

**BOARD OF SELECTMEN
MEETING MINUTES
10/23/12**

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

Regular Meeting opened at 7:00 PM with the Pledge of Allegiance.

7:00PM PUBLIC COMMENT

Mr. Alonzo thanked the Fire Department for holding their Annual Open House the previous weekend. He commented that it was very well attended and how great it is that the community comes out to support this event. Mr. Sund echoed Mr. Alonzo's comments.

ANNOUNCEMENTS

Mr. Matthews announced that the "Yard Waste Days" at the landfill will be open on Saturdays from October 20th through November 17th from 8AM – 4PM. Additional information is available at www.lunenburgma.gov

Mr. Matthews announced that "Trick or Treat" will be held on Wednesday October 31st between the hours of 6PM and 8PM.

Mr. Matthews announced that Representative Steve DiNatale will be hosting a "Meet & Greet" at Donnelly's Tavern on October 25th from 5:30-7PM for people who reside in Precinct B.

Mr. Sund announced that the Lunenburg Fire Department will be holding a "Meat Raffle" on November 9th at the Public Safety Building.

APPOINTMENTS

1. Chief Jim Marino to present Joshua Matthieu, Patrol Officer – Lunenburg Police Chief introduced Joshua Matthieu, Patrol Officer, to the BOS. He gave a brief overview of Officer Matthieu's education and employment history with the Town of Lunenburg and requested that Officer Matthieu be given a full time position on the force to become effective on November 28, 2012.

2. Mike Padula, Right of First Refusal, for a portion of 131 Leominster-Shirley Road – Mr. Padula spoke to the BOS to request removing this portion of land out of Chapter 61A. Ms. Speidel read the terms of the sale to the BOS, which is the sale from Padula Lunenburg LLC to PSG Realty 393-435LLC at a purchase price of \$900,000. This land is a 5 acre parcel that is contained within a larger parcel.

Mr. Matthews stated that the normal process for this procedure would be to have the Conservation Commission and Planning Board evaluate the request before the BOS can act upon it.

Ms. Bertram asked Mr. Padula if the sub-division of the property has been done yet to which Mr. Padula replied no.

Ms. Speidel will relay this information to the Conservation Commission and Planning Board for their input.

3. Video & CD Rentals, Automatic Amusement Device License – A representative from El Dorado Amusement came before the BOS to request an Automatic Amusement Device License to operate a CD/DVD rental kiosk within their establishment located at 5 Summer St.

Ms. Bertram moved to approve the license requested for El Dorado Amusement. Mr. Alonzo seconded. On vote, motion carried, 5 in favor, 0 opposed.

4. North Leominster Rod & Gun Club, One Day Liquor License – Mike Sauvageau, Building Inspector/Zoning Officer spoke to the BOS regarding the recent complaints from a resident of Lancaster Ave regarding excessive noise coming from the North Leominster Rod & Gun Club. Mr. Sauvageau gave a history of the complaints from this resident which date back to 2006. He stated that he visited the Lancaster Ave residence along with the Rod & Gun Club to investigate the noise decibels and reports of illegal expansion of gun ranges at that club.

Mr. Sund voiced his concern about the size of the weapons being shot at the club and said that while researching the club via Google Earth, it appeared that expansion has occurred on that property. Mr. Sauvageau replied that Mr. Sund is probably seeing the concrete “bunkers” which they shoot from and that when he visited the club and asked about expansion they told him that there has been none. His opinion is that the “bunkers” are approximately 30 years old and the weapons being fired are within the legal limits of the noise ordinance and unless you can get them to voluntarily move the range there is nothing that can be done to help this situation. By law the club can operate during the hours of 8AM and 10PM.

Mr. Sauvageau stated that he is sympathetic towards the complainants issue but after due and diligent inspection it was his opinion that the North Leominster Rod & Gun Club are within their rights legally to operate their shooting range and are not in violation of any zoning law regarding expansion of firing ranges. Mr. Sauvageau has submitted a chronology of his findings to the Town Manager.

Mr. Matthews suggested that the size of the gun range be documented incase any further complaints of expansion should arise in the future. Ms. Bertram spoke in agreement but cautioned the use of Google Earth for documentation due to the fact that there are other situations that can change the topography that may not have anything to do with expansion.

Mr. Alonzo moved to approve the one day wine & malt license for the North Leominster Rod & Gun Club on November 16, 2012 from 6PM-11PM. Ms. Bertram seconded. On vote, motion carried, 5 in favor, 0 opposed.

CURRENT BUSINESS

1. Request for Abatement of Ambulance Bill, LB119640 – Ms. Speidel received a request from Fire Chief Patrick Sullivan for an abatement for Ambulance Bill LB119640, date of service of March 23, 2011 in the amount of \$650.00. She stated that the applicant has completed the application and meets the requirements for abatement.

Mr. Alonzo moved to approve the Abatement of Ambulance Bill LB119640. Ms. Bertram seconded. On vote, motion carried, 5 in favor, 0 opposed.

2. Review and/or Execute Power Purchase Agreement and PILOT Agreement for Solar for Mass PV1 and/ or PILOT Agreement for EPG Solar – Ms. Speidel stated that today she had received from the Assessor the estimated valuation of the land associated with the EPG project and it was sent to Town Counsel to be incorporated in the PILOT agreement. She expects that within the next week or two they will be able to present the PILOT for the EPG project to the BOS.

Ms. Speidel stated that late this afternoon she had received the final draft for the PPA associated with the Mass PV1 project and has not had a chance to review it. She expects to send that to the BOS later this week and hopes to discuss it at the next meeting. She is unsure when the PILOT for this project will be discussed due to the fact that they are still awaiting information from the Assessor for an estimated valuation for that property.

3. Minutes/Warrants/Action File Issues

<u>Minutes:</u>	None		
<u>Warrants:</u>	10/18/12	W 9P13	\$607,945.38
	10/15/12	W 8P13MA	\$317.20
	10/23/12	W 24-13	\$666,285.90
	10/23/12	W 23-13	\$238,013.11

Action File Issues: None

4. Committee Reports – Mr. Alonzo reported that the Finance Committee will be meeting this Thursday.

Ms. Bertram stated that she will be attending the MPO meeting tomorrow and requested an update from Trish Donegan regarding the Summer St. project. Ms. Speidel replied that she has been in contact with Ms. Donegan and they will provide a timetable once the contract has been signed off with all municipalities involved.

5. Town Manager Reports or Department Reports – None

APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS

1. Ratify appointment of Joshua Matthieu to position of Patrol Officer: Taken out of order under Appointments.

Mr. Alonzo moved to ratify the Town Manager's appointment of Joshua Matthieu to Patrol Officer, effective November 28, 2012. Mr. Sund seconded. On vote, motion carried, 5 in favor, 0 opposed.

2. Ratify appointment of Ed Cataldo to position of Alternate Building Inspector: Taken out of order under Appointments.

Mr. Sauvageau spoke and said that he supports the appointment of Ed Cataldo to the position of Alternate Building Inspector.

Mr. Sund moved to ratify the Town Manager's appointment Mr. Cataldo as Alternate Building Inspector. Ms. Bertram seconded. On vote, motioned carried, 5 in favor, 0 opposed.

EXECUTIVE SESSION – 8:00 PM, Joint Session with Planning Board

Mr. Matthews stated that they will be going into Executive Session, not to return, citing MGL Chapter 30A, Section 21 (a) 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, and the Chair so declares.

Ms. Bertram moved to adjourn the regular scheduled meeting. Mr. Sund seconded. The board voted unanimously to adjourn regular session at 7:56PM.

UPCOMING MEETING SCHEDULE

November 6, 2012

November 13, 2012

November 20, 2012

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