

APR 17 2014

**BOARD OF SELECTMEN
MEETING MINUTES
4/8/2014**

LUNENBURG TOWN
CLERK OFFICE

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

ANNOUNCEMENTS: Mr. Alonzo read a memo from the Town Clerk's Office reminding the public that the last day to register to vote in the 2014 Annual Town Meeting/Election will be on 4/11/2014 at the Town Clerk's office. Special hours that day will be 9AM – 8PM.

7:00PM PUBLIC COMMENT: Mary Ellen Letarte, Lancaster Ave., spoke to the BOS to announce that it is National Poem month. The Louise Bogan Poets in conjunction with the Lunenburg Library have sponsored a Teen Contest with local High Schools. Lunenburg & Pepperell have both won and will be reading their winning poems on 4/14/2014 at the Lunenburg Library and it will be open to the public. She also mentioned that the Massachusetts State Poetry Society will be meeting at the Lunenburg Library, for the first time, on 5/10/2014.

APPOINTMENTS

7:00 PM – Jack Meilleur, 8th Grade Student, Project 351 Community Service, www.project351.com: Dave MacDonald, Island Rd. introduced Jack Meilleur to the BOS and gave kudos to him for his community service.

Jack Meilleur, 153 Highland St., spoke to the BOS and asked for their support with his Community Service project entitled Project 351. His current involvement with Project 351 is to collect "new" clothing for underprivileged children.

The BOS congratulated Mr. Meilleur on his presentation and agreed to support this project along with any future projects of this nature that Mr. Meilleur may bring forward.

7:10 PM – Boys & Girls Club Request to Use Public Grounds for Fundraising Event: Marcy Forman and Beverly Guerin representing the Boys & Girls Club came before the BOS to request permission to use both public parking lots at the Boys & Girls Club for a Town Wide Yard Sale on 5/17/2014 and for approval to hold a Volunteer Toll in the center of Town and on Rt. 13 in the Whalom area on 6/14/2014.

Mr. Alonzo informed that they could not vote on the Voluntary Toll request because it was not on the agenda this evening. This will be placed on the BOS agenda next week.

Mr. Alonzo also disclosed that he is on the Board of Director's for the Boys & Girls Club, and since this does not affect him directly, he is allowed to vote on the request.

Mr. Ebersole moved to approve the request for the use of the public grounds for a fundraising event for the Lunenburg Boys & Girls Club on 5/17/2014. Mr. Toale seconded. On vote, motion carried, 4 in favor, 0 opposed.

7:15 PM – Pedlar's License- Wesley Falk, d/b/a Solar City: Wesley Falk came before the BOS to request a Pedlar's License to sell purchase agreements for solar panels, door to door. Mr. Falk will be doing this Monday through Friday from 1PM – 6PM.

Mr. Matthews moved to approve the Pedlar's License for Wesley Falk, d/b/a Solar City. Mr. Toale seconded. On vote, motion carried, 4 in favor, 0 opposed.

8:00 PM – Sewer Commission to review Warrant Articles: Carl Luck, Chairperson of the Sewer Commission presented the FY2015 Budget Summary along with the Lakeview Ave/Pratt St. area Sewer Extensions to the BOS.

Mr. Luck began with Sewer Commission's Warrant Article 25 for Annual Town meeting to authorize borrowing up to \$2.2M for two simultaneous sewer extensions explaining the following:

- By combining these two projects the Commission hopes to realize some economies of scale to lessen the burden on the residents
- SRF low interest loans are expected to provide most of the funding
- Sewer Betterments covering all costs will be assessed to affected residents
- No impact to the tax base for rest of Town residents
- Both projects were initiated by local residents
- Both projects will go to Leominster which has a lower rate than Fitchburg
- The Whalom area is a "low pressure system" & each home will have a low pressure pump that they own/maintain
- Pratt St. is gravity with a couple of low pressure pumps

BOS recommended the following:

- Language to be added to authorize the BOS the ability to take easements by eminent domain incase there was a title issue
- Sewer Commission coordinate with the DPW on any drainage issues
- Residents sump pump issues be dealt with from the start of the project

Mr. Ebersole moved to recommend BOS approval of Article 25. Mr. Matthews seconded. On vote, motion carried, 4 in favor, 0 opposed.

Mr. Luck moved onto the Sewer Commission FY2015 Budget Summary (Article 22 on the Warrant for Annual Town Meeting) which included the following:

- Presented is a balanced budget without a rate increase
- Rates to Fitchburg have gone down \$1.65
- FY14 Accomplishments
- John Fitch Capacity Increase Cost Share
- Overview of Usage and Rates FY14 vs FY15
- FY14 and FY15 Budgeted Revenues Detail
- FY15 Cost Element as Percent of Total Costs
- FY15 Key Budget Assumptions

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Mr. Ebersole moved to recommend BOS approval of Article 22. Mr. Matthews seconded. On vote motion carried, 4 in favor, 0 opposed.

CURRENT BUSINESS

1. Approve hearing date (April 22 or 29, 2014) to lay out a public way, White Tail Crossing: Ms. Speidel requested that the BOS set a Public hearing date for 4/29/2014 concerning this item.

Mr. Matthews moved to set the Public Hearing date to lay out a public way for White Tail Crossing on 4/29/2014. Mr. Ebersole seconded. On vote, motion carried, 4 in favor, 0 opposed.

2. Review/Discussion FY2015 Town Manager's Recommended Budget: Ms. Speidel reviewed the changes that the Finance Committee (FinCom) had made to the FY15 Town Manager's Recommended Budget. She began with the FY2014 Budget Adjustment Article and requested that the BOS along with the FinCom hold their recommendation for this Article until Annual Town Meeting in order to have a more definitive figure on where the FY2014 budget would end. Currently the remaining deficit in the FY2014 Budget Adjustment is \$17,323.00

The BOS commended Ms. Speidel along with the FinCom on the work they have done with this budget.

Ms. Seidel went on to review the changes that were made by the FinCom to the FY2015 Recommended Budget as follows:

- There is approximately \$116,097 available to fund Above Target Requests
- FinCom recommended approval for purchase of the Lane Property
- FinCom recommended approval of allocating \$113,597 to the Pavement Management Plan rather than the Reserve Fund
- FinCom moved \$12,500 from Legal Expenses to the Land Use Director's Salary
- FinCom did not vote on the Monty Tech Assessment of \$49,244 (Would become available if paid in FY2014) Ms. Speidel recommends that if it becomes available that it stays with Education

Mr. Alonzo explained the reasoning behind the FinCom's decision to place the funds in the Pavement Management Plan rather than the Reserve Fund. They felt that the Pavement Management Plan was under funded and that placing the money into the Reserve Fund would limit the Town along with the Town Manager's ability to move things around if shortfalls should come without having to go to Town Meeting.

Mr. Alonzo also clarified that the \$116,097 is not "surplus" but rather "unallocated" money.

Mr. Ebersole moved to recommend approval of Article 18 the FY2015 Town Manager's Budget for the amount of \$29,079,384.

Mr. Matthews seconded. On vote, motion carried, 4 in favor, 0 opposed.

3. Review/Discussion/Recommendations of Warrant Articles for Annual Town Meeting: Ms. Speidel reviewed the remaining Warrant Articles for Annual Town Meeting with the BOS.

Article 14. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the FY2015 Capital Plan, as appearing in the Capital Planning Committee Report, or take any action relative there to. FinCom recommends approval of \$1,114,152. 6-0.

Mr. Ebersole moved to recommend BOS approval of Article 14. Mr. Toale seconded. On vote, motion carried, 4 in favor, 0 opposed.

Article 16. To see if the Town will vote to authorize in accordance with MGL Chapter 44, Section 53E, a Student Transportation Offset Receipt Fund, to receive funds for Student Transportation Fees up to \$31,000, said funds to be used by the School Department to offset the cost of bus transportation; or take any other action relative thereto. FinCom recommends approval, 6-0.

Discussion: Karen Brochu, Town Accountant explained how the Offset Receipt Fund works as follows:

1. Estimated amount cannot exceed prior year actual amount without written approval from DOR (Dept. of Revenue)
2. Receipts are accounted for in a special revenue fund and can be spent without further appropriation
3. Any deficit must be provided for in the current year or raised on the next year's recap
4. Any surplus closes to the general fund at year end

Student Transportation Fees:

- FY13 \$31,916.83 Actual
- FY14 \$31,604.75 Actual to date
- FY15 \$31,000.00 Estimate

Mr. Alonzo questioned what would be achieved by establishing this fund.

Ms. Brochu responded that it is a way to separate the revenue that is generated from the students for those transportation fees so it can be used to offset the cost of that contract.

Ms. Speidel added that this is typically how bus fees are handled in other communities as an "Offset Account". If we did not do this, we could increase the school's appropriation by \$31,000. The \$31,000 has been moved into Available Funds.

Mr. Ebersole moved to recommend BOS approval of Article 16. Mr. Matthews seconded. On vote, motion carried, 3 in favor, 0 opposed, 1 Abstain (Alonzo)

Article 23. To see if the Town will vote to appropriate the sum of \$25,000 from the Sale of Cemetery Lots account to be used for the care, improvement and embellishment of the Cemeteries; or to take any action relative thereto. FinCom recommends approval 6-0.

Discussion: Ms. Spiedel explained that the funds would be used for:

- Tree trimming/planting
- Grading & shaping of new roadway to new area at the North Cemetery
- Purchasing loam & seed for filling in the new section where grass did not take
- Clearing, filling, & loaming on the back side of the South Cemetery
- Pricing/Rebuilding of new receiving tomb for storage of winter caskets
- Purchase of an entombment wall for cremated remains
- Crack filling/sealing of some roads within the cemeteries

Mr. Matthews moved to recommend BOS approval of Article 23. Mr. Ebersole seconded. On vote, motion carried, 4 in favor, 0 opposed.

Mr. Ebersole moved that the BOS sign the Warrant with the changes that were made this evening. Mr. Matthews seconded.

Discussion: Mr. Toale mentioned that he had recused himself from voting/discussion on Article 26 and the vote should be changed to reflect that in the Warrant.

On vote, motion carried, 4 in favor, 0 opposed.

4. Minutes/Warrants/Action File Issues

Minutes: 3/18/2014 4/1/2014

Warrants:

Election Warrant		
4/8/2014	W#52-14	\$292,178.46
4/9/2014	W#53-14	\$343,314.65
4/7/2014	W#21P-14	\$632,035.35

Action File Issues: Mr. Matthews requested an update on the Park Dept. Building.

Ms. Speidel replied that property, along with the Flat Hill Rd. property, are on the DPW Directors list of things to do before the end of this fiscal year.

Mr. Ebersole mentioned that Open Meeting Law training sessions have now become "web based" which makes it easier for people and he would like to keep this issue on the table to make this training available for other elected boards and appointed officials. He believes that this is a complicated law and what he is hearing is that there is a misunderstanding of this rather than a misapplication of it. Although there has been headway made with boards/committee updating their minutes we have a long way to go with some boards and commissions.

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 – Mr. Toale reported that they met last evening where they introduced the 2 new replacement members, voted to recommend a new member, discussed Task Force structure, and are beginning to do work on their Charter.

Capital Planning Committee- Mr. Toale stated that there was no report but this committee has been invited to attend the FinCom 4/24/2014 meeting.

Finance Committee – Mr. Toale reported that they will meet on 4/24/2014 and they finalized their budget recommendations at their last meeting.

Library Board of Trustees- No Report

MPO- No Report

Planning Board- No Report

PACC- No Report

School Advisory Committee on Acceptance & Diversity- No Report

School Committee- Mr. Matthews reported that they met last week to hold their budget hearing where they pointed out areas that had impacts in their budget and are working with the Police Dept. on the new ALICE System (Alert Lockdown Informed Counter Evacuation) processes in case there are issues with intruders in the building.

School Building Committee- Mr. Matthews reported his committee will meet tomorrow night.

Sewer Commission – No Report

MA Broadband- Mr. Alonzo reported that he is still awaiting answers to his email which was sent a couple of weeks ago.

6. Town Manager Reports or Department Reports: Ms. Speidel reported that MassDot has requested a Utilities Meeting on the Summer St. project, we are approaching the end of our contract with VHB (the engineer) and we are awaiting the release of the rest of the design money. We are going to authorize VHB to attend the Utilities Meeting to keep the project moving which will cost the Town approximately \$2000. The engineer has advised that the Town go ahead with the Public Meeting on the 25% design. The bigger problem is with State funding. The State funding for the remainder of the design is tied up in the Transportation Bond Bill which the Governor has not spent down. He has put together a Capital Project Plan for FY2015 that does not include the Summer St. project. If we are not on the plan in July Ms. Speidel would like to put it on our own Capital Planning process for FY2016 to keep the project moving or perhaps consider putting something forward at Fall Town Meeting. Our entire Legislature Delegation has been lobbying the Governor to release this funding.

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Mr. Ebersole requested that the Lunenburg Sewer Commission and perhaps the Lunenburg Water Dept. and Water District become involved with this project also.

APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS: None

PUBLIC COMMENT: Mr. Ebersole reminded all that the Planning Board will be holding a continuation of their hearing regarding Marijuana Dispensary next Monday evening.

Mr. Alonzo reminded all that the Zoning Board of Appeals will be have a Public Hearing tomorrow evening regarding the Whalom 40B project.

EXECUTIVE SESSION: Mr. Alonzo stated that the board will be entering into Executive Session, not to return, 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. Discussion of Lunenburg Education Association Contract.

ADJOURNMENT: Mr. Matthews moved to adjourn the meeting. Mr. Toale seconded.
Roll Call Vote: Ebersole – Aye, Toale – Aye, Matthews – Aye, Alonzo – Aye.
Meeting adjourned at 8:44PM

UPCOMING MEETING SCHEDULE

April 15, 2014
April 22, 2014
April 29, 2014 Special Meeting

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

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