

4/10/12

**BOARD OF SELECTMEN
MEETING MINUTES
4/10/12**

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

PUBLIC COMMENT

Mr. Alonzo announced that the deadline to register to vote is Thursday, April 12 at 8 p.m. He also mentioned that filling out the census does register you to vote. He also announced that the Annual Teen Center Auction will be held on May 3rd at 6 p.m. at the Bull Run Restaurant. All proceeds will go to benefit the Lunenburg Boys & Girls Club Chester Mossman Teen Center.

ANNOUNCEMENTS

Mr. Matthews announced that the Lunenburg Police Dept. will take part in the U.S. Drug Enforcement Administration Drug Take Back program on April 28th between the hours of 10AM & 2PM. They will be collecting all expired/unused controlled substances free of charge at the police station.

APPOINTMENTS

7:00 p.m. Douglas S. Duval, Sr., Candidate for Constable – Douglas S. Duval of Lancaster Ave came before the Board as a candidate for Constable. Mr. Duval is a retired Fitchburg Fire Fighter and considers himself to be a good candidate for this position. Although he has no prior experience the Constable from the City of Leominster has encouraged him to apply for this position and has also offered his experience and guidance to him if he is approved for this position.

Mr. Alonzo moved that Douglas S. Duval Sr. be approved for the position of Constable. Mr. deBettencourt seconded. On vote, motion carried 5 in favor, 0 opposed.

CURRENT BUSINESS

1. FY2013 Budget & Override; Review & Recommendations on Town Meeting Warrant Articles

Before the FY13 Budget & Override was discussed Mr. Matthews commented on an article which was printed in the Fitchburg Sentinel & Enterprise concerning the override and how the tax bills have risen in Lunenburg due to building the primary school and the police and fire building, but yet Lunenburg has fallen lower in the rankings compared to its neighbors and other communities in the state, in terms of average tax bill. He also pointed out other towns, which are similar to Lunenburg, that are also having similar financial problems. He feels that Lunenburg is not out of control in spending but rather that it is a common issue and is a matter of inflation.

Mr. Sund said that he had been contacted by individuals in town about their homeowners insurance rising if the override does not pass. He said that they were told by their insurance companies that if the town goes from a 4 to a 5 in rating it will not affect their insurance, but if they go to a 6 it will. He would like clarification on this from the Town Manager.

The Board reviewed the articles on the Town Meeting Warrant and made the following recommendations.

Special Town Meeting Articles:

ARTICLE 1. Prior Year Expense : BOS to make recommendation at Town Meeting

ARTICLE 2. Stabilization Fund: BOS to make recommendation at Town Meeting

ARTICLE 3. FY12 Budget Adjustments: BOS to make recommendation at Town Meeting

ARTICLE 4. Rescind Remaining Bond Authorization for Meadow Woods: Ms. Bertram moved to recommend approval. Mr. deBettencourt seconded. On vote motion carried 5 in favor, 0 opposed.

ARTICLE 5. FY11 IBPO, Local 353, Police Officers Collective Bargaining Agreement: BOS to make recommendation at Town Meeting

ARTICLE 6. FY12 Professional Firefighters Collective Bargaining Agreement: Mr. Alonzo moved to approve the Firefighters contract. Mr. Sund seconded. On vote motion carried 5 in favor, 0 opposed.

ARTICLE 7. Fund Extraordinary Unemployment Costs: BOS to make recommendation at Town Meeting

Annual Town Meeting Articles/Consent Calendar:

The Consent calendar was voted on as a group. Ms. Speidel explained how the revolving funds work and said that these accounts require annual authorization. Mr. Alonzo moved to recommend the approval of the consent calendar. Ms. Bertram seconded. On vote motion carried 5 in favor, 0 opposed.

ARTICLE 1. CC Reauthorize Revolving Fund – Ambulance Billing: BOS recommend approval 5-0

ARTICLE 2. CC Reauthorize Revolving Fund – Timber Rights: BOS recommend approval 5-0

ARTICLE 3. CC Reauthorize Revolving Fund – Custodial Special Details: BOS recommend approval 5-0

ARTICLE 4. CC Reauthorize Revolving Fund-Greenthumb Program: BOS recommend approval 5-0

ARTICLE 5. CC Reauthorize Revolving Fund-Library Revolving Fund: BOS recommend approval 5-0

ARTICLE 6. CC Reauthorize Revolving Fund -Transportation COA: BOS recommend approval 5-0

Annual Town Meeting Articles:

ARTICLE 7. Accept / Hear Reports of Certain Committees: Mr. Alonzo moved to recommend approval. Mr. Sund seconded. On vote motion carried 5 in favor, 0 opposed.

ARTICLE 8. FY13 Non-Override Budget: Ms. Bertram voiced her concerns about the combining the administrative staff within the land use departments. She would like to discuss it more in the override budget. Ms. Bertram moved to recommend approval of the balanced budget. Mr. Alonzo seconded.

Discussion: At this time Mr. deBettencourt spoke of his concerns about the schools receiving a “windfall” of funds over the previous years while the library and senior center seem to suffer. Ms. Speidel explained to him that the only increase the schools are receiving is in Chapter 70 funds and that the town funding is the same as it is in the current fiscal year.

Mr. Sund also commented in saying that he would like to see more of a breakdown of individual department’s items in the budget so he could see what each department is costing the town. Mr. Matthews told him that this is the way the MUNIS software works. Ms. Speidel spoke and said that she would like to see a budget like that but this is the way the accounting system is set up to meet our legal requirements.

Ms. Bertram spoke again of her concerns of combining the land use offices and would like to hear more of what the individual departments had to say on this matter. She is trying to understand the cost savings and what the rationale was behind combining the two offices. Ms. Speidel informed her that the cost savings would be about \$22,000 in salary and \$15,000 in health insurance. She also highlighted where the staffing cuts came from in the past in other departments. She said that based upon her observation and her understanding of the operations it seemed that the next best cut would be to combine the two positions into one full time position. Ms. Speidel also mentioned that they could just as easily be looking at possibly combining the full time Building Dept. Administrative Assistant position with the other two part time land use positions to make them into two full time positions.

Also discussed was expanding hours for the Assistant Tax Collector, which had previously been cut, from 27 hours to 32 hours a week at a lower grade with no increase in salary.

Ms. Bertram stated that she was angered at statements made by some BOH members that they would resign if the cut was made to the hours of the administrative assistant. She hopes that this is not the case because there are statutory requirements that the citizens of Lunenburg need from a BOH. She said that as an elected official, even if you don’t agree with a decision, you’ve been elected to that position and you need to stay in that position for the remainder of its term.

At this time Mr. deBettencourt had concerns about the budget and stated that not a lot of this was put before the Board but rather just dropped on them. Mr. Matthews defended the process and said that the budget has been in front of him for months and has been discussed at length.

A lengthy discussion ensued among the Board members concerning all aspects of the Town Manager’s proposed budget cuts including the schools increased portion of the budget. The Board discussed having meetings with the land use departments.

Dave Passios, 56 Whiting St and member of the BOH spoke to the Board to tell them that the BOH meeting scheduled for April 17th has been rescheduled to the 23rd due to the holiday. He was also concerned with if the override/budget

passes will all of the revenues be reshuffled again. He wanted to make the point that it is not set in stone for 5 years but yet for 1 year. He was also concerned about the purchasing of a new truck with plow for the school department. He did not think it would be fully utilized considering DPW does most of the plowing. Mr. Matthews reassured him that it was a necessary item.

At this time the motion on the floor made by Ms. Bertram was to recommend approval of the balanced budget and was seconded by Mr. Alonzo. Upon re-vote motion carried 5 in favor, 0 opposed.

ARTICLE 9 FY13 Override Budget: Ms. Speidel informed the Board that a column has been added to this article to identify where the \$2.2M would be allocated and that there have been no other changes made. Discussion began again concerning the land use office's cuts even if the override is passed and if it included money for a recording secretary in the budget. Ms. Speidel said that it includes \$3000 for a recording secretary. Ms. Bertram continued to express concerns about this issue and does not believe that \$3000 is enough to cover the hours that are needed for that position. Ms. Speidel suggested that \$20,000 be used from the Reserve Fund to cover the extra expense. This leaves a balance of \$8000. It was decided to reduce line item 13 by \$8,000, add \$10,000 to line item 39 and add \$10,000 to line item 57. All members agree that this needs to be looked at again. Also discussed was the high number for the school budget and how they will stay within their budget. Ms. Bertram made a motion to recommend the revised article 9 override budget. Mr. Alonzo seconded the motion. On vote, motion carried, 3 in favor; 2 opposed (deBettencourt & Sund)

ARTICLE 10. Stabilization Fund: Mr. Matthews clarified that this not money put aside for the Selectmen to spend, but rather for the towns people to allocate at a later date. Mr. Alonzo made the motion to recommend approval of \$277,432 into the stabilization fund if Article 9 passes. Ms. Bertram seconded the motion. On vote motion, carried 5 in favor, 0 opposed.

ARTICLE 11. School Feasibility Study & Schematic Plan Design: Discussion on the preliminary feasibility study began. Mr. deBettencourt wanted to know why renovations to the High School aren't being proposed. Mr. Matthews explained that the MSBA does not want to put money into a small school. He also said that with the current four school buildings, this would take one off line, and if you add up maintenance and repairs to the four buildings it comes up to approximately \$18M. The idea is to maximize the investment to get the MSBA involved and to get a bigger building to house more students. Mr. Sund wanted to know if a new school was built, what becomes of the old buildings. Mr. Matthews said that's a decision that has to be made as a town. Mr. Alonzo made the motion to recommend approval of Article 11. Ms. Bertram seconded the motion. On vote motion carried, 5 in favor, 0 opposed.

ARTICLE 12. FY13 Public Employees, Local Union 39 Collective Bargaining Agreement: Ms. Speidel informed the Board that at this time there is no settlement with the Union although she does anticipate bringing something to them. BOS to make recommendation at Town Meeting.

ARTICLE 13. FY13 Budget, Water Department Enterprise Fund: Ms. Bertram moved to recommend approval of Article 13. Mr. Alonzo seconded the motion. On vote, 5 in favor, 0 opposed.

ARTICLE 14. FY13 Budget, Solid Waste Disposal Enterprise Fund: Mr. Alonzo moved to recommend approval of Article 14. Ms. Bertram seconded the motion. On vote, 5 in favor, 0 opposed.

ARTICLE 15. FY13, Budget Sewer Department Enterprise Fund: Ms. Bertram moved to recommend approval of Article 15. Mr. deBettencourt seconded the motion. Questions ensued on whether or not the enterprise fund was self-sustaining yet, and it is not. Ms. Speidel will include the dollar amount in the article. After discussion the BOS decided to make a recommendation at Town Meeting.

ARTICLE 16. FY13 Capital Improvements Plan: Discussion began on the snow plow truck for the school. Mr. Sund stated that town trucks are on the town roads trying to keep roads clear while the school department may have to plow numerous times to keep the parking lot clear for buses. The current truck is in complete disrepair and this is a much needed replacement. Ms. Bertram moved to recommend approval for Article 16. Mr. Alonzo seconded. On vote, 5 in favor, 0 opposed.

Mr. Matthews spoke and said he was concerned with the painting and caulking at the Library that did not get funded in Capital Planning. He hopes that the town will get in front of that and not wait for capital planning. Ms. Speidel hopes that next year the Library gets onto the Capital Plan to address bigger maintenance issues there.

ARTICLE 17. Amend Protective Bylaw, Add New Section 4.15, Solar Energy Systems: Discussion began when Ms. Bertram stated that she was worried with the concerns that were expressed, the prior evening, at the public meeting. She was also concerned with language in the Bylaw and would like to see adjustments. BOS to make recommendation at Town Meeting.

ARTICLE 18. Petition Article: Amend Protective Bylaw, Add New Section 4.15, Solar Energy Systems : BOS to make recommendation at Town Meeting.

ARTICLE 19. Delete Protective Bylaw Section 6.6.7, Solar Energy Systems: Ms. Speidel stated that if one of the revisions in article 17 or 18 passed then article 19 would be to delete the current Bylaw. BOS to make recommendation at Town Meeting.

ARTICLE 20. Accept M.G.L. Chapter 59 §5, Clause 54, Min. Value for Personal Property: Ms. Speidel did not have the loss of revenue figure available for this meeting. Board agreed that more information is needed before this is passed. BOS to make recommendation at Town Meeting.

ARTICLE 21 Funding for Summer Street Design: The Town Manager requested that the engineer provide her with a revised dollar amount of what the towns 25% share is. Senator Flanagan is trying to get \$150,000 for this from the Transportation Bond Bill and the towns will make up the difference. BOS to make recommendation at Town Meeting.

ARTICLE 22. Amend Town Bylaws, Article XXIV (B), Sewer Bylaw: The Town Manager asked that the board make a recommendation for this at Town Meeting. BOS to make recommendation at Town Meeting.

ARTICLE 23. Grant Driveway Easement along a portion of Town-owned Property: Mr. Matthews explained that this easement was for the potential buyers of the Jones House to be able to use an existing driveway which runs over the Teen Center property. Ms. Bertram moved to recommend approval of Article 23. Mr. Alonzo seconded. On vote, motion passed, 5 in favor 0 opposed.

ARTICLE 24. Authorize Revolving Fund- Off-Road Vehicle Fines: Ms. Speidel stated that this article will be withdrawn. BOS to make recommendation at Town Meeting

ARTICLE 25. Amend Town Bylaws, Article XXV, Public Access Cable Committee: The Public Access Cable Committee will be invited to a BOS meeting to review the Bylaws. BOS to make recommendation at Town Meeting

2. Establishment of Memorial Day Committee – Not discussed.

3. Minutes/Warrants/Action File Issues – The following minutes and warrants were presented for approval.

1. Minutes: 4/3/12 & 3/13/12
2. Warrants – W # 59-12 \$333,280.64
W #21 P-12 \$632,415.63
W # 60-12 \$597,647.64
3. Action File Issues – None

4. Committee Report – Mr. Alonzo reported that he attended the Financial Committee's public hearing and that they did an excellent job with their presentations and discussions on the warrant articles.

Mr. Matthews stated the School Building Committee meeting will be tomorrow night at 7PM at the Brooks House.

5. Department Reports - None

6. Town Manager Reports- None

OLD BUSINESS

APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS – None

EXECUTIVE SESSION –

1. Under M.G. L. Chapter 39, Section 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 litigating position. Also to conduct strategy session in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel. – No need for Executive Session this evening.

Public Discussion: Ms. Bertram stated that she had attended a Regional Trails Organizational meeting which is a compilation of different groups who are interested in forming a Regional Trails Organization to increase awareness and appreciation of existing recreational trails. They have some good ideas of how to spark ecotourism in surrounding communities. She hopes the Lunenburg Planning Board and Conservation Commission get involved in this group.

Being no further business the board voted unanimously to adjourn the meeting at 9:45 p.m.

UPCOMING MEETING SCHEDULE

April 17, 2012	May 1, 2012	May 5, 2012 Annual Town Meeting
May 8, 2012	May 15, 2012	May 22, 2012

*Respectfully submitted,
Susan Doherty, Recording Secretary
Board of Selectmen*