



**SELECT BOARD
MINUTES
March 30, 2021
Via ZOOM**

Members present: Tom Alonzo, Chair; Michael-Ray Jeffreys, Vice Chairman; Katey Adams, Clerk; Todd Dwyer, Jim Marino

Also Present: Heather Lemieux, Town Manager; Karen Brochu, Finance Director; Rob Oliva, DPW Director and Frank Serreti and Ben Adsit of Powers & Sullivan, LLC

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 the Lunenburg public access channel. 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. Mr. Alonzo read the remote meeting information for anyone who would like to join the meeting. He asked if everyone was present by roll call.

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

PUBLIC COMMENT:

Ethan Rossi, Northfield Road, a sophomore at Monty Tech, also attends Family Martial Arts Center in Leominster and in order to achieve his black belt in Karate, he has to complete a community project. He introduced his project titled "Operation Karing4Kids." Ethan, a Leukemia survivor himself, reported this project provides gift bags for children receiving treatment at UMass Memorial Medical Center in Worcester. A wish list for items on Amazon can be found at <https://facebook.com/karing4kids21>. Items can be dropped off at the Lunenburg Boys & Girls Club, 15 Memorial Drive, Lunenburg, between 9 a.m. and 5 p.m. Monday through Friday. The Board wished him the best of luck with his project.

Ms. Adams asked where the Select Board's governance is regarding utilities, specifically water line installation. DPW Director Oliva stated customarily any project that requires water installation under the roads would come through his office for at least cursory approval. He believed a project would be presented to the Select Board for approval as well.

Mr. Alonzo stated nothing has changed since Town Caucus was held other than anyone interested in running for election now will have to conduct a write-in campaign.

Update from DPW Director on Drainage at 225 Pleasant Street

Mr. Oliva reported resident Steve Walker who lives on Pleasant Street has contacted him. The drain from a culvert that empties onto a town-owned lot adjacent to his property was draining onto Mr. Walker's property and causing erosion. Mr. Oliva would like to extend the swale on the town property so water runoff is diverted more around Mr. Walker's property. Mr. Walker requested a truck load of soil to fill in the washed away areas of his property. Mr., Oliva stated he could provide that.

Ms. Lemieux asked the Board if they had any questions for Mr. Oliva concerning the Capital request of a ¾ ton truck with plow for \$48,000 for DPW. This request along with the Marshall

Park Master Plan request will be presented later this evening by the Town Manager. Mr. Jeffreys asked if this truck would be driven by Mr. Oliva and would it be taken home at night? Mr. Oliva stated he would be driving it and it would be taken home at night as he is on call 24/7. Mr. Marino agreed that a DPW Director being a public safety position Mr. Oliva needs to have the truck to use. Mr. Oliva exited the meeting.

FY 2020 Audit Report from Powers and Sullivan

Finance Director Karen Brochu introduced Frank Serreti and Ben Adsit for the audit report. Mr. Serreti stated it was definitely a unique year for the audit during a pandemic. We were out at Lunenburg Town Hall in July to do the audit. We came back in mid-October to do the year-end review. We were able to issue an unmodified opinion on the financial statements. All the reporting deadlines were met. We received timely responses to all our inquiries for the audit. We found no internal control issues, material weaknesses or significant deficiencies. The Town was able to maintain its AA+ credit rating with Standard and Poor.

Financial Highlights

- The assets and deferred outflows of resources of the Town of Lunenburg exceeded its liabilities and deferred inflows of resources at the close of the most recent year by \$17.2 million (net position).
- At the close of the current year, the Town's general fund reported an ending fund balance of \$7.6 million, an increase of approximately \$1.3 million in comparison with the prior year. Total fund balance represents 18% of total general fund expenditures.
- The Town's total debt (short-term and long-term combined) decreased by \$2.4 million during the current year. This was due to the net effect of the issuance of \$5.0 million of new debt, \$7.3 million in principal payments on existing debt and \$103,000 of premium amortization.
- The net other postemployment benefits (OPEB) liability totaled \$55.8 million as of June 30, 2020, which was an increase of \$3.3 million from the prior year.
- The net pension liability totaled \$19.8 million as of June 30, 2020, which was a decrease of \$100,000 from the prior year.
- In 2020, the Town incurred \$50,000 of expenses related to the COVID-19 Pandemic, which were funded by grants received from the State and Federal governments
- On May 4, 2019, Town Meeting voted to establish the Public Educational Government (PEG) Access enterprise fund to account for its public television activities, which was effective as of July 1, 2019. Accordingly, beginning net position/fund balance of the governmental activities, business-type activities, and governmental funds has been restated to reflect the change from a governmental activity to a business-type activity. (See Note 16 for further details regarding the restated balances).

General Fund Budgetary Highlights

The original 2020 approved budget for the general fund authorized approximately \$42.2 million in appropriations and other amounts to be raised and includes \$283,000 of carryforwards from the prior year. Changes during the year consisted of supplemental appropriations and allocations between and among departments. Supplemental appropriations totaled \$94,000 and mainly relate to the funding of the vehicle and equipment stabilization fund.

Actual results from operations were better than anticipated. This was due to the Town collecting \$267,000 more revenue than what was budgeted and \$1.2 million of unexpended appropriations.

Mr. Serreti moved on to the Management Letter.

❖ OLD RECEIVABLE BALANCES

Prior Year Comment

In the prior year, we noted that the Town was carrying old receivable balances in motor vehicle excise and personal property taxes that were greater than fifteen years old. As a result of maintaining these old receivable balances and the detailed reports associated with them, the reconciliation process was made more cumbersome and time consuming.

Current Status

The Board of Assessors has reviewed the Town's receivables for collectability and has written off balances that were considered to be uncollectible.

❖ SUPPORTING DOCUMENTATION FOR HEALTH INSURANCE PLANS

Prior Year 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.

Current Status

The Town has implemented procedures to collect and maintain marriage certificates for employee spouses as well as birth certificates for employee spouses and dependents enrolled in Town health insurance plans as part of the onboarding process. This documentation is also being collected for existing employees and when new spouses and dependents are added to existing plans.

❖ 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

It is our understanding that the Town began the process of documenting key administrative functions in 2020 through a community compact grant for a continuity of operations plan. This project is expected to be complete in the spring of 2021.

❖ OLD OUTSTANDING CHECKS

Prior Year Comment

In the prior year, 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.

Current Status

While the Town did not establish a formal written policy for uncashed checks in 2020, steps were taken to reduce the balance of outstanding checks by \$64,000. At year-end, outstanding checks greater than six months old totaled \$61,723.

Continuing Recommendation

We continue to recommend that management establish a formal, written policy regarding uncashed checks. Such a policy should specify aging milestones with required actions. For example, the 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

Prior Year Comment

In the prior year, we noted that the Treasurer's Office did not have an up to date listing of uncashed checks to support the tailings balance reported on the general ledger. We also noted there was no current year activity within the general ledger tailings liability account and that the Treasurer had not performed procedures to resolve the existing balance in the tailings account in accordance with the Massachusetts Abandoned Property Laws in the past few years.

Current Status

The Treasurer established a comprehensive listing of uncashed checks in 2020 to support the balance in the tailings account. The Treasurer also completed the abandoned property process for checks that met the unclaimed criteria and additional uncashed checks were added to the tailings account.

Continuing Recommendation

We continue to recommend that management establish a formal, written policy that specifies procedures to be performed to resolve uncashed checks that have been transferred to the tailings account. Such a policy should specify aging milestones with required actions that will result in the funds either being reissued to the payee or recorded as miscellaneous revenue by the Town.

❖ 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 receivable balances and lack of timely follow-up by management overstates the receivable balance, impedes cash flow, and increases the risk that these receivables will be uncollectible.

Current Status

The Town wrote-off about \$200,000 of uncollectible receivables in 2019, however the ambulance receivable increased in the current year by \$48,000 and totaled \$614,000 at year-end. Of this balance, \$529,000 is greater than 180 days past due, which suggests that a significant amount may still be uncollectible. It is our understanding that the Town intends to establish an annual review and write-off process for uncollectible receivables.

Continuing recommendation

We continue to recommend that the Town continue to analyze the ambulance receivables and write-off any accounts that are determined to be uncollectible. We also recommend that the Town implement an ongoing process to assess the collectability of the ambulance receivables and to write-off accounts that are determined to be uncollectible as part of the process.

❖ FRAUD RISK ASSESSMENT

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.

Current Status

The Town did not complete a fraud risk assessment in 2020.

Continuing Recommendation

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

Mr. Alonzo asked if there were any new issues to address. Mr. Serreti stated no. Mr. Alonzo asked is it fair to say the Town is in good financial position and it is run with strong management policies? Mr. Serreti stated it is a very fair statement. It has gotten stronger every year. The books and records are in very good shape, we did not have to recommend any adjustments to correct any balances. Everything was done in a timely manner.

Mr. Alonzo thanked the Town Manager and Finance Director and their teams for doing an outstanding job yet again and the auditors for coming in as well. Discussion turned to getting a better rating than AA+; in general debt ratio needs to be reduced.

INTERVIEWS/APPOINTMENTS/ RE-APPOINTMENTS/ RESIGNATIONS

Resignation of Nashoba Regional Dispatch Executive Director, Ross Klun

Ms. Lemieux reported the Executive Director of the Nashoba Regional Dispatch Center gave his written notice on March 15th and his last paid day will be April 2nd. The Administration Board, on which I sit, has a meeting scheduled on Wednesday, March 31st to take action on appointing an Acting Director until the position is permanently filled.

CURRENT BUSINESS

1. Request to Vote to revoke the Fuel Storage License(s) located at 416 Electric Ave. from Eileen Moroski

Ms. Peterson had sent a memorandum:

"This office has been contacted by Fire Chief Sullivan and Mrs. Eileen Moroski who have informed me that the four (4) underground storage tanks; 3 (6000 gallon gasoline and 1 (8000 gallon diesel) located at 416 Electric Avenue have been removed. The tanks were removed by RJ Govoni Construction Corporation on October 27, 2020 so there is no longer fuel storage/sales on site. I am requesting the Board vote to revoke the fuel storage permits for the property so I can inform the Commonwealth of MA/ DEP Bureau of Air & Waste Underground Storage Tank Program of the updated situation."

Motion: J. Marino

2nd: T. Dwyer

To revoke the fuel storage license for the tanks located at 416 Electric Avenue

Vote: Ms. Adams- aye, Mr. Dwyer- aye, Mr. Marino-aye, Mr. Jeffreys-aye, Mr. Alonzo-aye

2. ACO Quarterly Report

Mr. Alonzo noted the Animal Control Officer Quarterly report was in the Board's meeting packet. Mr. Jeffreys stated it was an interesting read with a lot of reports of pit bulldogs. Mr. Alonzo thanked the ACO and the Police Department for their report.

3. Approval of Minutes of March 2, 2021

Motion: K. Adams

2nd:J. Marino

To approve the minutes of March 2, 2021 as presented

Vote: Ms. Adams- aye, Mr. Dwyer- aye, Mr. Jeffreys-aye, Mr. Marino-aye, Mr. Alonzo-aye

4. Warrants

Mr. Alonzo reported he signed the following warrants last week: Accounts Payable Warrant #43 21, dated 3/16/2021, in the amount of \$633,767.01; Payroll Deduction Warrant #44 21, dated 3/17/2021, in the amount of \$736,398.74; Payroll Warrant #19P21, dated 3/18/2021, in the amount of \$856,219.33.

5. Action Items

Ms. Adams repeated her earlier request to have more information, possibly from Town Counsel about the ownership of the roads and what the Select Board's role was concerning a developer seeking to install water lines to his housing development project.

Mr. Jeffreys believed the amount of pollution in town by commercial businesses is out of control. He asked the enforcement mechanism is for the Town that requires businesses to clean up their property.

Mr. Alonzo stated because the Board did not come to agreement on a new appointment policy and proposed deadlines have come and gone, we will be following the existing policy. This topic will be revisited at a later date.

6. Committee Reports

Mr. Alonzo reported the Capital Planning Committee met and approved the Town Manager's request to add two additional items due to \$98,000 becoming available. We will also be discussing our policies and parameters for next year.

OLD BUSINESS

1. Discussion on Fiscal Year 2022 Budget, Capital Plan, Financial Forecast and Annual Town Meeting Warrant articles

Ms. Lemieux noted there are certain money articles in the budget such as the sale of cemetery lots, additional revenue which will go towards the cemetery warrant article (\$15,000) and unexpended capital that will go towards the capital plan (\$111,281). We will be using Free Cash (\$66,500) for the Agricultural Preservation Restriction article for the Pierce Property. Total Free Cash that will go towards Capital will be \$738,825.00. Tax revenue provided will be \$747,718. There is one prior year invoice which came up recently in the amount of \$145.00 that will be coming from Free Cash. She recommended taking \$250,000 out of Free Cash for the article for the Special Purpose Stabilization Fund.

On the expenditure side there was an adjustment to the Fire Dept. in the amount of \$8,718.17 as there were two positions that were recently filled. There was also an adjustment of \$1,550 to the Town Clerk salary, a 3% increase for FY 22.

That leaves an unappropriated balance of tax revenue of around \$40,000. It also leaves an unappropriated balance of \$458,000 in Free Cash. There are two articles that you have not made definitive votes on; one is the additional TCP Design work and the other article still to be discussed tonight, the old Primary School. She also recommended allowing \$200,000 of Free Cash to be reserved for next year.

2. Vote on Warrant Article Recommendations; Vote to Sign Annual Town Meeting Warrant; Vote to Sign Annual Town Election Warrant

Article 3 allows the paying of prior fiscal year invoices; there is one for \$145.00

Motion: J. Marino

2nd: T. Dwyer

To recommend approval of Article 3

Vote: Ms. Adams- aye, Mr. Dwyer-aye, Mr. Marino- aye, Mr. Jeffreys-aye, Mr. Alonzo-aye

The Board will defer **Article 4** (amending FY21 budget) until Town Meeting.

Article 5 approves the Capital Plan in the amount of \$1,597,825.

Motion: M. Jeffreys

2nd: J. Marino

To recommend approval of Article 5

Vote: Mr. Jeffreys-aye, Mr. Marino-aye, Mr. Dwyer- aye, Ms. Adams- aye, Mr. Alonzo-aye

Article 6 approves the FY22 budget in the amount of \$39,759,798.81. It does not include the enterprise funds as they are covered under different articles.

Motion: M. Jeffreys

2nd: T. Dwyer

To recommend approval of Article 6

Vote: Mr. Marino-aye, Mr. Jeffreys- aye, Ms. Adams-aye, Mr. Dwyer- aye, Mr. Alonzo-aye

Article 7 places \$100,000 into the Stabilization Fund.

Motion: M. Jeffreys

2nd:K. Adams

To recommend approval of Article 7

Vote: Ms. Adams- aye, Mr. Dwyer- aye, Mr. Marino- aye, Mr. Jeffreys-aye, Mr. Alonzo aye

Article 8 places \$250,000 from Free Cash into the Special Purpose Stabilization Fund.

Motion: J. Marino

2nd:M. Jeffreys

To recommend approval of Article 8

Vote: Mr. Marino-aye. Ms. Adams- aye, Mr. Dwyer-aye, Ms. Adams-aye, Mr. Alonzo-aye

Article 11 places \$1,173,486.10 into the Sewer Enterprise Fund for FY22.

Motion: J. Marino

2nd: M. Jeffreys

To recommend approval of Article 11

Vote: Mr. Jeffreys-aye, Mr. Dwyer-aye, Ms. Adams-aye, Mr. Marino-aye, Mr. Alonzo-aye

Article 13 places \$302,000 into the Solid Waste Enterprise Fund for FY22.

Motion: T. Dwyer

2nd: M. Jeffreys

To recommend approval of Article 12

Vote: Mr. Dwyer-aye, Mr. Jeffreys-aye, Ms. Adams-aye, Mr. Marino-aye, Mr. Alonzo-aye

Article 14 places \$25,000 into the Water Enterprise Fund for FY22.

Motion: M. Jeffreys

2nd: J. Marino

To recommend approval of Article 14

Vote: Ms. Adams-aye, Mr. Jeffreys-aye, Mr. Marino-aye, Mr. Dwyer-aye, Mr. Alonzo-aye

Article 15 funds the PEG Access Enterprise in the amount of \$174, 024 for FY22.

Motion: M. Jeffreys

2nd: T. Dwyer

To recommend approval of Article 15

Vote: Mr. Dwyer-aye, Mr. Marino-aye, Mr. Jeffreys-aye, Ms. Adams-aye, Mr. Alonzo-aye

Articles 17, 18 and 19 will be deferred until Town Meeting as union negotiations are ongoing.

Article 20. To see if the Town will vote to raise and appropriate or transfer from available funds \$25,000 for landscape design and engineering to create a passive recreation/open space area at the property known as the old Primary School, 30 School Street, shown on Assessor's Map 071, Lot 076, including all incidental and related costs, including but not limited to site evaluation, engineering and final design services;

Motion: M. Jeffreys

2nd: J. Marino

To recommend approval of Article 20

Discussion ensued about the proposed amount of \$25,000 possibly being too low. **Mr. Jeffreys amended his motion to \$30,000 and Mr. Marino seconded it.**

Vote: Mr. Dwyer-aye, Ms. Adams-aye, Mr. Marino-aye, Mr. Jeffreys-aye, Mr. Alonzo-aye

Ms. Lemieux noted the amount under Article 23 has changed because the Finance Director discussed with the financial advisor and the Town does not need to rescind funding from MSCA.

ARTICLE 26. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the design and engineering to consolidate Town offices, school uses, and community space at the building and/or land known as the TC Passios, located at 1079 Massachusetts Avenue, shown on Assessor's Map 060, Lot 055, and any and all incidental and related costs, including but not limited to site evaluation, engineering, and final design services, thereby allowing the Town to consider alternative uses for said Town offices, school uses, and community space that may include demolition of the existing building; or take any other action relative thereto.

The Board deferred until Town Meeting as the TCP Building Design Committee has not provided a monetary number for this article until their next meeting.

The longevity section was removed from Article 27 by the Personnel Committee, so it reads as follows:

ARTICLE 27. To see if the Town will vote to amend Chapter 70 of the Town's General Bylaws, entitled "Salary Administration Plan," Schedule A, as follows: the position of Assistant to the Sewer Business Manager be added and assigned to Grade 8; the position of Intermittent Heavy Equipment Operator be added and assigned to Grade 9; the position of Reserve Officer to be added and assigned to Grade 10; the position of Network Administrator be added and assigned to Grade 13; or take any other action relative thereto. (Submitted by the Personnel Committee)

Motion: M. Jeffreys

2nd: T. Dwyer

To recommend approval of Article 27

Vote: Mr. Jeffreys- aye, Mr. Dwyer-aye, Mr. Marino- aye, Ms. Adams-aye, Mr. Alonzo-aye

Mr. Jeffreys asked about the proposed parking bylaw in Article 29, specifically for office spaces; 1 space for 300 sq. ft. of floor area. Where does Town Hall and the Ritter Building stand if this as passed? Ms. Lemieux stated she could check with the Land Use Director. Discussion noted these buildings might be grandfathered.

The Board discussed current article #24 and Mr. Alonzo's proposed alternative wording.

ARTICLE 24. To see if the Town will vote to amend the General Bylaws, Chapter 113, entitled "Architectural Preservation District," Section 13, entitled "Appeal procedure," by adding the following new sentence to the end thereof:

As an alternative but not necessarily as a substitute for such an appeal, *with respect to any building owned or leased by the Town of Lunenburg, or dedicated or to be dedicated to any municipal use, a party aggrieved by the APDC's denial of a certificate to alter the same may, within six (6) months* of said action, petition any Annual or Special Town Meeting to, by majority vote, rescind or override the same, if deemed to be in the public interest; or take any other action relative thereto. (Submitted by the Select Board)

Mr. Alonzo had composed an alternative proposal for the APDC bylaw amendment with three points. (See colored versions for comparison):

To see if the Town will vote to amend the General Bylaws, Chapter 113, entitled "Architectural Preservation District," Section 13, entitled "Appeal procedure," by adding the following new sentence to end thereof:

As an alternative but not necessarily as a substitute for such an appeal, *with respect to any building or property owned by the Town of Lunenburg, the Lunenburg Select Board, on behalf of the Town of Lunenburg being aggrieved by the APDC's denial of a certificate to alter the same may, after a period no earlier than three (3) months and no later than twelve (12) months after* said action, petition any Annual or Special Town Meeting to, by majority vote, override the same, if deemed to be in the public interest; or take any other action relative thereto.

Discussion ensued about the changes and possible scenarios.

Motion: M. Jeffreys

2nd: T. Dwyer

To amend the language for first italicized phrase to "with respect to any building or property owned by the Town of Lunenburg,"

Vote: Mr. Dwyer-aye, Mr. Marino-aye, Ms. Adams-aye, Mr. Jeffreys-aye, Mr. Alonzo-aye

Motion: M. Jeffreys

2nd: J. Marino

To keep the language, "*a party aggrieved by the APDC's denial of a certificate to alter the same may,*"

Discussion: Mr. Alonzo asked is a citizen a party aggrieved? Ms. Lemieux had requested advice from Town Counsel on the wording. She read Attorney Costa's email:

"Legally, these revisions are acceptable. There are some nuances vis-à-vis the version I drafted at Michael-Ray's request. For example, first, my version is more expansive in its application: it applies not only to buildings owned, but also leased, by the Town of Lunenburg, as well as to those dedicated to any municipal use. Tom's version says "property," not just "building," but requires Town ownership. (I'd

presume that includes properties owned by Town entities, e.g. in the care, custody and control of boards or commissions other than the Select Board, but it might be unclear whether it includes School Committee properties.) Second, my version gives any person aggrieved a right of appeal, whereas Tom's extend that right only to the Select Board. Finally, and obviously, Tom's version prohibits appeals to ATM or STM within three months of the APDC's denial, but extends the appeal period to twelve months in total. Mine allows these appeals to be pursued immediately, but only for a period of six months. (Of course, reapplication can just be made to restart the clock, so-to-speak.) Either amendment is lawful, in my opinion. I defer to the Select Board concerning which of them is advanced."

Vote: Mr. Dwyer-aye, Mr. Marino-aye, Ms. Adams- nay, Mr. Jeffreys- aye, Mr. Alonzo nay
The motion passed (3 in favor and 2 against).

Motion: M. Jeffreys

2nd:T. Dwyer

To approve the language *after a period no earlier than three (3) months and no later than twelve (12) months after* as proposed by Selectman Alonzo

Vote: Mr. Dwyer-aye, Mr. Marino-aye, Ms. Adams-aye, Mr. Jeffreys-aye, Mr. Alonzo-aye
The final article will read as follows:

To see if the Town will vote to amend the General Bylaws, Chapter 113, entitled "Architectoral Preservation District," Section 13, entitled "Appeal procedure," by adding the following new sentence to the end thereof:

"As an alternative but not necessarily as a substitute for such an appeal, with respect to any building or property owned by the Town of Lunenburg, a party aggrieved by the APDC's denial of a certificate to alter the same may, after a period no earlier than three (3) months and no later than twelve (12) months after said action, petition any Annual or Special Town Meeting to, by majority vote, override the same, if deemed to be in the public interest; or take any other action relative thereto.

Motion: M. Jeffreys

2nd:J. Marino

To recommend approval of Article 24 as amended

Vote: Mr. Jeffreys- aye, Ms. Adams-abstain, Mr. Marino-aye, Mr. Dwyer-aye, Mr. Alonzo-aye

Mr. Alonzo noted he may offer an amendment on Town Meeting floor because he feels strongly about it so no one is surprised at that time.

Motion: K. Adams

2nd:J. Marino

To sign the Annual Town Meeting Warrant for May 1, 2021

Vote: Mr. Dwyer-aye, Mr. Marino-aye, Ms. Adams-aye, Mr. Jeffreys-aye, Mr. Alonzo-aye

Motion: T. Dwyer

2nd: M. Jeffreys

To sign the annual election warrant for May 15, 2021

Vote: Mr. Dwyer-aye, Mr. Marino-aye, Ms. Adams-aye, Mr. Jeffreys-aye, Mr. Alonzo-aye

COVID-19 in Lunenburg:

The Board of Health issued their weekly update and the cumulative laboratory confirmed number of COVID-19 cases reported to the Town as of March 19th was 673 and the report issued on March 26th was 692. The state report showed 654 cases as of March 16th and 658 cases as of March 23rd. There has been one death in town since the pandemic began. This is an increase of 19 cases from March 19th.

TOWN MANAGER REPORT

Announcement on Existing Vacancies:

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

- Architectural Preservation District Commission (1 vacancy)
- Bylaw Review Committee (4 vacancies)
- Cultural Council (1 vacancy)
- Green Communities Task Force (2 vacancies)
- Historical Commission (1 vacancy)
- Housing Authority (2 vacant positions)
- TCP Building Design Committee (1 vacancy appointed by the Select Board and Town Moderator for member at large)
- Senior Work Off Program Committee (1 vacancy)
- Zoning Board of Appeals (1 Associate vacancy)

Interested persons can find application forms on the Town Website and completed forms can be sent to the Select Board's Office.

Earmark for Primary School Fire Alarm Upgrade:

I received a copy of the formal request by Representative Kushmerek to the House and Senate Chairs of the Ways and Means Committee to include the FY 2021 state budget earmark for \$25,000 for the Primary School Fire Alarm upgrade in the end of year supplemental budget bill. If included this will allow these funds to be carried over into FY 2022.

Old Primary School Property:

The Monty Tech students should have preliminary drawings by next week. If these are done in time for the April 13th meeting, they will be presented to the Board at that time.

Invitation for Bids/Request for Proposals:

We received 7 bids for Cleaning Services for our town facilities and we interviewed the lowest, most responsible bidder, Dynamic Janitorial Services, on March 17th. A Notice of Award was issued to them on March 18th and they will take over cleaning services on April 2nd.

Bids for the work for the Complete Streets project are due April 1st.

The Assistant Town Manager issued the Request for Proposals for Trash and Recycling Services on March 18th and bids will be due on April 14th.

Bids for Landscaping Services for town properties are due on April 15th.

The Invitation for Bids for the Public Safety Carport and the Library Carpet Project, both FY21 Capital Plan projects, are anticipated to go out to bid in the next couple of weeks.

925 Mass Ave (Goal #1, ii, iii)

After a meeting with MassDevelopment and the consultant from BETA Group that performed the Phase II Environmental Site Assessment, MassDevelopment outlined what we would need to do in order to make this site eligible for the Brownfields recoverable grant through MassDevelopment that I applied for in September. MassDevelopment advised we should find interested parties that would want to purchase the property so they know that the property will ultimately be redeveloped/reused. This will require us to put out a Request for Interest, which will not bind the town to any party but will gauge interest on potential buyers and type of use of the property.

Secondly, we will need to take ownership of the property in order to be eligible for this recoverable grant. The process we have taken over the last two years has been to identify all the known hazards and the extent of the clean-up. The Phase III Environmental Site Assessment (ESA) that the BETA Group is currently working on will outline the costs to remove the underground tanks, the old septic system,

remove the pump tanks and piping, a contingency for any soil contamination that will need to be removed, and abatement of the hazardous materials from the building structure will identify how much we will need to apply for from MassDevelopment. We should have this estimate from BETA Group in a couple of weeks.

This property has been in tax title since 2005 and we have kept current with the process with the eventual goal of foreclosing once we knew we would not be liable for the costs of cleanup. MA DEP regulations allow municipalities to take properties for back taxes and be exempt from costs of cleanup as long as there are no imminent hazards. Based on the Phase II ESA, there are contaminants, but none that would be considered an imminent hazard.

I have a meeting with DEP's Regional Brownfield Coordinator, the consultant from BETA Group, MassDevelopment, and MRPC on March 31st.

As another preliminary step in the process, we will be having a survey conducted to identify the metes and bounds of the property.

In the end, after the clean-up work is done, and the Town sells the property, there will be a deed restriction that identifies that the property may have residual contaminated soil and it would need to be managed if any construction were to occur.

Meetings, Events and Other Announcements:

- The Green Communities Task Force has a meeting on Wednesday, March 31st at 7 p.m. through Zoom.

UPCOMING MEETING/EVENTS SCHEDULE

Mr. Alonzo announced their next meetings are on April 6th, April 13th and April 20th. The Annual Town Meeting will be May 1st.

PUBLIC COMMENT***

Dave Passios, 56 Whiting Street, Parks Commissioner, announced the Recreation Director has posted the Spring/Summer programming brochure. Program enrollment will open to the general public tomorrow. Go to <https://lunenburgma.myrec.com>

The Parks Dept. is interviewing for summer employment for lifeguards at the town beach.

Mr. Jeffreys reported he attended the MPO meeting on the 17th, there was discussion about the Twin Cities Rail Trail Phase II construction. The proposed TIP Amendment #2 would only remove the Twin Cities Rail Trail project from FFY 2021 of the FFY 2021-2025 TIP in order to allow time for advertising for the next phase.

The TCP Building Design Committee met and it was mostly a debriefing of the meeting with the Select Board and we expect to meet with the designer at the next meeting to get costs.

Motion: K. Adams

2nd: T. Dwyer

To adjourn the meeting at 9:23 p.m.

Vote: Mr. Marino- aye, Mr. Dwyer-aye, Mr. Jeffreys-aye, Ms. Adams-aye, Mr. Alonzo-aye

Respectfully submitted,



Elaine M. Peterson

Executive Assistant to the Town Manager