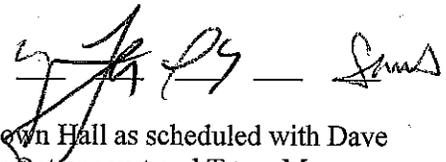


**BOARD OF SELECTMEN
MEETING MINUTES
3/12/13**



The Board of Selectmen met in the Joseph F. Bilotta meeting room at Town Hall as scheduled with Dave Matthews, Tom Alonzo, Carl (Ernie) Sund, Paula Bertram, Steven M. deBettencourt and Town Manager Kerry Speidel.
Regular Meeting opened at 7:00 PM

RECEIVED & FILED

MAR 28 2013

**LUNENBURG TOWN
CLERK OFFICE**

7:00PM PUBLIC COMMENT

Mr. Matthews began the meeting thanking everyone who turned out for the town caucus the previous Monday. Mr. Matthews stated that some open positions did have candidates nominated to fill them while others still needed candidates to step up and take them on. Nomination papers for interested candidates could be picked up at town hall. Open positions include Board of Selectman, School Committee, Sewer Commissioner, Board of Health, Constable, Cemetery Commissioner, Housing Authority, Assessor, Commissioner Trust Fund, Library Trustee and Planning Board.

APPOINTMENTS

7:00 p.m. – State Senator Jennifer Flanagan, State Representative Jennifer Benson and State Representative Stephen DiNatale - Senator Flanagan started by stating after redistricting went into effect Representative DiNatale now represents portions of Lunenburg whereas before it was just herself and Representative Benson. The Senator continued by saying she understood that the BOS wanted to talk about the state budget but currently there is no Local Aid Resolution approved and there is a \$2 billion tax package attached to the Governor's budget which has not yet been voted on. The House of Representatives will be voting on the budget the week after April vacation and the budget would move from the House to a Senate vote sometime around Memorial Day.

Mr. Matthews stated that Town Manager has issued a preliminary town budget that mirrored the same budget from the previous fiscal year opposed to one that mirrored Governor Patrick's proposed budget this year as a safety precaution.

Representative DiNatale spoke thanking the BOS for the invitation to the meeting. Representative DiNatale stated that he understood all the questions and issues the BOS had regarding Chapter 70 Funding, Chapter 90 and the Paper Form.

Representative Benson spoke and said that she currently sits on Health Care and Finance, Public Service, Telecommunications, Public Utilities and Energy Committees. She also mentioned that she is chairing the Special Education and Disabilities Caucus.

Representative DiNatale stated that he was sitting on the Higher Education, Telecommunications, Public Utilities Public Service, and the Economic Development and Emerging Technologies Committees.

Mr. Alonzo asked both Representatives if the Municipal Electric Choice Bill had been re-filed for this year. Representative DiNatale replied that he had filed the Municipal Electric Choice Bill.

Mr. Alonzo said that his support for the Municipal Electric Choice Bill has not waned at all despite the difficulties in having it passed.

Representative Benson stated that she is co-sponsoring the Municipal Electric Choice Bill and that the recent storms that have caused utility problems have been helpful in pushing that legislation.

Mr. Matthews stated that the Town Manager had put together a packet for the delegation to look at with specific issues and causes the Town had specific interest in. He specifically outlined that the Town is receiving lower State Aid for FY12 and FY13 then they did in FY10 and this is an issue for the Town. Mr. Matthews continued by stating if Chapter 70 was more in line with the municipalities needs then there wouldn't be such a massive gap in funding between the Towns needs and what the State offers.

Representative Benson spoke specifically to Chapter 70 and stated that Special Education was calculated into the Chapter 70 funding formula. She said that the formula might be off today compared to when it was originally drafted, but that there are assumptions in the Chapter 70 formula for in-house special education. In the Governor's budget there is a push to get municipalities to provide their full local contribution number for Chapter 70 in a faster manner and that 1/3 of Municipalities in the state are not providing their full contribution and that 2/3 of Municipalities are paying too much.

Mr. Matthews stated that he does recognize there was additional Chapter 70 funding in the past year that helped out the school district but that more funding is still needed.

Senator Flanagan said that we should keep in mind where the State was a few years ago and where it is today. Massachusetts is one of only three states that has over \$1 billion in its stabilization fund and that this has helped lead the state to its highest ever bond rating. Reforms to State departments and budgets have been ongoing to help streamline and minimize government and this has resulted in 6,000 less State jobs but has also resulted in a higher demand for government services by citizens of the Commonwealth. Chapter 90 specifically addresses transportation needs of roads and bridges but the State has not received the proper funding from the federal government for such projects and they are trying to avoid asking citizens for more money in taxes, but that the current proposal put forth in the Governor's budget doubles the amount of funding in Chapter 90 and is a viable option that is currently being discussed by the State Legislators and by their constituents.

Senator Flanagan finished by saying they had to balance the needs of many constituencies and she appreciated the input from the BOS on all issues but that no firm numbers could be provided as of yet regarding the budget for the current fiscal year.

Mr. Alonzo questioned what the mood was in regards to the Governor's Budget proposal in the State House and Senate.

Senator Flanagan responded by addressing the \$2 billion in new tax revenue proposed in the Governor's budget as it being "dead on arrival".

Representative DiNatale mentioned that the Speaker of the House was not a supporter of the Governor's budget. Representative DiNatale personally views any tax increases as a pay cut to his constituents.

Mr. Sund requested that Representative Benson provide an update on the gasoline tax proposed in the Governor's budget.

Representative Benson responded by saying there are proposals to change the gasoline tax but that nothing is set in stone. The Governor's budget presents one solution to increase funds to transportation but it wouldn't solve the entire problem..

Mr. Alonzo asked the delegation if the BOS could improve on anything in communicating with them.

Representative DiNatale stated that the Town Manager and Town Clerk have been outstanding in communicating with them.

Senator Flanagan echoed Representative DiNatale's praise of communication between them and the town but that they needed to voice their support for particular tax increases if they wanted increased funding.

Mr. Matthews stated that budgetary reforms could be tighter in his opinion. Mr. Matthews continued by saying that the Regional Dispatch is ready to go ahead but they needed Legislation in the State House to go through.

Representative Benson responded by saying that she put forth Legislation for the Regional Dispatch but that it hit some stumbling blocks to slow it down but that more and more communities are looking at the issue and supporting it.

Mr. Matthews mentioned that the Summer Street project needed some help moving forward.

Representative DiNatale said that it was just an issue of getting the money released for the project.

Ms. Bertram stated that the BOS would be looking for support from the delegation for many other projects including the Pleasant Street Conservation Land project.

Representative DiNatale stated that the BOS has their support for all projects in the future.

The BOS thanked the delegation for attending this evenings meeting.

7:30 pm- Conservation Commission, Pleasant Street Request for Proposals – Representatives from the Conservation Commission, Rob Verge, and Sharon Jordan attended the meeting to discuss with the BOS a proposal from the Conservation Commission that involved accessing Conservation land on Pleasant Street to remove some gravel and then sell the gravel to generate funds for future land purchases that the commission and the town are interested in. Mr. Verge explained that the State has a lot of programs that can help in such land acquisitions but that they require the municipalities to match funds in many of these programs. Mr. Verge also noted that the project would include a few different aspects to it including some of the gravel taken from the property being donated to the town to help sand the roads in the wintertime, residents who live in the development at Tri-Town would be given a better access route into the conservation land where the gravel would be removed from, and that the Commission would also like to add a handicap access trail in the Conservation area. The land sits under Article 97 which labels the property as for “Passive Use Only”.

Four steps must be taken before the changes to the land can be made and they are as follows:

1. Conservation Commission must approve the project.
2. Coming in front of the BOS to see if they are interested in approving the project.
3. If BOS approve, the project must go to a town vote.
4. If the town approves the project, it has to be approved in a vote by the House of Representatives and the State Senate in Boston.

Once the project is finished the land will go back to being labeled as for “Passive Use Only”.

Ms. Jordan added that the property on Pleasant Street is under the care of the Conservation Commission but that over the years the land and trails had been subject to a number of illegal and dangerous uses. The property and the trails are heavily damaged and in need of major repairs. Ms. Jordan said that she would like to see the trails restored, restoration of some of the wildlife habitats, as well as further access to the land for people with disabilities as this is a requirement for Town properties.

Mr. Matthews stated that he believed it was a win-win situation all around.

Mr. Sund questioned if the current access to the Conservation land was locked off at the Tri-Town entrance by a gate and which entrances to the land would the gravel and fill be removed from.

Mr. Verge stated that he did not believe that had been discussed by the Conservation Commission yet but that Pleasant Street was an option as well as some residents who would be willing to allow access to the land through their property.

Ms. Jordan stated that this decision would have to be included by any respondent to the RFP.

Mr. Sund repeated his question regarding to the access to the land at the Tri-Town side where the current locked gate resides.

Ms. Jordan responded by saying that she was not expecting to maintain access to the land during the renovations to the land.

Mr. Sund stated he was confused because he thought the project included access for the people at Tri-Town and how it would be arranged.

Ms. Jordan stated that in the long term there would be access to for the Tri-Town residents.

Ms. Bertram echoed the chairman’s comments that this is a “win-win” project. Ms. Bertram continued by asking where the 30% re-grading of trails would fit into the plan to revive the Conservation land’s trails.

Ms. Jordan stated that about 1/3 of the trails are impassable and it would be those trails that would be re-graded.

Ms. Bertram pointed out that she did not see this specification in the RFP and she encouraged the Conservation Commission to include it in the RFP.

Mr. Alonzo asked why the special legislation was needed for the Conservation land to be worked on.

Mr. Verge responded by saying that whenever land goes into Conservation and the Town receives any money from the State for Conservation, the land goes under Article 97 so that it remains Conservation land and isn’t changed later on for soccer fields, schools, etc. Ultimately the purpose of Article 97 is for protection of the land.

Ms. Bertram asked how the Commission planned to place the land back under Article 97 for Conservation land after the renovations were finished.

Mr. Verge said that when the Legislation was presented on Beacon Hill, it would be required in the Legislation to revert back to Article 97 land.

Currently there is no time frame ready because they needed to get the Legislation through the State House first.

Mr. deBettencourt said that the Town landfill would also have to be taken into consideration to get to this piece of Conservation land.

Mr. Verge responded by saying that the Town landfill would not alter any plans and would not be touched in any of the restorations to the Conservation land.

Mr. deBettencourt stated there needs to be a plan to recap the town landfill embankments after the gravel was removed. Additionally Mr. deBettencourt requested that they have a Performance Bond for the contractor that works the land in the end.

Ms. Speidel asked at which point the Commission would request proposals from contractors.

Ms. Jordan responded by saying after all four steps of approval mentioned earlier were completed.

Mr. Matthews reiterated Mr. deBettencourt's concern about the town landfill and the traffic on Pleasant Street along with the Performance Bond.

Ms. Bertram asked if the Conservation Commission wanted this project to go to vote at the 2013 town meeting.

Ms. Jordan and Mr. Verge stated that they would like to see it go to vote at the 2013 town meeting.

Ms. Bertram motioned to support the Conservation Commissions proposal to go to town meeting. Mr. Alonzo seconded the motion. On vote motion carried, 5 in favor, 0 opposed.

CURRENT BUSINESS

Minutes/Warrants/Action File Issues

Minutes: 3/5/2013

Warrants:	3/13	48-13	\$284,539.92
	3/13	49-13	\$389,137.68
	3/11	19P-13	\$663,691.01

Action File Issues: None

FY2014 Budget Discussion – Ms. Speidel confirmed that she had received a list of questions from Ms. Bertram regarding the FY2014 budget and stated that she did not have all the answers readily available but that she will be getting back to her with answers on Wednesday. Ms. Speidel did state that she wanted to review the calendar because there had been one change made for the Finance Committees meeting the previous Thursday which was cancelled due to poor weather, but they have rescheduled the meeting to Thursday March 14th. Finance Committee meetings will also be held on Wednesday, March 20th, Thursday March 21st and a final public hearing on the budget on March 28th.

Committee Reports - Mr. Alonzo stated that the Finance Committee Meeting that was cancelled due to snow from the previous week is rescheduled for this coming Thursday, March 14th.

OLD BUSINESS - None

APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS – None.

PUBLIC COMMENT

Mr. deBettencourt requested an update on the street lights that are out in the town.

Ms. Speidel responded by stating they had a firm master list of all the street lights but that the Town needs to

report the outages to the Unitil when they see the lights are out.

Ms. Bertram stated that she believes when the power outages are reported they are not often fixed.

Mr. Matthews suggested looking into the Finance Committees proposal to buy the street lights from the utility but also stated if the Town bought them they would have to maintain them.

Ms. Speidel noted that the Town does not receive many calls regarding street lights without power and that those calls may be going directly to the utility company.

The BOS will meet at 6:30PM on March 26th to sign the Warrant for Town Meeting.

Ms. Bertram informed the BOS that she will be out of town until March 27th and requested that the Article concerning recreational vehicles also be included in the warrant.

Mr. Alonzo questioned whether or not the newly elected officials will be taking office immediately after the April 30th election and it was determined that yes it would become effective the day after the election.

Mr. Matthews mentioned that they would be re-organizing the BOS the Tuesday after the election.

Mr. Matthews reminded the BOS that Town Manager reviews need to be finished by April 30th.

EXECUTIVE SESSION – None

Being no further business Mr. deBettencourt moved to adjourn the meeting. Ms. Bertram seconded.

On vote motion carried, 5 in favor, 0 opposed.

Meeting ended at 8:15 pm.

UPCOMING MEETING SCHEDULE

March 19, 2013

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