



**LANCASTER SELECT BOARD**  
**Regular Meeting Agenda - AMENDED**  
**Prescott Building – Nashaway Room & ZOOM**  
**Monday, October 16, 2023**  
**5:00 P.M. \***

*In accordance with the Open Meeting Law, please be advised that this meeting is being recorded and broadcast over Sterling-Lancaster Community TV*

**I. CALL TO ORDER**

Chair Stephen J. Kerrigan will call the meeting to Order at 5:00 P.M.\* in the Nashaway Room, located on the second floor of the Prescott Building, 701 Main Street, Lancaster, MA

Join Zoom Meeting

<https://us02web.zoom.us/j/86873998878?pwd=Y1ZXZl1SWmZ4SFpQR2FHcy9WeHFIZz09>

Meeting ID: 868 7399 8878

Passcode: 954354

One tap mobile

+13017158592,,86873998878#,,,,\*954354# US (Washington DC)

+13052241968,,86873998878#,,,,\*954354# US

Find your local number: <https://us02web.zoom.us/j/86873998878?pwd=Y1ZXZl1SWmZ4SFpQR2FHcy9WeHFIZz09>

Additional materials for Select Board meetings are available at:

<https://www.ci.lancaster.ma.us/administration-select-board/pages/meeting-materials>

Residents Have the Ability to Ask Questions via ZOOM.

**II. 5:05 PM – EXECUTIVE SESSION WITH DPW COMMISSIONERS \***

Enter Executive Session

- a. The Select Board will meet in Executive Session pursuant to M.L.G. c, 30A §21(a) for the following purpose:
  - i. Purpose (3): conduct a strategy session in conjunction with the members of the Board of Public Works, the Town Administrator and the DPW Superintendent, to prepare for negotiations with AFSCME Local 3720, the DPW Union.

As Executive Session is necessary to protect the bargaining position of the Town, the Select Board will reconvene in open session thereafter.

**III. APPROVAL OF MEETING MINUTES**

Review and take action on the Select Board's Meeting Minutes from September 18, 2023 (Tabled from 10.2.23 meeting).

**IV. BOARDS, COMMITTEES AND DEPARTMENT REPORTS**

- Government Study Committee Discussion - Overview, Timeline, Charge, Priorities & Membership.



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**V. PUBLIC COMMENT**

*Opportunity for the public to address their concerns, make comments, offer suggestions, or ask questions.*

**VI. ADMINISTRATION, BUDGET, AND POLICY** (Vote may be taken)

- Town Administrator Review (Allison)
- Kalon Farms – Right of 1<sup>st</sup> Refusal, continued from 10.2.23 Select Board meeting. (Turner)
- Building, Electrical & Plumbing Fees Update & Acceptance (TA & Bld. Commissioner Silva)
- Town Meeting Day/Time Preference – Survey Results
- Open Meeting Law Complaint: Heather Lennon filed Complaint against Select Board Chair Stephen Kerrigan

**VII. APPOINTMENTS & RESIGNATION NOTIFICATIONS** (Resignation votes not needed)

Resignations

- Government Study Committee – Christine Burke

Appointments

- Government Study Committee – Susan Munyon
- Tax Fairness Committee – Haidee LeClair

**VIII. LICENSES AND PERMITS**

Applications for use of the Town Gazebo/Town Green

Date of Activity: Saturday, December 2, 2023 from 6:45pm-9:00pm

Contact: Judy Kittler Zmijak

Event: Tree Lighting sponsored by the Lancaster 4-H

Rental Application for Use of the Town Hall Auditorium

Date of Activity; November 29, 2023 – December 3, 2023

Contact: Judy Kittler Zmijak – Lancaster 4-H

Event: Lancaster Festival of Trees

Applications for Use of the Town Gazebo/Town Green

Date of Activity: Sunday, March 12, 2024, from 9:00am – 10:30am

Contact: Judy Kittler Zmijak

Event: Lancaster Easter Egg Hunt sponsored by the Lancaster 4-H

Application for Special (One Day) Liquor License – Beer & Wine

Date of Activity: Sunday, October 29, 2023 from 4:00pm – 8:00pm

Contact: Sterling Street Brewery – Jesse Tarbell

Event: Halloween on the Green



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**IX. COMMUNICATIONS**

- Next Select Board Meetings will be held on Monday, November 6, 2023 at 6:00pm and November 20, 2023 at 6:00pm
- Miscellaneous Correspondence & Memorandums

**X. ADJOURNMENT**

## EXECUTIVE SESSION

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**APPROVAL OF MEETING MINUTES**

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**LANCASTER SELECT BOARD  
Special Meeting Minutes  
of Monday, September 18, 2023, 6:00 P.M.  
Mary Rowlandson Elementary School Auditorium**

**ZOOM:** <https://us02web.zoom.us/j/81481149273>

**Meeting ID 814 8114 9273**

<b>I. CALL TO ORDER</b>
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Select Board Chair Stephen Kerrigan called the meeting to order at 6:00PM in the Mary Rowlandson Elementary School Auditorium Stage, 103 Hollywood Drive, Lancaster, and advised that the meeting was being recorded and broadcast via Sterling-Lancaster Cable Television.

*Additional materials for Select Board meetings are available at <https://www.ci.lancaster.ma.us/administration-select-board> > Meeting Materials.*

Roll call vote taken, Jason A. Allison, present, Alexandra W. Turner, present, Stephen J. Kerrigan, present. Also present, Kate Hodges, Town Administrator.

<b>I. APPROVAL OF MEETING MINUTES</b>
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Ms. Turner moved to accept the minutes of the September 5, 2023 meeting; Mr. Allison seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

<b>III. ADMINISTRATION, BUDGET, AND POLICY</b>
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**1. Kalon Farms – First Right of Refusal**

Ms. Hodges explained that in August, Kalon Farms sent a required notice of intent to sell a two-acre portion of a 4-acre lot for residential non-Chapter 61A purposes. She had written back because the notice did not meet all necessary requirements, i.e., it was unclear which two acres were to be sold. The ANR was received last week; this was approved by the Planning Board earlier in the summer. Ms. Hodges had also asked what the plan was for the remaining two acres in this parcel, but she has not received a response. The Select Board needs to weigh in on whether or not they have interest in acquiring the land, and if so, further action is needed. The price of this lot would be about \$900,000; Ms. Hodges suggested that in her opinion, this purchase would not be in the best interest of the Town. Ms. Turner spoke about Chapter 61 and what a powerful tool it has been to protect open space and to help farmers. She noted that in the past the Select Board has allowed other bodies to purchase land under

Right of First Refusal. Ms. Turner would like, as a matter of policy, to follow up further, with the 120 days. Ms. Hodges noted that applications to the Select Board was not complete until last week. Ms. Turner would like the Select Board to consistently use the time allocated to do something more meaningful, engaging other boards, committees, and interested parties.

Mr. Kerrigan recognized Frank Streeter, Chair of the Planning Board. [Because Mr. Streeter was speaking from the audience without a microphone, his statements were not captured on the recording.] Mr. Allison suggested that Ms. Turner take the next 30 days to work with the Land Trust or other parties. She will report back to the Board at the October 16, 2023 meeting.

## **2. FEMA Flood Maps**

Ms. Turner had requested that this item be added to the agenda. She noted that recent flood maps show changes from previous versions, especially in commercial/industrial areas. Recent maps received are a final draft. Ms. Turner would like people to check their property and/or their neighboring properties. Ms. Hodges noted that she and the Planning Director had met with the GIS people regarding this.

## **3. Disposition of September 18, 2023 Special Town Meeting Warrant Articles**

Mr. Allison moved to endorse Article 1, the New Nashoba Regional High School Building. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

Mr. Allison moved to recommend affirmative action on Article 2, Water Enterprise Commission. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

Mr. Allison moved to recommend affirmative action on Article 3, Supplemental Classification Plan for Emergency Services. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

Mr. Allison moved to recommend affirmative action on Article 4, Amendment to Zoning Bylaws – Accessory Apartments. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

## **IV. LICENSES AND PERMITS**

### **Request for use of the Town Hall Auditorium**

Organization: Friends of Thayer Memorial Library  
Event: Friends of Thayer Memorial Library Annual Book Sale  
Date of Event Tuesday, September 26, 2023 – Wednesday, October 11, 2023

Mr. Allison moved to approve the use of the Town Hall Auditorium by the Friends of Thayer Memorial Library for their Annual Book Sale, Tuesday, September 26, 2023 - Wednesday, October 11, 2023. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

## **V. COMMUNICATIONS**

- Special Town Election called for Monday, September 25, 2023. Polls open from 7am-8pm.
- Select Board's upcoming meetings will be held on October 2, 2023, and October 16, 2023, both starting at 6:00 PM.

## **VI. ADJOURNMENT**

Mr. Allison moved to adjourn the meeting; Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

Respectfully submitted,

Kathleen Rocco  
Executive Assistant

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Alexandra W. Turner, Clerk



## **BOARDS, COMMITTEES & DEPARTMENT REPORTS**

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## Town of Lancaster

701 Main St • Prescott Building  
Lancaster, Massachusetts 01523  
(978) 365-3326

# MEMO

**TO:** Government Study Committee  
**CC:** Lancaster Select Board  
**FROM:** Kate Hodges, Town Administrator  
**DATE:** August 16, 2022  
**RE:** Government Structure Overview

The Government Study Committee was established pursuant to an affirmative action by Town Meeting in May of 2022. The idea of creating a Government Study Committee (GSC) was to engage a group of residents from a wide variety of backgrounds to take a critical look at Lancaster's form of government (FOG), organization of Town boards and committees and whether the creation of a Town Charter would be in the best interest of Lancaster. The Town's current governmental structure is Open Town Meeting – Select Board – Strong Town Administrator.

## I. TOWN CHARTER PURPOSE

A municipal charter is the basic document that defines the organization, powers, functions, and essential procedures of the government. It is comparable to the Constitution of the United States or a State's constitution. The charter is, therefore, the most important legal document of any government entity. Charters are granted either *directly* by a State Legislature, by way of local legislation, or *indirectly* under a general municipal corporation law following a referendum vote of the proposal by the population. In its simplest form, a municipal charter establishes the Town's name, date of incorporation, FOG and its boundaries. The charter also includes the municipality's procedures for electing or appointing its administrative officials and officers. A charter may also outline how the municipality handles certain public services or financial matters, such as the power to tax or to incur debt.

All 351 municipalities in Massachusetts must conform to state statutes when forming a city or Town Charter. Charters are required to outline all details of how the city or Town will be run. The Charter must include the FOG chosen and must detail who has what powers.

A Town Charter is the basic framework of the government form in a community and outlines:

- ✓ Town Name & FOG
- ✓ Number of Select Board or Council Members and mode of election and terms
- ✓ COO Name (Manager or Administrator) and defined roles and contract terms
- ✓ Other governmental bodies, or officials, and their means of appointment or election
- ✓ Town Moderator term and means of appointment

- ✓ Designation of a legislative branch (ex. Open Town Meeting) including size, term, composition, and what authority it encompasses.

## II. FORMS OF GOVERNMENT (FOG) IN MA

There are four basic forms of government which municipalities in Massachusetts may implement according to state legislation. Many Massachusetts communities also utilize Town Meeting as their main legislative branch. Town Meeting is a unique form of legislation almost entirely based in the Commonwealth and is not seen in other parts of the United States. There are four ways that communities are governed in the State of MA which include:

- (1) Mayor-Council,
- (2) Council-Manager,
- (3) Open Town Meeting/Select Board/Town Manager or Administrator, and
- (4) Representative Town Meeting/Select Board/Town Manager or Administrator.

Mayor-Council Form: The Mayor-Council FOG is seen mostly in cities in Massachusetts, however being a city is not a prerequisite for the Mayor-Council form. The Mayor-Council form of local government parallels the Federal American government almost exactly. Both have an elected legislature and executive branches that are elected separately. Voters elect a Mayor and a Council through open elections. As the chief executive, the Mayor appoints key officials and boards, however the Council may also have the power to appoint certain boards. In this system, very few boards and/or commissions are elected by the public. The Mayor is also the creator of the budget and oversees unions, contracts, personnel, and the complete administration of the city. In terms of legislative powers, the Council adopts the rules and regulations of the city after a series of public hearings or solicits resident input via referendums (votes).

Council-Manager Form: The governing legislative body in this system is the Council who are elected by the voters of the municipality. Their main responsibility is to provide legislative direction to the Manager. The Council also adopts budgets, laws, and may be able to approve or veto certain appointments made by the Manager. In this system, the Council is comprised of five to nine members that involve a Council President as its head. The Manager acts as the chief executive and administrative officer for the community. The Manager is appointed by the Council. The responsibilities of the Manager include the day-to-day and overall operations such as appointments, budgets, contracts, and union management. Similar to the Mayoral FOG, the legislative body in this form either includes Council-led referendums or, in some cases, a Representative Town Meeting legislative process which is discussed in more detail below.

Open Town Meeting-Select Board-Town Manager/Administrator: This FOG has three different aspects to it: Town Meeting, Select Board, and Town Manager or Administrator. Since the legislative body is made up of all citizens of the municipality there are many different opinions considered. In this FOG, an Open Town Meeting acts as the legislative body of the Town. All citizens who are registered voters meet on a given day(s) and place to elect certain board or committee members, including the Select Board, and to accept or reject other policy decisions or bylaws. The voters are given an opportunity to debate and vote on budgets, by-laws, and other issues brought forward during Town Meeting. The Select Board is generally three to five members elected by the people and collectively they make up the executive branch of the

government. The Select Board members appoint the Manager, certain board or committee members, and set municipal policy and goals.

The Town Manager or Administrator is an arm of the executive body of the Town and serves as the chief administrative, or operations, officer (CAO/COO). This authority allows them to appoint department heads, create budgets, sign contracts, negotiate with unions and run the general administration of the Town. The level of authority which is afforded to the Town Manager or Administrator depends on the language within the Town Charter which outlines their position. If the charter does not clearly define this, then specific authorities are granted through actions and affirmative votes of the Select Board relative to the delegation of duties and of certain authorities.

Town Managers tend to have more central authority than Administrators but in both instances, the differences are defined by the Board, the Town's Charter or some combination of both. The Manager or Administrator takes on the role of Chief Operations Officer (COO) and the individual serves in many capacities taking on various obligations that range from supervising the administration to ensuring the efficiency of Town activities and departments. Another difference in a Managerial FOG versus an Administrative FOG is that a Town Manager generally appoints all non-regulatory board and committee members (Recreation Committee, COA, Disability Commission, Historical, etc.) while the Select Board appoints certain regulatory boards such as the Planning Board, Board of Health, Zoning Board of Appeals and Finance Committee. Elected positions in a Select Board-Managerial FOG are generally restricted to the Select Board, Housing Authority, Town Moderator and those regulated through MA General Law.

The benefit to both the Administrator and Manager FOGs includes the ability for direct and extensive citizen participation – both at the committee level and at Open Town Meeting. In both instances, the Select Board seeks to appoint a well-qualified chief executive and that individual's focus should surround the operational needs of the Town while the Select Board, and the other related Town officials, provide policy direction and bylaw management. *If* there is a downside to this FOG, it would surround the idea of a 'shared' executive branch -- between the Select Board and the Manager/Administrator. If the Board does not clearly define the roles and authorities of the Manager or Administrator, that lack of direction *may* cause confusion regarding what responsibilities belong to whom and who supervises and is responsible for staff development and productivity. The larger the size of the legislative body, the greater the chances are that some members of the community *may* not be as well versed on issues prior to being asked to vote at Town Meeting. Therefore, regardless of the title – Manager or Administrator, this FOG relies heavily on the Select Board, as the Town's Chief Executives, dedicating time to hold consistent and frequent meetings with the community and their ability to set clear policies and delegate certain tasks and authorities to the Manager in order to efficiently handle Town business.

Representative Town Meeting (RTM)-Select Board-Town Manager/Administrator: Like the previous FOG, this too has three aspects to it: Representative Town Meeting, Select Board and Town Manager/Administrator. In order to create the Representative Town Meeting, a limited number of community members are elected, usually by district, who then represent all citizens at Town Meeting. The size of the RTM varies but can range from smaller than one hundred to more than three hundred. The RTM is the legislative body for the municipality meaning that it debates

and passes budgets, by-laws, and all other issues that arise during the Town Meetings. The executive branch is the same as in the Open Town Meeting form of government. The Select Board and Town Manager or Administrator share the responsibilities of the executive branch. The individual roles of the Select Board and the Town Manager/Administrator are the same as described in the Open Town Meeting segment above. Representative Town Meeting, for some, allows a more pointed or segmented legislative body to be involved in the government than that of an Open Town Meeting. In this form, because the Town Meeting members are elected, they *may* be more likely to be well versed in issues than those who participate in an Open Town Meeting only once or twice a year. The idea, theoretically, is that those who ‘run’ for a representative seat at Town Meeting would have campaigned or lobbied for their appointment and likely would be well informed about Town business. A drawback to this FOG; however, surrounds the community’s ability to truly create a diverse representation of the community within the elected representative body. Additionally, it can be difficult for RTM’s to reach the required quorums or to ensure that all members of the legislative body remain knowledgeable about current issues post-election. This FOG relies heavily on those elected to Town Meeting to self-govern and regulate their personal community engagement in order to stay informed about Town business and represent their district(s) effectively.

### **III.CHARTER CREATION & REVISIONS**

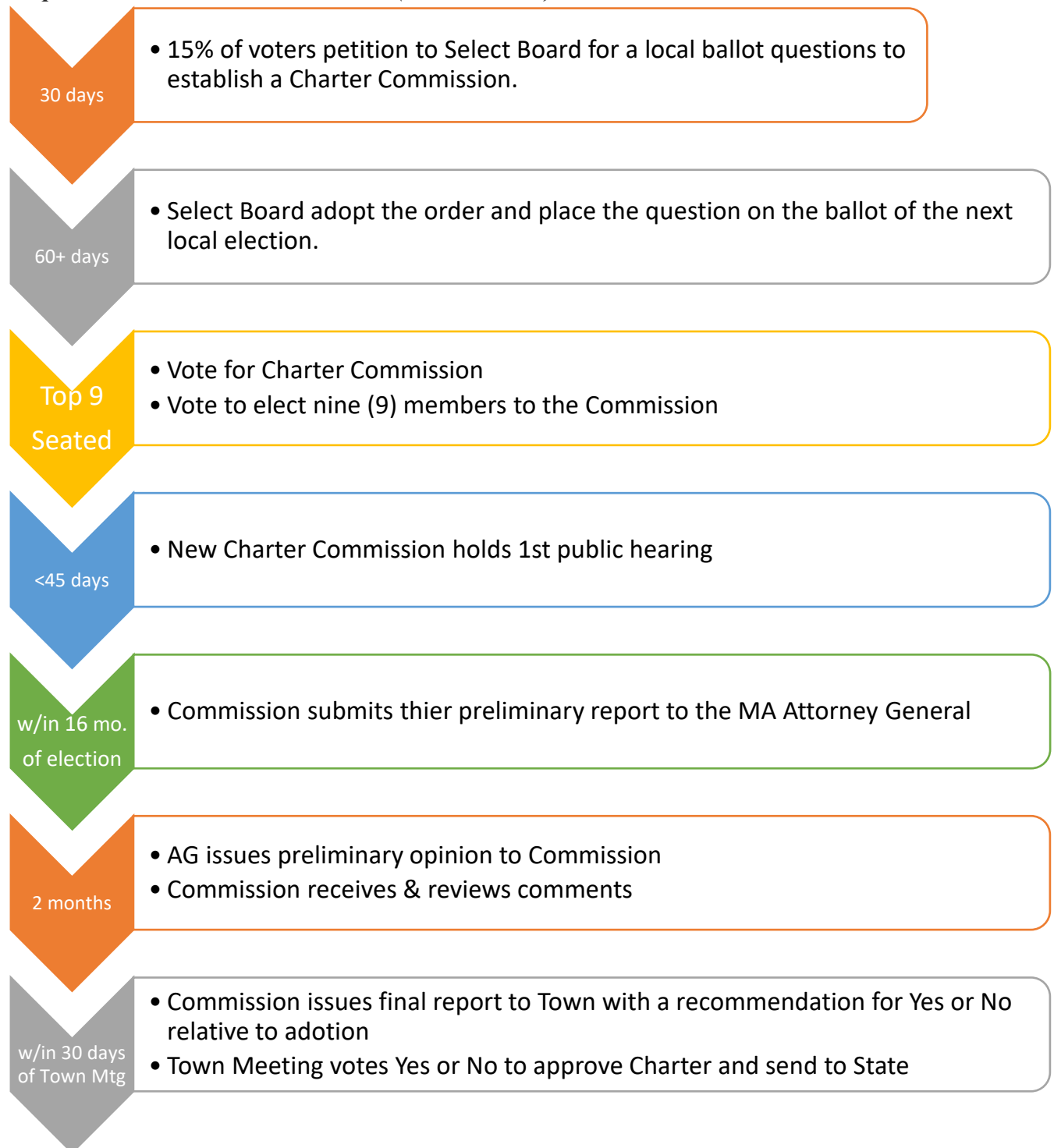
Occasionally, a governmental body may seek to revise its charter. There are several reasons to do so since the charter affects everything the governmental body does. Since it provides the basis for *most* of the municipal regulatory functions and outlines the delivery of municipal services, periodic charter reviews are both necessary and prudent to keep community’s up-to-date. The process of charter changes varies, but in Massachusetts there are two ways to revise municipal charters. The key distinction between the two is the time required to complete the processes.

Home Rule/Charter Commission: Under the Home Rule Amendment to the Massachusetts Constitution and the Home Rule Procedures Act (M.G.L. Ch. 43B), cities and Towns can form a Charter Commission to adopt a new charter, entirely revise an existing charter, or amend selected charter sections. Under Section 3 of Ch. 43B, the process to form a Charter Commission is initiated when 15 percent of the voters petition the Select Board to order a local ballot question on whether to adopt a new charter (or to revise an existing one.) Once the petition and signatures are certified as valid, the Select Board has 30 days to adopt the order and place the question on the ballot of the next regular election. The only caveat to this is that the election must not occur until 60 days have lapsed.

When votes are cast on the question of forming a *Charter Commission*, votes are simultaneously cast to elect nine (9) commission members to the Commission. If a majority of the voters approve the question, the top nine candidates are then seated on the Commission. The Commission, by Statute, must then hold its first public hearing within 45 days of the election and must complete a preliminary report within 16 months of their election to submit to the MA Attorney General for an advisory opinion. The Commission, after receiving the comments from the AG, then moves forward in completing its final report which is due within two months of the AG’s review, or 18 months from the election of the Commissioners. Once complete, Charter Commission

recommendations are then placed before the voters for acceptance or rejection.<sup>1</sup> If the Commission has no recommendation, then no vote occurs.

***Graph A: Charter Commission Route (18-24 months)***

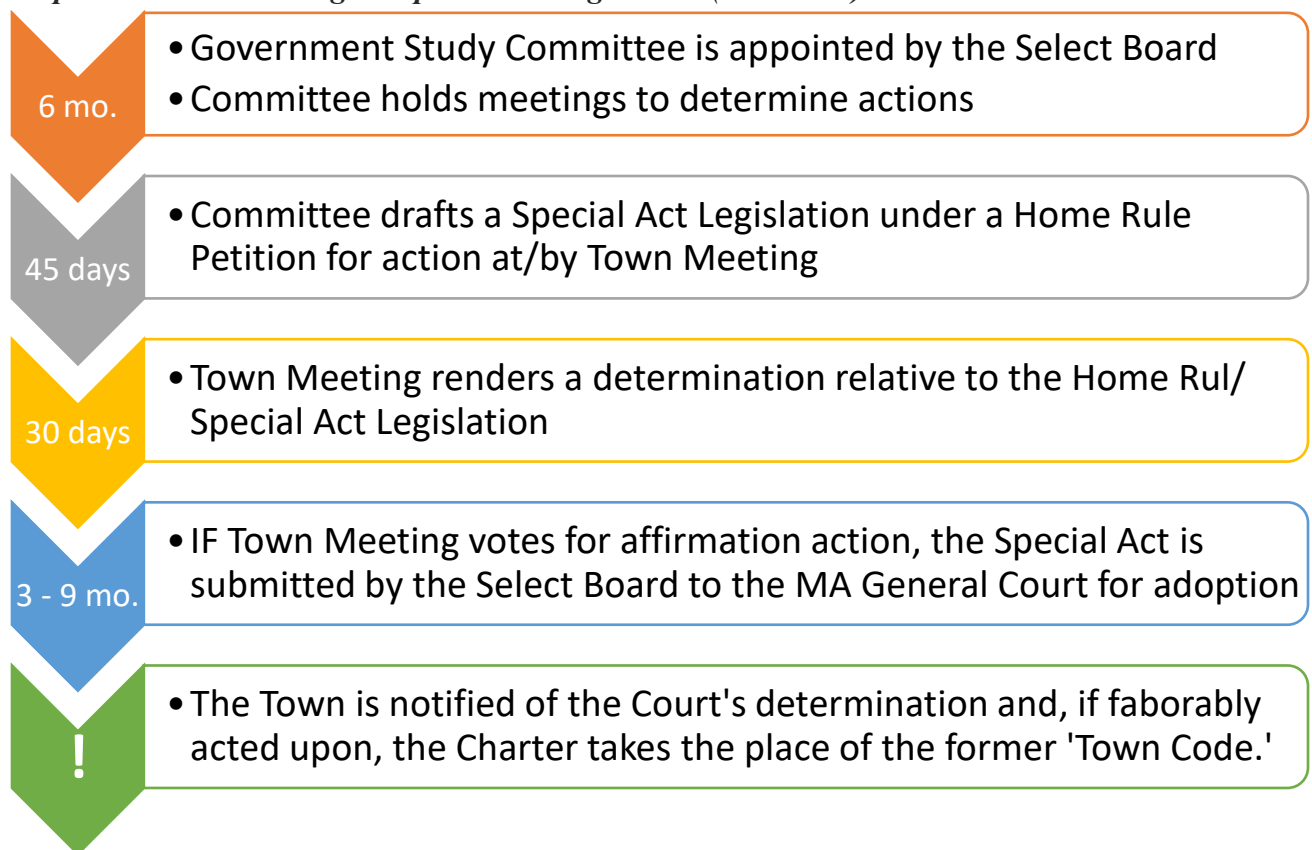


<sup>1</sup> Under Section 10 of the statute, an alternative process which does not involve a charter commission is available to amend a previously adopted or revised charter. Given this would be Lancaster's first Charter, if this path is chosen, we would need a legal review to investigate if we could utilize this method of charter creation.

**Special Legislation:** As an option to the Home Rule Charter process under Ch. 43B, communities can also adopt, revise, or amend a charter through a special act of the Legislature with approval of the Governor. The work of a Charter Commission is directed by statute and involves approximately 18-24 months of time. A special act can *generally* advance more quickly.

**Special Act:** As an alternative, a community can adopt, revise, or amend a charter by a Special Act of the State legislature. Special Acts, or special laws, involving government structure are applicable only to that particular city, or town, and with few exceptions are deemed to have the force of a charter. For towns, the approval of Town Meeting is required. As a matter of practice Town Meeting makes special laws to adopt or change a charter that are contingent on voter (Town Meeting) approval. State law does not mandate or prescribe a particular procedure for arriving at proposed charter provisions when a Special Act is drafted. However, a local government study committee, typically appointed by the Select Board, is a frequently used best method approach. The appointing authority is not restricted in the number of committee members, and will often have the Chair of the Select Board, or Council, serve as the GSC Chair to ensure consistency. The Act also defines the charge of the committee broadly to encompass all aspects of local government or to ensure that certain matters are included within the committee's focus. In its charge, the committee can also be directed to complete its work in a shorter time frame than what the law requires for a Charter Commission as discussed above. Once a charter proposal is drafted as a Special Act, it must be presented to Town Meeting for approval and authorization. Once authorized, it can then be submitted to the General Court for adoption.

**Graph B: Charter Through a Special Act/Legislation (11-18 mo.)<sup>2</sup>**



<sup>2</sup> This timetable presumes that the General Court places the matter onto the docket for review and decides within 3-6 months after receiving the approved Charter from the Board (as approved by Town Meeting).

#### IV. HOME RULE LEGISLATION

Home Rule, or “*self-governance*”, exists in MA and can be accessed when a city or town adopts a charter through the approval of its legislative body and its electorate. Presently, in Lancaster, this is through Town Meeting. With the adoption M.G.L. Ch. 43B (and Amendment Article 89) in 1966, Massachusetts created the ability to exercise local power through the approval of its legislative body (Town Meeting or a City Council) and its voters. Essentially, Home Rule Petitions allow municipalities to exercise local authorities and powers through the adoption of ordinances, laws, and charter regulations.

In Massachusetts, municipalities have limited powers under state law. A Home Rule Petition is a request from a community to the State for a new type of power from the Legislature. One example of this type of power is the ability to enact new tax regulations or exemptions from a certain aspect of state law. If a proposed Home Rule Petition is passed locally, (meaning, receives an affirmative vote at Town Meeting) the local government entity would then send the bill to its State Representative(s) and Senator(s). Those individuals would then seek to pass the action(s) at the legislative level. If successful, the petition then becomes a state law; however, it is a law that only affects that specific municipality.

The strongest exercise of Home Rule rights for any community is through actions within that entity’s charter (or, once a charter change or creation has begun, through that community’s Charter Commission). In that process, the municipality can organize their own local government in a way that best meets the needs of their citizens. This can happen without state approval. There are significant limitations to Home Rule rights including some local actions which require the approval of the State Legislature.

It is important to note that while each governmental body has the ability to propose and accept their own Home Rule Petitions, local laws or regulations can only be upheld by the legislature if the laws and regulations proposed are deemed not to be in conflict with the Commonwealth’s Constitution or any of the MA General Laws. There are specific constitutional clauses (Amendment Article 89, Section 7) which reserve the State’s authority to regulate certain areas of local government – a veto, of sorts, to Home Rule Petitions. These include any municipality’s ability to:

- ✓ govern its elections;
- ✓ set levy limits;
- ✓ assess and collect revenues and taxes;
- ✓ design and implement processes relative to borrowing money or bonding capital projects;
- ✓ pledge a municipality’s credit;
- ✓ dispose of parklands, conservation restrictions or open space;
- ✓ enact private or civil laws; or
- ✓ impose criminal penalties.

The initial responsibility to determine whether certain adopted local provisions (Home Rules) may prevail rests with the State’s Attorney General. Specifically, this duty is assigned to the



Municipal Law Unit within the AG's office. The Law Unit's protocols are listed online and State, *"Whenever a town adopts or amends its general bylaws or laws, within 30 days of adjournment of Town Meeting, the Town Clerk is required to submit them to the Attorney General's Office for review and approval. The Attorney General then has 90 days in which to decide whether the proposed amendments are consistent with the Constitution and the Laws of the Commonwealth. If the Attorney General finds an inconsistency between the proposed amendments and state law, the amendments, or portions of them will be disapproved. The Municipal Law Unit is responsible for undertaking this review and for issuing a written decision approving or disapproving bylaw amendments."*

Regarding either the creation or amendment of charters, the Law Unit's procedures dictate, *"...whenever a city or town seeks to adopt or amend its charter pursuant to the Home Rule Procedures Act, the proposed charter or charter amendments must be submitted to the Attorney General for his opinion as to the consistency between the charter (or charter amendments) and state law. The Attorney General then has 28 days in which to make this determination. The Municipal Law Unit is responsible undertaking this review and issuing a written decision."*

## **V. CONCLUSION**

The Work of the GSC is critical for the Town to be successful in modernizing and conducting business in an efficient and effective manner. That said, there are many decisions and discussions which need to take place at the committee level. As members of the GSC, you will determine what may be in the best of Lancaster relative to its form of government and how Town business should be conducted. This effects Lancaster's current and future community members and businesses.

Each form of government, and the notion of creating a Town Charter, has pros and cons. As a first order of business for the committee, I believe it would be worthwhile for the group to determine whether the creation of a Town Charter would be prudent and, if so, what the best means for devising and adopting a charter may be. Thereafter, the committee may wish to outline a plan relative to drafting and vetting certain language and topic areas within the charter. Additionally, considerations relative to Lancaster's form of government will be essential. What mode fits Lancaster best? Is Lancaster's current structure completely fine 'as-is' or would changes to our current structure or processes add efficiency or greater accountability? Are the separately elected boards or committees a good thing? What boards and committees should be elected?

Answers to each of these questions will likely determine the committee's future agenda items and task priorities. As staff liaison to the committee, I am available to answer questions or provide any information which the group may find beneficial to its work. If there is anything I can provide, please do not hesitate to contact me directory either via email to [khodges@lancasterma.net](mailto:khodges@lancasterma.net) or telephone at (978) 365-3326 x1016.

Thank you.



Town of Lancaster  
701 Main Street • Lancaster, MA 01523  
[www.ci.lancaster.ma.us](http://www.ci.lancaster.ma.us)  
(978) 365-3326

Adopted: 05/16/22

## TOWN GOVERNMENT STUDY COMMITTEE 2022 – 2023

### Committee Mission & Charge

The residents of Lancaster, together during Annual Town Meeting May 2, 2022, voted to establish a Government Study Committee which will work to advise the Select Board on matters related to the structure and effectiveness of Lancaster's form of government.

**BACKGROUND:** Local government operations have seen a great deal of change since Lancaster's incorporation. Developments in technology and changes in Federal, State, and local laws have affected people's lifestyles, the way we govern, and the way citizens and residents interface with government officials. Residents have requested greater transparency and open access to their government. Many Town services exist today that were simply not imagined decades ago. In recognition of these changes, Lancaster residents are faced with several questions and decisions. The formation of a Government Study Committee is based on the idea that a comprehensive study of Lancaster's form of government is both necessary and prudent if we are to operate the Town in an effective, efficient, and transparent manner.

**MISSION:** The Committee's mission surrounds the need for the Town to review the efficacy of Lancaster's current Form of Government and organizational structure. Additionally, the committee will recommend changes to Lancaster's form of government and operations, as necessary, to reflect best practices and assure effective and equitable town management, policy adherence, and the timely and consistent delivery of excellent public service.

**COMMITTEE CHARGE:** The charge and duties of the Government Study Committee shall be to gather, review and make recommendations to the Select Board relative to Lancaster's Form of Government and its overall operation. Recommendations will be made in the spirit of collaboration and transparency and in-line with the goal of improving the Town's efficiency while ensuring the highest levels of professionalism, ethical standards, and transparency.

#### ***General duties of the Committee shall incorporate:***

- A Summation of Lancaster's current form of government and governance practices.
- An examination of the various types of government used throughout the Commonwealth and within various comparable communities.
- The identification of the strengths and weaknesses of Lancaster's *current* form of government.
- Recommendations to the Select Board relative to creating an official Town Charter or making various amendments to the current Town Code, Bylaws, and other governing practices.
- The facilitation of a robust and clear public engagement process that integrates diverse perspectives, comments and notions which are representative of Lancaster's population.

***Care and consideration shall be given to the following questions regarding the structure and operation of Lancaster's government:***

- Is Lancaster's structure of government an effective one?
- Should Lancaster have an official Town Charter?
- Are there changes which Lancaster could make which would increase the Town's efficiencies or better manage the municipal operation more productively?
- Should Lancaster retain its form of government with a Select Board and an appointed Town Administrator?
- Are separately elected Boards, Committees and Town departments an effective and efficient way of governing for the current times? What are the pros and cons for this type of jurisdictional divide?
- Should Lancaster retain an Open Town Meeting as its legislative body?
- Should the Town seek to change, or update, various town job descriptions or revisit the roles and responsibilities of certain Boards and Committees.
- Should Lancaster recommend term limits for its elected officials in the form of an internal policy or board/committee procedures?
- Should changes in the Town's budget process, coordination and review be enacted?
- Should more robust training opportunities be made available for members of public boards and committees covering topics such as conducting board business, meeting rules of engagement, open meeting law and ethical considerations or general member codes of conduct.
- Are there changes the Town can make to improve citizens' access to information or strengthen the communications between Town officials and citizens.
- How can we, as a community, capitalize on the opportunities offered by technology in furtherance of Lancaster's mission and goals?

**REPORTING REQUIREMENTS & DURATION:** A draft report shall be submitted to the Select Board by February 1, 2023. This report may be presented by the Committee and will be discussed in open session where public comment will be received. A final report of the committee's findings including any recommended actions will be provided to the Select Board no later than March 30, 2023, to coincide with publication of the Annual Town Meeting Warrant.

The Committee shall consist of nine (9) members, at large, appointed by the Select Board. The Committee shall appoint a chair, vice-chair, and clerk at their first official meeting. The committee will receive staff support from the Town Administrator or his/her designee. A member of the Select Board shall serve on the Committee as a liaison but shall not have voting rights.

Upon submittal of the final report to the Select Board the committee shall be considered discharged.

# **PUBLIC COMMENTS** ---

## **ADMINISTRATION, BUDGET AND POLICY**

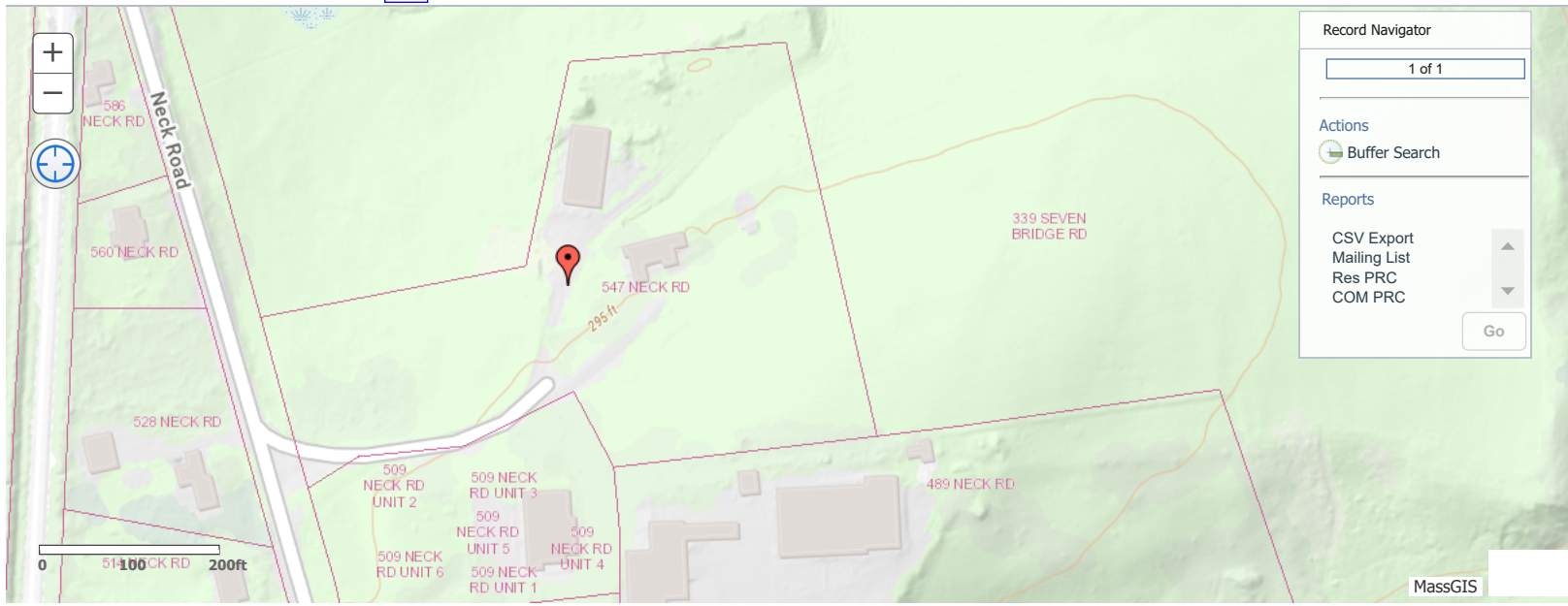
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#1

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#2

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WORCESTER DISTRICT REGISTRY  
OF DEEDS-WORCESTER, MA  
PLAN BOOK 972 PLAN 122  
Received 8-21-2023  
12 h 51 m PM  
Sheet 1 of 1  
Fee 105.00  
ATTEST: *Kathryn A. Ormoy*  
Register

NAD83

**LEGEND**  
These standard symbols will  
be found in the drawing.  
□ CONCRETE BOUND FOUND  
○ IRON PIPE FOUND

N/F  
KALON FARMS, INC.  
DEED BK. 53070 PG. 190

**NOTE**  
PARCEL A IS NOT TO BE CONSIDERED A SEPARATE BUILDING  
LOT AND IS TO BE CONVEYED AND ANNEXED WITH LAND  
OF KALON FARMS, INC TO FORM ONE UNDIVIDED LOT

N/F  
KALON FARMS, INC.  
DEED BK. 53070 PG. 190

**ZONING DATA:**  
RESIDENTIAL  
LOT AREA = 87,120 S.F. (2 ACRES)  
LOT FRONTAGE = 225'  
FRONT YARD SETBACK = 40'  
SIDE YARD SETBACK = 30'  
REAR YARD SETBACK = 30'

**PLAN REFERENCE:**  
PLAN BOOK 118 PLAN 1  
PLAN BOOK 280 PLAN 113  
PLAN BOOK 416 PLAN 121  
PLAN BOOK 435 PLAN 71  
PLAN BOOK 571 PLAN 40  
PLAN BOOK 669 PLAN 5  
PLAN BOOK 752 PLAN 117

LINE	BEARING	DISTANCE
L1	N 82°43'18" E	134.70'
L2	S 77°07'08" W	92.06'
L3	S 62°45'39" W	60.03'
L4	S 13°20'43" W	161.70'
L5	S 53°00'08" E	16.38'
L6	N 13°20'43" E	124.53'
L7	N 53°22'24" W	114.72'
L8	S 51°10'44" W	117.56'
L9	S 53°00'08" E	15.47'
L10	S 51°02'01" E	124.70'
L11	S 62°16'32" W	94.75'
L12	S 77°07'08" E	99.59'
L13	N 82°43'18" E	133.11'
L14	N 16°06'28" W	115.18'

NECK ROAD

PROPOSED UTILITY/  
ACCESS EASEMENT  
9,208 Sq. Feet

LOT #1  
87,120 Sq. Feet  
2.0000 Acres

HOUSE  
#547

N 73°36'08" E  
305.55'

N/F  
BOGIGIAN MANSION  
CONDOMINIUM  
DEED BK. 36883 PG. 26

PARCEL A  
95,110 Sq. Feet  
2.1834 Acres

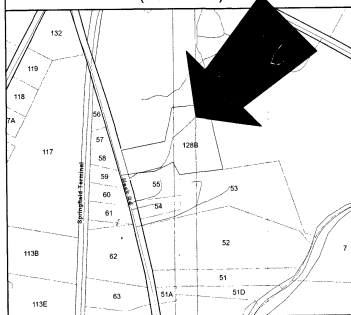
OPEN  
WALL  
SHED

N/F  
HILLWINDS FAMILY LIMITED  
PARTNERSHIP  
DEED BK. 36475 PG. 308

PLANNING BOARD ENDORSEMENT IS NOT A  
DETERMINATION AS TO CONFORMANCE WITH  
THE ZONING BYLAWS.

**OWNER OF RECORD:**  
KALON FARMS, INC  
19 PIERCE AVENUE, SUITE C #102  
FITCHBURG, MA  
DEED BOOK 53070 PAGE 190  
ASSESSORS MAP 30 LOT 128B  
**LOCATION:**  
NECK ROAD  
LANCASTER, MA

LOCUS MAP  
(NO SCALE)



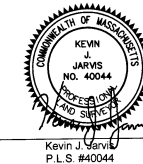
Approval under the subdivision  
control law not required.  
Planning Board of LANCASTER.

DATE: *Aug 14, 2023*  
*[Signature]*  
*[Signature]*  
*[Signature]*

**JARVIS LAND SURVEY, INC**

29 Grafton Circle  
Shrewsbury, MA 01545  
Tel. (508) 842-8087 ~ Fax. (508) 842-0661 5-16-2023

THIS PLAN HAS BEEN PREPARED IN  
CONFORMITY WITH THE RULES AND  
REGULATIONS OF THE REGISTERS OF  
DEEDS IN THE COMMONWEALTH OF  
MASSACHUSETTS AND IN COMPLIANCE  
WITH THE RULES AND REGULATIONS  
FOR THE PRACTICE OF LAND SURVEYING  
IN THE COMMONWEALTH OF MASSACHUSETTS.  
THIS CERTIFICATION IS INTENDED TO MEET  
THE REQUIREMENTS OF THE REGISTRY OF  
DEEDS AND IS NOT A CERTIFICATION OF THE  
TITLE OR OWNERSHIP OF THE LAND SHOWN  
HEREON.



PLAN OF PROPERTY  
SURVEYED FOR  
**KALON FARMS, INC**  
547 NECK ROAD  
LANCASTER, MASSACHUSETTS

DATE: 5/16/2023	CHECK: K.J.J.	CALC: K.J.J.	FIELD: CS/RB	N.B.# 348/2	PLAN: 22-584
--------------------	------------------	-----------------	-----------------	----------------	-----------------

0' 50' 100' 150'  
SCALE: 1 INCH = 50 FEET

#3

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Analysis of Permit Fees

FY2022 7/1/2021 to 7/1/2022					Assuming 70% to inspectors				
	Application Payments		Inspectors Pay	Lancaster Rev	% of Fees Collected	Inspectors Pay	Lancaster	Change Revenues	Lancast Change Inspector Pay
Plumbing & Gas	\$22,640		\$12,000		\$10,640 0.530035336	\$15,848		\$6,792	-\$3,848.00
Electrical	\$28,347		\$18,000		\$10,347 0.634987829	\$19,843		\$8,504	-\$1,842.90
FY2023 7/1/2022 to 7/1/2023						Total FY2022			-\$5,690.90
	Application Payments	No of Insp.	Inspectors Pay	Lancaster Rev	% of Fees Collected	Per inspection Pymnt			
Plumbing & Gas	\$26,170	152	\$12,000		\$14,170 0.458540313	\$78.95	\$18,319	\$7,851	-\$6,319.00 \$6,319.00
Electrical	\$27,383	303	\$18,000	\$9,383	0.657342147	\$59.41	\$19,168	\$8,215	-\$1,168.10 \$1,168.10
							Total FY2023		-\$7,487.10

Assuming electric permit fees increase 30% and inspector pay is 70% of revenues									
	FY2023	FY2023 Inspection Count	Per inspection Payment		Changes Revenue for Lancaster		Change Inspector Pay	Percent Increase Pay	
Application Payments Electrical	\$35,597.90								
Inspectors Pay	\$24,918.53	303	\$82.24		\$1,296.37		\$6,918.53	0.384362778	
Lancaster Revenues	\$10,679.37							38.43% Pay Raise	
Assuming Plumbing & Gas fees stay constant and pay is 60% of revenues									
Plumbing & Gas Revenues	\$26,170	152	\$103		-\$3,702.00		\$3,702	0.3085	
Inspectors Pay	\$15,702							30.85% Pay Raise	
Lancster Revenues	\$10,468				Total Change Revenue	-\$2,405.63			

Plumbing & Gas 10/1/2022 to 10/22/2023 12000 165 \$73

FY2023	Per Inspection Payment Based On Permit Pro Data
Plumbing & Gas	\$78.95
Electrical	\$59.41

Plumbing & Gas	Assume 65% Of Fees Collected		Per Inspection Payment	
FY2023	\$26,170	\$17,011	165	\$103.09
	Assume 60% Of Fees Collected			
	\$26,170	\$15,702	165	\$95.16
	Assume 55% Of Fees Collected			
	\$26,170	\$14,394	165	\$87.23

#4

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Town Meeting Day & Time Preferences  
Survey Results

Select Board Meeting  
10/16/2023

	M-F 7PM	M-F 5PM	Sat 10AM	Sat 1PM	Sun 10AM	Sun 1PM
1st Choice	143	19	17	11	15	14
2nd Choice	25	126	18	14	4	22
3rd Choice	22	14	17	13	106	16
4th Choice	2	22	8	20	19	108
5th Choice	11	11	90	31	21	14
6th Choice	6	13	34	95	15	19

More likely to attend a multiday mtg not  
exceeding 3 hrs ea day?

Yes 49

No 146

No Preference 24

Multiday option preference?

Sun PM & Mon PM 27

Sat AM & Sun PM 6

Sat PM & Sun AM 7

Used or are using Child Care?

Yes 23

No 173

Have you attended the Annual Town Mtg 4 of the past 5 years?

Yes 104

No 107

#5

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The Commonwealth of Massachusetts  
Office of the Attorney General  
One Ashburton Place  
Boston, Massachusetts 02108

RECEIVED

OCT 03 2023

Board of Selectmen

## OPEN MEETING LAW COMPLAINT FORM

### Instructions for completing the Open Meeting Law Complaint Form

The Attorney General's Division of Open Government interprets and enforces the Open Meeting Law, Chapter 30A of the Massachusetts General Laws, Sections 18-25. Below is the procedure for filing and responding to an Open Meeting Law complaint.

#### Instructions for filing a complaint:

- o Fill out the attached two-page form completely and sign it. File the complaint with the public body within 30 days of the alleged violation. If the violation was not reasonably discoverable at the time it occurred, you must file the complaint within 30 days of the date the violation was reasonably discoverable. A violation that occurs during an open session of a meeting is reasonably discoverable on the date of the meeting.
- o To file the complaint:
  - o For a local or municipal public body, you must submit a copy of the complaint to the chair of the public body AND to the municipal clerk.
  - o For all other public bodies, you must submit a copy of the complaint to the chair of the public body.
  - o Complaints may be filed by mail, email, or by hand. Please retain a copy for your records.
- o If the public body does not respond within 14 business days and does not request an extension to respond, contact the Division for further assistance.

#### Instructions for a public body that receives a complaint:

- o The chair must disseminate the complaint to the members of the public body.
- o The public body must meet to review the complaint within 14 business days (usually 20-22 calendar days).
- o After review, but within 14 business days, the public body must respond to the complaint in writing and must send the complainant a response and a description of any action the public body has taken to address it. At the same time, the body must send the Attorney General a copy of the response. The public body may delegate this responsibility to its counsel or a staff member, but only after it has met to review the complaint.
- o If a public body requires more time to review the complaint and respond, it may request an extension of time for good cause by contacting the Division of Open Government.

#### Once the public body has responded to the complaint:

- o If you are not satisfied with that the public body's response to your complaint, you may file a copy of the complaint with the Division by mail, e-mail, or by hand, but only once you have waited for 30 days after filing the complaint with the public body.
- o When you file your complaint with the Division, please include the complaint form and all documentation relevant to the alleged violation. You may wish to attach a cover letter explaining why the public body's response does not adequately address your complaint.
- o The Division will not review complaints filed with us more than 90 days after the violation, unless we granted an extension to the public body or you can demonstrate good cause for the delay.

If you have questions concerning the Open Meeting Law complaint process, we encourage you to contact the Division of Open Government by phone at (617) 963-2540 or by e-mail at [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us).



## OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General  
One Ashburton Place  
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

### Your Contact Information:

First Name: Heather Last Name: Lennon

Address: 294 icholas Drive

City: Lancaster State: MA Zip Code: 01523

Phone Number: 733-6907 Ext. Area Code 978

Email: hlennon@earthlink.net

Organization or Media Affiliation (if any): Lancaster Hlistorical Commission

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

☒ Individual ☐ Organization ☐ Media

### Public Body that is the subject of this complaint:

☒ City/Town ☐ County ☐ Regional/District ☐ State

Name of Public Body (including city/  
town, county or region, if applicable): Lancaster Select Board (SB)

Specific person(s), if any, you allege  
committed the violation: Steve Kerrigan, SB Chairperson

Date of alleged violation: 9-5-23



## Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

On 9-5-23, Lancaster Select Board (SB) Chairperson Steve Kerrigan, accepted an "invalid" verbal resignation from Heather Lennon, Chairperson of the Lancaster Historical Commission (LHC). The violation is believed to be intentional because the verbal resignation in question, made during a phone conversation on 8/9/23 and while Lennon was under duress was RESCINDED in writing on 8/28/23 by Lennon herself through a certified letter she sent to town officials. They received it on 8/30/23. This timeline shows that they were in possession of it for almost a week when Chairperson Kerrigan moved the earlier verbal resignation forward for acceptance at a meeting held on 9/5/23.

Further, and very dishonestly, Kerrigan, on 9-5-23, withheld the fact that on 8/8/23 he had already written a document posting a VOLUNTEER VACANCY on the LHC with the Town Clerk citing Lennon's verbal resignation. Phone records reveal he did not even speak with Lennon on the 8th but had simply texted her to arrange a "chat" on the 9th.

The verbal resignation document composed and presented by Kerrigan and initialed as having been reported to Town Administrator Kate Hodges on 8/8/23 is totally invalid and reveals a level of malfeasance which absolutely cannot be tolerated by the citizens of Lancaster who have entrusted him with leadership of the town.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

To remedy this, Kerrigan will immediately withdraw the resignation acceptance taken at the SB meeting of 9-5-23. SB Meeting Minutes will be corrected for accuracy in Public Record keeping. Lennon will get a written apology and written assurance that the collection will remain intact as presently located. She will be restored as LHC Chairperson and will have restored the tools she needs to do her work. She will have access to her work/storage areas M-F from 9 am to 4 pm..

## Review, sign, and submit your complaint

### I. Disclosure of Your Complaint.

**Public Record.** Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

**Publication to Website.** As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

### II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

### III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us).

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

For Use By Public Body  
Date Received by Public Body:

For Use By AGO  
Date Received by AGO:

## **Supporting Documents:**

- 8/3/23 *Intimidating email* is sent from Kate Hodges to Heather Lennon (KB, SK, CG)
- 8/28/23 HL sends *certified letter* to the SB rescinding her verbal resignation
- 9/5/23 *SB Special Meeting:*

1. A *FACT SHEET* is handed out as well a request for TRANSPARENCY.
  2. 9/5/23 *SB Special Meeting Agenda*, page 2 of 2 RESIGNATIONS - HL – from LHC
  3. 9/5/23 *Special Meeting Minutes*, page 3 of 8, LHC - reorganization and charge - Steve Kerrigan
  4. 9/5/23 *Special Meeting Minutes*, page 4 of 8, Public Comment - three citizens supporting HL
  5. 9/5/23 *Special Meeting Minutes* page 6 of 8, Resignations – HL from the Lancaster Historical Commission (LHC)
- 9/21/23 An e-mail was sent by HL to the Town Clerk asking for a copy of any documents filed regarding her resignation
  - 9/22/23 An e-mail was sent to HL from the Town Clerk with the attached requested document attached. It was written, signed and filed by Steve Kerrigan on 8/8/23 referencing a verbal resignation from HL in a phone conversation purportedly made on Tuesday, 8/8/23.

***NOTE: On 8/8/23 Kate Hodges was also informed via phone as indicated by initials put the document by SK the same day.***

Kate Hodges  
8-3-23

11:11 AM  
(11 hours ago)

TA DPW SB Chair CFO

to me, Kevin, Stephen, Cheryl

intimidating email

Heather,

It has come to my attention that you, in your Capacity as Historical Chair, HIRED a tree company to cut trees in the cemetery and have said that you would be paying them from an account you were told was given to DPW for tree cutting. I have told you and Kathi has written to you about this that you have absolutely no authority to hire contractors to do work on town property nor do you have the authority to commit town funds of any kind to anything. I appreciate your eagerness to get things done, but you have now opened the town to a great deal of liability and, furthermore, have misappropriated funds which is against the law and, if you were an employee, grounds for termination. This is incredibly serious, and I will be meeting with Council to discuss where to go from here.

Please do NOT engage any contractors and if you receive a call from someone about this matter, refer them to the Accounting Office. I will ask Chairman Kerrigan to follow up with you.

Kevin will deal with the situation and have the contractor STOP all work. As for how we can even pay this person, that will likely be a discussion we will have to have relative to your revolving account.

Kate Hodges, Town Administrator  
Town of Lancaster  
[khodges@lancasterma.gov](mailto:khodges@lancasterma.gov)  
978-365-3326

The contents of this email and any attachments are the property of the Town of Lancaster Massachusetts and subject to the Public Records Law, M.G.L. c. 66, section 10. When writing or responding, please remember that the Massachusetts Secretary of State's Office has determined that email is a public record and not confidential.

**Heather Lennon** <[hlennon72@gmail.com](mailto:hlennon72@gmail.com)>  
8-3-23

6:35 PM  
(4 hours ago)

to Kate

TA HODGES,

PLEASE CALL ME AT ONCE REGARDING THIS MATTER!

Heather Lennon, LHC Chair

(978) 733-6907

response

DATE: August 28, 2023

TO: Lancaster Select Board (SB) and Town Administrator (TA)

FROM: Heather Lennon, Lancaster Historical Commission (LHC) Chairperson

SUBJECT: Resignation as LHC Chairperson

*Heather Lennon*

Be advised:

I am rescinding the verbal indication that I am resigning as LHC Chairperson.

I am requesting a public hearing.

In the future, communicate with me directly.

7022 2410 0003 4605 7696

U S Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
Lancaster MA 01522	
Certified Mail Fee	\$4.35
\$	\$0.00
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.66
\$	\$0.01
Total Postage and Fees	\$5.01
\$	
Sent To	Lancaster Select Board and TA
Street and Apt. No., or P.O. Box No.	101 Main St. Second Floor
City, State, ZIP+4®	Lancaster, MA 01522
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

0510  
U.S.P.S.  
AUG 28 2023  
Postmark Here  
01510  
CLERK MA 01510

Lancaster Historical Commission **September 5, 2023** Lancaster Select Board Meeting

Susan Worth Root Rd., Hubbardston, MA, **PROXY** for Heather Lennon, Nicholas Dr., Lancaster, MA for matters pertaining to the current Lancaster Historical Commission situation.

I am here representing HL to request **TRANSPARENCY** and provide specific **FACTS** regarding the following topics:


- **Receipt of an intimidating email from town leadership on August 3, 2023**
- **Clarification of HL Resignation status/MGL Part I Title VII Chapter 41 Section 109**
- **HL certified letter requesting a public hearing/MGL Part I Title VII Chapter 40 Section 8D**
- **Protocol to arrange mutually agreeable terms for the requested public hearing**

(Note: MGL specifics available post meeting)

#### **INTIMIDATING EMAIL**

HL is falsely accused of "...misappropriating funds which is against the law..." (Definition: *The act of stealing something and using it for one's personal gain, typically money.*) Clearly HL was upset and confused and immediately reached out to leadership. **SHE HAS RECEIVED NO RESPONSE.**

#### **CLARIFICATION OF RESIGNATION STATUS**

 On August 9<sup>th</sup>, HL **verbally resigned** during a phone call w/SB leadership. She was not allowed to present her concerns. As a result, HL sent a **certified letter to Lancaster Leadership on August 28, 2023** **RESCINDING** that verbal resignation as LHC Chairperson.

**Per MGL Part I Title VII Chapter 41 Section 109, "No resignation of a town or district officer shall be DEEMED EFFECTIVE unless and until such resignation is FILED with the TOWN or district CLERK..."**

No resignation letter from HL has been submitted and/or filed with the town clerk.

**Status = HEATHER LENNON HAS NOT RESIGNED** as LHC Chairperson

#### **REQUEST FOR A PUBLIC HEARING**

In her August 28, 2023 certified letter HL also requested a public hearing.

**Per MGL Part I Title VII Chapter 40 Section 8D, "Any member or alternate member of a commission so appointed may, after a public hearing IF REQUESTED, be removed for cause by the appointing authority."**

#### **REQUEST DISCUSSIONS YIELDING MUTUALLY AGREEABLE TERMS FOR A PUBLIC HEARING**

Susan Worth will send contact information to Lancaster Leadership

During the recent events Lancaster Leadership has displayed a blatant disregard for any due process - a legal term for procedural fairness implicit in the just cause standard used in employer-employee/volunteer relations. A paramount obligation of the just cause standard is to allow an employee a chance to tell their side of the story before the employer decides to impose discipline.

But, there is more at stake than the attempt to remove HL as Chair of the Historical Commission. Mass General Law 5.8d **requires the Historical Commission to protect and preserve historical assets. Without strong Commission leadership these assets and Lancaster's unique place in American history are at risk.** This heavy-handed approach is unacceptable. Lancaster deserves better!

---

Attached: KH letter to HL, two MA General Laws pertaining to Resignation & Historical Commissions, certified letter rescinding verbal resignation & requesting a public hearing, proxy letter





**LANCASTER SELECT BOARD**  
**Special Meeting Agenda**  
**Prescott Building – Nashaway Room & ZOOM**  
**Tuesday, September 5, 2023**  
**6:00 P.M.**

*In accordance with the Open Meeting Law, please be advised that this meeting will be recorded and broadcast, and/or rebroadcast, over Sterling-Lancaster Community TV.*

**VII. APPOINTMENTS AND RESIGNATIONS -**

Announce and accept the following resignations offered either verbally, or in writing, to a member(s) of the Select Board:

- Denise Hurley, Lancaster Board of Health
- Denise Hurley, Lancaster Cultural Council
- Heather Lennon, Lancaster Historical Commission

**VIII. Licenses & Permits -**

1. Application for Public Entertainment (Weekdays) and Sundays – The Profound Market, , Saturday, September 23, 2023 from 8:30am-5pm and Sunday, September 24, 2023 from 10am-5pm) at the Lancaster Fairgrounds, 318 Seven Bridge Road.
2. Application Special (One Day) Liquor License for The Profound Market to be held on September 23<sup>rd</sup> and 24<sup>th</sup> , 2023 at the Lancaster Fairgrounds from 8:30am-5pm (Saturday) and 10am-5pm (Sunday).

**IX. COMMUNICATIONS**

- Select Board's upcoming meetings will be held on September 18, 2023 & October 2<sup>nd</sup> both starting at 6:00 PM.
- Special Town Meeting called for Monday, September 18, 2023. The meeting will be held in the Mary Rowlandson and Luther Burbank schools starting at 7:00pm.
- Special Town Election called for Monday, September 25, 2023. Polls open from 7 am – 8 pm.
- Miscellaneous Correspondence & Memorandums
  - FEMA FIS Study Report

**X. EXECUTIVE SESSION**

The Lancaster Select Board will enter into Executive Session pursuant to M.G.L. c.30A, §21(a) for the following purposes:

1. Purpose (3): To discuss strategy with respect to litigation in the matter of J. King and B. King vs. Town of Lancaster as the Chair has determined that having a discussion in open session would have a detrimental effect on the public body's litigation position

And not to re-convene in open session thereafter.

**XI. ADJOURNMENT**

Mr. Kerrigan recognized Victoria Petracca. Ms. Petracca is concerned that the building may be undersized for the housing growth required by the State. Mr. Downing expressed confidence that the numbers presented are adequate.

### III. APPROVAL OF MEETING MINUTES

Review and take action on the following Select Board's Meeting Minutes:

- August 7, 2023
- August 16, 2023

Ms. Turner offered a motion to approve the minutes of the Select Board's meetings of both August 7, 2023, and August 16, 2023. Mr. Kerrigan seconded the motion. *Vote taken. Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [2-0-0].*

### IV. BOARD, COMMITTEE, AND DEPARTMENT REPORTS

- Lancaster Historical Commission Discussion (Kerrigan)

Mr. Kerrigan stated that sometime in September, the Select Board will meet jointly with the Historical Commission to help them with their reorganization and their charge, and to set a schedule for some additional meetings throughout the Fall.

- Discuss Staff Harassment RE: Provided Select Board Zoom Access (Allison)

Mr. Allison stated that he is a proponent of accessibility re. meetings, but at the last meeting, while discussing STM warrant articles, there were technical difficulties, and the Select Board tried hard to correct issues. Following this, multiple residents threatened to go to the State, have votes declared null, and have votes overturned. Mr. Allison would like to have a discussion about the risk of having votes overturned due to technical difficulties. Mr. Allison said that if using Zoom puts the Board at risk for overturning votes, perhaps Zoom should not be used. Ms. Turner agreed that the technology can sometimes be imperfect, and that the last meeting's action, where votes were reiterated once technical problems were resolved, was adequate. Mr. Kerrigan noted that it's easy to forget that volunteers are doing their best, and he would implore folks to consider the personal level of some of the attacks being made.

- Update of Hawthorne Lane (Allison)

Mr. Allison explained that Hawthorne Lane is a housing development that has had many challenges. There is an outstanding punch list, and while Mr. Allison understands that overseeing this is not the Board's role, he thinks that lack of resolution will impact the Town. He proposed that the Board appoint him to try to remediate outstanding issues. Ms. Turner expressed concern that this might further complicate the issues; Mr. Kerrigan thinks that the Select Board might have a role to play in helping to facilitate the conversation.

## V. PUBLIC COMMENT

Linnea Lakin Servey 1394 Main Street, spoke about Heather Lennon's resignation, stating that Ms. Lennon did not resign, and that according to State Law, resignations are only in effect when submitted in writing to the Town Clerk. She also stated that an unfortunate series of events has occurred; Ms. Lennon sent a registered letter to Mr. Kerrigan, rescinding her resignation, and then requested a Public Hearing to present facts and to explain why she had received an email stating that she could have broken the law. Ms. Servey stated that this registered letter has not been responded to, which is required by Massachusetts General Law when a Public Hearing is requested. Ms. Servey respectfully asks that communication and transparency be applied to this topic, since Ms. Lennon has volunteered for nearly twenty years.

Mr. Kerrigan recognized Jay Moody, 144 Seven Bridge Road. Mr. Moody expressed concern that the Government Study Committee, chaired by Mr. Kerrigan, has not done anything since its formation. He also is concerned that the Economic Development Committee seems to be defunct. Finally, Mr. Moody thinks that Heather Lennon has done much for the Town and deserves more than she is getting.

Mr. Kerrigan recognized Ralph Gifford, 861 George Hill Road. Mr. Gifford spoke in support of Heather Lennon, stating that simple problems that could be solved with conversation are instead elevated to conflicts, resulting in higher legal costs and a fractured town.

Mr. Kerrigan recognized Kendra Dickinson, 402 Oetman Way, speaking as a private citizen, a resident, and a taxpayer. Ms. Dickinson praised the current staff and volunteers for cleaning up problems left by their predecessors.

Mr. Kerrigan recognized Larry Shoer, 750 George Hill Road. Mr. Shoer attended the meeting via Zoom and commented about the project recognized as the Hawthorn Lane Flexible Development Subdivision, which he and his wife have been attending meetings regarding this matter. He noted that the Planning Board specifically asked the property owner to replace the traditional residential subdivision proposal with a flexible development proposal, one that provided significant, protected open space between the Development and George Hill Road. It was explained that flexible development, open space would produce some result that was more consistent with the rural residential character of the area. In particular planning board, flexible development Condition 5 required that quote. The applicant will provide to the Planning Board a perpetual conservation or agricultural preservation restriction as an MGL. Chapter 1, 84, section 31 and the Lancaster Zoning Bylaw. Mr. Shoer further stated said parcel shall not be used as a site of any buildings or other permanent structures, except that 2 drainage easements may be used for storm water management. In conclusion, Mr. Shoer stated there's one aggrieved party that has never received any relief from the developer or the town. These are the residents of George Hill Road.



## **NEW BUSINESS**

Ms. Hodges reported that there was a Cease and Desist Order issued to a Vendor over the weekend and that both Fire and Police Chiefs are present at this meeting to discuss the issue. Police Chief Moody explained that he hoped to dispel some of the social media discussion. He explained the needs and requirements for entertainment licensing. Chief Moody explained that relative to this weekend's issue, the applicant had stopped by the Police Station in late June or early July, dropped off a flyer, and asked the Police Department to participate in a 3-day "Touch a Truck" event. The applicant was advised that staffing or funding was not available to support such an event. The Chief suggested that the shift officers might enjoy the opportunity to do some Community Policing as their shifts allowed. The Chief believed that a mutual understanding had been reached. In August, the organizer had another conversation with Sgt. Mortimer, asking for overnight security details. The details were filled; details were discussed relative to traffic advised that the event would now include a helicopter landing and asked if all permits had been requested. She advised that the Event Planners had been told to get all necessary permits, and that they were planning to have traffic managed by veterans. Chief Moody explained that private traffic management was acceptable on Kimball's private property, but that police officers were required on public roadways. Fire Chief Hanson agreed with Chief Moody's assessment, suggesting that the entertainment licensing requirements should be updated to include a site plan. Chief Hanson explained that by last Friday afternoon there was signage indicating that the event was to have over 70 vendors. Under Massachusetts Fire Code, the Fire Chief is responsible for outdoor events, festivals, and carnivals, as it pertains to access for emergency vehicles, fire protection equipment, vendor placement, etc. Any tents over 120 square feet must be inspected by both the Building Department and the Fire Department to make sure they are in compliance with fire retardant regulations. The Chief explained that the Bolton Fair meets with Public Safety Departments weeks in advance of their events. Because no permit had been pulled with the Select Board, there was no way to gauge the size of this event, and a Cease & Desist Order was issued on Friday evening at 5:00PM by the Building Commissioner to the Event Coordinator at Kimballs Farms. Ms. Hodges reported that at 3:00PM on Friday, she received a call from Devens questioning a request for a "flyover" of their military air space by a Med Flight helicopter; at this point she had called the chiefs.

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Ms. Turner urged the Board to respond to requests for needs with Montachusett Regional Freight Study Commission; Mr. Kerrigan reminded her that she was to submit these suggestions to the Board in writing.

Mr. Turner congratulated P.J Keating on their 100<sup>th</sup> anniversary.

## **VII. APPOINTMENTS AND RESIGNATIONS**

Announce and accept the following resignations offered either verbally, or in writing, to a member(s) of the Select Board:

- Denise Hurley, Lancaster Cultural Council
- Heather Lennon, Lancaster Historical Commission



Susan W <chowli66@gmail.com>

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## Rescinded Verbal Resignation -- Heather Lennon, LHC Chairperson

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Heather <hlennon@earthlink.net>

Thu, Sep 21, 7:59 P

To: Amanda Cannon <ACannon@lanasterma.gov>

**TO:** Lancaster Town Clerk

**FROM:** Heather Lennon, Lancaster Historical Commission Chairperson

**SUBJECT:** Rescinded Verbal Resignation

**DATE:** 9-21-23

In my certified letter received by "an individual" on August 30, 2023 in the Prescott Building, I *rescinded* that verbal resignation from the Lancaster Historical Commission

According to MGL - Part I, Title VII, Chapter 41, Section 109 "No resignation shall be deemed effective unless and until it is filed with the town clerk." This statute is also included in the *Massachusetts Town Clerk Manual*, and, according to the office of the Attorney General, is standard practice in Massachusetts. I did *not file* any resignation with your office. I would therefore like to know what document *was* filed substantiating a resignation which I rescinded, and, who signed it? Please provide to me, without delay, a copy of this document.

Thank you,

Heather Lennon, Chairperson  
Lancaster Historical Commission



**Town of Lancaster**  
**Office of the Select Board**  
701 Main Street, Suite 1  
Lancaster, MA 01523

Jason A. Allison, Chair  
Stephen J. Kerrigan, Member  
Alexandra W. Turner, Member

Kate Hodges, Town Administrator  
Kathleen A. Rocco, Executive Assistant

**NOTE TO FILE – Volunteer Vacancy**

**Tuesday, August 8, 2023**

During a telephone conversation with Ms. Heather Lennon held today, August 8, 2023, Heather resigned from her position. This can be stamped as received and included on the Select Board's next regular agenda as time allows.

E-signed  
Stephen J. Kerrigan

RECEIVED

AUG 8 0 2023

Board of Selectmen

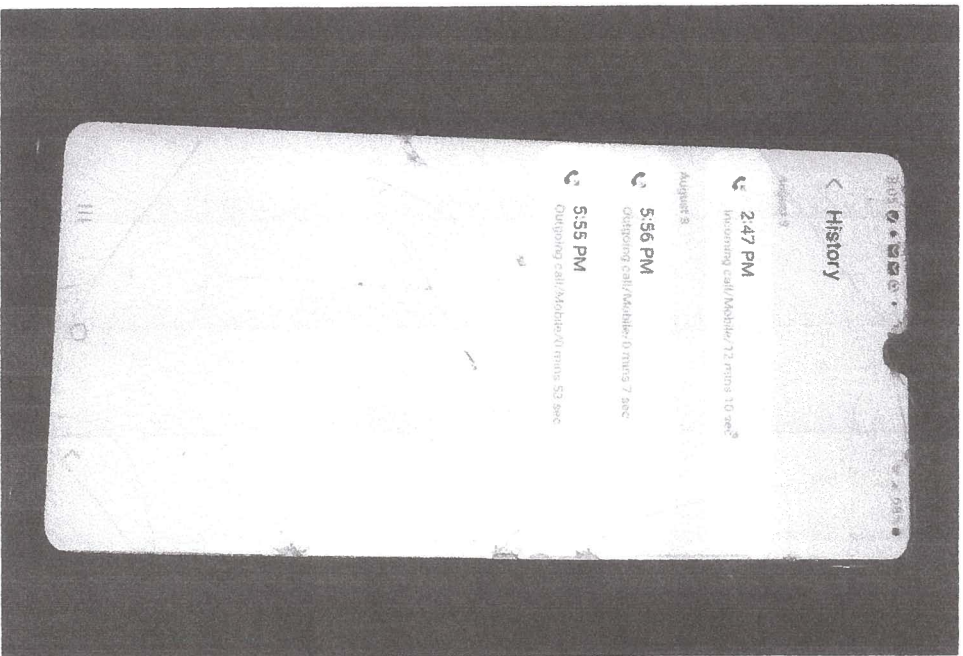
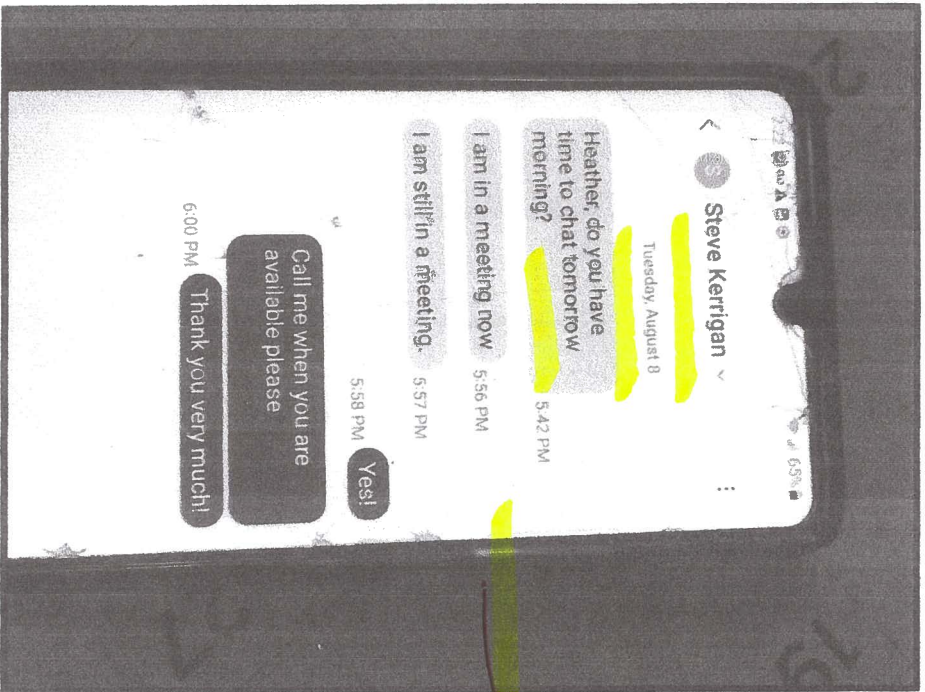
cc:// Town Clerk  
Kate Hodges, Town Administrator  
Kathi Rocco, Executive Assistant

Rec: 8/9  
Rec: 8/8 - phone SK  
Rec: 8/9

TOWN CLERK  
AUG 0 9 2023  
LANCASTER, MA 01523

This was  
sent to HL.  
on 8/22/23.





**Transcription of SCREEN SHOT of phone texts and subsequent conversation time length.**

**Steve Kerrigan reaches out to Heather Lennon**

**Tuesday, 8-8-23**

**SK Text:** Heather, do you have time to chat TOMORROW morning? 5:42 PM

**SK Text:** Response to phone call from HL -- I am in a meeting now 5:56 PM

**SK Text:** Response to phone call from HL I am still in a meeting 5:57 PM

**HL Text:** Yes! Call me when you are available please 5:58 PM

**HL Text:** Thank you very much! 6:00 PM

**Wednesday, 8-9-23**

**SK Phone Call to HL** HL's verbal resignation, under duress, takes place during this phone call 2:47 pm to 2:59 12 minutes and 10 seconds in length

***Little did HL know, on 8-9-23 that SK had submitted a resignation to the Town Clerk the day before on 8-8-23***

## APPOINTMENTS AND RESIGNATIONS

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On Wed, Sep 20, 2023 at 12:12 PM Haidee LeClair <[haidee.anna@gmail.com](mailto:haidee.anna@gmail.com)> wrote:

Hi Kathleen,

I understand from Susan Munyon that the town needs new members for the Lancaster Cultural Council, and I wanted to express interest.

I'm also under the impression that another member is needed for the Tax Fairness Committee (I do not know if this is still the case). If so, I may be able to assist with that as well.

Please let me know if there's additional information about these positions and whether you need anything from me.

Thank you,

Haidee LeClair

863 Main St, Lancaster, MA 01523

978-235-2556

The contents of this email and any attachments are the property of the Town of Lancaster Massachusetts and subject to the Public Records Law, M.G.L. c. 66, section 10. When writing or responding, please remember that the Massachusetts Secretary of State's Office has determined that email is a public record and not confidential.

## Kathi Rocco

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**To:** Susan Munyon  
**Subject:** RE: Government Studies Committee



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**From:** Susan Munyon <susanmunyon@comcast.net>  
**Sent:** Monday, October 9, 2023 9:10 PM  
**To:** Kathi Rocco <KRocco@lancasterma.gov>  
**Cc:** Kate Hodges <KHodges@lancasterma.gov>  
**Subject:** Government Studies Committee

Kathleen,  
I am interested in being on the Government Studies Committee.  
Please submit my name at the next Select Board meeting and confirm receipt of this email.

Also, I noticed that on the November calendar, it showed Thanksgiving on Nov 30<sup>th</sup> with the offices being closed. Just thought someone could get that updated/corrected when they had the chance.

Thank you,  
Susan

**Susan Munyon**  
96 Grant Way | Lancaster, MA 01523-3112  
[susanmunyon@comcast.net](mailto:susanmunyon@comcast.net) | 978-764-0520



## IX. LICENSES AND PERMITS

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## Rental Application

### Lancaster Use of Town Owned Buildings & Town Green

TO: SELECT BOARD, LANCASTER MASSACHUSETTS

RE: PERMISSION TO RENT THE FOLLOWING TOWN OWNED BUILDINGS (Please check one)

☒ TOWN HALL AUDITORIUM

☐ LANCASTER COMMUNITY CENTER (LCC) GYM

☐ LANCASTER COMMUNITY CENTER (LCC) MEETING ROOM

☐ TOWN GREEN/GAZEBO

Name of Individual/Organization: Lancaster 4-H

Date of Event: Nov 29, 2023 - Dec 3, 2023

Time: 3pm Nov 29 - 2pm Dec 3, 2023

Program: Festival of the Trees

Rehearsal(s) will/will not be necessary on

From: \_\_\_\_\_ To: \_\_\_\_\_

If Banquet, Caterer will be: None

We do/do not plan to have an uniformed Police Officer on duty.

Program Director/Contact person name: Judith Zmijak

Address: 23 Carter St, Lancaster MA 01523

Email: judykzmj@ gmail.com

Phone: 978-230-3096

\*\*\*\*\*

Approved: ☐

Disapproved: ☐

Lancaster SELECT BOARD \_\_\_\_\_



## Rental Application

### Lancaster Use of Town Owned Buildings & Town Green

TO: SELECT BOARD, LANCASTER MASSACHUSETTS

RE: PERMISSION TO RENT THE FOLLOWING TOWN OWNED BUILDINGS (Please check one)

☐

TOWN HALL AUDITORIUM

☐

LANCASTER COMMUNITY CENTER (LCC) GYM

☐

LANCASTER COMMUNITY CENTER (LCC) MEETING ROOM

☒

TOWN GREEN/GAZEBO

Name of Individual/Organization: Lancaster 4-N

Date of Event: Dec 2 2023

Time: 6:45 - 9

Program: Town Tree Lighting

Rehearsal(s) will/will not be necessary on

From: \_\_\_\_\_ To: \_\_\_\_\_

If Banquet, Caterer will be: None

We do/do not plan to have an uniformed Police Officer on duty.

Program Director/Contact person name: Judy Zmijak

Address: 23 Carter St Lancaster, MA 01523

Email: judykzmijak@gmail.com

Phone: 978-230-3096

\*\*\*\*\*

Approved: ☐

Disapproved: ☐

Lancaster SELECT BOARD \_\_\_\_\_



## Rental Application

### Lancaster Use of Town Owned Buildings & Town Green

TO: SELECT BOARD, LANCASTER MASSACHUSETTS

RE: PERMISSION TO RENT THE FOLLOWING TOWN OWNED BUILDINGS (Please check one)

☐ TOWN HALL AUDITORIUM

☐ LANCASTER COMMUNITY CENTER (LCC) GYM

☐ LANCASTER COMMUNITY CENTER (LCC) MEETING ROOM

☒ TOWN GREEN/GAZEBO

Name of Individual/Organization: Lancaster 4-H

Date of Event: Sunday March 10, 2024

Time: 9 am (setup 7:15 am) - 10:30 am

Program: Town Egg Hunt

Rehearsal(s) will/will not be necessary on

From: \_\_\_\_\_ To: \_\_\_\_\_

If Banquet, Caterer will be: None

We do/do not plan to have a uniformed Police Officer on duty.

Program Director/Contact person name: Judy Zmijak

Address: 23 Carter St Lancaster, MA

Email: judy.k.zmijak@gmail.com

Phone: 978-230-3096

\*\*\*\*\*

Approved: ☐ \_\_\_\_\_

Disapproved: ☐ \_\_\_\_\_

Lancaster SELECT BOARD \_\_\_\_\_



# **TOWN OF LANCASTER, MASSACHUSETTS**

## **OFFICE OF THE SELECT BOARD**

### **SPECIAL (ONE DAY) LIQUOR LICENSE APPLICATION**

TODAY'S DATE: 10/11/23

APPLICANT'S NAME: Jesse Tarbell TELEPHONE: 617.800.7070

ORGANIZATION: Sterling Street Brewery

EVENT ADDRESS: Town Green, 701 Main Street

EVENT PURPOSE: Halloween on the green

EVENT DATE: 10/29/23

EVENT HOURS: 4-8pm

ALCOHOL: Beer and Wine: X All Alcohol\*: \_\_\_\_\_  
(Non Profit; Charity or Club Only)\*

ATTENDANCE: Approximate Number of Persons in Attendance: 500

Persons Under 21 in Attendance: Yes X No \_\_\_\_\_

*If this Special One-Day Liquor License is granted, I hereby agree to abide by all rules, regulations and laws of the Commonwealth of Massachusetts concerning the sale and consumption of alcohol, particularly with regard to the minors. No persons under the age of twenty-one (21) shall be served alcoholic beverages.*

*Jesse Tarbell*

Signature of Applicant

### **POLICE DEPARTMENT OFFICIAL USE ONLY**

\_\_\_\_x\_\_\_\_ Approval Recommended \_\_\_\_\_ Approval **Not** Recommended

Police Officer Required: Yes x No \_\_\_\_\_

Comments/Conditions: Officers will be onsite as community policing opportunity.

Date: 10/11/2023

*Chief of Police Everett L. Moody*  
Police Chief Signature



## CERTIFICATE OF COMPLETION

This certifies that

Jesse Tarbell

is awarded this certificate for

**TIPS On-Premise Alcohol Server Training**



Hours  
3.00



Completion Date  
11/12/2022



Expiration Date  
11/11/2025



Certificate #  
ON-000027159157

Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

5000 Plaza on the Lake, Suite 305 | Austin, TX 78746 | 877.881.2235 | [www.360training.com](http://www.360training.com)

(CUT HERE)

(CUT HERE)



Issued: 11/12/2022

Certificate #: ON-000027159157

Jesse Tarbell  
175 Sterling St  
Clinton

MA 01510

**CERTIFIED**

Expires: 11/11/2025



Phone: 800-438-8477

[www.gettips.com](http://www.gettips.com)

This card was issued for successful completion of the TIPS program.

Signature \_\_\_\_\_



MASSBRE-01

MDAVENPORT

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/11/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> GHM 51 Main Street Waterville, ME 04901	<b>CONTACT NAME:</b>		
	<b>PHONE (A/C, No, Ext):</b> (800) 439-4311	<b>FAX (A/C, No):</b>	
	<b>E-MAIL ADDRESS:</b> info@allenif.com		
<b>INSURED</b>  Mass Brewing, LLC 175 Sterling St Clinton, MA 01510	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
	INSURER A : Tri State Insurance Co		31003
	INSURER B : Acadia Insurance Co		31325
	INSURER C :		
	INSURER D :		
	INSURER E :		
	INSURER F :		

## COVERAGES

## CERTIFICATE NUMBER:

## REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.


INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY  <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			ADV5453236-13	9/15/2023	9/15/2024	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
							MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY  <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	WCA5453240-13	9/15/2023	9/15/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
							E.L. EACH ACCIDENT \$ 500,000
							E.L. DISEASE - EA EMPLOYEE \$ 500,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Liquor Liability			ADV5453236-13	9/15/2023	9/15/2024	Each Occurrence 1,000,000
A	Liquor Liability			ADV5453236-13	9/15/2023	9/15/2024	Aggregate 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder is additional insured in regards to general liability for ongoing operations with signed contract in place via policy broadening endorsement

## CERTIFICATE HOLDER

## CANCELLATION

Town of Lancaster 39 Harvard Rd Lancaster, MA 01523	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

# COMMUNICATIONS

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## ADJOURNMENT

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