

**SELECT BOARD
MINUTES
October 5, 2021
Bilotta Meeting Room, Town Hall and via Zoom**

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

Also Present: Heather Lemieux, Town Manager; Karen Brochu, Finance Director; Dave Blatt, Dave Passios, TCP Building Design Committee members; Peter Beardmore, Finance Committee

Chairman Alonzo called the meeting to order at 7:00 p.m. and asked everyone to stand for the Pledge of Allegiance. He 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 and on Facebook Live on the Public Access Facebook page.

He noted Zoom is available for public comment only and gave the sign-in instructions.

The agenda lists all the topics which may be discussed at this meeting and are those reasonably anticipated by the Chair. Votes may be taken as a result of these discussions. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by Open Meeting Law.

PUBLIC COMMENT:

Mr. Jeffreys encouraged all to reach out to veterans, in anticipation of Veterans Day on November 11, and remind them that they are valued members of the community and that they are cared about.

APPOINTMENTS:

Mr. Alonzo introduced the Lunenburg Little League District 3 Champions team in order to present a certificate of appreciation to them from the Select Board. He read it aloud:

“In recognition of earning a Top 12 ranking in the state of Massachusetts and advancing further in the tournament than any other Lunenburg team in their 69 year history! Playing eight games, scoring 70 runs on 97 hits, with 14 doubles, 2 triples and 8 home runs, with a .418 batting average”

Present were Nate Ayles, Cayden Chow, Ethan Dionne, Mackinley Dumais, Jordan Sammet, Conor Speck, Ryan Whitney, Gabriel Wright, Michael Wright-Manager, James McWalter-Coach and Stephen Chow-Coach/League President.

Not present, but also recognized were Lugh Dumais, Simon Garcia, Jacob Melvin, and Cameron McWalter. Applause filled the meeting room. Mr. Alonzo thanked the players and their parents, coaches, and everyone who attended games and recognized their athletic achievement and all their hard work put into playing. He congratulated them on behalf of the Board and the town and their great run.

Coach Chow presented signs memorializing previous District 3 Champion teams from 1967, 1974 and 1995 as well as this year's team to be placed in Marshall Park. The team players presented baseball caps to each of the Select Board and Ms. Lemieux. The Board presented the certificate and took a photo with the entire team wearing their new baseball caps.

ANNOUNCEMENTS:

Ms. Lemieux reported the Finance Committee will hold their public hearing on the Special Town Meeting warrant articles on Thursday, October 14th at 7:00 p.m. in this meeting room and via ZOOM.

She announced the Lunenburg food pantry has moved to the TC Passios kitchen space and Halloween Trick or Treat hours in Lunenburg will be Sunday, October 31st from 6:00 to 8:00 p.m.

Meeting with Finance Director re: Vote on Bond Anticipation Note (BAN) Renewal

Ms. Brochu reported the BAN will renew on October 14th. The Board will need to sign it in order for her to submit it to the Department of Revenue. She stated currently we have an outstanding BAN in the amount of \$609,996. This was for the purchase of the Saliba property (\$225,600) and a ladder truck (\$384,396). On October 14th when the note comes due, the financing option that we chose was a five BAN with an annual pay down. On October 14th the amount of \$152,499 will be paid and the amount that we are looking to renew is \$457,497.00. That is for \$169,200 for the Saliba Property purchase and \$288,297 towards the ladder truck. Interest will be paid at .4% and this note will come due next October.

Motion: T. Dwyer

To sign the BAN as presented by the Finance Director

2nd: L. Franco

Vote: All in Favor

Ms. Brochu thanked the Board.

RESIGNATIONS:

Ms. Lemieux announced Dave MacDonald has resigned from the Personnel Committee. A thank you letter will be sent. She noted she had received notice of the resignation of Reserve Police Officer Chad Stateler earlier today as he is unable to commit to the required hours.

TOWN MANAGER REPORT

Announcement on Existing Vacancies:

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

- Architectural Preservation District Commission (2 vacancies-1 citizen at large and 1 representative from Historical Commission)
- Commissioner of Trust Funds (2 vacancies-joint appointment between CTF and SB until next ATE)
- Economic Development Committee (1 person recommended by the Open Space Committee, 1 citizen at large, and 1 ex-officio member that is business owner)
- Personnel Committee (1 vacancy)
- 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.

Ms. Lemieux noted the Town Moderator has appointed George Martin, Burrage Street, to the Capital Planning Committee. He is a former Finance Committee member.

Current Employment Opportunities with the Town:

The following is a list of current employment opportunities with the Town:

- Board/Committee Clerk (Part Time Non-Benefitted)
- Digital Services Staff Librarian (Part Time Benefitted)
- Assistant to the Sewer Business Manager (Part Time Non-Benefitted)
- Trash and Recycling Coordinator (Grant Funded, Part Time Non-Benefitted)
- Asst. Town Accountant (Part Time Benefitted)

More information on each position can be found on the job postings, which are located on the town website.

FY22 Budget Updates:

New Growth was certified at \$430,254. We currently estimate a surplus of approximately \$39,000. Due to the impending retirement of the Principal Accounting Clerk in the Town Accountant office and after discussions with the Finance Director that the position should be an Assistant Accountant to provide for succession planning and someone that can step in for the Town Accountant if she were out for an extended time, one of the FY22 budget amendments will be to ask for a transfer of funds to support this position with additional hours. We are currently advertising for an Assistant Accountant at 24 hours a week and if town meeting approves funding at the Special Town Meeting, this position would increase to 32 hours a week.

The IT budget will be another budget that we will be looking for a FY22 budget amendment in order to provide for sufficient funds for the identified network equipment and security needs. This transfer will also address a backup plan in the event we do not get the Community Compact IT Grant.

The DPW Director informed me that the consortium bids for Road salt were received and increased approximately 38%. This will impact our FY22 Snow and Ice budget, which we are allowed to deficit spend. The good news is that we didn't use much salt last year and have a good amount in reserves.

Grants:

2021 Community Enrichment Grant: The COA Director had applied for a \$20,000 Community Enrichment Grant through the Community Foundation of North Central Massachusetts and was notified last week that they have awarded Lunenburg Council on Aging a grant of \$7,500 for the Outdoor Recreation Area behind the Senior Center to make it ADA compliant.

COVID-19 Update:

The weekly update from the Board of Health on the total number of new cases reported as of September 25 was 84. The current positivity rate for Lunenburg as of September 25 was 7.43%.

Meetings, Events and Other Announcements:

- The last day of the Lunenburg Farmers Market is being held on the Ritter lawn on Sunday, October 10th, from 10:00 a.m. until 12:30 p.m.
- The fall Special Town Meeting will be Tuesday, November 16, 2021 at 7 p.m. at the Middle/High School.

Meeting with TC Passios Building Design Committee re: Special Town Meeting Articles

Dave Blatt, Vice Chair, stated the committee had wanted to further discuss the three warrant articles that they had previously submitted.

The first article was to provide a report to town meeting of what they have researched to date. The other two articles; one to see if the Town will vote to pay costs of designing, renovating, furnishing and equipping the TC Passios Building and one to see if the Town will vote for the design and engineering required to construct a new building at 1025 Massachusetts Avenue. Mr. Blatt clarified that the committee believes the third warrant article proposed, for money to fund construction documents for a new Town Hall and Community Center is out of their scope as a

committee. He encouraged the Select Board to consider the language proposed and consider placing it on the warrant, but noted that the committee has not made a recommendation. Much discussion ensued about whether to place the second and third articles on the warrant at the same time. It was noted it would be hard to make any decisions without dollar amounts for either option. Mr. Blatt stated the committee would hold a public meeting in advance of town meeting to inform townspeople in advance with monetary estimates for either renovating the building or the design and engineering for a new building.

Concern was expressed by Mr. Alonzo about giving the numbers out a few weeks before the Special Town Meeting and having both articles fail for various reasons.

Dave Passios, committee member, pointed out the funds for their current work are spent at the end of October. Mr. Jeffreys proposed funding construction document costs with free cash. Peter Beardmore, Finance Committee member, via ZOOM, stated there is a lot of complexity involved with this project. We need a lot of discussion about this, in addition, there are also other future town needs that will also require borrowing.

Motion: M. Jeffreys

2nd: L. Franco

To add Article J to the Special Town Meeting warrant

Vote: All in Favor

Motion: M. Jeffreys

To add Article K to the Special Town Meeting warrant

Mr. Franco stated he did not think Article K could be voted on unless we agree that Article L is going to go with it. **Mr. Jeffreys withdrew his motion.**

Motion: M. Jeffreys

2nd: T. Dwyer

To add Articles K and L to the Special Town Meeting warrant with the ability to amend either Discussion ensued about amending the wording at a future meeting.

Vote: 4 in favor, 1 opposed (Alonzo)

Mr. Blatt thanked the Board.

CURRENT BUSINESS

1. Discussion on FY22 Select Board Goal on Old Primary School Property and Timeline for Request for Demolition

Mr. Jeffreys suggested meeting with the Parks Commission to discuss the board's plans to convert the old Primary School location to a green space/park area and to hear what their considerations are and establish a timeline. He also suggested applying for the demolition permit and reviewing that timeline. Ms. Lemieux reported the RFP for the landscape design is due tomorrow. Discussion ensued about other options for the area. It was noted that the Architectural Preservation District Commission (APDC) had informally taken a position that they were not in favor of gutting the building and turning it into a farmer's market area as that would not comply with the APD by-law. Mr. Alonzo will reach out and request an official decision before proceeding further. Mr. Jeffreys requested moving forward with the demolition request. The board concurred. This will be placed on next week's agenda.

2. Ambulance Billing Hardship Request

Ms. Lemieux reported this was forwarded by the Fire Chief on behalf of a person (name not given due to HIPAA) who was transported by the Lunenburg Fire Department ambulance and incurred an invoice in the amount of \$811.46. After payment of \$461.46 by insurance company, a balance of \$350.00 remains. Chief Sullivan reported the applicant meets HUD criteria.

Motion: L. Franco
To approve the billing hardship request of \$350

2nd: T. Dwyer
Vote: All in Favor

3. Approval of Minutes of September 14 and September 21, 2021

Motion: L. Franco **2nd: J. Marino**
To approve the minutes of September 14, 2021 as presented
Vote: 4 in favor, 1 abstention (Dwyer)

Motion: J. Marino **2nd: L. Franco**
To approve the minutes of September 21, 2021 as presented
Vote: 4 in favor, 1 abstention (Jeffreys)

4. Action Items

Mr. Jeffreys requested business cards and name tags for the board members. He would like to invite Lisa LeBlanc, Grade 8 Civics teacher, to a meeting to discuss how to support the civics curriculum at the Middle School. Mr. Jeffreys will reach out to Ms. LeBlanc.

Mr. Jeffreys requested meeting with the Agricultural Commission to discuss how we can better meet their needs. Mr. Jeffreys asked if updated certificates of occupancy were issued for the Ritter Building and the TCP Building after they were converted from their original uses. Ms. Lemieux will research that.

5. Committee Reports

Mr. Jeffreys reported TCP Building Design Committee continues to meet weekly in advance of the Special Town Meeting and in relation to the work submitted by the design firm. He attended a MART meeting. They are adding new buses to the fleet.

The Library Trustees met and continue to work on their strategic plan to identify their needs and how to meet the community's needs better. They have a consultant and assigned focus groups. They now have a finalized plan. They are requesting more funding in the amount of about \$35,000 annually and want to be open on Fridays. They are asking for this to be placed on the Special Town Meeting.

Mr. Alonzo reported Finance Committee met with the school department and the Town Manager and set up the timeline for the upcoming budget season for the various departments.

OLD BUSINESS

1. Discussion on November 16, 2021 Special Town Meeting Warrant Articles

Ms. Lemieux reviewed some changes to the STM warrant since the last meeting. There is an additional easement article:

M. To see if the Town will vote to authorize the Select Board to acquire, by gift, purchase, eminent domain or otherwise, temporary, permanent and permanent utility easements in, along, over, under and through certain properties situated along Flat Hill Road, said easement interests each determined to be unique, which properties are identified in the Assessor's records as Parcel ID Nos. 122-0015-0000, 122-0016-0000, 122-0052-0000, 122-0054-0000, 122-0055-0000, 122- 0062-0000, as well as another property unidentified in said Assessor's records, but all as shown on a plan of land entitled "Temporary Construction Access Plan of Land in Lunenburg, Massachusetts," prepared for the Town of Lunenburg, prepared by VHB, Inc., Scale 1 inch = 10 feet, dated May 2021, identifying the owners-of-record of the aforesaid parcels and further specifying the temporary, permanent and permanent utility easements to be acquired, and the square footage of each, which plan is on file with the offices of the Town

Clerk and the Select Board, said easements to be for all purposes necessary or desirable in connection with anticipated replacement of an existing and construction of a new culvert in the approximate area thereof; or take any other action relative thereto. (Submitted by the Town Manager)

Also added were two articles from the Conservation Commission:

- N. To see if the Town will vote to transfer the care, custody, and control of certain property known as and numbered 970 Rear New West Townsend Road, more specifically identified in the Assessor's records as Map 4, Parcel 2, from the Select Board for general municipal purposes to the Conservation Commission for conservation and passive recreation purposes; or take any other action relative thereto. (Submitted by the Conservation Commission)
- O. To see if the Town will vote to transfer the care, custody, and control of certain property known as and numbered 781 Rear Page Street, more specifically identified in the Assessor's records as Map 85, Parcel 1, from the Select Board for general municipal purposes to the Conservation Commission for conservation and passive recreation purposes; or take any other action relative thereto. (Submitted by the Conservation Commission)

From the Parks Commission:

- P. To see if the Town will vote to amend the sewer service area map by adding the parcel known as Marshall Park / Pond, 100 Chestnut Street (known as parcel id 060-0018-00) to the Lunenburg sewer service area and sewer service zone; or take any other action relative thereto. (Submitted by the Lunenburg Park Commission)

Submitted by the Planning Board:

- Q. To see if the Town will vote to amend the Code of Lunenburg, Section 250-3.1, which is a Section of the Protective Bylaw entitled "Types of Districts," as depicted below, with additions underlined and deletions stricken-through, or take any other action relative thereto. (Submitted by the Planning Board)

§ 250-3.1 Types of districts.

[Amended 5-7-2016 ATM by Art. 38]

The Town of Lunenburg is hereby divided into 15 types of districts designated as:
Residence A District.

- A. Residence B District.
- B. Outlying District.
- C. Recreation District.
- D. Commercial District.
- E. Limited Business/Residential District.
- F. ~~Retail Commercial District.~~ Village Center District.
- G. Route 2A Overlay District.
- H. Office Park and Industrial District.
- I. Floodplain District.
- J. Water Supply Protection District.
- K. Lake Whalom Overlay District.
- L. Tri-Town Smart Growth District.

M. Summer Street Revitalization Overlay District.

- R. To see if the Town will vote to amend the Code of Lunenburg, Section 250-4.9, which is a Section of the Protective Bylaw entitled "Water Supply Protection District," Subsection B(1) District delineation as depicted below, with additions underlined and deletions stricken-through, and to modify the Zoning Map to reflect the new Water Supply Protection District Boundaries depicted on the same; or take any other action relative thereto. (Submitted by the Planning Board)

§ 250-4.9 Water Supply Protection District.

[Amended 5-5-2018 ATM by Art. 32]

- A. Purpose. The purpose of the Water Supply Protection District is to promote the health, safety and general welfare of the community; to protect, preserve and maintain present and potential sources of water supply and watershed areas for the public health and safety; to protect, preserve and maintain the existing and potential groundwater supply and groundwater recharge areas within the Town for public health and safety; to preserve and protect the lakes, ponds, streams, brooks, rills, marshes, swamps, bogs and other water bodies and watercourses in Town; to protect the community from the detrimental use and development of land and water within the district; to conserve the natural resources of the Town; to preserve and maintain the groundwater table and water recharge areas within the Town; and to prevent blight and the pollution of the environment.
- B. District delineation.
- (1) The boundaries of the Water Supply Protection District shall be as follows: Zone I, Zone II, and Zone III for the Town of Lunenburg, approved by the Department of Environmental Protection (DEP) according to Map 1, entitled "~~Water Protection District, revised October, 2009~~ LUNENBURG WATER DISTRICT AQUIFER PROTECTION ZONES, dated July 2021."
 - (2) Where the bounds as delineated are in doubt or in dispute, the burden of proof that the use is outside the Water Supply Protection District or does not impact the district shall be upon the owner(s) of the land in question. However, the Building Commissioner retains its authority to determine final location with regard to said Water Supply Protection District.
 - (3) At the written request of the owner(s) of the property in question, the Town may engage a professional geologist, a certified soil scientist or a registered professional engineer trained in hydrology to determine the location and extent of a protection area on the parcel in question and charge the owner(s) of said parcel for the cost of the investigation.

INSERT MAP FROM PLANNING BOARD

S. To see if the Town will vote to amend the Code of Lunenburg, Section 250-3.2, which is a Section of the Protective Bylaw entitled "Location of Districts," as depicted below, with additions underlined and deletions stricken-through, or take any other action relative thereto. (Submitted by the Planning Board)

§ 250-3.2 Location of districts.

Said districts, except Floodplain Districts, Water Supply Protection Districts, the Route 2A Overlay District, Whalom Overlay District, and Tri-Town Smart Growth District, hereinbefore referred to are located and bounded as shown on a map entitled "Revised Protective Bylaw Map of the Town of Lunenburg, Massachusetts," dated ~~May 3, 2008~~ November 16, 2021, signed by the Planning Board and filed with the Town Clerk, which map, together with all explanatory matter thereon, shall be deemed to accompany and be a part of this bylaw. The Floodplain District location is described in § **250-4.8B**, Water Supply Protection District is described in § **250-4.9B**, Route 2A Overlay District is described in § 250-4.10, Lake Whalom Overlay District is described in § 250-4.12B, Tri-Town Smart Growth District is described in § 250-4.13, and Summer Street Revitalization Overlay District is described in § 250-4.14B.

T. To see if the Town will vote to amend the Code of Lunenburg, Section 250-5.1, which is a Section of the Protective Bylaw entitled "Lot Area," Subsection B as depicted below, with additions underlined and deletions stricken-through, or take any other action relative thereto. (Submitted by the Planning Board)

§ 250-5.1 Lot area.

Purpose. The purpose of § **250-5.1** is to define all dimensional regulations related to allowable lot area, width, frontage, including dimensional regulations for all districts, and to clarify the regulations for dwellings per lot, lot size exceptions and reduction of occupied lots.

- A. Wetlands or land under water. In all districts, no more than 10% of the required lot area, as defined in this Article **V**, shall consist of wetlands or land under water.
- B. Lot area, width, shape and frontage. Except as provided in Subsections **C**, **D** and § **250-5.5**, no building, except a detached building of accessory use, shall be constructed on a lot having less area than the "Required Lot Area" or having less width than the "Required Lot Width Through Building," specified in the following table for the district in which said lot is located:

District	Required Lot Area	Required Lot Width Through Building	Required Lot Width and Frontage
	(square feet)	(feet)	(feet)
Residence A	40,000	175	100

Residence B	80,000	175	100
Outlying	80,000	175	100
Dimensional requirements with sewer			
<u>Retail Commercial Limited</u>	40,000	100	100
<u>Business/Residential</u>			
Commercial	40,000	150	100
District	60,000	200	150

Lastly, the Historical Commission amended the wording in their warrant article after their meeting with the Select Board. This will be discussed at the next meeting.

2. Discussion on Senior Work off Program Committee and creation of a policy

Ms. Lemieux had presented a draft policy for the program at the last meeting. (See minutes of September 21, 2021).

Motion: M. Jeffreys

2nd: L. Franco

To approve the amended Senior Work Off Program Committee and Policy as presented
Vote: All in Favor

UPCOMING MEETING/EVENTS SCHEDULE

This board meets again on the 12th and the 19th.

PUBLIC COMMENT

Dave Passios, 56 Whiting Street, speaking in regards to Parks and a previous comment this evening about the old Primary School property, cautioned the Select Board about making plans for a piece of property under their care and custody and expecting Parks Commission is going to jump on board down the road.

Mr. Alonzo reported they would be entering Executive Session.

Motion: L. Franco

2nd: M. Jeffreys

To enter into Executive Session and to adjourn after exiting Executive Session 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 Chair so declares. (Municipal Employees Union, Fire Union)

Vote: Mr. Marino- aye, Mr. Dwyer-aye, Mr. Franco-aye, Mr. Jeffreys- aye, Mr. Alonzo-aye

*****Executive Session Minutes are Separate*****

The meeting adjourned at 8:55 p.m.

Respectfully submitted,



Elaine M. Peterson

Executive Assistant to the Town Manager

APPROVED OCTOBER 12, 2021.