



**BOARD OF SELECTMEN
MINUTES**

**Joseph F. Bilotta Meeting Room, Town Hall
March 22, 2016**

The Board of Selectmen met in the Lunenburg Town Hall, Joseph F. Bilotta Meeting Room, as scheduled with Jamie Toale, Chairman; Robert Ebersole, Vice Chairman; Tom Alonzo, Clerk; Paula Bertram, Member, Phyllis Luck, Member and Kerry Lafleur, Town Manager.

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

Public Comment:

Ms. Luck read an email from resident Dave MacDonald to the Board concerning the proposed debt exclusion for the Pavement Management Plan funding. He stated he supported the plan funding but taxpayers are just beginning to absorb the impact of the new Middle/High school project in their tax bills. Before we get extended any further he hoped as a show of good faith some of the unused funding from the construction project would be returned to help with other capital needs and at a minimum discussion of spending be more holistic and less targeted. He asked for more focus on whole town needs so we can all benefit.

Mr. Ebersole announced the Lunenburg Water District Annual Meeting is Saturday, March 26th at 10:00 a.m. Polls are open from 8:00 to 10:00 a.m for election of a commissioner and a moderator. At the meeting, an annual budget will be presented for the next fiscal year as well as request to fund construction of an office/garage and purchase of a new utility body vehicle.

Mr. Toale reminded all about the various board/committee vacancies as well as elected positions.

Ron Smith, 110 Old Farm Road, came forward regarding the citizen petition on the Annual Town Meeting warrant that requests the zoning change on Northfield Road. He was asking for direction on how to speak for the article. Ms. Lafleur and Mr. Toale stated they could review it this evening since Mr. Smith was here.

APPOINTMENTS:

Request for Approval of 2016 Bicycles Battling Cancer Fundraiser Ride-June 12, 2016

Mark Walter appeared on behalf of the American Cancer Society to coordinate the Bicycles Battling Cancer fundraiser. He stated some bicyclists would be coming through a portion of town. They will be instructed to ride single file and obey all traffic rules. He is not looking to close down any roads. He was here tonight to request approval for the ride. The route for the 70 and 100 mile routes would be coming through Lunenburg around mile 18. They will be riding north on Route 70/Lunenburg Road and enter Lunenburg via Leominster/Shirley Road approximately at 8:15 a.m. and exiting Lunenburg where Leominster/Shirley Road enters the Town of Shirley. His expectation is the 175- 200 cyclists would be leaving the Town around 9:00 a.m.

Ms. Bertam asked about insurance coverage. Mr. Walter stated he provide coverage with the Town being listed as the certificate of liability holder.

Motion: R. Ebersole

2nd: T. Alonzo

To approve the ride through town contingent on insurance being provided with the town being listed as the certificate holder

Discussion: Ms. Luck asked if the Police would be needed. Mr. Walter replied no as there are no locations that needed to be attended by the Police. Chief Marino stated he had no concerns on the ride through town.

Vote: All in Favor

Mr. Walter thanked the Board and exited the meeting.

Town Manager's Appointment of Reserve Officers: Meaghan B. Landry, Zachary L. Levasseur, John M. Wagner

Police Chief Marino stated he would like to share a few thoughts before the appointment. He mentioned fallen State Trooper Ken Clardy who had been buried today; Hillsboro County, Florida and former Falmouth native, Deputy Sheriff John Kotfila, who had been killed by a wrong way driver. He also mentioned Virginia Police Officer Ashley Guindon, who was killed on her first day of duty. These serve as a reminder of the dangers police face daily. He noted a decline in police applications over the last year and cited instances of losing four reserve police officers to other towns to full-time positions. He requested support for the department with respect to retaining officers and recruiting reserve officers. He introduced the three candidates for appointment. Ms. Landry has a Bachelor Degree in Business from FSU; she has interned with the Police Department. Mr. Levasseur has a Bachelor Degree in Criminal Justice from FSU/Westfield State University and has interned with the Police Department. Mr. Wagner, has an Associate in Science Degree in Criminal Justice from Mount Wachusett Community College and a Bachelor of Science in Criminal Justice Degree from Fitchburg State University. He has served two internships with the Lunenburg Police Department. Chief Marino highly recommended their appointments. Mr. Alonzo thanked the Chief for his heartfelt mention of the fallen officers.

Motion: T. Alonzo

2nd: P. Bertram

To ratify the appointments of the reserve officers as presented

Vote: All in Favor

The Chief thanked the Board. Applause for the appointments resonated.

Review of Annual Town Meeting Warrant Articles

The Board began with Article #29; a request for a zoning designation change for 1026 Northfield Road from "Recreational" to "Residence A." Ron Smith stated he requested the zoning change via citizen petition as the back six acres of the eight acre property located at 1026 Northfield is designated recreational from a previous developer who had requested it be changed in 1990. The developer is now gone and Mr. Smith owns the property. He would like to change it back to "Residence A". Mr. Smith attended a Planning Board public hearing on the requested change and the Planning Board voted to support it.

Motion: R. Ebersole

2nd: P. Bertram

That the Board of Selectmen recommend the zoning change to Town Meeting

Vote: All in Favor

Mr. Smith thanked the Board and exited the meeting.

Warrant Article for Water District Discussion

Mr. Alonzo stated he had requested this discussion after the vote taken at the Water District Annual Meeting last year to enlarge the district. He believed it would be better suited to have the Water Commission under town government as many people already think it is a part of the town. He stated it seems not the best use of resources to hold two separate annual meeting. It certainly has an impact with the resources that are being provided in the Water District in the best interest of the people of Lunenburg, to be considered where water may or may not go. If there was no Water District already in existence and we were going to start one, would it be a separate entity or would it be under the Town? It would be its own division, have elected commissioners and have its own enterprise fund. Elections would be held at the same time as town elections and meetings could be televised. It would be easier and more transparent all around. He asked the Board to consider an article to ask for special legislation to put it under the Town. He added he does not believe the Water Commissioners are not doing a good job. This is just for better procedural and organizational processes. He stated he resides in the Water District and did not even know there was an annual meeting until Mr. Ebersole mentioned it this evening. Mr. Ebersole stated 75% of the town is now in the Water District. The Water District supports economic development and that needs to be coordinated within the town. Regarding the Lancaster expansion proposal, it took a lot of work to get another special meeting of the Water District and having that go through the town itself is a better way of coordinating the future use of water needs, economic development and protection of water resources. He supported the discussion moving forward.

Ms. Bertram said she was open to the conversation but she is not at a point where she would support going forward to ask the town to vote on this. Does the town have the capacity to take on such a task, the cost and impact from such transition? She believed there have been some improvements by the Water District, there is

more transparency, they have a Facebook page and website notifications. From a business standpoint, there are a lot of unanswered operational costs/questions. We should have those answers before we go to the voters. Ms. Luck stated taking the Water District back into the town makes the most sense. If the Sewer and Water Districts were combined there would be economies of scale and you might even be able to save the residents who have water and sewer services money with more efficient billing. For MS4 permitting it would be easier to coordinate the Town's response in dealing with storm water response if the Water District was under the Town. Mr. Toale stated he was somewhere between the opinions of Mr. Alonzo and Ms. Bertram. He thought the benefits of combining would outweigh the work required but he would want to be sure the town wanted us to do that work and then figure out a way to do it. Mr. Ebersole stated they could create the article to form a citizens committee to see if this is feasible.

Water Commissioner Dave Rodgers came forward. Mr. Rodgers stated there are approximately 2400 water users in this district. Has anyone contacted any of the customers to see if they had any complaints about the Water District? Mr. Alonzo stated no. Mr. Rodgers asked if the Fire Chief or Police Chief had expressed any issues with the Water District. There were none. Mr. Rodgers stated the district was established in 1939 because the town did not want it. When sewer first came to town there was discussion about combining both water and sewer. However neither entity wanted to combine with the other for a lot of different reasons. Historically, whenever anyone has needed the services of the Water District, we have been there. Mr. Rodgers stated he was surprised that Mr. Alonzo had not seen the meeting notice because the meeting is posted downstairs in Town Hall, on their website, their Facebook page and it was published in the Sentinel & Enterprise. Mr. Rodgers added if it's not broken, he didn't think they should try to fix it. It runs smoothly. They have money in reserve to take care of maintenance. He stated he did not support the change and does not see the need for it.

Jim Moisan, 12 Crescent Terrace, pointed out that the Sewer Department falls under the umbrella of the Town. With all the miscommunication and lack of transparency with Pratt Street, who's problem was that? There were some pretty angry people. There were a lot of people who were told one thing and got another. Ms. Luck stated they misunderstood. He asked if the Sewer Department has its own employees now or are there subcontractors. The Board replied some of each.

Mark Bursch, 20 Buttonwood Place, also a Water Commissioner, stated he understood Mr. Alonzo's points but felt since some things have been brought to light, the lines of communication are much better. If anyone wants information, we are there. He personally did not see a reason to change something that is already doing the same job. Mr. Alonzo stated he believed all townspeople should have a say in where their water resources will go. He asked what would be your biggest concern if the town took over the Water District? Water District Superintendent Fran McNamara came forward and stated he had been on the Water Commission in Townsend. He saw how a town operated a water district. It was pathetic. It ties politics into the operation of the water system. The employees unionized and it was all determined by what went on in the union contract by the Town Manager and the Board of Selectmen. The commissioners who were in charge of the district, had no discussions or any part of it. They tried to work policies and procedures from other town departments for the Water District and it didn't work. It's not the same. Mr. Bursch stated to answer Mr. Alonzo's question; it is the unknown. We have the known and it is working. Ms. Luck asked if the Water District would assist on the storm water task force. Mr. Bursch stated yes they would.

Motion: R. Ebersole

2nd: P. Luck

To come up with a town meeting article to study this topic and gather information

Discussion: Ms. Bertram asked if he was looking for any funding to do this. Mr. Ebersole stated no. Ms. Bertram stated she still had a lot of questions concerning the advantages and disadvantages. If we are talking about simply looking at the issue, she was not opposed to that. Mr. Ebersole clarified that the article would have to be written appropriately and have the study be completed by a certain time. Mr. Alonzo stated if the town voted to go forward, we would need some type of funding. Ms. Lafleur stated the warrant closes at 6:00 p.m on Thursday so the Board would need to come up with the wording tonight unless they are going to have another meeting before then. We are at the end of the budget process so she would need to know what amount of money they are looking for and where they expect it to come from. Mr. Ebersole stated the article should state to see if the Town would vote to establish a study committee to investigate the feasibility and the benefits and the cons of having the Lunenburg Water District become a town department and to establish what are the major

milestones. We could return to fall town meeting if funding is needed. Ms. Bertram asked Ms. Lafleur for her opinion on this issue. Ms. Lafleur stated it was easy enough to have a study committee. Her concern was the amount of items already on this Board's plate; the amount of things they are trying to fix and the difficulty we have in filling seats on committees. It's a significant item. Ms. Bertram stated there are a lot of basic questions she has on this issue. She was concerned about adding additional work to the Selectmen's office or other entities without having the resources to handle that. While she understood the merit of it, she was concerned about being able to actually make it happen. Mr. Toale called for a vote. **Vote: 4 in favor, 1 opposed**

Ms. Lafleur stated she would draft the wording for the warrant article based on the discussion. The Board thanked the Water Department for coming in tonight. Mr. Toale suggested going to the debt exclusion warrant article for the pavement management plan next. Ms. Lafleur reported that she asked bond counsel for the wording of the article, the motion and the ballot question. She stated the dollar amount was \$4 million instead of \$3.91 million due to some additional scenarios. There is an article request at Town meeting to authorize the borrowing and because it is an exempt debt issue, there will be a ballot question. Based on some comments made by the Finance Committee and this Board there were some concerns expressed on the financing. She referred the Board to their packet which illustrated several borrowing scenarios. Scenario 1 shows the average single family household (SFH) with an increase in taxes annually between \$126 and \$148. The total paid by the SFH over seven years is \$959.67. The work would have to be completed within three years under this scenario. Ms. Lafleur then presented Scenario 1.1. Under this we would be looking at two different bond issues to give a longer period of time to complete the work and to spread out the cost for the taxpayers. This is a fifteen year payback and a lower annual impact. The annual impact to the SFH would range from \$22 to \$85 per year. The total estimated cost to the average SFH would be \$1099. Scenario 1.2 has two bond issues and has a seven year term. The annual impact to the average SFH ranges from \$50 to \$139 annually with total estimated cost of \$958. Scenario 2.1 provides temporary financing in years 1, 2 and 3 and does the permanent financing in year 4. There is a fourteen year term on the bonds. The annual impact to the SFH ranges between \$2.57 and \$100.22 and the total estimated cost to the average SFH is \$1,133.24. Scenario 2.2 has the same borrowing model as 2.1, but the payback is over a 7 year term. The annual impact to the average SFH ranges from \$2.57 to \$146.47 annually with the total estimated cost of \$1,007.30. Ms. Lafleur stated this Board is able to decide the terms of the financing but is not something they need to decide now. The average single family home is assessed at \$256,969. She referred the Board to a chart that showed the different ranges of assessed valuation of single family homes and the number of them. She will figure in the average cost per home once the Board decides which borrowing scenario to follow.

Ms. Lafleur presented figures on what has been expended on town roads since 2006 and what would be expended from the operating budget up to year 2030 if the debt exclusion is approved. She did not include any further annual increases in the Chapter 90 funding as that is an unknown. A key component would be for the Board to commit via a written policy to increase the annual operating budget so in the future we get to a point to fund road maintenance on an ongoing basis. This includes committing the first \$50,000 collected in motor vehicle excise taxes to the road maintenance from years 2018 through 2028.

Discussion about spending policies for capital expenditures ensued. Finance Committee member John Henshaw reported that there was no specific policy limit on capital spending. He stated for large capital projects over \$100,000 the town could opt to borrow to finance them. Under \$100,000 the policy advised not to borrow. But there was no strict limit on capital expenditures as he recalled.

Motion: P. Bertram

2nd: R. Ebersole

To recommend approval of the debt exclusion article

Discussion: Mr. Toale stated as a Board they had decided to make the pavement management plan one of their priorities for the year. Ms. Luck asked if the spending could be put off as they don't even know what the final bill will be for the Middle/High School project. Mr. Ebersole stated that we already have the amount authorized to borrow and if anything it could only go down. Ms. Bertram added that we know what the total tax impact would be at the full cost of the project. Mr. Ebersole stated by removing the replacement of the turf field and the added parking area, the cost is lowered by \$1.5 million. Mr. Alonzo stated the townspeople will let us know what they want. Roads (conditions) seem to be one of the highest priorities for townspeople. If we wait longer it

will cost more money. Mr. Toale asked if they needed to decide on the financing option tonight. Ms. Lafleur replied no, but a vote on the ballot question will be needed as they are running out of time.

Ms. Bertram stated she wanted **to amend the above motion to include the question on the election ballot**

Mr. Ebersole seconded the amendment.

Lorrie Kunz, 10 Rennie Street, stated when they were having the informational meeting with the Sewer Department regarding the sewer installation, there was a line item that indicated residents were paying for the road repairs from a betterment. She had requested clarification last August from Ms. Lafleur. It was her understanding that her taxes already went to road repair and she didn't feel like she should have to pay twice for the road. She was told the affected roads weren't going to be paved if they did not pay for it in the betterment. The Sewer Commission was trying to make this project affordable and most residents were still not on board. Ms. Kunz stated that she lives on an original road built in the 1960s that has not had anything done to it since. She asked "So we are going to pay for this road in our betterment and now additional taxes as well?" Ms. Kunz stated she felt like she has been double-crossed and is disappointed. It just is wrong for a small group of people to pay twice for the same thing. Mr. Toale stated her point is reasonable. This current pavement management plan was not known at the time those decisions were made. He agreed that this doesn't seem equitable and the Board would look into it. Ms. Lafleur stated she had asked the DPW Director to provide numbers on the paving cost in the project but he hasn't provided them yet. Ms. Kunz really hoped the Town could somehow figure out a way that the residents of this road don't have to pay twice as it is an undue burden on them. She thanked the Board. Mr. Alonzo wanted to clarify that when the residents of Rennie Street were initially told their road would not be paved, it was true. Clearly it is a different story now. The Board needs to look very hard at what mechanisms are available to correct this. Mr. Toale added the Board was committing to look further into this situation. Ms. Lafleur stated the betterments for the current sewer project haven't been finalized. The paving is going according to schedule. She added they are going to figure out the funding of it concurrently. The funding from the debt exclusion is available if it passes at the ballot the day after the election.

Mr. Toale asked for movement on the motion. Ms. Luck asked for clarification on the motion wording.

Ms. Bertram stated "To recommend approval of the debt exclusion article for annual town meeting and to include the question on the election ballot"

Vote: All in Favor

Ms. Lafleur stated Articles 1-6 are the reauthorization of revolving funds; the first is Ambulance Billing in the amount of \$65,000. The second is the Timber Rights revolving fund in the amount of \$10,000. The third fund is for Custodial Special Detail in the amount of \$13,000. The fourth fund is the Green Thumb Program in the amount of \$5,000. The fifth is the Library Revolving Fund in the amount of \$12,000. The sixth revolving fund is for MART Transportation in the amount of \$45,000.

Motion: P. Bertram

To recommend approval of Articles 1 through 6

2nd: T. Alonzo

Vote: All in Favor

Ms. Lafleur stated Article 7 is to hear and accept reports. Article 8 addresses prior fiscal year bills; there are none anticipated at this time, but she wanted to keep this on the warrant in case anything comes up between now and town meeting.

Motion: P. Bertram

To recommend approval of Article 7

2nd: T. Alonzo

Vote: All in Favor

Motion: T. Alonzo

That the Board give a recommendation on Article 8 at town meeting

2nd: P. Bertram

Vote: All in Favor

Ms. Lafleur stated Article 9 addresses any FY 2016 budget adjustments and she suggested the Board make a recommendation at town meeting.

Motion: R. Ebersole

That the Board give a recommendation on Article 9 at town meeting

2nd: T. Alonzo

Vote: All in Favor

Mr. Toale stated Article 10 authorizes \$10,000 for the market analysis of municipal buildings. He referred to a handout listing the scope of services. He believed the actual cost will be less than \$10,000.

Motion: R. Ebersole

2nd: P/ Bertram

To recommend approval of Article 10

Vote: All in Favor

Ms. Lafleur stated Article 11 is the collective bargaining agreement with the Firefighter's Union and the Board approved this at a prior meeting. Year 1 of this agreement is FY2015 and the cost associated with this is \$3,611.32. This will come out of the fiscal 2016 salary adjustment account.

Motion: T. Alonzo

2nd: P. Bertram

To recommend approval of Article 11

Vote: All in Favor

Ms. Lafleur stated Articles 12 and 13 are collective bargaining agreements with the DPW Union and Police Union respectively. There are no settlements at this point, so she suggested the Board make a recommendation at town meeting .

Motion:R. Ebersole

2nd: P. Bertram

To make recommendations for Articles 12 and 13 at town meeting

Vote: All in Favor

Ms. Lafleur reported Article 14 funds the Fiscal 2017 Capital Improvements Plan. The Board decided to wait until their next meeting to read the report before making any recommendations.

Article 15 addresses the FY2017 Operating Budget. She referred to a handout on what she will be presenting to the Finance Committee this Thursday at their FY17 budget public hearing. Ms. Lafleur is not looking for any action regarding the budget tonight. Ms. Lafleur reported the Montachusett Regional Vocational Technical School assessment came in higher than expected, producing a deficit of \$65,648. There is a significant increase in student enrollment. She will be proposing budget adjustments to remedy this. She added the Governor's budget for Chapter 70 funding came in much higher than originally estimated. The Governor's budget includes a 70% percent reduction in the Town's over-effort contribution toward foundation budget. Revenue adjustments assume the Governor's Chapter 70 funding level will hold. If Chapter 70 is reduced as a result of the State's final FY2017 budget, then there should be a corresponding reduction in the Lunenburg Public Schools FY17 appropriation.

Ms. Lafleur reported proposed expenditure reductions are \$5,000 for Legal Expenses. She did not expect that legal expenses would be as high as recently since many cases are almost at the point of ending. She also proposed a \$5,000 reduction in both Other Protection-Animal Control Officer Salary and Other Protection- Care and Custody line items.

Due to the increase in the Lunenburg Public School appropriation and the Monty Tech assessment, Ms. Lafleur is proposing a reduction of \$10,000 in DPW/Storm Water management projects and \$10,000 in Veteran's Benefits. She proposed reductions of \$5,000 in Unclassified, Unemployment Compensation and \$24,967 in Unclassified, Health Insurance. She reported she is reserving \$8,510 for Salary Reserve Fund transfers and reducing Retirement Buyback by \$11,000. She is also reducing the Overlay account by \$10,000 and changing the transfer to the Stabilization Fund to \$13,986.00. This is needed to maintain the 5% balance because the expenditures are going up overall. Total adjustments are \$293,700 with \$291,523 coming from increased State Aid.

Article 16 is a request from the Personnel Committee to consider a 2% Cost of Living Allowance (COLA) for all non-union employees. The estimated cost is \$14,000 and will come from the FY17 Salary Reserve account. The non-union employee's salary grid has not been adjusted for A cost of living allowance since 2012.

Motion: R. Ebersole

2nd: T. Alonzo

To recommend approval of Article 16

Vote: All in Favor

Ms. Lafleur reported Article 17 is the request to transfer to the Stabilization Account the amount to maintain the 5% balance. If the budget numbers don't change before town meeting, the amount will be \$99,851. This should be voted on at the same time the FY 2017 operating budget article is recommended. Article 18 is the FY 2017 Sewer Enterprise Fund budget in the amount of \$813,440.

Motion: R. Ebersole
To recommend approval of Article 18

2nd: P. Bertram
Vote: All in Favor

Ms. Lafleur requested the Board hold off on voting on Articles 19 and 20 until next week.

Article 21 requests to partially rescind the borrowing authorization for the MS/HS project in the amount of the bond premium that was received: \$48,402.09.

Motion: T. Alonzo
To recommend approval of Article 21

2nd: P. Bertram
Vote: All in Favor

Ms. Lafleur reported Article 22 is the local acceptance of statute to establish the Public Education and Government (PEG) Fund account. The proceeds of the cable license fees will be deposited into that account and PACC's budget will be funded from that account.

Motion: P. Bertram
To recommend approval of Article 22

2nd: T. Alonzo
Vote: All in Favor

Article 23 establishes the Public Access Cable Committee's (PACC) FY17 budget in the amount of \$74,031.

Motion: T. Alonzo
To recommend approval of Article 23

2nd: P. Bertram
Vote: All in Favor

Article 24 requests to transfer from the Sewer Enterprise Fund to Reserve Capacity Stabilization Fund under the jurisdiction of the Sewer Commission. The amount is \$8,433.70.

Motion: R. Ebersole
To recommend approval of Article 24

2nd: P. Bertram
Vote: All in Favor

Articles 25 and 26 request to transfer the custody of the Brooks House and T.C. Passios Elementary School from the School Committee to the Board of Selectmen respectively. She asked that the Board hold off until she finalizes the plan next week. She hopes to present the finances involved behind it and the lot plan needs to be determined.

Motion: R. Ebersole
To make recommendation at town meeting.

2nd: P. Bertram
Vote: All in Favor

Article 27 is a request to grant a permanent easement for 1134 Northfield Road. The Board granted a license a few months ago for the septic system installation.

Motion: P. Bertram
To recommend approval of Article 27

2nd: T. Alonzo
Vote: All in Favor

Article 28 (debt exclusion for pavement management plan) has been discussed earlier this evening. Further discussion ensued on the wording of the previous motion regarding Article 28 this evening.

Motion: R. Ebersole
To recommend approval of Article 28

2nd: P. Bertram
Vote: 4 in favor, 1 opposed

Article 29 is the citizen petition article to amend zoning at 1026 Northfield Road from "Recreational" to "Residence A" designation. It was approved earlier this evening.

Article 30 requests either the Board of Selectmen or the Parks Commission to negotiate a long term contract for a cell tower generally located at the existing school turf field and for the School Committee to grant an easement for utilities installation and maintenance. This is tied into funding for the existing turf field and Ms. Lafleur recommended the Board hold off on this article for now.

Ms. Lafleur would recommend the same for Article 31 (potential doppler radar tower).

Motion: R. Ebersole
To make a recommendation at town meeting on Article 31

2nd: T. Alonzo
Vote: All in Favor

Article 32 requests to amend the Comprehensive Wastewater Master Plan Phase IV report. The Board requested further information from the Sewer Commission on Articles 32, 33, and 40.

Ms. Lafleur stated the next four articles (34, 35, 36,37) were zoning bylaw amendments. Article 38 is being presented by the Agricultural Commission. A representative or the Land Use Director will be requested to appear to expand on the articles. The Planning Board already held the public hearing for the amendments. Ms. Bertram stated it would be helpful to know what is being changed versus getting the amended version. Mr. Alonzo agreed. It would be very helpful to see the tracked changes. Ms. Lafleur moved to Article 39 which is requesting borrowing authorization to replace the existing turf field. That will be presented in a subsequent meeting. This project would be funded through user fees.

Motion: R. Ebersole

To make recommendation at town meeting on Article 39

2nd: T. Alonzo

Further information on past user fees collected and where that funding went was requested.

Ms. Bertram requested the Parks Commission present on this article.

Vote: All in Favor

Article 41 is a request to amend the Architectural Preservation District Commission (APDC) bylaw and map. Mr. Ebersole stated when the Town voted in the bylaw there were dueling maps. The map that was approved by the Attorney General office was the Historic District Map. Land Use Director Burney has redefined the map and it reflects what was voted on originally. Technical changes on some wording are also needed.

Motion: P. Bertram

2nd: R.Ebersole

To recommend approval of Article 41

Vote: All in Favor

Article 42 grants temporary easements for the Summer Street construction project. Ms. Lafleur suggested making a recommendation at town meeting. She is meeting with those involved in the project on Friday.

Motion: R. Ebersole

2nd: P. Bertram

To make recommendation at town meeting on Article 42

Vote: All in Favor

Ms. Lafleur stated the warrant for submitting articles for town meeting is still open through this Thursday at 6:00 p.m.

Minutes/Warrants/Action File Issues

Minutes of March 8, 2016 were approved. An accounts payable warrant in the amount of \$474,548.91, a payroll warrant in the amount of \$688,065.30 and a deductions warrant in the amount of \$153,862.28 were presented for signatures.

Action File: Ms. Bertram requested that wetlands protection bylaw violations allegedly occurring at 101 Pleasant Street be added to their agenda. There are a number of abutters affected by this. In addition, there was work done on town land that may result in an enforcement order from the Conservation Commission to the Town. A site visit has been scheduled for April 2. Mr. Toale asked why this would not fall under the purview of the Conservation Commission. Ms. Bertram replied because some of the unpermitted work occurred on town land and it may become a legal issue. There may also be a safety issue as a gas pipeline was in the area. Mr. Ebersole asked if this was conservation land. Ms. Bertram replied no, it is town property under our jurisdiction. Ryan Stober, 275 Pleasant Street, stated he is not an abutter but he drives by there all the time. He first noticed three months ago that there was no Notice of Intent filed. The person who owns 101 Pleasant Street bought the land that abuts the Town land at auction, about 80 acres, and just started doing work behind Twin City Baptist Church. Then he moved his equipment through town land because that was the only way to gain access to Pleasant Street. The town land also abuts Mr. Stober's back yard. He walks his dogs back there and started noticing excavation marks and land being disturbed. This raised some alarms for him. He noticed there were no markings delineating wetland boundaries. That was when he called the Building Commissioner who told him the owner had a driveway permit. This owner has put in a road not a driveway. Mr. Stober talked to the developer on Saturday. He allegedly stated to Mr. Stober that it's his land and he can do what he wants to it. Mr. Stober stated it is a mess over there because of the rain; the developer is now trucking in fill. Why isn't there a

cease and desist order? Mr. Stober added if you check with Mike Sauvageau, the driveway plan is sketched on a bar napkin and he approved it.

Ms. Bertram stated there is a forestry management plan for this property. Under the plan, they are exempt from the Wetlands Protection Act. The Conservation Commission contacted the forester because one of the issues is whether the commission has legal access to the property. Because the front of the property is not accessible from Pleasant Street, the forestry management plan was removed from that section of the property. There are wetlands violations on that section of the property. The commission did send a violation notice and then issued an enforcement order. They asked him to appear and he failed to appear twice. They are now fining the owner \$100 per day for being in violation. He appeared at the hearing on Wednesday night, became very volatile and was asked to leave the meeting. There is another meeting set up for April 6 with the Conservation Commission. One of the abutters is questioning why the town has not issued a cease and desist because it is town property and why the driveway permit has not been revoked. Mr. Stober stated he is still out there. This will be a future agenda item.

Committee Reports:

Continuing with Conservation Commission, Ms. Bertram reported resident Greg Bittner expressed concern to her that the abutters to 101 Pleasant Street have been denied their due process under local bylaws. There were a number of other abutters present at the hearing that made the same complaint. There have been site visits on that land. An engineering firm, Whitman and Bingham, has been engaged to address the violation. They reported that straw wattles and siltation control devices have been placed. They are working on a plan delineating the wetlands area. A Notice of Intent on the property was expected to be filed today. Fines would stop pending the hearing if the NOI was filed. The hearing is scheduled for April 6th at which time a remediation plan will be presented.

The Conservation Commission also approved a Notice of Intent for an addition to a single family home at 575 Reservoir Road. Another hearing for repair to an existing stone wall at 163 Hemlock Drive was continued to another time. There was a Request for Determination of Applicability for construction of a 24' by 24' barn at 40 Page Street. That was approved. The hearing on Unitil was continued at request of the applicant. The High Field Village off 961 Northfield Road public hearing was continued to the first meeting of May. The Planning Board and MPO have not met.

Ms. Luck reported the School Committee met on March 16th. They had a first reading of a policy on Community Relations; on the community use of school facilities. The policy is posted on the school website and the School Committee welcomes residents' comments. The ZBA is meeting on March 23rd to hear the petition of Douglas Jackson, 93 Lancaster Road, Shirley, who has petitioned for a special permit for a single family home at 436 Massachusetts Avenue, which is currently zoned as commercial. The Storm Water Task Force will meet on March 24th. They will be discussing whether to join the Central Massachusetts Regional Storm Water Coalition. The coalition has received a \$50,000 grant from the Department of Environmental Protection. They will be hiring a consultant and providing 8 -10 MS4 implementation workshops. They will also be producing stand-alone short form and long form videos on MS4 topics, produce public awareness tools and outreach products. Ms. Luck is still waiting what would be required of membership roles and responsibilities from them. She should have the information before the task force meets and she will be bringing more information back to the Board.

Mr. Alonzo reported the Cable Advisory Committee met last night and reviewed the majority of the cable survey results and the first draft of the PACC business plan. He stated for those who have stated in the surveys that they wish Verizon would come to Lunenburg, it is not due to any exclusivity on the part of the Board of Selectmen for Comcast, but that Verizon does not believe there is any market in Lunenburg.

School Building Committee meets Wednesday and will review recommendations from Superintendent Calmes to remove the consideration of a new turf field and parking area. If those two go through, there will only be three items left in the contingency to consider. They would be the maintenance garage, the digital sign for the front of the school and the air cooling units. The total of all those three is around \$700,000. The Finance Committee is holding their public hearing on the FY17 budget this Thursday at 7:00 p.m.; it will be televised.

Mr. Ebersole reported the Library is receiving grant funding via the Green Community Task Force for replacement of their interior lighting with LED lighting. The Flemings reviewed the Library Trust Funds and researched what they are able to use them for. They are looking at purchasing special books and other items. They are continuing to update their policies.

Mr. Toale had no reports this evening. Mr. Lafleur had no further reports this evening.

The appointment of Animal Inspector was postponed until another meeting.

Mr. Toale reported their next meeting on April 5th conflicts with the Kinder Morgan pipeline public hearing at the Lunenburg High School at 7:00 p.m. It was decided to meet at 5:30 p.m.

Public Comment: none

Motion: P. Bertram
To adjourn the meeting at 10:15 p.m.

2nd: T. Alonzo
Vote: All in Favor

Respectfully submitted,


Elaine M. Peterson

Executive Assistant to the Town Manager