



**BOARD OF SELECTMEN
MINUTES
Joseph F. Bilotta Meeting Room, Town Hall
October 4, 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 Interim Town Manager David Marciello

Mr. Toale opened the meeting at 6:01 p.m. and declared the need to enter Executive Session.

Motion: R. Ebersole

2nd: T. Alonzo

To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating position (UNITIL Petition), and 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 (IBPO MOA).

Vote: Mr. Ebersole- yes, Mr. Alonzo- yes, Mr. Toale- yes

*****EXECUTIVE SESSION MINUTES ARE SEPARATE*****

The meeting resumed at 7:00 p.m.

PUBLIC COMMENT/ANNOUNCEMENTS

Mr. Toale announced Halloween will be observed on Monday, October 31st from 6:00 – 8:00 p.m.

The Town clerk office hours for the week of October 17- 20th will be Monday through Thursday from 9:00 a.m. to 3:00 p.m. Wednesday, October 19th is the last day to register to vote in the November 2016 Presidential Election. The Town Clerk office will be open 9:00 a.m. to 8:00 p.m. to register voters. If you plan to vote in the election, you should have returned your census form, or returned a call regarding your census form and have a phone number on file with the Town clerk office. If you did not do any of those above, please call the office at 978-582-4130.

The 15th Miles for Myles event will be held on Sunday, October 16th at the new Lunenburg Middle/High School. The first 400 registrants get a t-shirt. To register, go to www.milesfor myles.com

Mr. Alonzo reminded all of the official ribbon cutting ceremony for the new Middle/ High School on Saturday, October 22nd at 1:00 p.m. He also reminded everyone to save the date for the Lunenburg Boys and Girls Club Rockin Auction on Saturday, November 19th from 7- 11 p.m. at the Leominster Eagles Club. There will be live music, a Silent and Chinese auction, and a 50/50 raffle.

Ms. Bertram announced the Lunenburg Snow Riders constructed two footbridges on the Lane Property located on Holman Street. They have all the materials for all the bridges.

Lunenburg Historical Society Letter/Resolution regarding Use of Town Buildings

C. William Lasko presented on behalf of the Lunenburg Historical Society about concerns they have regarding the municipal building reuse project. Mr. Toale had visited the society at one of their meetings and inquired if there was any preliminary interest in moving to Town Hall or the Ritter Building once they were vacated. After examining the potential costs of moving, they decided they were better off where they currently are. The society has concerns about the old primary school building being sold and their parking situation being affected. Mr. Lasco requested the town give them some part of the property that includes a parking lot. Discussion centered around a parking study for the town center. Ms. Bertram stated under the unified planning project it

could be done for free. The Board took the request under advisement and thanked the society members for coming in this evening.

72 Leominster Road (gas connection)

DPW Director Rodriquenz reminded the Board the Town has finished pavement on Lancaster Avenue, all of Leominster Road as well as the Hickory Hills area roads. He stated a new resident wanted to tie into the gas line on the far side of Leominster Road. Mr. Rodriquenz has denied the request for road opening because of the newly paved road. Mr. Rodriquenz was asking the Board as road commissioners to make the final decision based on all the information. Mr. Rodriquenz stated he has suggested the resident change to propane gas or oil for heating as an alternative. Discussion of procedure and policy ensued.

Mr. Tocci stated he just moved here in June and didn't intend to be introduced to the Town this way. He stated after inspections they found their furnace is from the 1930's and needs replacement. He stated they did consider propane but it is not as efficient and he doesn't want to go through the trench process again in five years as they just had a sewer line put in. Ms. Luck asked if they could install the pipe now and wait for three to five years to be hooked up. Mr. Tocci stated that was up to National Grid. He has already provided a \$4850.00 payment to them. He thanked the Board for hearing him out. Discussion ensued on opening the road and other alternatives to heating with gas. Mr. Toale reminded those viewing that if they have any future installations coming up to do so before their road is paved.

Motion: T. Alonzo

2nd: P. Bertram

To support the decision of DPW Director Rodriquenz to not approve the road opening at 72 Leominster Road

Vote: All in Favor

Complete Streets Presentation -World Tech Engineering

Mr. Rodriquenz introduced President Rich Benevento of World Tech Engineering. Mr. Benevento reported MASS DOT is offering funding for planning and implementation of transportation improvements under the Complete Streets program. The program provides for a variety of infrastructure improvement projects related to multi-modal accommodation, such as roadways, sidewalks, bike lanes, ADA compliance, traffic safety improvements, sign replacements, multi-use paths etc. Complete Streets is one component of the Community Compact. Complete Streets recognizes that all modes of transportation are important. There is a three tier system. Tier One would be the Town adopting a Complete Streets Policy and submitting it to MA DOT. Tier Two involves submitting a Prioritization Plan. This should include a minimum of fifteen projects over a five year period. Technical assistance up to \$50,000 is available by completing the required documentation. Tier Three provides Project Funding for Construction via an application process based on statutory requirements. Only six communities have been awarded construction funding out of the available \$12.5 million to date. Mr. Benevento stated this is good opportunity to get some transportation infrastructure projects completed. He presented a draft Complete Streets policy and a list of eligible types of projects. Discussion concerning the policy ensued. Mr. Benevento referred the Board to a MA DOT website link for more information. The Board thanked him for his presentation.

Kim Cole- 1134 Northfield Road

Mr. Marciello reported the 2016 Annual Town Meeting had approved the easement for 1134 Northfield Road. We are waiting for the easement to be drafted for recording by legal counsel. The Coles are waiting for the easement to be finished so they can sell the property. Tanner Cole, property owner expressed dissatisfaction at the time it was taking to have the easement drawn up. Discussion ensued about the plan. Mr. Marciello stated he anticipated the plan being returned this week. The Board requested to have the easement for the next meeting. The easement will be signed by the Board and then recorded. Mr. Cole thanked the Board and exited the meeting.

Disclosure of Non-Elected Municipal Employee of Financial Interest

Interim Town Manager Marciello reported he had filed a disclosure because there is a slight chance his brother-in-law, who owns/works for an environmental company and could possibly do some work in town. He stated if his brother-in-law is hired to do work in the town for a client, his sister would financially benefit.

Motion: R. Ebersole

2nd: T. Alonzo

As the appointing officials, as required by G.L. c. 268A, § 19, the Board has reviewed the matter and the financial interest identified by the municipal employee and determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from him

Vote: All in Favor

Motion: T. Alonzo

2nd: R. Ebersole

To authorize the Chair to sign the disclosure

Vote: All in Favor

Storm Water Task Force Scope of Services Bid Results

Land Use Director Adam Burney directed the Board to the two responses received for the scope of services request sent to six companies. Vanasse Hangen Brustun, Inc. (VHB) of Watertown, MA came in at \$21,300 and Design Consultants, Inc. (DCI) in conjunction with the Massachusetts Watershed Coalition came in at \$18,800. Mr. Burney stated it is his understanding that they should go with the low bidder as they are not a deficient bidder, either in materials submitted or the quality of the firm involved. He added the Storm Water Task Force did vote this afternoon to recommend DCI and the MA Watershed Coalition.

Motion: R. Ebersole

2nd: P. Bertram

To accept the recommendation and approve the quote

Vote: All in Favor

Minutes/ Warrants/Action File Issues

The Board approved minutes of October 14 and October 21, 2014, September 6, September 13 and September 20, 2016. The Board signed a payroll deduction warrant in the amount of \$506,461.23, a payroll warrant in the amount of \$758,613.05, an accounts payable warrant in the amount of \$346,600.16 and a middle/high school building construction warrant in the amount of \$2,170,643.92

Action File: Mr. Ebersole requested exterior painting of the Town Hall and repair of some of the siding be included in the Capital Plan discussion. He requested Mr. Marciello check with Town Counsel regarding the status of the traffic rules and regulations review. It was suggested to start asking counsel for definitive dates.

Committee Reports:

Ms. Luck reported the Zoning Board of Appeals approved the application of Jack Rabbitt, 314 Townsend Harbor Road, for a dimensional variation for an accessory apartment. The School Committee met on September 21st; Supt. Calmes mentioned that two adult education classes have begun. Three larger capacity school buses have been added due to increased enrollment at the cost of \$15,000 per bus and a new bus will be added at the cost of \$56,000. The \$101,000 required will be taken from the private tuition line which has surplus as the department has been able to keep more students in the system. At this point, between regular and special education transportation, the school is expending over \$1,000,000. Their next meeting is tomorrow.

Ms. Luck, Mr. Marciello, COA Director Sue Doherty and Nancy Forest, Risk Manager, attended the MART Town COA meeting concerning MART van transportation. MART would like the member communities to assume auto insurance for their vans. They are willing to lease the van to the town for \$1 per year in order to make that work. MIIA, the Town's insurance agent, is disputing the MART requirement to carry higher coverage. Towns will be reimbursed up to \$2000 annually based on invoices. MART will be sending out a new memorandum of understanding and hopes to have everything in place by November 1st. Ms. Luck, Ms. Doherty and Mr. Marciello will be meeting again to discuss further.

Mr. Alonzo reported School Building Committee meets next Wednesday. Cable Advisory meets on October 17th.

Mr. Ebersole reported the Sewer Commission met last night and determined betterments for Pratt St., Pine Grove Road and Cross Road. It will be less than \$14,000 compared to the previously quoted amount of \$23,000. Mr. Toale reported the Town Manager Screening Committee met last evening and the Chair will be reporting to this Board next week. Capital Planning met this afternoon and heard from the Fire Department. They meet again on October 18th to hear from the Police Department and Council on Aging.

Mr. Alonzo stated there are four questions on the November election ballot. He suggested inviting people to an informational forum at a Board meeting to comment. Mr. Marciello stated the Open Meeting Law states political entities (elected and appointed) can present facts on the issue but not take positions. Ms. Luck informed that the School Committee would be discussing the charter school question and suggested Mr. Marciello should speak to the School Superintendent or the Chairman in advance of their meeting. Mr. Alonzo clarified that he was not lobbying for any particular view but thought people should be informed.

Town Manager Report:

Mr. Marciello stated he had emailed the RFP for Legal Counsel draft to the Board but directed them to an amended printed version. He asked for feedback before advertising it. He directed the Board to a letter hand delivered by constable to Kabob-E-Licious following the hearing on September 13th for failure to comply with liquor licensing regulations and another letter subsequently regarding a check being returned to the town on September 20th for non-sufficient funds for a grease trap violation. It was suggested to schedule a public hearing in November to address this.

Ms. Bertram asked if there was a contract with KP Law, PC in place. Mr. Marciello informed the Board that they are appointed but there is no contract. Ms. Bertram asked for more information on the inventory of town-owned land. He directed her to the final list. There has been no further discussion but it should be a future agenda item.

Mr. Marciello stated the Assessors have reported \$160,000 in new growth but it has not been certified by DOR yet. If the Board takes no action it will go to FY 2018 free cash and be on next fiscal year's levy limit plus \$160,000. If we have a Special Town Meeting, we can raise and appropriate it for this fiscal year. Further discussion ensued about holding another Special Town Meeting.

Mr. Toale announced the next meeting will be October 11th.

Public Comment:

There was no further public comment

The meeting adjourned at 9:12 p.m.

Respectfully submitted,

Elaine M. Peterson
Executive Assistant to the Town Manager
