



LANCASTER BOARD OF SELECTMEN
Regular Meeting Minutes
Of January 4, 2021

I. CALL TO ORDER

Chairman Jay M. Moody called the Special Meeting of the Board of Selectmen to Order at 6:00 P.M. via ZOOM™. Present were Selectmen Walter F. Sendrowski, Jason A. Allison, Town Administrator Orlando Pacheco, and Executive Assistant Kathleen Rocco.

Meeting ID
868 7953 5306

Invite Link
<https://us02web.zoom.us/j/86879535306>

II. PUBLIC COMMENT PERIOD

6:00 P.M. Opportunity for public to address their concerns, make comment and offer suggestions on operations or programs, except personnel matters. Complaints or criticism directed at staff, volunteers, or other officials shall not be permitted.

Greg Jackson, resident, gave public comment on the following:

As part of an on-going effort to better understand the Town's publication plans for the Scenic Roads Bylaw, I would like to make the following comments at tonight's Select Board meeting:

Here are the Scenic Roads Bylaw milestones that I am aware of:

- *The bylaw was adopted by residents at the Annual Town Meeting on June 22, 2020.*
- *It was approved by the state Attorney General's office on September 30, 2020.*
- *It was posted for public notice on October 1, 2020.*
- *It was reviewed by Town Counsel sometime prior to December 13, 2020.*

Town Counsel stated that the bylaw was consistent with State law and that amendment of the bylaw was not required. He affirmed the conclusions of the AG's Office and restated some of their remarks in his summary.

The Attorney General's Office has confirmed that the new bylaw became effective upon posting on 10/1/20. Over 90 days have passed since that time.

The questions I would like answered are:

- *When will the original text of the Scenic Roads Bylaw be posted with Warrant Article 13 in the "New Code" section of eCode (as it was submitted with the original Citizen's Petition)?*
- *When will the full content of the Chapter 157 Scenic Roads regulation be posted on-line in eCode for public reference?*

-- What is the cost associated with publishing the new bylaw on-line in eCode?

Here is the guidance that the State provides with regard to posting and publishing bylaws:

"Every effort should be made to fulfill the posting and publishing requirements as soon as possible after approval by this Office."

I have appended my earlier inquiry for your reference, but it does not need to be read as part of public comment. I would like to thank you and Dianne for your timely responses to my earlier inquiries.

Sincerely,

Greg Jackson -- Resident
Lancaster, MA

III. APPROVAL OF MEETING MINUTES

- Review and take action on Regular Meeting Minutes of December 7, 2020 and Special Meeting Minutes of November 30, 2020 .

Selectman Allison moved to approve the Regular Meeting Minutes of December 7, 2020 and the Special Meeting Minutes of November 30, 2020. Selectman Sendrowski Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski vote Aye. [3-0-0]

- Review and take action on Regular Meeting Minutes of December 21, 2020.

Selectman Allison moved to approve Regular Meeting Minutes of December 21, 2020. Selectman Sendrowski Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski vote Aye. [3-0-0]

IV. SCHEDULED APPEARANCES & PUBLIC HEARINGS

- Mary Aicardi and Lindsay Katz of the Edward J. Collins, Jr. Center for Public Management to discuss the Human Resource Review.

The Collins Center primary recommendations are:

1. Centralize Human Resources

Centralizing the human resource functions will result in increased professional level human resource services. The Town Administrator's office has the responsibility for primary human resource functions, such as hiring, policy maintenance and distribution, records maintenance, and training coordination. Currently, employees do not have a clear avenue to address human resources concerns, and it can be confusing and sets the stage for different interpretations of policies and procedures. It will also ensure clear and consistent processes.

Recommendation 1.1: It is recommended the Town identify and communicate a contact and secondary contact for employment issues who will serve as a valuable resource for employees. At times, the Town Administrator cannot be available to hear an employee relations concern or field a human resource related question, and a different person needs to be available. This could be the Executive Assistant to the Town Administrator and Board of Selectmen.

2. Centralize the recruiting function

Individual department heads manage talent acquisition in their own way and there is not a formal process that dictates a time table, or ensures steps are followed. Managers conduct their own interviews and reference checks. Many managers do not have the tools or training to ensure standard and compliant interview questions. By centralizing the recruitment process, department heads will be sure to manage their interviews appropriately and file necessary documents accordingly.

Recommendation 2.1: Having a centralized and uniform selection process will ensure tracking of open positions. It is recommended that an onboarding form be created and utilized. It will ensure steps are not missed during the hiring process, that the process itself stays consistent and streamlined, and ensure the Treasurer/Collector is notified of any hires in a timely fashion.

Recommendation 2.2: It is recommended that all applications be sent to the Town Administrator. The Town Administrator will distribute a copy of all applications to the appropriate department head for their review. The Town Administrator will be notified when a candidate is selected, and ensure the proper paperwork is completed, pre-employment checks are done, and new hire paperwork is initiated through the Finance Director and Treasurer/Collector and tracked on a form, as recommended above.

Recommendation 2.3: It is recommended all department heads attend a training on interviewing. This will help empower managers, and ensure the interview questions asked are consistent and appropriate.

Recommendation 2.4: It is recommended the Town adopt a policy regarding references, and train managers on how to document them. A standardized form should be used to document references and be maintained in the selection process folder.

Recommendation 2.5: It is recommended that the process of sending out rejection letters and offer letters be centralized in the Town Administrator's Office, including police and fire in order to maintain proper documentation and consistency in process.

3. Complete a file audit to ensure compliance

The Town Administrator's office houses employee files. CORI records, I-9 Forms, and any medical forms should be filed outside of main personnel files. It is a liability to have these documents in the main employee files.

Recommendation 3.1: It is recommended that the Town complete a self-audit of employee files and ensure I-9 documents are kept separately from the main employee files.

Recommendation 3.2: It is recommended the Town create a procedure to ensure compliance with I-9 regulations which includes requiring I-9 documentation before an employee begins work and maintaining records in a folder separate from the personnel folder.

Recommendation 3.3: It is recommended that the Town complete a self-audit of employee files and ensure CORI documents are kept separately from the main employee files. CORI documents should not be kept longer than 3 years.

Recommendation 3.4: It is recommended that the Town complete a self-audit of employee files and ensure all medical documents are kept separately from the main employee files.

Recommendation 3.5: It is recommended that the Town Administrator coordinate with department heads to review any employee "follow files" to ensure the official file maintained at the Board of Selectmen's Office contains copies of all records kept in individual department files.

4. Plan for increased training

The Town has an opportunity to better plan for an increased amount of training.

Recommendation 4.1: It is recommended that the Town conduct a training needs assessment, and develop a short- and long-term plan to address identified needs.

Recommendation 4.2: It is recommended that the Town create a training calendar to ensure annual trainings, such as harassment and anti-discrimination, are completed as required.

Recommendation 4.3: It is recommended that the Town conduct additional training for supervisory and managerial employees, which should address their specific responsibilities. It is critical department heads, managers and supervisors receive training regarding discrimination (including the ADA and "reasonable accommodations", harassment, performance management and progressive discipline, the Family and Medical Leave Act, and "best practice" interview questions (i.e., what not to ask). Addressing these topics will help reduce liability.

5. Consolidate Human Resources information on the Town webpage

Recommendation 5.1: It is recommended that human resources information be housed together on one "department" page to be more comprehensive and easier to reference.

The Collins Center recommends the following:

- The "Employee Information" tab should be renamed to "Human Resources", and the sub categories on the page should be clearly titled. Employees know exactly what to expect when they click on "Wellness Flyers", for example. "Employee Links of Interest" appears to only include retirement information, and should therefore be named as such.
- The Town's Equal Opportunity and Affirmative Action Policy should be added to the website.
- The Town's employment application is currently on the website. If possible, the application should be converted to a "fillable online" form and be able to allow online submission.
- Job descriptions should be added to the website for employees, managers, and boards to reference.
- A link to the job description can be added to postings for vacant positions for easy access for applicants.
- Information about the Town's Employee Assistance Program should also be added to the web page to provide easier, confidential access to information.
- Policies and/or personnel by-laws should be linked to the Human Resources page for employees to reference as needed.
- Contact information for both benefits related questions and employee relations issues should be added to the website.
- Much like payroll forms, forms for leaves of absence should be added to the website, and made into a fillable form if possible.

6. Vote to modify personnel bylaws

Recommendation 6.1: It is recommended that the Personnel Board be formally dissolved. The Personnel Board has not met since FY2009. The Town has moved the duties of the Personnel Board onto the Board of Selectmen/Town Administrator. Because of this reality and practicality, we recommend the Town significantly modify its personnel bylaws. More and more municipalities

are voting to remove Personnel Boards from their Human Resources management organization, and put HR duties in the hands of the Board of Selectmen, Town Administrator, and/or Human Resources Administrator.

Recommendation 6.2: It is recommended that the Town utilize personnel policies. Human resources has an ever changing landscape. Having human resources as a part of Town bylaws makes it increasingly challenging to keep up to date with legislation and liability. Having the human resources duties be a part of the personnel officer's day to day responsibilities brings a level of professionalism and attention to human resources. The Town should work with Town Counsel on the logistics of switching from a bylaw to a personnel policy plan.

7. Clarify and add transparency to the retirement process

Recommendation 7.1: It is recommended the Town create a termination and post-employment check list that would include items such as vacation payments, unemployment notices, insurance continuation and retirement.

8. Standardize forms for employee leave

Recommendation 8.1: It is recommended that the Town standardize leave request forms. Having a standard leave request form will make tracking employee leaves, including vacation, sick, and FMLA easier.

V. BOARDS, COMMITTEES AND DEPARTMENTS REPORTS - NONE

VI. TOWN ADMINISTRATOR REPORT

1) Senior Tax Abatement Program

Town Administrator Pacheco reported that there are currently 3 individuals who have been approved for the Senior Tax Abatement Program to date. One will be in the Department of Public Works (DPW), one will be at the Lancaster Community Center (LCC) and one will be at the Thayer Memorial Library.

2) ADA Grant

Town Administrator Pacheco announced that the Town received an ADA Grant Construction Grant from the Massachusetts Office of Disability to purchase assisted listening devices and construct the appropriate railings between the Prescott Building and the Library, including any adjustments to the concrete pads to make sure the slope meets the building code. He further noted that the work was identified in the ADA Transition Plan.

3) DOC Covid 19 Testing

The Department of Corrections has sent a follow up to the initial advisory of the on-going Covid 19 testing to be done. Mr. Pacheco noted that included for the Board is how samples will be collected through the sanitary sewer system to avoid interaction and possible exposure to testing within the facilities.

4) Shirley Sewer IMA

Town Administrator Pacheco informed the Board of Selectmen on the "working draft" of a potential sewer services Intermunicipal Agreement with the Town of Shirley, which is being worked on. He noted that if the Board has any comments or concerns to please feel free to forward them to him. He stated that he is working with Shirley's Town Administrator Mike

McGovern to make sure that everything is clearly spelled out regarding the responsibilities and costs.

5) Vacant Storefront Program

Mr. Pacheco is currently looking into the possibility of utilizing the new vacant storefronts program to see if it's a good fit for assisting in the development of the "old" Cumberland Farms site. The Town would have to match any tax credits given by the state so they would be some financial exposure to it. Mr. Pacheco included some if this for the Selectmen to look at, would like some feedback to see if there is any appetite for providing potential tax credits.

6) Building Staffing

Town Administrator Pacheco remarked that the Municipal Offices are currently working at limited capacity to comply with the Governor's most recent Order. He noted that they are going to re-evaluate the staffing levels on January 11, 2021 and will continue to work with the Board of Health and the Fire Departments as need for guidance on compliance.

VII. ADMINISTRATION, BUDGET, AND POLICY
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1. Discuss and review Leominster Water Agreement Acknowledgment (Vote may be taken)

Town Administrator Pacheco reported informed the Board that Leominster City Council is asking for the Town of Lancaster to acknowledge the Water Agreement.

Selectman Allison would like to see the agreement Mr. Pacheco is referring to. He further noted that Lancaster will need to be kept in the loop regarding all conversations in this matter.

2. Discuss the topic and status of Memorial School re-use.

Win Clark, resident and member of the Recreation Committee suggested that the Memorial School re-use Committee be re-established and have a Request for Proposal (RFP) for the Memorial School. He would like to know the status of the Memorial School as this time.

Town Administrator Pacheco commented that the ability to do anything with the Memorial School was severely limited when the Town received a grant for the Thayer Memorial playground, because the town ended up putting indirectly a conservation restriction around the building, the building itself is not part of the restriction, but all the real estate around the building. He noted that this is spelled out in the Land Water Conservation Grant that the Town received, making the building almost impossible to use.

Mr. Pacheco would like the Reuse Committee to see what the liability and limitations are regarding the Conservation Restriction.

Victoria Petracca would advocate that they pin down all this with a good site plan.

Mr. Pacheco noted that the Town has a pretty good survey to work off regarding the Memorial School. He further stated that he will sit down with Mr. Clark and Mrs. Petracca and review the plans to get things worked out.

3. Solar Stop Work Orders Update

Town Administrator Pacheco stated the call to Town Counsel K/P Law has been moved to Tuesday, January 6th.

Chairman Moody asked if the attorney assigned will have experience in wetlands. Mr. Pacheco stated in the affirmative.

4. Stop work orders procedures

Chairman asked Mr. Pacheco regarding the recent stop work orders to College Town Inn as well as the Kalon Farms; noting that the Fire Chief and the Building Inspector placed the stop work orders on College Town Inn, but the stop work orders from Kalon Farms came from the Selectmen's office.

Town Administrator Pacheco noted that with regards to Kalon Farms, it was to provide administrative support, but the code violations came from those departments.

Selectman Allison stated that how can the Town make this process easy to consume so business owners can understand and the Town Staff not worry about the process. He would like to see a process/template regarding these procedures. He further noted that the Town Staff needs to be supported.

Selectman Allison would like to see the process for all businesses being treated the same. Noting that there have been recently three cease and desist orders, that have all gone out but followed different processes.

Town Administrator Pacheco noted that building codes changes constantly and people are not aware of the codes.

5. Settlement Agreement update

Town Administrator Pacheco reported that that KP/Law and Capital Group are comfortable with everything, except the easement language which has not been discussed. Attorney Eichman from KP/Law noted that the North Lancaster LLC needs to be transferred to 702 Inc. and that has not happened yet.

6. Request to create a Diversity Committee - Denise Hurley

Town of Lancaster resident, Denise Hurley, came before the board to discuss the possibility of forming a committee to promote and celebrate diversity in the Town of Lancaster. She further stated that she would like to have supported space for folks to come into and feel safe to talk about the issues.

Selectman Allison stated that he loved the idea on a personal level, however, as a Selectman does this have to be an official committee. Ms. Hurley stated that she would feel better to have the support of the Town. Selectman Allison asked if this needs to be a town committee?

Selectman Sendrowski stated that this should require some further study regarding this request.

Town Administrator Pacheco stated that maybe a series of discussions could be held at the Library regarding diversity. Ms. Hurley stated that she would think about creating a discussion group regarding this matter.

VIII. APPOINTMENTS AND RESIGNATIONS

Appointments

Economic Development Committee: Roy Mirabito, 944 George Hill Road, Lancaster.

Selectman Allison moved to appoint Roy Mirabito, 944 George Hill Road to the Economic Development Committee, for a three-year term. Term to Expire June 30, 2024. Selectman Sendrowski Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski vote Aye. [3-0-0]

Selectman Allison read the following into the Minutes:

Dear Lancaster residents,

The need for the Economic Development Committee is to ensure the fiscal stability of Lancaster. I believe this committee is critical to sustaining the Lancaster we know today. If as a town we do not work together to increase our commercial and industrial tax base, the landscape of Lancaster will change.

Without a significant increase to this tax base, we will not be able to continue to fund our budget. In turn Lancaster will need to pass a 2.5 override. In addition, I don't believe it will be only 1 override, I believe we will see multiple overrides.

The increase in these taxes coupled with the desirability of homes in this region, will create a tax burden that many Lancastrians will not be able afford. Many families will be forced to move due to this increase in cost and some will choose to move as the burden is not worth it. This attrition will change our landscape. It will change Lancaster.

I'm asking every resident of Lancaster to consider this change. Ask yourself what role you can play in protecting the future of our town. Please consider playing a positive role in the future of Lancaster. Please consider volunteering for the Economic Development Committee.

Thank you

IX. LICENSES AND PERMITS -

License renewals

1. N.E. Fun Centers, Inc., d/b/a Roll-on-America – Common Victualler, Roller-skating Weekdays, roller-skating Sundays, Commonwealth of Massachusetts Rollerskating Sundays, Automatic Amusement Devices Weekdays, Automatic Amusement Devices Sundays
Selectman Sendrowski moved to defer the fees to minimal for the year and to approve the N. E. Fun Centers, Inc. d/b/a Roll-on-America renewal of the following licenses: Common Victualler; roller-skating Weekdays; roller skating Sundays, Commonwealth of Massachusetts' roller skating on Sundays; Automatic Amusement Devices Weekdays; and Automatic Amusement Devices Sundays. Selectman Allison Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski vote Aye. [3-0-0]

X. NEW BUSINESS *

**This item is included to acknowledge that there may be matters not reasonable anticipated by the Chair.*


XI. COMMUNICATIONS

XII. ADJOURNMENT

Seeing no further business, on Motion by Selectman Sendrowski, seconded by Selectman Allison, it was unanimously voted. The Board of Selectmen adjourned at 9:00 P.M.

Respectfully submitted

Kathleen Rocco
Executive Assistant


Jason A. Allison, Clerk
Approved and accepted: 1/19/21