

**BOARD OF SELECTMEN
MEETING MINUTES**

October 7, 2014

The Board of Selectmen met in the Joseph F. Bilotta Meeting Room, Town Hall, as scheduled with Thomas Alonzo, Chair; Paula Bertram, Vice Chair; Jamie Toale, Clerk, Robert Ebersole, Phyllis Luck and Town Manager Kerry Speidel present. The meeting opened at 7:00 PM with the Pledge of Allegiance.

PUBLIC COMMENT

Board: Ms. Luck announced the Lion's Club would be holding a pancake breakfast tomorrow at the Senior Center from 8 – 11 am. Proceeds will go to the Food Bank.

Mr. Ebersole stated he had attended the Planning Board meeting last night regarding the village district bylaw and proposed map. He stated he believed the proposed map area was too large; it extends the entire length of Massachusetts Avenue, Chestnut Street to Whiting Street, all of Main Street, Oak Avenue, Lancaster Avenue, and Leominster Road by the town common. The proposed uses expand the retail/commercial zone in that entire district to include laundromats, convenience stores, taverns, pharmacies, restaurants and retail liquor stores by special permit. He expressed concern about decimating the historic district and believes this proposed area goes beyond the intent of the Passios and Ritter Buildings and the primary school.

Ms. Bertram stated this is only a draft and not the final document. Some members expressed concern about the historic district and they are now looking at a reduced size. They did talk about holding a public forum for feedback. Mr. Alonzo thanked public safety for holding their open houses last Saturday. He did attend them and believes they were well attended in spite of the weather. He also attended the Friends of the Library Book and Bake Sale. The Zoning Board of Appeals will be taking up the issue of Stone Farm use as a proposed gas station/car wash/convenience store again tomorrow night here in this room at 7:00 pm.

Mr. Alonzo apologized for the late start this evening and postponed public comment until after the appointment with the Housing Authority. He stated they were here tonight to appoint according to Article 3, Section 3-1(f) Filling of Vacancies.

Member Liz Murphy announced there was a vacancy and Paul Doherty was interested in filling it. He is a past Housing authority member. Mr. Doherty stated there was some confusion concerning his term; he thought it was for three not one year. Mr. Ebersole asked Mr. Doherty what he saw as the needs of the Housing Authority and how can you address them? Mr. Doherty replied that right now the Housing Authority is in good shape financially and has good leadership. He added things have turned around under the new leadership. He would like to see some kitchen work completed.

Motion: P. Bertram

2nd: J. Toale

To appoint Paul Doherty to the unexpired Housing Authority term until the next election

Vote: All in Favor

The Housing Authority members voted unanimously to appoint until the next election as well. Mr. Doherty thanked the boards.

Mr. Alonzo asked if there was any other public comment.

Resident Richard Bursch presented to ask the board to review the current procedures for town board appointments. He reported about a month ago he and Mark Murphy were up for reappointment to the Conservation Commission. He stated he and Mr. Murphy had filled out the town bank reappointment forms. Mr. Bursch stated he was reappointed and Mr. Murphy was interviewed further. Mr. Murphy answered questions and was not reappointed. Mr. Bursch stated Mr. Murphy was the only civil engineer on the Conservation Commission. This questionable process brings Mr. Bursch here tonight. He found it concerning that no comment or input from the Conservation Commission was asked for regarding the reappointment.

Jan Carrier, Conservation Commission Administrative Assistant, read four letters of resignation from members John Burn, John Lattanzi, Sharon Jordan and Rob Verge. Ms. Jordan and Mr. Verge both resigned from the Open Space Committee too. Mr. Alonzo asked if any of the resigning members could make it here tonight. Ms. Carrier

stated no. Mr. Alonzo stated he was not present at the meeting concerning the reappointments that night. He added at the meeting before he had lobbied against reinterviewing anyone who had served previously and had no complaints from the pertinent committee/board and the public. He had even suggested not using the form this year as no one was aware of it. He added this discourages volunteers to volunteer for the town and is detrimental to the town. This is shown with the resignations this evening. He urged the town and Board to reconsider again the process using this form. If we have multiple applicants, they should go to the affected board and talk to them and possible come on as an associate member. He thought what was done to Mr. Murphy was disgraceful and disrespectful.

Mr. Alonzo stated he understood why the conservation commissioners are doing this, but asked them to reconsider. He stated he will not accept the resignations this evening, but will postpone for another week in hopes that some of the members reconsider. Mr. Ebersole stated he was dismayed at the resignations and hoped they reconsider also. He added he would understand if they choose not to. He stated the talent bank form provides transparency throughout government. There is a danger of a board choosing someone that supports what they want to do. This form will determine skills needed for a committee. We need to look at ways to get other people involved. Further discussion ensued about appointments and involving the pertinent committee or board. Mr. Toale stated he was also uncomfortable with the voting process, we are learning a new process to attract people willing to volunteer. When we do have an occasion when there are more applicants than seats we don't have a good process for that. Maybe we should have reached about and maybe they should have too. He supported not accepting resignations this evening. Ms. Bertram stated she recused herself from this appointment purposely due to a potential for conflict of interest and was shocked when her son was appointed; fully expecting Mr. Murphy to be reappointed. She also was dismayed to hear the resignations and hope they reconsider. To lose their experience is truly a loss to the town. We need to figure out and fix the appointment process. This form was to ensure more transparency. This doesn't mean she did not support Mr. Murphy. Mr. Alonzo also doesn't believe because someone sits on a committee, they should automatically be reappointed. But if you are not going to reappoint someone who is serving, you better have a good reason. The form was to improve communication. Ms. Luck asked why we have someone fill out a reappointment form if they are in good standing. We need to reevaluate the process. Mr. Ebersole stated if you just fill out a form and are automatically reappointed then we haven't accomplished what we wanted to do. Dawn Johnson stated when she heard Mark Murphy had not been reappointed; she thought what did he do wrong? She stated the Board will have a hard time filling committees.

Cliff Worthley came in to update the Board on the Veterans' brick walkway. He thanked the Town Clerk's office for collecting the forms. There are 84 open slots for engraved bricks. He already has 80 so far and one additional on his voice mail. The next step is to compile the where and how the bricks are to be laid out. He is astounded by the town's response and thanked them for their support. He is hoping to have this completed in time for Veteran's Day. The Board thanked him for his report. Mr. Toale offered assistance as well, if needed.

Dave Blatt, Chair of the Green Community Committee, stated he is always looking for volunteers. He also provided an update; they are waiting for their first check for 28%, in the amount of \$38,000. The task force met with Unitil and National Grid regarding the middle school. LED lighting projects will be started soon on Eagle House, the Library and public safety buildings. Unitil and National Grid will give us incentives for putting certain items in the middle school. Both would like to review the plans for the school; they will give us up to \$2.25 per square foot for them. He advised ensuring that someone from his committee is at the school building committee and is involved. He thanked the Board.

7:15 pm Community Solar Garden- Eric & Shelia Holt

Mr. Holt, of Sunnyside Solar, stated he was here to request a limited easement across the town's property off Young's Road to private property located in Fitchburg, east of the John Fitchburg highway. This is due to a brook located on the frontage on the Fitchburg private property. Mr. Holt also requested limited easement to the Lunenburg landfill property on either the south or north side. This will not affect the present capping on the landfill. The landfill property, consisting of 47 acres, will support one (1.3) megawatt solar farm and will be built after the John Fitch Highway property is completed. Both the Fitchburg and Lunenburg solar farms will represent 100,500 electrical meters. The Unitil utility footprint includes Fitchburg, Lunenburg, Ashby and Townsend. It was suggested that the Lunenburg residents have the first chance to purchase solar panels on the Lunenburg site.

A question was posed if the existing town meeting vote would allow the Board to grant the easement. Ms. Speidel stated the Board could grant the license, but town meeting vote will be needed to approve the easement and any lease over three years. Mr. Holt stated he was seeking a 25 year lease with the option to renew for an additional 25

years. The John Fitch Highway side would be developed first in 2015. Engineering work would be performed on the Lunenburg side in 2015 with a construction start date sometime in 2016. A request for proposals (RFP) is the first step in the process. Ms. Speidel will provide a draft Request for Proposals and get comments from the Board. Mr. Holt thanked the Board.

CURRENT BUSINESS

1. Request for Pedlar's License for Daniel E. Patton, Solar City Corporation

This was passed over as the applicant was not present.

2. Vote to Authorize Sale/Award Bid/\$3,000,000 Bond Anticipation Notes to Century Bank

Ms. Speidel reported Treasurer McCaie is on vacation. This borrowing is relative to the school project. Century Bank was awarded the bid for a \$3 million bond anticipation note and was the low bidder of .25%. Proceeds will be received on October 14, 2014 and will mature on November 14, 2014. This is due to a change in cash flow for the building project. The town financial advisor will be present at the Board's next meeting to discuss how the change in cash flow projection will impact short and long term borrowing.

Motion: J. Toale

2nd: P. Bertram

To authorize the \$3,000,000 bond anticipation note to Century Bank at .25%

Vote: All in Favor

3. Review comments to draft Hazard Mitigation Plan & authorize release to MRPC

Ms. Speidel presented comments submitted following the presentation on September 16, 2014.

Some additional items were added to the following:

- a. P. 12 Transportation Network, Rte. 2A & Rte. 13 should be included and the existing condition of each should be noted,
- b. P. 41, paragraph 4, last line, Please include Wal-Mart as a major employer,
- c. P. 42-44, Table 23, remove Cherry Hill Ice Cream under "public water supply," Emergency Shelter locations-please note that Turkey Hill Middle School is the Town's primary shelter, and TC Passios is the secondary shelter. Twin City Baptist Church is a tertiary/overflow shelter and should be listed instead of Lunenburg High School (which does not have emergency power). Under Other Critical Facilities, add Honey Farms, 134 Leominster-Shirley Road, as a fuel dispensing location; and the Unitil substation, 934 Massachusetts Ave.
Include the existing Tennessee Gas/Kinder Morgan Pipeline as an existing hazard wherever appropriate, "Other Government Buildings: should include the Ritter Memorial Building, 960 Massachusetts Avenue,
- d. DPW Director requested that Forest Land be noted since it is significant in town. He questions whether there should be a separate component of the plan to address Forest Management. He also believes there should be a separate component to address Drainage.

Motion: P. Bertram

2nd: J. Toale

To authorize the release of review comments and additional comments made this evening to MRPC for inclusion in the updated Montachusett Hazard Mitigation Plan

Vote: All in Favor

4. Authorize Sign Modification to Traffic Rules & Orders; Schedule IV, Isolated Stop Signs

Ms. Speidel reported this was the official document that was prepared following the Board vote at the last meeting for the stop sign locations discussed at the September 16, 2014 meeting.

Add to Schedule IV-Isolated Stop Signs

On Flat Hill Road for eastbound traffic at Sunset Lane

On Highland Street for southbound traffic at Main Street

On Oak Avenue for southbound traffic at Main Street

On Main Street for northbound traffic at Oak Avenue and Highland Street

On the connecting road from Highland Street to Oak Avenue for north eastbound traffic

Add to Schedule IV-B-Yield Signs

On the connecting road from Oak Avenue to Highland Street for south westbound traffic

The public notice will be listed before the placement of the signs.

5. Minutes/Warrants/ Action File Issues/Other Documents for Signature

Ms. Speidel presented the following warrants to the Board; Payroll Warrant totaling \$672,966.91; Payroll Deductions Warrant totaling \$ 510,847.78; Accounts Payable Warrant totaling \$463,819.38

Action File Issues-Mr. Ebersole asked what was the time frame for acquisition of the Lane property. Are we waiting for a grant? Ms. Speidel stated sometime in November. Ms. Bertram reported she visited the property with a member of the reviewing committee on the grants with Brandon Kibbe, as part of the application process. They are hoping to get word out before the November election but cannot commit to that.

6. **Committee Reports- Board of Health;** they are meeting this Wednesday; **Building Reuse Committee-**Mr. Toale stated they met last night. The committee needed to reconfirm what it believes is its charter; to do the appropriate staff work to assess current and future maintenance and capital costs of town owned buildings; to evaluate the market potential of surplus buildings and to recommend a course of action and assist in the planning and execution in the renovation, demolition or sale of any space as directed by the town. They are taking no action on the Passios Building and Brooks House, we are waiting to hear from the school committee's decision on boundaries and timing of any excess property. In regards to the Ritter Building and the old primary school, we are taking no action at this time and awaiting any changes to the village zoning bylaw that would affect potential use and market assessment. In terms of the town hall, we are reviewing renovation plans and costs for current capital needs and potential future use. For all five buildings, we feel our role is to ensure the maintenance and short term capital expenses are budgeted and expended to minimize future market price loss of any of those buildings. As far as the town hall, we are looking to direct the budgeting and planning through some minimal seed money for planning and engineering as we await the final outcome of the town hall.
- Mr. Alonzo stated he understood there are some potential miscommunication issues with how the Passios Building is being completed as far as final zoning lines. Is there a further explanation from the Building Reuse Committee or the School Committee?
- Mr. Toale believes when and if the town requests we do something with surplus property, we will make a recommendation on what to do. He added the school committee hasn't yet determined any boundaries or determined what the next step will be. Ms. Bertram stated the Planning Board met last night and discussed the draft village district bylaw. The Planning Board considered drawing the zoning line down the middle of the driveway and the Passios Building side would be in the village district. Further discussion ensued about the effect of the village district bylaw on the Passios Building as well as other details. Suggestion was made to schedule a joint board/committee meeting to discuss further. No date was set at this time. Mr. Alonzo asked if the other member of the building reuse committee members present had any comment. Dave Matthews reported they had discussed extending Memorial Avenue out to Massachusetts Avenue; is this a viable alternative? **Capital Planning Committee-**Mr. Toale reported they had their first meeting and will begin reviewing requests on October 21st. with a goal to complete their prioritization list by December 31st.
- Finance Committee-**Mr. Toale reported they had met jointly with the Parks Commission on September 25th to discuss future repairs, reconstruction costs of the turf fields and user fees. Discussion ensued about reinstating user fees to pay for some of the field maintenance.
- Library Board of Trustees-**Mr. Ebersole reported they met on September 18th. They have started the process of short and long term visioning, technology issues, and budget and energy costs. They will be meeting with the Capital Planning Committee or the Green Community Committee concerning some of the energy savings items. 7400 library cards have been issued. **MPO-** no report. **Planning Board-**Ms. Bertram stated in Sam Lawton of the MRPC presented a draft housing production plan. The town is at 4% of our affordable housing requirement. If the proposed 352 units are completed by 2019, the town will have exceeded the state's 10% goal. After that the goal will be to maintain 10% with inclusionary zoning; new numbers will be provided following the 2020 census. The goal is to submit to Department of Housing and Community Development (DHCD) on November 1 and the board will receive a draft at that time and the will be asked to approve the plan in December. If the plan is approved by DHCD, the town will not have to accept another application for another two years. An application for a solar farm on Flat Hill Road was rescheduled for next Tuesday but there may not be a quorum again to possibly one member having a conflict of interest.
- Mr. Alonzo reported the Finance Committee (appointment committee) had three interviews and appointed two people. One vacancy remains.
- PACC-**Mr. Ebersole reported Ms. Speidel has scheduled a tentative joint meeting between PACC and the board on October 21st for discussion on their charge and how it relates to the new bylaw. One vacancy remains on that committee. **School Committee-** Ms. Luck reported the committee met twice since the board last met. They entered a memorandum of understanding that the Passios Building would be an emergency dispensing site for mass vaccinations, and the new Middle/High School will be used following

completion of construction. They discussed the FY'16 Capital plan initial discussion; including asbestos abatement at Turkey Hill Middle School. The abatement will cost \$232,385 and will be spread over fiscal years 2016 and 2017. The plan is to relocate administrative and maintenance staff located at the Passios Building to Turkey Hill Middle School in 2017. School principals presented the spring MCAS results at the October 1st meeting. Highest scores were in Grade 10 that was higher than the state averages.

Jim Laveck and his family donated funds for a buddy bench to be located at the primary school in memory of Bob Meek Laveck who was a strong advocate for Lunenburg children and our schools.

There will be a dedication ceremony at a date to be determined. IT Director Steve Malandrinos outlined plans to provide laptops for secretarial and administrative staff at a cost of \$36,200. Dave Rogers asked on details of the computers for every student initiative such as the initial and maintenance costs.

School Building Committee- Mr. Alonzo reported they meet tomorrow. The official groundbreaking ceremony for the school is October 18th at 1:15 pm at the site. He stated he would take Dave Blatt's message regarding the public utility incentives to them. Everything is going as planned on the construction site.

Sewer Commission- Mr. Ebersole reported they met on September 30th. They reviewed the Pratt Street and Lakeview Avenue area sewer extension project. The state revolving funds application is due October 15th and they will be able to meet that deadline. They expect to go out to bid in January with construction ending in November with final pavement down in spring of 2016. They have issued various fines to property owners with illegal connections of sump pumps and other water into the system and have also issued and some fines to people who have not responded to the grease trap regulations as well. Their goal is not to fine but gain compliance.

7. Town Manager Reports or Department Reports-

Ms. Speidel presented a liquor license for signatures for Wine, Malt, Cordials for Kabob-E-Licious located at 165 Massachusetts Avenue. The board had previously approved it and was waiting for ABCC review/approval.

She also wanted to inform that the Chase Road solar project is up and running, we have received two months of payment around \$30,000. The first two months payments are slightly higher than what would be normal. She stated she will have an update at each meeting on the pipeline.

Ms. Speidel reported the cable license is up for renewal and would like to establish a committee to begin the negotiation process with Comcast. The license will expire in 2017. The committee would be called the Cable Advisory Committee. Discussion ensued on who should serve on the committee. Mr. Alonzo expressed his interest to serve on that committee.

Mr. Alonzo asked the board if they would desire to take a position in regards to the Kinder Morgan pipeline project. It was decided to have a discussion about it in two weeks.

APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS

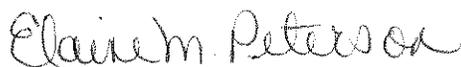
Mr. Alonzo stated JJ Cote had submitted a resignation letter from the Conservation Commission effective September 18, 2014. He offered to continue to serving on the advisory committee for the acquisition of the Lane property through the completion of the project, and continue to report to the Conservation Commission as their representative, if this is amenable to the board. Mr. Alonzo offered his deepest appreciation to Mr. Cote for his service to the town over the last fifteen years. He stated the Conservation Commission should decide if they want him to continue to be their representative.

Ms. Bertram stated as with the other members of the Conservation Commission, she urged Mr. Cote to reconsider his resignation. No action was taken on the resignation until next week.

**Motion: P. Bertram
To adjourn the meeting**

**2nd: J. Toale
Vote: All in Favor**

Respectfully submitted,



Elaine M. Peterson
Executive Asst. to the Town Manager