

Town of Lunenburg
Select Board Meeting Minutes
Town Hall, 17 Main Street and via Zoom
Tuesday January 30, 2024

Members Present: Michael Ray Jeffreys, Lou Franco, Tom Alonzo, Renee Emkey, Caesar Nuzzolo (via Zoom)

Also Present: Heather Lemieux, Town Manager
Public Comment Participants are listed in the minutes

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Michael Ray Jeffreys called the meeting to order at 7:00 PM and led the Pledge of Allegiance. Chair Jeffreys informed attendees that the meeting was being recorded and broadcast live and would be uploaded to YouTube after the meeting. He explained that the agenda listed topics that may be discussed, but not all items may be addressed and other items not listed could be brought up as permitted by open meeting law.

PUBLIC COMMENT

Member Emkey mentioned they are in Budget season now and the School Budget is getting a lot of attention. She urged the public to stay engaged and informed by attending meetings or watching recordings on the town's YouTube channel. She praised Finance Chair Evan Watters' presentation on the 25th in which he explained town revenue, levies and Proposition 2 ½. She also noted the Finance and Planning Board have discussed support for a town grant writer.

Vice Chair Franco, building on Member Emkey's remarks, urged the public to show up to the right meetings and discuss the right topics. Participants should review past meetings to understand terms and topics.

Chair Jeffreys thanked Member Emkey for her detailed reflections with regard to the School Committee. Everyone is aware and alarmed by the budget challenges the Superintendent and School Committee are working through. The Select Board will continue to work and support the Schools. He thanked the Town Manager for her support in helping them manage the crisis and arrive at a result in the best interest of the community.

Chair Jeffreys commented to the Board that he received an Open Meeting Law Violation complaint for the Cemetery Commission meeting on 11/30/23. It was received in mid-January and named him in the complaint, although he was not at the meeting. He noted that the Select Board does not need to respond or comment since it was against the Cemetery Commissioners at their meeting.

George Burden, 39 Cortland Circle – stated he was discussed at the January 9th meeting and was surprised by comments from Vice Chair Franco and Chair Jeffreys. He held up his phone stating he wanted everyone to know what this was about and noted he was physically assaulted on his

street, ending up in 2 hospitals, when there was 9" of snow on the street. On October 31, 2022, he met with the Town Manager for 1.5 hours and expressed frustration that the Town Manager did not get back to him. He had inquired about filing a complaint against the Chief of Police for removing him from private property. He noted he had sent hundreds of emails to the town manager and hundreds of text messages to Chair Jeffreys. Chair Jeffreys replied that Mr. Burden's time was up and commented that the 9" of snow was on a private street not plowed by the Town and the assault occurred over 10 years ago.

Sarah Cammer, 304 Lancaster Avenue – thanked the DPW salt truck driver who threw salt near her this morning. She also expressed disappointment that the Town did not give the Parks Commission access to the land, as recommended by Open Space. Without giving care and control to the Parks Commission, there is no requirement for residents of Lake Shirley to work with them. She hoped the Select Board would reconsider their stance if it comes before them again. Ms. Cammer commented the budget does not reflect the value we had for education in this town and the limitations of 2 ½ do not work with the required mandates. She stated she will not run for the Board of Assessors in May but encouraged anyone dissatisfied with the town to get off their soap box and volunteer. Chair Jeffreys stated site walks with Open Space and Parks Commission have been scheduled for mid-February and there will be a vote on the request before the warrant closes.

Rhonda Lisio, 181 Reservoir Road – commented that she attended the Finance Committee meeting and thought the criticism of the 2 ½% budget was unfair. She noted she is not opposed to increasing taxes but adding an over-ride when the economy is bad may give no incentive for middle class residents to stay in town. Ms. Lisio was thankful for the Town Manager's budget.

John Bowen, 162 Highland Street – stated that the Cemetery Commission is a redundant board since the Town Manager and the DPW are responsible for 80% of all operations. The Town Manager oversees the Perpetual Fund and \$20,000 is budgeted each year for maintenance by the DPW. The present Cemetery Board is requesting \$738,000 through the Capital Plan which they cannot afford. He noted the 4 major budget departments are Police, Fire, Schools and DPW. Mr. Bowen suggested disbanding the Commission, letting the DPW care for the cemeteries and the Town Manager continue to manage the Perpetual Fund. It is up to the Select Board if there should be elected officials or not.

ANNOUNCEMENTS

Town Manager Lemieux gave the following announcements:

- Master Plan Public Forum on February 1st at Lunenburg Adult Activity Center – 2 sessions of 4-6pm and 6:30-8:30pm
- Annual Town Meeting Warrant is open now until March 18th at 4pm.

COMMUNICATIONS FROM OTHER BOARDS

Chair Jeffreys received a request from the Library Trustees to separate funds for technology from the general IT budget to allow them to have their own IT budget.

INTERVIEWS/APPOINTMENTS/REAPPOINTMENTS/RESIGNATION

Appointment of Conservation Commission member to fill one vacancy, term to expire June 30, 2024.

- **Jenny Pewtherer – 10 Sunset Ave.**
- **Anthony Nicastro – 88 Whalom Road**

Member Alonzo reported that the 3rd candidate rescinded his application. Vice Chair Franco thanked both candidates, noting that both are qualified but was inclined to support Ms. Pewtherer due to her interest in watching Conservation meetings and familiarity with Stormwater Task Force issues. Chair Jeffreys agreed they are excellent candidates and thanked both for applying as it is an honorable thing to serve your community. Member Nuzzolo supported Ms. Pewtherer for her passion and energy, as well as her experience in going before Conservation on an issue. Member Emkey agreed and asked the other candidate to consider volunteering for another town committee. **Chair Jeffreys moved to appoint Jenny Pewtherer to the Conservation Commission for a term to expire June 30, 2024. Seconded by Clerk Franco. Roll Call Vote: Mr. Nuzzolo-aye, Ms. Emkey-aye, Mr. Alonzo-aye, Mr. Franco-aye, and Mr. Jeffreys-aye. The motion passed unanimously (5-0-0).**

Chair Jeffreys advised Ms. Pewtherer to get sworn in with the Town Clerk, to contact the Commission Chair for meeting materials, and review the Select Board Policy relating to appointment to multi-member boards. He congratulated Ms. Pewtherer and encouraged Anthony Nicastro to step forward for other roles in the town.

TOWN MANAGER REPORT

Town Manager Heather Lemieux provided a comprehensive list of openings on town boards and commissions, urging interested citizens to fill out an application on the town website. She further noted job opportunities for Executive Assistant to Town Manager, Facilities Custodian, Heavy Equipment Operator, Van Use Director, Staff Librarian (Young Adult) and Temporary Assessing Assistant.

The Town Manager reported she had received a spreadsheet from Sean Cronin (Deputy Commissioner for Local Services) notifying the town that there will be a shortage of 40S local aid for education of 40R students in the Tri-Town district. The shortage is due to a reduction of students from 59 to 55 and the big bump in Chapter 70 money last year- making us ineligible for aid. The total for the line item is \$342,000 and last year's increase in Chapter 70 money was about \$900,000. Member Alonzo suggested contacting the State Delegation about the loss of aid and Manager Lemieux noted that Sean Cronin said they are looking at it with the legal team. She

added that they budget conservatively for state aid and will be ok for the balance of the fiscal year. Member Emkey asked for clarification on the calculation for the Smart Growth reimbursement. Manager Lemieux replied the additional Chapter 70 was \$728,577 and last year was \$1,290, noting the numbers do not make sense. Local revenue is \$20,000 and Mr. Cronin is looking at removing this from the Cherry Sheet. Member Emkey stated that this happens mid-year as a reimbursement. Chair Jeffreys has scheduled a meeting with the state representatives, Carol Archambault (School Committee Chair) and Evan Watters (Finance Committee Chair) on February 20th to discuss 2 ½ challenges, as well as 40S funding. The Select Board will discuss priorities prior to the meeting.

OLD BUSINESS

1. Update on Distribution of ARPA funds for committed project requests and draft Sub-Recipient Grant Agreement

Chair Jeffreys reported there is still significant American Rescue Plan Act (ARPA) funds to disperse and the banked money earned \$101,889 in interest. They will need to get clarification on whether that interest follows ARPA rules or regular appropriation by the town body. The Town Manager noted what ARPA funds are currently under contract and the Board discussed figures. The Sub-Recipient Grant Agreement is with Town Counsel. Recipients are Water District (\$285,000), Boys & Girls Club (\$175,000) and Food Pantry/Lions Club (\$20,000). They had no issues with the Agreement. Member Emkey commented that Westford is using \$20,000 of ARPA funds to test 50 private wells across town for PFAS. Chair Jeffreys suggested using \$25,000 to hire a consultant, with the goal of putting solar on the old town dump as a source of revenue for the town. In addition, he encouraged looking into Habitat for Humanity to potentially build deed restricted low cost housing for seniors and veterans on land owned by the town. These units could help the town to achieve 10% affordable housing without looking at large developments. He will contact them about making a presentation.

2. Discussion on Draft Board/Commission Handbook

Member Alonzo requested focusing on the remote participation policy and thanked the Town Manager for all her work on the handbook.

3. Discuss Draft Environmental Policies

Chair Jeffreys reported the Town Manager is reviewing policies with staff and the Park Commission requested to provide comments. He anticipates this will be on the agenda for a while and expects a substantive discussion in March.

4. Review and Discuss bylaws that pertain to the Select Board

- **Chapter C. § 3.1 General Provisions & § 3.2 Select Board** Chair Jeffreys pointed out that Chapter C is part of the Charter.

- **Chapter 305 Board of Selectmen Policies** Member Alonzo stated this should be brought in line with the Handbook and was adopted 11 years ago. The Town Manager pointed out that the up to date policies are on the website. The Board will discuss this at the next meeting.
- **Chapter 184 Pawnbrokers and Dealers in Metal Article 1 §184-1 Licensing Authority and requirements** Chair Jeffreys commented this was amended a couple years ago and that they are important to have but need regulations for them. All agreed there are no changes and to take it off the agenda.
- **Chapter 74 Select Board** Chair Jeffreys noted all public parks, grounds and buildings are under Select Board supervision and they can grant use of the Town Hall. The Town Manager has full jurisdiction over the use of town facilities except those under School Committee and Conservation Commission. The Select Board discussed whether to repeal Chapter 74 since it is already covered in the Charter and does not add any clarity, except for section 74-1. The Board was divided as to repealing and tabled this discussion.
- **Chapter 5 Administration of Government** was tabled.

CURRENT BUSINESS

Discussion on Common Victuallers License Compliance Chair Jeffreys reported Conrads has not come forward to submit a permit request but has continued to operate. They are scheduled to appear before the Board on the 13th.

Discussion on Fiscal Year 2024 Budget, Fiscal Year 2025 Budget, Capital Plan, and Annual Town Meeting Warrant articles Member Alonzo commented on discussions at the last few Finance Committee and School Committee meetings, calling for a potential 2 ½ override. He noted the last successful override was in the early 1990's for the schools and library. Further, he commented that the town's growth has luckily kept up with inflation. Overrides take a long time to plan and would require putting together 2 budgets while missing a Finance Director, Principal Assessor and Assisting Accounting. Vice Chair Franco suggested waiting until FY26 for an override. Chair Jeffreys pointed out that 30 years ago the majority of town staff lived in Lunenburg but now very few can afford to live here. Several years ago, most staff were moved to 4 work days, less hours and cuts in pay. The staff is continually being squeezed too much. He suggested building in the ability to bump it 3% every 8 or so years.

FY25 Budget -The Town Manager reported that they are still waiting for final numbers on health insurance, Monty-Tech assessment in mid-March, Worcester County Retirement Assessment and firm figures from the schools. There are no changes to the Capital Plan and she has no updates for Annual Town Meeting Articles.

Minutes/Warrants/Action Items

Regular Session Minutes for September 12, 2023; September 19, 2023 Vice Chair Franco was not present at the meeting on the 19th and asked for separate votes.

Motion by Vice Chair Franco to approve the minutes of September 12, 2023. Seconded by Member Alonzo. Roll Call Vote: Mr. Nuzzolo-aye, Ms. Emkey-aye, Mr. Alonzo-aye, Mr. Franco-aye, and Mr. Jeffreys-aye. The motion passed unanimously (5-0-0).

Motion by Member Alonzo to approve the minutes of September 19, 2023. Seconded by Member Emkey. Roll Call Vote: Mr. Nuzzolo-aye, Ms. Emkey-aye, Mr. Alonzo-aye, and Mr. Jeffreys-aye. Mr. Franco abstained. The motion passed (4-0-1).

Warrants

Accounts Payable warrant in the amount of \$ 56,563.63. Payroll warrant in the amount of \$973,643.41.

COMMITTEE REPORTS

School Committee: Member Emkey reported that the Superintendent presented a modified budget and announced the Finance Director decided not to accept the position on the School Committee.

Board of Assessors: Member Alonzo stated that they met yesterday and were due to meet tomorrow but that is now cancelled.

Finance Committee: Member Alonzo reported the Committee met on Thursday but did not have a report yet.

Planning Board: Clerk Nuzzolo noted the board met regarding the development at 255 Sunnyhill Road and they have requested a continuance to February 26th due to issues with DEP.

UPCOMING MEETING/EVENTS SCHEDULE

Chair Jeffreys announced that the Select Board will be meeting February 13th and 20th. He is trying to coordinate a site walk with Open Space and Parks Commission. He will also seek a vote on their request after the site walk takes place.

PUBLIC COMMENT

TOWN MANAGER: Manager Lemieux stated that earlier in the meeting, Mr. Burden indicated she met with him for 1 ½ hours, making only small notations or comments. She clarified that she had emailed him to say she would be happy to meet with him but will reserve comments until meeting with the Chief of Police present. Mr. Burden refused to meet with the Chief present and just wanted to meet with the Town Manager.

PUBLIC COMMENTS

Dave Passios, 56 Whiting Street and member of the Finance Committee – stated they had a vote to recommend the intention to send a request for hiring a grant writer to the Select Board and Town Manager. He noted the Town Manager has done a very good job of grant writing over the years but she is over-burdened already. Mr. Passios will advocate to add it to the budget next year.

BOARD COMMENTS

Member Alonzo: commented that the Town Manager informed this citizen on how to file a complaint but he consistently does not follow those instructions. It is a simple form to file, but still no form has been submitted by that citizen. In addition, the Town Manager has responded as to how to proceed with action he wants to take and yet that action has not been followed. Instead he has sent numerous emails requesting identical things.

Chair Jeffreys: clarified in response to a previous statement of 9” snow on an unplowed road, the road is a private road and the Town has no responsibility to plow it. If there is 9” of snow in your driveway, you create a safety issue for yourself but the Town does not have the power to go on private property and compel owners to plow their driveways. Earlier there was a complaint about an assault but it happened 11 years ago. They have been very clear they are not in a position to remedy an event that happened that long ago. Homeowners can press lawsuits but Massachusetts has a statute of limitations that likely expired by 6 years. Mr. Jeffreys noted they welcome public comments to inform the Board about things they are not aware of, which allows them to look into things and provide better quality for residents.

ADJOURNMENT

Vice Chair Franco moved to adjourn. Seconded by Member Alonzo.

Roll Call Vote: Mr. Nuzzolo-aye, Ms. Emkey-aye, Mr. Alonzo-aye, Mr. Franco-aye and Mr. Jeffreys-aye. The motion passed unanimously (5-0-0).

Meeting adjourned at 9:17 P.M.

Respectfully Submitted,

Jennifer Warren-Dyment
Town Manager

These Minutes were reviewed and approved by the Select Board on Tuesday April 15, 2025:

Member Alonzo made Motion to Approve minutes from January 23, 2024. Seconded by Vice Chair Jeffreys. All, aye. Passed unanimously (5-0-0).