

**SELECT BOARD
MINUTES
December 13, 2022
Town Hall, 17 Main Street and via ZOOM**

Members present: Michael-Ray Jeffreys, Chairman; Tom Alonzo, Vice Chairman; Lou Franco, Clerk; Todd Dwyer, Heather Sroka
Also Present: Heather Lemieux, Town Manager; William Tyler, Pete Lincoln, Dawn Johnson,

Chairman Jeffreys called the meeting to order at 7:00 p.m. He 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 live over the Lunenburg public access channel and Facebook Live and it will be uploaded to the Lunenburg public access YouTube channel within 24 hours after the meeting.

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 the Open Meeting Law.

PUBLIC COMMENT-

Mr. Franco reminded all of the pancake breakfast at the Senior Center tomorrow morning from 8:00-10:00 a.m. The Eagle House Supporters are running a clothing drive until April 2023 and they are collecting Tuesdays and Thursdays from 10:00 am to Noon at the TC Passios Building. Mr. Alonzo announced the toll booth fundraiser by the Salvation Army last Saturday was a big success and thanked everyone who participated and donated.

Ms. Lemieux announced the Giving Tree at Town Hall with the Salvation Army Angels had the last two tags taken today. She thanked everyone for their generosity.

Mr. Jeffreys encouraged everyone to reach out to people who have experienced loss during the holidays as it can be a difficult time.

Karin Menard, 672 Page St., Parks Commissioner acknowledged the passing of residents Cheryl Shaw and Genevieve Nass and expressed condolences to their families. The Parks Commission and the Town beach community will be forever grateful for their dedication. Mr. Jeffreys attended the Lunenburg Boys and Girls Club Cookie Fest last night and it was really nice. It was good to see so many members of the community come together to recognize all the good work that the kids are doing and nice to see the kids. The kids spoke for about 30 minutes about what the community and the teen center means to them.

Interviews for the 300th Anniversary Committee- William Tyler, 5 Graham Street and Pete Lincoln, 45 Hemlock Drive, Dawn Johnson, 357 Lancaster Ave.

Bill Tyler stated I've been a lifelong resident of Lunenburg, born and raised here. I'd like to think that my involvement in town has provided me with some experience that would help this committee. My association with the Historical Society provides me with access to historical records not everybody's privy to that describe previous celebrations; the 200th, 250th, 275th. The parades, banquets or sporting events; I'd like to think that by that time we'll certainly have a venue to do these things, but that being said I just want to make this the best celebration we can make it. The board thought he was a great candidate as well as the other two applicants and thanked him for stepping forward.

Pete Lincoln stated he was a participant of the last anniversary celebration (2003) and it was quite a production. He hoped they could replicate it again in 2028. He was really looking forward to it. The board thanked him for coming forward.

Dawn Johnson stated, I'm semi-retired and involved in the Lions Club, the Girl Scouts and a million other things, but as a lifelong resident of Lunenburg this is just so important to me. My dad Bill Proctor was on the 275th committee and the 250th committee so that makes me feel like I should follow along in his footsteps and be on this committee. The board thanked her as well.

Motion: T. Alonzo

2nd: L. Franco

To appoint the three interviewees, Mr. Tyler, Mr. Lincoln and Ms. Johnson to be the first three 300th Anniversary Committee members

Vote: All in Favor

**Ratification of Town Manager's Appointment of Public Access Videographer -
Matthew Munroe**

Ms. Lemieux asked the board to ratify Matt Monroe as a new Public Access Videographer. Mr. Munroe has his Bachelor of Science in film and television from Drexel University where he assisted production for extracurricular student projects including writing, producing, equipment rentals, directing, camera operation, audio recording, editing and sound design. Prior to his undergraduate studies he worked for Groton Public Access and he was a director and editor for a show called Around Town Groton Gaming and Movie Jam. His references spoke highly of his work and stated he was hard-working, engaged, is able to work independently and has a positive attitude.

Motion: L. Franco

2nd: T. Alonzo

To ratify the Town Manager's appointment of Matthew Munroe to Public Access Videographer

Vote: All in Favor

CURRENT BUSINESS

1. Chapter 61 Notice of Intent to Sell 255 Sunny Hill Road, parcel 3

Ms. Lemieux reported when requests for taking parcels of land out of Chapter 61 classification are received, we have a procedure that follows Mass General Law. That procedure was followed and Executive Assistant Peterson worked with Town Counsel and Attorney Bowen to make sure everything was in order. The Planning Board met last night and they approved the ANR to separate out parcel 3. The notice was prepared by Town Counsel and is ready for the board for signatures. Mr. Jeffreys noted the Conservation Commission voted that they do not have an interest in acquiring the property. The Planning Board is also recommending the Select Board to not take any action.

Motion: T. Alonzo

2nd: L. Franco

That the Town of Lunenburg under the Select Board waive the right of first refusal for the property presented to us as 255 Sunny Hill Road, parcel 3 and identified by the provided map

Vote: All in Favor

TOWN MANAGER REPORT

Announcement on Existing Vacancies

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

- 300th Anniversary Committee (8 vacancies)
- Council on Aging (2 vacancies)
- Finance Committee (1 vacancy)
- Green Communities Committee (2 Associate vacancies)
- Historical Commission (2 vacancies)
- Open Space Committee (1 Member at Large 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. Anyone that has any questions on volunteer opportunities can contact the Select Board's Office at (978) 582-4130 x 144.

Current Employment Opportunities with the Town

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

- Administrative Assistant IT (Part Time Non-Benefitted)
- Heavy Equipment Operator (Full Time Benefitted)
- Library Assistant (Part Time Non-Benefitted)
- Library Page (Part-Time Non-benefitted)
- Police Officer (Full Time Benefitted)
- Production Technician (Part Time Benefitted)
- Public Safety Front Desk Clerk (Full Time Benefitted)
- Recreation Director (Part Time Non-Benefitted)
- Videographers (Part Time Non-Benefitted)

Lufa Farms

Yesterday a technical review meeting was held with Lufa Farms as an opportunity for them to review the scope of the project and for relevant town officials to ask any questions or note any concerns about the project prior to the permitting phase. The Land Use Director, Police Chief, Fire Chief, Fire Lieutenant, Conservation Administrator, Principal Assessor, Board of Health Agent, Water District Superintendent, DPW Director, Assistant Sewer Business Manager, and I were all there representing the Town and Lufa Farms had representatives from their company, their engineering company representatives, and Mr. Powell, the current landowner.

The total project cost is estimated at \$75-\$85M (\$50M for construction) and add an estimated 350 jobs once they are fully underway. Their unique business model of being an online farmers market that partners with all different businesses in the region would be evolutionary for this area. They expect to file permitting applications in the spring and hope to begin construction Q3 of next year. The Principal Assessor is currently working on the real estate valuation, as that would be our starting point for discussions with Lufa Farms for a Tax Increment Financing Agreement and this would ultimately need to be voted upon at the Annual Town Meeting.

Grants

The Fire Chief received the Emergency Management Performance Grant in the amount of \$3,500 to be used on technical rescue and dive rescue equipment including tech rescue helmets, single gas CO meters, and tactical/trauma medical supplies and also received notification that the Fire Department was awarded the Firefighter Safety Equipment Grant in the amount of \$14,869 for hoses, nozzles, hose fittings, and adapters.

Facilities and Grounds Projects/Repairs:

- Facilities: The Public Safety Building chiller project has been completed and we will issue the final payments for the project shortly.
- The TC Passios Building requires some repairs to the sprinkler system which will cost around \$6,000. This work has been requested to be scheduled.
- The Ritter Building break room is getting closer to completion with the drop ceiling, flooring, and already-made cabinets to be installed. I expect this will be complete in January/early February.
- Monty Tech's next project with the Town will be making/installing new kitchen cabinets at the Eagle House
- The DPW recently lined up repaving the circle driveway at the Eagle House and restriping the parking spots.
- Fall cleanup has been completed at all the town and park properties as of last Friday.

Department Head Updates:

- **IT:** The email migration for the boards/committees is complete. There are still some stragglers coming in that did not login to their MS Office 365 accounts and Suzor IT is working with those individuals as they come in. New distribution lists have been created and town staff are auditing those lists to verify it includes everyone. We have signed an agreement with CivicPlus to create a new website and over the next 6 months they will build out the new website and then train the end users.
- **Assessors:** The tax rate was set at \$14.62/thousand. Data collection services began last month after the Special Town Meeting.
- **Land Use:** The Land Use Director reported on the RFP for the Master Plan and that once the project begins, it will take approximately 2 years to complete. The Land Use Director, Police Chief and DPW Director met with PJ Keating about the Leominster Shirley Road intersection with the rock cropping and agreed that signage notifying travelers about the intersection would be the best solution at this time. Due to the blasting that would be required, complete removal of the rocks would be extremely difficult. PJ Keating supported keeping the brush low and working with the Town going forward. Construction at Lunenburg Central is moving along well. Their goal is to process all approvals for certificates of completion and certificates of occupancy by end of first quarter 2023. Their marketing efforts have been launched into high gear, with an expected 3-5 tenants. The Planning Board is looking at rezoning of Chase Road from residential to commercial to address future development of that area. The Economic Development Committee is looking at revitalizing the Town Fair this summer.
- **COA:** The Council on Aging held a ceremony for presenting the Boston Post Cane to Emma Mellow yesterday. For programming, pickle ball is being held Mondays and Fridays 11-1 PM at the TC Passios, floral classes are being held, and the COA is finalizing their rebranding.
- **Fire:** The Fire Department received their final inspection from the State today and will be beginning running at the Paramedic license level starting January 1st. They will operate on a part time basis for a few months until the new paramedics achieve their 50 supervised ALS calls. The Chief expects to be operating 24/7 at the paramedic level by March.
- **DPW:** The DPW Director reported that the crosswalks and parking spots in the center of Town were complete. The line striping company continues to be non-responsive.

Ms. Lemieux reported on the Eagle House ADA parking lot project as this is something that the Capital Planning Committee has been talking about. There were questions from the committee about different factors about cost; what's included in that cost as well as any kind of impact on the adjacent Kids Kingdom playground. The Council on Aging Director and I met with the engineer from McCarty Engineering and he was supposed to go back and look at the costs because that was a ballpark number based on the square footage of that project. It was supposed to be inclusive of everything, drainage, pavement, and guardrail, all-encompassing. The other alternative we discussed with him was if we could phase this project and put additional parking along Memorial Drive to get additional parking at that building because it's such a need. We're waiting on final numbers for that as well.

Meetings, Events, and Other Announcements:

- The Zoning Board of Appeals will be having the next hearing on the Pond View Commons 40B comprehensive permit application on December 14th at 7 PM in the Town Hall meeting room.
- All town offices are closed on Friday, December 23rd in observance of Christmas Eve, Monday, December 26th in observance of Christmas, and Monday, January 2nd in observance of New Year's Day.

WORKSHOP:

Review Remote Work Policy

Mr. Jeffreys noted a temporary remote work policy was created due the COVID-a9 pandemic. There's been a recognition that there are certain roles and positions where hybrid may be a good idea. Ms. Lemieux stated it's all on an approved basis by the department head and myself. This is mostly for unique circumstances where telework would benefit the Town for continuity of operations and for scenarios that I foresee would be a temporary solution. There may be times in the future where if we don't have a space for a position that is actually more beneficial to be remote like an IT type position. We deal with a lot of front-facing personal interaction with residents so it's always best for employees to be in the office, but there are unique situations that come about that would provide the opportunity for a little flexibility for a certain period of time. Discussion ensued about different scenarios the policy to which the policy could be applied. The policy addresses hours of work, the remote work location, dependent care, termination of the remote work arrangement, compliance with town policies, security of information and records, equipment and materials, other costs, liability, violation of the policy and guidelines.

Discussion ensued about workers compensation and liability. Question was asked if the Town can ask employees to waive any workers compensation claims while working from home. Ms. Lemieux stated she did not believe so, but would check with labor counsel. Ms. Lemieux will return next week with answers and some amendments to the draft policy.

Review Select Board Policies & Procedures, Article II Section 2.07 Appointments

The board reviewed a copy of the amended draft and discussed some changes and dates. Mr. Jeffreys will amend and work with Town Manager on some wording and return with an updated draft for the December 20 meeting.

OLD BUSINESS

1. Annual License Renewals (cont.)

Mr. Jeffreys noted last meeting there was discussion about a limousine company that only has a post office box in Lunenburg but is based in Fitchburg. Is it our intent that a business that's not based in Lunenburg that we are issuing a limousine license to a business to operate in Lunenburg or are we issuing the licenses to businesses that are only based in Lunenburg? Our policy does not have anywhere that says you have to be based in Lunenburg. My concern is the business that we are licensing to operate out of Fitchburg is because they otherwise can't get the license in Fitchburg. If we are doing that I don't think that's appropriate or are we taking a business that's already licensed in Fitchburg and saying you're also licensed to operate here. Discussion ensued about rules of operation for limousines in the policy. Mr. Jeffreys requested checking with the City of Fitchburg to see if the licensee is also licensed there.

2023 Alcohol Licenses Renewals

<u>LICENSEE NAME</u>	<u>DBA</u>	<u>ADDRESS</u>	<u>License Type</u>	<u>FEE</u>
Carol A. Baker & Henry A. Baker	Baker's Whalom Variety	423 Electric Ave. 96 Lakefront	Package Store- Wine & Malt	\$700.
JK Waterfront Inc.	On The Rocks	Drive 324 Electric	Restaurant All Alcohol	\$1450.
A.A.G. LLC	Kindred Spirits	Ave. #4	Restaurant All Alcohol	\$1,450

The board discussed Bakers Whalom Variety first and the inability to provide a required Certificate of Good Standing certificate (COGS) from the Dept. of Revenue. Mr. Franco noted he had contacted the Town Manager to see if a licensee had ever been denied a license

for lack of one. There had not been. Mr. Alonzo noted there is no written policy requiring one and no history in their minutes of why they were required COGS beginning in 2018. This is a long standing business with perhaps one violation over the years. After some discussion the board will work on a policy that is consistent regarding the certificate of good standing for the future.

Discussion ensued regarding On the Rocks and a September police incident report of a 19 year old woman assaulting another female on the licensed premises. Mr. Jeffreys expressed concern that the Select Board was not notified of the incident at the time it occurred when the board had specifically requested to be notified of any potential alcohol license violations. His second concern was having a 19 year old on the licensed premises. Ms. Lemieux reported Executive Assistant Peterson has informed her OTR holds a common victualler license for serving food, so they are a restaurant too. It was noted that there was no indication that the 19 year old was served alcohol or food.

Motion: T. Alonzo

2nd: T. Dwyer

To approve the package store wine and malt license of Carol A. Baker and Henry A. Baker doing business as Baker's Whalom Variety, 423 Electric Avenue

Vote: 4 in favor, 1 opposed (Jeffreys)

Motion: T. Alonzo

2nd: L. Franco

To approve the restaurant all alcohol license for J K Waterfront, Inc. doing business as On the Rocks, 96 Lakefront Drive. for a restaurant all alcohol license

Vote: 4 in favor, 1 opposed (Jeffreys)

Motion: T. Alonzo

2nd: L. Franco

To approve the restaurant all alcohol license for A.A.G. LLC doing business as Kindred Spirits, 324 Electric Ave, Unit #4

Vote: All in Favor

2023 Common Victualler License Renewals

LICENSEE NAME	DBA	ADDRESS	Fee
BBK Group, LLC	Bangkok Hill	177 Massachusetts Ave.	\$25.00
AJD'S Café LLC	Lunenburg Diner	324 Electric Ave. #3	\$25.00
A.A.G. LLC	Kindred Spirits	324 Electric Ave. #3	\$25.00
Genghis Inc.	Jaxx Country Variety	1353 Massachusetts Ave.	\$25.00
Konrad Café Inc.	Dippin Donuts	455 Massachusetts Ave.	\$25.00
Whalom Gas	Whalom Gas Service	1 Whalom Road	\$25.00
Conrad's Drive-In Inc.	Conrad's Drive-In	835 Massachusetts Ave.	\$25.00

Motion: T. Alonzo

2nd: T. Dwyer

To renew the common victualler licenses as read by the Chair

Vote: All in Favor

2023 Miscellaneous License Renewals

LICENSEE NAME	DBA	ADDRESS	License Type	Fee paid
A.A.G. LLC	Kindred Spirits	324 Electric Ave. #3	Automatic Amusement Devices (1)	\$35.00
Whalom Gas	Whalom Gas Service	1 Whalom Road	Automatic Amusement Devices (2)	\$70.00

A.A.G. LLC	Kindred Spirits	324 Electric Ave. #3	Jukebox	\$35.00
A.A.G. LLC	Kindred Spirits	324 Electric Ave. #3	Weekday Entertainment	\$100.00

Motion: T. Alonzo

2nd: L. Franco

To approve the miscellaneous license renewals as read by the Chair

Vote: All in Favor

Review American Rescue Plan Act (ARPA) Funding Requests, Evaluation Criteria & Process- tabled until the December 20th meeting

Minutes/Warrants/Action Items- there were none this meeting

Committee Reports

Mr. Dwyer will be attending a Water District meeting this week. Mr. Franco reported he attended a Council on Aging meeting but Ms. Lemieux had summarized everything in her report earlier this evening.

Mr. Alonzo reported the Finance Committee Appointing Committee met earlier today and we have an appointee to the Finance Committee. Tomorrow is the last meeting of the Capital Improvement Committee before we finalize and prioritize our rankings of the 2023 requests. Mr. Jeffreys reported he will attend the Library Trustees meeting on Thursday. He expressed their thanks on behalf of working with the town on creating a policy on using their funds. He thanked all involved in that process.

Upcoming Meetings

Mr. Jeffreys noted their last meeting of the year will be December 20th. They will meet again on January 3rd.

PUBLIC COMMENT: Ms. Sroka wanted to make sure the Town recognizes Genevieve Nass posthumously, perhaps working with the Parks Commission on some kind of dedication.

Motion: T. Alonzo

2nd: L. Franco

To adjourn the meeting

Vote: All in Favor

The meeting adjourned at 9:39 P.M.

Respectfully submitted,

Elaine M. Peterson

Executive Assistant to the Town Manager