



BOARD OF SELECTMEN MEETING MINUTES

June 23, 2015

The Board of Selectmen met in the Town Hall, Joseph F. Bilotta Meeting Room, as scheduled with Jamie Toale, Chair; Robert Ebersole, Vice Chair; Thomas Alonzo, Clerk; Phyllis Luck, Member and Town Manager Kerry Speidel. Paula Bertram, Member, was not present. The meeting opened at 7:00 PM with the Pledge of Allegiance.

Public Comment:

Mr. Alonzo reminded this Friday, June 26 from 4- 7 pm is the Boys and Girls Club of Lunenburg 10th Birthday Bash. Starting July 6th there will be band concerts on consecutive Mondays at 7 pm at the gazebo. Conservation Commission's next scheduled Walks in the Woods will be on July 7th; meet behind the Ritter Building at 9:30 a.m., most walks average two hours, and you should dress accordingly. Lunenburg Water District is hosting a special meeting, on Wednesday, July 29th; 7:00 p.m. at the Lunenburg High School to discuss the extension of the water district to encompass the northwest area of Lancaster. He encouraged all registered voters within the LWD to attend. The Farmer's Market opens Sunday, June 28th at the Ritter Building.

Resident Elaine Mroz of 64 Chestnut Street, presented concerning her property that abuts Marshall Park. She read aloud a letter to the Board about the process with town boards that she has gone through since trees were mistakenly cut down on her property. Dave Rodgers, 82 Highland Street, stepped up to the podium and asked the Board to respond to Ms. Mroz's situation.

Sewer Commission Presentation about Betterment Project

Mr. Toale acknowledged the Sewer Commission and asked that any questions be held until after the presentation. Chair Carl Luck thanked the Board for the opportunity to present tonight. He presented a history of the Lakeview Avenue/Pratt Street project, sewer extension policies and process. This can be seen in its entirety on the Sewer Commission webpage at http://www.lunenburgma.gov/filestorage/204/236/6-23-15_BOS_PresentationWebRev.pdf or a printed copy can be viewed at the Board of Selectmen office.

Public Comment:

Paul Michaud, 9 Pratt Street, stated their street was originally included in Phase I and the price at the time was \$15,000. Somewhere along the line the project was delayed. Pratt St. residents were not notified of this. He asked why should we pay an extra \$15,000- \$20,000 and the possibility of another \$3,000 betterment fee when they could have done it with a gravity system? If the Town went 400 feet farther down Whalom Road and got an easement with the grinder pump, it would have only cost \$3000 more than the original betterment, why did you not do that? Why pass the \$15,000 on to the homeowners instead? Why weren't these costs shown to us before we voted?

Mr. Luck confirmed it was true if the town opted for the gravity feed on Pratt Street, it would be \$3000 more for all 80 participants. Everyone except for the 30 people who would actually benefit from the gravity fed would have to pay for all the costs. The other 50 homeowners would be paying \$37,000. Mr. Luck explained it was more expensive to put in a single pump (the pump alone costs \$325,000). Mr. Michaud stated it was too bad the town did not finish Pratt Street back when it was in Phase I.

Lorrie Kunz, 10 Rennie Street, stated we cannot change this project because of town meeting vote, but if Pratt St. was part of Phase I and that went through Town Meeting vote, why was that able to be changed? She clarified Mr. Luck's question about what the homeowners' survey letter indicating "no" meant that was sent to the Sewer Commission. When the homeowners got the survey letter, it gave us the betterment amount and residents of Rennie and Pratt Street thought it was a good thing. But when they went to the Sewer Commission informational meeting and found out the additional costs, the residents were surveyed again and if they knew

then (at town meeting) what was the actual cost, would you have voted in favor? The answers were no. When the original survey letter was first sent and the Sewer Commission was going on the responses as a no vote and there was a deadline to respond, if others didn't respond, why did it not just die there? They went out again multiple times and resurveyed. We spoke to a Sewer Commission member and were told it was going to be a gravity system for Rennie Street. We were also given inaccurate numbers.

Beverly Santora, 18 Pratt Street, stated she came to the town three years ago because she needed a new septic system. She was informed the town was coming down Whalom Road and sent her a letter and that she could connect. When she was ready a year later the town said there was no funding or place for a pump station. So she went out and spent \$38,000 on a septic system. She stated she will not be connecting to the system.

Bernie Forget, 120 Pratt Street, stated he received one letter about putting in the sewer extension. He voted no and that was the last he heard about it. He stated 19 residents responded to the survey on August 29th 2013; two days later the Sewer Commissioners applied for state funding. This was without the required 2/3rds vote. Seven months later the Sewer Commissioners stated they had the 2/3rds vote they needed. This was the result of two individuals going door to door stating it would only cost \$15,000 spread out over 20 years. A lot of people thought it was a good deal. At the May 26, 2015 informational meeting we were told the betterment had ballooned to \$23,000 and the grinder pump had to be added. This is not a rich neighborhood. We do not have a lot of money to do this. I never read anything in the newspaper. I sent an email to the Sewer Commission and got no response. We believe a revote is in order as this is a significant change in the mechanism and the burden being placed on the homeowners. The town officials need to help us out and come up with some alternatives.

Stephen Roy, 78 Pratt Street, stated the costs were not presented to them at the time of the TM vote. If we were all told that the total costs would be between \$35,000 and \$40,000, would we have voted yes for that? The median values of the homes on the street are roughly \$170,000 to \$180,000. You can't ask residents to give up 30 - 40% of the value of their home for a sewer connection. This is not going to add value to our homes.

Paul Luria, 63 Pratt Street, stated the vote is completely confusing. He added the letter he received said the town is bound by this legally. This is not his problem.

Paula Cookson- Luria, 63 Pratt Street, stated they had to install a raised septic system due to wetlands. She asked for clarification on the survey, specifically who needs sewer. Mr. Luck stated he did not know.

Dave Rodgers read the letter sent to residents affected by the project that Town counsel's legal opinion is that the town could incur liability due to incurred costs and contractual obligations and homeowners should consult their own legal counsel regarding stopping the project. He stated there are real questions here that need to be answered. He suggested rather than starting and making a huge mistake to take a time out and reevaluate.

Allison Rainville, 17 Pleasantview Avenue, stated she may be the only person in the room who does want sewer installed. She is very excited to see this coming because she has a cess pool in the back yard.

She stated no one spoke out against the sewer extension at Town Meeting. She reminded those present that if town meeting vote affects you personally you should pay attention, go, speak up and vote. She thanked the Sewer Commission for bringing the sewers up Pleasantville Avenue.

Ed Elcewich, 125 Pratt Street, stated he voted yes but wanted to clarify that he was approached by two gentlemen in his backyard last year. All he got was what they mentioned; \$22,700, nothing else. He did not know about the other amount until a couple of weeks ago. He never got any other information sent to his house about this. He does not want to pay this large amount over 20 years.

Kimberly Moore, 106 Pratt Street, asked who designed the original Whalom plan. The answer was Guertin and Elkerton. She stated it seems that a gravity system was planned for Pratt Street and the stub wasn't put in correctly to enable that to be a simple connection. That should have been in their plan. She has already installed a septic system at the cost of \$23,000. She questioned how something that is called a betterment costs more than alternatives. She also stated the only communication she received was in the mail. We are not professional sewer/septic people. We don't know about the hidden costs and she didn't think we should have taken a Town Meeting vote when all the information wasn't presented. She also stated we pay our taxes to pave the roads, if work is done on the road, that should be borne by the whole town rather than us specifically.

Joe Champa, 64 Pratt Street, informed the town that they are seven or eight years too late. The town told us we would never see sewer on our street. I see several people here tonight who installed septic systems because we were told that. None of these people are going to tie into this system.

Mr. Toale thanked everyone for coming and sharing their statements.

Board Comment:

Mr. Alonzo stated the whole point of participating in town government is because we love the town and try to do what's best for the town and townspeople. He suggested the Sewer Commission should examine every avenue to remedy the effect of this on some 80 residences. He didn't know what is legally possible. It is apparent that a good portion of those present tonight don't want sewer knowing what they know now and they are not going to hook up to it.

Mr. Ebersole stated his concern is that the town is too far down the path to pull back. This is for the Sewer Commission to discuss at their next meeting; perhaps different options to defer the cost.

Mr. Toale thanked all for coming adding hopefully that they have provided an opportunity and a forum for all to voice their concerns.

Holman Street Signage:

Chief Jim Marino and DPW Director Jack Rodriguenz were present for the discussion. Mr. Toale stated the Holman Street Bridge has been closed and the discussion tonight is to address its future. Chief Marino stated he and Mr. Rodriguenz were approached by the Conservation Commission and asked to post no parking signs on the bridge on Holman Street to allow citizens to park and use the trailhead located by the bridge. They also requested one handicapped parking spot and a turnaround area for those cars that come to the dead end at the bridge. Conservation Commission asked this to in order to comply with the upcoming grant criteria deadline. Discussion ensued on whether a larger parking area is needed and the last minute need to comply with the grant deadline.

Motion: B. Ebersole

2nd: P. Luck

To amend the Town of Lunenburg Traffic Rules and Orders as follows:

To Schedule I – No Parking

Add - On the east side of Holman Street at a point beginning at the Mulpus Brook Bridge thence to a point 400 feet south. Add - On the west side of Holman Street at a point beginning at the Mulpus Brook Bridge thence to a point 60 feet south.

To Schedule I – Handicapped Parking

Add - On Holman Street at the Mulpus Brook Bridge; one Handicapped Parking space as indicated by a signs.

To Schedule I-A Off Street Parking

Add - At a point on the east side of Holman Street 40 feet south of the Mulpus Brook Bridge, "No parking turn around only," as indicated by signs.

Vote: All in Favor

Chief Marino thanked the Board and suggested a permanent parking lot be constructed as soon as possible due to the narrow width of the bridge. Mr. Rodriguenz followed up by stating the Conservation Commission had no budget and had reached out the Police Department and DPW with the issue. Mr. Alonzo clarified that as a town we need to keep better track of grant deadlines and not wait until the last minute to comply.

Request to Dedicate Meeting Room

Mr. Toale recognized Land Use Director Adam Burney. Mr. Burney reported the Planning Board is requesting the Board dedicate the Planning Board meeting room in the Ritter Building to Marion Benson. Ms. Benson served in various roles on the Planning Board as member and Chair, and was the first Planning Director for the town throughout 1983- 2014.

Motion: B. Ebersole

2nd: P. Luck

To dedicate the meeting room in the Planning Board office as the Marion Benson Meeting Room

Discussion: Mr. Alonzo stated he is very appreciative of the years and projects that Ms. Benson served, adding she is the model for volunteerism, but is not in favor of naming things after individuals.

Vote: 3 in favor, 1 abstain

Town Manager's Annual Evaluation

Mr. Toale moved on to the Town Manager's annual evaluation. Mr. Toale stated the evaluation is based on five criteria; Relationship with the Board, Fiscal Management, Community and Public Relations, Personnel Administration and Professional Skill and Abilities. He read aloud excerpts from the composite evaluation; overall rating was Outstanding, total score was 194.2. In addition he read what Ms. Speidel has done well, what she could do better, and what the Board could do to help the Town Manager as well as what the Town Manager could do to help the Board. He added suggestions for future goals. He congratulated Ms. Speidel on her rating. Mr. Alonzo thanked Ms. Speidel for another year of exemplary service. Mr. Ebersole stated this year showed further implementation of the town charter and utilizing the Town Manager to the highest level of her skills should continue to be the Boards' goal. Ms. Luck agreed with the evaluation adding the Town Manager handles her duties in exemplary fashion.

Financial Policies and Procedures for Cash Reconciliation

Ms. Speidel directed the Board to the draft cash reconciliation policy. This is one of the items that came out of the auditors' management letter. The policy requires Treasurer/Collector and Accountant to document cash reconciliation within 15 days of the close of the prior month. Each official is required to sign the summary cash reconciliation spreadsheet and submit a copy to the Town Manager as evidence that cash is reconciled. She noted the procedures for the policy and the sample attachments showing the summary cash reconciliation spreadsheet, cashbook summary and MUNIS Account trial balance. A quarterly statement will be presented to the Town Manager and Board as well. The auditors have requested the Board adopt the policy.

Motion: B. Ebersole

2nd: P. Luck

To adopt the cash reconciliation policy as presented by the Town Manager

Mr. Alonzo asked if there were any checks and balances other than the Treasurer/Collector and Accountant. Who oversees their work?

Ms. Speidel stated each department reconciles the turnover for their department, the Treasurer then checks the turnover for accuracy. The checks and balances are between the Treasurer/Collector and the Accountant each month during the year; Town Manager also reviews during the year and at the end of the fiscal year we have the independent audit review.

Vote: All in Favor

Bond Anticipation Note for Sewer Construction Project

Ms. Speidel reported yesterday they opened bids for a \$725,000 bond anticipation note. This is for \$425,000 for purchase of a fire truck that was approved in the 2015 Capital Improvement Plan, and \$300,000 for costs associated with the sewer construction project that are not eligible for Massachusetts Water Pollution Abatement Trust (MWPAT) funding. This is temporary financing for these two items. Two bids were received; the winning bidder was from Eastern Bank with an interest rate of .075%. The other bid was from Unibank. So the request is for a bond anticipation note dated June 29, 2015 and due on January 28, 2016. Total interest paid for this period will be \$3156.77. Ms. Speidel stated the reason the date of January 2016 was chosen is that the final borrowing commences for the Middle/High School project and the total costs from these two items could be included with that bond to get the best interest rate.

Motion: B. Ebersole

2nd: T. Alonzo

To award a bond anticipation note dated June 29, 2015 and due on January 28, 2016 to Eastern Bank in the amount of \$725,000 with an interest rate of .075%

Vote: All in Favor

Warrants presented were for Payroll in the amount of \$350,549.39; Accounts Payable in the amount of \$325,324.75, and another Lump Sum Payroll warrant for teachers' summer payroll in the amount of \$130,123.59.

Workshop Update- Mr. Toale presented an update on the workshop held last week. There were three major Board of Selectmen goals that were targeted; Storm water management, spearheaded by Ms. Luck and Ms. Bertram; Pavement Management and Traffic Rules of Order spearheaded by Mr. Ebersole, and Economic Development spearheaded by Mr. Toale and Mr. Alonzo. This will be discussed at our July 21st meeting.

Committee Reports: **Board of Health** – no report; **Building Reuse Committee** – reviewed the final drawing from the School Building committee so they have the boundaries of the Passios and Brooks buildings defined and did a final review of the RFQ for building assessment and space needs; **Capital Planning Committee** – no report; **Finance Committee**- a report was presented concerning GASB 45 policies; **Library Board of Trustees**-noted that Friends of the Library book and bake sale raised \$3,200 towards programs, the Trustees were not able to take final action on their solicitation policy due to a delay in response from town counsel, it will be covered at the next meeting, they will be meeting with this Board on July 14th to mutually appoint to the two vacancies on the Library Trustee Board; **MPO** – no report; **Planning Board** – no report ; **PACC** –no report; **School Committee** – Dee Bus has extended the current contract for an additional year at the same price; at their meeting on July 5, they will discuss expanding some choice spots in grade five and seven, **School Building Committee**-building is 33% complete, pace has increased- there are over 100 workers onsite daily, we have received reimbursement in the amount of \$8.8 million dollars from Massachusetts School Building Authority and a new field adjacent to Mass Ave. will be available this fall; preliminary tax bills going out will show the partial impact of the new borrowing; **Sewer Commission**– nothing further to report; **MART**- there will be an additional route added (131 White Street and Emerald Place) as of July 1st, prices are going from \$1.00 to \$1.50 for the average rider; **Cable Advisory Committee** – met briefly, need to consult with town counsel on business plans supplied to them and will be talking about a resident survey at the next meeting; **Conservation Commission**-no report ;**ZBA**; issued three special permits; 270 Mass Ave. for a self-storage facility, 333 Mass Ave.- Hannaford Supermarket for outside display of seasonal products, 739, 747,757, and 777 Chase Road- Empire Management (aka North End Subaru and North End Mazda) to construct an eight bay service garage between two auto dealerships and pave an existing gravel vehicle storage lot ; tomorrow night a petitioner is seeking to display and sell 8 used cars at 10 Mass Avenue.
Town Manager/Department Reports- no report

Town Manager Annual Appointments: terms beginning July 1, 2015 to June 30, 2016

Ms. Speidel requested the Board ratify the following:

Animal Control Officer: Kathleen Comeau

Assistant Building Inspector: John Morreale

Alternate Building Inspector: Ed Cataldo

Dam Keeper: Ronald Wilson

Assistant Dam Keeper: Rich Patry

Emergency Management Director /Forest Warden: Fire Chief Patrick Sullivan

Field Driver: Kathleen Comeau

Hazardous Waste Coordinator: Kerry Speidel

Hearings Officer: Kerry Speidel

Inspector of Plumbing/Gas: Gary Williams

Assistant Inspector of Plumbing/Gas: Richard Kapenas

Inspector of Weights and Measures: Stephen E. Cullinane

Inspector of Wires: James Sharkey

RACES Control Office: Ralph Swick

RACES Member: Jeanine Swick

Senior Citizen Property Tax Work Off Program & Taxation Aid Committee:

Shelia Craigen -Assessors' Office

Myleen Mallari - Collector/Treasurer

Jean Larkin- Member at Large

Sue Doherty- Acting COA Director

Kathy Herrick-Town Clerk

Tree Warden: Jack Rodriguenz

Veterans' Service Officer: T. J. Blausen

Motion; T. Alonzo

To ratify the Town Manager appointments as presented

2nd: P. Luck

Mr. Ebersole opposed the appointment of the Animal Control Officer for the same reason he has cited for the last two years. He stated it is based on the work involved, his direct observation and communications from many residents, all of which he has communicated to the Town Manager.

Vote: 3 in favor, 1 opposed

Ms. Speidel stated the next list is for reappointment of Police Officers, both Lunenburg Full time and Reserves, and acting as Agents of the Lunenburg Licensing Authority as well as Special Police Officers from Shirley and Townsend; the term runs from July 1, 2015 to June 30, 2016.

FULLTIME:

Chief James Marino
Lt. Michael Luth
Sgt. Thomas Gammel
Sgt. Sean Connery
Sgt. Jack Hebert
Det. /Sgt. Jeffrey Thibodeau
Officer Jonathan Broc
Officer Robert Diconza
Officer Peter Lekaditis
Officer Joshua Mathieu
Officer Bradley McNamara
Officer Deven O'Brien
Officer Joshua Tocci
Officer Sean Zrate

**Motion: B. Ebersole 2nd: T. Alonzo
To ratify the fulltime appointments as listed
Vote: All in Favor**

RESERVES:

Officer Stanley Barney
Officer Zachary Bilotta
Officer Benjamin Campbell
Officer Robert DaCosta
Officer Paul Grunditz
Officer Jacob Lachance
Officer Donald Letarte
Officer Lisa Melnicki
Officer Daniel Minichiello
Officer John Morreale Jr.
Officer Julienne Salas
Officer Quinn Smith
Officer Chad Stateler

**Motion: T. Alonzo 2nd: B. Ebersole
To ratify the fulltime appointments as listed
Vote: All in Favor**

SHIRLEY OFFICERS:

Sgt. Peter Violette
Sgt. Alfreda Cromwell
Sgt. Samuel Santiago
Ptl. Craig Laprade
Ptl. Everett Moody, Jr.
Ptl. Gregory Gushaw
Ptl. Brandon Bruin
Ptl. Jason Strniste
R.O. Robert Pacetti
R.O. Matthew Euliano
R.O. Mark Lafferty
R.O. William McGuinness
R.O. David Lange
R.O. Sarah Brodmerkle

TOWNSEND OFFICERS:

Chief Erving Marshall Jr.
Lt. Mark Giancotti
Sgt. John Johnson
Sgt. Kimberly Mattson
Sgt. Randy Girard
Officer James Marchand
Officer Thaddeus Rochette
Officer George Reidy
Officer Mark Francis
Officer David Phillips
Officer James Landi
Officer Brent Davis
Officer Jeffrey Giles
Officer Michael Marchand
R.O. Tony Brennan
R.O. Christopher Van Hooris
R.O. Austin Cote
R.O. Joseph Quinn
R.O. David Mazza
R.O. Thomas Kalil

Motion: T. Alonzo
To ratify the appointments as listed as Special Officers

2nd: B. Ebersole
Vote: All in Favor

Appointments:

Ms. Speidel asked the Board to amend Board of Registrar Karen Kemp's term to expire March 31, 2017 and Ruth Anderson's term to expire March 31, 2018

Motion: B. Ebersole
To amend Ruth Anderson and Karen Kemp's terms as presented by Town Manager **Vote: All in Favor** **2nd: T. Alonzo**

Ms. Speidel presented requests for two constables to be appointed; Stanley R. Young and Kevin Rice. Appointed constables are process servers for the court system. There was a question regarding John Baker who is an elected constable posts warrants for town meeting; his term expires 2016.

Motion: B. Ebersole
To appoint Stanley Young and Kevin Rice as Constables **Vote: All in Favor** **2nd: T. Alonzo**

Motion: T. Alonzo
To appoint Richard McGrath and Rebecca Lantry to the Historical Commission with a term to expire June 30, 2018 **Vote: All in Favor** **2nd: B. Ebersole**

Motion: T. Alonzo
To appoint Richard Reynolds, Erin Morin, Brian Contois, Jay Vallierre, Britany Woodhouse, Bruce Walker, Sarah Fitzgerald and Jennifer Oliviera as Public Weighers for P. J. Keating with a term to expire June 30, 2016 **Vote: All in Favor** **2nd: B. Ebersole**

Motion: T. Alonzo
To appoint Michael Barney, Gregory Roy, Brian Frank and Gregory Bittner (Planning Board Representative) to School Building Committee with a term to expire June 30, 2016 **Vote: All in Favor** **2nd: P. Luck**

Motion: B. Ebersole
To appoint Jean Larkin as Town Pound Keeper with a term to expire June 30, 2016 **Vote: All in Favor** **2nd: T. Alonzo**

Public Comment:

Dave Rodgers stated at the beginning of this evening's meeting he had asked the Board to take action regarding Elaine Mroz's situation and is now disappointed they did not act on his request this evening. We still have to do something as a town for her. Mr. Toale thanked him for his input. Mr. Ebersole stated there are times when things are going on behind the scenes that are not appropriate for Town Manager to talk about at a meeting. Perhaps there may be a different way for us to respond.

Mr. Toale stated the Board will not be meeting next week, next meeting is July 7th. He wished everyone a safe and happy July 4th. Mr. Alonzo echoed Mr. Toale's statement and reminded the Board he would not be present at the July 7th meeting.

Motion: B. Ebersole
To adjourn the meeting at 10:16 p.m. **Vote: All in Favor** **2nd: T. Alonzo**

Respectfully submitted,

Elaine M. Peterson
Executive Assistant to the Town Manager