


**BOARD OF SELECTMEN  
MEETING MINUTES**

**8/24/10**



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 6:10 P.M. and recessed by roll call vote at this time for Executive Session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigation position in accordance with M.G.L. Chapter 39, §23B(3). Chairman announced that the board will be returning to Regular Session which reconvened @ 7:00 with the Pledge of Allegiance

**PUBLIC COMMENT**

Dave expressed appreciation to the Lunenburg Family Lions Club and the Fire Department for the excellent job with the bonfire held last week.

Resident of Maple Parkway, Mrs Mead questioned where her street stands in regards to sewer and per Paula this board has no involvement and directed Mrs. Mee to the Sewer Commission and the Planning Board.

**ANNOUNCEMENTS**

**Announcement from the Lunenburg Water District** - The Massachusetts Drought Management Task Force has issued a drought advisory. The Water Districts water withdrawal permit requires the Water District to implement water restrictions upon a declaration of an advisory, warning, or emergency. The restriction being implemented is for no nonessential use of water between the hours of 9 A.M. and 5 P.M., and for Odd/Even day watering. Homes with even numbers can water on even days, and homes with odd numbers can water on odd days. Restrictions do not apply to water used for business purposes, food, livestock etc. The purpose of the restrictions is to ensure a sustainable drinking water supply, and to protect natural resources, and streamflow for aquatic life. If you have any questions regarding this matter, please contact the Water District office at 978-342-9211.

Tom noted that tomorrow is last day to register to vote in the State Primary and Town Clerk has posted that the office will be open for extended hours tomorrow.

**APPOINTMENTS**

**CURRENT BUSINESS**

1. Minutes - Board of Selectmen regular session for 8/3/10 & 8/10/10.

Warrants - #10 11, 8/24/10 - \$366,805.35 reviewed and signed.

Action File Issues - None

2. Committee Reports -

- Dave - School Committee met last week and they are getting ready to open for session next week. Administration offices have been moved. Kevin's gate is underway and will be quite a memorial when completed, totally private fundraising and no town funding involved. Joint meeting on regionalization is scheduled for next Monday, 8/30/10 @ 7:00 PM. MSBA has been out looking at both buildings and discussing the various setups and circumstances.
- Tom - Finance Committee meets this Thursday.
- Steve - the DPW Building Committee met for the first time today and have been working on an RFP for design services and will be trying to get out as soon as possible.
- Ernie - PACC Committee did meet and has an approved job description for coordinator, believe this has been placed out for advertising. Kerry has reviewed the job description and has asked that this be placed on the agenda for the next Personnel Board meeting, possible that they may review/approve next week. PACC has identified a salary range of \$12 - \$18; salary to be funded through the cable licensing fees, not a benefit eligible position.

3. Town Manager Updates -

Kerry asked Jack Rodriquez in to present some information to the board which they requested on the Pavement Management Plan and information on the flooding on New West Townsend Road and finally removal of tank at old primary school.

Jack informed the board that there is some money, i.e.; \$320,000 of Chapter 90 allocation, noted that the plan took a great deal of time and research and would behoove us to stick to the plan as much as possible. Identified roads to be paved this year as Lancaster Ave. to Kilburn rounded off to \$20,000 only for the pavement, should be in the neighborhood of \$130,000 to \$135,000, have contractor coming in tomorrow to assess the project. Also entails drainage work and this should be within the stated amount. Summer Street is on the books and he continues to work diligently with Fitchburg and Leominster. Next on the list is section of New West Townsend Road, also ties into flooding issue of 26/27 New West Townsend Road. Development in which most of the drainage flows into a retention pond, with the storms in the spring, pond flooded over our roadway and into the private property. We are doing the best we can for the

people in that area and with the cooperation of the City of Fitchburg have placed swales and hopefully a backstop, into a cross cut/vert which drains into a wetland area. In doing this project will also tie in the small piece of Northfield Road this way we'll have that whole section tied in with drainage, paving and grading so that all that drainage won't be a low spot but we'll be picking this up and using existing drainage to redirect the flow. Should be able to do this in the vicinity of \$190,000. Noted that for this time of season we're kind of late, New West Townsend Road would be the first road to address with paving and then go to Lancaster Ave. and hopefully all within the \$320,000 allocation. Crack sealing will also be addressed, approximately \$30,000 to \$40,000 out of the general appropriation as preventative maintenance to our roadways. Proposed right off the plan in order, Sunnyhill Road (West St. to Mass Ave.), Elmwood Road, Pioneer Drive, Electric Ave., Hollis Road and hope to get to Eastern and Upland for a total linear feet of 23,800. Drainage work on both New West Townsend Road and Lancaster Ave will be coming out of the general appropriation.

Noted that 98% of the flooding that we saw in the spring was the result of flooding on private property and coming onto the public ways and Jack has been in consultation with town counsel as to where our liability stands.

Paula questioned how does the town make a determination on sizing the drainage pipe and per Jack, he decides on the size of the pipe and that's determined based upon his years of experience. Town doesn't have the money to spend on engineering and noted in some cases we're restricted by driveways in relationship to the level of the roadway and have to be sure that we don't create an issue in trying to cure an issue.

Board expressed appreciation to Jack for his development and implementation of the plan.

Board was also informed that today the Underground Storage tank was removed from the old primary school site by Entech and Enstrat was here to test the area. We have the manifest as we own from cradle to grave, should get the test results report back by next week, in evaluating the samples by site and smell don't expect to have a problem with hazardous materials.

Kerry reminded the board that we went ahead and had this work done as the project was bumped out of funding from HUD because that tank was there, so essentially we had this summer to remove so that we can resubmit the application within the next month.

Dave would like an update from the town manager on the revenues from the increase in sales tax and the state's estimates. Makes sense to wait until mid-October for this report.

Dave questioned advertising for the availability of liquor licenses and per Kerry we were holding off anticipating information from the ABCC on Bengals and as we haven't received any notice from ABCC, expect to advertise for September 1<sup>st</sup>.

Also questioned where we stand on trash receptacles at the lakefront and per Kerry, Emerald Place developer has agreed to purchase the new recycle trash.

**4. Earth Removal Permit Renewals, Bylaw Article IX, Section 9** – Paula reviewed the list, inspection report furnished by Michael Sauvageau, Zoning Inspector (attached). Steve motion to approve, Tom seconded, voted unanimously.

**5. Memorandum of Understanding w/Emerald Place LLC regarding ongoing maintenance of Whalom Lake Waterfront** – Paula outlined the circumstances on the project, Emerald Place and a component of the project is improvements to the Lakefront and one of the concerns of the board is that the area is preserved for public access and use. At conclusion of the improvements they have agreed to deed the ownership and interest in the roadway over to the town. Reviewed the attached Memorandum of Understanding. Kerry called to the board's attention, point 2, talks about 3 years, need to better define the completion of roadway improvements and Item 3 reference to Parcel D, either attach the plan or further identify. Paula would agree with both suggestions and would like to see a reference to the plan that we are working on under item #1 as well. Paula would also like to see that the language under item 3 "As a further protection for any needed parking on the lakefront, which based upon historic usage and traffic counts appears unlikely" is stricken from the agreement. Tom's understanding that everything from the curb to the shoreline is to be deeded to the town and Paula would like to see language that would specify what exactly will be deeded to the town at the completion. Ernie questioned also the fencing and safety concerns along the roadway and per Kerry that's an issue that we're trying to nail down right now. Questioning if there's a state requirement on fences, does the state require them and if so then who will be maintaining. Her understanding is that the town requested this through the State and per Jack Rodriquez whose understanding that there is a strip of land that belongs to the State and on top of that strip of land is the berm and the fence. We did install from the Leominster line to the town beach and we had maintained up until this project began. His recommendation would be that as with most construction projects there's a one year warranty period and whatever comes last with the project, that that is the day that the warranty begins. One year from then is when the warranty period ends and from that point then three year warranty should begin. Paula would direct that to the Planning Board as she is not aware what has been included in the permit.

Tom noted that we have to be very clear about what this Memorandum of Understanding is about, the discussion was about who maintains the green space, any road project is under the project itself. Paula noted that any development that takes place in the community that you are involved; to ensure that the warranty time is implemented.

Steve noted that this is maintenance of the green space and improvements to the sidewalk.

Board concurred that we need to find out exactly what the state's requirements may be.

Per Kerry, they're not looking to make changes to the fence, her recollection was that the fence was along the walkway and they wanted the chain link fence removed from the lake side. Per Tom they talked about removal of the chainlink fence and would be willing replace with a different fence. Kerry will verify and per Jack in recent discussions with the developer they have no intention of replacing the chain link fence. Kerry will bring back information to the board at their meeting in September.

6. **Acceptance of Town Counsel new fee proposal** – Paula reviewed the proposal. Kerry noted that a letter was previously distributed to the board from Attorney Leonard Kopelman that described general services. Paula noted that land acquisition and litigation would be outside this scope. Steve would like to think that we could keep the 36K number down and would expect that these numbers would go down, realizing that last year there were a number of litigation cases which we have no control over. Kerry noted that the 36K is a cap, and they will bill us up to the \$36,000. Noted to the board that as our expenses were increasing this past year, she had held on to some of the invoices and that we received the June bill for \$1,600 which is a slow month for us. Also noted that the questions Jack has for counsel relative to drainage will come under the general services. Dave noted that litigation issues, we can't control, can expect that if we go to town meeting and town counsel and the attorney general review and approve articles voted on, then we should be safe. Motion to accept the fee for general services and cap at \$36,000 move by Tom, seconded by Steve voted unanimously.

7. **Keno License for Vagas Lounge** – The office frequently receives notices from the State on Keno applications and Kerry questioned if this is something that the board would like to see on the agenda or placed in the action file. Paula would request that they be placed in the packets and if there is some objection from any member of the board then it could be placed on the agenda.

8. **Mass Broadband Institute** – Kerry informed the board that this group has been given a significant amount of money to expand broadband to Western Massachusetts. Mass Broadband Institute has confirmed that we will be receiving broadband service which will be coming down Route 2A. They are looking for a designee as the town's representative and are questioning if someone on the board is interested, Tom voiced his interest. Ernie questioning why he can only get broadband and internet and not television. Tom noted that these are important questions as well as who would be disseminating the broadband service throughout the town and these issues will be discussed.

9. **Selectmen Requests:**

a) **MMA's 6<sup>th</sup> Grade Essay Contest** – board voted unanimously to forward information to the school department so that the town could participate in the annual contest.

b) **Home Rule Petition relative to Municipal Health Insurance**; Kerry wanted to bring to board's attention that some communities in the area are submitting home rule petitions, sample attached. Noted that the PEC has been working diligently with the town, but that this option is also available to the town. Dave thinks that we need to start pushing this forward ourselves and is in favor of moving forward on this. Tom's concern is that where we've adopted Section 19, he doesn't know at this point that he's just willing to scrap anything and is a bit ambivalent on whether he supports or not, would like to have more information. If we address health care costs then the insurance crisis would recognize this. Per Kerry the action on the petition would require Town Meeting approval and her reason for putting this on was to see if there's any interest from the board in putting this on for a future town meeting. Paula would agree with Tom and by the town adopting Section 19 and working with the PEC she would also need more information before moving forward. Steve is in the middle on this one, sees it as getting the health insurance out of collective bargaining and we've done that. We have to work in partners with the unions and noted that the health insurance costs are crippling. He would support a home rule petition but feels that we still have to work with these people and that the group we have right now (PEC) has been working with us, but time and people can change.

Kerry will get an answer from Town Counsel on whether the adoption of Section 19 would preclude us from submitting a home rule petition. Dave acknowledged the working relationship that we have had with the PEC, but noted that sometimes we have to move things along and not losing sight of what the PEC has done for us.

c) **United Nations Day** – Kerry request that United Nations sends out and is questioning whether the board wants to act on this. Tom has no problem and understands that we generally have not done these type of proclamations. Paula would agree, and entertain a motion that we issue a Proclamation declaring October 24, 2010 as United Nations Day, Steve moved Tom seconded, voted unanimously.

## OLD BUSINESS

## COMMITTEE APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS

## EXECUTIVE SESSION

1. **M.G.L. Chapter 39, §23B(3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigation position**

Being no further business board voted unanimously to adjourn Regular Session at 8:43 P.M.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant  
Board of Selectmen

Michael J. Sauvageau  
Building Commissioner  
Zoning Official



17 Main Street  
P.O. Box 135  
Lunenburg, MA 01462  
Phone: 978 582 4146  
Fax: 978 582 4148

## *Town of Lunenburg* *Building Department*

August 23, 2010

Board of Selectmen  
17 Main Street  
Lunenburg, MA 01462

Re: Earth Removal Permit Renewals

I have inspected the earth removal sites as requested by your Board and recommend renewal. Below is a list that corresponds to your request with notations on individual sites.

#	Name	Location	status 8/21/2006
1	Ralph Montouri Const.	186 Mass Avenue	inactive, no visible signs of use.
5	A.C. Szocik Inc	easterly Reservoir Rd.	inactive, wooded lot
8	Wm. R. Proctor Inc.	off Mass Ave. Northerly	restored 100%, no visible signs of use.
14	P.J. Keating Co.	W. Side of Fort Pond Adjacent to Lancaster	**see notation below
15	P.J. Keating Co.	Northerly Leom-Shirley Rd. & westerly of Res. Rd. both sides of B&M	Same

16	P.J. Keating Co.	Northerly Leom-Shirley Rd. and easterly of Res. Rd. both sides of Round Rd.	same
17	P.J. Keating Co.	Southerly Leom-Shirley Rd.	same
18	P.J. Keating Co.	Southerly of Leom-Shirley & westerly of Ft. Pond Rd.	same
19	P.J. Keating Co.	easterly of Shirley Res, and northerly of B&M railroad on Shirley town line.	same
27	P.J. Keating Co.	southwest corner of Lunenburg approx. 1300 inland from Leom-Shirley Rd.	same
28	P.J. Keating Co.	westerly side of Reservoir Rd. near Round Rd.	same
29	P.J. Keating Co.	westerly side of Reservoir Rd. south and near Goodrich St.	same
30	P.J. Keating Co.	southeast corner of Lunenburg approx. 2200 inland from Leom Shirley Rd., abutting the Shirley Town line.	same
42	P.J. Keating Co.	Leominster-Shirley Road	same

**\*\*No visible changes to existing parcels.**

31	A.C. Szocik, Inc.	Off Arbor St. entrance from Rt 2A approx. 800' inland.	no noticeable activity
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- 32 Powell, Raymond rear of 395 Goodrich \*\*see below  
approx. 1150'inland  
from C. Nass
- 52 Christopher Crowley 626 Reservoir Road earth removal complete,  
d/b/a MP Crowley Co., Inc. New home under construction.

Permit #32- R.A. Powell-this pit is currently active with some stockpiles on the north and northeasterly side of the pit. The railroad ties have been removed. Screening of compost is currently taking place. All other areas of the pit have no or very limited activity. The pit is clean and orderly. Unused portions remain vegetated.

Permit #14-42 – P.J. Keating- All of the pits and associated activities are being used as in the past. Stockpiling of product as well as recycling of shingles and concrete waste is being conducted in an orderly fashion. A few blasts have occurred on the Lunenburg side of the property this year. The pits associated with the Lake Shirley side of the railroad bridge are used for stockpiling with regard to the buffer area for sound control.

**Emerald Place Development Company, LLC**

Lexington Office Park  
430 Bedford Street, Suite 195  
Lexington, MA 02420

Telephone: 781-860-0031  
Facsimile: 781-861-0065

August 24, 2010

Town of Lunenburg  
100 Massachusetts Avenue  
Lunenburg, MA 01462

Attention: Town Manager Kerry Speidel

Dear Ms. Spiedel:

This Memorandum of Understanding is intended to memorialize an agreement between Emerald Place Development Company LLC ("Emerald Place") and the Town of Lunenburg in connection with the development known as Emerald Place at Lake Whalom. It grows out of our recent meeting with the Board of Selectmen ("BOS") relating to improvements on Lakefront Avenue, which were proposed by Emerald Place.

1. There was a discussion about the proposed improvements along Lakefront Avenue with a focus on (a) traffic and public safety, (b) the desire for added walking area and green space, and (c) the need for adequate parking for the lakefront area. Based on input from the BOS, Emerald Place agreed to modify its proposed improvements to include the already proposed increased green space and sidewalk improvements, and to also increase the parking count from the proposed 14 parallel parking spaces to instead provide for 30 lined spaces on Lakefront Avenue for head on vehicle parking. All parties agreed in principle to the improvement and Emerald Place agreed to take responsibility to make the improvements to the roadway.
2. Future maintenance of the improved roadway was discussed. After a full discussion of the issue, Emerald Place agreed to maintain the new green space along the expanded sidewalk system of Lakefront Avenue for three (3) years after completion of the roadway improvements. Trash collection and roadway maintenance will be the responsibility of the Town after the roadway work is completed, as they are today.
3. As a further protection for any needed parking on the lakefront, which based on historic usage and traffic counts appears unlikely, Emerald Place agreed to make

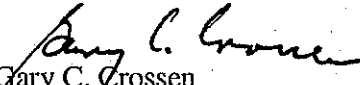
its parcel on the other side of Whalom Road (known as Parcel D) available for overflow parking.

4. Emerald Place and the BOS recognize that there has been a dispute between the Town and the prior developers, Global Property Developers Corporation ("Global") about legal ownership of Lakefront Avenue. In order to resolve that dispute amicably, Emerald Place agreed to deed the ownership interest in the roadway to the Town after the completion of the roadway improvements.

It is the hope of Emerald Place to begin construction on Lakefront Avenue at the earliest opportunity in August 2010. Please execute this document on behalf of the BOS at your earliest opportunity, so that construction may begin.

Thank you for your consideration. If you have any questions, please let me know at your earliest opportunity.

Very truly yours,

  
Gary C. Crossen  
Emerald Place Development Company LLC

Agreed to:

\_\_\_\_\_  
Paula Bertram, Chairman Board of Selectmen

\_\_\_\_\_  
Date

\_\_\_\_\_  
Steven M. deBettencourt, Vice-Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ernie Sund, Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Thomas A. Alonzo, Member

\_\_\_\_\_  
Date

\_\_\_\_\_  
David J. Matthews, Member

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kerry Speidel  
Lunenburg Town Manager

\_\_\_\_\_  
Date





**KOPELMAN AND PAIGE, P.C.**  
*The Leader in Municipal Law*

101 Arch Street  
Boston, MA 02110  
T: 617.556.0007  
F: 617.654.1735  
www.k-plaw.com

June 14, 2010

**Leonard Kopelman**  
Lkopelman@k-plaw.com

Hon. Paula J. Bertram and  
Members of the Board of Selectmen  
Lunenburg Town Hall  
P.O. Box 135  
Lunenburg, MA 01462

Re: Town Counsel Services

Dear Members of the Board of Selectmen:

As I am sure you know, the biggest cost for legal services comes from large court cases. With the exception of fiscal year 2007 and 2008, we have been representing the town of Lunenburg for the last 19 years. For the last five fiscal years that we have been representing the town, namely: 2003; 2004; 2005; 2006; and 2009, our average was \$61,320. This fiscal year is high because of three large litigation cases, one of which is not even being handled by our firm. Once these cases are done, we fully expect to go back to the average cost for Lunenburg. In the meantime, we will cut our hourly rate by \$5.00 to \$170.00, and we will cap general town counsel services at \$36,000 for the forthcoming fiscal year.

1. B36K

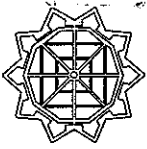
Respectfully submitted,

Leonard Kopelman

2. General Services -  
all meetings, phone  
calls, general questions  
LK/lh reviewing contracts

#402417

→ send ethics commission letters from Brian Riley  
to Len Kopelman



**MASSACHUSETTS  
MUNICIPAL  
ASSOCIATION**

ONE WINTHROP SQUARE, BOSTON, MA 02110

617-426-7272 • 800-882-1498 • fax 617-695-1314 • www.mma.org

sent to loki  
8/13/10

**RECEIVED**

August 5, 2010

AUG - 9 2010

Dear Mr. Alonzo,

**SELECTMEN'S OFFICE**

The Massachusetts Municipal Association (MMA) is pleased to announce the fifth annual MMA **Statewide Essay Contest for 6th Graders**. This initiative raises public awareness, promotes the attributes of good local government and encourages future leaders of Massachusetts to take an active interest in their community activities.

**“If I were elected leader of my community, I would make a difference by...”**

**What:**

The MMA invites 100 cities and towns to participate in the 2010 contest. We are sending this letter to the chief municipal official in each community and the first 100 communities to respond will participate this year. Last year, the MMA received 2200 essays from the 92 participating communities. We are looking forward to an even greater number of participating communities in 2010.

**When:**

**Complete the enclosed sign-up sheet and return it to the MMA by September 10.** By signing the sheet, you give the MMA permission to invite your schools to participate in the contest. In the fall, the MMA will send you, your superintendent and your 6th Grade principals an essay contest kit, which will include a contest poster and information, as well as a link to the MMA website for the contest form and a study guide on local government. We will be inviting your school leaders to distribute the essay materials to all 6th Graders. Students will be able to access contest materials via our website: [www.mma.org](http://www.mma.org).

**Why:**

The essay contest is fun for students and demands little time or preparation from the teacher. It is viewed as an independent student project but can be incorporated into a teacher's lesson plan. The MMA is available as a resource to any teacher, school or municipal official.

**Who:**

All 6th Graders in your public schools are invited to participate. The MMA will award savings bonds to three finalists. The overall winner will be invited to the MMA's Annual Meeting & Trade Show, January 21-22, in Boston. Every student who participates will receive a participation gift. In addition, all teachers who participate will be entered into a random drawing for a prize. The contest deadline for students is November 5th.

If you have any questions, please contact Essay Contest Coordinators, Ellen Stoolmacher or Kristi Williams at (800) 882-1498. We are excited to engage and encourage students to think creatively about local government. We hope you will join our effort by signing up your community today! Thank you for your time, interest and leadership.

Sincerely,

Geoffrey Beckwith  
Executive Director  
Massachusetts Municipal Association

Beverly Mayor William F. Scanlon, Jr.  
President  
Massachusetts Municipal Association

# MMA's Statewide 6th Grade Essay Contest

## Community Sign-Up Sheet

The leadership and commitment of elected and appointed officials is the key to the contest's success. The MMA will count on you to promote the contest, generate enthusiasm for local government, and help make one of your 6th graders the winner. Please consider:

- Publicizing the contest by working with your superintendent, principals and teachers. Alert the PTA, school committee, and community groups.
- Promoting the contest on your community's website.
- Posting the contest materials in city/town hall.
- Announcing the community's participation to local newspapers.
- Visiting your 6th graders to discuss local government and the contest.  
Talk about community service, local government's commitment to citizens and the importance of good leadership. A classroom visit from a local official has a profound impact on the quality of information students possess about municipal government
- Holding a hometown award ceremony at a meeting of your governing board (or at an appropriate event) if one of the winners is from your community.

**NOTE: By completing this form you give MMA permission to invite your schools to participate. Participation by your schools is optional, but MMA will not forward any contest materials to your schools without your signed support of the essay contest.**

### Sign Us Up Today!

As the chief municipal official, our community will participate in the MMA's statewide 6th grade essay contest.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

Fax: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_ Date: \_\_\_\_\_

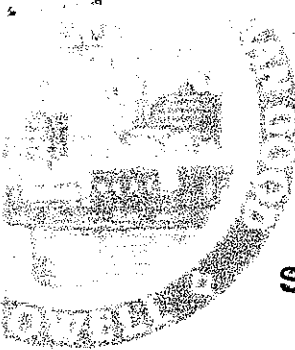
1. Is your community in a regional school district: *Please Circle Yes or NO*
2. Is your **6th grade** included in the regional district: *Please Circle Yes or NO*
3. What other communities in the district include their **6th grade**:

\_\_\_\_\_

**Fax to the MMA by SEPTEMBER 10: (617) 695-1314**



Questions? Contact Ellen Stoolmacher or Kristi Williams at the MMA at (800) 882-1498



Office of the City Manager  
City Hall • 375 Merrimack Street • Lowell, MA 01852  
P: 978.970.4000 • F: 978.970.4007  
www.LowellMA.gov

RECEIVED  
AUG - 4 2010  
SELECTMEN'S OFFICE

Bernard F. Lynch  
City Manager

July 30, 2010

Dear Fellow Local Official:

Once again the efforts of cities and towns to gain some control over budget busting health insurance costs have hit a roadblock on Beacon Hill. This has occurred despite good faith efforts by municipal officials and the Massachusetts Municipal Association to reach some compromise with the major unions that represent local government employees. The loser in these efforts are the taxpayers in each one of our communities that face further cutbacks in services or increased levels of taxes to meet the rising costs.

As municipal officials we have sought the same authority of the state government to design health insurance plans for employees that retain quality coverage but with appropriate parameters of offerings and cost sharing. Where most of our citizens receive managed care products and co-pays of \$15-\$25, local governments still offer outdated and expensive indemnity plans or managed care products with \$5 co-pays. To make modifications to our health insurance programs we face the task of obtaining the near impossible to reach levels of buy-in across our employees groups. In nearly every community across the Commonwealth the explosion of the costs associated with health insurance outstrips the tax growth allowed under Proposition 2 1/2.

Unfortunately, the legislation that has been filed for all of the state's municipalities has made little progress on Beacon Hill. This failure comes in spite of widespread support for change by cities and towns, business groups, taxpayer organizations and editorial pages of the state's largest newspapers.

While efforts to re-file statewide legislation move forward, and planning occurs for a 2012 ballot question, the City of Lowell has taken the additional step of filing a home rule petition that will enable the City to act on behalf of its taxpayers in instituting plan design changes or join the Massachusetts Group Insurance Commission plan. I have attached a copy of the Lowell petition for your review.

I urge each community to file a similar home rule petition in order to obtain this needed authority. At a minimum these acts will retain the momentum that has been gained over the last several months and bring further attention and aid to this important issue. Thank you in advance for your support. I look forward to working with you on this effort.

Sincerely,

Bernard F. Lynch  
City Manager

Attachments

Home Rule Petition – Voted on by Lowell City Council on July 13, 2010

AN ACT AUTHORIZING THE CITY OF LOWELL

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1

Notwithstanding the provisions of chapter 32B and chapter 150E of the General Laws or any other general or special law to the contrary, the City of Lowell is authorized to negotiate and purchase group insurance policies for Employees, Retirees and Dependents without being subject to collective bargaining as defined in chapter 150E of the general laws.

SECTION 2

Further, the City of Lowell is also authorized to alter current and future plan design features, and that such action not be subject to collective bargaining as defined in chapter 150E of the general laws.

SECTION 3

Further, the City of Lowell is also authorized, but not mandated to participate in, and/or join the Group Insurance Commission ("GIC") pursuant to G.L. c 32A, and such action shall not be subject to collective bargaining as defined in chapter 150E of the general laws.

SECTION 4

The provisions of this act shall not affect obligation under any collective bargaining agreement(s), while such agreements are in effect.

SECTION 5

This action shall take effect upon its passage.



# UNITED NATIONS ASSOCIATION OF GREATER BOSTON

44-46 Temple Place • Boston, MA 02111 • Tel: 617-482-4587 • Fax: 617-482-0937 • Email: [info@unagb.org](mailto:info@unagb.org) • [www.unagb.org](http://www.unagb.org)

## OFFICERS

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Arese Carrington, *Vice President*  
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August 9, 2010

Town Hall  
P.O. Box 135  
17 Main Street  
Lunenburg, MA 01462

To: Board of Selectmen, Town of Lunenburg,

October 24, 2010 marks the 65th anniversary of the United Nations. Since 1947, every US President beginning with Harry Truman has issued a proclamation asking citizens to observe this special occasion. This year's celebration focuses on the topic "Engaging America in the Millennium Development Goals".

We hope you will recognize October 24, 2010 as United Nations Day and ask other interested individuals, groups or schools in your community to participate in UN Day.

To mark the day, we encourage you to:

- Issue a proclamation for display at the Massachusetts State House on October 28
  - Sample enclosed (for electronic version, email [info@unagb.org](mailto:info@unagb.org))
  - Please mail the proclamation to UNA-GB
  - Notify local newspapers so they can publish the proclamation on UN Day
- Fly the United Nations Flag
- Encourage educators to conduct Model UN simulations
- Encourage libraries to show displays on the United Nations

We also invite you to attend the UN Day celebration at the State House in Boston, on Thursday, October 28, 2010 from 12:00-2:00 p.m. The program is free and open to the public and will include a reading of the Governor's UN Day Proclamation, a keynote address and musical entertainment.

UNA-GB will be pleased to provide any additional assistance to you or other interested community leaders in planning a local UN Day celebration. For ideas about how your town can commemorate UN Day, or for further information please contact Lena Granberg at 617-482-4587.

We look forward to receiving your proclamation and wish you a most successful UN Day 2010!

Sincerely,

Richard Golob  
President

RECEIVED

AUG 10 2010

SELECTMEN'S OFFICE

**SAMPLE UNITED NATIONS DAY PROCLAMATION 2010: ENGAGING  
AMERICANS IN ACHIEVING THE MILLENNIUM DEVELOPMENT  
GOALS**

**Whereas**, the United Nations was founded in 1945, and the anniversary of the day on which the UN Charter came into force is observed each year on October 24; and

**Whereas**, the United Nations promotes peace and security, development and human rights around the world, and is vital now more than ever; and

**Whereas**, in September 2000, all United Nations member states, including the United States, agreed upon eight Millennium Development Goals to meet the needs of the world's poorest; and

**Whereas**, the Millennium Development Goals provide a common development strategy for the international community, allowing for improved coordination, coherence, and effectiveness at all levels; and

**Whereas**, the Goals address universal issues from poverty and access to education to improving healthcare and environmental sustainability and enjoy unprecedented political support because they are specific and measurable, with a deadline and indicators for monitoring progress attached to each goal; and

**Whereas**, The United States has a long tradition of leading international efforts to improve health, education and economic growth in developing countries; and

**Whereas**, the United States has shown its commitment to the Millennium Development Goals through foreign assistance, progressive trade initiatives, and debt relief measures; and

**Whereas**, the United Nations Association of the United States of America (UNA-USA), in cooperation with other organizations, has declared "Engaging America in the Millennium Development Goals" as its theme for the 2010 United Nations Day commemorations;

**Whereas**, the citizens of \_\_\_\_\_ should participate in all activities related to UN Day;

**NOW, THEREFORE, I** \_\_\_\_\_ officially proclaim October 24, 2010 as

**UNITED NATIONS DAY**

In witness whereof, I have set my hand and caused the seal of \_\_\_\_\_ to be affixed on this \_\_\_\_\_ day of \_\_\_\_\_ in the year 2010.

Seal

Signature