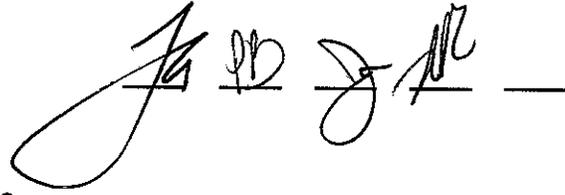


JUN 11 2014

LUNENBURG TOWN
CLERK OFFICEBOARD OF SELECTMEN
MEETING MINUTES

6/3/2014


6:00 PM – Workshop Discussion on Board Policies & Procedures

The Board of Selectmen met in the Joseph F. Bilotta meeting room at Town Hall as scheduled with, Chair Tom Alonzo, Vice Chair Paula Bertram, Jamie Toale, Robert Ebersole, & Phyllis Luck
Absent was Town Manager Kerry Speidel.

Regular Meeting opened at 7:00 PM

7:00PM PUBLIC COMMENT: Ms. Luck commented on the Memorial Day Services which were held at the Lunenburg Public Schools saying that all of the children did a great job in reminding all of the sacrifices of our service people. She mentioned the fact of the importance of the "right to vote" in this country and thanked all citizens who either came out to vote or ran for office at the recent Town Election.

Mr. Alonzo mentioned that many inquiries had been made about not having a Memorial Day Service at Veteran's Memorial Park. He said that he believed a Memorial Day Committee had been formed and was saddened that there was no ceremony this year and said that it was disgraceful that it did not happen. He pledged that this will not happen again and personally apologized to all Veteran's in saying that this will not fall through the cracks again.

Mr. Toale offered his services to help out with the ceremony next year.

ANNOUNCEMENTS: Mr. Alonzo mentioned that the BOS had met at 6PM this evening to discuss Board Policies & Procedures and reported that they are making progress and it should be completed in several weeks.

APPOINTMENTS:

7:00 PM – Update on Status of Intersection Improvements, Mulpus & Townsend Harbor Roads: Ms. Bertram read a prepared statement which she had written concerning statements that were made by some residents accusing her of using her status as a Selectwoman to "pull strings" for this project to move forward. In the letter she stated that this project was started by petition of residents of the Hickory Hills area who were concerned with the traffic issues at that stretch of road/intersection. After studies by the Police Dept. along with the DPW, this stretch of road was deemed "high hazard" and she did not benefit financially or materially from this project. She is grateful to the residents who made this happen and has benefited only from the improvements through a safety perspective. She is confident that the new traffic pattern will protect the residents as well as all who pass through this area. She thanked all who were involved in bringing this project to fruition.

Jack Rodriquenz, DPW spoke to the board and offered his services to help out with the Memorial Day Ceremony next year.

Mr. Rodriquenz began his update on the project by saying that while being at the site of this project, some people were driving by and making rude and discourteous statements to him about this project.

Mr. Alonzo revisited the original plan and said that what was approved by the BOS was the following

- Townsend Harbor Rd., coming from a southerly direction would have no stop sign
- Townsend Harbor Rd., coming from a northerly direction, there would be a stop sign at the intersection of Townsend Harbor/Mulpus Rd.
- Mulpus Rd. would have a stop sign
- This was designed to improve site lines and to slow down speed for safety at the curve

He went on to say that he had received complaints that this configuration has become more dangerous coming from the non-stop sign area at the curve. He went himself and drove the route several times and concurred with the complaints he had received.

Mr. Rodriquenz was on vacation at this time and the Town Manager was contacted to investigate this issue. After speaking with the engineers she was told that after the work had been started, it was determined that the original plan was proven to be dangerous and they began to increase the lane area on the curve. He asked Mr. Rodriquenz to explain what the final modifications in the approved plan were.

Mr. Rodriquenz explained that if the stop area on Townsend Harbor Rd was not curved, headlights from oncoming traffic would shine into the house across the road. They discovered that once the old black top was removed, it looked narrow, and he discussed with the Engineer, before he went on vacation, what should be done.

He received numerous complaint calls and had the engineer along with the Chief of Police come to the site to discuss what should be done. It was agreed to that the south bound lane on Townsend Harbor should be widened and a 3rd stop sign would be added.

Mr. Rodriquenz believes that even without the stop sign, the widening has helped out tremendously. He stated that he was a little disappointed that the engineering was not "spot on" but that it is not unusual for that to happen.

Mr. Alonzo spoke and said that the original plan as approved was not fulfilling the objective and it was modified. The additional stop sign was discussed by the BOS at length and they determined that if the flow of traffic did not meet the safety standards, then a 3rd

stop sign would be added. There will be "Stop Ahead" signs installed to warn travelers of the stop signs and this will become a safer intersection.

Mr. Rodriquenz added that there will be no parking allowed in that area and the police will be monitoring that. This project should be completed approximately within 1 week depending on the contractor's schedule.

7:15 PM – Application for Pedlar's License, Nicholas J. Tvrdy, sale of education products: Nicholas Tvrdy, college student from Nebraska came before the board to request a Pedlar's License so that he can go door to door selling his education products. He has already applied for and received a State Pedlar's License and will provide the board with a copy of it. He explained his process of selling which is working Monday – Saturday by making appointments, going door to door to families to show them his products which are geared towards High School seniors down to infants, and then following up with them at a later time. Mr. Tvrdy stressed the fact that he is not a part of the school district.

Ms. Bertram moved to approve the Pedlar's License for Nicholas J. Tvrdy for the sale of education products contingent upon the receipt of the State Pedlar's License. Mr. Toale seconded. On vote, motion carried, 5 in favor, 0 opposed.

CURRENT BUSINESS

1. Member Committee Assignments: Board members discussed and designated the following members as liaisons to the following Town committees:

Mr. Alonzo – School Building Committee

Ms. Bertram – MPO & Planning Board

Ms. Bertram also mentioned the fact that the MPO representative is not appointed by the BOS but rather is voted in by the MPO. She also pointed out that there should be a representative to the MJTC (Montachusett Joint Transportation Committee). Ms. Bertram will check their meeting schedule and this will be discussed again at a later date.

Mr. Toale – Building Reuse Committee; Capital Planning; Finance Committee

Mr. Ebersole – Board of Health; Library Board of Trustees; Public Access Cable Committee; Sewer Commission

Ms. Luck – School Committee; MART (Montachusett Area Regional Transit) Representative; MPO Designee

MA Broadband will be removed from the Committee Reports as soon as Mr. Alonzo has received information on the pricing issue. School Advisory Committee on Acceptance & Diversity has concluded.

2. Request to appoint Brandon Kibbe and/ or Kerry Speidel as Town's Agent to file LAND Grant Application: Board members discussed the fact that Ms. Speidel will be the agent to sign the Land Grant Application and Mr. Kibbe will act as the secondary.

Ms. Bertram moved to appoint Kerry Speidel and Brandon Kibbe as the Town's Agents to file the Land Grant Application. Mr. Ebersole seconded. On vote, motion carried, 5 in favor, 0 opposed.

3. Ratification of Execution of Quit Claim Deed and Acceptance of Deed: Land Swap between Town and Jay C. & Meghan L. Koslowski, 1417 Massachusetts Avenue (former property of Hobbs/Lowe): Mr. Alonzo gave a brief history of how this Quit Claim Deed came about which was when the Primary School was built and it crossed over property lines.

Mr. Ebersole moved to ratify the execution of the Quit Claim Deed and the acceptance of the deed regarding the land swap between the Town and Jay C. & Meghan L. Koslowski, 1417 Massachusetts Avenue, former property of Hobbs/Lowe. Ms. Luck seconded. On vote, motion carried, 5 in favor, 0 opposed.

6. Minutes/Warrants/Action File Issues

Minutes:

None

Warrants:

6/3/2014

W#63-14

\$1,693,994.07

6/2/2014

W#64-14

\$223,190.61

6/2/2014

W#25P-14

\$670,311.52

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 Advisory Committee on Acceptance & Diversity; School Committee; School Building Committee; Sewer Commission; MA Broadband:

Board of Health: Mr. Ebersole reported that they had met last evening where they conducted their normal business and discussed agricultural wells which are any wells that are not drinking wells but rather for irrigation. They spoke about what their responsibility would be in regards to testing the quality of water in these wells for agricultural use and locations of these wells. Currently if there is an agricultural well on a property the owner is required to put a deed restriction stating what the well is used for if the property were to sell. No action was taken and it is being reviewed further.

Building Reuse Committee: Mr. Toale reported that they met last evening, all task forces are on schedule, and they are planning to have a joint workshop with the Planning Board in the near future to discuss building reuse in the Town center. They are also exploring the possibility of a joint meeting with the Historical Commission. They are seeking plot plan lines including those that are being released by the school to the Town which could require funding for surveying. A project plan and budget is being put together for Town Hall renovations.

Capital Planning Committee: No Report

Finance Committee: Mr. Toale reported that they have completed their work on their Policies and Procedures and they are currently being reviewed by the Town Manager, Town Counsel, and the Bond Rating Counsel. They discussed the turf field at the High School in terms of who is responsible for it, user fees and what the capital plan is for future upkeep.

Mr. Alonzo added that the BOS will be meeting with all involved with the turf field as to who owns it, how fees are determined, and to discuss how the turf will be replaced 3 years from now.

Ms. Bertram requested that a report be given by whatever entity is in charge of the field prior to that meeting.

Library Board of Trustees: Mr. Ebersole reported that this board completed the evaluation of the Library Director, reviewed their budget, and are looking for clarification on how to connect to MA Broadband.

MPO: Ms. Bertram reported that she will not be attending the next meeting on June 18th. They will be voting on the actual TIP that day and she requested that Ms. Luck go in her place. She also asked that the BOS send a letter of support.

At the MJTC meeting there was a slight bit of improvement with the description of projects and moving forward Ms. Bertram will request more of an overview on future projects.

Planning Board: Ms. Bertram was unable to attend the last meeting but was informed that Master Planning was discussed.

PACC: No Report. Mr. Alonzo asked all people interested in serving on this board to come forward and fill out a talent bank form.

School Advisory Committee on Acceptance & Diversity: Mr. Ebersole reported that this committee will present their report to the School Committee at their 2nd meeting of this month after which they will present it to the BOS.

School Committee: Ms. Luck reported that this committee had met on May 21st where they welcomed a new member and reorganized after the 5/17 elections. At the 6/21 Bon Fire, finger printing of children will be available from 3-7PM. They also discussed Standardized assessments for next year and what it will include.

Ms. Luck mentioned that there was a Contracting Seminar which she had attended at Maynard High School with the School Superintendent and committee member Mike Mackin. Ms. Luck found the seminar very helpful.

School Building Committee: Mr. Alonzo reported that there will be an important vote tomorrow at the MSBA which the Town Manager and the School Superintendent will attend.

Sewer Commission: Mr. Ebersole reported that this commission met on 5/27 and they are still dealing with the issue of grease trap compliance by various facilities. They have started reviewing the Request for Proposal process for engineering for the Town Meeting approved Lakeview and Pratt streets extensions. They have preliminary approved Capacity Fee Policy for future growth of the system and are sending it to legal for review. At a previous meeting they had taken a position of not waiving privilege fees for the Whalom Rd. 40B sub-division in the reconfiguration because this was originally done with the understanding that the developer was going to put sewer down Pleasantview Avenue and this is no longer in the proposal.

Ms. Bertram commented to say that she believes that it is not appropriate that these fees come from the Sewer Enterprise fund and hopes that the Sewer Commission does not waive those fees.

Mr. Ebersole clarified that it is the Zoning Board of Appeals are the ones who could waive that but the Sewer Commission was very clear in saying that they should not waive them.

Mr. Alonzo added that the developer needs to understand that this is not a Zoning issue to overturn and that this is a fee.

Mr. Ebersole mentioned that the 40B provides relief from any local rule or regulation and the privilege fee is part of the Town sewer regulation process and that's where they technically have the right to do that. The connection fee which is paid to Leominster technically could be waived also.

After discussion board members were in agreement that the 40B law is flawed and needs to be corrected.

MA Broadband: No Report

4. Town Manager Reports or Department Reports: Mr. Alonzo informed the board that the Treasurer/Tax Collector has requested that the BOS approve and sign the authorization for the Water Dept. to send out the 4th Quarter Billing in the amount of \$5016.96.

Mr. Ebersole moved to approve the authorization to bill those amounts. Ms. Bertram seconded.

Mr. Alonzo mentioned that there are two bills, one for \$5016.96 and one for an adjustment \$2066.00

Mr. Ebersole then amended his previous motion to reflect both bills. Ms. Bertram seconded.

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

An Alcoholic license, which had previously been approved, was signed by the BOS for KG Waterfront d/b/a as Embers Pizzeria.

A request was received from the Planning Board for the BOS Chairperson to sign a traffic count request form for the intersection of Goodrich St. and Lancaster Ave.

Ms. Bertram mentioned that she believed that historically, the traffic counts were asked of the DPW Director and the Police Dept.

Mr. Alonzo clarified to say that the form requests the signature of the chief elected official.

Ms. Bertram moved to approve the request from the Planning Board for traffic counts at Goodrich St. and Lancaster Ave. Mr. Ebersole seconded. On vote, motion carried, 5 in favor, 0 opposed.

APPOINTMENTS/ RE-APPOINTMENTS/ RESIGNATIONS

1. Appoint Mike Conley, Green Communities Task Force: David Blatt, Chair of the Green Communities Task Force came before the board to ask for their appointment of Mike Conley to this group. He stated that with this appointment they will have 5 members and asked that if anyone was interested in becoming an alternate to please come forward.

Mike Conway came before the board and corrected the spelling of his name to Conway. He gave a brief history of his, family, education and work experience with Borego Solar. He is an electrical engineer in the renewable engineering field, he likes the community, and is interested in the Green Communities Task Force.

Ms. Bertram cautioned Mr. Conway concerning his affiliation with Borego Solar, that if they did want to build in Lunenburg, Mr. Conway would need to recuse himself from the vote. She believes that his experience and technical abilities will be a welcome addition to that group.

Mr. Ebersole informed Mr. Conway that after he is sworn in at the Town Clerk's office, she will give him a copy of the Conflict of Interest Law for review.

Mr. Conway disclosed at this time that he is working on a small Solar Project of his own which is currently going through the proper procedures with the Town. If appointed, he has no intentions of using his position on the Green Communities Task Force to further any personal endeavors with this project.

Ms. Bertram moved to appoint Mike Conway to the Green Communities Task Force. Mr. Toale seconded. On vote, motion carried, 5 in favor, 0 opposed.

Mr. Blatt informed the board that a letter has been received from the State and approximately 80% of the Green Community Task Force projects have been approved. There will be a contract for the Town Manager to approve at a later date.

Projects approved were:

- Exterior lighting project at the Library
- Time Clock & Photo Eye at the Library
- Public Safety Building Exterior Lighting
- Eagle House Senior Center Interior & Exterior Lighting
- Eagle House Senior Center Building Envelope Tightening
- Town Hall Interior LED Lighting
- Town Hall Building Tightening
- Middle School Circulation Pumps
- Middle School Air Compressor Replacement
- Middle School Building Envelope

Projects not approved:

- Middle School Exterior Lighting
- DPW Waste Oil Burner

He also stated that they are currently seeking to have a feasibility study to switch the oil to natural gas at the Public Safety Building.

Mr. Blatt informed the board this task force has been having conversations regarding changing to a "committee" rather than a "task force". They believe that this would draw more interest in this group and would like the BOS to consider making this change. They have also been working on a "policy" which would include individual Town Building Policies. Individual Town buildings would appoint an "Energy Czar" and will set their own criteria. They are hoping to have this back to the BOS by mid August for review, and then completion by 11/1/2014

2. Accept Resignations: Emerick Bakaysa, Planning Board; James Maillet, Assistant Building Inspector; Joyce Wass, Council on Aging: Mr. Alonzo announced the resignations of Emerick Bakaysa, Planning Board; James Maillet, Assistant Building Inspector; and Joyce Wass; Council on Aging. He read Mr. Bakaysa's resignation letter which thanked all the people he had worked with and recognized the former Planning Director, Marion Benson.

Mr. Alonzo recognized Mr. Bakaysa's 20 years of service to the Town and accepted his resignation with regret.

Ms. Bertram also acknowledged Mr. Bakaysa's service to the Town and also recognized Ms. Benson.

Mr. Toale mentioned that the Building Reuse Committee also want to thank Mr. Bakaysa and Ms. Benson for their service to the Town. Mr. Ebersole moved to acknowledge Mr. Bakaysa's resignation, accept the resignations of Mr. Maillet and Joyce Wass and have the Town Manager send thank you notes to each one of them.

Discussion: Mr. Alonzo mentioned that the thank you notes should come from the BOS.

Ms. Bertram seconded. On vote, motion carried, 5 in favor, 0 opposed.

Mr. Alonzo informed all that the replacement of Mr. Bakaysa's position will be a joint appointment of the Planning Board and the BOS until the next Town Election next May. He encouraged people who are interested to come forward.

PUBLIC COMMENT: Ms. Luck mentioned that the storm drain at the intersection of Flat Hill Rd. and Sunset Lane was full. She filled out a form online to the DPW to have it taken care of and it was done the same day.

Mr. Alonzo mentioned the possibility of potentially losing Net Neutrality on the internet. Currently all data transferred over the internet from all carriers is not subject to throttling. The major carriers have petitioned the FCC to allow for a 2 tiered system (slow lane & fast lane). This would put a big wrench in any start up company and allow people to play politics. If this is allowed to go through it would create a "haves & have nots" between different companies and allow people to pick & choose who gets what.

He encouraged people to educate themselves on Net Neutrality, to not allow a 2 tiered system, and to make comments on the FCC website.

EXECUTIVE SESSION: None

ADJOURNMENT: Being no further business Ms. Bertram moved to adjourn the meeting. Mr. Toale seconded. On vote, motion carried, 5 in favor, 0 opposed.

Meeting adjourned at 8:38PM

UPCOMING MEETING SCHEDULE

June 10, 2014

June 17, 2014

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

RECEIVED & FILED

JUN 11 2014

**LUNENBURG TOWN
CLERK OFFICE**