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**BOARD OF SELECTMEN  
MEETING MINUTES**

March 17, 2015

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

**PUBLIC COMMENT**

**Board:** Ms. Luck stated she had applied online for a burning permit and the process was quick and simple. She encouraged residents to use this service. Mr. Ebersole reported that a resident had sent an email that they had submitted an application to Unitil for a residential solar system and were told due to their location on Highland Street, a study costing around \$10,000 would be needed as there could be possible back feeding into Unitil's substation system. He would be asking the Town Manager to contact the Green Community Task Force regarding this. Mr. Alonzo confirmed stating the Green Community Task Force should contact Unitil and get some clarification. Ms. Bertram stated this is concerning as many people are interested in getting solar panels installed.

Mr. Alonzo wanted to alert abutters and others in the area of the middle/high school construction site that there will be one day that the work goes past normal business hours due to the requirements of the concrete pouring process. The date will be announced.

Mr. Alonzo announced the Boys and Girls Club of Lunenburg fundraiser *Are You Smarter than Our Sixth Grader?* is Friday, March 27<sup>th</sup> at 6:30 p.m. at the Lunenburg High School Auditorium. All are welcome, doors open at 6 p.m. It will be telecast at a later date.

Mr. Alonzo wanted to thank everyone who attended the Citizens Party Caucus last night at the Turkey Hill Middle School. He congratulated Ms. Bertram on her nomination to run for Selectman again. He thanked people who nominated and were nominated. Out of twenty openings, ten remain open for candidates. Towns rely on volunteers and appointed boards to do the work of the town.

He encouraged people to come forward and run for the following offices; one member of the Board of Assessors (3 years), one member of the Board of Health (3 years), two Sewer Commissioners (3 years), Park Commissioners (one 3 year and one 1 year term), Library Trustees (one 3 year and one 1 year), Planning Board (one 2 year and one 1 year term).

Nomination papers are in the Town Clerk' office. They must be returned by March 26<sup>th</sup> at 4:00 p.m.

There are also openings on the Finance Committee, Conservation Commission and Public Access Cable Committee.

Ms. Luck reminded those present of the Volunteer Appreciation Social at the Senior Center on March 31<sup>st</sup> at 6:30 p.m.

There was no comment from the public.

**APPOINTMENT**

**7:10 p.m. Special One Day Liquor License**

Kelms Food Service d.b.a. A Quality Thyme Catering has applied for a one day license for wine and malt at Platinum Productions Inc. 555 B Chase Road for March 26<sup>th</sup>. From 4:30 – 6:30 p.m. Ms. Katie Marsh appeared to apply for the event. The Board reviewed the application form. Ms. Marsh stated the event is

a North Central Mass Chamber business event. Mr. Ebersole asked if the Board has ever issued one day license to a caterer. Ms. Speidel stated the license is normally issued to the person who is serving the alcohol.

**Motion: P. Bertram**

**2<sup>nd</sup>: J. Toale**

**To approve the One Day Special License (Wine & Malt) for Kelms Food Service d/b/a A Quality Thyme Catering for March 26 from 4:30 – 6:30 p.m. at Platinum Productions, Inc.**

**Vote: All in Favor**

Ms. Marsh thanked the Board and exited the meeting.

## **CURRENT BUSINESS**

### **1. Transfer Farmer's Market charge to Agricultural Commission**

Ms. Speidel reported several months ago the Agricultural Commission had requested the Board assign the charge of running the Farmer's Market to them. Ms. Speidel had contacted the Board of Health per the Board's request as the BOH has been in actively/passively approving it for the past couple of years. The Board of Health discussed the issue recently and the Chair had reported to Ms. Speidel. She spoke to the Board of Health Chair again this morning to confirm that there is no authority under M.G. L. for the BOH to regulate the Farmer's Market in its entirety. However the Board of Health would monitor food safety regulations. He also pointed out the existing Farmer's Market has been run by an individual, not the BOH, so he did not believe it is a town entity and therefore cannot be transferred by the Board of Selectmen to the Agricultural Commission. However, the Town could establish a town sponsored Farmer's Market and have that overseen by the Agricultural Commission.

Jeff Mendoza, Agricultural Commission Chair, was asked for comment. Mr. Mendoza stated the Commission's primary concern is to turn the Farmer's Market into something more inclusive than previously. Some people have been turned away in the past. He stated it may be easier to start from scratch. He liked the Westminster Farmers Market model for guidance as far as dealing with issues. Ms. Bertram stated she had no problem with establishing a new Farmer's Market but asked if the Board needed to revoke the prior permission granted before doing so. Ms. Speidel stated the Board granted permission on an annual basis. Ms. Bertram suggested sending a letter to the individual who has run the previous Farmer's Market to inform of the Board's decision and thank them for their service.

Mr. Ebersole stated that looking at the Agricultural Commission bylaw; it does assign additional responsibilities as charged by the Board of Selectmen. He also echoed Ms. Bertram's recommendation in sending a letter. Mr. Alonzo agreed but wondered if the bylaw should be amended for clarity for the future. Mr. Ebersole suggested wording for an additional clause to the bylaw. Mr. Toale stated a town meeting warrant article vote would be required for the bylaw amendment.

Mr. Alonzo asked Mr. Mendoza for a copy of the Westminster regulations for the interim between now and town meeting. Mr. Mendoza stated the Agricultural Commission has already adopted some regulations modeled on the Shirley Farmers Market but liked the way Westminster handled disputes. He added the A.C. would prefer something in the middle of Shirley's and Westminster's regulations. Mr. Ebersole recommended establishing a policy and going forward with a bylaw amendment, as the season for the market could start before the Town receives the Attorney General's office approval.

**Motion: B. Ebersole**

**2<sup>nd</sup>: P. Bertram**

**To charge the Agricultural Commission with the oversight of a Farmer's Market under the existing Agricultural Commission bylaw (Article 29)**

**Vote: All in Favor**

**Motion: B. Ebersole**

**2<sup>nd</sup>: P. Bertram**

**To submit the language as previously described to amend the Agricultural Commission's charge as an Annual Town Meeting Warrant article**

**Vote: All in Favor**

**Motion: B. Ebersole**

**2<sup>nd</sup>: P. Bertram**

**To send a letter to the former Farmer's Market Coordinator notifying her of the change and thanking her for her service**

**Vote: All in Favor**

Ms. Bertram asked Mr. Mendoza if the Agricultural commission has a website or would like a place on the town website. Mr. Mendoza replied it is on their agenda for the next meeting. Mr. Mendoza wanted to publicly thank Ms. Speidel for her work and the Board of Health for the previous market coordinator. Ms. Bertram recommended placing something on the town website concerning the Farmer's Market and its details. He thanked the Board and exited the meeting.

**2. Notification to Comcast of Start of Formal License Renewal Proceedings**

Ms. Speidel directed the Board to the letter to be sent from the Board to the Comcast Senior Manager of Government and Regulatory Affairs notifying him of the intent to commence cable television license renewal proceedings, consisting of a compliance audit, ascertainment and will include one public hearing. This letter meets the requirements under law for commencing the process within six months of receipt of the letter.

The Board has appointed a Cable Advisory Committee and the first meeting is set for April 14. The Town will be working with Kopelman and Paige Attorney Bill Hewig who is the same attorney who participated in the negotiations for the cable license ten years ago.

**Motion: P Bertram**

**2<sup>nd</sup>:J.Toale**

**To approve the notification letter as presented**

**Vote: All in Favor**

**3. Mosquito Control Project/Form SRB-3**

Ms. Speidel reported this form is sent to member towns asking for a show of support or non-support for the District's budget request for fiscal year 2016.

Ms. Luck asked how is it determined how Lunenburg will be assessed. Ms. Speidel stated it is a combination of land area and equalized valuations.

**Motion: B. Ebersole**

**2<sup>nd</sup>: P. Bertram**

**That the Board approves and declares support for the Mosquito Control Project**

**Vote: All in Favor**

**4. Approve Schedule for Additional MART Public Transportation**

Ms. Luck reported that she and Ms. Speidel had met with MART representatives and determined that MART will provide a van to transport from three Lunenburg locations, Monday through Friday, to the Fitchburg Intermodal Station. It will return from the station in early evening. There will be no additional cost to the town the first year. Ms. Luck is hoping to advertise the new route in the ATM warrant. Mr. Alonzo thanked Ms. Luck for working on this. He asked if there a way to ascertain how many Lunenburg residents is using this. Ms. Luck stated MART will be monitoring and reporting to the town on the ridership. Mr. Ebersole suggested handing out fliers to the 6:30 am train riders to inform them of the new service.

**Motion: P. Bertram**

**2<sup>nd</sup>: J. Toale**

**To go forward with the new route as presented**

**Vote: All in Favor**

**Motion: B. Ebersole**

**2<sup>nd</sup>: P. Bertram**

**To start the new route on April 13, 2015**

**Vote: All in Favor**

**5. Convert the Green Community Task Force to a standing committee**

Ms. Speidel noted the task force had never been converted to a standing committee and suggested that if the Board wants it to be a bylaw committee, now would be the time to do it. It was decided to research what the original charge of the task force was. This item was tabled until more information is obtained.

## **6. Discussion and review of FY'16 Budget**

Ms. Speidel wanted to go over the email she sent to the Board after the Governor's budget was released. Governor Baker proposed more than what Ms. Speidel had planned for, specifically \$292,171 in state aid for Lunenburg; charges and assessments are outside of that. The Governor's budget proposes an additional \$90,810 in Chapter 70 and an additional \$3404 in charter tuition reimbursements. The big difference is the Governor's budget includes a Smart Growth 40S payment in the same amount as this year's payment in the amount of \$183,618. The town would need to apply for these funds in September of the fiscal year in which the funds are granted. We did apply in FY'15 and we received them in FY'15, but not in time to be appropriated. These are funds that need to be appropriated. She suggested using the FY'15 payment to partially offset the FY'16 budget. She did not include any estimate in FY'16 for an additional payment as she was not sure the new Governor's staff understood how the 40S payments are administered. There are only two communities in the state that receive this money. It can be used with the understanding this may not materialize in the upcoming fiscal year. If there is interest in using the funds in FY'16, it should only fund additional capital and non-recurring expenses. Ms. Speidel asked School Superintendent Calmes to look at her recommended budget and identify if there is anything this could cover. She will be making recommendations at the school committee meeting. Ms. Speidel will attend and report back. Under the Governor's budget, school lunch funding was eliminated (\$7,526). The school choice receiving tuition is lower than what Ms. Speidel anticipated, \$27,913; unrestricted general government aid (lottery) is up \$33,875. Veterans' Benefits (prior year's reimbursement) is up \$14,699, exemptions total \$1,736, and Library is down by \$532.

The state assessments are higher than what Ms. Speidel included in the FY'16 recommendation in the amount of \$78,836 and most of that is an increase in the choice tuition assessment.

In non-appropriated expenditures, the cherry sheet charges are higher by \$78,836 and cherry sheet offsets are lower by \$35,970, so the net to the non-appropriated categories is an increase in expenditures of \$42,866. The net increase revenue overall is \$249,305 of which part of that is the 40S amount of \$183,618 which is not guaranteed at this point and time. If you take that out, the remaining amount is \$65,687. Generally speaking we are doing better than anticipated.

Ms. Speidel distributed another copy of the timetable for the Town Meeting. The warrant will remain open until next Monday at 4:00 p.m.

Discussion ensued about the close timetable required by the Charter for submission of articles and planning for funding, if needed, for some articles, as well as going to town counsel for review, the printer and the post office.

## **7. Minutes/Warrants/Action File Issues-Proclamation for Eagle Scout**

Minutes were presented. An accounts payable warrant in the amount of \$275, 850.44 was presented for signatures.

A proclamation for an Eagle Scout ceremony was presented for signatures. Mr. Toale will present it on behalf of the Board on Saturday.

## **8. Committee Reports-**

**Board of Health**-no report since last meeting; **Building Reuse Committee**- next meeting is March 18<sup>th</sup>; **Capital Planning Committee**- no report; **Finance Committee**-Mr. Toale reported last week they reviewed budgets for DPW and Monty Tech. Next week they will review Public Access Cable, Sewer and any other warrant articles requiring funding. Mr. Alonzo thanked the DPW Director and Monty Tech Financial Director Tammy Crockett for presenting their budgets. **Library Board of Trustees**- they are meeting on Thursday **MPO**-Ms. Bertram reported they met on the 11<sup>th</sup>, there was an amendment proposed to the Transportation Improvement Program (TIP) 2015-2018. There was a full bridge replacement proposed in Lancaster in the amount of 3.4 million dollars and it is obligated, but doesn't need to be programmed into the TIP, so it is out for 30 day public comment. This means there may be 3.4 million dollars available for bridge replacement. They began an initial discussion for the 2015- 2019 TIP;

the hope is to endorse that in June. One of the items that came up was the Summer Street project. More information is requested. Ms. Bertram did alert Ms. Speidel and DPW Director Rodriguenz about this. There is an MPO meeting on April 8<sup>th</sup> and the project engineer is requested to attend to give an overview of the project at that time. One question that arose was does the Summer Street project meet the guidelines of the Highway Safety Improvement Program?

Another item discussed was the Unified Planning Work Program and they are looking for a June endorsement. This program identifies planning work that needs to be done in member communities and if Lunenburg has projects that we can submit, we should do so right now. We should alert the Planning Board about this and see if there are projects they would like because there is funding available.

Regional Transportation is being worked on and they hope to be done by June. The next meeting is April 8<sup>th</sup>. **Planning Board**-Ms. Bertram reported they are meeting with the Historical Commission this week to review the proposed Architectural Preservation District (APD). **PACC**- Mr. Ebersole reported they are still seeking two members and they are looking for volunteers to do filming and editing as well.

**School Committee**-Ms. Luck reported they are meeting tomorrow night. The Superintendent's televised budget meeting will be April 1<sup>st</sup>. **School Building Committee** Mr. Alonzo reported they met last Wednesday and received a status update on the building. One building is enclosed and heated. The steel erection has continued and is almost completed. There will be a ceremonial topping off of steel beams sometime in April. There will also be a flyover for an aerial view too. Due to the weather there are some delays, in some areas up to four weeks behind. There is no anticipation of overtime though due to the length of the project. Once the snow is removed a normal schedule and catch up in those areas will resume. We are preparing the furnishings and all non-building oriented items as a check list with the architect and those will be submitted later in the year. **Sewer**

**Commission**- Mr. Ebersole reported they are meeting tonight. They have gone out to bid for the Pratt St./Lakeview area sewer extension. Bid opening will be April 15, awarding May 22<sup>nd</sup> with a notice to proceed of June 5<sup>th</sup>. Pleasant View Avenue residents have petitioned to have the sewer extension which was part of the original plan. There will be an article on the Annual Town Meeting warrant to borrow about \$300,000 with the understanding that betterments will fund the extension at no cost to the town. The other articles will be to establish stabilization accounts.

**Town Manager Report**- Ms. Speidel reported several meetings ago she had hoped to arrange a meeting with the Library Trustees and the Board. They are now ready to move forward and are looking for a time to schedule when everyone involved can attend. She will be proposing a meeting time within this week to wrap up before town meeting.

Mr. Alonzo wanted to bring up Pioneer Drive in Leominster. That road is in terrible condition, someone's car is going to be ruined. Can we send something to the DPW in Leominster regarding the road condition? The road may be private. Mr. Ebersole suggested sending correspondence to the Mayor of Leominster as well.

### Re-Appointment

#### **Ratify Reappointment of Animal Inspector Kathleen Comeau as Animal Inspector- term from May 1, 2015 to April 30, 2016.**

Ms. Speidel reported this appointment actually runs from May to April 30 under state law rather than on a July 1 appointment schedule. She pointed out the list of duties of the animal inspector qualifications and duties as described by Division of Animal Health. She stated Ms. Comeau is interested in continuing in the position. This is a \$600 stipend position. Mr. Ebersole asked if this position covers wild animal calls. Ms. Speidel stated it appears to deal more with domestic animals coming into contact with rabid wild animals. Mr. Ebersole asked where they were with the concept of regional animal control. Ms. Speidel stated it is with MRPC, part of a grant funded study. She will request an update from them. Mr. Alonzo asked if we had a sense of how many calls the Animal Inspector responds to. Ms. Speidel replied no but that the bulk of the work is barn inspections. Mr. Ebersole would like to see a report on the barn inspections. He stated he was concerned about the current person and should go forward with a regional concept.

#### **Motion: P. Bertram**

2<sup>nd</sup>: J. Toale

**To ratify the appointment of Kathleen Comeau as Animal Inspector for the term of May 1, 2015 to April 30, 2016**

**Vote in Favor -4, Against- 1**

Discussion ensued about making a final determination on Holman Street and the Holman Street bridge. Ms. Bertram stated a citizen mentioned large trucks going down Holman Street and realizing they couldn't turn around. If a final decision is made to keep the street closed, better signage will be needed. Mr. Alonzo stated there should be some cul de sac created at the end for emergency vehicles to turn around. public or Board comment was added.

**Motion: P. Bertram**

**To adjourn the meeting at 8:50 p.m.**

**2<sup>nd</sup>: J. Toale**

**Vote: All in Favor**

Respectfully submitted,



Elaine M. Peterson

Executive Asst. to the Town Manager