



**SELECT BOARD
MINUTES
April 6, 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; Anthony Caiozzo, Daniel Burns, Donna Saiia, Dave Passios, 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 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:

Ms. Adams noted students are returning to school this week.

Rhonda Lisio, Reservoir Road, stated this is in regards to the Select Board's town meeting warrant article that amends the APDC bylaw. She submitted a public records request and received two letters from the APDC to the Select Board and the minutes of January 12, 2021 that details the joint meeting of both boards. She noted an APDC member suggested preserving the shell of the old Primary School which would satisfy both the bylaw and the Select Board's use of the property as a green space. She expressed displeasure with the Select Board's plans for the building's demolition and endorsed Ms. Adams for reelection.

APPOINTMENTS

Update from Lunenburg Skate Board Park Group

Anthony Caiozzo reported the group's fundraising has been heavily affected by the pandemic. They held an online raffle and raffled off a tractor donated by Powell Stone and Gravel.

We were able to align with the National Park Service and did an interview which led to other contacts in the industry. We meet every Monday night at 8 p.m. and we have had conversations with six or seven skate park designers. We have met with Senator Cronin and Rep. Lori Trahan's office. We are meeting next week with the U. S. Skate Board Education Association. We will be putting on an event with the Friends of the Lunenburg Public Library later this year. We just reached \$75,000 in cash and donations. We are in the process of revamping our website.

Our next event is a Learn to Skate Day. Everything will be conforming to Covid-19 safety guidelines. We have been discussing with the Park Commissioners about building the skate park at Marshall Park. Mr. Alonzo thanked him for the update.

INTERVIEWS/APPOINTMENTS/ RE-APPOINTMENTS/ RESIGNATIONS

Select Board appointments to Cultural Council-

Daniel Burns, 20 Eastern Ave., has lived in town for around three years. He is a big believer in promoting the Arts and Performing Arts. He has worked in the arts and non-profits for years. He is a living history actor himself and is familiar with the grant application process. He has not attended any meetings but had a brief phone call with another Cultural Council member. Mr. Jeffreys noted Mr. Burns is an Iraq War veteran and thanked him for his service as well as stepping up to serve the town. Ms. Adams and Mr. Alonzo welcomed him as well.

Motion: K. Adams

2nd: J. Marino

To appoint Daniel Burns to the Cultural Council with a term to expire June 30, 2024

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

Mr. Alonzo advised Mr. Burns to get sworn in by the Town Clerk.

Donna Saiia, 32 Sandy Cove Rd., is interested in serving on the Cultural Council because art and all things creative is her background. She is an artist as well as a writer. She likes to see people have opportunities to show, explain and teach their work and she would like to be involved in that. Mr. Alonzo having seen Ms. Saiia's work thought she would be an excellent addition to the council. Ms. Adams thanked Ms. Saiia for her interest.

Motion: K. Adams

2nd: M. Jeffreys

To appoint Donna Saiia to the Cultural Council with a term to expire June 30, 2024

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

Mr. Alonzo advised Ms. Saiia to get sworn in as well.

Dave Passios, 56 Whiting Street, is interested in the Green Community Task Force. Mr. Alonzo questioned whether this would be better addressed in June when annual appointments to committees are addressed. Dave Blatt, Chairman, reported the Green Community Task Force was originally a group of seven members with three alternates. At some point, the membership was reduced to five members and right now we only have three members. We can use more members in order to maintain a quorum. Mr. Passios has attended several of our meetings and he has provided some great input so we welcome him as a potential new member. Mr. Alonzo asked about the terms for the GCTF membership. It was not listed on the town website. Ms. Lemieux noted the task force was never changed to a committee. A task force has no term. Mr. Passios stated he was drawn in to the task force when the street lights project was proposed. He is very interested in seeing this through to its fruition. He is a Parks Commissioner and on the Finance Committee and a former Board of Health member. He was born and raised here. Mr. Alonzo thanked Mr. Passios for his service on all the boards, but noted since he is on an elected body and has four appointed positions already, he would not support appointing him to another board as he believed there is a limit to how many positions and voices on these committees that a person should have. It is just a matter of principle and not a reflection on Mr. Passios.

Motion: M. Jeffreys

2nd: T. Dwyer

To appoint Dave Passios to the Green Community Task Force

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

Mr. Alonzo reminded Mr. Passios to get sworn in. Mr. Blatt stated he welcomed more members to the task force. Mr. Alonzo stated they would need to add this to a future agenda to discuss making this a task force a committee.

OLD BUSINESS

1. Annual Select Board Appointments Process Discussion

Mr. Alonzo directed the Board to the list provided in the Board's packet of the upcoming appointments and people whose terms are expiring. He also noted the current SB policy.

Section 2.07 Appointments

Subject to applicable State Law and the Town Charter, the Board shall make its annual appointments at the first regular meeting in June. Appointments made at that meeting shall have terms beginning on July 1 and expiring on June 30. In addition, as the need arises, the Board may make appointments throughout the year for terms to take immediate effect with expiration dates of June 30. Terms shall not exceed three years, unless specifically allowed by Massachusetts General Law.

Appointments shall be based on merit and qualifications that relate to the duties of the subject board, committee or position. Where possible, the Board will seek variety in backgrounds, interest, ages, genders and geographic areas of residents, so that town boards and committees will reflect a true cross-section of the community. In order to attract qualified and interested persons, vacancies and reappointments will be made public as far in advance of the appointment as practicable. The Town Manager will ensure the availability of up-to-date talent bank forms in Town Hall, other town buildings and on the town's website. She/he will also ensure that completed talent bank forms are maintained in an organized and easily retrievable manner, that receipt of the completed form is acknowledged, and that the resident be given a sense of the appointment process.

Reappointment shall not be considered automatic, but shall be based on an evaluation of the appointee's past contribution to the board, committee or position. As part of the annual appointment process, the Town Manager will ask incumbents whose terms will expire on June 30 to fill out a modified talent bank regarding their desire for reappointment and description of their past contributions. The Town Manager's Office will forward the reappointment form to the board or committee asking for their review and response relating to the reappointment of the person as well as the written comments in the application, prior to date of the meeting at which the reappointment will take place. The board will review and consider such comments. The Town Manager will ensure that the Selectmen receive by May 1st a list of appointments and reappointments to be filled by the Board.

As Board-appointed vacancies occur, the Town Manager will ensure that local newspapers are advised of the vacancies, and that vacancy notices are posted on Town bulletin boards and advertised on the town's website and local cable access television channel. Vacancies shall be so advertised on the town bulletin board for no less than ten (10) days per Section 7-10 of the Town Charter. The chairman of the board on which a vacancy occurs will seek talent bank forms, and nomination recommendations from a majority of the relevant committee.

The Board shall meet with applicants to fill any given Board-appointed vacancy or reappointment. This requirement may be waived at the Board's discretion. Appointments shall require a nomination and a second, and shall be made by a majority vote of the Board.

Appointees must contact the Town Clerk to be sworn in and be provided with information on the Open Meeting and Conflict of Interest laws.

Mr. Alonzo stated we are going to try to interview all the same applicants for a particular Board that same time. Discussion about standing committees versus ad hoc or task forces ensued.

2. Discussion on Fiscal Year 2022 Budget, Capital Plan, Financial Forecast and Annual Town Meeting Warrant articles and vote on warrant article recommendations that have been deferred (if needed)

There was no discussion on this topic.

I. CURRENT BUSINESS

1. Discussion on Consent Calendar for Annual Town Meeting warrant articles

Mr. Alonzo stated the Consent Calendar is used to streamline Annual Town Meeting and directed the Board to the final ATM warrant booklet.

Ms. Lemieux recommended the following articles based on previous town meetings:

- Article 1; Reports from Committees
- Article 2; Re-Authorize Revolving Funds
- Article 3; Payment of Prior Year Expenses
- Article 4; Amendments to Appropriations and Sources of Funds for FY 2021, as long as the motion is to pass over this article
- Article 7; Regular Stabilization Fund
- Article 8; Special Purpose Stabilization Fund
- Article 10; OPEB Trust Fund
- Article 11; FY 2022 Sewer Enterprise Budget
- Article 12; Sewer Capital Reserve Stabilization Fund
- Article 13; FY 2022 Solid Waste Disposal Program Enterprise Budget
- Article 14; FY 2022 Water Enterprise Budget
- Article 15; FY 2022 PEG Access Budget
- Article 22; Rescind Borrowing Authorization from Article 11 of May 5, 2012 Annual Town Meeting
- Article 23; Rescind Borrowing Authorization from Article 1 of January 7, 2014 Special Town Meeting
- Article 27; Amendment to Code of Lunenburg, Chapter 70, Schedule A- Salary Administration Plan

She noted if anyone at town meeting objects to any item on the consent calendar list it would be pulled from the list before voting.

Motion: K. Adams

2nd: T. Dwyer

To approve the above recommended articles for the consent calendar

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

2. Warrants:

Mr. Alonzo reported he signed the following warrants last week;

- Accounts Payable Warrant #45 21, dated 3/30/2021, in the amount of \$256,447.97:
- Payroll Deduction Warrant #46 21, dated 3/31/21, in the amount of \$49,640.00;
- Payroll Warrant #20P21, dated 4/1/21, in the amount of \$839,923.83

3. Action Items- there were none

4. Committee Reports

Mr. Alonzo reported the Capital Planning Committee met and discussed potential recommendations of modifications to the Select Board's fiscal policy regarding capital planning and capital projects and voted to recommend to change the base threshold amount from \$10,000

to \$20,000. The Finance Committee will be reviewing this as well. It will then come to this board for discussion and possible adoption or not.

Ms. Adams attended the Sewer Commission meeting and there was discussion regarding the citizen petition request to extend sewer service at 5 Chestnut Street.

Mr. Jeffreys watched the APDC March 24th meeting and there was discussion about how to preserve the old Primary School building, and there was discussion about having the Historical Commission adding the building on to the National Registry of Historical Places. They also discussed funding sources to preserve the building. There was also discussion about the proposed warrant article amending the APD bylaw. Their next meeting is at the end of April and we might want to communicate with them about who has the authority to enter the town buildings into the National Register.

TOWN MANAGER REPORT AND COVID-19 UPDATE

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 April 2nd was 710. The state report showed 675 cases as of March 30th. There has been one death in town since the pandemic began. This is an increase of 18 cases from March 26th.

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)
- Green Communities Task Force (1 vacancy)
- 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.

Update on Debris Found on Woodruff Property

Last week I reached out to the consultant that will perform an Environmental Site Assessment and he was planning on visiting the site this week.

Mass Ave Bridge over Pearl Hill Brook:

MassDOT and their contractor for the replacement of the Mass Ave bridge over Pearl Hill Brook project are scheduled to begin work shortly. This bridge is located just east of the intersection of Mass Ave and Richards Way (near Maki Building Center). Signs for construction are going up and message boards are out to keep drivers updated, so please watch for changes.

The first phase of this construction will reduce Mass Ave to a single lane width and traffic flow will be controlled by temporary traffic signals. During this phase, Richards Way at Mass Ave will be blocked and residents in the neighborhood will be detoured up White Street to the northern end of Richards Way where the existing gate will remain open for access to residents. A shift in traffic pattern is scheduled for April 12th. This detour will be in Phase 1 of the project and last approximately 10 weeks. There will also be

a large detour that will be used 8-10 nights, randomly, over the course of the year, to set the barrier and pave. Those detour hours will be 7 pm to 5 am and residents and businesses will have access to their properties. Phases 2 and 3 of the project will have 2 way traffic. MassDOT will have detour signs installed and signs will be covered until needed and covered again when done to avoid any confusion. The DPW will post additional updates to the construction as they receive them from MassDOT.

Earth Day Town Wide Activities:

The Lunenburg Turkey Hill Family Lions Club is organizing volunteers to do a spring clean up at the Gazebo in the center of town on Saturday, April 17th.

The DPW is providing bags for the continuation of the annual "Neighborhood Cleanup". If you are interested in helping clean up your neighborhood, you can stop by the DPW Building during office hours and notify the DPW once they need to be collected.

Invitation for Bids/Request for Proposals:

We received 6 bids for the work for the Complete Streets project. Richard D'Ambrosia Inc. provided the low bid of \$198,314 and has been issued a Notice of Award. We will have a pre-construction in the next couple of weeks, after which I will give an update on project timeline and any traffic impacts. I submitted an extension letter to MassDOT to extend our ability to submit for reimbursement up to September 30th, in the event there were unexpected delays that would prohibit us from finishing this by the end of June. I do not anticipate there will be but this will ensure that leeway.

Proposals for Curbside Trash and Recycling Services are due on April 14th. Bids for Landscaping Services for town properties are due on April 15th.

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

On March 31st I had a meeting with MA DEP, our consultant that performed the Phase II Environmental Site Assessment (BETA Group), and MassDevelopment in order to discuss the site and any assurances they could provide that the town would not be a responsible party if we foreclosed on the property.

During the meeting MA DEP identified possible funding through the LUST (Leaking Underground) allowing us to take the property after it is cleaned up. MA DEP also confirmed that there is an exemption for remedial action if the town's intent is to market the property for redevelopment in accordance with the exemption's requirements. If the town were to take the property with the intent to market the property for redevelopment the town would not be considered a Potentially Responsible Party (PRP) with liability for response action costs and damages as required under MGL c. 21E section 5. Although the municipal exemption applies if the Town is marketing the site for redevelopment, the Town would need to address any sudden releases, conditions of Substantial Release Migration, or Imminent Hazards requiring an Immediate Response Action (IRA), if present. The Phase II ESA that was performed indicates no known such conditions requiring an IRA. Also, the exemption does not require the Town to submit a tier classification (unless the Town decides to keep the property or conduct Comprehensive Response Actions). The property has been in tax title since 2005 and we have maintained it in tax title and can foreclose on the property at any point we determine. At this point I recommend continuing to work with MA DEP to see if clean-up can occur before taking the property even though no known imminent hazards are present and take the property once the tanks and contaminated soils are removed.

We will also be proceeding with having the property surveyed shortly.

Correspondence from the APDC:

I received correspondence from the APDC recently on different items, including, a request for a copy of the 2017 RFP to sell the Old Primary property, a request for an appropriation in the FY 2022 budget for an expense line for the APDC, and that APDC has become aware, through reporting in the Ledger, that there will be upcoming work on the Ritter and Town Hall. Their correspondence was a reminder that APDC

guidelines state that altering any contributing properties must go through the APDC Certificate to Alter (CTA) process and review. Contributing properties in the APD include private and public buildings. I responded to all of their requests immediately. I forwarded a copy of the RFP and relayed that the budget process began in November and has concluded but will include their request for funding for the fall Special Town Meeting. In response to the town building projects, I responded that there were actually three projects on the FY22 Capital Plan, one for building envelope work and a handicapped ramp at the Ritter and one for building envelope work at the Town Hall which will be voted on at the May 1st Annual Town Meeting. I relayed that I was aware that we will need to have the relevant portions of these projects reviewed by the APDC but that would not be until after they receive town meeting approval and I anticipated this would not be until after the start of the new fiscal year (July 1).

Meetings, Events and Other Announcements:

- The TCP Building Design Committee has a meeting on Wednesday, April 7th at 5:30 p.m. through Zoom.
- The Finance Committee has a meeting on Thursday, April 8th at 7 p.m. through Zoom.
- Spring 2021 Yard Waste Days are the following Saturdays from 8 am to 4 pm: April 17th and 24th and May 1st, 8th, 15th and 22nd. More information is found on the DPW page on the website.

Primary School Fire Alarm Upgrade Earmark:

As reported last week, formal requests to include the earmark for the Primary School fire alarm upgrade in the end of the year supplemental budget were sent to the House and Senate Ways & Means Chairs. The end of the year supplemental budget will occur around the end of June- beginning of July. Representative Kushmerek will be running point on the continuance in the House and Senator Cronin will be running point on the continuance. It is unlikely there will be any updates as the supplemental budget until after the end of this fiscal year.

With regards to any possible additional funding in the upcoming FY 2022 state budget, additional funding was included in our legislator's district budget priorities. At this point, the House draft budget draft will be released later this week or early next week. From there, amendments will be filed by the end of next week and the formal votes on those house budget amendments will occur the week of April 26th. As this was his earmark secured in last year's budget, Representative Sena will be filing the amendment for the FY 2022 earmark and Representative Kushmerek will be a co-sponsor to the amendment.

Mr. Alonzo reminded the Board about the process for the Town Manager performance evaluation. By next Friday each member should have scheduled an appointment with Ms. Lemieux to go over your draft evaluation of the Town Manager. The first two meetings in May will be discussion about the composition of the final evaluation.

UPCOMING MEETING/EVENTS SCHEDULE

This board meets again on April 13th, April 27th, and May 1st is the Annual Town Meeting.

PUBLIC COMMENT

Mr. Jeffreys stated he would be coordinating the Memorial Day service this year. There will be an informal meeting on Thursday April 8th at 6 p.m. Anyone who is interested in helping out or participating should email him at mjeffreys@lunenburgonline.com or call him at 508-662-1914.

Mr. Alonzo stated the board would be entering Executive Session and adjourning immediately after.

Motion: K. Adams

2nd: M. Jeffreys

To enter Executive Session pursuant to MGL c. 30, Section 21, Paragraph 3, to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chairso declares. (Municipal Employees Union, Fire Union, and DPW Union) and adjourn after exiting Executive Session

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

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

The meeting adjourned at 8:32 p.m.

Respectfully submitted,



Elaine M. Peterson

Executive Assistant to the Town Manager