



**BOARD OF SELECTMEN
MEETING MINUTES**

8/3/10

The Board of Selectmen met in the Town Hall, Joseph F. Bilotta Meeting Room as scheduled with Paula Bertram, Steven M. deBettencourt, Ernie Sund, Tom Alonzo, Dave Matthews and Town Manager Kerry Speidel present. Meeting opened at 7:00 P.M. with the Pledge of Allegiance

PUBLIC COMMENT

ANNOUNCEMENTS

1. Tom announced that next Monday is the final band concert; scheduled for 7:00 PM. Paula announced that the farmer's market is taking place in the center on Mondays from 3:00 PM to 7:00 PM.

APPOINTMENTS

CURRENT BUSINESS

1. **Pavement Management Plan** - DPW Director Jack Rodriquenz came before the board and presented the attached Power Point Presentation on the Pavement Maintenance Program and spreadsheet on roadways in town which identified location, utilities within the roads, pavement width, length etc., including estimated costs for FY2011. Explained the points factors attributed to each road "Func Class Value", according to whether they were main roads, secondary main roads, connector roads or local roads. Explained the "Application" 4" "L"-level, "O" - overlay and methods of construction applicable to correcting defects in the roadway. "CS" - crack seal which is a high pressure application over the existing cracks in the roadway in order to prolong the life of the pavement. Crack seal amount in this estimate is approximately \$41,000. Also have "GM" - general maintenance, general day to day operations of the department. Need to add at least 10% on to the total to cover police details during construction for traffic control and safety. Large variable is also the drainage, which is not identified within this plan but may need to be addressed prior to road construction. Noted that additional costs, also not identified within the plan, would be for installation of berms, driveway aprons, etc. This format will be looked at every year and reassessments done regularly to ensure that we're doing something to correct the issues, which is all contingent upon funding on an annual basis.

Reviewed the Asphalt Patching Program which identifies overview, objectives, policies, responsibilities and procedures.

Kerry noted that this is a working document and not a plan yet, given the level of funding that we've allocated over the years, it would take us 26 years to do this. This is something that needs to be looked at and updated every year. Questioned what the level is that Jack would like to see to bring us to what he sees as reasonable, what is the cut over. Per Jack the roads that need crack seal we need to address, those that need to be leveled and overlayed, they need to be leveled and overlayed. We need to get to a level of durability, so that they would last over a period of time. Each one of those applications identified in the spreadsheet should be done right now. Board questioned the reasoning why East Street and Elm Street which are identified as the same type of road (local) with a priority condition of 1 and one has leveling and overlay and the other is identified as general maintenance. Jack was not able to explain without going back to the data but will do this and get back to Kerry.

Paula noted that we're going to have to identify what our priority is, and what percentage will be allocated to paving versus crack sealing. Questioned what Jack's thoughts are on how often this plan should be updated and per Jack, minimum of two years as to do this every year would be too cumbersome.

Steve's concern that collector roads would have to deteriorate three times as bad as a main road before it gets placed on the list. Questioned how this would be evaluated and per Kerry this exactly the purpose of putting the plan together, whether anyone likes it or not the function of a main road outweighs the function of a collector road. We are going to attempt to come up with a way to address all of these roads in a reasonable manner. Once we can do this, we shouldn't see roadways falling apart as we're giving values to the various types of roads. Bottom line is that if we continue to spend only the \$400,000 per year, we'll continue to be in failure and may need to look at spending closer to \$1 million a year as it doesn't make sense to continue with something that is in failure.

Jack noted that Summer Street is becoming a public safety issue and the decisions that are going to have to be made in addressing how we're going to approach reconstruction. May not be able to put every single dollar that we have to put into pavement as we may need to put aside some money as matching funds to get to a job such as we had done with the Electric Ave. reconstruction (PWED Grant).

Ernie questioned if there's some standard percentage that Jack would say would be an annual percentage to be applied. Per Jack you would want to put enough money into the roadways each year so that we're gaining on the deterioration. Kerry noted that once everything is up to whatever the percent is it would be a different calculation on what is to be maintained, until we get caught up, it's difficult to put a percentage number.

Ernie questioned the option of earmarking a certain percentage towards main roads, connector roads and local roads. Jack noted that as a board member, you would have the say, but if you change from the plan, then the plan is no good. Those are the pitfalls that we fall into, that cause so much angst and heated discussion. Kerry understands the concern and the beauty on putting something like this together, is you take the emotion out of the decision. You can do either or, but this takes out all of the subjectivity, it's more or less scientific.

Paula's issue is that cutoff, these are the ones that are the highest priority, however if you go down to Sunnyhill Road, which is a 6.5 and if you could go and apply crackseal, then you could move this down on the list as we didn't do the general maintenance. Have to look at both ends of the spectrum, what ones can we save or prolong the life by spending a small amount on maintenance to extend the life. Kerry noted that this type of repair, crack seal, is considered general maintenance.

Jack would like to get the board's feedback as soon as possible and understands the crack seal and if we don't do anything else but crack seal, these roads at the top will need more. Perhaps the first year, we want to hit and miss in order to repair the sections of roads that are in failure. Kerry noted that the crack seal project seems like a good place to start, to do this as maintenance and then identify another major project that on the list with the understanding that we're going to go through the program and further identify roads that need to be addressed immediately. Questioned if would make more fiscal sense to bundle all the crack seal together and do it in one year and whether we want to contract out.

Jack would propose that crack seal is not part of general maintenance budget.

Dave sees no reason to not use this plan, noted that costs have doubled and state funding has basically been level funded for the past ten years. Labor and material costs have significantly increased, at least doubled. Extended appreciation and noted that we have to quantify the problem before we can deal with this.

Tom is pleased with presentation and form of this going forward, don't know if the plan is perfect and the only way we're going to see this is to move forward. Need a track record to see what needs to be tweaked, need to act on this as it addresses the non emotional factor, it puts the roads in order. Shouldn't hesitate doing this, because we're not going to find the absolute answer without implementing.

Questioned what should the budget number be given the current conditions, to make and gain ground on the situation. Per Jack, would say that even one million is low, but could be a working number for the next 3 to 5 years. There may need to be some combination on how we get to that number, be it Chapter 90 or the budget process. Paula would like to have a recommendation from Jack for the August 24th meeting to that we can begin the process so that decisions can be made, also noted that we need to dedicate more funds to the roads and to highway.

Ernie questioned in the future, is there someone in house who can input the data and keep the plan current. Kerry noted that there is a person in house, Leigh, who has been inputting the data.

Per Kerry, long term she sees this as being a completely in house project.

2. FY2010 Budget Adjustments – Kerry reviewed the FY2010 Budget Close Out memorandum and presented the attached Chapter 44, §33B transfers. Two separate sets of transfers that she and the accountant have identified to fund deficits within the appropriations in order to close out for FY2010. First set of transfers were included in the board's packet which will leave the Snow & Ice deficit at \$115,866.48, the second set of transfer is from balance in appropriations used to offset the remainder of the snow and ice deficit which will be approximately \$51,000 and we will be asking to appropriate from free cash at a special town meeting held in the fall.

Steve questioned the balances left in the departments, particularly DPW tree budget and per Kerry knowing that we had such a snow and ice deficit, held back on expenditures. With the Police department we were hit with labor due to two officers being out on injury leave and it's much easier for her to say to Jack to hold off on expenditures as we had to decide whether we were going to address 2010 expenditures or push them out to 2011, it's too much of a gamble to do this in these types of years.

Tom's view is that for the Town Manager to address with her department is appropriate and questioned where the criticism is coming from in asking her to address the transfers as he believes these were appropriate measures to take.

Steve knew what the answer was, but wanted her to address as wanted it noted that this is what continues to happen and when times are tight, have to look everywhere for funding.

Kerry noted that with the school department when their expenditures come in lower than what's been appropriated it does come back to the town but through the free cash process; it does come back to the town, but through a different process.

Tom motion to approve the fund transfers as presented, Steve seconded, voted unanimously.

Kerry reviewed the revenue comparison and noted that we were surprised with revenue which was estimated at \$26,606,682 and actual was \$27,131,536. Noted increase in Excise revenue and Penalties/Interest Taxes & Excise which was a result of the developments and some of this is a one time revenue source. The increases seen in Licenses & Permits and Dept.Revenue Other has to do with the permitting for Tri-Town and Emerald Place. In general took in about 5.29% more in local receipts than had been estimated. State aid also increased by 3.3% which is attributed to the way that the accountant is calculating the one time payment that the town received from the state for the Tri-town units. At some point the board may want to discuss carving out this amount to place into stabilization or earmark for a specific project.

Paula noted that when we talk about these increases, it should be noted that this is a one time increase and needs to be addressed as such in looking at our budgets.

3. Extension of Alcohol Sales on Sunday – Kerry reviewed the attached memo regarding hours of sales for Sunday sales.

4. Minutes / Warrants - #3P 11, 8/5/10 - \$495,864.06 and #3M 11, 8/5/10 - \$151.78 reviewed and signed. Also State Primary Warrant scheduled for 9/14/2010 @ the T.C.Passios Elementary School, 1025 Massachusetts Ave., from 7:00 AM – 8:00 PM, reviewed and signed.

Action File Items – Dave questioned the Jones House roof and would like to know if there was a small leak that could be repaired, don't think it makes sense to let it deteriorate. Questioned why can't we get a patch put on or somehow stop the flow of water, even if it's a tarp. Per Kerry, this is why she has asked our facilities maintenance to take a second look, keeping in mind that this is a short term fix. He did mention that the porch was not part of the original structure and may make more sense to take the porch off.

Paula would like to have this also put on a future agenda item, slated for August 24th.

5. Committee Reports –

- Tom informed the board that per the Charter, the appointment committee to appoint the Finance Committee met and reappointed John Male and Barbara Reynolds and Mike Mackin to fill the vacancy on the board.
- Paula noted the meeting that she had with Unital Representative John DiNapoli, and they are planning on moving forward with a different management plan and stressed that we would like to see this for the fall. Discussed our feasibility study with Colonial Power which Unital was very much in favor of the town looking into this. There has been some concern about having a workshop with Unital versus a televised workshop meeting open to the public, hope to have an in depth view of how they've revised their response time to date, how they've improved customer and town communications.
- Paula also attended a public hearing of the Planning Board on Emerald Place as they are proposing modifications to their plan, have added an additional parcel of land, have removed the beach house and have proposed residential in this site. Discussed the round about and this is still be looked at, the possibility of adding an affordable housing component. Hearing was continued until next Monday, August 16th @ 6:00 PM.

6. Manager Updates –

- Regional dispatch study is continuing to be worked on, she and Fire Chief Scott Glenny had an informal meeting with Mayor Wong and discussed the possibility of a smaller regional dispatch. Part of the concern that she did hear from the regional study discussions is the issue of becoming too large. Noted that they (Fitchburg) do have the space for additional dispatchers, and that you may be hearing discussions on this as their time table is more aggressive than our is. They have police officers serving right now as dispatchers and they are looking to getting the officers back out onto the street and hiring civilian dispatchers. They're interested in moving ahead with this for January which may be too aggressive for us. Noted also that there is interest with Townsend. Don't want to get into a position where we're providing more mutual aid because our cruiser or rescue happens to be closer.
- Gas Station at 925 Mass Ave., property is in tax title, owner has filed bankruptcy. The town has filed with DEP and have been notified that this project has been awarded funding. Problem is we need the permission of the property owner and one of the conditions of funding through the state is that we need to try to recoup the money from the property owner. She has spoken with the owner and he has stated that he is not interested in permitting the town access but willing to sell the property to the town for \$1.00. Kerry has spoken with a few people who are interested in this property, but knowing that the tanks have gone beyond their expected life no one is willing to purchase. She will be speaking with town counsel on whether we could hold the property and allow the work to be done on it and then transfer the property, as she would hate to lose out on this grant opportunity.

7. Selectmen Requests:

- a. **Office Requirements for Veteran's Agent** – As Ernie has requested this to be discussed, he wanted it noted that our veteran's agent has been having difficulty in communicating with the Boston office and noted that we have to serve the veteran's. Office space has been dedicated for the agent at the Eagle House, (American Legion space) and a phone needs to be installed. Per Kerry, we have previously shared the Veteran's Agent with the City of Fitchburg and several months ago she spoke with Ernie and was informed that the American Legion was willing to allow them to use their space at the Eagle House. We never heard anything back from T.J. (Bluaser, Veteran's Agent) until he informed us that he needed a phone line and computer. Verizon has been out, and his computer is up and running and he now has internet access. Miscommunication was that she expected that he was to let her know what was needed but he never did, this should all be addressed by the end of this week.
- b. **Town Beach Traffic** – Traffic advisory on the roadway (Prospect Street), suggestion was made to give the life guards some cones to put up just to let people know that this is a very congested area. We did install some pedestrian crossing signs and the life guards do now have cones that they can put out. Last week was the last week of swim lessons, so this may have been why there was added traffic.
- c. **Uniform Meeting Agendas** – Request to have all boards and committees use a standardized form so that they may be easily distinguishable, which would be the form that we are currently using. Per Chair, this will be forwarded to other boards as a template. Would suggest a standardized header and the items on the agenda would be the responsibility of the individual boards.
- d. **Janitorial Services** – about 30 days into our current contract, we are receiving approximately two days of cleaning services for each building. Noted that these are cleaning services, has spoken with a number of people and have received relatively good comments about the level of cleaning. Including the library and she has received something in writing expressing their pleasure with the level of cleanliness. We have been working on dealing with the issues that are identified and for the most part people are pleased. There is a difference between having a cleaning service and having a maintenance person. Steve commented on this as the side walk wasn't being taken care of and noted that it has been taken care of since it was mentioned.
- e. **Update on Landfill** – continues to be monitored twice per year in accordance with the close out plan, last one was done on June 30, 2010. There are no issues as far as the monitoring and will be placed in the board's action file for their review. Right now we are petitioning the state to go from twice annually to annually and are being told that following the next monitoring in six months we will be granted annual inspections. Monitor is checking the above ground environment as well as the below ground environment.

OLD BUSINESS

1. **Future Meeting Schedule** – Paula reviewed the pending items and believes that the work sessions make sense; however that televising some of the work sessions may also make sense. Noted, that we've been able to accomplish a lot with regards to the work sessions in relation to the business meetings.

Per Kerry, the work session format has worked well and gives us the opportunity to focus on one subject, whether it's televised or not doesn't really matter as they are both open meetings and people are welcome to attend.

Paula requested that the board forward any other pending items that they may want addressed in order to place them of future agendas.

Tom questioned what really is the difference between a work session and a business session as he believes the work sessions are just extensions of the board's business meeting. He believes being televised is critical to getting information out to the town and not being televised is a detriment to the public's ability in knowing what is going on.

Paula noted that the work session on the pavement management plan was a particular point in case where it was not yet ready to be made available as we needed further discussions. The work sessions that we have focused on right now for the Unutil Emergency Response Plan is scheduled to be televised but is not conducive to being televised with the set up that is currently in place as it's more difficult to discuss and have the ability for the public to hear all the comments without going to a specific microphone.

Tom concurred that the pavement management plan is a perfect example of what needs to be discussed at a work session, talking about differences in work session. Need to define on what the work session is and what the purpose is, as far as the microphone this is something that has to be discussed with PACC and decide how we can deal with televising.

Noted that we need to also include "Town Manager" goals under the "pending items".

August 10, 2010 Work Session on Unutil's Emergency Response Plan and the Demo of BlackBoard Connect Emergency Notification System is scheduled to be televised. Options to have this done effectively will be discussed with PACC.

Suggestion to place this listing on the cable scroll to inform people on what the pending issues are and information on the pending future meeting agenda's.

Ernie would like to see us continue with the work shop and noted the importance of having televised meetings. Steve concurred with Ernie's comments and that if we want to have issues weeded out a work shop is more appropriate setting.

The Chair and Town Manager will decide which items under the workshops will be televised. Board would like to have the August 5, 2010 Work Session televised as will the August 10th work session. There will be no meeting scheduled for August 17, 2010 unless something absolutely critical comes up and on August 24th there will be a business session. Paula would like to add under pending items, the IMA status and this should be addressed in a work session as we will be discussing a contract.

Tom would like to emphasize the importance to look at the financial forecast and budget retrospect. Paula noted that this may be valuable to have department heads come in and provide their overview of their budget and the impact to their department.

COMMITTEE APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS

1. **Appointment: DPW Building Committee** – Kerry reviewed the attached memo on the DPW Building Committee. Noted that we are able to do a design build design under the state procurement law. Steve would like to serve on the committee as the Board of Selectmen representative as he has about 36 years in the construction field and is the owner of his construction business and referenced his experience in college. He has questions with design build as often times the designer and the builder work together and not for the owner. Knows that a lot of work has been done as far as a schematic design and that he is still interested in serving. Dave noted that he's been interested in this since he served on the Capital Planning Committee. Ernie motioned to appoint Steve, Dave seconded, voted unanimously.

Three Citizens at Large, Dave move to appoint Jay Simone, Dave MacDonald and Janice Carrier as the Citizens at Large representatives, Ernie seconded, voted unanimously. Approved recommendation of DPW Director Jack Rodriquez to appoint as DPW Department appointees Leigh Mezzetti and Jim Breault and the Planning Board's appointee, Joanna Bilotta.

Board noted that under #3 of the charge of the committee should also include "and the Board of Selectmen".

2. **Resignation: Bonnie Edes, Council on Aging** – Board accepted Bonnie's resignation with regrets, letter expressing board's appreciation to be sent.

3. **Resignation: Spencer Matthews, PACC** – board accepted resignations of Spencer Matthews and Jaime Giancola from PACC, letters of appreciation to be sent. Noted that there are now two vacancies on PACC.

EXECUTIVE SESSION

Being no further business board voted unanimously to adjourn Regular Session at 10:36 P.M.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant, Board of Selectmen

LUNENBURG DEPARTMENT OF PUBLIC WORKS



PAVEMENT SURVEY AND MAINTENANCE PROGRAM

1

The Chapter 90 Formula

Factors:

Road miles – 58.33%
Population – 20.83%
Employment – 20.83%

Source:

EOT&PW
Mass DOR
Mass DET

- This Formula was developed by the Legislative Rural Caucus of the Transportation Committee.
- Mileage factor represents city/town accepted road miles.
- Employment factor represents employment within the town borders.

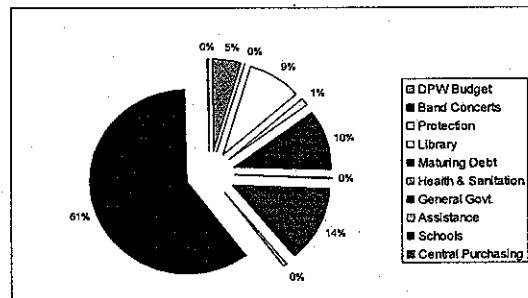
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Chapter 90 State Aid Funding History

Chapt. – 291B & Sup. (FY06)	\$377,704.00
Chapt. – 291C (FY07)	\$258,031.00
Chapt. – 291D (FY08)	\$322,432.00
Chapt. – 291D 50865 (FY09)	\$321,809.00
FY10 – 50865 (No longer individual chapters)	\$319,828.00
FY11 – 50865	\$329,794.00

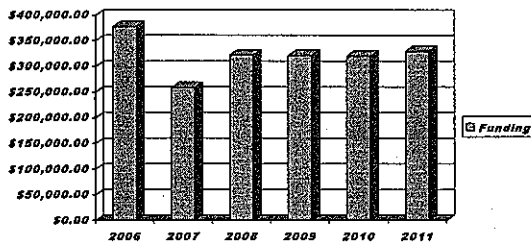
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Percentage of Omnibus Budget Allocated for DPW FY09



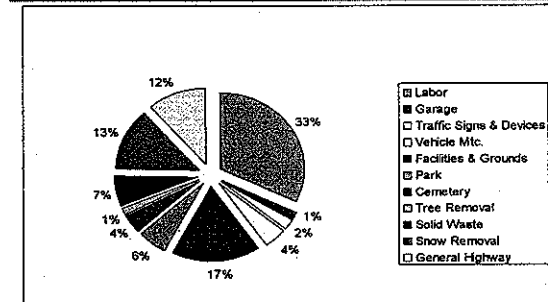
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Graph of Lunenburg's Chapter 90 Funding



3

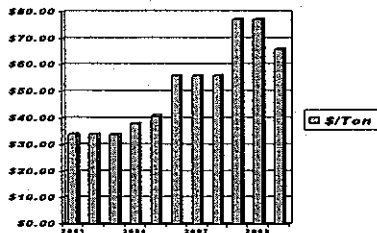
Percentage of DPW Budget allocated for paving



6

Asphalt Prices per Ton 10 Year History

2001	\$34.00
2002	\$34.00
2003	\$34.00
2004	\$38.00
2005	\$41.00
2006	\$56.00
2007	\$56.00
2008 (April)	\$56.00
2008 (August)	\$77.00
2009	\$77.00
2010	\$65.85



7

ROAD CLASSIFICATION #2 Lunenburg's Secondary Main Roads

- * West Townsend Road
- * Holman Street
- * Flat Hill Road
- * Goodrich Street
- * Lakefront
- * Mulpus Road
- * Main Street
- * Pioneer Drive
- * Sunnyhill Road
- * West Street
- * Whalom Road
- * White Street

10

Liquid Asphalt Escalation/de-escalation:

Posted price of liquid asphalt (HMA) at bid time compared to the posted price at the time of paving, multiplied by .055 to compute the appropriate price adjustment up or down.

Example: Posted price at bid time: \$500/liquid ton of asphalt
Posted price at pave time: \$400/liquid ton of asphalt
Reduction of \$100

$-\$100 \times .055/\text{ton} = -\$5.50/\text{ton}$ reduction in the price of HMA to the Town.

- * Liquid asphalt prices are posted and published monthly on the Mass DOT website.
- * 5.5% is the recognized average asphalt content in a ton of HMA.

8

ROAD CLASSIFICATION #3 Lunenburg's Collector Roads

- * Arbor Street
- * Beal Street
- * Burrage Street
- * Chestnut Street
- * Eastern Avenue
- * Elmwood Avenue
- * Hollis Road
- * Highland Street
- * Howard Street
- * Kilburn Street
- * Oak Avenue
- * Page Street
- * Pine Street
- * Pleasant Street
- * Pratt Street
- * Prospect Street
- * School Street
- * Sunset Lane
- * Turkey Hill Road
- * Upland Avenue
- * Whiting Street
- * Young's Road

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ROAD CLASSIFICATION #1 Lunenburg's Main Roads

- * Chase Road/Rt 13/Electric Avenue
- * Lancaster Avenue
- * Leominster Road
- * Leominster/Shirley Road
- * Townsend Harbor Road
- * New West Townsend Road
- * Summer Street
- * Northfield Road
- * Reservoir Road

9

ROAD CLASSIFICATION #4 Lunenburg's Local Roads (over 1000 ft. +/-) (SAMPLE)

- * Broadmeadow Drive
- * Canterbury Drive
- * Connel Drive
- * Cove Road
- * Charlton Street
- * Easterbrook Road
- * Fairview Road
- * Fish Street
- * Bigson Street
- * Gilcrest Street
- * Hemlock Drive
- * Horizon Island Road
- * Houghton Mill Road
- * Island road
- * Laurel Lane
- * Longwood Drive
- * Maple Parkway
- * May's Field Road
- * Old Farm road
- * Penninsula Drive
- * Pierce Avenue
- * Pine Acres Road
- * Pine Grove Road
- * Richards Way
- * Robbs Hill Road
- * Rolling Acres Road

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ROAD CLASSIFICATION #4 Lunenburg's Local Roads (Under 1000 ft. +/-) (SAMPLE)

- | | |
|---------------------|--------------------|
| * Andrew Terrace | * Cove Terrace |
| * Autumn Drive | * Crescent Road |
| * Baker Street | * Crescent Terrace |
| * Beachview Drive | * Crest Avenue |
| * Birth Island Way | * Crocker Avenue |
| * Boucher Road | * Cushing Lane |
| * Brookview Terrace | * East Street |
| * Brown Avenue | * Elizabeth Street |
| * Burke Street | * Fitchview Avenue |
| * Cliffview Terrace | * Florence Street |
| * Clifton Road | * Francis Avenue |
| * Country Road | * Gabes Place |

13

Random/Longitudinal Cracks

- * Random cracks are transverse cracks caused by seasonal elongation and contraction of the pavement. These will occur within a few years of any new bituminous pavement.



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What type of road defects were looked at in the survey...

- * Random/Longitudinal Cracks
- * Utility Cuts/Other Patches
- * Raveling, Shoving, Pushing
- * Main Line Trenches
- * Pot Holes
- * Rutting
- * Alligator Cracks



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Utility Cuts/Other Patches

- * These are sections of pavement that have been repaired with new bituminous concrete pavement. (i.e., small gas/water leaks)



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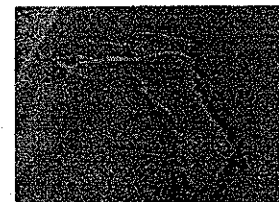
Highway Classification System (Functional Classes)

1. **Main Road** – Typically contains high traffic volume, and either permits traffic flow from one main road to another, or acts as an inter-town connector between the two. Example: Lancaster Avenue
2. **Secondary Main Road** – Typically contains higher traffic volume than either a collector road or a local road with less volume than a main road, also acting as a connector between main roads. Example: Sunnyhill Road
3. **Collector Road** – Typically contains lower traffic volume than either secondary main roads or main roads and permits traffic flow between main roads or secondary roads and local roads. Example: Hollis Road
4. **Local Road Over 1000 ft.** – Typically contains the lowest traffic volume of all roads and either permits traffic flow from any of the above roads to residential sub-divisions or acts as a connector between sub-divisions. Example: Broadmeadow Drive
5. **Local Road Under 1000 ft.** – Example: Windermere Drive

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Raveling, Shoving, Pushing

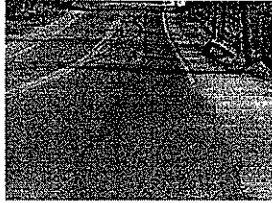
- * Raveling occurs when sections of the top pavement layer become loose and separate from the binder. It indicates deteriorating bond between pavement layers.



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Main Line Trench

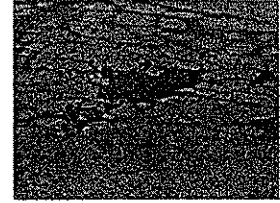
- Main line trenches are longitudinal sections of pavement that have been repaired with new bituminous concrete pavement usually after a main line utility repair.



19

Alligator Cracks

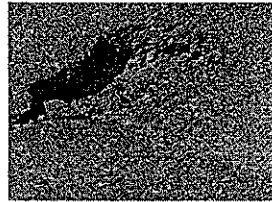
- Also called "spider webbing" & often found at or around manholes, catch basins, and/or driveways where they meet roads.



22

Potholes

- ◊ A crater like hole of varying size caused by freezing and thawing of the road surface particularly in areas of other defects, cracks, etc.



20

Rutting

- ◊ Longitudinal depressions, "wheel ruts", exist in travel lanes or edge of roadway. Due primarily to repetitive pressure along one line of travel causing improper sub base to compact and/or move laterally.



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TOWN OF LUNENBURG

BOARD OF SELECTMEN

17 Main Street, PO Box 185
Lunenburg, MA 01462-0185
Paula J. Bertram, Chair
Steven M. deBettencourt, Vice-Chair
Carl "Ernie" Sund, Clerk
Thomas A. Alonzo, Member
David J. Matthews, Member



978-682-4144, FAX 978-682-4148
Office Hours
Mon, Wed, Thu. 8:00AM - 4:00PM
Tues. 8:00AM - 6:30PM
Fri. 8:00 AM - 12:30 PM

Town Manager
Chief Administrative Assistant

MEMORANDUM

To: Board of Selectmen
KAS
From: Kerry A. Speidel, Town Manager
Subject: FY2010 Budget Close Out
Date: July 30, 2010

In order to complete the close out of FY2010, the Town Accountant and I are asking that you consider approval of transfers detailed in the attached document. These transfers will cover overages in certain line items as follows:

1. Legal Expense- \$8,783.20. As you know, we discuss the increase in legal fees due to ongoing court cases. The original budget was \$95,000. This amount was anticipated to go as high as \$200,000. As we got closer to Annual Town Meeting, we settled on \$160,000. Unfortunately additional work on the Hollis Hills case and other matters ran us over budget.
2. Central Purchasing- \$4,622.98. The major account for the overage is due to telephone charges. I have asked the IT Director to make a comprehensive review of all telephone services, both land line and cellular, and come up with a plan which will provide costs savings. This review is currently underway.
3. Police Department- \$6,485.11. The department as a whole was on target prior to the second Officer injury. Having the second officer out put us over budget.
4. Fire Department- \$9,090.98. Call volume increased fairly significantly. Additionally, overtime was cut at the Fall Town Meeting and as it turns out, should not have been.
5. BAN Interest- \$1,734.34. Nothing was budgeted to pay interest on temporary notes.

These transfers were approved by the Finance Committee at their meeting held on Thursday, July 29, 2010.

Even with these transfers, we still have a deficit in the Snow & Ice Account of \$115,866.48. There is an amount of \$40,069.41 remaining as appropriated but unexpended. This amount could be used to reduce the deficit to \$75,797.07. The balance will need to be covered through a transfer from Free Cash, prior to the setting of the Tax Rate for FY2011.

CHAPTER 44 § 33B TRANSFERS

NAME OF APPROPRIATION FUNDS ARE TRANSFERRED FROM	AMOUNT	NAME OF APPROPRIATION FUNDS ARE TRANSFERRED TO	
Tax Collector's Admin	\$ 1,734.34	Interest - Temporary Loans	\$ 1,734.34
Public Buildings	\$ 1,119.96	Central Purchasing	
Facilities & Grounds	\$ 3,503.02	Central Purchasing	\$ 4,622.98
Facilities & Grounds	\$ 2,868.99	Legal Expenses	
Town Reports	\$ 1,599.17	Legal Expenses	
Tree Removal	\$ 4,057.38	Legal Expenses	
Liability Insurance	\$ 257.66	Legal Expenses	\$ 8,783.20
Lunenburg Public Library	\$ 4,056.43	Police Department	
Historical Commission	\$ 303.67	Police Department	
Memorial Day	\$ 306.02	Police Department	
Band Concerts	\$ 245.00	Police Department	
Facilities & Grounds	\$ 1,573.99	Police Department	\$ 6,485.11
Solid Waste	\$ 36.14	Radio Dispatch	\$ 36.14
Traffic Signs & Devices	\$ 2,448.92	Fire Department	
Vehicle Mtc. - Highway	\$ 5,000.00	Fire Department	
Solid Waste	\$ 1,641.06	Fire Department	\$ 9,089.98
			\$ 30,751.75

Posting Worksheet for 44 33B Transfers				
Appropriation	Object	Org/Object #	Amount	
Tax Collector	Meter Rental	11462-527500	\$ (143.50)	
Tax Collector	Contracted Services	11462-531003	\$ (507.84)	
Tax Collector	Postage	11462-534400	\$ (81.96)	
Tax Collector	Advertising	11462-534500	\$ (418.50)	
Tax Collector	Mileage	11462-571000	\$ (417.54)	
Tax Collector	Dues/Membership	11462-573000	\$ (45.00)	
Tax Collector	Meetings/School	11462-573100	\$ (120.00)	\$ (1,734.34)
Legal Expenses	Legal Expenses	11512-531005	\$ 2,868.99	
Legal Expenses	Legal Expenses	11512-531005	\$ 1,599.17	
Legal Expenses	Legal Expenses	11512-531005	\$ 4,057.38	
Legal Expenses	Legal Expenses	11512-531005	\$ 257.66	\$ 8,783.20
Public Buildings	Heating Charges/Fuel Oil	11922-521012	\$ (1,119.96)	\$ (1,119.96)
Facilities & Grounds	Contracted Services	11932-531003	\$ (3,160.48)	
Facilities & Grounds	Contractual Teen Ctr Expenses	11932-531041	\$ (3,165.31)	
Facilities & Grounds	Custodial Supplies	11932-541001	\$ (46.22)	
Facilities & Grounds	Custodial Supplies	11932-541001	\$ (10.57)	
Facilities & Grounds	Bldg Mtc Supplies	11932-541002	\$ (1,563.42)	\$ (7,946.00)
Town Reports	Printing	11952-534200	\$ (1,595.06)	
Town Reports	Postage	11952-534400	\$ (4.11)	\$ (1,599.17)
Central Purchasing	Telephone Charges	11992-521014	\$ 4,622.98	\$ 4,622.98
Police Department	Overtime	12101-513000	\$ 4,056.43	
Police Department	Overtime	12101-513000	\$ 303.67	
Police Department	Overtime	12101-513000	\$ 306.02	
Police Department	Overtime	12101-513000	\$ 245.00	
Police Department	Overtime	12101-513000	\$ 1,573.99	\$ 6,485.11
Fire Department	Firefighters Salaries	12201-511010	\$ 9,089.98	\$ 9,089.98
Radio Watch	Overtime	12281-513000	\$ 36.14	\$ 36.14
Tree Removal	Purchase of Service	12942-531006	\$ (3,167.38)	
Tree Removal	Supplies	12942-541018	\$ (890.00)	\$ (4,057.38)
Traffic Signs & Devices	Electricity	14252-521011	\$ (362.03)	
Traffic Signs & Devices	Supplies	14252-541018	\$ (2,086.89)	\$ (2,448.92)
Vehicle Mtc. - Highway	Fuel	14292-541012	\$ (5,000.00)	\$ (5,000.00)
Solid Waste	Recycling	14332-521023	\$ (36.14)	
Solid Waste	Recycling	14332-521023	\$ (1,641.06)	\$ (1,677.20)
Lunenburg Public Library	Director's Salary	16101-511000	\$ (17.38)	
Lunenburg Public Library	Staff Salaries	16101-511003	\$ (3,014.28)	
Lunenburg Public Library	Sewerage Disposal	16102-521006	\$ (577.50)	
Lunenburg Public Library	Postage	16102-534400	\$ (5.54)	
Lunenburg Public Library	Library Material	16102-551000	\$ (441.73)	\$ (4,056.43)
Historical Commission	Office Equipment Mtc	16912-521001	\$ (303.67)	\$ (303.67)
Memorial Day	Supplies	16922-541018	\$ (306.02)	\$ (306.02)
Band Concerts	Band Concerts	16932-520000	\$ (245.00)	\$ (245.00)
Interest - Temp Loans	Int Temp Loans	17522-590003	\$ 1,734.34	\$ 1,734.34
Liability Insurance	Liability Insurance	19452-570010	\$ (257.66)	\$ (257.66)
			\$ (0.00)	\$ (0.00)

CHAPTER 44 § 33B TRANSFERS

NAME OF APPROPRIATION FUNDS ARE TRANSFERRED FROM	AMOUNT	NAME OF APPROPRIATION FUNDS ARE TRANSFERRED TO
Health Insurance	\$34,393.00	Snow Removal
Assessor's Admin	\$ 833.82	Snow Removal
Injury Leave	\$ 500.00	Snow Removal
Animal Control	\$ 21.45	Snow Removal
Nashoba Health	\$ 1.00	Snow Removal
Police/Fire Medical	\$ 0.03	Snow Removal
Council on Aging	\$ 1,398.47	Snow Removal
Registrar of Veterans Graves	\$ 85.21	Snow Removal
Loan Admin Fees	\$ 0.61	Snow Removal
Unemployment Compensation	\$ 1,767.98	Snow Removal
Liability Insurance	\$ 46.48	Snow Removal

\$ 39,048.05

Assessor's Admin.	Asst Assessor	11411-511000	\$ (0.42)	
Assessor's Admin.	Clerical	11411-511001	\$ (1.14)	
Assessor's Admin.	Binding Vitals	11412-531001	\$ (161.80)	
Assessor's Admin.	Office Supplies	11412-540000	\$ (2.46)	
Assessor's Admin.	Mileage	11412-571000	\$ (123.00)	
Assessor's Admin.	Dues/Membership	11412-573000	\$ (32.00)	
Assessor's Admin.	Meetings/Schools	11412-573100	\$ (513.00)	\$ (833.82)
Injury Leave	Injury Leave	12141-515000	\$ (500.00)	\$ (500.00)
Animal Control	Office Supplies	12922-540000	\$ (12.45)	
Animal Control	Veterinary Charges	12922-531025	\$ (9.00)	\$ (21.45)
Nashoba Health	Nashoba Health	15212-560010	\$ (1.00)	\$ (1.00)
Police/Fire Medical	Police/Fire Medical	15242-531035	\$ (0.03)	\$ (0.03)
Council on Aging	Director Salary	15411-511000	\$ (777.15)	
Council on Aging	Electricity	15412-521011	\$ (303.26)	
Council on Aging	Heating Charges	15412-521025	\$ (318.06)	\$ (1,398.47)
Registrar of Vets Graves	Vets Graves	15452-541018	\$ (85.21)	\$ (85.21)
Park Department	Salaries O/T	16501-513000	\$ (0.10)	\$ (0.10)
Loan Admin Fees	Admin Fees	17542-531040	\$ (0.61)	\$ (0.61)
Unemployment Comp	Unemployment Comp	19132-570008	\$ (1,767.98)	\$ (1,767.98)
Liability Insurance	Liability Ins	19452-570010	\$ (46.48)	\$ (46.48)
Snow Removal	Supplies	14232-531029	\$ 4,655.15	\$ 4,655.15

BUDGET TO ACTUAL REVENUE COMPARISON FY09 6/30/09/FY10 THRU 6/30/10

	FY 09 BUDGET	FY 09 ACTUAL	% CHG BUDGET/ ACTUAL	\$ CHG BUDGET/ ACTUAL	FY 10 BUDGET	FY 10 ACTUAL	% CHG BUDGET/ ACTUAL	\$ CHG BUDGET/ ACTUAL
MOTOR VEHICLE EXCISE	\$1,330,000.00	\$1,240,517.88	93.27%	(\$89,482.12)	\$1,130,500.00	\$1,171,216.13	103.60%	\$40,716.13
OTHER EXCISE-FARM	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00		\$0.00
PAYMENT IN LIEU OF TAXES	\$1,600.00	\$3,182.71	198.92%	\$1,582.71	\$1,600.00	\$1,697.80	99.86%	(\$2.20)
PENAL TIES/INT TAXES & EXCISE	\$110,000.00	\$94,007.74	85.46%	(\$15,992.26)	\$80,000.00	\$146,442.27	183.05%	\$66,442.27
FEES	\$136,000.00	\$116,878.22	85.94%	(\$19,121.78)	\$136,000.00	\$136,634.61	100.47%	\$634.61
DEPT. REVENUE-SCHOOL	\$100,000.00	\$109,776.58	109.78%	\$9,776.58	\$100,000.00	\$91,153.53	91.16%	(\$8,846.47)
DEPT. REVENUE-CEMETERIES	\$8,000.00	\$1,900.00	23.75%	(\$6,100.00)	\$8,000.00	\$6,100.00	63.75%	(\$1,900.00)
DEPT. REVENUE-OTHER	\$268,000.00	\$216,829.43	80.83%	(\$52,170.57)	\$348,000.00	\$247,664.07	71.16%	(\$100,335.93)
LICENSES & PERMITS	\$200,000.00	\$128,177.00	64.09%	(\$71,823.00)	\$130,000.00	\$400,519.00	308.09%	\$270,519.00
SPECIAL ASSESSMENTS	\$26,000.00	\$29,508.07	98.11%	(\$491.93)	\$26,000.00	\$33,397.61	128.46%	\$7,397.61
FINES & FORFEITS	\$65,000.00	\$41,362.60	63.63%	(\$23,637.40)	\$65,000.00	\$38,610.00	59.40%	(\$26,390.00)
INVESTMENT INCOME	\$225,000.00	\$154,804.84	68.80%	(\$70,195.16)	\$160,000.00	\$28,666.50	17.92%	(\$131,334.50)
OTHER-ROLL BACK TAXES	\$0.00	\$0.00		\$0.00	\$0.00	\$11,578.17		\$11,578.17
OTHER-FOREST TAX	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00		\$0.00
OTHER-MART REIMBURSEMENT	\$812,436.00	\$811,330.05	99.86%	(\$1,105.95)	\$799,798.00	\$830,095.97	103.79%	\$30,301.97
MISC NON-RECURRING	\$3,281,036.00	\$2,942,275.02	89.68%	(\$338,760.98)	\$2,983,898.00	\$3,141,666.46	105.29%	\$157,770.46
SUBTOTAL LOCAL RECEIPTS	\$16,817,195.50	\$16,270,164.30	96.75%	(\$547,031.20)	\$17,286,713.90	\$17,331,468.44	100.26%	\$45,754.54
TAX LEVY (NET OF OVERLAY)	\$0.00	\$99,994.35	99.99%	\$99,994.35	\$0.00	\$149,972.66	100.00%	\$149,972.66
TAX LIENS	\$5,997,659.00	\$5,520,931.52	92.05%	(\$476,667.48)	\$6,654,626.00	\$6,825,883.13	103.03%	\$171,357.13
STATE AID (NET OF OFFSETS)	\$499,099.00	\$499,099.00	100.00%	\$0.00	\$499,099.00	\$499,099.00	100.00%	\$0.00
MSBA REIMBURSEMENT (CURRENT YEAR)	\$0.00	\$499,099.00	100.00%	\$499,099.00	\$0.00	\$93,164.00		\$93,164.00
TRANSFER FROM SEWER BETT FUND-MEADOW WOODS BOND (FY11 RECAP)	\$0.00	\$0.00		\$0.00	\$0.00	\$62,781.00		\$62,781.00
PAYMENT ON WATER PORTION OF MEADOW WOODS BONDS	\$0.00	\$0.00		\$0.00	\$0.00	\$27,500.00		\$27,500.00
TRANSFER FROM STAB-FY09 DEFICIT	\$26,594,829.50	\$25,332,464.19	95.25%	(\$1,262,465.31)	\$26,606,881.90	\$27,131,636.69	101.97%	\$524,854.69
GRAND TOTAL	\$26,594,829.50	\$25,332,464.19	95.25%	(\$1,262,465.31)	\$26,606,881.90	\$27,131,636.69	101.97%	\$524,854.69

TOWN OF LUNENBURG

BOARD OF SELECTMEN

17 Main Street, PO Box 135
Lunenburg, MA 01462-0135
Paula J. Bertram, Chair
Steven M. deBettencourt, Vice-Chair
Carl "Ernie" Sund, Clerk
Thomas A. Alonzo, Member
David J. Matthews, Member



978-582-4144, FAX 978-582-4148
Office Hours
Mon, Wed, Thu. 8:00AM - 4:00PM
Tues. 8:00AM - 6:30PM
Fri. 8:00 AM - 12:30 PM

Town Manager
Chief Administrative Assistant

MEMORANDUM

To: Board of Selectmen
From: Kerry A. Speidel, Town Manager ^{KAS}
Subject: Extension of Alcohol Sales
Date: July 30, 2010

When Governor Patrick signed the FY2011 budget, two outside section amended the alcoholic beverages licensing statutes regarding the permissible hours for alcohol sales on Sundays. Until now, MGL Chapter 138, Section 33 stated that no on-premises license holder could sell alcoholic beverages on Sundays before 12:00 p.m. Another statute, MGL Chapter 138, Section 33B, provided that any municipality that accepted this local option statute could authorize the on-premises sale of alcohol one hour earlier, i.e. 11:00 a.m. on Sundays. The changes to these statutes, effective July 1, 2010, allowing a local licensing authority to authorize the holder of an on-premises license to begin selling alcoholic beverages at 10:00 a.m. on Sundays.

The ABCC takes the position that a municipality may only authorize such sales if it has already accepted MGL Chapter 138, Section 33B. The Town of Lunenburg accepted this statute at the 1985 Annual Town Meeting.

Based upon these statutory amendments and the ABCC's current interpretation of them, towns should consider the following:

1. If a municipality accepted the prior version of MGL Chapter 138, Section 33B, it does not need to accept it again. The previous acceptance will authorize the local licensing authority to approve Sunday on-premises sales beginning at 10:00 a.m.
2. In a town that has accepted Section 33B, any licensee holding a current on-premises license, issued prior to July 1, 2010, that wishes to sell at 10:00 a.m. will have to apply to the local licensing authority for a change of hours. Approved changes [on ABCC Form 43] must be filed with the ABCC, but do not require their approval.

All Rules and Regulations regarding alcohol sales licensing can be found in "The Blue Book," which can be found at http://www.mass.gov/abcc/pdf_frm/000blue.pdf

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Kerry A. Speidel
Town Manager
Laura B. Williams
Chief Administrative Assistant

MEMORANDUM

To: Board of Selectmen
KAS
From: Kerry A. Speidel, Town Manager
Subject: DPW Building Committee
Date: July 2, 2010; updated July 16, 2010

Article 27, Section 1 of the Town Bylaws call for the appointment of a Building Committee for each Town Building project. The committee shall consist of a minimum of seven- (7) members as follows:

- 1 member of the Board of Selectmen to be chosen by the BOS
- 1 member of the Planning Board to be chosen by the Planning Board
- 2 members of the Department of Public Works
- 3 Citizens-at-Large

I contacted the members of the DPW Facility Committee to see if any were interested in serving on the Building Committee. Both Dave MacDonald and Jay Simione expressed an interest.

I contacted both the Cemetery and Parks Commissioners to see if any were interested in serving on the Building Committee. Unfortunately, none of the Parks Commissioners were able to make the commitment due to the time of year. Jan Carrier, Cemetery Commissioner, expressed an interest in serving on the committee.

DPW Jack Rodriquenz is recommending that Leigh Mezzetti and Jim Breault be appointed as the DPW members. Jack will serve on the Committee as an Ex-Officio Member.

One resident, Thomas Albert, has submitted a Talent Bank application for appointment. The Planning Board has voted to appoint Joanna Bilotta to serve as their representative.

The bylaw is silent on the purpose of the Committee. If the Committee is expected to have a purpose other than general overview of the project, it should be specified prior to their first meeting. It is my hope that the Committee will be ready to begin work on or about August 1, 2010. At this time, I request that you make appointments to this Committee.

/kas

RECEIVED

JUL 14 2010

TOWN OF LUNENBURG

SELECTMEN'S OFFICE

Marion M. Benson
Planning Director



Tel: (978) 582-4147
Fax: (978) 582-4353
960 Massachusetts Avenue
Lunenburg, MA 01462

July 13, 2010

Kerry Speidel
Town Manager
Town of Lunenburg
17 Main Street
Lunenburg, MA 01462

Re: Planning Board Appointment to DPW Building Committee

Dear Kerry,

The Planning Board, at its July 12, 2010 meeting, voted Joanna L. Bilotta as its representative to the DPW Building Committee.

Sincerely,

Marion M. Benson, Planning Director

TOWN OF LUNENBURG

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Town Manager
Chief Administrative Assistant

MEMORANDUM

To: Board of Selectmen
From: Kerry A. Speidel, Town Manager *KAS*
Subject: DPW Building Committee
Date: July 30, 2010

Article 27, Section 1 of the Town Bylaws calls for the appointment of a Building Committee for each Town Building Project; however, the bylaw is not specific as to the charge of the committee. As such, I would like to offer up the following for your consideration.

1. The Committee will be appointed to oversee the project through to completion, assuring that the project that was approved at Town Meeting is the project that gets built.
2. The Committee shall ensure that the project adheres to the Scope of Work as identified in the attached document, entitled: "Scope of Work for Budget Only."
3. The Committee shall not make any changes to the Scope of Work of any significance without the written approval of the Town Manager.
4. The Committee shall ensure that the project does not go over the approved budget of \$1.1M. If at any point, the Committee feels that the project, or any part of the project will exceed budget, the Committee must notify the Town Manager immediately.
5. The Committee, along with the Town's Procurement Officer, shall ensure that all applicable Procurement Laws are followed.
6. The Committee must make periodic project updates to both the Board of Selectmen and Town Manager as required.
7. The Committee shall elect leadership in the same manner and form as any other committee.
8. The Committee shall be subject to the Open Meetings Law. Any questions regarding the requirements of the Open Meetings Law shall be directed to the Town Clerk.