

12/16 _____ SMM

**BOARD OF SELECTMEN
MEETING MINUTES
9/14/10**

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 7:02 P.M. with the Pledge of Allegiance

PUBLIC COMMENT

Dave expressed appreciation to the Boy Scouts on their 9-11 ceremony, noted that it was both educational and a reminder for everyone. Also noted the dedication of Kevin's Gate, it's a beautiful addition to the field area a memorable event. Senior Class had their electronics recycling drive, expressed appreciation to all for their participation.

Ernie also acknowledged the ceremony and Kevin's Gate as this is a beautiful addition to the community.

Tom noted that that whole area is such a wonderful athletic complex.

Rebecca Lantry, member of Historical Commission clarification on the Jones House and comments within the Sentinel as it was reported sold for \$10,000 which is a total misnomer, this property will be put out to bid and it is a requirement within the bid that this property will retain its historical significance. She is very concerned that in the timetable we set forth; and noted the maintenance that is necessary to prevent any further damage to this historic property.

Kerry informed her that we haven't released the RFP and we were going to take the recommendations from the Historical Commission. Dave noted that Town Meeting needs to approve the sale of that property.

Kerry had our facilities director investigate necessary repairs and has a cost estimate of \$1200 to make a repair to the porch roof where it ties into the house. Tenant had agreed to make that repair last year, which wasn't done and we were not notified of this until a conversation was had with a member of the board, noted that this particular repair is taking place.

ANNOUNCEMENTS

1. State Reps candidate's debate hosted by the Lunenburg Civic Forum, on Monday Sept 27th @ 7:00 pm, Town Hall.

Cultural Council is also seeking funding opportunities, receipt of applications is open until October 15th for cultural events in Lunenburg, email Pete McCarron at WWW.mass.culture.org/mcc/public or call.

Poles are open tonight until 8:00 PM

Yard Waste Days, October 16th to November 20th at closed Landfill, Youngs Road.

Saturday October 23rd, Recycle Your Reusables event at Ayer High School.

APPOINTMENTS

1. **One Day Beer & Wine License for Library's Oktoberfest Event** – Carolyn Sabol, and Jean Cooke Friends of the Library, for a beer and wine tasting to raise funds for the endowment fund for the Library on October 23rd from 7:00 – 9:00 PM. Elena's will be participating as well, cost will be \$20 per person ahead of time and \$25 at the door. There are about 20 local artists who have designed serving trays and these will be auctioned off as part of the event.

Ernie move to approve the one day license, Tom seconded voted unanimously.

2. **Trish Domigan, P.E., VHB Engineering (Summer Street Project)** – To date all of Trish's services have been donated, free of charge and we are at a point where the board needs to determine whether we'll be contributing towards the design.

Trish has been working with Jack Rodriquenz and Kerry for over a year now and the town has applied for DOT Construction which the project was approved. At this point funding for design services is currently not available. 6.3 Million dollar construction cost per the estimates. They have met as well with the Cities of Fitchburg and Leominster for their visions. Reviewed the attached plan. City of Fitchburg has requested a median, which will also be considered for Lunenburg, as well as the installation of sidewalks on the residential side of the roadway. Trish commented on the drastic land use from residential to industrial to retail and could demark the areas by installing "Gateways" such as Welcome to Lunenburg on one side, Welcome to Fitchburg on the other with landscaping.

Paula questioned what the costs would be for the design and Trish referred to the attached proposal which was based upon the construction cost estimate. She would recommend looking at what an alternative proposal would cost and then moving ahead.

Discussed stormwater treatment and what are the ideas. The recommendation would be curbing with a defined gutter along the roadway, with a completely closed drainage system that would drain into some type of retention before draining into Baker Brook. The cost for this is calculated into the proposal, the detention cost is the excavating in itself and the landscape design. As we are reducing the pavement, which is an impervious service and could actually collect the drain off within the grassed areas, the logical area for a detention would be near Baker Brook. Permit for this would be going to the local Conservation Commission and they are working with DEP on infiltration measures and various options.

Inasmuch as we have major developments going in down this section of town, Ernie questioned whether they've looked at traffic signalization. This will be investigated as part of the whole traffic analysis.

Tom questioned what we need to do so that we can time this with the neighboring communities and their willingness to move forward as well. Per Trish, would need to vote to move ahead to secure this project any further, as far as support from neighboring communities, met with Mayor of Fitchburg and she is in favor. The design could be phased in so that you could fund over a number of years and not all at once.

Tom noted that at a price tag of 6.3 million dollars, there is no way without funding opportunities that this will move forward. We need to look forward to fixing this road and need to get this started.

Alternatives analysis would take all the existing data, traffic counts, land use and information from town on whether a two lane roadway, linear park on one side, many options that could develop if they wanted to. VHB could provide models to see which option fits best for the town. Cost is included in the proposal, but it would be taking this component out and doing this separately. Memorandum of Understanding is Trish's recommendation in moving forward between the three communities.

Steve's concern is about the costs to Lunenburg with the split as the bulk of the share is in Lunenburg. The \$460K seems like we're taking the lion's share and noted that we're down hill from Leominster. Per Trish the cost was based upon how much construction was in each town, the linear foot in each community and the construction costs.

Trish also met with MRPC to discuss the TIP for this region and this project is very substantial for their target and would want to put it in a TIP where there are funding opportunities, also may be another round of stimulus funding. MRPC Tip is for five years and from a needs perspective this project ranks 6 out of 24 but even though, this project is dependant upon project readiness.

Kerry believes we have a unique opportunity to fund some of this, as you know we've received funds for the Tri Town project and her recommendation would be to use some of these funds as they will be the area most impacted.

Paula concurred that using these funds is appropriate expenditure and would support placing this on town meeting warrant to move forward. Board concurred and stressed the need to get an agreement in place between the communities.

3. Mark Mitsch, Weston & Sampson, Lake Shirley EAP& O&M Manual – Operations Mtc. and draft operations plan were provided electronically. Provided the update for the EAP which was originally written by Dubois & King. Most of the updates are simply making sure that we have the right contact notifications, phone numbers etc. Flood inundation map is still appropriate and is perfectly fine. Advice is to take ownership of the document, the right people must be responsible for the dam and understand what is within this document.

Three items that we need input on and will be coming from the Town of Shirley, Fire Chief, Dennis Levesque as the flood inundation area is all within the Town of Shirley. Also, need local evacuation procedures from Shirley and information related to their portion of the emergency notification checklist. All the evacuation procedures are completely out of Lunenburg's hands. Paula's biggest issue with the emergency action plan has been the absence of this information and here we are three years later and still waiting for that information. Per Mark, their scope of work was to update the plan for Lunenburg, which is what they did, reviewed the document in its entirety and specific things that have been done, and this is why he encourages the town to take ownership of the plan. Paula would like to understand what the scope of services were as she is still seeing a huge hole, the lack of information from the Town of Shirley.

Mark stated the you don't want to pay a consultant to go online to get a listing of the abutters. What you've paid for was the review and updating the information which we've done. Now have a complete listing of the equipment that is available. Paula noted that she still sees a big hole on the equipment list as the only items listed are from the Lunenburg Water District and when she had done a report for the Hickory Hills Lake Association and she was able to get this information from the DPW, the Fire Department and Emergency Services.

Per Mark with the incorporation of the missing data within the document meets the state requirements and you don't want to pay consultant services to obtain this information. As the plan has not been finalized, no inspections have been conducted as of yet. We were assured that Dennis was working on getting this information to us.

Kerry questioned is it fair to expect the Shirley Fire Chief to put this information together or should we just put this together and per Mark, it should be in collaboration with the Shirley Fire Chief.

Paula expected more would have been done as this is really a reprint of the Dubois & King report. Acknowledged that they have done the operations maintenance plan and other than that, don't see any other changes that were done and wants to go back to the Scope of Services to review what was done. Would have expected that at least at a minimum there would have been a letter requesting this information as we are attempting to gather this information.

Tom would like to think that there is something in the state that we can go back on and per Paula there is nothing in the regulations only that the owners of the dam are required to include a list of property owners downstream and we have a responsibility to at least put this request in writing.

Ernie would like to see who is the responsible department for this, is it the DPW or the Board of Selectmen. Questioned who the dam keepers report to and who are they dealing with, noted that this should be on the document. Also, section 5 and 5.6 of the Operations Maintenance Plan. Believe that this falls into place with the Emergency Action Plan and this should be included so that we meet the obligation of notifying the Emergency personnel.

Per Mark under the monitoring section we could refer to the Emergency Action Plan.

Kerry pointed out that as the EAP was not furnished electronically, she was not expecting to have this level of discussion here tonight as not all members have seen the EAP, she will forward to board members.

Mark discussed the Emergency Maintenance Plan and the process of dropping the water level and the time frames associated with draw downs. Steve noted that we also notify the Shirley Conservation Commission which is a requirement of the Order of Conditions. Mark stated that this language is within the document and added visual references, guidelines to go by. Paula questioned if these actions are being done and per Mark to date this information is being done and is kept within the gatehouse. Paula would like to see as owners that we are able to keep this information and would like to see under section 5.6 "maintain all records". Section 5 maintenance plan and where we are with maintenance and the recommendations made in the plan. We need to have an inhouse discussion as maintenance is an ongoing situation with regards to the crackling and spawling within the dam. It makes sense to clean off the broken concrete and patch, don't want to see the metal exposed and begin to rust.

Tom would recommend that the Order of Conditions be incorporated into the Operations and Maintenance Plan.

Dave noted the repairs that need to be done, specifically we need to identify these costs and address so that we're not talking about this in three years. Many of the issues need to be addressed in house.

Kerry and Jack have heard loud and clear and there are maintenance funds within the budget and this will be addressed this year. As far as trees on private property; they need to go, need to check on whether an easement exists with these property owners.

CURRENT BUSINESS

1. **Community Wish List** – Dawn Proctor and Dawn Johnson have suggested putting together a wish list on projects that departments would like to have done. One example is painting bleachers for the Park Department, would like to get the input from the board so that we can get this out to the departments. Ernie suggested a garden taken care of and maybe in return we can acknowledge who has been taken on some projects with small sponsor signs. Paula noted that she personally is not opposed, but recalled that a number of years ago this was extremely controversial. Tom motion to approve forwarding requests to departments, passed unanimously.

2. Minutes - None

Warrants - #13 11, 9/8/10 - \$123,685.33, #6P 11, 9/16/10 - \$620,201.73 and #12 11, 9/7/10 - \$180,180.35 reviewed and signed.

Action File Issues - None

3. Committee Updates -

- Dave attended regionalization committee meeting last night and the Superintendent's presented proposed budgets. The final analysis is there would be more spending on the Lunenburg side, noted legacy costs and that this is the first draft, interesting beginning to the process. Confirmed that the numbers that Loxi has been using have been working directly with the Town Manager. Per Kerry that question has been asked and is difficult to answer as yes, there is some reduction in workload but we still have to have positions to support the remaining organizations; we still need payroll, accounts payable etc. Won't think that all those funds necessarily go to the regionalization. There have been many conversations on this and most of the information has been taken right off of the Schedule 19 which is an annual report to the State. No decision as of yet as to when it will come to a vote.
- Questioned the status of the Computer Advisory Committee and per Kerry the Technology Director has been running ragged and almost all of her time has been utilized in addressing school related issues. Dave noted that the intent with appointing more computer oriented volunteers would assist her in lightening the workload.
- Dave questioned the "new" fire vehicle and noted that it used to be a policy in town that we didn't add to the fleet and per Kerry it is not a new vehicle, it is an old cruiser that was transferred down. Dave's concern is that adding to the fleet causes increases in maintenance and it seems that we're undermining items upstream. He would like an update as once we go down that road we're going to have to start building more buildings.
- Steve noted that the DPW Building Committee has finalized the RFP for design services and a pre-bid conference is scheduled for September 20th @ 4:30 PM. Paula noted that the committee was only appointed about a month ago and they have really moved ahead with this.
- Paula Planning Board update on subsidizing housing inventory currently at 3.66 and will be meeting September 20th, which will be a workshop to address the goals for Master Planning. Will be looking at the zoning of the community as well as the goals.
- Tom questioned Number 2 on the ballot and how this would effect the Eagle Heights Project, would like to get some input from Mr. Juhl. Kerry spoke with the Townsend Town Administrator and was informed about friendly 40B's, this is something that perhaps Mr. Juhl could pursue the approval process as it comes before the Board of Selectmen. Could also look at an overlay district which Paula noted that this was discussed at the Planning Board last night and whether it would be allowed as an overlay district.

- Tom had the first conference call on the Mass Broadband and they are designing the area that is designated as unserved or underserved. Noted that we were told that this was going to run down 2A and the map that he had was showing them going down Leominster Road. They will be reviewing to ensure that the maps they have are correct or not and will be analyzing the poles and the whole infrastructure. Slated to be done by 2013; and will be connecting municipal buildings, residential and businesses. North Central and Western Massachusetts have not been addressed and the goal is 95% of the residential population will be within ½ mile for access to broadband.
- Ernie attended PACC meeting last night and reviewed Article 12 of the General bylaws; noted that it would behoove us to change some of the language in the bylaw as it is very specific of the meeting time and date, which restricts the committee from having meetings at any other town office, such as town hall. Few other items; term limits with one year hiatus, wanted to look at changing that as it's difficult to get volunteers. Also, there is nothing in Article 12 about expenditure of funds and who is responsible, who authorizes. There is no mention on how this may proceed. They are looking forward to hiring a coordinator soon and this would facilitate the increase in programming. Desire to utilize the old Board of Health offices and Building Inspector's office (Town Hall) for space for the coordinator. Paula spoke with the Town Manager about possible options as the Town Hall areas have been determined to house town departments and as such the Town Manager is going to be investigating other options.

4. Department Updates - None

5. Manager Updates –

- Recently went out to bid for salt; mentioned previously that the cost of salt has increased 25%, last year the bid \$64.12 per ton and this year we received bids for \$48.56 per ton. We're working with the Shrewsbury consortium and the reason we purchase so much in the beginning of the year is because there were years where salt was scarce and we have an area to store the material.

OLD BUSINESS

1. Ch.44, §3B Budget Transfer, FY2010 (correction) – End of Fiscal Year Town Accountant brought to you the adjustments for FY10 and this was omitted, Tom motion to approve, voted unanimously.

2. Schedule Special Town Meeting – Per attached scenario and potential articles Kerry's preference would be 11/16/10. As Steve voiced concern on whether we would have free cash certified in time, he motioned to set town meeting for November 30, approved unanimously.

3. Town Manager's Annual Goals – remove investigate regionalizing services with other towns where applicable under goal #2 and provide organizational chart of all departments (exc.school) w/job descriptions & salary qualifications under goal #4.

COMMITTEE APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS

EXECUTIVE SESSION

UPCOMING MEETING SCHEDULE

September 21, October 5, October 12 and October 19.

Being no further business board voted unanimously to adjourn Regular Session at 10.24 P.M.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant
Board of Selectmen

SPECIAL TOWN MEETING

Tuesday - 7:00 P.M.

LUNENBURG HIGH SCHOOL AUDITORIUM

(auditorium is currently available on all these dates)

SCHEDULE SCENARIO'S

	11/9/10	11/16/10	11/30/10
TENTATIVE DATE:			
Advertise per Charter Section 2-7(c)	9/24/10	10/1/10	10/8/10
Warrant open			
Warrant closed @	10/4/10	10/11/10	10/18/10
CAFO/Selectmen/Finance Committee/ Town Counsel review Articles. FinCom, Board of Selectmen submit recommendations on Articles. Selectmen set sequence of Articles.	week of / through Mon - Thurs 10/5/10 - 10/14/10	week of / through Mon - Thurs 10/12/10 - 10/21/10	week of / through Mon - Thurs 10/18/10 - 11/4/10
Warrants Printed	10/15 - 10/22	10/22 - 10/29	11/5 - 11/12
Five Copies of Warrant for Selectmen's signatures. Once signed, forward to Town Clerk for posting. Must be posted at least 14 days before meeting. (no later than 11/17/09)	10/19/10	10/26/10 (not usual BoS mtg) 10/19/10	11/9/10
Warrants Posted and Mailed to Residents No later than:	10/25/10	11/1/10	11/15/10
Prepare Motion Sheet (week of)	10/31/10	11/7/10	11/21/10
Town Meeting	11/9/10	11/16/10	11/30/10

Summer Street Transportation Improvements

Leominster, Lunenburg, Fitchburg, Massachusetts

