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**BOARD OF SELECTMEN
MEETING MINUTES
9/7/10**

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

PUBLIC COMMENT

Tom mentioned that this Saturday on the anniversary of 9/11 will be the dedication of the Kevin Szocik Memorial Gate @ 3:00 PM. in memory of Kevin Szocik who lost his life in the Twin Towers bombing.

Board requested an agenda item to discuss the November 2nd ballot questions as Tom has some resolutions that he would like discussed by the board.

Ernie will attend the Eagle Scout award ceremony for Boy Scout Troup #1728 on September 19th.

ANNOUNCEMENTS

1. Leominster Credit Union donation to Chester Mossman Teen Center – Mike Sauvageau of 191 Elmwood Road was present to introduce representatives from Leominster Credit Union, Julio Grego, Chairman of the Board of Directors, Butch Bilotta, member of the Board of Directors, Sue Martino, Fundraising Committee Chair for the Teen Center and Michelle Belleza, Director of the Teen Center. Gordon Edmonds, Chief Executive Officer of Leominster Credit Union presented the check of \$5,000.00 to the Teen Center. Funds will be used to implement the bowling program at the center.

Tom expressed appreciation to all those involved with the Teen Center and for the generous donation from the credit union. Steve echoed Tom's appreciation.

APPOINTMENTS

1. One Day Beer & Wine License for St. Boniface Church – Steve explained that this is for the church's Annual Italian Festival, Ernie motion to approve, Tom seconded, voted unanimously.

2. Colonial Power Group – Municipal Aggregation Feasibility Study – Kerry referred to the board's meeting of July where Brian Murphy presented on behalf of Colonial Power Group. Brian reviewed the attached information from the Municipal Aggregation Feasibility Study. Recognized Unitil for all their assistance that they provided to Colonial in their development of the proposal.

Identified the gateways that need to be addressed in order for the town to move forward. Reviewed the Executive Summary with the board in an effort to update the public on this process. In order to achieve municipal aggregation there are statutory requirements that the town must go through and this is part of the implementation process.

Ernie questioned what effect this may have with net metering on the other alternatives for power supply i.e.; solar panels etc. and per Brian this shouldn't effect a program like that at all.

Kerry informed the board that Unitil and other electric company's go out to bid for their supply twice a year and according to the utility provider they are regulated to go out to bid and it's her understanding that we would be allowed more flexibility as such, she has asked for this information.

Per Brian, rather than simply accepting the rate that is passed on to consumers, a municipality can afford itself of the procurement process and take advantage at the more opportune time, to be always present in the market. With the authority to aggregate power you can design how you purchase depending upon the market. We want to deliver the same level of competition that the larger users are afforded and as a municipality we will be able to accomplish this.

Kerry informed the board that for a number of the municipal buildings for natural gas supply we've been doing this for short term, 1 to 2 years and have been able see substantial savings.

Brian also explained the "opt out" option for the consumer and this would be available to them at any time, it's not required that people participate in this program. The call to action is to authorize the Town Manager to release a RFP for consulting purposes to develop the plan that can be reviewed by the board. Article would have to be accepted by Town Meeting (Appendix A).

Consultant is paid based upon a per kilowatt hour charge.

Tom move to authorize the Town Manager to proceed with issuing an RFP for aggregation services, Ernie seconded, voted unanimously to approve.

3. Green Energy Task Force – Grant Proposal – Steve Marsden, Chair of the Green Energy Task Force informed the board that he met last week with Kerry on the grant proposal for a PPA, Power Provider Agreement. The benefits are significant tax breaks from the federal government and tax credits. The power generated through the installation of solar panels at the landfill for electric generation services would be sold back to Unitil. Will be no cost to the town as this is placed solely on the Power Provider, the town would be

furnishing the site at the landfill and this will afford the town the opportunity to save further. Expects that the town should be able to put a 1 megawatt facility at the landfill. The power at the Middle School is a different situation as this is applicable to the school and not the town. If we can get the RFP out before the end of the year, we should be able to begin construction sometime next year.

Dave asked for clarification on the landfill site and whether this will be on just the landfill proper or onto the conservation land. Per Steve M. would just be located on the landfill, we're not losing anything as this land "brownfield" cannot be used for any other purpose. This would also stop the degradation of the landfill cap as the land will be protected, fenced and cameras installed.

Per Kerry a one-megawatt plant would require 7 to 10 acres, which is available at the landfill. If the town were to move forward, generally power companies are looking for a 20 year lease, which would require town meeting approval. Per Steve the installation is on top of the landfill and not dug into the landfill, it's a stable installation. The Selectmen could grant them a 20 year permission so that it wouldn't have to be a twenty year lease.

Steve questioned how long do we have to jump on this, any expected changes through the legislation.

Per Steve M., the risk is all on the power companies and would be no cost to the town. Does have a cost of living escalation where the rate has historically gone up one to two percent per year. Also helps with peak demand charges having those energy credits available would offset the peak demand charges.

Board concurred that this is something that we should pursue and commended the Green Community Task Force for their efforts.

Steve M., will be meeting with Unitil and the DPU next week and will continue moving forward and keep pursuing to bring an RFP to the board.

Kerry has spoken with officials at the Town of Concord Power and Light and has a copy of their documents which we could utilize and the RFP could be written so that if any town meeting action is required this could be written into the RFP.

Tom motion to move forward with a proposal as discussed with the Green Community Task Force, Ernie seconded, voted unanimously to approve.

CURRENT BUSINESS

1. **Determining date for Fall Town Meeting** – Kerry informed the board that we've developed a timeline for different dates in November rather than December. Will place on agenda for next week with a list of proposed items as she has sent an email out to department heads inquiring of any potential articles. Steve questioned if free cash has been certified and per Kerry this has not been done as of yet and she will be having a discussion with the Town Accountant on this issue.

2. **Minutes** - Board of Selectmen regular and executive session for 8/24/10 reviewed and signed.

Warrants – Water Commission #1st Qtr. 2011, 9/7/10 - \$617.80 reviewed and signed.

Action File Issues - none

3. **Committee Updates** –

- Tom Finance Committee met and reorganized a couple of weeks ago, kept the same slate of officers. Discussed what they looked forward to for this budget season.
- Steve has been going to the Sewer Commission meetings, basically they've been going through the process of re-educating the new members. They did have a presentation at the last meeting on GIS and discussion on how this could benefit the department.

4. **Department Updates** - none

5. **Manager Updates** –

- Underground tanks at the old Primary School; received notice back from inspectional contractor that no contamination was found. Expect that the grant application will be re-submitted sometime this fall, will check with Jon Juhl
- Women's Group in town under the leadership of Bea Adams and have named themselves the Ritter's Critters and will be upkeeping the grounds (weeding etc.) at the Ritter Memorial Building. Expressed appreciation to Bea and the "critters".

OLD BUSINESS

1. **Memorandum of Understanding with Emerald Place LLC** – Kerry presented the attached revised copy of the MOU that was received today. Clarification on items #2, the three year period has been clarified to include language "as determined by the Planning Board ..." and on second page reference to parcel D; have furnished a copy of the plan which specifically identifies "parcel D" on Exhibit B. She has spoken with Chair Bertram who informed her that she had no problem with the presentation.

Steve's concern is the reduction in road width at the Leominster/Lunenburg town line as his concern is that the roadway gets under the 26 foot width. Per Tom it's exactly the same.

Dave would like to request some signage directing to "parcel D". Question was asked about parcel D being designated as a parking area and whether it has to meet certain specifications as a parking area.

Tom move to approve the MOU of September 7, 2010, Dave seconded, voted unanimously to approve. Signed by members present and Town Manager.

2. United Nations Day Proclamation – Steve read the following proclamation into the record:

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" its theme for the 2010 United Nations Day commemorations;

Whereas, the citizens of Lunenburg should participate in all activities related to UN Day;

NOW, THEREFORE, I Paula Bertram, Chairman of the Board of Selectmen, officially proclaim October 24, 2010 as UNITED NATIONS DAY

In witness whereof, I have set my hand and caused the seal of the **TOWN OF LUNENBURG** to be affixed on this 7th day of September in the year 2010. **PAULA BERTRAM, CHAIRMAN, BOARD OF SELECTMEN**

3. Mid-managers Contract – signature required – Kerry provided three copies of the DPW Middle Managers contract, this is the actual contract document that was updated by the union and thoroughly reviewed. It was approved at town meeting and the Memorandum of Agreement. Signed by board.

COMMITTEE APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS

1. Personnel Committee Resignation – Dawn Ciccotti – Kerry informed the board of the resignation of Dawn Ciccotti from the Personnel Committee as she has recently accepted employment outside of Massachusetts. Noted that Dawn has been a great resource to the committee, and will be sorely missed as she is an HR professional in private industry. Board accepted and expressed appreciation to all the work that Dawn has put in.

EXECUTIVE SESSION

1. 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

UPCOMING MEETING SCHEDULE

September 14, 2010

September 21, 2010

Being no further business board voted unanimously to adjourn Regular Session at 8:25 P.M. to enter into Executive Session not to return to regular session.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant
Board of Selectmen

1. Executive Summary

STUDY CONTEXT AND OBJECTIVES

As a result of meetings and discussions between Lunenburg Town Officials and Colonial Power Group, Inc. (CPG), CPG pledged to deliver a comprehensive study of the feasibility of implementing a Municipal Aggregation program for the electricity needs of Lunenburg consumers. The study's objective is to determine if and how a Municipal Aggregation program can be designed, implemented, and administered in the Town of Lunenburg.

Municipal Aggregation is the pooling of consumers in a municipality to become a buying group. The municipality then seeks out power supply offers on behalf of its consumers.

In order for a municipality to aggregate, a series of requirements must be met that are delineated in MGL Ch. 164 § 134. These include consultation with the Department of Energy Resources (DOER), proper education and notification of the ratepayers, and submission of the aggregation plan to the Department of Public Utilities (DPU) for final approval.

LUNENBURG'S ELECTRICITY SUPPLY TODAY

Lunenburg's 4640 ratepayers used approximately 55,000,000 kWh of electricity between July 2009 and June 2010. Only 2% of these ratepayers received power from competitive suppliers. Only 1 was a resident, who used 10,751 kWh. This represents .031% of the overall use and .020% of residential use.

Clearly, the residential user has not yet benefited from the 1997 restructuring of the electricity industry. In addition, the price for energy has outpaced normal inflation patterns.

Twelve years ago the residential price per kilowatt-hour of electricity was 2.8 cents. It peaked at almost 13 cents after during the summer of 2008 and is currently approximately 8 cents.

EXAMPLES OF MUNICIPAL AGGREGATION

To date in Massachusetts, there are two aggregations: the Cape Light Compact, and the City of Marlborough. Each has achieved several implementation and operational successes. Both aggregations have learned valuable lessons, and both are functioning well. Both the Cape Light Compact and the City of Marlborough have chosen aggregation as a method of controlling costs, delivering rate stability, and jump-starting competition in the residential marketplace. Each has encountered triumphs and challenges in the implementation and administration of the aggregation plans. However, each is operational, successful, and ongoing.

MASSACHUSETTS RETAIL CHOICE DEVELOPMENTS AND KEY OBSERVATIONS FOR LUNENBURG

Lunenburg's geographic location within the ISO-New England's wholesale market will help to ensure fair pricing for Lunenburg because it lies outside the usual congestion zones of Northeast and Southeast Massachusetts.

Massachusetts was one of the first states to embrace deregulation and Municipal Aggregation in the late 1990s. However, the actual development of competitive retail markets is still a work in progress. The vast majority of the competitive market activity has been targeted to large commercial and industrial customers, with very low participation by residential and other smaller customers.

OPTIONS

A deep and abiding commitment by the Town of Lunenburg may lead to a fully operational aggregation program in as little as six months. By sourcing the design, implementation, and administration to a consulting firm, such as Colonial Power Group, the Town can avoid using tax dollars to fund the program. The Town, instead of Unitil, will exercise local control over the terms and pricing of the city's power supply. This action will help residents and small businesses enjoy the same benefits of a restructured marketplace that big business has enjoyed for years. It will further help bring electric supply competition to Massachusetts.

CONCLUSION

Municipal Aggregation currently offers the only viable way for residents and small businesses to take advantage of the benefits of a restructured marketplace. The Town of Lunenburg has a unique opportunity to continue the process of aggregation to deliver the benefits of local control, consumer choice, and rate stability to its citizens. **The Town of Lunenburg should continue the process in earnest, with all deliberate speed, so that residents and business-owners may enjoy these benefits as soon as possible.**

Emerald Place Development Company, LLC

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

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

September 7, 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, as determined by the Planning Board in consultation with David Ross Associates, the Town's Review Engineer. Trash collection and roadway maintenance will be the responsibility of the Town after the roadway work is completed, as they are today.

3. Emerald Place agreed to make its parcel on the other side of Whalom Road (known as Parcel D and depicted on Exhibit B attached hereto) 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 execute a Quitclaim deed to transfer any ownership interest in the roadway and between the roadway and the shoreline (as depicted on Exhibit A attached hereto) 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 September 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

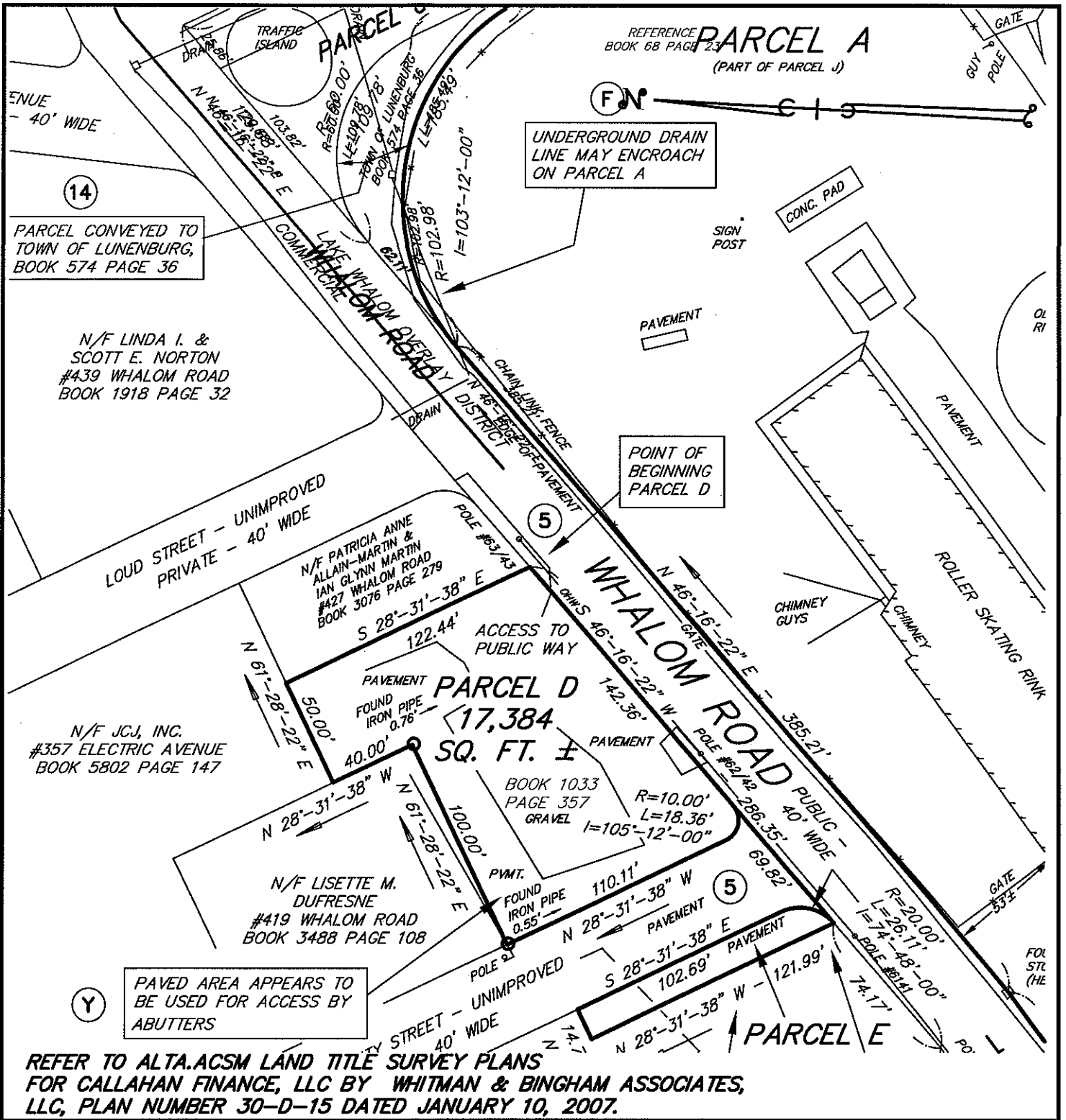
 Date

 David J. Matthews, Member

 Date

 Kerry Speidel
 Lunenburg Town Manager

 Date



WHITMAN & BINGHAM ASSOCIATES
REGISTERED ENGINEERS & LAND SURVEYORS

310 MECHANIC STREET
LEONHARTER, MASSACHUSETTS 01453
TEL. (978) 537-5296
FAX. (978) 537-1423

M.O.U.
ATTACHMENT "B"
PARCEL D
WHALOM ROAD

EMERALD PLACE
AT LAKE WHALOM
LUNENBURG, MA 01462

SCALE:
1"=60'

REFERENCE:
30-D-15 (ALTA)

DATE:
8-25-10

JOB NO:
8787

FIGURE NO:
"B"

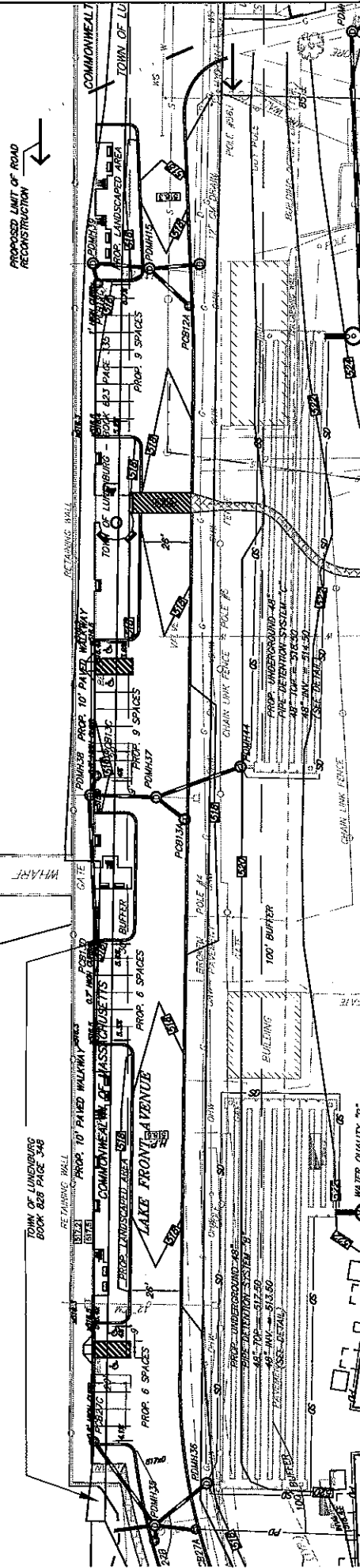
LAKE WHALOM

COMMONWEALTH OF MASSACHUSETTS
 GREAT POND
 ELEV. = 512.34

RESIDENCE A

WHALOM OVERLAY DISTRICT

EXIST. CHAIN LINK FENCE TO
 BE REPAIRED/REFLECTED AS
 NECESSARY



LAKE
 COMMONWEALTH

REFER TO DEFINITIVE SITE DEVELOPMENT PLANS
 FOR "EMERALD PLACE AT LAKE WHALOM" BY WHITMAN &
 BINGHAM ASSOCIATES, LLC, PLAN NUMBER 30-D-15
 DATED JULY 19, 2010, REVISED AUGUST 12, 2010.



WHITMAN & BINGHAM
 ASSOCIATES
 REGISTERED ENGINEERS & LAND SURVEYORS
 100 WASHINGTON STREET
 LUNENBURG, MASSACHUSETTS 01462
 TEL: 978-352-1234

M.O.U.
ATTACHMENT "A"
 LAKEFRONT AVENUE
 LANDSCAPE
 IMPROVEMENTS
 EMERALD PLACE
 AT LAKE WHALOM
 LUNENBURG, MA 01462

SCALE:	1"=50'
REFERENCE:	30-D-15
DATE:	9-25-10
JOB NO.:	8787

"A"

FIGURE NO.: