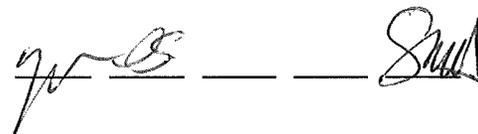


**BOARD OF SELECTMEN
MEETING MINUTES
8/23/11**



The Board of Selectmen met in the Town Hall, Joseph F. Bilotta Meeting Room as scheduled with Paula Bertram, Steven M. deBettencourt, Ernie Sund, Tom Alonzo, Dave Matthews and Town Manager Kerry Speidel present. Meeting opened at 7:00 P.M. with the Pledge of Allegiance

PUBLIC COMMENT

ANNOUNCEMENTS

1. Tom expressed appreciation to the Town Band, and conductor Steve Archambault for their performances throughout the summer as well as to those groups that hosted the concerts.

Marion Benson presented the approval of the Development Plan Review for the DPW addition at 520 Chase Road. This has gone to all the applicable departments for their review/input and noted that the Building Inspector has issued the two building permits for this project (renovation & addition). She noted that the peer review was conducted pro-bono and was completed as quickly as possible.

APPOINTMENTS

1. **7:00 PM Update from Green Communities Task Force** –David Blatt of the Green Community Task Force and John Londa (advisor to the group) were present. According to John, the Landfill project (solar) since the June 1st discussions on the milestones for project two site visits have been conducted. Connection point and layout of the solar farm were determined and recommendations on changes to the contract document. On June 30th he had a follow up meeting with the contractor (Berago) and Unutil representative John DiNapoli. Standard application for the site was accepted by Unutil, and a technical review is required; the fee for this has been submitted by Berago to Unutil. This review is expected to conclude on or about September 14th. Still waiting for input from Town Counsel on the contract changes before we can begin negotiations with Berago on the per kilowatt price for energy. Berago is trying to develop the site and stay off of the actual landfill cap.

Kerry spoke with Rick Holland from Kopelman & Paige and he has assured her that he will have his comments completed by the end of this week.

John doesn't believe that we'll start the construction phase until next spring and noted that we're not competing with every project submittal, only with municipal projects. The project on Chase Road is only looking to sell power back to the highest bidder and not to Unutil.

Paula questioned specifically what areas are they looking at for the solar array. John reviewed the plan that had been incorporated into the RFP, the plan leaves out the composting area and sweeping and catch basin cleanings. He noted that the connection will be on the town owned property that abuts the development.

On the Middle School solar project, John noted that this has been up and generating power for about 60 days, last month about 1600 KW/hours, on track with what we had projected and have received our first bills with the power reduction.

David B. noted that at the last meeting the Task Force voted to recommend to the Board of Selectmen that we proceed with the next step and that is to have a vote at the fall town meeting on becoming a Green Community. The Task Force will plan on holding a meeting with the Board of Selectmen to bring the information to the public and will have a representative from the State available for Town Meeting to answer questions, particularly the issue of the Stretch Code. Their belief is that some of the requirements of the Stretch Code are going to pass legislation as well so some of the requirements in the stretch code will eventually be mandated.

Tom would rather have the Task Force hold a public meeting here, televised, so that we could alleviate the most questions as possible.

David B. wants to be sure that the community is aware of what this means and what the liabilities would be to the town and want to be sure that everyone's questions are answered.

Board concurred that they want to make this information as public as possible, be it through the media, website and public meetings prior to town meeting.

Marion, serves as an advisor to the Task Force and noted that there is currently a vacancy on the committee and that there are three advisors; her, John Londa and Jim Breault.

CURRENT BUSINESS

1. **Request to Abate Ambulance Bill** – Board reviewed the request submitted by Fire Chief, Scott Glenny to abate an ambulance bill. The client received service in 2008, total charges were \$865.00, the billing company learned that she did not have any insurance and is currently unemployed and receives child support. Annual income of approximately \$9,000. If you were to accept the settlement of \$600, there would still be the balance \$265.00 that would need to be abated. Ernie motion to abate, Paula seconded, voted unanimously.

2. **Request to Accept Donation of Materials Town Hall Renovation Project** – Per Kerry, have received a donation of 150 square feet of floor tiles, value is \$300 from SRU Inc. & Flooring. Tom motion to accept donation, Paula seconded voted unanimously.

3. **Board of Selectmen Policies & Procedures** – Paula currently our Policies and Procedures manual is not a standardized format. 89-90 information that was done in 2007 and Selectmen's Policies, Section F. She feels we really need to decide on a format and would like to break it into sections. Provided a list of items that she thinks would go under a Policy Manual. Tom concurred that we should have a format and expressed appreciation for her proposal. Ernie would like to look at state policies and if we can adopt that, instead of re-writing. Steve suggested a consultant that may be able to help us along, some of this is pertinent and some of this isn't and believes that for some short money, we could get this expedited and completed. Dave noted that we have some of these from other communities on the "Procedural" section.

Under "Personnel" may want to review what we have on file with respect to our union contracts and possibly the Personnel Committee. Kerry would like to get this well on its way during the month of September and see what we can accomplish. The one area we could use assistance with is the Human Resources, we have policies that are mandated and some we can get from MIIA. Would like to attempt first and then see if we need assistance. Kerry will discuss further with Paula and present at next board meeting.

Tom commented that the reason that this never really moved forward is we didn't break this down, didn't go through the official part of adopting sections. We really need to do this work about what we believe in most of these sections, and come up with what other town's have done, don't have to re-invent this. Tom would like to see if the board could address a couple of items a meeting. Paula noted that under Organization of the board in the workshop meeting minutes, nomination should have a second. Workshop minutes, agenda's / timelines in accordance with Open Meeting Law. For next meeting, we'll have the edits done from the 2007 workshop, then perhaps Town Manager could put together the financial piece.

4. **Minutes** – Board of Selectmen Regular session for 8/16/11 and Executive Session for 8/16/11 reviewed and signed.

Warrants - #9 12, 8/16/11 - \$149,618.36, #10 12, 8/17/11 - \$338,523.79 and #11 12, 8/23/11 - \$82,205.14, Water Commission 1st Qtr. 2012, 8/23/11 - \$3276.10 reviewed and signed.

Contracts – Town Accountant, Karen Brochu's contract the board wants to stay within the 2½ percent annual increase over the contract. Expressed appreciation to the Town Accountant for her excellent performance.

Also contract for the Clerical Unit for July 1, 2011 through June 30, 2014 signed.

Action File Issues – Tom commented on the rotary at Lakefront Ave. and Whalom Road and as there is no cross walk painted it's difficult for pedestrians to cross in that area. Would like to have this investigated.

Dave commented on an accident on Mulpus Road and the need for a pole to be replaced, Kerry will check into this.

5. **Committee Updates -**

➤ Tom - Finance Committee meets this Thursday.

➤ Dave – School Regionalization Committee met this week and have been discussing the town options and he is not sure how much longer we'll be held up in this process as at this point there is really no update to give. In reviewing the financial analysis, it appears that Lunenburg will be paying more as will the other members of the district. Not really sure why we're still talking at this point and the issues with our buildings really can't be put off much longer. Ernie commented on a report that he's recently read and he's very frustrated with the fact that it seems to be put back because of Lunenburg. Dave will reach out to the State Rep and see if she can reach out to the Department of Education. Tom thinks that both regionalization studies have shown that no scenario is going to be a moneysaver, there may be additional educational opportunities for the district and the students. We have to be sure that we dedicate ourselves to our academic programs and to maintain the buildings, either way we're going to be paying more, people just have to understand how we're going to be paying this.

6. **Department Updates -**

a. **Chapter 90 Road Projects** - Levelling and overlay on Lancaster Ave and New West Townsend Road are tentatively scheduled for the second full week in September. These locations remain consistent with the Pavement Management Program. Our vendor, who was not able to put many of his employees back to work, has been inundated with requests since the release of Chapter 90 monies to communities, most of whom, like us, would have scheduled the work sooner. The DPW Director also intends on proceeding with the crack sealing phase and this is expected to occur in September as well. Dave commented that we should utilize the mobile bulletin board signs to advise commuters prior to commencing the projects and the website scroll so that drivers will be aware traffic issues.

7. **Town Manager Updates**

a. **Jones House Advertisement Schedule** – Kerry reviewed the attached advertisement for the Jones House RFP Process, releasing the RFP on September 1st with anticipated due date of December 30th.

b. Capital Planning Committee Schedule – as attached.

Commented on the power outage that occurred last week, Unifil crews took down the portion of the sub transmission line that failed, it was clearly evident that the line was weakened by a lightning strike that occurred within the last 4 weeks. They were able to pin the occurrence to the last 4 weeks because we inspected the line using infrared technology from a helicopter during that timeframe. We have made full and permanent repairs to the line which should ensure it's reliability moving forward.

Department of Public Utilities is reviewing the Municipal Aggregation and have combined this with the town's of Ashland and Lanesborough. These communities have had a number of issues that have come up which have delayed this process. Looking to mid September and DPU is going through their discovery period which is expected to be finished by September 19th. Next phase would be that we are able to go out to bid to procure.

OLD BUSINESS

COMMITTEE APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS

EXECUTIVE SESSION

1. M.G.L. Chapter 39, §23B(3) 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 litigation position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel.

UPCOMING MEETING SCHEDULE

September 6

September 8 – Regional Dispatch Proposal

September 13

September 20

Being no further business board voted unanimously to adjourn Regular Session at 8:25 P.M.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant
Board of Selectmen

Town of Lunenburg

BOARD OF SELECTMEN

17 Main Street P O Box 135
Lunenburg MA 01462-0135

David J. Matthews, Chairman
Thomas A. Alonzo, Vice-Chairman
Carl "Ernie" Sund, Clerk
Steven M. deBettencourt, Mbr.
Paula Bertram, Mbr.



978-582-4144, FAX 978-582-4148

Office Hours

Mon, Wed, Thu. 8:00 AM - 4:00 PM

Tues. 8:00 AM - 6:30 PM

Fri. 8:00 AM - 12:30 PM

Kerry A. Speidel
Town Manager

Laura Williams
Chief Admin. Asst.

September 1, 2011

Legal Notice

REQUEST FOR PROPOSAL

SALE OF PROPERTY - JONES HOUSE

42 MAIN STREET, LUNENBURG, MA 01462

The Town of Lunenburg, Massachusetts is soliciting proposals from parties interested in purchasing its real property, identified as the Jones House. The building is an historic property which is presently unoccupied. The property is on a recorded lot of 14,948 square feet, more or less and is located at 42 Main Street, Lunenburg, MA. It is located in Residence A Zoning District. The terms and conditions of the Request for Proposals (RFP) are as follows.

Proposal packets, including a sample Purchase & Sale Agreement with the terms and conditions of the offer to purchase may be obtained at the Office of the Board of Selectmen, Attention: Laura Williams, (978) 582-4144, email: lwilliams@lunenburgonline.com, 17 Main Street, Lunenburg, MA 01462; between the hours of 8:00 AM – 4:00 PM on Mondays, Wednesdays & Thursday; 8:00 AM – 6:30 PM on Tuesdays or 8:00 AM – 12:30 PM on Fridays. Proposals are subject to M.G.L. Chapter 30B, Section 16.

Prospective respondents may attend a Pre-Bid Conference on **Tuesday, October 18, 2011 at 11:00 AM** in the Joseph R. Bilotta Meeting Room, Lunenburg Town Hall, with an inspection of the property to immediately follow the conference. Proposals are due at the Office of the Board of Selectmen, 17 Main Street, Lunenburg, MA 01462 by **noon on Friday, December 30, 2011**. All proposals shall be sealed and plainly marked "**RFP Jones House Purchase**." Proposals received after this deadline shall not be considered. Any person wishing to withdraw a proposal shall do so in writing before the date and time allowed for receipt of proposals. The Town reserves ninety- (90) calendar days after opening the proposals within which to make an award and may require one 30-day extension to complete the selection of a response and resultant transaction.

The Town, at its sole discretion, may refuse to consider a proposal that is not in the possession of an authorized representative by the deadline given here. The Town of Lunenburg reserves the right to reject any and all proposals, in whole or in part, or to waive any informality, if deemed to be in the best interest of the Town of Lunenburg.

Kerry A. Speidel, Town Manager

CAPITAL PLANNING COMMITTEE

Lunenburg, Massachusetts

Marion M. Benson, Chair
Carl Sund, Mbr.
Colleen Shapiro, Mbr.
Brian Laffond, Mbr.
Elaine Murphy, Mbr.



17 Main Street
P.O. Box 135
Lunenburg, MA 01462

Date:

To: All Department Heads

From: Marion M. Benson, Chair

CPC Schedule timeline is as follows:

| | |
|--|--------------------------|
| CPC packet sent to Dept. Heads | Sept. 1, 2011 |
| All Capital Request forms return due date for Five Year Plan, FY 13 Requests, & Inventory Sheet | Sept. 30, 2011 |
| Town Manager pre-review | Oct. 1, to Oct. 14, 2011 |
| CPC review and interviews | Oct. 14, to Dec. 1, 2011 |
| Prioritization and preparation of FY plan | Dec. 1, to Dec. 31, 2011 |

Note: Only Inventory, Five Year Plan and Form B due Sept. 30, 2011

The CPC packet for FY2013 contains the following

- Capital Planning Criteria
- Inventory Worksheet
- Five Year Plan Form
- Form B Request Form FY2013
- Form C Notification Form for Capital purchases from FY2013 Capital Plan
- Form D Emergency Request Form
- Form E Notification Form for Capital Purchase from Operating Budget (over \$10,000)

Note: Every department must submit an Inventory and Five Year Plan. Even though you may not have an FY13 request, return the FY13 Form B with above by noting there is no request.

The Goal of Capital Planning is to provide a means of planning for necessary expenditures, maintenance and/or improvements of the capital assets and infrastructure of the Town.

All items with a cost equal to, or greater than \$10,000.00, shall be included on the FY Capital Plan.

Groups of items of same use which together the cost is equal to or greater than \$10,000.00 shall be included on the FY Capital Plan.

Initial purchase of a group of items to establish a new program or new use shall be in the Capital Plan, with sustaining future purchases to be handled through the departmental operating budget.

All items with useful life of over three years costing more than \$10,000.00 shall be included on the FY Capital Plan.

All vehicles which will be registered to operate on roadways shall be on the FY Capital Plan.

All equipment, rolling or stationary; (or groups of same—ex: lawn maintenance equipment) cost equal to or greater than \$10,000.00 shall be on the FY Capital Plan.

All technology and communication items shall be submitted to the Technology Department, who in turn, will include these items in its Form B submittal (this includes all telephones, computers, servers, fax machines, copiers). All above items under Town Departments should be included in the FY Capital Plan and all above items under the School Department shall be in the school budget.

Each submittal of each item to the Capital Planning Committee, or to the Technology Department, shall include a financial impact statement as to the departmental operating budget (See Form B).

Each submittal of each item to the Capital Planning Committee shall include an anticipated maintenance schedule.

The CPC will review all requests by the Criteria which indicates that each request must address the health and safety of citizens and property, maintenance of operation, requirements of Federal, State and Local Laws and Regulations, improvement of infrastructure and improvement of productivity.

Forms C, D, and E are for your use throughout the year.

Form C is for recordkeeping so CPC can know when an item has been purchased and such knowledge assists in maintaining the current balances in the Capital Budget.

Form D is the process for emergency requests. Emergencies can occur; however, each Department should anticipate the age, needs and condition of their equipment. Items should be requested on your Form B's before they become emergencies.

Form E is when a capital item is taken out of the operating budget, grant monies, etc. This is for recordkeeping for Capital Planning, noting that the item has been secured by other financial means.

Capplan/procedures/plan and process

Policy & Procedures Manual is currently a hodge-podge of various policies, votes, memos etc. Manual needs to be standardized into sections.

Thoughts on current manual(s):

Policy Manual 89-90

1. Compensatory Time – Is this currently in practice? Reasoning?
2. Vacation/Sick Leave – Not acted upon?
3. Are the following contracts in line with existing contracts?
 - a. Hiring Policy
 - b. Light Duty
 - c. Injury Leave
 - d. Time off without Pay
4. Was Rob Bowen's policy ever acted on?
5. Utilizing Town Counsel – "The BOS will henceforth act as the contact point between Counsel and the governing body of the town" not currently utilized – eliminate

Workshop 3/8/87

Update "CAFO" to Town Manager in all sections discussed in workshop, renumber charter references accordingly

Organization of the Board

1. States nominations shall require no second?
2. Remove minutes taken by Clerk

Relations with Town Residents

1. Reasoning for limiting comment to 3 minutes?

Agendas

1. Timelines spelled out don't follow changes to open meeting law

Selectmen's Policies (F)

1. Need to update Equal opportunity language
2. Alcohol & Drugs:
 - a. Up to date?
 - b. In accordance with contract?
 - c. Do we perform random testing?
3. Medex Reimbursement – Eliminate (PEC)
4. Sexual Harassment – Laura & Dan currently officers – should it be Town Manager?
5. Computer Training Policy – Standardize but maintain for volunteers
6. Recycled Product Policy – Currently followed? Cost effective?
7. Yard Waste – letter versus policy...
8. Sewer Commission Rates – Eliminate
9. Financial Policy – Update and expand
10. Email Policy – update to open meeting law standards
11. Liquor Policies – combine various policies

Adopt clear format and divide into sections (similar to Town of Framingham)

◆ Procedural

- a. Establishment of Policies and Procedures
- b. Authority
- c. Duties & Responsibilities - Standards of Conduct
- d. Organization
- e. Responsibilities of Officers
- f. Meeting Procedures
 - i. Agenda
 - ii. Executive Session
 - iii. Public Comment
- g. Town Meeting

- ◆ Operational
 - a. Computer Use
 - b. Computer Training
 - c. Email Policy
 - d. Smoking
 - e. Vehicle Use Policy
 - f. Confidentiality and Non-Disclosure
 - g. Community use of Town Facilities
 - h. Authorization for Overnight & Out of State Travel
- ◆ Financial
 - a. Borrowing
 - b. Capital Budget
 - c. Free Cash
 - d. Stabilization
 - e. Submission of Bills
 - f. Warrants
- ◆ Regulatory
 - a. Liquor License Regulations
 - i. Extension of Hours
 - ii. Carry In Policy
 - iii. Advertising
 - b. Street Opening Permits
 - c. Non-Accepted Streets
 - d. Access to Town Counsel
- ◆ Personnel *(Not sure what is redundant due to Union Contracts, should be consistent with contracts)*
 - a. Family & Medical Leave
 - b. Sexual Harrasement
 - c. Alcohol & Drug Testing
 - d. Compensatory Time
 - e. Hiring
 - f. Equal Opportunity
 - g. Injury:
 - i. Injury Leave
 - ii. Light Duty
 - h. Contractors
 - i. Compensatory Time
 - j. Evaluations
 - k. Communications with Board/Committees (regular meeting, i.e. once per quarter..see Town of Harvard policies)
 - l. Town Communications (i.e solicitation by employees using Town communication media, see Town of Ashland)
 - m. Cori Policy (Ashland)
 - n. Employment of Minors