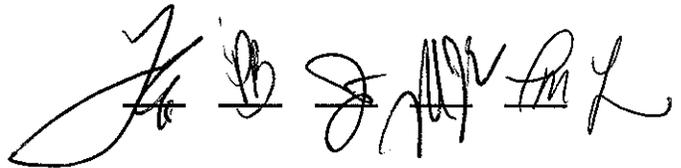


**BOARD OF SELECTMEN
MEETING MINUTES
8/12/2014**



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 & Town Manager Kerry Speidel.

Regular Meeting opened at 7:00PM

7:00PM PUBLIC COMMENT: Ms. Luck commented to say that she had attended the Friends of the Lunenburg Library meeting in July and she was impressed with how they keep their finances and also impressed with the number of passes that are available to members of the Friends of the Library for local museums

Ms. Luck also reminded the public that Compost Bins are available for purchase at the DPW at a discounted price.

Ms. Luck reminded all of the Lions Club Pancake Breakfast to be held tomorrow at the Eagle House.

Mr. Alonzo reminded all that next Monday will be the final date of the season for the band concert at the gazebo.

Mr. Alonzo thanked all who attended the pipeline seminar last Tuesday including the State Representatives who attended. He stressed the importance of this issue and said that it was really important to receive feedback from everyone regarding this project.

Kevin O'Brien, who had previously requested public records from the BOS, spoke to the board to say that he had received records which dated back 4 years but needs the records that go back 4 years prior to those ones, and is willing to pay to receive them.

Mr. Alonzo replied that he did not believe that there was any legal requirement to provide anymore documentation then what has already been provided but we will take the request under advisement.

Ms. Spiedel spoke to clarify and said that the request was for legal bills associated with law suits. The state law requires retention schedules for different records that the Town has. For vendor/accounts payable records we are required to maintain through successful completion of the audit. At this point in time we have successfully completed the 2013 audit, we did have records on hand back to 2010, and those were provided. We don't have records on hand before that time, they were destroyed in accordance with the Public Records Law. Mr. O'Brien is looking for records dating back to 2006 and we don't have them. He has requested that we retrieve these from our attorney, the Public Records Law does not apply to the Towns Attorney, and we are not obligated to provide those.

ANNOUNCEMENTS: None

APPOINTMENTS:

7:00PM – Joint Session with Board of Parks Commissioners to make appointment to Vacant Seat; Interview Candidates Peter McCauliff and Corrine Scouten; Sale of Memorial Bricks for Veteran's Park Walkway, Cliff Worthley; Veteran's Day Ceremony: Cliff Worthley, 53 Woodland Drive, came before the board to discuss the sale of Memorial Bricks for Veteran's Park walkway. Mr. Worthley explained the history of how the current walkway came to be installed and how he would like to proceed with continuing the sale of bricks again. Mr. Worthley is willing to purchase the bricks through his company and people interested in purchasing an engraved brick could do so at a cost no greater than \$30 per brick. Mr. Worthley is still working on how the installation/storage of the bricks will be happening. Eligibility requirements for the bricks would be if a person has lived/lives in the Town of Lunenburg and has served in the military at any time. The goal is to have submissions in by 10/1/2014 and to have this completed by Veteran's Day. The BOS thanked Mr. Worthley for his efforts with this project.

Parks Commission opened their meeting this evening and present was Bob Robuccio and Mike Masciarelli.

Peter McCauliff candidate for the vacant seat on the Parks Commission came before the board and gave his employment history with the Lunenburg School System along with his reasons for wanting to be considered for this seat.

Mr. Ebersole asked Mr. McCauliff to explain his interpretation of Parliamentary Procedure and the Open Meeting Law.

Mr. McCauliff explained that he has experience with Parliamentary Procedure as Chair of several different committees within the MIAA (Massachusetts Interscholastic Athletic Association) and understands the Roberts Rules of Order proceedings. He also is aware of the Open Meeting Law requirements of public meetings and would be willing to review that further.

Mr. Alonzo asked Mr. McCauliff that as an employee of the school/Athletic Director how he would handle the balance of parks/field use so as not to favor the school.

Mr. McCauliff replied that he has been trying to improve the relations between all of the groups who use the fields. Recently he has been working with youth soccer and Pop Warner to make sure they have practice/playing fields available to them during the construction of the new school, everything is done fairly, and this has worked out very well.

Mr. Alonzo stated that he is concerned that Mr. McCauliff's position as the Athletic Director could possibly be seen as a conflict of interest.

Mr. McCauliff replied that he believes that he has already demonstrated that he can be fair with distributing facility time and if he is a member of this commission, it could eliminate the "middle man" when it comes to booking facilities.

The Park Commissioners had no questions for Mr. McCauliff.

Corrine Scouten, candidate for the vacant seat on the Parks Commission, came before the board and gave a brief history of her community involvement with the town and her reasons for wanting to be considered for this seat.

Mr. Ebersole asked what Ms. Scouten's experience was with Parliamentary Procedure and the Open Meeting Law.

Ms. Scouten responded that she was on the Hall of Fame Committee, they follow Parliamentary Procedures, and she would be willing to review them further. Ms. Scouten's familiarity with the Open Meeting Law was limited but she understands the concept of conducting public meetings and the need to post agendas.

Mr. Alonzo asked if Ms. Scouten had attended any of the Parks Commission meetings.

Ms. Scouten replied that no she has not but has worked with their members on other athletic activities which she had been involved in and she is very interested in keeping the parks and recreation facilities open to all residents of the town.

The Park Commissioners had no questions for Ms. Scouten.

Mr. Alonzo reminded all that this is a joint appointment to be filled until the Town Election in May of 2015.

Discussion:

Mr. Ebersole spoke to say that he was concerned with the possible conflict of interest with Mr. McCauliff and also that the Town Manager has recommended in the past that town employees should not be serving on committees especially if that person has expertise that could be used by that committee in an adhoc basis. Mr Ebersole would like to support Ms. Scouten for this seat and would like to see this commission work closely with Mr. McCauliff.

Mr. Alonzo spoke to say that he agrees and would add that if we could get another member of the community involved as a volunteer it provides a more inclusive environment with another voice to be heard from. Mr. Alonzo would lean toward Ms. Scouten for this position.

Mr. Masciarelli spoke to say that there are two qualified candidates tonight and you could not go wrong with either of them.

Ms. Bertram spoke to say that she believes that Mr. McCauliff's experience would be an asset to this commission and would support Mr. McCauliff for this seat.

Mr. Ebersole moved to appoint Corrine Scouten to the Parks Commission. Mr. Toale seconded.

On vote, motion carried, 4 in favor, 3 opposed (Bertram, Masciarelli, Robuccio).

Mr. Alonzo thanked both candidates for coming forward this evening.

Mr. Ebersole requested that another joint meeting be held to discuss the status of the Parks Commission financial affairs.

7:15PM – Shelley McCaie, Treasurer-Collector & David Eisenthal; Update on School Construction Project Financing: Shelley McCaie, Treasurer/Collector introduced David Eisenthal from UniBank Fiscal Advisory Services to the board and he proceeded to give an update on the school construction project financing as follows:

- 1st set of notes on the main school project sold in the last several days and settled today
- Currently there is \$2,809,000.00 in outstanding bond notes
- \$309K was issued for the feasibility study which is due on 11/14/2014
- \$2.5M was issued for the main project which is due on 11/14/2014
- Current plan is for the Town to issue \$6.3M of bonds in October/November of this year. This will retire the \$2.8M in notes and provide enough cash to fund the local share of the project through June 2015
- Another \$6.6M bond issue will be looked for in June 2015 to provide cash flow for the project along with \$20M in January of 2016 & \$2M in January of 2017
- This plan is subject to adjustment

The Board thanked Mr. Eisenthal & Ms. McCaie for coming forward this evening.

CURRENT BUSINESS

1. FY2015 Board & Committee Appointments & Reappointments-Interview Candidates & Review Request for Reappointment Forms-Jacqueline Dwyer (COA); Lois Lewis (Historical Commission); Scott Chase (Personnel Committee):

Ms. Speidel informed the board that there are 4 openings on the COA board with 5 candidates who have not been interviewed yet. The BOS should be able to make these appointments at the next BOS meeting when the other candidates can attend.

Jacqueline Dwyer, 105 West Street, came before the board to be interviewed for position on the COA. Ms. Dwyer explained her professional career in the health care field and her interest in working with the elderly and with the COA.

Mr. Toale stated that Ms. Dwyer and her husband came to the booth which the BOS had at the Bonfire for recruiting volunteers.

Sarah Grant, 1 Tri Town Drive, came before the board to be interviewed for a position on the Council on Aging. Ms. Grant gave a brief history of her personal life and although Ms. Grant has no prior experience with working with the elderly, she participates in activities at the Eagle House.

Mr. Alonzo questioned Ms. Grant's talent bank form and asked if she would be interested in any of the other boards which she had checked off.

Ms. Grant replied no.

Lois Lewis came before the board and expressed her interest in being appointed to the Historical Commission and gave a brief description of her personal/professional life and her desire to become involved in the changes which are coming to Lunenburg.

Ms. Bertram moved to appoint Lois Lewis to the Historical Commission. Mr. Toale seconded.

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

Scott Chase, 23 Cushing Lane, came before the board to be interviewed for a position on the Personnel Committee. Mr. Chase gave a brief description of his professional life in the Human Resource field.

Ms. Speidel explained that there are 2 vacancies and 2 applicants for this seat and that the 1st applicant, Rene LaFayette, who had been interviewed several months ago and was still interested in this position.

Ms. Bertram moved to appoint Scott Chase to the 3 year term and Rene LaFayette to the 2 year term on the Personnel Committee.

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

2 FY2015 Constable Appointments: Ms. Speidel read the list of returning FY15 Constables, which are BOS appointments as follows:
Richard O. Allen Michael Bottalico John H. Godeck Albert Poladian Kevin Rice Paul DiBenedetto Luke Derienzo
Douglas Duvall Stanley Young

All individuals are subject to providing the appropriate bond to the Selectmen's office after appointment.

Ms. Bertram moved to approve the Constable appointments as read by the Town Manager for 2015. Mr. Toale seconded.

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

3. Request to approve One Day Wine & Malt Beverages Licenses;

8/24/2014 for Kabob-E-Licious to benefit Fitchburg Rotary Club: Tarrnum Williams, representing Kabob-E-Licious came before the board to request a one day Wine & Malt Beverage license for a fundraiser event to be held on 8/24/2014 from 4-7PM. Ms. Williams has spoken to the Police/Fire Departments, Building Inspector, and neighbor regarding this event and they have all given their approval.

Mr. Ebersole moved to approve the One Day Wine & Malt Beverage License for Kabob-E-Licious on 8/24/2014 from 4-7PM.

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

9/20/2014 for Lunenburg Lion's Club Meat Bingo & 11/22/2014 for Lunenburg Lion's Club Meat Bingo: Janice Carrier, representing the Lunenburg Lion's Club came before the BOS to request two, one day wine & malt beverage licenses for 2 fundraisers to be held on 9/20/2014 & 11/22/2014 at the Lunenburg Sportsmen Club.

Mr. Ebersole moved to approve the two One Day Wine & Malt Beverage Licenses for the Lunenburg Lion's Club on 9/20/2014 & 11/22/2014. Ms. Luck seconded. On vote, motion carried, 5 in favor, 0 opposed.

4. Request to Abate Ambulance Bill, LBT148193: Ms. Speidel presented this request to the BOS on behalf of the Fire Chief and explained that the amount for abatement would be \$150.00 and the applicant meets the HUD low income limits set forth on the application.

Mr. Ebersole moved to approve the abatement of \$150.00 on ambulance bill LBT148193 per the application. Mr. Toale seconded.

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

5. Execute Termination of Land Development Agreement, Jones House, 42 Main Street: Ms. Speidel explained that this request has been made by the property owner and they have completed all of the requirements of the land development agreement. The Historical Commission has also confirmed that all of the conditions have been met.

Ms. Bertram moved to terminate the Land Development Agreement for the Jones House, 42, Main Street. Mr. Ebersole seconded.

Discussion: Mr. Alonzo spoke to say that he was pleased that the Town worked hard to preserve this historical property formerly owned by Luther Burbank. He commended the Historical Commission and the property owners for the work that they have done to the property.

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

6. Request to Release Right of First Refusal, 145 Page Street (Katkin Property): Ms. Speidel reviewed the request to release right of first refusal of 145 Page Street with the board. The original request was not in proper form and the one before the board tonight shows that the property would be for the purchase of approximately 12 acres (of the 17.78 acre property) which is included in Chapter 61A. The Conservation Commission and Open Space Committee both recommend against the Towns purchase for right of first refusal. Open Space Committee concluded that this property only meets 1 of the 6 criteria which they look for if they were to recommend to preserve. The Planning Board had stated that they would stand with whatever Conservation and Open Space recommended.

Ms. Bertram moved to release from the Right of First Refusal, 145 Page Street, based on the recommendations of the Conservation Commission and Open Space Committee. Ms. Luck seconded. On vote, motion carried, 5 in favor, 0 opposed.

7. Minutes/Warrants/Action File Issues

Minutes: None

Ms. Speidel mentioned that the School Committee and the Selectmen's Office will be advertising for a "joint" minute recorder.

Warrants:

8/13/2014	W#10-15	\$266,886.59
8/7/2014	W#4P-15	\$490,750.23
8/12/2014	W#8-15	\$1,513,400.00
8/11/2014	W#11-15	\$167,085.23

Action File Issues: Mr. Alonzo mentioned that the Kinder Morgan letters which he had requested were received and are in this evenings action file.

Ms. Speidel commented to say that some people who attended the Gas meeting last week mentioned that there are not a lot of homes in Lunenburg that utilize natural gas. Fitchburg Gas & Electric (FG&E) has confirmed that they supply 300 homes in Lunenburg with gas. National Grid also services a small amount of homes in Lunenburg but there are no numbers available for that. A service area map has been received from FG & E and Ms. Speidel would like to post this to the Town Website.

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

Board of Health: Mr. Ebersole reported that this board met on 7/28/2014 and had discussions with some residents who had complaints about agricultural uses. The Chair of the Agricultural Commission was present to help resolve the complaints. Mr. Ebersole mentioned

that the recognition of the Right to Farm Bylaw did not create any new rights but created a commission to hopefully market agriculture and to work through any issues that may arise. BOH moved discussion on agricultural wells to the Fall.

Building Reuse Committee: No Report – next meeting 9/16/2014

Capital Planning Committee: No Report- on hiatus

Finance Committee: No Report – next meeting 8/21/2014

Mr. Alonzo requested that the Town Moderator be contacted about the joint appointments to this committee.

Library Board of Trustees: No Report – on summer hiatus

MPO: No report – August meeting cancelled

Planning Board: Ms. Bertram reported that this board met last evening and they reviewed the following:

- Site Plan review for 1259 Mass Ave (Glow Chiropractor) this remains ongoing
- Emerald Place request for release of their bond and DPW Director did not recommend release of entire bond. He recommended release of \$65K because of work that needs to continue at that project. Ms. Bertram mentioned that the ownership of Lakefront Avenue has never been resolved. In her opinion this roadway will be paved and will remain the property of the Town.
- A building at Whites Woods ended up in the wrong place by 10" and they are requesting a waiver for a setback. They will review this with Town Counsel.
- MRPC will be doing a storm water study on federal aid eligible roads and there will be some Lunenburg roads included.
- Tri Town Landing is starting their 4th building
- Both Solar Sites are up and running
- Master Planning/Economic Development draft has been received and the only board to reply to that is the Sewer Commission. They are looking for input for all boards and Ms. Bertram recommended that the BOS place this on a future agenda.
- The Charette has been scheduled for 8/14/2014

PACC: Ms. Speidel reported that two people had been interviewed and that she has tried to contact both to see if they were still interested. One responded and there are no talent bank forms received for any of the other openings.

Mr. Alonzo reminded all who are interested to please fill out a talent bank form and return it to Town Hall.

School Building Committee: Ms. Luck reported that this committee met last week where there was a first reading of 3 policies that are under review (CORI, Fingerprinting, School Lunch). All 3 policies will be posted on their website for comments.

A new Special Education Program was voted on and approved for the High School called Transitions. This program cost \$132,892. and has been made affordable by 3 changes in collaborative placements.

School Committee: No Report – meets tomorrow evening

Sewer Commission: Mr. Ebersole reported that this commission meets tonight and will be continuing discussions which were held at their 7/29/014 meeting including the following:

- The sewer project is moving ahead and some residents on West St. are requesting inclusion as well. This will be looked at for feasibility.
- Work continues on infiltration/inflow
- There is a compliance problem with several restaurants in the town regarding grease traps
- Updating of Sewer Commission policies continues

9. Town Manager Reports or Department Reports: Ms. Speidel presented the board with a request from the ABCC to sign a new Form 43 for Kabob-E-Licious.

Ms. Speidel mentioned that the process of closing out FY2014 has been finished. A report will be submitted to the BOS within the next few weeks. It appears that there will be a decent amount of free cash and it is not expected that budget adjustments will need to be made for Fall Town Meeting.

APPOINTMENTS/ RE-APPOINTMENTS/ RESIGNATIONS

1.Reappointment: Renee Trakimas to Agricultural Commission (2017): Ms. Bertram mentioned that Ms. Trakimas had suggested in her re-appointment form that a web page would be helpful to the Agricultural Commission and Ms. Bertram would like the IT department to look into that.

Ms. Bertram moved to re-appoint Renee Trakimas to the Agricultural Commission. Mr. Ebersole seconded.

On vote, motion carried, 5 in favor 0 opposed

2. Reappointment: Amory Phelps to Historical Commission (2017): Ms. Bertram clarified that Ms. Phelps is the only person interested in this position besides the earlier appointment of Ms. Lewis.

Ms. Bertram moved to re-appoint Amory Phelps to the Historical Commission. Mr. Ebersole seconded.

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

3. Reappointment: Richard Bursch to Conservation Commission (2017): Ms. Bertram spoke to say that she previously planned to recuse herself from the Conservation appointment votes and she will abstain this evening. Although she appreciates Mr. Bursch & Mr. Murphy's service to the Town, there are 3 other individuals who have submitted talent bank forms for this commission. Ms. Bertram then disclosed that her son is one of the people who submitted a talent bank form. Ms. Bertram stated that she believes that just because you are on a body, does not necessarily mean you are the best person for that capacity. We have 3 other individuals, one of them being an Environmental Engineer, who have not been interviewed, and this would be a disservice to the Town. She believes that similar to the election process, the appointment process should be the same. Ms. Bertram then abstained from this vote.

Mr. Ebersole agreed with Ms. Bertram and recommended that no vote be taken on these appointments, ask them to come in for an interview and schedule other appointments as well.

Ms. Luck agreed with Mr. Ebersole.

Mr. Toale spoke of his concern with having an individual who has been serving on a board who wishes to remain, then removing them without any cause. Also of concern is the ability to attract more people to get involved. He would like to meet others who are interested if only to encourage them to participate on a different board.

Mr. Alonzo spoke to say that we don't have a history of making people compete for a job that they already have. If somebody has served before, and did not have a good track record, we assume we would know about it. He supports the concept of incumbents filling out a re-appointment form but feels we may lose volunteers by making them vie for the same positions. He feels that on a "thin margin" he is against not making the re-appointments tonight.

Mr. Ebersole mentioned that he feels that the information which was submitted on one individual's re-appointment form was not sufficient enough for him to support his re-appointment. If we don't have enough information we should hold longer interviews and he recommends that both re-appointment candidates be interviewed.

Mr. Ebersole moved to invite all of the candidates for Conservation Commission, as well as the two candidates seeking re-appointment, for interview with the BOS to gather information. Ms. Luck seconded.

Discussion: Mr. Alonzo asked for clarification if this would be a one-time thing or if this would be a standard practice moving forward.

Mr. Ebersole replied that he did not have an answer for that, we would have to see how it goes, and look for feedback from Personnel Committee.

On vote motion failed, 2 in favor, 2 opposed (Alonzo, Toale), 1 abstain (Bertram).

Mr. Toale moved to appoint Richard Bursch to the Conservation Commission. Mr. Ebersole seconded.

On vote, motion carried, 4 in favor, 0 opposed, 1 abstain (Bertram).

BOS will schedule interviews with Mr. Murphy as well as the other candidates in order to gather more information.

4. Reappointment: Mark Murphy to Conservation Commission (2017): No action taken

5. Appointment: Lois Lewis to Historical Commission (2016): Completed under Current Business Item #1

6. Appointment: Rene Lafayette to Personnel Committee (2016): Completed under Current Business Item #1

PUBLIC COMMENT: 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 9:06PM

UPCOMING MEETING SCHEDULE

August 26, 2014 – Work Session

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