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**BOARD OF SELECTMEN**  
**MEETING MINUTES**  
**4/7/09**

The Board of Selectmen met in the Town Hall, Joseph F. Bilotta Meeting Room as scheduled with Thomas Alonzo, Paula Bertram, Steven M. deBettencourt, Thomas Mason, Dave Matthews and CAFO Kerry Speidel present. Meeting opened at 7:00 P.M. with the Pledge of Allegiance

***PUBLIC DISCUSSION***

Dave disclosed that he has contacted the Ethics Commission regarding his signing of warrants where his son is paid through the PACC and so long as disclosed the signing of the warrants is ministerial and shouldn't pose a conflict of interest. The approval of a payroll warrant will be considered ministerial when the correctness of the hours worked has been verified by someone other than the employee signing the warrant and as long as there is no dispute as to the warrant's contents.

***ANNOUNCEMENTS***

None

***APPOINTMENTS***

None

***CURRENT BUSINESS***

**1. Fee Increase: Ambulance and other Fire Department Fees** – Fire Chief Scott Glenny reviewed the attached information on fee increases. Most of these permits do require inspections so these fees are to help recover some of the costs incurred due to the inspections. Noted that decision to not charge for burning permits, this year we've exceeded 830 burning permits that have been issued, usually about 500. Note that with increased costs of fuel, department wasn't able to recover costs incurred, by law can only cost \$50 for the permit, most of these fees were previously \$25. Board noted that these fees will be consistent with our neighboring communities.

Steve's concern is that 100% increase is excessive, citizens are asking "what are we getting for our tax dollar", feel should be fair, but not fair in my mind. Per Scott, we're not charging for inspections, this is just for the permitting process and his recommendation to the board.

Chair's concern is that fees are supposed to cover costs, then we should recoup what we use to get it back. Not suppose to be making money or losing money, How much time does it entail. I have some issue with the reason of raising the fees because we can, is proper. Paula concurred that she is also concerned with increasing the fees so significantly, noted that some increases don't seem to be as appropriate as others dependant upon the number of inspections and site visits necessary for certain permits. Would consider it to be reasonable for the town to charge for inspections.

Per Kerry, the board gave her the charge to look at all fees that we charge and looking to see that they cover the costs of the service, noted that we're also looking at increasing fees to the collector's office. We can put a spreadsheet together but we need these fees and we've done what the board has asked her to do and the determination has been made that we do need to raise fees to meet these services. Tom M., believes these are realistic and reasonable fees for the services that we're getting. If board were to look at these fees as a whole, would be more reasonable to address this way.

Tom M., move to approve the fees as recommended by Fire Chief Glenny, Dave seconded, Tom M., aye, Dave aye, Tom A. aye, Steve no, and Paula no.

Reviewed Ambulance Billing Rate Survey, dated November 2008 fees which Chief Glenny has recommended the new rates per attached. Noted costs that we can charge now that we haven't previously; cervical collar & the costs incurred for an extra EMT and that many of these communities are also addressing their rates so many will probably be increased. The town has also put in place an abatement procedure where we put before the Board of Selectmen so that users can come before the board to request an abatement. Law does not allow the town to bill additional beyond what is allowed under Medicare.

Paula motion to increase ambulance rates as recommended by Fire Chief, Steve seconded, Dave aye, Tom M. aye, Steve aye, Paula aye and Tom A. no.

**2. Grant Application Approval: COPS Hiring** – Police Chief Dan Bourgeois presented the attached proposal through the COPS hiring program. Noted that there is no cap on the number of officers that we can apply for, only need to guarantee that year four the grantee (town) will retain that public safety position. These grants funds also cover the costs of benefits for the three year grant term and is looking to retain two positions, noted the proposed developments that are waiting, shovel ready to go. Lt. Marino also came before the board and noted that undermanning is an old problem and that there are a number of mandates that they must comply with

and stressed what the town's needs are and that we are well below the average number of police officers per number of citizens in town.

Grant application opened up in mid-March and although Chief Bourgeois would like to ask for five additional officers, realize that asking for two is more realistic. CAFO, noted that she has a full copy of the application available if the board wants to review and that she strongly supports this application. Based upon our current level of funding, we are never going to be able to afford additional policers. If no additional development occurs in the town, we are still severely understaffed in this town. There is risk that things won't change in year four but we will need those officers in year four. Running with two officers, there are times when we run with regular officers and no superior officers on duty.

Chair noted that he has heard this for a number of years and without question is completely behind this, for a commitment of one year should hope that we can make the best of this and honor our commitment for the fourth year. Noted that the department is cronicly understaffed and are on duty 24/7. Absolutely a golden opportunity to have the federal government afford the towns this funding mechanism. Tom M. concurred and noted that whether this were here or not, we would be looking at an addional hire within the next two years. Dave questioned any cap per officer and per Chief what he has noted is that the application is up to \$75,000 per officer including benefits and these numbers are well below that. Also, noted that right now to cover shifts we have reserve officers working, and overtime shifts of regular personnel to cover shifts. Bottom line two officers for four years and we'll be paying for them for one, to do anything else would be ludicracy. Steve also concurred that to have two officers on duty just doesn't work anymore, also noted that the costs incurred will not just be for the officers, they'll be additional vehicles needed concurred that we'd be crazy not to try and take advantage of this opportunity.

CAFO requested a formal vote, Paula motion to recommend and support the application for the COPS program and the hiring of two additional officers, Steve seconded, voted unanimously.

### **3. Grant Application Approval: SAFER (hold to April 21, 2009)**

**4. Elected Officials Stipends & Benefits** - Kerry reviewed that attached information and conferred with town counsel who did agree that state law states towns "may" allow coverage for elected officials. The Board of Selectmen is the authority with this particular issue. If the community were to look at something different what options does it have. For any elected officials that don't receive a stipend, or work more than 20 hours/week they're not affected, it's only the elected officials that receive stipends.

Steve doesn't believe that the comparison is even fair, not comparing equaling. This is more a shell game, than a fact.

Chair, comes down to what the town is willing to afford and feels it is right and would argue that the Board of Selectmen certainly should receive a stipend and should receive health insurance, but given the economic climate at this time would not support. Should stop this practice at this time and feel that this is a fair trade and this is a vote that he's ready to make.

Tom M., noted the past history of the duties of past board's of selectmen and assessor's. He didn't personally run for this position for any benefit or stipend. Dave concurred, can justify it for any number of committees, but bottom line is we're talking about service reductions and think it's about time that we consider doing away with this.

Steve noted that you can't go anywhere, without being approached by the residents, don't know any position in this town that hasn't increased their salary by a third in the 19 years that he's served. The amount of money for a stipend is not going to solve the towns financial condition. If we don't stop increasing we're not going to be able to afford what we have today. Paula noted that this position (Selectman) takes an exhorbatent amount of time, would consider special legislation that we could avail health insurance availability to elected officials so long as they pay the 100% premium would be something that she would consider.

Tom A., would not be against putting this special legislation forward, would recommend that the availability to join would be phased in.

Kerry clarified that the special legislation is only applicable to those elected officials who receive stipends and this board only has control over making the availability to enroll in health insurance not on establishing the stipends.

Dave motion to discontinue offering health insurance benefits to Board of Selectmen and Board of Assessor's elected members, to expire at end of their current terms, Tom M. seconded, Dave aye, Tom M. aye, Paula aye, Tom A. aye and Steve no.

### **5. Minutes / Warrants / Contracts -**

#20P 09, 3/23/09 - \$635,314.25, #52 090, 3/31/09 - \$204,896.24, #52 09, 4/1/09 - \$467,211.08 and #54 09, 4/7/09 - \$369,120.04 reveiwed and signed.

### **6. CAFO Updates – None**

**7. Action File** – Chair noted that we had a workshop this evening with Jon Juhl to discuss the Eagle Heights Senior Housing and would accept a recommendation.

Tom M. move that we go forward with the proposal and enter into an agreement with the developer to get to the contract stage for this project.

## OLD BUSINESS

### 1. Committee Updates –

- Chair announced that he testified at the hearings held @ DPU, very interesting first hearing and will try to keep up to date with the hearings as they are held. One piece of legislation that was not discussed was Bill H3319. Also, at first meeting last Tuesday of the Municipal Electric Task Force and they will be scheduled to meet this week to review their goals and objectives.
- Dave reported on the School Committee meeting and they've banked money saved on energy audits and hiring a survey for energy savings options. This may be something that the Green Energy Task Force may want to speak to John Londa about.

### 2. Town Meeting Warrants

- **Marion Benson, Planning Board Articles** – reviewed the attached reasonings on the town meeting articles. Steve noted concern on changing Zoning Bylaw 5.1.2.1 increasing the minimum lot sizes from one acre zoning to two acres, concerned that this will significantly impact new growth. Paula very strongly supports as this has been consistently recommended in new growth that is sustainable. There are other critical environmental areas that also need to be protected such as Mulpus Brook. Zoning has consistently changed over time, all of the communities in the outlying districts look at lot sizes of 80,000 square feet or bigger. Believe it's wise for the Town of Lunenburg to take the recommendations from the experts that we've hired over the years to develop recommendations to the Towns' Master Plan. Important to keep in mind that the Master Plan takes none of the numbers from 40B development's into account. Marion noted that none of our projected buildout previously took into account the installation of sewers. Looking at protecting the infrastructure and noted that there are a number of environmental issues that should be addressed and that the town should be addressing their outlying district. Time has come where we could be forced into different treatments for sewerage. Board recommends that a slide is presented for town meeting to view along with a handout as this brings out a lot of issues. Planning Board has a Public Hearing scheduled for April 27<sup>th</sup> @ Town Meeting to review the articles submitted.
- **Marion Benson** Reviewed that Capital Planning Committee articles as submitted: **The Capital Planning Committee has presented the FY10 Plan to the Chief Administrative Financial Officer as required in the Town Charter. There was no Capital Program budget presented for FY10.**

**Upon review, the CAFO adjusted the FY10 amount from need requests of \$1,931,205 to \$233,950 with no borrowing.**

#### **The presented FY10 Plan from revenue reads as follows:**

Dave noted Article "G" of the draft town meeting articles and identified the following purchases:

<u>Department</u>	<u>Item</u>	<u>Amount</u>
Police Dept.	Cruiser (1 or 2)	\$69,000
Fire Dept	Pagers/Portables	\$33,000
School Dept.	District Tractor Loader	\$36,050
School Dept.	Elem.Sch.Kitchen Equipment Replacement	\$38,800
School Dept.	Mid.Sch. Kitchen Equipment Replacement	\$47,100
Town Clerk Office	Vault Improvement	\$10,000

As reported before, the process begins with the presentation of Form B's from each department. This form is inclusive of the needs for each department along with estimated prices and justification of the need. There are extensive review meetings held with the Department Heads. Each item is scrutinized under the above criteria. Prioritization process is implemented when a bottom line figure is determined during the town budgeting process. The result is presented to the Chief Administrator and Financial Officer. A finalized plan is then presented to the Town Meeting.

The Plans do not reflect every item requested and/or that fits the criteria. The Committee's concern is the same as in past years which is the criteria of "Ability to Fund" to fulfill the need requests. The "Ability to Fund" (or inability to fund) reduces capital spending in FY10 by 42% (percent) from FY09. This is due to the depressed economy and the town's present financial difficulty. The Committee, in working with the Chief Administrator and Finance Officer, is cognizant of the funding restraints and worked towards formulating an advisory FY10 Plan that can fiscally be met and geared toward sustainability.

- **FY'2009 Budget Adjustments** – No new information
- **FY'2010 Budget** - No new information

Paula has a number of questions on the budget and would like to have an opportunity to discuss as she is still concerned on the repairs of the Lake Shirley Dam. Noted the inspection on Lake Shirley Dam should be done bi-annually and questioning whether funding has been incorporated within the budget. Other issue is storm water management program, funding within the line item budget.

Chair recommends that the questions are submitted to the CAFO so that she could have answers available at the Finance Committee's Public Hearing scheduled for next week.

## **APPOINTMENTS/REAPPOINTMENTS**

1. **Resignation** – none
2. **Vacancies** – no action taken

## **EXECUTIVE SESSION - tabled to next week**

1. **Contract Negotiations**
2. **Pending Litigation**

Being no further business board voted unanimously to adjourn Regular Session at 9:46 P.M.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant  
Board of Selectmen