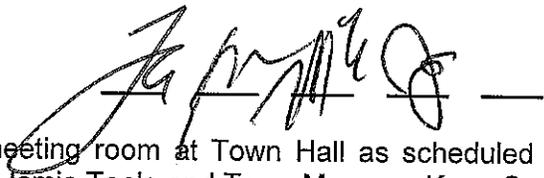


**BOARD OF SELECTMEN
MEETING MINUTES
7/23/13**



The Board of Selectmen met in the Joseph F. Bilotta meeting room at Town Hall as scheduled with Tom Alonzo, Paula Bertram, David Matthews, Robert Ebersole, Jamie Toale and Town Manager Kerry Speidel.

Regular Meeting opened at 7:00 PM

7:00PM PUBLIC COMMENT

Mr. Alonzo reminded all of the band concerts being held at the lower common gazebo on Monday evenings which will end on August 5th. He thanked the Band Conductor for allowing him to participate in one of the musical numbers at the last concert. There is also an opening for an organization to sponsor the July 29th band concert concessions.

He mentioned that there would be one more concert added which will feature a local Lunenburg band, the Spy Tones, and they will be sponsored by the Boys & Girls Club.

Mr. Alonzo reminded all that the Farmer's Market continues on Sundays at the Ritter Building from 10AM – 1PM.

Mr. Alonzo mentioned that August 1, 2013 will mark Lunenburg's 285th Birthday.

APPOINTMENTS

CURRENT BUSINESS

1. **Approve IMA with Town of Townsend for Resale of Net Metering Credits:** Continued to a future meeting.
2. **Approve PILOT Agreement with NuGen (formerly Mass PV1 project):** Continued to a future meeting.
3. **Approve PILOT Agreement with EPG Solar:** Continued to a future meeting.
4. **Board of Selectmen Policies & Procedures:**
5. **FY13 Final Budget Report & Request for Budget Transfers:** Ms. Speidel mentioned that she did not have all information from the Town Accountant and does not have a written narrative report for the BOS this evening. She does expect to have it for the Finance Committee meeting on Thursday. She went on to say that she is seeking the BOS approval on a couple of transfers within the budget to close out a couple of deficits. The request is coming under Chapter 44 section 33b. She explained that this procedure allows the BOS and Finance Committee to make adjustments at the end of the fiscal year, under certain circumstances, and the Town can transfer up to 3% or \$5000, or which ever is greater. She went on to explain that the books have been closed for FY13, there were a couple of overages, and she reviewed her prepared spread sheets with the BOS. (See attached)

Mr. Alonzo spoke to say that at Special Town Meeting it was voted to appropriate money for the Library, now they are returning almost \$10,000, and he would like to know where that came from.

Ms. Speidel replied that she will get an explanation from the Library Director concerning this.

Mr. Matthews stated that if we don't spend a certain amount at the Library, then we don't qualify for State aide, we risk accreditation, and he would like to know how funds being returned will affect this.

Ms. Speidel replied that the State does not look at what you spend but rather what you appropriate from year to year.

Ms. Speidel went on to request approval from the BOS to transfer from Un-employment Expense to Legal expense, \$11,654.64, from Veteran's Administration to Legal expense \$591.00, from Registrar of Graves to Legal Expense \$289.09 in order to do the Codification of the ByLaws project. Also transfer from Building Inspector \$685.00 to Inspector of Weights and Measures.

Mr. Alonzo questioned the Chapter section which states you can transfer 3% or up to \$5000 from one department to another or within a department, and not to exceed those amounts. He said that we are transferring \$11,000 which is greater than the \$5000 and the 3% which was appropriated.

Ms. Speidel replied that it is not greater than 3% and the way that the Town Accountant looks at this is "unclassified" and the unclassified appropriation is in excess of \$2M.

After further review of the request for budget transfers, Mr. Alonzo called for a motion.

Ms. Bertram moved to approve the transfers as outlined by the Town Manager under Chapter 44 Section 33b. Mr. Matthews seconded. On vote, motion carried, 5 in favor, 0 opposed.

Mr. Alonzo added that this is all contingent upon the Finance Committees approval.

6. Minutes/Warrants/Action File Issues

Minutes: 7/16/13

Warrants: 7/23/13 #5-15 \$173,019.23

Action File Issues: No discussion

7. Committee Report: Building Reuse Committee; Board of Health; Capital Planning Committee; Finance Committee; Library Board of Trustees; MPO; Planning Board; PACC; School Committee; School Building Committee; Sewer Commission; MA Broadband:

Building Reuse Committee – Mr. Toale reported that the next meeting will be held on August 5th and the agendas for these meetings will always be posted on the Town Website.

Board of Health – Mr. Ebersole reported that the BOH met on July 15th and said that the property on Wildwood Rd. has been removed from their agenda because information from the owners has not been forthcoming to determine if the property is buildable.

Capital Planning Committee – No report.

Finance Committee – Mr. Toale reported that the committee will be meeting this Thursday.

Library Board of Trustees– Mr. Ebersole reported that the next meeting will be in September.

MPO- No report.

Planning Board- Ms. Bertram reported that MRPC was at the last meeting to give an overview on the Master Plan and they also talked about "Brown Fields". Also discussed was an extension for High Field, Gas Station on Leominster/Shirley Rd., Crosswalks in the rotary near Emerald Place, Lunenburg Estates, Asian Imperial parking lot, Tri-Town, and Medical Marijuana 1 year Moratorium.

Discussion ensued among the BOS concerning their frustration about the fence placement at Tri-Town. Ms. Bertram suggested selling the property that the fence is on to the developer.

Mr. Matthews stated that the fence does not impede Town operations or access and does not believe the developer would purchase it if he already has a license for a fence on the property.

Mr. Toale stated that we are spending a lot of time on an issue that's not an issue and he recommended that the BOS declare it, not an issue, and move on.

Mr. Ebersole suggested that there be language in the license that includes the fence to avoid adverse possession in the future.

After due and diligent discussion the BOS determined that they would update the wording in the license to include the fence.

PACC- Mr. Ebersole reported that PACC is meeting tonight.

School Committee- No report.

School Building Committee- Mr. Matthews reported that there were interviews held last Wednesday for the 4 Construction Manager at Risk candidates. They will meet again tomorrow night to finalize their choice.

Sewer Commission- Mr. Ebersole reported that High Fields is on their agenda and they are negotiating an allocation with them as it relates to the IMA with Fitchburg. They have finalized the bids for the pump maintenance contract. The commission is in the process of doing their billing for the most recent quarter and there will be an increase in rates for that quarter.

MA Broadband- No report.

5. Town Manager Reports or Department Reports: Ms. Speidel reported that she had sent letters to both Political Committees in Lunenburg regarding election workers asking that they have their nominations back to the BOS by August 6th.

Ms. Speidel has been working with different Departments on procurement issues which is a lengthy process. She has worked with DPW on the asphalt bid. The low bidder was Keatings at \$1 less per ton than we've had in the past.

She has also worked with the Board of Assessors by going through the process of advertising for Regional Assessor and they have settled on a 3 year contract with Harald Scheid's group.

The Sewer Commission was also worked with concerning the pump maintenance contract. They finalized an agreement with Small Water Utilities which came in with a bid of \$75,000.

Mr. Matthews questioned a prior meetings conversation about paving.

Ms. Speidel replied that she had mentioned Mulpus Rd. but actually meant Cross St.

Ms. Speidel mentioned that on August 13th the DPW Director will attend the BOS meeting to speak about road maintenance and to demonstrate a new data base for street signs.

Mr. Alonzo requested that the Fire and Police Chiefs come to a BOS meeting in September to report on how the transition has progressed over to the new Regional Dispatch Center.

APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS

1. Stanley Young as Constable

2. Jean Larkin to Senior Tax Workoff Committee

Ms. Bertram moved to appoint Stanley Young as Constable and Jean Larkin to the Senior Tax Workoff Committee. Mr. Toale seconded. On vote, motion carried, 5 in favor, 0 opposed.

PUBLIC COMMENT

Mr. Ebersole questioned if the Governor has released the other half of Chapter 90 funds.

Ms. Speidel replied not to her knowledge.

Mr Alonzo commented on a newspaper article which reported that a complaint had been filed concerning election day. He clarified to the public that the BOS has not received a complaint nor would they receive any complaint. These complaints would be submitted to the Massachusetts Secretary of State for investigation.

Mr. Alonzo stated that they will be briefly adjourning the regular scheduled meeting and continuing "off air" to discuss BOS Policies & Procedures.

Regular scheduled meeting ended at 7:55 p.m.

EXECUTIVE SESSION- None this evening

UPCOMING MEETING SCHEDULE

July 30, 2013

August 6, 2013

August 13, 2013

August 20, 2013

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