

**BOARD OF SELECTMEN
MINUTES**

**Joseph F. Bilotta Meeting Room, Town Hall
April 19, 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:

Mr. Toale announced a joint public announcement from Unitil and MassSave that stated residential electric customers of Unitil in Lunenburg are eligible to receive \$30 for recycling an old, working residential (30-70 pint) dehumidifier. This will take place at Devens Regional HHW Center, 9 Cook Street, Devens, on May 7th from 8:00 a.m. to 12:00 p.m.

Mr. Toale announced the Lunenburg Lions Club will be holding a pancake breakfast on Sunday, May 29th from 7:00 to 10:30 a.m. at Eagle House Senior Center with a suggested donation of \$5/adults, \$3/children with a cap of \$20 per family. He also announced plans for a Memorial Day ceremony in Veteran's Park are underway. Anyone interested in helping out for this event are welcome to contact the Selectmen's office.

Ms. Luck announced the Massachusetts Department of Revenue tax amnesty program began on April 1st and will run through May 31st. The opportunity to catch up on back taxes and avoid penalties is available to both individuals and businesses. The goal of the tax amnesty program is to bring those taxpayers who have failed to file returns or have underreported their taxes into compliance. Ms. Luck announced rain barrels and compost bins are for sale at the DPW between 8 a.m. to 2 p.m. Monday through Friday. Payments can be made with cash or check. Compost bins are \$43 and rain barrels are \$56.

Mr. Alonzo announced the local Montachusett Chapter of the Salvation Army Corps is holding a 2016 benefit auction on Saturday, April 30th from 10:00 a.m. to 2:00 p.m. It will be televised on FATV and LTV and streamed live on the Internet at www.redkettleauction.com. You can phone in bids at 978-343-0834. All kinds of gift certificates, food packages, golf packages, jewelry etc. are up for bidding. You need to preregister at the website to get a bidding number before participating.

Mr. Ebersole read from the Town Charter, "The Board of Selectmen shall serve as the chief policy-making agency of the town. The BOS shall be responsible for the formulation and promulgation of policy directives and guidelines to be followed by all town agencies serving under it and in conjunction with elected multiple member bodies, to develop and promulgate policy guidelines designed to coordinate the operation of all town agencies." He stated he brought this up because he has heard from several people about what the Selectmen are doing. One question was why were we acting as liaisons on various committees. This is part of the reason, so there is communication. We now have a Town Manager who is responsible for those departments and reports to us regularly. In the past, the Selectmen were responsible for communicating with town departments such as the fire and police departments. Therefore we are trying to step up to the higher level policy making process. He also heard a comment about the Selectmen trying to take over various committees and trying to run the town in places they shouldn't. We are charged with trying to make sure we coordinate things for policy development.

Debbie and Pete Lincoln, 46 Hemlock Drive, updated the Board on the Uptown Stroll event occurring on Saturday, May 21st from 10 a.m. to 3 p.m. It involves four public buildings in the center to which you will be issued a "Stroll Passport," which if you get it checked off at each of the buildings, you will be entered into a raffle at the end of the day. We hope to hold it at the lower common with some music hopefully from the High School. The raffle is for a gift basket donated by Eagle House Supporters that will contain 10 gift certificates from area businesses. The Lions Club will be holding a tollbooth fundraiser that day so there will be a lot of people in the center. Elena's Gourmet Grocery, Zeda's and Lunenburg Gifts & Flowers are holding Stroll specials. The library will be open an extra hour that day. The Historical Society will be hosting how to build a butterfly feeder event as well as other events. Firefly's BBQ will be serving food. Chris Letarte will be doing chainsaw sculpting. The Farmers' Market will be open that day. The Lions Club will be selling hamburgers, cheeseburgers and hot dogs at Eagle House. Eagle House Supporters will be selling snacks and desserts. Inside there will be vendors and agencies offering various services. Sheriff Lew Evangelidis will have his mobile unit available for retinal screenings. The Teen Center will be selling maps to the town wide yard sale. There will be face painting and a number of giveaways. Mr. Lincoln has spoken to Police Chief Marino and an officer will be available for street crossing. Police canine officer, Jerry, will be around too. The Fire Department will have a pumper for viewing. The event has a Facebook page, items are posted daily, under Lunenburg Uptown Stroll. Mr. Lincoln encouraged everyone to please come out and vote on Election Day and then come stroll uptown. Mr. Alonzo thanked the Lincolns for doing such a great job and bringing their enthusiasm here tonight.

Mark Bursch, newly appointed Chairman of the Lunenburg Water Commission, requested to be on the May 3rd agenda to discuss the article that proposes bringing the Water District under the Town.

APPOINTMENTS:

Sewer Commission ATM Articles

Carl Luck, Chairman, presented for the Sewer Commission. He recognized the work of the Sewer Commissioners, Business Manager Barb Lefebvre, DPW Director Jack Rodriquenz, Small Water Systems Service (systems operator and maintenance contractor), Weston and Sampson (primary engineering consultants) and the firm of Wright & Pierce (betterment project engineering/special projects). Mr. Luck stated there was a vacancy on the Sewer Commission.

He referred to their Mission:

- Provide sewer service to areas of need as identified in the 2010 Comprehensive Wastewater Management Plan (CWMP)
- With approval at Town Meeting, update the CWMP as conditions and needs change
- Assist residents in expanding the sewer system through Betterments or Private Extensions consistent with the CWMP
- Define and implement regulations, policies, procedures consistent with Lunenburg's needs and State Law
- Oversee the Management and Operations of the Lunenburg Sewer System and Enterprise Fund to assure reliable and cost-effective operations with no direct impact to the Lunenburg Town Budget
- Work with the Lunenburg BOS and our neighboring cities, Leominster and Fitchburg, to secure and maintain Inter-Municipal Agreements (IMA) for wastewater disposal that are fair, reasonable and meet the needs of the community

Article 21 requests to create an Inflow/Infiltration Stabilization Fund and to raise and appropriate the sum of \$14,520 into the fund.

- As a flow down requirement of our IMA with Leominster, we initiated a fee to be charged at the time of connection to the sewer system to fund efforts to reduce the amount of "clean" water entering the system
- The fee is \$2.00 per gallon (based on Title V flows)
- As I/I reduction is an important issue from both a cost and environmental point of view, we have been aggressively pursuing efforts (~\$30,000/year)

- In prior years we have spent more on this activity than has been collected in any one year through these fees
- As such, no money needed to be carried over so a stabilization account was not needed
- This year, due to the timing of our manhole inspection project and a successful grant application for \$30,000, is it unlikely that we will be able to spend all of this year's allocation, therefore the need to now establish an I/I Stabilization Fund currently estimated at \$14,520
- It is fully expected that the funds will be fully used in 2017 plus additional funding allocated in the FY 17 Budget Proposal (\$30,000)

Ms. Bertram asked if they expect to fully expend the funds in 2017 or always have a balance in that account. Mr. Luck stated he didn't know; it depends on the timing and what is collected. She questioned the term stabilization fund and asked if it should be a revolving fund. Ms. Lafleur stated it could be designated as a stabilization account but reminded that a 2/3rd majority vote at town meeting is required to take funding out of it. Mr. Luck stated they would probably come to fall town meeting to request to expend the funds. Ms. Bertram noted that we don't always have a fall town meeting. Ms. Lafleur stated she expected to have a fall town meeting. Further discussion about revolving versus stabilization funds ensued. Mr. Luck stated at this time the stabilization fund is the way they will be proceeding.

Motion: R. Ebersole

To recommend approval of Article 21

**2nd: P. Bertram
Vote: All in Favor**

Article 22 requests to transfer available funds into a Reserve Capacity Stabilization Fund.

- This Stabilization Fund was set up several years ago to assure that fees charged to support future capacity needs costs like those required in Fitchburg IMA, are kept separate and accountable for this use only
- These fees, due at connection, are only charged to units that have not been previously Bettered as their capacity has been reserved via prior IMA agreements
- When Fitchburg completes the work that includes the John Fitch Highway upgrade, we will start paying part of this debt service as part of the recent IMA with these funds
- We know from growth projections that we will exceed the capacity limit we now have with Leominster before 2036 and it is highly likely that new capacity will come at additional cost
- Currently we project that we will collect \$8,433 in these fees in FY'16 but the final number will be determined at Town Meeting.

Motion: P. Bertram

To recommend approval of Article 22

**2nd: T. Alonzo
Vote: All in Favor**

Article 35 requests to update the Comprehensive Wastewater Management Plan.

- Original CWMP was finalized and released in 2010 and approved at Town Meeting
- Any changes to the plan require approval at Town Meeting including areas to potentially be sewerred, Sewer Service Area (SSA)
- To date only minor changes to SSA have been proposed and accepted
- Serves as roadmap for all Sewer Commission decisions and actions
- Key Aspects of Plan
- Established methodology to define needs areas resulting in identification and approval of Sewer Service Area (SSA)
- Provides options for providing service with recommended implementation strategies and costs, including where to send wastewater for treatment and disposal, Leominster or Fitchburg
- Provides 20 year look ahead for sewer needs based on growth

CWMP: Areas of Proposed Change

- Modify infrastructure plan to send all or designated Needs Areas wastewater to Leominster
- Redirects flow from area 4 (Lower Mass Ave.) and 10F (Mass Ave./ Beal St.) from Fitchburg to Leominster
- Reduced operating costs due to current rate difference between Leominster and Fitchburg (60%)

- Reduced additional capacity capital costs with Fitchburg to fund John Fitch upgrade
- Consistent with new IMA with Fitchburg
- Revised plan does not exceed 2013 IMA capacity to Fitchburg or 151,000 gallons/day through 2036
-

CWMP: Revised New Extension Cost Estimates

- Cost estimates in current plan are over 6 year old
- Cost models have been updated to reflect current estimating parameters and recent actual quotes for ongoing Betterments, as well as other projects that Wright Pierce is aware of
- New costs are significantly higher with betterment projections in excess of \$35,000 before other resident costs that could range from \$11,000 to \$16,000 or more for unique situations
- All estimates now also assume full pavement overlay within betterment
- Depending on actual usage of allocated Fitchburg capacity per IMA and cost/ability to purchase additional capacity from Fitchburg, a major line upgrade of several million dollars might be required to sewer area 4, Lower Mass Ave.
- Sewer Commission to meet with Wright Pierce next week to better understand cost estimates before approval of updates

CWMP: Updated Project Cost Estimates

PROJECT DESIGNATION	CAPITAL COST ¹	TOTAL PRESENT WORTH COST	PARCEL UNITS	BETTERMENT (COST/UNIT)
Project A (Areas 6 & 9)	\$10,618,000	\$13,584,000	318	\$34,000
Project B (Area 4)	\$10,581,000	\$12,164,000	-	-
New Sewer Users	\$7,317,000	-	110	\$67,000
Sewer/PS replacement	\$3,264,000	-	-	-
Project C (Areas 10, 12 & 15)	\$13,587,000	\$16,503,000	285	\$48,000
Project D	\$6,672,000	\$7,582,000	28	-

¹ Costs were completed in February 2016 at an ENR of 10181

CWMP: Other Changes of Note

- Updated to reflect current policy for homeowners to be responsible for ownership, construction and maintenance of low pressure pump systems on their property
- Inflow and infiltration estimates updated
- Based on engineering work and measurements done in last 4 years, new estimates have been included
- Peak I/I flows exceed DEP guidelines in 5 of the 6 sewer areas, hence the focus on I/I reduction and the I/I fee
- Updated 20 year capacity projections through 2036
- Took into account all ongoing and projected new development from Planning Board
- Assumes all sewer service areas are on line and built out
- Used updated University of Massachusetts Donahue Institute Model with 5% growth verses prior model of 16% growth

- Projected Capacity needs do not exceed current IMA agreements with Fitchburg
- Total projection in 2036 would require additional capacity from Leominster (796,000 gal./day vs 500,000 available today)

CWMP Recommendations

- The updated CWMP is currently in review by the Sewer Commission
- There will be an open hearing next Tuesday with Wright Pierce where all questions both by Sewer Commission and public will be discussed
- At the end of this hearing, the Commission will deliberate and vote as to recommendation approval at Town Meeting or to pass over this article
- We therefore would not expect the BOS to make a recommendation on this article this evening

Motion: R. Ebersole

To make a recommendation at Town Meeting on Article 35

2nd: T. Alonzo

Vote: All in Favor

Article 36 requests to amend Article XXIV of the Town Bylaws, entitled “Sewer Bylaw” by adding Section 9.0, “Regulation Changes.”

- Regulations can have significant impact on residents and business establishments and currently can happen at any posted open meeting with only a majority vote of the Commission
- This is the case with most town boards/commissions
- This potential issue, and direction, was first identified by the Conservation Commission Chairman as their regulations can have a big impact on residents’ ability to fully utilize their property or the value of it
- Improve public awareness of and participation in regulation change process
- Better notification via two separate notices in local paper
- Five versus two working day notice of public meeting/hearings
- Make part of bylaw so that changes to the regulation change process would need to come before and be approved by Town Meeting vote

Regulation Change Process

- Sewer Commission drafts change proposal during regular open meetings
- Schedule a hearing to be held over two televised meetings
- Advertise hearings in local paper at least 5 working days in advance
- Send notices of hearings directly to current grease trap users to encourage participation and input (not required but good practice when change effects specific users like grease traps)
- After hearing is closed, deliberate and draft final regulation
- Approve changes and publish notice of change in local paper
- New regulation takes effect at the time of publication

UPDATE TO SEWER BYLAW ARTICLE:

- To see if the Town will vote to amend Article XXIV of the Town Bylaws, entitled “Sewer Bylaw,” by adding the following
- Section 9.0 “Regulation Changes”
- “The Sewer Commission will establish a draft of proposed changes during regular, properly posted open meetings. Once there is consensus on the proposed changes, a formal hearing will be scheduled and will take place over 2 regularly scheduled meetings. Both hearings will be televised. A notice of the hearing will be put in a local newspaper at least 5 business days prior to the hearing dates. At the discretion of the Sewer Commission, the hearing may be continued to the next consecutive open, regularly scheduled meeting. Once the hearing is closed, the final changes will be drafted and voted on. The proposed and approved changes will be posted on the Commission’s Town website.”

Mr. Ebersole stated he supports this article. He thought this ought to be eventually adopted by all boards that adopt regulations.

Motion: R. Ebersole

2nd: P. Bertram

To make a recommendation at Town Meeting on Article 36

Vote: All in Favor

Mr. Luck thanked the Board, DPW, Barb Lefebvre and the public before exiting the podium.

The next article presentation was Article 43- to amend General Wetlands Protection Bylaw XXI. Conservation Commission Chairman Richard Bursch came forward. He stated under Section 2. Jurisdiction, they are looking to add the following sentence:

“Lands within 100 feet of aforesaid resource areas and within 200 feet of rivers or perennial streams located within the corporate boundary of Lunenburg shall be protected regardless of the location of the wetland with respect to municipal corporate boundary. “Right now the bylaw does not have jurisdiction if the wetland itself is over the town boundary but the buffer zone extends into Lunenburg. This would allow us to apply our bylaw to buffer zones in Lunenburg. This was on recommendation of our conservation agent, Matt Marro.

The next change is Section 5. Notice of Hearings; we are looking to add “certificate of mail,” that would pertain to notices to abutters. Right now our bylaw only allows written notice by certified/ return receipt mail or hand delivery and that is expensive. The state does now recognize certificate of mail which makes it more economical. Another change in this section is as follows in bolded italic, “The Commission shall have authority to continue the hearing, *with the applicant’s consent written or granted verbally on the record during the course of the public hearing or meeting*, to a certain date announced at the hearing, for reasons stated at the hearing, which may include receipt of additional information from the applicant or others deemed necessary by the Commission in its discretion, or comments and recommendations of boards and officials listed in Section 6. Mr. Bursch stated the commission cannot continue a hearing without an applicant’s consent. The commission is also changing RFD (request for determination) to RDA (request for determination of applicability).

The next change is under SECTION 7: PERMITS AND CONDITIONS; (CHANGE TO PARAGRAPH 6) A permit shall expire three years from the date of issuance. Notwithstanding the above, the Commission in its discretion may issue a permit expiring five years from the date of issuance for recurring or continuous maintenance work, provided that annual notification of time and location of work is given to the Commission. (ADD) *The Commission may extend a permit or a previous extension for an additional period of no greater than three years per extension.*

This is to realign with state regulations. A question on the line after the italicized section arose; if it was being deleted. Mr. Bursch confirmed it was. The phrase “any permit may be renewed once for an additional one year period,” should have been deleted but was not.

SECTION 8. REGULATIONS~ After public notice and public hearing, the Commission shall promulgate rules and regulations to effectuate the purposes of this bylaw. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this bylaw.

At a minimum these regulations shall define key terms in this bylaw not inconsistent with the bylaw and procedures governing the amount and filing of fees. (ADD THE FOLLOWING PARAGRAPH) *The Conservation Commission will establish a draft of proposed changes during regular, properly posted open meetings. Once there is consensus on the proposed changes, a formal hearing will be scheduled and will take place over 2 regularly scheduled meetings. Both hearings will be televised. A notice of the hearings will be put in a local newspaper at least 10 business days prior to the hearing dates. At the discretion of the Conservation Commission, the hearing may be continued to the next consecutive open, regularly scheduled meeting. Once the hearing is closed, the final changes will be drafted and voted on. The proposed and approved changes will be posted on the Commission’s Town website.*

Mr. Bursch stated they were going to amend 10 business days to 5 business days on the town meeting floor.

Motion: R. Ebersole
To recommend approval of Article 43 as presented

2nd: P. Bertram
Vote: All in Favor

Mr. Bursch wanted the Board to be aware that there is state statute independent of different permissions for regulation updates. He thanked the Board.

Land Use Director Adam Burney presented for the Planning Board ATM articles.

Article 37 and 38 are simple word changes. Article 37 amends the Table of Contents by deleting the words "Development Plan Review" and inserting the words "Site Plan Approval".

Article 38 corrects the number of districts in Section 3.0, Establishment of Districts (3.1 Types of Districts), by deleting the word fourteen (14) and inserting the word fifteen (15).

Article 39 amends the Zoning Bylaw, Section 6.0, General Provisions Affecting All Districts, by deleting Sections 6.1.2 Design of Off Street Parking and Loading Spaces and 6.4.3 Design Requirements and adding a new Section 6.4.3 Off Street Parking Design Standards.

Discussion about #7, Surfacing and drainage ensued. Ms. Bertram believed recommending concrete or asphalt was detrimental to best practices of storm water runoff prevention. She believed this goes against what is the preferred practice. Mr. Burney stated the aim was for a durable, dustless material; packed gravel could be used or anything that is permeable and inhibits materials from washing into the roads.

Ms. Bertram questioned the prohibition of parking in the front yard. What if someone is holding a party? Mr. Burney stated this is to protect oil and gas runoff to existing wells and is addressed to long term parking in the front yard. Mr. Ebersole had a concern with the requirement of the entire length of the driveway having to have a durable, dustless, all-weather surface. He stated to replace an existing long driveway would be very expensive. He wanted to see the comparison of what the town had for parking requirements now compared to this proposal. Ms. Bertram also did not agree with the requirement. Mr. Ebersole also did not agree with screening for driveways. Mr. Burney believed the intent was for commercial driveways and lots. He will take that back and clarify with the Planning Board.

Motion: R. Ebersole
To make recommendation on Article 39 at Town Meeting

2nd: P. Bertram
Vote: All in Favor

Article 40 amends the Zoning Bylaw, Section 8.4, Development Plan Review, by deleting the entirety of the existing wording and inserting a new Section 8.4 Site Plan Approval. Mr. Burney stated the Planning Board is using a special permit model for the procedure. They used similar criteria to what they have now with a couple of additions for the use that applies. They added design principles and outlined what the review criteria are under 8.4.5 Standards for Site Plan Review. The Board is currently working to revise development plan review rules and regulations. They are reviewing the second draft and are close to final detail. Most of what is in here are things that are discussed and reviewed currently without being written down anywhere.

Mr. Ebersole commented about 8.4.2.1 Projects Requiring Site Plan Review (f) Any change of use within an existing building or site. He stated it seemed very broad to him. Mr. Burney stated the Board did include a waiver revision as far as filing goes. There are going to be instances where the Planning Board is seeing projects and where there is no need for site plan review. He cited a recent application from WalMart to place an outdoor sales display. All they did was place racks outside to hang plants, hoses, sprinklers, etc. There was no physical change yet they had to go through the special permit process. There was no provision for them to get out of the application process. Mr. Ebersole asked if by changing the use are you going to have to comply with these requirements. Mr. Burney stated if there is no change to preexisting conditions, then no.

Motion: R. Ebersole
To make recommendation on Article 40 at Town Meeting

2nd: P. Bertram
Vote: All in Favor

Motion; R. Ebersole
To recommend approval of Article 37 and 38

2nd: T. Alonzo
Vote: All in Favor

The Board moved on to Article 41. Agricultural Commission Chairman Jeff Mendoza stated the commission was looking at what they believe will improve and diversify some of the economic opportunities as Agriculture becomes more “micro. “ The commission wants to make amendments to bring the Lunenburg Protective Bylaw in conformity with the state.

Article 41 amends the following Town of Lunenburg Protective Bylaw sections as follows (changes are **bolded italic**): Under Section 2.0 DEFINITIONS, **2.1.1.16 Farming and Agriculture**

a) Farm: A parcel of land **as defined by M.G.L. Ch. 40A § 3**, used for **commercial production** of agricultural products, livestock, **(including the keeping of horses)**, poultry, dairy products, viticulture, horticulture and floriculture. It includes necessary farm structures and the storage of equipment used.

Mr. Ebersole asked what the current requirements are under zoning regarding keeping horses. Commissioner Renee Trakimas reported right now we are under “stable” designation which requires 5 acres. The state now requires only 2 acres for a horse farm. Ms. Bertram asked about the commercial production aspect of horses. Ms. Trakimas stated horse riding lesson programs, stabling, equine recreation, breeding, summer camps, 4H programs and pleasure riding.

Mr. Mendoza stated the intent was if someone decides to have farm classification they are actually generating an income there. Mr. Ebersole stated he wasn’t sure the wording “keeping of horses” included everything they had just stated.

b) Agriculture: Farming as defined by M.G.L. 128 Ch. §1A and Under Section 4.0 USE REGULATIONS, Remove entire wording in 4.1.3 b) and replace with **4.1.3. b) Farming as defined in Section 2.0 Definitions, 2.1.1.16 Farming and Agriculture** and Under Section 5.0 DIMENSIONAL REGULATIONS, 5.1.2.1. Lot Area, Width, Shape and Frontage, remove the following entire section:

(e) In case of a farm exempted from the provisions of the zoning by Statute, the minimum lot area, width and frontage requirements shall be in addition to the five acres as required under Massachusetts General Law Chapter 40A, Section 3 and Chapter 61A. (Submitted by Agricultural Commission)

Discussion ensued about the format of the article. A suggestion was made to present the original version and the amended version at town meeting so as not to confuse the voters. Another suggestion was made to strike “the keeping of horse” and define it elsewhere in the bylaw. Mr. Ebersole asked if Town Counsel would know whether state law classifying a 2 acre parcel as a farm would supersede the town bylaw classification of five acres. Ms. Bertram was concerned about the number of animals that could be allowed on two acres. Ms. Trakimas stated there is no limit on the number of animals currently. Mr. Mendoza stated the Board of Health would regulate that aspect. Mr. Ebersole stated reading the bylaw you have to have the minimum lot size for the building plus the five acres for the farm. He stated by removing section e, the commission was altering the zoning requirements for a farm. Mr. Mendoza stated the Planning Board liaison had advised them that the section was unclear and redundant. He added the last section was tax code referring to Chapter 61A. He added the reason the state change to the smaller acreage was because of the increase of micro-farming ventures in the state. Further discussion occurred on the number of animals per acre. Mr. Burney stated livestock is regulated through the state via annual barn/farm inspections performed by the Animal Inspector. There are housing, feed and space requirements. It is not a zoning issue. Filing is done through the MA Department of Agriculture.

Motion: R. Ebersole

2nd: P. Bertram

To make recommendation on Article 41 at Town Meeting

Vote: All in Favor

INTERVIEWS/APPOINTMENTS/ RE-APPOINTMENTS/ RESIGNATIONS

Architectural Preservation District Commission—Matthew Kehrer, 311 Pleasant Street, presented to request to be appointed to the commission. Mr. Kehrer stated he just moved to town last fall. He is a construction superintendent with historical renovation experience. He wanted to get involved. The Board thanked him for coming forward. Mr. Toale stated Mr. Kehrer qualifies for the last vacant seat; the term expires June 30, 2019.

Motion: R. Ebersole

2nd: P. Bertram

To appoint Matthew Kehrer to the APDC with term to expire June 30, 2019

Vote: All in Favor

Mr. Toale recognized Greg Bittner, 129 Pleasant Street, who has applied to be appointed to the Green Community Task Force. Mr. Bittner stated he was elected to the Planning Board a year ago and is their liaison to the Green Community Task Force. He has been attending their meetings and they have had difficulty in getting quorums. He felt his participation is needed so they can use the grant funds to do good things for the town. He is looking forward to helping them fulfill their goals.

Motion: P. Bertram

To appoint Greg Bittner to the Green Community Task Force

2nd: T. Alonzo
Vote: All in Favor

Animal Inspector Nomination

Ms. Lafluer reported that on an annual basis the Massachusetts Department of Agricultural Resources (MDAR) requests the Board to nominate for state approval an Animal Inspector for the town. Two main duties of the Animal Inspector are 1) to perform barn inspections in town and 2) to deal with rabies control issues. She did verify with MDAR that all reports of the Animal Inspector are up to date and in good standing. Ms. Lafluer reported Ms. Comeau who also serves as the Animal Control Officer for Lunenburg, has informed her that she intends to retire from the ACO position at the end of this fiscal year. She will stay on until the Town finds a replacement. She is interested in continuing to provide animal shelter and quarantine services to the Town on a contract basis and remaining the Animal Inspector.

Motion: T. Alonzo

That the Board approve Town Manager's recommendation to nominate Kathleen Comeau as Animal Inspector

2nd: P. Luck

Discussion: Mr. Ebersole stated he would be voting against this. He was contacted by two farms who stated the barn inspections were done by telephone and not in person. If she is approved, he hoped there would be some discussion about how that is handled in the future. Ms. Bertram stated this was concerning to her and she hoped the Town Manager would have a conversation with the Animal Inspector. Ms. Lafluer stated she did contact the state and was told the inspections were done in accordance with their requirements. If she could have the name of the complainants she would be happy to follow up with them directly. Mr. Ebersole stated he could not do that because they are afraid of reprisal. Ms. Lafluer stated then all she could do is contact the agency that oversees the Animal Inspector's work. Mr. Ebersole stated Ms. Lafluer could discuss with the Animal Inspector the dates that she actually went out to inspect. Ms. Bertram agreed with that but added perhaps understanding the process of how the barn inspections take place would be helpful to the Board. Based on the fact that the barn book was submitted to the state and Town Manager's recommendation, she did not have a problem with the nomination. Mr. Alonzo asked if state law requires the barn inspections, but we can't see them because they are not public documents, how do we know the person in this position is doing the job? Ms. Lafluer stated she would follow up and find out how the inspections are conducted. Mr. Toale asked if the group wanted to go forward with the motion. Ms. Luck believed the Board should hold off. Mr. Alonzo stated if people aren't willing to make a formal complaint, by definition, it is hearsay. He didn't want to hold up a nomination due to that. Ms. Bertram agreed but stated going forward the Board needs to know the process and criteria. Mr. Ebersole stated we need to do the same for kennel inspections when we get to the Animal Control Officer process. Similar situations have happened with that one.

Vote: 3 in favor, 2 against

CURRENT BUSINESS

1. Teacher, School Nurse and Bus Driver Appreciation Days

Mr. Toale read aloud each of the resolutions.

The first was for Teacher Appreciation week; May 2- 6, 2016.

Motion: P. Bertram

To authorize the Chair to sign the resolution recognizing Teacher Appreciation Week May 2- 6, 2016

2nd: T. Alonzo

Vote: All in Favor

The second was for School Bus Driver Appreciation Day; May 2, 2016.

Motion: T. Alonzo

To adopt the resolution honoring the school bus drivers of the district and authorize the Chair to sign

2nd: P. Luck

Vote: All in Favor

The final resolution was for School Nurse Appreciation Day; May 11, 2016.

Motion: T. Alonzo

2nd: P. Bertram

To adopt the resolution honoring School Nurses and authorize the Chair to sign the resolution

Vote: All in Favor

Mr. Toale expressed congratulations to all the hard working teachers, school nurses and bus drivers.

Minutes/ Warrants/ Action File Issues

Minutes of March 22, 2016 were approved.

The Board signed an accounts payable (school construction) warrant in the amount of \$1,215,739.87; an accounts payable warrant in the amount of \$104,606.27; a payroll warrant in the amount of \$683,012.49 and a deductions warrant in the amount of \$160,197.23.

Committee Reports:

Mr. Ebersole reported the Sewer Commission is holding a public hearing on the 26th for grease trap regulation changes, sewer bylaw regulation changes and the Comprehensive Wastewater Management Plan update.

Mr. Alonzo reported the next Cable Advisory meeting will be in June. School Building Committee met last week to go over the latest overview of the school construction. Everything is proceeding right on time.

Ms. Bertram received an email from Brad Harris of MRPC stating MASSDOT wanted to push the Summer Street construction project off until 2018. There are concerns about rights of way (temporary and permanent easements) on Summer Street. The MPO meeting is tomorrow and she is sure one of the items will be the start of the review of the Transportation Improvement Program (TIP). There could be a lively conversation concerning Summer Street. Any information she can get prior to the meeting would be helpful. Ms. Lafleur reported the town was right on track on its timetable. What was concerning to her was the inference that the town was not meeting their timetables, which is not true. Town meeting has an article to give the Board permission to acquire the easements. If approved, the town will go forward in the process of acquiring the easements. We can't do that until the environmental review of the project is completed. That should be completed over the summer. An appraisal will be required and the appraiser needs to have the environmental review results to do it. Ms. Bertram stated she would attempt to keep the project in the 2017 TIP. She added if Ms. Lafleur, DPW Director Rodriquenz and the project engineer could attend that meeting also, it would be helpful.

Ms. Luck reported School Committee will meet tomorrow night. Zoning Board of Appeals will meet the 27th. MART Advisory met this morning. Ms. Lafleur and Ms. Luck both attended. The Board approved a 2% increase in salary. Their pay had been frozen for two years. They authorized a new retirement plan for employees which is subject to annual review and adjustments. There was a vote to accept an ambubus. It is to be used for transporting injured people in times of emergency. There are several that the state is distributing to each district and they can be used for emergency situation drills. It will cost under \$10,000 per year for maintenance and housing. It was voted affirmatively to authorize that. Another item was that towns are going to have to insure their COA MART vans starting in 2017, but there is opportunity for reimbursement from MART.

The Storm Water Task Force has met twice since her last report. Sara Cammer and Ms. Luck met with Jane Pierce, Mass DEP 319 Program Coordinator. Ms. Luck attended a Proposals for Cleaner Water grant writing workshop sponsored by DEP. Matt Allison, Adam Burney and Ms. Luck visited Leominster to look at their stormwater remedies and other work around storm water. Leominster provided them a copy of their stormwater and erosion control regulations. The Storm Water Task Force is planning a small community clean up day for May 14th. They are planning to bring a rain barrel and compost bin to town meeting so people can see them. They voted to join the Massachusetts Watershed Coalition as a river protector. The membership fee is \$100. They also voted to join the Central Mass Storm Water Coalition. They will bring their request to join this on May 10th. Their next meeting is April 28th.

Town Manager Report

Ms. Lafleur directed the Board to the 3rd Quarter Financial Report prepared by Finance Director Karen Brochu. Revenues collected to date are 77.10% of FY16 estimates; \$26,773,495.73. Local receipts collected are at 91.50% of the FY16 estimates. Several categories are running over target; motor vehicle excise tax, local option meals tax (68.30%) and investment income. All estimates are at or above target with the exception of Licenses and Permits. This should pick up with building projects beginning. The other area of concern is the Meadow Woods water betterment; to date nothing has been received. There is a potential sale of that property and through the sale any back payments/betterments would be cleared. This needs to be watched. The property is still under receivership. Taxes are running slightly higher, state aid should be received by the end of the year. Expenditures are at 70.9%. To date there has been no draw from the Reserve Fund. The available balance is \$89,116. We will probably be looking to draw from that at town meeting to pay for the market analysis and for a supplemental appropriation for legal expenses. Town Reports are running higher, there will be a small deficit, but it can be covered from other appropriations within the General Government Unclassified. Wiring Inspector will require an additional appropriation of \$7,200. This is estimated in the budget process on what we think will be expended. We expect to have a \$5,600 surplus in principal and interest loans and about \$10,000 in interest/loans appropriation. There were no unemployment compensation claims this year, so we expect \$10,000 to remain in there at the end of the year. Veterans' Benefits has appeared to level off. We expect to have a surplus of \$15,000 at the end of the year. We also expect to have a slight surplus in liability insurance. We expect to have a surplus in Health Insurance of around \$80,000. Our enrollment is a little bit less than expected. Overall FY'16 is looking good, we should have more free cash than last year.

Mr. Toale announced the next meeting is May 3rd, where the remainder of the ATM articles should be covered.

Motion: P. Bertram
To adjourn the meeting at 9:43 p.m.

2nd:R. Ebersole
Vote: All in Favor

Respectfully submitted,


Elaine M. Peterson

Executive Assistant to the Town Manager