

Town of Lunenburg  
Select Board Meeting Minutes  
Town Hall, 17 Main Street and via Zoom  
Tuesday, March 31, 2026

**Members Present:** Chair Caesar Nuzzolo, Vice-Chair Amanda Moore (left Town Hall and joined via Zoom at approximately 7:32 PM), Clerk Renee Emkey, Member Brian Lehtinen, and Member Glenn McLeod

**Members Absent:** None

**Also Present:** Jennifer Warren-Dyment, Town Manager  
Public Comment Participants are listed in the minutes

## **I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chair Caesar Nuzzolo called the meeting to order at 7:00 PM and led the Pledge of Allegiance. Chair Nuzzolo advised those present that the meeting was being recorded and broadcast live over the Lunenburg Public Access Channel, on Facebook Live, and would be uploaded to the Lunenburg Access YouTube Channel following 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.

## **II. ANNOUNCEMENTS**

Chair Nuzzolo made the following community announcements:

- The 300th Anniversary Committee is seeking a creative original logo to commemorate the Town's milestone. The design must include "Lunenburg 300" and submissions are due by April 24, 2026, to be sent to [chrissullivan@lunenburgma.gov](mailto:chrissullivan@lunenburgma.gov).
- The FY 25 Annual Town Report photo contest deadline has been extended to April 10, 2026, giving residents an extra week to submit entries for the Annual Town Report cover.

## **III. PUBLIC COMMENT**

### **Public Comment**

**John Bowen, 162 Highland Street**, addressed the Select Board regarding vote stacking at Town Meetings. He expressed concern about specific groups coordinating to arrive for particular articles and leaving immediately afterwards, effectively deciding the town's future with a reduced attendance. Mr. Bowen referenced the upcoming override and the potential contest between school budget supporters and Town services supporters, warning that this environment is ripe for the same stacking tactics seen in previous overrides. Citing Massachusetts General Laws Chapter 39 Section 10 and the Massachusetts Municipal Association handbook, Mr. Bowen argued that the Select Board has explicit authority to govern the order of Articles in the Warrant. He requested the Select Board implement a lottery-style system to randomize the sequence of all non-fixed articles, which would neutralize stacking by encouraging residents to stay for the entire meeting when article timing is unknown. This approach would balance school and Town interests and restore representative democracy by ensuring every article is heard by a full, alert room.

## **Board Comment**

No public comment made by Select Board members.

## **IV. PUBLIC HEARINGS AND SCHEDULED MEETINGS**

### **Discussion with Town Counsel regarding Town Meeting Warrant and Prop 2 ½ Override**

Town Counsel Adam Costa participated via Zoom. Chair Nuzzolo introduced three warrant-related topics for discussion: Article T (Trust Fund Commission Quorum), Article JJ (Food Access Partnership Initiative), and Article S (Trust Fund Commission Legal Fees), followed by discussion of the Proposition 2½ Override ballot questions.

### **Article T — Trust Fund Commission Quorum**

Town Counsel Costa outlined three areas of concern with the proposed bylaw amendment. First, the Article broadly references "trust funds" when in fact certain trust funds—such as library trust funds, school trust funds, and those administered by the Conservation Commission—are not within the purview of the Board of Commissioners of Trust Funds. The language, as drafted, could inadvertently apply the proposed process to funds over which the Board of Commissioners has no authority. Town Counsel noted this is likely an easy drafting fix.

Second, Town Counsel expressed uncertainty about the operative language authorizing the Select Board "to establish specific voting requirements and safeguards." He noted that the subparagraphs that follow appear to impose definitive voting requirements rather than merely authorize their establishment, creating ambiguity about whether the Select Board must take a subsequent step to formally adopt those requirements, and what authority it would have in the interim.

Third, and most significantly, Town Counsel questioned whether the proposed changes can lawfully be accomplished by bylaw, given that the authority of the Board of Commissioners of Trust Funds is grounded in both state law and the Town Charter. He stated that the Attorney General might conclude that such a procedural modification requires either a Charter amendment or a separate Special Act, rather than a bylaw. Town Counsel acknowledged uncertainty about the outcome, but indicated the risk of Attorney General disapproval is meaningful. He noted the matter could ultimately be resolved through special legislation, as Lunenburg has a Special Act Charter. No formal vote was taken on Article T.

### **Article JJ — Food Access Partnership Initiative Program**

Chair Nuzzolo summarized the Article, which would authorize the Select Board to provide partial property tax abatements to property owners who make space available at reduced or no cost to qualifying nonprofit food distribution services. The article arose from efforts to assist the Town's food pantry, which is being displaced from TC Passios.

Town Counsel Costa acknowledged the intent of the Article but advised that, in Massachusetts, tax abatements are statutory in nature. In the absence of specific statutory authority, municipalities do not have the power to abate real estate or personal property taxes. He explained that the established pathway for such a program would be a home rule petition to the state legislature, resulting in a special act. However, he recognized that the timing of that process—potentially taking many months

or longer—would not serve the immediate need at hand.

Town Counsel also explored the possibility of a payment-in-lieu-of-taxes (PILOT) arrangement on behalf of the Town Manager. He identified seven categories under which PILOTs are authorized by statute, but concluded that none precisely fits the circumstances described. He briefly discussed tax increment financing (TIF) as another possible avenue, noting that job retention can support a TIF application, but acknowledged that TIFs also require state approval and that more detailed research would be needed.

Town Manager Jennifer Warren-Dymont asked specifically whether a TIF could be structured around job retention in this context. Town Counsel indicated that job retention is a recognized basis for a TIF and that he could look more closely at the statute, but the Town and his office had only had a single conversation on the topic and further due diligence would be required.

Chair Nuzzolo observed that special legislation would defeat the purpose of a short-term fix and expressed doubt that a workable solution could be brought to town meeting. No formal vote was taken on Article JJ.

#### **Article S — Trust Fund Commission Legal Fees**

Chair Nuzzolo asked Town Counsel to address the Article proposing an appropriation of approximately \$14,000 for legal fees related to trust fund administration, specifically the cy-pres process for funds under the purview of the Board of Commissioners of Trust Funds.

Town Counsel Costa provided background on the cy-pres process, explaining it as a legal mechanism, both judicial and administrative, that allows the entity overseeing trust funds to seek authorization to redefine the permissible purposes of a trust fund when the original purpose can no longer be served or when originating documentation cannot be found. He noted that a streamlined administrative cy-pres process was created in Massachusetts around 2010–2011, applicable where certain criteria are met, including a dollar cap of \$75,000 on the fund balance and a minimum fund age of 20 years. He indicated that the Worthy Poor Fund appears to qualify for the administrative process, and that the paperwork for it is substantially complete.

However, Town Counsel explained that multiple other funds in the Town's portfolio lack documentation, and those would likely require a judicial cy-pres process to obtain authorization for disbursement.

Clerk Renee Emkey expressed concern about the reliability of the \$14,000 figure, noting there is no way to predict legal costs in litigation. Town Counsel confirmed that the number was proposed by Mr. Bowen, not by his office, and that litigation costs can vary enormously, potentially from a few thousand dollars to well above \$14,000. He explained that if costs exceeded the appropriation, the Town would need to identify funding through other means or voluntarily dismiss the case. He also noted that certain work may fall within the existing flat-fee retainer arrangement with his firm, but other components would likely be outside of it.

Town Manager Warren-Dymont noted that the Board of Commissioners of Trust Funds had expressed at the Finance Committee that they intend to retain independent counsel separate from

town counsel.

Following Select Board discussion, the majority of members indicated they did not support including Article S in the Warrant at this time. Member Glenn McLeod expressed concern about the lack of clarity in how the \$14,000 figure was derived. Member Brian Lehtinen and Vice-Chair Amanda Moore both stated they did not support inclusion. Chair Nuzzolo stated that he is confident the Town can work with Town Counsel to make progress on using the funds, and that inclusion in the Warrant is not strictly necessary. No formal vote to include was taken.

Similarly, the Select Board discussed Article T (Trust Fund Commission Quorum) and reached a consensus not to include it in the Warrant. Member Lehtinen expressed concern about setting a precedent that would allow another board to assume the duties of any committee that lacks a quorum, specifically noting he would not want that applied to the Finance Committee or School Committee. Member McLeod added that the Select Board does not share the same expertise as the boards whose responsibilities might be assumed. Chair Nuzzolo noted that the Bylaw Review Committee had the same concern about incentivizing the persistent lack of a quorum.

### **Proposition 2½ Override — Warrant Article M and Ballot Questions**

Town Counsel Costa addressed the relationship between the Town Meeting Warrant Article and the ballot questions for the proposed Proposition 2½ override. He clarified that the functions of Town Meeting and the voters at the ballot are distinct: Town Meeting appropriates funds, while the ballot vote increases the levy limit. He outlined several structural approaches, including building the override directly into the Omnibus Budget, using a multi-column budget presentation, or keeping a balanced budget without the override and having a separate Warrant Article for the override appropriation contingent on ballot passage. He expressed a preference for the latter approach as the cleanest method.

Town Manager Warren-Dyment raised the question of whether the Town Meeting appropriation motions under Article M should be structured as one combined motion or as two separate motions corresponding to the two override tiers (Tier 1 at approximately \$2,354,000 and Tier 2 at approximately \$3,245,000, with the Select Board contemplating rounding to \$2,400,000 and \$3,300,000 respectively for the ballot). The Select Board discussed at length whether a single motion could adequately address both tiers, with Chair Nuzzolo and Member Lehtinen noting the complexity of a single motion that would need to specify how funds within each tier are allocated between the general operating budget and the Lunenburg Public Schools.

Clerk Emkey observed that a single vote covering both appropriations could create a situation where a voter who supports one tier but not the other would feel compelled to vote against both. Member Lehtinen agreed, adding that separate votes would also serve an educational function, helping residents understand exactly what each tier represents in advance of the ballot. He described it as "a practice for the ballot."

Town Counsel Costa suggested the Town Moderator should be consulted, as two motions under one article is somewhat unusual and could be objectionable to the Town Moderator. He raised the alternative of splitting Article M into two separate Warrant Articles—one for Tier 1 and one for Tier 2. The Select Board agreed that further conversation with the Town Moderator and Town Manager

would be warranted.

Town Manager Warren-Dyment noted that in the event the ballot approved Tier 2 but Town Meeting had only appropriated for Tier 1, a Special Town Meeting would be required to appropriate the additional funds, and cited the Town Charter's requirement that Special Town Meeting appropriations pass by a two-thirds vote.

Clerk Emkey also confirmed with Town Counsel that the ballot question itself would be a simple question without extensive explanation, consistent with standard Proposition 2½ ballot format. Town Counsel confirmed that was correct.

## **V. APPOINTMENTS, RATIFICATIONS, AND RESIGNATIONS**

None.

## **VI. TOWN MANAGER REPORT**

There was no formal Town Manager Report presented at this meeting.

## **VII. NEW BUSINESS**

There was no new business presented.

## **VIII. OLD BUSINESS**

### **1. Discuss Warrant Articles for 2026 Annual Town Meeting**

The Select Board discussed the Warrant Articles, taking votes on inclusion and recommendations for approval where applicable. All votes were conducted as roll call votes due to Vice-Chair Moore's remote attendance.

**Article A through Article F:** Chair Nuzzolo confirmed previously recorded recommendations for approval on Articles A through F without further discussion.

**Article G:** Authorization to Pay Expenses from Prior Fiscal Year: Two outstanding invoices owed to Arrow Septic were identified, \$1,317.50 and \$577.50. The Select Board voted to defer a recommendation to town meeting pending any additional invoices.

**Motion by Clerk Emkey to defer Article G to Town Meeting. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Article H:** Fiscal Year 2026 Budget Adjustments: Town Manager Warren-Dyment reported no FY26 budget adjustments at this time. The Board voted to defer.

**Motion by Clerk Emkey to defer Article H to Town Meeting. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Article I:** Fiscal Year 2026 Closeouts: Town Manager Warren-Dyment reported that the snow and ice deficit is currently estimated at approximately \$615,000. She indicated that the Town would transfer from other budgets where possible, and that \$500,000 of certified Free Cash has been earmarked toward the closeout. She noted that the final amount will be clearer approximately one

month from now. The Select Board voted to defer.

**Motion by Clerk Emkey to defer Article I to Town Meeting. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Article J:** Fiscal Year 2026 Capital Program Funding Reauthorization: Previously voted for inclusion. The Select Board confirmed recommendation for approval without further discussion.

**Article K:** Fiscal Year 2027 Capital Program: Town Manager Warren-Dyment reported that the total Capital program amount is \$1,830,000, to be funded through a combination of raise and appropriate funds (\$244,576), the Special Purpose Stabilization Fund (\$594,000), and Free Cash (\$991,627). She noted that the Capital Planning Committee had not met again since the ranked order was established, and that she had added several projects including the Primary School Playground design, a second Police cruiser, security intercoms at Turkey Hill Elementary School, Public Safety control upgrades, and Adult Activity Center network upgrades utilizing the additional Free Cash that had become available. The Select Board indicated it was prepared to vote based on the previously established ranked order.

**Motion by Clerk Emkey to include and recommend approval of Article K. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Article L:** FY27 Omnibus Budget: Chair Nuzzolo noted that some budget figures are still outstanding. No vote was taken.

**Article M:** FY27 Proposition 2½ Override: The Select Board voted to formally include Article M in the Warrant, acknowledging that the structure (single article versus two separate articles) would be finalized after further consultation with the Town Moderator and Town Counsel.

**Motion by Clerk Emkey to include Article M in the Town Meeting Warrant. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Article M1:** Special Appropriations: This article covers the decommissioning costs associated with TC Passios (\$121,800, to be transferred from certified Free Cash) and the Special Assistant Assessor (\$27,500, to be transferred from the Assessor's Overlay).

**Motion by Clerk Emkey to include and recommend approval of Article M1. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Articles N, O, P:** Salary Administration Plan Adjustments, OPEB Trust Funds, and Appropriation to the Compensated Absence Reserve Fund: The Select Board confirmed previously recorded recommendations for approval without further discussion.

**Article P1:** Appropriation to the 300th Anniversary Committee: The Select Board confirmed the

previously recorded recommendation for approval without further discussion.

**Article Q1:** Appropriate Free Cash to the Stabilization Fund: Town Manager Warren-Dyment reported the current stabilization fund balance at \$3,147,178.96, representing 6.3% of the current operating budget, above the policy minimum of 5%. She noted that no transfer was made into the stabilization fund last year, and given anticipated fiscal challenges ahead, recommended a \$250,000 appropriation.

**Motion by Clerk Emkey to include and recommend approval of Article Q1. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Article Q2:** Special Purpose Stabilization Fund: Town Manager Warren-Dyment reported a proposed \$250,000 appropriation specifically to the Health Insurance Special Purpose Stabilization Fund, which currently holds approximately \$11,000. The intent is to build a reserve against future large health insurance increases.

**Motion by Clerk Emkey to include and recommend approval of Article Q2. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Article R:** Establish the 300th Anniversary Gift Fund: Chair Nuzzolo advised that, upon further review, an existing account can serve the same purpose as the proposed Gift Fund, making the Article unnecessary. The Select Board voted to remove Article R from the Warrant.

**Motion by Clerk Emkey to remove Article R from the Warrant. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Article S:** Trust Fund Commission Legal Fees: As discussed during the Town Counsel session, the Select Board reached a consensus not to include this Article in the Warrant. No formal vote to include was taken.

**Article T:** Trust Fund Commission Quorum: As discussed during the Town Counsel session, the Select Board reached a consensus not to include this Article in the Warrant. No formal vote to include was taken.

**Article V:** Amendment to the Sewer Bylaw: Previously voted on. No further action taken.

**Article X:** Public Education Government Access (PEG) Enterprise Fund: Town Manager Warren-Dyment indicated the PEG enterprise fund budget was still being finalized as of the date of the meeting and recommended deferring a recommendation vote to the following week's meeting.

**Article Y:** Solid Waste Disposal Program Enterprise Fund: The Select Board voted to recommend approval.

**Motion by Clerk Emkey to recommend approval of Article Y. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member**

**McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Article Z:** Water Enterprise Fund: Town Manager Warren-Dyment requested one additional week to confirm a single line item amount with the Finance Director. No recommendation vote taken.

**Article Z1:** Transfer of Funds to the OPEB Sewer Trust Fund: The Article involves a transfer of \$1,600.

**Motion by Clerk Emkey to include and recommend approval of Article Z1. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Article Z2:** FY2027 Sewer Enterprise Fund: The Board voted to include the article in the warrant, with a recommendation vote deferred to the following week pending final figures.

**Motion by Clerk Emkey to include Article Z2. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Articles AA, BB, CC:** Collective Bargaining Agreements: Town Manager Warren-Dyment indicated that the details for these three Articles covering the Professional Firefighters Union and other Union collective bargaining agreements would not be finalized before the following week's meeting. The Select Board voted to defer all three Articles to Town Meeting.

**Motion by Clerk Emkey to defer Articles AA, BB, and CC to Town Meeting. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Article DD:** Vacation System Transition Liability Reduction: Town Manager Warren-Dyment explained that the article seeks approval of a \$270,000 appropriation to buy off 100% of the vacation liability associated with the transition to a new vacation accrual system. She noted, however, that there is a contractual and personnel bylaw obligation to buy off a minimum portion of the liability (approximately \$57,000) regardless of whether the full amount passes. She indicated that a backup motion would be prepared should the primary \$270,000 motion fail. She also noted that a plain language handout is being prepared given the complexity of the concept for general audiences.

**Motion by Clerk Emkey to recommend approval of Article DD. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Article EE:** Amendments to Salary Administration Plan: This article changes "HR Director" to reflect the current title and adds the Assistant Town Manager position to the Salary Administration Plan. An initial combined motion to include and recommend approval passed 4-1, with Select Board Member McLeod voting against approval (though not against inclusion). The Board subsequently agreed to separate the two actions. A motion to withdraw the combined vote was approved unanimously, and the Select Board then took separate votes.

**Motion by Clerk Emkey to include and recommend approval of Article EE. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member**

**Lehtinen-Aye; Member McLeod-No; Chair Nuzzolo-Aye. The motion passed (4-1-0).**

**Motion by Clerk Emkey to withdraw the prior combined vote on Article EE. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Motion by Clerk Emkey to include Article EE in the Warrant. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed unanimously (5-0-0).**

**Motion by Clerk Emkey to recommend approval of Article EE. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-No; Chair Nuzzolo-Aye. The motion passed (4-1-0).**

**Article FF:** Participation in the Central Mass Mosquito Control Project: The Select Board discussed whether to include this article. Member McLeod expressed support for keeping it on the Warrant, noting he had communicated with concerned residents and believed the public deserved an opportunity to weigh in. Chair Nuzzolo and Member Lehtinen expressed opposition to inclusion, citing the length of an already extensive Warrant and Town Counsel's note that the enabling legislation for each mosquito control district may individually dictate the process and rights for withdrawal. Vice-Chair Moore was also opposed. Town Counsel's annotation flagged a need to review the applicable enabling legislation before proceeding. The Select Board reached a consensus not to include Article FF, though no formal vote to include was taken.

**Article GG:** Notice of Town Meeting: Chair Nuzzolo noted this Article incorporates recommendations developed through a subcommittee process involving a Select Board member and a representative of the Council on Aging, and was subsequently reviewed by the full Select Board. Town Manager Warren-Dyment noted that any minor corrections could still be addressed at the following week's meeting. The Select Board voted to recommend approval.

**Motion by Clerk Emkey to recommend approval of Article GG. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed (5-0-0).**

**Article HH:** Kids Kingdom: Chair Nuzzolo noted that the School Committee had voted to co-sponsor the Article. Discussion arose about whether the School Committee might also formally vote to recommend approval of the Article before the Warrant is finalized. Chair Nuzzolo indicated he would reach out to the Superintendent. No recommendation vote was taken at this meeting.

**Article II:** Open Space Committee: Previously voted for inclusion. The Select Board voted to recommend approval.

**Motion by Clerk Emkey to recommend approval of Article II. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed (5-0-0).**

**Article JJ:** Establishment of a Food Access Partnership Incentive Program: Based on Town

Counsel's guidance earlier in the meeting that the proposed tax abatement mechanism cannot be accomplished by town meeting action alone and would require special legislation, the Select Board reached a consensus not to include the Article in the Warrant. Chair Nuzzolo acknowledged the thoughtful intent behind the proposal, submitted by Member Lehtinen, but agreed the legal obstacles make it impractical at this time.

### **Warrant Ordering and Consent Calendar**

The Select Board discussed the ordering of Articles for the Annual Town Meeting, with particular focus on the placement of the override Article. Chair Nuzzolo expressed a preference for placing the override Article earlier in the meeting to avoid voter fatigue, while not making it the very first substantive item. Town Manager Warren-Dymont noted that, given the number of routine Articles likely to be grouped into a Consent Calendar including committee reports, Revolving Funds, prior-year bills, and the FY26 closeout the Omnibus Budget and override Articles may naturally fall relatively early in the meeting.

The Select Board discussed whether Articles J and K (Capital program Articles) might be moved to follow the budget and override articles, given that Capital Articles can occasionally prompt extended discussion. Town Manager Warren-Dymont suggested Article J might even be appropriate for the Consent Calendar, as it is a housekeeping item reauthorizing previously approved Capital spending. Chair Nuzzolo recalled a similar situation from the prior year where a Capital Article was included in the Consent Calendar without issue.

The Select Board agreed to revisit the Consent Calendar and final ordering at the next meeting and to solicit input from the Town Moderator.

### **2. Discussion of FY27 Budget**

Chair Nuzzolo summarized the direction from the prior tri-board discussion: the Select Board would round up the Tier 1 and Tier 2 override amounts to whole numbers for ease of public communication to \$2,400,000 for Tier 1 and \$3,300,000 for Tier 2. Clerk Emkey confirmed that the Town levies only up to what is appropriated, not necessarily to the full ceiling of the override amount.

Member McLeod stated for the public record that he continues to have serious concerns about the sustainability and affordability of both override tiers. He noted that while the emotional case for the overrides is clear, so too are the financial challenges. He expressed particular concern about the creation of new positions, even within the balanced budget scenario, and indicated he remains focused on the balanced budget option. He stated he is available to meet individually or in group settings, including with community groups such as "Yes for Lunenburg," and emphasized that the ultimate decision rests with the community at Town Meeting and at the ballot.

Chair Nuzzolo responded by noting that no new positions were added without corresponding cuts in other areas, and that the staffing decisions represented prioritization choices, not simply additions.

### **Proposition 2½ Ballot Question Format**

The Select Board discussed whether the two override questions should be presented on the ballot as "Question 1" and "Question 2" or as "Question 1A" and "Question 1B." Member Lehtinen argued that labeling them as "1" and "2" better signals to voters that they should answer both questions, whereas "A" and "B" may suggest an either/or choice. Clerk Emkey agreed, noting that seeing two

numbered questions sets an expectation that both should be answered, similar to the experience of state ballot questions. The Select Board reached consensus to use "Question 1" and "Question 2." The Select Board then voted to include the Proposition 2½ override questions on the Annual Town Election ballot as drafted by the Town Manager, with final language subject to Town Counsel's review.

**Motion by Clerk Emkey to include the Proposition 2½ override questions on the Annual Town Election ballot as presented, subject to Town Counsel's final review. Seconded by Member Lehtinen. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed (5-0-0).**

## **IX. MINUTES\*/WARRANTS/ACTION ITEMS**

### **Minutes**

None.

### **Warrants**

No warrants were presented.

### **Action Items**

None.

## **X. COMMITTEE REPORTS**

Member McLeod reported on the Planning Board meeting of March 16. Several matters were continued to the April 13 meeting, including 0 Reservoir Road and 30 Summer Street. A minor site plan change was approved for 475 Leominster-Shirley Road involving rooftop solar installation, battery storage, and trailer storage area expansion. The application for 860 New West Townsend Road involving a common driveway permit, site plan approval, and stormwater management plan for a 20-unit townhome development across four lots was continued to April 13. Powell Sand and Gravel at 225 Leominster-Shirley Road received a minor site plan change involving a fire cistern substitution and power supply alteration. The Select Board also conducted a lengthy discussion about the Town's Master Plan, which Member McLeod found informative and recommended the public consider watching.

Member Lehtinen reported that the School Committee is meeting the following evening at the Middle/High School at 7:00 PM, with agenda items including a decision on the bus fee and a draft letter for legislators.

Clerk Emkey reported that the Finance Committee held a Public Hearing the previous week and is scheduled to meet Thursday to vote on Articles and discuss its report.

Chair Nuzzolo reported on the 300th Anniversary Committee meeting held the previous evening. A significant portion of the meeting was devoted to fireworks planning, with a potential vendor identified who can also assist with permitting. The Committee discussed a presentation at Town Meeting to update residents on the 300th Anniversary Warrant Article and the Committee's planning progress. Historical materials from the 1978 bicentennial celebration were reviewed, including examples of Articles from past Town Meetings. Chair Nuzzolo also noted that two logo contest

submissions had already been received and that the Committee is exploring the possibility of bringing a large celebratory cake as seen in other municipalities to Lunenburg for the occasion.

## **XI. UPCOMING MEETINGS/EVENTS SCHEDULE**

There was no discussion under this agenda item.

## **XII. PUBLIC COMMENT\*\***

### **• PUBLIC**

**John Bowen, 162 Highland Street**, addressed the Select Board in his capacity as Chair of the Board of Commissioners of Trust Funds, offering clarifications on the Trust Fund Articles discussed earlier in the meeting.

Mr. Bowen explained the "rule of necessity" as a strict, last-resort legal mechanism applicable only in emergency situations. He argued that the absence of a quorum of the Trust Fund Commission constitutes an emergency in the specific context of approving disbursements to residents in need and only in that context. He emphasized that the proposed Bylaw was not intended to grant the Select Board broad authority over trust fund governance, but only the narrow ability to approve or deny resident applications when the Commission is paralyzed due to lack of a quorum. He described the voting structure in the proposed Bylaw as a check and balance mechanism designed to address potential conflicts of interest.

Mr. Bowen also informed the Select Board that the Board of Commissioners of Trust Funds has recently filed a Breach Notice with the Town regarding an alleged breach of fiduciary duties as trustee of the Town's trust funds under M.G.L. c. 203E. He noted that a 30-day reprieve on that notice had been approved at the Commission's last meeting, and indicated his intent to return before the Select Board following the Commission's next meeting to discuss whether a reconsideration of the Warrant Articles might be appropriate.

### **• TOWN MANAGER**

Town Manager Warren-Dyment had no additional comment.

### **• BOARD**

No comments from Select Board members.

## **XIII. ADJOURNMENT**

**Motion by Member Lehtinen to adjourn at 8:46 PM. Seconded by Clerk Emkey. Roll Call Vote: Vice-Chair Moore-Aye; Clerk Emkey-Aye; Member Lehtinen-Aye; Member McLeod-Aye; Chair Nuzzolo-Aye. The motion passed (5-0-0).**

Respectfully Submitted,  
Renee Emkey

These Minutes were reviewed and approved by the Select Board on: Tuesday, August 18, 2026