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LUNENBURG TOWN CLERK OFFICE

BOARD OF SELECTMEN MEETING MINUTES

3/18/2014

The Board of Selectmen met in the Joseph F. Bilotta meeting room at Town Hall as scheduled with Chairperson Tom Alonzo, Vice Chairperson Paula Bertram, Dave Matthews, Jamie Toale, Robert Ebersole, & Town Manager Kerry Speidel.
Regular Meeting opened at 7:00 PM

7:00PM PUBLIC COMMENT

Mr. Matthews thanked all who attended the Town Caucus the previous evening and mentioned that there were approximately 102 people in attendance.

Mr. Alonzo added that there will be 5 contested races this election season and congratulated all who were running, specifically Phyllis Luck and Joanna Bilotta Simeone, who will be running for Selectman.

Mr. Alonzo read a Proclamation designating March 23rd through March 29th Boys & Girls Club Week in the Town of Lunenburg and the board then signed it.

ANNOUNCEMENTS

1. **Committee Vacancies:** No Discussion

APPOINTMENTS

7:00 PM – Public Hearing, Vasta Inc. d/b/a Lunenburg Liquors, for New Officer/Director & Transfer of Stock: Mr. Alonzo read into record the notice of Public Hearing concerning the application submitted by Vasta Inc. d/b/a Lunenburg Liquors for New Officer/Director and Transfer of Stock.

Anastasia Halkiadakis representing Lunenburg Liquors came before the board and explained that her husband is no longer part of the business and that he needed to be removed from the Liquor License.

Ms. Bertram moved to approve the change of officer and transfer of stock as requested for Vasta Inc. d/b/a Lunenburg Liquors, 433 Electric Avenue. Mr. Matthews seconded. On vote, motion carried, 5 in favor 0 opposed.

7:15 PM – Public Hearing, Tarrnum Williams d/b/a Kabob-E-Licious, Application for Wine & Malt Beverages License: Mr. Alonzo read into the record the Public Hearing notice concerning the application submitted by Tarrnum Williams, d/b/a Kabob-E-Licious for a Wine & Malt Beverage with Cordials/Liqueurs Permit.

Ms. Speidel spoke to inform the board that the applicant had applied for Wine & Malt Beverage with Cordials/Liqueurs Permit but after investigation Ms. Speidel has determined that it is a Local Acceptance for the Town to offer Wine, Malt & Cordials, and the Town has not accepted that provision. This application has been changed to a Wine & Malt Beverage License and if the Town is interested in pursuing Wine, Malt & Cordials it must go to Town Meeting vote. The board can submit a warrant article or the applicant can submit a petition for that particular license.

Tarrnum Williams, owner of Kabob-E-Licious spoke to the board to say that she understands the change in her license application and she will be pursuing the Wine, Malt, & Cordial License as soon as the Town corrects that Bylaw. Ms. Tarrnum asked that the BYOB License which was approved for her at the 3/11/2014 BOS meeting be forfeited and that this new application be approved.

Hours of operation for Kabob-E-Licious are 10:30AM – 11:00PM, Sunday through Saturday and Holidays.

Mr. Matthews moved to approve the Wine & Malt Beverage License for Tarrnum Williams d/b/a Kabob-E-Licious located at 165 Mass Avenue. Ms. Bertram seconded. On vote, motion carried, 5 in favor, 0 opposed.

The board reminded Ms. Williams that the Warrant for articles to be submitted for Annual Town Meeting must be submitted by Monday March 24, 2014 by 4PM, and if she wished to submit a petition she can get the application at the Town Clerks office.

7:30PM – Interview Candidates for Committee Appointments:

Jeffrey Bajko, 14 Charlton St., came before the BOS to ask for appointment to the Public Access Cable Commission (PACC). He gave a brief history of himself and his family and although he has no experience in PACC or television he is willing to learn and would like to volunteer for this committee.

Mr. Alonzo informed Mr. Bajko that there is a Bylaw revision on the Annual Town Meeting Warrant and the BOS does not intend to appoint anyone to that committee until after the Annual Town Meeting.

Maureen Dupuis, 173 Highland St., came before the BOS to ask for appointment to the Agricultural Committee. She gave a brief history of her background, family life, organizations she belongs to and her farm experience.

Although there is currently not an opening on this committee, board members spoke highly of Ms. Dupuis, and informed her that when an opening is available it will be announced to the public.

Deborah Lincoln, 46 Hemlock Dr., came before the BOS and expressed her interest to being appointed to the Council on Aging (COA). She gave a brief history of her background and stated her reasons for her interest in this board. Ms. Lincoln also made a suggestion to the BOS regarding potential volunteers who do not come forward due to the fact that they are not good at public speaking or do not

want to be on "live" television. Her thoughts were that perhaps once per year all boards and committees could hold an informal "Meet & Greet" with potential volunteers so as they would not be so intimidated to step forward.

Mr. Ebersole moved to appoint Debby Lincoln to the Council on Aging. Ms. Bertram seconded. On vote, motion carried, 5 in favor, 0 opposed.

Ms. Bertram commented to say that she liked the idea of a "Meet & Greet" with the volunteers.

Pete Lincoln, 46 Hemlock Dr., came before the board and stated that he was here to reapply for a slot on the COA. He explained that he has served on the board before and due to term limits will not be eligible to be appointed again until July 1, 2014 and explained that the typical procedure with appointments to the COA is that the COA board searches out the candidates and then recommends them to the BOS for appointment.

Discussion ensued concerning the following:

- The COA Bylaw which states that they make recommendations to the BOS for appointments
- The possibility that the BOS technically may not be correct with the prior appointment
- Possible rescinding of this evening's appointment to the COA
- The rationale behind term limits and if they are a good option

Mr. Alonzo said that this appointment will be tabled for the time being. The BOS will review further the COA Bylaws regarding appointments & term limits.

Rene' M. Lafayette, 48 Williams Dr., came before the board seeking appointment to a Town Committee. Mr. Lafayette has shown interest in serving on the following committees; Personnel Committee, Montachusett Joint Transportation Commission, & Fence Viewer. Mr. Lafayette gave an overview of his work/committee history and stated that if residents can see their way to help out, it's a great thing.

Discussion ensued concerning the following:

- Re-evaluating the Personnel Committee and the need for it
- The possibility of Mr. Lafayette serving on the Montachusett Joint Transportation Commission
- A Steering Committee being formed to look at transportation in the region with Lunenburg participating in it
- Having Mr. Lafayette serve on more than 1 committee

The BOS will reconnect with Mr. Lafayette after further review of committee openings.

Steve Walker, 227 Pleasant St., came before the board seeking appointment to the PACC. Mr. Walker reviewed his extensive work/technology experience involving videography & telephone systems which would be a great asset to the PACC.

The BOS was in agreement that Mr. Walker's experience would be welcomed on the PACC and thanked him for coming forward this evening.

Mr. Alonzo thanked all for coming forward this evening and told those who were not appointed this evening that they will be notified before they are appointed to a committee.

CURRENT BUSINESS

1. Review & Approve Purchase & Sale Agreement; Lane Property (*Taken out of order before the 7:15 Public Hearing*): Brandon Kibbe representing the Open Space Acquisition Advisory Committee came before the board and informed them that they are not yet in possession of a completed Purchase & Sale agreement and are negotiating the creation of a physical water line which crosses the property that the Town will be acquiring. This is the last item to be negotiated in the Purchase & Sale contract. He mentioned that Town Counsel had suggested that the BOS could vote to approve as presented this evening, then after Town Counsel has approved the final form the BOS could approve or they could wait until the Purchase & Sale agreement is completed.

After due and diligent discussion among the board concerning the Purchase & Sale agreement and appraisal process it was decided to table the approval of the purchase & sale agreement until the April 1, 2014 BOS meeting to allow the contract to be completed. The BOS is in support of this agreement and if for any reason the contract needs to be approved before that meeting, then the BOS will entertain posting a meeting for the purpose of approval.

Mr. Kibbe added that the Open Space Committee will be holding a Public Meeting this Thursday and have scheduled two public site walks on this property on April 19th & April 26th so the people can see what they will be voting on at the Annual Town Meeting.

2. Review/Discussion FY2015 Town Manager's Recommended Budget: No discussion

3. Review/Discussion of Warrant Articles for Annual Town Meeting: Ms. Speidel presented the board with an updated list of Warrant Articles for Annual Town Meeting.

4. Minutes/Warrants/Action File Issues

Minutes: 3/11/2014 *Mr. Ebersole asked for a minor change to the comment about the PACC Bylaw amendment. It states that it needs to be on the Warrant and he feels it should say that it needs to be at Town Meeting.

Warrants: 3/18/2014 W#48-14 \$124,517.51
Signature page signed \$253,975.48

Action File Issues: None

5. Committee Report: Board of Health; Building Reuse Committee; Capital Planning Committee; Finance Committee; Library Board of Trustees; MPO; Planning Board; PACC; School Advisory Committee on Acceptance & Diversity; School Committee; School Building Committee; Sewer Commission; MA Broadband:

Board of Health – No Report

Building Reuse Committee – No Report

Capital Planning Committee- No Report

Finance Committee – Mr. Toale reported that they will be meeting this Thursday evening.

Library Board of Trustees– No Report

MPO- Ms. Bertram reported that the Chase Rd. project was not included on the FY15/18 TIP due to crash data not being submitted on time. The deadline for submittals for the TIP is 3/25/14, the crash data is not expected to be received until 4/3/14, and she believes that they have lost the opportunity for that project to be funded this year. She would like to see the Town become more involved in the process and said that we are missing a number of opportunities for funding. Ms. Bertram said that she is happy to sit at this table to advocate but only if she has the data and information to so.

Ms. Bertram added that in regards to the Summer St. project, funding for this was not included on the Governor's Capital Improvement plan. Senator Flanagan and Representative Benson are advocating for this funding and without it, it will be impossible to move this project forward. She requested that all who want to see this project move forward contact their representatives regarding this matter.

Planning Board- No Report

PACC- No Report

School Advisory Committee on Acceptance & Diversity- No Report

School Committee- No Report

School Building Committee: Mr. Matthews reported that they met last week and discussed the following:

- Renderings of the interior of the building
- Community Outreach
- Building System designs
- Green House sizes and costs
- Reduction of spending wherever possible

Sewer Commission – No Report

Mr. Alonzo mentioned that there is 1 position open on the Sewer Commission which is an elected position.

MA Broadband- No Report

6. Town Manager Reports or Department Reports: Ms. Speidel reported that she had received a response from Town Counsel regarding a Peer Review concerning the Middle/High School Building project. Town Counsel advised that under the Dover Amendment of the Zoning Act, public and non-profit educational and religious uses are exempt from local use regulation. They are permitted anywhere in the community and are subject only to reasonable dimensional regulations. The project would not be subject to any kind of special permit review but could be subject to a limited site plan review under the Zoning Bylaw.

According to staff in the Land Use Departments the review which was conducted on the Primary School project was done "Pro bono" by David Ross & Assoc., which included:

- Drainage
- Easement Plan
- Environmental Impact Statement
- Project Specs & Site Plan

David Ross & Assoc. also did approximately 10 other reviews on this project between 5/2002 and 8/2005.

After due and diligent discussion, board members decided that a full site plan review of the project was not necessary but that it would be helpful to have other Land Use Boards, particularly the Planning Board, review the project.

Ms. Speidel commented to say that she thought it important for the boards and committees to decide whether or not a review is needed regardless of whether or not the work is going to be done "Pro bono".

Ms. Bilotta Simeone, Chairperson of the Planning Board spoke to say that the Planning Board had discussed this and decided that they would do a modified site plan review, they support the school and will work whole heartedly to get this project done.

Ms. Bertram requested that the Planning Board decide how they would like to proceed with this whether it be at the local level or hire a Peer Reviewer.

Ms. Bilotta Simeone said that she envisions a modified site plan review with a Peer Engineer.

APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS: None

PUBLIC COMMENT: Mr. Ebersole requested an update on the Bylaws codification from the Town Manager and also questioned what the status was with the Traffic Rules and Regulations.

Ms. Speidel replied that the DPW Director had circulated a draft of the Traffic Rules and Regulations to the Police Department for review. She would like to schedule a workshop in April with DPW, Police and the Engineer on that subject.

Ms. Bertram added that MRPC announced a program which looks specifically at signage in relationship to curbs. There is a chance here for professional expertise as well as some grant writing opportunities and she has forwarded this information to the DPW Director.

8:00 PM – Joint Meeting with Planning Board to review Articles for May 3, 2014 Annual Town Meeting: Mr. Alonzo stated that this workshop will not be televised but the public is welcome to stay. The Planning Board will have a Public Meeting on March 24th regarding their Warrant Articles for Annual Town Meeting.

Ms. Bilotta Simeone suggested that the public review the draft of the Bylaws on the Planning Website as she will not be reading them due to the fact the CMR is 53 pages long.

Ms. Bertram suggested having another workshop with the Planning Board and with the DPW Director regarding Storm Water Improvements associated with developments.

ADJOURNMENT:

UPCOMING MEETING SCHEDULE

April 1, 2014
April 8, 2014
April 15, 2014
April 22, 2014

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