

MAY 07 2014

LUNENBURG TOWN
CLERK OFFICEBOARD OF SELECTMEN
MEETING MINUTES
4/29/2014

The Board of Selectmen met in the Joseph F. Bilotta meeting room at Town Hall as scheduled with Chairperson Tom Alonzo, Vice Chair 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 congratulated the Powell family on the expansion of their business and complimented them on the appearance of their new establishment along with the creative reuse of the existing barn which was on the property.

Ms. Bertram reminded all of the upcoming "Drop In" session concerning the purchase of the Lane Property to be held at the Library this coming Thursday.

ANNOUNCEMENTS:

- Annual Town Meeting will be held on 5/3/2014 at Lunenburg High School beginning at 9AM
- Representative Benson will be holding office hours at Lunenburg Town Hall on 5/13/2014 from 5:30PM-6:30PM
- Lunenburg Boys & Girls Club Town Wide Yard sale will be held on 5/17/2014, 8AM-2PM
- Lunenburg Waste Days began on 4/26/2014 and will run every Saturday until 5/31/2014 from 8AM-4PM at the Town Landfill

APPOINTMENTS:

7:15 PM – Public Hearing, Administrative Organizational Plan, Town Charter, Section 5-1 (b): Mr. Alonzo read into record the Public Hearing notice concerning the Administrative Organizational Plan and opened the hearing at 7:15PM.

At this time Ms. Bertram mentioned that the Public Hearing time for White Tail Crossing was incorrectly advertised to be held at 7PM this evening and mentioned to anyone who was in attendance for that hearing that it will be held at 7:30PM.

Ms. Speidel informed the board that Town Counsel has informed her that the need to follow the process which is set forth in the Town Charter is somewhat of a "gray" area and feels that the best way to proceed is to follow the requirements of the Town Charter. Regarding the question of developing a Bylaw, Town Counsel had said that you can choose to present the plan at Annual Town Meeting for a vote or develop a Bylaw. The board has chosen to present this plan at Town Meeting.

Ms. Speidel then reviewed the draft Administrative Organizational Plan with the board touching on the following points:

- Position will not supercede any roles or responsibilities of the boards or commissions in the Land Use Departments
- Position is intended to coordinate activities within the Land Use Departments
- Position will not be responsible for appointments, hiring, or firing
- Position will not have supervisory responsibility over the Board of Health staff
- Position qualifications, salary, and recruitment process

Discussion among the BOS/Town Manager included the following:

- Land Use Director may sit on other Town boards/commissions as a liaison and not as a voting member
- Only in the absence of the Town Manager would this position serve as the Assistant Town Manager
- Sewer Commission and the DPW/Storm Water Management have been added to the list of departments which this position will be coordinating with
- Anything associated with roadways should also be coordinated with the DPW Director
- The wording of the Direct Functional Supervision would need to be clarified in regards to hiring & firing
- BOS members support of this plan and as it is implemented it will be important to ease the person hired into this position in order to establish what the BOS is expecting.

Ms. Speidel mentioned that all Land Use Departments were contacted for their input about this position and a member of the Board of Health responded "While I support the concept of expanding the Planning Directors role to include economic development I'm concerned that making it the Land Use Director is too broad and may even present a conflict of interest regarding expediting development vs. safety/protection of resources. I think a liaison role regarding Land Use matters would be more appropriate."

Public Discussion: Matthew Allison, Planning Board Member, spoke his dismay of the lack of professional/technical abilities which has existed on the Planning Board. He mentioned that the Planning Board Director sits on various committees as a member and he thanked the Town Manager/BOS for bringing this new position forward. He would like to see the Administration Organization Plan included in Town documents for people to review. He would like this new position to focus on "Planning" and not be considered for Assistant Town Manager.

Mr. Ebersole moved to approve Administration Organizational Plan and to recommend BOS approval at Annual Town Meeting.

Mr. Matthews seconded. On vote, motion carried, 5 in favor, 0 opposed.

Public Hearing was closed at 7:43PM

7:30 PM – Public Hearing, Layout of Public Way, White Tail Crossing: Hearing was postponed until the Fall Town Meeting by request of the applicant.

CURRENT BUSINESS

1. **Review/ Discussion/ Recommendations of Warrant Articles for Annual Town Meeting:** The Motion Sheet for Annual Town Meeting was assigned to board members as follows:

- Articles 1 through 6 – Alonzo
- Article 7 – Bertram
- Article 8 – Matthews
- Article 9 – Toale
- Article 10 – Ebersole
- Article 11 – Alonzo
- Article 12 – Bertram
- Article 13 – Matthews
- Article 14 – Toale
- Article 16 – Ebersole
- Article 17 – Alonzo
- Article 18 – Bertram
- Article 19 – Matthews
- Article 20 – Toale
- Article 21 – Ebersole
- Article 26 – Alonzo

All other articles on the warrant will be presented by their respective committees and/or petitioner.

- **Article 8- Prior Year Bill:** Ms. Speidel informed the board that there is 1 bill remaining for some medical testing in the amount of \$570. Mr. Ebersole moved to recommend approval at Annual Town Meeting. Ms. Bertram seconded. On vote, motion carried, 5 in favor, 0 opposed.

2. **Board of Selectmen Goals: Town Manager Goals:** Rescheduled to the 5/6/2014 BOS meeting.

Mr. Ebersole requested feedback regarding the Town Managers goals be received before the Town Manager's evaluation is completed.

3. Minutes/Warrants/Action File Issues

Minutes: 4/22/2014

Warrants: 4/29/2014 W#57-14 \$70,513.25

Action File Issues: None

4. **Items for Review with DPW Director & World Tech Engineering:** In attendance for this presentation were Jack Rodriquenz, DPW Director, Rich Benevento, & Mike Pompili of World Tech Engineering. Mr. Rodriquenz spoke and thanked Mr. Matthews for the work that he has done regarding the School Building project and various other tasks which he has taken on while serving on the BOS.

- **Update on Lake Shirley Dam, inspection & maintenance (just requested last night):** The dam is in compliance with all inspections and the Emergency Management Plan has been completed. A letter of approval was received from the National Dam Safety Program which included recommendations of making some minor edits to the plan for future yearly submissions. The next inspection will be done in December of 2015.
- **Update on intersection improvements at Mulpus & Townsend Harbor Roads:** A hard schedule has been set to begin reconfiguration of this intersection for 5/19/2014. Powell Excavation has been hired for the construction which is expected to last approximately 2 weeks. The DPW will do the paving for economical reasons.
- **Update on Pavement Management Plan (World Tech's revisions); a preliminary project list for FY14 Spring/ FY15 Summer & Fall, if available:** Mr. Rodriquenz reviewed the following in regards to pavement management:

Road Repair Funding

\$122,000.00	Uncommitted Chapter 90 Funds
\$127,000.00	FY15 PMP
\$116,000.00	FY15 PMP Addition
\$63,000.00	Winter Rapid Road Recovery Program
\$422,000.00	Anticipated FY15 Chapter 90 Allocation
TBD	Funds from Operational Budget
<u>\$850,000.00</u>	

Anticipated Road Repair Expenses FY15

\$850,000.00	
<u>(\$333,000.00)</u>	Summer Street Engineering
<u>(\$150,000.00)</u>	Chase Road Engineering
<u>(\$63,000.00)</u>	Winter Rapid Recovery Program, Various Locations
\$304,000.00	
<u>(\$150,000.00)</u>	PMP- White St.- Fitchburg Line to 2A
<u>(\$140,000.00)</u>	PMP – Goodrich St – Reservoir Rd to Winter Hill Rd

\$14,000.00 Cracksealing – Additional Funds from Operational Budget will be allocated here

Discussion: Mr. Rodriquenz stressed the fact that a decision needs to be made regarding the Towns funding of the \$333k for the Summer St. project. If this is not done, Summer St will need to be closed due to its drastically deteriorated condition.

Ms. Bertram questioned if the Tri Town Incentive money could be used to move forward with the engineering on Summer St.

Ms. Speidel replied that there are 2 separate stabilization funds with a current balance on both funds equaling our 5% target. We have already appropriated money out of the Incentive funds to pay for the 25% design of Summer St and in FY12 money was appropriated out of the stabilization fund for extraordinary un-employment expenses. If we appropriate money out of the Incentive fund we will fall below the 5%. We did receive \$99k in zoning incentive funds for building 3 in Tri Town and based on how the budget seems to be closing out we will have some free cash, hopefully equal to the \$99k, but that is still to be determined.

Ms. Bertram stated that she wasn't aware that this was a combination of both funds and this is unfortunate because this money was specifically intended for improvements in that area.

Ms. Speidel replied that funds are being appropriated out of the proper accounts but the 2 draws together were pretty significant.

Mr. Alonzo would like to be assured by the State that should the funds be released for this project, whether or not it has been paid for locally, then those funds should be returned to the Town and we need to proceed with this carefully.

Mr. Rodriquenz strongly recommended to the BOS that we move forward with the \$333k from Chapter 90 funding if it cannot come from another source.

Ms. Bertram spoke to say that meeting the requirements in the timeline for the TIP (Transportation Improvement Plan) is critical, they are already behind, and waiting until the Fall to see if the Governor will release the funds makes for a strong possibility that we will fall off of the TIP.

Mr. Rodriquenz spoke of how MassDOT encouraged both he and Ms. Bertram to put in an application for the Chase Rd project which runs from Northfield Rd to the Townsend line. This project is eligible for Federal funding and there is a good chance that this project could be funded for \$2.2m for numerous improvements if the Town is willing to pay for engineering.

Ms. Bertram spoke of her concerns that the Chase Rd project is not included in the Universe of Projects.

Mr. Benevento spoke to say that the Chase Rd project is not considered a huge project at \$2.2m and the State looks for projects of this size to fund when other projects "fall off of the vine" for what ever reason.

Ms. Bertram spoke to say that the 15/18 TIP is under funded due to a road project on Rt. 12 in Sterling that went from \$1.3m to \$6.1m which is throwing other projects off of the 15/18 TIP. After reviewing the potential projects, the Chase Rd project was not on there. She was informed that if this was going to be considered as a TIP project MRPC (Montachusett Regional Planning Commission) needs more information including the project number which has been assigned.

Mr. Benevento explained that it does have a Projis number (607770) and the reason it is not on the list is because it is so new.

Ms. Bertram is concerned that do to time restraints we are going to miss our window for the 15/18 TIP and we need to move quickly and get MRPC involved.

Future Pavement Management Roads FY16

\$95,000.00	West St – Hollis Rd to Sunny Hill Rd
\$187,000.00	Leominster Rd – Prospect St to Kilburn St
\$62,000.00	Reservoir Rd – Flat Hill to 267 Reservoir Rd
\$363,000.00	Reservoir Rd – Goodrich St to Flat Hill Rd
\$188,000.00	Reservoir Rd – 267 Reservoir Rd to Page St
<u>\$35,000.00</u>	Northfield Rd – Oak Ave to Mass Ave
<u>\$930,000.00</u>	

Mr. Benevento & Mr. Pompili presented their Pavement Management Program Project Overview & Summary of Findings to the board with a slide show presentation that included:

- Benefits of Pavement Management
- Scope of Services
- System Specifications & Design
- Roadway Inventory & GIS
- Roadway Profile
- Field Inspection Program
- Existing Conditions Summary
 - Lunenburg's PCI (*Pavement Condition Index*) number is 67 Average
 - Estimated Road Repair Needs = Approx. \$12.3m (Amount needed to reach 100 PCI rating)
- CIP Development
 - These numbers are based on formulas and will differ from the DPW Director's numbers
 - Project Year 2015 totals = \$516,559 Project Year 2016 totals = \$1,011,367
- System Maintenance

Discussion: Mr. Alonzo pointed out that just to maintain where we are the cost is approximately \$1m and the chart provided in this report shows \$5.8m, over 5 years, the PCI (Pavement Condition Index) overall goes up by .7, which indicates "keep your head at the same level above the water every year". The condition of the roads does not get any better nor do they get any worse.

Mr. Benevento explained that a pavement improvement plan should be a "blend" of treatments maintaining what you have and "picking off" roads that are in poor condition a little at a time.

Mr. Alonzo added that the Pavement Management Plan is funded to the level that people have decided they wish to accept.

Ms. Bertram questioned the large discrepancy between the CIP Development Plan numbers and the DPW Director's numbers.

Mr. Rodriquez explained that estimation of asphalt on these roads is not an exact science. He is working with numbers from a 5 year old plan and as we transition into the same plan, our numbers will become one. We should be transitioned into the new plan by Capital Planning time in the Fall.

DPW will also remain cognizant about potential water line construction on White St. before any paving work is done there.

- **Update on Traffic Ordinance:** Board members were given copies of the updated Traffic Ordinance for review. Mr. Pompili explained that they will be adopting the draft Traffic Rules & Orders in their entirety rather than amending and that quite a bit of language in the Standard Ordinance has been revised which he touched on briefly discussing traffic lights, "Stop" and "No Parking" signs within the Town which will change. There is a process to follow if someone has requested a regulatory sign which is that the ruling body of the community will have to vote to adopt and then that will become a part of the Ordinance. If there are stop signs in place that are not in the Ordinance, they are unenforceable. Before adopting this Traffic Ordinance the BOS will need to have a Public Hearing.

Discussion: Ms. Bertram questioned if yellow "Cautionary" signs would need to be included in the ordinance.

Mr. Benevento explained that the yellow signs are "Advisory" signs and are un-enforceable. The only entity that can approve a speed limit sign is MassDOT (Mass Dept of Transportation) and included in the updated Ordinance is a MassDOT list of approved speed limits.

- **Update on Sign Inventory, If additional information is available:** Not discussed
- **Update on Chase Road and/or Summer Street, if additional information is available:** Discussed under Update of Pavement Management Plan

EXECUTIVE SESSION: None

ADJOURNMENT: Being no further business Ms. Bertram moved to adjourn the meeting. Mr. Matthews seconded.

On vote, motion carried, 5 in favor, 0 opposed.

Meeting adjourned at 9:45PM

UPCOMING MEETING SCHEDULE

May 3, 2014 – Annual Town Meeting

May 6, 2014 – Regular Meeting

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