



**LANCASTER BOARD OF SELECTMEN**  
**Regular Meeting Minutes**  
**Of September 21, 2020**

**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 and Town Administrator Orlando Pacheco.

ZOOM™ Meeting ID

841 1244 1165

Invite Link

<https://us02web.zoom.us/j/84112441165>

**II. PUBLIC COMMENT PERIOD**

6:00 P.M. – 6:10 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 September 9, 2020.

*Selectman Sendrowski moved to approve the Regular Meeting Minutes of September 9, 2020 with edits. Selectman Allison 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**

- Nashoba Valley Climate Coalition to give an update on the Community Campaign.  
Natascha Finnerty updated the Board of Selectmen on the Nashoba Valley Climate Coalition. She reported the Climate Coalition was created in May 2009 in response to the Paris Accord, which stated that they have 12 years to reduce carbon emissions by 45%; which she noted is a huge challenge.

Ms. Finnerty stated that she was working with Town Administrator Pacheco on what type of things could this community do. She noted that Mr. Pacheco worked on a grant and was awarded a MassSaves Grant for the Town of Lancaster. She explained the MassSaves Grant allows residents to have a home energy audit and based on the audit the home owners are given suggestions on what to do to conserve energy, such as weatherization, heating and cooling.

Ms. Finnerty commented that Community Campaign has had a good turnout, however they still need 12 more residents to do assessments and 35 residents to do weatherize their homes. She concluded that her main concern is how to get more residents to participate in the Community Campaign and how to get the Energy Commission restarted.

## **V. BOARDS, COMMITTEES AND DEPARTMENTS REPORTS - NONE**

## **VI. TOWN ADMINISTRATOR REPORT**

### **1) Green Communities**

Town Administrator Pacheco reported that he has applied for all available rebates from National Grid and the materials have been ordered. Once he has a schedule in place, he will request the prevailing wage rates and move to implementation.

### **2) PFAS Testing**

The Department of Environmental Protection (DEP) will be coming out with a PFAS testing regulation for all drinking water operators. Mr. Pacheco stated the Town has voluntarily tested in the past but moving forward this will have to be part of the routine testing. He further stated that he has spoken the DPW and they will make sure the testing facility is aware. The DEP will also do a voluntary sample in Lancaster at their cost.

### **3) 70/117 Intersection**

A new Notice of Intent (NOI) will be filed with the Conservation Commission. Town Administrator Pacheco stated that the Commission requested that the drainage be diverted to the Nashua River and the updated NOI will reflect the design change. He further noted that no other changes have been made to the project.

### **4) Oil Tank Replacement**

Town Administrator Pacheco reported they are ready to proceed with the Oil Tank Replacement in the Town Hall. He further reported that the Oil Tank Replacement is not covered by insurance, since the tank leak was due to normal wear and tear.

### **5) Devens Household Hazardous Waste Center**

Mr. Pacheco stated that he has attached the most recent financials for the Devens Regional Household Hazardous Water Facility. He stated that the Town is currently running a deficit of \$6,185 year to date based on expenses to revenue; revenues were down due to lack of collections earlier in the year.

### **6) Perkins-RFO Merger**

The merger between the Dr. Franklin Perkins School and RFK Children's Action Corp is now official. Town Administrator Pacheco will be scheduling a meeting in the future with Dr. Ames to discuss various items as it relates to the merger. He noted that he will be asking Police and Fire to join him.

## **VII. ADMINISTRATION, BUDGET, AND POLICY**

1. Vote to approve a Conservation Restriction on land located at 0 Sterling Road, being a portion of Assessors' Parcel ID: 147/041.0-0000-034, which was assigned to the Lancaster Land Trust under MGL Chapter 61A, Section 14.

Bob Lidstone, President of the Lancaster Land Trust, came before to the Board of Selectmen to encourage the Board to approve the Conservation Restriction as presented, noting that this is a

good thing for the Town. He noted the Conservation Restriction is straight forward and is quite compatible for the agricultural land. He noted the bordering lands that are woodlands and wetlands that will help sustain wildlife.

*Selectman Allison moved to approve the Conservation Restriction on land located at 0 Sterling Road, being a portion of, Assessors' Parcel ID: 147/041.0-0000-034, which was assigned to the Lancaster Land Trust under MGL Chapter 61A, Section 14. Selectman Sendrowski Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski vote Aye. [3-0-0]*

2. Review Chapter 61A Notification for a property known as 28 Runaway Brook Road, Lot 18A.  
Selectman Allison asked the Town Administrator if this Chapter 61A Notification was sent to Town Counsel for their review.

Town Administrator Pacheco stated that it was sent to Counsel with the following issues regarding the submittal:

- 1) It does not contain an express statement of the proposed use of the land, although it is possible to infer residential use from the terms of the Purchase & Sale (P&S);
- 2) It does not contain the telephone number of the landowner;
- 3) It does not contain a certification of the P&S; and
- 4) There is no evidence that the Notice was sent to the State Forester, and the Notice contain a notarized affidavit to that effect.

Town Administrator Pacheco stated that this was all resolved on Thursday, September 17<sup>th</sup> as Attorney Notaro resubmitted the Chapter 61 Notification, and all 4 issues were resolved.

Victoria Petracca, 67 Woodland Meadow Drive, stated that she had sent to the Selectmen an email noting that Chapter 61A for 28 Runaway Brook was not a bona fide offer as required by Chapter 61A, Section 14, because it is conditioned on a permit for construction of a 4-bedroom home with a 3-car garage. Mrs. Petracca asked if the resubmitted Chapter 61 Notification still contains language regarding construction of a 4-bedroom home.

Mr. Pacheco confirmed in the affirmative that the language was still there on page of 8 of the document. He further noted that he will ask Town Counsel to review this as well, noting that this may be "use by right" which is not an issue with contingency.

3. Discussion on changing the name of Board of Selectmen to Select Board.

Chairman Moody proposed that the name Board of Selectmen be changed to Select Board, noting that over 50% of the Towns are called Select Board.

Selectman Sendrowski stated that this would have to go before the Town Meeting and then to the State Legislation, noting that the cost would be excessive.

Selectman Allison stated he agreed with Selectman Sendrowski regarding the costs involved and he also noted the pros and cons in this discussion.

Selectman Allison asked that if residents are interested in the name change and want this on the Town Meeting Warrant to contact the Board of Selectmen.

4. Discussion on Metal Detecting on Town owned properties (example - Town Green)

Town Administrator Pacheco stated that he had a conversation with Heather Lennon, Chair of the Historical Commission regarding this subject. He noted that the Town has had more activity in metal detecting on public property. He further stated what has become concerning is digging up the properties. Mr. Pacheco noted that the Town does not have any guidance on this and while the

Town cannot stop people from metal detecting there are concerns in digging and the possibility of hitting utility and gas lines, as well as digging up property that may belong to the Town.

Chairman Moody agreed noting that the Town is very historic and those looking to do metal detecting should seek permission from the Town.

Selectman Sendrowski is in favor of Chair Moody's position.

Town Administrator Pacheco will prepare a draft policy for the next Selectmen's meeting.

5. Resume discussion on proposed additions to the Board of Selectmen Policies and Procedures document and may take action. TABLED to the next Board of Selectmen's meeting of October 5, 2020
6. Resume discussion on the proposal that no two Committees to meet at the same time and that all board and Committee and that all Board and Committee meetings be recorded and available on line and Sterling-Lancaster Community Television for public viewing and within a reasonable time.  
Chairman Moody explained that Boards and Committees should record their meetings and send them to Town Hall Streams, so they can be posted on the website.  
  
Town Administrator Pacheco stated that he will send a memo out to the Boards and Committees regarding using the Town Hall Streams.
7. Resume discussion on the Memorandum Agreement between AFSCME Council 93, Local 3720 DPW Unit and the Town of Lancaster and may take action.  
Selectman Allison still has questions regarding the Union Contract and would like to have an Executive Session regarding this matter.  
  
Town Administrator Pacheco will schedule an Executive Session with the Board in the near future, regarding the Union Contract.
8. Continue discussion on the Town of Lancaster Organization Chart.  
Chairman Moody would like to have the Committees added to the Organization Chart. He further noted that he would like to see the Chart on the home page of the Town's web site.  
  
Town Administrator Pacheco will review the Organization Chart and place the Committees who are appointed by the Board of Selectmen on the chart accordingly.

## **VIII. APPOINTMENTS AND RESIGNATIONS**

### Appointments

Town Forest Committee – Stephanie Stanton, 942 Main Street, term to expire June 30, 2022.

*Selectman Allison moved to appointed Stephanie Stanton, 942 Main Street, to the Town Forest Committee, term to expire June 30, 2022. Selectman Sendrowski Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski vote Aye. [3-0-0]*

Town Green Committee (Ad Hoc) - Term to expire in November, 2020

- . Heather Lennon
- . Carol Jackson
- . Joe Mule
- . John Farnsworth
- . Albert Narbonne

Selectman Allison moved to appoint the following members to the Town Green Committee (Ad Hoc), term to expire in November, 2020: Chair Moody Seconded.

- . Heather Lennon
- . Carol Jackson
- . Joe Mule
- . John Farnsworth
- . Albert Narbonne

Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski Abstains. [2-0-1] Motion passes

Economic Development Committee (Ad Hoc) – Term to expire in Sixty (60) days – November, 2020

- . Philip Eugene
- . Roy Mirabito
- . Don Chaisson
- . Frank Streeter
- . Rebecca R. Young-Jones

Selectman Sendrowski moved to appoint the following applicants to the Economic Development (Ad Hoc), term to expire in Sixty (60) - November, 2020. Selectman Allison Seconded.

- . Philip Eugene
- . Roy Mirabito
- . Don Chaisson
- . Frank Streeter
- . Rebecca R. Young-Jones

Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski vote Aye. [3-0-0]

## **IX. LICENSES AND PERMITS**

1. Friends of Thayer Memorial Library's rental application of the Town Hall Auditorium for the Annual Book Sale, to be held Wednesday, September 30<sup>th</sup> – Tuesday, October 13, 2020.

Selectman Allison questioned how can Town allow to open the Town Hall for the Book Sale, but cannot open town buildings for the public, noting Fire Chief Hanson's letter regarding opening of town buildings.

Kathy Holden, member of the Board of Health stated that the Friends of Thayer Memorial Library did file a plan with the Board of Health, noting that the windows and doors will be open during the Book Sale. She further noted that the Board of Health is following the Commonwealth's recommendations and the plan that was submitted did meet the regulations and guidelines.

Town Clerk Dianne Reardon raised concern regarding the upcoming Early Voting in the Town Hall. Mrs. Reardon will need to have the Town Hall Auditorium completely ready no later than October 14<sup>th</sup>, noting the books must be gone and the Town Hall Auditorium completely cleaned and sanitized.

Susan Munyon of the Friends of the Thayer Memorial Library stated the books will be removed by October 13<sup>th</sup>. She further noted that in the plan submitted to the Board of Health, there will be limited number of patrons allowed into the Book Sale at any one time.

Selectman Sendrowski moved to approve the Friends of Thayer Memorial Library's rental application of the Town Hall Auditorium for the Annual Book Sale, to be held on Wednesday, September 30<sup>th</sup> – Tuesday, October 13, 2020. Selectman Allison Seconded for discussion.

Chairman Moody wanted a guarantee that the books will be removed and the Auditorium is deep cleaned for the Early Voting. Susan Munyon agreed that the books will be removed in time and Town Administrator Pacheco stated that the Auditorium will be deep cleaned.

*Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski vote Aye. [3-0-0]*

2. Friends of Thayer Memorial Library's application for a Temporary Banners on the Town Green for the Friends Annual Book Sale to be displayed on September 22<sup>nd</sup> – October 12, 2020.  
*Selectman Allison moved to approve the Friends of Thayer Memorial Library's application for a Temporary Banners on the Town Green for the Friends Annual Book Sale to be displayed on September 22<sup>nd</sup> - October 12, 2020. Selectman Sendrowski Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye and Walter F. Sendrowski vote Aye. [3-0-0]*

**X. NEW BUSINESS \* - NONE**

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

**XI. COMMUNICATIONS**


- Board of Selectmen's next meeting will be held on Monday, October 5, 2020 at 6:00pm via ZOOM™

**XII. ADJOURNMENT**

Seeing no further business, on Motion by Selectman Allison, seconded by Selectman Sendrowski, it was unanimously voted. The Board of Selectmen adjourned at 7:33 P.M.

Respectfully submitted

Kathleen Rocco  
Executive Assistant



Jason A. Allison, Clerk  
Approved and accepted: 10/5/20