

**BOARD OF SELECTMEN
MEETING MINUTES
4/23/13**

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, Steven M. deBettencourt, Paula Bertram and Town Manager Kerry Speidel.

Regular Meeting opened at 7:00PM

7:00PM PUBLIC COMMENT

Mr. Matthews began the meeting by acknowledging that it was the last meeting for Selectman Sund and Selectman deBettencourt. He thanked both for their service to the town and their time on the board.

Mr. Sund thanked Mr. Matthews for his word and said he greatly enjoyed his time on the board.

Mr. deBettencourt also thanked Mr. Matthews and thanked the town for their support and for a great run on the BOS.

Ms. Bertram & Mr. Alonzo both thanked Mr. Sund & Mr. deBettencourt for their service to the Town.

Mr. Alonzo thanked the Lunenburg Civic Forum, the Lunenburg Ledger, and the town moderator as well as the town clerk candidates for the excellent debate that was put on the previous Friday. He also reminded everyone about the town election on Tuesday, April 30th from 7am-8pm.

Joanna Bilotta-Simeone, 362 Sunset Lane, told the BOS that it would be former selectman Joseph F. Biolotta's birthday and he would have been 73 years old. She said that it is fitting that the two Selectmen leaving the board would be leaving on his birthday.

Mr. Matthews made an announcement regarding Memorial Day observances in Lunenburg. Selectman Sund is helping to organize the services, which will be held on Sunday, May 26th at 11:45am. All BOS members are invited.

APPOINTMENTS

7:00 p.m. - Public Hearing on General on Premises All Alcohol License for Donald E. Lyons d/b/a Settlers Pub: Donald E. Lyons representing Settlers Pub stated that he had purchased the old Maple Wood Gold Course in November 2012 and that he was trying to rebuild a business that was highly run down. Their business plan included bringing in golf tournaments, youth leagues, community events, work leagues, etc. To run a successful golf club the business would require an alcohol license. Previously the golf course had a seasonal license for beer and wine, but to run a more attractive business they would need a full liquor license. Mr. Lyons stated that the Settlers Pub would be looking to have a liquor license 7 days a week, from 9am-11pm Monday through Saturday and from Noon to 11pm on Sunday. The golf course itself would be opened from dawn until dusk.

Mr. Matthews asked Mr. Lyons if he was the manager on site and if he would be the 50% of the time the course would be open.

Mr. Lyons stated that he would be the manager on site five days a week, but that the course could be open 100 hours a week during the peak part of the season so he wouldn't be on the premises 50% of the time. He stated that he does own two other golf courses and he needs to manage those courses as well. Additionally he and his staff serving alcohol will be TIP certified.

Mr. Matthews asked if it was correct that they would serve alcohol only for the first 6 holes of the course.

Mr. Lyons said that was correct. He continued by saying that there were the 6 holes that would allow alcohol served on one side of the street and then 3 non-alcohol holes on the other side of the street. The 3 non-alcohol

holes would be marked and monitored by staff. All alcohol would be served from the building and there would be no alcohol served outside of the bar.

Ms. Bertram asked Mr. Lyons if the bar would be open to the general public as well.
Mr. Lyons replied that it would be open to the general public.

Ms. Bertram continued by asking if the course had the proper permits from the Board of Health to serve food and if he planned to expand the hours of operation once the restaurant was up and running.
Mr. Lyons replied that the restaurant is not in focus yet but that currently they have a license to sell hot dogs and snacks. The hope is that the restaurant would be up and running by May and that there was no intention to expand operating hours. Mr. Lyons stated that the primary focus was to run a golf course, not run a bar.

Dennis Stewart, 252 New West Townsend Road, stated that he has lived in Lunenburg since 1962 and he welcomes the new owners of the golf club.

Mr. Lyons stated the course would also welcome back the Lunenburg High School golf team if they would be willing to return.

Mr. Lyons said that the grand opening would be on Sunday, May 19th.

Mr. Matthews closed the public hearing regarding the gold course and continued with the regular meeting by stating that that there was a lot of interest in the town with this golf club and that it is an opportunity as a whole.

Ms. Bertram moved to recommend approve the All Alcohol License for Donald E. Lyons d/b/a Settlers Pub, 994 Northfield Road Mr. Alonzo seconded the motion. On vote motion carried, 5 in favor, 0 opposed.

CURRENT BUSINESS

1. Common Victualer's License for Donald E. Lyons d/b/a Settlers Pub, 994 Northfield Road:

Mr. Matthews asked Mr. Lyons if the hours of the restaurant would be the same hours of the bar.
Mr. Lyons replied that the restaurant would be open from 9am-11pm Monday through Saturday and from Noon to 11pm on Sunday. The restaurant would open in late May.

Ms. Bertram moved to recommend approve the Common Victualer's License for Donald E. Lyons d/b/a Settlers Pub, 994 Northfield Road. Mr. Alonzo seconded. On vote motion carried, 5 in favor, 0 opposed.

2. Town Manager's Annual Evaluation: Mr. Matthews explained to the public that all five members of the BOS fill out an evaluation form for the Town Manager and meet with the Town manger to discuss her performance. He then read an outline of the criteria for the Town Manger evaluation form which includes five rating sections and three personal essays. The rating sections include:

- A. Relationship with the Board,
- B. Fiscal Management,
- C. Community and Public Relations,
- D. Personnel Administration,
- E. Professional Skills and Abilities.

There is also a numeric grading in each section which has members of the BOS rank the Town Manager between a 1 (unacceptable) or a 5 (outstanding). When the evaluation forms from each member of the BOS were tallied, Town Manager Speidel received a 4/5 ranking. Mr. Matthews thanked Ms. Speidel for her dedicated work and service.

Points that were discussed under each particular evaluation section included:

Section A. The town manager's relationship with the BOS was strained after lingering political fallout over difficult personnel cuts that required resolution, but the Town Manager worked diligently to provide the BOS with in depth information and respond in a timely manner to BOS questions and inquiries.

Section B. The Town Manager remains an excellent fiscal steward of the Towns finances. Financial data and reports are prepared on time and enormous responsibility is placed on fiscal stability and the Town's finances and fiscal well being have been in great care directly due to Ms. Speidel's talents and abilities.

Section C. In a small town where relationships and personal ties run deep it is difficult to make decisions that aren't taken personally or misunderstood. The Town Manager has provided accurate and clear information on all of her decisions to minimize negativity and explain the reasoning behind all of her decisions. Specifically, Town Meetings have changed from petty, argument driven meeting with mistrust of the Town government at hand, into well debated and well organized civic forums.

Section D. This continues to be the area of most negative focus when it comes to the Town Manager's performance. Just as this evaluation for the Town Manager is an excellent tool, a similar evaluation of all government employees from the top down would be valuable to determine productivity and the value of each Town employee. This would also increase communication and the value of each department.

Section E. The Town Manager continues to provide high levels of ethics and honesty, but is continually challenged by diminished staffing and assistance. As such she has had to have more of a reactionary response to issues in the Town than one that identifies issues and is able to set goals for which the Town can accomplish. An assistant for the Town Manager is the biggest area where the Town Manager's performance could improve, but this position has been identified as one that the Town is unwilling or unable to fund.

Mr. Matthews continued by highlighting the most common comments in the essay section as follows:

"How has the Town Manger Performed Well" Ms. Speidel has done well with budget, planning, and presentation, specifically with solid detail and documentation. There has been movement forward on longstanding personnel decisions and excellent fiscal stewardship kept.

"What Could the Town Manager Do Better", Answers included Town wide performance evaluations to correct personnel performance deficiencies, better documentation of performance issues as they arise, improvement on meeting previously set goals to report on regular annual and special projects along with in depth operational review and efficiency analysis and confirmation that best practices are in place, required staff development by the State would enable Town employees to be updated on new laws and practices to increase efficiency and productivity, and more can still be done to put budgetary issues into perspective for the Town's people.

"What could the BOS do to help the Town Manager and what Could the Town Manager do to Help the BOS" The board must focus on representing the community and not employees in the various departments, hence leaving to the Town Manager the job of running the Towns departments, human resource issues and personnel policies are not being addressed mostly due to there not being enough hours in the week, some headway was made on the policy manual but it still must be completed, and increased use of non-televised work shops would allow for a better exchange of ideas, but it is the opinion of the Chair that it would be doing a major disservice to the Town by taking some discussion of major Town issues offline.

Ms. Bertram stated that once the discussion on new goals is had, it would be valuable to have a periodic review of goals and go back to them throughout the year.

Mr. Alonzo echoed what Ms. Bertram said. He also said it might be a good idea to re-evaluate the evaluation form for the Town Manger.

Mr. Matthews stated that the Town Manager suggested they implement a way for the Town's department heads to review up.

Ms. Bertram also said that it would be a good idea to look at the BOS meeting schedule to utilize the BOS meeting's time more effectively.

Mr. Alonzo asked when the Town Manager provides her response to the BOS evaluations.

Ms. Speidel responded by saying she already provided her response to the Chairman and that she would provide additional copies to the members of the BOS.

3. 2013 Annual Town Meeting, Vote on Warrant Articles: Ms. Speidel said that one of the remaining warrant articles needed for the BOS to review is the Fiscal Year 2013 Budget Adjustments. Ms. Speidel and the Town Accountant reviewed this issue to determine where they need to make adjustments. She put together a spread sheet for the BOS to explain how the budget will be put together at town meeting. At this point in time

Ms. Speidel and the Town Accountant are looking to gain approval at Town Meeting to move some money around to close out some deficient deficits in the FY2013 Budget.

The first is in Maturing Debt where there is a projected debt of \$16,849.00. The reason for this debt is due to a refinanced bond issue that was done after the budget was put together. The Town was able to save over \$100,000.00 due to the refinancing, but it requires an adjustment in the payment of \$16,849.00.

In the Unclassified section of the budget there is a total surplus of \$234,550.00.

She has identified some of the significant changes, including an additional payment of \$21,000.00 in Liability Insurance due to an additional assessment placed on the Town by the State Insurance Commission, a surplus of \$177,000.00 in Health Insurance due to a consistent lower enrollment in the Town's Health Care and a lower Medicare Part B penalty.

The Finance Committee Reserve Fund falls under the Unclassified section where there was a request to cover vehicle maintenance but there is enough money in the Vehicle Maintenance budget to cover this request.

A \$21,163.00 deficit in the retirement buy back line due to four retirements, (3 employees had three significant sick leave buy backs).

Unemployment has a surplus of \$28,000.00 with an additional \$9,000.00 in Medicare surplus.

General Government has a surplus of \$3,587.00, and there is a deficit of \$15,000.00 in legal expenses.

In Central Purchasing there is a deficit of \$6,000.00 due to the solid waste cost.

In Protection there is an overage of \$23,500.00 due to an increase in non-bondable detainees.

Within the Fire Department there is a deficit of \$10,000.00 and a projected deficit in Emergency Management of \$8,750.00 due to Blackboard Connect management which the Public Access Committee did not agree to fund.

Mr. Sund believed that the Blackboard Connect service was being over funded and that he had never seen it in use.

Ms. Bertram stated that she approves of the way Public Access has been operating, but she does not recall any time where the BOS has been able to review their budget when it comes to Blackboard Connect.

Ms. Speidel stated that there have been strong attempts to use the service in an effective manner, but that it would be a good idea find another way to fund the service then the Public Access Committee.

Ms. Speidel continued her explanation of the Fiscal Year 2013 Budget Adjustments by highlighting the Wiring Inspector at a deficit of \$7,500.00, Health and Sanitation at a deficit of \$7,020.00, Public Safety at a surplus of \$10,000.00, General Highway Maintenance with a deficit of \$7,000.00, Snow and Ice at a deficit of \$100,500.00, and with the Assistance portion of the budget a deficit in Veterans Benefits of \$32,035.00.

With all of the budgetary items taken into consideration there is a surplus of \$13,596.00.

There is one additional expense that comes in the Non-Appropriate section of the budget where Verizon filed an abatement, which the Courts granted, that cost the Town \$44,154.74 with an estimated interest payment of \$12,968.19.

The Assessors had some money to cover the abatement but the Town is still responsible for paying \$17,000 of the abatement. This would leave a deficit of \$3,400.00.

Ms. Speidel stated that Town Meeting would be the last opportunity to make any additional appropriations and that she does not feel comfortable going, nor is it permissible, to go into next fiscal year operating over budget. As such she would request that an additional \$25,000.00 from Free Cash be approved to cover the costs and to provide a buffer for the fiscal year.

Ms. Bertram asked if the Veterans Agent would be able to provide projections on the costs of Vets in Town for future Town budgets.

Ms. Speidel replied that she has some additional information on this that she will provide to the BOS.

Mr. Sund asked if the move of the Central Dispatch to Devens would change the lock up procedure in Lunenburg.

Ms. Speidel replied that the Town will still provide lock up services despite the Dispatch Service being provided in Devens, adding that there will be certified staff members in position for lock up procedures.

Mr. deBettencourt asked if there were any budgetary provision set up to prepare for future retirements. Ms. Speidel replied that there may be merit in setting up a Trust Fund with Free Cash to prepare for retirements. She said that in direct concern to the FY2013 Budget Adjustments, she was going to present all information to the Finance Committee before Town Meeting. She also stated that as far as additional warrant articles she does not expect any more settlements in contracts negotiations and there were no more warrant articles to discuss.

4. Minutes/Warrants/Action File Issues

Minutes: 4/16/2013

<u>Warrants:</u>	4/23/13	57-13	\$288,656.92
	4/24/13	58-13	\$405,485.78
	4/23/13	22P-13	\$575,529.43

Action File Issues: None.

5. Committee Reports

Ms. Bertram said that the Planning Committee met the previous night to review the Aro Farm Developments and they voted to deny all 10 subdivisions. She also said that she met with MassDot and MRPC and identified 4 potential projects in Lunenburg where improvements were needed. The Summer Street project ranked #2 in the region for 2016-2017 funding.

Ms. Speidel stated that the next milestone in the Summer Street Project was to have the engineer meet with the BOS so that they could have a vote on the project.

Mr. Alonzo said that he had an update conference call with the Mass. Broadband Institute about when Lunenburg can go live, which is projected to be in July. Additionally, there is a Finance Committee meeting on Wednesday, April 20th.

6. Town Manger Reports-None

EXECUTIVE SESSION

Being no further business Mr. Matthews moved to go to executive session citing M.G.L. Chapter 30A, Section 21A (9), 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

Roll Call Vote to go into Executive Session: Alonzo – Aye, Bertram – Aye, deBettencourt – Aye, Sund – Aye, Matthews - Aye
Meeting ended at 8:30 pm.

UPCOMING MEETING SCHEDULE

May 7, 2013

Respectfully Submitted,
Susan Doherty, Recording Secretary
Board of Selectmen