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LUNENBURG TOWN  
CLERK OFFICE

BOARD OF SELECTMEN

Minutes

Joseph F. Bilotta Meeting Room, Town Hall

August 2, 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 Town Manager Kerry Lafleur

The meeting opened at 7:00 p.m. with the Pledge of Allegiance.

Mr. Toale announced the last day and hour to register for the Monday, August 22, 2016 Special Town Meeting is Thursday, August 11<sup>th</sup> at 8:00 p.m. Special Town Meeting will be held at the new Lunenburg Middle/High School auditorium at 1079 Massachusetts Avenue. Register to vote at the Town Clerk's office Monday and Wednesday from 8 a.m. to 4:00 p.m. and Tuesday and Thursday from 8 a.m. to 1 p.m. and 3 p.m. to 6 p.m. On Thursday, August 11<sup>th</sup> they will be open until 8 p.m. For more information call 978-582-4130.

**PUBLIC COMMENT:**

Mr. Ebersole reported the Lunenburg Historical Society held their 50<sup>th</sup> anniversary celebration of their building at 10 School Street on July 31<sup>st</sup>. There was a great turnout.

Mr. Alonzo announced the Boys and Girls Club are holding their Annual 'Are We There Yet 5K Color Run' on Sunday, August 28<sup>th</sup> at 10:00 a.m. Registration opens at 9:00 a.m. or you can preregister on their website at <http://bgcluboflunenburg.org> It will begin and end at the club on 15 Memorial Drive.

Ms. Luck thanked the Lake Shirley Improvement Corporation for performing a water treatment on Lake Shirley to reduce the algae. The Lions Club pancake breakfast is next Wednesday, August 10<sup>th</sup> at Eagle House Senior Center from 8 - 11 a.m.

**Pole Petition Hearing for Summer Street (2 Jointly Owned Pole Relocations)**

Mr. Toale opened the hearing.

In conformity with the requirements of Section 22 of Chapter 166 of the General Laws (Ter. Ed.), you are hereby notified that a public hearing will be held at the Town Hall, 17 Main Street, 2<sup>nd</sup> Floor, in the Joseph F. Bilotta Meeting Room, Lunenburg, MA, on Tuesday, August 2, 2016 at 7:00 P.M. upon petition of Verizon New England Inc. and Unitil Fitchburg Gas & Electric for permission to erect or construct, and a location for, a line of wires, poles and such other fixtures as may be necessary to sustain or protect the wires of the line, for the transmission of electricity, upon, along, across, or under the following public ways of said Town:

LOCATIONS  
SUMMER STREET

SUMMER STREET: Relocate one (1) jointly owned pole numbered T.78/E.26 to a point on the northerly side of Summer Street approximately seven hundred and seventy-eight (778) feet easterly from the center line on Whalom Road.

SUMMER STREET: Relocate one (1) jointly owned pole numbered T.85/E.36 to a point on the northerly side of Summer Street approximately forty-six (46) feet westerly from the center line of Graham Street.

Bill Wallace of Verizon was present for the petition. He stated these poles are to be moved on Summer Street in accordance with the Mass DOT street construction project and they wanted to move the poles ahead of the road construction. Ms. Bertram asked if Mr. Wallace has seen the engineer's plans and if they were in accordance with that plan. Mr. Wallace stated they were. Mr. Alonzo asked if any driveways would be affected by these poles being moved. Mr. Wallace stated in the case of pole # 85 it is on the corner and no driveway is impacted.

The other pole is currently on the corner of a driveway and will be moved away from the driveway. Mr. Toale asked for any public comment concerning this hearing. There was none. He closed the hearing.

**Motion: B. Ebersole**

**2<sup>nd</sup>: T. Alonzo**

**To approve the pole petition for the two poles on Summer Street as presented**

**Vote: All in Favor**

#### **APPOINTMENTS (by Town Manager)**

Police Chief Marino stated he was here regarding the appointment of Kayla M. Leger to Reserve Police Officer. He highly recommended her for this appointment.

**Motion: B. Ebersole**

**2<sup>nd</sup>: P. Bertram**

**To ratify the appointment of Kayla Leger to reserve police officer**

**Vote: All in Favor**

The next appointment was Matthew Marro to the position of Conservation Administrator. Ms. Lafleur reported after the retirement of the person in the administrative position in Conservation, there was a process to evaluate whether to combine that position with the contracted agent to create a full-time position and provide better coverage. All applications were screened by the Land Use Director and Ms. Lafleur. Four out of twenty-five applicants were interviewed. Two were interviewed a second time and Mr. Marro was selected as the best candidate.

**Motion: B. Ebersole**

**2<sup>nd</sup>: P. Bertram**

**To ratify the appointment of Matthew Marro as Conservation Administrator**

**Vote: All in Favor**

#### **CURRENT BUSINESS**

##### **1. One Day Alcohol License Application- Turkey Hill Lion's Club for Stillman Farm, 991 Lancaster Avenue**

Lisa Normandin, 33 Cliffview Terrace and Marilyn Talley, 172 Peninsula Drive, announced the 2<sup>nd</sup> Annual Stillman Farm fundraiser scheduled on September 10<sup>th</sup>. The monies earned this year will go to the 4H Club and the Lions Club.

**Motion: P. Bertram**

**2<sup>nd</sup>: T. Alonzo**

**To approve the one day license for the Turkey Hill Lion's Club fundraiser for September 10<sup>th</sup>**

Mr. Toale covered some conditions recommended by Executive Assistant Peterson; a list of all alcohol vendors participating in the event, TIPS certification for alcohol vendor servers be provided, a roped area near the tent restricting where alcohol may be consumed, a police detail and the license must be displayed on the premises.

Ms. Normandin stated these were all doable.

**Vote: All in Favor**

Ms. Talley and Ms. Normandin thanked the Board.

##### **2. Discussion of General Support of an IMA between the Lunenburg Water District and Lancaster.**

Mark Bursch, Water Commission Chairman and Superintendent Fran McNamara presented. Mr. McNamara stated surprisingly water levels are fairly decent considering the drought. The big issue is daily demand.

The average day usage in July was 800,000 gallons per day and their permit is for 540,000 gallons per day.

His concern this year is going over that amount and having DEP place more restrictions on the district. Overall the water supply is good.

Mr. Bursch stated they have been approached by the Town of Lancaster and would like to go back to the table to negotiate an Intermunicipal Agreement for water supply. The commission feels this would be a positive endeavor to be involved in. He was here to feel out the Board's view on the situation.

Ms. Bertram stated she still supported the concept but was concerned about the amount of water that would be sold to Lancaster because we need to make sure that Lunenburg would be able to meet its own water supply demands. She inquired about the Mass Works Infrastructure grant program that Lancaster Town Administrator Ryan McNutt asked this Board to sign a letter of support. Mr. Bursch stated a portion of the funds to construct the infrastructure in Lancaster would be funded by grant money. He stated Mr. McNutt had asked for a letter of support from the Water Commissioners as well. They have not reviewed it yet.

Mr. Alonzo echoed Ms. Bertram's statement asking what would be the ramifications if more water is used than agreed upon in the IMA. He stated there needs to be safeguards addressing this.

Mr. Ebersole stated he remains opposed to selling water outside of Lunenburg but supported comments made regarding the IMA terms. Ms. Luck asked if the Water Commission anticipated costs for Lunenburg residents to decrease due to selling water to Lancaster. Mr. McNamara stated he did not.

Mr. Toale stated he was in favor of this as long as they protect the town. Ms. Bertram asked if they were looking for a vote or just comments. Mr. Bursch stated both. Mr. Toale stated he would like to see the details of the IMA first.

**Motion: P. Bertram**

**2<sup>nd</sup>: T. Alonzo**

**To support the negotiation of the Intermunicipal Agreement of the Lunenburg Water District with Lancaster**

**Vote: 4 in favor, 1 opposed (Ebersole)**

The Board wanted to know more about the grant before writing a letter of support. Mr. Bursch stated the Water Commissioners were meeting next week and they will get back to the Board afterwards.

### **3. Process to Select the Interim Town Manager**

Mr. Toale reported the advertisement for the Interim Town Manager was placed on the Massachusetts Municipal Association website. The deadline to apply is August 4<sup>th</sup>. He has received six applications to date. Discussion on the process ensued. A subcommittee was recommended to present finalists to the Board.

**Motion: R. Ebersole**

**2<sup>nd</sup>: P. Luck**

**To appoint Mr. Toale, Ms. Bertram and Mr. Alonzo to the Interim Town Manager search subcommittee**

**Vote: All in Favor**

### **4. Storm Water Task Force Scope of Services Request (continued)**

Land Use Director Adam Burney presented a list of tasks for an outside contractor to complete in order to submit the Notice of Intent (NOI) to the Environmental Protection Agency (EPA) under the National Pollutant Discharge Elimination System (NPDES) MA Small MS4 General Permit. The NOI is due before or on October 1, 2017. The town is aiming for August 17, 2017 in case of needed amendments. \$12,000 - \$20,000 is the targeted fee for this service which would come from the FY 2017 operating budget.

**Motion: R. Ebersole**

**2<sup>nd</sup>: T. Alonzo**

**To approve the proposed Storm Water Task Force scope of services**

**Vote: All in Favor**

### **5. Minutes/Warrants/Action File Issues**

Minutes of July 19, 2016 were approved. The FY 2017 1<sup>st</sup> Quarter Water Commitment in the amount of \$6693.54 was presented for signatures. The following warrants were presented for signatures: Accounts Payable \$183,716.08; School Construction \$2,802,934.90; Payroll \$549,700.94 and Payroll Deductions \$127,183.97. Five copies of the August 22, 2017 Special Town Meeting Warrant were signed.

Ms. Bertram asked what the status was of the Lake Shirley Dam inspection. Ms. Lafleur will provide an update at the next meeting. Mr. Toale asked about scheduling a workshop meeting with other town boards and committees on August 16<sup>th</sup>. The other members were agreeable to this.

Ms. Bertram asked about the Green Community Task Force becoming a committee. Ms. Lafleur reported she has asked the task force to come up with an updated charge for their committee.

**Committee Reports:** Ms. Luck reported the School Committee meets August 10<sup>th</sup> to conduct a goals workshop. The Storm Water Task Force met on August 1<sup>st</sup>. They discussed the Central MA Regional Stormwater Coalition meeting that Ms. Luck attended on July 25<sup>th</sup>. The coalition voted to spend \$20,000 to support the MA Watershed Coalition for Resources Stewardship's possible appeal of the EPA's MS4 General Permit for stormwater due to some vagueness in the language that could financially overburden cities and towns.

Mr. Burney will publicize the Request for Bids for the scope of services on behalf of the Storm Water Task Force. Task force member Sarah Cammer attended a work-related professional development workshop and there were GIS items that could help the town comply with the MS4 permit. The task force is now looking at other possible resources to help them. Ms. Bertram recommended Ms. Luck contact Regional Planner Brian Doherty at MRPC regarding development of a storm water tracking application. They are looking for input from communities.

Mr. Alonzo reported School Building Committee meets August 10<sup>th</sup>. Finance Committee Appointing Committee appointed Hannah Anderson to the Finance Committee and another person has come forward to request to be appointed. Cable Advisory Committee meets on August 29<sup>th</sup>.

Mr. Toale reported Building Reuse Committee is meeting August 15<sup>th</sup> to review responses to bid requests for the market analysis. They have received three proposals. There will also be an additional presentation on the town center use. The permanent Town Manager Search Committee meets on August 18<sup>th</sup>.

**Town Manager Report:**

Ms. Lafleur reported she and Police Chief Marino are meeting with representatives from the City of Fitchburg to discuss consolidating the animal control officer position. At the August 23rd meeting, Ms. Lafleur will be bringing forward a contract for the Lunenburg municipal aggregation program with Colonial. Current rates go through October.

She has been working with the Parks Commission on the replacement of the artificial turf field and the track. They are working with Warner Larson Landscape Architects to put together the technical specifications. The Parks Commission is planning to accepting bids for that project by the end of the month. The field should be ready for use by the end of October. The Lunenburg Youth Soccer Association has expressed an interest in using grass fields rather than turf. They will enter into an agreement with the Lunenburg Public Schools to do so for a fee. The school is willing to increase its fee for turf field use to offset the anticipated income to pay for the turf field on a one for one basis.

**FY'2016 4<sup>th</sup> Quarter Financial Report**

Ms. Lafleur reported fiscal year 2016 is finally closed out. There was a total of \$331,676.92 of unexpended appropriation balances and revenue exceeded projections by \$643,840.66, leaving a balance of \$975,517.58. That is the beginning point for free cash calculation. There are a number of encumbrances to be placed against that fund balance. Some of that is returning property taxes that were overpaid.

Local receipts collected were \$513,086.89 more (118.55%) than the FY15 local receipt estimate. Taxes received were \$300,404.51 (98.72%) less than the current year although the town received \$400,567.78 in prior tax lien revenue. The town received \$30,427(100.42%) more than our state aid estimate. The town also received a zoning incentive payment of \$96,000 for the Tri-Town project. This will be placed in the zoning stabilization account. The town received \$47,702 more than the estimate of \$166,960 for the Smart Growth School reimbursement (40S).

The town expended/encumbered 99.02% of budgeted expenditures leaving the \$331,676.92 balance.

Ms. Lafleur pointed out the expenditure details in the financial report. She noted this was a good fiscal year. The Town was able to cover the cost of the Town's share (\$58,000) of the Agricultural Preservation Restriction for Lanni Orchards, \$196,500 for the Summer Street design and \$10,000 for architectural services for the track and field project.

Mr. Alonzo requested Ms. Lafleur form a narrative on using this information on assembling next year's budget for her successor. Ms. Lafleur stated she could do that.

Mr. Toale stated their next meeting is August 9<sup>th</sup>. The August 16<sup>th</sup> meeting will be a workshop with town committees and boards. Special Town meeting is August 22<sup>nd</sup> and the Board will meet on the 23<sup>rd</sup>.

There was no public comment.

Mr. Toale announced the Board would be entering Executive Session according to M.G.L. C. 30a, §21; To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. (AFSCME, IBPO Local 353 AFL-CIO and Public Employees Local 39 Contracts)

**Motion: R. Ebersole**

**2<sup>nd</sup>:T. Alonzo**

**To enter into Executive Session for the stated reason**

**Ms. Bertram stated she would be recusing herself on the discussion regarding AFSCME and requested that it be at the end of the Executive Session.**

**Vote: Ms. Luck-aye, Ms. Bertram- yes, Mr. Alonzo-aye, Mr. Ebersole- aye, Mr. Toale- aye**

The open meeting adjourned at 8:43 p.m.

Respectfully submitted,

*Elaine M. Peterson*

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Executive Assistant to the Town Manager

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