

_____ *Joe Sund*

**BOARD OF SELECTMEN
MEETING MINUTES
7/20/10**

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

PUBLIC COMMENT

ANNOUNCEMENTS

1. Paula noted Omar Connor benefit held on July 17th at the Eastwood Club, sponsored by the Police Relief Association, very well attended. Spoke with Officer Connor who is facing a long recovery and is truly a dedicated employee to the community. Ernie acknowledged the passing of former Selectman Dave Rodgers' son and expressed condolences to the family.

APPOINTMENTS

1. **Louis Franco, to fill unexpired term on Board of Assessor's [Joint appointment]** – Per the Town Charter, Section 3-1 (f) filling of vacancies, (2) Multiple member body - If there is a failure to elect, or if a vacancy occurs in the membership of any elected multiple member body, including the school committee, unless the provisions of a will or trust provide for a different method, the remaining members of the multiple member body shall forthwith give notice of such vacancy to the board of selectmen and to the public in the manner provided in section 7-10. The Board of Selectmen, with the remaining members of such multiple member body shall, after 1 week's notice of the date on which the vote shall be taken, fill such vacancy, until the next town election, by a joint vote. The votes of a majority of the total number of persons entitled to vote shall be necessary for such election. Next annual election, (May 21, 2011) – Louis Franco, 250 Arbor Street referred to his talent bank form, attached:

Office received correspondence from Board of Assessor's Chair, Christopher Comeau informing the Board that the Assessor's voted at their meeting of July 13, 2010 to recommend the appointment of Louis France to the Board of Assessor's. Ernie motioned to appoint Mr. Franco to the Board of Assessor's, Steve seconded, voted unanimously.

2. **Rhonda Lisio, to fill vacancy on PACC** - of 181 Reservoir Road, resident of almost eleven years and has an educational background in media studies, TV directing & production. Board expressed appreciation to Ms. Lisio for her interest who noted that she attended the PACC meeting last evening and is very interested in assisting in the programming and they have a number of exciting ideas. Ernie Sund motion to approve Rhonda's appointment to the PACC, Steve seconded voted unanimously. Term to expire 2013

3. **Tania Fernandez, to fill vacancy on PACC** – of 61 Cove Road, recent resident of town and is very interested in becoming involved with the town, has past history in planning events. Ernie motion to appoint Tania to PACC for the 2011 term, Steve seconded voted unanimously.

CURRENT BUSINESS

1. **Unitil Vegetation Management Plan Update** - John DiNapoli, Municipal & Community Services Manager, and Keith Caribo, Electric Operations Manager, attended the meeting to provide a general overview of Unitil's current Tree Trimming and Vegetation Management Program. John provided a brief overview of Unitil operations. Keith discussed the overview of vegetation management and that back in April customers received a flyer in their bills explaining why and how they trim. He further identified what has taken place in Lunenburg over the past few years and what goes into tree trimming which can go about eight feet from the lines and 15 feet above the furthest conductor, 4 feet below is where they trim and this also helps out the other utilities. Based upon voltage class, majority of Lunenburg lines are 13,000. Lunenburg has approximately 101 of overhead lines that are trimmed, spend roughly \$400,000 for FG&E trimming, which encompasses close to 500 circuit miles, and normally creeps up higher. John stated that the \$400,000 is for the four communities that they serve on a regular basis. Highlighted what work Unitil will be doing in the remainder of calendar 2010 and they believe that they will be able to meet their timeline. They are still performing unscheduled trimming, no more circuit trimming currently scheduled for Lunenburg this year. Noted Highland Street which has recently had 41 poles installed they are running new wire on that project and Lancaster Ave.

They will provide an update on when the required Third Party (ECI Environment Consulting Company) Analysis Report might be approved by the Department of Public Utilities as they will be meeting with DPU and there may be changes moving forward. Noted that the trimming schedule may move forward by one year to occur ever 4 years versus 5 years. They are willing to come back to community once the staff at DPU (estimate this will take at least 2 months) has submitted their opinion as they realize the importance to work with the town and the residents. Discussed the calls about double poles and noted the maintenance company for setting the

poles is for Verizon, although they are willing to speak with the customers and have driven around town to take note of where the double poles are located as they are in constant communication with Verizon.

Discussed ground to sky trimming and per Keith many of the trees in the Lake Shirley area were pines and in consultation with Chief Glenn, safety was a concern. Also had a consultant look at this area and their recommendation was also ground to sky trimming, not used as industry all around and is not something that is done all the time, dependant upon circumstances. They will provide information on miles on Reservoir Road that were impacted with trimming, ground to sky. They are currently utilizing the same notification card for residents as they had been last year, noted that they work with Asplundh (tree trimming company) who work very closely with the residents. Currently they are only doing "hotspot" trimming, which is done by circuit. As soon as they have been able to coordinate the trimming schedule with the DPU, they will provide information to the town.

Ernie questioned if they could look at putting this information on their website. Discussed the secondary service which is the line that goes from the street to the home and in some circumstances they will come out and trim, again based upon the circumstance. Ernie noted that he has on numerous occasions reported such an issue and was repeatedly told by Unifil that that was taken care of. As it is still not at this time "been taken care of", questioned that if it's happened to him repeatedly, he's sure it's happened to other customers. Keith noted that he is disturbed in hearing that it has taken three calls and has still not been taken care of, requested Ernie's address so that he can look into this situation.

Dave wanted to ensure that no matter what the situation you make contact with the property owner and per Keith depending upon the situation, they may do minimal trimming if an urgent situation and would then come back to talk to the property owner. He strongly urged that they get a strong clear line of communication with the property owners. Keith noted that ground to sky clearing will be application driven and that they are going to be aggressive in their trimming program and should get current within the next couple of years.

Steve questioned the evaluation process and when the plans are usually made for the next year and per Keith usually October, however they do evaluate throughout the year and conduct a review in November/December.

Board expressed appreciation for the information that was provided and the importance of keeping the lines of communication open so that we will know what the trimming phase will be for Lunenburg coming into next year, so that we can provide the information to residents moving forward. Noted that she and Kerry have a meeting scheduled with John on the 26th and if the board has any specific issues to provide this information to either her or Kerry prior to the meeting, also noted their attendance at the board's August 10th Work session on the Emergency Response Plan.

2. Senior Center Parking Lot Expansion Project – Present were Shelly Hatch and Doreen Nobel. Doreen informed the board that MRPC has agreed to sponsor the towns' application for Community Development Block Grant [CDBG] funding for the December 2010 round for the expansion of the Eagle House Parking Lot. In order to complete our grant application, the Town must hire a firm to prepare the design. The FY2011 Capital Improvement Plan included \$10,000 for the design. On May 26, 2010 a Request for Qualifications for Engineering Services was placed in the Central Register, in accordance with State Procurement Regulations. A pre-proposal site visit was held on June 1, 2010. Proposals were due on June 11, 2010.

The Parking Lot Expansion Committee, made up of Doreen Noble, Laura Williams, COA Chair Pete Lincoln, Shelley Hatch, MRPC, and Lloyd Carlson reviewed the four proposals submitted. The committee interviewed two of them and decided upon the Hudson Design Group. Doreen noted the number of communities that the Hudson Design Group has directly worked with and noted that Mr. McCluskey has been out to look over the project and has spoken with DPW Jack Rodriquenz. She noted that the Friends of the Eagle House, the 501C3, is actively doing fund raising and they have committed to make this project happen. Laura noted that the funds must be deposited to cover the total amount of the contract as we are not able to enter into an agreement without a funding mechanism in place, suggested that the "gift fund" be considered. Deadline for the grant application is expected to be December 1st, may not have definitive date for a couple of months. Timeline for the design is expected to be done as soon as possible. If a task were to be removed from the invoice then an agreement could be signed for the \$10,000. The Committee is recommending award of the design project to Hudson Design Group. Dave motion to approve the \$10,000 Capital Plan funding and to include the full amount of the contract, subject to the Friends of the Eagle House supplementing the funds necessary, Steve seconded voted unanimously.

3. Requests to use Public Property

➤ Dave Berthiaume came before the board to request on behalf of the Lions Club/Firefighters Association for Bonfire, August 14, 2010 on the grounds of Lunenburg High School. Paula recused herself as she is currently a member of the Lunenburg Lions Club, Steve motioned to approve the request, Ernie seconded with the notation of "527 CMR: BOARD OF FIRE PREVENTION REGULATIONS, section 10.23: Bonfires and the Burning of Christmas Trees (I) Ceremonial Bonfires The city council of a city with the approval of its mayor, or the board of selectmen or town council of a town, may authorize the fire department of such city or town to issue not more than one permit in any one year for a ceremonial bonfire. Such bonfires shall mark the observance of a significant municipal, state or national event, and such ceremonial bonfire shall be under the continuous supervision of the fire department. A permit for such ceremonial bonfires shall be issued only to a municipal department or a civic, fraternal or veterans organization within such city or town. Only wood which has not been painted, impregnated, or otherwise treated with any foreign substance shall be permitted to burn in ceremonial bonfires. No bonfire shall burn for more than 12 hours; in accordance with the

state regulation the board also needs to permit Fire Department to conduct the bonfire", voted unanimously to approve the bonfire request and authorize the issuance a permit.

- Cathy Kerbert of 127 Woodland Drive, request to use the Gazebo on July 31, 2010 – Cathy came before the board to request use of the Gazebo for a Candlelight Vigil for 3 US hikers held in Evin Prison in Iran since July 31, 2009, simply wants to raise awareness in the town about this situation and noted that there will be vigils held throughout the world. They have been asked to wear white ribbons, will not be asking for any donations. Information can be obtained from the website: www.freethehikers.org. None of the detainees have even been charged and they are going through mental and emotional torture. Unsure as to how many people will actually attend, would like to hope that attendance would be in the vicinity of 50, to be held from 7:00 – 9:00 pm, they will be using tea light candles. Chief Bourgeois has stated that he has no concerns with this event being held, unless protesters are expected. In the event that the applicant becomes aware of anyone wanting to protest the event, she should notify the Police Department immediately. The Police Chief will then determine if a detail officer is necessary. Board expressed appreciation to Cathy in bringing this issue forward, Dave motion to approve use of the Gazebo, Steve seconded, voted unanimously.
- Andrea Schnepf, grounds of Ritter Memorial for Farmers' Market - on behalf of a group of 5 farmers, for use of the lawn on the School Street side of the Ritter Memorial Building, for a Farmer's Market on Mondays, from 3:00 — 7:00 p.m. Chief Bourgeois is supportive of this endeavor. Andrea came before the board and has spoken to a number of local farmers and would like to coordinate the event to coincide with the band concerts, generally runs to about October. There are two farmers who accept coupons for seniors to use for fresh fruits and vegetables from the state, still waiting for the acceptance by the State that we can accept the coupons which is expected soon. There are vendors for maple syrup, small wooden toys, honey, Dutch Kitchen and Stillman's farm. Paula noted that the Ritter building is opened until 4:00 and concern is on the parking and set up and breakdown. Per Andrea should take about ½ hour for each and will have the pop up tents, Stillman has a refrigerated truck, also the honey and maple syrup will be a small area, sharing tables. Stillman and Dutch Kitchen will require a \$25/permit for market. Dave motion to approve request to establish a farmers market, Steve seconded voted unanimously.

4. FY2010 Budget Adjustments [if needed] - tabled

5. Minutes - Workshop Minutes for 7/13/10 reviewed and signed.

Warrants - #2WP 10, 6/30/10 - \$377,839.76, #3WP 10, 6/30/10 - \$2,780.26, #7 10, 6/30/10 - \$254,339.62, #2 11, 7/19/10 - \$392,857.16, #2P 11, 7/22/10 - \$461,553.06 and #3WP 10, 6/30/10 - \$2,780.26 reviewed and signed.

Action File Issues – Dave questioned the status of the fuel tank removal at the old Primary School site; Laura advised the board that two contracts (engineering & construction) have been mailed out for this project and the office is expecting they will be returned shortly.

6. Committee Updates –

- Paula informed the board of the recent Planning Board meeting, amendment to the Emerald Place units, proposing to eliminate the clubhouse on the corner parcel and are proposing instead to have 12 residential units. Noted that there is eighteen percent more green space on the larger units. They have also acquired the property behind Scouters and there will be additional modifications as a result. Planning Board will be holding a Public Hearing on July 26th @ 6:30, hopefully to be televised. Proposed to be 238 units.
Also noted that the United Parish looking at enlarging the facility.
- Ernie PACC meeting was held last night and they reorganized and now have two new members that have been appointed this evening.

7. Manager Updates – tabled.

OLD BUSINESS

COMMITTEE APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS

1. **Board of Assessor's** – Joint appointment of Louis Franco, of 250 Arbor Street (term next annual election - 2011) unanimously approved.
2. **Public Access Cable Committee** - Appointment of Rhonda Lisio (term 2013) and Tania Fernandez (term 2011) unanimously approved.
3. **DPW Building Committee** - Article 27, Section 1 of the Town Bylaws call for the appointment of a Building Committee for each Town Building project. The committee shall consist of a minimum of seven - (7) members as follows: 1 member of the Board of Selectmen to be chosen by the Board of Selectmen, 1 member of the Planning Board to be chosen by the Planning Board, 2 members

of the Department of Public Works, 3 Citizens-at-Large. Kerry contacted the members of the DPW Facility Committee to see if any were interested in serving on the Building Committee. Both Dave MacDonald and Jay Simione expressed an interest. She also contacted both the Cemetery and Parks Commissioners to see if any were interested in serving on the Building Committee. Unfortunately, none of the Parks Commissioners were able to make the commitment due to the time of year. Jan Carrier, Cemetery Commissioner, expressed an interest in serving on the committee. DPW Director, Jack Rodriquez is recommending that Leigh Mezzetti and Jim Breault be appointed as the DPW members. Jack will serve on the Committee as an Ex-Officio Member. One resident, Thomas Albert, has submitted a Talent Bank application for appointment. The Planning Board has voted to appoint Joanna Bilotta to serve as their representative. The bylaw is silent on the purpose of the Committee. If the Committee is expected to have a purpose other than general overview of the project, it should be specified prior to their first meeting. Kerry hopes that the Committee will be ready to begin work on or about August 1, 2010 and therefore requests that the Board of Selectmen make appointments to this Committee.

No action taken.

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.

UPCOMING MEETING SCHEDULE:

August 3, 2010 – Business Session
August 5, 2010 – Work Session
August 10, 2010 – Work Session

Being no further business board voted unanimously to adjourn Regular Session at 8:24 P.M.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant
Board of Selectmen

FOR OPEN SEAT ON BOARD OF ASSESSORS

PB

TALENT BANK FORM

RECEIVED

MAY 24 2010

ACT NOW -- SERVE YOUR COMMUNITY

Town government needs citizens who are willing to give time in the service of their community. The Talent Bank was adopted by the Selectmen and Moderator as a means of compiling names of interested citizens to serve, on a voluntary basis, on boards and committees. This file is available for use by the public as well as the Moderator and the Selectmen. Talent Bank files are being updated to include categories consistent with the changing needs of the Town. Indicate your order of preference and return the form below to:

Town Government Talent Bank c/o Board of Selectmen
PO Box 135, Lunenburg MA 01462

Name: Louis J. Franco Date: 24 MAY 2010

Address: 250 Arbor Street, Lunenburg, MA 01462 Precinct No: D

Occupation: International Patent Lawyer / Business Owner Telephone: (978) 582-5550

Background: D.O.B.: 16 Nov. 1967; Fordham Univ 1990 (B.S. Physics & Philosophy);

Indiana Univ. School of Law (1993); founded Law office of Louis J. Franco in 1994 (Boston,

Southbridge, MA Conservation Commission (3 yrs mid-1990's); moved to Lunenburg from

Littleton in 2001; married, 1 son;

Was a physics and math teacher in NYC's Upward Bound Program

AREAS OF INTEREST

(list order of preference) adjunct professor of Patent and Trademark Law at Mass. School of Law 1995-2004

Computer Advisory Committee -- maintain strategic planning, policies & procedures encompassing the town & school departments. Responsible for reviewing Technology Department goals & objectives.

Conservation Commission -- responsible for administering the Wetlands Protection Act (MGL.Ch.131, Section 40), Local (non-zoning) Municipal Wetlands By-Laws, plan for natural resource protection, acquire important land and water areas, and manage these properties for conservation and passive recreation.

Council on Aging -- carry out programs designed to meet the needs of the aging in coordination with programs of Executive Office of Elder Affairs established by the Commonwealth of Massachusetts.

Finance Committee -- consider any and all municipal questions & exam all articles calling for expenditures of money.

Historical Commission -- responsible for protecting the history of the Town.

Housing Partnership Committee -- address local housing needs through a collaborative effort between local government, community organizations, banks, and the private sector.

Lunenburg Cultural Council -- to ensure that public programs in the arts, humanities and interpretive sciences are available to the community.

Montachusett Joint Transportation Commission -- sub committee of Montachusett Regional Planning Commission/ a citizens advisory group for input on transportation (highways & road projects etc)

Personnel Committee -- responsible for administration of the by-laws; establishes salary schedules, "fringe" benefits, "indirect pay" provision such as holidays & vacations with pay, sick leave. The committee represents both taxpayers & town employees.

Public Access Cable Committee (PACC) -- oversee programming in areas of public affairs, education, entertainment & government.

Zoning Board of Appeals -- hear & decide on applications for variances, special permits, comprehensive permits etc.

Other Open seat on Board of Assessors

Can provide further background information upon request.

A Close Look



Unitil responsibility

Typical pole construction layout

Location on pole governed by NESC

