p.m. and announced in accordance with the requirements of the Open Meeting Law, please be advised that this meeting is being recorded and broadcast over Lunenburg Public Access channel/YouTube Live.

Mr. Alonzo read the remote meeting information and everyone was present and could be heard.

The meeting opened with the Pledge of Allegiance that was recited by Ms. Adams

PUBLIC COMMENT:

Ms. Luck believed the entire warrant should be reviewed tonight and any articles that can possibly be passed over at town meeting to shorten the meeting and to preserve the integrity of the town meeting process. Specifically the articles that should be removed include Article 6, Capital Improvement Plan; Article 21, street light conversion; Article 23, Earth Removal. She added any spending articles that can be moved to the November meeting should be.

Lastly she noted she has spent the last six years of her life serving on the Board. It's been a great deal of work as all who volunteer know fully well. I have attended every town meeting since establishing residence in Lunenburg in 2004. She announced she would not be attending a town meeting which could easily be postponed to ensure the safety of our citizens. So she will not be attending the June 13th meeting and she regretted that she will be unable to have her voice heard this Saturday.

Bill Tyler, 5 Graham Street, speaking as both a citizen and the Cemetery Commission Chairman, stated the commission has not met formally since February, so these comments reflect my own opinion. The disgraceful condition of the Town cemeteries over the Memorial Day weekend was an insult to the families of those who are visiting their loved ones and especially to the many Veterans that served our nation and have chosen their final resting place in our town cemeteries. The families were outraged and saddened by the lack of respect for their loved ones. This is a time when the cemeteries should look their best. I want to reiterate to the citizens of Lunenburg that at this time the Cemetery has no say, input or control over the maintenance of the town cemeteries. The Charter states that the maintenance of the cemeteries is under the supervision of the Town Manager who has delegated to the DPW Director.

The current plan is to share DPW resources to help when there is a need. Clearly there was a need. This plan clearly has not and does not work for a variety of reasons. If the commission had been able to direct the maintenance of the cemetery, this debacle would not have happened. Change is needed and is way overdue. After many angry emails posted on social media and in person to the cemetery commission, a crew was sent to cut the grass on Sunday.

Carl Luck, 50 Sunset Lane, stated that he fully supported the Green Community Task Force but felt the street light conversion article should be passed over due to the uncertain economic times.

There were no announcements this evening.

I. APPOINTMENTS

Discussion on a Policy to Approve Outdoor Seating and Outdoor Liquor Sales per COVID-19 Executive Order #35

Ms. Lemieux reported according to the Governor's guidance for phase 2 there are a number of documents that we received last week that allows alcohol establishments with a retail food permit to open. There are a number of requirements to do so and there are documents from the state regarding what should be included in their reopening plans. There are four businesses that had expressed interest and two of those (On the Rocks & Embers Pizzeria) have submitted plans.

Discussion ensued about having an extra employee on duty to enforce the safety issues. Ms. Lemieux noted that is a requirement by the state and both Embers and On the Rocks have identified a person who will be doing that on each shift. Ms. Lemieux noted the BOS should review the ABCC advisory for extension of premises to patios and outdoor areas. Those criteria should be followed as well for restaurants.

Review of Possible Applications for Outdoor Seating and Outdoor Liquor Sales from Bad Larry's (1 Main Street #4), American Graffiti (113 Summer Street), On The Rocks (96 Lakefront Drive), and Embers Pizzeria (84 Lakefront Drive)

Ken Ricker, owner of Embers Pizzeria and On the Rocks, stated both have already had outdoor seating before this it. We are just extending the area, we are losing money every day. We are anxious to reopen. We are just trying to make some money and just looking to get back on track.

Mr. Alonzo asked about placing some sort of demarcation to ensure cars don't drive into the parking area. Mr. Ricker stated we are setting up picnic tables and am looking into some not so ugly snow fencing.

Mr. McQuaid asked because it is right on the street if it was possible to rent a jersey barrier to make sure nobody drives into the seating area. Mr. Ricker stated he was looking into something.

Discussion ensued about having a form for application for temporary outdoor seating as well as having a certification clause that the applicant signs stating they have read and will adhere to all the advisories and guidelines issued by the state. Mr. Ricker stated he would gladly sign the form if provided.

Motion: K. Adams

2nd: M. Jeffreys

To approve the applications for On the Rocks and Embers Pizzeria

Discussion: Ms. Luck asked if they should sign the certification clause. **Ms. Adams amended her motion to say," contingent on submitting the certification clause paperwork within one week: Mr. Jeffreys seconded the amendment.**

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

Mr. Ricker thanked the Board.

John Donnelly, owner of Donnelly's Tavern, stated he did not get his paperwork in until Friday so his application will be scheduled for the next meeting.

II. OLD BUSINESS

1. FY 2021 Budget and Review of Annual Town Meeting Articles with Deferred Votes by the Selectmen

Ms. Lemieux reviewed the deferred articles

- Article 4 amends appropriations and sources of funds for FY20 – there are none.

Motion: P. Luck

2nd: M. Jeffreys

To recommend passing over Article 4

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

- Article 9 is the Sewer FY20 budget article and there are none.

Motion: P. Luck

2nd: M. Jeffreys

To recommend passing over Article 9

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

- Article 22 changes the earth removal bylaw and assigns the review to the Planning Board

Motion: K. Adams

2nd: T. Alonzo

To recommend approval of Article 22

Discussion: Mr. McQuaid stated he would still like to see the Planning board presentation.

Ms. Adams withdrew her motion and Mr. Alonzo rescinded his second so the article remains deferred.

- Article 24, a citizen petition for Home Rule petition for an additional liquor license for Jaxx County Variety; this article will remain deferred.

VI. CURRENT BUSINESS

1. Discussion on Consent Calendar for Annual Town Meeting Articles that are routine and/or non-controversial

Mr. Alonzo acknowledged the Finance Committee members and confirmed they could all hear the meeting.

Chair Teri Burchfield called the meeting to order.

A consent calendar is a series of warrant articles that the Town Moderator, in consultation with Town officials, has chosen which due to the nature of their relatively non-controversial or routine subject matter, may be voted together in one motion to expedite the business of Town Meeting. After the Town Moderator reads the motion to include this series of articles, voters will have the option to hold an article if they have questions and the article will be removed from the consent calendar and voted separately.

After discussion it was decided on the following:

Article 1: That the Town vote to pass over Article 1 having already accepted the regular written reports of the Town Officers and Committees.

Article 2: That the Town vote to re-authorize the revolving funds for certain departments, boards, committees, agencies, or officers for the spending limits as printed in the Annual Town Meeting warrant booklet.

Article 4: That the Town vote to pass over Article 4.

Article 9: That the Town vote to pass over Article 9.

Article 10: That the Town vote to appropriate from Sewer Enterprise revenues the sum of \$790,027.63; appropriate from Sewer Enterprise retained earnings the sum of \$125,650.25; transfer from Sewer Capital Reserve Stabilization Fund the sum of \$20,000; transfer from Sewer Reserve Capacity Stabilization Fund the sum of \$7,513.66 for a total appropriation of \$943,191.54 to operate the Sewer Enterprise Fund for FY21; and further that \$877,011.90 be included in appropriations from the general fund for indirect costs and be allocated to the Sewer Enterprise Fund.(

Article 11: That the Town vote to transfer from Sewer Enterprise Retained Earnings the sum of \$30,000.00 into the Sewer Capital Reserve Stabilization Fund.

Article 12: That the Town vote to transfer \$656 from Sewer Enterprise Retained Earnings to the OPEB Trust Fund established at the November 30, 2010 Special Town Meeting.

Article 13: That the Town vote to appropriate from Solid Waste Disposal Enterprise Revenues the sum of \$302,000 to operate the Solid Waste Disposal Program.

Article 14: That the Town vote to appropriate from Water Enterprise Revenues the sum of \$25,000 to operate the Water Department.

Article 15: That the Town vote to appropriate from PEG Access and Cable Related Enterprise Fund Revenues the sum of \$143,000.00 to fund the FY21 PEG Access operating budget and further that \$48,000 be included in appropriations from the general fund for indirect costs and be allocated to the PEG Access and Cable Related Enterprise Fund.

Article 16: That the Town vote to amend Chapter 70 of the Town's General By-laws, entitled "Salary Administration Plan," as follows: the position of Videographer to be added and assigned to Grade 3; the position of Senior Videographer to be added and assigned to Grade 6; and the position of Water Safety Instructor to be added and assigned to Grade 4.

Article 17: That the Town vote to authorize the Board of Selectmen to file a Home Rule Petition with the General Court for a special law authorizing the investment of Library trust funds and any future bequests to the Library in accordance with the prudent investor rule and related statutes. The text of said Special Act to be as printed in the Town Meeting warrant booklet.

Article 18: That the Town vote to pass over Article 18.

Mr. Alonzo noted Green Community Task Force Chair Dave Blatt had entered the meeting so returned to the discussion of Article 21.

Article 21 is the Conversion of Streetlights to LED by Unitil or Purchase of Streetlights

Mr. Blatt reported there were three options available:

- to do nothing
- pay for Unitil to convert to LED and have Unitil continue to maintain the system
- purchase the street light system and have Lunenburg do the conversion to LED.

Our recommendation is the Town purchase the street lights and manage the system. The last quote to purchase the street lights was \$91,000. It will never be settled until the day we take over the system; the cost for them to convert is roughly \$47,000. If we go with Unitil converting to LED we save \$31,600 annually. If we convert, we would save \$58,000 annually. This is based on applying for and getting a grant to supplement the cost.

Discussion ensued on whether to postpone this to the November town meeting. The Finance Committee adjourned their meeting. Mr. Alonzo thanked Mr. Blatt for his participation.

2. Minutes for Approval

There were no minutes for approval this week.

3. Warrants/ Action Items

Mr. Jeffreys requested a meeting with different community leaders at last week's meeting. He requested Ms. Lemieux coordinate this meeting. The meeting would be to identify any racial disparities and work on solutions with them. Another important piece of this would be to receive demographic data from other communities to be proactive to share best practices of police departments. Discussion ensued on how to obtain the data and how to use it.

Mr. McQuaid asked if the playgrounds are open yet. Ms. Lemieux stated they would be open. She stated the Parks Commission and is delaying a decision on the town beach until July.

4. Committee Reports- there were none.

TOWN MANAGER REGULAR REPORT AND COVID-19 UPDATES

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; craftsperson 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)
- 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.

CARES Act FY20 Expense Reimbursement Submittal:

On Wednesday, June 3rd, we submitted a reimbursement request for CARES Act funding in the amount of

\$147,421 for costs incurred or expected to be incurred in FY20 for unbudgeted expenses related to COVID-19. Our total amount of CARES Act funding under this program is \$1,027,771. On the weekly briefing with the State today, DLS Commissioner Sean Cronin said those wire payments were approved today and we should see that money in the next week or so.

Update on Special Acts for Lanni Orchards and Town Charter:

I contacted Representative Hay's Office about the status of the Special Act for an additional off premise wine and malt license for Lanni Orchards and that bill is in the third reading in the House and is expected to move forward to the Senate. I also inquired about the status of the Town Charter and heard today from Senator Tran's Office that the Special Act to amend the Town Charter was approved with a few corrections and was reassigned bill number S2754. It is now heading over to the House side on Thursday for an expected approval and their office will update me once approved.

Municipal Vulnerability Preparedness Planning Grant:

A draft Municipal Vulnerability Preparedness document has been added to the website and posted on the Town Facebook page and can be viewed on the town website under News and Announcements and the Planning Board's page (https://www.lunenburgma.gov/sites/default/files/field/files-docs/lunenburg_mvp_final_draft_report_06.04.2020_with_appendices_003.pdf).

The public listening session to hear input and receive feedback on this draft plan will be held at the Tuesday, June 16th Board of Selectmen's Meeting at 7 pm.

Annual Town Election Vacancies and Advice from Town Counsel re: BOS Involvement:

Town Counsel was consulted regarding any legal or problematic issues with the Board of Selectmen announcing or posting those running for write-in campaigns for the vacant seats. A copy of Town Counsel's opinion once received will be provided to the Board.

Route 2A/Route 13 Intersection Update:

I contacted MassDOT about the status of the work order for the Route 2A/Route 13 intersection and our contact replied that she would check-in with the District Traffic Maintenance Engineer who manages the traffic signals and will update me when she hears back.

Meetings, Events and Other Announcements:

- The Finance Committee has a meeting via Zoom on Thursday, June 11th at 7 p.m.
- The Annual Town Meeting is on Saturday, June 13th at the Middle/High School Auditorium at 9 a.m., with check-in starting at 8 a.m.
- The Board of Health has a meeting via Zoom on Monday, June 15th at 7 p.m.
- The Annual Town Election is on Saturday, June 20th at the TC Passios Building from 7 a.m. until 5 p.m.

COVID-19 in Lunenburg and Board of Health Notices:

The Board of Health issued their weekly update dated June 5th and it will be put on the COVID-19 Information Center page on the town website under News & Announcements on the homepage. As of June 5th, there are 65 confirmed positive cases in Lunenburg and one death.

Re-opening of Town/School Playgrounds, School Fields, and Town Beach:

All school buildings will be closed for the remainder of the school year but the School has made the following announcements about re-opening fields and tennis courts:

Tennis courts will be open to singles play only.

The Track and Turf Field will be open during Phase 2;

School playgrounds and basketball courts will open during phase 2;

Grass fields will be closed as the School typically keeps them closed in the summer for over seeding and to allow the field to recover from heavy use in the fall.

The Parks Commission met Thursday, June 4th to discuss what is entailed for reopening the Town Beach.

The commission decided to delay a decision on reopening the Town Beach until July due to the current requirements that would have to be in place to reopen including the access to enough supplies, the area that would be reached for social distancing and other state requirements. Playgrounds and the basketball court will reopen under Phase 2 guidelines.

Reopening of Town Facilities

Town facilities reopened to town employees on June 2nd in adherence with a number of state requirements and best practices, Yesterday, at the start of Phase 2, we opened to the public by appointment only. I want to stress this reopening process will be phased in slowly so we can ensure the safety of our employees and residents which includes having sufficient cleaning supplies on hand and being able to socially distance.

Senior Center Updates:

Eagle House reopened to staff on June 2nd as well. Today they held their first Drive Through Coffee and Donut event from 9- 10 a.m., no appointment is needed. This event will be held every Tuesday from 9- 10 a.m. On Thursdays they will have a Drive Through Brown Bag lunch from 12- 1 p.m. that is by appointment only.

On Fridays there will Drive Through Ice Cream and Lemonade from 1- 2 p.m., no appointment is needed.

Starting in July there will be limited programs in the building with 10 or less people. There will a Grief Support group once a month on Wednesdays starting July 22 at 1 p.m. A Stretch and Tone starting on Tuesday, July 21st at 1 p.m. and movie events on Wednesdays starting on July 22nd at 1 p.m.

MEETING/EVENTS SCHEDULE

Mr. Alonzo reviewed the upcoming BOS meeting schedule: June 16 and June 23

Annual Town Meeting on June 13, 2020

Annual Town Election on June 20, 2020

PUBLIC COMMENT

Peter Beardmore noted the protest in the center of town on Sunday was a great job by all who participated. He asked the Town Manager and the BOS to pay attention to a different kind of public safety particularly on the streets, noting people are walking their dogs, kids are riding bicycles and vehicular traffic has increased as well as speeds.

Mr. Jeffreys following up on his earlier request, noted this is not a war on police. What we are trying to accomplish is addressing how we are going to work with people who are disenfranchised for different reasons. He would like for all of us to look beyond our own lives and help others.

Ms. Adams stated Ms. Luck would be missed at Town Meeting.

Mr. Alonzo thanked the Salvation Army for observing National Donut Day last Friday in all three communities. He echoed Mr. Beardmore's comments about the Sunday demonstration and all participating. It was peaceful and a strong statement and well organized. It ended with a nine minute moment of silence. He thanked everyone involved. He noted a speech given by James Baldwin and hoped people would look it up.

Motion: D. McQuaid

2nd: K. Adams

To adjourn the meeting at 9:30 p.m.

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

Respectfully submitted,



Elaine M. Peterson

Executive Assistant to the Town Manager