



BOARD OF SELECTMEN
Minutes
Joseph F. Bilotta Meeting Room, Town Hall
June 21, 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; Paula Bertram, Member; Phyllis Luck, Member and Kerry Lafleur, Town Manager
Not present: Tom Alonzo, Clerk

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

PUBLIC COMMENT:

Mr. Toale announced Lunenburg Public Schools invites the public to tour the new Middle/High School this summer. The following tour dates are available: 7/2, 7/9, 7/14, 7/21, 7/23, 7/28, 8/4, 8/11, 8/13, 8/18, and 8/27. Thirty people per tour can be accommodated. Please preregister at:

<http://goo.gl/forms/iZaLzdyJ9XJTPSCC3> The Town Clerk's office will be closed Wednesday, June 22nd.

There are still vacancies on the following Town committees:

Personnel Committee- 3, Finance Committee- 3, Public Access Cable Committee- 2, Cable Advisory Committee- 1, Storm Water Task Force-1, Conservation Commission – 1, Sewer Commission (elected position) – 1, and Fence Viewers- several.

Mr. Toale asked for any public comment.

Limousine License Application:

Applicant Thomas L. Crouse presented to the Board for a limousine license in order to place one limousine at 53 Chase Road. There are three vehicles for the business and other drivers keep them at their homes. The Building Inspector has reviewed the location. Ms. Lafleur reported the application is complete. The property owner, John Baker is providing one parking space at his property at 53 Chase Road for the limousine.

Motion: P. Bertram

2nd: R.Ebersole

To approve the limousine license requested for 53 Chase Road

Vote: All in Favor

John Baker wanted to acknowledge a High School faculty member, Caryn Wardwell, who teaches music. His granddaughter graduated this year and was under the direction of Ms. Wardwell for four years. He stated she is an outstanding teacher and he encouraged others to attend music events at the school.

CURRENT BUSINESS:

1. NEXAMP Agreement Amendment- Ms. Lafleur reported Nexamp Business Development Manager Joe Fiori has requested an amendment to the current agreement with them. Mr. Fiori stated they would like to amend the commercial construction commencement date to October and the mechanical completion date to December 31st. The reason has to do with the time it took to close on the PILOT project agreement with the City of Fitchburg. The changes would delete "within 180 days of the effective date," and replace with "by October 31, 2016," and delete "within 270 days of the effective date," and replace with "December 31, 2016."

Motion: R.Ebersole

2nd:P. Bertram

To approve the amendment as described

Vote: All in Favor

2. Set date for Special Town Meeting and Open Warrant

Ms. Lafleur reported she had two possible dates for the Special Town Meeting. The dates are August

8 and August 29. The purpose of the STM is to present two power purchase agreements and some other articles. The warrant would be opened briefly and close June 30, 2016. The timeline for printing the warrant, legal review and mailing within the 14 day required notice will be tight. The Planning Board would like to amend one site plan approval bylaw. We may also have the Request for the APR for Lanni Orchards ready for that.

Motion: R. Ebersole To hold the Special Town Meeting on August 8, 2016

Ms. Bertram asked why the August 8 date was more preferable than the August 29th date. Facilities Director John Londa reported two power purchase agreements need to be negotiated as soon as possible and construction completed by December 31st.

2nd: P. Bertram

Vote: All in Favor

Ms. Bertram asked why the warrant would only be open for one week. Ms. Lafleur stated that we need Town Counsel to have enough time to review the articles; the Board needs to review them and make recommendations also. If there is a financial impact from a warrant article, the Finance Committee would also review and make a recommendation. Ms. Luck asked if there would be another town meeting in the fall. Mr. Toale stated they would probably hold one in the fall. Ms. Bertram asked what the cost of a town meeting was. Ms. Lafleur stated \$1,500 and up, depending on the size of the warrant. Further discussion ensued on the cost of holding three town meetings in one budget year. Also discussed was going back to town meeting each time there is a power purchase agreement and if there would be some resolution to that. Ms. Bertram thought the Agricultural Commission might want to reword the article they withdrew from the Annual Town Meeting. Ms. Bertram expressed concern that people would not have enough time to submit articles in one week. It was decided to close the warrant on June 30th.

Motion: R. Ebersole

2nd: P. Bertram

To open the warrant tonight for Special Town Meeting on August 8 and close the warrant at 5:00 p.m. on June 30, 2016

Vote: All in Favor

3. Stormwater Task Force Membership; Alternate Member; Request to Work w/MA Watershed Coalition

Ms. Luck reported the Storm Water Task Force is a seven member board, but currently have only five members. The SWTF representative from the Board of Health can no longer attend their meetings and the Board of Health is not providing another representative. The citizen at large has resigned. She suggested changing the membership to a five member board in order to meet quorum requirements. If interest in joining increases, it can always be amended.

Motion: P. Bertram

2nd:R. Ebersole

To change the Storm Water Task Force membership from seven to five members

Vote: All in Favor

Ms. Luck reported the SWTF has discussed getting some assistance. The task force is charged with a pretty big, technical obligation and they are not professionals. She and the other members believed they needed further professional assistance to get their work done and voted in favor of requesting help. The task force is requesting Board approval to solicit for a scope of services not to exceed a cost of \$12,000. Included in the scope would be assistance with achieving compliance with state and federal stormwater permitting requirements, developing a comprehensive stormwater management plan, locating state, federal and private funding sources, as well as assistance with grant applications, developing stormwater solutions that achieve more pollutant capture for less cost, enabling town boards to get on the same page in the creation and utilization of effective stormwater bylaws, enabling town boards and residents to know how to prevent and repair runoff problems, assembling educational materials and guidance about stormwater opportunities, creating an ongoing funding source, such as determining the feasibility of a stormwater utility and getting the most out of our membership in the Central Mass Regional Stormwater Coalition.

Ms. Bertram understood the need for professional assistance but had a concern that the items in the scope of services were many and some of the tasks were very different. She wondered if one consultant could do all of these. In the past there has been funding in the DPW budget for stormwater management and through consultants we have addressed meeting the compliance with state and federal stormwater permitting requirements. Is it still there? Ms. Lafleur stated there is funding for preparing and filing the annual report. Ms. Bertram thought the SWTF could certainly be involved with that but the funding is already in the DPW budget. Ms. Lafleur clarified the funding is for the report that we currently file, not for requirements going forward.

Adam Burney, Land Use Director, stated the SWTF is charged with preparing the Town for the new permit process. On July 1, 2017, there will be the issuance of a new NPDES permit. The DPW funds are currently for reporting on the activities comprised under the existing permit. The SWTF's intention is to look at the difference between the 2003 permit and the 2017 permit and prepare the Town through their stormwater management plan on what we are currently doing; how that applies to the new permit and what the new tasks would be. The first step is looking at how the DPW is currently complying with the 2003 permit. There is a series of additional requirements under the new permit. Ms. Bertram stated in the 2007 report there was a recommendation to continue certain tasks. She stated she was assuming there is funding in the DPW budget to continue those tasks. She asked whether it makes sense to engage that consultant into this process rather than bring a new consultant in for the new permit who isn't familiar with where we are now. There is some overlap there. Mr. Burney stated if the Town is going out to bid, soliciting a bid from the consultant who is currently doing the work would be an intelligent solution. Ms. Bertram did not believe \$12,000 would cover all of the items the SWTF has requested assistance on. Mr. Burney stated the existing plan can be modified. The easiest way to achieve it will be to rank them in order of priority.

SWTF member Sarah Cammer stated one of the things they are struggling with is assistance. The consultant would not do all of the items on their list, basically the first two items. They do need someone who is knowledgeable with all the previous and future permit components. We estimated the number of hours at \$50 per hour to come up with the \$12,000 number. Mr. Ebersole stated he would like to see the scope of services more fine-tuned before it goes out. Further discussion ensued on the procurement process. Ms. Bertram stated she did as well and wanted to know how DPW would meet the Notice of Intent deadline date. The Board approved the funding but wanted to see the scope of services defined better.

APPOINTMENTS (cont.)

Ms. Lafleur read aloud the following appointments:

Architectural Preservation District Commission—term to expire June 30, 2019

Richard McGrath- 22 Cushing Lane

Clock Winders-term expires June 30, 2017

John Lynch

ZBA Associate- term to expire June 30, 2019

David Blatt-438 Lancaster Avenue

Public Weighers- term to expire June 30, 2017

Richard Reynolds

Jennifer Oliveira

Britany Woodhouse

Sarah Fitzgerald

Eric Morin

Brian Contois

Jay Vallierre

Michael Reynolds

Robert Croteau

Motion: R. Ebersole

To approve the appointments as presented

2nd: P. Bertram

Vote: All in Favor

Ms. Bertram stated while looking at the reappointment forms noticed some comments on the forms that should be responded to. The comments will be collated into one document for a future work session.

4. Minutes/ Warrants/ Action File Issues

The Board signed a school payroll warrant in the amount of \$264,817.49, a payroll deductions warrant in the amount of \$35,421.43 and an accounts payable warrant in the amount of \$260,978.66.

Minutes of May 17, 2016 required one additional signature. Minutes of June 7 and June 14, 2016 were presented but will require one additional signature of a member who attended those meetings at the next meeting.

5. Committee Reports:

Ms. Luck reported the School Committee members have reorganized since the election and are ready to get to work. The Storm Water Task Force met on June 2nd. It has been determined there is insufficient time to submit a DEP/Section 319 Nonpoint Source Competitive Grant application. The SWTF will aim for the June 2017 round.

Ms. Bertram reported at the May 25th MPO meeting four different scenarios were presented for the 2017-2021 Transportation Improvement Program (TIP). One of those scenarios moved the Summer Street project out to 2018/2019. There was a meeting on June 19th with representatives from Leominster, Lunenburg and Fitchburg. After discussion all believed it was important to keep the project in the 2017 TIP schedule. The only thing holding Lunenburg back is the MEPA review. Easement acquisitions cannot be done until this is completed. It is expected to be returned in July. We are also waiting for the proposal for the 100% design costs. Ms. Lafleur reported she had not received this yet. We are moving forward but having this information before the next MPO meeting on June 29th would be helpful.

Mr. Toale reported there were no bids submitted on the market analysis of the municipal buildings within the dollar limit. We rebid and extended the date out for new bids. The new deadline is Noon on July 18th.

Mr. Toale announced the Board would be meeting next on July 5th. He wished everyone a Happy Independence Day. There was no further public comment.

He requested a motion under M.G.L. C. 30a, §21; to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the Chair declares so: UNITIL- 2008 Ice Storm Matter and to discuss a Land Damages Claim.

Motion: P. Bertram

2nd: R. Ebersole

To enter into Executive Session for the reasons listed and adjourn immediately following it

Vote: Ms. Luck- aye, Mr. Bertram – aye, Mr. Ebersole- aye, Mr. Toale – aye

The open session of the meeting adjourned at 8:00 p.m.

*******Executive Session Minutes are Seperate*******

Respectfully submitted,



Elaine M. Peterson

Executive Assistant to the Town Manager