



LANCASTER BOARD OF SELECTMEN

Regular Meeting Minutes

Of February 1, 2021

I. CALL TO ORDER

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

Meeting ID
842 6037 5726

Invite Link
<https://us02web.zoom.us/j/84260375726>

Chairman Moody inquired about the Covid-19 vaccine, noting that local communities surrounding Lancaster are getting vaccine appointments.

II. PUBLIC COMMENT PERIOD - NONE

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.

III. APPROVAL OF MEETING MINUTES

Review and take action on Regular Meeting Minutes of January 19, 2021

Selectman Sendrowski moved to accept the Regular Meeting Minutes of January 19, 2021. Selectman Allison Seconded. Jay M. Moody vote Aye, Jason A. Allison vote Aye and Walter F. Sendrowski vote Aye. [3-0-0]

IV. SCHEDULED APPEARANCES & PUBLIC HEARINGS

6:00 P.M. State Representative Meghan Kilcoyne representing the 12th Worcester District. State Representative Meghan Kilcoyne was sworn in on January 6th, replacing Representative Harold Naughton. Representative Kilcoyne noted that she worked for Representative Naughton for 10 years. She stated that some of the house bills did get passed but has been stalled in the Senate.

She further stated that she is looking forward to establishing a relationship with Lancaster and will be happy to answer any questions the Selectmen may have and to get that dialogue going.

- Discussion on DCAMM in South Lancaster
- Chapter 40B
- Local Aid
- Funding for Senior Centers

- Improvements regarding vaccines in Central Massachusetts
- Affordable Housing Trust

V. BOARDS, COMMITTEES AND DEPARTMENTS REPORTS - NONE

VI. TOWN ADMINISTRATOR REPORT

Town Administrator Orlando Pacheco will update the Board on the status of current projects pending

1) CDBG Microenterprise Grant Program

Town Administrator Pacheco reported that the Community Development Block Grant program for small business micro-enterprise grants is now available and he has reached out to all business certificate holders in the Town. Direct inquiries can also be made to the Town Administrator Pacheco or the Town of Webster Planning Office which is the lead community.

2) Surplus Property

The Town recently sold a 1999 International 6 Wheel Can and Chassis for \$1,500 to a buyer in Tennessee. The cost of transporting items is the buyers responsibilities. The items were sold on govdeals.com

3) MEPA Hearing-Devens

Town Administrator Pacheco announced there will be a MEPA hearing for the proposed Commonwealth Fusion project at Devens via Zoom on Thursday, February 2, 2021 at 1pm.

Join Zoom Meeting

<https://cfs-energy.zoom.us/j/97870650193?pwd=U2lWSnBONkFWY2pvaHI3a29LSHNNUT09>

Meeting ID: 978 7065 0193

Passcode: 006247

More specific details on the project are on the Devens website. Mr. Pacheco furthered noted that he would be happy to forward questions to the Devens Enterprise Commission and the local permitting authority.

4) Food Boxes

The Town is going to be making food boxes available to households who have people homebound as a result of covid19 quarantine periods. Mr. Pacheco stated that he will be working on the distribution with Fire Chief Mike Hanson and Board of Health Chairman John Farnsworth to make sure they can deploy supplies to the necessary households. He further stated that that the Town has recently topped 150 active cases in Lancaster but many households have multiple cases within them. Mr. Pacheco stated that they will have 80 boxes immediate available with more in the potential pipeline as needed. If you, or you know anyone who may benefit from having a food box please have them contact the Board of Selectmen or Fire Department. All names and addresses are confidential and can not take 3rd party referrals.

5) EVIP Grants

Mr. Pacheco stated that he applied for a grant from the MASS DEP to install electric vehicles charging stations at the Elementary/Middle school. He noted that he has already consulted the school

department and will work with them on additional logistics of installation and setup if awarded. Mr. Pacheco stated that he is currently applying for 5 dual charging stations.

6) **Meeting follow up**

As a follow up to the last meeting, Town Administrator Pacheco noted that the Selectmen's Office has not paid any invoices above \$5000 going back as far as 2018 to present. In building maintenance there were 6 expenses above \$5000 in a 3 year period.

7) **Update on Shirley Water District – North Lancaster**

Town Administrator stated that the Shirley Water District currently services North Lancaster coming from 3 wells from Shirley and they are looking to add on a fourth well in Lancaster to help one build a better supply of water, which would be beneficial to Lancaster.

Selectman Allison noted that it is important that there are more utilities in North Lancaster, but asked about how is Shirley building a well on Lancaster land.

Mr. Pacheco noted that the Town of Shirley services that part of North Lancaster, noting its their service territory.

Selectman Allison would like to understand this further, asking that the Shirley Water District put together presentation or packet that could be sent out for the Board's review.

Town Administrator Pacheco stated that that the decision about water in North Lancaster was made over 40 years ago in which the Town's water pipe would end at Lunenburg Road. He further noted that to continue that water pipe at this time would cost millions of dollars and was not cost effective. Mr. Pacheco stated that part of North Lancaster off of Shirley Road and Chisholm Road are already within the Shirley Water District boundary. Mr. Pacheco stated that Shirley Water District could do more to get residents in that part of North Lancaster off private wells so there was a more centralized system.

Greg Jackson, resident, asked about a water source north of the Nashua River , noting that he keeps hearing about a water source at DCAMM. He stated that the town should be looking for water in Lancaster.

Town Administrator Pacheco explained that the questions Mr. Jackson is asking are engineering questions that he does not have at this time, stating that the best person to reach out to would be Scott Miller.

Selectman Sendrowski asked that the town reach out the Department of Public Works and ask them about potential wells and test sites.

VII. ADMINISTRATION, BUDGET, AND POLICY
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1. **Review Memorandum of Agreement between the Town of Lancaster and American Federation of State, County and Municipal Employees Council 93, Local 3720. (Vote may be taken)**

Chairman Moody would like to see the job descriptions in the Clerical Union and would ask to table this agenda item for a future meeting.

Selectman Sendrowski asked if the Selectmen approve this Clerical Union agreement now and get the job descriptions later as it has nothing to do with approval of the contract.

Selectman Allison stated that the Selectmen do play a role in assisting in the bargaining and if the Board wants to wait on reviewing the Clerical Union Contract and feel more comfortable, then Selectman Allison feels comfortable in placing this on the Selectmen's next meeting.

Town Administrator Pacheco stated that this will just delay the implementation of the contract, but does not hurt anyone.

Chairman Moody would like to have the job descriptions, pointing out the Assistant Assessor's job description states that person has access to personnel records.

Town Administrator Pacheco clarified that those are not employee personnel records, those are related to the senior tax abatement program; in which the Assessor's office is only one that has access to.

Chairman Moody noted that the assistant assessor's job description does not reflect personnel records for the senior tax abatement program. He further stated that he would like to see the job descriptions before approving the contract.

Selectman Allison noted that the Board does not have job descriptions for those employees to review and believes it is reasonable to wait to get those job descriptions before approving the contract.

2. Approval of Memorandum of Agreement between the Town of Lancaster and Lancaster Firefighters Teamsters, Local No. 170. (Vote to be taken)

Town Administrator Pacheco explained that Labor Counsel, Nick Anastasopoulos of the law firm Mirick O'Connell was doing the integration, he did not like some of the language from the original Memorandum of Agreement. Mr. Pacheco noted that because of the integration change, they went back to the Fire Union and agreed to refine the language, and in the interest of disclosure and transparency, the Memorandum of Agreement is now back before the Selectmen.

Selectman Allison after reviewing the packet presented, would like clarification on what was changed from the prior Memorandum.

Fire Chief Hanson explained that the only thing that changed was they were making sure the job description and the promotions were in line with each other, noting that the contract had different language for the lieutenant promotion and what the job description for the lieutenant, making sure it meshed together.

Selectman Sendrowski moved to approve the Memorandum of Agreement between the Town of Lancaster and Lancaster Firefighters Teamsters, Local No. 170. Selectman Allison Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski vote Aye. [3-0-0]

3. Accept gift on behalf of the Fire Department in the amount of \$820.00. (Vote to be taken)

Selectman Allison moved to accept a gift on behalf of the Fire Department on the amount of \$850.00. Selectman Sendrowski Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski vote Aye. [3-0-0]

4. Discussion on the Current open positions including the positions for the upcoming annual election.
(J. Allison)

Selectman Allison stated that residents may not fully quite understand when elected positions come

Town Administrator Pacheco explained the following for the upcoming annual election. The Annual Town Election will be held on Monday, May 10, 2021.

- Board of Selectman (1 vacancy, 3 year term)
- Board of Health (1 vacancy, 3 year term)
- Finance Committee (2 vacancies, 3 year term)
- Planning Board (1 vacancy, 5 year term; 1 vacancy, 2 year term)
- Housing Authority (1 vacancy, 4 year term)
- Board of Public Works (1 vacancy, 1 year term; 1 vacancy, 3 year term)
- Library Board of Trustees (2 vacancies, 3 year term)
- Nashoba Regional School Committee (1 vacancy, 3 year term)

5. Continue discussion on the Goals for Selectmen and Town Administrator for rest of year to allow for review. (Jay Moody)

Chairman Moody's list for town goals:

- . Economic Development;
- . Health and welfare;
- . Open town functions and decisions;
- . Thorough understanding of the finances of the Town; and
- . Job description for Finance Committee

Selectman Allison's list for town goals:

- . Budgets – need to manage the budget
- . Economic Development in Town
- . Working closely with the Economic Development Committee

Selectman Sendrowski's list for town goals:

- . Economic Development in North Lancaster
- . Cooperation with developers not roadblock developers.

Town Administrator's list for town goals:

- . Need to look at Zoning and look at the IPOD regarding economic development in North Lancaster.

6. Discussion on Human Resources (HR) job description. (Vote may be taken) (J. Moody)
The Board of Selectmen reviewed the Human Resources Director job description.

Chairman Moody noted that he attended the Zoom meeting for Finance Committee and noted that Jay Riley spoke of the HR Director will be a full time.

Town Administrator Pacheco noted that the position could be shared with other communities. He further stated that he was having conversations with Stow's Town Administrator, but still early in the process. Mr. Pacheco stated that he is still working with the Collins Institute regarding the Human Resource Director.

Selectman Allison reviewed the job description and noted that Mr. Pacheco invested a lot of time in the description, but would like to review one section of the description under supervision. He

would like to strike the entire section of job supervision, noting there can ongoing conversations regarding that matter.

Selectman Sendrowski stated that he believed the HR Director should be independent in order to do their job properly.

Selectman Allison moved to approve the Human Resource Director job description and search with the reporting structure to be determined. Selectman Sendrowski Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski vote Aye. [3-0-0]

7. List of Special Municipal Employees (J. Moody)

Town Administrator Pacheco noted that a list of Special Municipal Employees was created and placed on the website.

8. Every person on zoom meetings to be identified by name (J. Moody)

Town Administrator Pacheco explained the Open Meeting Law regarding accessibility and recording of Meetings. He explained that law states that they cannot mandate that a person identifies themselves via Zoom, provided you are not participating. He noted that he will send to the Town Clerk memo to be distributed to the Boards and Committees with the following language:

Accessibility and Recording of Meetings

We remind public bodies that the Open Meeting Law requires that all open session meetings, even when held remotely, be open and accessible to all members of the public who would like to attend. Just as attendees would not be required to identify themselves if they physically attended a meeting and sat in the audience, a public body should not require individuals to identify themselves for a meeting that is held remotely. Finally, if the public body records its meeting, the Open Meeting Law requires that the chair inform everyone in attendance that the meeting is being recorded.

9. Discussion on what is being done to help solve cease and desist for Bull Spit. (J. Moody)

Chairman Moody asked if whether there's anything being done regarding the cease and desist.

Town Administrator stated that Mr. Kopley is adhering to the cease and desist, and the Town is not doing anything other than communicating with any of Mr. Kopley's architects or engineers.

Selectman Allison stated that the town is doing their due diligence from the fire and police getting the State involved. He further stated that the Town is willing to work with all businesses to make sure that all safety and health guidelines are followed.

Selectman Sendrowski reminded the Selectman that its Kalon Farms are the ones to resolve this issue as they were not in compliance, not the Town of Lancaster.

Town Administrator Pacheco commented that Mr. Kopley has hired some reputable architects and engineers to resolve this issue.

10. Set date three weeks before Annual town meeting for warrants to be submitted, allowing one week for printing and two weeks before meeting for voter access (J. Moody)

Chairman Moody would like to set the date three weeks ahead before Annual Town Meeting for Warrant to be submitted with one week for printing as well as placing the Annual Town Meeting Warrant on the Town's website.

Town Administrator Pacheco stated that he developed a template, which, as requested by Chairman Moody a postcard to send out to the residents with a summary of the Annual Town Meeting Warrant and the dates of the Town Meeting.

Further discussion on having the warrant articles for the Annual Town Meeting ready. Town Administrator Pacheco stated that the articles can be ready by the week of April 12th. He further noted that at a regular Selectmen's meeting there could be a public forum on the warrant articles. Noting that the Annual Town Meeting Warrant would need to be posted by law on April 26th. Mr. Pacheco explained that the town's Bylaw's have the Annual Town Meeting on the first Monday in May, with the Annual Town Election held on the second Monday in May.

Selectman Allison moved to close the Annual Town Meeting Warrant on April 15, 2021. Selectman Sendrowski Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski vote aye. [3-0-0]

11. Discussion on how do we notify voters (J. Moody)

Discussion on mailing postcards to residents.

12. Discussion to set time for open board seats to be advertised, candidate to submit letter of application and Town Administrator to arrange interview and notify chairman of committee in writing of interview and voting date. (J. Moody)

Chairman Moody would like to have all future appointments to various town boards have a deadline in a month's time for applicants to declare interest, rather than first come first serve basis. All appointments will be advertised over town wide email system.

Selectman Sendrowski questioned the process for the appointments, as it has always been done on a first come first serve basis, except for openings for elected positions, which would then be done in a joint meeting.

Selectman Allison agreed with Selectman Sendrowski that there should not be more bureaucracy but noting the appointments have not been going smoothly. He would like to have this agenda item come back at the next meeting and allow the Town Administrator to review the process.

Town Administrator Pacheco commented that this is a governmental entity that's going to have a lot of history and emotions between people who interact in a small community.

Selectman Allison stated that if the Selectmen receive a request to be on a board/committee, they should get an email, and then there should be a grace period to see if anybody else is interested in the opening.

Town Administrator Pacheco would like to develop a process and make sure he understands what the Selectmen's expectations are.

Chairman Moody would like to just advertise the opening for a month, this will get known throughout the town and anybody who wants to apply for it can during that time frame.

Mark Grasso commented on his perspective regarding the appointments, as a past Selectman, he cautioned them to really investigate the process, as it is one of the most important roles the Selectmen have as the town fathers. He noted that many of the appointments serve with statutory legal authority so it's critically important that the process is handled correctly.

Carol Jackson commented that the procedures on appointing are in the bylaws and it is clearly stated on how it should be done.

Town Administrator Pacheco will develop a memo which he will send to the Board for their review and can be addressed at the Selectmen's next meeting. He further noted that it will be concise enough for the Selectmen to formalize it into something that they can move on.

13. Discussion to see the Town Clerks office be independent of any outside interference or influence as they have to operate under federal, state and town laws and bylaws. (J. Moody)

Chairman Moody explained that he would like the Town Clerk's office to be in the same position as the Police Department and Fire Department, regarding being independent for any outside interference or influence.

Town Administrator Pacheco commented that of all municipal employees have federal, state and local laws and ordinances that have to be followed. He further commented that none of the municipal employees should be subject to political interference.

Mr. Pacheco stated that entire confluence of public administration is the navigation between adhering to the laws and dealing with the politics that try to influence. He further stated Chairman Moody is missing making the distinction about the Town Clerk's office without knowing what all other departments do and laws that they have to follow.

Selectman Sendrowski commented that it seems to him that Chairman Moody's request is to set the Town Clerk above all other employees in town, noting that all employees have important jobs, and all have responsibilities.

Selectman Allison asked Chairman Moody if there was a motion, what would it sound like, what does Chairman Moody want to happen.

Chairman Moody explained that the reason for this agenda item was due to the problems with the elections all over the country, noting that he feels that the Town Clerk's office is on the front line with a lot of things.

Marcia Sands, Assistant Town Treasurer spoke to the matter and pointed out that Chairman Moody and Selectman Allison had never gone around to meet the employees and maybe would have a better understanding that the all the employees do in the Prescott Building.

Selectman Allison apologized for not going to office to meet the employees.

Town Administrator Pacheco stated that Selectman Allison and he have a standing meeting once a week and would be happy to take Selectman Allison around to each department and meet the staff.

VIII. APPOINTMENTS AND RESIGNATIONS

Appointments:

Economic Development Committee:

- Rebecca R. Young-Jones

Selectman Allison moved to appoint Rebecca R. Young-Jones to the Economic Development Committee, term to expire June 30, 2023. Selectman Sendrowski Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski vote Aye. [3-0-0]

IX. LICENSES AND PERMITS - NONE

X. NEW BUSINESS *-NONE

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

XI. COMMUNICATIONS

- Town Offices will be closed on Monday, February 15, 2021 in observance of Presidents' Day.
- Next Board of Selectmen's Meeting will be held on Wednesday, February 17, 2021 at 6:00PM via ZOOM.

Town Administrator Pacheco pointed that due to the Holiday, the Selectmen's meeting will be held on Wednesday, instead of Tuesday. He noted that the Board has more conflicts with other boards and committees that meet on Tuesday, such as Conservation Commission and Commission on Disability. He further noted that it makes it easier in terms of managing the ZOOM account and also allows for participation.


Chairman Moody agreed with the change to Wednesdays.

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 8:35 P.M.

Respectfully submitted

Kathleen Rocco
Executive Assistant



Jason A. Allison, Clerk
Approved and accepted:

