



**BOARD OF SELECTMEN
MINUTES
JANUARY 5, 2016**

The Board of Selectmen met in the Lunenburg Town Hall, Joseph F. Bilotta Meeting Room, as scheduled with Robert Ebersole, Vice Chairman; Tom Alonzo, Clerk; Paula Bertram, Member; Phyllis Luck, Member and Kerry Lafleur, Town Manager. Chairman Jamie Toale was not present.

Mr. Ebersole called the meeting to order at 6:00 PM and declared the reason for entering Executive Session, citing Chapter 30A, § 21 (3); to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating position, and the Chair so declares. Discussion of Lunenburg v. Hollis Hills, LLC and HAC

Motion: T. Alonzo

2nd: P. Luck

To enter into Executive Session and then enter into Open Session upon adjournment

Vote: Mr. Ebersole-aye, Ms. Luck- aye, Mr. Alonzo- aye

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

The meeting opened at 7:00 P.M. with the Pledge of Allegiance.

Public Comment:

Mr. Ebersole noted the passing of Marion Benson, a longtime resident, past member of the School Committee, Planning Board member and full-time planning director for the Town until 2014. Mr. Alonzo stated he enjoyed working with her and she will be missed. Mr. Ebersole encouraged residents to volunteer for the Cable Advisory Committee, PACC, Storm Water Task Force, Finance Committee or the Senior Taxation Work Off Committee by filing out a Talent Bank Form and submitting it to the office.

Ms. Luck advised residents to clear out the storm water drains near their homes due to the recent snowstorm. She reported she had met with the DPW employees over the holidays and it was really nice to meet every one of them.

Mr. Alonzo advised real estate taxpayers to read the letter in the mailing regarding the cable survey. There are also surveys in Town Hall for those who did not get one in the mail. He stated he was unable to attend the last Board of Selectmen meeting and had viewed it online. He was disheartened by the comments he heard about what happened at the recent School Building Committee meeting. He stated it was mentioned that somehow the committee was intent on spending all of the contingency finding. He is a member of that committee and he assured all that was a mischaracterization of what occurred at that school building committee meeting. He reported we have spent \$283,000 of the \$4,000,000 in the contingency fund; that is about .5 percent of the fund. The project is now seventy percent completed. There were also comments about lack of transparency of the committee. This committee's meetings are posted publicly. In addition we have representatives from other committees (School Committee, BOS, Finance Committee, and Planning Board) who report back to their own committees on their televised meetings all the time. The list that is being used to say we are going to spend the whole \$4,000,000 contingency fund was not discovered by anybody but was presented to this Board at the request of three members of the School Building Committee who wanted to be transparent. They have all been discussed in order as they come up without any comment. The decision to ask bond counsel what the contingency fund could be spent on was requested by the School Building Committee. We want to make sure everything we are doing is completely above board. Lastly, there was a question on what role this Board plays in this process. They have a seat on the committee along with two other elected officials and three other citizens who were appointed by this Board. He stated he is a taxpayer too; he does not discourage people to be concerned as well. But it was inferred the committee wasn't doing our job and that is not the case. He

encouraged everybody concerned to attend their meetings. As far as televising the meetings, it is difficult to do as this is the only room that meetings can be televised from and it is not available on the nights they meet. It is not because they do not want to be transparent. He wanted to make those comments clear.

Ms. Bertram stated while she understands Mr. Alonzo serves on the committee she is very concerned with this list of items that are in her opinion not contingency related. She believes further discussion between the Board of Selectmen and the School Building Committee in a public forum is warranted. These items that are now being considered by the School Building Committee are going to be paid for 100% by the taxpayers. \$61,000 was already voted for engineering and that is a lot of money. She stated she has concerns about whether or not these items can be incorporated under the original town meeting article. She still wanted a legal opinion on the Selectmen's authority in this matter because the School Building Committee submits that form to the Selectmen for the changes. She is opposed to signing any more contingency funding without further discussion.

Mr. Alonzo stated the engineering funding, for electrical and carpentry work, was approved at this time because you would install it during the construction phase. There is a time frame that this was sensitive to. Mr. Alonzo explained the digital touch screen has not been approved; only the electrical outlet installation for it was approved in case of future use as well as the footing for an exterior digital sign for notices. It not only can be used for school events but also town events, emergency notices etc. Ms. Luck asked why these items weren't part of the original project. Mr. Alonzo stated that at the time they were trying to keep the costs down. When the actual costs came out they were lower than anticipated. Further discussion about the construction budget ensued. Mr. Ebersole interjected that the public comment had gone to deliberation and the Board should move onto the agenda. Ms. Lafleur asked for clarification on who should be meeting with the Board and when. The next School Building Committee is on January 13th which at that time they should have a legal opinion on the contingency items and the legal opinion on the Selectmen's role from MSBA. The meeting on the 19th is open for this. Ms. Lafleur noted the engineering has not been brought to this Board as a budget request to date.

Dave Rodgers, 82 Highland Street, appreciated Mr. Alonzo's comments and felt obligated to explain why he made comments about the transparency of the School Building Committee. He stated he believes the committee's objectives are well intended. He expressed surprise that the minutes were being recorded by an outside firm and not a member of the School Building Committee. Mr. Alonzo confirmed and added the minutes are approved by the committee. Mr. Rodgers stated there were some things listed in the contingency fund section such as murals, parking reconfiguration at the Passios School, digital signs, air conditioning, turf resurfacing of the existing athletic complex, storage and maintenance building to be located at the Turkey Hill Middle School and potential demolition of the Passios Building should district decided to do so. It is just today that he was able to access those committee minutes. From his perspective it wasn't transparent and that is why he made that comment. The Town's portion of the cost; \$36 million dollars and the \$4 million dollar contingency fund (roughly 10 percent) is a lot of money. He added just because it's there we don't have to spend it. His only point is at the end of the day it will be sorted out and it will be fine. We need to be cognizant of all the various things we need to take into consideration before we say yes. He thanked the Board.

Jane Edmundstone stated she was here on behalf of Lunenburg resident, Jim Bellefiore, 1790 Massachusetts Avenue, to request a future agenda item. Mr. Bellefiore resides in the Meadow Woods Mobile Home Park and does not have access to MART service at this location. MART only services up to 1275 Massachusetts Avenue. Mr. Bellefiore stated when he has to travel to the VA Hospital in Bedford or Roxbury he has to be at the Fitchburg Intermodal Station at 7:30 a.m. to catch the bus. The hospital visit is an all-day event. He doesn't get home until 4:00 p.m. He hoped the Board could help him out. Ms. Luck will contact MART and find out what can be done.

Mr. Rodgers stepped up and offered transporting Mr. Bellefiore to and from the bus station until the situation is resolved. He asked Mr. Bellefiore for a couple of days' notice on the appointments so he can plan accordingly. He gave Mr. Bellefiore his telephone number. Ms. Edmundstone stated there are other disabled individuals residing at the mobile home park in case there is any question about need for the MART service.

Ms. Luck stated they should have their doctor fill out the appropriate paperwork indicating need, which is available at the Senior Center, and submit it to MART. Further discussion with MART and the Town is required. Mr. Bellefiore will provide his phone number to Ms. Lafleur and she will get back to him.

Current Business:

1. Open Warrant for Annual Town Meeting (May 7, 2016)

Ms. Lafleur stated this is a request to open the warrant for articles for the Annual Town Meeting scheduled for May 7, 2016. According to Town Charter it needs to be opened until 42 days prior to the town meeting. The closing date for the warrant will be Thursday, March 24, 2016 at 6:00 P.M.

Motion: P. Bertram

2nd: T. Alonzo

To open the warrant for the Annual Town Meeting and close it at 6:00 p.m. on March 24, 2016

Vote: All in Favor

2. Entertainment License renewal for The Bootlegger

Ms. Lafleur reported this request from Cosimi Corporation is to renew the weekday entertainment license for The Bootlegger while waiting for approval of the transfer of the alcohol license by the ABCC.

Motion: P. Bertram

2nd: P. Luck

To approve the weekday entertainment license for Cosimi Corporation d/b/a The Bootlegger

Vote: All in Favor

3. License Survey Results

Ms. Lafleur reported the Board had requested that license fees from surrounding communities be reviewed. She presented the data on Townsend, Fitchburg, Leominster, Lancaster, Ayer, Shirley and Berlin. She noted there are some communities that charge substantially more than Lunenburg. Mr. Ebersole requested the survey include the number of licenses issued in each category. Ms. Lafleur stated this will be amended and added to a future agenda. These are annual licenses so there is plenty of time to review them.

Minutes/Warrants/Action File Issues

Minutes of November 17 and December 1, 2015 were approved. The Board signed a school construction warrant in the amount of \$2,637,029.77.

Mr. Alonzo stated in general during a tollbooth fundraiser the people who are running it hand out a small thank you note that can be placed on the windshield. This shows that the person has donated already when going back through the same tollbooth. He noted at the last one a coupon for a discount off a local business service was handed out. He stated that is not part of the fundraiser and suggested amending the policy to state that private businesses could not advertise during one.

Committee Reports:

Ms. Luck reported the next School Committee meeting is tomorrow night and will be televised. The Storm Water Task Force will have its first meeting on the 13th.

Ms. Bertram reported the Planning Board and Conservation Commission have not met since the last time.

Mr. Alonzo reported School Building Committee meets next Wednesday. Cable Advisory meets at the end of the month, giving everyone plenty of time to fill out the cable survey, when the committee will review those. Finance Committee did not meet due the holidays, they meet again next Thursday.

Mr. Ebersole reported Sewer Commission did not meet at the end of December. The Library Board of Trustees met in December and are continuing to work on updating their building operations policy. The Board of Health met last night and has finalized the septic loan program and plans to adopt it at their next meeting. PACC met last night and reviewed their strategic plan as well as beginning to work on their fiscal year 2017 budget. Chairman Walker will meet with Town Manager Lafleur to go over some of their budget questions. Mr. Ebersole attended the Architectural Preservation District Commission (APCD) meeting where they appointed officers and began creating their work plan.

There are some technical changes to their bylaw that need to be amended at annual town meeting such as their map and some numerical formatting.

Town Manager Lafleur did not have any reports this evening.

Appointments:

The Board acknowledged the Board of Health representative for the Storm Water Task Force will be Jim Auge.

There was no further public comment from the Board or the public.
Mr. Ebersole announced they would be going into Executive Session.

Motion: T. Alonzo

2nd: P. Bertram

To enter into Executive Session per M.G. L. c. 30A, §21 to conduct strategy sessions in preparation for negotiations with non- union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel

Ms. Luck – aye, Ms. Bertram – aye, Mr. Alonzo-aye, Mr. Ebersole- aye

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

The meeting adjourned at 6:57 P.M.

Respectfully submitted,



Elaine M. Peterson
Executive Assistant to the Town Manager