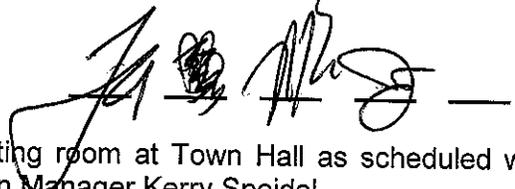


**BOARD OF SELECTMEN
MEETING MINUTES
10/8/13**



The Board of Selectmen met in the Joseph F. Bilotta meeting room at Town Hall as scheduled with Chair Person Tom Alonzo, Jamie Toale, Robert Ebersole, and Town Manager Kerry Speidel.
Not Present: Vice Chairperson Paula Bertram & Dave Matthews

Regular Meeting opened at 7:01 PM

7:00PM PUBLIC COMMENT : None

ANNOUNCEMENTS : Mr. Alonzo announced that the Lunenburg Fire Dept. will hold an open house on 10/19/2013 from 12-4PM at the Public Safety Building.

Mr. Alonzo announced the Boys & Girls Club Annual Auction will be held on 10/10/2013 at the Bull Run Restaurant in Shirley from 6-9PM.

Mr. Alonzo acknowledged the Lunenburg Women's Club for their 100th Anniversary and asked the BOS if they could present them with a proclamation at a future BOS meeting. The board agreed to do so and congratulated the Women's Club on their longevity.

Lunenburg Police Chief James Marino spoke to the board about a car accident which happened at the Lakefront in Whalom where a car had broken through a fence into the lake and was completely submerged with the vehicle operator inside. He recognized three Lunenburg Police officers, Officer Chuck Deming, Officer Deven O'Brien, and Officer Peter Lekaditis for their actions of diving into the water and pulling the operator to safety. These officers will be given commendations at a later date.

He also mentioned the actions of Lt. Scott Dillon and Fire Fighter Matthew Glenn of the Lunenburg Fire Dept. who also jumped into the water to assist as well.

Chief Marino also mentioned that he will be hosting a "Coffee with the Chief" on 10/19/2013 from 11AM-12 Noon. Coffee with the Chief is also held on Thursday mornings at the Public Safety Building.

Mr. Alonzo spoke to say that we have an outstanding Public Safety Dept. and this is just another example of always going above and beyond the call of duty. This could have been a fatality if it wasn't for the actions of these individuals and he thanked them for their service.

APPOINTMENTS

7:00 PM – Review of Mass Live! Casino project (Leominster) and Surrounding Community designation status with Town Counsel: Ms. Speidel introduced Attorney Jonathan Silverstein from Kopelman and Paige and explained that Mr. Silverstein specializes in work in front of the Gaming Commission and he negotiated the Host Community Agreement for the city of Leominster. She went on to say that Lunenburg is eligible to be able to negotiate a Surrounding Community Agreement and has been granted an extension by the Gaming Commission to do so by October 31, 2013. Other communities that are eligible are Lancaster, Townsend and Westminster.

Mr. Silverstein introduced himself to the board and described his involvement with negotiating Host/Surrounding Community agreements with the State. He went on to explain the application process for designation as a surrounding community which requires that a community seeking to be designated a surrounding community...shall submit a written petition to the commission no later than ten days after receipt by the commission of the RFA-2 application. Mr. Silverstein had requested a waiver of the original submission date of October 14th and was granted a new date of October 31st. This will allow a longer "window of

opportunity" for negotiations with the casino developer Cordish Companies. Mr. Silverstein has been working with representatives of the potential surrounding communities, along with the Cordish Company, and they are close to bringing an agreement to the board for review.

The proposed facility in Leominster is considered a Category 2 facility, which is approximately 110,000 square feet. A Category 1 facility can be 10 – 15 times the size of a category 2 facility. They liken the trips per day and square footage for a Category 2 facility to your average Wal-Mart.

He mentioned that the Gaming Legislation which was passed in November 2011 provided for the creation of a Community Mitigation Fund. This fund is populated with a percentage of the gaming tax on the Category 1 facilities along with a percentage of all of the license fees. The license fee for Category 1 facilities is \$85M and the fee for Category 2 facilities is \$25M. The Gaming Commission will be administering this fund and the stated purpose of this fund is to help impacted communities receive funding to help mitigate the impacts above and beyond anything that might be negotiated through host/surrounding community agreements.

Mr. Silverstein feels that after all the taxes and fees are paid for by the developer, there will not be a large amount of revenue available for the surrounding communities but hopes to be able to come back to the board with a reasonable agreement for review.

Mr. Ebersole asked when the Gaming Commission will be issuing the slots license.

Mr. Silverstein replied by the end of the year or by mid January 2014, which is dependent on the completion of the surrounding communities agreements.

Mr. Alonzo asked what kind of things does Mr. Silverstein see that surrounding communities would be able to apply for.

Mr. Silverstein replied that it was wide open. Currently the Gaming Commission is working on licensure and he believes that once this is completed they will be turning their attentions to adopting regulations, procedure, and criteria for these funds. The applicant (Cordish Co.) determines who should be designated as "surrounding community". At this point we are trying to negotiate with the applicant to sign the Surrounding Community Agreement by virtue of which through negotiating, Lunenburg will become a Surrounding Community. If this is unsuccessful, this could be brought to the Gaming Commission for consideration.

Mr. Toale questioned how the money is designated by the developer to surrounding communities.

Mr. Silverstein replied that the State will take 49% of their revenue off the top and out of that certain percentages will be designated to various funds such as transportation impact, education, local aide etc. The Community Litigation fund is included which is set up to benefit impacted communities. This fund will receive a lot of money each year and it will be divvied up throughout the State to impacted communities. The Legislature does not require any specific amount of money to go to surrounding communities. The developers of these facilities throughout the State are saying that they are being heavily taxed and are required to negotiate with the host communities, who received the "lions share" of what was left. This does not leave much left for surrounding communities. Surrounding communities could potentially mitigate for road improvements or other aide but it is difficult to foresee what this might be.

Jack Rodriquenz, Highway Superintendent spoke to the board and suggested that if the Town is eligible to receive funding that it be used for upkeep of the roads within the Town which would be effected by the higher traffic use to get to the facility in Leominster.

Mr. Alonzo replied that barring any type of emergency need, it would be his intention that this is where the funds would be applied.

Marion Benson, Planning Board Director, spoke to say that her first concern is that we should be designated as a surrounding community, the traffic study for today may not be the traffic study for future years to come and we should leave ourselves open to have some mitigation measures for traffic.

Police Chief Marino spoke to say that he fully supports the Town Manager's path in this project and agrees with Ms. Benson's comments. He believes that the non-adversarial approach is the way to go with this issue.

Mr. Alonzo spoke to say that the board will keep everyone posted as they progress with this issue and thanked everyone for coming forward tonight.

CURRENT BUSINESS

1. BOS Policies & Procedures: To be placed as a Workshop item on a future agenda TBA.

2. Minutes/Warrants/Action File Issues

Minutes: 10/1/2013

<u>Warrants:</u>	#W8P-14	10/7/2013	\$660,736.36
	#W18-14	10/8/2013	\$424,727.47
	#W19-14	10/9/2013	\$372,322.33

Action File Issues: None

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

Board of Health – Mr. Ebersole reported that the BOH met last evening and they continued discussions regarding variances and set backs of wells & septic systems located at Hickory Hills Lake and at Lake Shirley. Also discussed was the matter of when a house is renovated, how the number of bedrooms are being reconfigured to be compliant with the septic requirements.

Building Reuse Committee – Mr. Toale reported that last night's meeting was cancelled and the next meeting is scheduled for October 21st. This board feels they have collected good information and will report their findings to the BOS at a later date.

Capital Planning Committee – Mr. Toale reported that they will be meeting every Wednesday until the FY15 Capital Plan requests are reviewed and completed.

Finance Committee – Mr. Toale reported that they will be meeting this Thursday and will be reviewing the School Building Committee presentation

Library Board of Trustees—No Report

MPO- No Report

Planning Board- No Report

PACC- Mr. Ebersole reported that the BOS will be meeting with PACC on October 15th.

School Committee- No Report

School Building Committee- No Report

Sewer Commission- No Report

MA Broadband- Mr. Alonzo reported that December is still the target date for Lunenburg to "go live" and he continues to receive weekly reports from MA Broadband.

4. Town Manager Reports or Department Reports: Ms. Speidel reported that the Finance Committee has asked her to provide them with additional information on existing debt service as a part of contemplating the school building project. She is compiling the information, will present it to them at their meeting on Thursday, and will also forward it to the BOS.

Ms. Speidel provided the board with two form 43's applications from the ABCC (Alcohol Beverage Control Commission), which the board had recently considered, for The Lakeview Club and for PP Group LLC d/b/a Bangkok Hill. Both of these establishments had issues that needed to be resolved, they have been, and the BOS must sign and submit to the ABCC new Form 43's marked "for reconsideration".

APPOINTMENTS/RE-APPOINTMENTS-RESIGNATIONS

None

EXECUTIVE SESSION

Being no further business Mr. Alonzo asked for a motion to enter into Executive Session; not to return citing M.G.L. Chapter 30A, Section 21A (2), to discuss strategy with respect to non-union personnel contract negotiations. Discussion of Town Manager's Employment Contract renewal.

Mr. Toale moved to enter into Executive Session; Mr. Ebersole seconded. Roll call vote; Ebersole-Aye, Toale-Aye and Alonzo-Aye.

Regular Scheduled meeting adjourned at 7:54 PM.

UPCOMING MEETING SCHEDULE

October 15, 2013

October 22, 2013

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